



TO: Knoxville-Knox County Planning Commission
FROM: Lindsay Crockett, AICP | Principal Planner/Design Review Program Manager
DATE: September 28, 2023
SUBJECT: 10-B-23-OA Agenda Item #21

RECOMMENDATION

Recommend **approval** of amendments to Knoxville City Code, Appendix B, Zoning Code, moving Article 4.6 to 4.7 and inserting a new Article 4.6, Middle Housing Standards, with subsections 4.6.A Types, 4.6.B Uses, 4.6.C Dimensional Standards, 4.6.D Parking Standards, 4.6.E Design Standards, 4.6.F Conversion Standards, and 4.6.G Administrative Variations, and minor revisions to Article 2.3 Definitions, Article 4.2 Uses, Article 4.3 Dimensional Standards, Article 4.6 General Standards of Applicability, Article 9.2 Use Matrix, and Article 9.3 Principal Use Standards, pertaining to Middle Housing standards.

The proposed amendments will enable Middle Housing in the City and follow the process of implementation as defined by Opticos Design, Inc. in the September 2022 [Missing Middle Housing \(MMH\) Scan](#):

1. focus on a target area naturally supportive to middle housing forms;
2. include dimensional and design standards to guide house-scale buildings which are compatible with the existing neighborhood contexts, and;
3. encourage retention of existing houses via conversions or additions that remain in character with the surrounding neighborhood.

Exhibit A: Memo, City of Knoxville Office of the Mayor
Exhibit B: Proposed Section 4.6, Middle Housing Standards
Exhibit C: Associated minor revisions to Article 2.3, Article 4.3, Article 4.6, Article 9.2, and Article 9.3



MEMORANDUM

Date: October 3, 2023
To: Planning Commission
From: Cheryl Ball, Chief Policy Officer
Re: Middle Housing Zoning Changes

Following the City Council workshop, we have updated the proposal submitted to Planning Commission for Middle Housing Zoning changes with the attached edits. The changes are minor and are primarily for clarity, to address noticing, and appeals. There were no substantive changes and no changes to the intent of any section.

Attached is a redlined document that shows the areas where changes were made.

These changes will be reflected on the City's website soon.



CITY OF KNOXVILLE
INDYA KINCANNON, MAYOR

Erin Gill
Chief Policy Officer
Deputy to the Mayor

MEMORANDUM

DATE: August 30, 2023

TO: Planning Commission & City Council

FROM: Erin Gill, Chief Policy Officer, Deputy to the Mayor *EGM*
 Cheryl Ball, Deputy Policy Officer *CB*
 Bryan Berry, Deputy Director of Plans Review & Building Inspections *BB*

RE: Middle Housing Zoning Changes to Allow More Middle Housing Types in
 Specific Land Use Classification Areas
 (Planning File 10-B-23-OA)

Background

The City of Knoxville and Knoxville-Knox County Planning partnered in 2022 to hire Opticos Design, experts in the field, to complete an analysis of our zoning, opportunities, and barriers for Missing Middle Housing. In short, the report helped identify zoning code barriers, areas of town best suited for Middle Housing, and recommendations specific to helping Knoxville diversify housing stock.

Missing Middle Housing is house-scale buildings with multiple units in walkable neighborhoods. These neighborhood-complimenting housing options provide diversity of housing stock with simple, well-designed options between the scales of single-family homes and mid-rise apartments.

Opticos has found that Missing Middle Housing has the greatest chance of success in traditional neighborhoods that are already well supported by infrastructure, are more walkable/bikeable, and are close to transit routes and neighborhood businesses. Often traditional neighborhoods have smaller lots and already have some of this type of housing, just like in Knoxville.

The City has worked with Knoxville-Knox County Planning staff and local stakeholders to develop a proposal for incorporating Opticos' expertise and creating more opportunity for middle housing in Knoxville. We are seeking the support of Knoxville-Knox County Planning Commission and City Council in hopes of new zoning effective January 1, 2024.



Proposed Amendment

The amendment being proposed to Planning Commission and City Council is to allow several additional types of middle housing in RN-2, RN-3, and RN-4 zoned parcels specifically within the Traditional Neighborhood Residential (TDR) areas of the City. . The proposed amendment is exclusive to the TDR area which aligns with the Opticos recommendations of prioritizing areas already serviced by strong infrastructure.

Additionally, the proposed amendment addresses seven types of Middle Housing specific to the TDR geographic area. Those are duplex (side-by-side), duplex (stacked), triplex, fourplex, small townhouse, large townhouse, and small multi-plex.

The proposed amendment includes standards for new construction, and in an attempt to retain existing housing stock, standards that also apply for conversion of existing homes. Proposed middle Housing standards include dimensional, design, and parking standards. Knoxville-Knox County Planning staff would oversee the design standards in similar fashion to their oversight of level one projects in the Historic and Infill Overlay areas.

These changes will help open the doors for Middle Housing to be developed in Knoxville, will help residents have more diverse types of housing options, and support an increase in the overall housing stock in Knoxville.

Recommendation

The City recommends approval of these amendments to the Knoxville City Code, as shown in the attached document.

Attachments

Exhibit A: Proposed Language

The City of Knoxville will launch a public Missing Middle Housing webpage in the coming days with detail on the City's proposal and plans. The Opticos Design Report may be found on that same page, as well as on the Knoxville-Knox County Planning Website

2.3 DEFINITIONS

Abandoned Sign. Any sign, including its supporting structure, erected in conjunction with a particular use, for which the use has been discontinued for a period of 60 days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.

Abut. To share a common wall or lot line without being separated by a street or alley.

Accessibility Ramp. A ramp or similar structure that provides wheelchair or similar access to a structure.

Accessory Dwelling Unit (ADU). An additional dwelling unit located on the same lot with and is incidental to, a principal single-family dwelling. An accessory dwelling unit may be attached or detached and must include separate cooking and sanitary facilities, with its own means of ingress and egress.

Accessory Structure. A minor structure which is subordinate in area, extent, and purpose to a principal building, the use of which is customarily incidental to that of a main building and located on the same lot therewith.

Accessory Use. A use customarily incidental, appropriate, and subordinate in area, extent, and purpose to the principal use of land or buildings and located on the same lot therewith.

Accessory Services. Additional services that support, are complimentary to, and/or integral to a principal use, occurring within the same principal structure or on the same property.

Actively Marketed. A property is considered to be actively marketed when it is marketed continuously online through professional multiple listing services such as, but not limited to, Realtor.com, FlexMLS, Knoxville Area Association of Realtors Commercial Information Exchange, LoopNet, CoStar, and Zillow, and/or has signs indicating the property is for sale or lease.

Addition. Construction that increases the size of a structure in terms of building footprint, height, or floor area.

Adjacent. Immediately nearby and separated by nothing of the same or similar kind in between.

Advertising. Any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used or intended for advertising, which placed on the ground, rocks, trees, tree-stump, or other natural structures or on a building, structure, milestone, signboard, billboard, wallboard, roofboard, frame, support, fence or other manmade structure.

Agriculture. Land and associated structures used to grow crops and/or raise livestock for sale, personal food production, donation, and/or educational purposes. The agriculture use includes single-family dwellings and any additional dwellings that are accessory to the principal activity of agriculture. Agriculture also includes the use of farmstands for the sale of crops grown on the premises.

Airport. Land, water, and/or structures used for the landing and takeoff of aircraft, including airport buildings, airport structures, or airport rights-of-way. An airport includes passenger terminals for that airport and any accessory services within the passenger terminal, such as restaurants and retail goods establishments.

Alley. A public right-of-way that normally affords a secondary means of access to abutting property.

Alternative Correctional Facility. A housing facility for adults or minors that is required by the courts or otherwise available as an alternative to incarceration.

Amateur (HAM) Radio Equipment. An amateur (HAM) radio station licensed by the Federal Communications Commission (FCC), including equipment such as, but not limited to, a tower or building-mounted structure supporting a radiating antenna platform and other equipment.

Amusement Facility—Indoor. A facility for spectator and participatory uses conducted within an enclosed building, such as movie theaters, sports arenas, bowling alleys, tumbling centers, skating centers, roller rinks, escape room/physical adventure game facilities, and pool halls. Indoor amusement facilities do not include live performance venues. An indoor amusement facility may include uses such as, but not limited to, concession stands, restaurants, and retail sales as accessory services.

Amusement Facility—Outdoor. A facility for spectator and participatory uses conducted outdoors or within partially enclosed structures, such as outdoor stadiums, fairgrounds, batting cages, and miniature golf courses. An outdoor amusement facility may include uses such as, but not limited to, concession stands, restaurants, and retail sales as accessory services.

Animal Breeder. An establishment where five or more animals over six months of age are boarded, bred, raised, and/or trained. Animal breeder does not include animal care facilities or shelter and training facilities for canine or equine units of public safety agencies.

Animal Care Facility—Large Animal. An establishment that provides care for large animals, such as horses and cattle, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence. Animal care facilities do not include animal breeders.

Animal Care Facility—Small Animal. An establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, animal training centers and clubs, and facilities where animals are boarded. Animal care facilities do not include animal breeders or kennels.

Antenna. One or more rods, panels, discs or similar devices used for wireless communication, which may include, but is not limited to, omni-directional antenna (whip), directional antenna (panel), and parabolic antenna (dish).

Antenna Array. A single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Apiary. A collection of one or more colonies of bees in beehives at a location.

Aquaponics. The cultivation of fish and plants together in a constructed, re-circulating system utilizing fish culture to increase nutrient concentrations of irrigation water for the purpose of producing food or non-food crops.

Arcade. A frontage type where the building façade is close to the property line and the ground floor is recessed from the building façade to allow for a continuous, covered passageway.

Arcade and Hanging Sign. A type of attached sign which hangs from a porch roof, awning, canopy, colonnade, or similar feature, the surface area of which is not to exceed six square feet.

ARCADE AND HANGING SIGN



Architectural Feature. A part or projection that contributes to the aesthetics of a structure, exclusive of signs, that is not necessary for the structural integrity of the structure or to make the structure habitable.

Art Gallery. An establishment that sells, loans and/or displays paintings, sculpture, photographs, video art, or other works of art. Art gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculpture, photographs, video art, or other works.

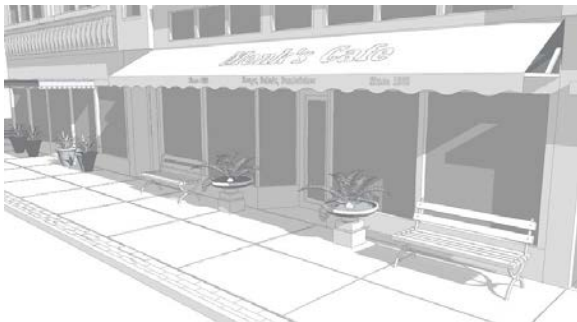
Art and Fitness Studio. An establishment where an art or activity is taught, studied, and/or practiced such as dance, martial arts, photography, music, painting, gymnastics, sports lessons, pilates, or yoga. An art and fitness studio also includes private exercise studios for private sessions with trainers and/or private classes.

Attached Sign. A sign that is permanently affixed to or painted on a building, canopy, or wall, and has a permanent or changeable copy face.

Awning. A roof like structure typically made of cloth, metal, or other material attached to a frame that extends from and is supported by a building. Awnings are typically erected over a window, doorway, or building front and they may be raised or retracted to a position adjacent to the building.

Awning Sign. A type of attached sign upon which words, pictures, symbols, graphics, or logos are painted, sewn, or otherwise adhered or affixed to the awning material as an integrated part of the awning.

AWNING SIGN



Balcony. A roofed or unroofed platform that projects from the exterior wall of a structure above the ground floor, which is exposed to the open air, has direct access to the interior of the building, and is not supported by posts or columns extending to the ground.

Base Station. A perimeter boundary (often fenced) containing the tower and equipment shelters, and associated equipment that enables wireless communications between user equipment and a communications network.

Base or Underlying Zone. The primary zoning classification which determines the uses permitted on a property over which a second zoning classification is placed (e.g., historical zoning district placed on commercially zoned property; the commercial zoning is the base zone).

Bay Window. A window that projects outward from the structure, which does not rest on the building foundation or on the ground.

Bed and Breakfast. A single-family dwelling where an owner, who lives on the premises, provides lodging for a daily fee in guest rooms with no in-room cooking facilities, and prepares breakfast meals for guests.

Bike Lane. A dedicated bicycle lane running with moderate-speed vehicular thoroughfare demarcated by striping or other means.

Billboard. A type of off-premise sign having more than 100 square feet of display surface which is either erected on the ground or attached to or supported by a building or structure.

Body Modification Establishment. An establishment that offers tattooing services, body piercing, and/or non-medical body modification. Body modification establishment does not include an establishment that offers only ear piercing.

Blank Wall. Defined in Section 2.4.

Block. Defined in Section 2.4.

Blockface. Defined in Section 2.4.

Broadcasting Facility. Commercial and public communications facilities, including radio, internet, television broadcasting and receiving stations, and studios.

Buffer Yard. Land area with landscape plantings and other components used to separate one use from another and to shield or block noise, lights, or other nuisances.

Build-To Line (BTL). Defined in Section 2.4.

Build-To Zone (BTZ). Defined in Section 2.4.

Build-To Percentage. Defined in Section 2.4.

Buildable Area. The portion of a lot, excluding required setbacks, where a structure or building improvements may be erected.

Building. Any structure used or intended for supporting or sheltering any use or occupancy which has a roof and enclosing wall for at least half of its perimeter.

Building Envelope. The three-dimensional space within which a structure is permitted to be built on a lot and which is defined by regulations governing building setbacks, maximum height, and bulk, by other regulations, and/or by any combination thereof.

Building Coverage. Defined in Section 2.4.

Building Height. Defined in Section 2.4.

Building Façade Line. A line measured at the building wall of a structure between parallel lot lines, or opposing or opposite lot lines for odd shaped lots. For the purposes of establishing a building façade line, the building wall does not include permitted encroachments of architectural features, such as bay windows, eaves, and steps and stoops.

BUILDING FAÇADE LINE



Bulletin Board. A type of wall or ground sign used to identify the premises and announce meetings or programs to be held on the premises of a church, school, community recreation center, hospital, medical clinic or similar place.

Campground. Land used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar movable temporary sleeping quarters.

Candela. A unit which expresses the luminous intensity of a light source.

Canopy. A permanent structure, other than an awning, made of cloth, metal or other material for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure. A mansard roof is not considered a canopy.

Canopy Sign. A type of attached sign placed on a canopy.

CANOPY SIGN



Car Wash. An establishment for the washing and cleaning of vehicles or other light duty equipment, whether automatic, by hand, or self-service. The car wash facility may be within an enclosed structure, an open bay structure, or similar configurations.

Carpport. An open-sided roofed structure, either formed by extension of the roof from the side of a building or freestanding located above a driveway.

Cemetery. Land and structures reserved for the interring of human remains or the interring of animal remains. Cemeteries may include structures for performing religious ceremonies related to the entombment of the

deceased, mortuaries, including the sales of items related to the interment of remains, and related accessory structures, such as sheds for the storage of maintenance equipment. Cemeteries may also include crematoriums and embalming facilities.

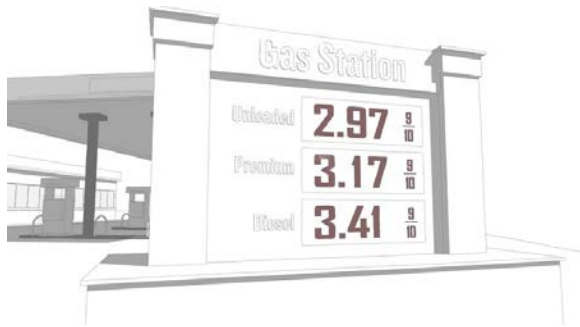
Changeable Letter Reader Board Sign. A sign on which message copy is displayed through the utilization of attachable or affixed letters, numbers, symbols and other similar character of changeable pictorial panes, which are changed manually or electronically.

CHANGEABLE LETTER READER BOARD SIGN



Changeable Price Sign. A sign that shows a product or service, such as fuel or hotel/motel room rates as an unchanging element of the sign and includes an EMC component to the sign wherein the price is changeable.

CHANGEABLE PRICE SIGN



Chimney. A vertical shaft of reinforced concrete, masonry or other approved material enclosing one or more flues, for the purpose of removing products of combustion from solid, liquid, or gaseous fuel.

Cold Frame. A four-sided enclosure with a transparent or translucent and removable or adjustable roof, built low to the ground to house and protect food or non-food crops outside the typical growing season.

Collocation. The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

Column Sign. A type of detached sign which is supported by and integrated with columns or posts.

COLUMN SIGN



Common Yard. A frontage where the building is setback substantially from the property line. The front yard is visually continuous with adjacent yards.

Community Center. A facility used as a place of meeting, recreation, or social activity, that is open to the public and is not operated for profit, and offers a variety of educational and community service activities. A community center may serve as a local "food hub" where regionally grown food, including value added food, can be grown and/or brought for distribution and sale.

Compost, Backyard. The composting of organic solid waste, such as grass, clippings, leaves, or food waste (excluding meat and dairy), generated on-site by a property owner or other person with an interest in the property, where composting occurs at the site of origin and the resulting product is for on-site use only.

Conforming Sign. Any permanent sign or sign structure which conforms to the provisions of this Article.

Conservation Area. Designated open space that preserves and protects natural features, wildlife, and critical environmental features, as well as undeveloped sites of historical or cultural significance. A conservation area may include opportunities for passive recreation, such as hiking trails and lookout structures, and environmental education.

Contiguous. See "abut."

Country Club. An establishment open to members, their families, and invited guests organized and operated for social and recreation purposes and which may have indoor and/or outdoor recreation facilities, eating and drinking establishments, meeting rooms, and similar uses.

Crematory. A facility where the deceased are burned.

Cross-Access. A vehicular and/or pedestrian connection between abutting properties that connects the sites and allows vehicles and/or pedestrians to travel between sites without the having to exit to the street.

Cultural Facility. A facility open to the public that provides access to cultural exhibits and activities including, but not limited to, museums, cultural or historical centers, non-commercial galleries, historical societies, and libraries. A cultural facility may include typical accessory services such as, but not limited to, retail sales of related items and restaurants.

Day. A calendar day.

Day Care Center. A facility where, for a portion of a 24-hour day, care and supervision is provided for minors, the elderly, and/or functionally-impaired adults in a protective setting.

Day Care Home. A residential dwelling where a permanent occupant of the dwelling provides care for minors, the elderly, and/or functionally-impaired adults from outside households in a protective setting for less than 24 hours per day. A day care home does not include facilities that only receive children from a single household.

Deck. A roofless outdoor space built as an aboveground platform projecting from the wall of a structure and connected by structural supports at grade or by the structure.

Detached Sign. Any sign that is not affixed or attached to a building and is securely and permanently mounted in or on the ground.

Development. The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure, any mining, excavation, landfill or land disturbance, or any alteration of land.

Development Directory Sign. A type of detached sign identifying a shopping center, office park, commercial subdivision, or similar mixed-use or commercial development, and listing individual businesses or tenants within the unified development, including businesses not located on the lot on which the sign is located. A development directory sign is not classified as an off-premise sign.

Dimmer. A device which changes the brightness of a display or which creates the capacity of increasing or decreasing the overall brightness/intensity of a display.

Directional Sign. A type of incidental sign located on a site designed to guide vehicular and/or pedestrian traffic on a lot or parcel by using such words as "Entrance," "Exit," "Parking," "One-Way," or similar directives, but not including any advertising message. A name or logo of a business, use or place may also be included on the sign.

Directory Sign, On-Site. A type of incidental sign located on a site designed to identify specific businesses, offices, tenants or other uses of a lot or parcel, but not including any advertising message. A name or logo of a business, use or place may also be included on the sign.

Distributed Antenna System (DAS). A network consisting of transceiver equipment at a central hub site to support multiple antenna locations throughout the desired coverage area.

Dock. A fixed or floating decked structure where a vessel or vessels may be secured either temporarily or indefinitely.

Domestic Violence Shelter. A facility that provides temporary shelter, protection, and support for victims of domestic violence, intimate partner violence, sexual assault, and/or human trafficking. A domestic violence shelter also accommodates the minor children of such individuals. The facility may also offer a variety of services to help individuals and their children, including, but not limited to, counseling and legal guidance.

Donation Box. A container used for the purpose of collecting donated items for resale or for use by an organization or institution.

Drive-Through Facility. That portion of a business where business is transacted directly with customers via a service window that allows customers to remain in their vehicle. A drive through facility must be approved separately as a principal use when in conjunction with another principal uses such as restaurants and financial institutions. A standalone drive-through ATM is considered a drive-through facility for the purposes of this Code.

Driveway. A pathway for motor vehicles from a street to a lot used only for service purposes or for access to the lot.

Drug/Alcohol Treatment Facility, Residential. A licensed care facility that provides 24-hour medical, non-medical, and/or therapeutic care of persons seeking rehabilitation from a drug and/or alcohol addiction. Such facilities include medical detoxification. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Drug Treatment Clinic. A facility licensed by the state to administer drugs, such as, but not limited to, methadone or suboxone, in the treatment, maintenance, and/or detoxification of persons.

Dwelling—Above the Ground Floor. Dwelling units located within a single multi-story building located above nonresidential uses on the ground floor or to the rear nonresidential uses on the ground floor. In the case of

dwelling units located behind non-residential uses on the ground floor, nonresidential uses must front on the primary street frontage.

Dwelling—Manufactured Home. A manufactured home dwelling is a prefabricated structure that is regulated by the U.S. Department of Housing and Urban Development (HUD), via the Federal National Manufactured Housing Construction and Safety Standards Act of 1974, rather than local building codes. Manufactured homes include those transportable factory-built housing units built prior to the Federal National Manufactured Housing and Safety Standards Act (HUD Code), also known as mobile homes. A manufactured home in the traveling mode, is eight body feet or more in width, or 40 body feet or more in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation.

1. Multi-sectional manufactured home is defined as two or more manufactured home sections designed to be attached to each other on a site and used as a dwelling unit.
2. Single-wide manufactured home is defined as a one-section manufactured home designed to be occupied as a single living unit.
3. Modular homes are not considered manufactured homes, but rather dwellings, and refer to a method of construction.

Dwelling—Multi-Family. A structure containing three or more attached dwelling units used for residential occupancy. A multi-family dwelling does not include a townhouse dwelling.

Dwelling—Single-Family. A structure containing only one dwelling unit.

Dwelling—Townhouse. A structure consisting of three or more dwelling units, the interior of which is configured in a manner such that the dwelling units are separated by a party wall. A townhouse is typically designed so that each unit has a separate exterior entrance and yard area. A townhouse dwelling does not include a multi-family dwelling.

Dwelling—Two-Family. A structure containing two dwelling units. Also called a "duplex."

Dwelling Unit. A structure, or portion thereof, designed or used exclusively for human habitation, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Easement. Land designated by lawful agreement between the owner(s) of the land and a person(s) or entity for a specified use only by such person(s).

Eating and Drinking Establishment. An establishment where food and/or drinks are prepared and provided to the public for on-premises consumption by seated patrons or for carry-out service. Eating and drinking establishments may have outdoor dining/seating areas. Restaurants and bars are considered eating and drinking establishments.

Eave. The projecting lower edges of a roof overhanging the wall of a structure.

Educational Facility—Primary or Secondary. A public, private, or parochial facility that offers instruction at the elementary, junior high, and/or high school levels.

Educational Facility—University or College/Vocational. A facility for post-secondary higher learning that grants associate or bachelor's degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. "Educational facilities—university or college" include typical accessory services such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, and similar uses. "Educational facility—university or college/vocational" includes facilities that offer instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school. "Educational facility—vocational" also applies to privately operated schools that do not offer a complete educational curriculum.

Electronic Message Center (EMC) Sign. A sign which uses a bank of lights, light-emitting diodes, or other materials that can be lit or activated to form copy such as words, letters, logos, figures, symbols, illustrations, or patterns to form a message without altering the sign face.

ELECTRONIC MESSAGE CENTER (EMC)



Encroachment. The extension or placement of any structure, or a component of such, into a required setback or right-of-way.

Equipment Shelter. A building that contains ground related WCF equipment. The shelters are often located in base station areas.

Erect. To build, construct, attach, hang, place, suspend, or affix. When used in connection with signs it means to build, construct, attach, hang, place, suspend, or affix and also includes the painting of wall signs.

Exterior Lighting. The illumination of an outside area or object by any man-made device that produces light by any means.

Exterior Stairwell. One or more flights of stairs, and the necessary landings and platforms connecting them, to form a continuous passage from the entryway of a floor or level to another in a structure located on the exterior of a building.

Farmers Market. Temporary use of structures and/or land for the sale of a variety of fresh fruits, flowers, vegetables, or ornamental plants, and other locally produced farm and food products, including value-added products, directly to consumers from farmers or from vendors that have taken such items on consignment for retail sale.

Farmstand. A temporary structure for the sale of food or non-food crops grown on the premises.

Federally Designated Highway. Those highways that are United States Numbered Highways, an integrated network of roads and highways in the United States with route numbers and locations coordinated by the American Association of State Highway and Transportation Officials (AASHTO).

Fence. A structure used as a boundary, screen, separation, means of privacy, protection or confinement, and is constructed of wood, plastic, metal, wire mesh, masonry, or other similar material.

Fence—Open. A fence that has, over its entirety, more than 50% of the superficial surface consisting of regularly distributed openings.

Fence—Privacy. A fence that has, over its entirety, no distributed openings. A shadowbox design fence is considered a privacy fence. A chain link fence with slats is not considered a privacy fence.

Financial Institution. A bank, savings and loan, credit union, investments, or mortgage office.

Financial Service, Alternative (AFS). Establishments that meet one or more of the criteria:

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1. Not licensed by an appropriate state or federal agency as a bank, savings and loan association, or credit union, industrial loan and thrift offices, insurance premium finance companies, or mortgage companies.
 2. Regulated by the state department of financial institutions.
 3. Categorized for purposes of this Ordinance as the following:
 - a. "Pawnbrokers" as defined at T.C.A. § 45-6-203.
 - b. "Title pledge lenders" as defined at T.C.A. § 45-15-103.
 - c. "Deferred presentment services" as defined at T.C.A. § 45-17-102.
 - d. "Check cashers" as defined at T.C.A. § 45-18-102 except that check cashers do not include check cashers exempt from state regulation pursuant to T.C.A. § 45-18-103.
 - e. Any combination of alternative financial services, which include, but are not limited to, pawnbrokers, title pledge lenders, deferred presentment services, and/or check cashers as defined herein.

Flag. Flags of any nation, state, municipality, or political subdivision, flags officially designated as a national, state, or local symbol, or flags of fraternal, religious, and civic organizations. Pennants and sails are not considered flags.

Flag or Banner Sign. Any cloth, bunting, plastic, paper, or similar non-rigid material used for advertising purposes and attached to any structure, staff, pole, line, framing, or vehicle.

Floodlight. A powerful light, typically in a grouping of several lights, used to illuminate the exterior of a building or sign.

Floor Area Ratio (FAR). Defined in Section 2.4.

Food Bank. A non-profit organization that collects and distributes food to hunger relief organizations. Food is not distributed to those in need from a food bank.

Food Pantry. A non-profit organization that provides food directly to those in need. Food pantries receive, buy, store, and/or distribute food. Food pantries may also prepare meals to be served at no cost to those who receive them. A food pantry may be accessory to a place of worship, social service center, and/or homeless shelter.

Food Truck Park. The use of land designed to accommodate two or more mobile food units (MFUs) and mobile food vendors offering food and/or beverages for sale to the public as a primary use of the property, which may include seating areas for customers.

Footcandle. A unit of illuminance (light falling on a surface). One lumen falling on one square foot equals one footcandle.

Forecourt. An open area at grade, or within an average 30 inches of grade, that serves as an open space or plaza.

Fraternity/Sorority. A structure used by a chartered fraternal or sororal membership organization or association, used as a residence and/or a dining and recreational facility for members of organizations or associations who are students at a university, which permits the organization or association to use its facilities because of the relationship of such organization or association to the body of students enrolled in such institution.

Frontage. The relationship of a building to the public way. The frontage line refers that part of a building along a front and corner side setback line, build-to line, or build-to zone.

Full summer pool. The targeted elevation to which the Tennessee Valley Authority plans to fill each reservoir during its annual operating cycle.

Funeral Home. An establishment where the dead are prepared for burial display and for rituals before burial or cremation, including chapels for the display of the deceased and the conducting of rituals before burial or cremation.

Gallery. A covered passage extending along the outside wall of a building supported by arches or columns that is open on three sides.

Garage. A structure, either attached or detached, used for the parking and storage of vehicles as an accessory use to a residence. For the purposes of this definition, garage does not include a commercial parking structure.

Garden, Market. An area of land managed and maintained by an individual, group, or business to grow and harvest food and non-food crops to be sold for profit on-site, off-site, or both.

Garden, Personal. An area of land on which food or non-food crops are grown by the property owner or other person with an interest in the property for personal or family consumption and enjoyment. On-site sales may be allowed through a temporary use permit issued for a farmstand.

Garden, Community. An area of land managed and maintained by a nonprofit or group of individuals to grow and harvest food and non-food crops for personal or group use, consumption, or donation.

Gas Station. An establishment where fuel for vehicles is stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. A gas station may also include accessory services such as retail, a car wash bay, and solar and/or electric charging stations.

Glare. Light emitting from a luminaire with an intensity great enough to reduce a viewers' ability to see, cause discomfort, and, in extreme cases, cause momentary blindness.

Golf Course/Driving Range. A tract of land design with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, snack-bar, and pro-shop as accessory services. A driving range may be designed as a standalone facility or included as part of a golf course, which is defined as a tract of land equipped with distance markers, clubs, balls, and tees for practicing the hitting of golf balls.

Government Office/Facility. Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public, such as city offices and post offices. Government offices do not include public safety or public works facilities.

Grade. A reference plane representing the average of finished ground level adjoining the building at all exterior walls.

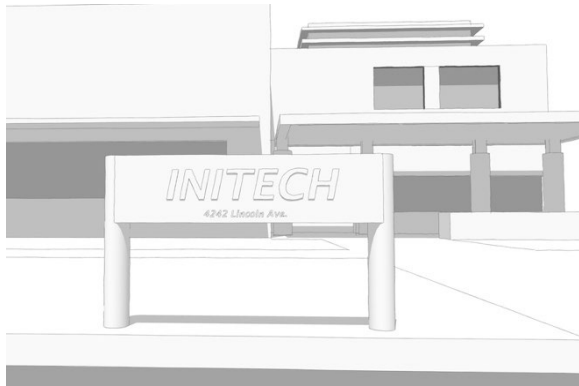
Greenhouse. A type of freestanding covered structure that has a supported framework and covered with a translucent material such as plastic or glass. A greenhouse may use generated or electrical heat or power and its purpose is to house and protect food or non-food crops during all seasons of the year.

Greenhouse/Nursery—Retail. An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are propagated and sold, and may include gardening and landscape supplies and products, such as hardware, garden tools and utensils, paving stones and bricks, and other related items for sale.

Gross Floor Area (GFA). Defined in Section 2.4.

Ground Sign. A type of detached sign supported by a pole, uprights, or braces on the ground.

GROUND SIGN



Group Home. A group care facility, operated on a for-profit basis, in a residential dwelling for: 1) care of persons in need of personal services or assistance essential for activities of daily living; or 2) care of persons in transition or in need of supervision, including drug and alcohol rehabilitation (excluding medical detoxification).

Halfway House. A residential facility for persons who have been institutionalized for criminal conduct and who either: 1) require a group setting to facilitate the transition to society; or 2) have been ordered to such facilities by the court as a condition of parole or probation.

Healthcare Facility. Facilities for primary health services and medical or surgical care to people, primarily inpatient, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities, dormitories, or educational facilities, and typical accessory services such as, but not limited to, cafeterias, restaurants, retail sales, and similar uses.

Heavy Retail, Rental, and Service. Retail, rental, and/or service establishments of a heavier and larger-scale commercial character typically requiring permanent outdoor service or storage areas and/or partially enclosed structures. Examples of heavy retail, rental, and service establishments include large-scale home improvement centers with outdoor storage, display, and rental components, lumberyards, recreational vehicle dealerships, boat sales, rental, and service, truck rental establishments, and sales, rental, and repair of heavy equipment. Wholesale establishments that sell to the general public, including those establishments where membership is required, are considered heavy retail, rental, and service establishments.

Hedge. A row of closely planted shrubs, bushes, or any kind of plant forming a boundary.

Heliport. Land, water, and/or structures used for the landing and take-off of helicopters, and having service facilities for such aircraft or providing for permanent basing of such aircraft.

High Tunnel. A type of freestanding, covered structure that has a supported framework, typically made with metal piping and covered with a translucent material such as plastic or glass. Crops can be grown either in the natural soil profile or by installing permanent beds. A high tunnel does not have heat or electrical power and its purpose is to house and protect food or non-food crops outside the typical growing season. Also known as a hoop house.

Historic Sign. An existing, nonconforming, historically significant sign that contributes to the historical or cultural character of the community at large which has been removed from its original location within the city and is to be reused and relocated to a different location on its original site or relocated to another location within the community.

Hive. A container or structure used by a beekeeper to provide a cavity in which a colony of bees is expected to establish a permanent nest. Also known as a beehive.

Home Occupation. Any activity carried out for economic gain by a resident, conducted as an accessory use in the resident's dwelling unit.

Homeless Shelter. A facility that provides temporary shelter to the homeless in general.

Hotel. A commercial facility that provides sleeping accommodations for a fee and customary lodging services. Related accessory services include, but are not limited to, meeting facilities, eating and drinking establishments, and gyms for the use of guests.

Hydroponics. The propagation of plants using a mechanical system designed to circulate a solution of minerals in water and without soil.

Identification Sign. A sign displaying only the name, address, and/or crest, insignia, trademark, occupation, or profession of an occupant or the name of any building on the premises.

Impervious Surface Coverage. Defined in Section 2.4.

Impound Lot. A facility that provides temporary outdoor storage for vehicles that are to be claimed by titleholders or their agents. An impound lot is typically used for the storage of wrecked motor vehicles usually awaiting insurance adjustment or transport to a repair shop. Impound lot does not include impound facilities owned and used by governmental authorities.

Incidental Sign. A sign, generally directional or informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," "office," "gymnasium," and other similar directives. No sign with an advertising message, other than a name or logo of a business, use or place, is considered incidental.

Independent Living Facility. A residential development which typically includes common areas for meals and socializing and may offer convenience services, but does not provide health care or assistance with activities of daily living. Units may include cooking facilities. Independent living facilities are subject to the dimensional and design standards for a multi-family dwelling in the district in which they are located. When a district permits dwellings above the ground floor, independent living facilities may also be developed and designed as such, subject to the design standards of the district for the structure.

Industrial—Craft. Artisan-related crafts and industrial processes that are more intensive uses, such as small-scale metalworking, glassblowing, furniture making, and small-scale food production that includes preparation, processing, canning, or packaging of food products. Micro-breweries, micro-distilleries, and micro-wineries are regulated separately from craft industrial.

Industrial—General. Research and development activities, and the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semi-finished products from previously prepared materials, where such activities are conducted wholly within an enclosed building. A general industrial use may also include a showroom, accessory sales of products related to the items manufactured or stored on-site, and/or outdoor storage for materials related to processes on-site.

Industrial—Heavy. Manufacturing from processed or unprocessed raw materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products. This manufacturing may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land users. These industrial uses typically have outdoor storage areas.

Industrial Design. An establishment where the design, marketing, and/or brand development of various products are researched and developed typically integrating the fields of art, business, science, and/or engineering. An industrial design establishment may create prototypes and products, but cannot mass manufacture products on the premises.

Information Sign. A type of incidental sign located on a site designed to convey information or instructions, but not including any advertising message, for the safe and convenient use of a lot or parcel. A name or logo of a business, use or place may also be included on the sign.

Infrastructure. Facilities and services needed to sustain residential, commercial, industrial, institutional, and other activities, including, but not limited to, water lines, sewer lines, and rights-of-way.

Interstate. A divided highway, designated under the Interstate Highway System, designed for the safe, unimpeded movement of large volumes of through traffic with full access control and grade separation at intersections.

Interstate Interchange. An interchange that connects an interstate to a lesser facility, such as a federally designated highway or an arterial or collector street.

Kennel. Any lot or premises on which five (5) or more animals, more than six (6) months of age, are kept.

Knoxville-Knox County Planning Commission. The Knoxville-Knox County Planning Commission is the equivalent of the Metropolitan Planning Commission.

Knoxville-Knox County Planning Staff. The Knoxville-Knox County Planning staff is the equivalent of the Metropolitan Planning Commission staff.

Landmark Sign. An existing, nonconforming, on-premise sign, which exhibits unique characteristics, enhances the streetscape or identity of a neighborhood and contributes to the historical or cultural character of the streetscape or the community at large.

Light Detector, Light Sensor. An electronic component used to detect the amount or level of ambient light surrounding an EMC cabinet.

Light Pole. Pole on which a luminaire is mounted.

Light Pole Banner. Banners mounted on and with arms installed perpendicular to light poles.

Live Entertainment—Secondary Use. A live performance, performed live by one or more persons including, but not limited to, musical acts, including disc jockeys (DJs), theatrical plays, performance art, stand-up comedy, and magic, included as part of the operation of a eating and drinking establishment, amusement facility, or similar use. As a secondary use, the other principal use operating on the site is open to the public during hours when no performance is scheduled. Live entertainment—secondary use is approved separately as a principal use. Live entertainment—secondary use does not include:

1. Any adult use, as defined by the City Code.
2. Live performance venue or nightclub.
3. Periodic performances or entertainment at educational facilities, places of worship, cultural facilities, reception facilities, and performances at weddings and similar events.
4. Incidental entertainment, which is defined as background music provided at an eating and drinking establishment.

Live Performance Venue. A facility for the presentation of live entertainment, including musical acts, including disc jockeys (DJs), theatrical plays, stand-up comedy, and similar performances. Performances are scheduled in advance and tickets are required for admission and available for purchase in advance, though tickets may be purchased at the venue's box office on the day of the performance. A live performance venue is only open to the public when a live performance is scheduled. A live performance venue may include classroom and/or rehearsal space utilized during hours it is not open to the public for a performance. A live performance venue may include concession stands, including sale of alcohol, but only when it is open to the public for a performance. A live performance venue does not include any adult use as defined by the City Code and does not include a nightclub.

Live/Work. A structure where residential and commercial uses are integrated, that permits businesses, professions, occupations, or trades within a residential dwelling that requires employees, customers, clients, and/or patrons to visit the unit.

Loading Berth. A space within a loading facility exclusive of driveways, aisles, maneuvering areas, ramps, columns, landscape, and structures for the temporary parking of a commercial delivery vehicle while loading or unloading goods or materials.

Lodge/Meeting Hall. A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business.

Logo Sign. A business, informational, or directional sign located on an interstate or off-ramp, which is regulated by the Tennessee Department of Transportation (TDOT).

Lot. Defined in Section 2.4.

Lot Area. Defined in Section 2.4.

Lot, Corner. Defined in Section 2.4.

Lot Depth. Defined in Section 2.4.

Lot, Interior. Defined in Section 2.4.

Lot Line. Defined in Section 2.4.

Lot, Through. Defined in Section 2.4.

Lot Width. Defined in Section 2.4.

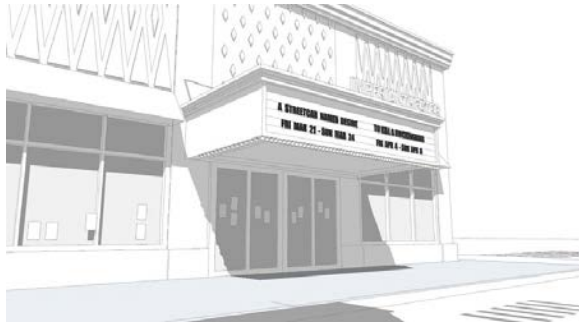
Low Tunnel. A temporary, freestanding structure that has a supported framework, typically made with hooped PVC pipe or wire and covered with plastic. A low tunnel does not have heat or electrical power and its purpose is to house and protect food or non-food crops outside the typical growing season.

Mansard Roof. A roof or portion of a roof containing two sloping planes of different pitch. The lower plane has a much steeper pitch, often approaching vertical, than the upper plane, which is usually not visible from the ground. It contains no gables.

Marina. A facility with navigable water access for docking or storage of boats or providing services to boats and the occupants thereof, including minor servicing and repair to boats while in the water, sale of fuel and supplies, or provision of lodging, food, beverages, and entertainment as accessory uses. A yacht club is considered a marina.

Marquee Sign. A type of attached sign integrated into or hung from a marquee. A marquee is a type of canopy or covered structure projecting from and supported by a building, when such canopy or covered structure extends beyond the building, building line, or property line for the purpose of providing shelter to pedestrians at an entrance to a building.

MARQUEE



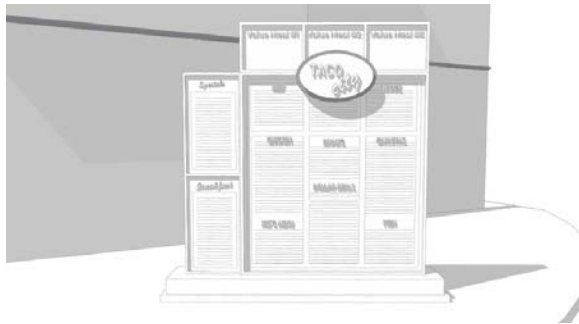
Master Sign Plan. A site plan and associated text and illustrations of a sign system for a proposed or existing development submitted to the Knoxville-Knox County Planning Commission for consideration for approval.

Medical/Dental Office/Clinic. A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical/dental offices/clinics also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation. Urgent care facilities, "minute clinics," and medical spas are considered medical/dental offices/clinics.

Memorial Sign. A plate, plaque, or engraving cut into or attached to a building surface, which designates the name of a building, the date of erection, or individuals involved in the building's creation.

Menuboard. A type of attached or detached sign primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service.

MENUBOARD



Micro-Brewery. A facility for the production and packaging of malt beverages of alcoholic content for wholesale distribution, where the area of the establishment devoted to the production of malt alcoholic beverages does not exceed 25,000 square feet in commercial districts or 40,000 square feet in industrial zone districts, and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Brewery facilities that exceed this capacity are considered light industrial uses.

Micro-Distillery. A facility for the production and packaging of alcoholic spirits, where the area of the establishment devoted to the production of spirits does not exceed 25,000 square feet in commercial districts or 40,000 square feet in industrial zone districts, and may include a tasting room for consumption on-premises. A

tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Distillery facilities that exceed this capacity are considered light industrial uses.

Micro-Winery. A facility for the production and packaging of any alcoholic beverages obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, where the area of the establishment devoted to such production does not exceed 25,000 square feet in commercial districts or 40,000 square feet in industrial zone districts, and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Wineries that exceed this capacity are considered light industrial uses.

Middle Housing. Middle Housing types are house-scale buildings with multiple units in walkable neighborhoods. These building types can include duplexes, fourplexes, cottage courts and courtyard buildings, and provide diverse housing options and support locally-serving retail and public transportation options. Specific types and forms located in Section 4.6.

Mobile Food Sales. A vehicle or a food trailer towed by another vehicle, designed and equipped to sell food and/or beverages directly to consumers. It does not include wholesale food distributors. The vendor physically reports to and operates from an off-site kitchen for servicing, restocking, and maintenance each operating day.

Monument Sign. A type of detached sign which is supported by and integrated with a solid base, as opposed to poles, posts, or other such supports. A monument sign is horizontally oriented or is square.

MONUMENT SIGN



Nameplate. A plate, plaque, or engraved name attached to a door or wall, or integral to a wall of a building, bearing a name associated with an occupant or use in the building to which the plate is affixed.

Neighborhood Nonresidential Reuse. A nonresidential use, subject to special approval, within a residential neighborhood that is nonresidential in its original construction and/or use.

Nightclub. A commercial establishment, whether or not open to the public, which:

1. Primarily serves alcohol or tobacco, or allows on-site consumption of the same.
2. May operate with a permit from the City of Knoxville or with a state license either to serve alcohol or to allow alcohol to be consumed on the premises.
3. Stays open at night, until up to 6:00 a.m. Eastern Standard Time, or later in the daylight hours.
4. Is operated as a place of entertainment at night.

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5. Typically provides live or recorded entertainment in which patrons may or may not participate, and which includes music, singing, performing, dancing, and the like.
 6. Typically restricts entry to those 18 years of age or older.
 7. May or may not serve tobacco or food, or allow on-site consumption of the same.
 8. May or may not include an outdoor area, including a patio or rooftop bar, where alcohol or tobacco may be consumed or served.

If an establishment meets this definition and another in this Code, this definition controls.

Nonconforming Sign. Any existing permanent sign or sign structure which does not conform to the provisions of this Article, but was lawfully erected and complied with the sign regulations in effect at the time it was erected.

Nit. One candela per square meter.

Off-Street Parking. The storage space for an automobile on premises other than streets or rights-of-way.

Off-Premise Sign. A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises if at all.

Office. An establishment that engages in the processing, manipulation, or application of business information or professional expertise. Such an office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, warehousing, or on-site sales of physical products for the retail or wholesale market, nor engaged in the repair of products. An office does not include financial institution, alternative financial service, government office/facility, or industrial design.

On-Premise Sign. A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered on the premises on which the sign is erected. A "for sale," "to let," or "information" sign is deemed an on-premise sign.

Open Space. That portion of land, either landscaped or left unimproved, which is used to meet active or passive recreation or spatial needs, and/or to protect water, air, or plant resources.

Outdoor Display and Sales Area (Accessory). Part of a lot used for outdoor sales and/or display of goods accessory to the principal use.

Outdoor Storage (Accessory). The keeping of property accessory to the principal use in an area outside of any principal or accessory structure.

Outlot. An area of land set aside within a larger development for a separate principal building that shares a circulation system and may share common parking with the larger development but is separated from the principal building or buildings, typically located along the property line.

Owner. Any person or entity, including the owner of the title or a mortgage whose interest is shown of record in the mortgage and conveyance records or a person shown as owner in the records of the tax assessor of the county in which the property is situated, either of whom may be represented by an agent.

Parapet. The extension of a false front or wall above a roof-line.

Parcel. A piece of land created by a partition, subdivision, deed, or other instrument recorded with the appropriate recorder.

Parking Lot. An area, excluding a street or public way, used for the parking/storage of six or more operable vehicles, whether for compensation or at no charge.

Parking Structure. A structure used only for the parking or storage of operable vehicles, whether for compensation or at no charge. A roofed structure of one level of parking is also considered a parking structure.

Party Wall. A wall starting from the foundation and extending continuously through all stories to or above the roof that separates one building from another, but is in joint use by each building.

Performance Standards. A set of criteria or limits relating to elements that a particular use or process must either meet or may not exceed.

Permeable Pavement. A pavement system designed to achieve water quality and quantity benefits by allowing movement of stormwater through the pavement surface into base/sub-base storage. Examples include, but are not limited to, pervious concrete, porous asphalt, and permeable paving blocks.

Person. An individual, heirs, executors, administrators or assigns, and includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

Personal Service Establishment. An establishment that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, health clubs, dry cleaners, and tailors.

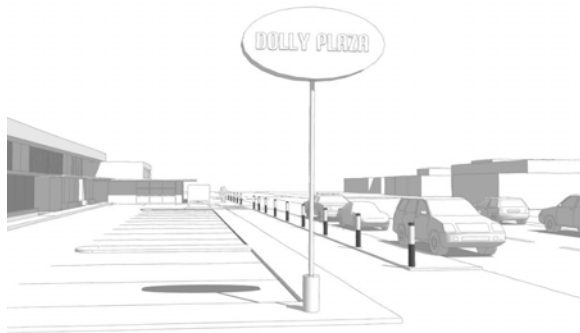
Place of Worship. A facility where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may also include accessory services uses such as day care facilities, meeting rooms, auditoriums, and/or classrooms for weekly religious instruction. Places of worship may also have cemeteries on-site.

Plaza. Public open space located within urban areas designed primarily with hardscape and typically framed by surrounding buildings.

Pocket Neighborhood. A development consisting of a cluster of dwellings of various types arranged around a common courtyard or open space, rather than all dwellings oriented to the street, designed as a cohesive whole.

Pole Sign. A type of ground sign at least ten feet above the ground supported on a single post or pole.

POLE SIGN



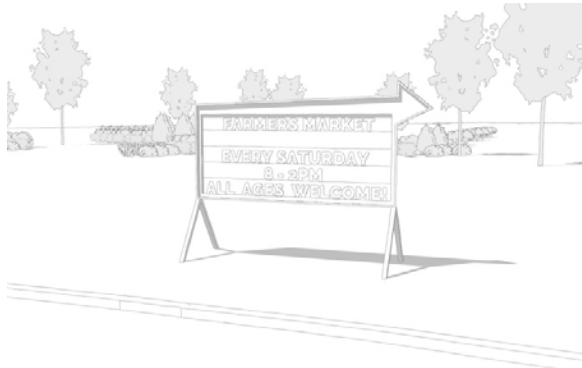
Porch. An architectural feature that projects from the exterior wall of a structure, and is covered by a roof or eaves.

Porch—Unenclosed. A porch that is open on all sides that do not abut a principal building wall.

Porch—Enclosed. A porch enclosed by walls, screens, lattice or other material. A screened-in porch is an enclosed porch.

Portable Sign. All moveable or portable off-premise or on-premise signs mounted upon trailers or other structure(s) or device(s) designed to be transported by or on a motor-driven vehicle with only incidental parking and assembling for reuse, unless otherwise permitted by these regulations.

PORTABLE SIGN



Pre-School/Kindergarten. An educational establishment that offers early childhood education prior to the start of required education at the primary school level.

Project Directional Sign. A type of detached sign used to direct traffic from a collector or arterial street (as designated in the *Major Road Plan for Knoxville—Knox County, Tennessee*) to businesses located on the same or lower classification streets within the same unified development. A project directional sign is not classified as an off-premise sign.

Projecting Sign. A type of attached sign that is wholly or partly dependent upon a building for support, that projects at an angle away from the building, and that extends more than one foot from the building.

PROJECTING SIGN



Property Line. For the purposes of this Code, a property line is a lot line. (See lot line definition.)

Principal Building. A non-accessory structure in which a principal use of the lot on which it is located is conducted.

Principal Use. The main use of land or structures as distinguished from an accessory use.

Public Park. A facility that serves the recreational needs of residents and visitors. Public park includes, but is not limited to, playgrounds, ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, skateboard parks, passive recreation areas, and gymnasiums. Public parks may also include non-commercial indoor or outdoor facilities, including zoos and amphitheaters, accessory services such as, but not limited to, restaurant and retail establishments, and temporary outdoor uses such as festivals and performances.

Public Safety Facility. A facility operated by and for the use of public safety agencies, such as the fire department and the police department, including the dispatch, storage, and maintenance of police and fire vehicles. Public safety facilities include shelter and training facilities for canine and equine units of public safety agencies.

Public Works Facility. A facility operated by the municipal public works departments to provide municipal services, including dispatch, storage, and maintenance of municipal vehicles.

Real Estate Project Sales Office/Model Unit. A residential unit or other structure within a development that is temporarily used for display purposes as an example of dwelling units available for sale or rental in a residential development and/or sales or rental offices for dwellings within the development.

Reception Facility. A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may be provided as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

Recreational Vehicle. Any vehicle or boat designed for temporary living quarters, recreation, or temporary human habitation and not used as a commercial vehicle including, but not limited to, the following: boat/watercraft, camper trailer, motorized trailer, off-road vehicle, racing car or cycle, travel trailer, and truck camper.

Research and Development. A facility where research and development is conducted in industries that include, but are not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication, and information technology, electronics and instrumentation, and computer hardware and software. A research and development establishment may create prototypes of products, but may not manufacture products for direct sale and distribution from the premises.

Residential Care Facility. A licensed group care facility that provides medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living. A residential care facility includes nursing homes, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum. Residential care facilities must meet all district design and dimensional standards for multi-family dwellings unless specific standards are cited for such housing. When a district permits dwellings above the ground floor, residential care facilities may also be developed and designed as such, subject to the design standards of the district for the structure.

Retail Goods Establishment. An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. Retail goods establishment do not include specialty food service or retail liquor stores.

Retail Liquor Stores. An establishment, which requires a license under the provisions of Tennessee Code Annotated, Title 57, Chapter 3, Part 2, to sell liquor, as well as wine and beer.

Right-of-Way. A strip of land dedicated for use as a public way. In addition to the roadway, it typically incorporates the curbs, parkways, sidewalks, and shoulders.

Roof Sign. A type of attached sign that is mounted on the roof of a building or which is wholly dependent upon a building roof for support.

ROOF SIGN



Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

Salvage Yard. A facility where used and/or damaged vehicles, appliances, building fixtures, architectural features from structures, and similar commodities are sorted, dismantled, and/or offered for sale.

Satellite Dish Antenna. A dish antenna designed for transmitting signals to a receiver or receiving station or for receiving television, radio, data, communication or other signals from other antennas, satellites or other services.

Searchlight. An attention-getting device where an artificial light of high intensity is shined upward in a focused beam and can turn in any direction to attract attention to a location. Also known as sky-beams or sky spotlights.

Self-Storage Facility: Enclosed. A facility for the storage of personal property where individual renters control and access individual storage spaces located within a fully enclosed building that is climate controlled. Retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. A heavy retail, rental, and service use in conjunction with a self-storage use is allowed only when the district allows the heavy retail, rental, and service use and such use requires separate approval.

Self-Storage Facility: Outdoor. A facility for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual access from the outdoors. Retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. A heavy retail, rental, and service use in conjunction with a self-storage use is allowed only when the district allows the heavy retail, rental, and service use and such use requires separate approval.

Setback. Defined in Section 2.4.

Setback, Front. Defined in Section 2.4.

Setback, Interior Side. Defined in Section 2.4.

Setback, Corner Side. Defined in Section 2.4.

Setback, Rear. Defined in Section 2.4.

Setback, Reverse Corner Side. Defined in Section 2.4.

Shed. An accessory structure intended for storage.

Sidewalk Sign. A type of moveable, detached sign not secured or attached to the ground or surface upon which it is located.

SIDEWALK SIGN



Sign, Billboard, or Other Advertising Device. Any structure or part thereof or device attached thereto or represented thereon, which displays or includes any letter, words, model, banner, flag, pennant, insignia or representation used as, or which is in the nature of an announcement, direction or advertisement. The word sign includes the word billboard or any other type of advertising device, but does not include the flag, pennant, or insignia of any nation, state, city, or other political unit.

Sight Triangle (or Visibility Triangle). The area located at the intersection of two streets, whether public or private, or a street and private driveway through which an unobstructed view of approaching traffic is necessary for motorists.

Sign Illumination, Internal. Lighting of a sign from internal sources, such as in light source within the framework of a sign cabinet and behind the face of the sign so that light is transmitted through the face of the sign.

Sign Illumination, External. Lighting of a sign from a light source external to the body of the sign, so that light is directed on to the face of the sign or directed in a manner so as to create silhouettes of letters or symbols that are placed in front of the light.

Small Cells. Compact wireless base stations containing their own transceiver equipment and function like cells in a mobile network but provide a smaller coverage area than traditional cell towers.

Social Service Center. A service establishment that provides assistance for those recovering from drug or alcohol dependency; survivors of abuse seeking support; those transitioning from homelessness or prior incarceration; and those with health and disability concerns. It does not include in-patient, overnight, or living quarters for recipients of the service or for the staff. Such service does not include medical examinations or procedures, or medical detoxification, dispensing of drugs or medications, or other treatments normally conducted in a medical office.

Solar Farm. An energy system operated as a principal use by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating.

Stepback. In building height, a stepback is the required additional distance that upper stories of a structure must be recessed from the façade of the stories below. A required stepback must continue through all upper stories once established, though it may be increased from the required minimum on any of the above stories.

Stoop. An exterior floor typically constructed of stone, concrete, and/or masonry, with a finished floor elevation higher than the adjacent ground level, often with steps leading up to it, and utilized primarily as an access platform to a structure. A stoop may be roofed and designed with railings, but cannot be enclosed.

Storage Yard—Outdoor. The storage of materials outdoors as a principal use of land for more than 24 hours. When an outdoor storage yard is allowed as a secondary use, such storage yard must be associated with the principle use on the lot and materials and/or equipment stored outdoors must be related to the principal use.

Storage Yard—Outdoor, Secondary. An outdoor storage yard containing materials and/or equipment that serves another principle use on the same lot. The "Storage Yard, Outdoor—Secondary Use" may be larger than the principle use it serves.

Storefront. A frontage type where the building meets the property line and a shopfront extends into the setback space, which may also include an awning.

Street. A public or private right-of-way that affords a primary means of vehicular access to abutting property, but does not include alleys or driveways.

Structural Alteration. Any change, other than incidental repairs, which would prolong the life of supporting members of a structure, such as the addition, removal, or alteration of bearing walls, columns, beams, girders or foundations.

Structure. A combination of materials to form a construction for use or occupancy, whether installed on, above, or below, the surface of land or water.

Temporary Contractor Office and Contractor Yard. A short-term, portable, or modular structure utilized as a watchman's quarters, construction office, or equipment shed during the construction of a new development. This may include a contractor's yard where materials and equipment are stored in conjunction with a construction project.

Temporary Outdoor Entertainment. A short-term live entertainment event, such as the performance of live music, revue, or play within an outdoor space.

Temporary Outdoor Sales. Short-term uses, which may include short-term structures, where goods are sold, such as consignment auctions, arts and crafts fairs, flea markets, rummage sales, temporary vehicle sales, and holiday sales, such as Christmas tree lots and pumpkin sales lots. This short-term use category does not include outdoor sales related to a retail goods establishment where such goods are part of the establishment's regular items offered for purchase.

Temporary Outdoor Storage Container. Short-term self-storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for.

Temporary Recreational Vehicle (RV) Park. An existing parking lot or structure used on a short-term basis for the accommodation of recreational vehicles for short-term accommodations.

Temporary Sign. Any sign, banner, pennant, valance, or advertising display constructed of wood, metal, cloth, canvas, light fabric, cardboard, wallboard, or other light material, with or without frames, where either by reason of construction or purpose the sign is intended to be displayed for a short period of time consistent with the terms of these regulations.

Temporary Warehouse Sales (Indoor). The short-term sales of the items manufactured on-site and only an accessory activity to principal use of industry.

Tent. A structure, enclosure, or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported in any manner except by air or the contents it protects.

Tower. Any structure built for the sole or primary purpose of supporting any FCC licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

Tower Height. The vertical distance measured from the base of the tower structure at grade to the highest point of the structure, not including lightning rods or antennas.

Transmission Equipment. Equipment that facilitates transmission for any authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

Umbrella Sign. A sign integrated into the body of an umbrella, either on its protective covering or support structure.

UMBRELLA SIGN



Unified Control. The combination of two or more tracts of land wherein each owner has agreed that his tract of land will be developed under the same development approvals.

Use. The purpose or activity for which the land or structure is designed, arranged, or intended, or for which it is occupied or maintained.

Vehicle Dealership. An establishment that sells or leases new or used automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. A motor vehicle dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle dealerships do not include truck, trailer, boat, or heavy equipment sales, which are considered heavy retail, rental, and service.

Vehicle Operations Facility. A facility for the dispatch, storage, and maintenance of emergency medical care vehicles, taxicabs and similar vehicles for hire, school buses, utility vehicles, and similar vehicles. Vehicle operations facility does not include a public works or public safety facility.

Vehicle Rental. An establishment that rents automobiles and vans, including incidental parking and servicing of rental vehicles. A motor vehicle rental establishment may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle rental does not include truck rental establishments or rental of heavy equipment, which is considered part of heavy retail, rental, and service.

Vehicle Repair/Service. A business that provides repair services to motor vehicles, motorcycles, and all-terrain vehicles (ATV) vehicles.

Wall Sign. A type of attached sign fastened to or painted on the wall of a building in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than one foot from the building or structure. A wall sign may not project above the wall or parapet.

WALL SIGN



Warehouse and Distribution. An enclosed facility for the storage and distribution of manufactured products, supplies, and/or equipment.

Waste Transfer Station. A facility where recyclables and/or refuse are collected and sorted in preparation for processing or landfill.

Wholesale Establishment. A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Wind Energy System. An energy system as a principal use operated by a public, private, or cooperative company for the generation, transmission, distribution, or processing of wind energy.

Window Sign. A type of attached sign placed within a window facing the street or thoroughfare placed in a window for the purpose of advertising products, services or the business, and may be composed of applied letters, symbols, neon or similar lighting, but may not obscure the view of the interior of the building.

WINDOW SIGN



Wireless Communication Facilities (WCF). A staffed or unstaffed facility or location for the transmission and/or reception of radio frequency (RF) signals or other wireless communications or other signals for commercial communications purposes, typically consisting of one or more antennas or group of antennas, a tower or attachment support structure, transmission cables and other transmission equipment, and an equipment enclosure or cabinets.

Yard. Defined in Section 2.4.

Yard, Front. Defined in Section 2.4.

Yard, Interior Side. Defined in Section 2.4.

Yard, Corner Side. Defined in Section 2.4.

Yard, Rear. Defined in Section 2.4.

Yard, Reverse Corner Side. Defined in Section 2.4.

Zoning Administrator. The title refers to the Building Official, Director of Plans Review and Building Inspections, officer or other designated authority charged with the administration and enforcement of this Code, or his/her duly authorized representative.

Zoning Map. The map or maps that are a part of this Code and which delineate the boundaries of all mapped zoning districts within the physical boundary of the City.

(Ord. No. O-77-2020 , § 1, 5-19-20; Ord. No. O-92-2022 , § 1, 7-26-22)

4.2 USES

- A. Article 9 lists permitted and special principal uses and temporary uses for the residential districts.
- B. In the RN-4 District, townhouse and multi-family dwellings may be permitted or may require a special use approval based upon the development form and number of dwelling units:
 - 1. Permitted uses, which require review by Knoxville-Knox County Planning staff:
 - a. One or more townhouse buildings on a lot that total no more than eight dwelling units.
 - b. Multi-family developments of no more than four dwelling units within one multi-family structure and no more than a total of eight dwelling units on the lot.
 - 2. Special uses, which require review by the Knoxville-Knox County Planning Commission:
 - a. Nine or more dwelling units in one or more townhouse buildings on a lot.
 - b. A single multi-family building on a lot of five or more dwelling units or a development with multiple multi-family buildings, with nine or more total dwelling units on the lot.

Table 4-1: RN-4 Development Types

Development Type	Permitted Use + Knoxville-Knox County Planning Staff Review	Special Use
Townhouse Building—No more than 8 units	X	
Townhouse Development—9 or more units		X
Multi-Family Building (One Lot)—No more than 4 units	X	
Multi-Family Building (One Lot)—5 or more units		X
Multi-Family Development of Multiple Structures—No more than 8 units total on lot and no more than 4 units per building	X	
Multi-Family Development of Multiple Structures—9 or more units total on lot (no limit on units per building)		X

C. Residential Occupancy Standards

Minimum Space Requirement. It shall be unlawful for any person to occupy or let to another for occupancy any dwelling unit which does not contain at least 150 square feet of floor space for each occupant thereof, including at least 50 square feet of bedroom floor space for each occupant thereof. The floor space shall be calculated on the basis of total enclosed habitable space within the dwelling. No attached garage, basement, or cellar space shall be used for floor space under this section unless such space was lawfully improved and finished for occupancy in compliance with all applicable requirements of the city code as it existed at the time of the improvement. Accessory Structures, except those that are Accessory Dwelling Units (ADUs), shall not be used for occupancy.

4.3 DIMENSIONAL STANDARDS

- B. All residential lots that are not served by a sanitary sewer system must be a minimum of 20,000 square feet in lot area. If the minimum lot area requirement is greater than 20,000 square feet, such requirement controls.
- C. A pocket neighborhood design is permitted in the RN-4 District per the standards of Section 4.5.

Table 4-2: Residential Districts Dimensional Standards

	EN	RN-1	RN-2	RN-3	RN-4
Bulk					
Minimum Lot Area	22,000 sf	SF: 10,000 sf 2F: 15,000 sf Nonresidential: 20,000 sf	SF: 5,000 sf 2F: 10,000 sf Nonresidential: 10,000 sf	SF: 5,000 sf 2F: 7,500 sf TH: 12,000 sf for 3 du, 3,000 sf each additional du Nonresidential: 10,000 sf	SF: 5,000 sf 2F: 7,000 sf TH: 3,000 sf/du MF: 2,000 sf/du Nonresidential: 10,000 sf
Maximum Lot Area	N/A	N/A	N/A	N/A	MF: 40,000 sf
Minimum Lot Width	SF: 100' Nonresidential: 100'	75'	50' Nonresidential: 75'	SF, 2F: 50' TH: 20'/du Nonresidential: 75'	SF, 2F: 50' TH: 20'/du MF: 60' Nonresidential: 75'
Maximum Building Height	35'	35'	35'	35'	SF, 2F, TH: 35' MF: 45', unless adjacent to a single-family dwelling, then 35'
Maximum Building Coverage	25%	30%	30%	35% TH & Nonresidential: 50%	35% TH, MF, Nonresidential: 50%
Maximum Impervious Surface	35%	40%	40% Nonresidential: 50%	45% TH & Nonresidential: 60%	45% TH, MF, Nonresidential: 60%
Setbacks					
Minimum Front Setback	+/- 10' of the average of blockface; in	+/- 10' of the average of blockface; in	20', or the average of blockface, whichever is	10' or the average of blockface,	10' or the average of blockface,

	no case less than 40'	no case less than 25'	less; in no case less than 10'	whichever is less	whichever is less
Minimum Interior Side Setback	10% of lot width Nonresidential: 20% of lot width	8' or 15% of lot width, whichever is less; in no case less than 20' combined Nonresidential: 20% of lot width	5' or 15% of lot width, whichever is less; in no case less than 15' combined Nonresidential: 20% of lot width	5' or 15% of lot width, whichever is less; in no case less than 15' combined Nonresidential: 20% of lot width	SF, 2F, TH: 5' or 15% of lot width, whichever is less; in no case less than 15' combined MF: 12' or 15% of lot width, whichever is greater Nonresidential: 20% of lot width
Minimum Corner Side Setback	15% of lot width Nonresidential: 20% of lot width	15' Nonresidential: 25'	12' Nonresidential: 20'	12' Nonresidential: 15'	12' Nonresidential: 15'
Minimum Rear Setback	25'	25'	25'	25'	25'

Table 4-2: Residential Districts Dimensional Standards

	RN-5	RN-6	RN-7
Bulk			
Minimum Lot Area	SF & 2F: 5,000 sf TH: 2,000 sf/du MF: 5,000 sf for 2 du + 1,450 sf per additional du Nonresidential: 10,000 sf	SF & 2F: 5,000 sf TH: 2,000 sf/du MF: 5,000 sf + 950 sf per additional du Nonresidential: 10,000 sf	TH: 2,000 sf/du MF: 700 sf/du Nonresidential: 10,000 sf
Minimum Lot Width	SF & 2F: 50' TH: 20'/du MF: 60'	SF & 2F: 50' TH: 20'/du MF: 60'	TH: 15'/du MF: 80'
Maximum Building Height	35'	SF, 2F, & TH: 35' MF: 65'	TH: 35' MF: 65'
Maximum Building Footprint	N/A	N/A	MF: 30,000 sf for individual structures where multiple structures are built on

			a lot, there must be a 35' minimum separation between structures
Maximum Building Length	N/A	N/A	200'
Maximum Building Coverage	35% TH, MF, Nonresidential: 50%	40% TH, MF, Nonresidential: 50%	50%
Maximum Impervious Surface	45% TH, MF, Nonresidential: 60%	50% TH, MF, Nonresidential: 70%	70%
Setbacks			
Minimum Front Setback	25' or the average of blockface, whichever is less MF: 25'	Structures 35' or less in height: 25' or the average of blockface, whichever is less Structures over 35' in height: 35' However, when a lot is within 1 mile of the DK District, as measured from the lot line to the closest edge of the DK District, and no parking is located in the front setback, the setback may be reduced to 12 feet	TH: 25' or the average of blockface, whichever is less MF: 35'; if no surface parking is located in the front setback, may be reduced to 25'
Minimum Interior Side Setback	5' or 15% of lot width, whichever is less; in no case less than 15' combined MF & Nonresidential: 10'	Structures 35' or less in height: 5' or 15% of lot width, whichever is less; in no case less than 15' combined Structures over 35' in height: 12', plus 1' additional setback for each 2 feet of building height over 35'	TH: 5' or 15% of lot width, whichever is less; in no case less than 15' combined MF: 12', plus 1' additional setback for each 2 feet of building height over 35'
Minimum Corner Side Setback	12' MF & Nonresidential: 15'	12' MF & Nonresidential: 15'	15'
Minimum Rear Setback	25'	Structures 35' or less in height: 25'	30'

		Structures over 35' in height: 30'	
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City of Knoxville – Proposed Middle Housing Code REVISED 10-3-23

4.6 - Middle Housing Standards

Middle Housing types are residential structures containing more than one unit, with building footprints and overall scales comparable to single-family houses. Middle Housing types are permitted in RN-2, RN-3, and RN-4 zoning districts, located in land use areas designated Traditional Neighborhood Residential (TDR). The standards in this Section are intended to promote the development of neighborhood-scale housing forms which are compatible with existing housing in the surrounding area. To help increase housing options within the City, Middle Housing standards are intended to allow more flexible development of land than is possible under the base district zoning regulations. The dimensional, design, and parking standards of Section 4.6 apply to new construction of Middle Housing types. Standards for conversions of existing buildings to Middle Housing types are subject to the requirements in Section 4.6.F. Flexibility and/or relief from certain standards is provided in Section 4.6.G.

4.6.A - Middle Housing Types

Project applications using the Middle Housing standards and review process are required to use only the Middle Housing types as defined below:

Duplex, side-by-side: a structure up to two stories, containing two dwelling units next to each other with one shared wall. This type of duplex has a building depth, width, and height similar to a typical single-family house. Both units may share a stoop or porch at the center of the building; or each unit may have its own stoop or porch.

Duplex, stacked: a structure up to two stories, containing two dwelling units, with one on the ground floor and the other on top. This type of duplex has a building depth, width, and height similar to a typical single-family house. Both entries may face the street, or one unit may face the street with another facing the side or rear yard.

Triplex: a structure up to three stories, containing three dwelling units typically stacked on top of each other, in locations where there is a transition from a commercial corridor and/or higher intensity area into single-family neighborhoods. Within neighborhoods, away from transition areas adjacent to corridors, a 2.5-story triplex may feature other configurations to accommodate three units.

Fourplex: a structure up to 2.5 stories, containing two units on the ground floor and two units stacked directly above. The type has a building depth, width, and height similar to a single-family house.

Townhouse (small): a small-to-medium sized structure up to two stories with up to four attached units, featuring shared side walls between units. The narrow side of the unit typically faces the street, with an entry oriented towards the street, and the larger attached side along the depth of the lot.

Townhouse (large): a medium-sized structure up to 2.5 stories with up to eight units, featuring shared side walls between units. The narrow side of the unit typically faces the street, with an entry oriented towards the street, and the larger attached side along the depth of the lot.

Multiplex (small): a small-to-medium-sized structure that consists of five to ten units arranged side-by-side and/or stacked, often with a shared entry on the ground floor.

4.6.B - Middle Housing Uses

1. Middle Housing types are permitted based on the zoning district and housing type in Table 4-3, and conformance to the applicable standards in Article 4.6. Proposals which do not meet the dimensional standards in Table 4-4 default to the dimensional standards of the base zoning district, subject to the requirements in Article 4.6.G.

Table 4-3: Middle Housing Development Types

Middle Housing Type	Permitted Use + Planning Staff Review
Duplex (side-by-side)	RN-2, RN-3, RN-4
Duplex (stacked)	RN-2, RN-3, RN-4
Triplex*	RN-2, RN-3, RN-4
Fourplex	RN-2, RN-3, RN-4
Townhouse (small)	RN-2, RN-3, RN-4
Townhouse (large)	RN-3, RN-4
Multiplex (small)	RN-3, RN-4

2. Location criteria for triplexes:

- a. Three-story triplexes are only permitted on lots with frontage on arterial roads as defined in the Major Road Plan. Three-story triplexes are not permitted on flag lots.

4.6.C - Middle Housing Dimensional Standards

1. The dimensional standards of this Section supersede the base zoning district dimensional standards as defined in Article 4.

2. Table 4-4: Middle Housing Dimensional Standards establishes the dimensional standards for new construction of Middle Housing types within the permitted area.

3. Building setbacks:

- a. Front setbacks for Middle Housing types shall be the average of the block-face, plus or minus five feet, in no case less than 10’.
- b. Rear setbacks for Middle Housing types shall be between 15 feet and 25 feet.

4. Building heights shall not exceed the maximum building height of the base zoning district, or the maximum height in stories as noted in Table 4-4, whichever is less. For Middle Housing types, story and half-story are defined below.

- a. Story: the portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above, the space between the floor and the ceiling above. If the finished floor level directly above a basement or cellar is more than six feet above grade for more than 50 percent of the total perimeter, such basement or cellar shall be considered a story.
- b. Half-Story: conditioned space that rests primarily underneath the slope of the roof, usually having dormer windows. The half story is identified by the ".5" in the description of maximum height (e.g., 2.5). A half-story is considered a story when its top wall plates, on at least two opposite exterior walls, are four feet or more above the floor of such story.

5. Dormers:

- a. The combined width of dormers shall not exceed 50% of the width of the wall area beneath.
- b. Dormers shall be set back from the nearest rake or eave by at least two feet.

6. Building width for Middle Housing types is defined as follows: the length of the building façade wall that does not include permitted encroachments, as measured along the foundation that generally faces the front lot line or a public space.

7. Building depth for Middle Housing types is defined as follows: the length of the building façade wall that does not include permitted encroachments, as measured along the foundation that generally faces an interior or corner side lot line or a public space.

Table 4-4: Middle Housing Dimensional Standards

Middle Housing type	Lot width with alley (min., ft.)	Lot width without alley (min., ft.)	Building height (max. stories)	Building width (max., ft.)	Building depth (max., ft.)	Interior side setbacks	Corner side setbacks
Duplex (side-by-side)	45'	50'	2	40'	55'	5'	8'
Duplex (stacked)	45'	50'	2	35'	50'	5'	8'
Triplex	45'	50'	2.5 -3	40'	55'	5'	10'
Fourplex	55'	60'	2.5	45'	60'	5'	10'
Townhouse (small)	18'/du	20'/du	2	25'/du	50'	5'	12'
Townhouse (large)	18'/du	20'/du	2.5	25'/du	55'	5'	12'
Multiplex (small)	70'	80'	2.5	75'	80'	5'	12'

4.6.D - Middle Housing Parking Standards

1. The parking requirements below apply to Middle Housing types. Where applicable, the below parking requirements supersede the off-street parking requirements in Table 11-2.
2. Off-street vehicle parking: each dwelling unit requires one space.
3. Section 11.4.B.3 does not apply to Middle Housing types.
4. Specific to triplex, fourplex, townhouse, and multiplex developments: parking areas must be set a minimum of five feet from the interior side and rear lot lines, and may be grouped in shared parking areas per Article 11.8.
 - a. Where applicable, landscape buffers required by Section 12.8 may be reduced to five feet with the use of a wall or solid fence.
5. Location:
 - a. Parking must be located in the interior side or rear yards.
 - b. Where operable alleys are present, the alley must serve as the primary means of vehicular ingress and egress unless Planning determines that special site circumstances or conditions prohibit alley access.
 - c. Where parking is located in a side yard, the spaces must be located behind the front building façade line of the principal building. When a driveway extends through a front yard, the driveway must extend at least 20 feet behind the building façade line, to provide parking behind the street-facing elevation of the structure.

- d. Front-facing garages are not permitted as part of the primary structure on Middle Housing types.
- e. Circular driveways located in a front yard are not permitted.
- f. Driveway access: the driveway shall be at least 10 feet wide and not more than 14 feet wide.

4.6.E - Middle Housing Design Standards

1. The following standards apply only to new construction of Middle Housing types and are intended to promote the development of neighborhood-scale housing forms which are compatible with existing housing in the surrounding area.
2. New construction and certain expansion and exterior alteration actions within the IH, NC, and H overlays, as described in Sections 16.6 and 16.8, are subject to review and approval by the Design Review Board or Historic Zoning Commission, per Sections 16.6 and 16.8.
3. The principal use standards for two-family, multi-family, and townhouse dwellings, as described in Sections 9.3.I and 9.3.J, apply alongside the below design standards.
4. In order to generate new Middle Housing buildings that are similar in footprint, height, and setbacks with the existing neighborhood and increase visual interest, yet allow for flexibility in design, the following requirements apply to all Middle Housing types:
 - a. Rooflines must be either:
 - i. Flat, featuring a cornice, parapet, or decorative band to serve as a building cap for portions of the roof visible from the street;
 - ii. Steep, with a roof pitch of 6/12 or more;
 - iii. Articulated, with at least two pitches, planes, or ridge line directions, or displaying hips and valleys.
 - b. Recesses or projections in the building wall are required in the horizontal plane of any front or side elevation that exceeds a length of 50 feet. Each recess or projection shall be at least two feet.
 - c. The front façade must contain (1) a porch or stoop, and (2) at least three of the following design elements:
 - i. Dormer(s);
 - ii. Eave overhangs, a minimum of 12 inches;
 - iii. Decorative cornice;
 - iv. Covered porches at least six feet in depth, composing a minimum of 25% of the width of the street facing elevations (this item may satisfy c.1 and c.2);
 - v. A recessed or projecting entry feature of 18 inches or more in depth, and of at least six feet in width;
 - vi. A bay window projecting a minimum of 12 inches from the front façade;
 - vii. Articulated window and door trim, a minimum of 3.5 inches in width, to include projecting window sills;
 - viii. Brick masonry composing at least 25% of any street-facing elevation.
5. Building Orientation to Street
 - a. Middle Housing types shall be oriented with their front elevations facing the street. At least one ground-level entrance must be oriented towards the street.
 - b. Townhouses shall not be oriented so the fronts of units face the rear elevations of units.

4.6.F - Middle Housing Conversion Standards

1. To retain existing housing stock and neighborhood character, while facilitating the creation of additional housing units, existing buildings may be converted to Middle Housing types via interior renovation or additions.
2. Conversions to Middle Housing types must comply with Table 4-3, the dimensional standards in Section 4.6.C, and Table 4-4.
3. Middle Housing Conversion Design Standards
 - a. Additions to the front façade are not permitted. Additions may be made to the rear and side elevations where setbacks permit.
 - b. Additions may also be made to the roofline via an additional half story (the addition of dormers). Roofline additions shall be proportionally consistent with the existing house and shall not be so large as to dramatically alter scale of the original building mass.
 - c. Additions to rear and side elevations must not be taller in height than the existing building.

4.6.G – Administrative Variations

1. In some instances, it may be practical to provide relief from certain standards due to existing conditions on the site. A project may receive an administrative variation during Planning staff review based on the below criteria only.
 - a. Allowable administrative variations are as follows:
 - i. Lot width: a decrease in the minimum required lot width, up to 20 percent, provided the existing lot can be developed following the intent of Middle Housing standards, meets all other applicable dimensional standards of Section 4.6, and is similar in scale and placement of buildings on the subject block face and the block face directly across the street;
 - ii. Corner side setbacks: a decrease in minimum corner side setbacks, up to 20 percent, provided the reduction receives approval from the Department of Engineering;
 - iii. Design standards: a variation on the design standards in Section 4.6.E may be permitted, provided the project meets all applicable dimensional standards of Section 4.6, and variation from the design standards is necessary to achieve a creative architectural design which is similar in scale with the buildings on the subject block face and the block face directly across the street.
 - b. No other administrative variations to Article 4.6 are allowed. In no case may a variance, under Article 16.3, to the requirements or administrative deviations contained in this article be granted to allow Middle Housing developments.
2. Any person may appeal a Planning staff approval or denial to the Knoxville-Knox County Planning Commission as provided in Article 16.12.A.

Changes to Article 15.2 – Notice

Table 15-2: Zoning Approvals Required Notice

Zoning Application	Notice Type		
	Published	Mailed	Posted
Zoning Text Amendment Notice for Public Hearing	•		
Zoning Map Amendment Notice for Public Hearing	•	•	•
Comprehensive Updates and Revisions to Zoning Code and/or Zoning Map Notice for Public Hearing	•		
Variances Notice for BZA Public Hearing	•		•
Special Use Review Notice for Public Hearing	•	•	•
Planned Development—Concept Plan Notice for Public Meeting		•	•
Planned Development—Preliminary Plan Notice for Public Hearing	•	•	•
Appeals of Zoning Administrator Interpretations and Decisions Notice for BZA Public Hearing	•		•
Appeals of Planning Staff Decisions Notice for Public Hearing	•		•

4.6 4.7 GENERAL STANDARDS OF APPLICABILITY

A. Site Development Standards

See Article 10 for additional on-site development standards and requirements, such as exterior lighting, accessory structures and uses, and permitted encroachments.

B. Off-Street Parking and Loading

See Article 11 for off-street parking and loading standards and requirements.

C. Landscape

See Article 12 for landscape, buffering, and screening standards and requirements.

D. Signs

See Article 13 for sign regulations.

9.2 USE MATRIX

- A. Table 9-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district.
- B. P indicates that the use is permitted by-right in the district. S indicates that the use is a special use in the district and requires special use approval. If a cell is blank, the use is not allowed in the district.
- C. In the case of temporary uses, a T indicates the temporary use is allowed in the district and may require approval of a temporary use permit per the standards of Section 9.4.
- D. For accessory uses, see Article 10.
- E. Townhouse and multi-family dwellings are allowed in the RN-4 District as either permitted or special based upon the number of units, as described in Section 4.2.B. Therefore, the use matrix indicates both a P and a S within the cell.
- F. Additional use restrictions apply to certain DK District subdistricts per Section 5.2.B.
- G. Certain uses are prohibited as standalone structures in the OP District per Section 5.2.C.
- H. See Article 7 for use permissions within the CU and SW Districts.
- I. In the case of the C-G-1, C-G-2, and C-G-3 Districts, the uses allowed in the C-G District in Table 9-1 apply to all districts.
- J. In the case of the C-H-1 and C-H-2 Districts, the uses allowed in the C-H District in Table 9-1 apply to all districts.
- K. In the case of the C-R-1 and C-R-2 Districts, the uses allowed in the C-R District in Table 9-1 apply to all districts.
- L. Within the Traditional Neighborhood Development land use classification (TDR), Middle Housing development types are allowed per Section 4.6.B.

9.3 PRINCIPAL USE STANDARDS

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Code.

A. Airports

1. All applicable standards of this Code shall apply except for those standards which are found to be in conflict with regulations of the Federal Aviation Administration, or its successor.
2. In the INST District, each airport facility must be used, or intended to be used, for public purposes and under the control of a public agency.

A1. Animal Care Facility—Small Animal, Animal Breeder, and Kennel

Animal shelters operated by a public agency are exempt from these standards.

1. Such facilities may only board animals over the age of six months if the Animal Control Board approves a kennel, boarding facility, pet shop, or pet dealer permit. Boarding facilities must provide certification of compliance with Chapter 18, Noise; Section 18-3, Standards, from the City of Knoxville Code of Ordinances.
2. Exterior exercise areas are prohibited in the O District. Animal care facilities must locate exterior exercise areas to the side or rear of the building. In the C-N Districts, any exterior exercise area that abuts a residential district requires a Class A buffer yard per Section 12.8.
3. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet and a maximum of eight feet in height is required for all exterior exercise areas.
4. Animal care facilities must locate all overnight boarding facilities indoors. Outdoor boarding facilities for kennels and animal breeders are permitted but must be designed to provide shelter against sun/heat and weather.
5. All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

B. Bed and Breakfast

1. A bed and breakfast must be operated in the principal building on the lot and not in accessory structures.
2. A bed and breakfast must be operated by an owner who also resides on the property.
3. The number of guest rooms allowed is based on the following square footage requirements:

GFA of Principal Building	Number of Guest Rooms Permitted
Less than 1,200 sf	1
1,201 sf to 1,800 sf	2
1,801 sf to 2,400 sf	3
2,401 sf to 3,000 sf	4
3,001 sf to 3,600 sf	5
Over 3,600 sf	6

4. The exterior of a bed and breakfast must maintain its original appearance as a single-family dwelling.

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5. No required off-street parking is allowed in front of the front building facade. All required off-street parking spaces must be screened by landscaping or other suitable opaque barrier from adjacent residences. All off-street parking areas require a Class A buffer yard per Section 12.8.
 6. The maximum length of stay for a transient paying guest is limited to 30 days in any 12 month period. The owner must maintain a current guest register.
 7. Cooking equipment is prohibited in individual guest rooms. This does not include a mini-refrigerator and/or a microwave.
 8. At least one bathroom for use exclusively by guests is required on each floor of the building.
 9. No receptions, meetings, or other functions are allowed on the premises.
 10. No retail sales are permitted with the exception of accessory retail of related items such as souvenirs, postcards, and snack items.
 11. Meals may only be served to registered guests and are limited to breakfast.
 12. One wall sign is permitted. Such sign may not exceed two square feet in sign area and cannot be illuminated. In the historic districts, the Knoxville Historic Zoning Commission must approve signs under this provision.

C. Campground

1. The minimum area for a campground is three acres.
2. Campgrounds must comply with all applicable state and city regulations including those governing the installation, construction, and/or operation of swimming pools, water supply, sewage disposal, food storage and services, plumbing, structures, electrical wiring, and fire prevention.
3. Management headquarters, recreational facilities, coin operated laundry facilities, cabins for counselors, overnight accommodations, living space, and other uses and structures customarily associated with the operation of a campground are permitted.
4. Storage of equipment must be within enclosed structures.
5. Year-round residency is prohibited at any campground. Use of camping units or sites as a principal residence is prohibited. This excludes any structures erected specifically for a caretaker or campground ranger, which may be a year-round residency.
6. A 25-foot perimeter setback from the lot line of the campground is required. No structures or campsites are allowed within this setback. The perimeter setback must be landscaped per the standards of a Class B buffer yard per Section 12.8.

D. Car Wash

When a car wash facility abuts a residential district, or any open space or institutional use, a Class B buffer yard per Section 12.8. and a solid wall or fence, a minimum of six feet and a maximum of eight feet in height, is required.

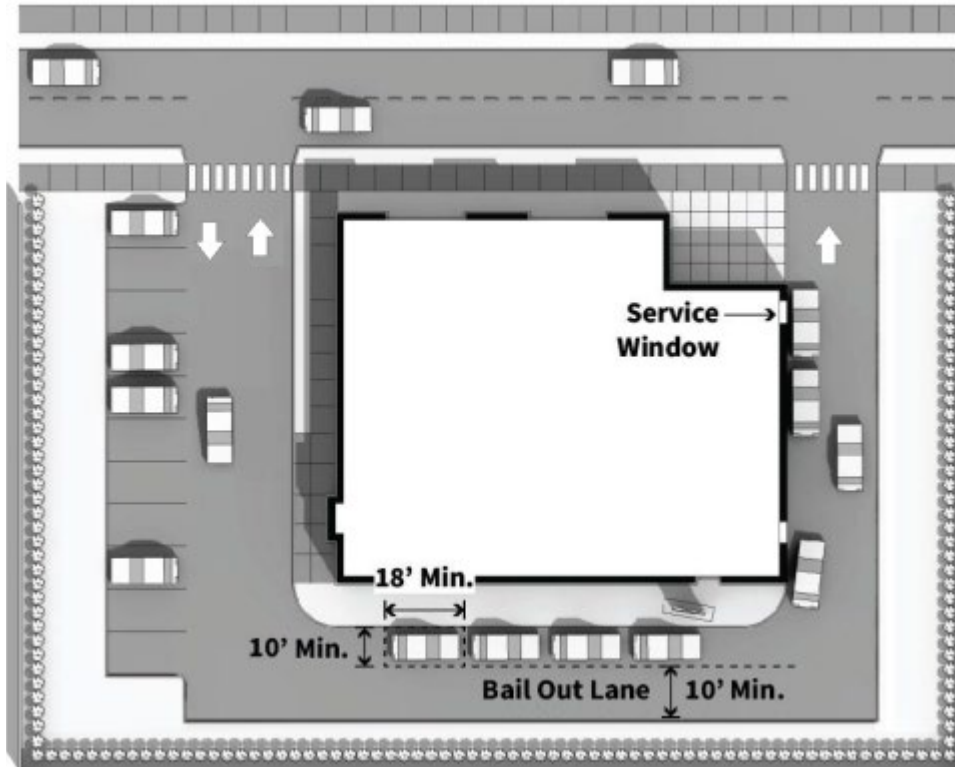
E. Day Care Center and Day Care Home

1. Each day care center or day care home must comply with all applicable Tennessee Department of Human Services (TDHS) regulations, including required indoor and outdoor space.
2. The day care center's or day care home's operator's license must be displayed publicly.
3. A day care center must provide a pickup/drop off area. The pickup/drop off area must not interfere with vehicle circulation in the right-of-way or a parking lot, and cannot block any drive aisle.
4. A day care home is limited to the care of seven unrelated individuals who do not reside in the home.

F. Drive-Through Facility

1. All drive-through facilities must provide a minimum of three stacking spaces per lane or bay, unless additional stacking spaces are specifically required by this Code. Restaurants must provide a minimum of four stacking spaces per lane or bay. Further, the City of Knoxville Department of Engineering may require additional internal queuing and stacking spaces and other access points to prevent disruption of traffic flow on adjacent streets.
2. Stacking spaces provided for drive-through uses must be:
 - a. A minimum of ten feet in width, as measured from the outermost point of any service window or bay entrance, to the edge of the driveway/drive aisle, and 18 feet in length. In the case of a recessed service window, the measurement is taken from the building wall.
 - b. Stacking spaces must begin behind the vehicle parked at a final point of service exiting the drive through lane, such as a service window or car wash bay (this does not include a menuboard). Spaces must be placed in a single line behind each lane or bay.
3. All drive-through lanes must be located and designed to ensure that they do not adversely affect traffic circulation on adjoining streets. Drive-through lanes on corner lots must not route exiting traffic into adjacent residential neighborhoods.
4. The minimum width for a drive through lane is ten feet.
5. When a drive-through facility abuts a residential district, a public park, a community or market garden, a place of worship, a primary or secondary educational facility, or day care center, a Class B buffer yard per Section 12.8 and a solid wall or fence, a minimum of six feet and a maximum of eight feet in height, is required.
6. All drive-through facilities, including but not limited to menuboards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-through facility, must be located to the side, corner side, or rear of the building.
7. If a bail out lane is provided, it must be a minimum width of ten feet in width and run parallel to the drive through lane. If such bail out lane is also an interior access drive providing access to parking spaces, the bail out lane is limited to a one-way traffic pattern following the direction of the drive through lane.

DRIVE-THROUGH FACILITY



G. Drug Treatment Clinic

- a. The approval of a drug treatment clinic is contingent upon the receipt of the appropriate license through the department of mental health and substance abuse services.
- b. Written documentation of the facility's hours of operation, programs and treatments methods offered, and staffing levels and qualifications must be provided.
- c. The clinic cannot be located within 500 feet of an educational facility—primary/secondary, day care facility, or pre-school/kindergarten, as measured from lot line to lot line.
- d. The facility must be located on and have access to an arterial street as shown on the city major road plan.

H. Dwelling—Manufactured Home

Multi-sectional manufactured homes may be used as single-family detached dwellings provided the following development criteria are met:

1. General Standards

- a. Such dwellings meet all applicable building, safety and fire codes.
- b. Such dwellings have the same general appearance as required for site built homes.

2. Specific Standards

- a. All wheels, axles, hitches, and other parts used for transport of the dwelling must be removed prior to issuance of a certificate of occupancy.

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- b. A perimeter wall of solid masonry, concrete, or other material approved by the Building Official must be installed around the base of the dwelling.
 - c. All roofing, siding, veneers, and other exterior materials are limited to materials permitted for site built housing.
 - d. Roof pitch must be the same as required for site built housing.

3. **Nonconforming Manufactured Homes**

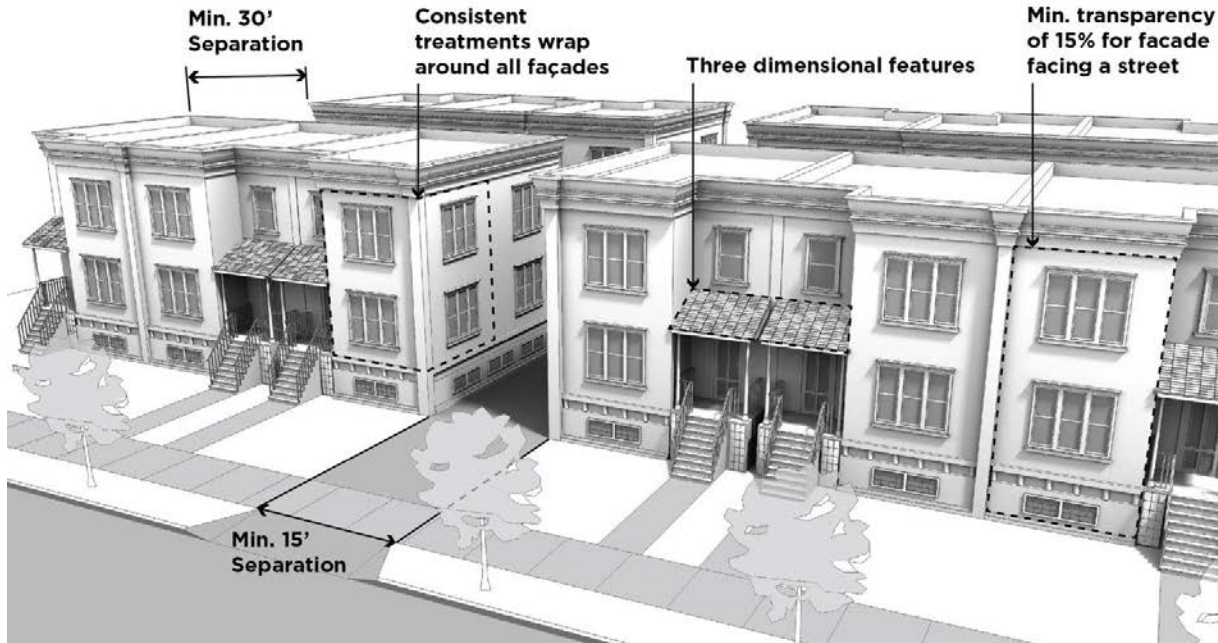
See Article 17 for regulations regarding nonconformities and Chapter 25Section 6 of the City of Knoxville Code of Ordinances.

I. **Dwelling—Multi-Family or Townhouse**

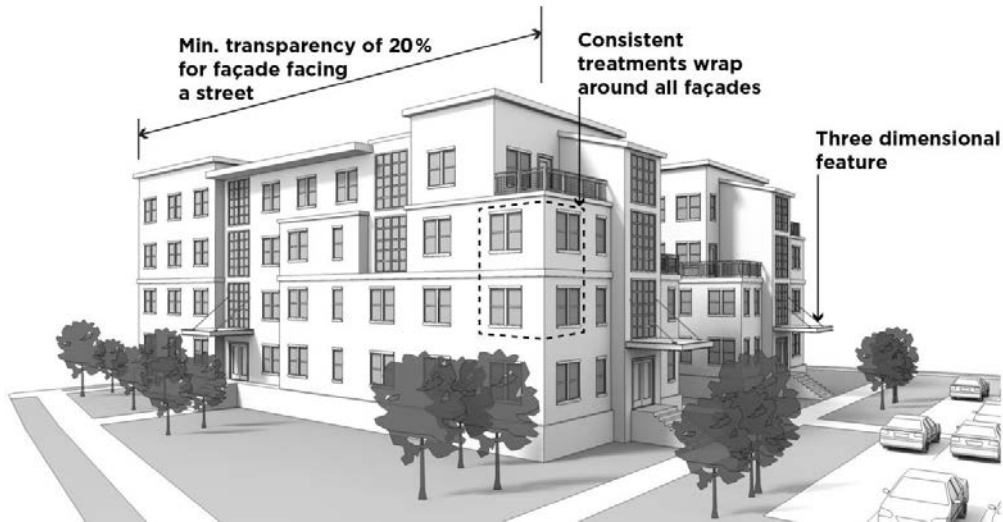
The following standards apply only to new construction.

- 1. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire multi-family or townhouse development, utilizing a common vocabulary of architectural forms, elements, materials, or colors in the entire structure.
- 2. Street-facing building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
- 3. The following minimum transparency requirements apply to any façade facing a street and are calculated on the basis of the entire area of the façade:
 - a. Townhouse: 15%
 - b. Multi-Family Dwelling: 20%
- 4. There must be a minimum separation of 15 feet between sidewalls of townhouse buildings. Where the front or rear wall of a townhouse faces the front or rear wall of another townhouse, the minimum required separation between such buildings must be 30 feet. Driveways and parking areas may be located within this minimum separation area.
- 5. The following building material restrictions apply:
 - a. The following building materials are prohibited on any part of any façade:
 - i. Plain concrete block;
 - ii. Plastic;
 - iii. Exterior insulating finish systems (EIFS) on the ground floor.
 - b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
 - i. Corrugated metal;
 - ii. Aluminum, steel or other metal sidings;
 - iii. Exposed aggregate (rough finish) concrete wall panels;
 - iv. T-111 composite plywood siding;
 - v. Vinyl (does not apply to RN-4 and RN-5 Districts, where vinyl is permitted).

DWELLING—TOWNHOUSE



DWELLING—MULTI-FAMILY

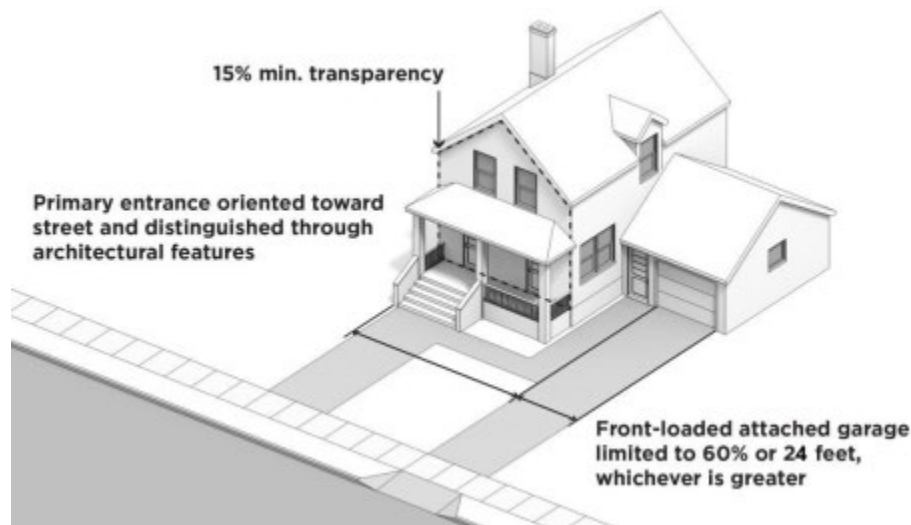


J. Dwelling—Two-Family

The following standards apply only to new construction. **If a two-family dwelling is located within a NC, H or IH Overlay District, additional design review will apply.**

1. On lots less than one acre in lot area, a dwelling must have a primary entrance from a façade facing the street. The front entry must be a dominant feature on the front elevation of a home and an integral part of the structure, using features such as porches, raised steps and stoops, and/or roof overhangs.
2. Windows, entrances, porches, or other architectural features are required on all street-facing façades to avoid the appearance of blank walls.
3. A 15% minimum transparency requirement applies to all street-facing façades and is calculated on the basis of the entire area of the façade.
4. Front-loaded attached garages are limited to 60% of the width of the front building façade line or 24 feet, whichever is greater. Garage width is measured as the width of a garage door; in the case of garages designed with multiple garage doors, the distance is measured between the edge of the outmost doors.
5. Front-loaded attached garages must be set back a minimum of five feet from the front building façade line. This building façade line does not include architectural features, such as bay windows or porches.

DWELLING—TWO-FAMILY



K. Financial Services, Alternative (AFS)

1. No alternative financial service may be located within 1,000 feet of an existing alternative financial service, measured from lot line to lot line.
2. No alternative financial service may be located within 1,000 feet of a residential district, measured from lot line to lot line.

L. Food Truck Park

In addition to any requirements of the City of Knoxville's Mobile Food Unit Ordinance (except Section 16-571(10)), all food truck parks must comply with the following:

1. All vendors must leave the food truck park upon closing of the park each day, except as provided for in item 2 below.
2. If a commissary is located on-site, then the owner of the commissary will not have to move a mobile food unit that they own from the lot each day. The commissary owner may park only one mobile food

unit that they own overnight at a food truck park, regardless of the number of mobile food units owned by the commissary owner.

3. There must be a designated manager of the lot that is responsible for the orderly organization of food truck vendors, the cleanliness of the site, and the compliance with all rules and regulations during business hours. Such information must be clearly posted on the lot.
4. The area must be kept clear of litter and debris at all times. Waste receptacles and/or recycling bins must be provided.
5. A minimum of 20% of the food truck park lot area must be shared common area, not including MFU parking spaces and required vehicle parking spaces. The common area should be designed for customer use, which includes elements such as seating areas, restroom facilities, and lawn and landscaped areas.
6. One on-premise sign is permitted at each entrance identifying the food truck park subject to the sign regulations for the C-N District.
7. Food truck parks may be standalone uses or may be located on a property with another principal use. These properties must be designed to be able to accommodate all required development standards for all principal uses.
8. No temporary use permits for individual food truck vendors are required within food truck parks.
9. All mobile food units must utilize shore power when operating in a food truck park.
10. Restroom facilities must be provided and available for both customers and employees.
11. Required parking for food truck parks may be located on-street within one-quarter mile of the food truck park, provided there is a continuous pedestrian pathway between the on-street parking space and the food truck park, as measured from the space to the closest lot line of the food truck park. These are calculated as follows:
 - a. Where on-street parking spaces are unmarked, the number of parking spaces is calculated by dividing the length of the on-street parking area by 22, where a fraction of less than one-half is disregarded, and a fraction of one-half or more is counted as one space.
 - b. Where on-street parking spaces are marked, each marked space counts as one required parking space, including any space where at least 80% of the width is located within one-quarter mile.

M. Funeral Home and Crematory

A funeral home and a crematory must both be allowed within the district in order to locate a crematory within a funeral home.

1. A smokestack of a facility for cremation must be located a minimum of 500 feet from an existing educational facility—primary/secondary, park, day care center, pre-school/kindergarten, or residential dwelling, measured from lot line to lot line. This also applies to crematories located within funeral homes.
2. When a crematory is included as part of a funeral home, no more than 33% of the floor area of a funeral home may be devoted to the crematory, including area for the cremator, cremation observation, crematory access and maintenance areas, and any additional areas used primarily for services related to cremation.

N. Garden: Community, Market, Personal

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1. Community gardens, market gardens, and personal gardens may include the following structures: high tunnels, greenhouses, cold frames, low tunnels, storage shed or utility building, and compost containers. Such structures are subject to the following:
 - a. A shed or utility building that is incidental or necessary for the use's operation may be allowed for the storage of tools and gardening materials without a primary structure.
 - b. All accessory buildings and uses are subject to compliance with all other applicable codes and regulations of the City.
 - c. No accessory building may be used, erected, or maintained as living quarters.
 2. All structures must adhere to district setbacks and building codes as specified in the zoning district.
 3. All gardens are subject to the environmental performance standards of Section 10.5.

O. Gas Station

1. The principal building must meet the setback requirements of the district in which it is located.
2. Gasoline pump islands must:
 - a. Be located no closer than 15 feet to any street lot line when constructed parallel to the pavement edge.
 - b. Be located no closer than 30 feet to any street lot line when constructed perpendicular to the pavement edge.
 - c. Be set back 15 feet from all lot lines other than a street lot line.
3. Gas station canopies cannot be constructed closer than 15 feet from any street lot line.
4. Motor vehicle repair is permitted as part of a gas station when vehicle repair/service is also permitted in the district, and is subject to separate approval. If allowed, repair of vehicles must not take place within a front or side yard. Storage of all merchandise, auto parts, and supplies must be within an enclosed structure.
5. The accessory uses of a retail goods establishment and one car wash bay are permitted in connection with the principal gas station use.

P. Impound Lot

A Class B buffer yard per Section 12.8 and a solid wall or fence, a minimum of six feet and a maximum of eight feet in height, is required along all lot lines of an impound lot.

Q. Industrial—Craft

1. Craft industrial uses are limited to a maximum gross square footage of 8,000 square feet.
2. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.
3. All craft industrial facilities are subject to the environmental performance standards of Section 10.5.

R. Live/Work

1. Live/work is permitted in units with street level access only.
2. A minimum of one person must occupy the live/work unit as their primary residence.
3. No business storage or warehousing of material, supplies, or equipment is permitted outside of the live/work unit.

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4. The nonresidential use of the unit is limited to nonresidential uses allowed in the district.
 5. No equipment or process may be used in connection with the live/work unit that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to normal senses off the premises.

S. **Lodge/Meeting Hall**

1. No more than 30% of the gross floor area may be used as office space for the lodge/meeting hall.
2. Lodges/meeting halls are permitted to serve meals and alcohol on the premises for members and their guests only or for lessees when leased or used as reception facilities.
3. Sleeping facilities are prohibited.
4. Lodges/meeting halls leased or used as reception facilities cannot charge a general admission fee or any other monetary donations (payment at the door to the general public) for entrance, with the exception of fundraisers or events for bona fide non-profit organizations, places of worship, educational facilities, or similar uses.

T. **Marina**

1. **Purpose and Uses**

- a. The purpose of this regulation is to insure the proper development of marinas and the safe operation of marine equipment.
- b. Marinas may include assembly buildings, caretaker's residences, docks, fueling and supply facilities, house boats, launching and storage facilities, boat sales and servicing facilities, parking areas, repair and maintenance areas, restaurants, signs, supplementary recreational facilities, hotels, motels, boatels, boat lifts, launching ramps, water taxi services, boat charter services, and incidental retail sales associated with the principal use. All the proposed uses must be identified in the site plan.

2. **Area Regulations**

- a. There is no minimum lot size required; however, the lot size must be sufficient to assure space for the facilities proposed in the special use application and must meet all local, state, and federal regulations.
- b. The minimum depth of the front yard is the same as required in the districts where marinas are allowed.
- c. Minimum side yards of 50 feet must be provided between adjacent tracts of land and marina facilities, including all floating structures. Side yards can contain outdoor recreational uses and parking subject to site plan approval.
- d. The lot must be developed in such a way as to preserve its natural character, particularly in preserving natural vegetation adjacent to the normal summer pool elevation. A mass planting strip at least six feet in height must be located between the marina and adjacent residential areas, except that no planting is required between marina facilities and a public road. Yards may be used for parking but in no case may parking be located closer than 15 feet to any property and cannot enter a riparian buffer zone without approval of the City of Knoxville Department of Engineering.

3. **Control of Opposite Shoreline**

When the proposed marina development is situated on a cove or embayment which is less than 300 feet in width (at normal pool as defined by the Tennessee Valley Authority) the applicant must own or control the shoreline opposite such development to a minimum depth of 100 feet from the shoreline. However, the Knoxville-Knox County Planning Commission may waive this requirement if the property

opposite the proposed development lot, because of topography and/or existing land use, is not adversely affected by the proposed development.

U. Micro-Brewery/Distillery/Winery

- a. Where production facilities of craft breweries, distilleries, and wineries of 8,000 sf or less in gross floor area abut a residential district, a Class B buffer yard per Section 12.8 is required. Production facilities of craft breweries, distilleries, and wineries that are greater than 8,000 square feet in gross floor area must be separated from residential districts by 200 feet, as measured on a straight line from lot line to lot line.
- b. All malt, vinous or distilled liquor production must be within completely enclosed structures.
- c. Loading areas in a newly constructed facility cannot be oriented toward a public street, nor can loading docks be located on the side of any building facing a residential district. Where such district abuts on all sides of the lot, these loading areas must be screened by a solid wall or opaque fence with a minimum height of six feet to a maximum of eight feet, in addition to any required landscape buffer.
- d. Service doors in a newly constructed facility facing a public street or an adjacent residential district must be screened by a solid wall or opaque fence with a minimum height of six feet to a maximum of eight feet, in addition to any required landscape buffer.
- e. For adaptive reuse of existing buildings, newly constructed loading areas and service doors should be located to minimize any impact on surrounding public streets. Existing loading areas and services doors should be screened to the extent feasible from view from public streets or any adjacent residential district.

V. Neighborhood Nonresidential Reuse

Once approval of a neighborhood non-residential reuse is granted, the structure may be reused for any of the uses in item 2 below. Any change of an approved use to another use allowed within item 2 requires a new special use approval.

1. Neighborhood nonresidential reuse establishments are only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of this Code.
2. The following nonresidential uses are permitted within a neighborhood commercial establishment:
 - a. Art gallery;
 - b. Art and fitness studio;
 - c. Office;
 - d. Personal service establishment;
 - e. Eating and drinking establishment; live entertainment—secondary use prohibited;
 - f. Retail goods establishment;
 - g. Social service center.
3. No off-street parking is required. However, any off-street parking currently provided must be maintained.
4. Drive-through facilities are prohibited.
5. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.
6. Signs must comply with the following:

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- a. One monument sign and one attached sign (wall or projecting) on each street facing façade are permitted.
 - b. Monument signs are limited to a maximum sign area of 12 square feet and a maximum height of three feet. Monument signs must be setback a minimum of two feet from property lines and from rights-of-way.
 - c. Wall signs are limited to a maximum sign area of 12 square feet.
 - d. Projecting signs are limited to a maximum sign area of four square feet and must have a minimum vertical clearance of seven feet above the ground.
 - e. Window signs must not cover more than 20% of the window area.
 - f. Pole signs are prohibited.

W. Pre-School/Kindergarten

1. Each facility must comply with all applicable federal and state regulations.
2. The operator's license must be displayed publicly.
3. A pre-school/kindergarten must provide a pickup/drop off area. The pickup/drop off area must not interfere with vehicle circulation in the right-of-way or a parking lot, and cannot block any drive aisle.

X. Reception Facility

A general admission fee or any other monetary donations (payment at the door to the general public) for entrance is prohibited, with the exception of fundraisers or events for bona fide non-profit organizations, places of worship, or educational facilities.

Y. Residential Care Facility

1. Residential care facilities are subject to all federal, state, and city regulations, and must be licensed.
2. Residential care facilities must comply with all standards for multi-family dwellings in the district in which they are located, including the standards for design of multi-family dwellings in this Article. This does not apply to mixed-use developments where the ground floor and any upper floors are designed for nonresidential uses with residential above.

Z. Salvage Yard

1. No such operation is allowed within 300 feet of any residential district.
2. All outdoor storage of salvage and wrecking operations must be conducted entirely within an area enclosed opaque fence or wall, excepting driveway areas, from eight to 12 feet in height. The fence or wall must be constructed on or inside the front, side, and rear yards required by the district in which located and constructed in such a manner that no outdoor storage or salvage operations are visible from an adjacent lot, street, or highway. Storage, either temporary or permanent, between such fence or wall and any lot line is expressly prohibited.

AA. Self-Storage Facility: Enclosed and Outdoor

1. Access to the lot must be from a street identified as a collector or arterial on the Knoxville/Knox County Major Road Plan.
2. If a self-service storage facility is developed on a street identified as a future collector or arterial on the Knoxville/Knox County Major Road Plan or a street that provides a connection from the proposed development to a major collector or arterial road as identified on the Knoxville County Major Road Plan without passing adjacent to or through any residentially zoned land, then adequate right-of-way and

road improvements must be provided as determined by the City of Knoxville Department of Engineering.

3. A minimum 26-foot parking/driveway lane must be provided adjacent to all buildings when the buildings open only to one side of the lane and a minimum 30-foot when the buildings open to both sides of the lane. All parking/driveway lanes must be paved.
4. Maximum size for each individual storage unit is 600 square feet.
5. The minimum lot area for an outdoor facility is two acres.
6. For outdoor facilities, a solid fence or wall a minimum of six feet to a maximum of eight feet in height must be provided and set back a minimum of five feet from any side or rear lot line when the self-service storage facility abuts a residential district and a Class B buffer yard per Section 12.8 is required.
7. Any proposed outdoor storage areas must be shown on a site plan for the facility. Outside storage of any materials will be governed by the specific requirements of the district in which the facility is located. In no case may parking areas or driveways be used for storage.
8. The following uses are prohibited as part of a self-service storage facility operation:
 - a. Auctions, wholesale and retail sales, miscellaneous or garage sales. However, this does not apply to auctions or sales conducted by the property manager of the contents of abandoned storage units.
 - b. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
 - c. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment, except for purposes of construction and repair of the self-service storage facility.
 - d. Transfer and storage business.
 - e. Any use that is noxious or offensive because of odors, dust, fumes, or vibrations.
 - f. The storage of hazardous materials.
9. Storage units cannot be used for residential occupancy or to conduct business.
10. No plumbing connections are permitted in self-storage units.
11. For self-storage facilities that include both indoor and outdoor facilities, both types of uses must be allowed in the district.
12. The following additional standards apply to enclosed self-storage facilities:
 - a. All self-storage activities must be contained within a single building and conducted exclusively indoors. Individual storage units may be accessed from inside the building only.
 - b. All facilities must meet the design standards of the district.
 - c. No storage units located on the first floor may be located within the first 20 feet of the front facade. No storage units located on the first floor may be visible from any public right-of-way.
 - d. Access to loading areas must be located to the interior side or rear of the building.
13. The following additional permissions apply to outdoor self-storage facilities:
 - a. Outdoor self-storage facilities should be oriented so that storage unit access doors do not face the public right-of-way.

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- b. Outdoor self-storage facilities only are allowed to include an area for storage of recreational vehicles. Storage areas for recreational vehicles must be located in the rear yard.
 - c. No storage of recreational vehicles is allowed within 25 feet of any rear lot line or interior side lot line when such lot line abuts a residential district. No storage of recreational vehicles is allowed within 50 feet of any front or corner side lot line.

BB. Solar Farm

- 1. Systems, equipment, and structures are limited to the maximum height of the district.
- 2. All solar farm structures must meet the district setbacks.

CC. Storage Yard

In the commercial districts, a Class B buffer yard per Section 12.8 and a solid wall or fence, a minimum of six feet and a maximum of eight feet in height, is required along all lot lines of a storage yard, including any storage yards as an accessory use.

DD. Vehicle Repair/Service

- 1. Vehicle repair/service establishments may not store the same vehicles outdoors on the lot for a total of 30 days, including storage that occurs while the vehicle is under repair and once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.
- 2. Repair of vehicles and storage of all merchandise, auto parts, and supplies must be within a structure.
- 3. Vehicle repair/service establishments that abut a residential district require a solid fence or wall a minimum of six feet to a maximum of eight feet in height and a Class A buffer yard per Section 12.8 is required.
- 4. No partially dismantled, wrecked, junked, or discarded vehicles, or vehicles that sit on one or more flat tires or are inoperable in any manner may be stored outdoors on the premises.
- 5. The sale of new or used vehicles is prohibited.
- 6. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

EE. Wind Energy System

- 1. The design of the wind energy system must conform to applicable industry standards as such standards exist as of the date construction is commenced. The facility owner or operator must submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or similar certifying organizations.
- 2. Wind turbines must comply with the following design standards:
 - a. Wind turbines must be a non-obtrusive and non-reflective color.
 - b. Wind turbines must not display advertising, except for reasonable identification of the turbine manufacturer, or the facility owner and operator.
 - c. Wind turbines must not be artificially lit, except to the extent required by the Federal Aviation Administration or other applicable regulatory authorities.
 - d. On-site transmission and power lines between wind turbines must, to the maximum extent practicable, be placed underground, reach the property line, and be located and constructed in such a way as to minimize disruption to the property's primary purpose as well as to facilitate the interconnection of other commercial wind power generating facilities.

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- e. Non-essential appurtenances are prohibited to be affixed to any wind turbine, including, but not limited to, cellular or radio antennae.
 3. The applicant must commission and submit at the time of permit application a wildlife assessment (impact study), conducted by a qualified wildlife expert, indicating possible risks to local wildlife, habitat, and migratory birds.
 4. Wind turbines must not be climbable up to a height of at least 15 feet above ground surface. All access doors to wind turbines and electrical equipment must be locked or fenced, as appropriate, to prevent entry by non-authorized persons.
 5. Wind turbines must be set back from any existing principal building on the lot and adjacent lots, measured at the nearest external wall or walls, and within the buildable area of any adjacent undeveloped lot, no less than the turbine height. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building.
 6. Operation and maintenance building(s) and substations must be located in accordance with zoning district yard requirements. All wind farm structures, except for wind turbines, must comply with the regulations of the zoning district.
 7. All wind turbines must be set back from the nearest public right-of-way a distance of 110% of the turbine height, as measured from the right-of-way line to the nearest point on the outside edge of a tower.
 8. The facility owner or operator must comply with all applicable codes regulating sound generation. A predictive sound study of turbine noise must accompany the application to verify that all code requirements can be met for dBA sound levels. In the event that any sound levels from a wind turbine are found to be in excess of permissible levels per the City Code, the facility owner or operator must take necessary measures to bring sound levels down to a level acceptable.
 9. A shadow flicker study is required, and must be submitted with the application. Projects must mitigate shadow flicker on existing structures and shadow flicker must not fall within the buildable area of an adjacent lot, as defined by current setback requirements.
 10. The facility owner and operator must, at their sole expense, complete decommissioning of the wind energy system, or individual wind turbines, once the use of the wind energy system or any individual wind turbines are discontinued. The wind energy system or turbine must be deemed to be at the end of its useful life if it is abandoned for a period of time in excess of 180 days. Decommissioning includes removal of wind turbines and related aboveground equipment.

FF. Wireless Telecommunications

1. Purpose

The purpose of this section is to create a legal framework for the siting and appearance of wireless communication facilities (WCF) through regulations that will:

- a. Promote and protect the public health, safety and welfare, preserve the aesthetic character of the community, and to reasonably regulate the development and operation of wireless communication facilities within the City to the extent permitted pursuant to state and federal law.
- b. Encourage the collocation of antennas on existing towers and structures.
- c. Protect residential districts, historic districts, scenic highways, and parkways from excessive development of WCFs by ensuring that towers in or near these areas are only sited when alternative facility locations are not feasible.

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- d. Accommodate the growing demand for wireless communication services.
 - e. Enable WCF providers to furnish comprehensive and efficient wireless communications service to the community minimizing the adverse impacts of their facilities.
 - f. Encourage the use of the latest technology through advances in siting and design.
 - g. Establish clear standards for an orderly process for permit application review.

2. Statement of Preferred Locations

There are preferred locations for WCFs. The regulations encourage an administrative approval process for collocation, small cell and Distributed Antenna Systems (DAS), and new towers located in the preferred ranking list, see items c.i through c.iii below. New towers sited in the least preferred location require review by the Knoxville-Knox County Planning Commission, see item c.iv.

- a. Collocation of WCF on an existing tower and attachment to a building or structure should first be sought.
- b. The City regulates the siting and design of small cell and Distributed Antenna Systems (DAS) within its right-of-way through a separate permit process and design guidelines set forth by the City of Knoxville Department of Engineering. These zoning regulations address location and design of small cell and DAS towers on lots, see subsection D.2.
- c. New towers are an option of last resort. Where new tower construction is absolutely necessary, the following list provides preferred locations, ranked from most preferred (item i) to least (item iv).
 - i. Industrial districts
 - ii. Commercial districts
 - iii. Other nonresidential districts
 - iv. Residential districts; within 2,000 feet of a Scenic Highway or Tennessee Parkway; or Historic Districts

3. Development Standards

a. Locating on an Existing Tower, Structure, and Building

New WCF facilities must, to the maximum extent feasible, collocate on existing towers, structures or buildings to avoid construction of new towers, unless precluded by structural limitations, inability to obtain authorization by the owner, or where the existing facility will not meet the service coverage objectives of the applicant.

- i. Existing towers:
 - (1) An existing tower's height may be extended a maximum of 10% higher.
 - (2) Expansion of a base station to accommodate accessory equipment is permitted provided the base station is designed in accordance with the standards in items c.vi(2) and c.viii(2) below.
- ii. Existing structures (excluding existing towers) or buildings may accommodate new WCFs, provided antennas and supporting structures are not higher than 30 feet above the highest point of the existing structure or building.
 - (1) New WCFs should be camouflaged, disguised, or concealed whenever possible to make them compatible and blend into the setting and host structure or building.

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- (2) Roof-mounted transmission equipment and antennas should be set back from all roof edges to the maximum extent feasible, if b.1 above is not achievable.

b. New Small Cell and DAS Tower Development Standards

For the purposes of this Code, references to small cell must also include DAS. All development standards for small cell towers are contained within this subsection and are not subject to item c below.

i. Tower Height

Towers must not exceed 40 feet in height when existing or proposed buildings and structures on the lot are less than 40 feet high. In cases where there are taller buildings and structures on the lot, new small cell towers may match the existing, height, up to 60 feet.

ii. Collocation

Collocations for two separate wireless service providers on the same support structure is encouraged whenever feasible and safe.

iii. Antennas

The maximum dimensions for panel style antennas is 30 inches high and 12 inches wide. The maximum dimensions for canister style antennas must be 48 inches high and 16 inches in diameter.

iv. Accessory Equipment

Equipment must be contained within a landscaped median, located in a ground vault, or mounted on the pole at least 8 feet above the ground.

v. Stealth

WCFs must be designed to fit into the surrounding area by utilizing existing poles and structures. For example, locating antennas on a parking lot light poles, signs, banner poles, or flagpoles.

vi. Setback

Antennas that are located on parking lot light poles or other existing structures are not subject to a minimum setback.

c. New Tower Development Standards

i. Tower Type

All new towers must be either a "Type 1" or "Type 2" monopole design.

- (1) "Type 1 Monopole" is sometimes referred to as a slick stick or unipole. It is a type of monopole design where all antenna and related equipment are housed inside the pole structure rather than attached to the exterior of the pole in an effort to conceal the visual impact of the antennas.
- (2) "Type 2 Monopole" is a single, ground-mounted, self-supporting pole-type structure, tapering from base to top and supporting a fixture designed to hold one or more external antennas.

ii. Height

The maximum height of new towers is regulated by the zoning districts in Table 9-2: New Wireless Communications Tower Criteria.

iii. **Separation**

All towers must have a minimum separation of 1,500 feet. This separation standard does not apply to sites where applicants are proposing a new tower to replace an existing tower. The old tower must be removed within 60 days of the new tower becoming operational.

iv. **Collocation**

A new WCF tower proposed for construction must accommodate a minimum of two antenna arrays if the tower is less than 125 feet in height, and at least three antenna arrays if the tower is 125 feet in height or greater. The base station area must contain adequate space for ground equipment associated with the proposed number of antenna arrays.

v. **Driveway Access**

Driveways must be paved and meet the City engineering standards. The driveway must follow the existing topography as much as possible and limit views of the base station from the public street.

vi. **Landscaping and Screening**

(1) **Towers on Ridges**

Towers should be located below the ridgeline. Preservation or enhancements to the surrounding natural vegetation is encouraged to help camouflage the tower.

(2) **Base Station**

(A) **Landscaping**

All landscaping must be installed and maintained in accordance with this subsection.

(i) The outside perimeter of the base station must be planted with at least a 12-foot wide planting area that contains six-foot high (at the time of planting) columnar or pyramidal evergreens that will form a solid screen at maturity. A break in the planting area not to exceed 12 feet in width is allowed for access.

(ii) Existing vegetation must be used when feasible to camouflage the base station.

(B) **Screening**

(i) All base stations must be fenced.

(ii) In residential zones, scenic highway, and historic areas, base stations may include wood or masonry fencing. Fencing must be designed to blend in with existing surroundings, using architecturally compatible construction and colors.

vii. **Equipment Shelter**

(1) An equipment shelter used in connection with a WCF must be limited to 400 square feet of gross floor area per provider and 12 feet in height.

(2) In residential districts, all equipment shelters should be designed to blend in with existing surroundings, using architecturally compatible construction and colors.

viii. **Setbacks**

(1) **Towers**

- (A) All towers must be set back from the lot line of all properties with an H Overlay District and any residential district a minimum distance equal to 110% of the height of the tower.
- (B) In all other cases, towers must meet the building setback requirements of the base zoning district, but not less than 25 feet.

(2) **Base Station**

Perimeter fencing must meet the setback requirements of the base zoning district, but not less than 25 feet.

ix. **Lighting**

For new wireless communication support towers, only such lighting as is necessary to satisfy FAA requirements is permitted. Dual (low intensity) lighting is encouraged. All FAA-required lighting must use lights that are designed to minimize downward illumination. Security lighting for the equipment shelters or cabinets and other on-the-ground ancillary equipment is permitted as long as full cutoff fixtures are used.

x. **Visual Impact**

All WCFs in residential districts, within 2,000 feet of a Scenic Highway or Tennessee Parkway, and Historic Districts must be sited and designed to minimize adverse visual impacts on surrounding properties and the traveling public to the greatest extent reasonably possible, consistent with the proper functioning of the WCF.

xi. **Stealth Design/Technology**

Stealth design is encouraged in all zoning districts. Stealth and concealment techniques must be appropriate given the proposed location, design, visual environment, and nearby uses, structures, and natural features (including, but not limited to clock towers, flag poles, or faux-tree). Stealth design must be designed and constructed to substantially conform to surrounding building designs or natural settings, so as to be visually unobtrusive. Stealth design that relies on screening wireless communications facilities in order to reduce visual impact must screen all substantial portions of the facility from view. Stealth and concealment techniques do not include incorporating faux-tree designs of a kind that are not native to East Tennessee and out of scale with natural vegetation.

4. **Summary of Development Standards**

Table 9-2 summarizes the development standards found in item 3 above. The following also apply to information found within this Table:

- a. Collocation is encouraged in all zoning districts.
- b. Any tower within an industrial or commercial district that is within 250 feet of a residentially zoned property must be a Type 1 Monopole and cannot exceed 125 feet in height.
- c. The criteria for new towers within 2,000 feet of a Scenic Highway or Tennessee Parkway must be the same as residential districts.
- d. Within overlay districts, the stated tower criteria take precedence over the base zoning district.

Table 9-2: New Wireless Communications Tower Criteria

Zoning Districts	Permitted Tower Type/Antenna Locations	Maximum Tower Height	Stealth Design	Type of Review
Industrial Districts	Small Cell Monopole Type 1 Monopole Type 2	200'	Encouraged	Level I
Commercial Districts	Small Cell Monopole Type 1 Monopole Type 2	150'	Encouraged	Level I
Other Districts	Small Cell Monopole Type 1	125'	Encouraged	Level I
Residential Districts	Small Cell	125'	Encouraged	Level II
Overlays	Monopole Type 1	125'	Encouraged	Level II
F	Not Permitted			

5. Types of Review

a. Director of Plans Review and Building Inspections Review

The Director of Plans Review and Building Inspections or his/her designee will review collocations on existing towers.

b. Knoxville-Knox County Planning Commission Review

There are two levels of review that are made by the Knoxville-Knox County Planning Commission.

i. Level I

This is an administrative review by the Knoxville-Knox County Planning Commission Executive Director or his/her designee. Level 1 review is for collocations on existing structures or buildings and new towers, consistent with Table 9-2.

ii. Level II

This review is the Knoxville-Knox County Planning Commission. Level II review is for new towers, consistent with Table 9-2 and for exceptions to height and spacing standards, consistent with item 9 below.

6. Procedures for Level I Review

Knoxville-Knox County Planning Commission staff will determine if the application complies with the Code by approving or denying an application. If an approval is granted, a WCF Certificate of Appropriateness (COA) will be issued. The following procedures regulate the WCF COA procedures:

- a. A determination must be decided within 45 days of a complete application, and the applicant must be provided with a written notice of approval or denial.
- b. If approved, an applicant will be issued a WCF COA.
- c. Anyone aggrieved by an approval or denial must have 15 calendar days to appeal the decision to the Planning Commission.
- d. No building permit will be issued until after the appeal period has expired or if the decision is appealed, the appeal has been resolved.

7. Procedures for Level II Review

a. **Approval or Denial**

The Knoxville-Knox County Planning Commission will determine if the application complies with the Code by approving or denying an application.

b. **Public Hearing**

The Knoxville-Knox County Planning Commission will hold a public hearing subsequent to notification consistent with its administrative rules and procedures.

c. **Restrictions**

In the exercise of its approval, the Knoxville-Knox County Planning Commission may impose such conditions regarding the location, character or other features of the proposed WCF as it may deem advisable in the furtherance of the general purposes of this Code.

d. **Time Limit and Notification**

An application must be decided within 45 days of the date of the application being complete, unless the applicant agrees to a postponement. The applicant must be provided with a written notice of approval or denial.

e. **Effective Date of Approval; Issuance of Permit**

- i. Knoxville-Knox County Planning Commission approval becomes effective 16 days from the date of the public hearing at which approval is granted.
- ii. No building permit will be issued prior to the effective date of approval.
- iii. The building permit will be issued subject to all conditions and requirements stipulated by the Knoxville-Knox County Planning Commission.

f. **City Council Review of Action of Commission**

Any person, firm or corporation aggrieved by any decision of the Knoxville-Knox County Planning Commission may petition the City Council to consider the same in accordance with the provisions set forth in Section 16.12.

g. **Validity of plans**

All approved plans, conditions, restrictions, and rules made a part of the approval of the Knoxville-Knox County Planning Commission constitute certification on the part of the applicant that the proposed use will conform to such regulations at all times.

h. **Further Information**

The Knoxville-Knox County Planning Commission may request feedback from TTCDA when a WCF is located within the TO-1 Overlay District or from the Historic Zoning Commission when a WCF is located within Historic District.

8. **Application Submittal Requirements**

An application must be filed with the Knoxville-Knox County Planning Commission on forms provided for that purpose. In addition to the required application information, the application must include the following:

a. **General Requirements**

- i. For public hearing review, a pre-application meeting with Knoxville-Knox County Planning Commission staff is required.

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- ii. The applicant must provide a written letter of commitment from at least one cellular provider to locate on an existing or proposed facility.
 - iii. Complete and accurate plans and drawings to scale, prepared, signed and sealed by a Tennessee-licensed engineer, land surveyor and/or architect, including:
 - (1) Plan views and elevations showing tower, base station, fencing, landscaping, associated ground equipment, driveway design, lease area, and access and utility easements. All items must include required dimensions.
 - (2) Identification of distances to the lot lines for adjoining properties and right-of-way from proposed tower and base station.
 - iv. A clear and complete written statement of purpose must minimally include:
 - (1) A description of the technical objective to be achieved, whether it be to close a gap or address a deficiency in coverage, capacity, frequency and/or change in technology.
 - (2) A scaled map that identifies the proposed location and the targeted service area. The map will be used to determine potential collocation and preferred siting opportunities.
 - v. If existing vegetation is to remain to help screen the proposed facility, a written landscape preservation agreement between the landowner and lessee may be required.
 - vi. All other information and/or materials that the Knoxville-Knox County Planning Commission may require.

b. Collocation Consent

A written statement, signed by a person with the legal authority to bind the applicant and the project owner, which indicates whether the applicant is willing to allow other transmission equipment owned by others to collocate with the proposed WCF whenever technically and economically feasible and aesthetically desirable.

c. Additional Requirements for New Small Cell

Each applicant must submit a summary that explains how it arrived at the structure and design being proposed.

d. Additional Requirements for New Tower

i. Collocation and Alternative Sites Analysis

(1) Collocation Requirement for all New Towers

All applications for a new tower must demonstrate that existing towers within one mile and other structures and buildings within a half mile are not feasible for collocation, consistent with item 3.a above.

- (A) For all new towers the applicant must provide a description of why each tower within one mile of the proposed WCF is not feasible for collocation.
- (B) For existing structures and buildings the applicant must provide a description of why they are not feasible for collocation.

(2) Alternative Site Analysis

All towers in a residential district, within 2,000 feet of a Scenic Highway or Tennessee Parkway, historic district or within 250 feet of a residential district.

- (A) The tower location preferences located in item 2.c above must be addressed in a clear and complete written alternative site analysis that shows at least five higher ranked preferred locations, alternative sites considered to the extent that such higher ranked alternative sites are located within one mile of the proposed site. A factually detailed and meaningful comparative analysis between each alternative candidate and the proposed site that explains the substantive reasons why the applicant rejected the alternative candidate. An applicant may reject an alternative tower site for one or more of the following reasons:
 - (i) Inability to obtain authorization by the owner.
 - (ii) Failure to meet the service coverage objectives of the applicant.
 - (iii) Failure to meet other engineering requirements for such things as location, height, and size.
 - (iv) Zoning constraints, such as the inability to meet setbacks.
 - (v) Physical or environmental constraints, such as unstable soils or wetlands.
 - (vi) Being a more intrusive location despite the higher priority in this section.
- (B) A complete alternative sites analysis provided under this subsection may include less than five alternative sites so long as the applicant provides a factually detailed written rationale for why it could not identify at least five potentially available, higher ranked, alternative sites.

ii. **Visual Analysis**

For public hearing reviews, the applicant must provide color photo simulations of the proposed tower. The photo simulations must include before and after images of the site, taken from at least four different perspectives and a map identifying the locations that the photos were taken.

iii. **Design Justification**

A clear and complete written analysis that explains how the proposed design complies with the applicable design standards under this section to the maximum extent feasible. A complete design justification must identify all applicable design standards under this section and provide a factually detailed reason why the proposed design either complies or cannot feasibly comply.

9. **Exceptions to Standards**

A proposed WCF may exceed the maximum height and reduce the minimum spacing contained within this section, provided the applicant can demonstrate that technically neither coverage nor capacity can be achieved using these standards. The exception will be a Type II review.

10. **Final Inspection**

Certificate of completion will only be granted upon satisfactory evidence that the WCF was installed in compliance with the approved plans.

11. Maintenance

- a. The WCF site, including all landscaping, fencing, and related transmission equipment must be maintained in accordance with all approved plans.
- b. All graffiti on WCFs must be removed at the sole expense of the permittee after notification by the City to the owner/operator.

12. Tower Replacement

A legally existing WCF may be replaced on the same site provided they are in compliance with this section. The old tower must be removed within 60 days of the new tower becoming operational.

13. Removal of Abandoned Towers

The following regulations apply to ensure the removal of abandoned towers:

- a. The owner of any telecommunications tower must provide written notification to the Director of Plans Review and Building Inspections within 30 days of the occurrence of either or both of the following:
 - i. The tower has changed ownership.
 - ii. Use of all telecommunications antennas on the tower has ceased.
- b. All towers permitted under the requirements of these regulations that are not operated for telecommunications purposes for a continuous 12 month period are considered abandoned, and the owner of such tower must remove same within 90 days of receiving notice from the Director of Plans Review and Building Inspections. Failure to do so is deemed a violation of these regulations. The owner of the tower may appeal the decision of the Director of Plans Review and Building Inspections to the Board of Zoning Appeals. At such hearing the owner will be required to show just cause why the tower should not be considered abandoned and subject to removal.
- c. At the time a request for a building permit is made, the applicant must provide proof of the establishment of a financially secured and legally enforceable method of removing a telecommunications tower when it ceases to be used for a period of 12 months. This may be in the form of a bond, a letter of credit or some other financial arrangement approved by the City of Knoxville Finance Director for financial adequacy and the City of Knoxville Law Department for legal enforceability. Such bond or other approved financial surety must be maintained by the owner of the tower so long as the tower exists.

14. Independent Review

The Knoxville-Knox County Planning Commission may retain the services of an independent, qualified radio frequency technical expert of its choice to provide technical evaluation of permit applications for WCFs, including administrative and public hearing review. The technical expert review may include, but is not limited to: the accuracy and completeness of the items submitted with the application; the applicability of analysis and techniques and methodologies proposed by the applicant; the validity of conclusions reached by the applicant; and whether the proposed WCF complies with the applicable approval criteria set forth in this section.

15. Exempt Facilities

The following facilities are exempt:

- a. FCC licensed amateur (ham) radio facilities.
- b. Satellite earth stations, dishes and/or antennas used for private television reception not exceeding three feet in diameter.

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- c. A government-owned WCF installed upon the declaration of a state of emergency by the federal, state, or local government, or a written determination of public necessity by the City; except that such facility must comply with all federal and state requirements.
 - d. A temporary, commercial WCF installed for providing coverage of a special event such as news coverage or sporting event, subject to approval by the City.
 - e. A temporary tower may be used for a period of 90 days to allow repair of a damaged permanent WCF, subject to approval by the City. Such temporary tower must comply with applicable setbacks and height requirements.

(Ord. No. O-87-2020 , § 1, 5-19-20; Ord. No. O-122-2020 , § 1, 8-25-20; Ord. No. O-11-2022 , § 1, 1-25-22; Ord. No. O-12-2022 , § 1, 1-25-22; Ord. No. O-93-2022 , § 1, 7-26-22; Ord. No. O-112-2022 , § 1, 8-23-22)