

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

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 6-A-12-OA **Related File Number:**
Application Filed: 5/18/2012 **Date of Revision:**
Applicant: METROPOLITAN PLANNING COMMISSION

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: Amendment to the Knoxville Zoning Ordinance regarding retail, service and restaurant uses in the I-3 (General Industrial) zone district.

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.: Amendment to the Knoxville Zoning Ordinance regarding retail, service and restaurant uses in the I-3 (General Industrial) zone district.

MPC ACTION AND DISPOSITION

Planner In Charge:

Mark Donaldson

Staff Recomm. (Abbr.):

approval of the proposed amendment to the City of Knoxville Zoning Ordinance.

Staff Recomm. (Full):

approval of the proposed amendment to the City of Knoxville Zoning Ordinance.

Comments:

MPC has been requested by the City of Knoxville administration to consider and make a recommendation on amendments to the City of Knoxville zoning ordinance regarding the permitted uses allowed in the I-3 (General Industrial) zone district at Article IV, Section 2.3.2.

Over the years, the city has had issues with interpretation and enforcement of some of the permitted uses in the I-3 (General Industrial) zone district, in particular, section 2.3.2.B.2.b:

b. A retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof.

The wording of this particular permitted use places city administrators in the very difficult position of determining whether or not a retail or service use, which often includes convenience stores with food and beverage operations, serves ONLY the needs of industrial plants and their employees. The need for interpretation leads to conflicts and confusion on the part of business owners and operators.

It is the desire of the city administration to simplify and clarify this particular citation in the zoning ordinance.

ANALYSIS

These listed uses bring into play several local and national trends in land use.

In decades past, Knoxville was extremely aggressive in rezoning large areas of land, including many areas that were existing residential neighborhoods and adjacent to existing residential neighborhoods, to industrial zone districts in hopes of encouraging industrial development. Other areas, such as around downtown Knoxville are zoned industrial as a result of historic development patterns revolving around the rail transportation system.

The days that an industrial area has enough employment to support viable retail and service operations that are ONLY for those employees are long gone. The current language used in the zoning ordinance reflects a concept that is no longer possible. To survive, retail and service operations need to serve as broad an area as possible, and, in many situations, offer as broad a scope of goods and services as possible.

There is a growing national trend to provide in appropriate areas a mix of land uses in order to promote more robust economic activity and reduce the need for extensive travel between isolated land uses such as commercial and industrial. Locally, city administrators and MPC staff have received inquiries about appropriate zoning for a mix of operations that may include manufacturing, wholesaling, retailing and eating and drinking operations all under the same ownership at the same location. Each element of the operation may be too small to survive on its own in an independent location, but collectively the overall operation can make a go of it. Beer, wine and baked goods production, wholesale and retail sales and on-site consumption are examples of such operations. The production of these items requires an industrial zoning, while the sales and restaurant type uses require commercial zoning. It seems appropriate to amend the industrial zone district to accommodate the sales and eating and drinking type of operations, rather than change commercial zones to allow manufacturing or industrial uses.

The proposed amendment eliminates the stipulation that retail and service uses must serve ONLY the industrial plants and their employees. It also broadens the list of permitted uses to include eating and

drinking establishments in an effort to clarify the ambiguity of retail operations that do many things, including retail and food and beverage operations.

Action: Approved **Meeting Date:** 6/14/2012

Details of Action:

Summary of Action: approval of the proposed amendment to the City of Knoxville Zoning Ordinance

Date of Approval: 6/14/2012 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 7/10/2012 **Date of Legislative Action, Second Reading:** 7/24/2012

Ordinance Number: O-118-2012 **Other Ordinance Number References:** O-118-2012

Disposition of Case: Approved **Disposition of Case, Second Reading:** Approved

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**