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**MEMORANDUM**

Agenda Item # 6

**DATE:** August 2, 2007  
**TO:** Metropolitan Planning Commission  
**FROM:** Mark Donaldson, Executive Director  
**SUBJECT: Amendments Residential Occupancy Standards in the City of  
Knoxville Zoning Ordinance – 8-A-07-OA**

Since original adoption of Residential Occupancy Standards for the City of Knoxville in August, 2006, two new zoning districts have been added to the zoning ordinance: the group of South Waterfront Form Based districts SW-1 through SW-7 and the R-1 EN Established Neighborhood district. Because these districts allow residential land uses, they should be referenced in the Residential Occupancy Standards.

**STAFF RECOMMENDATION:**

Staff recommends approval of an amendment to Article 5, Section 21, of the City of Knoxville Zoning Ordinance adding SW-1 through SW-7 and R-1 EN to the Residential Occupancy Standards, as follows:

**ARTICLE 5, SECTION 21  
RESIDENTIAL OCCUPANCY STANDARDS**

Residential dwelling units may be occupied by a family, a “functional family” consistent with the criteria established by this ordinance, or any one of the following groups or persons, where one or more of whom is not related by blood, marriage, adoption, or guardianship, including foster children:

- (1) A number of persons in accordance with the provisions of Tennessee Code Annotated 13-24-102;
- (2) Two persons and any of their children by blood, marriage, guardianship, including foster children, or adoption;
- (3) Up to three persons in the A-1, R-1, R-1A, R-1E, **R-1EN**, TND-1 zone districts and in houses, attached houses, and duplexes within **SW-1** and any RP zone district and any other zone district that allows residential uses;
- (4) Up to four persons in condominium multi-dwelling structures within any **R-1EN**, R-2, R-3, R-4, TC-1, **SW-1 through SW-7** or RP zone districts and any other zone district that allows residential uses, according to the following schedule
  - a. Up to two people in one or two bedroom dwelling units,
  - b. Up to three people in a three bedroom dwelling unit, and
  - c. Up to four people in a four or more bedroom dwelling unit; or

**(5)** Up to five persons in the R-2, R-3, or R-4 zone districts and in multi-dwelling structures or developments (except condominium multi-dwelling structures) within any **SW-1 through SW-7**, TC-1 or RP zone district and any other zone district that allows residential uses.

Any nonconforming use created by the adoption of these standards which was a legal use at the time of adoption shall be permitted to continue through July 31, 2007, after which date, the use of such dwelling shall be in compliance herewith. Any use established prior to or subsequent to the adoption of these standards, which use did violate and continues to violate the standards of this chapter, is illegal, not nonconforming, and shall be handled in accordance with Article 7 (Administration and Enforcement).