

ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO AMEND THE KNOXVILLE CITY CODE, APPENDIX B - ZONING CODE ARTICLE 12.8, LANDSCAPE BUFFER YARDS, R. BENTLEY MARLOW, APPLICANT. (FILE NO. 8-E-23-OA)

ORDINANCE NO: _____

REQUESTED BY: Planning Commission

PREPARED BY: Law Department

APPROVED ON 1ST

READING: _____

APPROVED ON 2ND

READING: _____

APPROVED AS AN EMERGENCY

MEASURE: _____

MINUTE BOOK: _____ PAGE _____

WHEREAS, R. Bentley Marlow requested approval of amendments to Ordinance No. O-107-2019 of the City of Knoxville Zoning Code at Article 12.8, Landscape Buffer Yards; and

WHEREAS, the Knoxville-Knox County Planning Commission (the “Planning Commission”) originally considered these amendments on August 10, 2023, at which time a Planning Commissioner proposed additional amendments; and

WHEREAS, this item was postponed and ultimately tabled at the November 2023 meeting; and

WHEREAS, this item was removed from the table by the applicant at the November 2024 meeting; and

WHEREAS, Planning staff recommended approval of one of the amendments and denial of the remainder at the next meeting; and

WHEREAS, this item was again postponed to provide time for more collaboration between the applicant, stakeholders, and staff; and

WHEREAS, the final draft amendments that were presented at the April 10, 2025 Planning Commission meeting are a result of the discussion between staff and the applicant; and

WHEREAS, the Planning Commission staff recommends the adoption of the amendments to Ordinance No. O-107-2019, as more clearly defined in the Memorandum dated April 1, 2025 and with the specific language attached hereto as part of Collective Exhibit 1 at pages 4-7; and

WHEREAS, at its meeting on April 10, 2025, the Knoxville-Knox County Planning Commission (“Planning Commission”) recommended that the Council of the City of Knoxville adopt these amendments to the Knoxville City Code at Article 12.8 for Landscape Buffer Yards, as more specifically provided in Collective Exhibit 1 at pages 4-7; and

WHEREAS, notice of the Planning Commission hearing of the proposed amendments was published in the *Knoxville News Sentinel* on July 18, 2023, September 12, 2023 and September 17, 2024 and notice of the City Council meeting on May 13, 2025 was published in the *Knoxville News Sentinel* on April 15, 2025.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE:

SECTION 1: The Knoxville City Code, Ordinance No. O-107-2019 at Article 12.8, “Landscape Buffer Yards” is hereby amended as shown in Collective Exhibit 1 at pages 4-7, attached hereto and made a part hereof by reference.

SECTION 2: The following Planning Commission documents are attached as Collective Exhibit 1 to this Ordinance and made a part hereof by reference: The Knoxville-Knox County Planning Commission File No. 8-E-23-OA, including Collective Exhibit 1, and with all appendices, an excerpt from the Minutes of the Planning Commission meeting of April 10, 2025 and public notice.

SECTION 3: If any part, sentence, phrase, clause, term, word, section, subsection, or provision of this ordinance is declared by a court of competent jurisdiction to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of the ordinance as a whole or any part other than the part so declared to be unconstitutional, illegal, or invalid.

SECTION 5: This Ordinance shall take effect from and after its passage, the welfare of the City requiring it.

Presiding Officer of the Council

City Recorder

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