

Policy Issues

City of Knoxville Zoning Code Update

ADU's (Accessory Dwelling Units)

The draft zoning ordinance update permits ADU's as an accessory use in all single-family residential zoning districts. This provision is considered a way to increase the availability and affordability of housing in Knoxville by increasing the options for the provision of housing. Draft one of the updated zoning ordinance proposed general standards for accessory structures (setback, height, lot coverage) plus the following specific standards for ADU's:

- Minimum lot size 5,000 SF
- Size limit – minimum of 300 SF and maximum of 1,000 SF, but not more than 40% of primary dwelling floor area
- Maximum of 2 bedrooms
- Location of entrance must not interfere with view that encompasses entrance to principal dwelling

The community appears divided on this issue, with housing advocates and younger citizens supportive of ADU's and traditionalists opposed to the concept.

Given their role in increasing the housing options available to residents of Knoxville, the updated zoning code should continue to permit ADU's in all single family zoning districts, but with additional standards. Additional ADU standards included in draft 2 are:

- Base the size of the ADU on the size of the lot on which the ADU is proposed, i.e., larger lots may have a larger ADU up to a maximum. The maximum should be related to the size of the primary dwelling with the standard that the ADU not exceed 40% of the primary dwelling floor area remaining.
- Require a greater setback than the 5' proposed in the draft. Setbacks should be 8' from interior side property lines and rear property lines.

Two-Family Dwellings as Special Use in Single-Family Districts

Two-family dwellings (duplexes) are identified by the draft zoning ordinance as special uses in the RN-1 and RN-2 (single family) zoning districts. As with the ADU provision, this item is considered a way to increase the availability and affordability of housing in the City. Due to being a special use, duplexes proposed for the RN-1 and RN-2 districts would be subject to review and approval by MPC at a public hearing. The public hearing would be noticed in accordance with MPC administrative rules. A duplex in the RN-1 and RN-2 districts, as well as in other residential districts, would be required to meet the following standards:

- A primary entrance from the facade facing the street. The entrance must be a dominant feature on the facade facing the street.
- Windows, entrances, porches, or other architectural features are required on all street-facing facades to avoid the appearance of blank walls.
- A 15% minimum transparency requirement for all street-facing facades.
- Front-loaded garages are limited to 60% of the width of the front building facade or 24 feet, whichever is greater.

- Front-loaded attached garages must be set back a minimum of five feet from the front building façade line.

Additional standards could be imposed during the approval process for duplexes in single-family zoning districts to address conditions or issues unique to a particular site.

Comments have been received that are critical of the proposal to allow two-family dwellings as special uses in the single-family districts, with commenters expressing the concern that this provision would undermine the character of single family neighborhoods.

Initial mapping of existing land uses indicates there are few “pure” single family neighborhoods, particularly in older residential areas. Allowing two-family dwellings as a special use in single family zoning districts makes it easier to designate areas that are primarily single family without creating a number of non-conforming uses. As a special use, each application for a two family dwelling would be reviewed and decisions made on a case by case basis.

Given its potential to enhance the availability of housing, this provision remains in the second draft of the updated zoning ordinance.

Incorporating Hillside and Ridgetop Protection Plan Recommendations into the Zoning Ordinance

The City of Knoxville adopted the Hillside and Ridgetop Protection Plan (HRPP), which identified methods for limiting development on steep areas and ridgetops by reducing density and grading activity, in December 2011. The recommendations of this policy document were not codified in an ordinance. MPC staff have used the HRPP recommendations as guidelines in making recommendations for density associated with rezoning requests. Also, a requirement for use on review approval is that the proposal be compliant with all adopted plans and policies, enabling the HRPP recommendations to be incorporated into approval of use on review proposals.

The draft zoning ordinance update proposes to eliminate the use on review approval process, thus removing a primary method for implementing the recommendations of the HRPP.

Comments received have requested that the HRPP recommendations be codified in the updated zoning ordinance. Given the time and effort expended on the development of the HRPP, and the adoption of the plan by the Knoxville City Council, codification of the plan recommendations would seem appropriate. A basic approach may be to include a provision in the updated zoning ordinance that would impose density and grading limitations on residential properties with a grade in excess of 15%, with the limitations increasing as the grade increases. Such a provision would mirror the recommendations of the HRPP.

The HRPP recommendations for residentially zoned properties, as noted above, have been codified in the second draft of the updated zoning ordinance.

Adjusting Standards for Landscaping

The landscaping standards proposed in the updated zoning ordinance incorporate the parking lot landscaping requirements adopted as part of the updated parking ordinance. The draft updated zoning ordinance also establishes standards for landscaped buffers between non-residential and residential zones and other basic landscaping requirements. The landscape requirements state that parking lots of 10,000 SF must have perimeter landscaping between

the lot and rights-of-way of abutting streets. The width of the perimeter landscape area can be reduced from 10 feet to 6 feet for parking lots of less than 20,000 SF. Interior landscaping, consisting of the landscaping of terminal islands and an interior island to break up runs of 15 or more parking spaces, is required for parking lots of more than 20,000 SF. A number of comments have been received requesting that the threshold for requiring perimeter landscaping be reduced to 5,000 SF. Also requested is that parking lots between 10,000 SF and 20,000 SF have a graduated landscape requirement. Comments on the landscape requirements request that parking lots of more than 20,000 SF have an interior landscape island when a run of parking spaces exceeds 10 rather than when the run exceeds 15 spaces as currently required. Other comments regarding the landscape requirements advocate for a bonding requirement to ensure installation and maintenance of landscape materials; referencing an invasive species list; including shrubs, ground covers, etc. on the recommended species list; and ensuring adequate staffing to enforce the landscape requirements.

Landscaping associated with development provides a number of benefits, including screening, stormwater mitigation, reducing heat islands, and aesthetics. Given the benefits of landscaping, consideration should be given to incorporating some of the requested revisions or meeting the intent of the revisions. Some manner for ensuring the installation and maintenance of landscaping should be identified and incorporated into the ordinance. It is recommended that the impact of the current parking lot landscaping requirements, and the buffer requirements proposed in the draft updated zoning ordinance, be evaluated before any steps are taken to increase landscaping requirements. No changes in the parking lot landscaping requirements are proposed in the second draft of the updated zoning ordinance. The purpose section of the landscape section has been revised to note the benefits of landscaping in the urban environment.

Permitting a Reduction in Required Off-street Parking in Pedestrian Oriented Districts

A challenge in redeveloping properties in older commercial areas is meeting the off-street parking requirements, as these areas typically developed when the reliance on the individual vehicle for transportation was less and parking requirements were likewise less. Lot sizes in older commercial areas often do not provide land for a building and the parking required by modern zoning standards. This situation often results in a request to reduce the required parking, prolonging the development review and approval process. A goal of the City of Knoxville is to encourage a more intense development pattern along the commercial corridors in the City and to enhance the walkability of these areas. Allowing reductions in required off-street parking in pedestrian oriented districts will help developers of properties in older commercial areas and will help achieve City goals.

The pedestrian oriented zones are the C-N (Neighborhood Commercial) and CG (General Commercial), particularly the C-G-2 and C-G-3, districts. Permitting a reduction in off-street parking in these zoning districts has been incorporated into the second draft of the updated zoning ordinance. The parking reductions proposed are:

- 30% in the C-N zone,
- 20% in the C-G-3 zone, and
- 10% in the C-G-2 zone.

Downtown Design Review Board

The first draft of the zoning ordinance update proposed eliminating the Downtown Design Review Board in favor of having downtown projects reviewed and approved administratively, provided the projects comply with design standards codified as part of the ordinance. The design standards proposed in the draft zoning ordinance are based on the current downtown design guidelines. The draft zoning ordinance proposes dividing the downtown into four sub-districts, with design standards unique to each district.

Comments have been received objecting to the proposed elimination of the Downtown Design Review Board, with several comments noting that the discussion and negotiation that occurs during the review of proposed projects results in a better design. A common comment was that the current process allows for more creativity.

The Design Review Board should be maintained, with the second draft of the updated zoning code revised to reflect the role of the Board and the downtown design review process referenced. The downtown design review process has been revised to reflect a two-tier review and approval process. First tier projects could include signs, minor alterations, and possibly small additions to buildings. If compliant with design guidelines, the tier one projects would be approved by staff. Tier two projects would include new construction, major alterations and additions, with approval by the Downtown Design Review Committee.

Providing Opportunities for Affordable Housing

There has been a good deal of discussion regarding the need for affordable housing and the role that zoning plays in creating, or eliminating, the opportunities for affordable housing. While zoning cannot dictate the cost of housing, and in Tennessee there can be no requirement for the inclusion of affordable housing in new developments, zoning can affect the opportunities for residential development. By increasing or decreasing land designated for residential development, thereby influencing the opportunities for residential development, zoning may have some influence on the cost of housing. With the update of the City of Knoxville's zoning ordinance, there has been an effort to increase the amount of land available for and the opportunities for residential development in the City. Provisions in the second draft of the updated zoning code that increase the opportunities for housing include:

- All commercial districts permit residential uses
- An exclusive multi-dwelling zoning designation (RN-7) is proposed
- Lot sizes in the RN-2 district have been decreased from 10,000 SF as proposed in the first draft to 7,000 SF
- Townhouses are allowed as a special use in the RN-3 zoning district
- Two-family dwellings are allowed as special use in the RN-1 and RN-2 zoning districts.
- Accessory dwelling units are permitted as an accessory to the principal single-family dwelling in all residential zoning districts

Zoning of Older Industrial Areas

Having developed as an industrial city, Knoxville has a number of older industrial areas that no longer function as initially developed. In addition, the 1960's zoning of the City designated

property adjacent to railroad tracks as industrial even if the property had constraints (access, topography, etc.) that restricted its potential to be used for industrial purposes. Some of the industrially designated property adjacent to railroad tracks is accessed through residential neighborhoods, meaning that industrial use of these properties could be detrimental to the residential neighborhoods.

The designation of these properties in a manner that would permit appropriate development has been thought provoking. Correctly designating these properties is important to preserve areas for industrial development, to permit appropriate (re)development of property, and to protect adjacent properties. The Industrial Mixed Use (IMU) zoning designation has proven to be good tool for some of the properties as it permits manufacturing, retail, and residential uses, thereby allowing flexibility in the (re)development of these properties. The designation of some undeveloped industrially zoned properties is proposed to change to permit development of uses more compatible with adjacent properties. The following guidelines have been used by staff in the designation of current industrial areas on the draft updated zoning map:

- Active industrial sites are designated as an appropriate industrial category based on intensity and type of use, access, and compatibility with surrounding area;
- Older industrial sites that represent opportunities for redevelopment are generally designated IMU; and
- Inactive and undeveloped industrial areas that have constraints are designated so as to minimize the impact of (re)development of the property.