

**Staff-Initiated Revisions to Draft 5 of RECODE (Posted May 2019)**  
**Distributed at Special-Called Council Meetings on May 14, 2019 and May 30, 2019**  
**Updated May 24, 2019 and June 3, 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 5/14/19	Incorporated per Council vote
2	<b>Article 4.</b> Residential Neighborhood Districts	4-5	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 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 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</b> “ <b>P</b> ” (Permitted Use) for <b>Public Safety Facility</b> .	Discussed by the Planning Commission in Dec 2018 workshop.	Approved revisions by vote on 5/30/19	Incorporated per Council vote
				Under <b>C-R</b> zone, <b>delete</b> “ <b>P</b> ” for <b>Storage Yard, Outdoor</b> .		Approved revisions by vote on 5/30/19	Incorporated per Council vote
5	<b>Article 10.</b> Site Development Standards	10-9	10.3(O)(2) Accessory Structures and Uses	<b>Revise</b> end of sentence to “from any <u>side or rear</u> lot line.”	Clarification; to be consistent with 10.3(O)(1).	Approved revisions by vote on 5/30/19	Incorporated per Council vote
		(now 10-10)	10.3(O)(3) – to be added	<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 align with district regulations and help avoid confusion	Approved revisions by vote on 5/30/19	Incorporated per Council vote
6	<b>Article 11.</b> Off-street Parking	11-12 (now 11-11)	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)	Approved revisions by vote on 5/30/19	Incorporated per Council vote

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7	<b>Article 12.</b> Landscape	12-2	12.2(C) Minor Changes to Approved Landscape Plans	<b>Delete</b> “Zoning Administrator” and <b>insert</b> “Knoxville-Knox County Planning staff”	To comply with Recode Art. 16.4(C)(d) on p. 16-9	Approved revisions by vote on 5/30/19	Incorporated per Council vote
		12-5	12.6(B)* Interior Parking Lot Landscape	<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>	This incorporates the language removed from Article 11.6(G)(4) on p. 11-12; see above.	Approved revisions by vote on 5/30/19	Incorporated per Council vote
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.	Approved revisions by vote on 5/30/19	Incorporated per Council vote
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.	Approved revisions by vote on 5/30/19	Incorporated per Council vote

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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.	Approved revisions by vote on 5/30/19	Incorporated per Council vote
9c	<b>Article 16, continued.</b> Zoning Applications	16-8 (now 16-6 & 16-7)	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.	Approved revisions by vote on 5/30/19	Incorporated per Council vote
9d	<b>Article 16, continued.</b> Zoning Applications	16-9 (now 16-8)	16.4(D)(2) Site Plan Review – Procedure	<b>Delete this Section.</b>	This will be addressed via a MOU with the Airport Authority.	Approved revisions by vote on 5/30/19	Incorporated per Council vote
9e	<b>Article 16, continued.</b> Zoning Applications	16-12 (now 16-1 to end)	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.	Approved revisions (where needed in all of Art. 16) by vote on 5/30/19	Incorporated per Council vote
9f	<b>Article 16, continued.</b> Zoning Applications	16-13 (now 16-12)	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.	Approved revisions by vote on 5/30/19	Incorporated per Council vote

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9g	<b>Article 16, continued.</b> Zoning Applications	16-16 (now 16-15)	16.6 Infill Housing Overlay District Review	<b>Change “E” to “G”</b> to designate the Appeals section	To correct typo	Approved revisions by vote on 5/30/19	Incorporated per Council vote
9h	<b>Article 16, continued.</b> Zoning Applications	16-20 (now 16-19)	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.	Approved revisions by vote on 5/30/19	Incorporated per Council vote
9i	<b>Article 16, continued.</b> Zoning Applications	16-27 (now 16-25)	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><a href="#">regarding a Certificate of Appropriateness may have such determination reviewed by the courts as provided by state law.</a></u> ”	To be consistent with current Zoning Code at Article IV § 5.1 and Tenn. Code Ann. § 13-7-409	Approved revisions by vote on 5/30/19	Incorporated per Council vote
9j	<b>Article 16, continued.</b> Zoning Applications	16-34 (now 16-32)	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)	Approved revisions by vote on 5/30/19	Incorporated per Council vote

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9k	<b>Article 16, continued.</b> Zoning Applications	16-35 (now 16-32)	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.	Approved revisions by vote on 5/30/19	Incorporated per Council vote
9l	<b>Article 16, continued.</b> Zoning Applications	16-36 (now 16-33)	16.12(B)(6) 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.	Approved revisions by vote on 5/30/19	Incorporated per Council vote

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

**Additional Staff-Initiated Revisions to Draft 5 of RECODE (Posted May 2019)**  
**Presented at Special-Called Council Meeting on May 30, 2019**  
**Updated May 24, 2019 and June 3, 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> Title, Purpose, and Applicability	1-2	1.4(B)(2) Existing Uses	<b>Edit</b> all references to “special use” to “nonconforming use”	Typo	Council reviewed but made no changes	N/A
11	<b>Article 9.</b> Uses	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	Approved revisions by vote on 5/30/19	Incorporated per Council vote

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

**Additional Staff-Initiated Revisions to Draft 5 of RECODE (Posted May 2019)**

**To be Presented to City Council**

**Revisions Included in Draft Presented to Knoxville-Knox County Planning Commission on June 13, 2019**

**Updated June 3, 2019**

		<b>Page #</b>	<b>Section</b>	<b>Proposed change</b>	<b>Notes</b>	<b>Council Action</b>	<b>Staff Response</b>
12	<b>Article 2.</b> Gen. Defin & Measurement Methodologies	2-1	2.1. Rules of Interpretation	<b>Add</b> new subsection G. as follows: “G. To the extent that a conflict exists between the text of this Zoning Code and an image, chart or table herein, the text shall be controlling.”	Clarification		
13	<b>Article 17.</b> Non-conformities	17-3	17.1.F. Damage	Delete subsection 1.F. which is from the current Code adopted in 1969 but which now conflicts with Tenn. Code Ann. § 13-7-208.	Compliance with state law; gives broader protection to existing nonconformities		