



TO: Knoxville-Knox County Planning Commission
FROM: Jessie Hillman, AICP | Principal Planner
DATE: February 28, 2025
SUBJECT: 8-B-23-OA Agenda Item #5

STAFF RECOMMENDATION

Recommend approval of proposed amendments to the City of Knoxville Zoning Code, Article 5.3, Table 5-1: Commercial and Office Districts Dimensional Standards to revise the interior side, corner side, and rear setbacks in the C-N (Neighborhood Commercial) zoning district.

Minor revisions to the amendment language have been made by staff and approved by the applicant for clarity and consistency with other dimensional standards.

BACKGROUND

The attached amendment (Exhibit A) to the City of Knoxville Zoning Code, Article 5 was originally 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 that follows the process of implementation as defined in the September 2022 [Missing Middle Housing \(MMH\) scan](#) and the Missing Middle Housing book. 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 review and consideration. This case was postponed several times and then tabled by the applicant on March 7, 2024. It was untabled on February 13, 2025 for review at the March 13, 2025 Planning Commission meeting. The proposed amendments are summarized below.

SUMMARY OF PROPOSED AMENDMENTS

Article 5.3, Table 5-1, Commercial and Office Districts Dimensional Standards:

1. Establishes a new setback standard in cases where the C-N zone features a residential use and abuts residential districts, in which case the minimum interior side setback along shared lot lines with residential districts would be 10 ft or 20% of the lot width, whichever is less.
2. Eliminates the minimum corner side setback in the C-N zone.
3. Reduces the minimum rear setback from 20 ft to 10 ft unless the property abuts a residential district, in which case the rear setback would be 20 ft or 20% of the lot depth, whichever is less. Adds a provision that if the C-N zone features a residential use abutting a residential district, the setback is 10 ft or 20% of lot depth, whichever is less.

STAFF ANALYSIS

This amendment request was originally submitted at a time when other ordinance amendments pertaining to Middle Housing (house-scale multifamily development) standards were being considered

for adoption within the zoning ordinance. This case was reviewed in that context. Currently, Article 4.6: Middle Housing Standards have been active for over a year and are known to be independent from the proposed amendments in this case pertaining to the C-N district.

Staff conducted research on various components of C-N zoned properties (see Exhibit B) and found that 31% are under 7,500 square feet in area. Approximately 1/3 of the lots under 7,500 square feet remain undeveloped, and most of these smaller lots are in older established neighborhoods where there is a defined grid street network and amenities like transit access and sidewalks that support infill development.

Unlike the other commercial districts, the C-N zone is intended to “provide for an environment of **integrated** residential development and small-scale commercial and service uses, **predominantly serving nearby residential neighborhoods**” according to its purpose statement in Article 5.1. This district is intentionally located close to residential zoning, and in fact almost 70% of C-N zoned lots City-wide are surrounded by residential zoning.

Considering this substantial percentage of small C-N zoned lots, and the zoning ordinance’s intention to have this zoning integrated within and in service of residential neighborhoods, staff has determined that the proposed amendments improve developability without undue negative impact on adjacent residential districts.



Exhibit A: Proposed Ordinance Amendment

5.3 DIMENSIONAL STANDARDS

- A. Table 5-1: Commercial and Office Districts Dimensional Standards establishes the dimensional standards for the office and commercial districts, with the exception of the DK District. The dimensional standards for development for the DK District are found in Sections 5.5 below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.
- B. In the C-N District, and in the O District when the lot abuts a single-family residential district, nonresidential development is limited to the maximum gross floor area indicated in Table 5-1. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets all of the following standards. If the development is being approved in conjunction with a special use, then a request for increased floor area will be reviewed as part of the special use, rather than site plan review.
 - 1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.
 - 2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.
 - 3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design must minimize potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

Table 5-1: Commercial and Office Districts Dimensional Standards				
	C-N	C-G-1	C-G-2	C-G-3
Bulk				
Minimum Lot Area	None	None	None	None
Minimum Lot Width	None	None	None	None
Maximum Gross Floor Area (Nonresidential Uses Only)	5,000 sf unless meeting the standards of 5.3.B	N/A	N/A	N/A
Maximum Building Height	45'	45'	70'; however, structures must set back an additional 1' for every 2' of height over 45' from any required setback abutting a residential district lot line	Unlimited; however, structures must set back an additional 1' for every 2' of height over 45' from any required setback abutting a residential district lot line

Setbacks				
Minimum Front Setback	None, unless average of adjacent lots is 15' or greater, then 15'	None	Build-To Zone: 0' to 20'	Build-To Zone: 0' to 20'
Minimum Build-To Percentage	N/A	N/A	50%	70%
Minimum Interior Side Setback	None, unless abutting a residential district, then 20'. <u>When the use is residential, the setback abutting a residential district is 10' or 20% of lot width, whichever is less</u>	None, unless abutting a residential district, then 20'	None, unless abutting a residential district, then 20'	None, unless abutting a residential district, then 20'
Minimum Corner Side Setback	15' None	None	Build-To Zone: 0' to 10'	Build-To Zone: 0' to 15'
Minimum Build-To Percentage	N/A	N/A	30%	60%
Minimum Rear Setback	10' 20' , unless abutting a residential district, then 20' 30' or 20% of lot depth, whichever is less. <u>When the use is residential, the setback abutting a residential district is 10' or 20% of lot depth, whichever is less.</u>	None, unless abutting a residential district, then 20'	None, unless abutting a residential district, then 20'	None, unless abutting a residential district, then 25'

Table 5-1: Commercial and Office Districts Dimensional Standards

	C-H-1	C-H-2	C-R-1	C-R-2
Bulk				
Minimum Lot Area	10,000 sf	10,000 sf	15,000 sf	15,000 sf

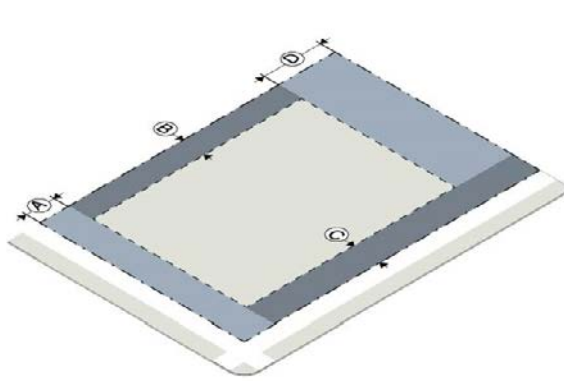
Minimum Lot Width	60'	60'	80'	80'
Maximum Gross Floor Area (Nonresidential Uses Only)	N/A	N/A	N/A	N/A
Maximum Building Height	45'	90'; however, structures must set back an additional 1' for every 2' of height over 45' from any required setback abutting a residential district lot line	50'	90'; however, structures must set back an additional 1' for every 2' of height over 45' from any required setback abutting a residential district lot line
Setbacks				
Minimum Front Setback	20'	20'	20'	20'
Minimum Interior Side Setback	10', unless abutting a residential district, then 30'	10', unless abutting a residential district, then 35'	10', unless abutting a residential district, then 30'	10', unless abutting a residential district, then 35'
Minimum Corner Side Setback	20'	20'	20'	20'
Minimum Rear Setback	10', unless abutting a residential district, then 30'	10', unless abutting a residential district, then 30'	10', unless abutting a residential district, then 30'	10', unless abutting a residential district, then 30'

Table 5-1: Commercial and Office Districts Dimensional Standards

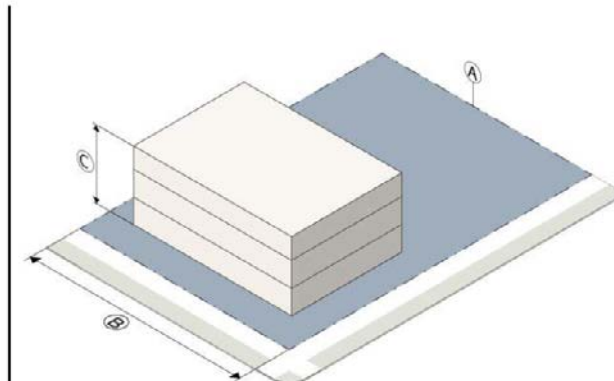
	O	OP
Bulk		
Minimum Lot Area	10,000 sf TH: 3,000 sf/du MF—Up to 6 du: 2,000 sf/du	20,000 sf
Minimum Lot Width	60'	80'
Maximum Gross Floor Area (Nonresidential Uses Only)	5,000 sf when the lot abuts a single-family district unless meeting the standards of 5.3.B	N/A
Maximum Building Height	45'	50'
Setbacks		
Minimum Front Setback	15'	25'

Minimum Interior Side Setback	15', unless abutting a residential district, then 20'	20', unless abutting a residential district, then 35'
Minimum Corner Side Setback	15'	25'
Minimum Rear Setback	20', unless abutting a residential district, then 30' or 20% of lot depth, whichever is less	20', unless abutting a residential district, then 35'

COMMERCIAL DISTRICT DIMENSIONAL STANDARDS



*A - Front Setback
B - Interior Side Setback
C - Corner Side Setback
D - Rear Setback*



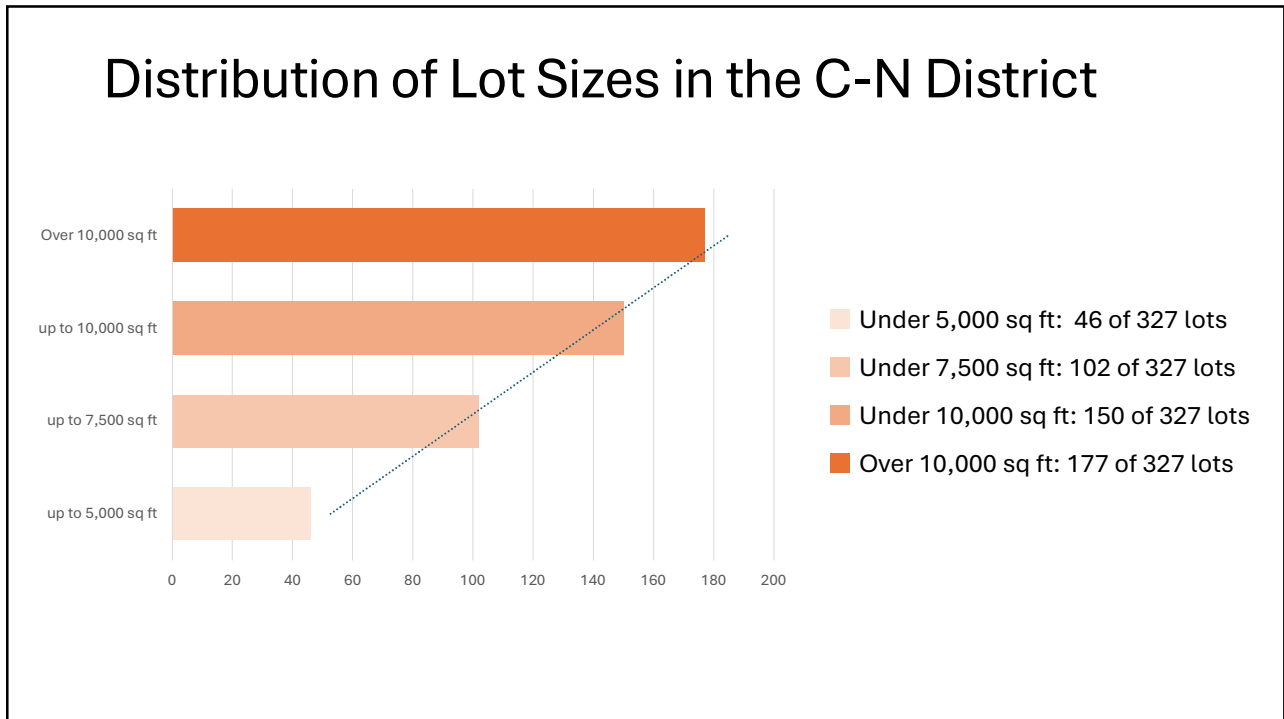
*A - Lot Area
B - Lot Width
C - Building Height*

Exhibit B: C-N (Neighborhood Commercial) Lot Analysis

Analysis of Lots in the C-N District

Lot Size, Lot Width, Vacancy, and Neighborhoods

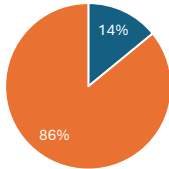
1



2

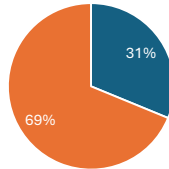
Distribution of Lot Sizes in the C-N District

Distribution of Lots in the C-N District with Less than 5,000 sq ft



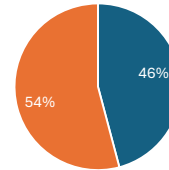
■ Under 5,000 sq ft: 14%
 ■ Over 5,000 sq ft: 86%

Distribution of Lots in the C-N District with Less than 7,500 sq ft



■ Under 7,500 sq ft: 31%
 ■ Over 7,500 sq ft: 69%

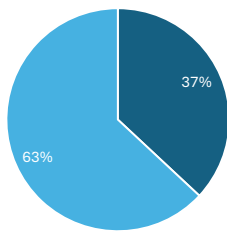
Distribution of Lots in the C-N District with Less than 10,000 sq ft



■ Under 10,000 sq ft: 36%
 ■ Over 10,000 sq ft: 64%

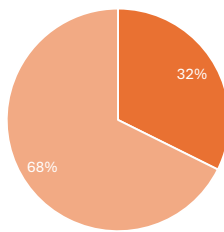
3

Undeveloped Lots Within each Studied Lot Size



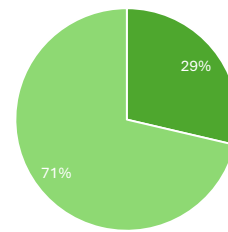
Under 5,000 Sq Ft

■ Undeveloped Lots: 17 of 46 lots
 ■ Developed Lots: 29 of 46 lots



Under 7,500 Sq Ft

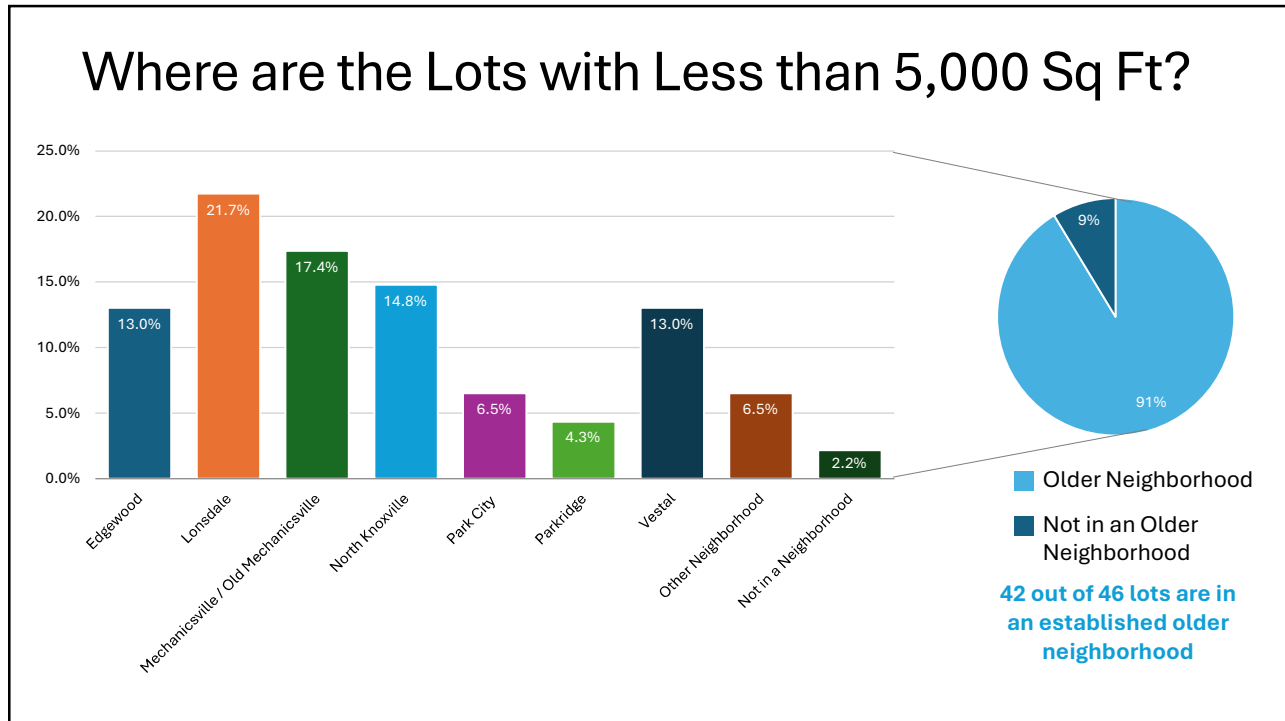
■ Undeveloped Lots: 33 of 102 lots
 ■ Developed Lots: 69 of 102 lots



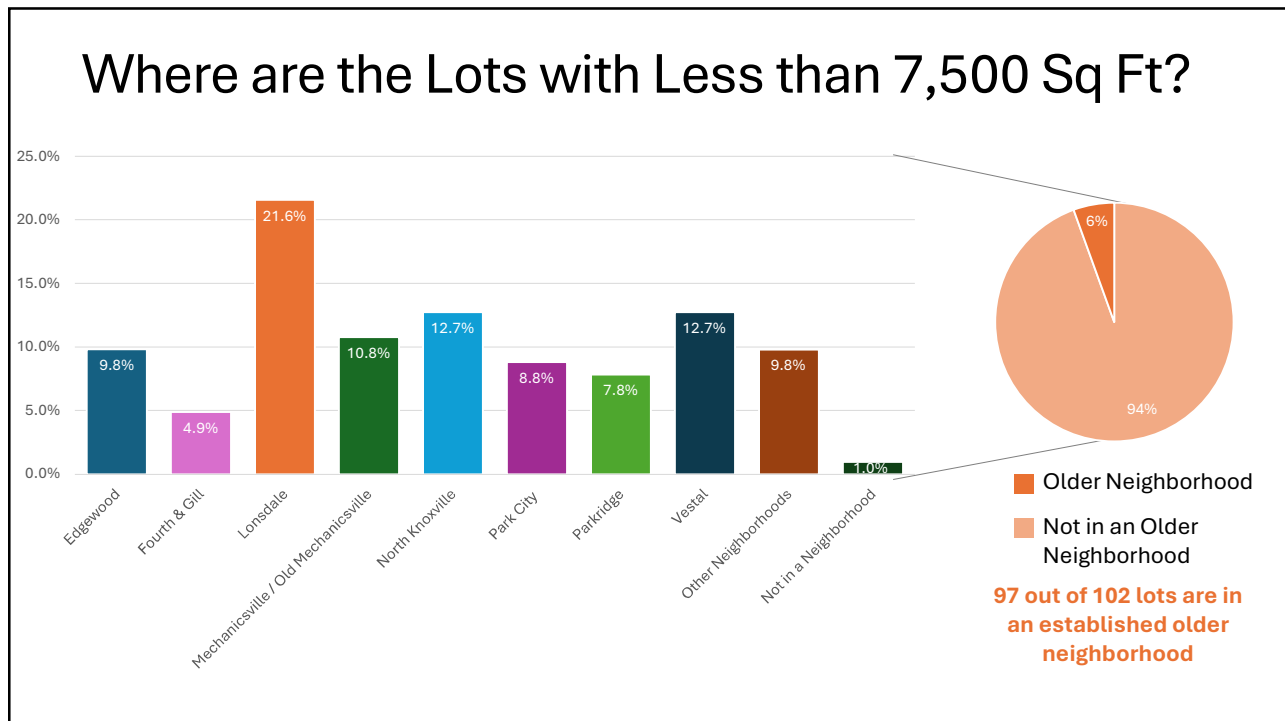
Under 10,00 Sq Ft

■ Undeveloped Lots: 43 of 150 lots
 ■ Developed Lots: 107 of 150 lots

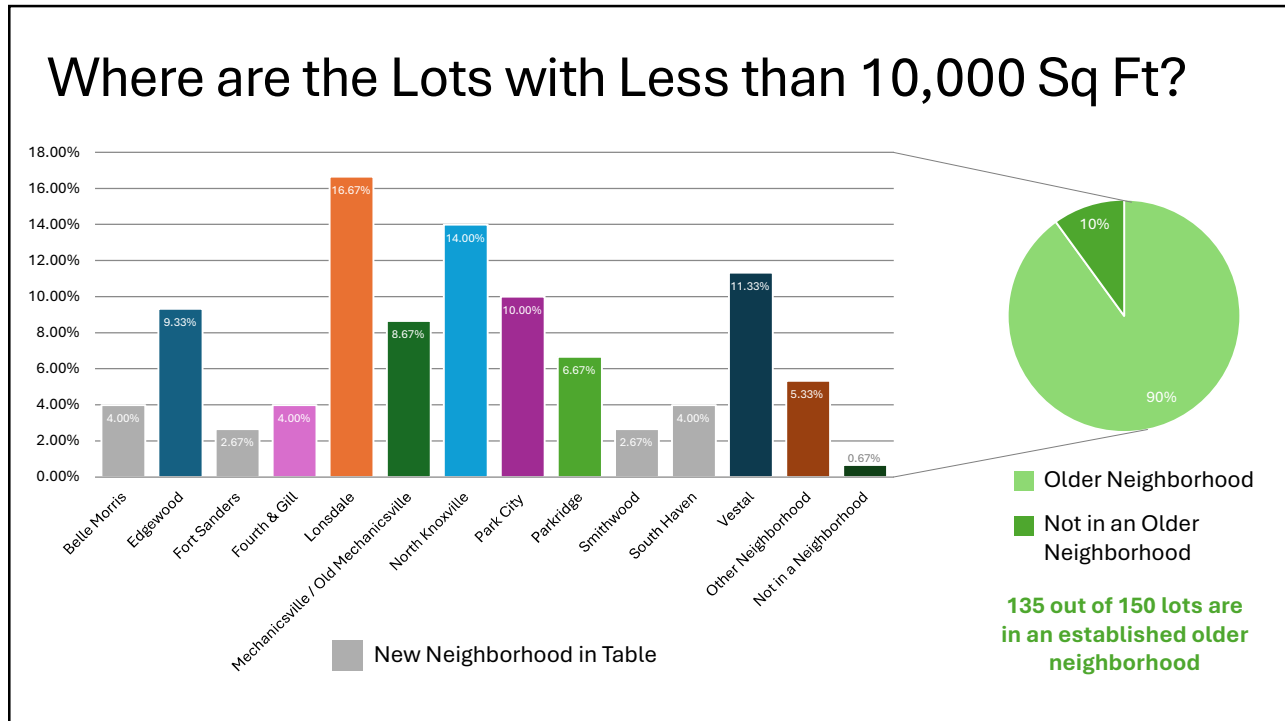
4



5



6



Zoning Frequency and Acreage Within 300 Feet of Commercial Neighborhood Zoning

Zone	Frequency	Percent	Acreage	Percent
AG	2	0.2%	2.0	0.2%
C-G-1	27	3.2%	27.7	3.3%
C-G-2	46	5.5%	37.5	4.5%
C-H-1	8	1.0%	4.5	0.5%
C-H-2	4	0.5%	10.1	1.2%
C-R-2	1	0.1%	0.6	0.1%
I-G	38	4.5%	41.1	4.9%
I-H	8	1.0%	21.8	2.6%
I-MU	25	3.0%	20.6	2.5%
INST	14	1.7%	22.0	2.6%
O	42	5.0%	30.7	3.7%
OP	1	0.1%	0.0	0.0%
OS	36	4.3%	29.4	3.5%
RN-1	67	8.0%	117.4	14.1%
RN-2	365	43.7%	312.8	37.6%
RN-3	14	1.7%	11.4	1.4%
RN-4	63	7.5%	41.8	5.0%
RN-5	48	5.7%	58.8	7.1%
RN-6	27	3.2%	42.6	5.1%
	836	100.0%	833.0	100.0%
C-N	161		150.2	

Source: City of Knoxville Zoning

Date: 02/25/2025

Re: 8-B-23-OA

From R. Bentley Marlow <rbentleymarlow@gmail.com>
Date Wed 1/22/2025 9:44 AM
To Dallas DeArmond <dallas.dearmond@knoxplanning.org>

Dallas,

Please untable it and place it on the March agenda.

Thank you,

Bentley

R. Bentley Marlow, J.D., M.A.
322 Douglas Avenue
Knoxville, Tennessee 37921-4813
Cellular: (865) 607.4357
rbentleymarlow@gmail.com

Sent from my iPhone

On Jan 22, 2025, at 9:26 AM, Dallas DeArmond <dallas.dearmond@knoxplanning.org> wrote:

Good morning Mr. Marlow,

You have a case that is currently tabled (8-B-23-OA) that is due to be automatically withdrawn at the March 13, 2025 Planning Commission Meeting unless it is removed from the table at the February 13 meeting. If the item is removed from the table in February, it will be readvertised and placed on the agenda for action in March. Please let me know whether or not you would like to remove this item from the table in February or allow it to be automatically withdrawn. I will need to know your decision by February 12 at noon (the publication date of the final agenda for the February 13 meeting).

Thank you,

Dallas DeArmond
Administrative Assistant II
(865) 215 3810

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[Knoxville-Knox County Planning](#) | [Knoxville Regional TPO](#)

400 Main Street, Suite 403 | Knoxville, TN 37902



Request to Postpone • Table • Withdraw

R. Bentley Marlow

March 7, 2024

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

March 7, 2024

Scheduled Meeting Date

8-B-23-OA

File Number(s)

POSTPONE

POSTPONE: All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: 30 days 60 days 90 days

Postpone the above application(s) until the _____ Planning Commission Meeting.

WITHDRAW

WITHDRAW: Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

TABLE: Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.

Applicant Signature

R. Bentley Marlow

Please Print

865-607-4357

Phone Number

rbentleymarlow@gmail.com

Email

STAFF ONLY

Staff Signature _____ Please Print _____ Date Paid _____ No Fee

Eligible for Fee Refund? Yes No Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address



8-B-23-OA

Article 5.3 Table 5-1


- I don't have any concern with the proposed reduction in the minimum interior side setback or the rear setback for C-N.
- Reducing the corner side setback from 15 to zero feet conflicts with the utility and drainage easement requirements in the subdivision regulations.



**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	File Number(s) 8-A-23-OA, 8-B-23-OA, 8-C-23-OA, 8-D-23-OA, 8-E-23-OA
Date Filed	Meeting Date (if applicable)	

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
<input checked="" type="checkbox"/> City <input type="checkbox"/> County	District	Existing Land Use
	Zoning District	
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation

DEVELOPMENT REQUEST

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Unit / Phase Number Combine Parcels Divide Parcel Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change Proposed Zoning _____

Plan Amendment Change Proposed Plan Designation(s) _____

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
1203	\$5,000.00	\$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

26 June 2023

Please Print

Date

865-607-4357

rbentleymarlow@gmail.com

Phone Number

Email


 Property Owner Signature

R. Bentley Marlow / Marlow Properties, LLC

SG,07/07/2023

Please Print

Date Paid