



AGENDA ITEM #: 7

MEMORANDUM

TO: Metropolitan Planning Commission
FROM: Ken Pruitt, Assistant Development Services Manager
DATE: Wednesday, September 06, 2006
SUBJECT: Amendment to the Knoxville City Zoning Ordinance regarding halfway houses
9-A-06-OA

STAFF RECOMMENDATION:

APPROVE the City of Knoxville Zoning Ordinance amendment to define and establish standards for the regulation of Halfway Houses within the city.

BACKGROUND:

The Knoxville Plans Review and Inspection Division has requested this amendment in response to a recent request for appropriate zone districts and locations in the city for this use. The zoning ordinance does not define this use, requiring that such residential facilities be treated as correctional institutions, rooming or boarding houses, or single family dwellings.

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Zoning Amendment to allow Halfway Houses in Knoxville, TN

Definition: **HALFWAY HOUSE** – An approved residential facility licensed for the housing, rehabilitation, and/or training of persons on probation, parole or early release from correctional institutions, or other persons found guilty of criminal offenses, and court ordered to reside at the subject facility.

Amendment to:

R-2 (General Residential) District

Uses Permitted on Review

Halfway House with maximum capacity of 5 persons subject to the following standards:

- 1. No other halfway house located within one mile of this site.**
- 2. A site cannot be located within 300' of a park, school, or day care center.**
- 3. The use shall comply with all applicable city, state, and federal codes and regulations.**
- 4. The site shall be within 1000 feet of an established transit route.**
- 5. Signs identifying a use as a halfway house are not permitted.**
- 6. The Knoxville Police Department must be provided with a written notification of the use prior to its occupancy.**

O-1 (Office, Medical and Related Services) District & O-2 (Civic & Institutional District)

Use Permitted

Halfway House with maximum capacity of 5 persons subject to the following standards:

- 1. No other halfway house located within one mile of this site.**
- 2. A site cannot be located within 300' of a park, school, or day care center.**
- 3. The use shall comply with all applicable city, state, and federal codes and regulations.**
- 4. The site shall be within 1000 feet of an established transit route.**
- 5. Signs identifying a use as a halfway house are not permitted.**
- 6. The Knoxville Police Department must be provided with a written notification of the use prior to its occupancy.**

Use Permitted on Review

Halfway House with greater than 5 persons subject to the following standards:

- 1. A site cannot be located within 300' of a park, school, or day care center.**
- 2. The use shall comply with all applicable city, state, and federal codes and regulations.**
- 3. The site shall be within 1000 feet of an established transit route.**
- 4. Signs identifying a use as a halfway house are not permitted.**
- 5. The Knoxville Police Department must be provided with a written notification of the use prior to its occupancy.**

C-3 (General Commercial), C-4 (Highway & Arterial Commercial) & C-6 (General Commercial Park)

Use Permitted

Halfway House with maximum capacity of 5 persons subject to the following standards:

- 1. No other halfway house located within one mile of this site.**
- 2. A site cannot be located within 300' of a park, school, or day care center.**
- 3. The use shall comply with all applicable city, state, and federal codes and regulations.**
- 4. The site shall be within 1000 feet of an established transit route.**
- 5. Signs identifying a use as a halfway house are not permitted.**
- 6. The Knoxville Police Department must be provided with a written notification of the use prior to its occupancy.**

Use Permitted on Review

Halfway House with greater than 5 persons subject to the following standards:

- 1. A site cannot be located within 300' of a park, school, or day care center.**
- 2. The use shall comply with all applicable city, state, and federal codes and regulations.**
- 3. The site shall be within 1000 feet of an established transit route.**
- 4. Signs identifying a use as a halfway house are not permitted.**

5. **The Knoxville Police Department must be provided with a written notification of the use prior to its occupancy.**

C-2 (Central Business) District

Use Permitted

Halfway House subject to the following standards:

- 1 **No other halfway house located within one mile of this site.**
- 2 **A site cannot be located within 300' of a park, school, or day care center.**
- 3 **The use shall comply with all applicable city, state, and federal codes and regulations.**
- 4 **The site shall be within 1000 feet of an established transit route.**
- 5 **Signs identifying a use as a halfway house are not permitted.**
- 6 **The Knoxville Police Department must be provided with a written notification of the use prior to its occupancy.**

Amendment to

Article 6

NON-CONFORMING BUILDINGS, STRUCTURES AND USES OF LAND

H. HALFWAY HOUSE

Any occupied structure that meets the definition of “Halfway House” as of the adoption of the Halfway House ordinance amendment shall have twelve months from the date of adoption to conform with the requirements of this amendment, or cease operation.