

Proposed amendments to Knox County Zoning Ordinance:

- 1) to add contractor to the home occupation permitted uses;
- 2) to add contractor, landscape contractor and contractor's storage yard to the definitions and permitted uses and uses on review in a number of zone districts; and
- 3) to add Supplementary Regulations for Use on Review of Landscape contractors and contractor's storage yards.

The following new sections and language are proposed:

ARTICLE 2 DEFINITIONS

CONTRACTOR - Any person or firm engaged in construction, building trades, landscaping services or maintenance, on a contract basis, either licensed or unlicensed.

CONTRACTOR'S STORAGE YARD - An outdoor area used for the storage of equipment and/or materials used for providing contracting services, including but not limited to building construction, heating, plumbing, roofing, landscaping and excavation.

LANDSCAPE CONTRACTOR - A business principally engaged in the decorative and functional alteration, planting and maintenance of grounds, including the installation of hardscape such as stonework, patios, decks, arbors and other decorative elements of the landscape. Such a business may engage in the installation and construction of underground improvements but only to the extent that such improvements (e.g., irrigation or drainage facilities) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground.

ARTICLE 4 SUPPLEMENTARY REGULATIONS

4.90 HOME OCCUPATIONS

This is added:

4.90.01 (I) Storage and parking of commercial vehicles and trailers used in a home occupation shall be in accordance with Article 3, Section 3.52 (STORAGE AND PARKING OF RECREATIONAL AND COMMERCIAL VEHICLES AND TRAILERS IN RESIDENTIAL DISTRICTS) of the Knox County Zoning Ordinance.

4.90.02 (I) Contractor, subject to permitting by the Knox County Codes Administration and Enforcement.

Old (I) becomes (J)

This is a new section:

4.102 STANDARDS FOR THE USE ON REVIEW APPROVAL OF CONTRACTOR'S STORAGE YARDS

Landscape contractor's storage yards are allowed as a use on review in the A (Agricultural) zone and contractor's storage yards are allowed as a use on review in the CR (Rural Commercial) and CN (Neighborhood Commercial) and CA (General Business) zones. Landscape contractors and contractor's storage yards are subject to the requirements of Sections 4.10.14 through 4.10.19 (Development Standards for Uses Permitted on Review), and 6.50 (Procedures for Authorizing Uses Permitted on Review). Landscape contractors and contractor's storage yards are also subject to the following standards and requirements:

4.102.01 Minimum Required Information.

A use on review application, or a building permit application for an approved use on review, for a landscape contractor's storage yard in the Agricultural (A) zone, or a contractor's storage yard in the Rural Commercial (CR), Neighborhood Commercial (CN) or General Business (CA) zone shall include the following:

- A. A scaled site plan that shows the following information:
 1. Storage areas for materials and equipment.
 2. Parking and maintenance areas for business vehicles.
 3. Location of a buildings and structures on the site.
 4. Vehicular and pedestrian circulation on the site, including points of access to the site from a public road, loading and unloading areas, and areas for employee and customer parking.
 5. Required or proposed landscaping and buffer areas.
 6. Required or proposed screening and fencing of storage yards.
 7. Proposed lighting plan, including location and specifications of light standards, lighting fixtures and lighting directions.
 8. Any other information as might reasonably be required by MPC for use in making a thorough evaluation of the proposal.
- B. A description of all vehicles, trailers, and equipment stored, maintained or used by the business on the property.
- C. A description of all fuel, chemicals or commodities and the amount of each that will be stored on site.
- D. The range of number of employees throughout the year and the average number of employees at any time.

4.102.02 Minimum Development Requirements

- A. Road Access. The site shall be located on an arterial or collector road, as defined by the Knoxville-Knox County Major Road Plan, provided that the Knox County Department of Engineering may certify alternative access.
- B. Proximity to existing residential zone districts. The proposed storage yard shall be not less than two hundred (200) feet from a residential zone district (RAE, RA, RB, E, and PR) at the time application for use on review is filed at the MPC office.
- C. Residence required. An occupied residence must be maintained on the same lot as the proposed contractor's storage yard.

- D. Minimum parcel size. The minimum area of the parcel must be 2 acres.
- E. Maximum storage area size. The maximum size of the contractor's storage yard, as shown on the site plan, is ten percent of the parcel area.
- F. Relationship to floodplain. The storage yard shall be located completely outside the 100 year floodplain, as described by the KGIS FIRM map.
- G. Setback of buildings and storage areas. All buildings and storage areas associated with the contractor storage yard shall be no less than 50 feet from any property line, except that on a site located adjacent to a platted residential subdivision having 6 or more lots the buildings and storage yard shall be no less than 100 feet from any property line shared with a lot within the residential subdivision.
- H. Perimeter screening. MPC's "Type A" perimeter screening shall be provided along any property line that is shared with a lot that has a residence within 50 feet of the property line, for a distance as approved by MPC.
- I. Storage yard screening and fencing. Equipment, parking facilities and material storage areas must be screened from adjoining properties as established on the site plan.
- J. Lighting, noise and other impacts. The site shall meet the performance standards described at 4.10.01 through 4.10.11 of this ordinance (Supplemental Regulations applying to a specific, to several or to all zones)
- K. Retail sales. No sales of plants, mulch or other product unless otherwise permitted within the zone.
- L. Other approvals. Prior to issuance of building permits, the approved use on review site plan and conditions for the proposed landscape contractor or contractor's storage yard shall be reviewed and approved by the Knox County Codes Administration and Inspections Department, Health Department and Solid Waste Department, consistent with their application and permitting procedures.

4.102.03 Other Review Criteria.

- A. Scale of operation. The Planning Commission may limit the scale of proposed operations so as to prevent adverse impacts on adjoining parcels. A landscape contractor in the Agricultural zone or contractor's storage yard in the Rural Commercial and Neighborhood Commercial zone should be of a scale so that the proposed storage yard is compatible with existing or proposed uses on adjacent parcels or in the immediate vicinity. Adequate setbacks and buffers must be provided so as to prevent adverse impacts on adjoining parcels.
- B. Number of Employees. The Planning Commission may limit the number of employees so as to prevent adverse impacts on adjoining parcels. Adequate parking must be provided on site so as to prevent adverse impacts on adjoining parcels.
- C. Hours of operation. The Planning Commission may limit hours of operation and other on-site activities so as to prevent adverse impacts on adjoining parcels. A larger site with greater setbacks and buffering may allow greater activity.
- D. Size of vehicles and Equipment. The Planning Commission may limit the number and size of equipment so as to prevent adverse impacts on adjoining parcels. A larger site with greater setbacks and buffering may allow greater activity.
- E. Traffic on and off site. The Planning Commission may limit the traffic generated by the operation so as to prevent adverse impacts on adjoining parcels. A larger site with greater setbacks and buffering and a site that is in close proximity to adequate

- roads may allow greater activity. The Planning Commission may stipulate the driveway surface or buffering area so as to prevent adverse impacts on adjoining parcels.
- F. Materials stored on site. The Planning Commission may limit the type and quantity of materials stored on site so as to prevent adverse impacts on adjoining parcels and surrounding environs.

ARTICLE 5 ZONE REGULATIONS

The three proposed uses shall be allowed as home occupation, permitted uses or uses on review as follows:

Use	Zone District						
	AG	CR	CN	CA	CB	LI	I
Contractor	HO	UR	UR	P	P	P	P
Landscape Contractor	UR	1	1	1	1	1	1
Contractor's Storage Yard	2	UR	UR	UR	P	P	P

HO Home Occupation

UR Use on Review

P Permitted Use (By Right)

1 Landscape contractor included with other contractors

2 Landscape Contractor's storage yard only as a UR

Explanation:

Contractors are added to the list of home occupations. Home occupations are allowed by right in the RA, RB, PR, OS, E and A districts.

Contractors will be added to the other zone districts as shown. In the CR and CN district, the contractor and his storage yard are subject to Use on Review. In CA, the contractor is a use by right, but his storage yard is subject to use on review. In CB, LI, and I the contractor and his storage yard are allowed by right.

Landscapers (and their storage yards) are called out as UR in the AG district so that other contractors and their storage yard are not allowed in the district. In the AG district, landscapers are treated differently than other contractors.

In the other districts, landscapers are one of the types of contractors allowed according to the table. In these districts landscapers are treated the same as other contractors.