

**TO:** Knoxville-Knox County Planning Commission  
**FROM:** Lindsay Crockett, AICP | Principal Planner/Design Review Program Manager  
**DATE:** September 28, 2023  
**SUBJECT:** 8-A-23-OA Agenda Item #22

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### **STAFF RECOMMENDATION**

Staff recommends tabling of 8-A-23-OA, as requested by the applicant.

### **BACKGROUND**

The attached amendment (Exhibit A) to the City of Knoxville Zoning Code, Articles 2 and 4 were proposed by Mr. R. Bentley Marlow in August 2023. At the August 10, 2023 meeting, the Planning Commission recommended zoning code amendments to enable middle housing in the City follow the process of implementation as defined in the September 2022 [Missing Middle Housing \(MMH\) scan](#) and the Missing Middle Housing book, and the applicant appealed the recommendation to the Knoxville City Council. At its September 5, 2023 meeting, City Council referred the ordinance back to the Planning Commission for further for review and consideration. The applicant submitted a series of modifications to the City of Knoxville's proposed Middle Housing Standards (10-B-23-OA) (Exhibit B). The applicant has requested to table the proposed amendment.



Dori Caron <dori.caron@knoxplanning.org>

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## Fwd: 8-A-23-OA & 8-E-23-OA

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**Dori Caron** <dori.caron@knoxplanning.org>  
To: Amy Brooks <amy.brooks@knoxplanning.org>

Wed, Sep 27, 2023 at 4:01 PM

From: **R Bentley Marlow** <rbentleymarlow@gmail.com>  
Date: Mon, Sep 25, 2023 at 4:15 PM  
Subject: Re: 8-A-23-OA & 8-E-23-OA  
To: Amy Brooks <amy.brooks@knoxplanning.org>  
Cc: Cheryl Ball <CBall@knoxvilletn.gov>, Tommy Smith <tsmith@knoxvilletn.gov>, Andrew Roberto <aroberto@knoxvilletn.gov>, Seema Singh Perez <knoxseema@gmail.com>, Lauren Rider <LaurenETrider@gmail.com>, Charles Thomas <cathomas@knoxvilletn.gov>, Gwen McKenzie <gmckenzie@knoxvilletn.gov>, Lynne Fugate <lfugate@knoxvilletn.gov>, Janet Testerman <Testerman.janet@gmail.com>, Amelia Parker <amparker@knoxvilletn.gov>

Amy,

Thanks for that clarification. Please table 8-A-23-OA and postpone 8-E-23-OA for 30 days. We can circle back and see how Planning Staff has progressed on 8-E-23-OA before the November meeting.

Please go ahead and upload the my redline version to 10-B-23-OA.

Thank you,

Bentley

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## 8-A-23-OA

### ARTICLE 2.3

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 – Detached Multi-Family. A collection of detached Single-Family or Two-Family structures built on a single lot. [See Missing Middle Housing Report, “Cottage Court/Bungalow Court” page 24]

### ARTICLE 4.1 [See Missing Middle Housing Report, Section 3.2, pages 56-65]

B. RN-1 Single-Family Residential Neighborhood Zoning District The RN-1 Single-Family Residential Neighborhood Zoning District is intended to accommodate traditional low density residential neighborhoods in the City of Knoxville, exhibiting a predominant development pattern of single-family homes on relatively large lots and with generous setbacks. Two-family dwellings AND accessory dwelling units ~~may also be~~ ARE allowed ~~by special use approval~~. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

C. RN-2 Single-Family Residential Neighborhood Zoning District The RN-2 Single-Family Residential Neighborhood Zoning District is intended to accommodate low density single-family residential development on relatively small lots with smaller setbacks within the City of Knoxville. Two-family dwellings ~~may also be~~ and accessory dwelling units ARE allowed ~~by special use approval~~. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

D. RN-3 General Residential Neighborhood Zoning District The RN-3 General Residential Neighborhood Zoning District is intended to accommodate medium density residential neighborhoods in the City of Knoxville characterized by one and two-family homes. Detached multi-family dwellings are allowed. Townhouse dwellings may be allowed by special use approval to facilitate a more urban development form. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

E. RN-4 General Residential Neighborhood Zoning District The RN-4 General Residential Neighborhood Zoning District is intended to accommodate mixed medium density residential development within the City of Knoxville. Single-family, two-family, ~~and~~ townhouse dwelling, and detached multi-family dwelling ~~residential development is~~ ARE allowed. ~~L with~~ low-rise multi-family dwellings and new development forms such as pocket neighborhoods allowed by review and in some cases with special use approval. The RN-4 District is intended to be applied to neighborhoods that are characterized by such mixed residential development, or that have been identified as areas where such

development would be suitable in the future. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

F. RN-5 General Residential Neighborhood Zoning District The RN-5 General Residential Neighborhood Zoning District is intended to accommodate medium density residential neighborhoods in the City of Knoxville comprising a heterogeneous mix of single-family, two-family, townhouse, and detached multi-family and multi-family dwellings. The RN-5 District may also serve as a functional transition between traditionally single-family and two-family residential neighborhoods within the City, and more intensely developed residential or commercial areas. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

G. RN-6 Multi-Family Residential Neighborhood Zoning District The RN-6 Multi-Family Residential Neighborhood Zoning District is intended to accommodate high density neighborhoods in the City of Knoxville characterized by a mixture of all housing types including single-family, two-family, townhouse, detached multi-family, and multi-family. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

H. RN-7 Multi-Family Residential Neighborhood Zoning District The RN-7 Multi-Family Residential Neighborhood Zoning District is intended to accommodate the most intense high density residential development in the City of Knoxville in townhouse and all multi-family development forms. Limited nonresidential uses that are compatible with the character of the districts may also be permitted.

#### ARTICLE 4.3A [See Missing Middle Housing Report, Section 3.2, pages 56-65]

A. Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. Small Lots of Record – when calculating maximum building coverage and maximum impervious coverage the value shall be calculated as the percentage stated in Table 4-1 applied to the minimum lot area – not the actual area of the lot. i.e. a 25 x 100 lot zoned RN2 would be permitted a maximum building coverage area of 1,500 sf (30% of 5,000) or an effective coverage of 60%.

#### ARTICLE 4.3 TABLE 4-1 [See Missing Middle Housing Report, Section 3.2, Recommendations Nos. 21-24, pages 63-65]

- i. Minimum Front Setback for RN2

20' TEN FEET (10'), or the average of blockface, whichever is less; ~~in no case less than 10'~~ in no case less than FIVE FEET (5').

- ii. Minimum Interior Side Setback for RN2-RN7

5' or 15% of lot width, whichever is less; in no case less than ~~15'~~ TEN FEET (10') combined

## 4.6 – Middle Housing Standards

Middle Housing “is a range of multiunit or clustered housing types, compatible in scale with single family homes, that help meet the growing demand for walkable urban living, responding to shifting housing demographics, and meet the need for more housing choices at difference price points.”<sup>1</sup> ~~residential structures containing more than one unit, with building footprints and overall scales comparable to single-family houses.~~

Middle Housing types may be permitted in RN-2, RN-3, ~~and~~ RN-4, and C-N zoning districts, located in land use areas designated Traditional Neighborhood Residential (TDR). The ~~below dimensional, design, and parking~~ standards that follow in this subpart apply to ~~new construction of~~ Middle Housing types. ~~Standards for conversions to Middle Housing types are addressed in Section 4.6.F.~~

### 4.6.A – Middle Housing Types

1. Duplex, side-by-side: a structure containing two dwelling units next to each other with one shared wall. The type has a 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.
2. Duplex, stacked: a structure containing two dwelling units stacked, with one on the ground floor and the other on top. The type has a 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.
3. Triplex: a structure containing three dwelling units typically stacked on top of each other. The type may be located as transitions from commercial corridors and higher-intensity areas into single-family neighborhoods. A triplex may feature another configuration to accommodate three units within two to two-and-one-half stories. ~~Frontage on arterial roads is required; flag lots do not qualify.~~
4. Fourplex: A structure containing two units on the ground floor and two units stacked directly above them. The type is usually two stories, with a depth similar to a house.
5. Townhouse (small): a small to medium sized structure with three to four attached units. The townhouse (small) type is two stories, featuring shared side walls on one or more sides. 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.
6. Townhouse (large): a medium-sized structure with five to eight units. The townhouse (large) type is two-and-one-half-stories, featuring shared side walls on one or more sides. 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.
7. 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.
8. Multiplex (large)<sup>2</sup>: a large structure that consists of seven to eighteen units arranged side-by-side and/or stacked, often with a shared entry on the front, occasionally with entries on one or both sides.
9. Cottage Court<sup>3</sup>: This type consists of a series of small (one to one and a half stories and small footprint) homes that are typically detached, orientated around a small shared court that is usually perpendicular to the street.

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<sup>1</sup> Parolek, Daniel, *Missing Middle Housing* (Washington: Island Press, 2020), p. 7.

<sup>2</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 27.

<sup>3</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 24.

10. Carriage House<sup>4</sup>: This type is a secondary structure, typically located at the rear of a lot, providing space for a small residential unit. This unit could be above a garage or at ground level. Carriage houses are unique in that they complement other buildings exclusively. They can be add-ons to multiple-unit buildings or single-family homes. They are only appropriate for side and rear yard placement.

11. Single Family on nonconforming (small) lot of record<sup>5</sup>: Lots that comply with Section 17.3, often once featured a small, typically a shotgun style, home. While these lots are too small for Opticos' defined Missing Middle Housing forms; these lots have potential to be developed into small single-family homes that further the goal of Missing Middle .

#### 4.6.B

1. Middle Housing types may be permitted based on the zoning district and housing type in Table 4-3, and conformance to the standards that follow. Proposals which do not meet the dimensional standards in Table 4-4 default to the provisions of the base zoning code.
2. Recognizing that three-story triplexes are most appropriately located in areas which transition from commercial corridors or main streets and higher-intensive areas into lower-intensity residential neighborhoods, additional location criteria for triplexes are located below.
  - a. ~~Three-story triplexes are permitted on lots with frontage on arterial roads. This provision does not apply to flag lots.~~ (note: covered this above in 4.6.A.3 – Middle Housing Types).
3. Carriage Houses cannot be a principal structure and are only allowed on parcels in conjunction with certain Middle Housing types as delineated in Table 4-4.

**Table 4-3: Middle Housing Development Types**

Middle Housing Type	Permitted Use +Planning Staff Review	Condition Requiring Special Use
Duplex (side-by-side)	RN-2, RN-3, RN-4	Development of multiple structures under this section on a single lot.
Duplex (stacked)	RN-2, RN-3, RN-4	Development of multiple structures of this section on a single lot
Triplex*	RN-2, RN-3, RN-4, C-N	Development of multiple structures of this section on a single lot
Fourplex	RN-2, RN-3, RN-4, C-N	Development of multiple structures of this section on a single lot
Townhouse (small)	RN-2, RN-3, RN-4, C-N	Tuck-under style requires Special Use Review
Townhouse (large)	RN-3, RN-4, C-N	Tuck-under style requires Special Use Review
Multiplex (small)	RN-3, RN-4, C-N	Development of multiple structures of this section on a single lot
Multiplex (large)	RN-3, RN-4, C-N	Always requires Special Use Review
Cottage Court	RN-3, RN-4, C-N	Always requires Special Use Review
Carriage House	RN-2, RN-3, RN-4, C-N	Development of multiple structures of this section on a single lot

<sup>4</sup> Missing Middle Housing Close Up: Carriage Houses — Missing Middle Housing. <https://missingmiddlehousing.com/missing-middle-housing-close-up-carriage-houses/> (“carriage houses are an important type of Missing Middle Housing.”)

<sup>5</sup> Article 17.3

#### 4.6.C

1. The below dimensional standards supersede the base zoning district dimensional standards as defined in Table 4-1, **with respect to Carriage House Type this section supersedes Section 10.**
2. Table 4-4: Middle Housing Dimensional Standards establishes the dimensional standards for new construction of Middle Housing types within the permitted area **as well as providing persuasive guidance for conversion pursuant to Section 4.6.F..**
3. Front setbacks for Middle Housing types shall be the average of the blockface, plus or minus five feet, in no case less than ~~10'~~ **the distance specified in Table 4-4.**
4. **Minimum Rear** setbacks for Middle Housing types: ~~may be between 15-2~~ **15 feet, unless otherwise specified in Table 4-4.**
5. Heights for Middle Housing types must 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 the 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~~ **the roof is elevated four feet or more, above measured from the floor, of such story, by an exterior wall (excluding dormers).**
6. The combined width of dormers shall not exceed 50% of the width of the wall area beneath.
7. 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.
8. 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.



**TABLE 4-4: Middle Housing Dimensional Standards**

Middle Housing Type	Min. lot width (ft) with alley	Min. lot width (ft) without alley	Max. height (stories)	Building width (range)	Building depth (range)	Interior side setback	Corner side setback <sup>6</sup>	Min. Front setback	Carriage House allowed
Single Family non-conforming lot	20'	20'	1	14'-40'	20'-60'	3' <sup>7</sup>	3'	5'	Yes <sup>8</sup>
Duplex (side-by-side)	45'	50'	2	30'-40'	35'-55'	5'	<del>8'</del> 5'	5'	Yes <sup>9</sup>
Duplex (stacked)	<del>45'</del> 30' <sup>10</sup>	<del>50'</del> 45' <sup>11 12</sup>	2	25'-35'	30'-50'	5'	<del>8'</del> 5'	5'	Yes <sup>13</sup>
Triplex	<del>45'</del> 30' <sup>14</sup>	<del>50'</del> 45' <sup>15</sup>	2.5 -3	25'-40'	35'-55'	5'	<del>10'</del> 5'	5'	Yes <sup>16</sup>
Fourplex	<del>55'</del> 45' <sup>17</sup>	<del>60'</del> 50' <sup>18 19</sup>	2.5	40'-45'	50'-60'	5'	<del>12'</del> 5'	5'	Yes <sup>20</sup>
Townhouse (small)	18'/du	20'/du	2	16'-25'/du	35'-50'	5'	<del>12'</del> 5'	0' with stoop or porch to sidewalk <sup>21</sup>	No
Townhouse (large)	18'/du	20'/du	2.5	16'-25'/du	35'-55'	5'	<del>12'</del> 5'	0' with stoop or porch to sidewalk <sup>22</sup>	No
Multiplex (small)	<del>80'</del> 65' <sup>23</sup>	<del>100'</del> 70' <sup>24</sup>	2.5	<del>65'</del> 55'-75'	55'-65'	5'	<del>12'</del> 5'	10'	No

<sup>6</sup> Neither the Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022; nor Parolek, Daniel, *Missing Middle Housing* (Washington: Island Press, 2020) make any distinction between interior side and corner side setbacks.

<sup>7</sup> 2018 IRC §R302.1 (Minimum interior setback to allow “openings in walls” –windows).

<sup>8</sup> These design guidelines and standards supersedes Article 10.3 for projects developed under this Section.

<sup>9</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 22.

<sup>10</sup> Parolek, p. 105.

<sup>11</sup> Id., p. 109.

<sup>12</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 32.

<sup>13</sup> Id., p. 23

<sup>14</sup> Parolek., p. 143, 145.

<sup>15</sup> Id., p. 147.

<sup>16</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 25

<sup>17</sup> Id.

<sup>18</sup> Id.

<sup>19</sup> Parolek., p. 74,261.

<sup>20</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 25

<sup>21</sup> Parolek, p. 140.

<sup>22</sup> Id.

<sup>23</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 26

<sup>24</sup> Id.

Multiplex (large)	65' <sup>25</sup>	75' <sup>26</sup>	3' <sup>27</sup>	65'-75'	55'-65'	5'	5'	10'	No
Cottage Courtyard	100' <sup>28</sup>	110' <sup>29</sup>	1.5-2' <sup>30</sup>	16'-24'	24'-32'	3' <sup>31</sup>	3'	15'	No
Carriage House	N/A	N/A	Side yard 1.5 rear yard 2	12'-32'	12'-32'	3' <sup>32</sup>	3'	Rear setback 3' <sup>33</sup>	N/A

#### 4.6.D

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. For Middle Housing types, the minimum off-street vehicle parking required is one space per dwelling unit except when the lot width is under FIFTY FEET (50') and/or the parcel is within ¼ mile of a transit stop, there shall be no parking requirement.<sup>34 35 36</sup>
3. Section 11.4.B.3 does not apply to Middle Housing types.
4. Parking areas for triplex, fourplex, townhouse, and multiplex developments 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. When parking areas connect to a rear alley there shall be no setback from the rear lot line.
5. Parking must be located in the interior side or rear yards.
  - a. Where operable alleys are present, the alley must serve as the primary means of vehicular ingress and egress unless special site circumstances or conditions prohibit alley access.
  - ~~b. 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.~~
  - b. When the driveway is accessed from behind the front building façade line of the principal building the parking must remain behind the front façade line of the principal structure. When a driveway is accessed from the front, the driveway shall extend beyond the front building façade line of the principal structure at least EIGHTEEN FEET (18').

<sup>25</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 27

<sup>26</sup> Id.

<sup>27</sup> Parolek., p. 146-147.

<sup>28</sup> Id., p. 261.

<sup>29</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 24

<sup>30</sup> Parolek., p. 119.

<sup>31</sup> 2018 IRC §R302.1 (Minimum interior setback to allow “openings in walls” –windows).

<sup>32</sup> 2018 IRC §R302.1 (Minimum interior setback to allow “openings in walls” –windows).

<sup>33</sup> 2018 IRC §R302.1 (Minimum interior setback to allow “openings in walls” –windows).

<sup>34</sup> Parolek., p. 76.

<sup>35</sup> Id., p. 266. (“Ideally cities would remove all off-street parking requirements for residential uses, particularly in defined walkable urban contexts.”).

<sup>36</sup> Opticos Report, *MMH Scan*<sup>TM</sup>. 16 September 2022. p. 63. (“For MMH developments within ¼ mile of a transit stop ... eliminate the requirement for off-street parking entirely.”).

c. Front-facing garages are not permitted as part of the primary structure on Middle Housing types.

d. Circular driveways located in a front yard may not be used for required parking.

e. All “tuck under” townhome types, which is three stories with the majority of the ground floor taken up by parking and two floors above, is only permitted in C-N and requires a special use permit.<sup>37</sup>

#### **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 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. Design standards: to ensure compatibility with the existing neighborhood and increase visual interest, yet allow for flexibility in design, the following requirements apply to all Middle Housing types:

- a. Front elevations must be oriented to face the primary street.
  - i. At least one ground-level entrance must be oriented towards the street;
- b. Rooflines must be either:
  - i. Flat, featuring a cornice, parapet, or decorative band to serve as a building cap for the entire roof;
  - ii. Steep, with a roof pitch of 6/12 or more;
  - iii. Articulated, with at least two pitches, planes, or ridgeline directions, or displaying hips, and valleys.
- c. Breaks (recesses or projections in the building plane) measuring a minimum of two feet are required in the horizontal plane of any front or side elevation that extends a length of 50 feet.
- d. The front façade must contain 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;
  - v. A recessed or projecting entry feature of 18 inches or more in depth, and of at least six feet in width;
  - vi. Architectural columns supporting a porch roof;
  - vii. A bay window projecting a minimum of 12 inches from the front façade;
  - viii. Articulated window and door trim, a minimum of four inches in width, include projecting window sills;
  - ix. Brick masonry composing no less than 25% of any street-facing elevation.

5. Townhouses must be oriented parallel to the primary street. Townhouses should not be oriented so the fronts of units face the rear elevations of units.

6. Cottage Courtyard type has the following additional design standards:

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<sup>37</sup> Parolek., p. 137.

- i. The courtyard minimum width must be 20' and no encroachments are permitted in the courtyard;
- ii. No building encroachments nor driveway/parking may exist in the courtyard;
- iii. Attached units (duplex) are allowed across the rear of the lot;
- iv. Only the rear unit(s) can be 2 stories; all other units are limited to 1.5 stories;
- v. Maximum spacing between detached units is 8 feet;
- vi. Private dooryards (distance from porch/stoop/entry to the courtyard) of no more than 8' are permitted; Dooryards cannot be fenced, nor screened with vegetation, taller than 3 feet.<sup>38</sup>

7. Carriage House type has the following additional design standards:

- i. Must be located in the side or rear yard;
- ii. Minimum spacing from principal structure: 5 feet;
- iii. Can not exceed the height of the principal structure;
- vi. Must compliment the architectural style of the principal structure.

#### 4.6.F – Missing 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~~ Article 4.6.

3. Middle Housing Conversion Design Standards:

a. Additions to the front façade are not permitted ~~except upon Special Use Review~~. 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 ~~must comply with 4.6.C.6~~). Roofline additions should be proportionally consistent with the existing house and should not be so large as to dramatically alter scale of the original building mass. ~~Removal and reconstruction of the entire roof assembly in order to increase overall height beyond an additional half story requires Special Use Review.~~

c. Additions to the rear and side elevations must not be taller in height than the existing building ~~unless approved by Special Use Review to ensure the massing and scale are consistent with the intent of this section.~~

#### 4.6.G – Administrative Variations

1. To 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. In some instances, it may be practical to vary the prescribed type. A project may receive an administrative variation during Planning Staff review based on the below criteria.

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 compatible with the scale and placement of buildings in the vicinity;

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<sup>38</sup> Parolek., p. 117.

- 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 compatible with the surrounding neighborhood.
  - iv. Multiple structures, of any Middle Housing type identified above in Section 4.6. maybe permitted on a single lot. The lot width must be equal to the sum of the average minimum width for each Middle Housing type as specified in Table 4-4. A decrease of lot width as calculated under this formula must be consistent with 4.6.G.1.a.i.
- b. No other administrative variations to Article 4.6 may be permitted. ~~In no case may a~~ A variance under Article 16.3 to the requirements in this article or otherwise ~~to be granted to~~ shall not allow Middle Housing developments to be installed ~~except by Special Use application to the Planning Commission.~~

#### 4.6.H – Reference Materials

Instances requiring interpretation of the intent and meaning of this section shall give deference to the following materials, listed in order of most definitive:

- a. Parolek, Daniel. *Missing Middle Housing: Thinking Big and Building Small to Respond to Today's Housing Crisis*. Washington, D.C. Island Press. 2020.
- b. Opticos Report, *MMH Scan™: Analysis + Barriers to Missing Middle Housing*. Prepared for Knoxville, Tennessee. 16 September 2022.  
[https://archive.knoxplanning.org/plans/missing\\_middle\\_housing\\_scan.pdf](https://archive.knoxplanning.org/plans/missing_middle_housing_scan.pdf)
- c. Opticos Report, *MMH Deep Dive™ Testing + Solutions for Missing Middle Housing*. If prepared for Knoxville, Tennessee.
- e. [www.missingmiddlehousing.com](http://www.missingmiddlehousing.com)
- e. [www.opticos.com](http://www.opticos.com)



### 8-A-23-OA

#### Article 2.3

- Article 10.1.A Number of Structures on a Lot states, *“There must be no more than one principal building per lot in the EN, RN-1, and RN-2 Districts.”* However, multiple detached structures are allowed in the remaining residential and non-residential zoning districts as determined by lot area, type of proposed use, and lot area needed for type of proposed use. Does the applicant want to allow for multiple detached structures in EN, RN-1 and RN-2?
- The zoning code does provide for pocket neighborhood, which is a clustered group of dwellings gathered around a common courtyard or open space which are maintained in a shared stewardship by residents.
- This adds a definition that does not make sense, which is why I think the goal is to be able to do this in RN-1 and RN-2. As an example, in Table 4-1 if a lot has 15,000 square feet and is zoned RN-3 one could potentially do:
  - Three single-family dwellings that require minimum lot area of 5,000 square feet. Totaling 15,000 square feet.
  - Two duplexes requiring minimum lot area of 7,500 square feet for each duplex. Totaling 15,000 square feet.
  - Duplex (7,500 square feet) and then a single-family dwelling (5,000 square feet). Totaling 12,500 square feet.
  - All of this hinges on the RN-3 dimensional requirements like setbacks, lot width, building and impervious coverage, parking, etc. So the “dwelling – detached multi-family” can already be done with multiple structures if the lot area is sufficient and it is designed to meet code.

#### Article 4.1

- Accessory dwelling units (ADU) are allowed in RN-1 and RN-2 zoning districts. There are requirements to locate an ADU on property. So I don’t really see what adding this to the purpose statements accomplishes.
- Again, the detached multi-family dwelling can already be done in specific zoning districts if the property has sufficient lot area for the proposed uses.

#### Article 4.3A

- I am not certain why, but the Article 4.3A is not in Municode online.
- There is no definition for small lot of record in the zoning code. There are nonconforming lots of record in Article 17.3, which is a lot of record that at one time conformed to the lot dimension requirements of the zoning district in which it is located, but because of this Code, or a subsequent amendment to this Code, does not conform. Article 17.3.B allows for development of a nonconforming lot of record, but it must meet all applicable dimensional and design regulations of

the district in which it is located with the exception of the lot area and/or width requirement that renders it nonconforming.

- I don't see making an exception for impervious coverage as these lots often end up before the Board of Zoning Appeals (BZA) requesting a variance(s) due to the difficulty developing on a small lot. There is a standard in Article 16.3.E.1 on Variances that is for special circumstances or conditions (such as exceptional narrowness, topography or siting) fully described in the findings of the Board, do not apply generally in the district. The BZA should continue to make these determinations as it is laid out in the zoning code.

#### **Article 4.3 Table 4-1**


- Could a GIS analysis be done on what the average front setback is for existing SF structures in the RN-2 zoning district throughout the city is? The average allows for a reduction if the established setback of existing homes along the block warrant it. However, I don't know what the justification for reducing it to ten feet is.
- Reducing the front setback from "in no case less than 10 feet" to five feet conflicts with the utility and drainage easement requirements in the subdivision regulations.
- I don't have any concern with reducing the combined interior side setbacks from 15 feet to 10 feet.



**CITY OF KNOXVILLE, TENNESSEE  
OFFICE OF THE CITY COUNCIL**

**Memorandum**

**To:** Amy Brooks, Executive Director  
Knoxville-Knox County Planning Commission

**From:** Will Johnson, City Recorder 

**Date:** 9/7/2023

**Re:** File Numbers 8-A-23-OA, 8-B-23-OA, 8-C-23-OA, 8-D-23-OA

At its September 5, 2023 meeting, the Knoxville City Council remanded or referred the above ordinances back to the Planning Commission and Staff for their review and consideration.

Please contact me if you require additional information.







# Development Request

## DEVELOPMENT

- ☐ Development Plan  
☐ Planned Development  
☐ Use on Review / Special Use  
☐ Hillside Protection COA

## SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

## ZONING

- ☐ Plan Amendment  
☐ SP ☐ OYP  
☐ Rezoning

R. Bentley Marlow

Applicant Name

Affiliation

22 June 2023

10 August 2023

Date Filed

Meeting Date (if applicable)

File Number(s)

8-A-23-OA,  
8-B-23-OA,  
8-C-23-OA,  
8-D-23-OA,  
8-E-23-OA

## CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☒ Applicant ☒ Property Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

R. Bentley Marlow

Name

Company

322 Douglas Avenue

Knoxville

Tenn.

37921

Address

City

State

ZIP

865-607-4357

rbentleymarlow@gmail.com

Phone

Email

## CURRENT PROPERTY INFO

Marlow Properties, LLC

322 Douglas Avenue

865-607-4357

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

General Location

Tract Size

☒ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

May 1, 2023

**DEVELOPMENT REQUEST**

- ☐ Development Plan    ☐ Use on Review / Special Use    ☐ Hillside Protection COA  
☐ Residential    ☐ Non-Residential

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

Related City Permit Number(s)

**SUBDIVISION REQUEST**

Proposed Subdivision Name \_\_\_\_\_

 Unit / Phase Number \_\_\_\_\_ ☐ Combine Parcels    ☐ Divide Parcel    Total Number of Lots Created \_\_\_\_\_
☐ Other (specify) \_\_\_\_\_☐ Attachments / Additional Requirements

Related Rezoning File Number

**ZONING REQUEST**
☐ Zoning Change    Proposed Zoning \_\_\_\_\_

☐ Plan Amendment Change    Proposed Plan Designation(s) \_\_\_\_\_

Pending Plat File Number

Proposed Density (units/acre) \_\_\_\_\_

Previous Rezoning Requests \_\_\_\_\_

☒ Other (specify) Ordinance Amendment (change zoning text) - Proposed changes attached.
**STAFF USE ONLY****PLAT TYPE**

- ☒ Staff Review    ☐ Planning Commission

**ATTACHMENTS**

- ☐ Property Owners / Option Holders    ☐ Variance Request

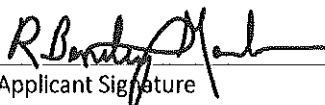
**ADDITIONAL REQUIREMENTS**

- ☐ Design Plan Certification (*Final Plat*)  
☐ Use on Review / Special Use (*Concept Plan*)  
☐ Traffic Impact Study  
☐ COA Checklist (*Hillside Protection*)

Fee 1		Total  \$5,000.00
1203	\$5,000.00	
Fee 2		
Fee 3		

**AUTHORIZATION**
☒ I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent



Applicant Signature

R. Bentley Marlow

Please Print

26 June 2023

Date

865-607-4357

Phone Number

rbentleymarlow@gmail.com

Email



Property Owner Signature

R. Bentley Marlow / Marlow Properties, LLC SG,07/07/2023

Please Print

Date Paid