

(Note to be removed later – items Council approved at 7/16/19 meeting are in green)

ARTICLE 14. CODE ADMINISTRATORS

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14.1 CITY COUNCIL POWERS

The City Council has the following specific powers pursuant to this Code:

- A. To make final decisions on zoning text and map amendment applications.
- B. To make final decisions on preliminary plans of planned development applications.
- C. To hear appeals on decisions of the Knoxville-Knox County Planning Commission and the Board of Zoning Appeals.

14.2 KNOXVILLE-KNOX COUNTY PLANNING COMMISSION POWERS

The Knoxville-Knox County Planning Commission has the following powers pursuant to this Code:

- A. To make recommendations to the City Council on zoning text and map amendment applications.
- B. To make final decisions on special use applications.
- D. To hear appeals on decisions of the Design Review Board.
- D. To hear appeals on decisions of the Infill Housing Review Committee.
- E. To make recommendations to the City Council on preliminary plans for planned development applications and final decisions on final plans for planned development.
- F. In addition, Knoxville-Knox County Planning staff will make final decisions on site plan review applications as follows:
 - 1. Site plan review applications in the EN District.
 - 2. Site plan review applications for townhouse and multi-family dwellings in the RN-4 District per Section 4.2.B.2.

14.3 BOARD OF ZONING APPEALS POWERS

The Board of Zoning Appeals has the following powers pursuant to this Code:

- A. To hear appeals and make final decisions on variance applications.
- B. To hear appeals and make final decisions on Zoning Administrator or Director of Plans Review and Building Inspections determinations, or on the administrative authority of the Knoxville-Knox County Planning staff.

14.4 ZONING ADMINISTRATOR POWERS

The Zoning Administrator has the following powers pursuant to this Code. The Zoning Administrator may appoint a designee to act as the Zoning Administrator.

- A. To make final decisions on site plan review applications, as applicable.
- B. To make final decisions on zoning certification applications.
- C. To make final decisions on zoning interpretation applications.
- D. To make final decisions on temporary use permit applications.
- E. To make final decisions on requests for reasonable accommodation.
- F. To allow temporary use permit timeframe extensions per Section 9.4.

G. Landscape plans for all development that require landscape per Article 12.

14.5 DIRECTOR OF PLANS REVIEW AND BUILDING INSPECTIONS POWERS

The Director of Plans Review and Building Inspections has the following powers pursuant to this Code. The Director of Plans Review and Building Inspections may appoint a designee to act as Director of Plans Review and Building Inspections.

- A. Issue all building permits and make and maintain such records.
- B. Issue all certificates of occupancy and make and maintain such records.
- C. Maintain and keep current zoning maps, and records of amendments to the zoning maps.
- D. Issue sign permits and maintain such records.
- E. Conduct inspections as prescribed by this Code, and such other inspections as are necessary to insure compliance with the various provisions of this Code generally.

14.6 DESIGN REVIEW BOARD POWERS

The Design Review Board has the following powers pursuant to this Code:

- A. To make final decisions on downtown design review applications in the DK District.

14.7 HISTORIC ZONING COMMISSION POWERS

The Historic Zoning Commission has the following powers pursuant to this Code:

- A. To make final decisions on certificate of appropriateness applications.
- B. To make recommendations to the City Council on the creation or removal of H Overlay District and NC Overlay District zoning designations.
- C. To make recommendations to the City Council on updates to Historic District and Neighborhood Conservation District Design Guidelines.
- D. To make recommendations to the City Council on the designation of landmark and historic signs.
- E. To make recommendations to the Tennessee Historical Commission on National Register of Historic Places nominations.
- F. To determine whether a structure meets the criteria set forth in Tenn. Code Ann. § 7-51-1201.

14.8 ADMINISTRATIVE REVIEW COMMITTEE POWERS

The Administrative Review Committee has the following powers pursuant to this Code:

- A. To make recommendations on site plan review applications in the CU and SW Districts.
- B. To make recommendations on alternative landscape design per Section 12.2.D.

14.9 INFILL HOUSING REVIEW COMMITTEE POWERS

The Infill Housing Review Committee has the following powers pursuant to this Code:

- A. To make final decisions on design review applications in the IH Overlay District and issue certificates of appropriateness.

14.10 TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY POWERS

The Tennessee Technology Corridor Development Authority (TTCDA) has the following powers pursuant to this Code:

- A. To make final decisions on development applications in the TO-1 Overlay District and issue certificates of appropriateness, with the exception of a residential or agricultural use.

14.11 BOARD OF ZONING APPEALS ORGANIZATION

A. Members Generally

A Board of Zoning Appeals consisting of five members must be nominated by the Mayor and confirmed by the City Council.

B. Terms and Renewals for Members

The term of each member of the Board of Zoning Appeals is five years except that on the initial board, one member will serve a term of one year, one member a term of two years, one member a term of three years, one member a term of four years, and one member a term of five years so that the term of one member will expire each year, as per Tennessee Code Annotated §13-7-205. A member may serve consecutive terms upon re-nomination by the Mayor and confirmation by the City Council.

C. Powers and Responsibilities

Powers and responsibilities are as listed in Section 14.3 above.

D. No Compensation

All members serve without compensation.

E. Adoption of Administrative Rules

The Board of Zoning Appeals must adopt administrative rules and submit these rules to the City Council or Knoxville-Knox County Planning Commission, as appropriate, for adoption. These rules must outline terms including, but not limited to, election process for the chairperson, meeting schedules, voting procedures, application requirements, and the appeals process.

F. Changes to Rules

The Board of Zoning Appeals has the authority to make changes, revisions, modifications, and additions to its administrative rules as necessary and to submit the same for approval in accordance with item E above.

14.12 DESIGN REVIEW BOARD ORGANIZATION

A. Members Generally

The Design Review Board is appointed by the Mayor with the approval of a majority of the City Council and composed of permanent staff and other rotating members as outlined below.

1. Staff (permanent members):
 - a. Knoxville-Knox County Planning Executive Director, or his/her designee, who is an ex officio non-voting member.
 - b. City's Director of Policy Development, or his/her designee, who is an ex officio non-voting member.
2. Other (rotating members):
 - a. One architect from a slate recommended by AIA East Tennessee.
 - b. One urban design professional with a background in architecture or urban planning selected from nominations from AIA East Tennessee and the local chapter of the American Planning Association, Knoxville Section of the Tennessee American Planning Association (KAPA).
 - c. Two Downtown residents.
 - d. Two businesses, development, or real estate professionals whose work is largely focused upon Downtown.
 - e. A member of the Central Business Improvement District Board from a slate proposed by the board.
 - f. A member of the Historic Zoning Commission.
3. Ex-officio members - The following may be called on to serve as non-voting members when cases require their technical and professional expertise:
 - a. Knoxville-Knox County Planning and Historic Zoning Commission staff.
 - b. Building official or his/her designee.
 - c. City Engineering Director or his/her designee.
 - d. Central Business Improvement District staff.
 - e. Knoxville Utilities Board staff.
 - f. Knoxville's Community Development Corporation staff.
 - g. City Law Department staff.

B. Terms and Renewals for Members

Each rotating member (after the initial members) of the Design and Review Board are appointed for terms of three years commencing on the date of confirmation of appointment by the City Council. No member may serve more than two full terms or six years.

C. Powers and Responsibilities

The responsibilities of the Design Review Board are to:

1. Review the designs for all public projects, including, but not limited to, street and sidewalk design, landscaping, park improvements, public facility improvements, and public way-finding systems.
2. Review and approve private development plans, based upon the adopted design guidelines as set forth at the time of amendments to the Zoning Map.
3. Advise the Mayor, City Council, Knoxville-Knox County Planning Commission, and Historic Zoning

Commission on means to improve Downtown design, incentives that could be used to foster good design, and programs that should be pursued to foster beautification, safety and related public purposes Downtown.

D. No Compensation

All members serve without compensation.

E. Adoption of Administrative Rules

The Design and Review Board must adopt administrative rules and submit the rules to the Knoxville-Knox County Planning Commission for adoption. The rules must outline the terms of board members, election of its chair, its schedule of meetings, voting procedures, application requirements regarding certificates of appropriateness, and appeal processes to the Knoxville-Knox County Planning Commission.

F. Changes to Rules

The Design Review Board has the authority to make changes, revisions, modifications, and additions to its administrative rules as necessary and to submit the same for approval in accordance with item E above.

14.13 HISTORIC ZONING COMMISSION ORGANIZATION

A. Members Generally

The Historic Zoning Commission consists of nine persons. Historic Zoning Commission members are appointed by the Mayor, subject to confirmation by the City Council.

B. Terms and Renewals for Members

The Historic Zoning Commission consists of the following members: one must be a representative of a local patriotic or historic organization; one must be an architect, if available; one must be a person who is a member of the local Planning Commission at the time of such person's appointment, if possible; and the remainder must be from the community in general. The terms of members of the historic zoning commission shall be five (5) years, except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member but no more than two (2) members shall expire each year.

C. Powers and Responsibilities

Powers and responsibilities are as listed in Section 14.7 above.

D. No Compensation

All members serve without compensation.

E. Adoption of Administrative Rules

The Historic Zoning Commission must adopt administrative rules and submit these rules to the City Council or Knoxville-Knox County Planning Commission, as appropriate, for adoption. These rules must outline terms including, but not limited to, election process for the chairperson, meeting schedules, voting procedures, application requirements, and the appeals process.

F. Changes to Rules

The Historic Zoning Commission has the authority to make changes, revisions, modifications, and additions to its administrative rules as necessary and to submit the same for approval in accordance with item E above.

14.14 ADMINISTRATIVE REVIEW COMMITTEE ORGANIZATION

The Administrative Review Committee consists of representatives from the following entities:

1. Civil Engineering
2. Fire Department
3. Knoxville Utilities Board
4. Knoxville-Knox County Planning
5. Plans Review and Inspection
6. Parks and Recreation

7. Public Services
8. Stormwater Engineering
9. Traffic Engineering
10. Other city staff as deemed necessary by the Zoning Administrator

14.15 INFILL HOUSING REVIEW COMMITTEE ORGANIZATION

A. Members Generally

The Infill Housing Review Committee consists of nine persons.

B. Terms and Renewals for Members

The Infill Housing Review Committee is comprised of staff from Knoxville-Knox County Planning (three members), the Community Development Division (two members), Plans Review and Inspection Division (two members), City Engineering (one member) and the East Tennessee Community Design Center or their successors (one member).

C. Powers and Responsibilities

The responsibilities of the Infill Housing Review Committee are to review the applications for IH Overlay District for conformance to the Heart of Knoxville Infill Housing Design Guidelines. In addition to setbacks and lot dimensions, the committee reviews the proposed development in terms of roof pitch, porch, door, window, and related features that were characteristic of the original pattern of development.

D. No Compensation

All members serve without compensation.

E. Adoption of Administrative Rules

The Infill Housing Review Committee must adopt administrative rules and submit these rules to the City Council or Knoxville-Knox County Planning Commission, as appropriate, for adoption. These rules must outline terms including, but not limited to, election process for the chairperson, meeting schedules, voting procedures, application requirements, and the appeals process.

F. Changes to Rules

The Infill Housing Committee has the authority to make changes, revisions, modifications, and additions to its administrative rules as necessary and to submit the same for approval in accordance with item E above.