

# ORDINANCE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO AMEND THE KNOXVILLE CITY CODE, APPENDIX B, ZONING CODE, ARTICLE 5.3, TABLE 5-1, COMMERCIAL AND OFFICE DISTRICTS DIMENSIONAL STANDARDS, TO AMEND MINIMUM INTERIOR SIDE, CORNER SIDE, AND REAR SETBACKS IN THE C-N ZONING DISTRICT, R. BENTLEY MARLOW, APPLICANT (FILE NO. 8-B-23-OA)

ORDINANCE NO: \_\_\_\_\_

REQUESTED BY: Planning Commission

PREPARED BY: Law Department

APPROVED ON 1<sup>ST</sup>

READING: \_\_\_\_\_

APPROVED ON 2<sup>ND</sup>

READING: \_\_\_\_\_

APPROVED AS AN EMERGENCY

MEASURE: \_\_\_\_\_

MINUTE BOOK: \_\_\_\_\_ PAGE \_\_\_\_\_

**WHEREAS**, Article 5.3, Table 5-1 of the City's Zoning Code establishes the dimensional standards for the office and commercial districts; and

**WHEREAS**, at its August 10, 2023 meeting, the Planning Commission recommended zoning code amendments to enable middle housing in the City that follows the process of implementation as defined in the September 2022 Missing Middle Housing (MMH) scan and the Missing Middle Housing book; and

**WHEREAS**, the applicant appealed the recommendation to the Knoxville City Council; and

**WHEREAS**, at its September 5, 2023 meeting, City Council referred the item back to the Planning Commission for further review and consideration; and

**WEHREAS**, the matter was postponed several times and tabled in March 2024 but un-tabled on February 13, 2025 for review at the March 13, 2025 Planning Commission meeting; and

**WHEREAS**, the C-N zoning District is intended for integrated residential development and small scale commercial/service uses, predominantly serving nearby residential neighborhoods, according to its purpose statement in Article 5.1; and

**WHEREAS**, Planning staff conducted research on various components of C-N zoned properties and found that approximately one-third of the lots under 7,500 square feet remain undeveloped and that most of these smaller lots are in older established neighborhoods where there is a defined grid street network and amenities like transit access and sidewalks that support infill development; and

**WHEREAS**, this district is intentionally located close to residential zoning and almost seventy percent (70%) of C-N zoned lots City-wide are surrounded by residential zoning; and

**WHEREAS**, considering the substantial percentage of small C-N zoned lots, and the zoning ordinance's intention to have this zoning integrated within and in service of residential neighborhoods, the proposed amendments improve developability without undue negative impact on adjacent residential districts; and

**WHEREAS**, Planning staff recommended approval of an amendment to the City of Knoxville Zoning Code to revise the interior side, corner side and rear setbacks in the C-N zoning district, which requires an amendment to the Knoxville Zoning Code at Article 5.3, Table 5-1; and

**WHEREAS**, at its March 13, 2025 meeting, the Planning Commission recommended to the Council of the City of Knoxville that the amendment be adopted; and

**WHEREAS**, notice of the Planning Commission hearing of the proposed revised amendment was published in the *Knoxville News Sentinel* on February 11, 2025, and notice of the City Council meeting on April 1, 2025 was published in the *Knoxville News Sentinel* on March 6, 2025 and March 18, 2025.

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

**SECTION 1:** The Knoxville City Code, Appendix B, Zoning Code, at Article 5.3, Table 5-1, is hereby amended to revise the interior side, corner side and rear setbacks in the C-N zoning district, as shown in 8-B-23-OA, which is included in Collective Exhibit 1.

**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-B-23-OA, with all appendices including the February 28, 2025 Memorandum from Planning staff, Proposed Ordinance Amendment, C-N Lot Analysis, Request to Postpone/Table/Withdraw, an excerpt from the Minutes of the Planning Commission meeting of March 13, 2025, Public Comments, Development Request 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 4:** This Ordinance shall take effect seventeen days from and after its passage, the welfare of the City requiring it.

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Presiding Officer of the Council

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City Recorder

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