

(Note to be removed later – items Council approved at 7/16/19 meeting are in green)

ARTICLE 8. SPECIAL PURPOSE & OVERLAY DISTRICTS

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8.1 AG GENERAL AGRICULTURAL ZONING DISTRICT

A. Purpose

The AG General Agricultural Zoning District is intended to provide for agricultural uses that comprise an important part of the economy of Knoxville. The intent is to permit lands best suited for agriculture to be used for agriculture purposes, and prevent the encroachment of incompatible land uses on farm lands and protect the physical and economic well-being of agricultural operations.

B. Uses

Article 9 lists permitted and special principal uses and temporary uses for the AG District.

C. Dimensional Standards

Table 8-1: AG District Dimensional Standards establishes the dimensional standards for the AG District.

8-1: AG District Dimensional Standards	
Bulk	
Minimum Lot Area	5 acres
Minimum Lot Width	200'
Maximum Building Height	35'
Setbacks	
Minimum Front Setback	35'
Minimum Interior Side Setback	35'
Minimum Corner Side Setback	35'
Minimum Rear Setback	35'

D. General Standards of Applicability

1. 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.

2. Off-Street Parking and Loading

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

3. Landscape

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

4. Signs

See Article 13 for sign regulations.

8.2 INST INSTITUTIONAL DISTRICT

A. Purpose Statement

The INST Institutional District is intended to accommodate federal, state, county, and municipal governmental operations (with the exception of those operations that are industrial in nature), and campus institutional uses such as healthcare institutions and educational facilities, to allow for their expansion in a manner that protects surrounding neighborhoods. Additional uses may also be permitted, such as residential, and professional office or business uses that are compatible with the character of the district.

B. Uses

Article 9 lists permitted and special principal uses and temporary uses for the INST District.

C. Dimensional Standards

Table 8-2: INST District Dimensional Standards establishes the dimensional standards for the INST District. These standards apply to all uses within the district, unless a different standard is listed for a specific use.

Table 8-2: INST District Dimensional Standards	
	INST District
Bulk	
Minimum Lot Area	20,000sf
Maximum Building Height	120'
Setbacks	
Minimum Front Setback	20'
Minimum Interior Side Setback	None, unless abutting a residential district, then 20' plus 1' additional setback for each 2' of building height over 45'
Minimum Corner Side Setback	20'
Minimum Rear Setback	None, unless abutting a residential district, then 20' plus 1' additional setback for each 2' of building height over 45'

D. General Standards of Applicability

1. 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.

2. Off-Street Parking and Loading

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

3. Landscape

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

4. Signs

See Article 13 for sign regulations.

8.3 OS PARKS AND OPEN SPACE ZONING DISTRICT

A. Purpose

The OS Parks and Open Space Zoning District is intended to create, preserve, and enhance public open space to meet the passive and active park and recreational needs of the City. The OS District provides for both improved and unimproved park and recreation lands. Facilities may include, but are not limited to, structures or other active, play-oriented facilities such as playgrounds, recreational fields, ball-fields, sport courts, dog parks, marinas, cemeteries, golf courses, cultural facilities such as museums and libraries, and associated accessory facilities such as recreation and community centers, park administrative offices, and restroom facilities.

B. Uses

Article 9 lists permitted and special principal uses and temporary uses for the OS District.

C. Dimensional Standards

Table 8-3: OS District Dimensional Standards establishes the dimensional standards for the OS District.

8-3: OS District Dimensional Standards	
Bulk	
Minimum Lot Area	None
Maximum Building Coverage	30%
Maximum Building Height	35'
Setbacks (Setbacks Apply to Buildings Only)	
Minimum Front Setback	20'
Minimum Interior Side Setback	Principal buildings: 20', unless abutting a residential district, then 40' Accessory structures: 20'
Minimum Corner Side Setback	20'
Minimum Rear Setback	Principal buildings: 20', unless abutting a residential district, then 40' Accessory structures: 20'

D. General Standards of Applicability

1. 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.

2. Off-Street Parking and Loading

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

3. Landscape

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

4. Signs

See Article 13 for sign regulations.

8.4 NA NATURAL AREAS ZONING DISTRICT

A. Purpose

The NA Natural Areas Zoning District is intended to preserve and protect recreational and conservation open space. The NA District is intended to preserve and enhance areas as permanent open space that contributes to the creation of a network of lands that provide safe and enjoyable areas and routes for non-intensive recreational opportunities and is protective of natural resources.

B. Uses

Article 9 lists permitted and special principal uses and temporary uses for the NA District.

C. Dimensional Standards

Table 8-4: NA District Dimensional Standards establishes the dimensional standards for the NA District.

8-4: NA District Dimensional Standards	
Bulk	
Minimum Lot Area	1 acre
Maximum Impervious Surface	5%, excluding paved pathways less than 12' in width
Maximum Building Height	35'
Setbacks	
Minimum Front Setback	50'
Minimum Interior Side Setback	25'
Minimum Corner Side Setback	50'
Minimum Rear Setback	Principal buildings: 50' Accessory structures: 20'

D. General Standards of Applicability

1. 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.

2. Off-Street Parking and Loading

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

3. Landscape

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

4. Signs

See Article 13 for sign regulations.

8.5 H HISTORIC OVERLAY ZONING DISTRICT

A. Purpose

The H Historic Overlay Zoning District is intended, as provided in Tenn. Code Ann. §13-7-401 et seq., to preserve and protect historic structures and areas which serve as visible reminders of the history and cultural heritage of the City of Knoxville, State of Tennessee, and the United States of America. The H Overlay District is also intended to assist in stabilizing and improving property values in historic areas by guiding rehabilitation or new construction that is compatible with the character of the historic area. Through this district, historic structures and areas of sufficient historical or architectural significance are designated for public protection. It is the intent of this district to regulate the construction, repair, alteration, rehabilitation, relocation or demolition of any building or other structure that is located or proposed to be located in an H Overlay District. This district is not intended, however, to regulate the use of land, buildings or structures.

B. Uses

The uses allowed in the underlying zoning district apply.

C. Dimensional Standards and Required Off-Street Parking

1. Design of off-street parking facilities are to be in accordance with design guidelines adopted at the time an H Overlay District is created and updated as provided for in this section.
2. In the case of an H Overlay District that is not a single structure, minimum lot sizes specified by the design guidelines may be smaller than those required by the underlying zoning district.
3. If the guidelines do not specify any particular requirement, the requirements of the underlying zoning district apply.
4. Density of multi-family dwellings and/or intensity of development is determined by the underlying zoning district.

D. Nonconforming Structures

The Historic Zoning Commission may permit the remodeling or rebuilding of any nonconforming structure for the purpose of continuing a use which was lawfully existing at the time the H Overlay District is created; provided, however, that the design and appearance of the remodeled or rebuilt structure is, in the opinion of the Historic Zoning Commission, in keeping with the historical and architectural character of the H Overlay District.

E. Criteria for Selection as H Overlay District

The designation of historic districts subject to regulations to be applied under the H Overlay District are based on the standard of a geographically definable area that possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects that are united by past events or aesthetically by plan or physical development, and meet one or more of the following criteria:

1. That it is associated with an event that has made a significant contribution to local, state, or national history.
2. That it includes structures associated with the lives of persons significant in local, state, or national history.

3. That it contains structures or groups of structures that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components lack individual distinction.
4. That it has identified archeological information important in history or prehistory.
5. That it is listed in the National Register of Historic Places.

F. Creation of H Overlay District

1. The City Council, the Mayor, or the owner of the subject property has the authority to initiate applications for H Overlay District designation or the removal of properties from an H Overlay District designation. The Historic Zoning Commission must review requests for designation or removal of designation and advise the City Council of their recommendations concerning designation or removal of designation for H Overlay District.
2. The Historic Zoning Commission and the Knoxville-Knox County Planning Commission must submit written recommendations to the City Council regarding any application for the creation of an H Overlay District in accordance with the criteria for selection of item E above.
 - a. In the case of a request for designation, the Commissions must review the request based on the criteria for selection of item E above. In making recommendations for removal of designation, the Commissions must likewise base its recommendations on the criteria of item E above, and the impact of removal on the remainder of the district.
3. The Historic Zoning Commission and the Knoxville-Knox County Planning Commission must submit written recommendations to the City Council regarding the creation or the removal of properties from H Overlay District.
4. The City Council has the authority to make final determination of designation or removal of designation after reviewing both the recommendations of the Historic Zoning Commission and the Knoxville-Knox County Planning Commission. The City Council will notify the Historic Zoning Commission, the Knoxville-Knox County Planning Commission and the Building Official of their approval or rejection of each proposed H Overlay District designation or the removal of designation within 30 days following the decision.

G. Historic Design Guidelines

1. Prior to any recommendation on a pending application made to establish an H Overlay District, the Historic Zoning Commission must adopt a set of design guidelines for each proposed H Overlay District that will guide any granting or denial of certificates of appropriateness within the purposes enumerated in this Ordinance and with the regulations and standards adopted by the U. S. Secretary of the Interior pursuant to the National Historic Preservation Act of 1966, as amended, applicable to the construction alteration, rehabilitation, relocation, or demolition of any building, structure, or other improvement situated within an H Overlay District. The design guidelines will be made a part of the recommendations forwarded by the Historic Zoning Commission to the City Council for adoption.
2. A public hearing must be held by the Historic Zoning Commission before the recommendations are made to the City Council. Recommendations made by the Historic Zoning Commission must be forwarded to the City Council within 45 days of the public hearing.

H. Certificates of Appropriateness

All applications for construction, alteration, addition, expansion, repair, rehabilitation, relocation, or demolition of any structure or other improvement to real estate located within or to be located within the H Overlay District require a certificate of appropriateness from the Historic Zoning Commission per Section 16.8. The Historic Zoning Commission may delegate authority for approval of certain actions to staff.

I. Moratorium on Demolition Permits

No application for a demolition permit will be accepted and no demolition permit will be issued for any building or structure located on property for which an application has been filed for rezoning to and designation as an H Overlay District for a period not to exceed 180 days after the rezoning and designation application process has been initiated per Section 16.8.

8.6 NC NEIGHBORHOOD CONSERVATION OVERLAY ZONING DISTRICT

A. Purpose

The NC Neighborhood Conservation Overlay Zoning District recognizes that older Knoxville neighborhoods need to be conserved for their cultural, historic, and housing values, as provided in T.C.A. Subsection 13-7-401 et seq. The purposes of the district are to:

1. Permit development which conforms to the size, orientation, and setting of the buildings of the neighborhood.
2. Avoid the need for variances to building setbacks, lot dimensions, and related physical characteristics.
3. Regulate demolition.

The NC Overlay District is intended to foster new construction that is compatible with the scale and physical character of the original buildings of the neighborhood through the use of design guidelines.

B. Uses

The uses allowed in the underlying zoning district apply.

C. Dimensional Standards and Required Off-Street Parking

1. Dimensional standards and required off-street parking are to be in accordance with design guidelines adopted at the time an NC Overlay District is created.
2. Minimum lot sizes specified by the design guidelines may be smaller than those required by the underlying zoning district.
3. If the guidelines do not specify any particular requirement, the requirements of the underlying zoning district apply.
4. Density of multi-family dwellings and/or intensity of development is determined by the underlying zoning district.

D. Criteria for Selection as NC Overlay District

An NC Overlay District must be a geographically definable area that has a significant concentration, linkage, or continuity of sites that are united by physical development or history, and possesses the following general characteristics:

1. The district is located in an area where the general pattern of development, including streets, lots, and buildings, was established at least 50 years prior to the date of consideration of the district designation.
2. The area possesses unifying, built environmental characteristics that create an identifiable setting, character, and association.
3. The designated area must be 10 or more acres in size. Areas of less than 10 acres may be designated if they abut an existing NC Overlay District.

E. Creation of NC Neighborhood Conservation Overlay Districts

1. The City Council, the Mayor, an owner, or appropriate governmental authority may initiate an application for NC Overlay District or an application for removal of property from an existing NC Overlay District designation. The City Council must make final determination of designation after reviewing the recommendations of the Historic Zoning Commission and the Knoxville-Knox County Planning Commission.
2. An application for an NC Overlay District must include:
 - a. A map designating the boundaries of the proposed district, depicting both the developed and undeveloped parcels.
 - b. A description of the historical and physical development of the proposed district, including photographs of architecture representative of the neighborhood; and

c. Design guidelines for improvements to buildings and physical setting. The guidelines may address the appearance of new construction, including primary and accessory buildings and the addition of porches, balconies, and habitable living space to existing buildings, with provisions for setback, rhythm, and orientation of new structures, their height, scale, and massing, the proportion of doors and windows, roof shape/pitch, and the height of foundation. The requirements for application and review of partial or total demolition of primary structures, additions, and accessory structures may also be addressed.

3. The Historic Zoning Commission and the Knoxville-Knox County Planning Commission must each submit written recommendations to the City Council regarding the creation or the removal of properties from neighborhood conservation overlay districts.

a. The Historic Zoning Commission will review the application for the NC Overlay District for conformance to the selection criteria in item D above. In the case of an application for removal of properties from an NC Overlay District, the Historic Zoning Commission must also take into account the selection criteria in item D above, and the impact of removal on the remainder of the district.

b. The Knoxville-Knox County Planning Commission must review the application for its planning and zoning implications.

4. Following the Historic Zoning Commission's approval of the design guidelines and the creation of a NC Overlay District by the City Council, the design guidelines will guide the issuance of certificates of appropriateness. The Historic Zoning Commission may delegate the authority to approve certificates of appropriateness to MPC staff.

F. Certificates of Appropriateness

All applications for construction, alteration, addition, expansion, repair, rehabilitation, relocation, or demolition of any structure or other improvement to real estate located within or to be located within the NC Overlay District require a certificate of appropriateness from the Historic Zoning Commission per Section 16.8. The Historic Zoning Commission may delegate authority for approval of certain actions to staff.

G. Moratorium on Demolition Permits

No application for a demolition permit will be accepted and no demolition permit will be issued for any building or structure located on property for which an application has been filed for rezoning to and designation as an NC Overlay District for a period not to exceed 180 days after the rezoning and designation application process has been initiated per Section 16.8.

8.7 IH INFILL HOUSING OVERLAY ZONING DISTRICT

A. Purpose

The IH Infill Housing Overlay Zoning District is intended to foster infill residential development and major additions that are compatible with the design of original houses in older Knoxville neighborhoods, particularly those built more than 50 years ago along grid streets that often had sidewalks and alleys. The purpose of the IH Overlay District is to:

1. Promote neighborhood and economic stability.
2. Strengthen desirable physical features and design characteristics, and a neighborhood's identity, charm, and flavor.
3. Enhance pedestrian-oriented streets.
4. Prevent blight, caused by incompatible and insensitive development.
5. Promote and retain affordable housing.
6. Encourage harmonious, orderly, and efficient growth and redevelopment in older Knoxville neighborhoods.

B. Uses

The uses allowed in the underlying zoning district apply.

C. IH Overlay District Selection Criteria

An IH Overlay District must be a geographically definable area, having the following characteristics:

1. The district is located in a neighborhood where the houses and streets were generally established prior to 1950.
2. The neighborhood has similar lot sizes, housing patterns and related physical features.
3. The area should be ten or more acres in size. Areas of less than ten acres may be designated if they abut an existing IH Overlay District.

D. Creation of IH Overlay District

1. The Knoxville-Knox County Planning Commission must submit written recommendations to the City Council regarding the creation of, or subsequent changes to, the boundaries and related criteria of an IH Overlay District.
2. The City Council, the Mayor, an owner or a majority of the owners to be included in the proposed IH Overlay District may initiate an application for an IH Overlay District or an application for removal of property from an existing an IH Overlay District. The City Council will make the final determination of designation.
3. Applications may be initiated by petition when signed either by the owners of 51% of the property or by at least 51% of the property owners within the proposed district.
4. An application for an IH Overlay District must include:
 - a. A map designating the boundaries of the proposed district, depicting both the developed and undeveloped parcels.
 - b. A description of the physical development of the proposed district, including photographs of representative houses within the neighborhood.

E. Certificate of Appropriateness

A certificate of appropriateness is required for any building permit or request for subdivision approval within the IH Overlay District.

8.8 TO-1 TECHNOLOGY PARK OVERLAY ZONING DISTRICT

A. Purpose

The TO-1 Technology Park Overlay Zoning District is intended to provide for physical development review in the Tennessee Technology Corridor area of the City of Knoxville by the Tennessee Technology Corridor Development Authority (TTCDA). Within the TO-1 Overlay District, no underlying zoning district may be changed, no variance from the provisions of this Code may be granted, and no building or grading permit may be issued prior to the issuance of a certificate of appropriateness by the TTCDA, with the exception of a residential or agricultural use.

B. Uses

The uses allowed in the underlying zoning district apply, except as prohibited by item D below.

C. Dimensional and Development Standards and Required Off-Street Parking

1. All dimensional standards, and signs, landscaping, parking and other requirements must be in accordance with any recommendations of the TTCDA pursuant to its adopted design guidelines and with the underlying zoning district requirements in effect at the time the TO-1 Overlay District is created.
2. All signs within the TO-1 Overlay District are regulated by the sign design guidelines set forth in the Tennessee Technology Corridor Comprehensive Development Plan and Design Guidelines.

D. Prohibited Uses and Structures

Junkyards, billboards, and moveable or portable advertising or business signs, including signs mounted upon trailers, not securely affixed to the ground or to any building, are prohibited in the TO-1 Overlay District.

E. Pellissippi Parkway Access

Access to properties fronting on Pellissippi Parkway must be from an existing roadway or from a new public road constructed according to the officially adopted Tennessee Technology Corridor Comprehensive Development Plan, or from a private road constructed according to that plan or a development plan approved by the TTCDA according to this Ordinance. No new median cuts will be provided.

G. Boundaries

Any modifications of the boundaries of the TO-1 Overlay District (except for residential or agricultural use, or any use within the Town of Farragut) or City of Knoxville defined by the jurisdictional boundaries at the time of enactment of Private Chapter No. 148, Senate Bill No. 1230 of the Private Acts of 1983, hereafter referred to as the act unless otherwise set forth below) must be made by amendment of the act upon concurrence of the governing body and the approval of the TTCDA.

H. Certificate of Appropriateness

A certificate of appropriateness is required for any zoning map amendment or variance, and any construction, alteration, repair, rehabilitation, or relocation of any building, structure, or other improvement to real property situated within the TO-1 Overlay District. The following structures, facilities, and land uses below are not required to apply for a certificate of appropriateness from the TTCDA:

1. Agricultural uses and structures or appurtenances located in an agricultural zoning district and used solely for the production of products for sale to wholesale or retail markets and not part of or functionally related to manufacturing, commercial, or industrial enterprises within the TO-1 Overlay District.
2. Residential structures, when the structures are located within subdivisions approved by the Knoxville-Knox County Planning Commission or otherwise permitted by law. Medium and high density residential developments, as defined by the Knoxville-Knox County General Plan, or its successors, and its component parts, including adopted sector plans, corridor plans, and related documents. are not exempt.
3. All uses within incorporated areas of the Town of Farragut defined by the jurisdictional boundaries at the time of enactment of the act. Areas annexed by any municipality subsequent to enactment of the act are not exempt.

8.9 HP HILLSIDE PROTECTION OVERLAY ZONING DISTRICT

A. Purpose

Hillsides constitute significant natural topographic features of the City. In addition, when development occurs on hillsides, there are potential serious consequences, such as increased erosion, fire, or flood hazards, and property damage from extensive soils slippage and subsidence. In order to protect hillsides and hillside development, the HP Hillside Protection Overlay District is established.

B. Applicability

The **HP Overlay regulations** apply to all **development on** lots in all districts within the HP **Overlay** District with the following exceptions:

1. **Legally existing** structures existing as of the effective date of this Code.
2. Lots of record for single-family dwellings existing as of the effective date of this Code. **This exception applies only where the lot of record is one (1) acre or less.**
3. Lots that have been issued a grading permit prior to the effective date of this Code.
4. **Lots that have been previously legally disturbed or developed would also be excepted provided that any new/additional disturbance does not exceed the previously-disturbed area or the maximum land disturbance permitted by Table 8.6 below, whichever is greater. For the purposes of this section, disturbance shall mean any activity that changes the physical conditions of land form, vegetation and hydrology, creates bare soil, or otherwise may cause erosion or sedimentation.**

C. Density and Land Disturbance Limitations

Table 8-6: Density and Land Disturbance Limitations establishes the maximum residential density and maximum land disturbance of the site for residential districts that are within the HP Overlay District. **Only the maximum land disturbance is applicable in non-residential districts that are within the HP Overlay.** All other dimensional regulations apply unless specifically modified by the HP Overlay District. **The Knoxville-Knox County Planning Commission, following the procedure in Article 16.2.D. and applying the guidelines in the Knoxville-Knox County Hillside and Ridgetop Protection Plan, may issue a Certificate of Appropriateness for any application for any deviation from Article 8.9.**

Table 8-6: Density and Land Disturbance Limitations		
Percent of Slope	Maximum Density	Maximum Land Disturbance
Less than 15%	Maximum density permitted by district	100%
15% up to 25%	2 du/ac	50%
More than 25% up to 40%	0.5 du/ac	20%
More than 40%	0.2 du/ac	10%

D. Site Plan Review

All development within the HP Overlay District is subject to site plan review.

8.10 F FLOODPLAIN OVERLAY ZONING DISTRICT

A. Purpose

The F Floodplain Overlay Zoning District is established to indicate locations near streams where floodplains have been identified by the Federal Emergency Management Agency. Due to the high flood potential in these areas, requirements have been created to for the protection of the public health and safety and to reduce the burdens imposed on the community.

B. Applicability

Properties within the limits of this district are subject to the regulations provided in the Flood Damage Prevention and Control Ordinance.