

**Staff-Initiated Revisions to Draft 5 of RECODE (Posted May 2019)**  
**Distributed at Special-Called Council Meeting on May 14, 2019**  
**Updated May 27, 2019**

		<b>Page #</b>	<b>Section</b>	<b>Proposed change</b>	<b>Notes</b>	<b>Council Action</b>	<b>Staff Response</b>
1	<b>Article 2</b> Gen. Defin & Measurement Methodologies	2-4	2.3 Definitions	Change name from “Base Zone” to “Base <u>or Underlying</u> Zone”	For clarification	Approved revision by vote 5/14/19	Incorporated per Council vote
2	<b>Article 4</b> Residential Neighborhood Districts	4-3	Table 4.1: Residential Districts Dimensional Standards	Revise <b>Minimum Lot Area</b> for all references to <b>2F</b> as follows:  RN-2: 10,000 sf RN-3: 7,500 sf RN-4: 7,000 sf	MLAs were discussed by the Planning Commission on Jan. 10, 2019	Approved revisions by 8-1 vote on 5/14/19	Incorporated per Council vote
3	<b>Article 7</b> Form-Based Code Districts	7-1	7.0       7.1 7.2	<b>Add</b> Art.7.0, and <b>insert</b> the Form Based Code’s <b>General Provisions</b>       <b>Switch order to:</b> 7.1 SW South Waterfront 7.2 CU Cumberland	The General Provisions were inadvertently left out; intent has always been to make no changes to the Form-Based Codes.       Re-ordering the code names provides consistency with current zoning ordinance	Approved revisions by vote on 5/14/19	Incorporated per Council vote

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4	<b>Article 9</b> Uses	9-5	9.2 Table 9.1: Use Matrix	Under <b>INST</b> zone, <b>insert “P”</b> (Permitted Use) for <b>Public Safety Facility</b> .  Under <b>C-R</b> zone, <b>delete “P”</b> for <b>Storage Yard, Outdoor</b> .	Discussed by the Planning Commission in Dec 2018 workshop.		
5	<b>Article 10</b> Site Development Standards	10-9	10.3(O)(2) Accessory Structures and Uses  <b>10.3(O)(3)</b> – to be added	<b>Revise</b> end of sentence to “from any <u>side or rear</u> lot line.”  <b>Insert 10.3(O)(3):</b> “All structures under this subsection O must conform with that district’s corner side setback as a primary structure.”	Clarification; to be consistent with 10.3(O)(1).  Clarification; to align with district regulations and help avoid confusion		
6	<b>Article 11</b> Off-street Parking	11- 12	11.6(G)(4) Design of Off- street Parking Facilities	<b>End sentence</b> after “ <b>at terminal islands</b> ” and delete remaining portion.*	The omitted wording will be moved to Article 12.6(B)* on page 12-5 (see below)		

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7	<b>Article 12</b> Landscape	12-2  12-5	12.2(C) Minor Changes to Approved Landscape Plans  12.6(B)* Interior Parking Lot Landscape	<b>Delete</b> “Zoning Administrator” and <b>insert</b> “Knoxville-Knox County Planning”  <b>Revise</b> as follows: “Parking lot islands must be <del>the same dimension as the parking stall</del> <b>a minimum of 120 sf in single rows.</b> Double rows of parking must provide parking lot islands that are <del>the same dimension as the double row</del> <b>a minimum of 240 sf.”</b>	To comply with Recode Art. 16.4(C)(d) on p. 16-9  This incorporates the language removed from Article 11.6(G)(4) on p. 11-12; see above.		
8	<b>Article 15</b> Application Process	15-5	15.3 Vesting	<b>Add</b> “H. Article 15.3 is controlling notwithstanding any other section of this Zoning Code.”	Ensures state law compliance with Tenn. Code Ann. § 13-4-310 and provides clarification.		
9a	<b>Article 16</b> Zoning Applications	16-1	16.1(D) Zoning Text and Map Amendment – Procedure	<b>Edit final sentence</b> to: “Amendments initiated by the City Council, <b><u>City staff or departments on behalf of the City, the City-appointed Stakeholder Advisory Committee,</u></b> or the Knoxville-Knox County Planning Commission also require an application, but are exempt from fees.”	To clarify who is exempt from fees for applications for amendments.		

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9b	<b>Article 16, continued</b> Zoning Applications	16-5	16.2(H) Expiration	<b>Delete Section H;</b> then subsection (I) Appeals is now (H) Appeals.	This is addressed already in Art. 15.3 as required by Tenn. Code Ann. § 13-4-310; removes duplication.		
9c		16-8	16.3(G) Expiration of Variance	<b>Delete this section;</b> then subsection (H) Appeals becomes (G) Appeals.	This is addressed already in Art. 15.3 as required by Tenn. Code Ann. § 13-4-310; removes duplication.		
9d		16-9	16.4(D)(2) Site Plan Review - Procedure	<b>Delete this Section.</b>	This will be addressed via a MOU with the Airport Authority.		
9e		16-12	16.5 Downtown Design Review	<b>Delete “Downtown”</b> from the Title Bar and first sentence of (A) to reflect title change.	To correct an administrative error and be consistent with rest of section.		
9f		16-13	16.5 (Downtown) Design Review	<b>Delete 16.5 D(1)(c) and D(2)(c)</b> referring to the Airport Authority.	This will be addressed via a MOU with the Airport Authority.		
9g		16-16	16.6 Infill Housing Overlay District Review	<b>Change “E” to “G”</b> to designate the Appeals section	To correct typo		

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9h	<b>Article 16, continued</b> Zoning Applications	16-20	16.7(E)(3)(f) Planned Development -Preliminary Plan – Expiration	<b>Delete this section</b>	This is addressed already in Art. 15.3 as required by Tenn. Code Ann. § 13-4-310; removes duplication.		
9i		16-27	16.8(E)(1) Certificate of Appropriateness- Appeal	<b>Edit sentence</b> to read “Anyone aggrieved by a final determination of the Historic Zoning Commission <u>regarding a Certificate of Appropriateness may have such determination reviewed by the courts as provided by state law.</u> ”	To be consistent with current Zoning Code at Article IV § 5.1 and Tenn. Code Ann. § 13-7-409		
9j		16-34	16.12(A)(3) (b) Zoning Appeals- Authorization	<b>Edit sentence</b> to say “The Knoxville-Knox County Planning Commission will take formal action on all other decisions made by the Knoxville-Knox County Planning staff.”  <b>Delete rest of the sentence.</b>	Deleted portion is covered in Articles 16.5 and 16.8 of Recode at pp. 16-13 and 16-24, respectively; removes duplication; consistent with current Zoning Code at Art. VII § 7(F)		

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9k		16-35	16.12(B) Intermediate Appeals of Certificates of Appropriateness	<b>Delete this section</b> ; then subsection (C) Final Appeals... becomes <b>(B) Final Appeals...</b>	Deleted portion is covered in Articles 16.5 and 16.8 of Recode at pp. 16-13 and 16-24, respectively; removes duplications.		
9l		16-36	16.12(C)(5) Final Appeals from Administrative Body Decisions to City Council – Limitations on Appeals	Make correction that application to appeal must be filed within <b>15 days</b> (rather than 16).	To align with the current Zoning Code at Article VII § 6(F)(2) and remove confusion by staying consistent with the Issuance of Building Permit section in part (6) immediately below.		

**Please see page 7 for additional staff-initiated revisions.**

**Additional Staff-Initiated Revisions to Draft 5 of RECODE (Posted May 2019)**  
**To be Presented at Special-Called Council Meeting on May 30, 2019**  
**Updated May 24, 2019**

		<b>Page #</b>	<b>Section</b>	<b>Proposed change</b>	<b>Notes</b>	<b>Council Action</b>	<b>Staff Response</b>
10	<b>Article 1</b>	1-2	1.4(B)(2) Existing Uses	<b>Edit</b> all references to “special use” to “nonconforming use”	Typo		
11	<b>Article 9 Uses</b>	9-25 to 9-28	9.3 Principal Use Standards	<b>Remove</b> all duplicated “Planning Commission” language after “Knoxville-Knox County Planning Commission”	Typo		