



MEMORANDUM

Agenda Item No. 10

To: Metropolitan Planning Commission
From: Jeff Archer, AICP, Principal Planner
Date: June 8, 2017
Subject: Amendments to the Knox County Zoning Ordinance to Address “Supportive Housing” – 7-A-17-OA

Recommendation:

MPC staff is proposing to amend the Knox County Zoning Ordinance to address “supportive housing.” In order to do so, the following sections would need to be amended by adding the following.

1. Add the following to the Knox County Zoning Code at Article 2, Definitions:
 - Supportive Housing: Housing for five (5) persons or more, with no limit on length of stay, that is occupied by the target population as defined below, and that is linked to on- or off-site services that assist the supportive housing residents in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
 - Target population: People having one (1) or more disabilities, including mental illness, substance abuse, or other chronic health conditions.
2. Add to the list of uses to be a permitted as a use on review in the:
 - (T) Transition Zone, Article 5.36.03.F. Supportive Housing
 - (OB) Office, Medical, and Related Services Zone, Article 5.41.03.G. Supportive Housing
3. Add to Article 4, Supplementary Regulations, the following new section 4.104 Standards for Supportive Housing:
 - A. The facility shall be located a minimum of one thousand three hundred twenty (1,320) feet from another “supportive housing” facility;
 - B. The facility shall be within one thousand three hundred twenty (1,320) feet of a bus transit route or as an alternative, the applicant shall submit a transit plan describing how the target population will be transported to and from the site;
 - C. The applicant shall provide a description of the target population to be served;
 - D. The applicant shall provide a description of the on-site or off-site treatment and any special care needed;
 - E. The applicant shall provide a description of the facility’s operation, including security measures, number of residents, size and type of sleeping arrangements, and a daily work schedule showing the number of employees at the facility;
 - F. The facility and use shall comply with all applicable county, state, and federal codes and regulations. The applicant shall provide a letter of certification of final approval from the

- state or a letter from the state stating how the proposed use is such that the state does not require a license;
- G. The applicant shall provide a neighborhood communications plan demonstrating how the applicant will communicate to adjacent property owners about significant changes in operation and will make available their emergency contact information; and
 - H. A scaled site plan of the property, showing:
 - 1. Parking area, including bus or shuttle service circulation
 - 2. Landscaping and open space – a minimum of ten percent (10%) of the gross square footage of the property to remain as open space for outdoor exercise area.
 - 3. Perimeter fencing or screening – fence to be wood, masonry, or other quality material; no chain link fencing permitted. Landscaping to consist of a mixture of deciduous and evergreen trees and shrubs planted in a landscape strip with an average minimum width of fifteen (15) feet and no width of less than eight (8) feet.

Background:

At the February 9th MPC meeting, a rezoning application (MPC file # 1-I-17-RZ) was heard by the Commission to rezone a property located at 725 E. Ebenezer Road from T (Transition) and F (Floodway) to OB (Office, Medical and Related Services) and F (Floodway). MPC staff recommended the County Commission approve OB and F zoning. The Planning Commission voted unanimously to approve per staff recommendation.

On March 27, Knox County Commission reviewed the rezoning request of Joyce Webb for rezoning from T to OB and F. The Commission moved to defer the review to the July 2017 meeting and requested that MPC establish a proper zoning classification and standards for “halfway houses”.

Summary of Research:

Staff analyzed the City and County Zoning Ordinance to see if there was a possible use and standards that could be used. The City defines halfway house as “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.” However, this does not address uses like the use at Ebenezer Road where residents are volunteering to enter the program, and not coming out of the court system. As a result, MPC staff needed a new definition for this type of use and similar uses.

MPC staff used the City’s use on review standards for halfway houses as a starting point and expanded to review other ordinances across the country, incorporating best practices. The proposed changes would not to only address this particular facility, but would address other similar uses that may come before MPC in the future.