

CASE SUMMARY

APPLICATION TYPE: ORDINANCE AMENDMENT

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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www.knoxmpc.org

File Number: 2-C-08-OA **Related File Number:**
Application Filed: 1/18/2008 **Date of Revision:**
Applicant: METROPOLITAN PLANNING COMMISSION (REFERRED BACK TO MPC BY CITY)

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 999 999 **Jurisdiction:**
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: **Sector Plan Designation:**
Growth Policy Plan:
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason: amend the City of Knoxville Zoning Ordinance regarding parking in front yards including definitions and driveway requirements

ZONING INFORMATION (where applicable)

Current Zoning:
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.: amend the City of Knoxville Zoning Ordinance regarding parking in front yards including definitions and driveway requirements

MPC ACTION AND DISPOSITION

Planner In Charge:

Ken Pruitt

Staff Recomm. (Abbr.):

APPROVE the Option "D"

Staff Recomm. (Full):

These amendments were requested by City Council to help in the revitalization of the City's older residential neighborhoods. (See attached letter.) These amendments will restrict parking in the front yards of Knoxville's R-1, R-1A and R-1E zones to defined driveway areas only. Since the matter was postponed at the last MPC meeting the staff changed the wording in the proposal to include a limitation on temporary (not more than 12 hours.) and infrequent (not more than 3 times per week) to address Codes enforcement concerns with the original proposal.

Comments:

In December, 2007, City Council requested MPC review and make a recommendation regarding the act of parking in the front yard of residential properties. The letter from Charles Swanson, on behalf of Council is enclosed.

In April, 2008, MPC recommended to City Council a proposed ordinance amendment relegating parking in the front yard to limited paved or designated surfaces. This recommendation is enclosed herein as Option "A".

At its October 9, 2008, meeting City Council referred the item back to MPC after hearing a set of proposed ordinance amendments from a citizen based task force. These proposed amendments are enclosed herein as Option "B".

At an October 30, 2008, City Council work session, City Council received a set of proposed ordinance amendments from City of Knoxville administration. These proposed amendments are enclosed herein as Option "C". The City proposed alternatives with and without a process to apply the parking restrictions as an optional overlay district. In addition, the task force presented alternative language for its proposed amendments.

MPC staff's recommendation is enclosed herein as Option "D". The rationale for staff recommendation is included with each ordinance subsection.

A summary of each of the four options is also enclosed. The cover sheet itemizes the nine different subsections of the ordinance that would be affected by one or all of the proposed amendment sets.

They include, generally:

- Definitions;
- Article 4, off-street parking requirements within zone districts R-1, R-1A, R-1E, and R-1EN;
- Article 5, Section 7.A (Off-Street Parking Requirements);
- Article 5, Section 7.B (Access and Driveway Requirements).

Also included in the packet is a response to seven specific sets of questions MPC staff received from City Council. The letter from Charles Swanson, on behalf of the Council, is enclosed.

Option "A"

The approach to parking in the front yard recommended by MPC in April was to restrict parking to driveway and parking surfaces, except for infrequent (less than 3 times per week), temporary (less than 12 hours) periods of time. The Zoning Ordinance has already been amended to limit the amount of driveway and parking surface in the front yard (approved in 2007) in the R-1, R-1A, R-1E, and R-1EN residential zoning districts.

Option "B"

The approach of the Task Force is to restrict parking in the front yard to approved driveway and parking

areas, except for a list of specific temporary events, reduce dimensions and curb cut size for driveways on smaller lots, limit the location of driveways on smaller lots, allow circular driveways on larger lots with houses that have garages or carports, and prohibit driveways in front of houses without garages or carports on larger lots.

Option "C"

The approach of the City Administration is to require neighborhoods to adopt an overlay district to implement parking regulations. These regulations would restrict parking in the front yard to approved driveway and parking surfaces, except for a list of specific temporary events, limit the amount of driveway and parking surface in the front yard, and allow circular driveways only on larger lots. The City also offers an option to eliminate the adoption of regulations on a neighborhood basis, while keeping everything else the same.

Option "D"

Staff generally supports the proposal of City Administration that requires each neighborhood to opt in to the parking restrictions, with modifications. These modifications include:

- At Article 5, Section 7.A.1.a, splitting the description of residential parking facilities into two parts;
- At Article 5, Section 7.A.1.j, the minimum area for a parking space is raised to 250 square feet. If a homeowner desires to provide only two parking spaces as a parking pad adjacent to the street, 200 square feet (10 ft. by 20 ft.) per space seems sufficient. The current definition of parking space states a minimum size of 200 square feet but is in conflict with other parts of the code which allow smaller spaces (9 ft. by 17.5 ft., or 157.5 square feet).
- MPC staff also recommends modifying the amount of off-street parking surfaces in the front yard, depending on the location of parking spaces.
- There is no need to provide an exception for circular drives. If any driveway configuration fits within the 25% of front yard restriction it should be allowed, regardless of lot size.

Each of the four options raises significant enforcement issues.

Enclosures:

- Letter from Charles Swanson, on behalf of City Council, dated December 4, 2007
- MPC recommendation, 2-C-08-OA, Option "A"
- Memo from Cindy Mitchell, City Recorder, containing Task Force report, dated October 9, 2008
- Task Force proposed amendments, Option "B"
- City Administration proposed amendments, Option "C"
- MPC staff recommendation, Option "D"
- Summary of Options A, B, C, and D
- Letter from Charles Swanson, on behalf of City Council, dated November 3, 2008
- Response to City Council inquiries

MPC Action: Other **MPC Meeting Date:** 11/13/2008

Details of MPC action:

Summary of MPC action: All four alternatives sent forward with no alternatives recommended for approval

Date of MPC Approval: **Date of Denial:** **Postponements:** 2/14/2008-4/10/2008

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knoxville City Council	Date of Legislative Action, Second Reading:	12/30/2008
Date of Legislative Action:	12/16/2008	Other Ordinance Number References:	O-243-08
Ordinance Number:		Disposition of Case, Second Reading:	Approved as Modified
Disposition of Case:	Approved as Modified		
If "Other":		If "Other":	
Amendments:	Postponed May 7, 2008 until 7/1, 8/12, & 10/7-Referred back to MPC	Amendments:	Approved Option E to include memo from Law Director Poplin
Date of Legislative Appeal:		Effective Date of Ordinance:	