

RECODE KNOXVILLE

INVEST PROTECT CONNECT

DRAFT ZONING CODE

Planning Commission Recommended Draft

MAY 2019

CITY OF KNOXVILLE

Planning
KNOXVILLE | KNOX COUNTY

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ARTICLE 1. TITLE, PURPOSE, AND APPLICABILITY

1.1 TITLE AND AUTHORITY
1.2 PURPOSE
1.3 APPLICABILITY
1.4 TRANSITION RULES
1.5 SEVERABILITY

1.1 TITLE AND AUTHORITY

This Zoning Code, which incorporates the Official Zoning Map, is known, cited, and referred to as the "City of Knoxville Zoning Code," "Zoning Code," or "Code." This Zoning Code is adopted in pursuance of the authority granted in Sections 13-7-201 through 13-7-211 Tennessee Code Annotated, to regulate the City of Knoxville, Tennessee,

1.2 PURPOSE

The intent of this Code is to establish land use regulations to serve the City of Knoxville. The purpose of this Code is to:

A. Promote the public health, safety, and welfare.

B. Promote orderly development of the City and implement the adopted Knoxville-Knox County General Plan ~~and its component parts~~, which incorporates more specialized adopted plans including adopted **one-year plan,** sector plans, corridor plans, and ~~related documents~~small area plans adopted by City Council. **(Council Direction: Consider adding one-year plan.)**

C. Divide the City into zoning districts, according to use of land and structures, bulk of structures, intensity of the use of the lot, or other classification, as deemed best suited to carry out the purposes of this Code and adopted policies.

D. Maintain and stabilize the value of structures, communities, and neighborhoods within the City of Knoxville.

E. Promote economic development that balances the needs of the current and future economy with a high quality of life standard.

F. Create a comprehensive and stable pattern of land uses upon which to plan for transportation, water supply, sewerage, schools, parks, public utilities, and other facilities.

G. Preserve open space and natural areas, provide opportunities for multi-modal transportation, utilize existing infrastructure and resources, and preserve quality of life.

H. Provide for the gradual elimination of nonconformities.

I. Provide opportunities for a diversity of housing types.

1.3 APPLICABILITY

A. Territorial Application

This Code applies to all land, uses, and structures within the City of Knoxville, with the exclusion of County, State, and Federally owned**, used, or occupied** property. Privately owned properties leased by the County, State, and Federal governments are subject to this Code. **(Council Direction: Look at clarifying federally owned, used, and occupied property – work on language.)**

B. General Application

In their interpretation and application, the provisions of this Code are held to be the minimum requirements for the promotion and protection of the public health, safety, and welfare.

C. Required Conformance

Any portion or whole of a structure must be erected, constructed, reconstructed, moved, altered, or enlarged in conformance with the requirements of this Code. The division of land, the development of land, and all structures or land must be developed and used in conformance with the requirements of this Code.

D. Relation to Private Agreements

This Code does not nullify any private agreement or covenant. However, where this Code is more restrictive than a private agreement, covenant, or deed restriction, this Code controls. Those charged with administration and enforcement of this Code do not enforce any private agreement, covenant, or deed restriction.

E. Relation to Other Laws and Regulations

Unless otherwise specifically provided, this Code controls over less restrictive statutes, ordinances, or regulations, and more restrictive statutes, ordinances, or regulations control over the provisions of this Code. To the extent that there is a conflict between laws or regulations, public safety will take precedent.

F. Rules Regarding Illustrations and Graphics

Any illustrations, graphics, and/or photos contained in this Code are to assist the reader in understanding and applying the Code. If there is any inconsistency between the text of the Code and any ~~such~~ associated illustration, graphic, and/or photo, the text controls unless specifically stated otherwise.

1.4 TRANSITION RULES

A. Existing Violations

Any violations of the prior Zoning Code continue to be a violation of this Code and are subject to the enforcement provisions of Article 18.

B. Existing Uses

1. Any use classified as a permitted use prior to the effective date of this Code and that use is now classified as a permitted use as of the effective date of this Code or any subsequent amendment to this Code, that use remains a permitted use.

2. Any use classified as a permitted use prior to the effective date of this Code, and that use is now classified as a special use as of the effective date of this Code or any subsequent amendment to this Code, that use is deemed a lawful special use. Any subsequent addition, enlargement, or expansion of that use must conform to the procedural and substantive requirements of this Code for special uses **including review by the Board of Zoning Appeals. (Council Direction: Clarify still subject to BZA.)**

3. Any use classified as a use on review prior to the effective date of this Code, and that use is now classified as a permitted use as of the effective date of this Code or any subsequent amendment to this Code, that use is deemed a lawful permitted use. Any subsequent addition, enlargement, or expansion of that use must conform to any Code requirements for such permitted use and is no longer subject to any special approval conditions under which it was originally approved unless such conditions are required under this Code.

4. Any use classified as a use on review prior to the effective date of this Code, and that use is now classified as a special use as of the effective date of this Code or any subsequent amendment to this Code, that use is deemed a lawful special use. Any subsequent addition, enlargement, or expansion of that use must conform to the procedural and substantive requirements of this Code for special uses.

5. If a structure or land is used in a manner that was classified as either a permitted use or use on review prior to the effective date of this Code, but this Code no longer allows that use as either a permitted or special use in the zoning district in which it is located, that use is deemed a nonconforming use and is controlled by the provisions of Article 17.

C. Structures Rendered Nonconforming

If a structure existing on the effective date of this Code was a conforming structure before the effective date of this Code, but such structure does not meet all standards set forth in this Code in the zoning district in which it is located, that structure is deemed a nonconforming structure and is controlled by the provisions of Article 17.

D. Lots Rendered Nonconforming

If a lot existing on the effective date of this Code was a conforming lot before the effective date of this Code, but such lot does not meet all standards set forth in this Code in the zoning district in which it is located, that lot is deemed a nonconforming lot and is controlled by the provisions of Article 17.

E. Previously Issued Building Permits

If a building permit for a structure was lawfully issued prior to the effective date of this Code, the structure may be completed in accordance with the plans on the basis of which the building permit was issued and may, upon completion, be occupied for the use originally intended.

F. Previously Approved Variances

All variance approvals granted prior to the effective date of this Code, remain in full force and effect. The recipient of the variance may proceed to develop the property in accordance with the approved plans and all applicable conditions. Variances that have been approved but not acted upon are subject to the expiration provisions of this Code for variances (Section 16.3.G).

G. Previously Approved Planned Districts

1. As of the effective date of this Code, all previously approved planned districts of RP-1, RP-2, RP-3, PC-1, PC-2, SC-1, SC-2, SC-3, I-1, BP-1, TND-1, and TC-1 remain in effect and are subject to all plans, regulations, and/or conditions of their approval.

2. These developments are subject to the Planned Development (PD) amendment and/or development approval procedures, as applicable, of this Code.

3. For the purposes of the Zoning Map, existing planned districts may be indicated as planned developments (PD).

H. Requests for Prior Zoning Equivalent

1. Requests for Prior Zoning Equivalent

Any person or entity aggrieved by this Code's application of a new or substantially different zoning district to real property may submit to the Knoxville-Knox County Planning Commission a written "request for prior zoning equivalent." There are no fees associated with such requests made within one year after this Code is adopted.

2. Limitation on Requests for Prior Zoning Equivalent

All requests for prior zoning equivalent:

a. Must seek City Council's approval to assign to the property a zoning district that is substantially similar to the prior zoning district which applied immediately before the adoption of this Code,

b. May not seek City Council's approval to rezone property in a way that is inconsistent with or substantially different from the prior zoning district which applied immediately before the adoption of this Code.

3. Initiation

The provisions of Section 16.1 items B through F govern the initiation, authorization, procedure, standards, and appeals for requests for prior zoning equivalent.

4. Timing

Requests for prior zoning equivalent under this Section must be made within one year after the adoption of this Code. After one year, persons or entities may, in accordance with Articles 15 and 16 of this Code, submit to the Knoxville-Knox County Planning Commission an application for a zoning text or map amendment.

I. Pending Applications

1. Any complete application that has been submitted or accepted for approval, but where no final action has been taken by the appropriate decision-making body prior to the effective date of this Code, is reviewed in accordance with the provisions of the Code in effect on the date the application was deemed complete by the City.

2. If the applicant fails to comply with any applicable required period for submittal or other procedural requirements, the application automatically expires and all subsequent applications are subject to the requirements of this Code.

3. Any re-application for an expired project approval must meet the standards in effect at the time of re-application.

4. An applicant with a pending application may waive review available under the previous Code through a written letter to the Zoning Administrator and request review under this Code.

1.5 SEVERABILITY

If any section, paragraph, subdivision, clause, sentence, or provision of this Code is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate, or nullify the remainder of this Code. The effect of the judgment is confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which judgment or decree was rendered

ARTICLE 2. GENERAL DEFINITIONS & MEASUREMENT METHODOLOGIES

2.1 RULES OF INTERPRETATION
2.2 GENERAL ABBREVIATIONS
2.3 DEFINITIONS
2.4 RULES OF MEASUREMENT

2.1 RULES OF INTERPRETATION

The terms in the text of this Code are interpreted in accordance with the following rules of construction:

A. The singular number includes the plural, and the plural the singular.

B. The present tense includes the past and future tenses, and the future tense includes the present.

C. Any gender includes all genders.

D. The terms "must," "shall," and "will" are mandatory, while the word "may" is permissive. **(Council Direction: Consider section's terminology.)**

E. The terms "must not," "will not," "shall not," "cannot," and "may not" are prohibiting.

F. Whenever a defined word or term appears in the text of this Code, its meaning must be construed as set forth in the definition. Words not defined must be interpreted in accordance with the definitions considered to be normal dictionary usage.
(Council Direction: Look into adding language from Current Code in intro paragraph of Appx B, Art. II.)

2.2 GENERAL ABBREVIATIONS

The following abbreviations may be used within this Code:

A. BTL is an abbreviation for "build-to line."

B. BTZ is an abbreviation for "build-to zone."

C. GFA is an abbreviation for "gross floor area."

D. ft is an abbreviation for "feet."

E. max. is an abbreviation for "maximum."

F. min. is an abbreviation for "minimum."

G. N/A is an abbreviation for "not applicable."

H. sf is an abbreviation for "square feet."

I. SF is an abbreviation for "single-family."

J. 2F is an abbreviation for "two-family."

K. TH is an abbreviation for "townhouse."

L. MF is an abbreviation for "multi-family."

2.3 DEFINITIONS

SIGN DEFINITIONS HAVE BEEN MOVED HERE FROM ARTICLE 13. NO CHANGES TO THE DEFINITIONS HAVE BEEN MADE SINCE THE DECEMBER 2018 DRAFT.

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 Structure.** A detached structure located on the same lot as the principal building that is incidental to the use of the principal building.~~

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 Use.** A use of land or a structure, or portion thereof, customarily incidental and subordinate to the principal use of the land or structure.~~

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. **(See p. 9-2)**

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 during the day. Animal care facilities do not include animal breeders **or kennels. ~~Facilities for animals boarded for overnight and short-term stays are considered a kennel.~~ (Council approved by vote on 5/14.)**

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). **(Approved by unanimous Council vote on 5/14/19.)**

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.

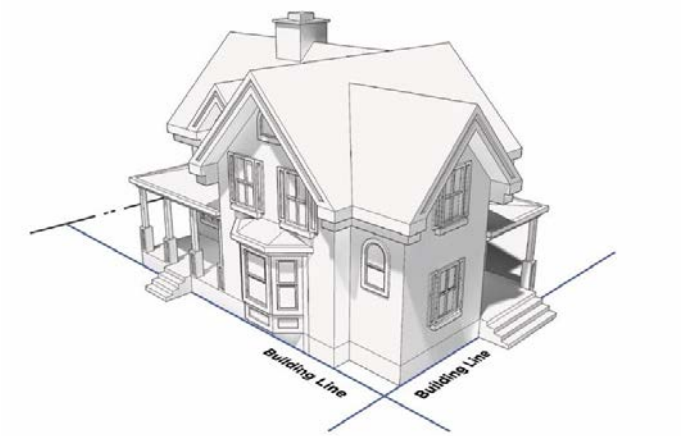
Building Envelope. The three-dimensional space within which a structure is permitted to be built on a lot and which is defined by regulations governing building setbacks, maximum height, and bulk, by other regulations, and/or by any combination thereof.

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 facade 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.

Carport. 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 internment of remains, and related accessory structures, such as sheds for the storage of maintenance equipment. Cemeteries may also include crematoriums and embalming facilities.

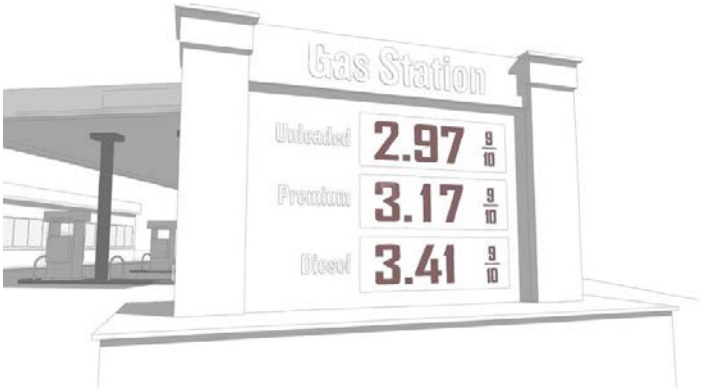
Changeable Letter Reader Board Sign. A sign on which message copy is displayed through the utilization of attachable or affixed letters, numbers, symbols and other similar character of changeable pictorial panes, which are changed manually or electronically.

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 ~~to~~ 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.

~~**Development, Multi-Dwelling.** A grouping of individual structures where each structure contains one or more dwelling units. The land underneath the structures is not divided into separate lots. A multi-dwelling development may include an existing house with one or more new single-family dwellings, two-family dwellings, or multi-family dwelling structures located on the same lot. The key characteristic of this housing type is that there is no requirement for the structures on the lot to be attached.~~

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 famers 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 ~~are~~meet one or more of the criteria:

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 ~~the~~ 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.

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. Defined in Section 2.4. **(Council Direction: consider defining grade for clarity.)**

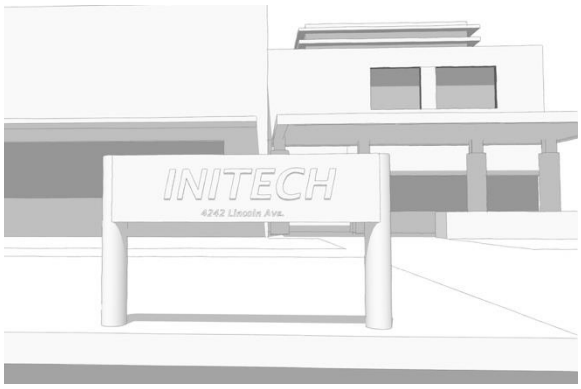
Greenhouse. A type of freestanding covered structure that has a supported framework and covered with a translucent material such as plastic or glass. A greenhouse may use generated or electrical heat or power and its purpose is to house and protect food or non-food crops during all seasons of the year.

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 in-patient, 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 ~~commercial~~ 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. A facility where five or more dogs and/or cats over the age of six months are ~~**boarded**~~ **kept** for overnight

and short-term stays. **(Council voted to approve on 5/14/19.)**

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.

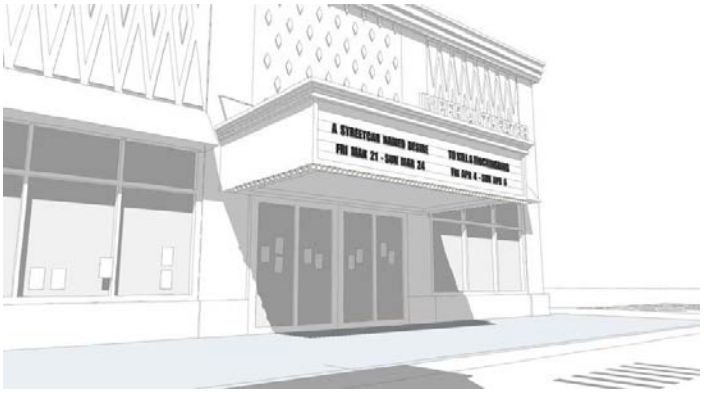
Low Tunnel. A temporary, freestanding structure that has a supported framework, typically made with hooped PVC pipe or wire and covered with plastic. A low tunnel does not have heat or electrical power and its purpose is to house and protect food or non-food crops outside the typical growing season.

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



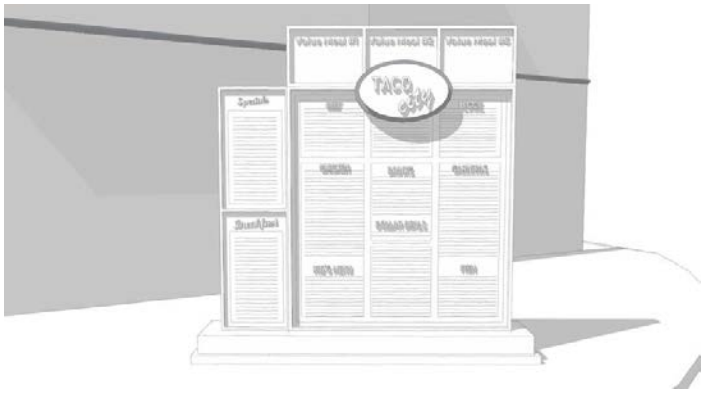
Master Sign Plan. A site plan and associated text and illustrations of a sign system for a proposed or existing development submitted to the Knoxville-Knox County Planning Commission for consideration for approval.

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, ~~and~~ "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.

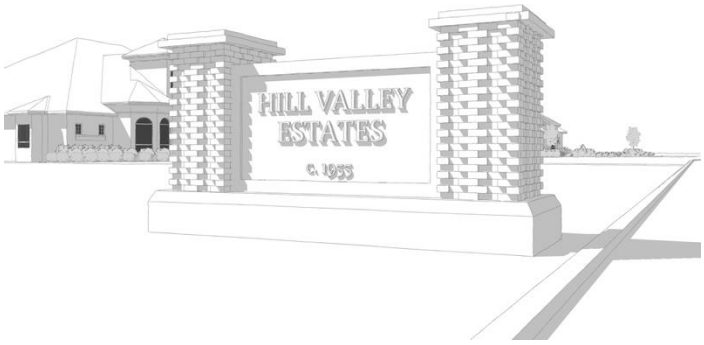
Micro-Distillery. A facility for the production and packaging of alcoholic spirits, where the area of the establishment devoted to the production of spirits does not exceed 25,000 square feet in commercial districts or 40,000 square feet in industrial zone districts, and may include a tasting room for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

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.

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 ~~(Principal Use)~~. An ~~open, hard-surfaced~~ area, excluding a street or public way, used ~~only for the~~for the parking/storage of six or more ~~operable~~ vehicles, whether for compensation or at no charge.

Parking Structure ~~(Principal Use)~~. 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 material for vehicle and pedestrian pathways that allows for infiltration of stormwater. Gravel and loose rock are not considered 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.

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.

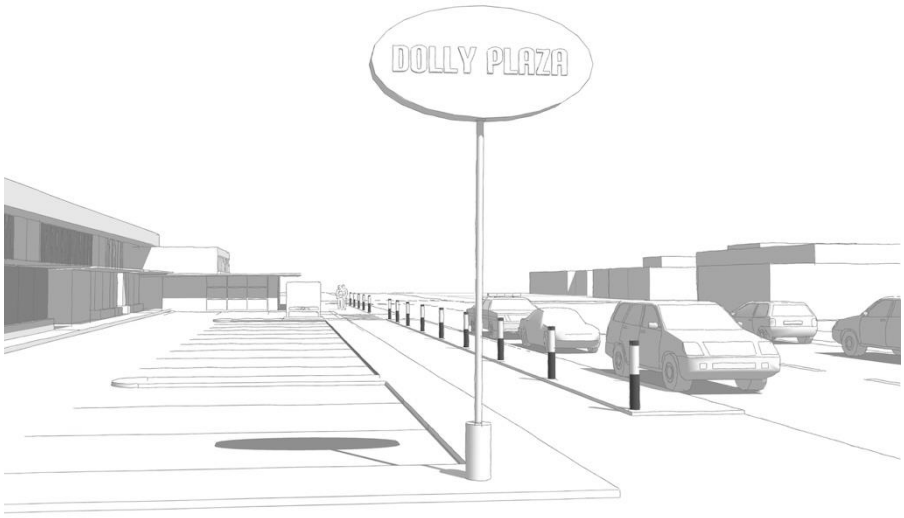
Place of Worship. A facility where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may also include accessory services uses such as day care facilities, meeting rooms, auditoriums,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



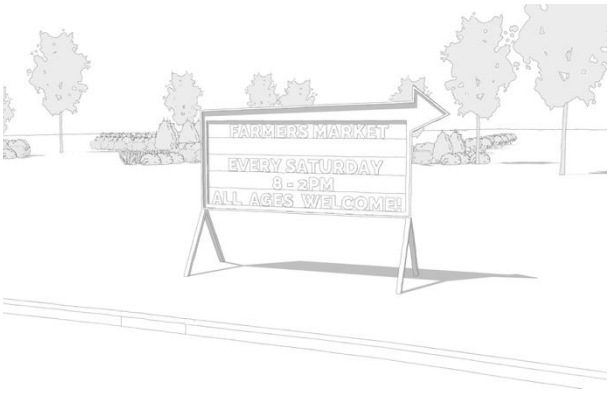
Porch. An architectural feature that projects from the exterior wall of a structure, and is covered by a roof or eaves.

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. **(Council Direction: clarify in definition & allowed areas.)**

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.~~The heavy retail, rental, and service must be allowed within the district and 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.~~The heavy retail, rental, and service use must be allowed within the district and 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 facade 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 material 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 accessory to another principal use on the lot and materials and/or equipment stored outdoors must be related to the principal use.

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 temporary, 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 temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. ~~Temporary outdoor entertainment event includes fireworks shows, horse shows, carnivals/circuses, temporary worship services, and others.~~

Temporary Outdoor Sales. Temporary uses, which may include temporary 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 temporary 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. Temporary 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 temporarily 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 temporary 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.

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

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





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.

2.4 RULES OF MEASUREMENT

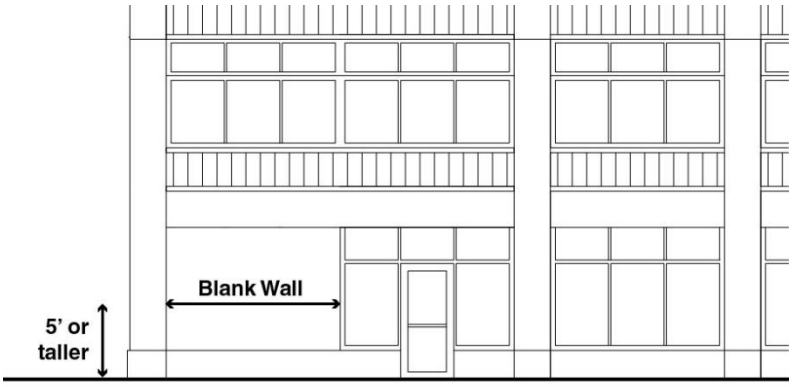
This section provides the rules of measurement for the dimensional standards and locational characteristics within the Code.

A. Blank Wall

1. Blank Wall - Ground Floor

The horizontal linear dimension of contiguous building wall that does not contain fenestration, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane, or other architectural or material embellishment. Any wall less than five feet in height is not considered to be a blank wall.

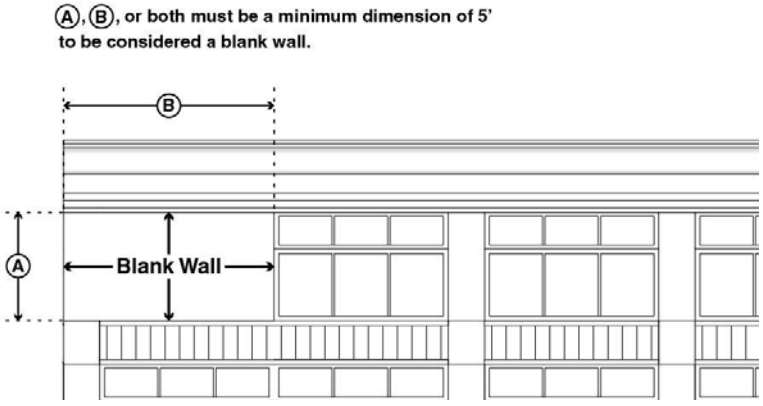
Blank Wall - Ground Floor



2. Blank Wall, Upper Floor

The horizontal or vertical linear dimension of contiguous building wall that does not contain fenestration, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane, or other architectural or material embellishment. Any wall with a minimum dimension of less than five feet (height or width) is not considered to be a blank wall.

Blank Wall, Upper Floor

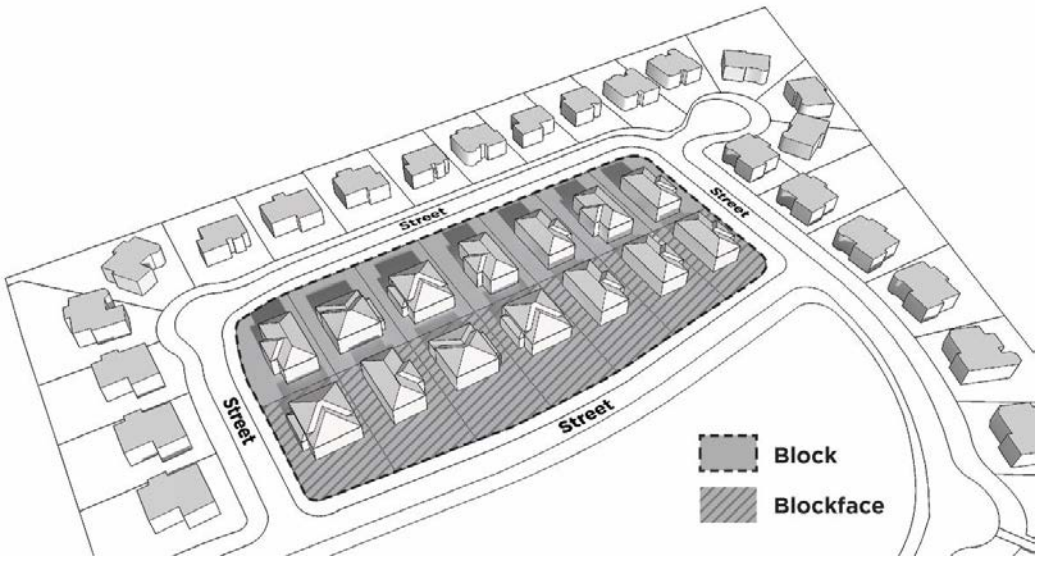


B. Block and Blockface

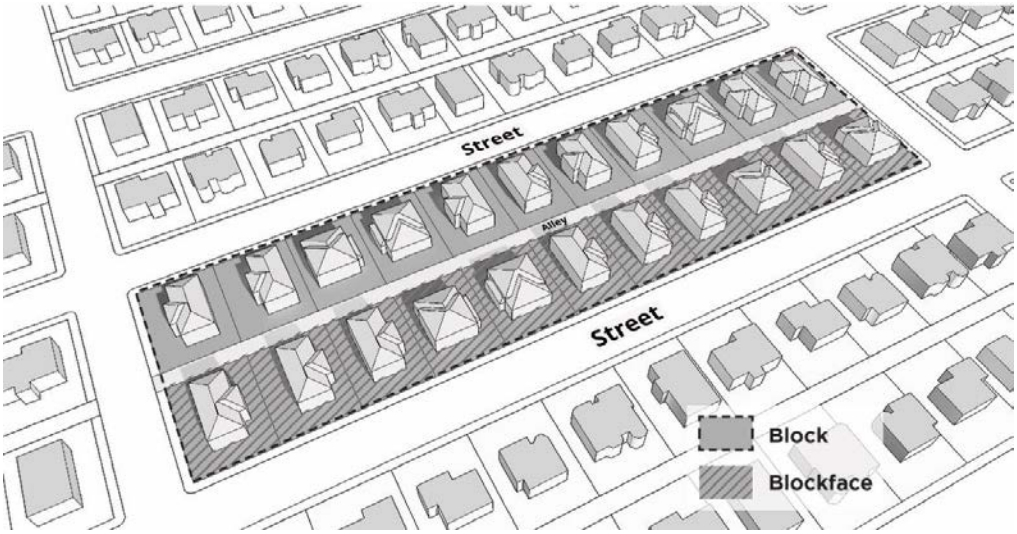
1. A block is a tract of land bounded by streets, or a combination of streets and railroad rights-of-way, municipal boundary lines, and/or waterways.

2. Blockface is measured as that portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets.

BLOCK AND BLOCKFACE



BLOCK AND BLOCKFACE



C. Build-To Dimensions

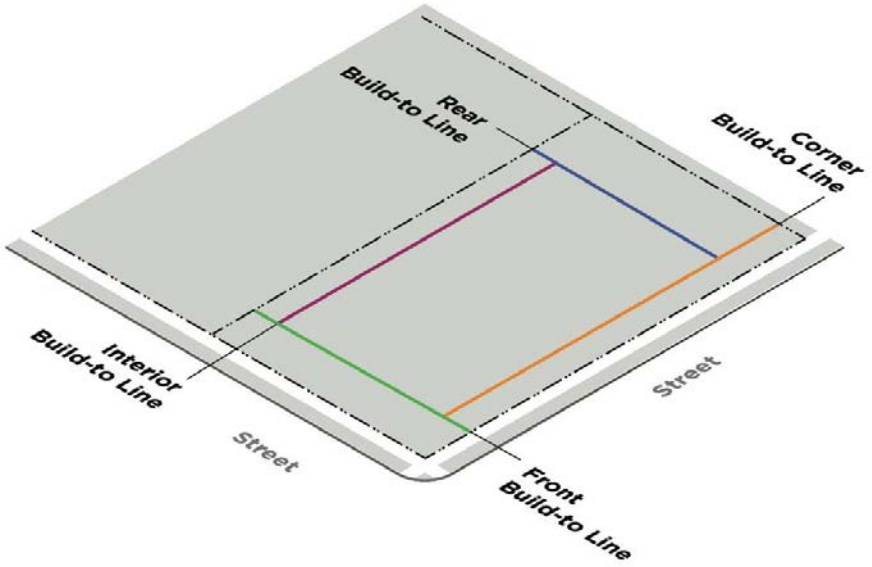
Certain dimensional requirements with the district require structures to be constructed at a build-to dimension. A build-to requirement is a boundary or alignment, parallel to a lot line, where a structure must be placed. This Code includes three types of build-to dimensions:

1. A build-to line (BTL) is a set building line on a lot, measured parallel from the front and/or corner side lot line, where the structure must be located. The building facade must be located on the build-to line. Facade articulation, such as window or wall recesses and projections are not counted as the building façade line, which begins at the applicable façade wall. Placement of a building at a build-to line must not ~~cannot~~ violate line of sight requirements. In such case, where the City Engineer determines that line of sight would be encroached upon, the build-to line must ~~will~~ be that point on the lot where the line of sight requirement is no longer violated.

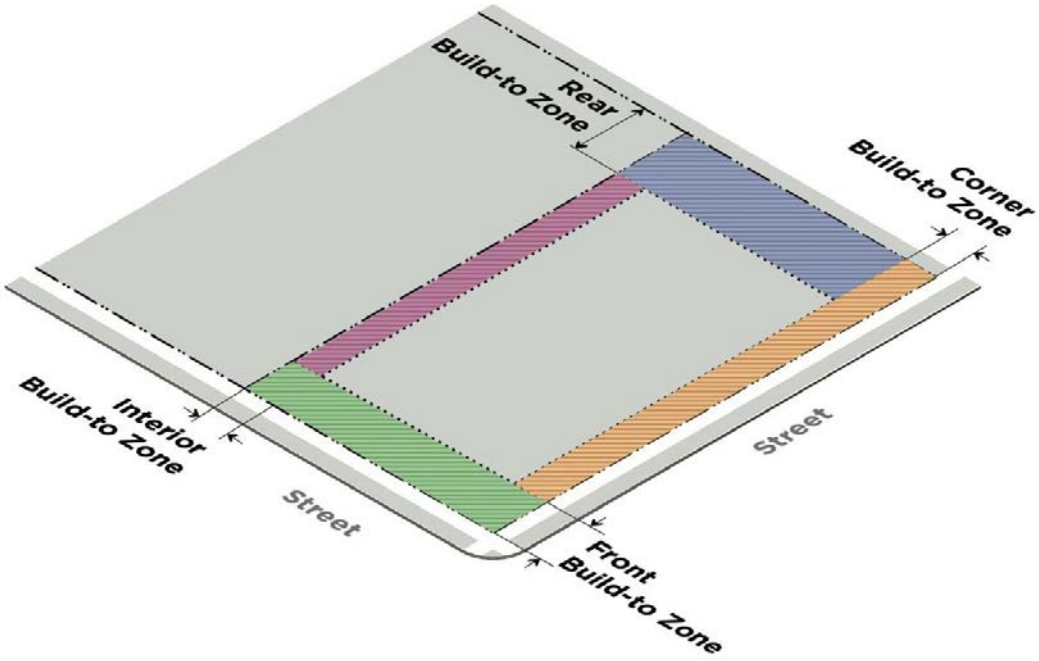
2. A build-to zone (BTZ) is the area on a lot, measured parallel from the front and/or corner side lot line, where a structure must locate within the minimum and maximum range of setback provided. The building facade must be located within the build-to zone. Facade articulation, such as window or wall recesses and projections are not counted as the building façade line, which begins at the applicable façade wall. Placement of a building at a build-to zone must not ~~cannot~~ violate line of sight requirements. In such case, where the City Engineer determines that line of sight would be encroached upon, the maximum dimension of the build-to zone range must ~~will~~ be that point on the lot where the line of sight requirement is no longer violated

3. A build-to percentage specifies the percentage of the building facade that must be located within a build-to line or build-to zone. Facade articulation, such as window or wall recesses and projections, do not count against the required build-to percentage. Plazas and other open space features are counted as meeting the build-to percentage. Build-to percentage is calculated by building façade, not lot width.

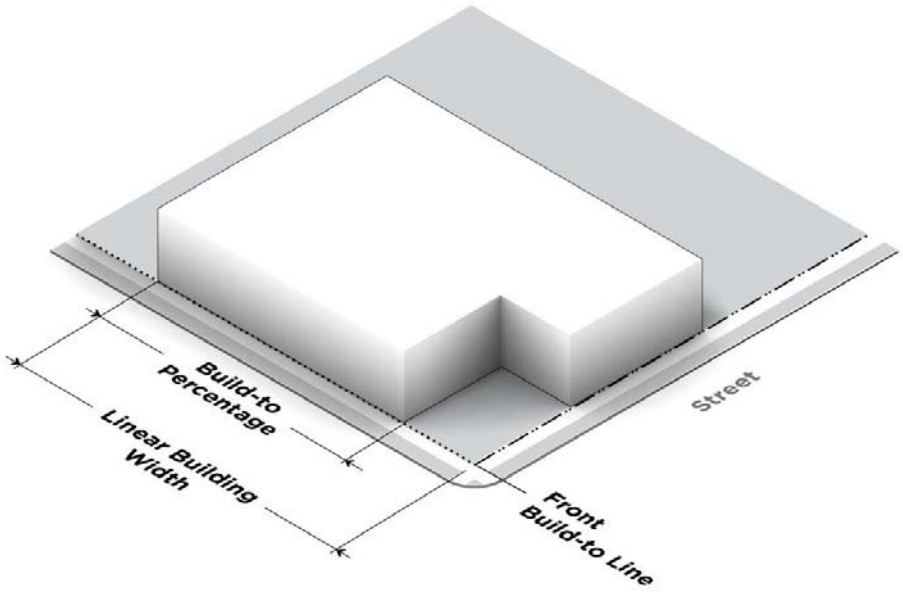
BUILD-TO LINE



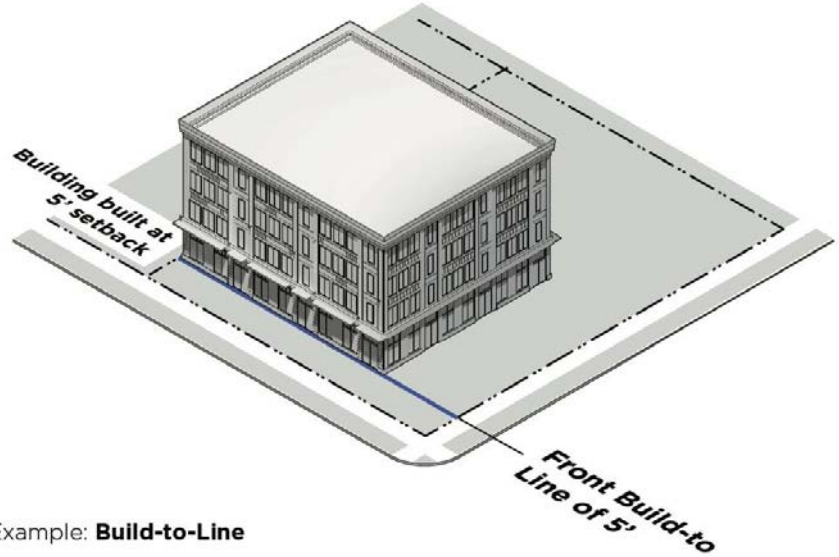
BUILD-TO ZONE



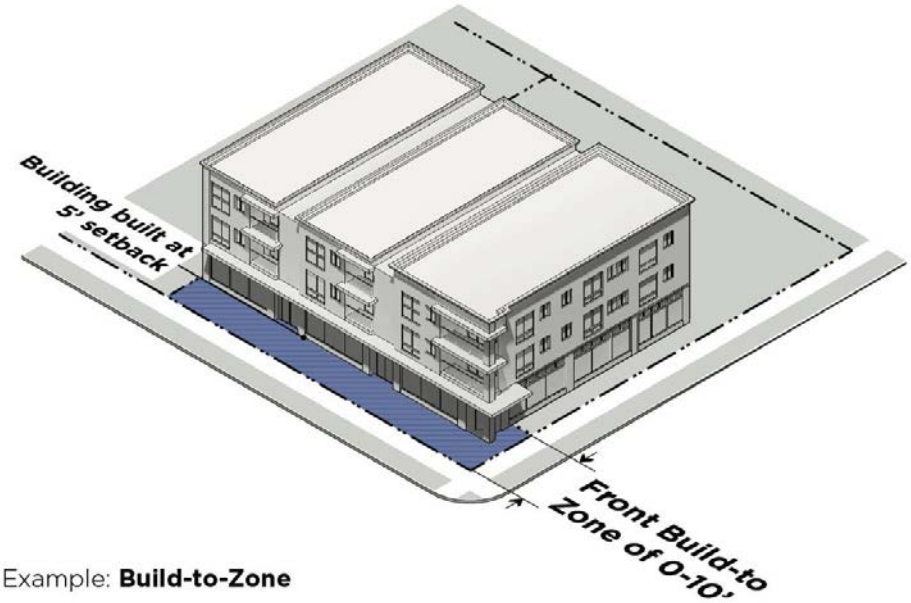
BUILD-TO PERCENTAGE



The following are examples of how build-to lines (BTL) and build-to zones (BTZ) are applied. When the front setback BTL is indicated as 5', the structure must be built at 5' from the front lot line. When the front setback BTZ is indicated as 0' to 10', the structure must be built within that range, shown in the example below as 5'; the property owner may choose any setback within that range.



Example: **Build-to-Line**



Example: **Build-to-Zone**

D. Building Coverage

That portion of the lot determined by building footprint, exclusive of eaves and other overhangs, that is or may be covered by buildings and accessory structures.

E. Building Height

1. Maximum building height is measured as the vertical distance from grade at the front building line or, when on ~~a waterway~~the Tennessee River, measured from the elevation of 813 feet above sea level to: **(Council Direction: Clarify formula for measurement.)**

a. The top of a flat roof, including structures designed with a decorative mansard roof concealing a flat roof.

b. The deck line of a mansard or gambrel roof.

c. The midpoint height between the eaves and the ridge in the case of a pitched roof.

d. Any dormers that extend past the roofline cannot exceed the maximum building height permitted in the district, as measured from the adjacent average grade, or its equivalent, to the top of the dormer.

2. For the purposes of building height measurement, roof types are defined as follows:

a. Flat Roof: A roof that is not pitched and where the surface of the roof is generally parallel to the ground. A mono-pitched roof, also called a shed roof, is a single-sloping roof surface, and is also considered a flat roof.

b. Mansard or Gambrel Roof: A two-sided roof with two slopes on each side. The upper slope is positioned at a shallow angle, while the lower slope is steep. A gambrel roof has vertical gable ends, while a mansard roof is hipped at the four corners of the building.

c. Pitched Roof: A gable or hip roof having a slope or pitch of at least one foot rise for each four feet of horizontal distance in the direction of the slope or pitch of the roof. A hipped roof is sloped in two pairs of directions compared to the one pair of direction for a gable roof.

BUILDING HEIGHT



3. The following structures or parts thereof are exempt from maximum height limitations, unless otherwise limited by any height restriction imposed by any airport authority, or other similar federal, state, or local authority.

a. Public utility poles, towers, and wires. This does not include wireless telecommunication towers and wind turbines that are regulated separately by this Code.

b. Water tanks and standpipes.

c. Building appurtenances such as chimneys, parapet walls, skylights, steeples, flag poles, smokestacks, cooling towers, elevator bulkheads, fire towers, water towers, stacks, stage towers, or scenery lofts, tanks, ornamental towers and spires, rooftop accessory structures, recreational facilities, necessary mechanical appurtenances, or penthouses to house mechanical appurtenances.

F. Floor Area Ratio (FAR)

The ratio of building area to parcel area. FAR is calculated by adding all of the areas of each floor of the building together and dividing by the gross area of the parcel on which the building is sited.

G. Gross Floor Area (GFA)
The gross floor area (GFA) of a structure is the sum of the gross horizontal areas of all floors of the structure as measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.

H. Impervious Surface Coverage
Impervious surface coverage is a measure of intensity of land use that represents the portion of a site that is occupied by structures, pavement, and other impervious surfaces that do not allow for the absorption of water into the ground. Maximum impervious surface of a lot is calculated as the percentage of all impervious surface area against the total area of the lot. When a permeable ~~paving~~ pavement system is used, it is calculated as 50% impervious surface subject to approval by the Department of Engineering.

I. Lot
A lot is the basic development unit for determination of lot area, depth, and other dimensional regulations. The following describes the types of lot configurations:

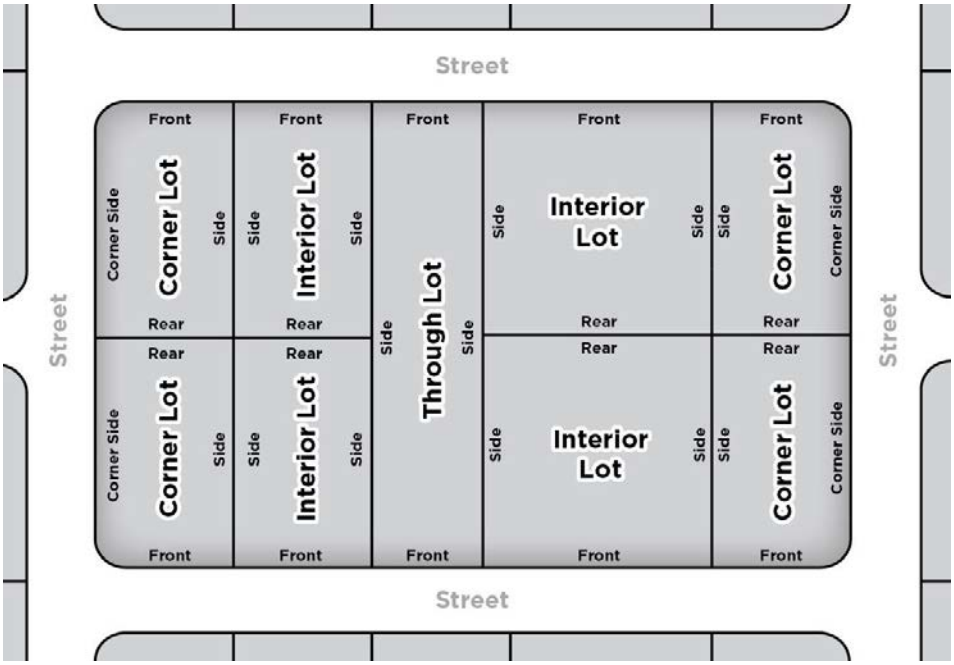
1. An interior lot is a lot other than a corner or through lot, bounded by two interior side lot lines.

2. A corner lot is a lot situated at the junction of, and abutting on, two or more intersecting streets.

3. A through lot is a lot that fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot. A through lot is also called a double frontage lot.

4. A flag lot is platted so that the main building site area (the "flag") is set back from the street on which it fronts and includes an access strip (the "pole") connecting the main building site with the street.

LOT TYPE



J. Lot Area
The total area within the boundaries of a lot, excluding any street right-of-way, usually defined in acres or square feet. When applicable, lot area must be calculated above the high water mark.

K. Lot Depth
The distance measured from the front lot line to the rear lot line. For lots where the front and rear lot lines are not parallel, the lot depth is the depth calculated at the deepest part of the lot.

L. Lot Line

A line of record bounding a lot, as indicated on an approved, filed, and recorded subdivision plat, which divides one lot from another lot or from a public or private street or any other public or private space.

1. Any lot line that is not a front, corner side, or rear lot line is an interior lot line.

2. A rear lot line on a pointed lot is an imaginary line parallel to and farthest from the front lot line, not less than ten feet long and wholly within the lot.

M. Lot Width

1. For regular lots, lot width is the horizontal distance between the side lot lines measured at right angles to its depth along a straight line parallel to the required front setback, build-to line, or farthest build-to line comprising a build-to zone.

2. On a lot with a radial (curved) front lot line, lot width is measured as follows:

a. A line is drawn at the midpoint of the lot between the side lot lines, extending from the front lot line to the rear lot line.

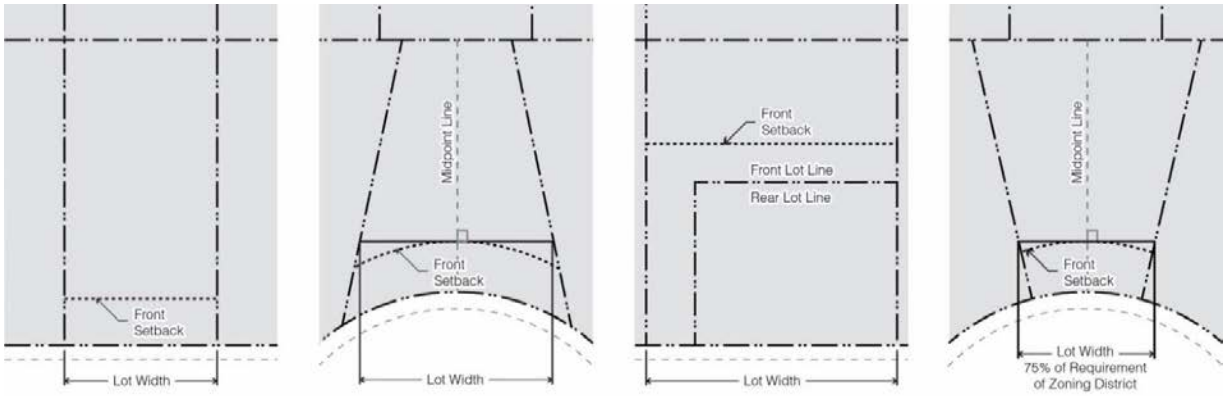
b. Where the required front setback intersects the midpoint line at a right angle, a line is drawn perpendicular to the midpoint line.

c. Lot width is determined as the length of the line between side lot lines.

d. Where the side lot lines angle to increase width towards the rear, the required lot width measured at the required setback is 75% of the lot width required by the zoning district.

3. For flag lots, lot width is measured at the required front setback as defined in this section.

LOT WIDTH



N. Sign Measurements

SIGN MEASUREMENTS HAVE BEEN MOVED HERE FROM ARTICLE 13. NO CHANGES HAVE BEEN MADE SINCE THE DECEMBER 2018 DRAFT.

1. Sign Area

a. For detached signs, the total sign area is measured by calculating the entire area enclosed by the perimeter of the extreme limits of the sign cabinet or module, exclusive of embellishments such as pole coverings, framing, decorating roofing, and any appurtenances required by the Building Code.

b. For attached signs, the total sign area is measured by calculating the entire area enclosed by the perimeter of the extreme limits of the sign cabinet, or, if the sign face is not a part of a sign cabinet, the sign copy, including vertical and horizontal spacing between letters and logos on the sign face.

c. A sign designed to be viewed from two different directions is considered as one sign, provided that the two sign faces cannot be more than 42 inches apart if parallel, nor form an angle of more than 90 degrees.

d. If the attached or detached sign or sign structure is internally illuminated or back lit by any means, the entire area is included within the allowable sign area calculation for the site.

e. The area of a three-dimensional sign is calculated as the total area of the smallest rectangle, circle or square that fully encloses the largest profile of the three-dimensional sign.

2. Maximum Allowed Sign Area

a. Primary Building Elevation
For the purposes of determining maximum allowed sign area for attached signs:

i. The primary building elevation is any elevation that faces onto a street right-of-way to which the parcel has street frontage and has the principal entrance to the building, or has an entry used primarily for customers or clients.

ii. The wall area of the primary building elevation is determined as follows:

(A) When architectural elevations are provided that accurately and to scale depict the elevation of the structure, the wall area of the elevation is the area of the vertical wall surface of the building elevation exclusive of roofs, parapets, and false facia; except that a parapet on the primary building elevation, if it is part of a parapet of a uniform height on three sides of a structure and of a similar and uniform building material may be included in the elevation area, but decorative parapet extensions of irregular height on one or two sides of a structure are excluded from the calculation.

(B) When architectural plans are not provided, it is assumed that the height of the elevation of the first floor is 12 feet and that the height of the elevation of all floors above the first floor is ten feet per floor. The area of the elevation is then calculated based on the formula:
[building length × 12 ft. (first floor)] + [building length × 10 ft. per each additional floor] = elevation area.

b. Canopies Over Gasoline Pumps
For the purposes of determining maximum allowed sign area, the vertical surface of canopies over gasoline pumps is considered as part of the wall surface of an elevation.

3. Sign Height

a. Sign height is computed as the distance from the base of the sign structure to the top of the highest attached component of the sign, using as the base of the sign structure either of the following provisions:

i. The finished grade of the property below the sign; or

ii. The roadway surface at the nearest edge of pavement of the street that provides primary access to the site.

b. The finished grade of the property is construed for this purpose to be the final established grade after development, exclusive of any filling, berming, mounding, or excavating primarily for the purpose of locating a sign.

c. For detached signs subject to the provisions of Section 13.9.C. on property that shares a common property line with an interstate highway or for detached signs on property that does not share a common property line but such signs are located within 100 feet of the right-of-way of an interstate highway, the highest interstate roadway surface as measured from the sign to the crown of the roadway surface on a line perpendicular to the interstate right-of-way, or radial to the right-of-way when the subject sign is located in proximity to a curved interstate right-of-way may be used to determine the greatest allowable height.

4. Sign Spacing
All distances related to spacing of signs are measured along a straight line between the two closest points of the sign structures.

5. Setback for Detached Signs
The setback is measured from the farthest most protrusion of the sign to the nearest point of a property line, street right-of-way or edge of pavement. The interstate highway right-of-way is considered a side or rear lot line for the purposes of determining the minimum setback required.

O. Yards and Setbacks

1. General Definitions

a. A yard is the open space area between the building line, of a principal building and the adjoining lot lines, exclusive of facade articulation, such as window or wall recesses and projections.

b. A required setback is the required minimum distance a principal building must be located from a lot line, which is unoccupied and unobstructed by any projections of a principal building, unless permitted by this Code.

i. A build-to zone or build-to line is considered a required setback.

ii. In the case of a build-to line it is where the principal building must be located.

iii. In the case of a build-to zone, it is the defined area (defined by minimum and maximum build-to lines) where the principal building must be located.

c. A setback may be equal to or lesser than a yard.

d. A setback is located along the applicable lot line for the minimum depth specified by the zoning district in which such lot is located.

2. Front Yard and Front Setback
The front yard and front setback extend the full width of the lot between side lot lines measured perpendicular to the front lot line.

a. Front Yard: A front yard is located between a principal building line and the front lot line.

b. Front Setback: A front setback is the required minimum distance per the zoning district that a principal building must be located from the front lot line.

c. A front setback is measured from the front lot line.

d. Front setbacks on irregular lots are subject to the additional provisions:

i. On a lot with a radial (curved) front lot line, the required front setback, as measured from the right-of-way line follows the curve of the lot line.

ii. For flag lots, the front yard and setback is measured from the rear lot line of the lot that separates the flag portion of the lot from the street.

e. Where front yard averaging is permitted, the average front setback of lots on the same side of the blockface are used to establish the required front setback.

3. Interior Side Yard and Interior Side Setback
The interior side yard and interior side setback extend along the interior side lot line between the front and rear yard or setback, measured perpendicular to the interior side lot line.

a. Interior Side Yard: An interior side yard is located between a principal building line and the interior side lot line.

b. Interior Side Setback: An interior side setback is the required minimum distance per the zoning district that a principal building must be located from the interior side lot line.

c. For townhouse developments, the interior side yard and interior side setback are applicable to end units only.

4. Corner Side Yard and Corner Side Setback

The corner side yard and corner side setback extend along the corner side lot line between the front yard or front setback and the rear lot line, measured perpendicular to the corner side lot line.

a. Corner Side Yard: A corner side yard is located between a principal building line and the corner side lot line.

b. Corner Side Setback: A corner side setback is the required minimum distance per the zoning district that a principal building must be located from the corner side lot line.

5. Rear Yard and Rear Setback

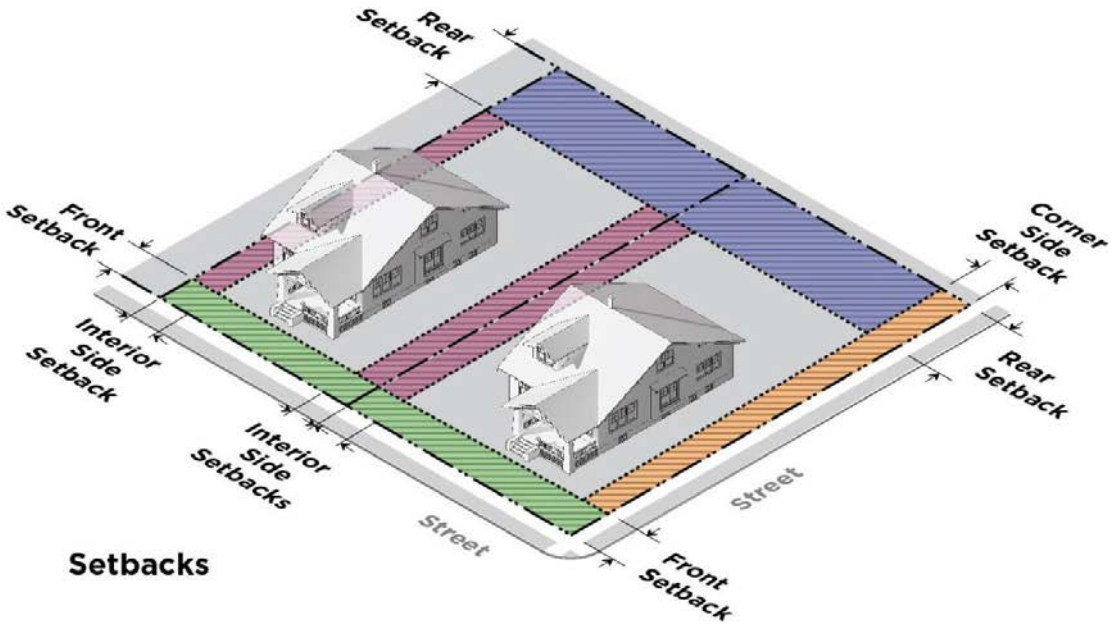
The rear yard and rear setback extend between interior side lot lines, measured perpendicular to the rear lot line.

a. Rear Yard: A rear yard is located between a principal building line and the rear lot line.

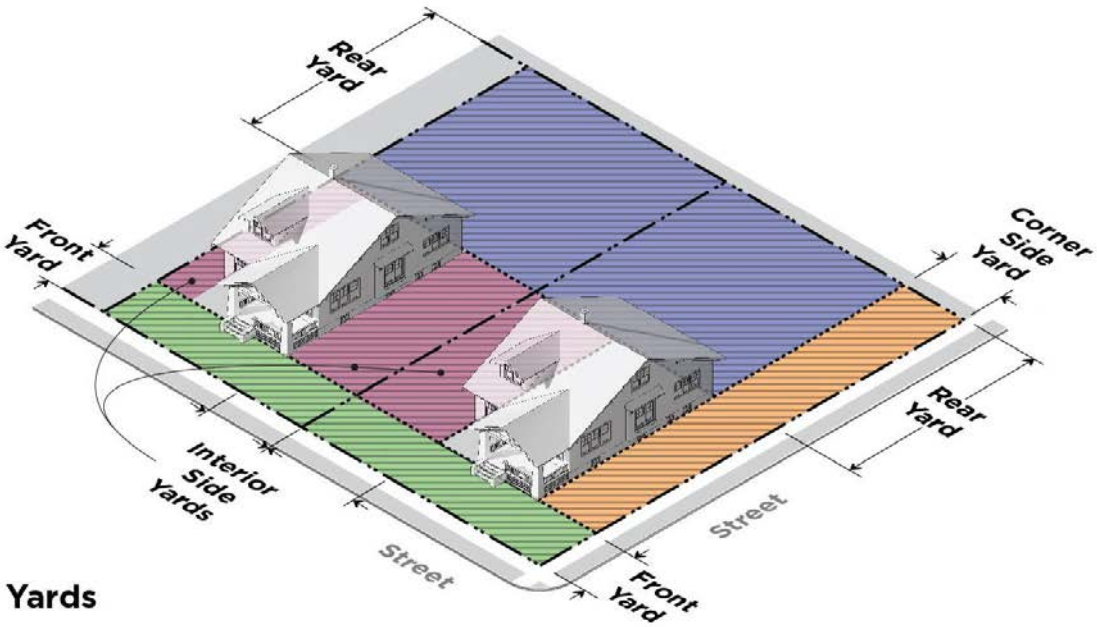
b. Rear Setback: A rear setback is the required minimum distance per the zoning district that a principal building must be located from the rear lot line.

c. In the case of a corner lot, the rear yard and rear setback extend between the interior side lot line to the required corner side setback for the, measured perpendicular to the rear lot line.

SETBACKS



YARDS



ARTICLE 3. ZONING DISTRICTS AND ZONING MAP

3.1 ZONING DISTRICTS
3.2 ZONING MAP

3.1 ZONING DISTRICTS

In order to carry out the purpose and intent of this Code, the City is divided into the following zoning districts:

A. Residential Districts

EN Established Residential Neighborhood Zoning District
RN-1 Single-Family Residential Neighborhood Zoning District
RN-2 Single-Family Residential Neighborhood Zoning District
RN-3 General Residential Neighborhood Zoning District
RN-4 General Residential Neighborhood Zoning District
RN-5 General Residential Neighborhood Zoning District
RN-6 Multi-Family Residential Neighborhood Zoning District
RN-7 Multi-Family Residential Neighborhood Zoning District

B. Commercial and Office Districts

1. Commercial Districts

C-N Neighborhood Commercial Zoning District
C-G General Commercial Zoning District
C-H Highway Commercial Zoning District
C-R Regional Commercial Zoning District
DK Downtown Knoxville Zoning District

2. Office Districts

O Office Zoning District
OP Office Park Zoning District

C. Industrial Districts

I-MU Industrial Mixed-Use Zoning District
I- RD Research and Development Zoning District
I-G General Industrial Zoning District
I-H Heavy Industrial Zoning District

D. Form-Based Code Districts

CU Cumberland Avenue Zoning District
SW South Waterfront Zoning District

E. Special Purpose and Overlay Districts

AG Agricultural Zoning District
INST Institutional Zoning District
OS Parks and Open Space Zoning District
NA Natural Areas Zoning District
H Historic Overlay Zoning District
NC Neighborhood Conservation Overlay Zoning District
IH Infill Housing Overlay Zoning District
TO-1 Technology Park Overlay Zoning District
HP Hillside Protection Overlay Zoning District
F Floodplain Overlay Zoning District

3.2 ZONING MAP

A. Establishment of the Official Zoning Map

The location and boundaries of the zoning districts established by this Code are shown and maintained as part of the Geographic Information System (GIS) of Knoxville-Knox County Planning under the direction of its Executive Director. The zoning GIS layer constitutes the City of Knoxville's Official Zoning Map and is incorporated into, and the same is made a part of this Code by reference, and upon its introduction and passage, is an effective and operative part thereof.

1. The zoning map is kept and maintained by the Knoxville-Knox County Planning Commission, and is available for inspection and examination by members of the public at all reasonable times as any other public record, with no commercial value.

2. At the direction of City Council, the Knoxville-Knox County Planning Commission is authorized to revise the Official Zoning Map. No unauthorized person may alter or modify the Official Zoning Map.

B. Interpretation of Boundary Lines

1. Where a district boundary line is shown as being within or along a public or private right-of-way, or an extension, or as being within or along a non-navigable stream, the boundary is the centerline of that right-of-way, or extension, or stream.

2. Where a district boundary line is shown as along a lot line, the boundary is that lot line.

3. Where the location of a district boundary line is indicated by a designated number of feet, that distance controls.

4. Where a district boundary line is shown as being along a railroad right-of-way, the boundary line of that railroad right-of-way controls.

5. Where a district boundary line is shown as along a navigable waterway and is not otherwise fixed, the boundary is the centerline of the waterway.

6. Unless specified otherwise by the amending ordinance, overlay district boundaries on the Official Zoning Map that approximately follow zoning district lines are interpreted as being coincident with those zoning district lines.

7. Where the application of the interpretation rules leaves a reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district govern the entire parcel in question, unless otherwise determined by the Knoxville-Knox County Planning Commission.

C. Administrative Mapping Errors

Where it is determined that due to an administrative error, the Official Zoning Map district boundary which encompasses property that was never intended to be included or fails to depict property which was intended to be included in the district boundary, and such determination is supported by official documentation, the Knoxville-Knox County Planning Commission may modify the Official Zoning Map to accurately reflect the proper district boundary.

ARTICLE 4. RESIDENTIAL NEIGHBORHOOD DISTRICTS

4.1 PURPOSE STATEMENTS
4.2 USES
4.3 DIMENSIONAL STANDARDS
4.4 EN DISTRICT STANDARDS
4.5 RN-4 DISTRICT POCKET NEIGHBORHOOD DESIGN STANDARDS
4.6 GENERAL STANDARDS OF APPLICABILITY

4.1 PURPOSE STATEMENTS

A. EN Established Residential Neighborhood Zoning District

The EN Established Residential Neighborhood Zoning District is intended to accommodate Knoxville's older low density neighborhoods, exhibiting a predominant development pattern of large lots with generous yards and complex, intricately designed homes on a highly connected street network. The EN District provides for the stability of these established neighborhoods, while allowing for continued development that is compatible with the existing development pattern. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

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 may also be 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 allowed by special use approval. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

E. 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. 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.

D. 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 residential development is permitted 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 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, 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 multi-family development forms. Limited nonresidential uses that are compatible with the character of the districts may also be permitted.

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:
(Look at a way to add a chart or make this more readable.)

1. Permitted uses, which require review by ~~the Administrative Review Committee~~Knoxville-Knox County Planning staff:

a. One or more townhouse buildings on a lot that total no more than eight dwelling units.~~Up to eight dwelling units total in a townhouse building on the lot~~.

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 ~~total in a townhouse building on the lot~~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. ~~Multi-family developments of five or more dwelling units within one structure and with a total of more than eight dwelling units~~.

C. (Add current code Art. V, §21 w/changes to names of districts regarding Res. occupancy standards – Council voted on 5/14/19 to approve; 4 opposed.)

D. (Add current code Art. V, §22 re functional family – Council voted on 5/14/19 to approve; 4 opposed.)

4.3 DIMENSIONAL STANDARDS

A. Table 4-1: 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.

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 4-1: Residential Districts Dimensional Standards					
	EN	**RN-1**	**RN-2**	**RN-3**	**RN-4**
Bulk					
Minimum Lot Area	22,000sf	SF: 10,000sf 2F: 15,000sf Nonresidential: 20,000sf	SF: 5,000sf 2F: ~~7,500sf~~ 10,000 sf (per 5/14 Council vote) Nonresidential: 10,000sf	SF: 5,000sf 2F: ~~10,000~~ 7,500 sf (per 5/14 Council vote) TH: 12,000sf for 3 du, 3,000sf each additional du Nonresidential: 10,000sf	SF: 5,000sf 2F: ~~7,500sf~~ ~~10,000sf~~ 7,000sf (per 5/14 Council vote) TH: 3,000sf/du MF: 2,000sf/du Nonresidential: 10,000sf
Maximum Lot Area	N/A	N/A	N/A	N/A	MF: 40,000sf
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: ~~70'~~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 no case less than 40'	+/- 10' of the average of blockface; in no case less than 25' ~~25' or the average of blockface, whichever is less~~	20', or the average of blockface, whichever is less; in no case less than 10'	10' or the average of blockface, whichever is less	10' or the average of blockface, 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	~~8'~~ 5' or 15% of lot width, whichever is less; in no case less than ~~20'~~ 15' combined Nonresidential: 20% of lot width	~~8'~~ 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'~~8'~~ 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 4-1: Residential Districts Dimensional Standards			
	RN-5	**RN-6**	**RN-7**
Bulk			
Minimum Lot Area	SF & 2F: 5,000sf TH: ~~3,000sf~~2,000sf/du MF: 5,000sf for 2du + 1,450sf per additional du Nonresidential: 10,000sf	SF & 2F: 5,000sf TH: 2,000sf/du MF: 5,000sf + 950sf per additional du Nonresidential: 10,000sf	TH: 2,000sf/du MF: 700sf/du Nonresidential: 10,000sf
Minimum Lot Width	SF & 2F: 50' TH: 20'/du MF: ~~80'~~60'	SF & 2F: 50' TH: 20'/du MF: ~~80'~~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: 30,000sf 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'~~8'~~ 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'~~8'~~ 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'~~8'~~ 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' Structures over 35' in height: 30'	30'

4.4 EN DISTRICT STANDARDS

A. EN District Design Standards

The following design standards apply to the EN District, and are intended to promote the development of new primary structures that reflect the character of existing development within the district.

1. Foundations

a. All primary structures must be attached to a permanent foundation, such as a slab-on-grade, piles, piers, concrete footing or other form designed to give permanent and un-movable stability to a structure.

b. The foundation system must be surrounded by a perimeter wall of solid masonry, concrete or other approved material.

2. Orientation of Structure to Street

a. The front façade of any primary structure must be parallel to the street or tangent to the curve of the street.

b. The primary entrance to a structure must face the street and provide a hard-surfaced pedestrian connection of driveway and/or sidewalk from the street to the entry. Alternatively, the primary entrance to a structure must open upon a covered porch or courtyard that faces the street and that is at least 60 square feet with a minimum depth of six feet and provides a hard surface pedestrian connection of driveway and/or sidewalk from the street to the porch or courtyard.

3. Garages

a. Front-loaded attached garages are limited to 40% of the width of the front building line. Garage width is measure between garage doors; in the case of garages designed with multiple garage doors the distance is measure between the edges of the outmost doors.

b. Attached garages with front facing garage door openings must be set back from the front façade of the structure no less than four feet.

c. Detached garages may not be located in front of the front building line.

4. Building Mass and Shape

To increase architectural variation within neighborhoods and increase visual interest, yet allow for flexibility in design, primary structures must meet two of the following three requirements.

a. Roofs must be either:

i. Flat, with roof pitch of less than 1/12 and a single plane

ii. Steep, with roof pitch of 6/12 or more

iii. Articulated, with multiple pitches, planes, ridge line directions or heights, or displaying hips and valleys

b. Primary structures must contain more than one finished floor level.

c. The shape of habitable and attached garage space must have no less than eight sides. For the purpose of this requirement, a side is an exterior wall segment, from change of direction to change of direction, no less than four feet in length.

5. Elevations Facing a Street

To increase architectural variation within neighborhoods and increase visual interest, yet allow for flexibility in design, the following requirements apply to all elevations that face a street, except for a rear elevation if a property abuts a street to the rear of the lot.

a. Street-facing elevations must contain window and door systems for no less than 25% of the surface area of the façade.

b. The front façade must contain wall articulation so that no more than 24 feet of wall is continuous without one of the following features:

i. A wall recess or projection of 18 inches or more

ii. A recessed or projected entry feature of 18 inches or more

iii. A covered porch with roof integrated into the primary structure

c. The front façade must contain at least three of the following design elements:

i. Dormers

ii. Projected wall features that include gabled or hipped roof designs

iii. A recessed or projected entry feature of 18 inches or more in depth, and of at least eight feet in width

iv. A covered porch of at least six feet in depth, composing a minimum of 25% of the width of the street-facing elevation

v. Architectural columns supporting a porch roof

vi. A bay window projecting a minimum of 12 inches from the front façade

vii. Window and door trim a minimum of four inches in width

viii. A balcony, projecting a minimum of 12 inches from the front façade and enclosed by a railing or parapet.

ix. Masonry composing no less than 25% of the surface area of the front façade

x. Habitable space above the garage equal to no less than 50% of the garage space below

6. Exceptions for Irregular Lots
On irregular lots where it is determined by Knoxville-Knox County Planning Commission staff that a proposed building site is not visible from the street, the requirements of this section may be waived.

B. EN District Off-Street Parking
Off-street parking must be provided in accordance with the requirements of Article 11, with the following exceptions:

1. Required off-street parking spaces in the EN District must be located behind the front building line.

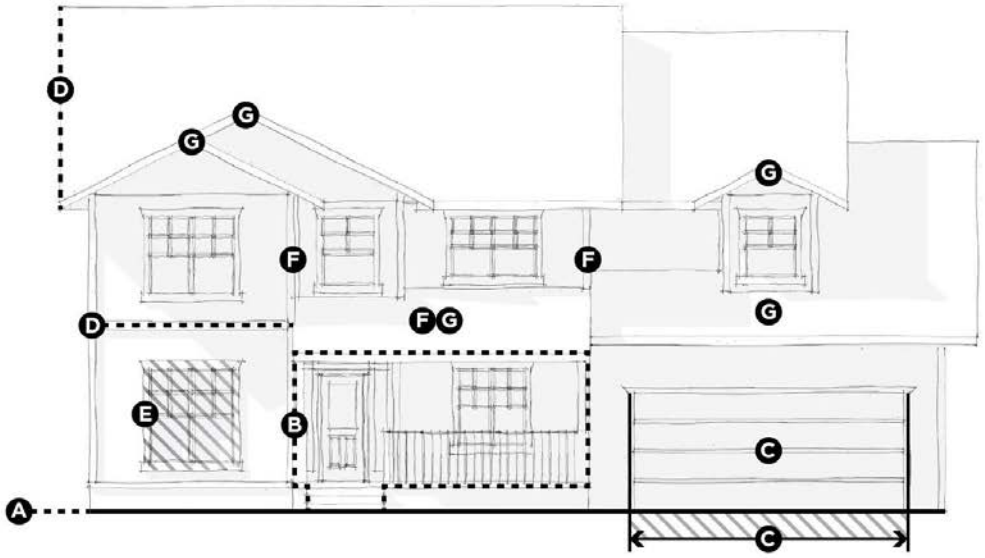
2. Paved vehicle parking and access facilities in the front yard and corner side yard must be limited to a maximum of the greater of the following:

a. 25% of total area of the front or corner side yard;

b. The hard surface area leading directly to a carport or enclosed garage; or

c. 400 square feet.

EN DISTRICT DESIGN STANDARDS



A All primary structures must be attached to a permanent foundation, such as a slab-on-grade, piles, piers, concrete footing or other form designed to give permanent and un-movable stability to a structure. The foundation system must be surrounded by a perimeter wall of solid masonry, concrete or other approved material.

B The primary entrance to a structure must face the street and provide a hard-surfaced pedestrian connection of driveway and/or sidewalk from the street to the entry. Alternatively, the primary entrance to a structure must open upon a covered porch or courtyard that faces the street and that is at least 60 square feet with a minimum depth of six feet and provides a hard surface pedestrian connection of driveway and/or sidewalk from the street to the porch or courtyard.

C Front-loaded attached garages are limited to 40% of the width of the front building line. Garage width is measured as the width of the garage door; in the case of garages designed with multiple garage doors the distance is measured between the edges of the outmost doors. Attached garages with front facing garage door openings must be set back from the front façade of the structure no less than four feet.

D Primary structures must meet two of the following three requirements: 1) Roofs must be either flat, with roof pitch of less than 1/12 and a single plane; steep, with roof pitch of 6/12 or more; or articulated, with multiple pitches, planes, ridge line directions or heights, or displaying hips and valleys. 2) Primary structures must contain more than one finished floor level. 3) The shape of habitable and attached garage space must have no less than eight sides. For the purpose of this requirement, a side is an exterior wall segment, from change of direction to change of direction, no less than four feet in length.

E Street-facing elevations must contain window and door systems for no less than 25% of the surface area of the façade.

F The front façade must contain wall articulation so that no more than 24 feet of wall is continuous without one of the following features: a wall recess or projection of 18 inches or more; a recessed or projected entry feature of 18 inches or more; a covered porch with roof integrated into the primary structure

G The front façade must contain at least three of the following design elements: , dormers, projected wall features that include gabled or hipped roof designs, recessed or projected entry features, a covered porch of at least six feet in depth, architectural columns supporting a porch roof, a bay window projecting a minimum of 12 inches from the front façade, window and door trim a minimum of four inches in width, a balcony, projecting a minimum of 12 inches from the front façade, masonry composing no less than 25% of the surface area of the front façade, habitable space above the garage equal to no less than 50% of the garage space below

4.5 ~~RN-4 DISTRICT~~ POCKET NEIGHBORHOOD DESIGN STANDARDS

A pocket neighborhood is a clustered group of dwellings gathered around a common courtyard or open space which are maintained in a shared stewardship by residents. Pocket neighborhoods must meet the following standards **and which may be permitted in RN-4, RN-5, RN-6, and RN-7**. Site plan review by the Knoxville-Knox County Planning staff is required. **(Per Council vote on 5/14/19.)**

A. The minimum total lot area required for a pocket neighborhood is the cumulative area required for each dwelling type in the pocket neighborhood.

B. Where a dwelling fronts on the common area, it is considered to meet the requirement for frontage on a public or private street.

C. The zoning district standards apply to each individual dwelling within the pocket neighborhood with the following exceptions:

1. The maximum building height is limited to 35 feet for all dwellings.

2. For single-family, two-family, and townhouse dwellings that front on the common open space, the minimum front setback required is ten feet.

3. For single-family, two-family, and townhouse dwellings that front on the common open space, the minimum interior side setback required is five feet.

D. The design standards for each dwelling type apply with the following exceptions:

1. For any dwelling abutting a public or private street, an entrance to the dwelling must face the street. Front facades of other dwellings and entrances must be oriented to the common area.

E. Common areas must meet the following standards:

1. The minimum area of the common area is 3,000 square feet or 500 square feet per dwelling unit, whichever is greater.

2. 70% of the centrally located common area must have a minimum width of 40 feet.

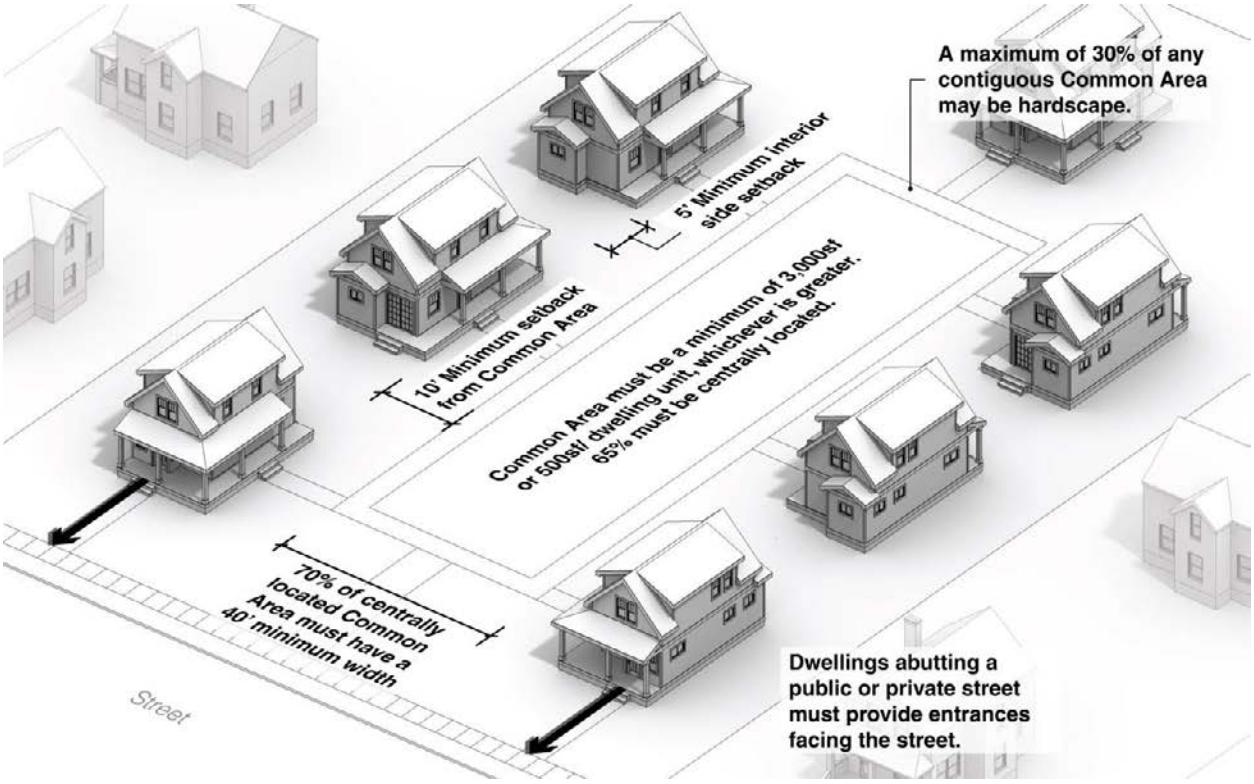
3. Of the required amount of common area space, 65% must be centrally located.

4. All common area space must be accessible to all residents.

5. A maximum of 30% of any contiguous common area may be hardscape.

6. Yards for dwellings are not counted toward the required amount of common area. However, such yards may be in addition to the required amount of common area.

POCKET NEIGHBORHOOD



4.6 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.

ARTICLE 5. COMMERCIAL AND OFFICE DISTRICTS

5.1 PURPOSE STATEMENTS
5.2 USES
5.3 DIMENSIONAL STANDARDS
5.4 DESIGN STANDARDS
5.5 DK DISTRICT STANDARDS
5.6 GENERAL STANDARDS OF APPLICABILITY

5.1 PURPOSE STATEMENTS

A. Commercial Districts

1. C-N Neighborhood Commercial Zoning District

The C-N Neighborhood Commercial Zoning District is intended to provide for an environment of integrated residential development and small-scale commercial and service uses, predominantly serving nearby residential neighborhoods. Low-intensity mixed-use is encouraged within the C-N District, with dwellings permitted above the ground floor, as well as multi-family and townhouse development located alongside select commercial uses.

2. C-G General Commercial Zoning District

The C-G General Commercial Zoning District is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along Knoxville's commercial nodes and corridors. The C-G District is intended to promote mixed-use development in a pedestrian-oriented environment that recalls the City's traditional business districts, and offers flexibility in the creation of integrated commercial, office and residential spaces. The C-G District is divided into three levels of intensity related to the overall form and design of the development; however, uses are the same across all levels. **(Council - possible language, not voted on: "This zone is intended primarily for indoor commercial uses with limited exceptions per a special use approval."; Clarify indoor use/retail; consider primary uses, limits not to be exceeded, and parking lot use limitations.)**

3. C-H Highway Commercial Zoning District

The C-H Highway Commercial Zoning District is intended to accommodate higher-intensity commercial uses of a predominantly auto-oriented character, including retail, rental, and service establishments of a more intense commercial character including those requiring permanent outdoor service or storage areas. The C-H District regulations are intended to ensure the mitigation of any potential impacts related to such establishments on neighboring uses. The C-H District is divided into two levels of intensity related to the overall form and design of the development; however, uses are the same across all levels.

4. C-R Regional Commercial Zoning District

The C-R Regional Commercial Zoning District is intended to accommodate medium- to large-scale commercial development within the City of Knoxville that serves both local and regional markets. Such development may generate a considerable amount of traffic, and typically requires significant area for off-street parking. High-density residential uses are also permitted within the C-R District, to facilitate mixed-use development where appropriate. The C-R District is divided into two levels of intensity related to the overall form and design of the development; however, uses are the same across all levels.

5. DK Downtown Knoxville Zoning District

The DK Downtown Knoxville Zoning District is intended to accommodate the unique conditions of downtown Knoxville. Multiple subdistricts are established within the DK District, each focused on a variation of the form and activity that occurs within the downtown area. Though the subdistricts contain controls tailored to specific areas of downtown, they are linked through a focus on encouraging the creation of mixed-use development, and enhancing the existing character of downtown as a vibrant, pedestrian-friendly, regionally significant commercial and cultural center.

B. Office Districts

1. O Office Zoning District

The O Office Zoning District is intended to provide for an environment of low intensity office and service uses, mixed with residential uses. The O District may additionally serve as a transition between single-family residential areas and more intensely developed commercial or industrial areas within the City of Knoxville.

2. OP Office Park Zoning District

The OP Office Park Zoning District is intended to accommodate large office developments and office parks/campuses. The district is oriented toward larger-scale complexes that may include accessory services for employees such as personal services, restaurants, and retail establishments. District standards are intended to guide the development of office as a more campus-like environment.

5.2 USES

A. Article 9 lists permitted and special principal uses and temporary uses for the commercial and office districts.

B. The following use restrictions apply to the DK District subdistricts:

1. Multi-family dwellings are allowed in the DK District as follows. These restrictions apply only to a development that is residential use only; mixed-use developments/ dwellings above the ground floor -are allowed in all DK District subdistricts

a. in the DK-B Subdistrict.

b. In the DK-E Subdistrict.

c. In the DK-W Subdistrict for structures that are 50 years or older as of the effective date of this Code.

2. Homeless shelters are allowed only in the DK-E Subdistrict. **(Council Direction: consider rewording?)**

C. The following use restrictions apply to the OP District:

1. Day care centers, eating and drinking establishments, personal service establishments, and retail goods establishments are prohibited as standalone structures. Such uses must be integrated into larger office buildings within an office park development.

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 ~~O and~~ C-N District~~s~~, 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.

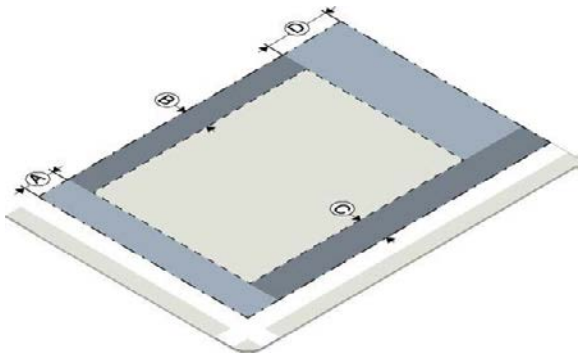
3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design must minimize potentially dangerous traffic movements and points of conflict between vehicles and pedestrians 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)	5,000sf 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'	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	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	20', unless abutting a residential district, then 30' or 20% of lot depth, whichever is less	None, unless abutting a residential district, then 20'	None, unless abutting a residential district, then 20'	None, unless abutting a residential district, then 25'

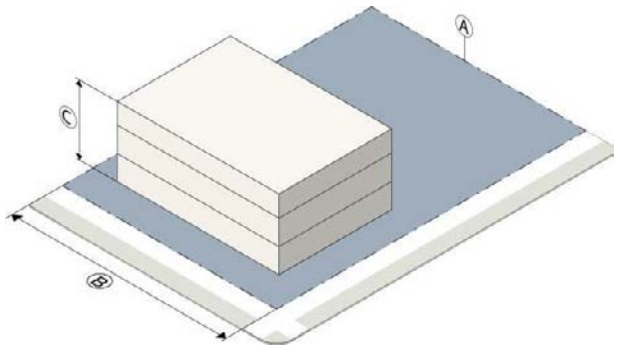
Table 5-1: Commercial and Office Districts Dimensional Standards				
	C-H-1	C-H-2	C-R-1	C-R-2
Bulk				
Minimum Lot Area	10,000sf	10,000sf	15,000sf	15,000sf
Minimum Lot Width	60'	60'	80'	80'
Maximum Gross Floor Area (Nonresidential Uses Only)	N/A	N/A	N/A	N/A
Maximum Building Height	45'	90'; however, structures must set back an additional 1' for every 2' of height over 45' from any required setback abutting a residential district lot line~~70'~~	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~~70'~~
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	10,000sf TH: 3,000sf/du MF – Up to 6 du: 2,000sf/du	20,000sf
Minimum Lot Width	60'	80'
Maximum Gross Floor Area (Nonresidential Uses Only)	~~10,000sf~~ 5,000sf 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

5.4 DESIGN STANDARDS

The following design standards applies to new construction and to any additions to a structure existing as of the effective date of this Code ~~of~~ that exceed 30% or more ~~in~~ of the existing structure's square footage. (Design standards for development in the DK Districts are found in Sections 5.5 below.)

A. Commercial Districts Design Standards

Table 5-2: Commercial Districts Design Standards establishes the design standards for the C-N, C-G-2, C-G-3, C-H-2, C-R-2, and O Districts. In the table, a "•" indicates that the standard is applicable in the district indicated. The absence of a "•" indicates that the standard does not apply to the district.

Table 5-2: Commercial Districts Design Standards						
	C-N	C-G-2	C-G-3	C-H-2	C-R-2	O
Façade Design						
Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 30 linear feet, measured per story parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 50 linear feet.	•	•	•	•	•	
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.	•	•	•	•	•	
Building materials and visual elements used on the primary building frontage must continue on all building façades that are visible from a public right-of-way.	•	•	•	•	•	•
Fenestration Design						
The ground floor of the front façade must maintain a minimum transparency of ~~35~~30%, measured between two and ten feet in height.	•	•	•	•	•	•
~~The ground floor of the front façade must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.~~	~~•~~	~~•~~	~~•~~			~~•~~
Upper floors of the front façade must maintain a minimum transparency of 15% of the wall area of the story	•	•	•			
Commercial Site Design						
Sites must be designed to ensure safe pedestrian access from the public right-of-way, and safe pedestrian circulation within the development.	•	•	•	•	•	•
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	
Outlot buildings must meet the minimum transparency requirements of the district along facades facing the street.					•	
Any outlot buildings must include prominent entrances oriented toward both the street and the interior parking lot.					•	
Outlot buildings that are part of a multi-tenant retail center must provide definition along the street frontage of the center by placement of the front building line within 0' to 30' of the front lot line. Outlot buildings may be placed within a required setback to comply with this standard.					•	

B. Building Material Restrictions

In the C-N, C-G-2, C-G-3, C-H-2, C-R-2, and O Districts, the following building materials are prohibited on any façade facing a public right-of-way, excluding alleys, or any façade that abuts a residential district. Such materials may still be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. ~~Concrete~~ Plain concrete masonry units (CMU)

2. Aluminum, steel or other metal sidings ~~**(does not apply to C-N and O Districts)**~~; this restriction does not include metal architectural wall panels ~~(for example, dri design panels)~~ **(Per Council vote of 8-1 on 5/14/19.)**

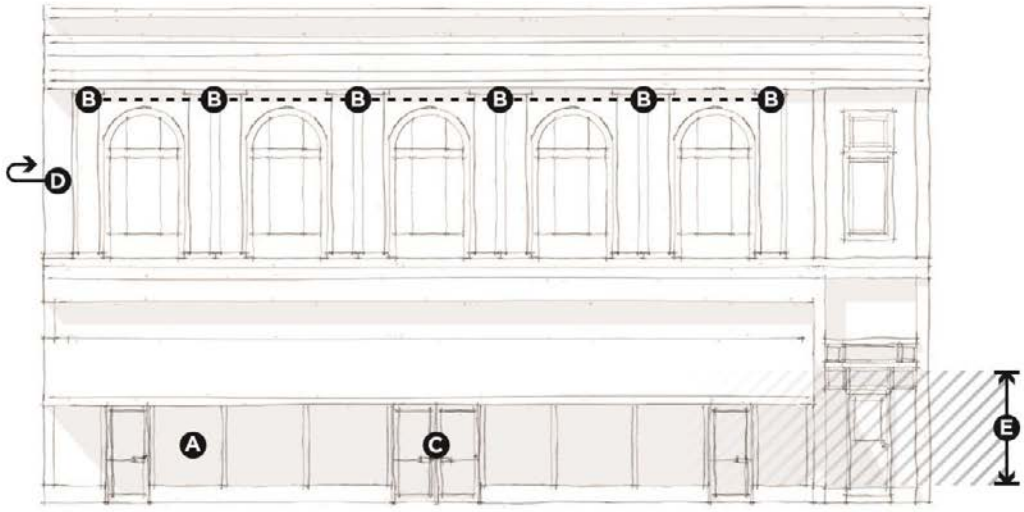
3. Exposed aggregate ~~(rough finish)~~ concrete wall panels

4. T-111 composite plywood siding

5. Plastic

6. Vinyl

C-N DISTRICT DESIGN STANDARDS



A Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 30 linear feet, measured parallel to the street.

B Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 50 linear feet.

C All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.

D Building materials and visual elements used on the primary building frontage must continue on all building façades that are visible from a public right-of-way.

E The ground floor of the front façade must maintain a minimum transparency of 30%, measured between two and ten feet in height from grade.

C-G-2 DISTRICT DESIGN STANDARDS



A Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 30 linear feet, measured parallel to the street.

B Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 50 linear feet.

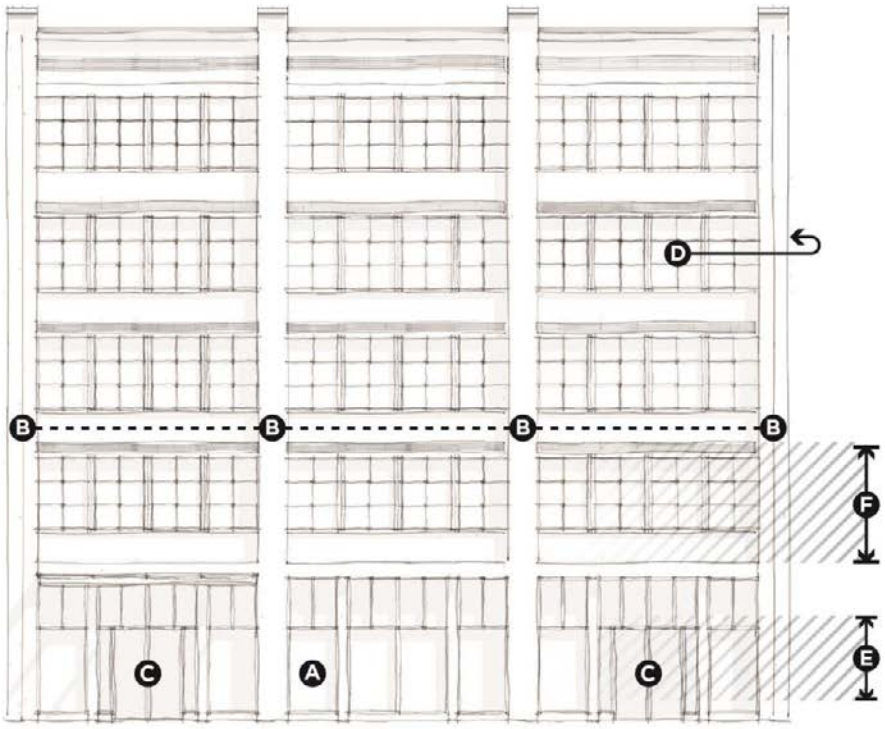
C All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.

D Building materials and visual elements used on the primary building frontage must continue on all building façades that are visible from a public right-of-way.

E The ground floor of the front façade must maintain a minimum transparency of 30%, measured between two and ten feet in height from grade.

F Upper floors of the front façade must maintain a minimum transparency of 15% of the wall area of the story

C-G-3 DISTRICT DESIGN STANDARDS



A Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 30 linear feet, measured parallel to the street.

B Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 50 linear feet.

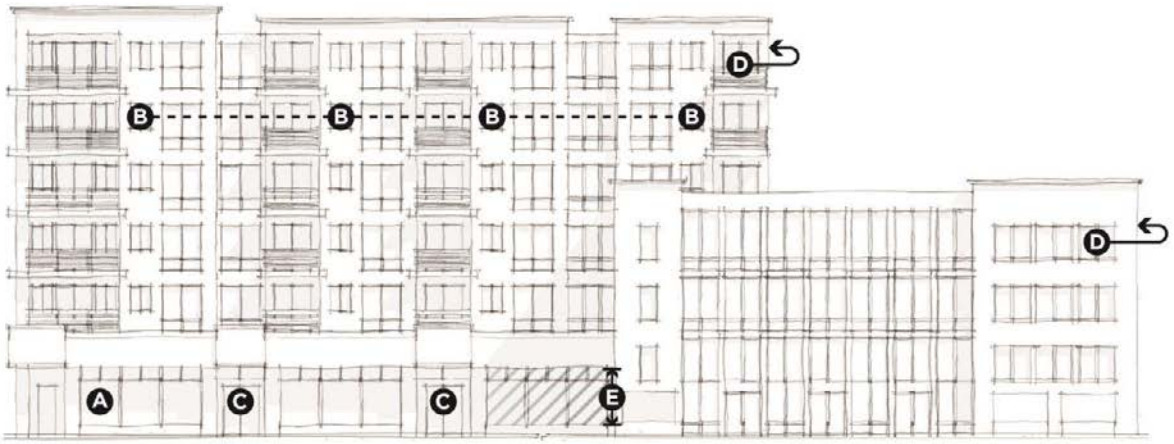
C All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.

D Building materials and visual elements used on the primary building frontage must continue on all building façades that are visible from a public right-of-way.

E The ground floor of the front façade must maintain a minimum transparency of 30%, measured between two and ten feet in height from grade.

F Upper floors of the front façade must maintain a minimum transparency of 15% of the wall area of the story

C-H-2 DISTRICT DESIGN STANDARDS



A Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 30 linear feet, measured parallel to the street.

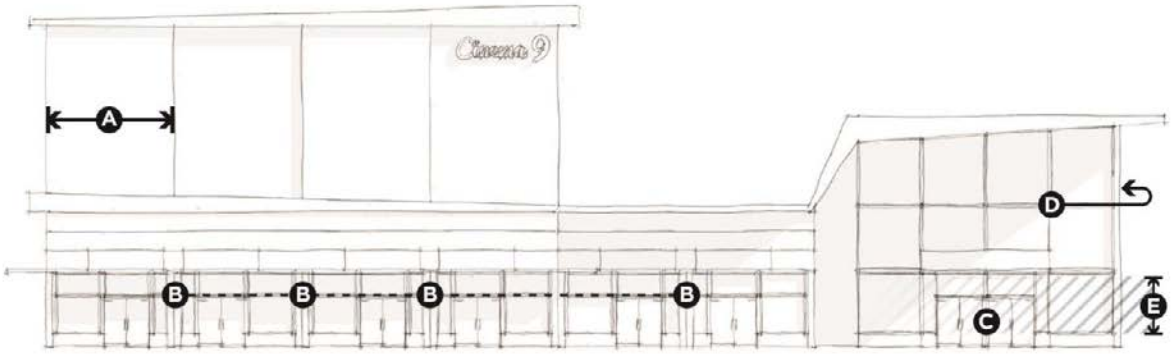
B Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 50 linear feet.

C All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.

D Building materials and visual elements used on the primary building frontage must continue on all building façades that are visible from a public right-of-way.

E The ground floor of the front façade must maintain a minimum transparency of 30%, measured between two and ten feet in height from grade.

C-R-2 DISTRICT DESIGN STANDARDS



A Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 30 linear feet, measured parallel to the street.

B Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 50 linear feet.

C All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.

D Building materials and visual elements used on the primary building frontage must continue on all building façades that are visible from a public right-of-way.

E The ground floor of the front façade must maintain a minimum transparency of 30%, measured between two and ten feet in height from grade.

5.5 DK DISTRICT STANDARDS

A. Subdistricts Established

The DK District is intended to accommodate the unique development environment within downtown. To facilitate development that reinforces and enhances the existing varied character areas of downtown Knoxville, the DK District is divided into five sub-districts that include tailored dimensional and design standards related to their specific contexts. These sub-districts are:

1. DK-B Downtown Knoxville Boulevards Subdistrict

The DK-B Downtown Knoxville Boulevards Subdistrict is intended to accommodate those areas of Downtown Knoxville that have developed in a manner characterized by wide, planted boulevards, and a green, open landscape consisting of lawns, plazas and structures at variable setbacks.

2. DK-G Downtown Knoxville Grid Subdistrict

The DK-G Downtown Knoxville Grid Subdistrict is intended to accommodate those areas of Downtown predominantly characterized by the traditional 300 foot by 300 foot grid pattern established in the Plan of the City of Knoxville. It is recognized that this central area is likely to be the most intensely developed portion of the downtown, and the standards are therefore designed to ensure that future development maintains the pedestrian orientation and mixed-use environment characteristic of the traditional grid.

3. DK-H Downtown Knoxville Historic Core Subdistrict
The DK-H Downtown Knoxville Historic Core Subdistrict is intended to accommodate those areas of Downtown Knoxville characterized by a heterogeneous mix of uses organized within a highly-walkable environment with a continuous, consistent street-wall, and a preponderance of historic and cultural resources.

4. DK-W Downtown Knoxville Warehouse Subdistrict
The DK-W Downtown Knoxville Warehouse Subdistrict is intended to accommodate the area located primarily along Jackson Avenue and the rail yard on the north end of Downtown Knoxville, and characterized by a mix of retail and warehouse/industrial uses in historically significant structures. Subdistrict standards are designed to allow the continued mix of uses in this area, and to reinforce the existing built character of the Warehouse Subdistrict.

5. DK-E Downtown Edge Subdistrict
The DK-E Downtown Edge Subdistrict is intended to address areas of transition between the higher intensity environment of the Downtown and adjacent smaller-scale mixed-use areas. The DK-E Subdistrict facilitates mixed-use development with standards that focus on compatibility with adjacent development.

B. DK Subdistricts Dimensional Standards

1. Table 5-3: DK Subdistricts Dimensional Standards establishes the dimensional standards for the Downtown Subdistricts. These regulations apply to all uses within the district unless a different standard is listed for a specific use.

2. A minimum ground floor height of 12 feet measured from floor to floor is required in the DK-G and DK-H Subdistricts.

3. Buildings over 85 feet in height are required to incorporate a stepback a minimum of ten feet from the street-facing façade plane. Such stepback must occur above the third story, and below the seventh story.

Table 5-3: DK Subdistricts Dimensional Standards

	DK-B	DK-G	DK-H	DK-W	DK-E
Bulk					
Maximum Building Height	Unlimited	Unlimited	85’	~~125’~~ Unlimited	~~50’~~85’
Minimum Building Height	None	24’	24’	None	None
Setbacks					
Minimum Setback from Street Lot Line	Build-to-Zone: 0’ - 25’	Build-to-Zone: 0’-5’	Build-to Zone: 0’ – 5’	Build-to-Zone: 0’-15’	Build-to-Zone: 0’-20’’
Minimum Build-To Percentage	N/A	80%	100%	80%	70%
Interior Side Setback	None	None	None	None	None
Rear Setback	None, unless abutting a residential district, then 15’	None	None	None	None, unless abutting a residential district, then 25’

C. Design Standards

1. Table 5-4: DK Subdistricts Design Standards indicates the applicability of design standards for the DK Subdistricts. In the table, a “•” indicates that the standard is applicable in the subdistrict indicated. The absence of a “•” indicates that the standard does not apply to the subdistrict.

2. New construction and certain expansion and alteration actions within the DK District, as described in the Downtown Design Review in Section 16.5, are subject to review and approval by the ~~Downtown~~ Design Review Board per Section 16.5 (this excludes the DK-E Sub-District per item 3 below). The Downtown Knoxville Design Guidelines contain standards that the ~~Downtown~~ Design Review Board will use to review such development per Section 16.5, in addition to Table 5-4.

3. The DK-E Sub-District is not subject to review by the ~~Downtown~~ Design Review Board, but still requires site plan review by Knoxville-Knox County Planning Commission staff. Only the design standards of Table 5-4 apply to the DK-E Sub-District. These design standards apply to new construction and to any additions to a structure existing as of the effective date of this Code that exceed 30% or more of the existing structure's square footage~~of 30% or more in square footage~~.

Table 5-4: DK Subdistricts Design Standards					
	DK-B	DK-G	DK-H	DK-W	DK-E
Façade Design					
Building façades that abut a public right-of-way, excluding alleys, must incorporate building entries no less than once every 50 feet.		•	•	•	•
Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 35 linear feet, measured parallel to the street.	•			•	•
Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 20 linear feet, measured parallel to the street.		•	•		
Fenestration Design					
The ground floor of the front façade must maintain a minimum transparency of ~~50~~30%, measured between two and ten feet in height.	•	•	•	•	•
~~The ground floor of the front façade must maintain a minimum transparency of 60%, measured between two and ten feet in height from grade.~~		~~•~~	~~•~~		
Upper floors of the front façade must maintain a minimum transparency of 15% of the wall area of the story.	•			•	•
Upper floors of the front façade must maintain a minimum transparency of 25% of the wall area of the story		•	•		

D. DK District Building Material Restrictions

The following building materials are prohibited on any façade facing a public right-of-way, excluding alleys, or any façade that abuts a residential district. Such materials may still be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material. The ~~Downtown~~ Design Review Board, as part of Downtown Design Review, may approve the use of such restricted materials on a case by case basis. The ~~Downtown~~ Design Review Board must find that use of these materials as primary building material is a creative approach to building form that allows for an architecturally and/or environmentally innovative design. This does not apply to the DK-E Sub-District which must comply with these building material restrictions.

1. Plain c~~C~~oncrete masonry units (CMU)

2. Aluminum, steel or other metal sidings; this restriction does not include metal architectural wall panels ~~(for example, dri-design panels)~~

3. ~~Concrete~~ Exposed aggregate concrete wall panels

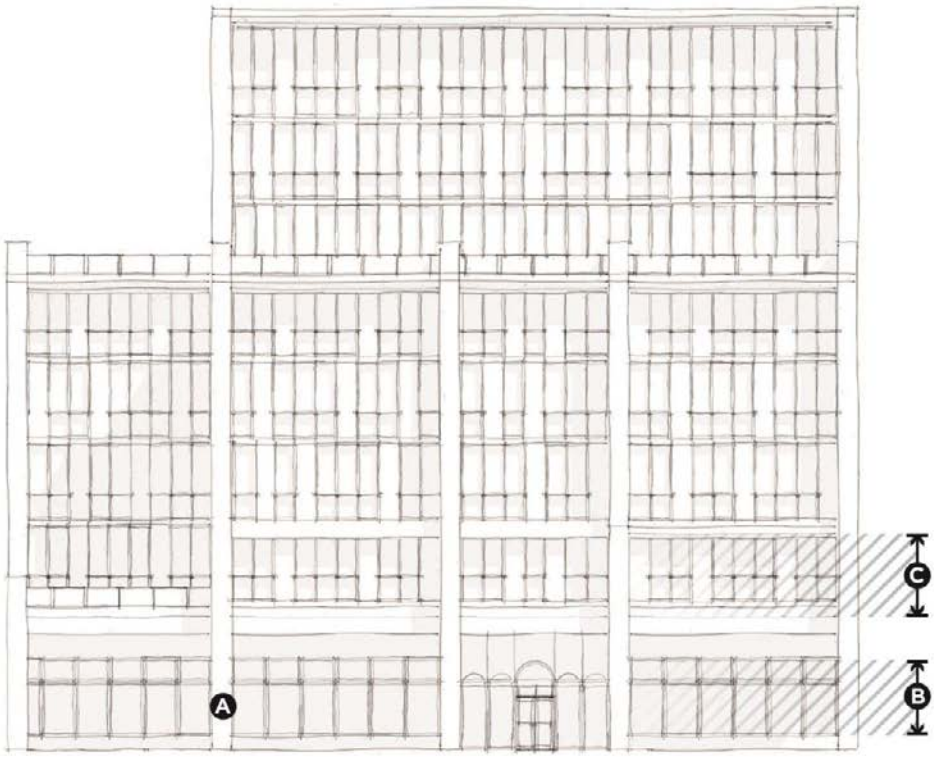
4. T-111 composite plywood siding

5. Plastic

6. Vinyl

7. Exterior insulation and finish system (EIFS)

DK-B SUBDISTRICT DESIGN STANDARDS

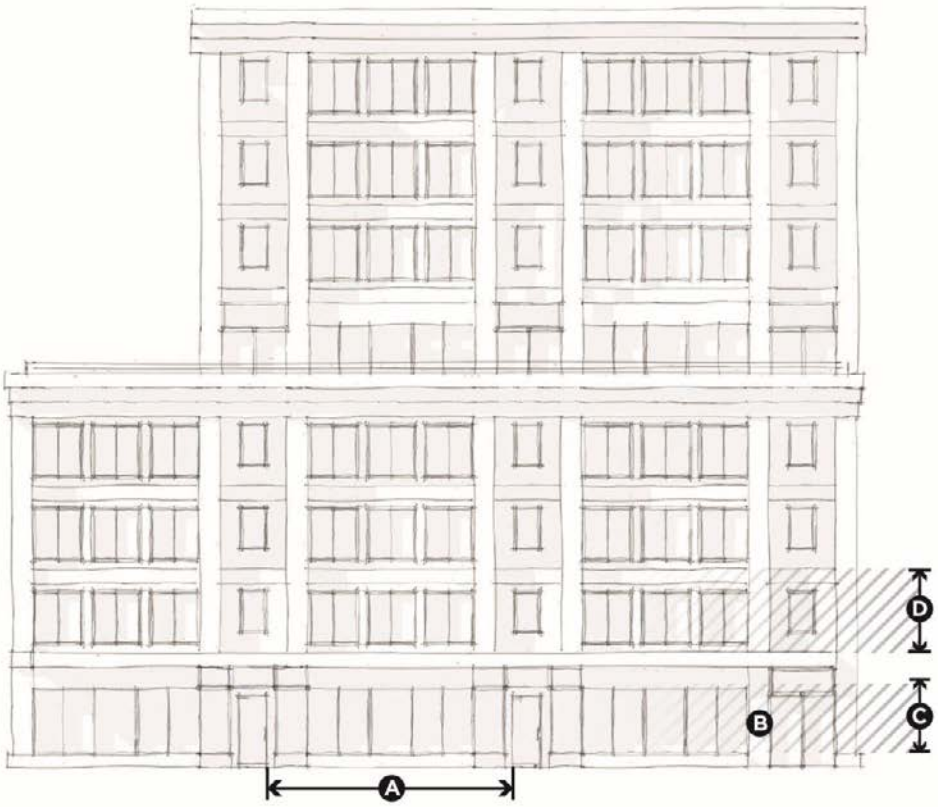


A Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 35 linear feet, measured parallel to the street.

B The ground floor of the front façade must maintain a minimum transparency of 30%, measured between two and ten feet in height from grade.

C Upper floors of the front façade must maintain a minimum transparency of 15% of the wall area of the story.

DK-G SUBDISTRICT DESIGN STANDARDS



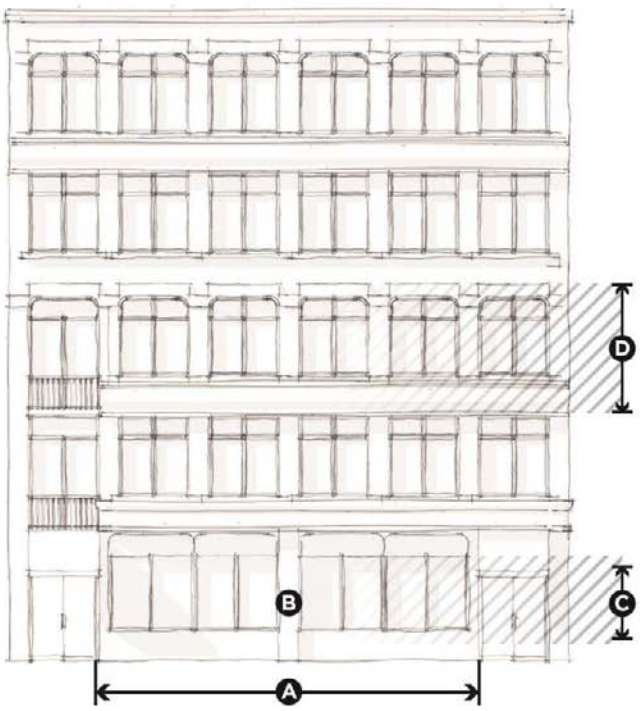
A Building façades that abut a public right-of-way, excluding alleys, must incorporate building entries no less than once every 50 feet.

B Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 20 linear feet, measured parallel to the street.

C The ground floor of the front façade must maintain a minimum transparency of 30%, measured between two and ten feet in height from grade.

D Upper floors of the front façade must maintain a minimum transparency of 25% of the wall area of the story

DK-H SUBDISTRICT DESIGN STANDARDS



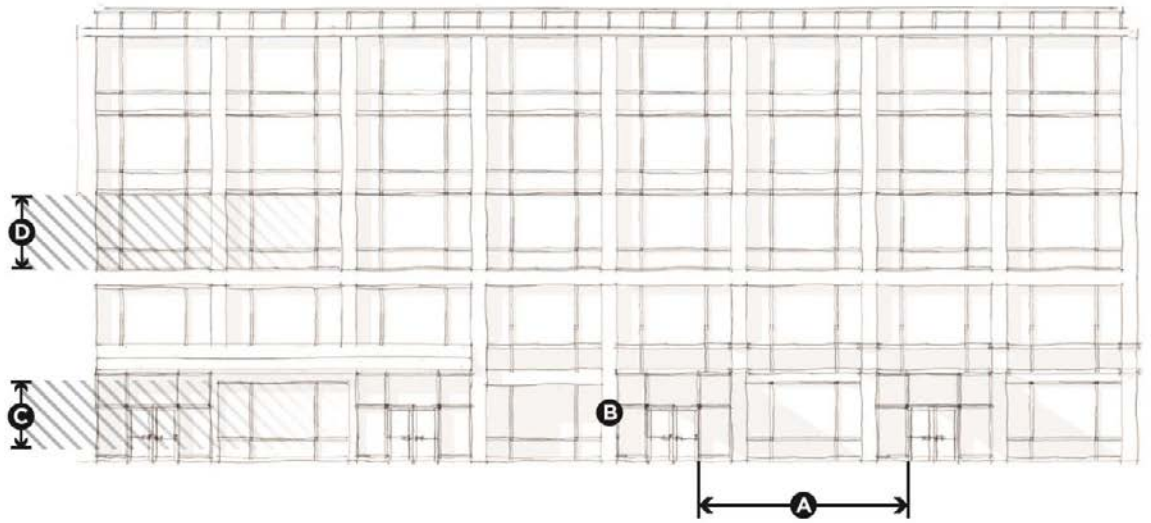
A Building façades that abut a public right-of-way, excluding alleys, must incorporate building entries no less than once every 50 feet.

B Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 20 linear feet, measured parallel to the street.

C The ground floor of the front façade must maintain a minimum transparency of 30%, measured between two and ten feet in height from grade.

D Upper floors of the front façade must maintain a minimum transparency of 25% of the wall area of the story

DK-W SUBDISTRICT DESIGN STANDARDS



A Building façades that abut a public right-of-way, excluding alleys, must incorporate building entries no less than once every 50 feet.

B Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 35 linear feet, measured parallel to the street.

C The ground floor of the front façade must maintain a minimum transparency of 30%, measured between two and ten feet in height from grade.

D Upper floors of the front façade must maintain a minimum transparency of 15% of the wall area of the story

5.6 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.

ARTICLE 6. INDUSTRIAL DISTRICTS

6.1 PURPOSE STATEMENTS
6.2 USES
6.3 DIMENSIONAL STANDARDS
6.4 DESIGN STANDARDS
6.5 GENERAL STANDARDS OF APPLICABILITY

6.1 PURPOSE STATEMENTS

A. I-MU Industrial Mixed-Use Zoning District

The I-MU Industrial Mixed-Use Zoning District is intended to provide for a mix of light industrial uses and a variety of compatible commercial uses such as entertainment, amusement and retail establishments. This mix is designed to promote the reuse of older, character giving structures that may no longer be suitable for their original industrial purposes, but that can accommodate a variety of alternative types of uses. Residential uses are also permitted in the I-MU District, both above the ground floor in mixed-use development, and in multi-family dwellings.

B. I-RD Research and Development Zoning District

The I-RD District is intended to provide for large-scale office and research and development facilities, which may include pilot plants, prototype manufacturing or other light industrial activities conducted indoors and resulting in little or no outside impacts. The I-RD District also accommodates a variety of compatible or ancillary uses to serve employees, such as retail and personal service establishments.

C. I-G General Industrial Zoning District

The I-G General Industrial Zoning District provides for a range of general industrial uses that may produce limited outside impacts, rendering them incompatible with retail, service, or residential uses. Such uses include limited manufacturing, fabricating, processing, wholesale distributing, and warehousing facilities that do not require frequent visits from customers or clients.

D. I-H Heavy Industrial Zoning District

The I-H Heavy Industrial Zoning District is intended to provide for a wide variety of general manufacturing, fabricating, processing, distributing and warehousing uses. Industrial uses in the I-H District may result in some moderate external effects such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.

6.2 USES

Article 9 lists permitted and special principal uses and temporary uses for the industrial districts.

6.3 DIMENSIONAL STANDARDS

Table 6-1: Industrial Districts Dimensional Standards establishes the dimensional standards for the industrial districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

Table 6-1: Industrial Districts Dimensional Standards

	I-MU	I-RD	I-G	I-H
Bulk				
Minimum Lot Area	None	2 acres	10,000sf	10,000sf
Minimum Lot Width	None	200’	60’	100’
Maximum Building Height	50’	90’	50’	50’
Setbacks				
Minimum Front Setback	Build-to Zone: 0’ to 25’	50’	25’	25’
Minimum Interior Side Setback	None, unless abutting a residential district, then 15’	40’	10’, unless abutting a residential district, then 50’	15’, unless abutting a residential district, then 50’
Minimum Corner Side Setback	Build-to Zone: 0’ to 25’	50’	25’	25’
Minimum Rear Setback	15’	30’	15’, unless abutting a residential district, then ~~25~~50’	15’, unless abutting a residential district, then ~~35~~50’

6.4 DESIGN STANDARDS

The following design standards apply only to new construction in the I-MU District.

A. Industrial Districts Design Standards

Table 6-2: Industrial Districts Design Standards applies to new construction and to any additions to a structure existing as of the effective date of this Code that exceed 30% or more of the existing structure's square footage~~this Code of 30% or more in square footage~~ in the I-MU District. **(Per Council: Clarify w/Art. 17 rights & requirements.)**

Table 6-2: Industrial Districts Design Standards	
	I-MU
Façade Design	
Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 30 linear feet, measured parallel to the street.	•
Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 50 linear feet.	•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.	•
Building materials and visual elements used on the primary building frontage must continue on all building façades that are visible from a public right-of-way.	•
Fenestration Design	
The ground floor of the front façade must maintain a minimum transparency of 30~~50~~%, measured between two and ten feet in height from grade.	•
Upper floors of the front façade must maintain a minimum transparency of 15% of the wall area of the story	•
Commercial Site Design	
Sites must be designed to ensure safe pedestrian access from the public right-of-way, and safe pedestrian circulation within the development.	•
Surface parking may not be located between a principal building and the front lot line. Parking must be located to the side or rear of the principal building.	•

B. Building Material Restrictions

In the I-MU District, the following building materials are prohibited on any façade facing a public right-of-way, excluding alleys, or any façade that abuts a residential district. Such materials may still be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. ~~Concrete~~ Plain concrete masonry units (CMU)
2. Aluminum, steel or other metal sidings; this restriction does not include metal architectural wall panels ~~(for example, dri-design panels)~~
3. Exposed aggregate ~~(rough finish)~~ concrete wall panels
4. T-111 composite plywood siding
5. Plastic
6. Vinyl

6.5 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.

ARTICLE 7. FORM-BASED CODE DISTRICTS

7.0 GENERAL PROVISIONS
7.1 SW SOUTH WATERFRONT ZONING DISTRICT ~~CU CUMBERLAND AVENUE ZONING DISTRICT~~
7.2 CU CUMBERLAND AVENUE ZONING DISTRICT ~~SW SOUTH WATERFRONT ZONING DISTRICT~~

(Council approved all changes on pages 7-1 through 7-4 unanimously at 5/14/19 meeting)

7.0 GENERAL PROVISIONS

7.1 SW SOUTH WATERFRONT ZONING DISTRICT ~~CU CUMBERLAND AVENUE ZONING DISTRICT~~

7.2 CU CUMBERLAND AVENUE ZONING DISTRICT ~~SW SOUTH WATERFRONT ZONING DISTRICT~~

REVISIONS TABLE

DATE	ORDINANCE	DESCRIPTION
05/09/2009	O-70-09	Original adoption as part of the South Waterfront District (SW-)
2/19/2013	O-30-2013	Removal of Adminstration Section to General Provision Section, Article 4, Section 4.0
06/23/2015	O-108-2015	Amendments related to Additions, Alterations, and Repairs

4.0. GENERAL PROVISIONS

4.0.1. Introductory Provisions

A. Purpose and Intent

The Form Districts are intended to foster a series of mixed use, pedestrian-friendly districts for specific areas of the City upon adoption of a small area plan.

B. Districts Established

The following Form Districts have been established as designated on the City of Knoxville Official Zoning Map.

1. South Waterfront District (SW-).
2. Cumberland Avenue District (CU-).

C. How to Use this Code for New Development

1. Step One

Determine what Form District your property is located in by going to www.kgis.org.

2. Step Two

Once you have determined what Form District you are in you need to find out what subdistrict applies to your property. To do this you will have to look at the specific Form District Regulating Plan.

a. For the South Waterfront District go to Sec. 4.1.3.

b. For the Cumberland Avenue District go to Sec. 4.2.2.

3. Step Three

Verify what type of approval process you must go through.

a. For an application related to a single-family house or two-family duplex go to Sec. 4.0.2.E.

b. For an application related to a multi-dwelling, mixed use or nonresidential structure go to Sec.4.0.2.F.

4. Step Four

To establish the lot and building standards for your building or site go to the district pages for the subdistrict your property is located in (as determined in Step Two):

a. For the South Waterfront District go to Sec. 4.1.4.

b. For the Cumberland Avenue District go to Sec. 4.2.3.

5. Step Five

If you are in the Cumberland Avenue District go to Sec. 4.0.3 for general rules that apply to all subdistricts. The Section includes rules for such things as: how to measure building height; what things are allowed to encroach into building setbacks; and how to measure ground floor transparency.

6. Step Six

Determine what uses are allowed in your subdistrict.

a. For the South Waterfront District go to Sec. 4.1.5.

b. For the Cumberland Avenue District go to Sec. 4.2.5.

7. Step Seven

All Form Districts are subject to a series of site development standards, which cover requirements for such things as parking, landscaping, signs, lighting, outdoor storage and the streetscape.

a. For the South Waterfront District go to Sec. 4.1.4 thru Sec. 4.1.6.

b. For the Cumberland Avenue District go to Sec. 4.2.6 thru Sec. 4.2.11.

8. Step Eight

Finally, certain Form Districts have specific requirements that must also be addressed.

a. For the South Waterfront District go to Sec. 4.1.7 thru Sec. 4.1.9 for requirements that relate to the river, stream buffers and marinas.

b. The Cumberland Avenue District does not have any additional specific requirements.

D. How to Use this Code for Additions to Structures or Developments

1. For the purposes of this Section, “addition” shall mean construction that extends or increases the floor area or height of a structure. Addition shall be synonymous with the term expansion, as used in this Section. Alterations, repairs, or new construction shall not be considered an addition.

2. Existing construction that is not modified by the addition may remain and does not have to comply with the provisions of Sections 4.0 through Section 4.3, so long as the existing construction exists legally and was properly permitted.

3. Any addition shall comply with Subsection 4.0.1.C of this Section.

E. How to Use this Code for Alterations to Structures or Developments

1. For the purposes of this Section, “alteration” shall mean any change or modification in the construction of an existing structure or portion of an existing structure that may change the structure, but does not increase the overall area, height, or dimensions of the structure. Alteration may include, but is not limited to, the addition or removal of doors or windows, the extension or rearrangement of any system, the installation of equipment or fixtures, relocation of openings, or any work that reduces the load-bearing capacity of a structural member. Repair, maintenance, demolition, or additions shall not be considered an alteration.

2. Existing construction that is not modified by the alteration may remain and does not have to comply with the provisions of Sections 4.0 through Section 4.3, so long as the existing construction exists legally and was properly permitted.

3. Any alteration shall comply with Subsection 4.0.1.C of this Section.

F. How to Use this Code for Repairs to Structures or Developments

1. For the purposes of this Section, “repair” shall mean the reconstruction, replacement, or renewal of any part of existing construction or one of its constituent systems for the purpose of maintenance, with similar material while retaining sound parts or elements. Repair shall be synonymous with the terms renovation and restoration. Alterations, additions, or demolition shall not be considered repair.

2. Existing construction that is not modified by the repair may remain and does not have to comply with the provisions of Sections 4.0 through Section 4.3, so long as the existing construction exists legally and was properly permitted.

4.0.2. Common Approval Procedures

A. Summary of Review Authority

The following table provides a summary of the review authority established for all Form Districts. The rules for each procedure are provided below.

	Administrator	ARC	MPC	Appeal Body
Level 1: Zoning Clearance Review	▪			[BZA]
Level 2: Development Plan Review	▪	▫		[BZA]
Level 3: Alternative Compliance Review	▫	▫	[▪]	[CC]
Written Interpretations	▪			[BZA]

▪ = Decision
▫ = Recommendation
[ ] = Public Hearing

CC = City Council
BZA = Board of Zoning Appeals
MPC = Metropolitan Planning Commission
ARC = Administrative Review Committee

B. Administrator

1. Authority

The Administrator is the Chief Building Official for the City of Knoxville. The Administrator is responsible for the day-to-day administration and enforcement of each Form District.

2. Delegation of Authority

The Administrator may designate any City of Knoxville or Metropolitan Planning Commission staff member to represent the Administrator in any function assigned by this Section. The Administrator remains responsible for any final action.

C. Administrative Review Committee

1. Authority

The City Council has delegated review of Development Plans and applications to the Administrative Review Committee. The Administrator will serve as chairman of the Administrative Review Committee and is responsible for all final actions.

2. Composition

In addition to the Administrator, the Administrative Review Committee must consist of a representative from the following entities:

a. Civil Engineering;

b. Fire Department;

c. Knoxville Utility Board;

d. Metropolitan Planning Commission;

e. Plans Review and Inspection;

f. Parks and Recreation;

g. Public Services;

h. Stormwater Engineering;

i. Traffic Engineering; and

j. Other City Staff as deemed necessary by the Administrator.

D. Procedures of General Applicability

1. Pre-Application Conference

a. Prior to completion of project design and formal submittal of required application, the applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards and regulations.

b. A request by a potential applicant must be accompanied by preliminary project plans and designs and the required filing fee.

c. The Administrator must inform the applicant of requirements as they apply to the proposed project, provide a preliminary list of issues that will likely be of concern during formal application review, suggest possible modifications to the project, and identify any technical studies that may be necessary for the review process when a formal application is submitted. Any discussions held are not binding for either the applicant or the City.

2. Application Requirements

a. Forms

Applications must be submitted to the Administrator on forms and in such numbers as required by the Administrator.

b. Fees

Filing fees have been established to defray the cost of processing an application and holding a pre-application conference, such fees as adopted by the City Council. Before review of an application, all associated fees must be paid in full.

c. Completeness Review

i. All applications must be sufficient for processing before the Administrator is required to review the application. Within 10 working days of the receipt of the application, the Administrator must notify the applicant in writing whether or not the application is complete or whether additional information is required.

ii. An application is sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of the Form District regulations.

iii. The presumption is that all of the information required in the application forms is necessary to satisfy the requirements of these regulations. However, it is recognized that each application is unique, and therefore more or less information may be required according to the needs of the particular case. The applicant may rely on the recommendations of the Administrator as to whether more or less information should be submitted.

iv. Upon receipt of a complete application, the Administrator must review the application and may confer with the applicant to ensure an understanding of the applicable requirements of the Form District regulations; that the applicant has submitted all of the information they intend to submit; and that the application represents precisely and completely what the applicant proposes to do.

E. Level I: Zoning Clearance Review

1. Purpose

Zoning Clearance Review is intended to ensure that all houses and duplexes comply with the requirements of the applicable Form District.

2. Applicability

a. Zoning Clearance Review is required for the construction of, or an addition of greater than 50% of existing square footage to a house or duplex on an individual lot, including associated accessory structures.

b. Where an administrative deviation is requested, the application must be reviewed pursuant to Sec. 4.0.2.F.

c. Where a variance is requested, the application must be reviewed pursuant to Article 7. Section 2, "City of Knoxville Board of Zoning Appeals."

3. Authority

The Administrator is authorized to approve applications for Zoning Clearance Review within a Form District. No permit may be issued from any department, including but not limited to City of Knoxville Permits and Inspections or Engineering Department, or structure or building erected, and no existing building or structure may be altered, remodeled, enlarged or extended until the Administrator has approved the application for Zoning Clearance.

4. Pre-Application Conference

An applicant requesting Zoning Clearance Review must schedule a pre-application conference pursuant with Sec. 4.0.2.D.1.

5. Application Requirements

An application for Zoning Clearance Review must be submitted pursuant with Sec. 4.0.2.D.2.

6. Administrator Action

a. Upon submission of a completed application, the Administrator must review the application for consistency with the requirements of the applicable Form District.

b. Within 10 working days after the application has been determined complete, the Administrator must approve or deny the application for Zoning Clearance Review.

7. Approval Criteria

In approving an application for Zoning Clearance Review, the Administrator must consider the following:

a. Compliance with all applicable Form District standards; and

b. Compliance with all applicable Zoning Ordinance requirements.

8. Modifications to Approved Applications

The Administrator has the authority to grant modifications to approved applications for Zoning Clearance Review pursuant to the provisions of this Section.

9. Effect of Zoning Clearance Approval

After the approval of Zoning Clearance Review, the applicant may apply for any other permits and approvals including, but not limited to, those permits and approvals required by the Zoning Ordinance, the Subdivision regulations, the Building Code or the Stormwater and Street Ordinance.

10. Appeals

Any person, firm or corporation aggrieved by any decision of the Administrator may appeal the decision pursuant to Article 7. Section 2, "City of Knoxville Board of Zoning Appeals."

F. Level II: Development Plan Review

1. Purpose

Development Plan Review is intended to ensure that all multi-dwelling, mixed use and nonresidential structures comply with the requirements of the applicable Form District.

2. Applicability

Except for houses and duplexes on individual lots, including associated accessory structures, all new construction or expansion of an existing structure or building, is subject to the Development Plan Review process as set forth below.

3. Authority

The Administrator, with review by the Administrative Review Committee, is authorized to approve applications for Development Plan Review. No permit may be issued from any department, including but not limited to City of Knoxville Permits and Inspections or Engineering Department, or structure or building erected, and no existing building or structure may be altered, remodeled, enlarged or extended until the Administrator has approved the Development Plan.

4. Pre-Application Conference

An applicant requesting Development Plan Review must schedule a pre-application conference pursuant with Sec. 4.0.2.D.1.

5. Application Requirements

An application for Development Plan Review must be submitted pursuant with Sec. 4.0.2.D.2.

6. Administrator Action

a. Upon submission of a completed application, the Administrator must schedule the application for review by the Administrative Review Committee. The Administrative Review Committee must review the application for consistency with the requirements of the applicable Form District.

b. Upon completion of the review, the Administrator may meet with the applicant to discuss any changes in development design.

c. Within 20 working days after the application has been determined complete, the Administrator must determine whether the application conforms to all requirements of the applicable Form District.

7. Approval Criteria

In approving an application for Development Plan Review, the Administrator must consider the following:

a. Recommendations from the Administrative Review Committee;

b. Compliance with all applicable Form District standards;

c. Compliance with all applicable Zoning Ordinance requirements;

d. Compliance with all applicable Subdivision Regulations;

e. Compliance with the Major Road Plan; and

f. Compliance with the One Year Plan.

8. Administrative Deviations

a. Authority

During the Development Plan Review process, the Administrator is authorized to approve limited administrative deviations to certain provisions of the Form District regulations, where, due to special conditions, strict enforcement would be physically impractical. This optional process may occur only where the applicant requests an administration deviation to a standard as specified below.

b. Permitted Deviations

The Administrator must review the request in light of the intent and purpose of the applicable Form District. The Administrator is authorized to approve an administrative deviation for the following standards:

i. Minimum and Maximum Street Setback – increase or decrease of up to 10% of the permitted setback.

ii. Build-to zone (minimum percentage of build-to) – reduction of up to 5%.

iii. Side Setback – reduction of up to 50% of the required minimum side setback.

c. Unlisted Standards

Any request for relief from a required standard, other than those listed above, must be reviewed pursuant to Article 7. Section 2, "City of Knoxville Board of Zoning Appeals."

9. Modifications to Approved Development Plans

The Administrator, with review by the Administrative Review Committee, has the authority to grant modifications to approved application for Development Plan Review pursuant to the provisions of this Section.

10. Effect of Development Plan Approval

After the approval of Development Plan, the applicant may apply for any other permits and approvals including, but not limited to, those permits and approvals required by the Zoning Ordinance, the Subdivision regulations, the Building Code or the Stormwater and Street Ordinance.

11. Appeals

Any person, firm or corporation aggrieved by any decision of the Administrator may appeal the decision pursuant to Article 7. Section 2, "City of Knoxville Board of Zoning Appeals."

G. Level III: Alternative Compliance Review

1. Purpose

Alternative Compliance Review is intended to allow innovative, high quality developments that would not otherwise be allowed under a strict interpretation of the Form District regulations but nevertheless comply with the intent of the applicable Form District and Plan. The Alternative Compliance Review mechanism is also intended to provide a process for requests by applicants for reconstruction or expansion of nonconforming structures in which nonconforming uses operate.

2. Authority

No permit may be issued from any department, including but not limited to City of Knoxville Permits and Inspections or Engineering Department, nor structure or building erected, and no existing building or structure may be altered, remodeled, enlarged or extended until the Metropolitan Planning Commission has approved the application for Alternative Compliance after review and recommendations by the Administrator and the Administrative Review Committee.

3. Applicability

Any development that does not meet the requirements of Sec. 4.0.2.E or Sec. 4.0.2.F, or Article 7, Section 2 "Variances" may submit an application for Alternative Compliance Review.

4. Pre-Application Conference

An applicant requesting Alternative Compliance Review must schedule a pre-application conference pursuant with Sec. 4.0.2.D.1.

5. Application Requirements

An application for Alternative Compliance Review must be submitted pursuant with Sec. 4.0.2.D.2.

6. Administrator Action

a. Upon submission of a completed application, the Administrator must schedule the application for review by the Administrative Review Committee. The Administrative Review Committee must review the application for consistency with the requirements of the applicable Form District.

b. Upon completion of the review, the Administrator may meet with the applicant to discuss any changes in development design.

c. The Administrator must prepare a report that reviews the application in light of comments provided by the Administrative Review Committee, and in light of the applicable Form District and Plan. The report recommendations, and any related application materials must be forwarded to the Metropolitan Planning Commission.

7. Metropolitan Planning Commission Action

a. The Metropolitan Planning Commission must hold a public hearing subsequent to notification consistent with its Administrative Rules and Procedures.

b. The Metropolitan Planning Commission must approve or deny the application, or send the application back to the Administrative Review Committee for additional consideration.

c. In the exercise of its approval, the Metropolitan Planning Commission may impose such conditions regarding the location, character or other features of the proposed buildings as it may deem advisable in the furtherance of the general purposes of the applicable Form District Plan.

8. Approval Criteria

a. In reviewing an application for Alternative Compliance Review in cases other than applications concerning reconstruction or expansion of nonconforming structures in which nonconforming uses operate, the Metropolitan Planning Commission must consider the following:

   i. Consistency with the applicable adopted Plan;

   ii. That the development will not have a substantial or undue adverse effect upon the neighborhood, the character of the area, traffic conditions, parking, public infrastructure, and other matters affecting the public health, safety and general welfare;

   iii. That the development will be constructed and operated to be compatible with the district;

   iv. That the proposed development can be adequately served by public facilities;

   v. That the proposed development will not result in the destruction, loss, or damage of any significant natural, scenic, or historical district, site, or feature;

   vi. Compliance with the intent of the applicable Form District and Plan;

   vii. Compliance with all applicable Zoning Ordinance requirements;

   viii. Compliance with all applicable Subdivision regulations;

   ix. Compliance with the Major Road Plan;

   x. Compliance with the One Year Plan; and

   xi. Compliance with the Stormwater and Street Ordinance.

b. In reviewing an application for Alternative Compliance Review, in cases concerning nonconforming structures in which nonconforming uses operate, the Metropolitan Planning Commission must consider the following:

   i. That the application concerns such nonconforming structures that are proposed to be reconstructed due to a voluntary or involuntary destruction, or that are proposed to be expanded;

   ii. That the application only concerns the reconstruction or expansion of such structures that the Administrator has determined are not compliant with the dimensional, locational, or building design requirements of the applicable Form District; and

   iii. That the application demonstrates that the design of the proposed structures is compatible with the existing structures on the property and, to the maximum extent feasible, with the intent of the dimensional, locational, or building design requirements of the applicable Form District.

9. Modifications to Approved Applications

a. Minor Modifications

The Administrator, with the review of the Administrative Review Committee, has the authority to grant minor modifications to an approved application. The applicant must file a written application for such amendment with the Administrator. Minor modifications include, but are not limited to the following:

i. A less than 5% change in floor area, number of units, parking area, or parking spaces;

ii. A 10% decrease in open space; and

iii. The minor relocation of any structure, dedicated street, easement, or landscape screen in any direction from the location shown on the approved application unless deemed by the Administrator to significantly alter the approved application.

b. Major Modifications

If the proposed amendment is not considered a minor modification, the approved application must be amended pursuant with the procedures and standards that governed its original approval.

10. Appeals

Any person, firm or corporation aggrieved by any decision of the Metropolitan Planning Commission may petition the decision to the City Council. Such petition must be in writing and state:

a. The name of the owner of the subject property.

b. A description of the subject property, including the City Block and Parcel or lot number.

c. A statement of the petitioner's interest in the matter, including a description of affected property owned by petitioner where petitioner is not the owner of the subject property.

d. A statement of the reason for appeal, including a map of the zoning of all property located within 300 feet of the subject property.

e. The petition must be filed with the Metropolitan Planning Commission not more than 15 working days from the date of the Metropolitan Planning Commission decision to be considered and must be scheduled for public hearing before City Council.

f. All petitions must be submitted on forms available at the Metropolitan Planning Commission.

g. Metropolitan Planning Commission must mail a copy of such petition by certified mail return receipt requested to any opposing, adverse party who registered as such at the time the matter was heard by Metropolitan Planning Commission.

h. The City Council must consider de novo in a public hearing and may affirm, modify, impose restrictions or overrule the action of the Metropolitan Planning Commission.

H. Written Interpretations

1. Applicability

When uncertainty exists, the Administrator, is authorized to make all interpretations concerning the provisions of a Form District.

2. Application Requirements

An application for a written interpretation must be submitted pursuant with Sec. 4.0.2.D.2.

3. Administrator Action

a. The Administrator must review and evaluate the request in light of the applicable Form District and Plan, the Zoning Map, the Regulating Plan and any other relevant information;

b. Following completion of the review and evaluation, the Administrator must render an opinion.

c. The interpretation must be provided to the applicant in writing.

4. Official Record

The Administrator must maintain an official record of all interpretations. The record of interpretations must be available for public inspection during normal business hours.

5. Appeals

Any person, firm or corporation aggrieved by any decision of the Administrator may appeal the decision pursuant to Article 7. Section 2, "City of Knoxville Board of Zoning Appeals."

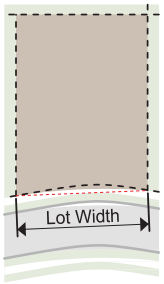
4.0.3. General Rules of Applicability

A. Applicability

The following general rules of applicability apply to all Form Districts, except the South Waterfront District.

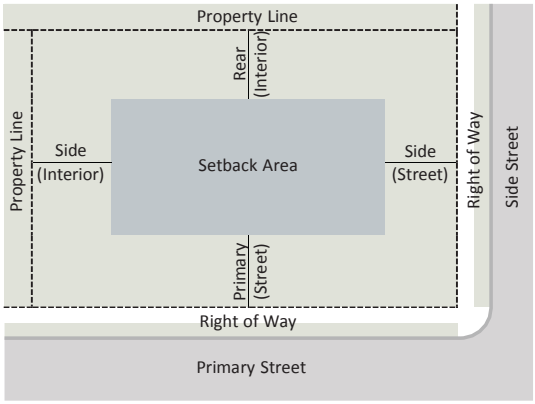
B. Lot Width

Lot width is the distance between the 2 side lot lines measured at the primary street property line along a straight line or along the chord of the property line on a curvilinear lot.



C. Building Setbacks

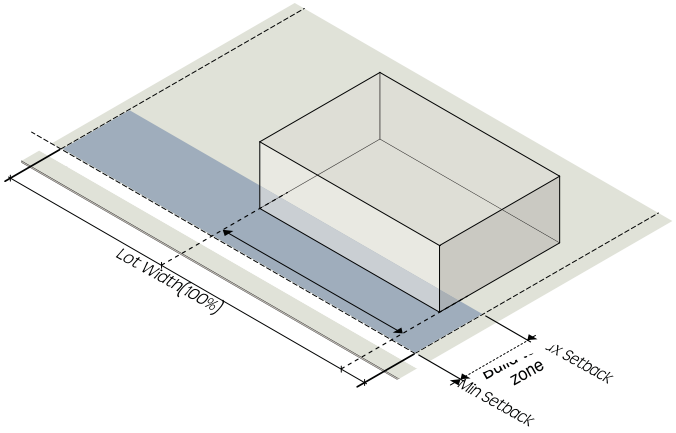
1. There are 4 types of building setbacks – primary street, side street, side interior and rear.



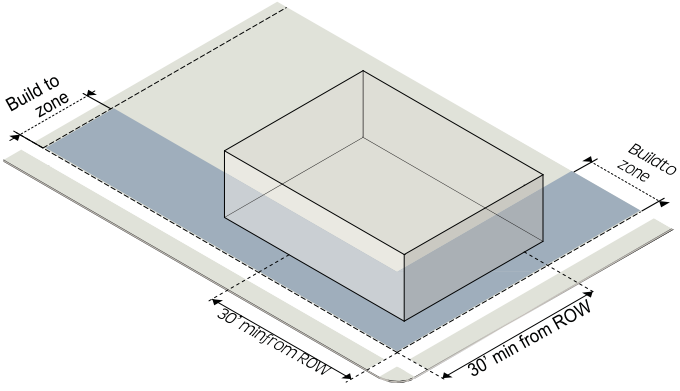
2. Primary and side street setbacks are measured from the edge of the right-of-way.
3. Primary and side streets are designated in each specific Form District.
4. Side interior setbacks are measured from the side property line.
5. Rear setbacks are measured from the rear property line or the edge of the right-of-way where there is an alley.
6. When the side interior or rear setback is 0 or 5 feet, the building or structure must be placed on the side or rear property line or be placed a minimum of 5 feet from the side or rear property line.
7. For developments on coner lots, the building must be located as to provide for adequate sight distance as approved by the City of Koxville, Department of Engineering.

D. Build-to Zone (BTZ)

1. The build-to zone is the area on the lot where a certain percentage of the front building facade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.
2. The required percentage specifies the amount of the front building facade that must be located in the build-to zone, measured based on the width of the building divided by the width of the lot.



3. On a corner lot, a building facade must be placed within the build-to zone for the first 30 feet along the street extending from the block corner, measured from the intersection of the 2 right-of-way lines.

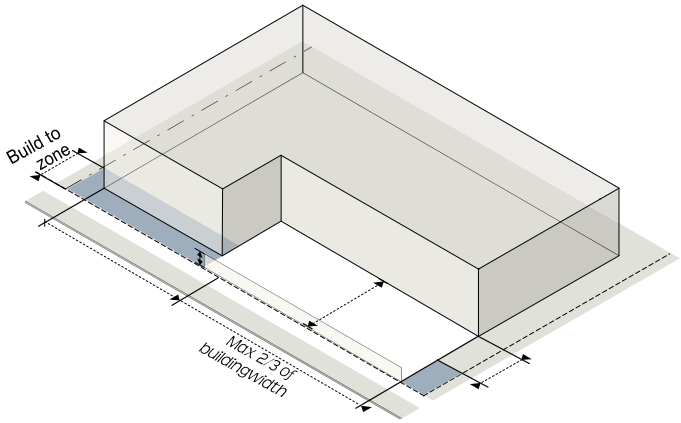


4. Outdoor seating and dining areas may qualify as building facade for the purpose of meeting the build-to requirement provided that the following standards are met:
   a. The front building facade is located no more than 10 feet behind the maximum street setback;

b. The outdoor seating and dining area is no more than 2/3 the width of the building;

c. The outdoor seating and dining area is no more than 16 feet deep; and

d. The seating area is separated from the sidewalk by a wall or fence no higher than 4 feet above the sidewalk.



E. Setback Encroachments

All buildings and structures must be located at or behind required setbacks, except as listed below. Unless specifically stated no building or structure can extend into a required easement or public right-of-way.

1. Building Features

a. Porches, stoops, balconies, galleries and awnings/ canopies can extend into a required setback under Sec. 4.2.4.

b. Chimneys or flues may extend up to 4 feet, provided that such extension is at least 2 feet from the vertical plane of any lot line.

c. Building eaves, roof overhangs and light shelves may extend up to 4 feet, provided that such extension is at least 2 feet from the vertical plane of any lot line.

d. Bay windows, entrances and similar features that are less than 10 feet wide may extend up to 4 feet, provided that such extension is at least 2 feet from the vertical plane of any lot line.

e. Unenclosed fire escapes or stairways may extend up to 4 feet into a required side or rear setback, provided that such extension is at least 5 feet from the vertical plane of any lot line.

f. Unenclosed patios, decks or terraces may extend up to 4 feet into a required side setback, or up to 8 feet into a required rear setback, provided that such extension is at least 5 feet from the vertical plane of any lot line.

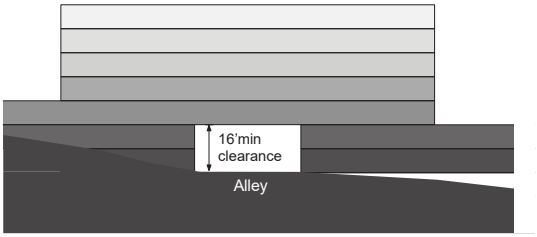
g. Outdoor seating and dining areas may extend into a primary or side street setback.

h. Cornices, belt courses, sills, buttresses, or other similar architectural features may project up to 1½ feet.

i. Handicap ramps may encroach to the extent necessary to perform their proper function.

j. Building features below and covered by the ground may encroach into any required setback.

k. Habitable space or structured parking may encroach over an existing or proposed alley with approval of an encroachment agreement by the City, provided that the alley remains public and a minimum clear height of 16 feet is maintained for vehicles.



2. Mechanical Equipment and Utility Lines

a. Mechanical equipment associated with residential uses, such as HVAC units and security lighting, may encroach into a required rear or side setback, provided that such extension is at least 3 feet from the vertical plane of any lot line.

b. Solar panels, wind turbines and rainwater collection or harvesting systems less than 10 feet in height may encroach into a required rear setback, provided that such extension is at least 5 feet from the vertical plane of any lot line.

c. Minor structures accessory to utilities (such as hydrants, manholes, and transformers and other cabinet structures) may encroach into a required rear or side setback

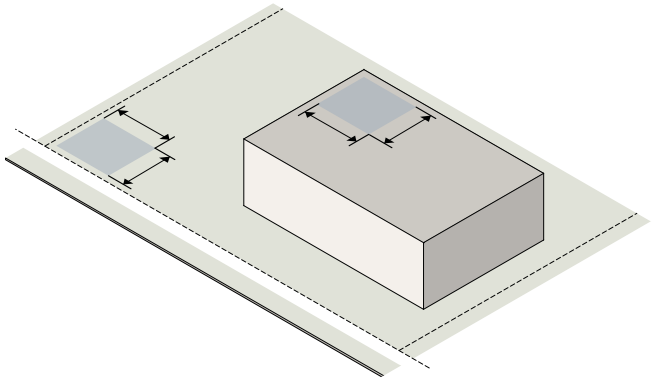
d. Mechanical equipment and utility lines below and covered by the ground may encroach into any required setback.

F. Parking Setbacks

1. There are 4 types of parking setbacks – primary street, side street, side interior and rear.
2. On-site surface and structured parking must be located behind the parking setback line. This requirement is not intended to restrict on-street parking.
3. Primary and side street parking setbacks are measured from the edge of the right-of-way.
4. Side interior setbacks are measured from the side property line.
5. Rear setbacks are measured from the rear property line or the edge of the right-of-way if there is an alley.
6. When the side interior or rear parking setback is 0 or 5 feet, parking spaces must be placed on the side or rear property line or be placed a minimum of 5 feet from the side or rear property line.

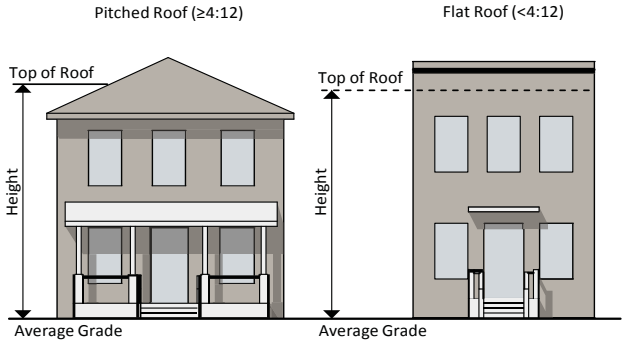
G. Outdoor Amenity Space

1. Outdoor amenity space must be provided on the lot and must be available for use by the occupants of the development.
2. Outdoor amenity space may be met in a contiguous open area or in multiple open areas on the lot; however, to receive credit the area must be at least 10 feet in width and length.
3. Outdoor amenity space may be located at or above grade.
4. Outdoor amenity space provided at grade cannot be built, parked or driven upon, except for emergency access and permitted temporary events.
5. Outdoor amenity space provided above grade may be roofed but cannot be enclosed.

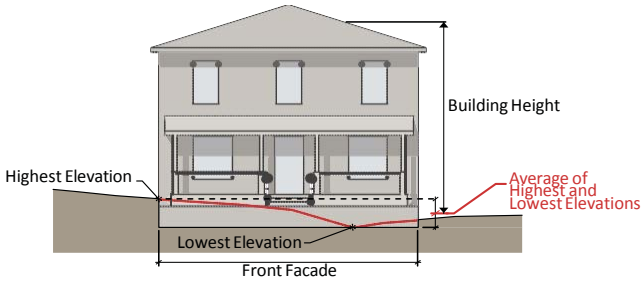


H. Building Height

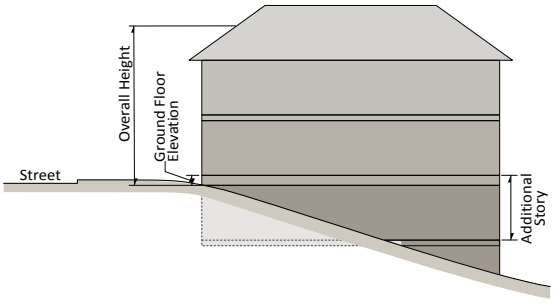
1. Building height is measured in both the number of stories and in feet. Building height is the vertical distance from average grade to the average height of the highest roof. For roofs with less than a 4 in 12 pitch, height is measured to the highest point of the roof.



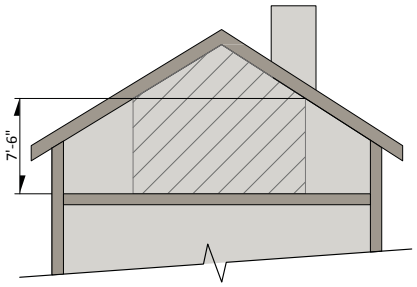
2. Average grade is determined by calculating the average of the highest and lowest elevation along natural or improved grade (whichever is more restrictive) along the front of the building parallel to the primary street setback line.



3. Where a lot slopes downward from the front property line, 1 story that is additional to the specified maximum number of stories may be built on the lower, rear portion of the lot.



4. An attic does not count as a story where 50% or more of the attic floor area has a clear height of less than 7½ feet; measured from the finished floor to the finished ceiling.



5. A basement with 50% or more of its perimeter wall area surrounded by natural grade is not considered a story.

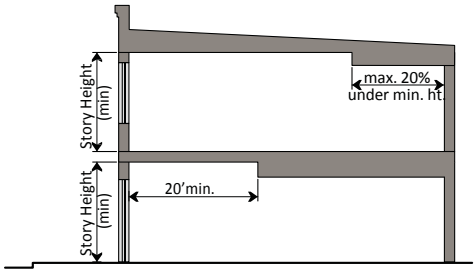
I. Height Encroachments

Any height encroachment not specifically listed is expressly prohibited except where the Administrator determines that the encroachment is similar to a permitted encroachment listed below.

1. The maximum height limits do not apply to spires, belfries, cupolas, domes not intended for human occupancy; monuments, water tanks/towers or other similar structures which, by design or function, must exceed the established height limits.
2. The following accessory structures may exceed the established height limits, provided they do not exceed the maximum building height by more than 6 feet:
   a. Chimney, flue or vent stack;
   b. Deck, patio, shade structure;
   c. Flagpole;
   d. Garden, landscaping, green roof;
   e. Parapet wall; and
   f. Solar panels, wind turbines and rainwater collection or harvesting systems.
3. The following accessory structures may exceed the established height limits, provided they do not exceed the maximum building height by more than 10 feet, do not occupy more than 25% of the roof area, and are set back at least 10 feet from the street-side edge of the roof:
   a. Amateur communications tower;
   b. Cooling tower;
   c. Elevator penthouse or bulkhead;
   d. Greenhouse;
   e. Mechanical equipment;
   f. Skylights; and
   g. Elevator or stairway access to roof.
4. An accessory structure located on the roof must not be used for any purpose other than a use incidental to the principal use of the building.

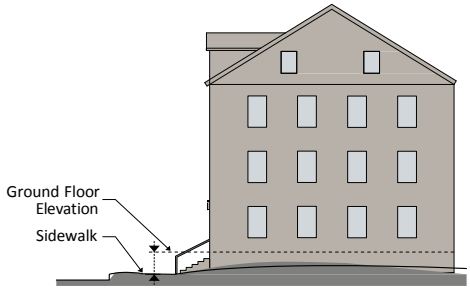
J. Story Height

1. Story height is measured from the top of the finished floor to the ceiling above.
2. Minimum ground story height applies to the first 20 feet of the building measured inward from the street facing facade.
3. At least 80% of each upper story must meet the minimum upper story height provisions.



K. Ground Floor Elevation

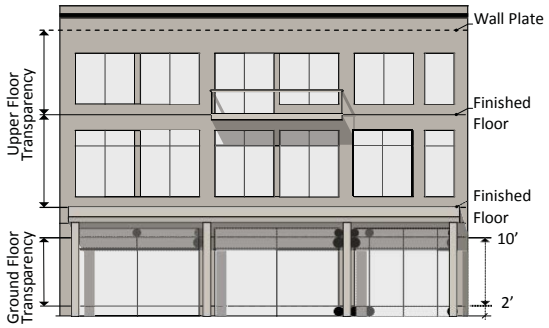
1. Ground floor elevation is measured from the highest point of the abutting sidewalk to the highest point of the finished ground floor.
2. Minimum ground floor elevation applies to the first 20 feet of the lot measured from the right-of-way line.



3. On slopes greater than 6%, the ground floor elevation may not be located more than 3 feet above grade or 1 foot below grade on street-facing facades.

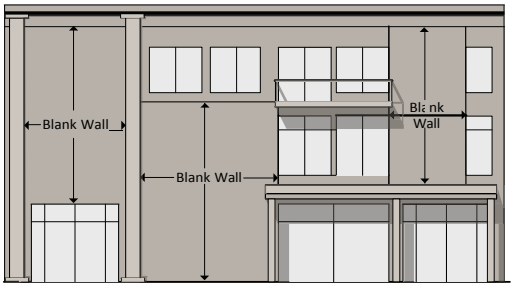
L. Transparency

1. Transparency is the minimum percentage of windows and doors that must cover a ground or upper story facade.
2. The transparency requirement on ground story facades is measured between 2 and 10 feet above the adjacent sidewalk.
3. The transparency requirement on upper story facades is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate.
4. Glass is considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%.
5. Transparency applies to primary and side street-facing facades only.



M.B Blank Wall Area

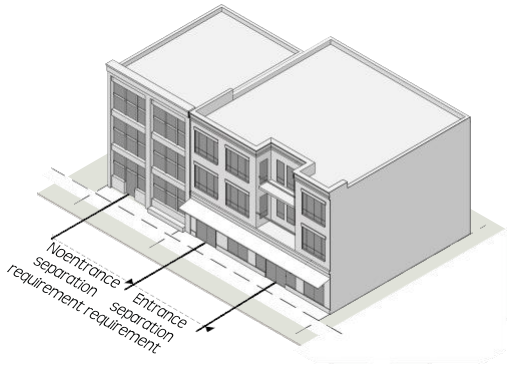
1. Blank wall area means a portion of the exterior facade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth; or a substantial material change (paint color is not considered a substantial change).



2. Blank wall area applies in both a vertical and horizontal direction.
3. Blank wall area applies only to ground and upper story street-facing facades.

N. Building Entrances

1. An entrance providing both ingress and egress, operable to residents at all times or to customers during normal business hours, is required to meet the street facing entrance requirements. Additional entrances are allowed.
2. The entrance separation requirements must be met for each development, but are not applicable to adjacent (existing) development.



3. An angled (clipped corner) entrance may be provided at any corner of a building along the street to meet the street entrance requirements, provided the applicable entrance spacing requirements can still be met.

O. Building Materials

1. Applicability

The requirements of this Section apply to all street-facing facades of a building.

2. Primary Materials

Primary material changes must occur only at inside corners. The following materials are required for not less than 75% of the building wall surface area on each facade:

a. Brick and tile masonry;

b. Stone (or synthetic equivalent);

c. Wood – clapboard or shingles;

d. Glass curtain wall;

e. Cementitious siding; and

f. Stucco (cementitious finish).

3. Accent Materials

The following materials may make up 25% of the building wall surface area on each facade:

a. Pre-cast masonry (for trim and cornice elements only);

b. External Insulation Finishing System - EIFS (for trim and cornice elements only);

c. Gypsum Reinforced Fiber Concrete (GFRC—for trim elements only);

d. Metal (for beams, lintels, trim elements and ornamentation only);

e. Split-faced block (for piers, foundation walls and chimneys only);

f. Wood – clapboard or shingles;

g. Cementitious siding; and

h. Glass block.

4. Alternate Materials

Alternate building materials may be approved by the Administrator. New materials must be considered equivalent or better than the materials listed above, and regionally-available materials are preferred.

Knoxville South Waterfront

CREATING AN ACTIONABLE AND INSPIRATIONAL VISION



SECTION 4.1: SOUTH WATERFRONT DISTRICT (SW-)

Regulations for Designing the South Waterfront

ADOPTED BY THE KNOXVILLE CITY COUNCIL
FEBRUARY 27, 2007
ORDINANCE: O-29-07

AMENDED
FEBRUARY 28, 2017
ORDINANCE: O-16-2017

EFFECTIVE DATE: FEBRUARY 28, 2017

CITY OF KNOXVILLE, TENNESSEE

REVISIONS TABLE		
DATE	*ORDINANCE*	*DESCRIPTION*
2/27/2007	O-29-07	Initial Adoption
2/27/2007	O-30-07 O-31-07 O-32-07 O-33-07	City of Knoxville Zoning Ordinance Amendments Related to SW Code
1/13/2009	O-1-2009	Revisions to the Streetscape Standards
2/19/2013	O-30-2013	Removal of Administration Section to General Provision Section, Article 4, Section 4.0
7/21/2015	O-126-2015	Amendments related to Urban Agriculture
2/28/2017	O-16-2017	Housekeeping amendments to clarify certain provisions of the code

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4.1. SOUTH WATERFRONT DISTRICT (SW-)

4.1.1. General Provisions

A. Applicability

The requirements of this section apply to all development within the South Waterfront District as designated in Sec. 4.1.2.

B. Purpose

The South Waterfront District carries out the policies of the South Waterfront Vision Plan by regulating development and land uses within the City's designated South Waterfront, consistent with the Vision Plan. More specifically, the South Waterfront District is intended to:

1. Provide standards for the continuing orderly growth and development that will assist in enhancing and maintaining a distinct community identity;
2. Create a comprehensive and stable pattern of development and land uses upon which to plan transportation, water supply, sewerage, energy, and other public facilities and utilities;
3. Ensure that proposed development is of human scale, pedestrian-oriented, energy conserving, and is designed to create attractive streetscapes and pedestrian spaces;
4. Minimize automobile congestion through pedestrian-oriented development, compact community form, safe and effective traffic circulation, and adequate parking facilities; and
5. Ensure compatibility between different types of development and land uses.

C. Conflicting Provisions

Wherever there appears to be a conflict between these district regulations and other requirements of the Zoning Ordinance or the Knoxville and Knox County Subdivision Regulations, these district regulations shall prevail. For development standards not covered in these district regulations, additional requirements may apply.

D. Approval Procedures

Sec. 4.0.2 applies to the review of all development in the South Waterfront District.

4.1.2. Vision Plan & Regulating Plan

Excerpted from the VISION PLAN EXECUTIVE SUMMARY

The Knoxville South Waterfront Vision and Action Plan is an effort to develop, through extensive public involvement, a coordinated plan and realistic series of prioritized actions to improve the waterfront area across from the downtown. The intent of the project is to revitalize the South Waterfront to a level that it is recognized as a citywide asset, attraction, and destination, while still preserving what makes the riverfront special to the neighborhoods.

The plan is not intended to be rigid and inflexible. It has been subjected to extensive review, discussion, and revision from all levels of government, local business and local communities. Three public workshops during the visioning process were well attended, with the final workshop drawing more than 500 people. The basic framework of the plan describes a series of public transportation and open space improvements designed to allow access and views to the water throughout the South Waterfront. The plan is designed to accommodate a realistic range of market driven redevelopment over the next 20 years.

The Vision Plan was adopted by the City Council on April 25, 2006.

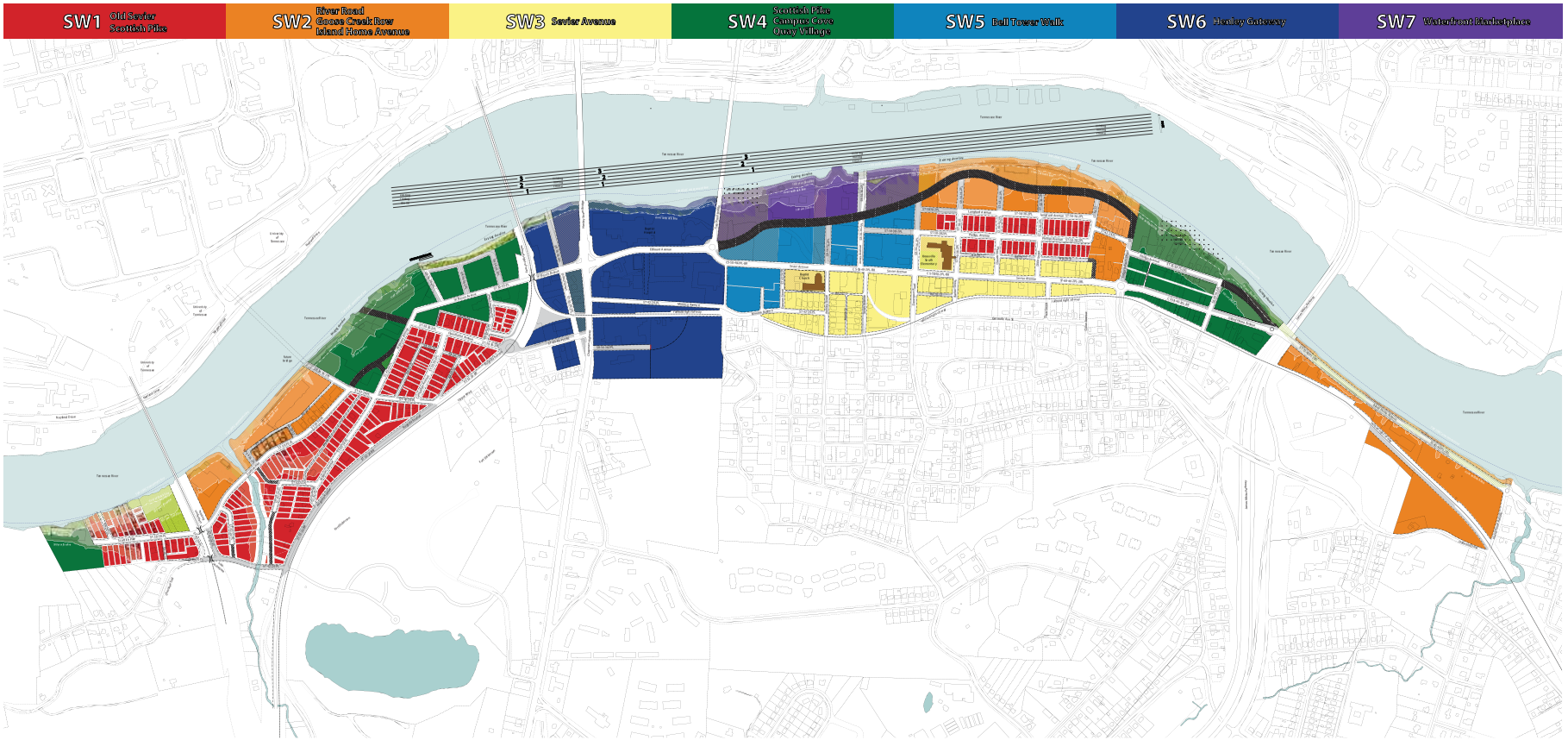
THE GROWTH STRATEGY FOR THE KNOXVILLE SOUTH WATERFRONT FOR THE NEXT 20 YEARS INCLUDES THE FOLLOWING:

Type of Development	Estimated Market Study Demand	Vision Plan Approximate Capacity
Residential	2,200 units	2,200 units
Retail	60,000 square feet	420,000 square feet
Restaurant / Entertainment	30,000 square feet	60,000 square feet
Office	400,000 square feet	1,000,000 square feet
Hotel	100 rooms	160 rooms
Marina	225 slips	225 slips
Cultural / Civic Institutions	135,000 square feet	135,000 square feet
Whitewater Kayak Park	1 course on Quarry	
Garages	700 cars	
On-street Parking	790 cars	
Off-street Parking Lots	450 cars	
New Roads	11,750 linear feet	
Existing Roads - Upgrades	11,000 linear feet	
New Parks, Greenways	51.3 acres	

VISION PLAN


Knoxville South Waterfront
VISION PLAN
HARGREAVES ASSOCIATES . CHAN KRIEGER & ASSOCIATES . KENNEDY COULTER RUSHING & WATSON . DEVELOPMENT STRATEGIES
MOFFATT & NICHOL . GLATTING JACKSON . JORDAN JONES & GOULDING . STUDIO FOUR DESIGN . ARCADIS G&M . DUVALL & ASSOCIATES
0
200
500
1000
3-2
Quay Village
RiverPlain Arboretum + Wetlands
Festival Lawn
Strolls Promenade
The Gateway
Jersey Gateway
City View
Campus Cove
Boat House Row
Goose Creek Mouth
Scottish Pike Park

REGULATING PLAN

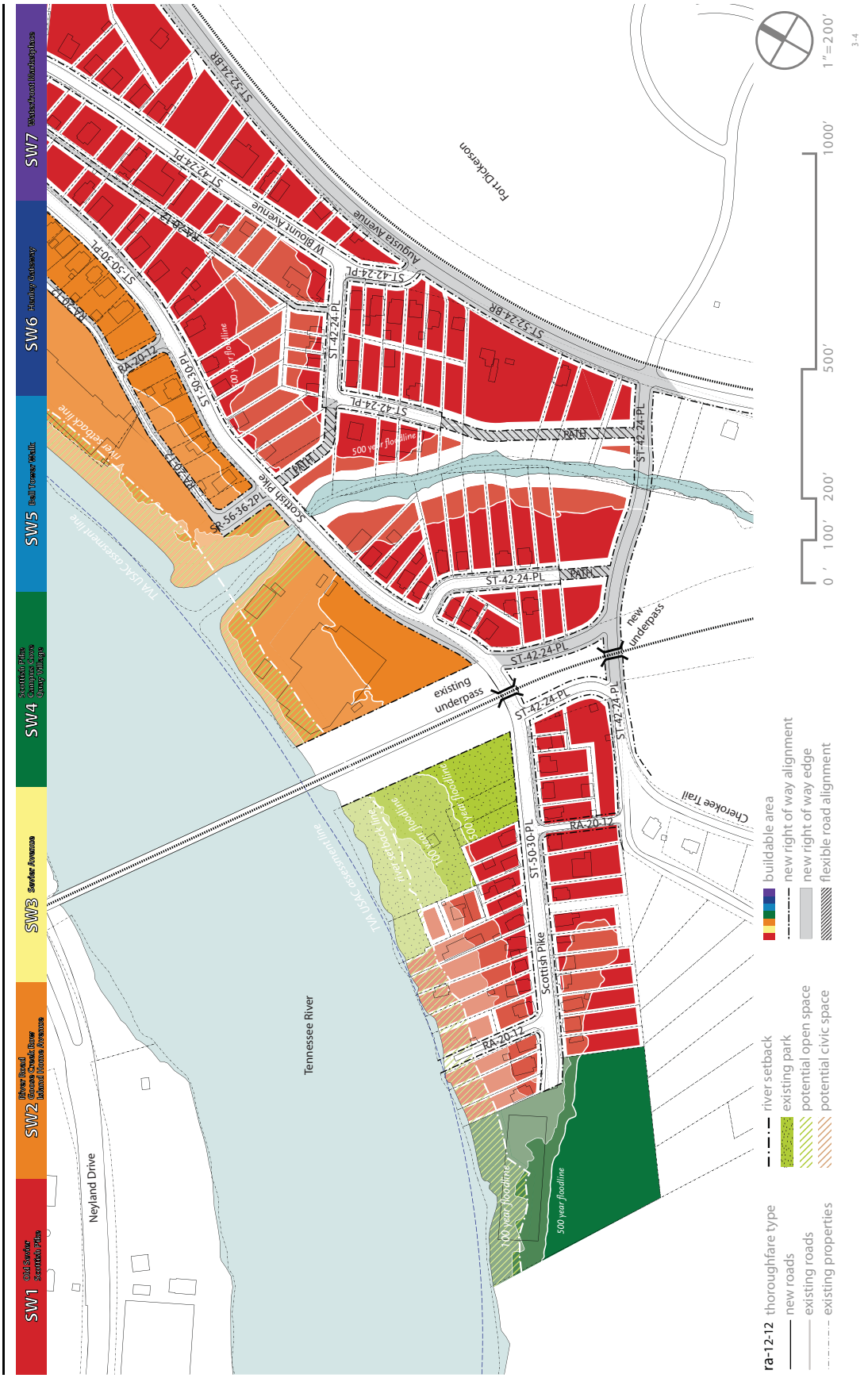


Knoxville South Waterfront

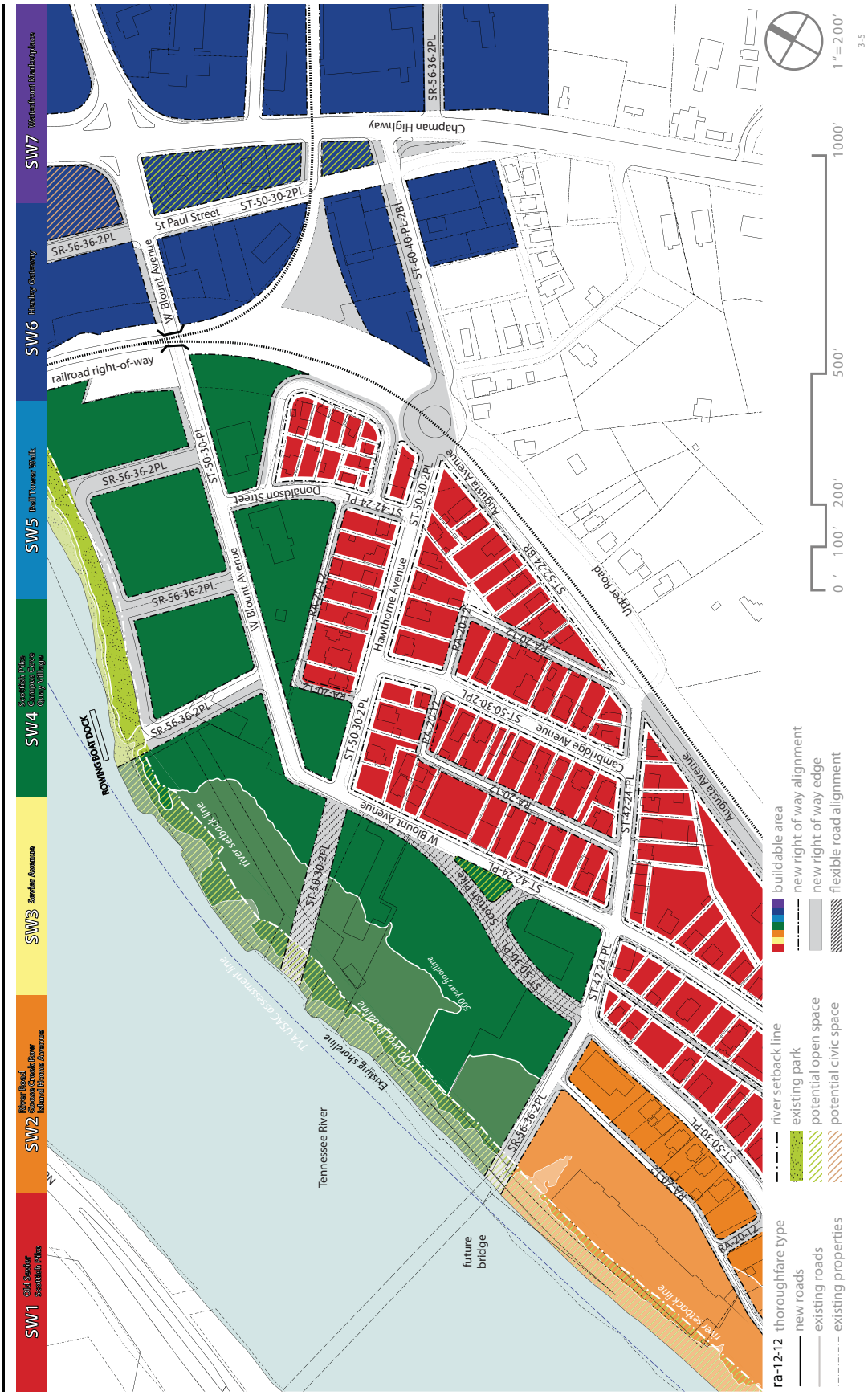
hargreaves associates . chan krieger & associates . kennedy coulter rushing & watson . development strategies
moffatt & nichol . glatting jackson . jordan jones & goulding . studio four design . arcadis g&m . duvall & associates

ra-12-12 thoroughfare type
new roads
existing roads
existing properties
river setback
existing park
potential open space
potential civic space
buildable area
new right of way alignment
new right of way edge
flexible road alignment

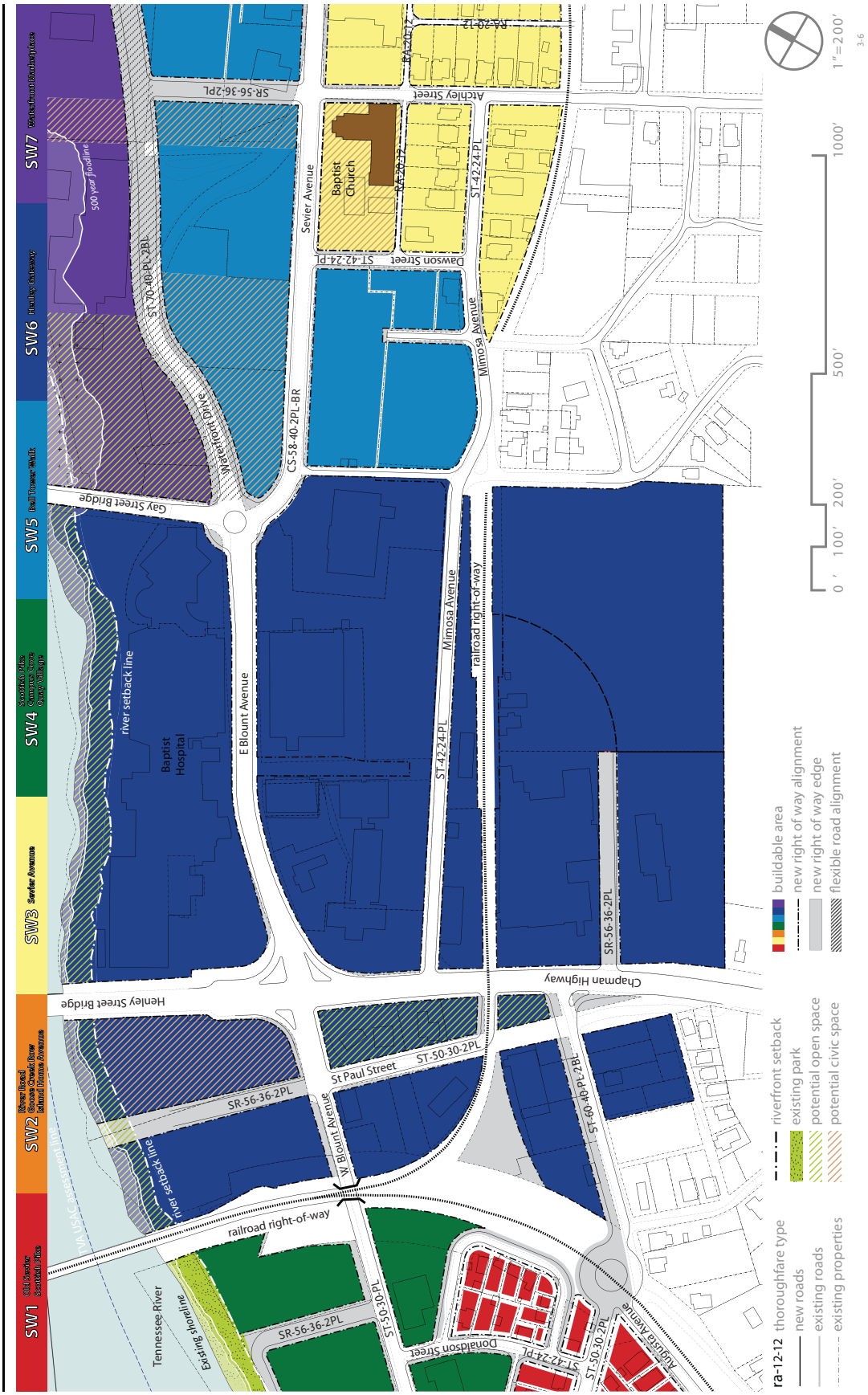
REGULATING PLAN



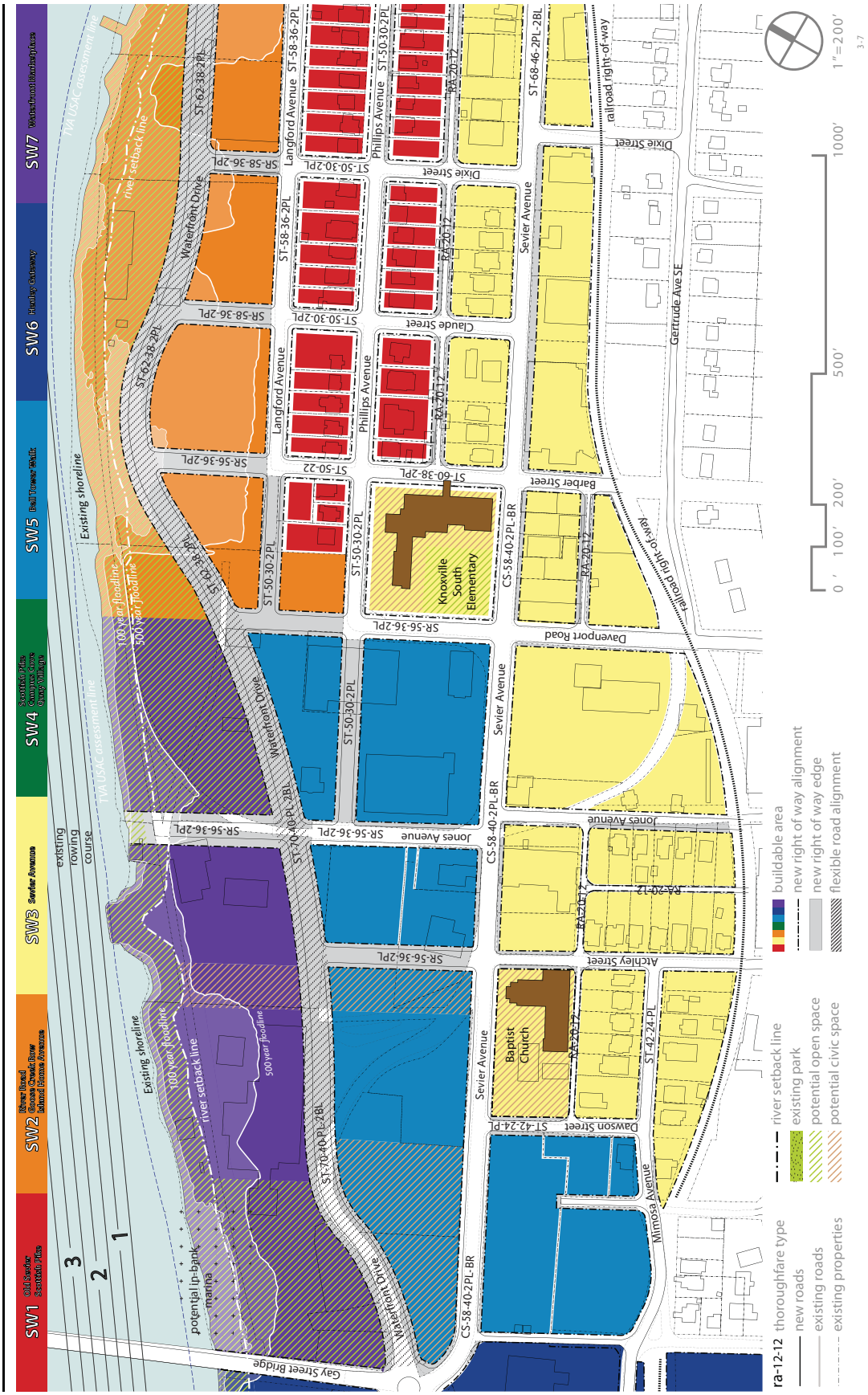
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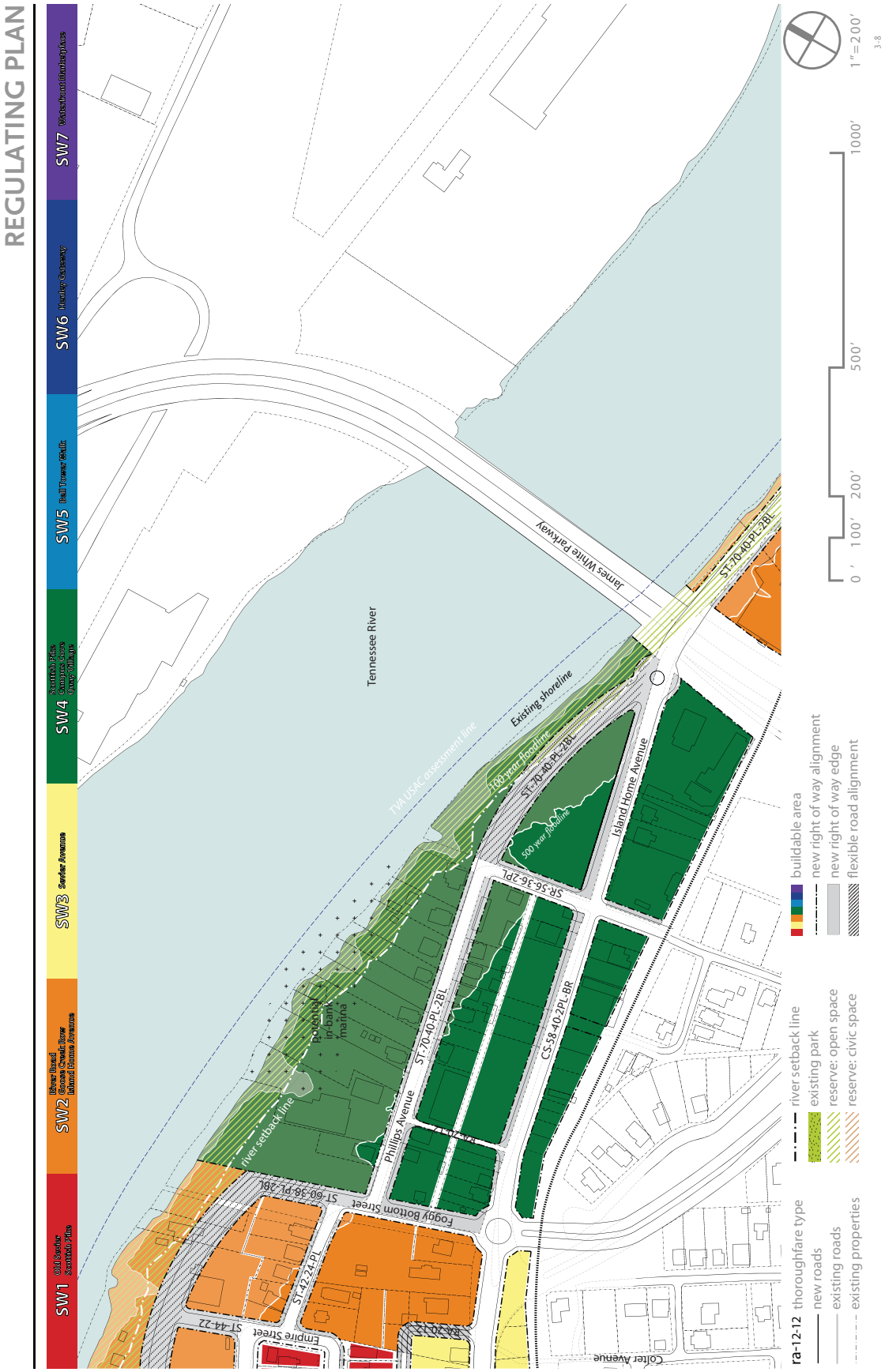


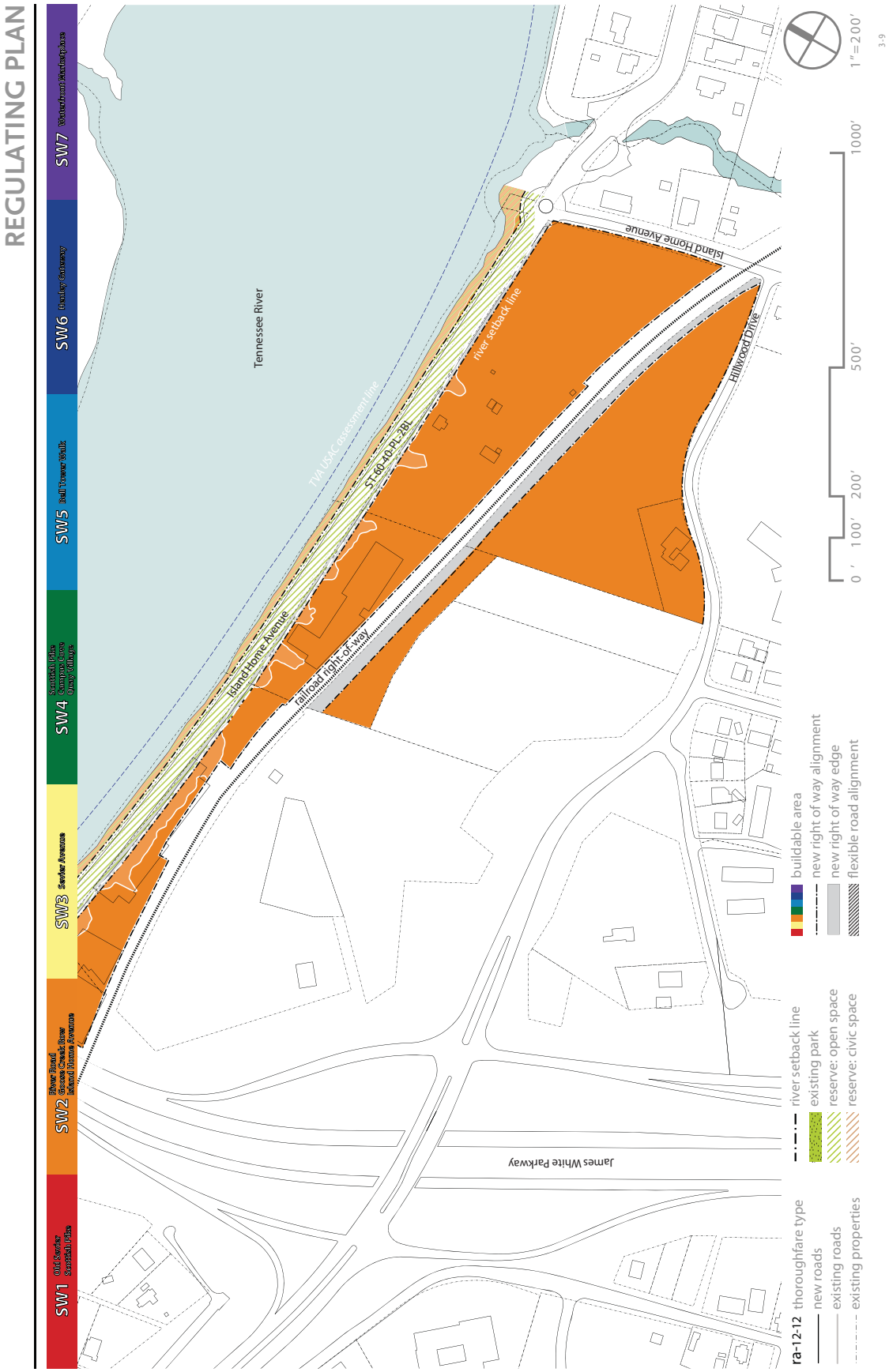
REGULATING PLAN



REGULATING PLAN




REGULATING PLAN
SW1 Old Sevier Scenic Plus
SW2 River Road River Front/River Island Scenic Avenue
SW3 Sevier Avenue
SW4 Scenic Plus Scenic Avenue Urban Village
SW5 Rail Tower Walk
SW6 Harley Gateway
SW7 Riverfront Marketplace
Tennessee River
James White Parkway
Existing shoreline
TVA USACE assessment line
100 year floodline
500 year floodline
river setback line
Phillips Avenue
Foggy Bottom Street
Empire Street
Island Home Avenue
Cutler Avenue
ST-60-58-PL-2BL
ST-42-24-PL
ST-44-22
ST-70-40-PL-2BL
CS-58-40-2PL-BR
SR-56-36-2PL
ST-70-40-PL-2BL
ST-70-40-PL-2BL
in-bank marina
in-bank
buildable area
river setback line
existing park
reserve: open space
reserve: civic space
new right of way alignment
new right of way edge
flexible road alignment
ra-12-12 thoroughfare type
new roads
existing roads
existing properties
0 ′ 100 ′ 200 ′ 500 ′ 1000 ′
1″=200′


REGULATING PLAN
SW1
SW2
SW3
SW4
SW5
SW6
SW7
Tennessee River
James White Parkway
Island Home Avenue
railroad right-of-way
river setback line
TVA USACE easement line
ST-60-40-PL-28L
Hillwood Drive
ra-12-12 thoroughfare type
new roads
existing roads
existing properties
river setback line
existing park
reserve: open space
reserve: civic space
buildable area
new right of way alignment
new right of way edge
flexible road alignment
0 ′ 100 ′ 200 ′ 500 ′ 1000 ′
1″=200′

4.1.3. Property Development Standards by District

A. Check List

	Complies	Complies with Administrative Deviation	Does not Comply	N/A
VISION & INTENT				
Statement	☐	☐	☐	☐
DEVELOPMENT STANDARDS				
Existing Conditions				
Topography	☐	☐	☐	☐
Existing Trees	☐	☐	☐	☐
100-Year Flood Lines	☐	☐	☐	☐
500-Year Flood Lines	☐	☐	☐	☐
Environmental & Archeological	☐	☐	☐	☐
Block Layout				
Block Size	☐	☐	☐	☐
Building Lines:				
River Buffer Setback	☐	☐	☐	☐
Stream Buffer Setback	☐	☐	☐	☐
Proposed Subdivision & Phasing	☐	☐	☐	☐
Buildings Siting & Configuration				
Principal Building Siting:				
Orientation	☐	☐	☐	☐
Front Setback	☐	☐	☐	☐
Frontage at Setback	☐	☐	☐	☐
Side Setback	☐	☐	☐	☐
Rear Setback	☐	☐	☐	☐
Lot Size	☐	☐	☐	☐
Building Coverage	☐	☐	☐	☐
Open Space Coverage	☐	☐	☐	☐
Principle Building Configuration:				
Building Width	☐	☐	☐	☐
Building Height Min	☐	☐	☐	☐
Building Height Max	☐	☐	☐	☐
Footprint / Floor Plate	☐	☐	☐	☐
Floor Area Ratio (FAR)	☐	☐	☐	☐
Ancillary Structures & Outdoor Spaces				
Ancillary / Accessory Structures	☐	☐	☐	☐
Ancillary Structure Envelope:				
Footprint/Floor Plate	☐	☐	☐	☐
Front Setback	☐	☐	☐	☐
Side Setback	☐	☐	☐	☐
Rear Setback	☐	☐	☐	☐
Building Height	☐	☐	☐	☐
Outdoor Space Types	☐	☐	☐	☐
Usable Private Outdoor Area	☐	☐	☐	☐

	Complies	Complies with Administrative Deviation	Does not Comply	N/A
Building Frontages				
Building Frontages	☐	☐	☐	☐
Building Entries	☐	☐	☐	☐
Building Envelope Articulation:				
Ground Level	☐	☐	☐	☐
Facade Length	☐	☐	☐	☐
Facade Openings	☐	☐	☐	☐
Roofs	☐	☐	☐	☐
Other	☐	☐	☐	☐
Building Function	☐	☐	☐	☐
Off Street Parking & Loading				
Parking Types	☐	☐	☐	☐
Parking Spaces, Reserved & Shared	☐	☐	☐	☐
Pavements	☐	☐	☐	☐
Garage Location	☐	☐	☐	☐
Screening & Shading	☐	☐	☐	☐
Accessible Spaces & Routes	☐	☐	☐	☐
Driveways & Curb Cuts	☐	☐	☐	☐
Garage Entry	☐	☐	☐	☐
Service Loading	☐	☐	☐	☐
Bicycle Parking	☐	☐	☐	☐
External Elements				
Proposed Topography Grades	☐	☐	☐	☐
Side or Rear Privacy Fence or Wall	☐	☐	☐	☐
Front Fence or Wall	☐	☐	☐	☐
Landscaped Vegetation				
Trees	☐	☐	☐	☐
Shrubs & Groundcover	☐	☐	☐	☐
Slopes	☐	☐	☐	☐
Trash Storage & Recycling	☐	☐	☐	☐
External Mechanical & Electrical Units	☐	☐	☐	☐
Signs	☐	☐	☐	☐
Lighting Trespass	☐	☐	☐	☐
Sustainability				
Green Building & Landscape	☐	☐	☐	☐
Reflectivity	☐	☐	☐	☐

B. SW1 Old Sevier and Scottish Pike



1. Vision and Intent

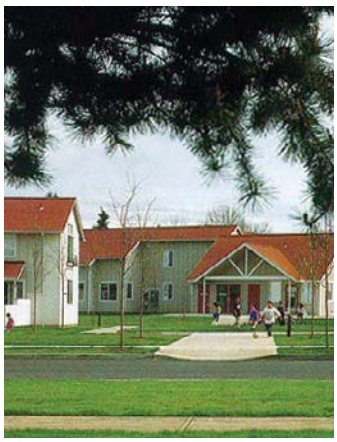
The Old Sevier and Scottish Pike areas are envisioned to conserve the “small town, neighborhood” atmosphere. New developments in these areas are encouraged to preserve and extend the existing neighborhood character and to maintain a complementary scale and density. Large-scale assemblage of residential properties or any commercial uses are prohibited. Suggested building types include detached houses, cottages, duplex houses, attached townhouses and rowhouses.

New street alignments in combination with the existing roads define important access and view corridors to the river and the bluffs. The completed road network establishes a “figure eight” loop by adding a new rail underpass to connect to August Avenue en route to Vestal. The road network links Blount Avenue to the new Waterfront Drive (east of the Gay Street Bridge) then to Sevier Avenue and Augusta Avenue. In order to alleviate Blount Avenue from congestion associated with new development, improvements to Augusta Avenue change the character of this street from a tertiary street to a significant boulevard with a bus route and close relationship to the rail line. Scottish Pike will enjoy new access to Fort Dickerson Park and a newly landscaped green corridor of Goose Creek. Proposed street right-of-ways improve pedestrian circulation as well as integrate street trees.









2. Existing Conditions

a. Intent

Guide site survey to assess existing site conditions for constraints and opportunities. Maintain views to river and downtown when viewed from hills behind.

b. Topography

Consider existing topography and provide topographic survey with 2 foot contours.

c. Existing Trees

i. Identify all existing trees with a 6 inch minimum caliper including root zone within dripline.

ii. Preserve a minimum of 1 healthy large canopy tree per lot, or 6 healthy trees per acre, whichever is greater.

d. Environmental and Archaeological

i. Comply with State and Federal requirements.

3. Block Layout

a. Intent

Guide lot layout and outline the maximum block perimeter and building setbacks permitted in this district to ensure walkable neighborhoods.

b. Block Size

Maximum perimeter of 1,400 feet.

c. Building Lines

i. Minimum of 70 feet from normal pool EL 813.0. Refer to Sec. 4.1.6, Riverscape Standards.

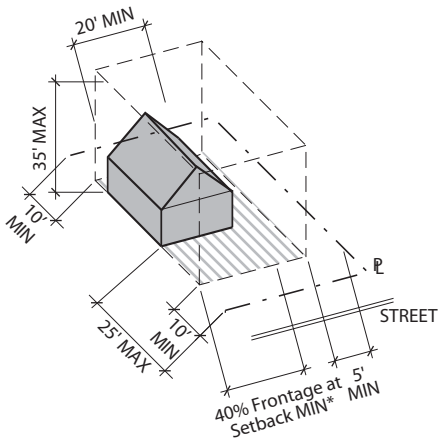
d. Proposed Subdivision and Phasing Plan

Clearly designate future phases and describe proposed subdivision plan and phasing when applicable.

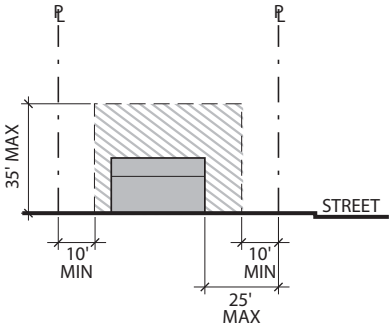
4. Building Siting and Configuration

Intent: Provide building configuration and design parameters.

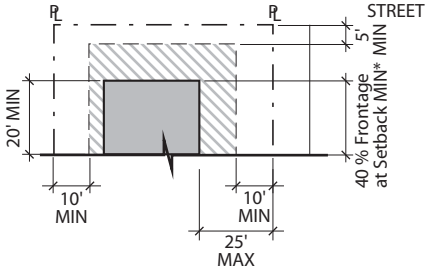
Axonometric Diagram



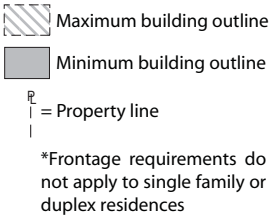
Section Siting



Plan Width and Siting



Definitions



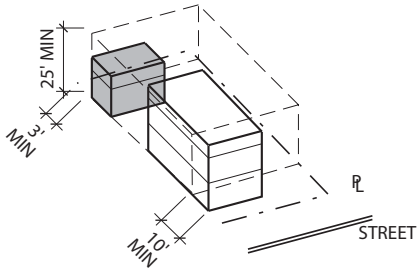
Principal Building Siting	
Orientation	NA
Front Setback (min/max)	10'/25'
Frontage at Setback (min)	40% (excluding single-family or duplexes)
Side Setback (min)	5'
Rear Setback (min)	10'
Lot Size (max)	15,000 SF
Building Coverage (max)	30% (including accessory structures)
Open Space Coverage (min)	70%

Principal Building Configuration	
Building Width (min)	20'
Building Height (min)	NA
Building Height (max)	35' & 2.5 Stories
Footprint / Floor Plate	NA
Floor Area Ratio (max)	1

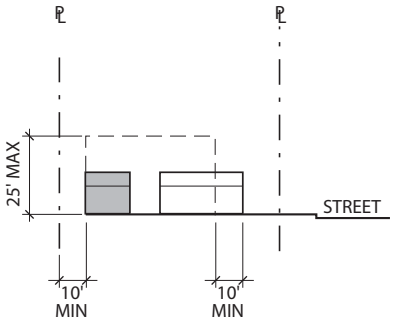
5. Ancillary Structures and Outdoor Spaces

Intent: Provide outdoor space configuration and design parameters.

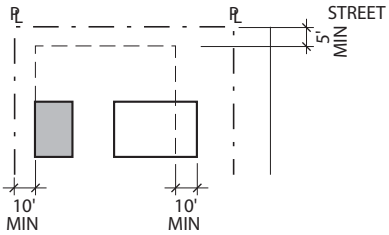
Axonometric Diagram



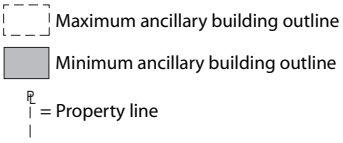
Section Height and Siting



Plan Siting



Definitions



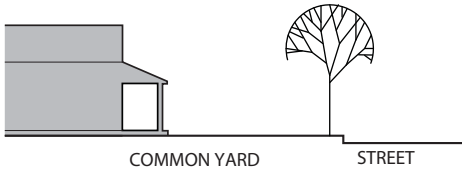
Ancillary/Accessory Structures	
Rear studio, detached garage, workshop, live/work unit, accessory dwelling unit, gazebo, garden shed	
Ancillary/Accessory Structure Envelope	
Footprint/Floor Plate (max)	650 SF
Front Setback	10’ + Building Setback
Frontage at Setback	NA
Side Setback (min)	5’
Rear Setback (min)	10'
Building Width	NA
Building Height (max)	25’ and 2 Story

Outdoor Space Types
Front yard, side yard, rear yard, gardens
Usable Private Open Space
400 SF (min)

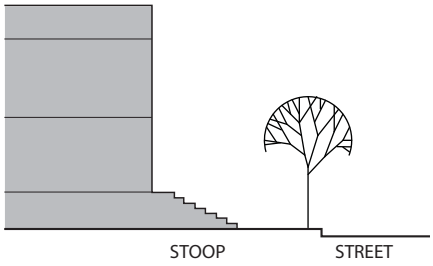
6. Building Frontages

Frontage Typologies: Refer to Sec. 4.1.4.C.

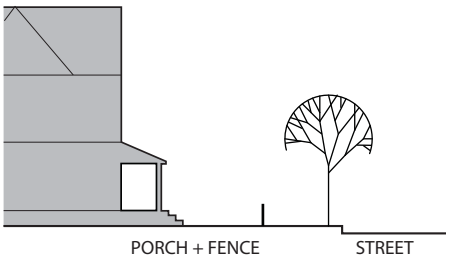
Common Yard



Stoop



Porch



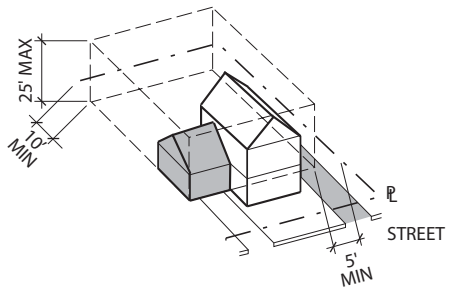
Building Entries	
Primary entry on principal frontage	
Building Envelope Articulation	
Ground Level	NA
Facade Length	NA
Facade Openings	Openings on the principal frontage shall be min 25% of the building wall area
Roofs	Buildings may have flat or sloped roofs
Other	Balconies, porches, bay windows and other projections are encouraged and may be incorporated into the building setback

Building Function
Household Living
Places of Worship, Schools and Day cares may be considered on a use on review basis

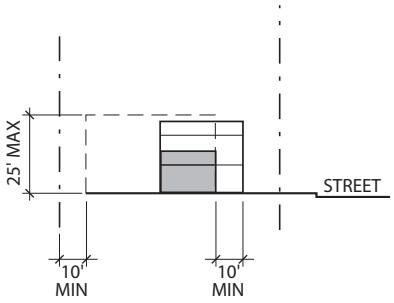
7. Off Street Parking and Loading

Intent: Provide with adequate parking to accommodate the district's various building types and functions. Refer to Sec. 4.1.4.D.

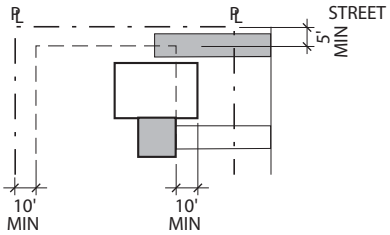
Axonometric Diagram



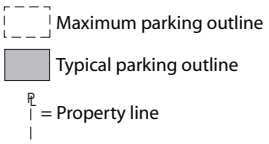
Section Height and Siting



Plan Siting



Definitions



a. Parking Types

Surface or Garage.

b. Parking Spaces, Reserved and Shared

Minimum of 1 parking space per unit; Maximum of 2 parking spaces per unit.

c. Pavements

65% minimum of uncovered surface parking shall be permeable while meeting overall stormwater requirements.

d. Garage Location

Setback 10 feet further than building.

e. Screening and Shading

One tree (with a 2 inch minimum caliper) is required for every 5 surface parking spaces.

f. Accessible Spaces and Routes

Meet or exceed city accessibility standards.

g. Driveways

i. One on any frontage with a 15 foot maximum for one way traffic and 26 foot maximum for two way traffic.

ii. Sidewalk materials and patterning is continuous through driveway.

h. Garage Entry

One on any frontage.

i. Service Loading

Not permitted.

j. Bicycle Parking

Not required.

8. External Elements

a. Intent

Guide the integration of external elements into property development including landscaping, utilities and lighting. Refer to Sec. 4.1.4.E, Signage and Sec. 4.1.4.F, Lighting and Noise.

b. Proposed Topography Grades

Provide grading plan with 2 foot contours.

c. Side or Rear Privacy Fence or Wall

Maximum of 8 feet.

d. Front Fence Or Wall

Maximum of 3 feet 6 inches in front yard or streetside of corner lot.

e. Landscape Vegetation

i. Minimum of 8 trees (with a 2 inch minimum caliper) per acre of area not covered by buildings.

ii. Trees required for surface parking may be counted toward overall landscape requirement.

f. Trash/Recycling Storage, External Mechanical Units, Electrical Units and Rain Barrels

Integrate with building design or screen / conceal from view from public street and riverwalk.

g. Signage

House number.

9. Sustainability

a. Intent

Encourage longevity, durability, energy and economic efficiency as well as improved environmental conditions.

b. Green Building and Landscape

i. Capable of attaining the current Leadership in Energy and Environmental Design (LEED) minimal Performance Level of “Certified.”

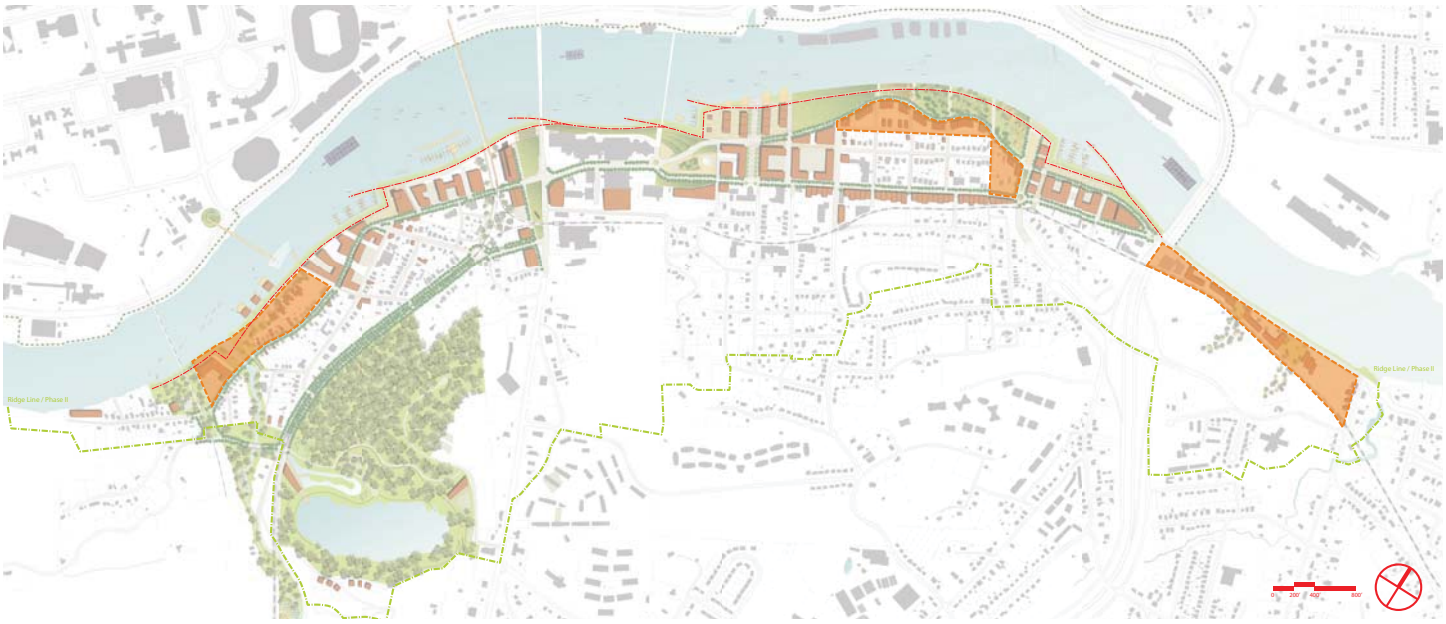
ii. Submit completed worksheet of appropriate LEED standard to demonstrate pre-certification estimate.

c. Reflectivity, Heat Island Reduction, Roof and Surface Lots

i. Surface lots shall provide shade and/or use light-colored/high albedo materials with a solar reflectance of at least 0.3 (30%).

ii. Roofs shall use an Energy Star Compliant (highly reflective) for a minimum of 75% of the roof surface.

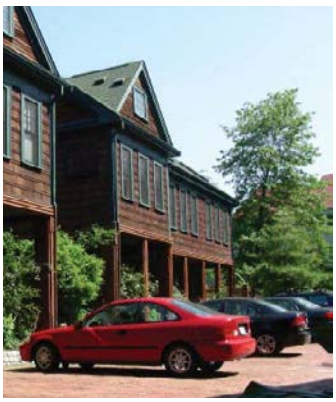
C. SW2 River Rd, Goose Creek Row and Island Home Ave



1. Vision and Intent

The neighborhoods of Goose Creek, Waterfront Drive and Island Home Avenue are envisioned to have new, predominantly residential developments along the waterfront that will create a contemporary identity for the Knoxville South Waterfront. Suggested building types include duplex houses, townhouses, rowhouses and multiple unit housing. With a newly landscaped shoreline experience and a continuous riverfront setback along the river's edge, these developments provide residents spectacular vistas of the river but minimize obstructed views perpendicular to the river. The proposed River Street will be layered with modes of two-direction travel - bike lanes, on-street parking, a wide sidewalk and a well-landscaped river walk. River Street will be an important part of the "figure eight" road network making a loop from Gay Street to Sevier and Phillips Avenues.

A continuous promenade forms the northern edge of the river arboretum – the major open space of the area located in the flood plain. Residents enjoy access to a wealth of waterfront and water-based recreational activities. While these neighborhoods are primarily residential, they are located adjacent to highly-accessed public parks that boast many visitors on a daily basis and during city-wide events. Residents have access to the newly landscaped Goose Creek Green Corridor with a direct link to Fort Dickerson Quarry. Public access to the river is created along axes following the north-south streets, while on-street parking accommodates visitors to the parks and various recreational facilities. A bridge connection to the University may link the two sides of the river.







2. Existing Conditions

a. Intent

Guide site survey to assess existing site conditions for constraints and opportunities. Direct views to river and downtown, when viewed from neighborhoods behind.

b. Topography

Consider existing topography and provide topographic survey with 2 foot contours.

c. Existing Trees

i. Identify all existing trees with a 6 inch minimum caliper including root zone within dripline.

ii. Preserve a minimum of 1 healthy large canopy tree per lot, or 6 healthy trees per acre, whichever is greater.

d. Environmental and Archaeological

i. Comply with State and Federal Requirements.

3. Block Layout

a. Intent

Guide lot layout and outline the maximum block perimeter and building setbacks permitted in this district to ensure walkable neighborhoods.

b. Block Size

Maximum perimeter of 1,400 feet.

c. Building Lines

i. Minimum of 70 feet from normal pool EL 813.0. Refer to Sec. 4.1.6, Riverscape Standards.

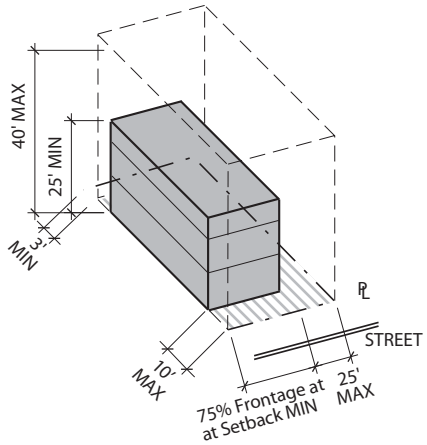
d. Proposed Subdivision and Phasing Plan

Clearly designate future phases and describe proposed subdivision plan and phasing when applicable.

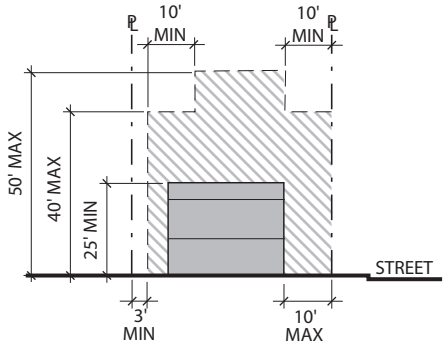
4. Building Siting and Configuration

Intent: Provide building configuration and design parameters, as well as suggestions for building function.

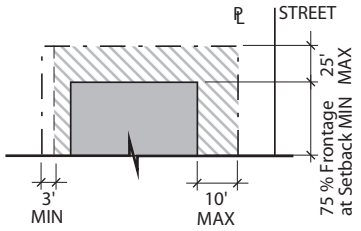
Axonometric Diagram



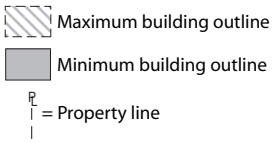
Section Height and Siting



Plan Width and Siting



Definitions



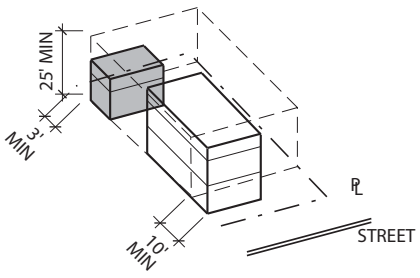
Principal Building Siting	
Orientation	NA
Front Setback (max)	10’
Frontage at Setback (min)	75%
Side Setback (max)	25’
Rear Setback (min)	3’
Lot Size (max)	3 acres
Building Coverage (max)	70%
Open Space Coverage (min)	30%

Principal Building Configuration	
Building Height (min)	25’ & 2 Story
Building Height (max)	40’ & 3 Stories plus 10’ and 1 Story max at Setback + 10’
Footprint / Floor Plate	NA
Floor Area Ratio (max)	3

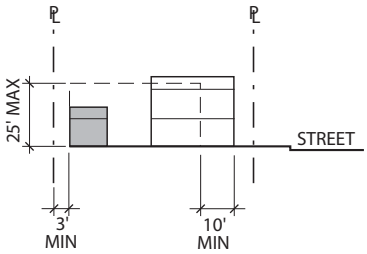
5. Ancillary Structures and Outdoor Spaces

Intent: Provide outdoor space configuration and design parameters.

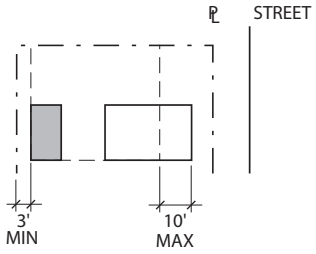
Axonometric Diagram



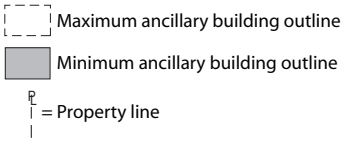
Section Height and Siting



Plan Siting



Definitions



Ancillary/Accessory Structures
Rear studio, detached garage, workshop, live/work unit, accessory dwelling unit, gazebo, garden shed

Ancillary/Accessory Structure Envelope	
Footprint/Floor Plate (max)	650 SF
Front Setback	10’ + Building Setback
Frontage at Setback	NA
Side Setback	NA
Rear Setback (min)	3'
Building Width	NA
Building Height (max)	25’ and 2 Story

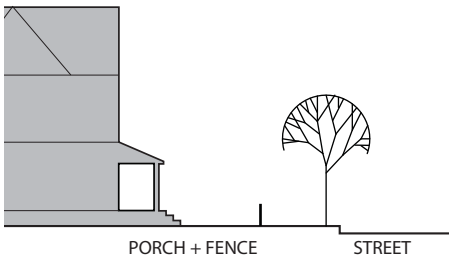
Outdoor Space Types
Front yard, side yard, rear yard, roof decks, terraces, sport courts

Usable Private Open Space
400 SF (min)

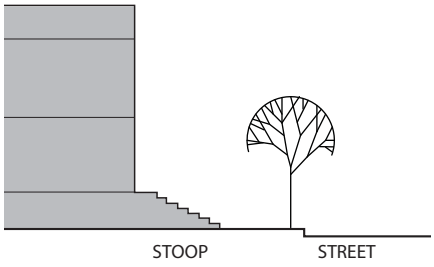
6. Building Frontages

Frontage Typologies: Refer to Sec. 4.1.4.C.

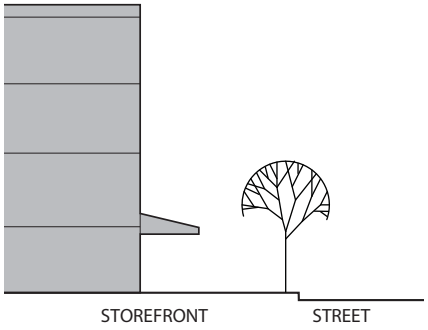
Porch



Stoop



Storefront



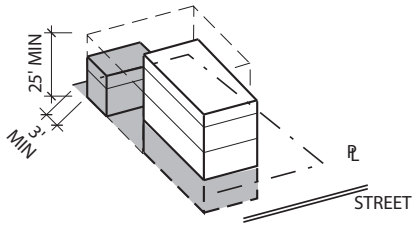
Building Entries
Primary entry on principal frontage

Building Envelope Articulation	
Ground Level	NA
Facade Length	Facades longer than 30' shall be divided in a vertically distinguishable manner
Facade Openings	Openings on the principal frontage shall be min 25% of the building wall area
Roofs	Buildings may have flat or sloped roofs
Other	Balconies, porches, bay windows and other projections are encouraged and may be incorporated into the building setback

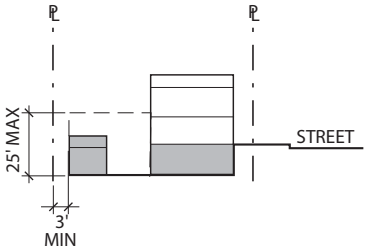
7. Off Street Parking and Loading

Intent: Provide with adequate parking to accommodate the district's various building types and functions. Refer to Sec. 4.1.4.D.

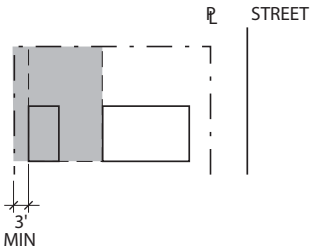
Axonometric Diagram



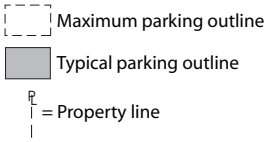
Section Height and Siting



Plan Siting



Definitions



a. Parking Types

Surface lot, garages, under building garage.

b. Parking Spaces, Reserved and Shared

Maximum of 3 parking spaces per 1,000 square feet and maximum of 2 parking spaces per residential unit.

c. Pavements

65% minimum of uncovered surface parking shall be permeable while meeting overall stormwater requirements.

d. Garage Location

To rear of property or underneath building.

e. Screening and Shading

One tree (with a 2 inch minimum caliper) is required for every 5 surface parking spaces.

f. Accessible Spaces and Routes

Meet or exceed city accessibility standards.

g. Driveways

i. Not permitted on principal frontage and shall be 15 foot maximum for one way traffic and 26 foot maximum for two way traffic.

ii. Sidewalk materials and patterning is continuous through driveway.

h. Garage Entry

From rear alley or side street.

i. Service Loading

Permitted from rear alley or side street.

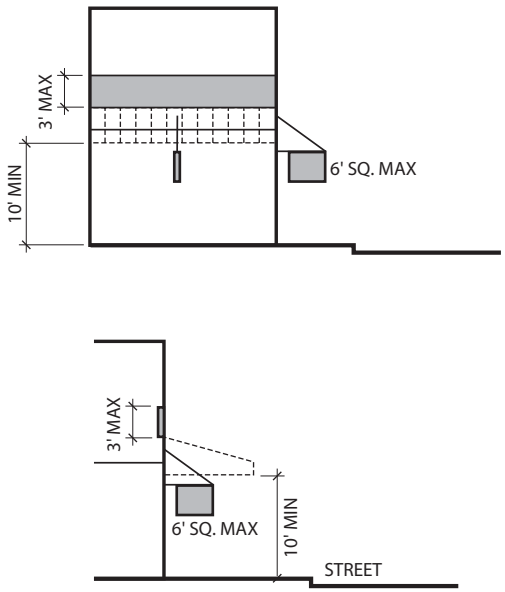
j. Bicycle Parking

Required.

8. External Elements

Intent: Guide the integration of external elements into property development including landscaping, utilities and lighting. Refer to Sec. 4.1.4.E, Signage and Sec. 4.1.4.F, Lighting and Noise.

Storefront Signage



a. Proposed Topography Grades

Provide grading plan with 2 foot contours.

b. Side or Rear Privacy Fence or Wall

Maximum of 8 feet.

c. Front Fence Or Wall

Maximum of 3 feet 6 inches.

d. Landscape Vegetation

i. Minimum of 8 trees (with a 2 inch minimum caliper) per acre of open space.

ii. Trees required for surface parking may be counted toward overall landscape requirement.

e. Trash/Recycling Storage, External Mechanical Units, Electrical Units and Rain Barrels

Integrate with building design or screen / conceal from view from public street and riverwalk.

9. Sustainability

a. Intent

Encourage longevity, durability, energy and economic efficiency as well as improved environmental conditions.

b. Green Building and Landscape

i. Capable of attaining the current Leadership in Energy and Environmental Design (LEED) minimal Performance Level of “Certified.”

ii. Submit completed worksheet of appropriate LEED standard to demonstrate pre-certification estimate.

c. Reflectivity, Heat Island Reduction, Roof and Surface Lots

i. Surface lots shall provide shade and/or use light-colored/high albedo materials with a solar reflectance of at least 0.3 (30%).

ii. Roofs shall use an Energy Star Compliant (highly reflective) for a minimum of 75% of the roof surface.

D. SW3 Sevier Avenue



1. Vision and Intent

Sevier Avenue is the historic commercial heart of the Old Sevier neighborhood. It has the potential to fulfill the role of 'Main Street' in the future and become a viable commercial center for the local neighborhoods. New development in this area has a mix of commercial and retail uses on ground floors that promote both daytime and nighttime activities. Developments in this area could also house multiple residential units on the upper floors. The new mixed-use infill development will complement the existing buildings and preserve the historic character that exists. New buildings shall be built up to the street (rather than being setback from the street) to reinforce the continuity of the street wall.

Parking for new developments will be to the rear of the site as well as on-street. Existing historic buildings will be encouraged to be restored for reuse. Suggested building types that may exist in this vibrant district include mixed-use shopfront buildings and loft developments. A potential conversion of the freight rail line to light rail may provide public transportation to the area in the future.







2. Existing Conditions and Block Layout

a. Intent

Guide site survey to assess existing site conditions for constraints and opportunities.

b. Topography

Consider existing topography and provide topographic survey with 2 foot contours.

c. Existing Trees

i. Identify all existing trees with a 6 inch minimum caliper including root zone within dripline.

ii. Preserve a minimum of 1 healthy large canopy tree per lot, or 6 healthy trees per acre, whichever is greater.

d. Environmental and Archaeological

i. Comply with State and Federal Requirements.

3. Block Layout

a. Intent

Guide lot layout and outline the maximum block perimeter and building setbacks permitted in this district to ensure walkable neighborhoods.

b. Block Size

Maximum perimeter of 1,400 feet.

c. Building Lines

Minimum of 70 feet from normal pool EL 813.0. Refer to Sec. 4.1.6, Riverscape Standards.

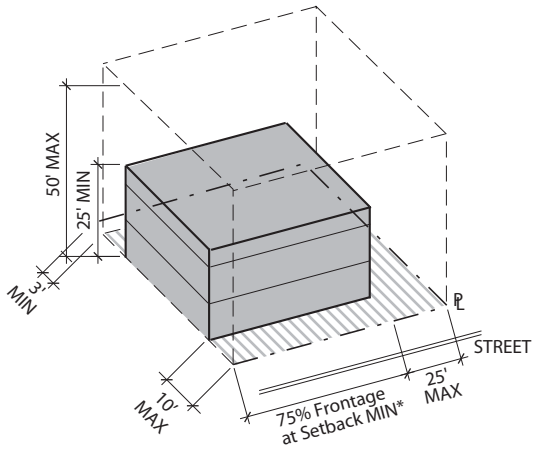
d. Proposed Subdivision and Phasing Plan

Clearly designate future phases and describe proposed subdivision plan and phasing when applicable.

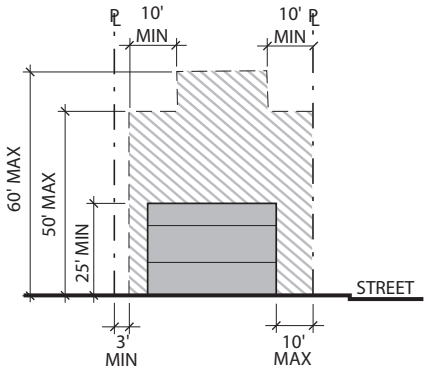
4. Building Siting and Configuration

Intent: Provide building configuration and design parameters, as well as suggestions for building function.

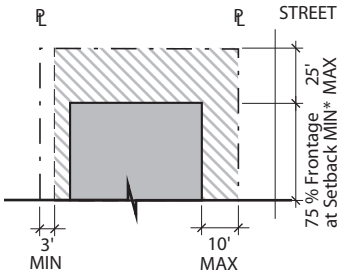
Axonometric Diagram



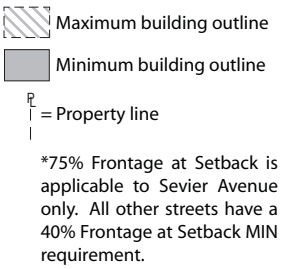
Section Height and Siting



Plan Width and Siting



Definitions



*75% Frontage at Setback is applicable to Sevier Avenue only. All other streets have a 40% Frontage at Setback MIN requirement.

Principal Building Siting	
Orientation	NA
Front Setback (max)	10’
Frontage at Setback (min)	75% to Sevier Avenue, 40% to all others
Side Setback (max)	25’
Rear Setback (min)	3’
Lot Size (max)	3 acres
Building Coverage (max)	80%
Open Space Coverage (min)	20%

Principal Building Configuration	
Building Width	NA
Building Height (min)	25’ & 2 Story
Building Height (max)	50’ & 4 Stories plus 10’ and 1 Story max at Setback + 10’
Footprint / Floor Plate (max)	30,000 SF; Does not apply to structured parking footprint
Floor Area Ratio (max)	4

5. Ancillary Structures and Outdoor Spaces

a. Intent

Provide outdoor space configuration and design parameters.

b. Ancillary/Accessory Structures

NA

c. Ancillary/Accessory Structure Envelope

i. Footprint/Floor Plate: NA

ii. Front Setback: NA

iii. Frontage at Setback: NA

iv. Side Setback: NA

v. Rear Setback: NA

vi. Building Width: NA

vii. Building Height: NA

d. Outdoor Space Types

Roof decks, patios

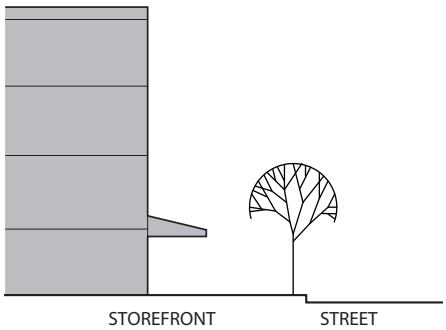
e. Usable Private Open Space

NA

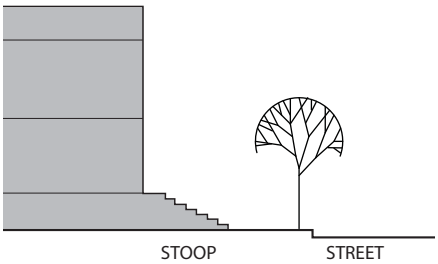
6. Building Frontages

Frontage Typologies: Refer to Sec. 4.1.4.C.

Storefront



Stoop



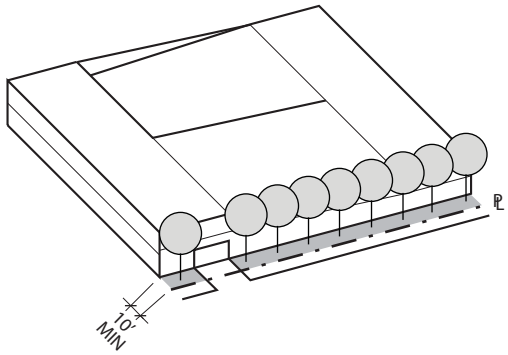
Building Entries
Primary entry on principal frontage

Building Envelope Articulation	
Ground Level	Min 70% transparent glass at the ground level on principal frontage
Facade Length	NA
Facade Openings	Openings above the first story on the principal frontage shall be min 25% of the building wall area
Roofs	Buildings may have flat or sloped roofs
Other	Balconies, porches, bay windows and other projections are encouraged and may be incorporated into the building setback

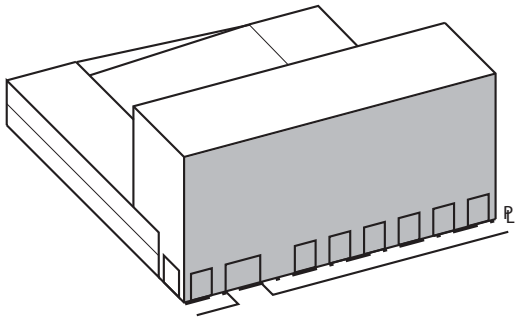
7. Off Street Parking and Loading

Intent: Provide with adequate parking to accommodate the district's various building types and functions. Refer to Sec. 4.1.4.D.

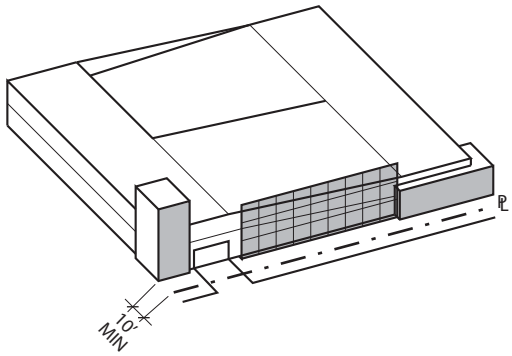
Structured Parking with Vegetation Buffer



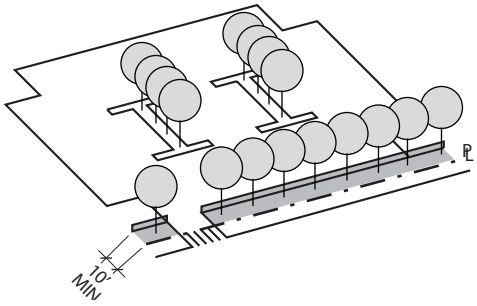
Structured Parking with Building Buffer



Structured Parking with Screening



Surface Parking with Vegetation Buffer and Low Wall



a. Parking Types

Surface lot, above ground structure, basement garage.

b. Parking Spaces, Reserved and Shared

Maximum of 3 parking spaces per 1,000 square feet and maximum of 2 parking spaces per residential unit.

c. Pavements

65% minimum of uncovered surface parking shall be permeable while meeting overall stormwater requirements.

d. Garage Location

To rear of property or underneath building.

e. Screening and Shading

One tree (with a 2 inch minimum caliper) is required for every 5 surface parking spaces.

f. Accessible Spaces and Routes

Meet or exceed city accessibility standards.

g. Driveways

i. Driveway shall be 15 foot maximum for one way traffic and 26 foot maximum for two way traffic.

ii. Sidewalk materials and patterning is continuous through driveway.

h. Garage Entry

Permitted on all frontages.

i. Service Loading

Permitted.

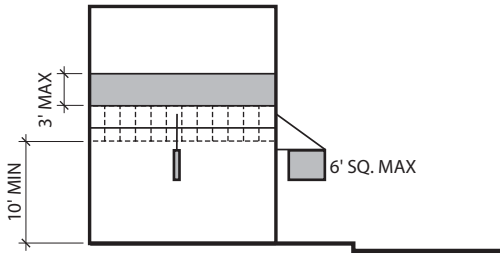
j. Bicycle Parking

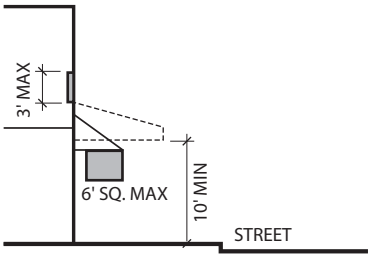
Required.

8. External Elements

Intent: Guide the integration of external elements into property development including landscaping, utilities and lighting. Refer to Sec. 4.1.4.E, Signage and Sec. 4.1.4.F, Lighting and Noise.

Storefront Signage





a. Proposed Topography Grades

Provide grading plan with 2 foot contours.

b. Side or Rear Privacy Fence or Wall

Maximum of 8 feet.

c. Front Fence Or Wall

Maximum of 3 feet 6 inches.

d. Landscape Vegetation

i. Minimum of 8 trees (with a 2 inch minimum caliper) per acre of open space.

ii. Trees required for surface parking may be counted toward overall landscape requirement.

e. Trash/Recycling Storage, External Mechanical Units, Electrical Units and Rain Barrels

Integrate with building design or screen/conceal from view from public street and riverwalk.

9. Sustainability

a. Intent

Encourage longevity, durability, energy and economic efficiency as well as improved environmental conditions.

b. Green Building and Landscape

i. Capable of attaining the current Leadership in Energy and Environmental Design (LEED) minimal Performance Level of “Certified.”

ii. Submit completed worksheet of appropriate LEED standard to demonstrate pre-certification estimate.

c. Reflectivity, Heat Island Reduction, Roof and Surface Lots

i. Surface lots shall provide shade and/or use light-colored/high albedo materials with a solar reflectance of at least 0.3 (30%).

ii. Roofs shall use an Energy Star Compliant (highly reflective) for a minimum of 75% of the roof surface.

E. SW4 City View, Campus Cove and Quay Village

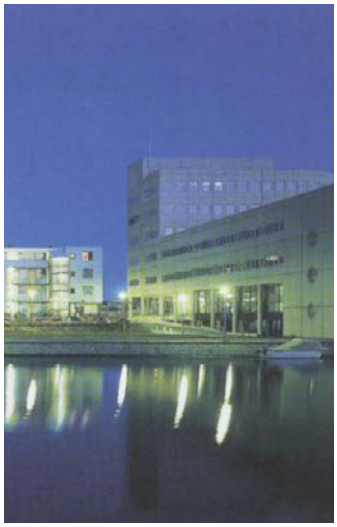


1. Vision and Intent

These three new development districts are clustered around privately-owned but publicly-accessed marinas, lending these areas a distinctively urban character that will enliven the new Knoxville South Waterfront. Higher density and larger in scale, these buildings have a mix of uses, including office, residential, commercial and hospitality. All new developments shall integrate publicly accessible landscapes and plazas that unify the buildings with a setback from the river to accommodate a continuous promenade and marinas. View corridors and public open spaces will connect these areas to the neighborhoods, civic spaces and natural drainage ways to the river.

Parking is incorporated into the structures or housed beneath the buildings when possible. Large surface parking lots are discouraged. A possible pedestrian connection to the University of Tennessee will facilitate a continuation of the student population into the Campus Cove. The Sevier Avenue extension from the James White Parkway will be realigned with a traffic circle to improve traffic flow and create a sense of entry into the downtown. A second traffic circle will be introduced along Island Home Avenue.







2. Existing Conditions

a. Intent

Guide site survey to assess existing site conditions for constraints and opportunities. Direct views to river and downtown, when viewed from neighborhoods behind.

b. Topography

Consider existing topography and provide topographic survey with 2 foot contours.

c. Existing Trees

i. Identify all existing trees with a 6 inch minimum caliper including root zone within dripline.

ii. Preserve a minimum of 1 healthy large canopy tree per lot, or 6 healthy trees per acre, whichever is greater.

d. Environmental and Archaeological

Comply with State and Federal Requirements.

3. Block Layout

a. Intent

Guide lot layout and outline the maximum block perimeter and building setbacks permitted in this district to ensure walkable neighborhoods.

b. Block Size

Maximum perimeter of 1,400 feet.

c. Building Lines

Minimum of 70 feet from normal pool EL 813.0. Refer to Sec. 4.1.6, Riverscape Standards.

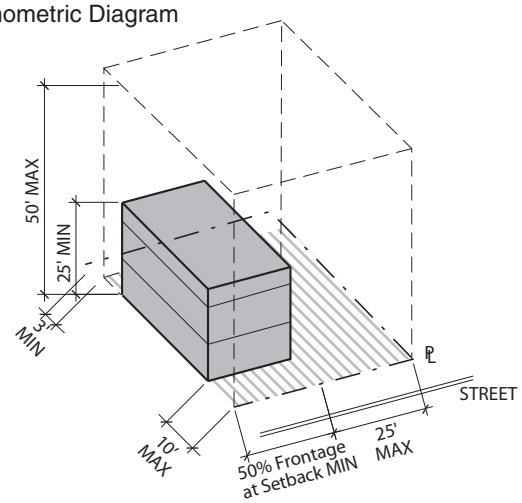
d. Proposed Subdivision and Phasing Plan

Clearly designate future phases and describe proposed subdivision plan and phasing when applicable.

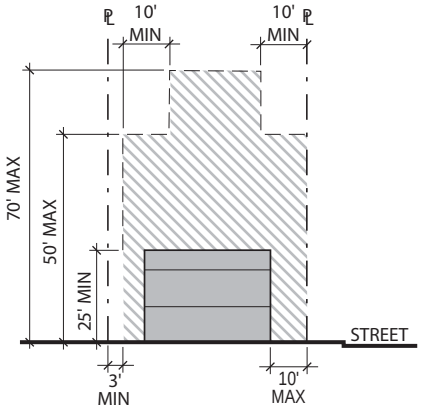
4. Building Siting and Configuration

Intent: Provide building configuration and design parameters, as well as suggestions for building function.

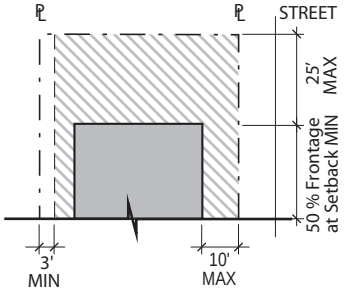
Axonometric Diagram



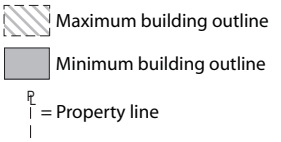
Section Height and Siting



Plan Width and Siting



Definitions



*75% Frontage at Setback is applicable to Sevier Avenue only. All other streets have a 40% Frontage at Setback MIN requirement.

Principal Building Siting	
Orientation	NA
Front Setback (max)	10’
Frontage at Setback (min)	50%
Side Setback (max)	25’
Rear Setback (min)	3’
Lot Size (max)	3 acres
Building Coverage (max)	80%
Open Space Coverage (min)	20%

Principal Building Configuration	
Building Width	NA
Building Height (min)	25’ & 2 Story
Building Height (max)	50’ & 4 Story plus 20’ and 2 Story max at Setback + 10’
Footprint / Floor Plate (max)	30,000 SF; Does not apply to structured parking footprint
Floor Area Ratio (max)	4

5. Ancillary Structures and Outdoor Spaces

a. Intent

Provide outdoor space configuration and design parameters.

b. Ancillary/Accessory Structures

NA

c. Ancillary/Accessory Structure Envelope

i. Footprint/Floor Plate: NA

ii. Front Setback: NA

iii. Frontage at Setback: NA

iv. Side Setback: NA

v. Rear Setback: NA

vi. Building Width: NA

vii. Building Height: NA

d. Outdoor Space Types

Courtyards, plazas, pools

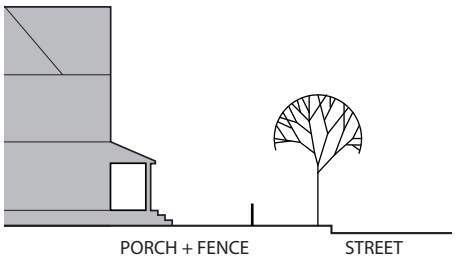
e. Usable Private Open Space

NA

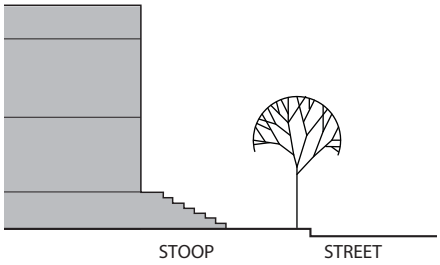
6. Building Frontages

Frontage Typologies: Refer to Sec. 4.1.4.C.

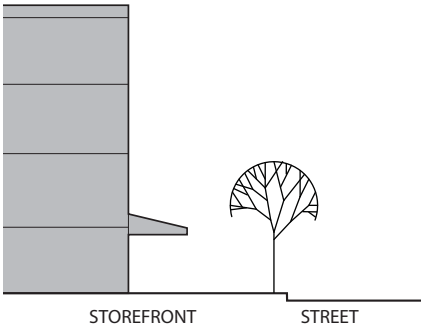
Porch



Stoop



Storefront



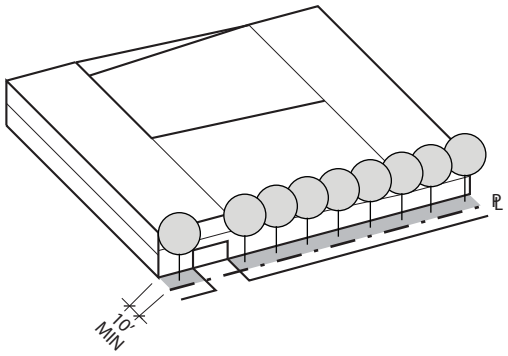
Building Entries
Primary entry on principal frontage

Building Envelope Articulation	
Ground Level	Min 70% transparent glass at the ground level on principal frontage
Facade Length	NA
Facade Openings	Openings on the principal frontage shall be min 25% of the building wall area
Roofs	Buildings may have flat or sloped roofs
Other	Balconies, porches, bay windows and other projections are encouraged and may be incorporated into the building setback

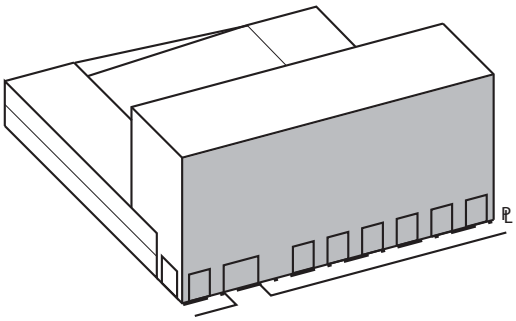
7. Off Street Parking and Loading

Intent: Provide with adequate parking to accommodate the district's various building types and functions. Refer to Sec. 4.1.4.D.

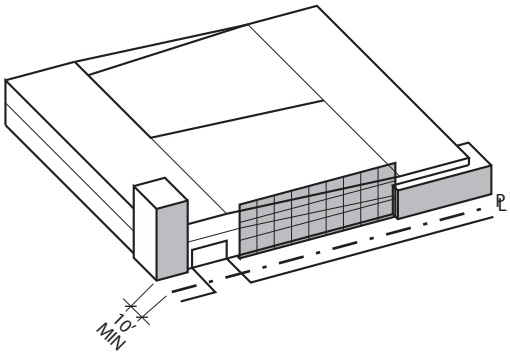
Structured Parking with Vegetation Buffer



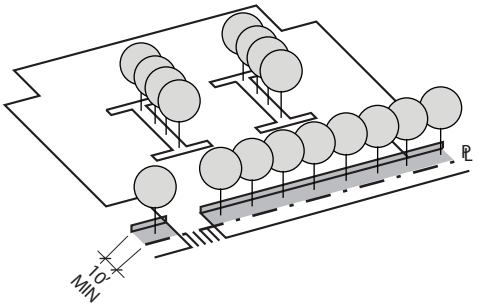
Structured Parking with Building Buffer



Structured Parking with Screening



Surface Parking with Vegetation Buffer and Low Wall



a. Parking Types

Surface lot, above ground structure, basement garage.

b. Parking Spaces, Reserved and Shared

Maximum of 3 parking spaces per 1,000 square feet and maximum of 2 parking spaces per residential unit.

c. Pavements

65% minimum of uncovered surface parking shall be permeable while meeting overall stormwater requirements.

d. Garage Location

To rear or side of property or underneath building.

e. Screening and Shading

One tree (with a 2 inch minimum caliper) is required for every 5 surface parking spaces.

f. Accessible Spaces and Routes

Meet or exceed city accessibility standards.

g. Driveways

i. Driveway shall be 15 foot maximum for one way traffic and 26 foot maximum for two way traffic.

ii. Sidewalk materials and patterning is continuous through driveway.

h. Garage Entry

Permitted on all frontages.

i. Service Loading

Permitted.

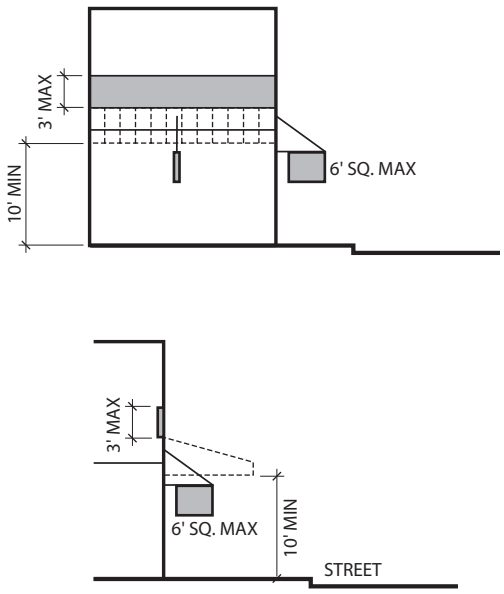
j. Bicycle Parking

Required.

8. External Elements

Intent: Guide the integration of external elements into property development including landscaping, utilities and lighting. Refer to Sec. 4.1.4.E, Signage and Sec. 4.1.4.F, Lighting and Noise.

Storefront Signage



a. Proposed Topography Grades

Provide grading plan with 2 foot contours.

b. Side or Rear Privacy Fence or Wall

Maximum of 8 feet.

c. Front Fence Or Wall

Maximum of 3 feet 6 inches.

d. Landscape Vegetation

i. Minimum of 8 trees (with a 2 inch minimum caliper) per acre of open space.

ii. Trees required for surface parking may be counted toward overall landscape requirement.

e. Trash/Recycling Storage, External Mechanical Units, Electrical Units and Rain Barrels

Integrate with building design or screen / conceal from view from public street and riverwalk.

9. Sustainability

a. Intent

Encourage longevity, durability, energy and economic efficiency as well as improved environmental conditions.

b. Green Building and Landscape

i. Capable of attaining the current Leadership in Energy and Environmental Design (LEED) minimal Performance Level of "Certified."

ii. Submit completed worksheet of appropriate LEED standard to demonstrate pre-certification estimate.

c. Reflectivity, Heat Island Reduction, Roof and Surface Lots

i. Surface lots shall provide shade and/or use light-colored/high albedo materials with a solar reflectance of at least 0.3 (30%).

ii. Roofs shall use an Energy Star Compliant (highly reflective) for a minimum of 75% of the roof surface.

F. SW5 Bell Tower Walk



1. Vision and Intent

This bustling area caters to multiple functions, including retail, entertainment, civic, cultural, and residential uses. New buildings are organized along the civic plaza called “Bell Tower Walk” and are oriented perpendicular to the river so as not to inhibit views to the river from the bluff. The Bell Tower Walk is the center of a lively area on the Knoxville South Waterfront where outdoor restaurants, fairs and musical events attract local Knoxvillians and regional visitors both day and night and year round. Bell Tower Walk creates a “window-to-the-water” from the Baptist Church on Sevier Avenue leading down to the riverfront. It will serve as the central celebratory space for the community and could be used in conjunction with marketplace piers for small-scale festivals and urban markets throughout the year. Low to mid-rise, mixed-use or multiple unit housing developments face this linear open space and are encouraged to have commercial development on the first floor. To the west of this civic plaza, a cultural center and museum overlooks an outdoor amphitheater and marina that connect to the river walk. Parking structures are housed beneath the buildings or behind them to accommodate the area’s many visitors and employees.







2. Existing Conditions and Block Layout

a. Intent

Guide site survey to assess existing site conditions for constraints and opportunities. Allow some views to river and downtown from taller buildings, when viewed from neighborhoods behind.

b. Topography

Consider existing topography and provide topographic survey with 2 foot contours.

c. Existing Trees

i. Identify all existing trees with a 6 inch minimum caliper including root zone within dripline.

ii. Preserve a minimum of 1 healthy large canopy tree per lot, or 6 healthy trees per acre, whichever is greater.

d. Environmental and Archaeological

Comply with State and Federal Requirements.

3. Block Layout

a. Intent

Guide lot layout and outline the maximum block perimeter and building setbacks permitted in this district to ensure walkable neighborhoods.

b. Block Size

Maximum perimeter of 1,400 feet.

c. Building Lines

Minimum of 70 feet from normal pool EL 813.0. Refer to Sec. 4.1.6, Riverscape Standards.

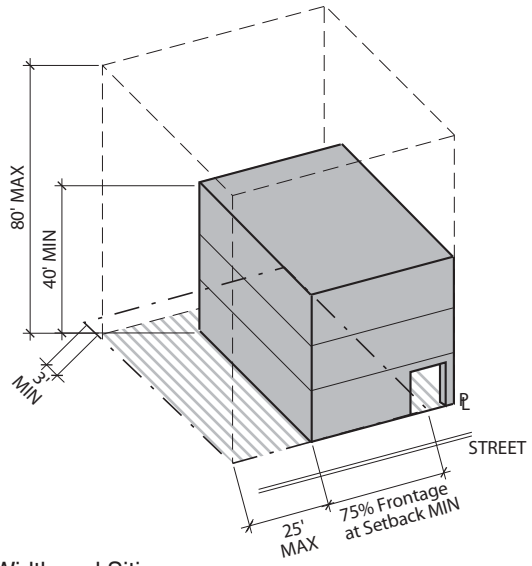
d. Proposed Subdivision and Phasing Plan

Clearly designate future phases and describe proposed subdivision plan and phasing when applicable.

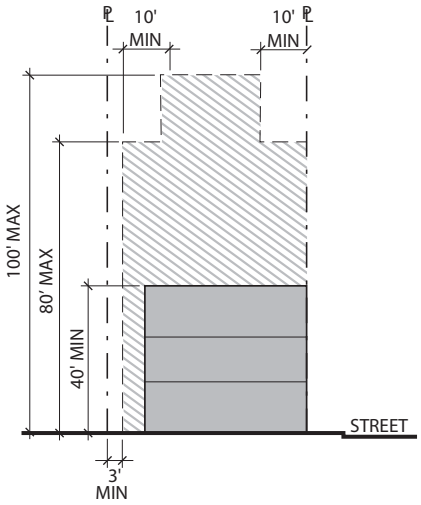
4. Building Siting and Configuration

Intent: Provide building configuration and design parameters, as well as suggestions for building function.

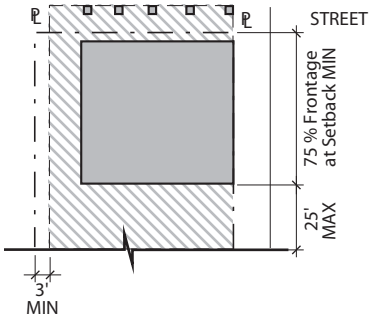
Axonometric Diagram



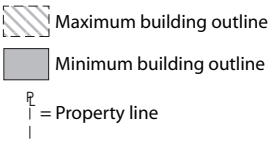
Section Height and Siting



Plan Width and Siting



Definitions



Principal Building Siting	
Orientation	NA
Front Setback	0’
Frontage at Setback (min)	75% to River Rd. and Sevier Ave.
Side Setback (max)	25’
Rear Setback (min)	3’
Lot Size (max)	3 acres
Building Coverage (max)	90%
Open Space Coverage (min)	10%

Principal Building Configuration	
Building Width	NA
Building Height (min)	40’ & 3 Story
Building Height (max)	80’ & 7 Stories plus 20’ and 2 Story max at Setback + 10’
Footprint / Floor Plate (max)	30,000 SF; Does not apply to structured parking footprint
Floor Area Ratio (max)	7

5. Ancillary Structures and Outdoor Spaces

a. Intent

Provide outdoor space configuration and design parameters.

b. Ancillary/Accessory Structures

NA

c. Ancillary/Accessory Structure Envelope

i. Footprint/Floor Plate: NA

ii. Front Setback: NA

iii. Frontage at Setback: NA

iv. Side Setback: NA.

v. Rear Setback: NA

vi. Building Width: NA

vii. Building Height: NA

d. Outdoor Space Types

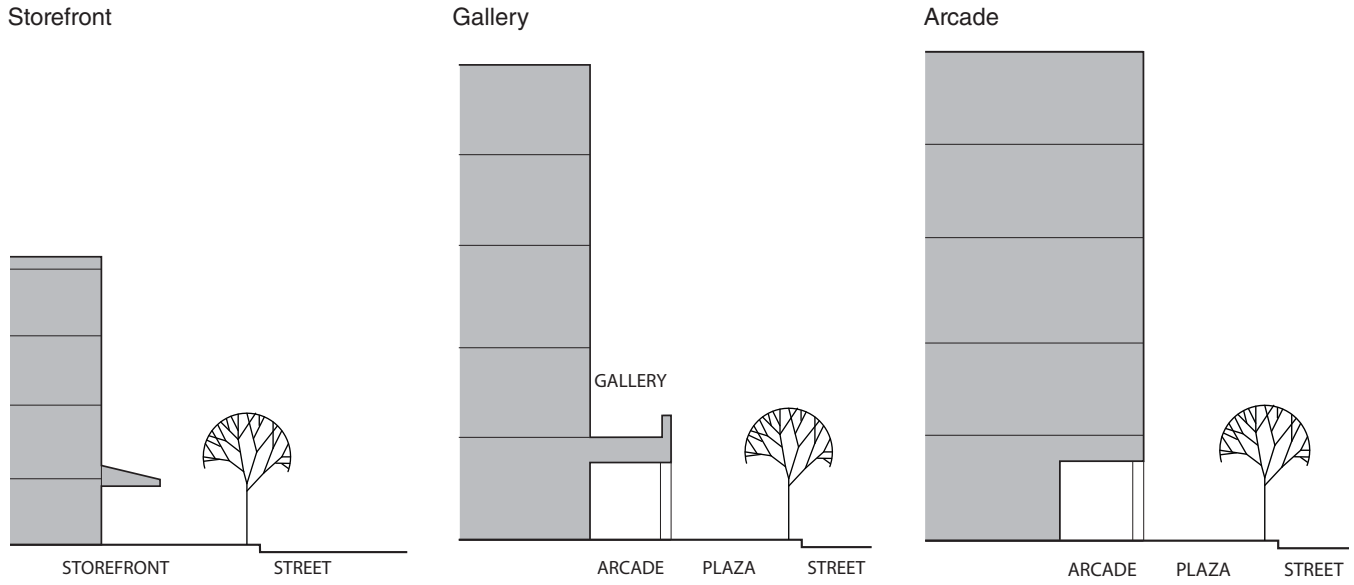
Courtyards, plazas, mall

e. Usable Private Open Space

NA

6. Building Frontages

Frontage Typologies: Refer to Sec. 4.1.4.C.



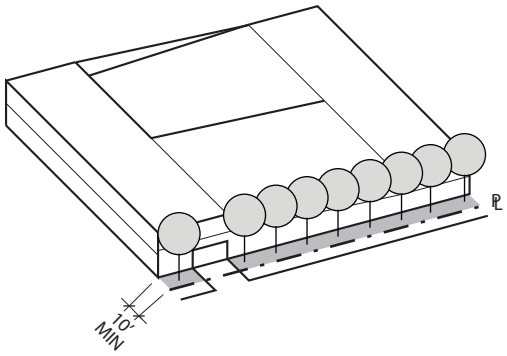
Building Frontages
A building that includes an arcade facing a civic open space may build this arcade within the public R. O. W.
Building Entries
Primary entry on principal frontage

Building Envelope Articulation	
Ground Level	Min 70% transparent glass at the ground level on the principal frontage
Facade Length	NA
Facade Openings	Openings above the first story on the principal frontage shall be min 25% of the building wall area
Roofs	Buildings may have flat or sloped roofs
Other	Balconies, porches, bay windows and other projections are encouraged and may be incorporated into the building setback

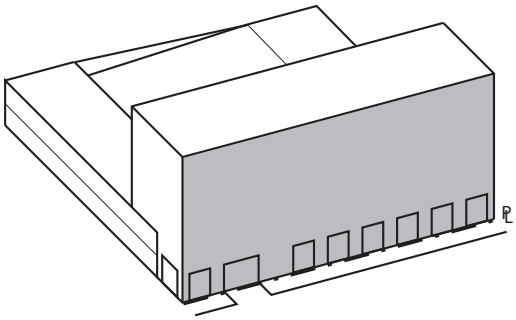
7. Off Street Parking and Loading

Intent: Provide with adequate parking to accommodate the district's various building types and functions. Refer to Sec. 4.1.4.D.

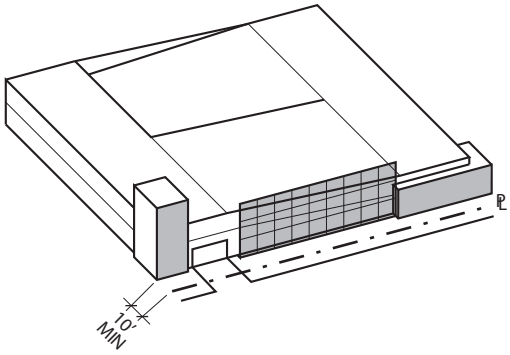
Structured Parking with Vegetation Buffer



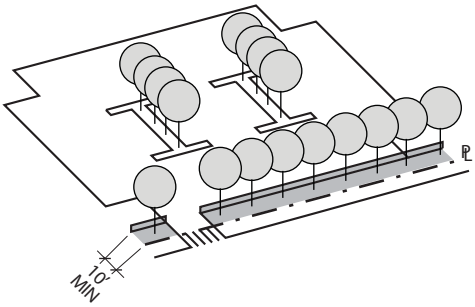
Structured Parking with Building Buffer



Structured Parking with Screening



Surface Parking with Vegetation Buffer and Low Wall



a. Parking Types

Surface lot, above ground structure, basement garage.

b. Parking Spaces, Reserved and Shared

Maximum of 3 parking spaces per 1,000 square feet and maximum of 2 parking spaces per residential unit.

c. Pavements

65% minimum of uncovered surface parking shall be permeable while meeting overall stormwater requirements.

d. Garage Location

To rear or center of property or underneath building.

e. Screening and Shading

One tree (with a 2 inch minimum caliper) is required for every 5 surface parking spaces.

f. Accessible Spaces and Routes

Meet or exceed city accessibility standards.

g. Driveways

i. Driveway shall be 15 foot maximum for one way traffic and 26 foot maximum for two way traffic.

ii. Sidewalk materials and patterning is continuous through driveway.

h. Garage Entry

Permitted on all frontages.

i. Service Loading

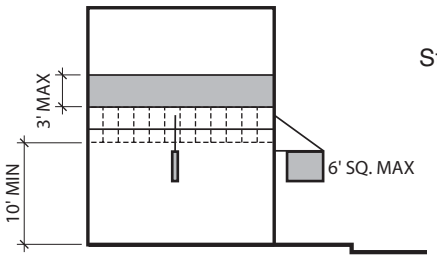
Permitted.

j. Bicycle Parking

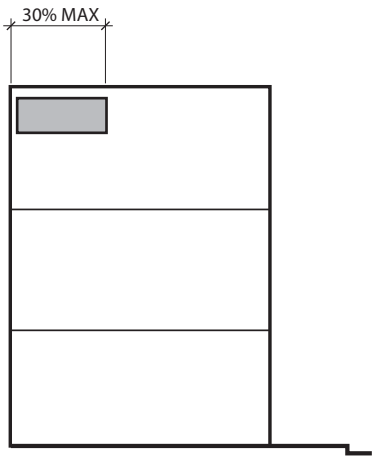
Required.

8. External Elements

Intent: Guide the integration of external elements into property development including landscaping, utilities and lighting. Refer to Sec. 4.1.4.E, Signage and Sec. 4.1.4.F, Lighting and Noise.



Storefront Signage



Wall Signage

a. Proposed Topography Grades

Provide grading plan with 2 foot contours.

b. Side or Rear Privacy Fence or Wall

Maximum of 8 feet.

c. Front Fence Or Wall

Maximum of 3 feet and 6 inches.

d. Landscape Vegetation

i. Minimum of 8 trees (with a 2 inch minimum caliper) per acre of open space.

ii. Trees required for surface parking may be counted toward overall landscape requirement.

e. Trash/Recycling Storage, External Mechanical Units, Electrical Units and Rain Barrels

Integrate with building design or screen / conceal from view from public street and riverwalk.

9. Sustainability

a. Intent

Encourage longevity, durability, energy and economic efficiency as well as improved environmental conditions.

b. Green Building and Landscape

i. Capable of attaining the current Leadership in Energy and Environmental Design (LEED) minimal Performance Level of “Certified.”

ii. Submit completed worksheet of appropriate LEED standard to demonstrate pre-certification estimate.

c. Reflectivity, Heat Island Reduction, Roof and Surface Lots

i. Surface lots shall provide shade and/or use light-colored/high albedo materials with a solar reflectance of at least 0.3 (30%).

ii. Roofs shall use an Energy Star Compliant (highly reflective) for a minimum of 75% of the roof surface.

G. SW6 Henley Gateway

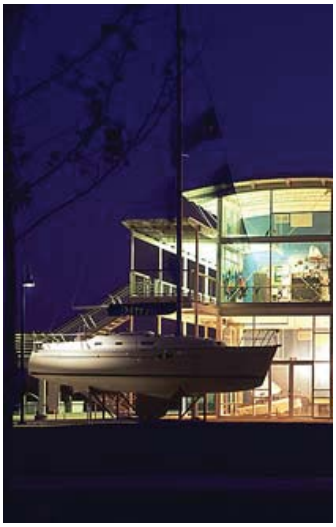


1. Vision and Intent

The Henley Gateway establishes a new entrance into downtown Knoxville, as well as a Chapman Highway gateway leading south to the Smoky Mountains. Capitalizing on the presence and economic opportunities of the Baptist Hospital, this area shall host multi-story office buildings, attracting new businesses to South Knoxville. A high-rise hotel with sweeping river views could accommodate business professionals as well as a multitude of city visitors.

The dominant open green space in the shape of a triangular wedge is organized according to the proposed development as well as towards Chapman Highway. The park space provides views to the river and downtown and contains a parking garage underneath. New mid-rise towers facing the park are envisioned as a compliment to the surrounding institutional uses and to the scale of the Baptist Hospital. Landscaped plazas not only provide professionals with pleasant lunchtime spaces, but also establish a pedestrian-friendly connection from City View to Bell Tower Walk and Waterfront Marketplace. A setback from the river allows for existing and new development to access a continuous Shoals Promenade Riverwalk. A potential conversion of the freight rail line to future light rail may provide public transportation to this district.







2. Existing Conditions

a. Intent

Guide site survey to assess existing site conditions for constraints and opportunities. Allow Some views to river and downtown from taller buildings.

b. Topography

Consider existing topography and provide topographic survey with 2 foot contours.

c. Existing Trees

i. Identify all existing trees with a a 6 inch minimum caliper including root zone within dripline.

ii. Preserve a minimum of 1 healthy large canopy tree per lot, or 6 healthy trees per acre, whichever is greater.

d. Environmental and Archaeological

Comply with State and Federal Requirements.

3. Block Layout

a. Intent

Guide lot layout and outline the maximum block perimeter and building setbacks permitted in this district to ensure walkable neighborhoods.

b. Block Size

Maximum perimeter of 1,400 feet.

c. Building Lines

Minimum of 70 feet from normal pool EL 813.0. Refer to Sec. 4.1.6, Riverscape Standards.

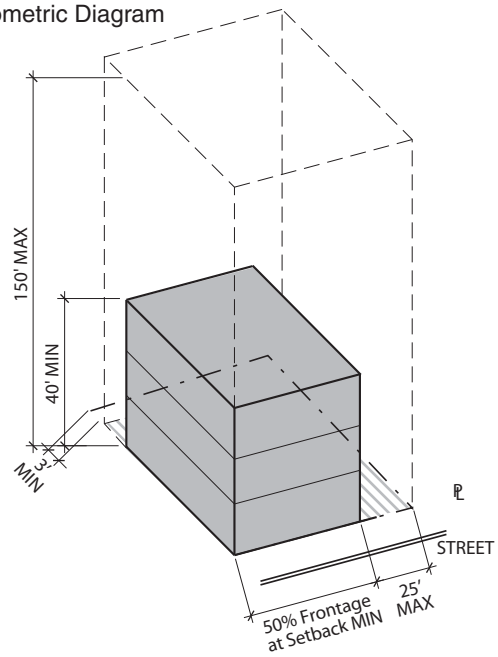
d. Proposed Subdivision and Phasing Plan

Clearly designate future phases and describe proposed subdivision plan and phasing when applicable.

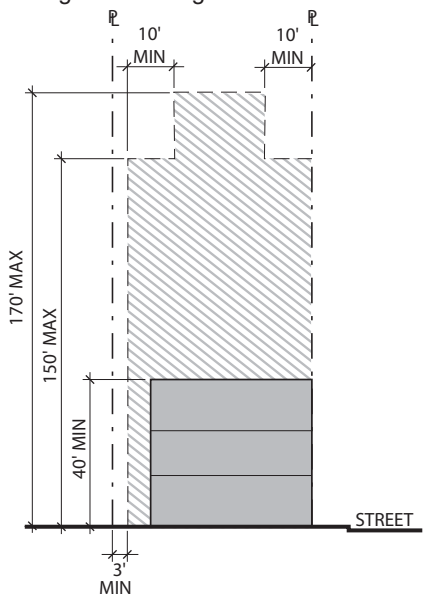
4. Building Siting and Configuration

Intent: Provide building configuration and design parameters, as well as suggestions for building function.

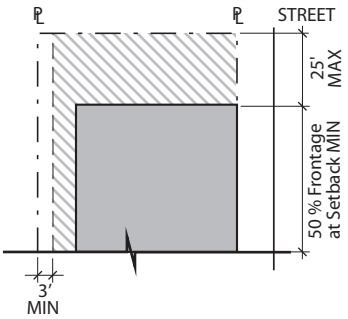
Axonometric Diagram



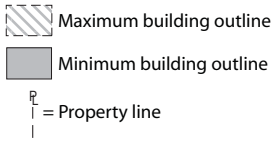
Section Height and Siting



Plan Width and Siting



Definitions



Principal Building Siting	
Orientation	NA
Front Setback	0’
Frontage at Setback (min)	50%
Side Setback (max)	25’
Rear Setback (min)	3’
Lot Size (max)	3 acres
Building Coverage (max)	90%
Open Space Coverage (min)	10%

Principal Building Configuration	
Building Width	NA
Building Height (min)	40’ & 3 Story
Building Height (max)	150’ & 12 Stories plus 20’ and 2 Story max at Setback + 10’
Footprint/Floor Plate (max)	50,000 SF; Does not apply to structured parking footprint
Floor Area Ratio (max)	11

5. Ancillary Structures and Outdoor Spaces

a. Intent

Provide outdoor space configuration and design parameters.

b. Ancillary/Accessory Structures

NA

c. Ancillary/Accessory Structure Envelope

i. Footprint/Floor Plate: NA

ii. Front Setback: NA

iii. Frontage at Setback: NA

iv. Side Setback: NA

v. Rear Setback: NA

vi. Building Width: NA

vii. Building Height: NA

d. Outdoor Space Types

Rooftop landscape

e. Usable Private Open Space

NA

6. Building Frontages

Frontage Typologies: Refer to Sec. 4.1.4.C.



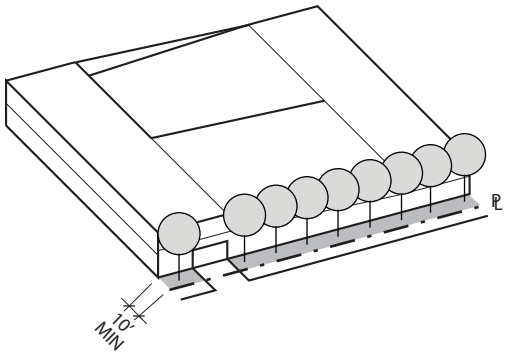
Building Entries
Primary entry on principal frontage

Building Envelope Articulation	
Ground Level	Min 70% transparent glass at the ground level on the principal frontage
Facade Length	NA
Facade Openings	Openings above the first story on the principal frontage shall be min 25% of the building wall area
Roofs	Buildings may have flat or sloped roofs
Other	Balconies, porches, bay windows and other projections are encouraged and may be incorporated into the building setback

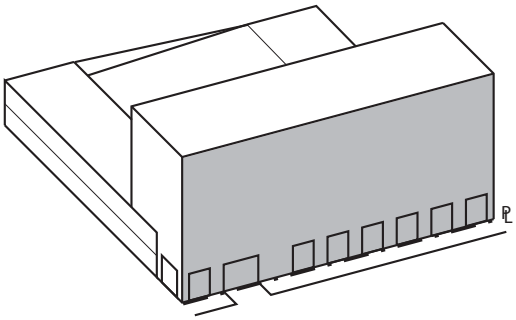
7. Off Street Parking and Loading

Intent: Provide with adequate parking to accommodate the district's various building types and functions. Refer to Sec. 4.1.4.D.

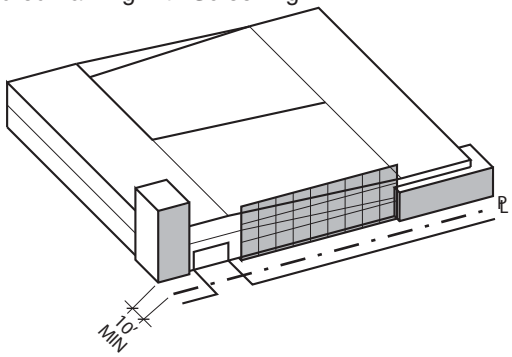
Structured Parking with Vegetation Buffer



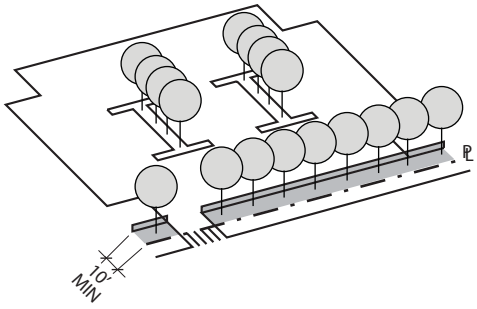
Structured Parking with Building Buffer



Structured Parking with Screening



Surface Parking with Vegetation Buffer and Low Wall



a. Parking Types

Surface lot, above ground structure, basement garage.

b. Parking Spaces, Reserved and Shared

Maximum of 3 parking spaces per 1,000 square feet and maximum of 2 parking spaces per residential unit.

c. Pavements

65% minimum of uncovered surface parking shall be permeable while meeting overall stormwater requirements.

d. Garage Location

To rear or center of property or underneath building.

e. Screening and Shading

One tree (with a 2 inch minimum caliper) is required for every 5 surface parking spaces.

f. Accessible Spaces and Routes

Meet or exceed city accessibility standards.

g. Driveways

i. Driveway shall be 15 foot maximum for one way traffic and 26 foot maximum for two way traffic.

ii. Sidewalk materials and patterning is continuous through driveway.

h. Garage Entry

Permitted on all frontages.

i. Service Loading

Permitted.

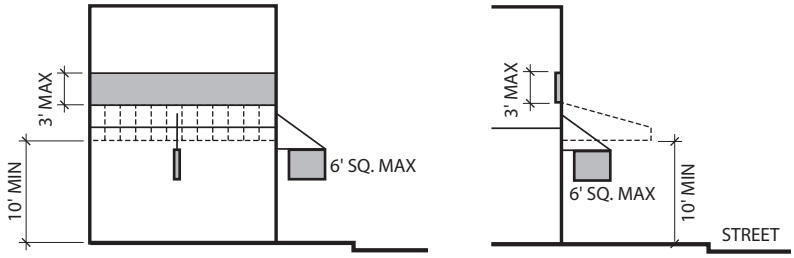
j. Bicycle Parking

Required.

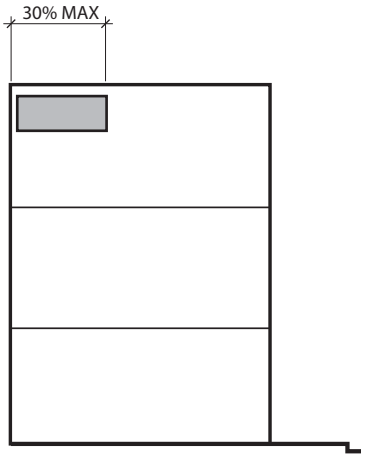
8. External Elements

Intent: Guide the integration of external elements into property development including landscaping, utilities and lighting. Refer to Sec. 4.1.4.E, Signage and Sec. 4.1.4.F, Lighting and Noise.

Storefront Signage



Wall Signage



a. Proposed Topography Grades

Provide grading plan with 2 foot contours.

b. Side or Rear Privacy Fence or Wall

Maximum of 8 feet.

c. Front Fence Or Wall

Maximum of 3 feet 6 inches.

d. Landscape Vegetation

i. Minimum of 8 trees (with a 2 inch minimum caliper) per acre of open space

ii. Trees required for surface parking may be counted toward overall landscape requirement.

e. Trash/Recycling Storage, External Mechanical Units, Electrical Units and Rain Barrels

Integrate with building design or screen / conceal from view from public street and riverwalk.

9. Sustainability

a. Intent

Encourage longevity, durability, energy and economic efficiency as well as improved environmental conditions.

b. Green Building and Landscape

i. Capable of attaining the current Leadership in Energy and Environmental Design (LEED) minimal Performance Level of "Certified."

ii. Submit completed worksheet of appropriate LEED standard to demonstrate pre-certification estimate.

c. Reflectivity, Heat Island Reduction, Roof and Surface Lots

i. Surface lots shall provide shade and/or use light-colored/high albedo materials with a solar reflectance of at least 0.3 (30%).

ii. Roofs shall use an Energy Star Compliant (highly reflective) for a minimum of 75% of the roof surface.

H. SW7 Waterfront Marketplace



1. Vision and Intent

This area is an extension of the Bell Tower Walk. It is envisioned as a highly active commercial, entertainment, and residential environment. Bound between a newly established Waterfront Drive and the riverfront setback, the new Waterfront Piers provide an elegant setting for restaurants and various retail and entertainment enterprises. These uses define associated civic plazas that unite the buildings with the Riverwalk and the Gay Street Amphitheater.

Developments on this site shall maximize view corridors to the river by orienting long, horizontal buildings perpendicular to the riverfront. Developments that create a continuous visual barrier to the Tennessee River are not permitted. Surface parking in this district shall be kept to a minimum. A new marina and boat ramp at the base of the Gay Street Bridge invite users to spend time on the water adjacent to the park space.







2. Existing Conditions

a. Intent

Guide site survey to assess existing site conditions for constraints and opportunities. Direct views to river and downtown, viewed from neighborhoods behind.

b. Topography

Consider existing topography and provide topographic survey with 2 foot contours.

c. Existing Trees

i. Identify all existing trees with a 6 inch minimum caliper including root zone within dripline.

ii. Preserve a minimum of 1 healthy large canopy tree per lot, or 6 healthy trees per acre, whichever is greater.

d. Environmental and Archaeological

Comply with State and Federal Requirements.

3. Block Layout

a. Intent

Guide lot layout and outline the maximum block perimeter and building setbacks permitted in this district to ensure walkable neighborhoods.

b. Block Size

Maximum perimeter of 1,400 feet.

c. Building Lines

Minimum of 70 feet from normal pool EL 813.0. Refer to Sec. 4.1.6, Riverscape Standards.

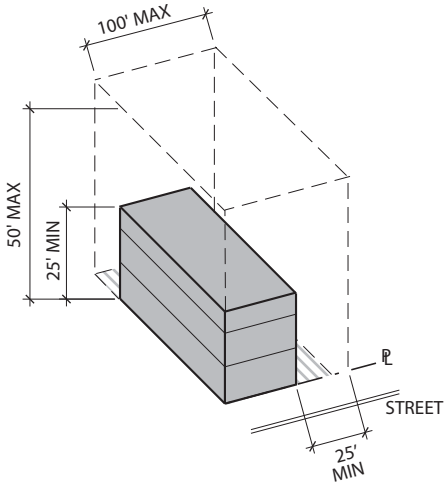
d. Proposed Subdivision and Phasing Plan

Clearly designate future phases and describe proposed subdivision plan and phasing when applicable.

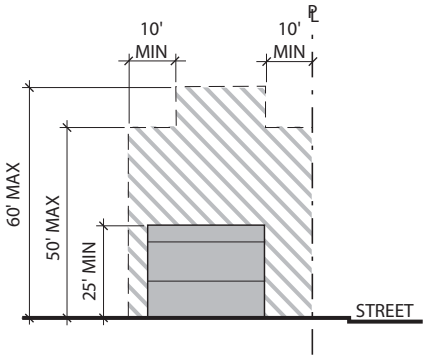
4. Building Siting and Configuration

Intent: Provide building configuration and design parameters, as well as suggestions for building function.

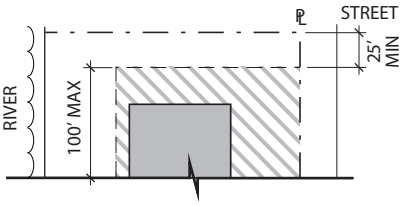
Axonometric Diagram



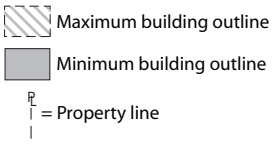
Section Height and Siting



Plan Width and Siting



Definitions



Principal Building Siting	
Orientation	Perpendicular to River
Front Setback	NA
Frontage at Setback	NA
Side Setback (min)	25’
Rear Setback	NA
Lot Size (max)	1 acre
Building Coverage	NA
Open Space Coverage (min)	20%

Principal Building Configuration	
Building Width (max)	70’
Building Height (min)	25’ & 2 Story
Building Height (max)	50’ & 4 Stories plus 10’ and 1 Story max at Setback + 10’
Footprint / Floor Plate (max)	30,000 SF; Does not apply to structured parking footprint
Floor Area Ratio (max)	3

5. Ancillary Structures and Outdoor Spaces

a. Intent

Provide outdoor space configuration and design parameters.

b. Ancillary/Accessory Structures

NA

c. Ancillary/Accessory Structure Envelope

i. Footprint/Floor Plate: NA

ii. Front Setback: NA

iii. Frontage at Setback: NA

iv. Side Setback: NA

v. Rear Setback: NA

vi. Building Width: NA

vii. Building Height: NA

d. Outdoor Space Types

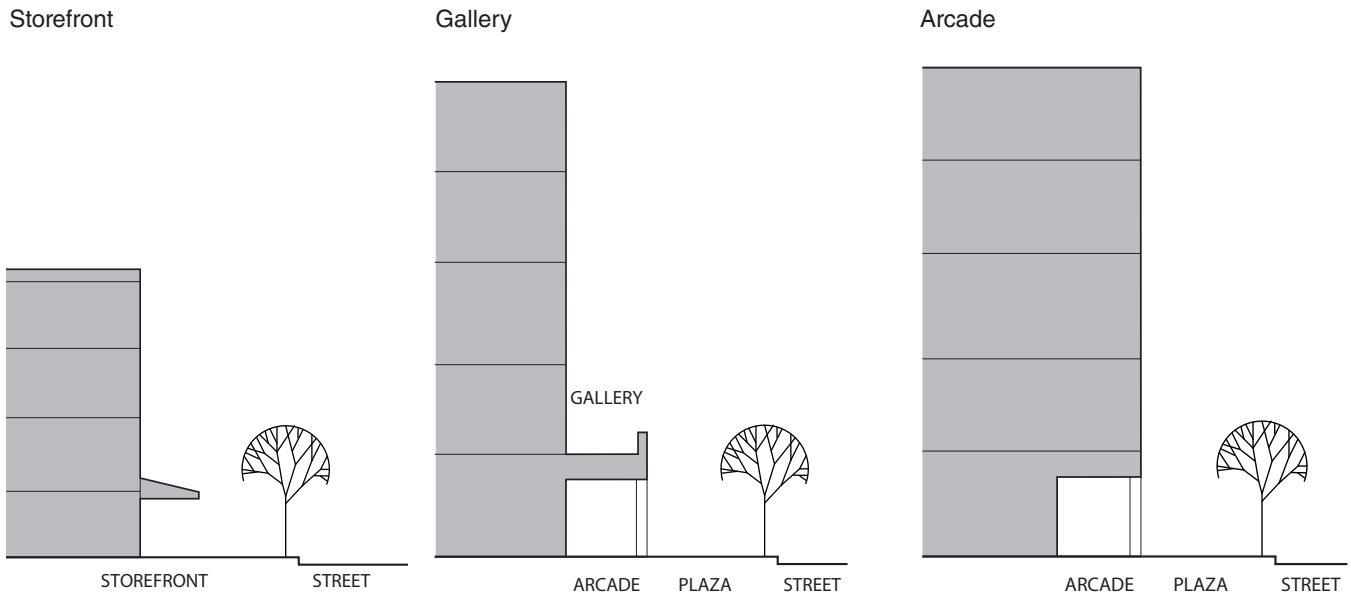
Mall, Plaza

e. Usable Private Open Space

NA

6. Building Frontages

Frontage Typologies: Refer to Sec. 4.1.4.C.



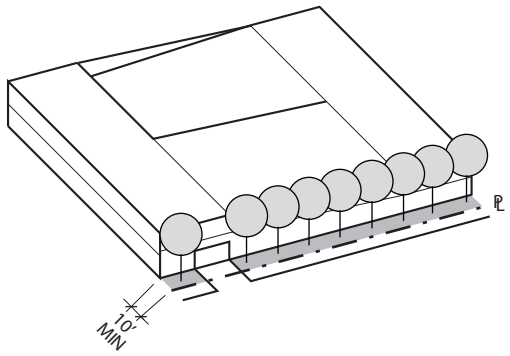
Building Entries
Primary entry on principal frontage

Building Envelope Articulation	
Ground Level	Min 70% transparent glass at the ground level on the principal frontage
Facade Length	NA
Facade Openings	Openings above the first story on the principal frontage shall be min 25% of the building wall area
Roofs	Buildings may have flat or sloped roofs
Other	Balconies, porches, bay windows and other projections are encouraged and may be incorporated into the building setback

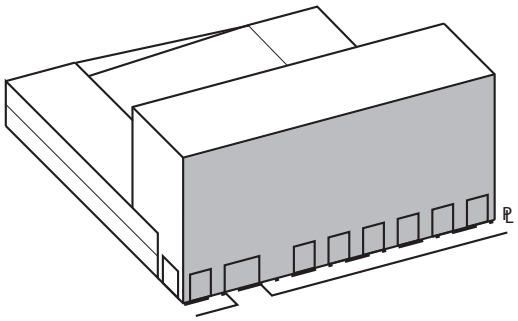
7. Off Street Parking and Loading

Intent: Provide with adequate parking to accommodate the district's various building types and functions and maintain the overall neighborhood character. Refer to Sec. 4.1.4.D.

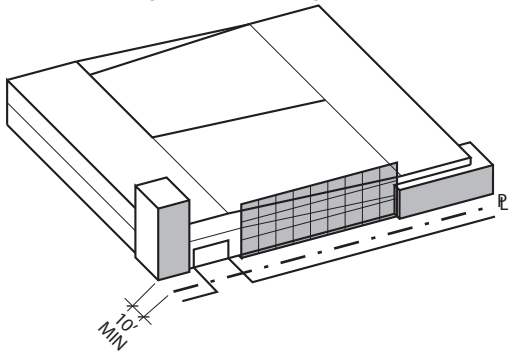
Structured Parking with Vegetation Buffer



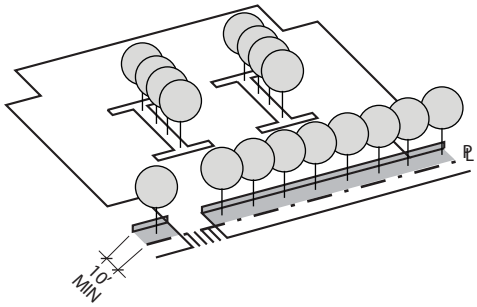
Structured Parking with Building Buffer



Structured Parking with Screening



Surface Parking with Vegetation Buffer and Low Wall



a. Parking Types

Surface lot, above ground structure, basement garage.

b. Parking Spaces, Reserved and Shared

Maximum of 3 parking spaces per 1,000 square feet and maximum of 2 parking spaces per residential unit.

c. Pavements

65% minimum of uncovered surface parking shall be permeable while meeting overall stormwater requirements.

d. Garage Location

To side of property or underneath building.

e. Screening and Shading

One tree (with a 2 inch minimum caliper) is required for every 5 surface parking spaces.

f. Accessible Spaces and Routes

Meet or exceed city accessibility standards.

g. Driveways

i. Driveway shall be 15 foot maximum for one way traffic and 26 foot maximum for two way traffic.

ii. Sidewalk materials and patterning is continuous through driveway.

h. Garage Entry

Permitted on all frontages.

i. Service Loading

Permitted.

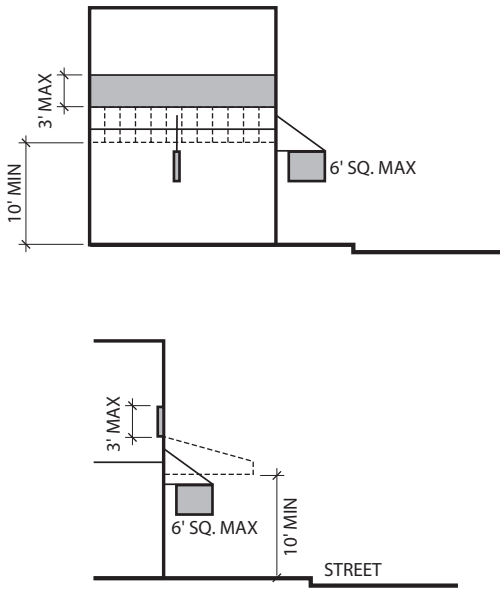
j. Bicycle Parking

Required.

8. External Elements

Intent: Guide the integration of external elements into property development including landscaping, utilities and lighting. Refer to Sec. 4.1.4.E, Signage and Sec. 4.1.4.F, Lighting and Noise.

Storefront Signage



a. Proposed Topography Grades

Provide grading plan with 2 foot contours.

b. Side or Rear Privacy Fence or Wall

Maximum of 8 feet.

c. Front Fence Or Wall

Maximum of 3 feet 6 inches.

d. Landscape Vegetation

i. Minimum of 8 trees (with a 2 inch minimum caliper) per acre of open space.

ii. Trees required for surface parking may be counted toward overall landscape requirement.

e. Trash/Recycling Storage, External Mechanical Units, Electrical Units and Rain Barrels

Integrate with building design or screen/conceal from view from public street and riverwalk.

9. Sustainability

a. Intent

Encourage longevity, durability, energy and economic efficiency as well as improved environmental conditions.

b. Green Building and Landscape

i. Capable of attaining the current Leadership in Energy and Environmental Design (LEED) minimal Performance Level of "Certified."

ii. Submit completed worksheet of appropriate LEED standard to demonstrate pre-certification estimate.

c. Reflectivity, Heat Island Reduction, Roof and Surface Lots

i. Surface lots shall provide shade and/or use light-colored/high albedo materials with a solar reflectance of at least 0.3 (30%).

ii. Roofs shall use an Energy Star Compliant (highly reflective) for a minimum of 75% of the roof surface.

4.1.4. General Development Standards

A. Uses

1. Prohibited Uses

Uses not to be established in any district of the Knoxville South Waterfront include all **major agriculture, heavy industrial, waste-related services, truck depots, cremation facilities, cemeteries, and storage facilities for Class 1 flammable and combustible liquids** (having an aggregate total of more than 100 gallons) but excluding storage that is part of a motorized vehicle or pleasure craft facility.

a. **Heavy industrial** includes any use that is potentially dangerous, noxious or offensive to neighboring uses in the district or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause; heavy industrial asbestos and radio active materials products; animal processing, packing, treating, and storage, livestock or poultry slaughtering, concentrate plant, processing of food and related products, production of lumber, tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing, automobile dismantlers and recyclers; batch plant; bulk storage of flammable liquids; chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products; commercial feed lot; concrete batching and asphalt processing and manufacturing, batch plant; earth moving and heavy construction equipment and transportation equipment; explosives; fabricated metal products and machinery; impound lot, wrecker service includes city wreckers, auto storage; leather and leather products includes tanning and finishing; petroleum, liquefied petroleum gas and coal products and refining; primary metal manufacturing; pulp mills; rubber and plastic products, rubber manufacturing; scrap metal processors; saw mill, pulp mill; secondary materials dealers; tire recapping; tobacco products; transportation equipment; wrecking, junk or salvage yard; dredging, earth extraction, clearing or grading (timber cutting); extraction of phosphate or minerals; extraction of sand or gravel, borrow pit; metal, sand stone, gravel clay, mining and other related processing; stockpiling of sand, gravel, or other aggregate materials; or any similar uses.

b. **Waste-related service** includes any use that generally receives solid or liquid wastes from others for transfer to another location, collects sanitary waste or manufactures a product from the composting of organic material. Waste-related service includes the following: animal waste processing, rendering; landfill, incinerator; manufacture and production of goods from composting organic material; outdoor recycle processing center; outdoor storage of recyclable material, including construction material; transfer station; or any similar use.

c. **Major agriculture** includes animal raising including horses, hogs, cows, sheep, goats, and swine, poultry, dairying, personal or commercial animal breeding and development; floriculture, pasturage, tree or sod farm, silviculture; animal boarding, outdoor; livestock auction; milk processing plant; packing house for fruits or vegetables; plant nursery; plant nursery with landscape supply; retail or wholesale sales of agriculturally-related supplies and equipment; stable; or any similar use. Major agriculture does not include urban agriculture.

2. Gated Communities

Private developments such as “gated communities” are prohibited in the Knoxville South Waterfront. They inhibit access to public spaces and create physical and social enclaves. Public rights-of-ways shall remain open, facilitating access to the site and fostering connectivity.

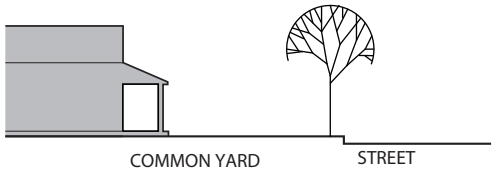
B. Building Envelope and Materials

1. The intent of these standards is to utilize a discipline of form when designing new buildings in order to foster a high quality Knoxville South Waterfront identity.
2. Building walls should reflect and complement the traditional materials and techniques of the Tennessee Valley's regional architecture. They should express the construction techniques and structural constrains of traditional, long-lasting building materials.
    a. Acceptable building facade materials include: brick and block masonry, glass, wood, stucco, metal panel and native stone. The use of composite or synthetic materials not mentioned above must have equivalent or superior visual and performance properties to those mentioned.
    b. Windows shall use clear glass with at least 90% light transmission.
    c. Specialty windows may use stained or opaque glass.
    d. Flat roofs shall be enclosed with parapets a minimum of 42 inches high or as required to conceal mechanical equipment to the satisfaction of the Knoxville South Waterfront Advisory Committee.
3. Awnings and Canopies
    a. Awnings or canopies shall provide a minimum clearance of 10 feet above the sidewalk and shall have a maximum depth of 6 feet, while maintaining a minimum 2 feet distance to curb edge.
    b. An awning or canopy may extend into the public right-of-way with the City's Engineer's approval.
4. Requirements of these Form Based Codes apply only where the subject is "clearly visible from the street". The definition of the street includes parks, riverwalks, civic greens, squares and all proposed public areas except alleys. The intention of these parameters are to restrict control to the public realm where it has special significance and limit public preference in the private realm.

C. Frontage Typologies

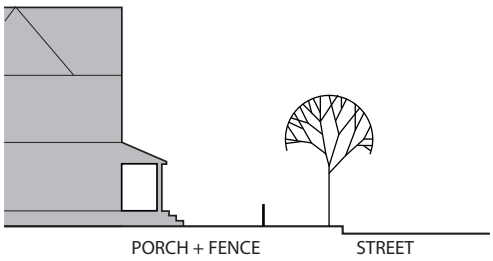
1. Common Yard

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



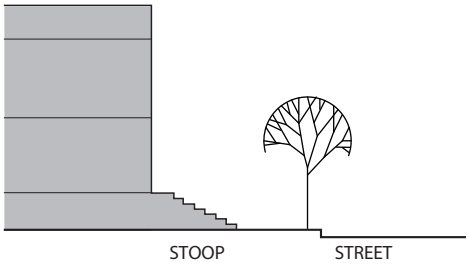
2. Porch and Fence

A frontage type where the building is setback from the property line and the building includes an attached porch. A fence at the property line demarcates the front yard from the street.



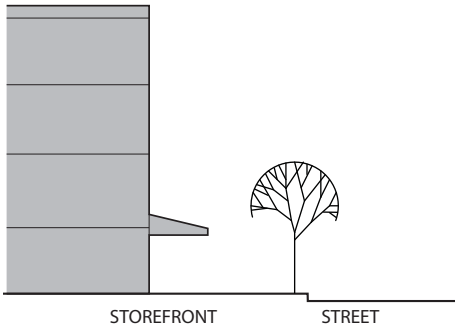
3. Stoop

A frontage type where the raised entry platform is on the principal frontage and the first story is above the level of the ground creating a change in elevation.



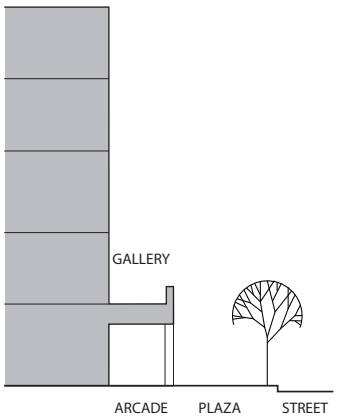
4. Shopfront/Awning

A frontage type where the building meets the property line and a shop-front or awning extends into the setback space.



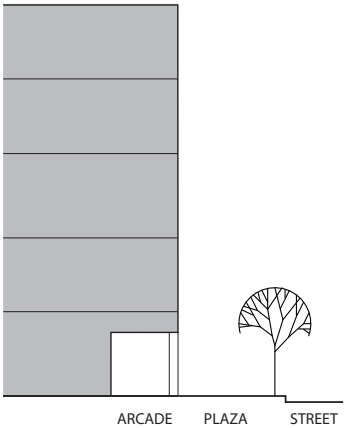
5. Gallery

A frontage type where the building facade is close to the property line and a continuous, covered space is attached to the length of the facade.



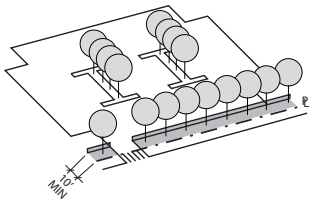
6. Arcade

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



D. Off Street Parking and Loading

1. Surface Parking



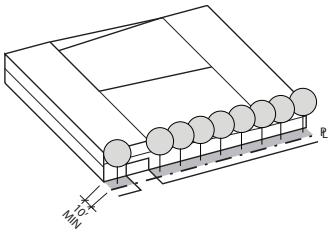
Surface Parking with
Vegetation Buffer and Low Wall

Vision: Avoid large, unbroken expanses of pavement. Divide large parking lots into smaller paved areas that are separated by landscaping, access driveways or ancillary structures. Parking lots shall include parking islands to breakdown the scale of the surface lot, with the inclusion of pedestrian-scale lighting in lieu of standard lot lighting.

a. Parking shall be placed behind the buildings, but parking on the side of buildings is acceptable provided that the parking is screened from view from any adjoining right-of-way. On-street parking available along the frontage lines that correspond to each lot shall be counted toward the parking requirement for the parcel. By exemption, the required parking may be provided within a 5 minute (1/4 mile) walking radius of the site which it serves.

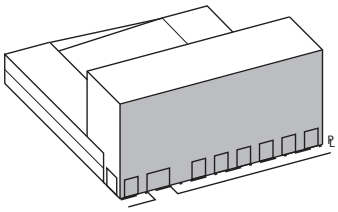
b. A visual buffer of landscaping shall be provided towards adjacent properties. Any parking lot adjoining a public street shall be screened from view to a height of 3 feet by walls, berms or landscaping or a combination of these 3. If landscaping is used, the planting bed shall be a minimum of 10 feet wide. Separate parking areas from buildings by use of a raised walkway or planting strip. Avoid directly abutting parking aisles or spaces to the edge of a building.

c. One bicycle rack space shall be provided for every 10 vehicular parking spaces.



Structured Parking with
Vegetation Buffer

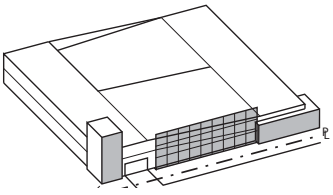
2. Structured Parking



Structured Parking with
Building Buffer

Vision: Future parking structures in the Knoxville South Waterfront should be constructed with the understanding that required parking spaces for an area should be shared over the course of a day to maximize efficiency. While the construction of new parking garages will be critical to accommodate future vehicles in the study area, it is important to establish parking ratios that promote the use of public transportation and encourage development that generates less traffic. New parking facilities must be designed in such a way that does not adversely affect their surroundings.

a. Monotonous and unadorned parking structure elevations are prohibited. No blank walls or exposed parking levels should face directly onto primary streets. Attempts should be made to reduce the overall visual mass of the parking garage through the architectural expression of stair towers, canopies and screening devices. Parking garage elevations shall be screened from view with the incorporation of lightweight design elements that add visual interest to the elevations (such as trellis panels) and filter the view to parked cars. When possible, building edges that face primary streets should incorporate programmable spaces into the ground floor of the parking structure (such as small commercial/retail uses) to activate the street edge. Garage entries shall not exceed 16 foot clear height and 26 foot clear width. Provisions shall be made for audible and visible warnings at garage exits to protect pedestrians from vehicles.



Structured Parking
with Screening

3. Service Loading

Curb cuts and service roads leading to service areas shall be located as far away as possible from public entrances. Service areas to buildings shall be screened from view by plantings or low walls.

E. Signage

Knoxville's Signage Ordinance shall apply.

Signage within the Knoxville South Waterfront should be clear, informative and durable. Appropriate signage is important for commercial uses that need to effectively advertise their goods and services. Inappropriate advertising signage contributes to visual clutter of the environment by their design, location, material choice or obtrusive size. Primary concerns regarding signage revolve around the sign's location, size, material and illumination.

1. SW1

The sign regulations of Article 5, Section 10C, Residential Districts, shall apply in the SW1 District.

2. SW2 through SW7

a. Sign Area

The total allocated sign area shall not exceed one square foot per linear foot of building frontage per principal building. Except for arcade and hanging signs and window signs, the combination of all other permitted sign types shall not exceed the maximum allocated sign area for the building.

b. Permitted Sign Types

The following types of signs shall be permitted.

i. Storefront Signage

a). Arcade and Hanging Signs

1) Arcade or hanging signs shall provide a minimum clearance of 8 feet above the sidewalk.

2) The maximum sign area shall not exceed 6 square feet per arcade or hanging sign.

b). Awning and Canopy Signs

1) The maximum sign area shall not exceed 6 square feet per awning or canopy.

c). Projecting Signs

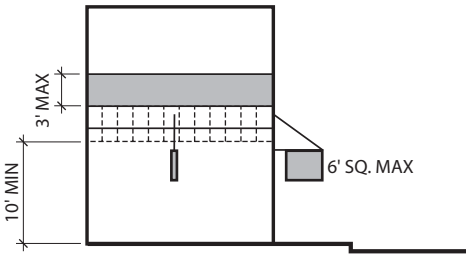
1) Projecting signs shall provide a minimum clearance of 8 feet above the sidewalk and shall extend no more than 4 feet from the facade of a building. A projecting sign may extend into the public right-of-way with the City's Law Department approval.

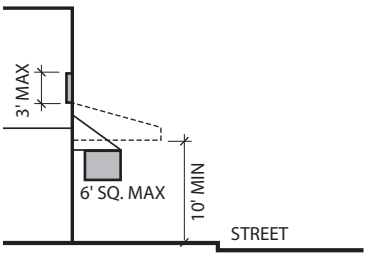
2) When placed at the ground story level, projecting signs shall not exceed 6 feet in area. When placed at the second story level, projecting signs shall not exceed 12 square feet in area. When placed at the third story level, projecting signs shall not exceed 18 square feet in area. Projecting signs on the third story level are only permitted on the corner of a block, where they may project from a building corner.

3) No sign shall protrude to within 2 feet of the curb edge, if less than 14 feet above the sidewalk.

d). Window Signs

Window signs shall not collectively exceed 10% of the window area on each facade.





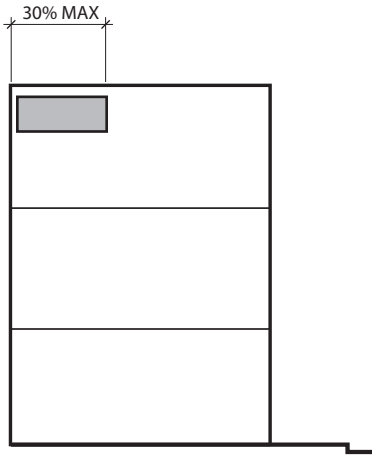
Storefront Signage

ii. Wall Signage

a). Wall signs are permitted within the area between the bottom of the second story windows and the top of first floor windows within a horizontal band not to exceed 3 feet in height In no case shall this band be higher than 18 feet or lower than 12 feet above the adjacent sidewalk.

b). Wall signs are also permitted immediately below the roof line of the building or structure and shall not extend more than 30% of the width of the building facade. Wall signs shall not project above the elevation of any building or structure.

c). A wall sign may extend up to 12 inches into a public right-of-way.



Wall Signage

iii. Roof Signage

Roof Signs are prohibited in the Knoxville South Waterfront.

c. Sign Illumination

i. Signs may be illuminated from within or from an external source, but such illumination shall be in a manner that avoids glare or reflection which in any way interferes with traffic safety.

ii. Internally illuminated signs shall be designed with:

a). Individually illuminated letters;

b). An opaque background; or

c). The background of the sign face having a darker color than the content or message of the sign.

iii. Neon or any similar exposed tube lighting is permitted provided that such lighting shall not be used solely to outline the perimeter of the sign face or sign structure.

d. Street Addresses

The street number of the business is not required on each sign, provided that the street number is placed on each entry door or within 3 feet of the door.

F. Lighting and Noise

1. External Lighting Standards

a. Illuminance/Light Trespass

The intent of the outdoor lighting standards are to:

i. Provide adequate light for safety and security,

ii. Promote efficient and cost effective lighting and to conserve energy,

iii. Mimimize light pollution, light trespass, glare, and offensive light sources,

iv. Minimize development impact on nocturnal environments,

v. Prevent inappropriate, poorly designed or poorly installed outdoor lighting,

vi. Encourage quality lighting design; light fixture shielding, uniformity ratios, and establish maximum light levels within and on property lines.

b. Light Colors

Yellow spectrum lamps such as sodium lamps are permitted only within City right-of-ways and prohibited on private property.

c. Controls

Use and maintain automated external lighting controls to minimize light pollution and energy consumption. Such controls include but are not limited to:

i. time clocks and/or dimmers,

ii. motion and/or light sensors,

iii. phased switching of multiple circuits.

d. Prohibitions

No person shall install any of the following types of outdoor lighting fixtures:

i. Blinking, flashing, moving, revolving, flickering, changing intensity or color, and chase lighting, except for temporary seasonal displays or for public safety.

ii. Any light fixture that may be confused with or construed as a traffic control device.

iii. Neon or any similar exposed tube lighting is prohibited to outline or highlight architectural features on a building or structure.

e. Exceptions

The standards of this Section shall not apply to the following types of exterior lighting:

i. Landmark Signs: Illumination of cultural significant signs designated by the community as a landmark.

ii. Ornamental Lighting: Low voltage (12 volts or less), low wattage ornamental landscape lighting fixtures, and solar operated light fixtures having self-contained rechargeable batteries, where any single light fixture does not exceed 100 lumens.

iii. Strings of Light: Strings of light, not exceeding a maximum of 50 lumens per lamp (equivalent of a 7 watt C7 incandescent light bulb) on properties that are used exclusively for residential uses.

iv. River Navigation Lighting: Lighting used exclusively for river navigation and safety purposes.

v. Right of Way Lighting: Public lighting that is located within the right of way on State or Federal controlled land.

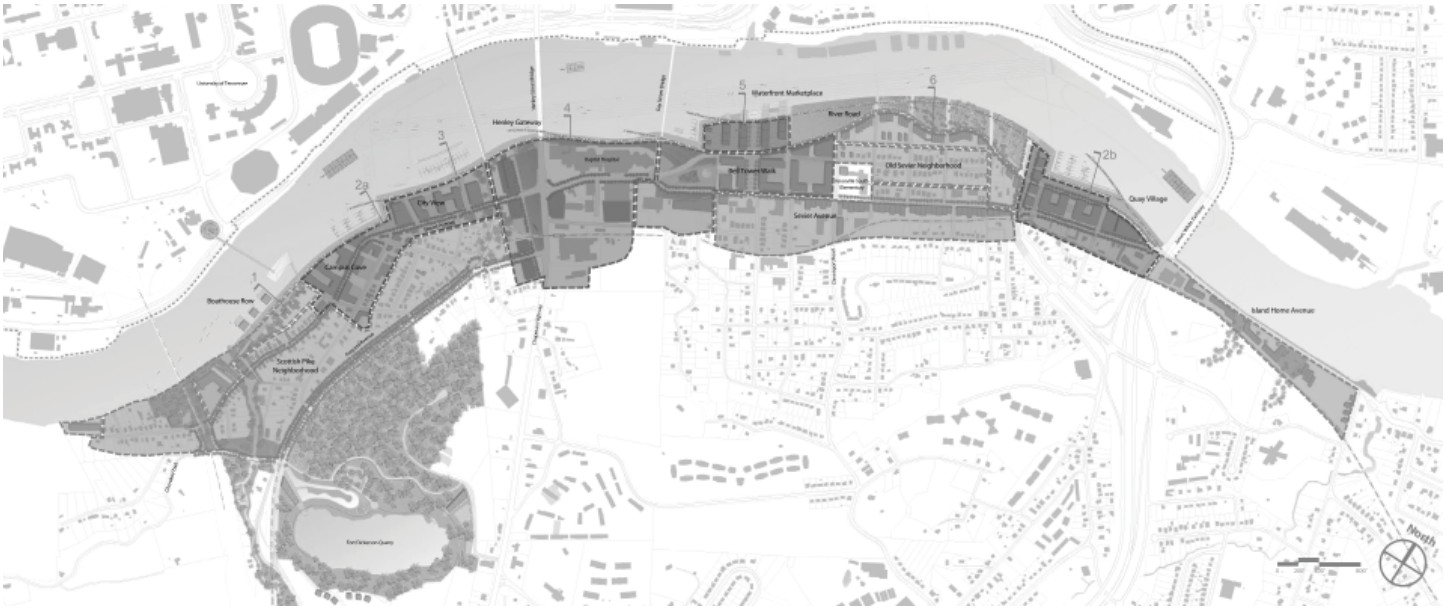
vi. Seasonal Lighting Displays: Lighting displays from November 15 through January 30 of the following year.

vii. Temporary Events: Temporary outdoor activities that include, without limitation, fairs, carnivals, sporting events, concerts, and promotional activities that require temporary outdoor lighting.

2. Noise

Knoxville's Noise Ordinance shall apply.

4.1.5. Streetscape Standards

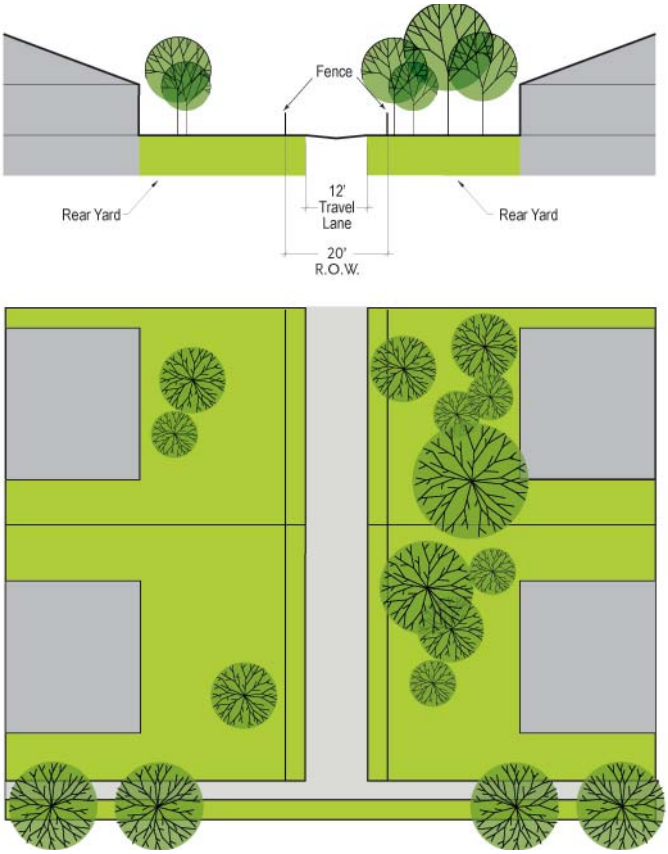


A. Vision and Intent

Streetscapes are the areas between buildings that are occupied by the public street right-of-way and related street, sidewalk, and landscaping improvements. Streetscapes are among the most important urban design features because their appearance, character and the impressions they evoke create the public image of the Knoxville South Waterfront. That image is significant to how residents and visitors think and feel about the City. The standards establish appropriate requirements for the width and uses of public and private street rights-of-way (for traffic, parking, pedestrians, bicycles, and landscaping). The following standards apply to the design and construction of public rights-of-way and right-of-way improvements in conjunction with proposed subdivisions, individual lot development where proposed projects are required to provide right-of-way dedications or improvements designed and constructed by the City of Knoxville.

Location and provision of some or all streetscape elements is subject to detailed design.

B. Path, P-20-12



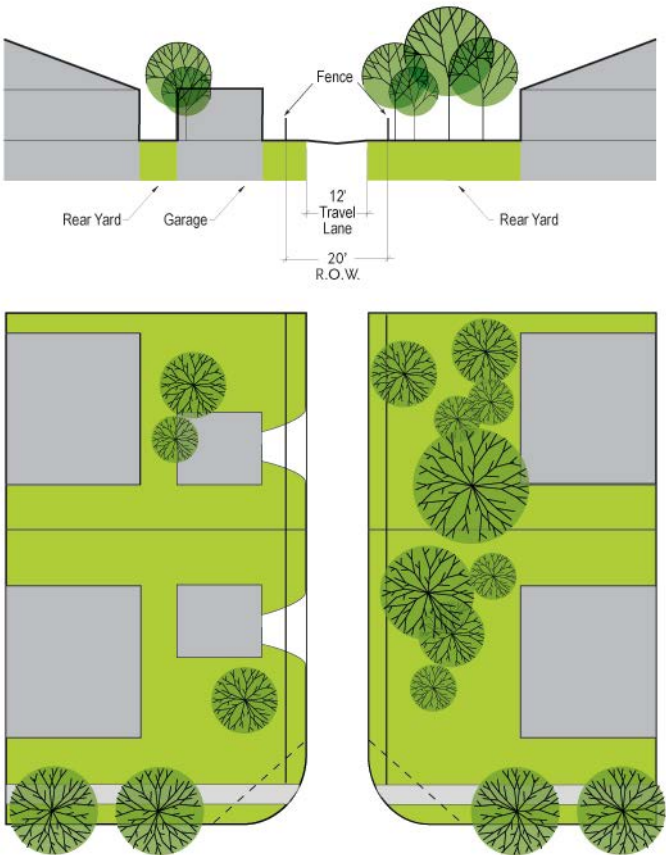
Thoroughfare Type	Path, P-20-12
Right-of-Way Width	20’
Pavement Width	12’
Movement	One way
Design Speeds	10 mph
Pedestrian Crossing Time	3.5 seconds
Traffic Lanes	NA
Parking Lanes	NA
Bike Lanes	NA
Curb Radius	15’
Walkway Type	Path
Planter Type	None
Curb Type	Inverted curb
Landscape Type	NA
Transportation Provision	NA
Utilities	All underground

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS

Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

C. Rear Alley, RA-20-12

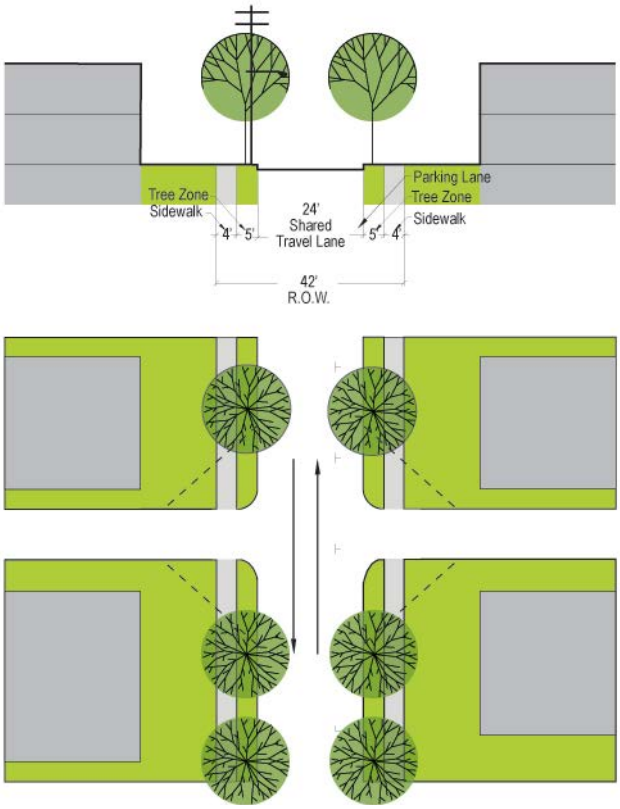


Thoroughfare Type	Rear Alley, RA 20-12
Right-of-Way Width	20’
Pavement Width	12’
Movement	One way
Design Speeds	10 mph
Pedestrian Crossing Time	3.5 seconds
Traffic Lanes	1 lane
Parking Lanes	NA
Bike Lanes	NA
Curb Radius	25’
Walkway Type	None
Planter Type	None
Curb Type	Inverted crown
Landscape Type	NA
Transportation Provision	NA
Utilities	All underground

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

D. Street, ST-42-24-PL



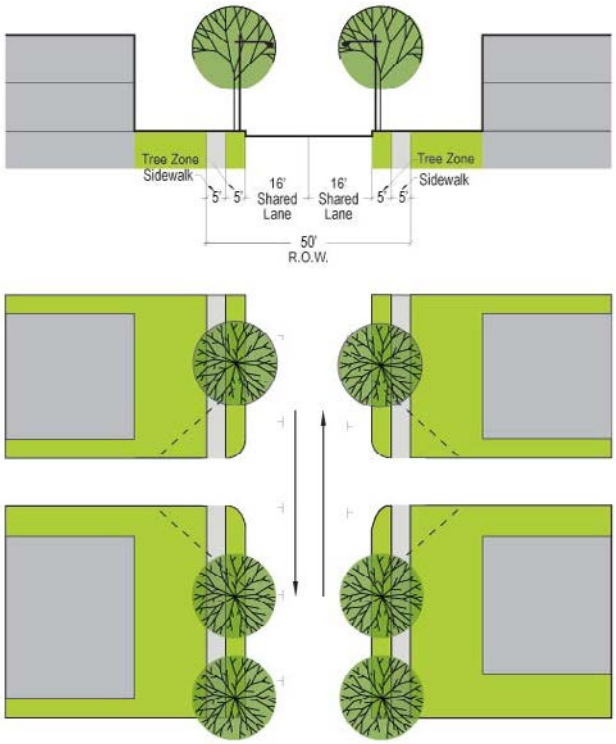
Thoroughfare Type	Street, ST-42-24-PL
Right-of-Way Width	42’
Pavement Width	24’
Movement	Yield movement
Design Speeds	25 mph
Pedestrian Crossing Time	6.9 seconds
Traffic Lanes	2 lanes, 1 shared lane at parked vehicles
Parking Lanes	1 side, unmarked
Bike Lanes	NA, bike share road
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5’ continuous planter
Curb Type	Curb
Landscape Type	Trees @ 30’ O.C.
Transportation Provision	NA
Utilities	Overhead power, cable, phone

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS

Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

E. Street, ST-50-30-2PL

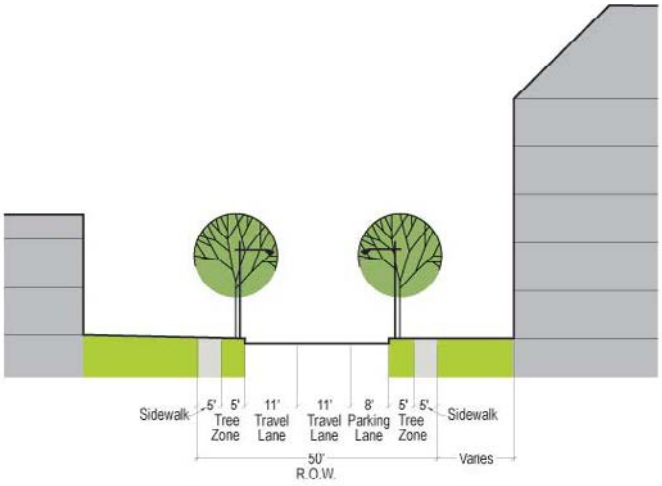


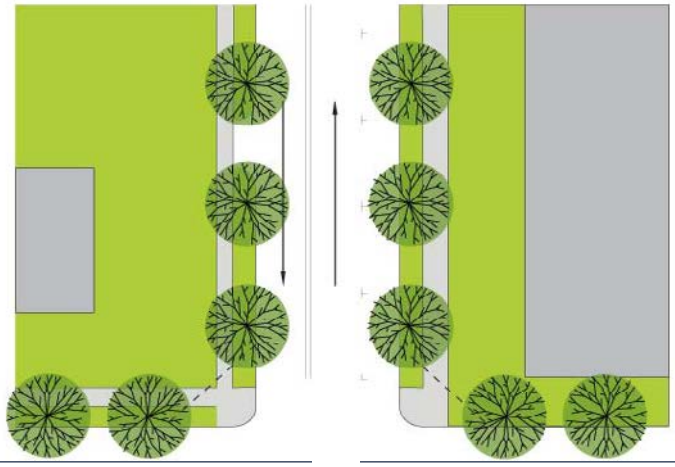
Thoroughfare Type	Street, ST-50-30-2PL
Right-of-Way Width	50’
Pavement Width	30’
Movement	Yield movement
Design Speeds	25 mph
Pedestrian Crossing Time	8.6 seconds
Traffic Lanes	2 lanes, 1 shared lane at parked vehicles
Parking Lanes	Both sides unmarked
Bike Lanes	NA, bike share road
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5’ continuous planter
Curb Type	Curb
Landscape Type	Trees @ 30’ O.C.
Transportation Provision	NA
Utilities	Overhead power, cable, phone

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

F. Street, ST-50-30-PL





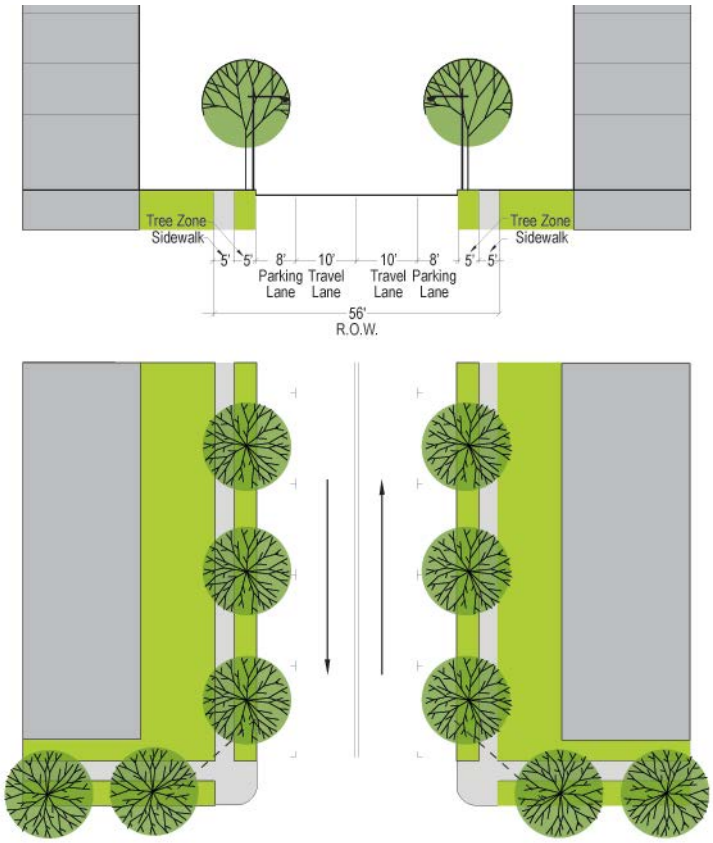
Thoroughfare Type	Street, ST-50-30-PL
Right-of-Way Width	50’
Pavement Width	30’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	8.6 seconds
Traffic Lanes	2 lanes
Parking Lanes	One side @ 8’ marked
Bike Lanes	NA, bike share road
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5’ continuous planter
Curb Type	Curb or swale
Landscape Type	Trees @ 30’ O.C.
Transportation Provision	NA
Utilities	Overhead power, cable, phone

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS

Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

G. Side Road, SR-56-36-2PL



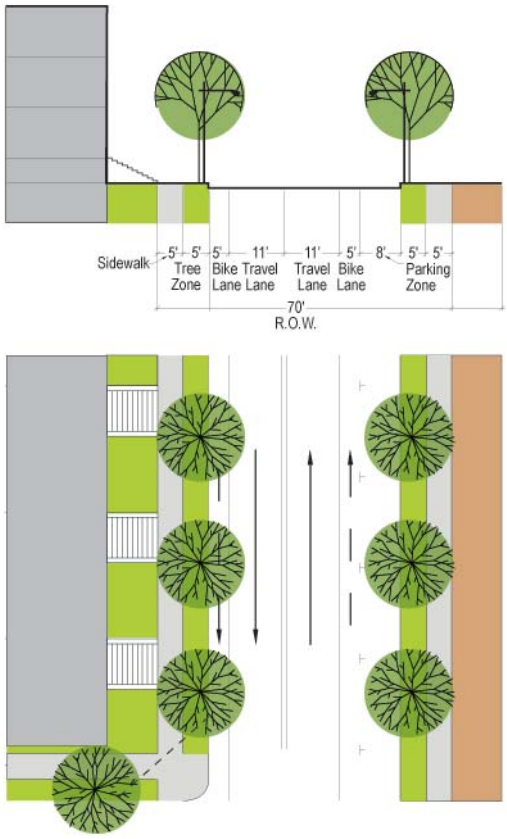
Thoroughfare Type	Side Road, SR-56-36-2PL
Right-of-Way Width	56’
Pavement Width	36’
Movement	Slow movement
Design Speeds	20 mph
Pedestrian Crossing Time	10.3 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 8’ marked
Bike Lanes	NA
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5’ Continuous planter
Curb Type	Curb or swale
Landscape Type	Trees @ 30’ O.C.
Transportation Provision	NA
Utilities	All underground

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS

Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

H. Street, ST-70-40-PL-2BL



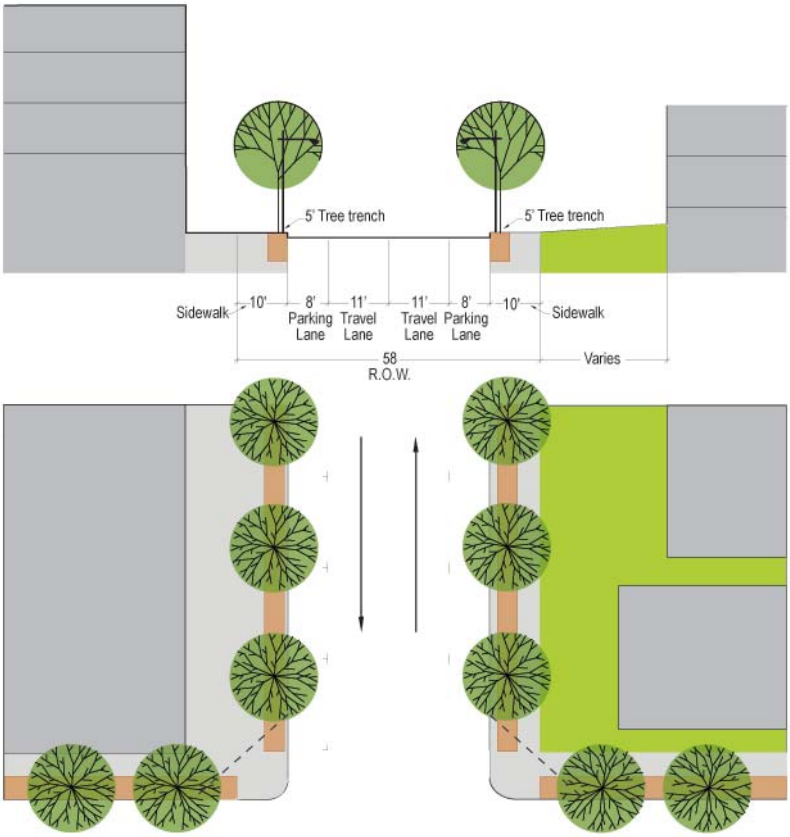
Thoroughfare Type	Street, ST-70-40-PL-2BL
Right-of-Way Width	70’
Pavement Width	40’
Movement	Free movement
Design Speeds	30-35 mph
Pedestrian Crossing Time	11.4 seconds
Traffic Lanes	2 lanes
Parking Lanes	One side @ 8’ marked
Bike Lanes	Both sides @ 5’ marked
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5’ continuous planter
Curb Type	Curb or swale
Landscape Type	Trees @ 30’ O.C.
Transportation Provision	NA
Utilities	All underground

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS

Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

I. Commercial Street, CS-58-38-2PL-BR



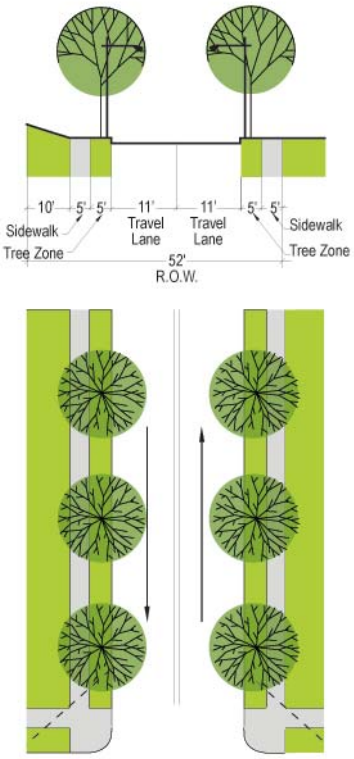
Thoroughfare Type	Commercial Street, CS-58-38-2PL-BR
Right-of-Way Width	58’
Pavement Width	38’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	10.3 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 8’ marked
Bike Lanes	NA
Curb Radius	15’
Walkway Type	10’ sidewalk
Planter Type	5’ continuous trench
Curb Type	Curb
Landscape Type	Trees @ 30’ O.C.
Transportation Provision	Bus route
Utilities	All underground

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS

Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

J. Street, ST-52-22-BR

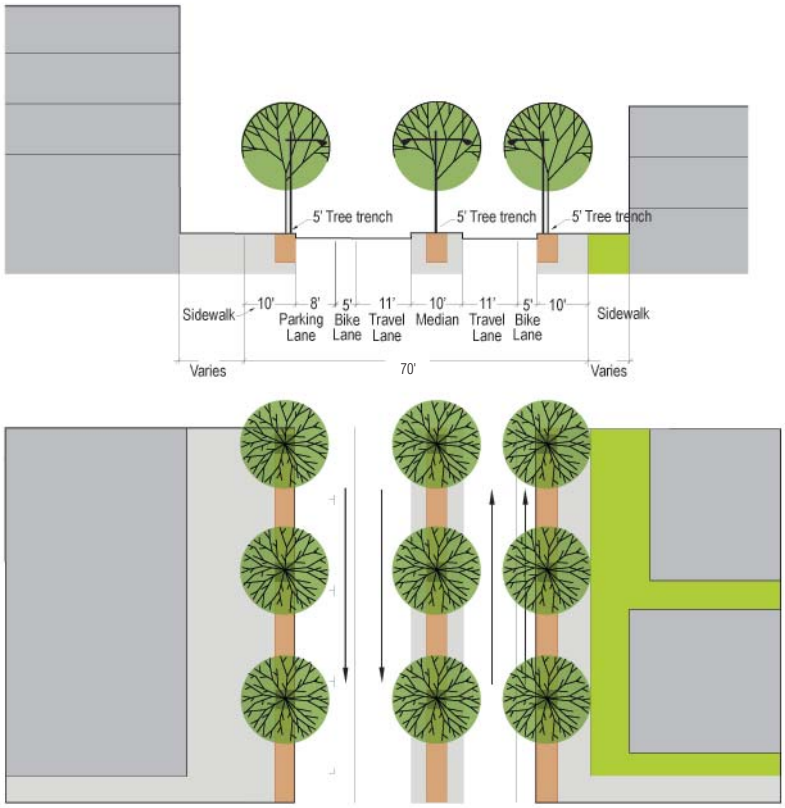


Thoroughfare Type	Street, ST-52-22-BR
Right-of-Way Width	52’
Pavement Width	22’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	6.9 seconds
Traffic Lanes	2 lanes
Parking Lanes	NA
Bike Lanes	NA
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5’ continuous planter
Curb Type	Curb or swale
Landscape Type	Trees @ 30’ O.C.
Transportation Provision	Bus route
Utilities	Overhead power, cable, phone

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

K. Boulevard, BLVD-70-50-1-PL-2BL-BR



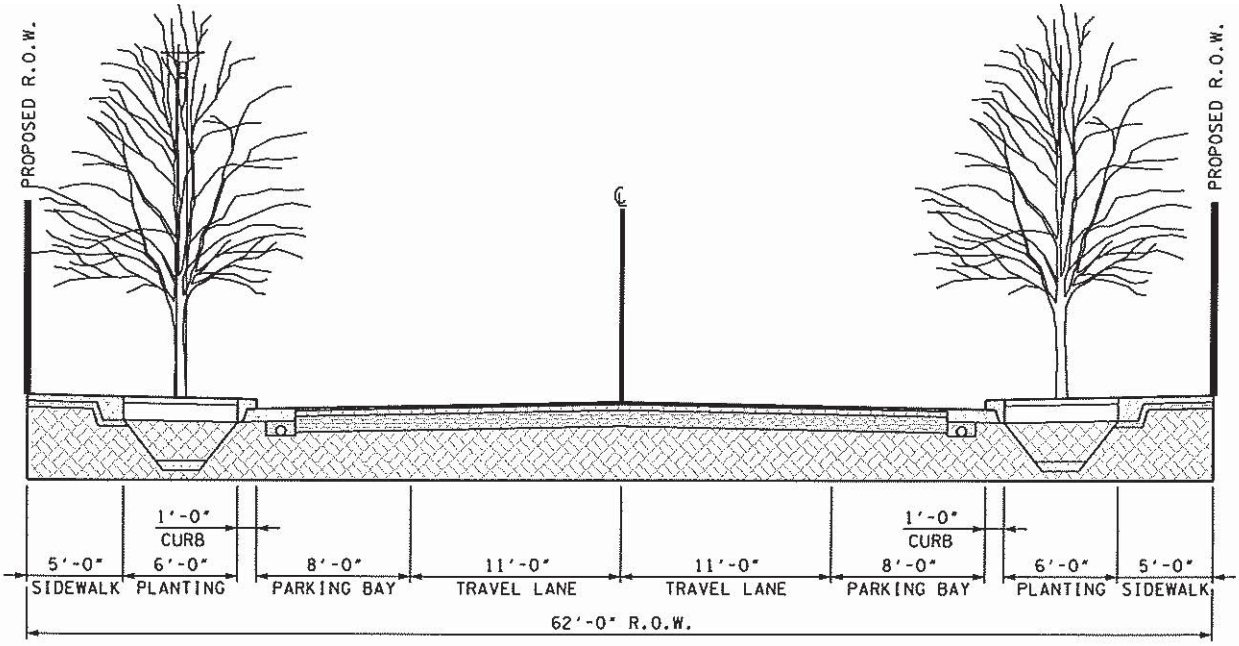
Thoroughfare Type	Boulevard, BLVD-70-50-1PL-2BL-BR
Right-of-Way Width	70’
Pavement Width	50’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	10.3 seconds
Traffic Lanes	2 lanes
Parking Lanes	1 Side @ 8’ marked
Bike Lanes	Both Sides @ 5’ marked
Curb Radius	15’
Walkway Type	10’ sidewalk
Planter Type	5’ continuous trench
Curb Type	Curb
Landscape Type	Trees @ 30’ O.C.
Transportation Provision	Bus route
Utilities	All underground

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

L. Street: ST-62-38-2PL

Waterfront Drive: Barber Street to Foggy Bottom Street



RIVER ROAD (62' PUBLIC R.O.W.)
LOOKING EAST

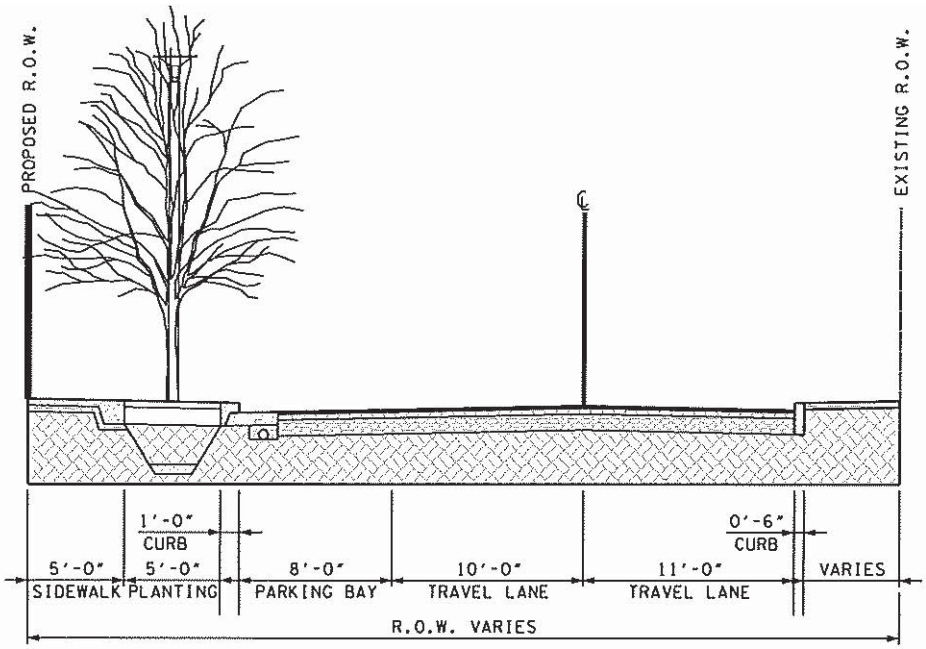
Thoroughfare Type	Street, ST-62-38-2PL
Right-of-Way Width	62’
Pavement Width	38’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	6.3 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 8' marked
Bike Lanes	NA
Curb Radius	15’ (except @ Barber which is 25')
Walkway Type	5’ sidewalk
Planter Type	6' wide treatment planter
Curb Type	1'
Landscape Type	Trees @ 30’-35' O.C.
Transportation Provision	Trolleys
Utilities	All underground

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

M. Street: ST-58-36-2PL

Langford Avenue: Barber Street to Empire Street



LANGFORD AVENUE (PUBLIC R.O.W. VARIES)
LOOKING EAST

Thoroughfare Type	Street, ST-58-36-2PL
Right-of-Way Width	58’
Pavement Width	36’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	5.8 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 8' marked
Bike Lanes	NA
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5' wide treatment planter
Curb Type	1'
Landscape Type	Trees @ 30’-35' O.C.
Transportation Provision	NA
Utilities	All underground

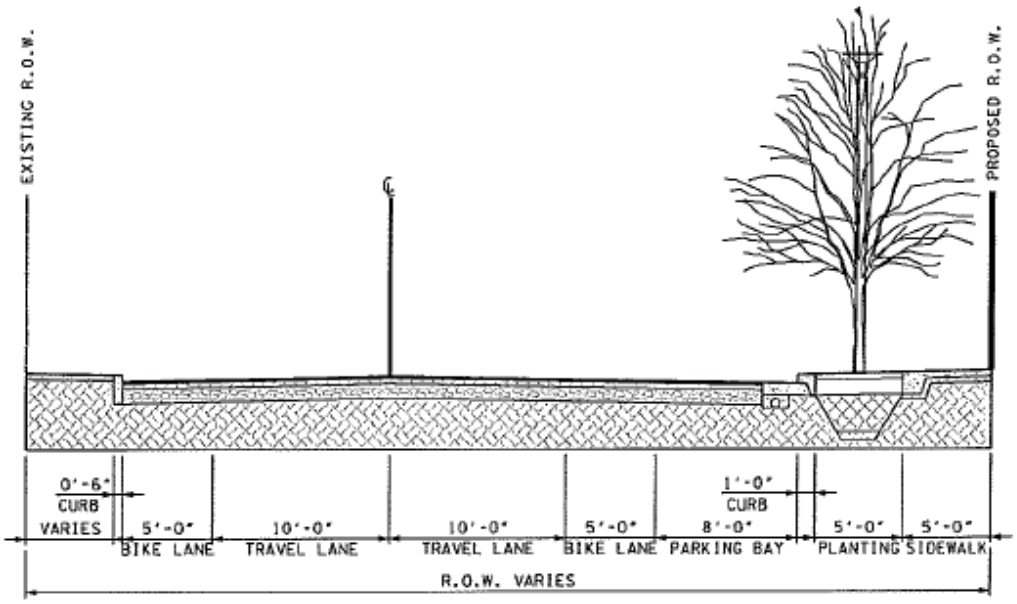
***Note: Only north side of Langford to be improved*

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

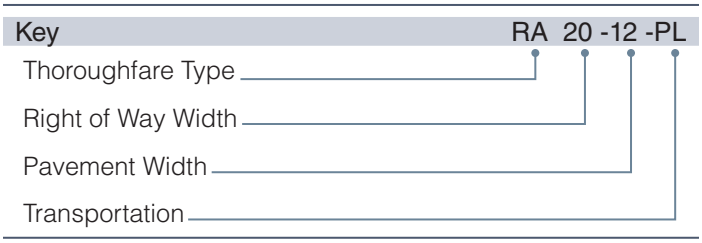
N. ST-68-46-2PL-2BL

Sevier Avenue: Dixie Street to Foggy Bottom Street



SEVIER AVENUE (PUBLIC R.O.W. VARIES)
LOOKING EAST

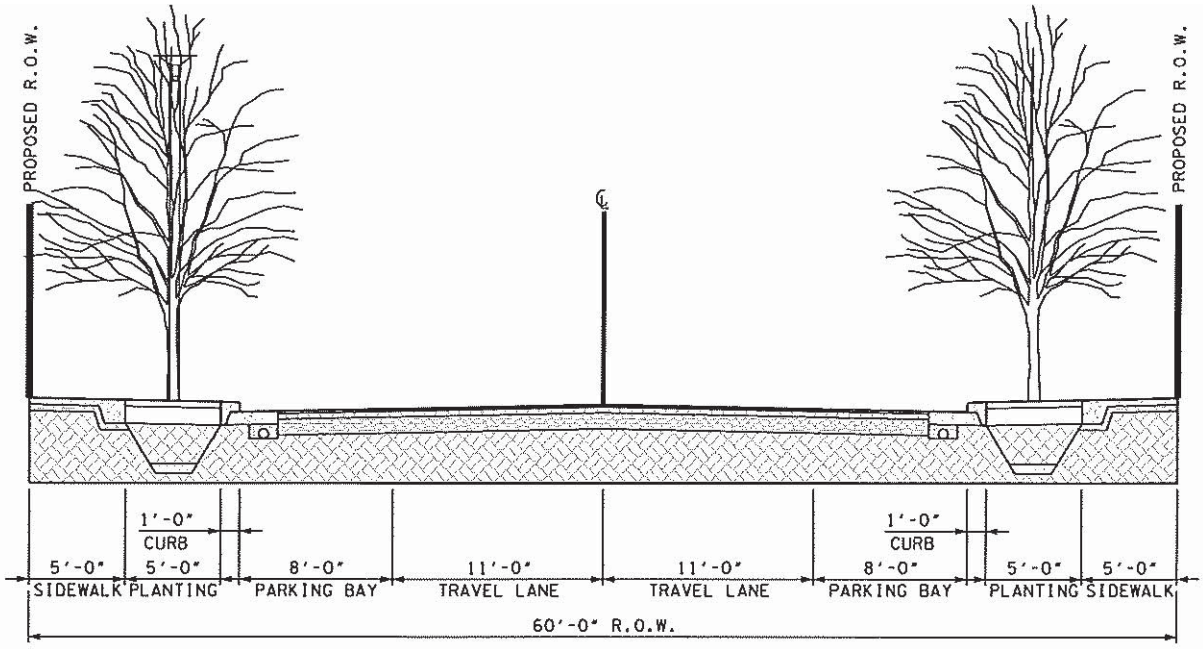
Thoroughfare Type	Street, ST-68-46-2PL-2BL
Right-of-Way Width	68’
Pavement Width	46’
Movement	Free movement
Design Speeds	35 mph
Pedestrian Crossing Time	8.6 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 8' marked
Bike Lanes	Both sides @ 5' marked
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5' wide treatment planter
Curb Type	1'
Landscape Type	Trees @ 30’-35' O.C.
Transportation Provision	Trolleys
Utilities	All underground



Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

O. Street: ST-60-38-2PL

Barber Street: Sevier Avenue to Phillips Street, Langford Avenue to River



BARBER STREET (60' PUBLIC R.O.W.)
SEVIER TO PHILLIPS
LANGFORD TO RIVER ROAD
LOOKING SOUTH

Thoroughfare Type	Street, ST-60-38-2PL
Right-of-Way Width	60’
Pavement Width	38’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	6.3 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 8' marked
Bike Lanes	NA
Curb Radius	15’ (25' @ Sevier Ave & River Rd
Walkway Type	5’ sidewalk
Planter Type	Upland ot treatment planter, width varies
Curb Type	1'
Landscape Type	Tree spacing varies
Transportation Provision	Trolleys
Utilities	All underground

Key RA 20 -12 -PL

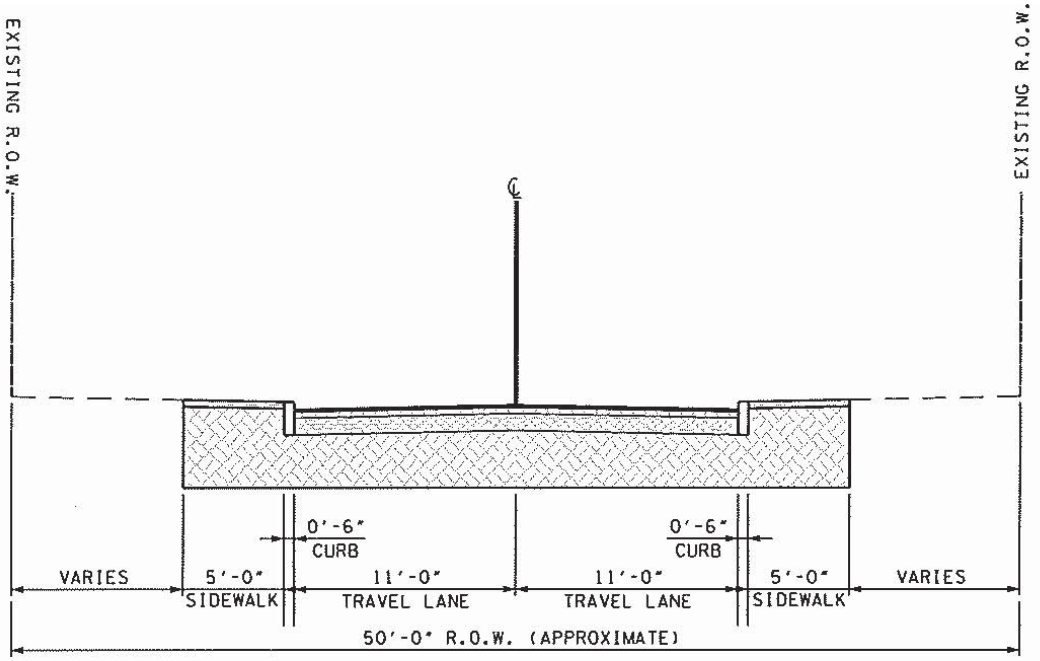
- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS

Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

P. Street: ST-50-22

Barber Street: Phillips Street to Langford Avenue



BARBER STREET (50' APPROX. PUBLIC R.O.W.)
PHILLIPS TO LANGFORD
LOOKING SOUTH

Thoroughfare Type	Street, ST-50-22
Right-of-Way Width	50’
Pavement Width	22’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	6.3 seconds
Traffic Lanes	2 lanes
Parking Lanes	NA
Bike Lanes	NA
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	Upland ot treatment planter, width varies
Curb Type	6"
Landscape Type	Tree spacing varies
Transportation Provision	Trolleys
Utilities	All underground

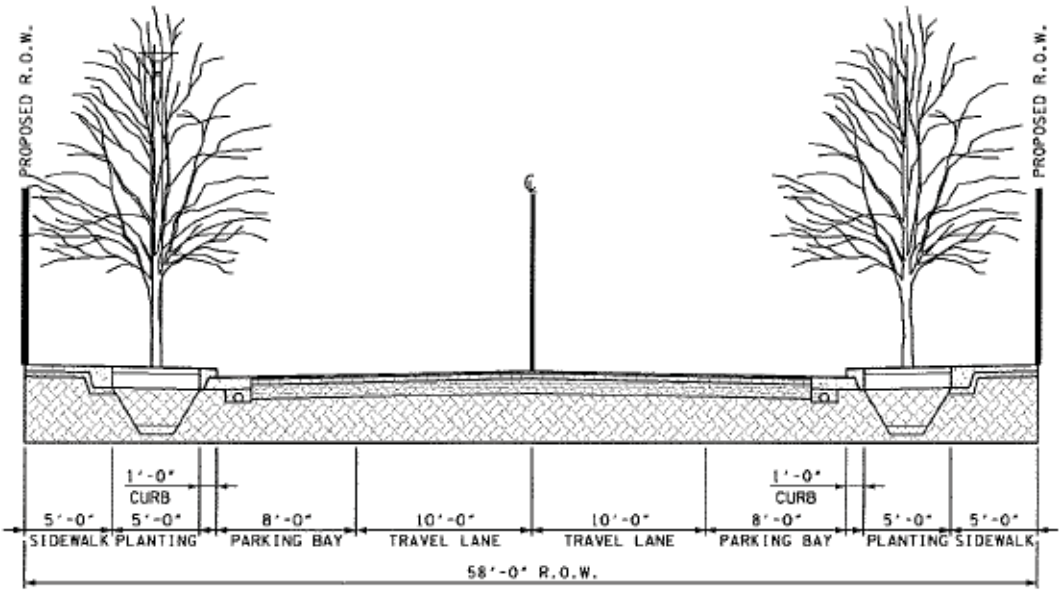
Key RA 20 -12 -PL

- Thoroughfare Type
- Right of Way Width
- Pavement Width
- Transportation

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

Q. Street: ST-58-36-2PL

Claude Street: Langford Avenue to Waterfront Drive
Dixe Street: Langford Avenue to Waterfront Drive



CLAUDE STREET (58' PUBLIC R.O.W.) LOOKING SOUTH
DIXIE STREET (58' PUBLIC R.O.W.) LOOKING SOUTH

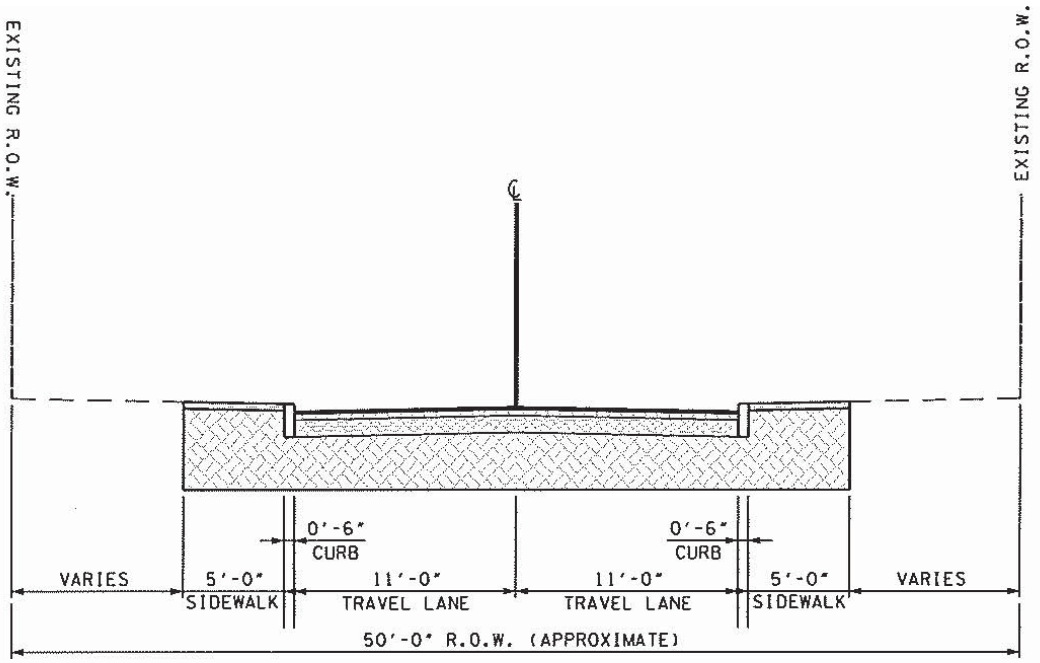
Thoroughfare Type	Street, ST-58-36-2PL
Right-of-Way Width	58'
Pavement Width	36'
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	5.8 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both sides @ 8' marked
Bike Lanes	NA
Curb Radius	15'
Walkway Type	5' sidewalk
Planter Type	5' wide treatment planter
Curb Type	1'
Landscape Type	Trees @ 20'-25' O.C.
Transportation Provision	NA
Utilities	All underground

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

R. Street: ST-44-22

Empire Street: Langford Avenue to Waterfront Drive



BARBER STREET (50' APPROX. PUBLIC R.O.W.)
PHILLIPS TO LANGFORD
LOOKING SOUTH

Thoroughfare Type	Street, ST-44-22
Right-of-Way Width	44’
Pavement Width	22’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	6.3 seconds
Traffic Lanes	2 lanes
Parking Lanes	NA
Bike Lanes	NA
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5' wide treatment planter
Curb Type	1'
Landscape Type	Trees @ 20'-25' O.C.
Transportation Provision	NA
Utilities	All underground

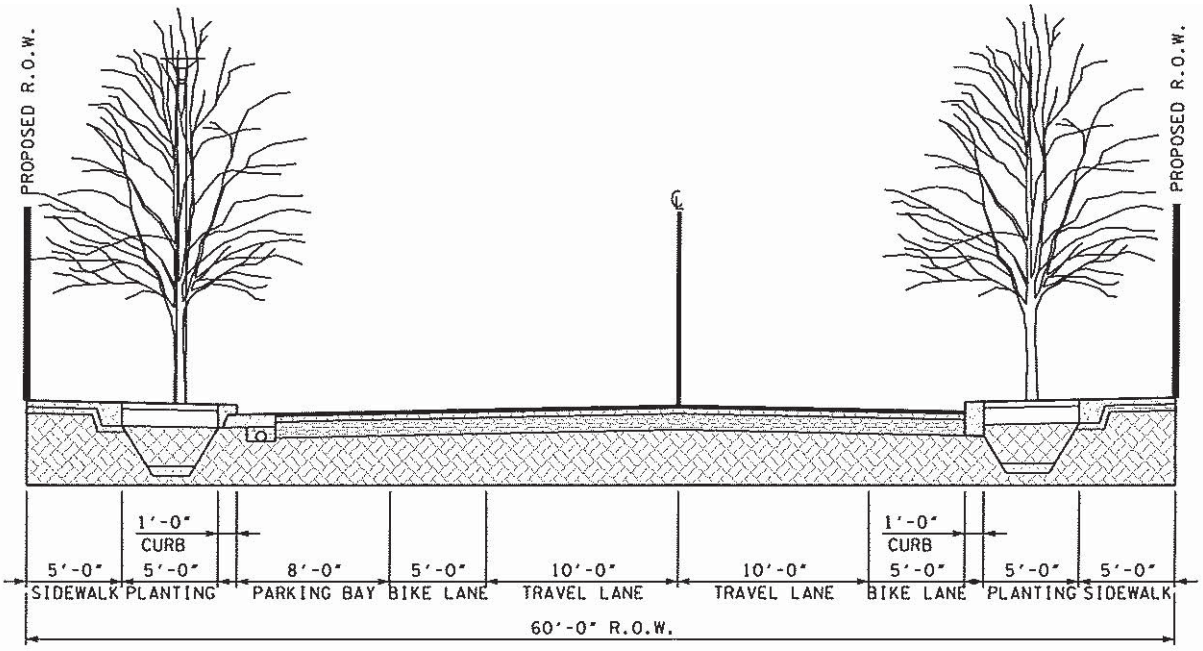
Key: RA 20 -12 -PL

- RA — Thoroughfare Type
- 20 — Right of Way Width
- 12 — Pavement Width
- PL — Transportation

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

S. Street: ST-62-38-2PL

Foggy Bottom Street: Sevier Avenue to Waterfront Drive



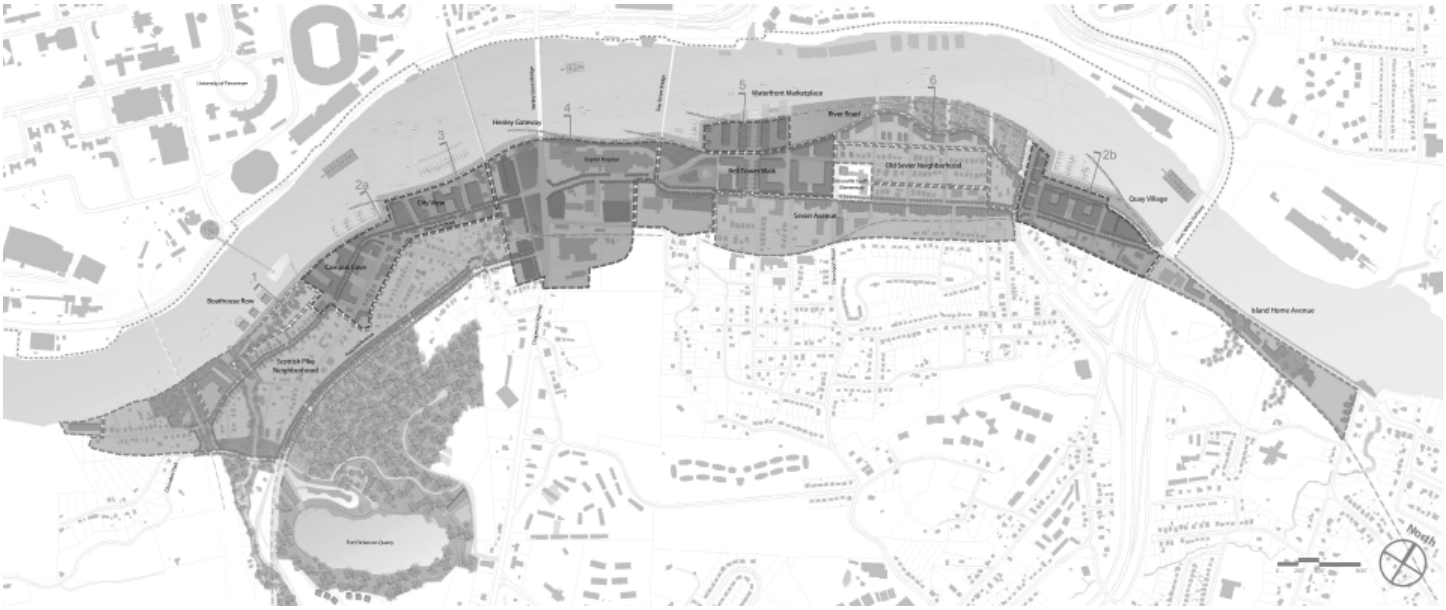
LINCOLN STREET (60' PUBLIC R.O.W.)
LOOKING SOUTH

Thoroughfare Type	Street, ST-62-38-2PL
Right-of-Way Width	60'
Pavement Width	38’
Movement	Slow movement
Design Speeds	25 mph
Pedestrian Crossing Time	5.8 seconds
Traffic Lanes	2 lanes
Parking Lanes	1 side @ 8' marked
Bike Lanes	Both sides @ 5' marked
Curb Radius	15’
Walkway Type	5’ sidewalk
Planter Type	5' wide treatment planter
Curb Type	1'
Landscape Type	Trees @ 30’-35' O.C.
Transportation Provision	Trolleys
Utilities	All underground

Key	RA 20 -12 -PL
Thoroughfare Type	
Right of Way Width	
Pavement Width	
Transportation	

Thoroughfare Types	
Rear Alley	RA
Street	ST
Side Road	SR
Commercial Street	CS
Transportation Types	
Parking Lane(s)	PL / 2PL
Bike Lane(s)	BL / 2PL

4.1.6. Riverscape Standards



A. Vision and Intent

Knoxville's riverfront is one of its greatest assets. Currently populated with industrial use and storage, there are hardly any public access or amenities associated with the river on its south shore. Developing a continuous experience along the riverfront is imperative to the economic, cultural and recreational identity for South Knoxville. It is also a great benefit for the north shore tenants as their views across the river could improve significantly, consequently raising quality of living as well as real-estate values. The riverscape standards ensure access to the waterfront with pedestrian, bike and vehicular access, and improves river frontage to private properties. The following standards apply to the design and construction of riverbanks in conjunction with best management practices as they apply to erosion control, flood protection, and habitat protection and/or improvement.

The intent of the Riverfront Setback is to ensure:

The provision of an adequate amount of landscape coverage for habitat, water quality, erosion control and scenic quality expressed by the community:

1. Proper riverbank stabilization to prevent property erosion and loss;
2. Proper space for potential storm water drainage and utility corridors;
3. Continuous ADA pedestrian and bicycle access along the riverfront with regular connections to lanes, streets or roads perpendicular to the river edge expressed by the community;
4. A continuous green riparian corridor proportional in scale to adjacent buildings;
5. Maintenance vehicle access; and
6. Prevention of non-river-related or non-river-dependant structures.

B. Riverbank

1. Riverwalk Path

   20 foot wide shared use pavement.

2. Riverwalk Trees

   Trees limbed up to allow views under at 30 feet to 50 feet spacing.

3. Riverwalk Lighting

   Continuous lighting to allow pedestrian use at night.

4. Riverwalk Furniture

   Benches and trash receptacles at regular intervals.

5. River Bank Lower

   Rip-Rap and/or rock-filled wire mattresses from river bottom to normal high.

6. River Bank Upper

   Bioengineered slopes above normal high.

7. River Bank Slopes

   No steeper than 1 in 2.5 unless in rock or mechanically stabilized.

8. River Bank Storm Drain Outlet

   Headwall angle to match bank slope, include scour protection.

9. River Bank Vegetation

   Clusters of trees, 90%-100% coverage of grass, groundcover or shrub species adapted to riparian conditions.

10. River Bank Clear View

    With the exception of tree trunks, allow for unobstructed views from riverwalk over river bank vegetation to river surface.

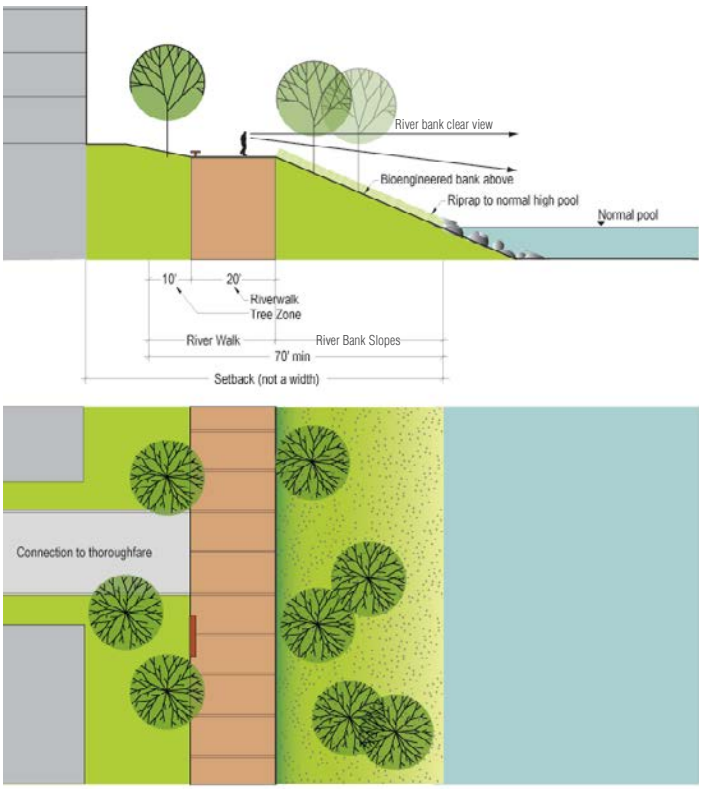
11. Permitted Uses

    Decks, boat ramps, vessel mooring structures, docks, piers, gangway to marina, walkways, boardwalks, landscape, lighting and furniture elements, utility and stormwater facilities, non habitable shelter structures as accessories to marinas.

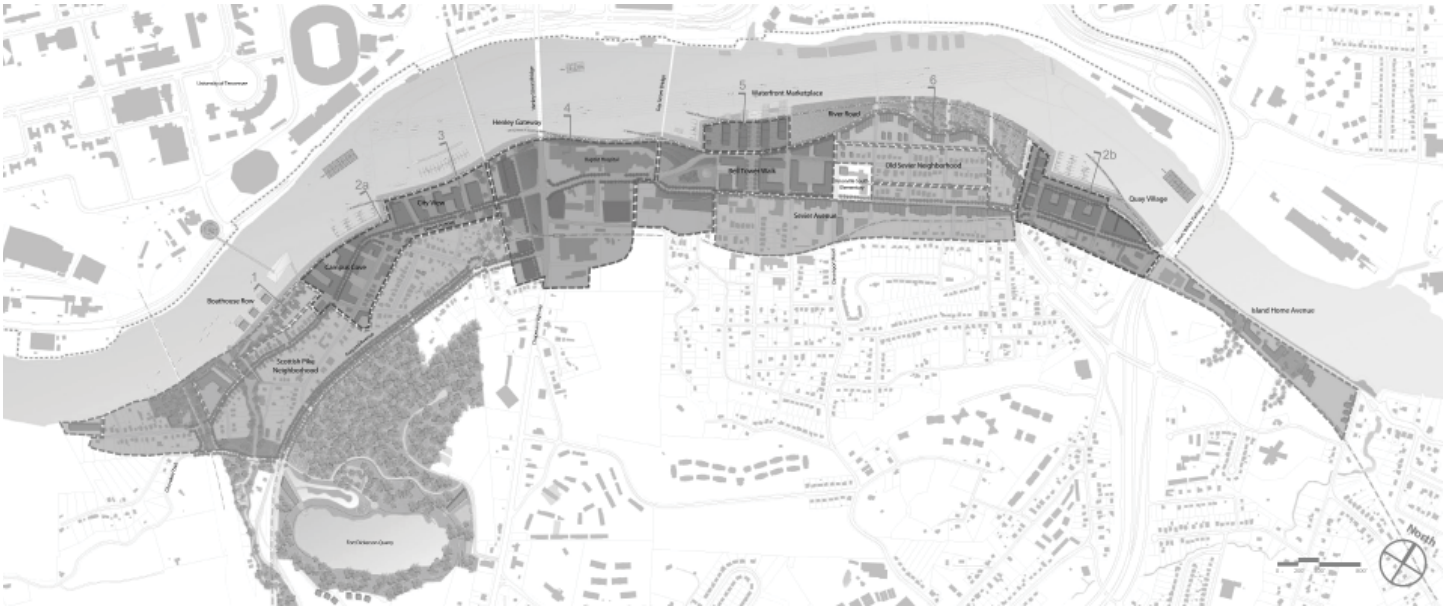
12. Non-Permitted Uses

    Parking , filling, waste storage.

C. Riverwalk



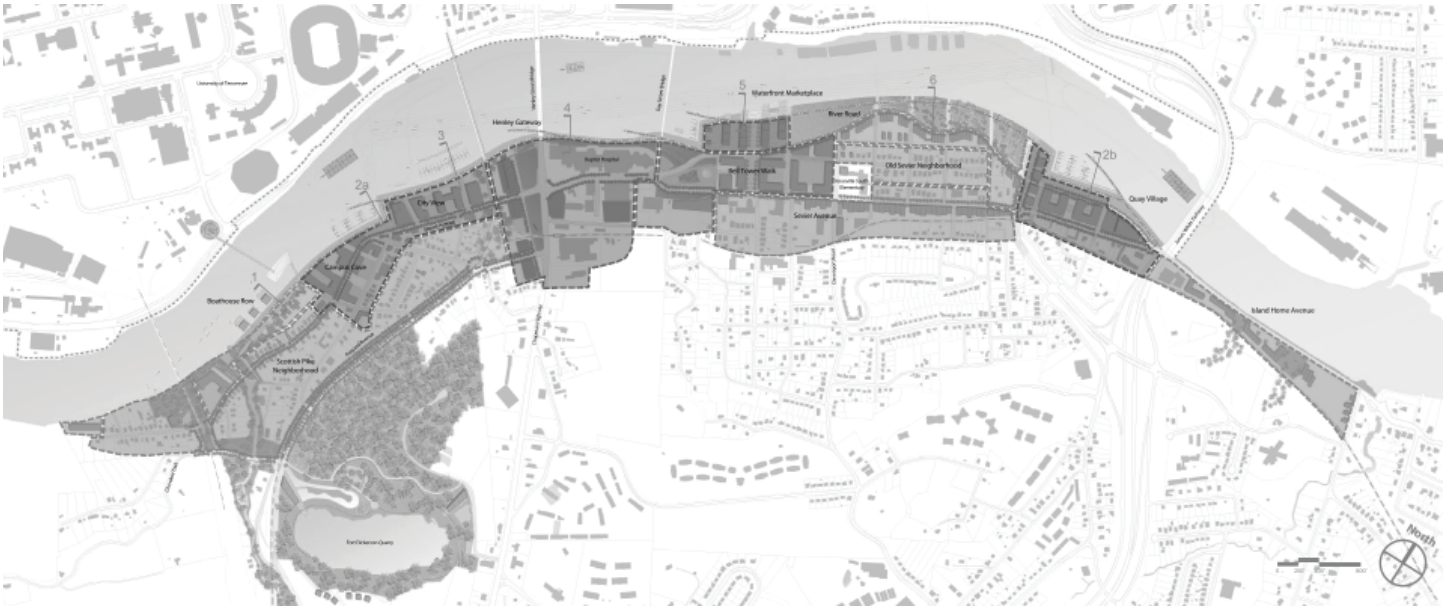
4.1.7. Stream Buffer Standards



A. Vision and Intent

South Knoxville's Goose Creek is intended to become a continuous green corridor that would connect people, bicycle riders, and wildlife from the waterfront up to the great open space at Fort Dickerson. The intent of the stream buffer standard is to ensure the provision of an adequate amount of landscape coverage for water quality, drainage and flooding, erosion control and stream bank stabilization, wildlife habitat, and scenic quality. By creating a stream buffer and restricting impervious surfaces, the streams are allowed to maintain a natural flow and storm water drainage. Restricting polluting uses will maintain water quality, while protected and/or improved riparian vegetation will ensure bank stabilization, sediment control, and pollution filtration. Improved water quality in streams will also allow for a safe recreational use of the Tennessee River and its waterfront.

4.1.8. Marina Standards



A. Vision and Intent

To establish minimum requirements for the siting, design, construction, and operation of marinas to serve the needs of boaters, while properly managing the State's natural resources, and protecting public health.

B. Siting

1. Marina Types

Permitted uses include marinas as accessories to mixed use development, for mooring boats and/or for fueling boats.

2. Marina Siting

Satisfy TVA, USACE, and State of Tennessee requirements.

Marina must minimize adverse effects on flow of water, commercial boat traffic and recreational rowing, minimize dredging and minimize accumulation of sediments.

3. Marina Size

As a guide, the riverside width of marina shall not project past the TVA and USACE assessment line as shown on the regulating plan.

Minimum clear distance of fairway aisle between finger float ends shall be minimum 1.5 times the length of the longest finger float but not less than 40'.

Marina length may be no longer than the property it serves.

4. Marina Depth

Minimum 6 feet of water at normal low pool, max no deeper than river channel. If excavation is required to accomplish the minimum depth, TVA, USACE, or the State of Tennessee may require sediment testing to determine environmental impact of any potential dredging.

5. Permitted Uses

Marinas as accessories to mixed use development, for mooring boats and/or for fueling boats.

6. Non-Permitted Uses

Dry boat maintenance, dry lifts, dry boat storage, residential boat houses, covered moorings, in-water maintenance such as pressure washing or hull scraping.

C. Dimensions

1. Gangway

Gangways shall have a minimum clear width of 3 feet and at least one gangway slope must meet ADA requirements. Gangways shall be aluminium with guardrails, handrails and kick plate. Gangways shall be hinged at one end and sliding at the other. Gangways shall be capable of disconnecting and stowing during flood events.

2. Top Landing

Top landing shall have a minimum of 5 feet by 5 feet platform with guardrail and lockable gate.

3. Utilities

All utilities servicing floats shall have a shut off and/or emergency disconnect adjacent to the top of the gangway.

Potable water and fire suppression lines shall not be combined.

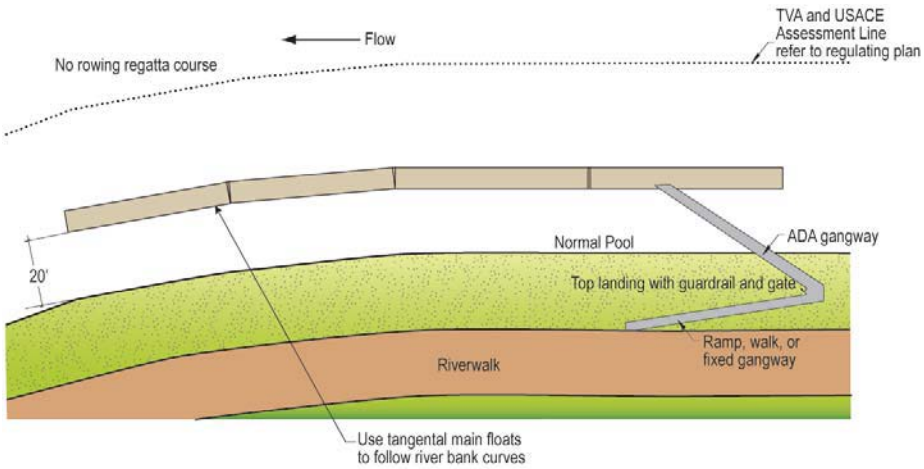
4. Main Floats

Main floats shall be not less than 5 feet in unobstructed width.

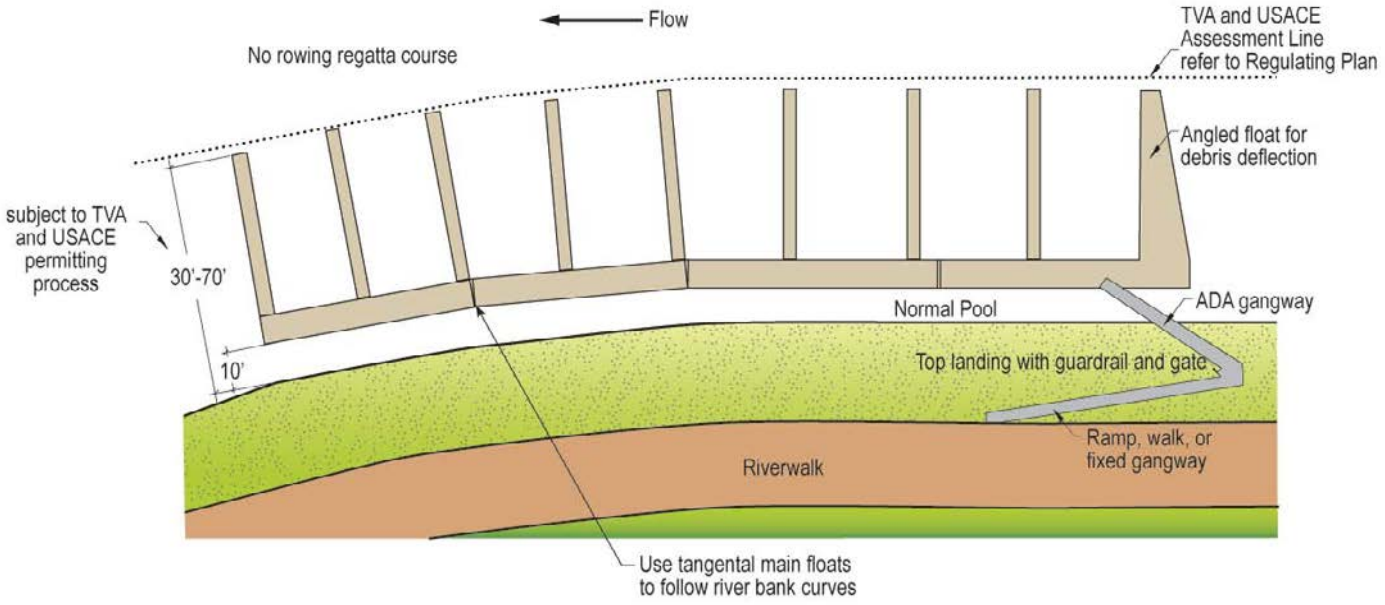
5. Finger Floats

Finger floats shall be not less than 3 feet unobstructed in width.

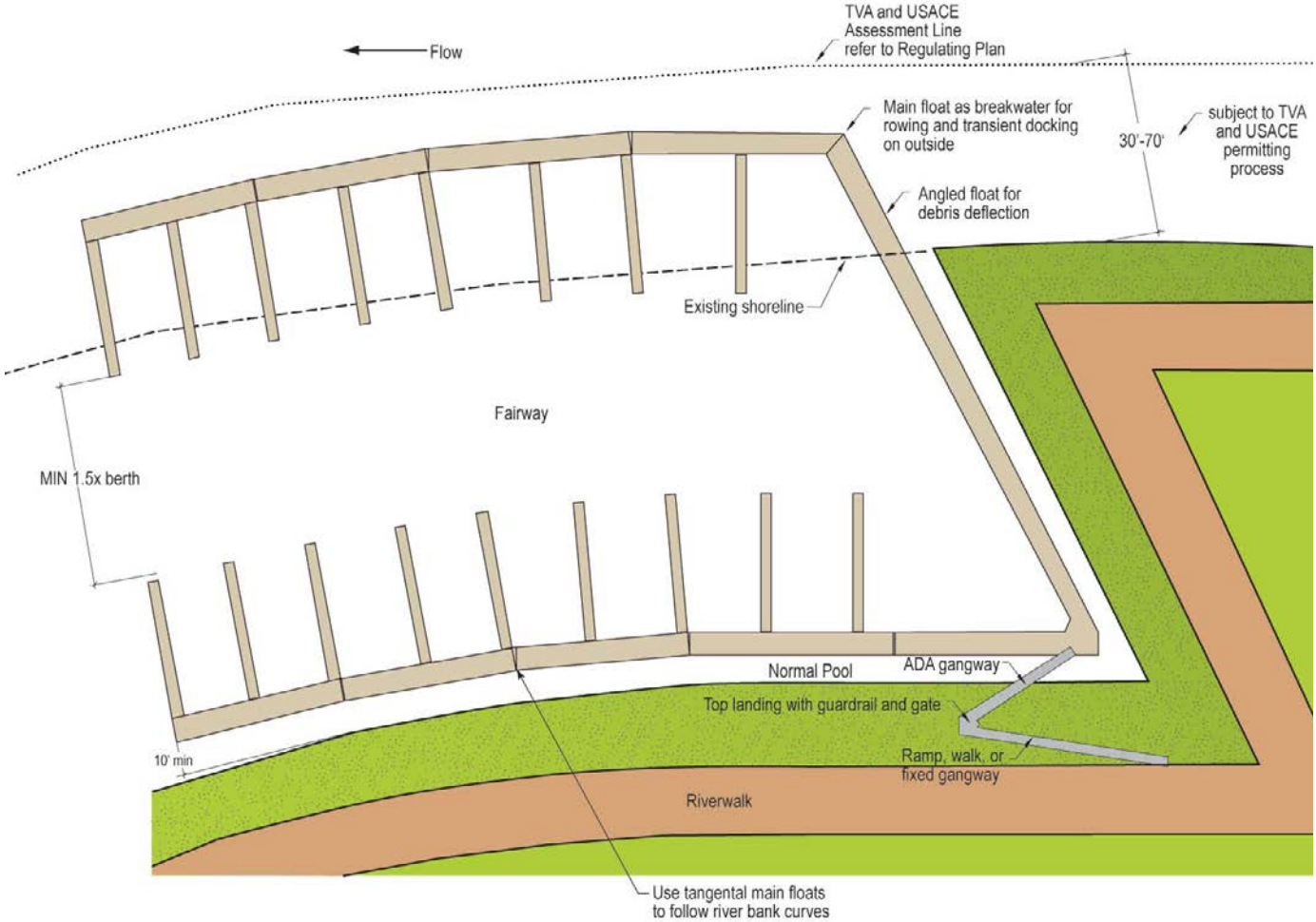
In-River Marina Configuration #1



In-River Marina Configuration #2



In-Bank Marina Configuration



D. General Standards

1. Structural Loads

a. Debris Deflection

Locate float systems and/or breakwater to deflect floating debris around marina.

b. Flotation Materials

Timber logs and wood flotation shall not be used. Concrete, steel, polyethylene, encapsulated foam, pontoon systems may be used and all floats used for fuel docks shall be concrete impervious to fuel spillage.

c. Impact Loads

Waterfront structures shall be designed for impact loads from vessels and floating debris up to a 1 in 100 year flood.

d. Flotation and Anchoring

Steel guide piles or hinged steel arms must enable marina to float up to 1:100 year flood elevations plus freeboard. Fixed Marinas are not permitted.

2. Environmental Considerations

a. Sewage Management

No sewer discharge to any waters. One fixed-point collection system at centrally located pumpout station to discharge to city sewer.

b. Fuel Management

If fuel facilities are proposed, only land based underground storage tank out of floodway is permitted.

3. On-Shore Components

a. Off Street Parking

Not required for marinas as an accessory to residential buildings.

b. Loading Area

Allow service vehicle access to top of gangway landing.

c. Signs

Signs other than for navigation and regulation are not permitted.

4.1.9. Glossary and Definitions

The following terms are defined for the purpose of the Knoxville South Waterfront. Terms not defined here may be defined elsewhere in the Knoxville Zoning Ordinance. In such case, the definition contained in the Zoning Ordinance will be used.

A

ALBEDO (solar reflectance)

The ratio of the reflected solar energy to the incoming solar energy over wavelengths of approximately 0.3 to 2.5 micrometers. A reflectance of 100% means that all of the energy striking a reflecting surface is reflected back into the atmosphere and none of the energy is absorbed by the surface. See ASTM Standard E903.

ALLEY

A minor street right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a public street, and which may be used for public utility purposes.

ANCHORAGE

Areas in which vessels are held by means of anchors or similar devices which are removed from the bottom and carried aboard the vessels once they are underway. (from Delaware Rules and Regulations)

ARCADE

An open, roofed ground floor passageway supported by columns, piers or pillars.

AWNING

A cantilevered, projected or suspended cover over the sidewalk portion of the street. Also, roof-like coverings, usually of canvas or metal and often adjustable, placed over the sidewalk.

B

BALCONY

An exterior platform that projects from the wall of a building and is surrounded by a railing, balustrade, or parapet.

BAY OR BAY WINDOW

Generally, a u-shaped enclosure, extending the interior space of the building outward of the exterior building wall. A combination of 3 windows or walls units joined together that project outwards. The center unit is parallel to the wall and the two units each side are usually 45° or 90° (right angles) to the wall but can be any angle.

BERTH

A place where a vessel may be secured to a fixed or floating structure and left unattended.

BIKE LANE

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

BIOENGINEERING SLOPES

Preventative measures that are effective in stabilizing banks and reducing sedimentation of nearby water bodies. Structures made of natural and biodegradable materials, like fiber mats, coir fiber logs, wood logs, or synthetic geotextiles reduce the amount and speed of runoff from storm events and provide erosion and flood protection.

BLOCK

A surface land area which is separated and distinguished from other surface land areas by visible physical boundaries such as streets, railroads, rivers, or other physical barriers. Blocks shall be measured at the frontage lot line (along the required build to line).

BOAT HOUSE

A specific type of vessel designed to be moored to a main float system to enclose and protect another vessel or vessels from the elements.

BREAKWATER

A structure, parallel to the shore, that protects a shore area, harbor, anchorage, or basin from waves.

BULKHEAD

A vertical walled structure or partition intended to retain or prevent sliding of the land, or to provide an interface between land activities and those which occur in the water, or intended to protect the upland against damage from wave action.

BUFFER ZONE

A naturally undisturbed, vegetated and pervious streamside zone that is protected from clearing, grading, filling, paving, building or other destruction of the naturally vegetated state.

BUILDING COVERAGE

Building coverage includes the total lot area covered by a roof, floor or other structures, except eaves. Building coverage is measured to the outside faces of exterior walls, at any height, whichever produces the largest area. Carports, sheds, side and rear porches, covered pedestrian-walkways, breezeways, arbors, gazebos and covered patios are included in building coverage calculations.

BUILDING HEIGHT

The vertical extent of a building measured in feet and stories. Height limits do not apply to masts, belfries, clock towers, chimney flues, water tanks, elevator bulkheads or similar structures. Building height shall be measured from the average grade of the building face on the principal property frontage to the highest ridge line of the structure.

C

CANOPY TREE

A tree with a wide spread of branches that can provide shade in summer.

CHANNEL STORAGE CAPACITY

The volume of a stream network within its banks.

COMMON LOT LINES

Lot lines shared by adjacent private lots.

CIVIC GREEN OR SQUARE

The term civic green is generally used to describe a formally configured public lawn or park that is primarily green. The term square is generally used to describe spaces that are primarily a hard paved surface.

D

DECK

That element of a waterfront structure which provides the lowest floor level or platform for use, under which occur only the structural support system for the structure, and no usable space.

DOCK

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

DORMERS

Small, roofed ancillary structures with windows providing light and air to occupiable space within the roof. Dormers are permitted and do not constitute a story so long as they do not break the primary eave line, are individually less than 15 feet wide, and are collectively not more than 60% of the unit's required building line facade.

DRY BOAT STORAGE

A building, which is either open or subdivided into stalls and is used primarily for the dry storage of vessels.

F

FENESTRATION

An opening in the building wall allowing light and views between interior and exterior. Fenestration is measured as glass area (excluding window frame elements with a dimension greater than one inch) for conditioned space and as open area for parking structures or other un-conditioned, enclosed spaces.

FENCE

A solid fence made of wood, masonry or semitransparent chain link along alleys and common lot lines.

FINGER FLOAT

A narrow float connected to a main float, which defines the length of a berth and separates that berth from adjacent berths.

FLOAT

A floating structure normally used as a point of transfer for passengers and/or goods, and/or for berthing purposes.

FLOAT SYSTEM

A combinations of a main float and finger floats, either open or covered, designed to be used to moor vessels.

FLOOR to AREA RATIO (FAR)

The ratio of building area to parcel area. FAR is calculated by adding all of the areas of each floor of the building together and dividing by the gross area of the parcel on which the building is sited.

FLOODPLAIN

For a given flood event, that area of land temporarily covered by water, which adjoins a watercourse and which is necessary for the conveyance of the given flood event.

FOOTPRINT

The area that the ground floor of a building covers.

FRONTAGE

The relationship of the building to a public way. The frontage line refers to the front setback line which may also be the required build to line. The private frontage is the area between the building and the private property line. The public frontage is the area between the private property line and vehicular lanes.

G

GANGWAY

A bridge affording access from shore, or a waterfront structure to a main float.

GARAGE ENTRY (NON-RESIDENTIAL)

An opening (with curb cut) in the building facade where vehicles may enter into the block interior for general parking and business servicing.

H

HABITABLE FLOOR

Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof, but not a floor used only for storage purposes.

L

LEED

Leadership in Energy and Environmental Design Green Building Rating System by the U.S. Green Building Council (USGBC) defines and measures that should qualify as a “green building.”

LOT

A parcel of land which is or may be occupied by a building and its accessory buildings or use customarily incidental thereto, together with such yards or open spaces within the lot lines as may be required by this ordinance.

M

MAIN FLOAT

A float connected by a gangway to the shore or to a waterfront structure, being tied down laterally by an anchorage system, normally of piles, but free to move vertically, and which provides access to berths. Finger floats may be attached to one or both sides of main floats.

MARINA

Any publicly or privately owned dock, basin or wet boat storage facility built to accommodate more than 2 boats and providing permanent or temporary docking space.

MAXIMUM BUILDING OUTLINE

The maximum dimension by which the proposed building must fit.

MINIMUM BUILDING OUTLINE

The least dimension by which the proposed building must fit.

MOOR

The act of securing a vessel into a berth at a pier, wharf, or float system.

P

PARKING, RESERVED

Parking not available to the public, but only to specifically identified users (either a single user per space or a set of users for a group of spaces), whether for free or at a fee, that shall not exceed the prevailing market rate.

PARKING, SHARED

Parking available to the public on an unreserved basis for free, or at the same fee for all users, which shall not exceed the prevailing market rate. Time limits may be imposed to ensure turn-over. Hours of public availability may also be restricted.

PERCOLATE

A practice designed to promote the recharge of groundwater by containment and concentration of stormwater in porous soils. Also referred to as Infiltration.

PERMEABLE PAVEMENT

A pavement system designed to achieve water quality and quantity benefits by allowing movement of stormwater through the pavement surface and into a base/sub base reservoir. Examples include pervious concrete, porous asphalt, and permeable paving blocks.

PLAZA

An area devoted strictly to pedestrian use which provides access to two or more businesses. Such space shall be surfaced with material generally used for pedestrian traffic and available to the general public during hours which adjoining establishments are open for business. A public open space with a hard surface. See also CIVIC GREEN or SQUARE.

PRINCIPAL FRONTAGE ROAD

The primary street that accesses the main building entrance.

R

REGULATING PLAN

Part of the code that is the key for the building development standards that provide specific information for the disposition of each building site. The Regulating Plan shows how each site relates to streets, the overall Knoxville South Waterfront and the surrounding neighborhood.

REQUIRED BUILD TO LINE

The building shall be “built-to” the required building line as shown on the Regulating Plan. The build to line is a requirement, not a permissive minimum as is a set-back. The build to line for each site is shown on the applicable Regulating Plan. The minimum length of building that is required to be built-to is shown on the appropriate building siting and configuration standard.

RESERVED PARKING

See PARKING, RESERVED

R. O. W. - Right of Way

An area used as a public way, measured from boundary line to boundary line, which may also accommodate public utilities.

S

STOOP

A frontage type where the raised entry platform is on the principal frontage and the first story is above the level of the ground creating a change in elevation.

STORMWATER

The increased volume of water that flows over land areas to collect in lakes and streams during and just after storms.

STORY, STORY HEIGHT

That portion of a building included between the upper surface of a floor and upper surface at the floor or roof next above.

STREET

The entire width between boundary lines of every way when any part thereof is open to the use of the public for purposes of vehicular travel.

STREET FRONTAGE

The lot line coincident with the required build to line or that portion of the building that is coincident with the required build to line as required by the code. The lineal distance is measured horizontally and in feet.

STREETSCAPE

Improvements to a property, including paving, tree and/or other decorative plantings, lighting, and the placement of street furniture, within the street.

V

VESSEL

An all inclusive term to describe a craft which travels on the water, and includes but is not limited to pleasure boats, commercial shipping, fishing boats, house boats, boat houses and barges, but does not include floats or other water borne structures normally anchored in place and stationary.

VIEW CORRIDORS

An unobstructed picture of the landscape. Critical view corridors in the Knoxville South Waterfront Plan emanate from the public streets and primary civic spaces and parks towards the river.

W

“WHERE CLEARLY VISIBLE FROM THE STREET”

Many requirements of the code apply only where the subject is “clearly visible from the street.” Note that the definition of street includes squares, civic greens, parks, and all public space except alleys.

WINDOW SIGN

For the purpose the South Waterfront District, a window sign shall be a sign attached to, painted on, or etched into a window or displayed within 12 inches (measured horizontally) of the window and are legible from outside of the window.



Section 4.2: Cumberland Avenue District (CU-)

City of Knoxville, Tennessee

ADOPTED October 29, 2013
Ordinance O-126-2015

AMENDED July 21, 2015
Ordinance O-126-2015

CODE STUDIO

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REVISIONS TABLE

DATE	ORDINANCE	DESCRIPTION
10/29/2013	O-205-2013	Initial Adoption
07/21/2015	O-126-2015	Amendments related to Urban Agrigulture

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4.2. CUMBERLAND AVENUE DISTRICT (CU-)

4.2.1. General Provisions

A. Applicability

The Cumberland Avenue District applies to all property as designated in Sec. 4.2.2.

B. Intent

1. The Cumberland Avenue District is intended to implement the Cumberland Avenue Corridor Plan.
2. Specifically, the Cumberland Avenue District provides the means to guide implementation of the citizen-endorsed vision for property within the Cumberland Avenue District.
3. The Cumberland Avenue District fosters predictable results and a high-quality public realm by prescribing the physical form of buildings and other elements and addressing the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks.

C. Cumberland Avenue Districts

In order to implement the Cumberland Avenue Corridor Plan, the following districts have been established.

1. Lake Avenue (CU-1)

a. CU-1 serves as a transition between Cumberland Avenue and the University of Tennessee and is intended to accommodate a variety of commercial, office and residential uses. This district is the tallest due to the naturally low elevation of the area in comparison to other portions of this district.

b. Buildings in CU-1 can be a maximum height of 10 stories / 120 feet. Each building facade must be articulated vertically or horizontally.

2. Cumberland Avenue (CU-2)

a. CU-2 is the key retail street within the area and is primarily intended to accommodate ground floor retail with upper story residential or office uses.

b. Buildings in CU-2 can be a maximum height of 8 stories / 90 feet. Each building must provide a stepback above the second or third story.

3. White Avenue/Hospital (CU-3)

a. CU-3 serves as a transition between Cumberland Avenue and the medical campus and is primarily to intended accommodate a mix of medical- or employment-related uses with a variety residential housing options.

b. Buildings in CU-3 can be a maximum height of 8 stories / 90 feet. Due to the scale and character of existing adjacent medical buildings, no articulation is required.

4. White Avenue/Neighborhood (CU-4)

a. CU-4 serves as a transition between Cumberland Avenue and the White Avenue neighborhood to the north and is primarily intended to accommodate a variety of commercial, office and residential uses.

b. Buildings in CU-4 can be a maximum height of 4 stories / 50 feet.

5. Seventeenth Street (CU-5)

a. CU-5 is a retail street within the area and is primarily intended to accommodate ground floor retail with upper story residential or office uses.

b. Buildings in CU-5 can be a maximum height of 8 stories / 90 feet. Each building facade must be articulated vertically or horizontally.

D. Approval Procedures

Sec. 4.0.2 applies to the review of all development in the Cumberland Avenue District.

E. Rules of Measurement

Sec. 4.0.3 applies to all CU- districts, except as supplemented below.

1. Primary and Side Street Designation

a. Where only one street abuts a lot that street is considered a primary street.

b. Where more than one street abuts a lot, the following streets are consider primary streets, all remaining streets are side streets:

i. Lake Avenue;

ii. Cumberland Avenue;

iii. White Avenue;

iv. Seventeenth Street; and

v. Clinch Avenue.

c. A corner lot can have more than one primary street.

2. Measurement of Height

a. Height in a CU- district is measured from the following streets using the designated street to determine average grade (see Sec. 4.0.2.H).

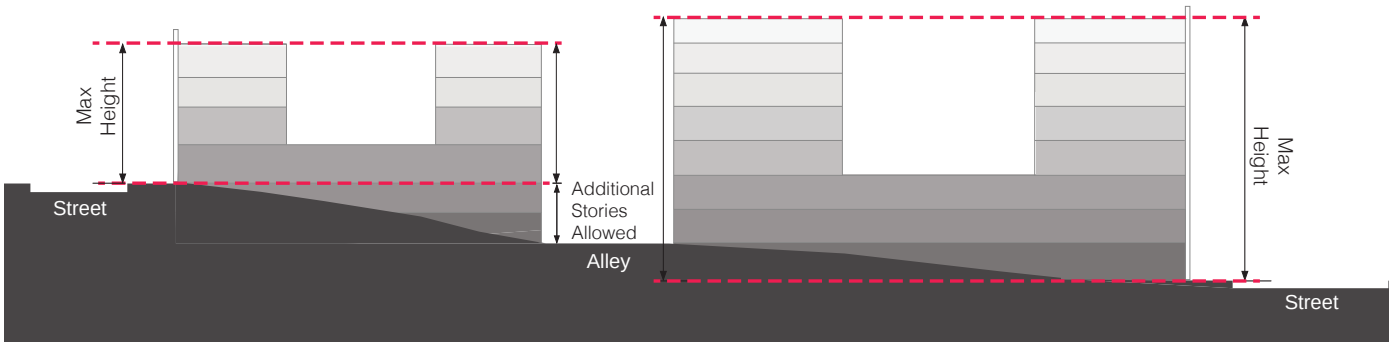
i. Lake Avenue;

ii. Cumberland Avenue; and

iii. White Avenue

b. Overall building height cannot exceed a height plane measured from the closest street designated above and extending to the mid-block.

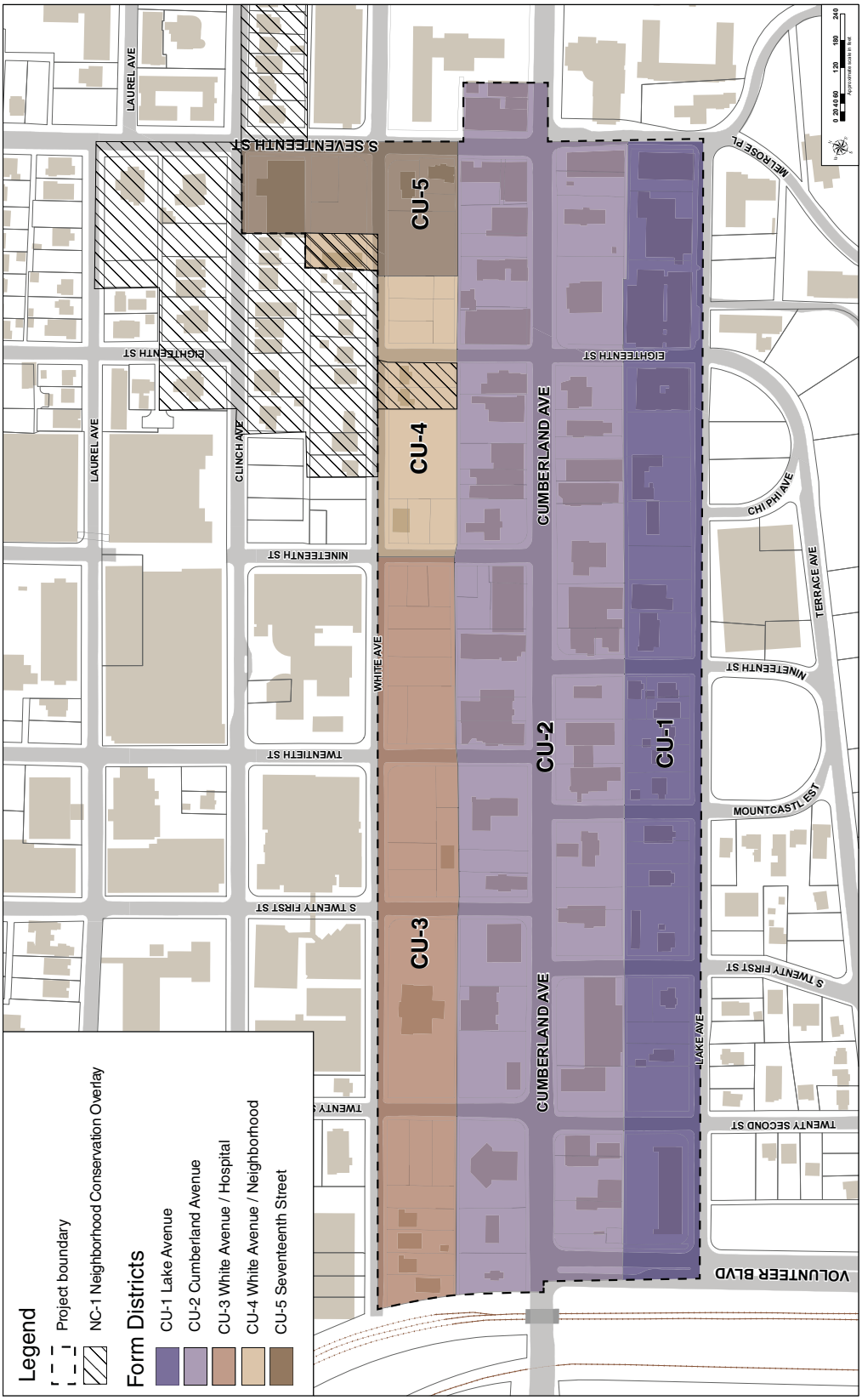
c. In a CU- district, more than one additional story is allowed on a downward sloping lot, provided that the measurement above is met.



Measurement of Height

4.2.2. Cumberland Avenue Regulating Plan

The following map is established and made a part of the City of Knoxville Official Zoning Map.

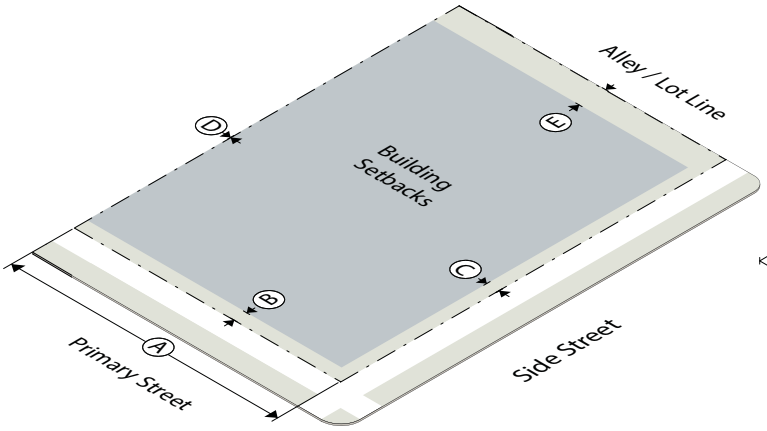


4.2.3. Lot Configuration

A. Lake Avenue (CU-1)

The following lot configuration standards apply within the Lake Avenue (CU-1) district.

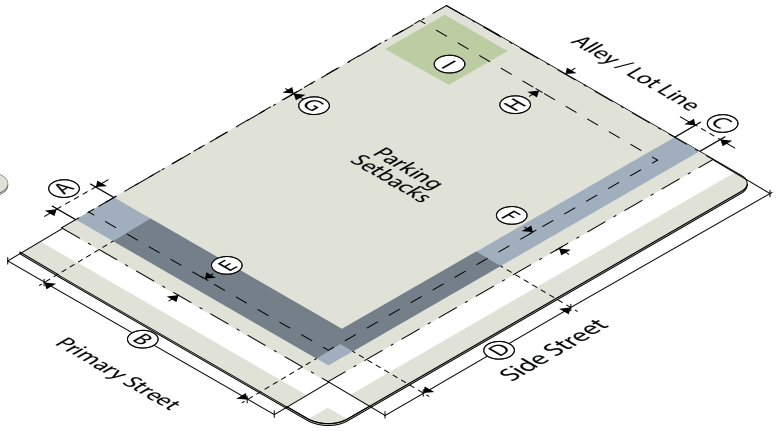
1. Lot



Lot Standards	
Ⓐ Lot width (min)	16'

Building Setbacks	
Ⓑ Primary street (min)	5’
Ⓒ Side street (min)	5’
Ⓓ Side interior (min)	0’ or 5’
Ⓔ Rear (min)	10’
Ⓔ Rear, alley (min)	5'

2. Placement

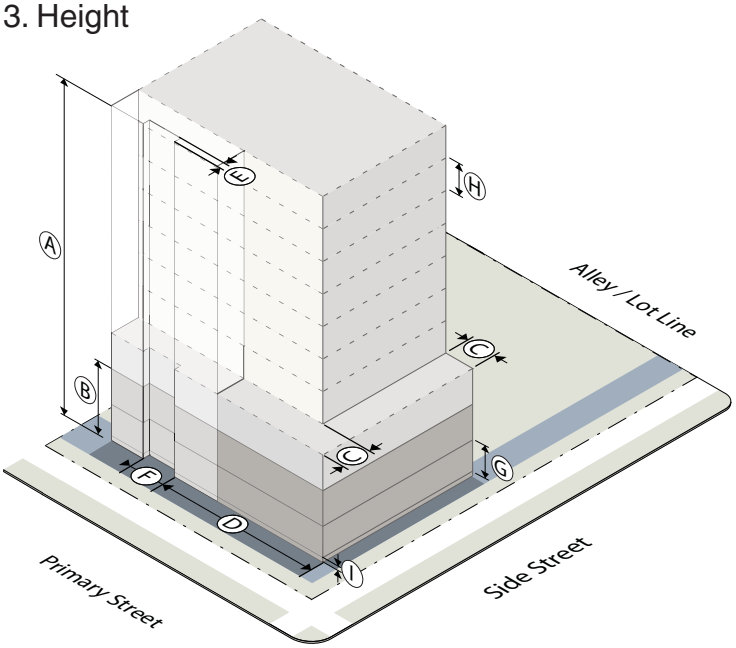


Build-to Zone (BTZ)	
Ⓐ Primary street (min/max)	5’ / 15’
Ⓑ Building in primary street BTZ (min % of lot width)	70%
Ⓒ Side street (min/max)	5’ / 10’
Ⓓ Building in side street BTZ (min % of lot width)	35%

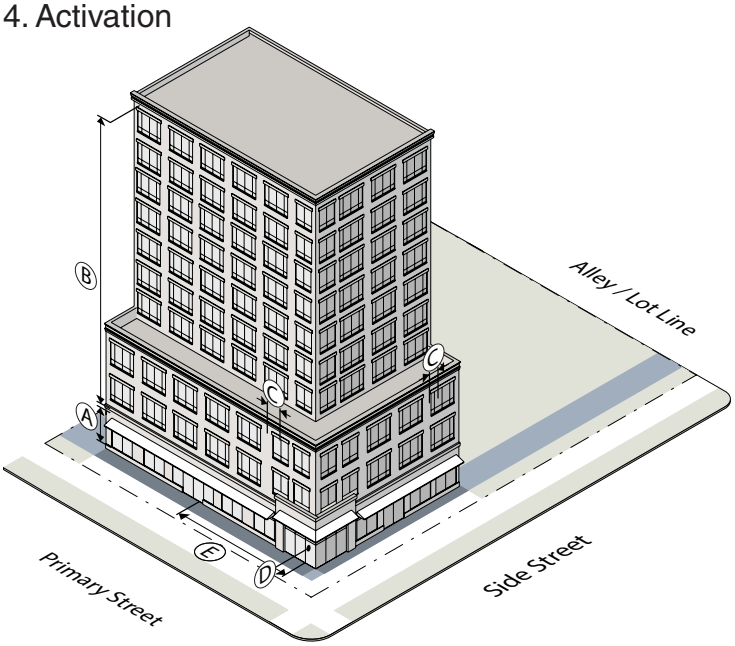
Parking Setbacks	
Ⓔ Primary street (min)	10’
Ⓕ Side street (min)	10’
Ⓖ Side interior (min)	0’ or 5'
Ⓗ Rear (min)	10'
Ⓗ Rear, alley (min)	0’ or 5'

Outdoor Amenity Space	
Ⓘ % of outdoor amenity space (min)	15%

3. Height



4. Activation



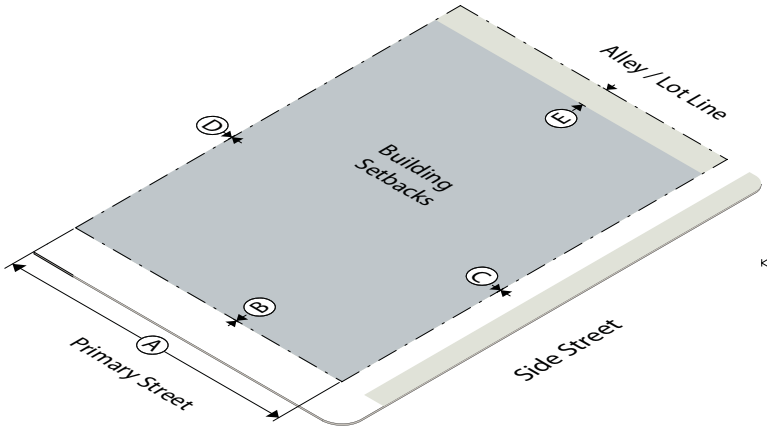
Building Height		
Ⓐ	Building height (max)	120' / 10 stories
Ⓑ	Building height (min)	24' / 2 stories
Building Mass		
Ⓒ	Stepback above 2nd or 3rd story (min)	10'
	OR	
Ⓓ	Facade length without offset (max)	50'
Ⓔ	Wall offset depth (min)	4'
Ⓕ	Wall offset length (min)	8'
Story Height		
Ⓖ	Ground story height, floor to ceiling	
	Residential (min)	9'
	Nonresidential (min)	10'
Ⓗ	Upper story height, floor to ceiling (min)	9'
Ground Floor Elevation		
Ⓘ	Residential (min)	2'
Ⓘ	Nonresidential (min)	0'

Transparency		
Ⓐ	Ground story (min)	40%
Ⓑ	Upper story (min)	20%
Ⓒ	Blank wall area (max)	30'
Building Entrances		
Ⓓ	Primary street facing entrance	Required
Ⓔ	Entrance spacing (max)	100'
Allowed Building Elements		
	Porch	yes
	Stoop	yes
	Balcony	yes
	Gallery	yes
	Awning/canopy	yes
	Forecourt	yes

B. Cumberland Avenue (CU-2)

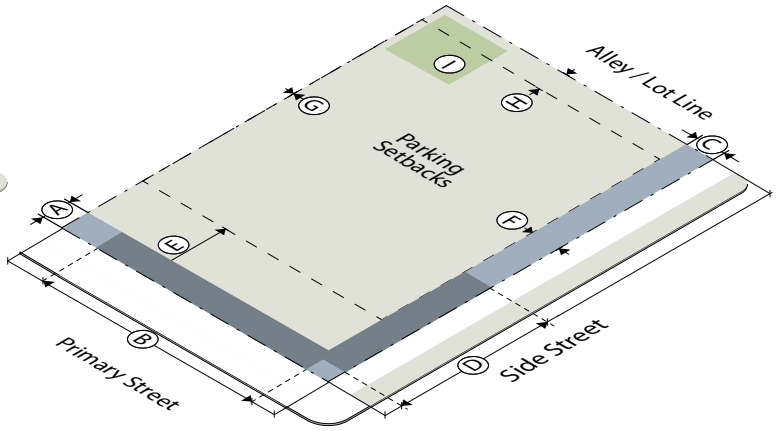
The following lot configuration standards apply within the Cumberland Avenue (CU-2) district.

1. Lot



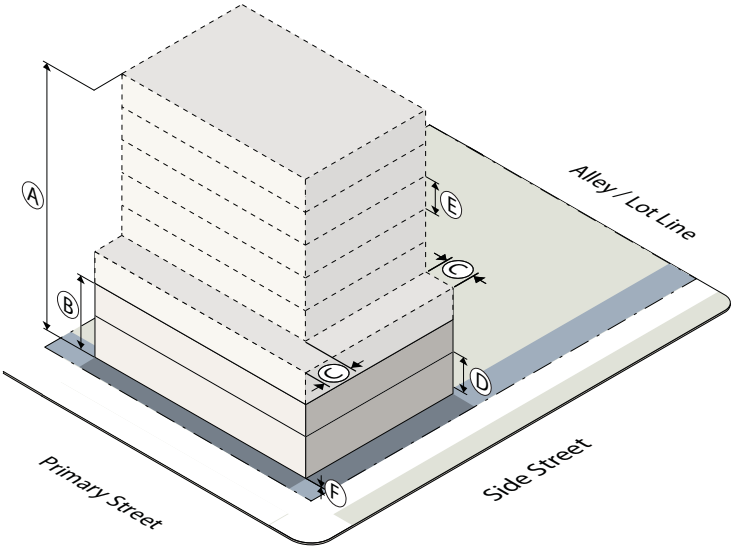
Lot Standards	
Ⓐ Lot width (min)	25’
Building Setbacks	
Ⓑ Primary street (min)	0’
Ⓒ Side street (min)	0’
Ⓓ Side interior (min)	0’ or 5’
Ⓔ Rear (min)	10’
Ⓔ Rear, alley (min)	5'

2. Placement



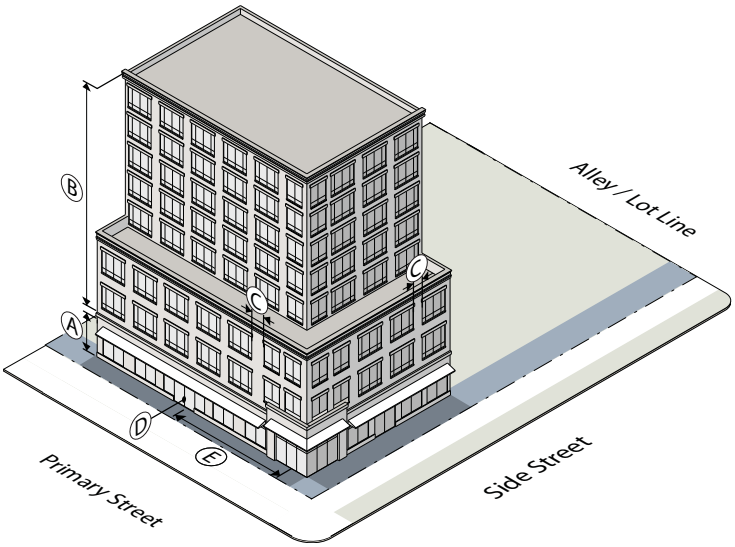
Build-to Zone (BTZ)	
Ⓐ Primary street (min/max)	0’ / 10’
Ⓑ Building in primary street BTZ (min % of lot width)	80%
Ⓒ Side street (min/max)	0’ / 10’
Ⓓ Building in side street BTZ (min % of lot depth)	40%
Parking Setbacks	
Ⓔ Primary street (min)	30’
Ⓕ Side street (min)	10’
Ⓖ Side interior (min)	0’ or 5'
Ⓗ Rear (min)	10'
Ⓗ Rear, alley (min)	0’ or 5'
Outdoor Amenity Space	
Ⓘ % of outdoor amenity space (min	10%

3. Height



Building Height	
Ⓐ Building height (max)	90’ / 8 stories
Ⓑ Building height (min)	24’ / 2 stories
Building Mass	
Ⓒ Stepback above 2nd or 3rd story (min)	10'
Story Height	
Ⓓ Ground story height, floor to ceiling (min)	12’
Ⓔ Upper story height, floor to ceiling (min)	9’
Ground Floor Elevation	
Ⓕ Residential (min)	N/A
Ⓕ Nonresidential (min)	0’

4. Activation



Transparency	
Ⓐ Ground story (min)	75%
Ⓑ Upper story (min)	20%
Ⓒ Blank wall area (max)	20’

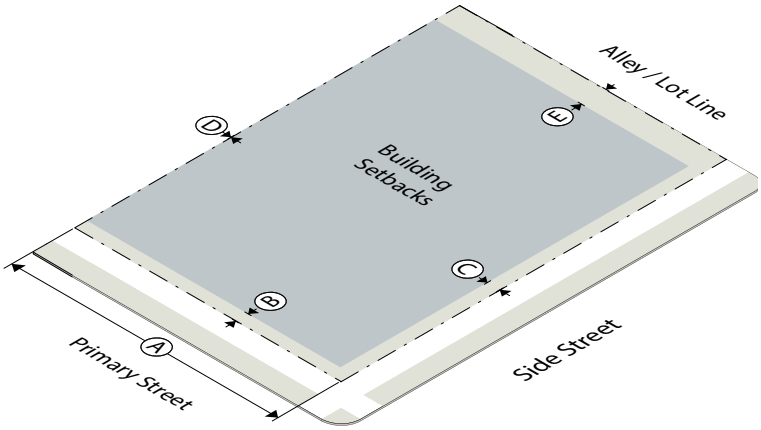
A minimum of 60% of the ground floor windows must allow views into the ground story for a depth of at least 8 feet. Windows cannot be made opaque by window treatments (except operable sunscreen devices within the conditioned space).

Building Entrances	
Ⓓ Primary street facing entrance	Required
Ⓔ Entrance spacing (max)	50’
Allowed Building Elements	
Porch	no
Stoop	no
Balcony	yes
Gallery	yes
Awning/canopy	yes
Forecourt	yes

C. White Avenue / Hospital (CU-3)

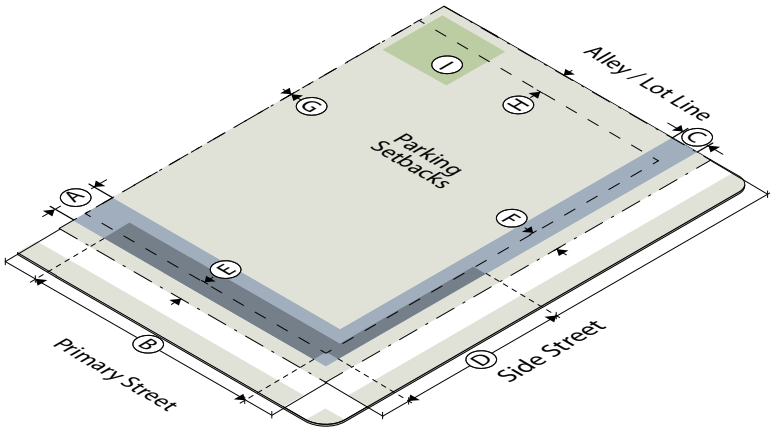
The following lot configuration standards apply within the White Avenue / Hospital (CU-3) district.

1. Lot



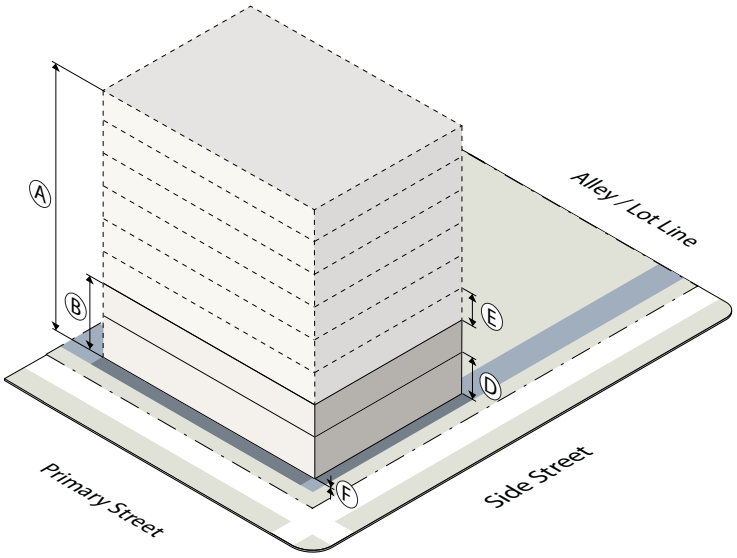
Lot Standards	
Ⓐ Lot width (min)	16’
Building Setbacks	
Ⓑ Primary street (min)	5’
Ⓒ Side street (min)	5’
Ⓓ Side interior (min)	0’ or 5’
Ⓔ Rear (min)	10’
Ⓔ Rear, alley (min)	5'

2. Placement



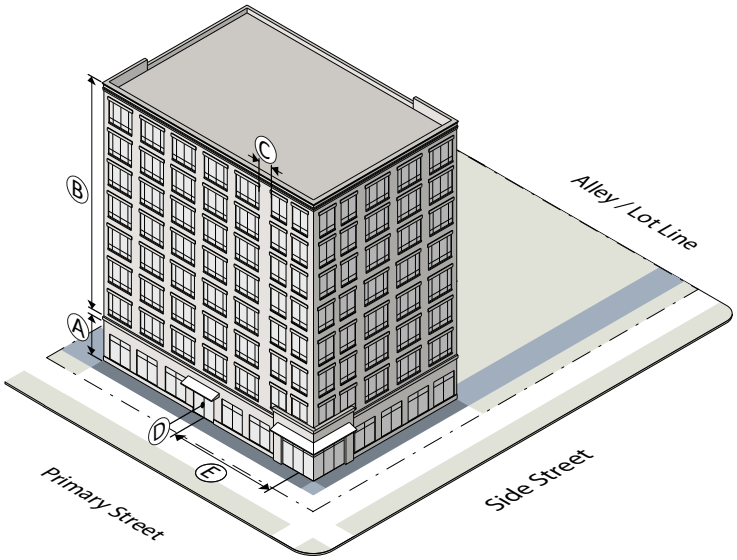
Build-to Zone (BTZ)	
Ⓐ Primary street (min/max)	5’ / 15’
Ⓑ Building in primary street BTZ (min % of lot width)	70%
Ⓒ Side street (min/max)	5’ / 10’
Ⓓ Building in side street BTZ (min % of lot width)	35%
Parking Setbacks	
Ⓔ Primary street (min)	10’
Ⓕ Side street (min)	10’
Ⓖ Side interior (min)	0’ or 5'
Ⓗ Rear (min)	10'
Ⓗ Rear, alley (min)	0’ or 5'
Outdoor Amenity Space	
Ⓘ % of outdoor amenity space (min)	15%

3. Height



Building Height	
Ⓐ Building height (max)	90’ / 8 stories
Ⓑ Building height (min)	24’ / 2 stories
Story Height	
Ⓒ Ground story height, floor to ceiling (min)	
Residential (min)	9’
Nonresidential (min)	10’
Ⓓ Upper story height, floor to ceiling (min)	9’
Ground Floor Elevation	
Ⓔ Residential (min)	2'
Ⓔ Nonresidential (min)	0’

4. Activation

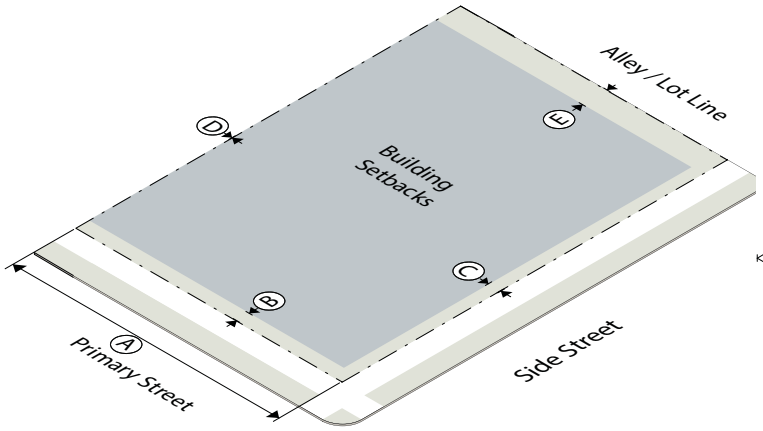


Transparency	
Ⓐ Ground story (min)	40%
Ⓑ Upper story (min)	20%
Ⓒ Blank wall area (max)	30’
Building Entrances	
Ⓓ Primary street facing entrance	Required
Ⓔ Entrance spacing (max)	100’
Allowed Building Elements	
Porch	yes
Stoop	yes
Balcony	yes
Gallery	yes
Awning/canopy	yes
Forecourt	yes

D. White Avenue / Neighborhood (CU-4)

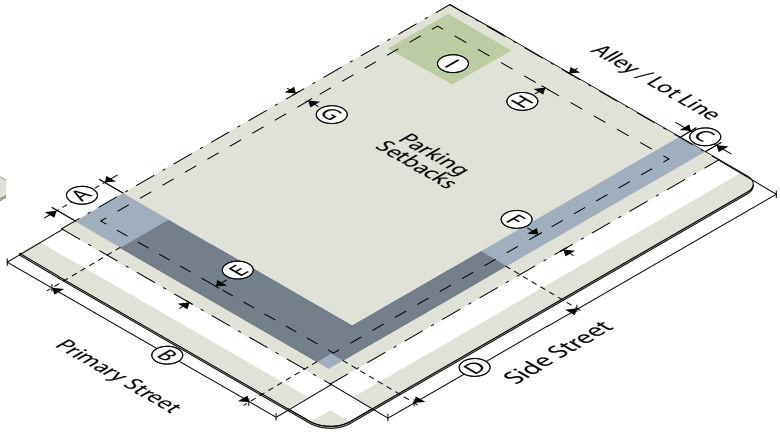
The following lot configuration standards apply within the White Avenue / Neighborhood (CU-4) district.

1. Lot



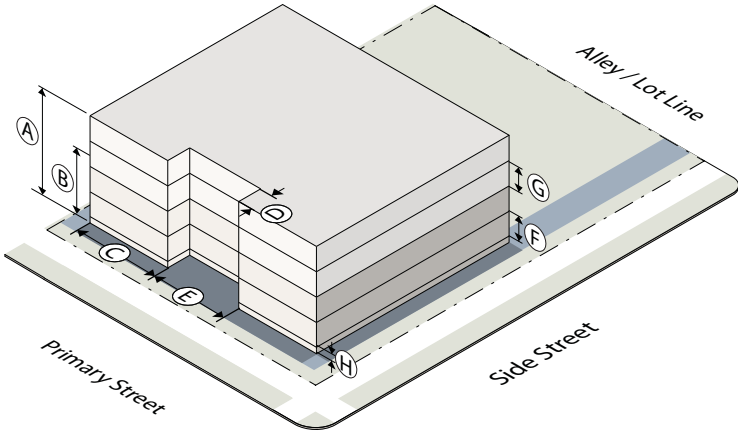
Lot Standards	
Ⓐ Lot width (min)	16’
Building Setbacks	
Ⓑ Primary street (min)	5’
Ⓒ Side street (min)	5’
Ⓓ Side interior (min)	5’
Ⓔ Rear (min)	10’
Ⓔ Rear, alley (min)	5'

2. Placement



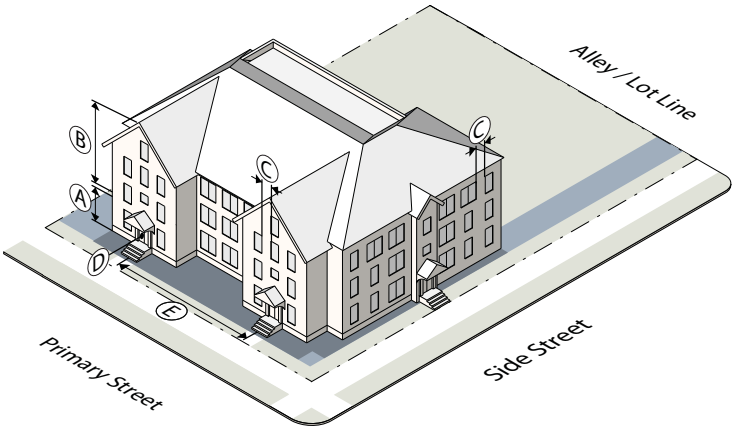
Build-to Zone (BTZ)	
Ⓐ Primary street (min/max)	5’ / 20’
Ⓑ Building in primary street BTZ (min % of lot width)	60%
Ⓒ Side street (min/max)	5’ / 10’
Ⓓ Building in side street BTZ (min % of lot width)	30%
Parking Setbacks	
Ⓔ Primary street (min)	10’
Ⓕ Side street (min)	10’
Ⓖ Side interior (min)	5'
Ⓗ Rear (min)	10'
Ⓗ Rear, alley (min)	5'
Outdoor Amenity Space	
Ⓘ % of outdoor amenity space (min)	20%

3. Height



Building Height	
Ⓐ Building height (max)	50’ / 4 stories
Ⓑ Building height (min)	24’ / 2 stories
Building Mass	
Ⓒ Facade length without offset (max)	50'
Ⓓ Wall offset depth (min)	10'
Ⓔ Wall offset length (min)	20'
Story Height	
Ⓕ Ground story height, floor to ceiling	9'
Ⓖ Upper story height, floor to ceiling (min)	9’
Ground Floor Elevation	
Ⓗ Residential (min)	2'
Ⓗ Nonresidential (min)	0'

4. Activation

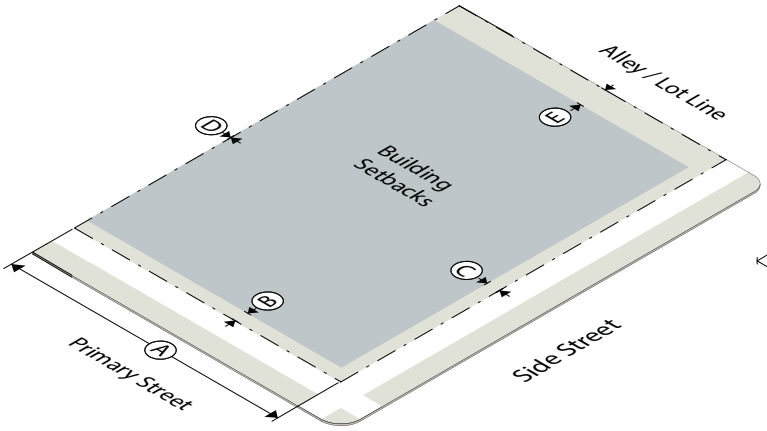


Transparency	
Ⓐ Ground story (min)	20%
Ⓑ Upper story (min)	20%
Ⓒ Blank wall area (max)	20’
Building Entrances	
Ⓓ Primary street facing entrance	Required
Ⓔ Entrance spacing (max)	100’
Allowed Building Elements	
Porch	yes
Stoop	yes
Balcony	yes
Gallery	yes
Awning/canopy	yes
Forecourt	yes

E. Seventeenth Street (CU-5)

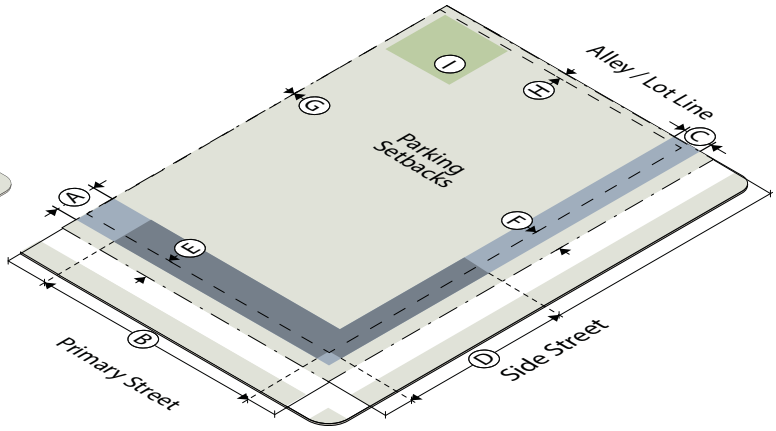
The following lot configuration standards apply within the Seventeenth Street (CU-5) district.

1. Lot



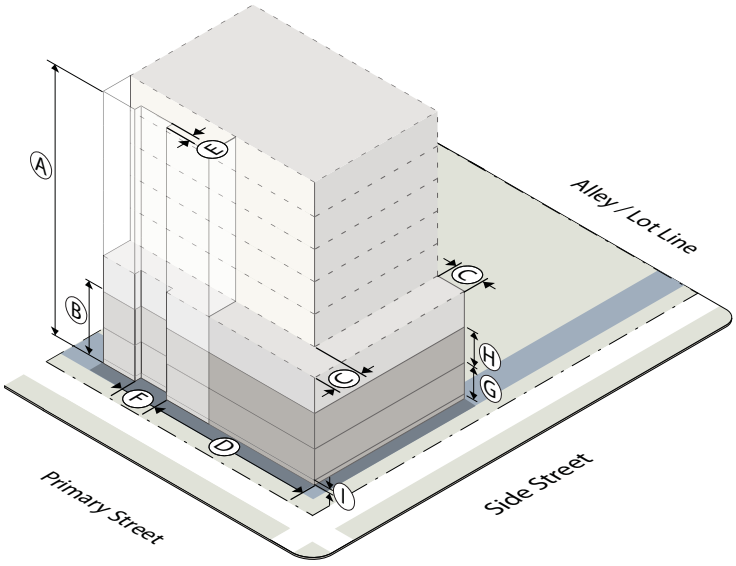
Lot Standards	
Ⓐ Lot width (min)	16'
Building Setbacks	
Ⓑ Primary street (min)	5’
Ⓒ Side street (min)	5’
Ⓓ Side interior (min)	0’ or 5’
Ⓔ Rear (min)	10’
Ⓔ Rear, alley (min)	5'

2. Placement



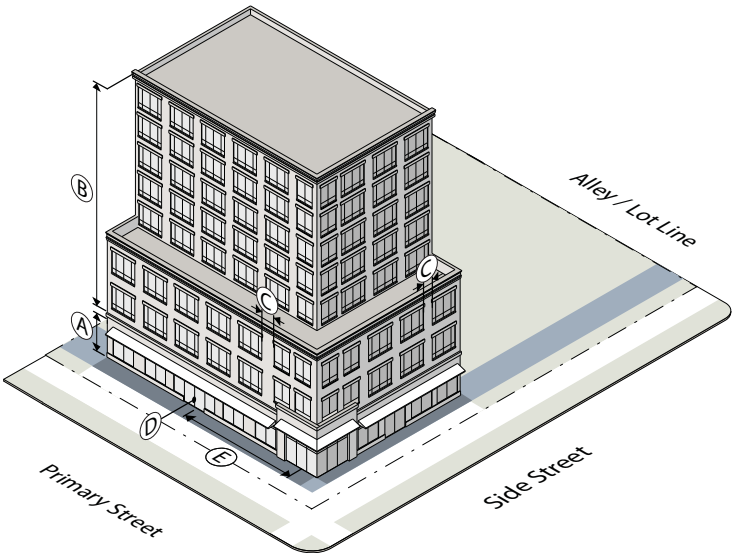
Build-to Zone (BTZ)	
Ⓐ Primary street (min/max)	5’ / 15’
Ⓑ Building in primary street BTZ (min % of lot width)	70%
Ⓒ Side street (min/max)	5’ / 10’
Ⓓ Building in side street BTZ (min % of lot width)	35%
Parking Setbacks	
Ⓔ Primary street (min)	10’
Ⓕ Side street (min)	10’
Ⓖ Side interior (min)	0’ or 5'
Ⓗ Rear (min)	10'
Ⓗ Rear, alley (min)	0’ or 5'
Outdoor Amenity Space	
Ⓘ % of outdoor amenity space (min)	15%

3. Height



Building Height	
Ⓐ Building height (max)	90’ / 8 stories
Ⓑ Building height (min)	24’ / 2 stories
Building Mass	
Ⓒ Stepback above 2nd or 3rd story (min)	10'
OR	
Ⓓ Facade length without offset (max)	50'
Ⓔ Wall offset depth (min)	4'
Ⓕ Wall offset length (min)	8'
Story Height	
Ⓖ Ground story height, floor to ceiling (min)	12’
Ⓗ Upper story height, floor to ceiling (min)	9’
Ground Floor Elevation	
Ⓘ Residential (min)	2'
Ⓘ Nonresidential (min)	0’

4. Activation



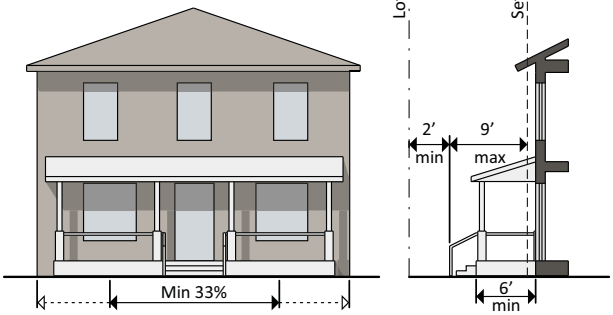
Transparency	
Ⓐ Ground story (min)	75%
Ⓑ Upper story (min)	20%
Ⓒ Blank wall area (max)	20’

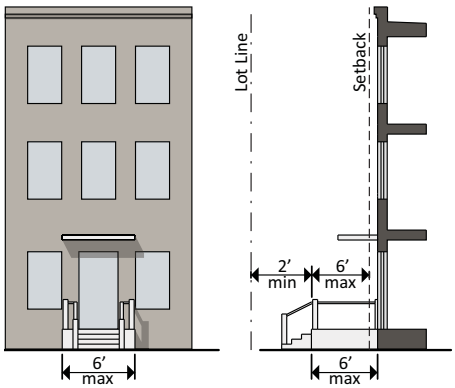
A minimum of 60% of the ground floor windows must allow views into the ground story for a depth of at least 8 feet. Windows cannot be made opaque by window treatments (except operable sunscreen devices within the conditioned space).

Building Entrances	
Ⓓ Primary street facing entrance	Required
Ⓔ Entrance spacing (max)	50’
Allowed Building Elements	
Porch	yes
Stoop	yes
Balcony	yes
Gallery	yes
Awning/canopy	yes
Forecourt	yes

4.2.4. Building Elements

Building elements are allowed by district as forth in Sec. 4.2.3. The following standards apply to allowed building elements.





A. Porch

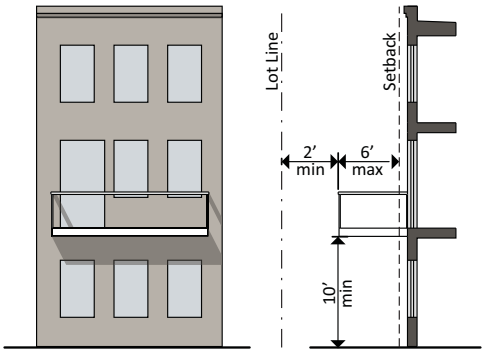
A raised structure attached to a building, forming a covered entrance to a doorway.

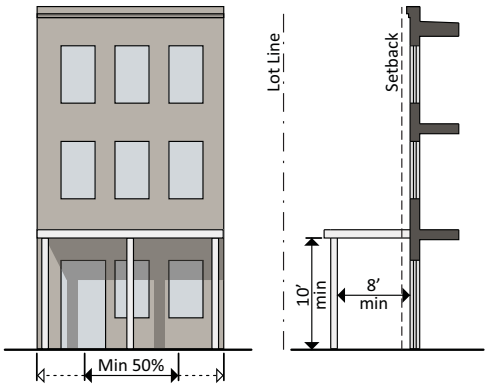
1. A front porch must be at least 6 feet deep (not including the steps).
2. A front porch must be contiguous, with a width not less than 33% of the building facade from which it projects.
3. A front porch must be roofed but cannot be fully enclosed.
4. A front porch may extend up to 9 feet, including the steps, into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
5. A front porch may not encroach into the public right-of-way.

B. Stoop

A small raised platform that serves as an entrance to a building.

1. A stoop may be no more than 6 feet deep (not including the steps) and 6 feet wide.
2. A stoop may be covered but cannot be fully enclosed.
3. A stoop may extend a up to 6 feet into a required setback, provided that the landing is at least 2 feet from the vertical plane of any lot line.
4. A stoop may not encroach into the public right-of-way.





C. Balcony

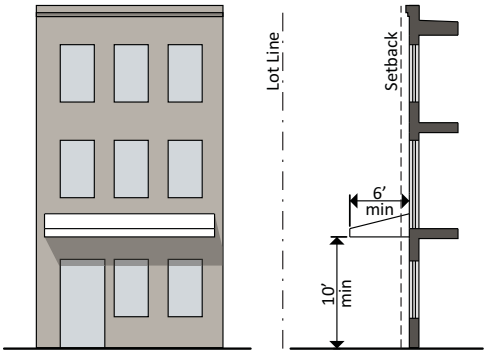
A platform projecting from the wall of a building with a railing along its outer edge, often with access from a door or window.

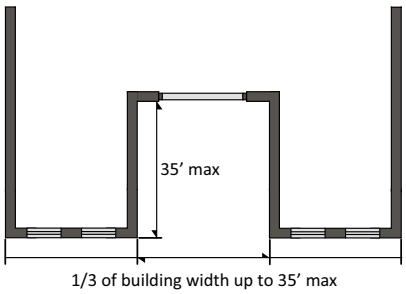
1. A balcony must be at least 4 feet deep and may extend up to 6 feet into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line
2. A balcony must have a clear height above the sidewalk of at least 10 feet.
3. A balcony may be covered but cannot be fully enclosed.
4. A balcony may not encroach into the public right-of-way without a "Use Agreement" for the use of public right-of-way.
5. No balcony encroachments are allowed on Cumberland Avenue.

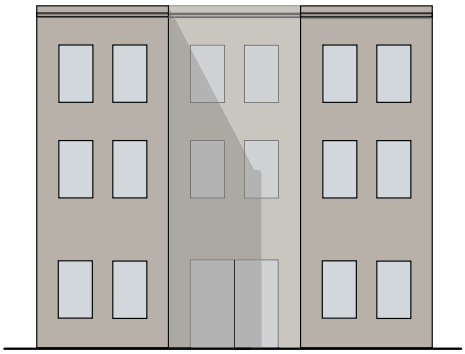
D. Gallery

A covered passage extending along the outside wall of a building supported by arches or columns that is open on 3 sides.

1. A gallery must have a clear depth from the support columns to the building's facade of at least 8 feet and a clear height above the sidewalk of at least 10 feet.
2. A gallery must be contiguous and extend over at least 50% of the width of the building facade from which it projects.
3. A gallery may extend into a required setback.
4. A galley may not encroach into the public right-of-way without a license for the use of public right-of-way.







E. Awning/Canopy

A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.

1. An awning/canopy must be a minimum of 10 feet clear height above the sidewalk and must have a minimum depth of 6 feet.
2. An awning/canopy may extend into a required setback.
3. An awning/canopy may not encroach into the public right-of-way without a license for the use of public right-of-way.

F. Forecourt

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

1. A forecourt must be no more than 1/3 of the length of the building face, and in no case longer than 35 feet in width.
2. A forecourt may be no more than 35 feet in depth.
3. A maximum of one forecourt is permitted per site.
4. A forecourt is considered as part of the building for the purpose of measuring the build-to zone.

4.2.5. Use

A. Permitted Uses

1. This Section establishes the uses allowed in each district. A lot or building must be occupied with only the uses allowed on the permitted use table in Sec. 4.2.5.D.

2. Any one or more land uses allowed in a district may be established on any lot within that district, subject to the permitted use table, and in compliance with all applicable requirements of this Code.

B. Classification of Uses

1. In order to regulate use, categories of uses have been established in Sec. 4.2.5.E providing a systematic basis for assigning land uses to appropriate categories with other similar uses. Use categories classify land uses and activities based on common functional, product or physical characteristics.

2. The Administrator is authorized to categorize all uses. When determining what use category a proposed use fits in, the Administrator will consider the following criteria:

    a. The actual or projected characteristics of the proposed use.

    b. The relative amount of site area or floor area and equipment devoted to the proposed use.

    c. Relative amounts of sales.

    d. The customer type.

    e. The relative number of employees.

    f. Hours of operation.

    g. Building and site arrangement.

    h. Types of vehicles used and their parking requirements.

    i. The number of vehicle trips generated.

    j. How the proposed use is advertised.

    k. The likely impact on surrounding properties.

    l. Whether the activity is likely to be found independent of the other activities on the site.

    m. Whether the use is in harmony with the general purpose and intent of these zoning regulations.

C. Accessory Uses

1. Accessory uses and structures are permitted in conjunction with an allowed principal use. Accessory uses and structures must be accessory and clearly and customarily incidental and subordinate to a permitted principal use or structure.

2. No accessory use or structure may be established prior to the establishment of a permitted principal use or structure.

3. All accessory structures must meet the setback and height requirements of Sec. 4.2.3, except for the minimum height provisions.

4. The Administrator is authorized to determine when a use or structure is accessory. In order to classify a use or structure as accessory, the Administrator must determine that the use or structure:

    i. Is subordinate to the principal use in terms of area, extent and purpose;

    ii. Contributes to the comfort, convenience or necessity of occupants of the principal use or structure served;

    iii. Is located on the same lot as the principal use or structure, or on a contiguous lot in the same ownership;

    iv. Does not involve operations not in keeping with the character of the principal use or structure served; and

    v. Is not of a nature likely to attract visitors in larger numbers than would normally be expected for the principal use or structure.

D. Allowed Use Table

The allowed use table identifies uses permitted in each sub-district by story.

	Lake Ave (CU-1)	Cumberland Ave (CU-2)		White Ave/ Hospital (CU-3)	White Ave/ N'hood (CU-4)	Seventeenth St (CU-5)	Definitions/Stds.
	All Stories	Ground Story	Upper Story	All Stories	All Stories	All Stories	
Residential Uses							
Household Living	▪	--	▪	▪	▪	▪	Sec. 4.2.5.E.1.a
Live-Work	▪	--	▪	▪	▪	▪	Sec. 4.2.5.E.1.b
Group Living	▪	--	▪	▪	▪	▪	Sec. 4.2.5.E.1.c
Social Services	--	--	--	--	--	--	Sec. 4.2.5.E.1.d
Personal Garden	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.1.e
Public Uses							
Civic	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.2.a
Parks & Open Space	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.2.a
Minor Utilities	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.2.c
Major Utilities	--	--	--	--	--	--	Sec. 4.2.5.E.2.d
Community Garden	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.2.e
Commercial Uses							
Commercial Parking	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.3.a
Day Care	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.3.b
Indoor Recreation	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.3.c
Medical	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.3.d
Office	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.3.e
Outdoor recreation	--	--	--	--	--	--	Sec. 4.2.5.E.3.f
Overnight Lodging	▪	--	▪	▪	▪	▪	Sec. 4.2.5.E.3.g
Personal Service	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.3.h
Restaurant/Bar	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.3.i
Retail Sales	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.3.j
Vehicle Sales/Rental	--	--	--	--	--	--	Sec. 4.2.5.E.3.k
Market Garden	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.3.l
Industrial Uses							
Heavy Industrial	--	--	--	--	--	--	Sec. 4.2.5.E.4.a
Light Industrial	--	--	--	--	--	--	Sec. 4.2.5.E.4.b
Research & Development	▪	▪	▪	▪	▪	▪	Sec. 4.2.5.E.4.c
Self-Service Storage	--	--	--	--	--	--	Sec. 4.2.5.E.4.d
Vehicle Service	--	--	--	--	--	--	Sec. 4.2.5.E.4.e
Warehouse & Distribution	--	--	--	--	--	--	Sec. 4.2.5.E.4.f

KEY: ▪ = Use allowed -- = Use not allowed

E. Use Categories

1. Residential Uses

a. Household Living

i. Residential occupancy of a dwelling unit by a household on a monthly or longer basis.

ii. In CU-2, lobby areas, recreation areas and workout facilities associated with an upper story residential use are allowed on the ground story.

b. Live-Work

The intent of live-work is to permit businesses, professions, occupations or trade within a residential dwelling unit that requires employees, customers, clients or patrons to visit the unit. Live-work units are permitted provided the following standards are met:

i. Live-work is only permitted in units with street level access.

ii. A minimum of one person must occupy the live-work unit as their primary place of residence.

iii. The live-work unit may employ no more than 2 persons not living on the premises at any one time.

iv. No business storage or warehousing of material, supplies or equipment is permitted outside of the live-work unit.

v. The nonresidential use of the unit is limited to office, personal service and retail sales.

vi. 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 the normal senses, off the premises.

vii. Business signage is limited to one unlit wall or projecting sign no larger than 3 square feet in area, attached to the structure housing the live-work unit.

viii. No more than 5 customers are permitted on the premises at any one time.

c. Group Living

Residential occupancy of a structure by a group of people that does not meet the definition of household living. Tenancy is usually arranged on a monthly or longer basis. Generally, group living facilities have a common eating area for residents, and residents may receive care or training.

d. Social Service

A facility that provides treatment of those with psychiatric, alcohol, or drug problems, and transient housing related to social service programs.

e. Personal Garden

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. Personal gardens may be principal or accessory use. On-site sales are permitted through the use of a temporary use permit issued for a seasonal produce stand.

2. Public Uses

a. Civic

i. Places of public assembly that provide ongoing governmental, life safety, educational and cultural services to the general public, as well as meeting areas for religious practice.

ii. Civic uses can include museums, libraries, places of worship, police, fire, or EMS station and public schools (K-12).

iii. Buildings that contain civic uses are not subject to the build-to, story height, transparency and building entrance requirements of Sec. 4.2.3.

b. Parks & Open Space

Uses focusing on public gathering areas for passive or active outdoor recreation, and having few structures.

c. Minor Utilities

Public or private infrastructure serving a limited area with no on-site personnel. Minor utilities can include on-site stormwater retention or detention facilities, neighborhood-serving cable, telephone, gas or electric facilities and water/wastewater pump or lift station.

d. Major Utilities

Public or private infrastructure serving the general community and possibly having on-site personnel.

e. Market Garden

An area of land managed and maintained by an individual, group or busines to grow and harvest food and non-food crops to be sold for profit on-site, off-site, or both. Market gardens may be principal or accssory uses.

3. Commercial Uses

a. Commercial Parking

A facility that provides parking not accessory to a principal use, for which a fee may or may not be charged.

b. Day Care

A facility providing care, protection, and supervision of to 6 more unrelated children or adults on a regular basis.

c. Indoor Recreation

A facility providing daily or regularly scheduled recreation-oriented activities in an indoor setting. Indoor recreation can include an athletic, tennis, swim or health club; a dance, martial arts, or music studio; or a movie or other type of theater.

d. Medical

A facility providing medical or surgical care to patients. Some uses may offer overnight care. Medical can include hospital, urgent care, or emergency medical office; medical, dental office or chiropractor; and medical clinic.

e. Office

A facility focusing on business, professional or financial activities conducted in an office setting.

f. Outdoor Recreation

A commercial facility providing daily or regularly scheduled recreation-oriented activities primarily in an outdoor setting. Outdoor recreation can include a drive-in theater, outdoor amusements, golf driving range, mini-amusement park, miniature golf facility or private ballfields.

g. Overnight Lodging - Hotels and Motels

i. A facility providing overnight accommodations arranged for short term stays of less than 30 days for rent or lease.

ii. In CU-2, lobby areas, recreation areas, workout facilities, meeting rooms and eating and cooking areas associated with the overnight lodging facility are allowed on the ground story.

h. Personal Service

Establishment primarily engaged in providing services involving the care of a person or their apparel.

i. Restaurant/Bar

A facility that prepares and sells food or drink for on- or off-premise consumption.

j. Retail Sales

A facility involved in the sale, lease, or rental of new or used products, not including car or vehicle sales or rental. Includes bicycle sales, repair or rental.

k. Vehicle Sales/Rental

A facility involved in the sales, rental or leasing of passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles. Does not include bicycle sales, repair or rental.

l. Community Garden

An area of land managed and maintained by a nonprofit or group of individuals to grow and harvest food or non-food crops for personal or group use, consumption, or donations. Community gardens may be principal or accessory uses.

4. Industrial Uses

a. Heavy Industrial

A facility involved in dangerous, noxious or offensive activity or a facility that has smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception or radiation.

b. Light Industrial

A facility involved in the manufacturing, assembly, repair or servicing of industrial, business, or consumer machinery, equipment, or products.

c. Research and Development

A facility involved primarily on the research and development of new products.

d. Self-Service Storage

A facility providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property.

e. Vehicle Service

A facility involved in the repair and service of passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles. Does not include bicycle sales, repair or rental.

f. Warehouse & Distribution

A facility involved in the storage or movement of goods for themselves or other firms.

4.2.6. Parking

A. Applicability

1. General

No permit for the construction, reconstruction, extension, or alteration of any building, structure, or use of land, and no building or land, or any part of any building or land, may be occupied or used until parking has been demonstrated in accordance with the requirements of this Code.

B. Required Vehicle Parking

1. The following vehicle parking spaces are required for each use.
2. For the purposes of calculating required parking spaces, uses are grouped into categories (see Sec. 4.2.5.E).

	Required (min)	Reserved (max)
Residential Uses		
Household living		
0 to 1 bedroom	1 per unit	2 per unit
2 bedrooms	1.5 per unit	2 per unit
3 bedrooms	2 per unit	2 per unit
4+ bedrooms	2.5 per unit	2 per unit
Guest parking (multi-dwelling development only)	0.125 per unit	0.25 per unit
Public Uses		
All uses	none	3 per 1,000 SF GFA
Commercial Uses		
All uses	none	3 per 1,000 SF GFA
Industrial Uses		
All uses	none	3 per 1,000 SF GFA

3. Reserved parking spaces mean those spaces designated for a specific unit or use.

C. Required Bicycle Parking

1. The following bike parking spaces are required for each use.
2. For the purposes of calculating required bike parking spaces, uses are grouped into categories (see Sec. 4.2.5.E).

	Required Spaces (min)	Short-term/ Long-term split
Residential Uses		
Multi-dwelling, group living	.5 per unit up to 2 bedrooms, .25 per additional bedroom	20% / 80%
All other residential uses	none required	--
Public Uses		
All uses	1 per 5,000 SF of gross floor area, 4 min	90% / 10%
Commercial Uses		
All uses	1 per 2,500 SF of gross floor area, 4 min	80% / 20%
Industrial Uses		
Research & Development	1 per 7,500 SF of gross floor area, 4 min	20% / 80%

D. Bicycle Parking Facilities

1. General Requirements

a. Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone, or wood chips.

b. Bicycle parking spaces must be a minimum of 2 feet by 6 feet. There must be an access aisle a minimum of 5 feet in width.

c. Each required bicycle parking space must be accessible without moving another bicycle and its placement must not result in a bicycle obstructing a required walkway.

d. Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a 5 foot access aisle for wall mount parking.

e. All racks must accommodate cable locks and "U" locks including removing the front wheel and locking it to the rear fork and frame.

2. Short-Term Bicycle Parking

a. Required short-term bicycle parking spaces must be located in a convenient and visible area at least as close as the closest non-accessible automobile parking and within one 100 feet of a principal entrance and must permit the locking of the bicycle frame and one wheel to the rack and must support a bicycle in a stable position.

b. No fee can be charged for resident bicycle parking where free automobile parking is provided on-site.

3. Long-Term Bicycle Parking

a. Required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and must be accessible to intended users.

b. Required long-term bicycle parking for residential uses can not be located within dwelling units or within deck, patio areas, or private storage areas accessory to dwelling units.

c. With permission of the Administrator, long-term bicycle parking spaces for non-residential uses may be located off-site within 300 feet of the site.

d. No fee can be charged for resident bicycle parking where free automobile parking is provided on-site.

E. Drive-Through Vehicle Stacking

1. Adequate space must be made available on-site for the stacking, storage and queuing of vehicles.

2. Vehicles using drive-through facilities may not encroach on or interfere with the public use of streets and sidewalks by vehicles or pedestrians.

3. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-through area, must be located to the side or rear of the building. Drive-through windows and lanes may not be placed between the street and the associated building.

4. A restaurant with a drive-through must provide at least 4 queuing spaces, measured from the first pick up window.

5. A bank or pharmacy with a drive-through must provide at least 3 queuing spaces per drive-through lane, measured from the teller box or window.

6. All other uses determined by the Engineering Department.

F. Stall Size and Drive Aisle Dimensions

When provided parking spaces and drive aisles must meet the requirements of Article 5, Section 7 "Minimum Off-Street Parking, Access and Driveway Requirements."

G. Design of Parking Structures

1. Parking structures must meet all the requirements for a principal structure as specified in Sec. 4.2.3. In no case can structured parking exceed the height of any other building on the site.

2. Required parking setbacks apply only to the first floor of the parking structure. Parking setbacks do not apply to underground parking.

3. The ground story of a structured parking garage facing Cumberland Avenue, Lake Avenue or Seventeenth Street must have active uses (such as, but not limited to, residential, commercial, office or civic space, where permitted) located between the parking structure and the street (not including an alley).

4. Where upper stories of structured parking are allowed at the perimeter of a building, they must be screened so that cars are not visible from ground level view from adjacent property or adjacent public street right-of-way (not including an alley).

5. Architectural and vegetative screens must be used to articulate the facade, hide parked vehicles and shield lighting. In addition, any ground floor facade treatment (building materials, windows, and architectural detailing) must be continued on upper stories.

6. Parking structure entries must not exceed 16 feet clear height and 25 feet clear width.

4.2.7. Landscaping and Screening

A. Surface Parking Lots

1. Applicability

a. This Section applies to all new on-site surface parking lots with more than 10 spaces. For purposes of this Section, multiple platted lots contained on a single site plan and any separate parking areas connected with drive aisles are considered a single parking area.

b. An existing parking lot may be renovated or repaired without providing additional landscaping, provided there is no increase in the size of the parking lot.

c. When an existing parking lot is increased in size, landscaping is required for the new parking area only.

d. When an existing parking lot is increased in size by more than 50% cumulatively, landscaping is required for both the existing parking lot and the new parking area.

2. Perimeter Screening

All surface parking lots with frontage on any portion of a street right-of-of way (not including an alley) must be screened with the following:

a. A minimum 10-foot wide, landscaped area with a continuous row of shrubs must be provided between the street and parking lot.

b. Shrubs must be a minimum of 18 inches in height when planted and must reach a minimum size of 36 inches in height within 3 years of planting.

c. A 36-inch wall in a minimum 5-foot planting strip may be substituted for the continuous row of shrubs.

d. Breaks for pedestrian and vehicle access are allowed.

e. No landscaping is permitted that materially impedes vision for vehicular sight distance.

3. Interior Islands

a. A landscaped interior island must be provided every 10 parking spaces. Interior islands must be distributed evenly throughout the parking area.

b. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees.

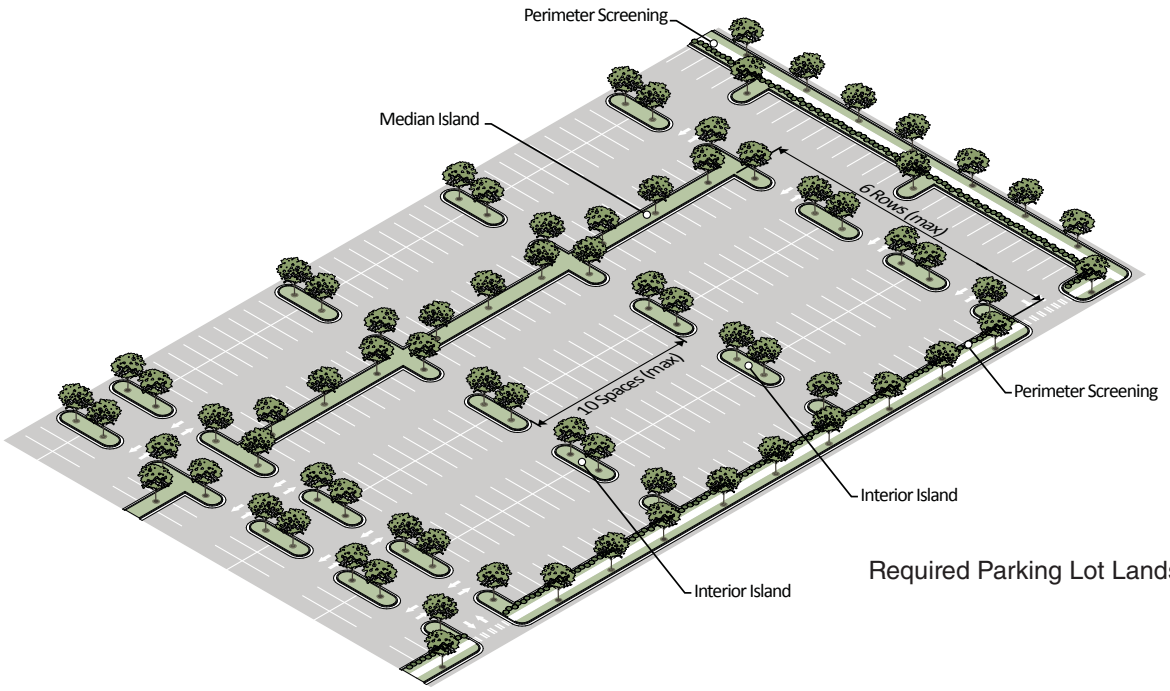
c. An interior island must be a minimum of 9 feet in width and 320 square feet in area.

d. Interior islands may be installed below the level of the parking lot surface to allow for runoff capture.

4. Median Islands

a. A landscape median island must be provided between every 6 single parking rows.

b. A landscape median island must be a minimum of 5 feet wide.



Required Parking Lot Landscaping

c. A median island may also serve as the location for a sidewalk. In such case, the sidewalk must be a minimum of 6 feet wide, and the remaining planting area must be no less than 5 feet wide.

d. Median islands may be consolidated or intervals may be expanded in order to preserve existing trees.

e. Median islands may be installed below the level of the parking lot surface to allow for runoff capture.

5. Tree Coverage

a. Each interior island must include at least 1 shade tree.

b. In no case can there be less than 1 shade tree for every 3,000 square feet of parking area including drive lanes.

B. Screening

1. Applicability

This Section applies to all new service areas and the installation of new mechanical equipment.

2. Service Areas

a. Trash collection, trash compaction, recycling collection and other similar service areas must be located to the side or rear of buildings and must be screened from view from adjacent property or public street right-of-way (not including an alley).

b. Service areas that are fully integrated into a building must be screened with a roll down door or other opaque screen.

c. Service areas that are not integrated into a building must be screened from 3 sides by a wall at least 6 feet in height and on the fourth side by a solid gate at least 6 feet in height.

d. The gate and wall must be maintained in good working order and must remain closed except when trash pick-ups occur.

3. Mechanical Equipment

a. Roof-Mounted Equipment

i. Roof-mounted equipment must be screened from ground level view from adjacent property or adjacent street right-of-way (not including an alley), measured at ground level from 150 feet away.

ii. New buildings must provide a parapet wall or other architectural element that screens roof-mounted equipment.

b. Wall-Mounted Equipment

i. Wall-mounted equipment cannot be located on any surface that directly faces a public right-of-way (not including an alley).

ii. Wall-mounted equipment located on any surface that is visible from a public right-of-way (not including an alley) must be fully screened by landscaping or an opaque screen.

c. Ground-Mounted Equipment

Ground-mounted mechanical equipment that is visible from a public right-of-way (not including an alley) must be screened from view by landscaping or a wall. The screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

C. Fence and Walls

1. Applicability

This Section applies to all new fences and walls.

2. Standards

a. Fences and walls may be placed up to the property line, and any posts or supporting rails must face inward toward the property being fenced.

b. A wall or fence located in a primary or side street yard, not used for a required screen, cannot be more than 6 feet height. The opacity of the wall or fence above 4 feet in height must exceed 50%.

c. A wall or fence located in a side or rear yard cannot be more 8 feet in height.

d. Walls must be constructed of high quality materials including one or a combination of the following: decorative blocks; brick; stone; cast-stone; split-faced block; stucco over standard concrete masonry blocks; glass block; or other material approved by the Administrator.

e. Fences must be constructed of high quality materials including one or a combination of the following: wood, composite fencing; wrought iron, steel, aluminium, PVC vinyl; or other material approved by the Administrator.

f. No wall or fence may be located within any required drainage or utility easement.

g. Barbed wire or concertina wire is not allowed.

h. Chain-link fences are not allowed in any primary or side street yard.

i. No wall or fence is permited which materially impedes vision for vehicular sight distance.

D. Plant Installation

1. General Provisions

a. Plant materials must be hardy to zone 7a in accordance with the U.S. Department of Agriculture's Plant Hardiness Zone Map.

b. Plant materials must be able to survive on natural rainfall once established with no loss of health.

c. Tree height is measured from the top of the root ball to the tip of the main stem.

2. Shade Trees

a. All shade trees planted to meet the landscaping requirements must be a locally adapted species with an expected mature height of 35 feet or greater and an expected mature crown spread of at least 30 feet or greater unless subject to an overhead power line in which case the mature height may be less.

b. All shade trees planted to meet the landscaping requirements must have a minimum caliper of 2 inches and be at least 8 feet tall at time of planting.

3. Understory Trees

a. Understory trees planted to meet the landscaping requirements must be a locally-adapted species with an expected mature height of at least 15 feet and an expected mature crown spread of at least 15 feet.

b. Single-stem understory trees planted to meet the landscaping requirements must have a minimum caliper of 1 inches and be at least 5 feet tall at time of planting.

c. Multi-stem understory trees planted to meet the landscaping requirements must be at least 5 feet tall at time of planting.

E. Maintenance

All required landscaping must maintained in good health and condition. Any dead, unhealthy, deteriorating, broken or missing landscaping must be replaced with landscaping that conforms to this Code within 30 days (or within 180 days where weather concerns would jeopardize the health of plant materials).

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4.2.8. Signs

A. Applicability

1. No sign may be erected, altered, refurbished or otherwise modified after the effective date of this Code except in accordance with the requirements of this Section.
2. All signs must be located on the same lot as the permitted use and be clearly incidental, customary and commonly associated with the operation of the permitted use.
3. Nothing in this Section is intended to prohibit the ordinary maintenance repair of a nonconforming sign or replacement of a broken part of a nonconforming sign.

B. General Sign Provisions

1. Prohibited Signs

The following signs are prohibited.

a. Signs which move, or give the appearance of moving with the exception of those signs not requiring a permit (see Sec. 4.2.8.B.2). This includes banners, pennants, streamers, string pennants, flags and all other signs which flutter, undulate, swing, rotate, oscillate or otherwise move by natural or artificial means.

b. Signs which contain or make use of any word, phrase, symbol, shape, form or character in such manner as to interfere with, mislead, or confuse traffic. This does not include signs which are accessory to parking lots, driveways or roads.

c. Signs which have moving parts and signs which have red, green yellow, amber or blue lights.

d. Signs which have flashing lights, blinking lights or signs containing any running lights creating an illusion of movement.

e. Signs placed on a parked vehicle or trailer where the apparent purpose is to advertise a product or direct people to a business or business located on the same or nearby property.

f. Roof signs.

g. Electronic Message Centers as defined in Article 5, Section 10, "Signs, Billboards, and other advertising structures".

2. Signs Allowed Without a Permit

The signs listed below do not require a permit if they meet the following provisions.

a. Street address numbers provided they do not exceed 1 square foot in area.

b. Building nameplates provided they do not exceed 6 square feet in area.

c. Paper notices placed on bulletin boards or on kiosks maintained by any governmental organization.

d. Signs erected or required by governmental bodies, or authorized for a public purpose by any law, statute or ordinance.

e. Flags bearing the officially adopted design of a nation, state, county, city or the University of Tennessee. Flags cannot exceed 30 square feet in size, except that United States of America garrison size flags are allowed.

f. Signs that include business hours of operation, not to exceed 1 square foot in size.

g. Window signs that cover no more than 10% of the total surface of each window.

3. Signs in the Right-of-Way

a. Monument signs and bracket signs cannot encroach into the public right-of way.

b. Wall signs, awning signs, canopy signs, projecting signs, crown signs, shingle signs and sidewalk signs may encroach over the public sidewalk but cannot encroach on or over any streets or alleys. All signs must be a minimum of 18 inches inside the curb line or edge of pavement, whichever is greater.

4. Common Sign Plan

A common sign plan must be filed with the Administrator for all sites occupied by more than one tenant. After the filing of a common sign plan, all tenant signs must meet the requirements of the common sign plan. The applicant must indicate the standards of consistency of all signs on the subject property with regard to:

a. Colors;

b. Letter/graphics style;

c. Location of each sign;

d. Materials used in sign construction; and

e. Maximum dimensions and proportion.

C. Signs Requiring a Permit

1. Sign Types

The following signs are allowed in all CU- districts following the issuance of a sign permit under Article V, Section 10 " Signs, Billboards, and Other Advertising Structures." Standards for each sign type are listed in the following pages.



Wall Sign
(Sec. 4.2.8.D)



Awning Sign
(Sec. 4.2.8.E)



Canopy Sign
(Sec. 4.2.8.F)



Projecting Sign
(Sec. 4.2.8.G)



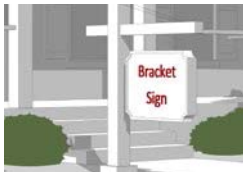
Crown Sign
(Sec. 4.2.8.H)



Shingle Sign
(Sec. 4.2.8.I)



Monument Sign
(Sec. 4.2.8.J)



Bracket Sign
(Sec. 4.2.8.K)



Sidewalk Sign
(Sec. 4.2.8.L)

2. Allocation of Sign Area

The maximum sign area for each sign type is determined is established below.

Sign Type	Sign Area
Wall Sign Awning Sign Canopy Sign Projecting Sign	1 square foot per foot of street-facing building facade
Crown Sign	250 SF
Shingle Sign	9 SF
Monument Sign	30 SF
Bracket Sign	9 SF
Sidewalk Sign	6 SF

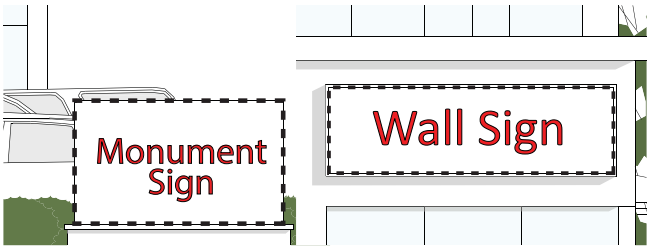
3. Computation of Sign Area

The area of all signs is computed as follows:

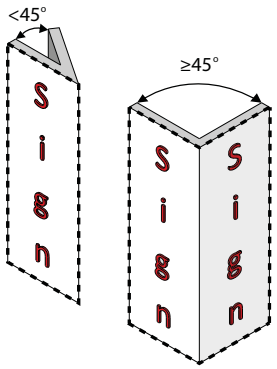
a. For wall signs, awning signs, canopy signs and crown signs consisting of freestanding letters or logos, sign area is calculated as the total area of the rectangle, circle or square that fully encloses all the letters or logo.



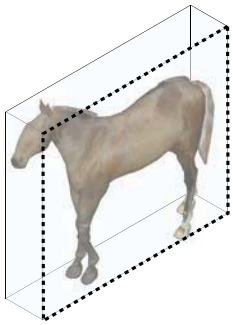
b. For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the structure on which it is mounted. Sign area includes the face of the structure that the message is affixed to, not including any supports or bracing.



c. The area of a sign with faces placed less than 45 degrees apart is calculated based on the area of the largest face of the sign. The area of a sign with faces placed 45 or more degrees apart is calculated based on the area of all sign faces.

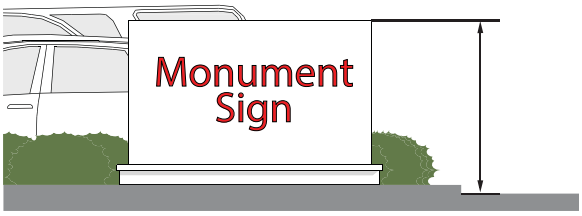


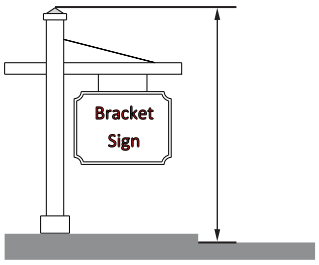
d. The area of a three-dimensional sign is calculated as the total area of the smallest rectangle, circle or square that fully encloses the largest profile of the three-dimensional sign.



4. Measurement of Sign Height

The total height of a ground or bracket sign is measured from the highest point of the sign or supporting structure to the top of the abutting sidewalk.

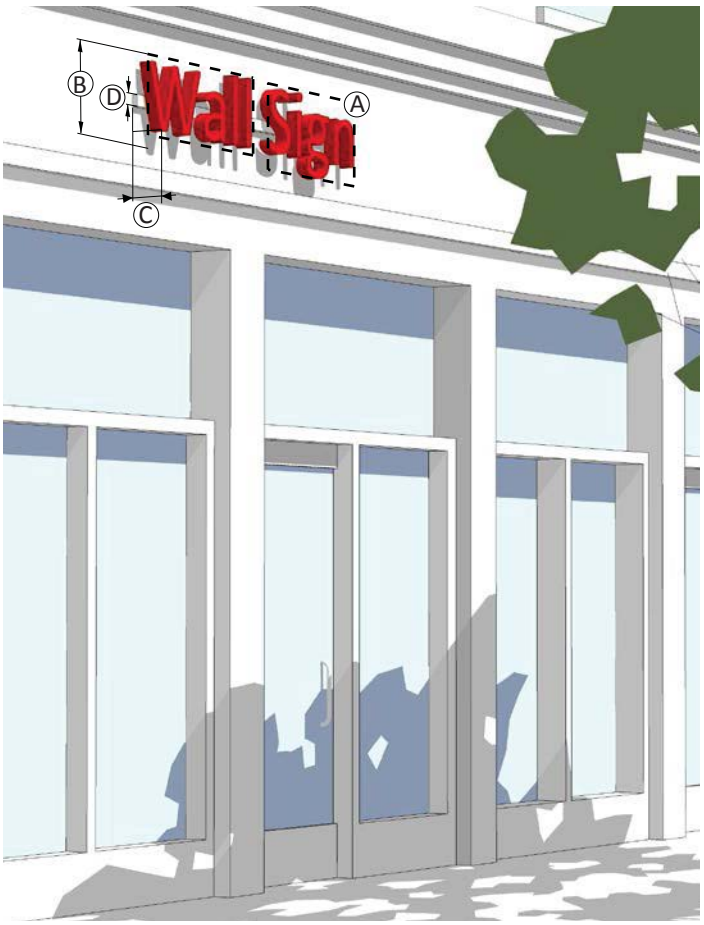




D. Wall Sign







Description

A 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 1 foot from the building or structure.

General Provisions

1. A wall sign must be placed no higher than 18 feet above the sidewalk.
2. No portion of a wall sign may extend above the roof line or above a parapet wall of a building with a flat roof.
3. No portion of a wall sign may extend above the lower eave line of a building with a pitched roof.
4. A wall sign cannot cover windows or architectural details.
5. A wall sign can be externally or internally illuminated under Sec. 4.2.8.M.

Standards

Ⓐ	Overall area allocation (max)	Sec. 4.2.8.C.2
	Sign area (max per sign)	60 SF
Ⓑ	Height (max)	5'
Ⓒ	Projection - measured from building facade (max)	1'
Ⓓ	Raceway (max % of letter height)	50%

E. Awning Sign







Description

A sign where graphics or symbols are painted, sewn, or otherwise adhered to the awning material as an integrated part of the awning itself.

General Provisions

1. An awning sign cannot extend outside the awning.
2. Only awnings over first and second story doors and windows may contain signs.
3. A maximum of 1 sign is allowed per awning face.
4. An awning sign may only be externally illuminated under Sec. 4.2.8.M.

Standards

Ⓐ	Overall area allocation (max)	Sec. 4.2.8.C.2
Ⓑ	Width (max % of awning width/depth)	75%
Ⓒ	Height of text and graphics on valance (max)	2'
Ⓓ	Area of sloping plane covered by sign (max)	25%

F. Canopy Sign







Description

A sign placed on a canopy so that the display surface is parallel to the plane of the wall.

General Provisions

1. A canopy sign cannot extend outside the overall length or width of the canopy. However, a canopy sign may extend above or below the canopy.
2. A maximum of 1 sign is allowed per canopy.
3. Raceways are permitted for signs extending below or above the canopy. Otherwise, raceways are not permitted and the sign must be flush with the canopy face.
4. A canopy sign can be externally or internally illuminated under Sec. 4.2.8.M.

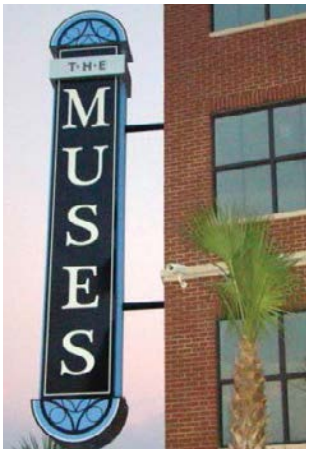
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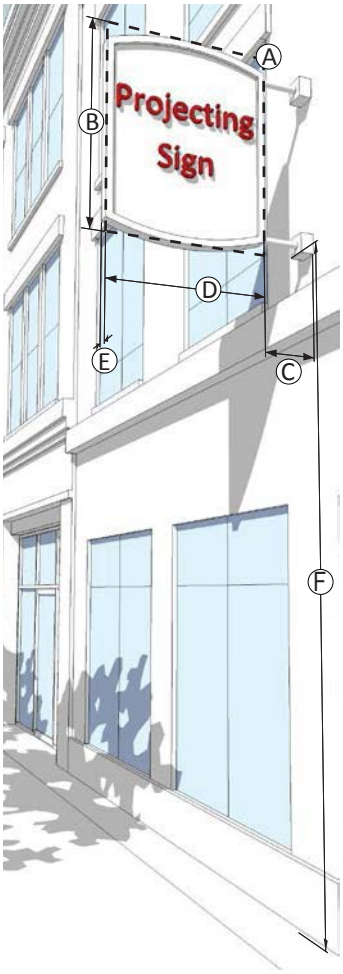
Ⓐ	Overall area allocation (max)	Sec. 4.2.8.C.2
Ⓑ	Width (max % of canopy width)	75%
Ⓒ	Height of text and graphics (max)	2'
Ⓓ	Depth (max)	1'
Ⓔ	Raceway (max % of letter height)	50%
Ⓕ	Clear height above sidewalk (min)	10'

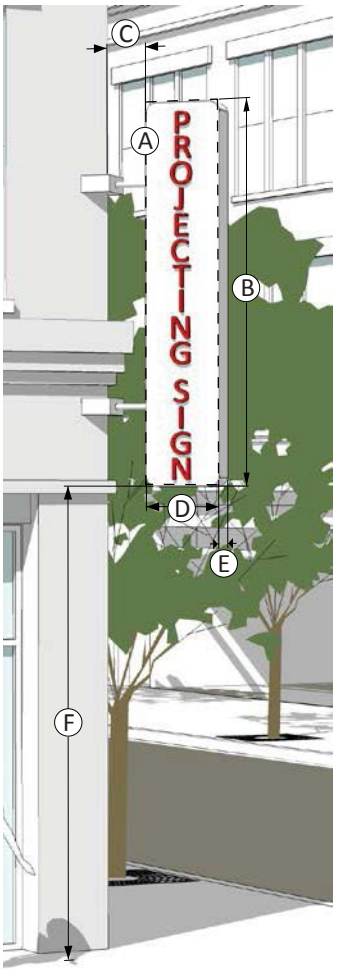
G. Projecting Sign











Description

A sign that is wholly or partly dependent upon a building for support, which projects at an angle away from the building, extending more than 1 foot.

General Provisions

1. A projecting sign must be at least 25 feet from any other projecting sign.
2. A projecting sign may be erected on a building corner when the building corner adjoins the intersection of 2 streets. Allocation of sign area from both streets may be used, however, in no case can the sign exceed the maximum height and width standards.
3. The top of a projecting sign can be no higher than the top of the building. However, on 1 story buildings, the top of a projecting sign may have a maximum of 20% of the sign height above the top of the building.
4. For buildings 4 stories and higher, a projecting sign cannot be located above the window sills of the fourth story.
5. A projecting sign can be externally or internally illuminated under Sec. 4.2.8.M.

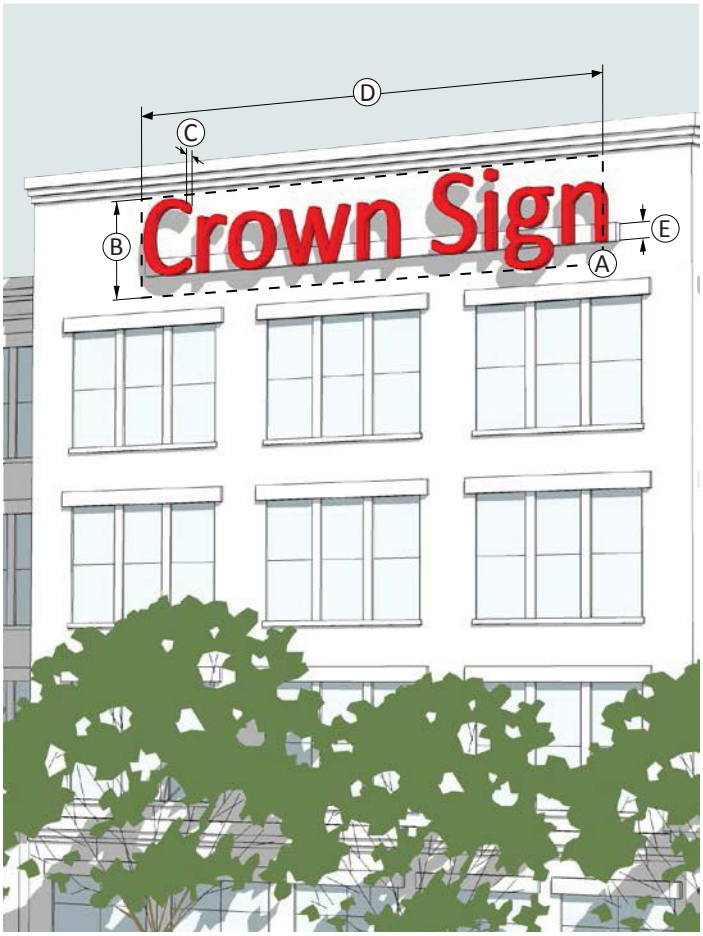
Standards

Ⓐ	Overall area allocation (max)	Sec. 4.2.8.C.2
Ⓑ	Height (max)	
	1 story building	4'
	2 story building	8'
	3 or more story building	12'
Ⓒ	Spacing from building facade (min/max)	1'/ 2'
Ⓓ	Width (max)	4'
Ⓔ	Depth (max)	1'
Ⓕ	Clear height above sidewalk (min)	10'

H. Crown Sign







Description

A wall sign extending not more than 3 feet from the building facade located on the upper horizontal band of a building at least 55 feet in height.

General Provisions

1. A crown sign is only allowed on buildings greater than 55 feet in height.
2. A crown sign cannot be placed below the start of highest floor and cannot extend above the roof line.
3. A crown sign cannot cover windows or architectural details.
4. No more than 2 crown signs per building and no more than 1 crown sign per building facade are allowed.
5. A crown sign can only be internally illuminated in accordance with Sec. 4.2.8.M.

Standards

Ⓐ	Sign area (max per sign)	250 SF
Ⓑ	Height (max)	8'
Ⓒ	Projection - measured from building facade (max)	3'
Ⓓ	Width (max % of facade width)	75%
Ⓔ	Raceway (max % of letter height)	25%

I. Shingle Sign







Description

A small projecting sign that hangs from a bracket or support and is located over or near a building entrance.

General Provisions

1. A shingle sign must be located within 5 feet of an accessible building entrance.
2. The hanging bracket must be an integral part of the sign design.
3. A shingle sign must be located below the window sills of the second story on a multi-story building or below the roof line on a single-story building.
4. A shingle sign can be externally illuminated in accordance with Sec. 4.2.8.M.

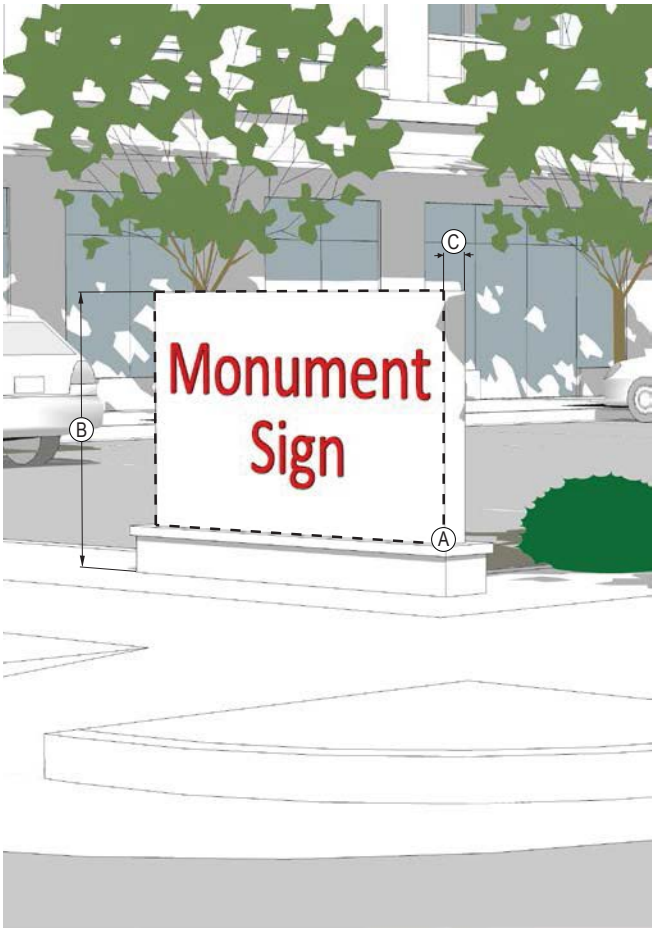
Standards

Ⓐ	Sign area (max per sign)	9 SF
Ⓑ	Height (max)	3'
Ⓒ	Spacing from building facade (min/max)	6"/12"
Ⓓ	Width (max)	3'
Ⓔ	Depth (max)	6"
Ⓕ	Clear height above sidewalk (min)	10'

J. Monument Sign







Description

A sign, no higher than 5 feet, attached along its entire width to a continuous pedestal. A monument sign is horizontally oriented or is square.

General Provisions

1. 1 monument is allowed per street frontage, except that 1 additional monument sign is allowed for properties with 200 feet or more of street frontage. Where more than 1 monument sign is permitted, signs along the same street frontage must be spaced a minimum of 150 feet apart.
2. A monument sign must be set back at least 5 feet from the front property line and 10 feet from a side property line.
3. A sign erected on a retaining wall is required to meet the standards for a monument sign. The height of the wall is included in the overall height calculation.
4. A monument sign can be externally or internally illuminated in accordance with Sec. 4.2.8.M.

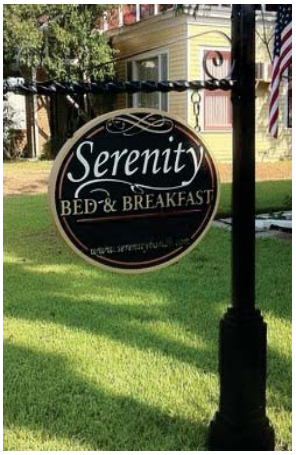
Standards

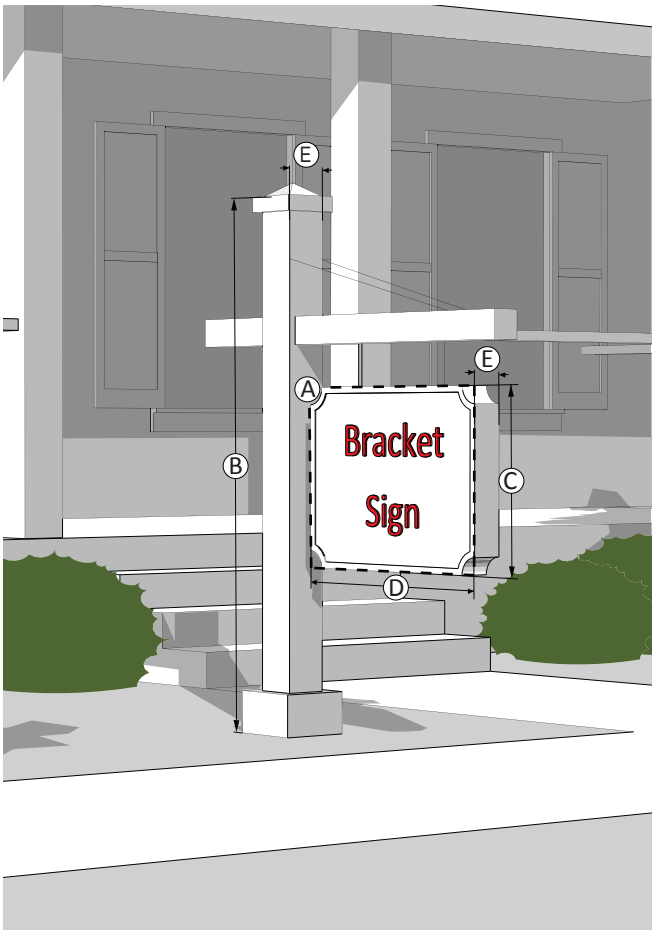
Ⓐ	Sign area (max per sign)	30 SF
Ⓑ	Height (max)	5'
Ⓒ	Depth (max)	18"

K. Bracket Sign









Description

A sign attached to the ground by 1 or more support structures that is not higher than 5 feet and hangs from a bracket or support.

General Provisions

1. Only 1 bracket sign is allowed per building.
2. A bracket sign must be located at least 25 feet from any other bracket sign.
3. The hanging bracket must be an integral part of the sign design.
4. A bracket sign can only be externally illuminated in accordance with Sec. 4.2.8.M.

Standards

Ⓐ	Sign area (max per sign)	9 SF
Ⓑ	Structure height (max)	5'
Ⓒ	Sign height (max)	3'
Ⓓ	Sign width (max)	3'
Ⓔ	Structure/sign depth (max)	6"

L. Sidewalk Sign







Description

A moveable sign not secured or attached to the ground or surface upon which it is located.

General Provisions

1. Each ground floor tenant can have 1 sidewalk sign that must be located adjacent to the primary facade with the principal customer entrance, but cannot be placed more than 8 feet from that facade.
2. A sidewalk sign must be located at least 25 feet from any other sidewalk sign.
3. Sidewalk signs must be removed and placed indoors at the close of business each day.
4. Sidewalk signs cannot obstruct vehicular, bicycle or pedestrian traffic and must comply with ADA clearance and accessibility.
5. A sidewalk sign cannot be illuminated.

Standards

Ⓐ	Sign area (max per sign)	6 SF
Ⓑ	Height (max)	3'
Ⓒ	Width (max)	2'

M. Sign illumination

Illumination of signs must be in accordance with the following requirements:

1. General Requirements

Illuminated tubing or strings of lights that outline property lines, sales areas, roof lines, doors, windows, or similar area are prohibited, except for temporary signs erected in connection with the observance of holidays.

2. External Illumination

a. Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way or onto adjacent properties.

b. Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance, and not obscure the sign.

3. Internal Illumination

a. Channel letters may be internally lit or back-lit.

b. For internally illuminated signs on a background, the background must be opaque or a darker color than the message of the sign.

c. Exposed neon may be used for lettering or as an accent.

4. Prohibited Light Sources

The following light sources are not allowed:

a. Blinking, flashing and chasing; and

b. Bare bulb illumination.

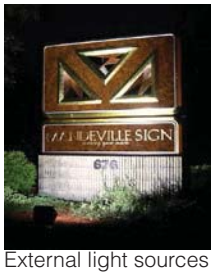
5. Raceways and Transformers

a. If a raceway is necessary, it cannot extend in width or height beyond the area of the sign.

b. A raceway must be finished to match the background wall or canopy, or integrated into the overall design of the sign.

c. Visible transformers are not allowed.







External light sources





Internally lit channel letters









Back lit channel letters





Internally lit signs with darker background

N. Design, Construction & Maintenance

All signs must be designed, constructed and maintained in accordance with the following standards:

1. Except for permitted flags, temporary signs, and window signs conforming in all respects with the requirements of this Section, all signs must be constructed of durable, all-weather materials and must be permanently attached by direct attachment to a rigid wall, frame, or structure.
2. All signs must be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Section, at all times.
3. All signs must be kept and maintained in a safe, neat and orderly condition and appearance, and must be repainted or otherwise maintained periodically by the owner to prevent corrosion or deterioration caused by weather, age or any other conditions, and to keep the same in a safe, neat and orderly condition and appearance.
4. Signs must not obstruct visibility from a driveway to an abutting street or vice versa.

O. Nonconforming Signs

1. Building Signs

A sign attached to a building must be brought into compliance with the provisions of this Code if a sign permit is required to rebuild a sign.

2. Ground Signs

a. A sign attached to the ground may change the face or panel of the sign that does not meet the area or height standards within this Code. However, in no instance must there be an increase in the degree of nonconformity. All new panels must conform to all illumination standards.

b. A sign must be brought into compliance with the provisions of this Code if at any time the sign is altered, repaired, restored or rebuilt to the extent that the cost exceeds 50% of the estimated replacement cost of the sign (in current dollar value). All permits within any 6 consecutive calendar months will be aggregated for purposes of measuring the 50% standard.

3. All signs

If the alteration or repair is caused by involuntary damage or casualty, the sign may be altered or repaired to its previous extent.

4.2.9. Site Lighting

A. Applicability

1. General

a. No permit for the construction, reconstruction, extension, or alteration of any building, structure, or use of land, and no building or land, or any part of any building or land, may be occupied or used until lighting has been provided in accordance with the requirements of this Code.

b. The installation of site lighting, replacement of site lighting, and changes to existing light fixture wattage, type of fixture, mounting, or fixture location must be made in compliance with this Code. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is allowed for all existing fixtures.

c. This Section does not apply to lighting installed in the public right-of-way.

2. Additions

a. When a building or site is renovated, any new or replaced outdoor light or lighting fixture must conform to the requirements of this Code.

b. When the gross floor area or improved site area is increased, the additional floor or site area must conform to the lighting requirements of this Code.

c. When the gross floor area or improved site area is increased by more than 50% cumulatively, both the existing use and the additional floor or site area must conform to the lighting requirements of this Code.

3. Change in Use

A change in use does not trigger application of this Section.

B. Light Level Measuring

1. Light levels are specified, calculated and measured in footcandles. All footcandles values are maintained footcandles.

2. Measurements are to be made at ground level, with the light-registering portion of the meter held parallel to the ground pointing up.

C. Prohibited Sources

The following light fixtures and sources cannot be used:

1. Cobra-head-type fixtures having dished or drop lenses or refractors, which contain sources that are not incandescent;

2. Temporary searchlights and other high-intensity narrow-beam fixtures; and

3. Light sources that lack color correction or do not allow for uniform site lighting.

D. Design and Installation Requirements

1. The maximum light level of any light fixture cannot exceed 2.0 footcandles measured at the right-of-way line of a street.

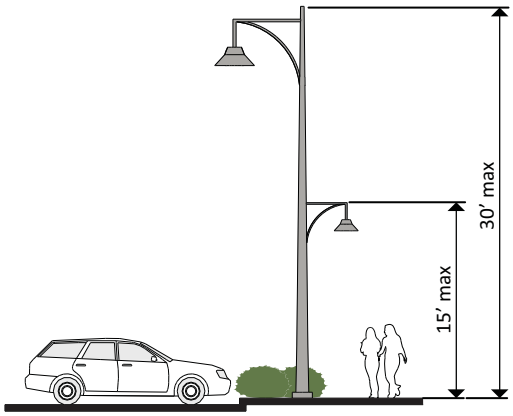
2. Lighting must not be oriented onto adjacent properties, streets or sidewalks.

3. Service connections for all freestanding lighting fixtures must be installed underground.

E. Parking and Pedestrian Areas

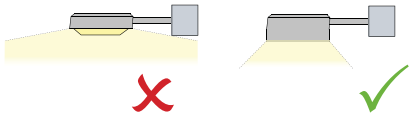
1. Light fixtures within parking and vehicular display areas may be no higher than 30 feet.

2. Light fixtures within pedestrian areas may be no higher than 15 feet.

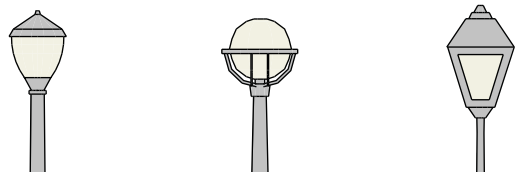


3. Light fixtures located within 50 feet of the property line of a residential district may be no higher than 15 feet.

4. All light fixtures must be full cutoff, except as listed in paragraph 6. below.

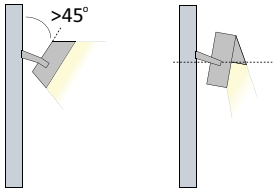


5. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than 9500 initial lamp lumens. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

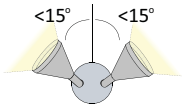


F. Flood Lights and Flood Lamps

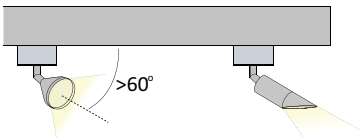
1. Flood light fixtures must either be aimed down at least 45 degrees from vertical, or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.



2. Any flood light fixture located within 50 feet of a street right-of-way must be mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees.



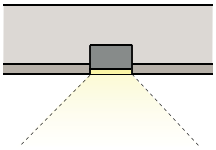
3. All flood lamps emitting 1,000 or more lumens must be aimed at least 60 degrees down from horizontal, or shielded so that the main beam is not visible from adjacent properties or the street right-of-way.



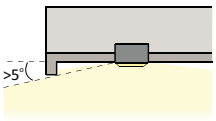
G. Vehicular Canopies

Lighting under vehicular canopies must be less than 24 maintained footcandles, and be designed to prevent glare off-site. Acceptable lighting designs include the following:

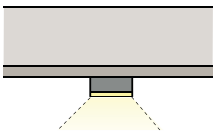
1. Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy;



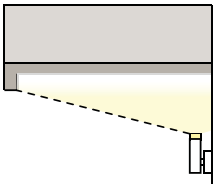
2. Light fixture incorporating shields, or is shielded by the edge of the canopy itself, so that light is restrained to 5 degrees or more below the horizontal plane;



3. Surface mounted fixture incorporating a flat glass that provides a cutoff design or shielded light distribution; or



4. Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy, provided the fixture is shielded so that direct illumination is focused exclusively on the underside of the canopy.



H. Building Lighting

1. Lighting fixtures must be selected, located, aimed, and shielded so that direct illumination is focused exclusively on the building facade, plantings, and other intended site features and away from adjoining properties and the street right-of-way.

2. All wall pack fixtures must be full cutoff fixtures.



   a. Only lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.

4.2.10. Outdoor Display and Storage

A. Applicability

The requirements of this Section apply to any site where merchandise, material or equipment is stored outside of a completely enclosed building.

B. Outdoor Display

1. Defined

a. Outdoor display is the outdoor display of products actively available for sale that are placed inside a fully-enclosed building at the end of each business day. Outdoor display is not allowed in the public right-of-way.

b. Outdoor display does not include merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers, propane gas storage racks, ice storage bins, soft drink or similar vending machines (see outdoor storage).

2. Standards

Outdoor display is permitted in association with any permitted nonresidential principal ground floor use in accordance with the following provisions:

a. Outdoor display must be removed and placed inside a fully-enclosed building at the end of each business day.

b. Outdoor display is permitted adjacent to the primary facade with the principal customer entrance, but cannot extend more than 8 feet from the facade and occupy no more than 30% of the horizontal width of the facade.

c. Outdoor display cannot impair the ability of pedestrians to use the sidewalk or parking areas and must comply with ADA clearance and accessibility.

3. Exceptions for Incidental, Temporary Outdoor Display and Sales

There may be incidental, temporary outdoor display and sale of merchandise normally sold by a business at the following times:

a. Special sales events endorsed by the Cumberland Avenue Merchants Association.

b. University of Tennessee home football game weekends.

c. For 5 consecutive days beginning 2 days prior to the University of Tennessee fall and spring semester registration.

C. Outdoor Storage

1. Defined

a. Outdoor storage is the overnight storage of products or materials outside of a building.

b. Outdoor storage includes merchandise or material in boxes, in crates, on pallets or in shipping containers, propane gas storage racks, ice storage bins, soft drink or similar vending machines.

c. Outdoor storage includes the overnight outdoor storage of vehicles awaiting repair, RV's and boats, garden supplies, building supplies, plants, fleet vehicles and other similar merchandise, material, vehicles, or equipment.

d. Outdoor storage also includes salvage yards, vehicle storage yards; and overnight outdoor storage of shipping containers, lumber, pipe, steel, junk and other similar merchandise, material or equipment.

2. Standards

Outdoor storage is not permitted except with permission of the Metropolitan Planning Commission. The Metropolitan Planning Commission will determine where outdoor storage may be allowed on the site, and its extent (vertically and horizontally) must be shown on the site plan.

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4.2.11. Streetscape

A. Applicability

1. General

No permit for the construction, reconstruction, extension, or alteration of any building, structure, or use of land, and no building or land, or any part of any building or land, may be occupied or used until the streetscape has been provided in accordance with the requirements of this Section.

2. Additions

a. A building or site may be renovated or repaired without meeting the streetscape standards, provided there is no increase in gross floor area or improved site area.

b. When a building or site increased in gross floor area or improved site area by more than 50%, the streetscape provisions of this Code must be met.

B. Required Elements

All required streetscapes must be constructed with sidewalks and street trees as illustrated in Sec. 4.2.11.F, unless an alternative is approved by the Engineering Department.

C. Tree Planting

1. Unless otherwise noted below, all trees planted in accordance with this Section must be shade trees, planted every 30 feet on center, on average.
2. Where overhead utilities exist, one understory tree must be planted every 20 feet on center, on average, for every required shade tree.
3. All required street trees must meet the requirements of Sec. 4.2.7.D. and Sec. 4.2.7.E.

D. Fee-in-Lieu

If determined by the Administrator that construction of improvements would result in the improvement of less than ½ of a linear block face; an equivalent payment in lieu of construction may be required.

E. Certificate of Occupancy

1. Sidewalks, streets, street trees and street lights must be installed prior to the issuance of a certificate of occupancy.
2. A certificate of occupancy may be issued when the Administrator determines that due to the unavailability of plant material or weather concerns that immediate completion of the street trees would jeopardize the health of plant materials for a period of up to one year following the date of application for a certificate of occupancy.

F. Required Streetscape

The following streetscape applies to all streets, except Cumberland Avenue.



Streetscape	
Sidewalk (min)	5'
Planting zone (min)	5'
Details	
Planting zone type	Tree lawn/ Tree grate
Tree Spacing	30' o.c. avg

4.2.12. Defined Terms

A. General Provisions

1. General Meaning of Words and Terms

a. All words and terms used have their commonly accepted and ordinary meaning unless they are specifically defined in this Code or the context in which they are used clearly indicates to the contrary.

b. When vagueness or ambiguity is found to exist as to the meaning of any word or term used, any appropriate canon, maxim, principle or other technical rule of interpretations or construction used by the courts of this state may be employed to resolve vagueness and ambiguity in language.

2. Graphics, Illustrations and Photographs

The graphics, illustrations and photographs used to visually explain certain provisions of this Code are for illustrative purposes only. Where there is a conflict between a graphic, illustration or photograph and the text of this Code, the text controls.

B. Defined Terms

The following terms are defined for the purpose of this Code. Terms not defined may be defined in Article II "Definitions" of the Zoning Regulations. In such case, the definition contained in Article II "Definitions" should be used. If there is a conflict between a definition in Article II "Definitions" and this Code, the definition in this Code must be used.

ACTIVE USE means a use other than parking.

ADDITION (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is “new construction.”

ATTIC means habitable or uninhabitable space within a building situated within the structure of a pitched roof and above the uppermost regular story.

BUILDING FACADE means the face of a building that delineates the edge of conditioned floor space.

GROSS FLOOR AREA means the sum in square feet of the horizontal area of all floors of the building measured from the exterior walls or from the centerline when 2 buildings or units abut. Gross floor area includes basement floor area when more than 50% of the basement height is above the established curb level or above the finished lot grade level where the curb level has not been established. Elevator shafts, stairwells, floor space used for mechanical equipment, attics, balconies and mezzanines, enclosed porches, and floor area devoted to accessory uses is included in the calculation of gross floor area. However, the following is not included: any space devoted exclusively to on-site parking; or outdoor loading, display, storage, utility service areas; and uninhabited enclosed space on tops of roofs; or attic space having head room of less than 7'-6".

GROUND FLOOR means the floor of a building that is at or nearest to the level of the ground around the building. Does not include the floor of a basement.

IMPROVED SITE AREA means the sum of the horizontal area of the outside portion of the site and includes any space devoted to on-site parking; outdoor loading, display, storage, utility service, decorative areas and landscaped areas that are part of the original site plan approval.

RACEWAY means an enclosed channel of metal or nonmetallic materials designed expressly for holding wires or cables associated with illuminating a sign.

SHADE TREE means a locally adapted species with an expected mature height of 35 feet or greater and an expected mature crown spread of at least 30 feet or greater.

UNDERSTORY TREE means a locally adapted species with an expected mature height of at least 15 feet and an expected mature crown spread of at least 15 feet.

UPPER STORY means any story above the ground story or floor.

ARTICLE 8. SPECIAL PURPOSE & OVERLAY DISTRICTS

8.1 AG GENERAL AGRICULTURAL ZONING DISTRICT
8.2 INST INSTITUTIONAL ZONING DISTRICT
8.3 OS PARKS AND OPEN SPACE ZONING DISTRICT
8.4 NA NATURAL AREAS ZONING DISTRICT
8.5 H HISTORIC OVERLAY ZONING DISTRICT
8.6 NC NEIGHBORHOOD CONSERVATION OVERLAY ZONING DISTRICT
8.7 IH INFILL HOUSING OVERLAY ZONING DISTRICT
8.8 TO-1 TECHNOLOGY PARK OVERLAY ZONING DISTRICT
8.9 HP HILLSIDE PROTECTION OVERLAY ZONING DISTRICT
8.10 F FLOODPLAIN OVERLAY ZONING DISTRICT

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 ~~Structures~~ 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 in 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 ~~Historic Zoning~~ Commissions must review the request based on the criteria for selection of item E above. In making recommendations for removal of designation, the ~~Historic Zoning~~ 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.

~~1. The construction, alteration, repair, rehabilitation, relocation or demolition of any structure, object, or other improvement to real estate located or to be located within an H Overlay District require issuance of a certificate of appropriateness by the Historic Zoning Commission per Section 16.8.~~

~~2. The Historic Zoning Commission may delegate authority for approval of certain actions to staff.~~

~~3. The Historic Zoning Commission will, within 30 days following the availability of a completed application with all required components, grant a certificate of appropriateness with or without conditions or deny said certificate, and state in writing the reasons for denial or for approval of the granting of the certificate.~~

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.

~~**1.** All applications for certificates of appropriateness within an NC Overlay District must be reviewed by the Historic Zoning Commission, which has the power to issue or deny certificates of appropriateness per Section 16.8. No permit will be issued for the following activities within an NC Overlay District without issuance of a certificate of appropriateness by the Historic Zoning Commission: demolition; construction of a primary or accessory building, structure or other additions to real estate; and the addition of space to an existing primary or accessory building.~~

~~**2.** The Historic Zoning Commission may delegate authority for approval of certain actions to staff.~~

~~**3.** The Historic Zoning Commission will, within 30 days following the availability of a completed application with all required components, grant a certificate of appropriateness with or without conditions or deny said certificate, and state in writing the reasons for denial or for approval of the granting of the certificate.~~

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 ~~prior to 1950~~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

~~These~~ The regulations of the HP Overlay District apply to all lots **in ~~residential~~ all** districts ~~within the HP Overlay District~~ with the following exceptions: ~~of existing single-family homes and existing lots of record for a single-family dwelling existing as of the effective date of this Code.~~ **(Council Direction: by 5/30, staff to prepare amendment if needed; Council vote on 5/14/19 of 7-2 to strike "residential districts" to apply to all.)**

1. Structures existing as of the effective date of this Code.

2. Lots of record for ~~a~~ single-family dwellings existing as of the effective date of this Code. ~~However, such lots are still subject to the maximum land disturbance limitation.~~

3. Lots that have been issued a grading permit prior to ~~or on~~ the effective date of this Code. ~~However, such lots are still subject to the maximum land disturbance limitation~~

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. All other dimensional regulations apply unless specifically modified by the HP Overlay District.

Table 8-6: Density and Land Disturbance Limitations

Percent of Slope	Maximum Density	Maximum Land Disturbance
Less than 15%	~~6 du/a~~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.

TABLE 9-1: USE MATRIX P = Permitted Use S = Special Use T = Temporary Use																								
PRINCIPAL USE	**EN**	**RN-1**	**RN-2**	**RN-3**	**RN-4**	**RN-5**	**RN-6**	**RN-7**	**C-N**	**C-G**	**C-H**	**C-R**	**DK**	**O**	**OP**	**I-MU**	**I-RD**	**I-G**	**I-H**	**AG**	**INST**	**OS**	**NA**	**USE STANDARD (Section)**
Agriculture																				P	P			
Airport																			P					
Alternative Correctional Facility											S													
Amusement Facility - Indoor										P	P	P	P			P								
Amusement Facility - Outdoor										S	P	P				S								
Animal Care Facility – Large Animal																				P	P			
Animal Care Facility – Small Animal									P	P	P	P	S	S		P				P	P			9.3.A
Animal Breeder																				P				9.3.A
Art Gallery									P	P	P	P	P			P								
Arts and Fitness Studio									P	P	P	P	P	P	S	P	S							
Bed and Breakfast	P	P	P	P																P				9.3.B
Body Modification Establishment									S	P	P	P	P			P								
PRINCIPAL USE	**EN**	**RN-1**	**RN-2**	**RN-3**	**RN-4**	**RN-5**	**RN-6**	**RN-7**	**C-N**	**C-G**	**C-H**	**C-R**	**DK**	**O**	**OP**	**I-MU**	**I-RD**	**I-G**	**I-H**	**AG**	**INST**	**OS**	**NA**	**USE STANDARD (Section)**
Broadcasting Facility - With Antennae															P		P	P	P		P			
Broadcasting Facility - No Antennae									P	P	P	P	P	P	P	P	P				P			
Campground																				S		P		9.3.C
Car Wash										S	P	P												9.3.D
Cemetery																						P		
Community Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P					P			
Conservation Area																				P		P	P	
Crematory										S	S	S												9.3.M
Country Club																						P		
Cultural Facility									P	P	P	P	P	P		P						P		
Day Care Center									P	P	P	P	P	P	P	P	P							9.3.E
Day Care Home	P	P	P	P	P	P	P	P																9.3.E
Domestic Violence	P	P	P	P	P	P	P	P													P			

TABLE 9-1: USE MATRIX
P = Permitted Use S = Special Use T = Temporary Use

PRINCIPAL USE	EN	RN-1	RN-2	RN-3	RN-4	RN-5	RN-6	RN-7	C-N	C-G	C-H	C-R	DK	O	OP	I-MU	I-RD	I-G	I-H	AG	INST	OS	NA	USE STANDARD (Section)
Shelter																								
Drive-Through Facility										S	P	P												9.3.F
Drug/Alcohol Treatment Facility, Residential											S			S							P			
Drug Treatment Clinic											S										P			9.3.G
Dwelling – Above the Ground Floor									P	P	P	P	P	P		P								
Dwelling – Manufactured Home	P	P	P	P	P	P	P													S				9.3.H
Dwelling - Multi-Family					P,S	P	P	P	P	P	P	P	P	P		P								9.3.I
Dwelling - Townhouse				S	P,S	P	P	P	P	P	P	P	P	P										9.3.I
Dwelling - Single-Family	P	P	P	P	P	P	P		P	P				P		P				P				
Dwelling - Two-Family		S	S	P	P	P	P		P	P				P										9.3.J
Eating and Drinking Establishment									S	P	P	P	P		P	P	P	P						
Educational Facility - Primary or Secondary	P	P	P	P	P	P	P	P		P	P	P	P								P			
Educational Facility - University or College/Vocational										P	P	S	P		P	S	P	P		S	P			
PRINCIPAL USE	**EN**	**RN-1**	**RN-2**	**RN-3**	**RN-4**	**RN-5**	**RN-6**	**RN-7**	**C-N**	**C-G**	**C-H**	**C-R**	**DK**	**O**	**OP**	**I-MU**	**I-RD**	**I-G**	**I-H**	**AG**	**INST**	**OS**	**NA**	**USE STANDARD (Section)**
Financial Institution									P	P	P	P	P	P	P		P							
Financial Service, Alternative										S	S	S												9.3.K
Food Bank																P		P	P					
Food Pantry										S	S										P			
Food Truck Park									S	P	P	P	P		~~P~~	P	P							9.3.L
Fraternity/Sorority				S	S	S	S														P			
Funeral Home										S	S	S												9.3.M
Garden, Community	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		9.3.N
Garden, Market	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P		9.3.N
Garden, Personal	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		9.3.N
Gas Station									S	S	P	P			~~S~~	S	S	P	P					9.3.O
Golf Course/Driving Range											P	P										P		

TABLE 9-1: USE MATRIX
P = Permitted Use S = Special Use T = Temporary Use

PRINCIPAL USE	EN	RN-1	RN-2	RN-3	RN-4	RN-5	RN-6	RN-7	C-N	C-G	C-H	C-R	DK	O	OP	I-MU	I-RD	I-G	I-H	AG	INST	OS	NA	USE STANDARD (Section)
Government Office/Facility									P	P	P	P	P	P	P	P	P	P	P		P			
Greenhouse/Nursery - Retail		S	S	S	S	S	S	S	S	P	P	P		S						P				
Group Home	P	P	P	P	P	P	P																	
Halfway House											S										P			
Healthcare Facility												S			S		S				P			
Heavy Retail, Rental, and Service											P	P						P		S				
Heliport															S	S	S	S	S		S			
Homeless Shelter											S	S	S								P			
Hotel										P	P	P	P		P	P	P							
Impound Lot																			P					9.3.P
Independent Living Facility				S	S	P	P	P	P	~~S~~P	~~S~~P	~~S~~P	~~S~~P	S										
Industrial – Craft										P	P	P	P			P		P	~~P~~					9.3.Q
PRINCIPAL USE	**EN**	**RN-1**	**RN-2**	**RN-3**	**RN-4**	**RN-5**	**RN-6**	**RN-7**	**C-N**	**C-G**	**C-H**	**C-R**	**DK**	**O**	**OP**	**I-MU**	**I-RD**	**I-G**	**I-H**	**AG**	**INST**	**OS**	**NA**	**USE STANDARD (Section)**
Industrial – General																P	P	P	P					
Industrial – Heavy																			P					
Industrial Design									P	P	P	P	P		P	P	P	P						
Kennel										S	S	S				S				P				9.3.A
Live Entertainment - Secondary Use										P	P	P	P			P								
Live Performance Venue										S	P	P	S			P								
Live/Work									P	P			P	P		P								9.3.R
Lodge/Meeting Hall									P	P	P	P	P	P		P	P	P	P	P				9.3.S
Marina										S						S		S				S		9.3.T
Medical/Dental Office/Clinic									S	P	P	P	P	P	P									
Micro-Brewery/Distillery/Winery									S	P	P	P	P			P		P						9.3.U
Neighborhood Nonresidential Reuse	S	S	S	S	S	S	S	S																9.3.V
Nightclub										S	S	S	S											
Office									P	P	P	P	P	P	P	P	P	P	P		P			

TABLE 9-1: USE MATRIX
P = Permitted Use S = Special Use T = Temporary Use

PRINCIPAL USE	EN	RN-1	RN-2	RN-3	RN-4	RN-5	RN-6	RN-7	C-N	C-G	C-H	C-R	DK	O	OP	I-MU	I-RD	I-G	I-H	AG	INST	OS	NA	USE STANDARD (Section)
Parking Lot ~~(Principal Use)~~										S	S	P									P			Art. 11
Parking Structure ~~(Principal Use)~~										P	P	P	P		P	P	P				P			Art. 11
Personal Service Establishment									P	P	P	P	P	P	P	P	P	P						
Place of Worship	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P					P	P			
Pre-School/Kindergarten	S	S	S	S	S	S	S	S	P	P	P	P	P	P										9.3.W
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
Public Safety Facility	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P				
Public Works Facility											P	P				P		P	P	P				
Reception Facility										P	P	P	~~S~~P			S				S				9.3.X
Research and Development															P	P	P	P	P					
Residential Care Facility						S	P	P	S	S	S	S	S								P			9.3.Y
Retail Goods Establishment									P	P	P	P	P		P	P	P	P						
Retail Liquor Stores										~~S~~P	P	P	P			P								
Salvage Yard																			S					9.3.Z
PRINCIPAL USE	**EN**	**RN-1**	**RN-2**	**RN-3**	**RN-4**	**RN-5**	**RN-6**	**RN-7**	**C-N**	**C-G**	**C-H**	**C-R**	**DK**	**O**	**OP**	**I-MU**	**I-RD**	**I-G**	**I-H**	**AG**	**INST**	**OS**	**NA**	**USE STANDARD (Section)**
Self-Storage Facility: Enclosed										S	P	P				P		P	P					9.3.AA
Self-Storage Facility: Outdoor											S	P						P	P					9.3.AA
Social Service Center											S										P			
Solar Farm					S	S	S	S			S	S			P		P	P	P	S	S			9.3.BB
Storage Yard, Outdoor											P	P						P	P					9.3.CC
Storage Yard, Outdoor – Secondary Use										S	P	P				S		P	P					9.3.CC
Vehicle Dealership											P	P												
Vehicle Operation Facility																		P	P					
Vehicle Rental – Enclosed										S	P	P	S											
Vehicle Rental – With Outdoor Storage/Display											P	P												

TABLE 9-1: USE MATRIX P = Permitted Use S = Special Use T = Temporary Use																								
PRINCIPAL USE	**EN**	**RN-1**	**RN-2**	**RN-3**	**RN-4**	**RN-5**	**RN-6**	**RN-7**	**C-N**	**C-G**	**C-H**	**C-R**	**DK**	**O**	**OP**	**I-MU**	**I-RD**	**I-G**	**I-H**	**AG**	**INST**	**OS**	**NA**	**USE STANDARD (Section)**
Vehicle Repair/Service										S	P	P				S								9.3.DD
Warehouse and Distribution																P	P	P	P					
Waste Transfer Station																			P					
Wholesale Establishment											S					S	P	P	P					
Wind Energy System																	S	S	S	S	S			9.3.EE
Wireless Telecommunications	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P		9.3.FF
TEMPORARY USE	**EN**	**RN-1**	**RN-2**	**RN-3**	**RN-4**	**RN-5**	**RN-6**	**RN-7**	**C-N**	**C-G**	**C-H**	**C-R**	**DK**	**O**	**OP**	**I-MU**	**I-RD**	**I-G**	**I-H**	**AG**	**INST**	**OS**	**NA**	**USE STANDARD (Section)**
Animals for Control of Invasive Species	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	9.4.A
Farmers' Market							T	T	T	T	T	T	T	T	T	T	T			T	T	T		9.4.B
Farmstand	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T				T	T		9.4.C
Mobile Food Units (MFUs)/Mobile Food Vendors									T	T	T	T	T	T	T	T	T	T			T			9.4.D
Real Estate Project Sales Office/Model Unit	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		T			Sec. 9.4.E
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		T			9.4.F
Temporary Outdoor Entertainment	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		T	T	T		9.4.G
Temporary Outdoor Sales	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		T	T			9.4.H
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T					T						T	T			9.4.I
Temporary Recreational Vehicle Park										T	T	T				T					T			9.4.J
Temporary Warehouse Sales (Indoor)																T		T	T					9.4.K
Tent	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	9.4.L

ARTICLE 9. USES

9.1 GENERAL USE REGULATIONS
9.2 USE MATRIX
9.3 PRINCIPAL USE STANDARDS
9.4 TEMPORARY USE STANDARDS

9.1 GENERAL USE REGULATIONS

A. No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district or as a legal nonconforming use.

B. All uses must comply with any applicable federal and state requirements, and any additional federal, state, or city ordinances. For select uses, specific federal, state, or city ordinances may be cross-referenced but this is not intended to indicate that only those ordinances apply to such uses or that other uses within this Code are not subject to additional ordinances not referenced.

C. Any use that is not included in the use matrix or is not interpreted as part of a listed use, per a zoning interpretation (Section 16.9), is prohibited in all districts.

D. A lot may contain more than one principal use, so long as each principal use is allowed in the district. Each principal use is approved separately. In certain cases, uses are defined to include accessory uses that provide necessary support or are functionally integrated into the principal use. ~~This permission for~~ M~~m~~ultiple principal uses are not permitted in ~~does not apply to~~ the EN, RN-1, and RN-2 Districts.

E. All uses must comply with the use standards of Section 9.3, as applicable, as well as all other regulations of this Code and the City.

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 ~~the~~ 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.

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. 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 ~~four~~ five or more dogs and/or cats over the age of six months if the Animal Control Board approves a kennel, boarding facility, pet shop, or pet dealer permit. (Council voted on 5/14 to approve.)

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 ~~12.9~~ 12.8. (Council voted on 5/14 to approve.)

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 1,200sf	1
1,201sf to 1,800sf	2
1,801sf to 2,400sf	3
2,401sf to 3,000sf	4
3,001sf to 3,600sf	5
Over 3,600sf	6

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

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 ~~12.9~~ 12.8. (Council voted on 5/14 to approve.)

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 ~~**12.9**~~ **12.8. (Council voted on 5/14 to approve.)**

D. Car Wash

~~**1.**~~ When a car wash facility abuts a residential district, or any open space or institutional use, a Class B buffer yard per Section ~~**12.9**~~ **12.8.** and a solid wall or fence, a minimum of six feet and a maximum of eight feet in height, is required. **(Council voted on 5/14 to approve.)**

~~**2. The lot must be graded to drain away from adjoining properties.**~~

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 nine 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 aisle, 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.

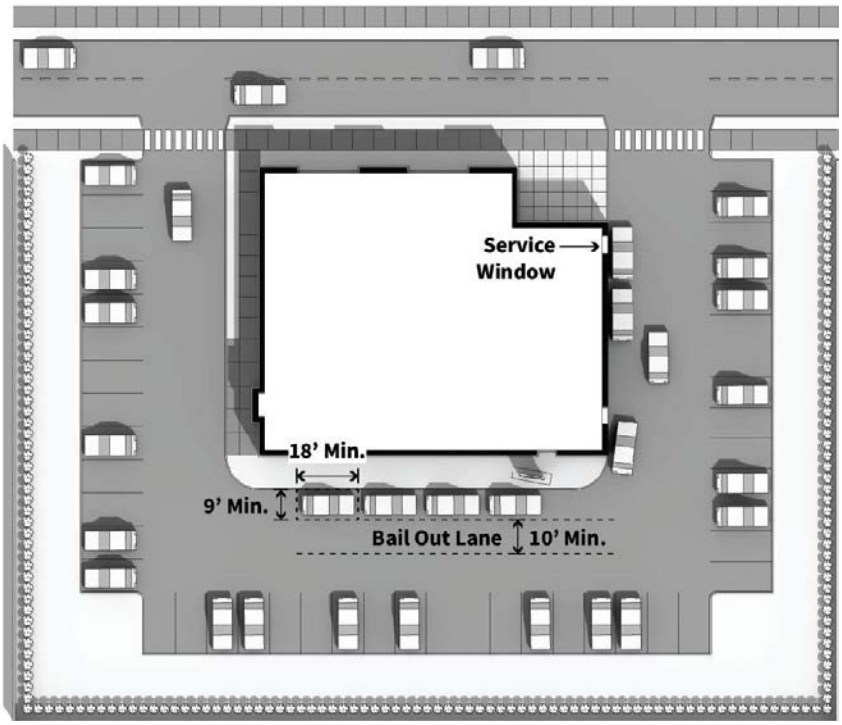
4. The minimum width for a drive through lane is ten feet.

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 ~~12.9~~ 12.8 and a solid wall or fence, a minimum of six feet and a maximum of eight feet in height, is required. (see above)

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 or rear of the building. Drive-through windows and lanes may not be placed between the street and the associated 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 by the Knoxville-Knox County Planning Commission of a drug treatment clinic is contingent upon the receipt of the appropriate license and certificate of need by the ~~State Department of Health~~Tennessee Health Services and Development Agency.

b. Applicants seeking approval of a drug treatment clinic must provide written documentation that the ~~City Police Department~~County Mayor, State Representative, State Senator, and City of Knoxville Mayor have ~~has~~ been notified in writing regarding the facility's proposed location, hours of operation, programs and treatments methods offered, and staffing levels and qualifications. This same information must be made available to the Knoxville-Knox

County Planning Commission as part of the special use application.

c. The clinic cannot be located within 1,000 feet of an educational facility – primary/secondary, day care facility, pre-school/kindergarten, park, place of worship, residential dwelling, or pharmacy or similar facility that sells or dispenses either prescription drugs or over the counter drugs, as measured from lot line to lot line.

d. The clinic cannot be located within 1,000 feet of any establishment that sells alcoholic beverages for either on- or off-premises consumption, measured from lot line to lot line.

e. The facility must be located on and have access to an arterial street as shown on the City Major Road Plan.

f. In reviewing each application, the Knoxville-Knox County Planning Commission may establish additional requirements or conditions of approval to further reduce the impact such a facility may have on surrounding properties.

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.

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 16 for regulations regarding nonconforming manufactured homes, including single-wide manufactured homes.

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

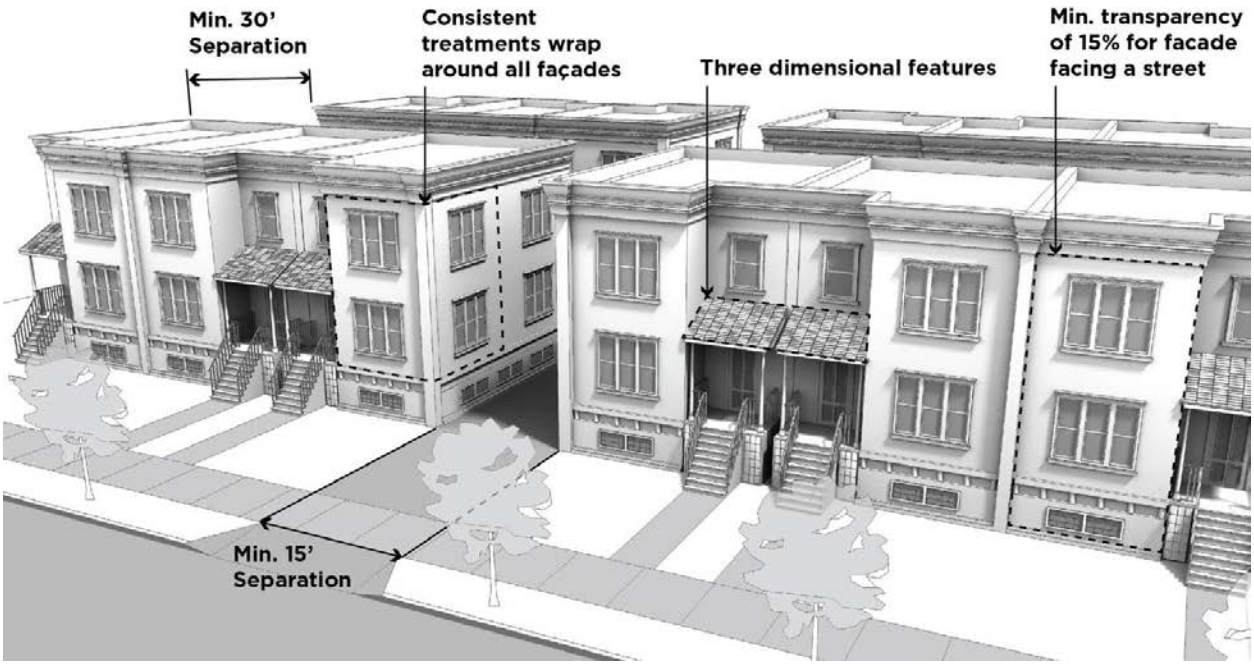
ii. Aluminum, steel or other metal sidings

iii. Exposed aggregate (rough finish) concrete wall panels

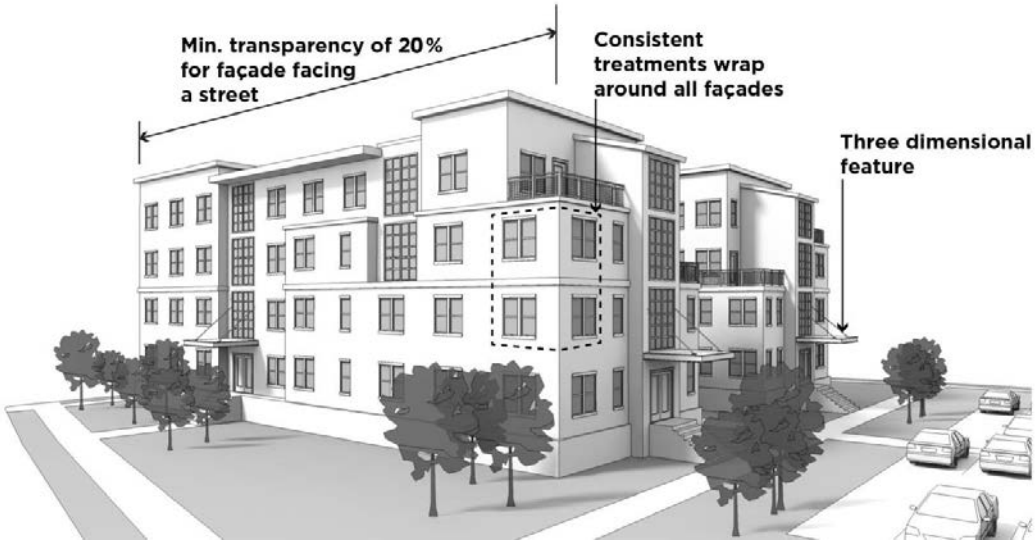
iv. T-111 composite plywood siding

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 structure is located within a NC or IH Overlay District, the following standards do not 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.

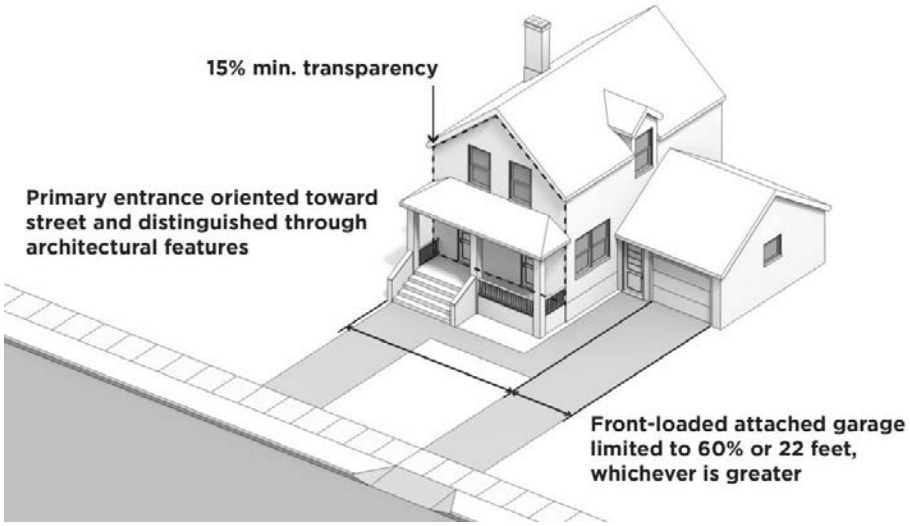
2. Windows, entrances, porches, or other architectural features are required on all street-facing facades to avoid the appearance of blank walls.

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 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 façade building 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. ~~Park owners are encouraged to provide for an aesthetically pleasing environment, which includes shade and seating elements~~. 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. ~~**Permanent**~~ restroom facilities must be provided and available for both customers and employees. **(app'd.)**

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

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 ~~12.9~~ 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. **(Council voted on 5/14 to approve.)**

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.

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~~no closer than 25 feet to the normal summer pool elevation~~.

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 8,000sf or less in gross floor area abut a residential district, a Class B buffer yard per Section ~~**12.9**~~ **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. **(Council voted on 5/14 to approve.)**

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. ~~A use may be changed to any use allowed within item 2 without requiring~~ 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 are limited to those allowed in the C-N District.~~ Signs must comply with the following:

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.

~~**3.** The number of vehicular access driveways permitted on any single street frontage is limited to:~~

~~**a.** One driveway where there is a street frontage of 100 feet or less.~~

~~**b.** Two driveways where there is a street frontage that exceeds 100 feet.~~

~~**4.** Driveways used for ingress and egress are limited to 25 feet in width, exclusive of curb returns.~~

AA. Self-Storage Facility: Indoor 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 Knox 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 ~~12.9 12.8~~ is required. **(Per Council vote on 5/14.)**

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 indoor 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.

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 ~~12.9~~ **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. **(Council voted on 5/14 to approve.)**

DD. Vehicle Repair/Service

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the lot for ~~longer than 15 days once repair is complete~~ 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 ~~12.9~~ **12.8** is required. **(Council voted on 5/14 to approve.)**

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. ~~This standard does not apply to vehicles under repair.~~

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, Germanishcer 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.

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.

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 WCF's. 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, ~~(MPC),~~ 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 ~~County~~ 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 ~~Knox County Department of Engineering and Public Works~~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 WCF's, provided antennas and supporting structures are not higher than 30 feet above the highest point of the existing structure or building.

(1) New WCF's should be camouflaged, disguised, or concealed whenever possible to make them compatible and blend into the setting and host structure or building.

(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

WCF's 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 standards of the 2012 International Fire Code (IFC), section 503.1.4~~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
~~MPC~~ 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 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 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 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 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 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 Planning Commission may petition the City Council to consider the same in accordance with the provisions set forth in Section ~~16.11~~ 16.12. (Council voted to approve unanimously.)

g. Validity of plans
All approved plans, conditions, restrictions, and rules made a part of the approval of the Knoxville-Knox County Planning Commission 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 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
In addition to the required application information, the application must include the following. An application must be filed with the Knoxville-Knox County Planning Commission Planning Commission on forms provided for that purpose. **(Council Direction: pass to staff for updated language at 5/30 meeting.)**

a. General Requirements

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

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 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 ~~County~~ 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 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.

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.

9.4 TEMPORARY USE STANDARDS

Temporary uses are required to comply with the standards of this section, in addition to all other regulations of this Code. These regulations are for temporary uses located on private property. All temporary uses require a temporary use permit (Section 16.10) unless specifically cited as exempt or are required to obtain a license per the City Code. Temporary uses do not require additional parking unless specifically cited in the temporary use standards or stipulated as a condition of approval.

A. Animals for Control of Invasive Species

A temporary use permit may be issued for the use of goats or other animals for the purpose of controlling kudzu or other invasive plants, subject to regulations established by the City of Knoxville Animal Control department.

B. Farmers' Market

1. The timeframe of a farmers' market, including number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit. A temporary use permit for a farmers' market can be issued on a yearly basis, which allows for a schedule of days per week and number of weeks per year.

2. A management plan is required as part of the temporary use permit application that demonstrates the following:

a. The on-site presence of a representative of the farmers' market during hours of operation who directs the operations of vendors participating in the market.

b. An established set of operating rules addressing the governance structure of the market, hours of operation, and maintenance when open to the public.

c. A general site plan including vendor stalls, parking areas, visitor facilities, such as any seating areas and restrooms, and all ingress and egress points to the lot.

d. Provision for waste removal.

e. The days and hours of internal operation, including vendor set-up and take-down times.

C. Farmstand

1. A temporary use permit may be issued for a farmstand for the sale of food or non-food crops grown only on the premises.

2. Acceptable seasonal produce stands are a portable table or cart, and cannot exceed an area of 100 square feet.

3. Such stands must be removed when not in use.

4. The timeframe of a farmstand, including number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit.

5. Applicants may submit for a subsequent temporary use permit one calendar year from the issuance of their last permit for this purpose.

6. Seasonal produce stands must be set back from all public rights-of-way a distance of no less than 15 feet.

D. Mobile Food Units (MFUs) and Mobile Food Vendors

Mobile food units (MFUs) and mobile food vendors are subject to the City of Knoxville's Mobile Food Unit Ordinance.

E. Real Estate Project Sales Office/Model Unit

1. A real estate sales office/model unit(s) is allowed for a residential development. Temporary real estate project sales office/model unit in a new subdivision must meet the requirements of Chapter 37 of the City Code.

2. No real estate sales office/model unit(s) may be located in a manufactured home or off-site.

3. The temporary use permit is valid for the life of the project, to be verified by open permits.

4. The real estate sales office must be removed and/or closed within 30 days after the sale or rental of the last unit of the development. The model unit(s) must be closed within 30 days after the sale or rental of the last unit of the development.

5. All activities conducted within real estate sales office/model unit(s) must be directly related to the construction and sale of properties within the particular development. Use as a general office of operation of any firm is prohibited.

F. Temporary Contractor's Office and Contractor's Yard

1. A temporary contractor's office is allowed incidental to a construction project.

2. The temporary use permit is valid for the life of the project, to be verified by open permits.

3. The temporary contractor's office must be removed within 30 days of completion of the construction project.

4. A contractor's yard is permitted on-site and can only be used during the life of the construction project. No sleeping or cooking accommodations are allowed.

G. Temporary Outdoor Entertainment

1. Temporary outdoor entertainment in the residential districts is restricted to those events associated with and conducted by a place of worship, ~~or an~~ educational facility, or registered neighborhood association.

2. A management plan is required as part of the temporary use permit application that demonstrates the following:

a. The on-site presence of a manager during the event.

b. General layout of performance areas, visitor facilities, such as any seating areas and restrooms, parking areas, and all ingress and egress points to the lot.

c. Provision for waste removal and for recycling, if available.

d. The days and hours of operation, including set-up and take-down times.

e. A description of crowd control and security measures.

f. A lighting plan describing all temporary lighting to be installed.

3. Any temporary structures must be removed within three days of conclusion of the event. Any tents require approval of a separate temporary use permit per item L below.

4. Time limits are as follows:

a. Time limitations apply to the lot, not the operator of the use.

b. Events in residential districts are limited to four events per calendar year and a maximum duration of five days per event, with a minimum of 30 days between events.

c. Events in non-residential districts are limited to four events per calendar year and a maximum duration of 15 days per event, with a minimum of 30 days between events.

~~d. However, a temporary use permit for a carnival or circus is valid for a period of four events per calendar year no more than 15 days per event, with a minimum of 30 days between events.~~

~~e~~d. The Administrative Review Committee, upon review of the temporary use permit, may increase these timeframes.

H. Temporary Outdoor Sales

1. Temporary outdoor sales in the residential districts is restricted to those events associated with and conducted by a place of worship, educational facility, or registered neighborhood association~~a place of worship or an educational facility~~.

2. A management plan is required as part of the temporary use permit application that demonstrates the following:

a. An established set of operating rules addressing the governance structure of the sales event, hours of operation, maintenance, and security requirements.

b. General layout of vendor stalls, visitor facilities, such as any seating areas and restrooms, parking areas, and all ingress and egress points to the lot.

c. Provision for waste removal and for recycling, if available.

d. The days and hours of operation, including vendor set-up and take-down times.

e. A lighting plan describing all temporary lighting to be installed.

3. Any temporary structures must be removed within three days of conclusion of the event. Any tents require approval of a separate temporary use permit per item L below.

4. Time limits are as follows:

a. Time limitations apply to the lot, not the operator of the use.

b. Events in residential districts are limited to three events per calendar year and a maximum of either three consecutive days or two consecutive weekends.

c. Events in non-residential districts are limited to four events per calendar year and a maximum duration of five days per event.

d. However, a temporary use permit for a seasonal sale, such as Christmas tree lots or pumpkin patches, are limited to four events per calendar year and a maximum duration of 30 days per event.

e. The Administrative Review Committee, upon review of the temporary use permit, may increase these timeframes.

~~**4.** Temporary outdoor sales events are limited to four events per calendar year and a maximum duration of five days per event. This limitation applies to the lot, not the operator of the temporary use. The following exceptions apply:~~

~~**a.** A temporary use permit for a seasonal sale, such as Christmas tree lots or pumpkin patches, are limited to four events per calendar year and a maximum duration of 30 days per event. There is no minimum time between events.~~

~~**b.** A portion of a parking area may be used for temporary outdoor Permanent display structures are prohibited in parking areas. No more than 10% of the required parking area for the existing use may be used for temporary outdoor sales and display.~~

~~**c.** The Administrative Review Committee, upon review of the temporary use permit, may increase these timeframes.~~

5. A portion of a parking area may be used for temporary outdoor **sales.** Permanent display structures are prohibited in parking areas. No more than 10% of the required parking area for the existing use may be used for temporary outdoor sales and display. **(Council Direction: fix typo – "sales" was suggested but not voted on.)**

6. No sales and display area is permitted in any public right-of-way.

I. Temporary Outdoor Storage Container

1. The use of an outdoor storage container is limited to no more than 60 consecutive days in any year. In the event the owner of the property suffers a catastrophic loss due to fire, flood or other physical calamity occurring on the property in question, the temporary use permit may be extended for additional two week periods upon a showing of need. There will be no more than three extensions of any temporary use permit. An exception will be made if the outdoor storage container is being used as temporary storage when work requiring a building or demolition permit is being done to structures or buildings on the property. In such cases, the use of the portable storage container cannot exceed the period for which the building or demolition permit has been issued.

2. Outdoor storage containers cannot be placed in a public right-of-way, or located so as to interfere with traffic visibility.

3. Outdoor storage containers cannot be placed in the front yard, unless there is a physical hardship or characteristic of the property that will not allow the placement of the container in any other location, which must be approved as part of the temporary use permit.

J. Temporary Recreational Vehicle Park

1. A temporary recreational vehicle park is permitted in principal and ancillary parking lots in the INST, C-H, and C-R Districts.

2. Up to 25% of a parking area may be used for a temporary recreational vehicle park.

3. Temporary recreational vehicle parks may be established for no more than four consecutive days. There must be two weeks between each period. No more four periods total are allowed per calendar year.

4. A temporary recreational vehicle park must not include electric, water, or dump stations ("dry camping" only).

K. Temporary Warehouse Sales (Indoor)

1. Parking must be provided equal to that required for retail sales.

2. The lot has direct access to an arterial or collector street as defined in the Knoxville/Knox County Major Thoroughfare Plan.

3. Other uses in the area do not pose a health or safety risk as determined by the Fire Chief and the Chief of Police or their designees.

4. No permit will be issued under this section for any lot for a period in excess of 110 days within any calendar year.

L. Tents

Tents for events incidental to the principal permitted use of the lot are a temporary use and require a temporary use permit.

1. Tents must be set back the required dimension of the front setback or 15 feet, whichever is less.

2. The erection of the tent cannot reduce the required parking for the principal use by more than 50%. A parking plan must be submitted for approval.

3. On a corner lot, a tent cannot be located within the visibility triangle.

4. Each temporary use permit cannot exceed 15 consecutive days, and no permit will be issued for more than 45 days per year except as stated herein. The Administrative Review Committee, upon review of the temporary use permit, may increase these timeframes.

5. Use, erection, and maintenance of tents are subject to compliance with all other applicable codes and regulations of the City.

6. No tent may be used, erected, or maintained as living quarters.

M. Additional Temporary Uses

In addition to the temporary uses listed above, a temporary use permit may be issued by the Zoning Administrator for other temporary uses that are substantially similar to a temporary use listed above and not intended to become permanent. A permit may be issued if the Zoning Administrator determines that such use is not incompatible with the surrounding land uses and proper care has been taken to protect surrounding development, traffic patterns, and the environment. The timeframe of such temporary use will be determined and approved as part of the temporary use permit.

ARTICLE 9. USES

9.1 GENERAL USE REGULATIONS
9.2 USE MATRIX
9.3 PRINCIPAL USE STANDARDS
9.4 TEMPORARY USE STANDARDS

9.1 GENERAL USE REGULATIONS

A. No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district or as a legal nonconforming use.

B. All uses must comply with any applicable federal and state requirements, and any additional federal, state, or city ordinances. For select uses, specific federal, state, or city ordinances may be cross-referenced but this is not intended to indicate that only those ordinances apply to such uses or that other uses within this Code are not subject to additional ordinances not referenced.

C. Any use that is not included in the use matrix or is not interpreted as part of a listed use, per a zoning interpretation (Section 16.9), is prohibited in all districts.

D. A lot may contain more than one principal use, so long as each principal use is allowed in the district. Each principal use is approved separately. In certain cases, uses are defined to include accessory uses that provide necessary support or are functionally integrated into the principal use. ~~This permission for~~ M~~m~~ultiple principal uses are not permitted in ~~does not apply to~~ the EN, RN-1, and RN-2 Districts.

E. All uses must comply with the use standards of Section 9.3, as applicable, as well as all other regulations of this Code and the City.

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 ~~the~~ 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.

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. 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 ~~four~~ five or more dogs and/or cats over the age of six months if the Animal Control Board approves a kennel, boarding facility, pet shop, or pet dealer permit. (Council voted on 5/14 to approve.)

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 ~~12.9~~ 12.8. (Council voted on 5/14 to approve.)

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 1,200sf	1
1,201sf to 1,800sf	2
1,801sf to 2,400sf	3
2,401sf to 3,000sf	4
3,001sf to 3,600sf	5
Over 3,600sf	6

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

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 ~~12.9~~ 12.8. (Council voted on 5/14 to approve.)

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 ~~12.9~~ **12.8. (Council voted on 5/14 to approve.)**

D. Car Wash

~~1.~~ When a car wash facility abuts a residential district, or any open space or institutional use, a Class B buffer yard per Section ~~12.9~~ **12.8.** and a solid wall or fence, a minimum of six feet and a maximum of eight feet in height, is required. **(Council voted on 5/14 to approve.)**

~~2. The lot must be graded to drain away from adjoining properties.~~

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 nine 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 aisle, 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.

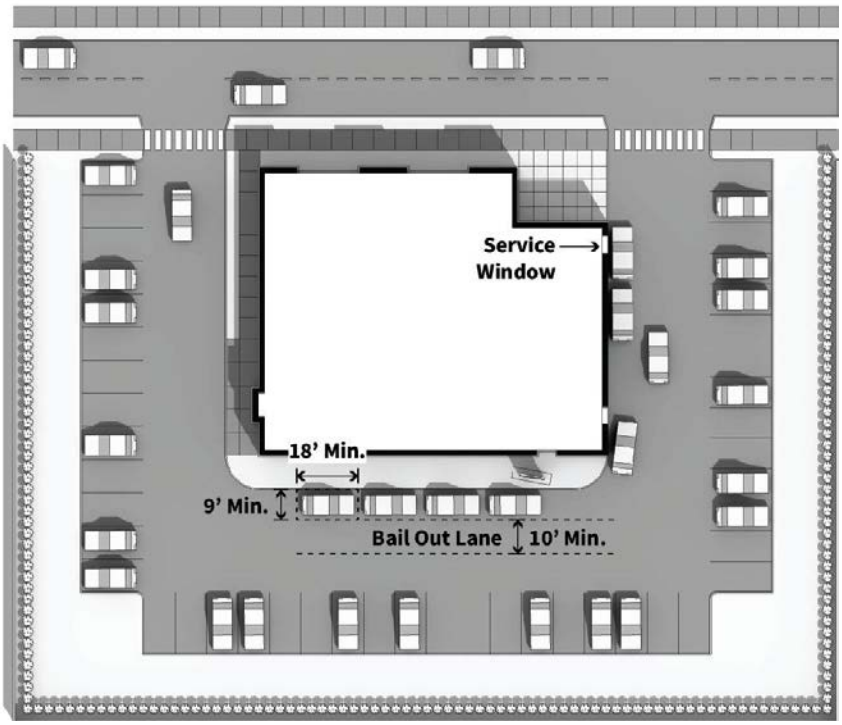
4. The minimum width for a drive through lane is ten feet.

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 ~~12.9~~ 12.8 and a solid wall or fence, a minimum of six feet and a maximum of eight feet in height, is required. (see above)

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 or rear of the building. Drive-through windows and lanes may not be placed between the street and the associated 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 by the Knoxville-Knox County Planning Commission of a drug treatment clinic is contingent upon the receipt of the appropriate license and certificate of need by the ~~State Department of Health~~Tennessee Health Services and Development Agency.

b. Applicants seeking approval of a drug treatment clinic must provide written documentation that the ~~City Police Department~~County Mayor, State Representative, State Senator, and City of Knoxville Mayor have ~~has~~ been notified in writing regarding the facility's proposed location, hours of operation, programs and treatments methods offered, and staffing levels and qualifications. This same information must be made available to the Knoxville-Knox

County Planning Commission as part of the special use application.

c. The clinic cannot be located within 1,000 feet of an educational facility – primary/secondary, day care facility, pre-school/kindergarten, park, place of worship, residential dwelling, or pharmacy or similar facility that sells or dispenses either prescription drugs or over the counter drugs, as measured from lot line to lot line.

d. The clinic cannot be located within 1,000 feet of any establishment that sells alcoholic beverages for either on- or off-premises consumption, measured from lot line to lot line.

e. The facility must be located on and have access to an arterial street as shown on the City Major Road Plan.

f. In reviewing each application, the Knoxville-Knox County Planning Commission may establish additional requirements or conditions of approval to further reduce the impact such a facility may have on surrounding properties.

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.

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 16 for regulations regarding nonconforming manufactured homes, including single-wide manufactured homes.

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

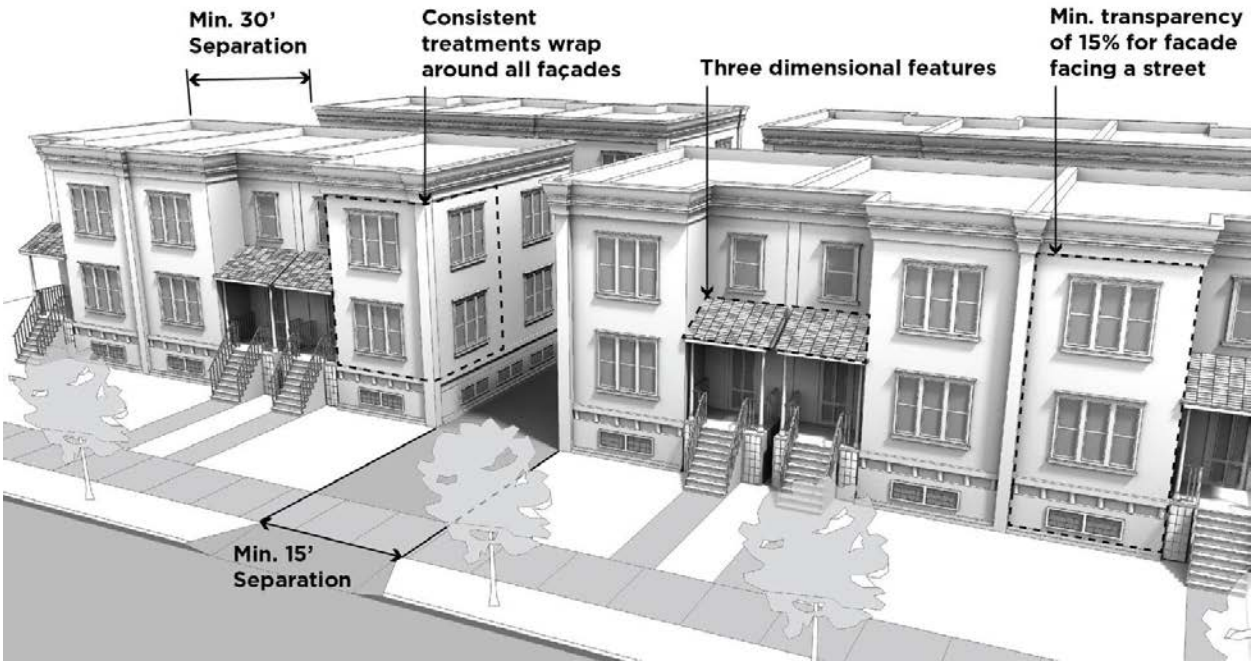
ii. Aluminum, steel or other metal sidings

iii. Exposed aggregate (rough finish) concrete wall panels

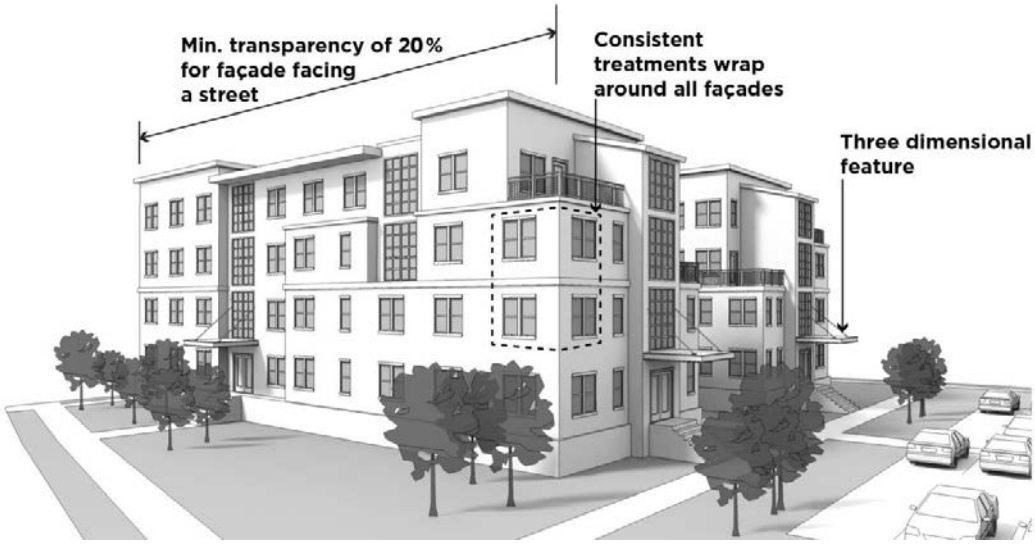
iv. T-111 composite plywood siding

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 structure is located within a NC or IH Overlay District, the following standards do not 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.

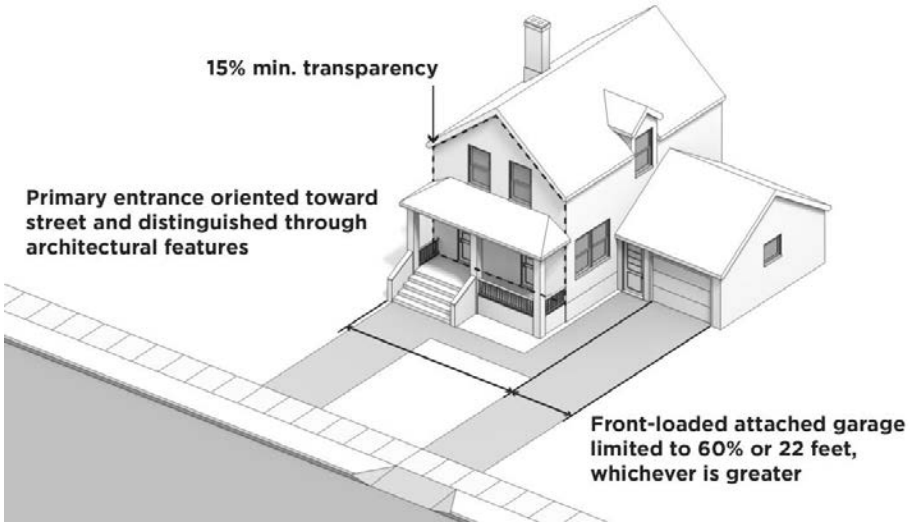
2. Windows, entrances, porches, or other architectural features are required on all street-facing facades to avoid the appearance of blank walls.

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 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 façade building 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. ~~Park owners are encouraged to provide for an aesthetically pleasing environment, which includes shade and seating elements~~. 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. ~~**Permanent**~~ restroom facilities must be provided and available for both customers and employees. **(app'd.)**

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

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 ~~12.9~~ 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. **(Council voted on 5/14 to approve.)**

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.

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~~no closer than 25 feet to the normal summer pool elevation~~.

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 8,000sf or less in gross floor area abut a residential district, a Class B buffer yard per Section ~~12.9~~ 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. **(Council voted on 5/14 to approve.)**

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. ~~A use may be changed to any use allowed within item 2 without requiring~~ 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 are limited to those allowed in the C-N District.~~ Signs must comply with the following:

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.

~~**3.** The number of vehicular access driveways permitted on any single street frontage is limited to:~~

~~**a.** One driveway where there is a street frontage of 100 feet or less.~~

~~**b.** Two driveways where there is a street frontage that exceeds 100 feet.~~

~~**4.** Driveways used for ingress and egress are limited to 25 feet in width, exclusive of curb returns.~~

AA. Self-Storage Facility: Indoor 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 Knox 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 ~~**12.9 12.8**~~ is required. **(Per Council vote on 5/14.)**

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 indoor 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.

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 ~~**12.9**~~ **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. **(Council voted on 5/14 to approve.)**

DD. Vehicle Repair/Service

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the lot for ~~longer than 15 days once repair is complete~~ 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 ~~**12.9**~~ **12.8** is required. **(Council voted on 5/14 to approve.)**

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. ~~This standard does not apply to vehicles under repair.~~

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, Germanishcer 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.

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.

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 WCF's. 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, ~~(MPC),~~ 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 ~~County~~ 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 ~~Knox County Department of Engineering and Public Works~~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 WCF's, provided antennas and supporting structures are not higher than 30 feet above the highest point of the existing structure or building.

(1) New WCF's should be camouflaged, disguised, or concealed whenever possible to make them compatible and blend into the setting and host structure or building.

(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

WCF's 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 standards of the 2012 International Fire Code (IFC), section 503.1.4~~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
~~MPC~~ 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 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 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 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 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 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 Planning Commission may petition the City Council to consider the same in accordance with the provisions set forth in Section ~~16.11~~ 16.12. **(Council voted to approve unanimously.)**

g. Validity of plans
All approved plans, conditions, restrictions, and rules made a part of the approval of the Knoxville-Knox County Planning Commission 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 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
In addition to the required application information, the application must include the following. An application must be filed with the Knoxville-Knox County Planning Commission Planning Commission on forms provided for that purpose. **(Council Direction: pass to staff for updated language at 5/30 meeting.)**

a. General Requirements

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

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 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 ~~County~~ 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 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.

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.

9.4 TEMPORARY USE STANDARDS

Temporary uses are required to comply with the standards of this section, in addition to all other regulations of this Code. These regulations are for temporary uses located on private property. All temporary uses require a temporary use permit (Section 16.10) unless specifically cited as exempt or are required to obtain a license per the City Code. Temporary uses do not require additional parking unless specifically cited in the temporary use standards or stipulated as a condition of approval.

A. Animals for Control of Invasive Species

A temporary use permit may be issued for the use of goats or other animals for the purpose of controlling kudzu or other invasive plants, subject to regulations established by the City of Knoxville Animal Control department.

B. Farmers' Market

1. The timeframe of a farmers' market, including number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit. A temporary use permit for a farmers' market can be issued on a yearly basis, which allows for a schedule of days per week and number of weeks per year.

2. A management plan is required as part of the temporary use permit application that demonstrates the following:

a. The on-site presence of a representative of the farmers' market during hours of operation who directs the operations of vendors participating in the market.

b. An established set of operating rules addressing the governance structure of the market, hours of operation, and maintenance when open to the public.

c. A general site plan including vendor stalls, parking areas, visitor facilities, such as any seating areas and restrooms, and all ingress and egress points to the lot.

d. Provision for waste removal.

e. The days and hours of internal operation, including vendor set-up and take-down times.

C. Farmstand

1. A temporary use permit may be issued for a farmstand for the sale of food or non-food crops grown only on the premises.

2. Acceptable seasonal produce stands are a portable table or cart, and cannot exceed an area of 100 square feet.

3. Such stands must be removed when not in use.

4. The timeframe of a farmstand, including number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit.

5. Applicants may submit for a subsequent temporary use permit one calendar year from the issuance of their last permit for this purpose.

6. Seasonal produce stands must be set back from all public rights-of-way a distance of no less than 15 feet.

D. Mobile Food Units (MFUs) and Mobile Food Vendors

Mobile food units (MFUs) and mobile food vendors are subject to the City of Knoxville's Mobile Food Unit Ordinance.

E. Real Estate Project Sales Office/Model Unit

1. A real estate sales office/model unit(s) is allowed for a residential development. Temporary real estate project sales office/model unit in a new subdivision must meet the requirements of Chapter 37 of the City Code.

2. No real estate sales office/model unit(s) may be located in a manufactured home or off-site.

3. The temporary use permit is valid for the life of the project, to be verified by open permits.

4. The real estate sales office must be removed and/or closed within 30 days after the sale or rental of the last unit of the development. The model unit(s) must be closed within 30 days after the sale or rental of the last unit of the development.

5. All activities conducted within real estate sales office/model unit(s) must be directly related to the construction and sale of properties within the particular development. Use as a general office of operation of any firm is prohibited.

F. Temporary Contractor's Office and Contractor's Yard

1. A temporary contractor's office is allowed incidental to a construction project.

2. The temporary use permit is valid for the life of the project, to be verified by open permits.

3. The temporary contractor's office must be removed within 30 days of completion of the construction project.

4. A contractor's yard is permitted on-site and can only be used during the life of the construction project. No sleeping or cooking accommodations are allowed.

G. Temporary Outdoor Entertainment

1. Temporary outdoor entertainment in the residential districts is restricted to those events associated with and conducted by a place of worship, ~~or an~~ educational facility, or registered neighborhood association.

2. A management plan is required as part of the temporary use permit application that demonstrates the following:

a. The on-site presence of a manager during the event.

b. General layout of performance areas, visitor facilities, such as any seating areas and restrooms, parking areas, and all ingress and egress points to the lot.

c. Provision for waste removal and for recycling, if available.

d. The days and hours of operation, including set-up and take-down times.

e. A description of crowd control and security measures.

f. A lighting plan describing all temporary lighting to be installed.

3. Any temporary structures must be removed within three days of conclusion of the event. Any tents require approval of a separate temporary use permit per item L below.

4. Time limits are as follows:

a. Time limitations apply to the lot, not the operator of the use.

b. Events in residential districts are limited to four events per calendar year and a maximum duration of five days per event, with a minimum of 30 days between events.

c. Events in non-residential districts are limited to four events per calendar year and a maximum duration of 15 days per event, with a minimum of 30 days between events.

~~d. However, a temporary use permit for a carnival or circus is valid for a period of four events per calendar year no more than 15 days per event, with a minimum of 30 days between events.~~

~~e~~**d.** The Administrative Review Committee, upon review of the temporary use permit, may increase these timeframes.

H. Temporary Outdoor Sales

1. Temporary outdoor sales in the residential districts is restricted to those events associated with and conducted by a place of worship, educational facility, or registered neighborhood association~~a place of worship or an educational facility~~.

2. A management plan is required as part of the temporary use permit application that demonstrates the following:

a. An established set of operating rules addressing the governance structure of the sales event, hours of operation, maintenance, and security requirements.

b. General layout of vendor stalls, visitor facilities, such as any seating areas and restrooms, parking areas, and all ingress and egress points to the lot.

c. Provision for waste removal and for recycling, if available.

d. The days and hours of operation, including vendor set-up and take-down times.

e. A lighting plan describing all temporary lighting to be installed.

3. Any temporary structures must be removed within three days of conclusion of the event. Any tents require approval of a separate temporary use permit per item L below.

4. Time limits are as follows:

a. Time limitations apply to the lot, not the operator of the use.

b. Events in residential districts are limited to three events per calendar year and a maximum of either three consecutive days or two consecutive weekends.

c. Events in non-residential districts are limited to four events per calendar year and a maximum duration of five days per event.

d. However, a temporary use permit for a seasonal sale, such as Christmas tree lots or pumpkin patches, are limited to four events per calendar year and a maximum duration of 30 days per event.

e. The Administrative Review Committee, upon review of the temporary use permit, may increase these timeframes.

~~4. Temporary outdoor sales events are limited to four events per calendar year and a maximum duration of five days per event. This limitation applies to the lot, not the operator of the temporary use. The following exceptions apply:~~

~~a. A temporary use permit for a seasonal sale, such as Christmas tree lots or pumpkin patches, are limited to four events per calendar year and a maximum duration of 30 days per event. There is no minimum time between events.~~

~~b. A portion of a parking area may be used for temporary outdoor Permanent display structures are prohibited in parking areas. No more than 10% of the required parking area for the existing use may be used for temporary outdoor sales and display.~~

~~c. The Administrative Review Committee, upon review of the temporary use permit, may increase these timeframes.~~

5. A portion of a parking area may be used for temporary outdoor **sales.** Permanent display structures are prohibited in parking areas. No more than 10% of the required parking area for the existing use may be used for temporary outdoor sales and display. **(Council Direction: fix typo – "sales" was suggested but not voted on.)**

6. No sales and display area is permitted in any public right-of-way.

I. Temporary Outdoor Storage Container

1. The use of an outdoor storage container is limited to no more than 60 consecutive days in any year. In the event the owner of the property suffers a catastrophic loss due to fire, flood or other physical calamity occurring on the property in question, the temporary use permit may be extended for additional two week periods upon a showing of need. There will be no more than three extensions of any temporary use permit. An exception will be made if the outdoor storage container is being used as temporary storage when work requiring a building or demolition permit is being done to structures or buildings on the property. In such cases, the use of the portable storage container cannot exceed the period for which the building or demolition permit has been issued.

2. Outdoor storage containers cannot be placed in a public right-of-way, or located so as to interfere with traffic visibility.

3. Outdoor storage containers cannot be placed in the front yard, unless there is a physical hardship or characteristic of the property that will not allow the placement of the container in any other location, which must be approved as part of the temporary use permit.

J. Temporary Recreational Vehicle Park

1. A temporary recreational vehicle park is permitted in principal and ancillary parking lots in the INST, C-H, and C-R Districts.

2. Up to 25% of a parking area may be used for a temporary recreational vehicle park.

3. Temporary recreational vehicle parks may be established for no more than four consecutive days. There must be two weeks between each period. No more four periods total are allowed per calendar year.

4. A temporary recreational vehicle park must not include electric, water, or dump stations ("dry camping" only).

K. Temporary Warehouse Sales (Indoor)

1. Parking must be provided equal to that required for retail sales.

2. The lot has direct access to an arterial or collector street as defined in the Knoxville/Knox County Major Thoroughfare Plan.

3. Other uses in the area do not pose a health or safety risk as determined by the Fire Chief and the Chief of Police or their designees.

4. No permit will be issued under this section for any lot for a period in excess of 110 days within any calendar year.

L. Tents

Tents for events incidental to the principal permitted use of the lot are a temporary use and require a temporary use permit.

1. Tents must be set back the required dimension of the front setback or 15 feet, whichever is less.

2. The erection of the tent cannot reduce the required parking for the principal use by more than 50%. A parking plan must be submitted for approval.

3. On a corner lot, a tent cannot be located within the visibility triangle.

4. Each temporary use permit cannot exceed 15 consecutive days, and no permit will be issued for more than 45 days per year except as stated herein. The Administrative Review Committee, upon review of the temporary use permit, may increase these timeframes.

5. Use, erection, and maintenance of tents are subject to compliance with all other applicable codes and regulations of the City.

6. No tent may be used, erected, or maintained as living quarters.

M. Additional Temporary Uses

In addition to the temporary uses listed above, a temporary use permit may be issued by the Zoning Administrator for other temporary uses that are substantially similar to a temporary use listed above and not intended to become permanent. A permit may be issued if the Zoning Administrator determines that such use is not incompatible with the surrounding land uses and proper care has been taken to protect surrounding development, traffic patterns, and the environment. The timeframe of such temporary use will be determined and approved as part of the temporary use permit.

ARTICLE 10. SITE DEVELOPMENT STANDARDS

10.1 GENERAL DEVELOPMENT REQUIREMENTS
10.2 EXTERIOR LIGHTING
10.3 ACCESSORY STRUCTURES AND USES
10.4 PERMITTED ENCROACHMENTS
10.5 ENVIRONMENTAL PERFORMANCE STANDARDS

10.1 GENERAL DEVELOPMENT REQUIREMENTS

A. Number of Structures on a Lot

There must be no more than one principal building per lot in the EN, RN-1, and RN-2 Districts. This does not include permitted accessory structures or permitted accessory dwelling units. In all other districts ~~cases~~, more than one principal building is permitted on a lot, provided that all structures comply with the dimensional standards of the district.

B. All Activities within an Enclosed Structure

Within all districts, all activities must be conducted entirely within an enclosed structure, with the exception of the following uses and activities:

1. Parking lot, principal and ancillary.

2. Public park, conservation area, community garden, golf course/driving range, and similar open space uses.

3. Establishments that typically include an outdoor component, including, but not limited to: agriculture, outdoor amusement facility, outdoor storage yard, heavy retail, rental, and service, greenhouse/nursery – retail, outdoor dining, car wash, animal care facility, industrial, and similar uses where outdoor functions are typical, to be confirmed by the Zoning Administrator. Any use may be limited or the outdoor component prohibited as a condition of a special use, when special use approval is applicable.

4. Permitted accessory outdoor storage, and accessory outdoor sales and display areas.

5. Permitted outdoor temporary uses.

C. Applicability of Setbacks

No setback may be reduced so that it is less than required by this Code. The required setbacks for a lot cannot be considered a setback for any other lot. No principal building or accessory structure may be located in a required setback unless specifically permitted by this Code or a variance is approved.

D. Applicability of Dimensional Requirements

All structures must meet the dimensional requirements of the zoning district in which the structure is located. No existing structure may be enlarged, altered, reconstructed, or relocated in such a manner that conflicts with the requirements of the district in which the structure it is located unless a variance is approved.

E. Utility and ~~Maintenance~~ Drainage Easements

Permanent structures, stormwater ~~ponds~~facilities, retaining walls, fences, decks, and accessory structures are prohibited within utility and ~~maintenance~~ drainage easements.

F. Line of Sight Requirements

Developments ~~on corner lots~~near intersections must provide for adequate sight distance, as approved by the City of Knoxville Department of Engineering.

10.2 EXTERIOR LIGHTING

A. Lighting Plan Required

1. A lighting plan is required for all nonresidential uses (including mixed-use), multi-family, and townhouse developments. Single-family and two-family dwellings are exempt from a required lighting plan but are subject to applicable lighting requirements. These lighting standards apply only to new lighting and to alterations to existing lighting, excluding routine maintenance.

2. A lighting plan must include the following:

a. A plan showing all light pole locations, building-mounted lights, bollard lights, and all other lighting.

b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.

c. Pole and~~,~~ luminaire~~, and foundation~~ details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.

d. Elevations of the site including all structures and luminaires sufficient to determine the total cut off angle of all luminaires and their relationship to abutting parcels.

e. For developments subject to site plan review, photometric plans that show the footcandle measurement at all lot lines may be required if the lot is adjacent to a residential district.

f. Other information and data reasonably necessary to evaluate the required lighting plan.

B. Lighting Standards

1. For townhouse and multi-family dwellings and non-residential developments, the maximum allowable footcandle at any lot line is one footcandle.

2. All luminaires must be of the cut off luminaire design.

3. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less. A cut off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.

4. Any freestanding cut off luminaire must be located at least 15 feet from any residential district lot line.

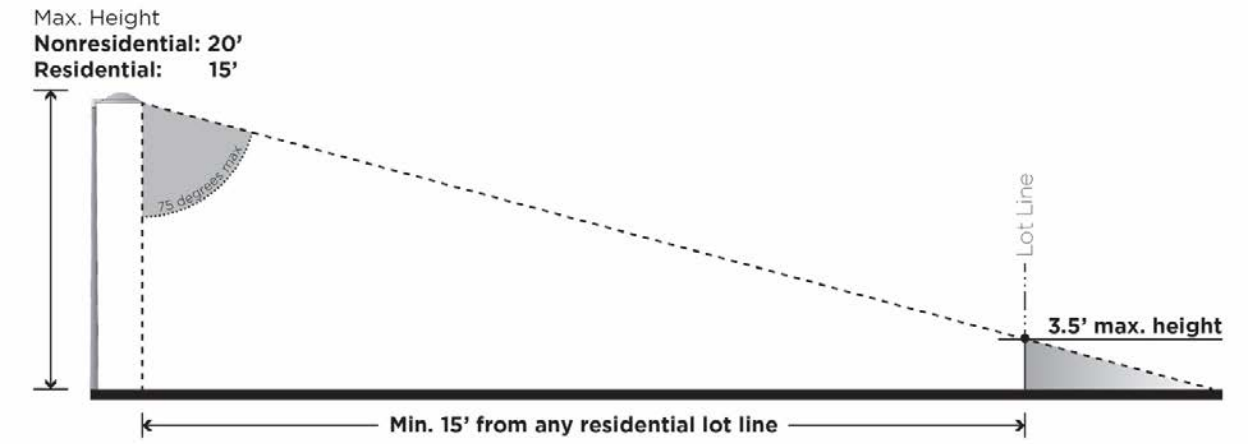
5. The maximum total height of a freestanding cut off luminaire is 20 feet in a nonresidential district, and 15 feet in a residential district.

6. All outdoor luminaires must be located, adequately shielded, and directed such that no direct light falls outside the lot or onto the public right-of-way.

7. Outdoor lighting fixtures closer to the lot line than the mounting height of the fixture, measured perpendicular to the lot line, adjacent to residential areas, must have internal house-side shields.

8. Flood or spot lamps must be aimed down no higher than 45 degrees to the horizontal (halfway between straight down and straight to the side) when the source is visible from any adjacent residential property.

CUT OFF LUMINAIRE



C. Exceptions to Lighting Standards

1. Luminaires used for public roadway illumination or installed by a utility to light public rights-of-way are not controlled by this Code.

2. All temporary emergency lighting required by public safety agencies, other emergency services, or construction are exempt from the requirements of this Code.

3. Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational ~~facilities~~ fields (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, driving ranges, and other similar uses are exempt from the requirements of ~~this section~~item B above and subject to the following: ~~-~~

a. Recreational ~~facilities~~ fields are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height may only be approved by special use permit.

b. All lighting must be directed onto the field.

c. The recreational field lighting must be extinguished 45 minutes following the end of the event.

d. Lighting must comply with item B above to facilitate patrons leaving the facility, cleanup, nighttime maintenance, and other closing activities.

4. Holiday and seasonal lighting designs are exempt from the requirements of this Code.

5. Certain temporary uses may use lighting that does not meet the requirements of this section. When such temporary uses are allowed, approval of the lighting plan is required as part of the temporary use permit.

6. River navigation lighting used exclusively for river navigation and safety purposes are exempt from the requirements of this Code.

D. Prohibited Lighting

1. Flickering or flashing lights are prohibited.

2. Searchlights, laser source lights, or any similar high intensity lights are prohibited.

3. Neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited.

4. Any light fixture that can be confused with or construed as a traffic control device.

10.3 ACCESSORY STRUCTURES AND USES

All accessory structures and uses are subject to the requirements of this section and the permitted encroachment requirements of Section 10.4. Additional accessory structures not regulated in this section may be regulated in Section 10.4.

A. General Regulations for Accessory Structures

All accessory structures are subject to the following regulations, unless otherwise permitted or restricted by specific regulations of this section and Code.

1. No accessory structure may be constructed prior to construction of the principal building to which it is accessory. This does not apply when the use does not have an associated principal structure, such as a personal, community, or market garden.

2. A building permit may be required for the construction of an accessory structure, per the Building Code.

3. Only those accessory structures permitted by this section and Section 10.4 are permitted in required setbacks. Certain accessory structures may also be prohibited in certain yards.

a. The use of the term "yard" refers to the area between the applicable building facade line and lot line. The distinction is made because certain principal buildings may not be built at required setback lines, thereby creating a yard larger than the minimum setback dimension.

b. If a structure is permitted within a yard, it is permitted within the required setback but may be subject to additional limitations.

c. Where there is no structure on the lot, no accessory structure is permitted in the setback required by the district.

4. The maximum height of any detached accessory structure is 18 feet, unless otherwise permitted or restricted by this Code. An accessory structure cannot exceed the height of the principal structure. These height limitations do not apply to any structure accessory to an active agricultural use, which are not limited in height.

5. Detached accessory structures, including those listed in this section and Section 10.4, must be setback five feet from any lot line, unless otherwise permitted or restricted by this Code.

6. The maximum coverage of detached accessory structure is as shown in the chart below. In addition, all structures and must comply with the building coverage requirements of the district.

Lot Area	Maximum building coverage for a single accessory structure
15,000sf or less	750sf or the building coverage of the primary structure, whichever is less
More than 15,000sf, but less than acre	900sf or the building coverage of the primary structure, whichever is less
One acre or more	1,100sf or the building coverage of the primary structure, whichever is less

~~**7.** No accessory structure may contain cooking facilities or plumbing; however, the ground level of a detached garage may contain plumbing. This does not apply if an accessory dwelling unit use has been approved, in which case those standards control.~~

B. Accessory Dwelling Unit (ADU)

1. The design and size of the accessory dwelling unit (ADU) must conform to all applicable building codes. ~~When there are practical difficulties involved in carrying out the provisions of the building codes, the building official may grant modifications for individual cases.~~

2. An ADU may be located only on a lot with one single-family dwelling. One of the dwelling units must be occupied by the owner of the property.

3. The building official must certify that utilities are adequate for the ADU.

4. A lot must have a minimum area of 5,000 square feet to qualify for an ADU.

5. Only one ADU is permitted per lot.

6. The ADU may be within, attached to, or detached from the primary dwelling structure and may be a part of a detached accessory structure. An ADU may be developed within an existing structure or as new development.

7. A detached ADU must be set back five feet from an interior side lot line and ten feet from a rear lot line. A detached ADU is not permitted in a front yard or corner side yard.

8. An ADU is limited to the following maximum gross floor areas:

Lot Area	Maximum GFA
20,000sf or greater	1,200sf
10,000sf but less than 20,000sf	1,000sf
7,000sf but less than 10,000sf	800sf
5,000sf but less than 7,000sf	600sf

9. In no case may an ADU exceed 40% of the primary dwelling floor area nor more than 2 bedrooms.

10. The ADU must be designed so that the appearance of the primary structure remains that of a house. The entrance to the ADU must be located in such a manner as to be unobtrusive from the same view of the structure that encompasses the entrance to the principal dwelling.

11. ~~No additional~~ One off-street parking space is required for the ADU.

C. Amateur (ham) Radio Equipment

This Section adopts the federal definitions codified at 47 U.S.C. § 97.3

1. Towers that solely support amateur (ham) radio equipment and conform to all applicable performance criteria set forth in Section 10.5 are permitted in the rear yard only and must be located ten feet from any lot line. Towers are limited to the maximum building height of the applicable district plus an additional five feet, unless a taller tower is technically necessary to engage successfully in amateur radio communications and a special use approval is obtained.

2. Antennas may also be building-mounted and are limited to a maximum height of five feet above the structure, unless a taller antenna is technically necessary to engage successfully in amateur radio communications and special use approval is obtained.

3. Every effort must be made to install towers or antennas in locations that are not readily visible from adjacent residential lots or from the public right-of-way, excluding alleys.

4. An antenna or tower that is proposed to exceed the height limitations is a special use. The operator must provide evidence that a taller tower and/or antenna is technically necessary to engage successfully in amateur radio communications. In addition, the applicant must provide evidence that the tower and/or antenna will not prove a hazard and that it conforms to all applicable performance criteria of Section 10.5. As part of the application, the applicant must submit a plan showing the proposed location of the tower or antenna, as well as its relation to the principal building and accessory structures.

5. Any such antennas and/or towers owned and operated by the City or other government agencies are exempt from these requirements.

6. The City acknowledges the difficulties of setting exact requirements, including but not limited to setback or height requirements, relating to site development for amateur radio communication services. In accordance with 47 U.S.C. § 97 and Tenn. Code Ann. § 6-54-130 and in order to ensure compliance therewith, the City creates an administrative accommodation process for amateur radio communication services that cannot meet the above standards.

a. Construction, application, and enforcement consistent with state and federal law: The provisions of this Section are every instance be construed, applied, and enforced in a manner consistent with applicable state and federal law including, but not limited to, 47 U.S.C. § 97 and Tenn. Code Ann. § 6-54-130. Notwithstanding any other provision of this section to the contrary, the Knoxville-Knox County Planning Commission will make administrative accommodations when reasonably necessary to allow for effective radio communication services.

b. There is no fee imposed for requesting an administrative accommodation.

c. An operator of an amateur radio communication service may apply for an administrative accommodation with the Knoxville-Knox County Planning Commission. The Knoxville-Knox County Planning Commission will issue a decision on any application seeking an administrative accommodation within 45 days as provided for in this section. The Knoxville-Knox County Planning Commission will grant the request if the following criteria are met:

i. The applicant has the legal authority to represent the amateur radio communication tower.

ii. The radio communication tower solely supports amateur radio equipment and is used to engage in amateur radio communication services.

iii. The radio communication tower is to be located either:

(A) On property with zoning, design, or overlay requirements that would unreasonably limit effective radio communication services, or

(B) On property with zoning, design, or overlay requirements that would impinge on the needs of the amateur operator to engage in effective radio communication services.

d. If reasonably necessary to reach a determination on the request for an administrative accommodation, the Knoxville-Knox County Planning Commission may, prior to the end of said 45 calendar day period, request additional information from the applicant, specifying in sufficient detail what information is required. The applicant has 15 calendar days after the date of the request for additional information to provide the requested information. In the event a request for additional information is made, the Knoxville-Knox County Planning Commission 45 calendar day period to issue a written determination is no longer be applicable, and the Knoxville-Knox County Planning Commission will issue a written determination within 30 calendar days after receipt of the additional information. If the applicant fails to provide the requested additional information within said 15 calendar day period, the Knoxville-Knox County Planning Commission will issue and send by U.S. mail a written notice advising that the applicant failed to timely submit the additional information and therefore the applicant's request for the administrative accommodation is deemed withdrawn. No further action by the City with regard to the request is required.

e. If the property which is the subject of the requested accommodation is not in compliance with the then-existing applicable laws and regulations, but the City grants the request for an administrative accommodation under this Section, the City thereby does not waive the requirement that the existing violations be corrected in accordance with the City Code of Ordinances.

f. The written determination of the Knoxville-Knox County Planning Commission will be mailed by certified first-class mail to the applicant. All written determination will give notice that the applicant has the right to appeal the determination.

g. Appeals of the decision of the Knoxville-Knox County Planning Commission may be made in accordance with Section 16.11.

D. Apiary

1. New apiaries must be registered with the Tennessee Department of Agriculture.

2. Hives are allowed only in interior side or rear yards.

3. Hives must be set back ~~ten~~ 15 feet from all lot lines and public sidewalks. This does not apply if the yard is screened by a solid wall or solid fence.

4. When the apiary is located within a yard not bounded by a solid wall or solid fence, a flyway of at least six feet in height comprising of a lattice fence, dense hedge, or similar barrier must be established in front of the opening of the hive such that the bees fly upward and away from neighboring properties. The flyway must be located within three feet of the hive opening and extend at least two feet in width on either side of the hive opening.

5. Hive openings must face away from the nearest abutting lot.

6. Hives must have a fresh water supply located on property.

7. For any rooftop apiary within 20 feet of doors and/or windows of the principal building on an abutting lot, one of the following conditions must exist:

a. The hive opening must face away from doors and/or windows of the principal building on the abutting lot.

b. A flyway of at least six feet in height comprising of a lattice fence, dense hedge, or similar barrier must be established in front of the opening of the hive such that the bees fly upward and away from neighboring properties. The flyway must be located within three feet of the hive opening and extend at least two feet in width on either side of the hive opening.

E. Aquaponics and Hydroponics

All systems must comply with applicable federal, state, and local regulations for water use and discharge, and for the possession, propagation, culture, sale, and disposition of living marine organisms.

F. Awnings~~, Canopies,~~ and Marquees

1. Awnings~~, canopies,~~ and marquees are subject to the standards of the section with the following exceptions:

a. Where a zoning district has standards for such accessory structures, those district standards control.

b. Where the sign regulations have standards for such accessory structures used as signs, those standards control.

2. Awnings~~, canopies,~~ and marquees may extend across any required yard and over public property or right-of-way subject to the following:

a. When extending over a sidewalk the following apply:

i. Fixed with a nine foot minimum vertical clearance above sidewalk not to exceed more than two-thirds of width of sidewalk.

ii. Fixed with 14 foot minimum vertical clearance above sidewalk may extend to back of curb.

iii. Moveable (metal or canvas) with eight foot minimum clearance above sidewalk not to extend more than two-thirds of width of sidewalk or more than five feet of width of sidewalk, whichever is less.

b. When extending across any required yard and/or over public property or right-of-way, but not over a sidewalk, the following apply:

i. Fixed: nine foot minimum vertical clearance.

ii. Moveable: eight foot minimum ground clearance.

iii. Not to exceed three feet in all districts, unless reviewed by a design review board.

iv. Where awnings extend over public property, they cannot extend closer than 24 inches to the curbline.

c. Awnings~~, canopies,~~ and marquees cannot have support posts on a public sidewalk, public property, or right-of-way, unless approved by city engineering.

d. In no case are awnings, canopies, and marquees allowed to extend over a public road.

G. Carport

The following apply to both attached and detached carports.

1. Carports must be located over a driveway.

2. A carport is permitted in the interior side yard, corner side yard, or rear yard only.

3. The total length of a carport is limited to 22 feet.

4. A carport must be entirely open on at least two sides, with the exception of necessary support structures.

5. A carport must be constructed as a permanent structure with permanent building materials. Temporary tent structures and other cloth or vinyl coverings are not considered a permanent structure.

6. Carports cannot be used as recreational vehicles storage.

H. Chicken Coops

The keeping of chickens must comply with Chapter 5, Sec. 5-107 of the City Code.

I. Composting

1. Bins or piles are allowed only in rear yards and must be set back five feet from lot lines.

2. Bins or piles must not exceed 5% of the total lot area and six feet in height.

3. Bins or piles must be located outside of any required riparian buffer zone.

4. Compost must be enclosed or contained.

5. Compost must only be used for the composting of materials generated on-site, and cannot contain any meat or dairy.

6. Compost is subject to enforcement of odor performance standards.

J. Donation Boxes

Donation boxes are permitted in nonresidential districts only.

1. Only one donation box is permitted per lot. The donation box must be accessory to the principal use on the site.

2. No donation box may be located within a required parking space.

3. The area surrounding the donation box must be kept free of any junk, debris, or other material.

4. Donation boxes must be maintained in good condition and appearance with no structural damage, holes, or visible rust, and must be free of graffiti.

5. Donation boxes must be locked or otherwise secured at all times.

6. Donation boxes must contain the following information on the front of each donation box: the name, address, email, and phone number of the operator.

7. Donation boxes cannot exceed five feet in height and 60 cubic feet.

K. Electric Vehicle Charging Station

The following standards apply to electric vehicle charging stations located on private property.

1. Electric vehicle charging stations are permitted as an accessory use in all districts.

2. Electric vehicle charging stations may be for public or private use. However, in the residential districts, electric vehicle charging stations cannot be used for commercial purposes.

L. Fences and Walls

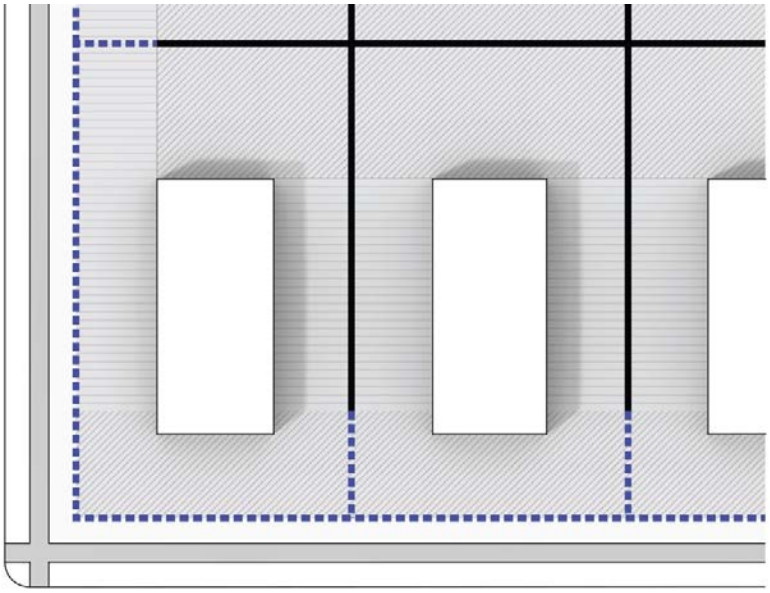
1. ~~Fences -~~ General

a. From five feet behind the front building line forward to the front lot line and in the corner side yard, privacy fences and walls are limited to 42 inches ~~and a masonry wall is limited to 48 inches~~. Open fences do not have a limit.

b. There is no limit on the height of privacy fences, walls, or open fences ~~height~~ in other yards.

c. Fences may be constructed at the boundaries of a lot without setback with the exception of the required visibility triangle.

FENCES



M. Flagpoles

1. Flagpoles are limited to the maximum of three poles.

2. Flagpoles are limited to a maximum height of the district or 35 feet, whichever is less.

3. Flagpoles must be setback a minimum of five feet from any lot line.

4. External illumination of flags is permitted but must be focused on the flagpole and flag.

N. Flat Roof Features

Accessory rooftop features of a flat roof, such as green roofs, rooftop decks, rooftop gardens, and stormwater management systems are permitted below the parapet of any flat roof building, and are excluded from the calculation of maximum building height. Flat roof features must meet the following standards:

1. For green roofs, rooftop gardens, and similar features, documentation must be submitted demonstrating that the roof can support the additional load of plants, soil, and retained water.

2. For multi-family, mixed-use, and nonresidential buildings, rooftop decks or patios must be set back 18 inches from all building edges.

3. Guardrails are required per the standards of the Building Code.

O. Freestanding Roofed Structure, Pergola, or Gazebo

1. A freestanding roofed structure, pergola, or gazebo is permitted in the interior side yard, corner side yard, or rear yard only. No freestanding roofed structure, pergola, or gazebo may be located in the front yard.

2. A freestanding roofed structure, pergola, or gazebo must be located five feet from any lot line.

P. Garage, Detached

1. Detached garages are permitted in the rear, interior side, and corner side yards.

2. When a detached garage is served by an alley, the minimum required setback from the rear lot line is:

a. 12 feet when garage doors are oriented to the alley

b. Five feet when garage doors are oriented to the side yard

Q. High Tunnels and Greenhouses

1. High tunnels and Greenhouses must be at least 72 inches in height, and are subject to the maximum height for an accessory structure in the zoning district.

2. High tunnels must be placed over an area designated for crop cultivation where crops are grown in the natural soil profile or in raised beds.

3. High tunnels and greenhouses must use greenhouse-grade, UV-resistant covers.

4. The maximum high tunnel bow spacing is six feet.

5. All high tunnels and greenhouses must comply with all federal, state, and local regulations for runoff, erosion, and sediment control.

R. Home Occupation

1. No more than one person, other than members of the household residing on the premises, may be engaged in such occupation in the home.

2. There must be no change in the outside residential appearance of the building. Outdoor storage is prohibited and no other visible evidence of the conduct of such home occupation is allowed, ~~except one sign not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the principal building.~~ Signs are permitted in accordance with the standards of Article 13.

3. No traffic may be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.

4. No equipment or process may be used in such home occupation that increases noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot or outside the dwelling unit. In the case of electrical interference, no equipment or process may be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in the line voltage off the premises.

5. Motor vehicle repair and vehicle dispatch for any business where vehicles to be dispatched congregate on site are prohibited as home occupations.

6. Day care homes are not considered a home occupation and are regulated as a principal use per Article 9.

7. Only products produced on premises may be physically sold from the premises. ~~Sales of products produced on-premise must be conducted by appointment only.~~ Internet and mail order sales are permitted.

8. The gross floor area devoted to the home occupation ~~t~~cannot exceed 25% of the gross floor area of the dwelling.

S. Low Tunnels and Cold Frames

1. Cold frames and low tunnels must have a height that is less than 72 inches above grade.

2. All covers must be securely fastened.

3. Once the growing season is complete, all hoops, covers, and materials must be removed.

T. Mechanical Equipment

Mechanical equipment includes heating, ventilation, and air conditioning (HVAC) equipment, electrical generators, and similar equipment.

1. Ground-Mounted Equipment

a. Mechanical equipment is permitted in the interior side or rear yard only.

b. For multi-family and nonresidential uses, ground-mounted mechanical equipment must be screened from public view by a decorative wall, solid fence, or year-round landscaping that is compatible with the architecture and landscaping of a development site. The wall, fence, or plantings must be of a height equal to or greater than the height of the mechanical equipment being screened.

2. Roof-Mounted Equipment

a. For structures four or more stories in height, all roof equipment must be set back from the edge of the roof a minimum distance of one foot for every two feet in height.

b. For structures less than four stories in height and for any building where roof equipment cannot meet the setback requirement of item a above, there must be either a parapet wall to screen the equipment or the equipment must be housed in solid building material that is architecturally integrated with the structure.

3. Wall-Mounted Equipment

The following does not apply to wall-mounted equipment that encroaches into the public right-of-way. Any modifications of these standards are subject to Administrative Review Committee approval.

a. Wall-mounted mechanical equipment is not permitted on the street facing façade of the building (does not include alleys).

b. For multi-family and non-residential uses, wall-mounted mechanical equipment that protrudes more than 12 inches from the outer building wall must be screened from view by structural features that are compatible with the architecture of the subject building.

c. Wall-mounted mechanical equipment that protrudes less than 12 inches must be designed to blend with the primary color and architectural design of the subject building.

d. These requirements do not apply to window air conditioning units or satellite dishes in any district.

U. Outdoor Sales and Display (Accessory)

These regulations apply only to outdoor sales and display located on the lot.

1. Retail goods establishments are permitted to have accessory outdoor sales and display of merchandise only in the nonresidential districts ~~are permitted to have accessory outdoor sales and display of merchandise~~. ~~Such~~ The merchandise offered for sale and/or displayed must be customarily sold on the premises and customarily suitable for display outside the confines of an enclosed building.

2. All outdoor display of merchandise must be located adjacent to the storefront ~~or within a parking lot~~. Outdoor display cannot be located within a parking lot, drive aisle, loading zone, or fire lane.

3. No display may be placed within five feet of either side of an active door, or within 15 feet directly in front of an active door.

4. A minimum clear width for pedestrian traffic of five feet is maintained.

V. Outdoor Storage (Accessory)

Nonresidential uses are permitted outdoor storage as follows:

1. The following uses are permitted outdoor storage: amusement facility – outdoor, personal, community, and market garden, greenhouse/nursery – retail, including the growing of plants in the open, heavy retail, rental, and service, general and heavy industrial, public safety and public works facilities, vehicle dealership, vehicle rental, vehicle operations facility, vehicle repair/service, warehouse and distribution, and wholesale establishment. The

Zoning Administrator can also render an interpretation that a use not listed in this section would typically have outdoor storage and permit such use to include outdoor storage on the site.

2. Outdoor storage must comply with the following provisions:

a. No outdoor storage is permitted in any public right-of-way or located so that it obstructs pedestrian or vehicular traffic. Outdoor storage is prohibited in a required setback and in the front yard.

b. All manufacturing, assembly, repair, or work activity must take place inside an enclosed building.

c. No required parking area may be used as outdoor storage.

W. Refuse Dumpsters, Recycling Containers, and Recycling Collection Facility

1. Refuse Dumpsters and Recycling Containers

Refuse and recycling container regulations apply to multi-family dwellings and nonresidential uses.

a. Refuse and recycling containers are prohibited in the front yard.

b. All refuse dumpsters and recycling containers must be fully enclosed on three sides by a solid fence, wall, or wall extension of the principal building a minimum of six feet and a maximum of eight feet in height. The wall or wall extension must be constructed as an integral part of the building's architectural design

c. The enclosure must be gated. Such gate must be solid and a minimum of six feet and a maximum of eight feet in height. Such construction requires a building permit. This requirement does not apply to refuse containers located adjacent to an alley.

d. The gate must be maintained in good working order and must remain locked except when refuse/recycling pick-ups occur. The gate must be architecturally compatible with other buildings and structures on the site.

e. Service areas that are fully integrated into a building must be screened with a roll down door or other opaque screen.

2. Recycling Collection Facility

a. Containers must be set back a minimum of ten feet from any lot line or building. When a recycling collection facility abuts a residential district, or any open space or institutional use, it must be located 25 feet from a lot line and a Class B buffer yard per Section 12.9 and a solid wall or fence, a minimum of six feet and a maximum of eight feet in height, is required.

b. Containers cannot be located to obstruct pedestrian or vehicular traffic.

c. Containers must post one identification sign per container or vehicle which identifies the type of material to be placed in the container or vehicle, the name and telephone number of the operator, the hours of operation, and a warning that no material may be left outside the container or vehicle.

d. Five percent of the required parking spaces for the primary use may be used for the recycling collection facility.

X. Satellite Dish Antennas

1. General Requirements

a. Satellite dish antennas must be permanently installed on a building, in the ground, or on a foundation, and cannot be mounted on a portable or movable structure.

b. Subject to operational requirements, the dish color must be of a neutral color, such as white or grey. No additional signs or advertising is permitted on the satellite dish itself, aside from the logos of the satellite dish service provider and/or dish manufacturer.

c. Antennas no longer in use must be immediately removed.

d. Every effort must be made to install satellite dish antennas in locations that are not readily visible from neighboring properties or from the public right-of-way.

2. Additional Standards for Large Satellite Dish Antennas

Large satellite dish antennas, which are greater than one meter (3.28 feet) in diameter, are subject to the general requirements above as well as the following requirements:

a. Large satellite dish antenna are permitted only in the rear yard, and must be set back a distance from all lot lines that is at least equal to the height of the dish, but in no case less than five feet from any lot line.

b. Roof-mounting is permitted only if the satellite dish antenna is entirely screened from public view along the right-of-way by an architectural feature.

c. A large satellite dish antenna must be located and screened so that it cannot be readily seen from public rights-of-way or adjacent properties. Screening includes solid fences or walls or plant materials located to conceal the antenna and its support structure. Plants must be a minimum of five feet tall at the time of installation.

Y. Solar Panels

1. General Requirements

a. A solar panel may be building-mounted or freestanding.

b. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

2. Building-Mounted Systems

a. A building-mounted system may be mounted on the roof or wall of a principal building or accessory structure.

b. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches.

c. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure. Roof-mounted solar energy systems are excluded from the calculation of building height.

d. Wall-mounted solar panels may project up to four feet from a building façade and should be integrated into the structure as an architectural feature.

3. Freestanding Systems

a. A freestanding system is prohibited in the front yard.

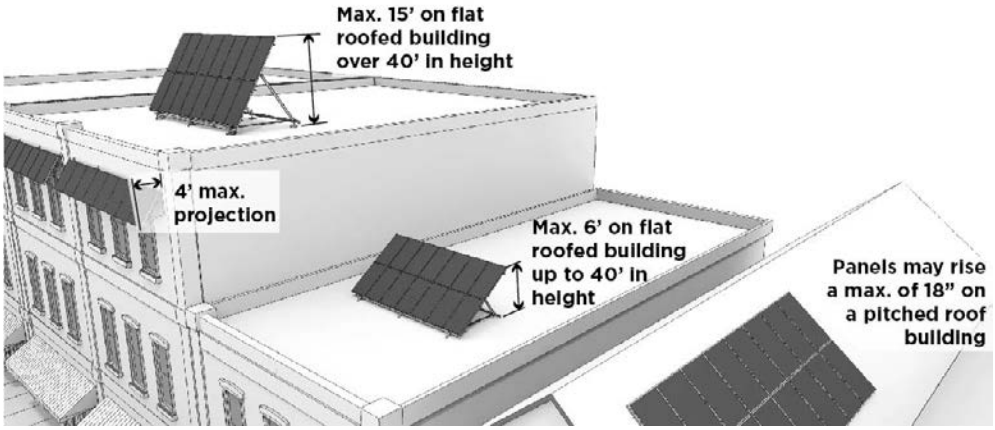
b. The maximum height of a freestanding system is ten feet in residential districts.

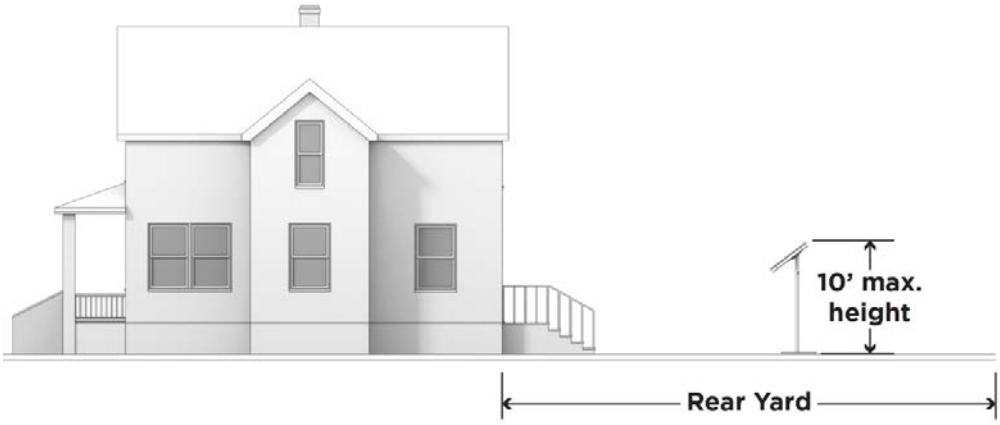
4. Co-Location

a. Solar panels may be co-located on existing structures such as wireless communication towers and light poles.

b. Solar panels may be co-located on the roof of accessory structures such as pergolas and parking lot shade structures, and may serve as the roof as such structures.

SOLAR PANELS





Z. Swimming Pool (Private)

1. A private swimming pool is any pool or open tank having a depth of more than 30 inches that is designed and built for swimming and bathing. This does not include spas and hot tubs that are securely covered when not in use by a sturdy insulated top capable of restricting access by children.

2. No swimming pool or part thereof, including all aprons, bathing areas, and accessory structures associated with the pool, may encroach into any required setback.

3. No swimming pool or part thereof, including all aprons, bathing areas, and accessory structures associated with the pool, can be located in a front yard or corner side yard.

4. A community club swimming pool, including all aprons, bathing areas, and accessory structures associated with the pool, cannot be located closer than 25 feet to any perimeter lot line of the development.

AA. Tennis Court (Private)

1. No part of the court or its appurtenances may encroach into any required front, corner side, or interior side yard.

2. A community tennis club cannot be located closer than 25 feet to any perimeter lot line of the development.

BB. Wind Turbines

1. Wind turbines may be designed as either vertical or horizontal axis turbines, or designs that combine elements of the different types of turbines.

2. Wind turbines are subject to the following height restrictions:

a. The maximum height of any ground-mounted wind turbine is the maximum height allowed in the district or 35 feet, whichever is less. A taller height may be allowed by special use.

b. The maximum height of any wind turbine mounted upon a structure is 15 feet above the height of such structure.

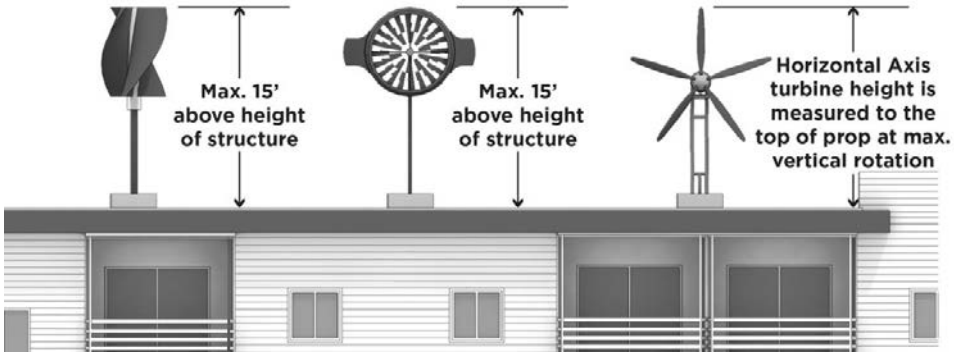
c. Maximum height is the total height of the turbine system as measured from the base of the tower to the top. For vertical axis turbines, the maximum vertical height of the turbine blades is measured as the length of a prop at maximum vertical rotation.

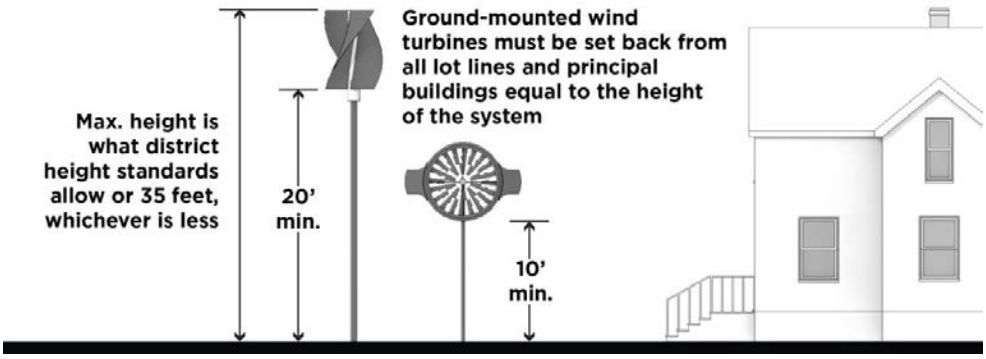
d. No portion of exposed turbine blades (vertical access wind turbine) may be within 20 feet of the ground. Unexposed turbine blades (horizontal access wind turbine) may be within ten feet of the ground.

3. Ground-mounted wind turbines are permitted only in the rear yard. The tower must be set back from all lot lines equal to the height of the system. No principal buildings may be located within this area.

4. All wind turbines must be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the wind energy system.

WIND TURBINES





10.4 PERMITTED ENCROACHMENTS

An encroachment is the extension or placement of an accessory structure or architectural feature into a required setback. Permitted encroachments are indicated in Table 10-1: Permitted Encroachments into Required Setbacks.

A. Section 10.3 contains regulations on additional accessory structures and architectural features not listed in Table 10-1, which may include additional permissions or restrictions for their permitted encroachment into required setbacks.

B. Unless otherwise indicated, all accessory structures and architectural features must meet the requirements for general accessory structures.

C. When an attached or detached accessory structure or architectural feature regulated by Table 10-1 is permitted to locate in a required setback, it also indicates permission to locate in the corresponding yard.

D. When an accessory structure or architectural feature regulated by Table 10-1 is prohibited from encroaching in a required setback, the structure or architectural feature may be located in the corresponding yard beyond the required setback line unless specifically prohibited by the table.

E. Certain accessory structures may require a building permit per the Building Code.

Table 10-1: Permitted Encroachments Into Required Setbacks
Y= Permitted // N= Prohibited
Max. = Maximum // Min. = Minimum

	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Accessibility Ramp and Other Accessibility-Related Structures	Y	Y	Y	Y
Arbor	Y	Y	Y	Y
Balcony *Max. of 6' into front, interior side, or corner side setback* *Max. of 8' into rear setback* *Min. of 4' from any lot line* *Min. vertical clearance of 8'*	Y	Y	Y	Y
Bay Window *Max. of 5' into any setback* *Min. of 24" above ground*	Y	Y	Y	Y
Chimney *Max. of 18" into setback*	Y	Y	Y	Y
Deck *Max. of 5' into front, corner side, or interior side setback* *Max. of 10' into rear setback* *Prohibited in front yard*	Y	Y	Y	Y
Eaves *Max. of 2' into setback*	Y	Y	Y	Y
Exterior Stairwell *Max. of 6' into setback* *Prohibited in front yard*	N	Y	Y	Y
Fire Escape *Max. of 3' into setback* *Prohibited in front yard*	N	Y	Y	Y
Patio *Max. of 5' into corner side, or interior side setback* *Max. of 10' into rear setback* *Prohibited in front yard*	N	Y	Y	Y
Porch - Unenclosed *Max. of 5' into front, interior side, or corner side setback* *Max. of 8' into rear setback* *Enclosed porches are considered part of the principal structure*	Y	Y	Y	Y
Shed *Prohibited in front yard* *Min. of 5' from any lot line*	N	N	Y	Y
Sills, belt course, cornices, and ornamental features	Y	Y	Y	Y

Table 10-1: Permitted Encroachments Into Required Setbacks
Y= Permitted // N= Prohibited
Max. = Maximum // Min. = Minimum				

	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Max. of 3' into setback				
Stoop *Max. of 4' into setback*	Y	Y	Y	Y
Sunshade *Max. of 2' from building wall*	Y	Y	Y	Y

10.5 ENVIRONMENTAL PERFORMANCE STANDARDS

All uses must comply with the performance standards established in this section unless any federal, state, or local law, ordinance, or regulation establishes a more restrictive standard, in which case, the more restrictive standard applies.

A. Noise

No activity or use must be conducted in a manner that generates a level of sound as measured on another property greater than that allowed by federal, state, and local regulations, as amended from time to time. These limits do not apply to construction noises, noises emanating from safety signals or warning devices, noises not directly under the control of the owner or occupant of the property, and transient noises from moving sources, such as motor vehicles, railroads, and aircraft.

B. Glare and Heat

Any activity or the operation of any use that produces glare or heat must be conducted so that no glare or heat from the activity or operation is detectable at any point off the lot on which the use is located. Flickering or intense sources of light must be controlled or shielded so as not to cause a nuisance across lot lines.

C. Vibration

No earthborne vibration from the operation of any use may be detectable at any point off the lot on which the use is located.

D. Dust and Air Pollution

Dust and other types of air pollution, borne by the wind from sources, such as storage areas, yards, roads, conveying equipment and the like, within lot boundaries, must be kept to a minimum by appropriate landscape, screening, sheltering, paving, fencing, wetting, collecting, or other acceptable means.

F. Discharge and Disposal of Radioactive and Hazardous Waste

The discharge of fluid and the disposal of solid radioactive and hazardous waste materials must comply with applicable federal, state, and local laws, and regulations governing such materials or waste. Radioactive and hazardous material waste must be transported, stored, and used in conformance with all applicable federal, state, and local laws.

G. Electromagnetic Interference

Electromagnetic interference from any operation of any use must not adversely affect the operation of any equipment located off the lot on which such interference originates.

H. Odors

Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the public health and welfare, or which interferes unreasonably with the comfort of the public, must be removed, stopped, or modified so as to remove the odor.

I. Fire and Explosion Hazards

Materials that present potential fire and explosion hazards must be transported, stored, and used only in conformance with all applicable federal, state, and local regulations.

ARTICLE 11. OFF-STREET PARKING

11.1 APPLICABILITY
11.2 GENERAL REQUIREMENTS
11.3 LOCATION AND SETBACKS
11.4 REQUIRED OFF-STREET PARKING SPACES
11.5 DIMENSIONS OF OFF-STREET PARKING FACILITIES
11.6 DESIGN OF OFF-STREET PARKING FACILITIES
11.7 ACCESS AND DRIVEWAY DESIGN
11.8 SHARED PARKING
11.9 BICYCLE PARKING PROVISIONS
11.10 REQUIRED OFF-STREET LOADING SPACES
11.11 OUTDOOR STORAGE OF COMMERCIAL VEHICLES
11.12 OUTDOOR STORAGE OF RECREATIONAL VEHICLES

11.1 APPLICABILITY

A. General Applicability

1. These regulations are applicable in all zoning districts. If a district has specific off-street parking requirements, those requirements control.

2. The City of Knoxville Department of Engineering may require redesign of parking lots if a traffic safety hazard can be eased or eliminated. Loss of parking spaces resulting from the required redesign will be considered by the Department of Plans Review and Inspections in determining the minimum parking requirements.

3. If the recalculation of parking requirements under Section 11.4 results in parking spaces that exceed any maximums set forth in this Article, the excess parking spaces may continue to be used and are not required to comply with this Article.

4. All parking lots must meet the requirements of sections 11.2, 11.11, and 11.12.

B. Required Parking for Renovation of Existing Buildings and Change of Use

1. Renovations Exceeding 50% of Value

When the renovation of existing building(s) exceeds 50% of the assessed or appraised value of the lot and building(s) being renovated (whichever is the greater of the two) the following apply:

a. With a Change of Use or New Addition

Required parking must be provided according to this Article.

b. Without a Change of Use or New Addition

Required parking must be provided according to all requirements of this Article except Sections 11.3, 11.5, 11.6, and 11.7. In such instances, nonconforming parking areas may be continued and counted towards the total parking requirements.

c. Exemption

Mixed-use non-residential multi-tenant structures and developments (no residential component) are not subject to Section 11.1.B.1.a if there is no addition to the principal building.

2. Renovation Less Than 50% of Value.

When the renovation of existing building(s) is 50% or less of the assessed or appraised value of the lot and building(s) being renovated (whichever is the greater of the two) the following apply:

a. Including a Change of Use or New Addition

Required parking must be provided according to all requirements of this Article except Sections 11.3, 11.5, 11.6, and 11.7. In such instances, nonconforming parking areas may be continued and counted towards the total parking requirements.

b. Without a Change of Use or New Addition

Renovations without a change of use or new addition are subject to section 11.1.A.[AS1][GG2]

~~**A. General Applicability**~~

~~**1.** These regulations are applicable in all zoning districts that do not specify off-street parking requirements exclusive to that district. If the district specifically requires certain off-street parking, those requirements control.~~

~~**2.** Where an existing building is being renovated or redeveloped, item B below applies. However, mixed-use non-residential multi-tenant structures (no residential component) are only subject to item B.1 below, when renovation or redevelopment exceeds 50% of the assessed or appraised value of the lot and building(s) being renovated.~~

~~**3.** Where an existing parking lot is being expanded or improved, item C below applies.~~

~~**4.** This subsection does not apply to approved off-street parking for residential uses and driveways in existence as of January 16, 2009.~~

~~**B. Required Parking for Redevelopment of Existing Buildings**~~

~~**1. Redevelopment Exceeding 50% of Value**~~
~~When an existing building(s) is renovated, and such change exceeds 50% of the assessed or appraised value of the lot and building(s) being renovated, whichever is the greater of the two, required parking must be provided according to this Article. If the recalculation of parking requirements under this section results in parking spaces that exceed any maximums set forth in this Article, the excess parking spaces may continue to be used and are not required to comply with this section.~~

~~**2. Renovation Equal To or Less Than 50% of Value**~~
~~When an existing building(s) is renovated, the property is not subject to the requirements of Section 11.3, 11.5, 11.6, and 11.7 if the cost of the renovation is less than 50% of the assessed or appraised value of the lot and building(s) being renovated, whichever is the greater of the two. In such instances, nonconforming parking areas may be continued and counted towards the total parking requirements for any new use, addition, or extension placed on the property if, in the opinion of the Department of Engineering, the existing parking design does not pose a threat to traffic safety. The Department of Engineering may require redesign of such areas if a traffic safety hazard can be eased or eliminated. Loss of parking spaces resulting from the required redesign will be considered by the Department of Plans Review and Inspections in determining the minimum parking requirements.~~

C. Expansion or Improvement of Existing Parking Lots

1. When an existing parking lot is expanded, the expansion area must be designed and constructed in compliance with the standards of this Article and the landscape requirements of Sections 12.5 and 12.6.

2. When an existing parking lot is improved, the improved area must be designed and constructed in compliance with the standards of this Article and the landscape requirements of Sections 12.5 and 12.6. In addition, the following apply:

a. If the improvement area is less than 50% of the total parking area, landscape is required only for the improvement area.

b. If the improvement area is 50% or more of the total parking area, landscape is required ~~only~~ for the entire parking lot.

11.2 GENERAL REQUIREMENTS

A. The storage of merchandise, the storage of automobiles or other motor vehicles for sale, or the repair of automobiles or other motor vehicles on required off-street parking facilities is prohibited.

B. Wherever parking is required by this Article, no building permit will be issued prior to approval of access to affected City streets and/or state highways by the appropriate City and/or state official.

11.3 LOCATION AND SETBACKS

A. Off-street parking for uses other than residential uses may be provided on a lot other than that on which the principal use is located if the required number of parking spaces for any land use cannot be provided on the same lot on which the principal use is located, according to the requirements of Section 11.8 below.

B. Parking lots with common frontage on the same block with residentially zoned property and located on roads with less than four existing travel lanes must be setback 25 feet from the street line. However, this setback does not apply to multi-family dwellings.

C. An interior side or rear setback is required in parking lots, as measured from the edge of parking lot to the lot line, as follows. Required site landscape per Article 12 may be located in this setback.

1. Industrial districts abutting agricultural or residential districts: 20 feet

2. Office or commercial districts abutting agricultural or residential districts: 20 feet

3. Multi-~~dwelling~~ family dwellings abutting agricultural or single-family districts: 10 feet

4. Non-residential use in residential district: 10 feet

D. ~~In EN, RN-1, RN-2, RN-3, RN-4, and RN-5 Districts~~For single-family and two-family dwellings, parking is prohibited in the front and corner side yard ~~of residential uses~~ except as follows:

1. On approved driveways and in approved parking spaces.

2. A maximum of two vehicles with a current and properly displayed accessible/disabled parking license plate or placard/hang tag.

3. Temporary loading or unloading.

4. When construction, remodeling, maintenance, or repairs are being performed on the property, temporary front yard parking cannot exceed the period for which the permit is valid or as necessary to complete the work.

5. Parking for isolated, non-recurring gatherings, parties, or visitors. This exception is not intended to provide permanent or semi-permanent parking for extra cars.

6. Areas within a two-mile radius of Neyland Stadium during University of Tennessee-Knoxville home football games and areas within a one-mile radius of Chilhowee Park and Exposition Center during city-approved events.

E. For single-family and two-family dwellings~~In EN, RN-1, RN-2, RN-3, RN-4, and RN-5 Districts~~, approved parking and driveway(s) in the front and corner side yard are limited to the following:

1. On lots with a carport or garage:

a. The driveway leading to a carport or enclosed garage, not to exceed the maximum width allowed, except for flares adequate to access the carport or garage.

b. A connector driveway may extend from a circular driveway to beyond the front wall of the ~~principle~~ structure. Connector driveways must comply with driveway width requirements.

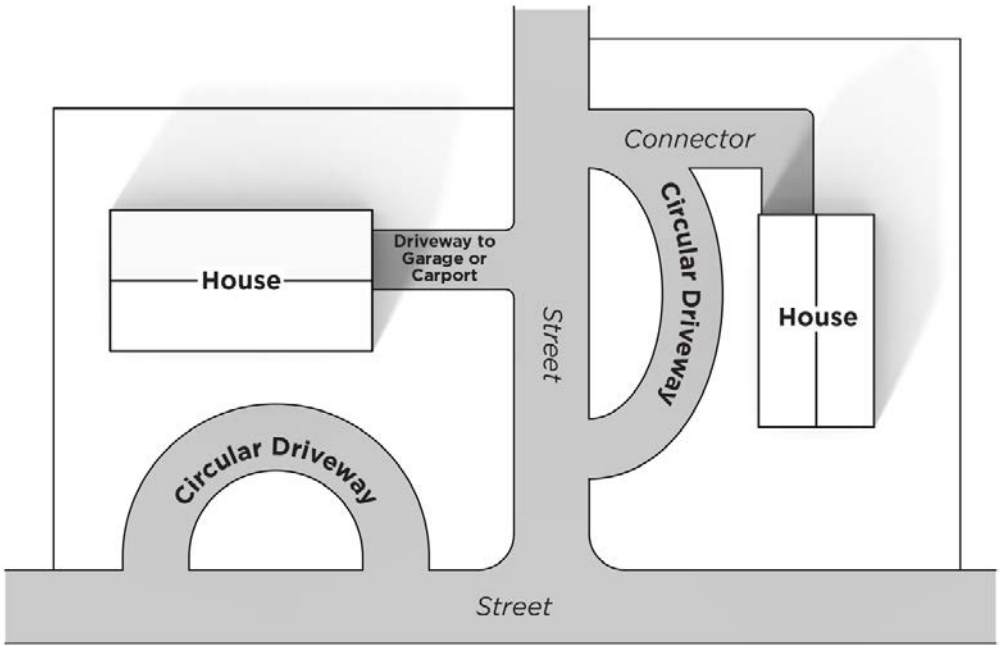
2. On lots with no carport or garage:

a. With lot frontage of 75 feet or less, the driveway must be within ten feet of the side lot line.

b. For lot frontage greater than 75 feet, no driveway, other than a circular driveway, may be constructed in the area between the front wall of the ~~principle~~ principal structure and the front property line.

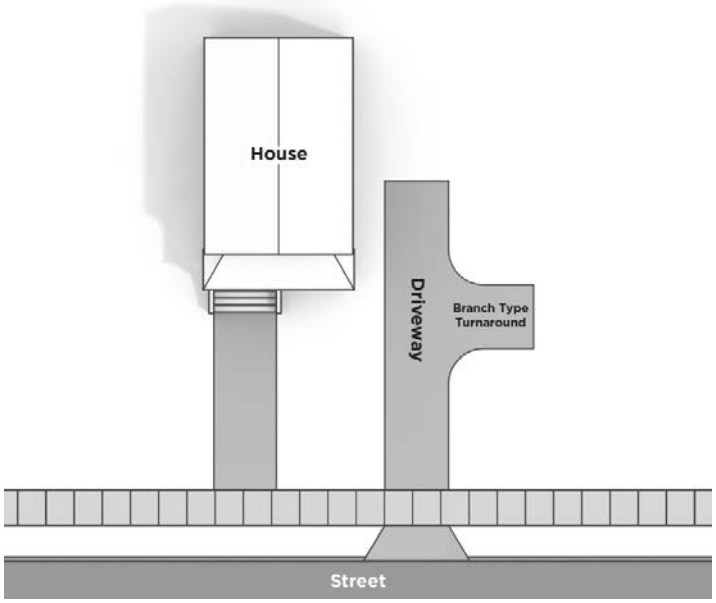
c. For lot frontage greater than 75 feet, a connector driveway may extend from a circular driveway to beyond the front wall of the ~~principle~~ principal structure. Connector driveways must comply with driveway width requirements.

DRIVEWAYS



3. In addition to any of the above, a branch type turnaround not to exceed 200 square feet is permitted on any lot where City engineering standards can be met.

BRANCH TYPE TURNAROUND



F. For the purpose of this section, lot frontage for any lot except a small lot of record that does not have 75 feet or greater frontage on any street, private right-of-way (joint permanent easement ~~(private right-of-way~~), or access easement, is measured at the front building line.

11.4 REQUIRED OFF-STREET PARKING SPACES

A. General Application

1. The minimum and maximum number of off-street vehicle parking spaces shall be determined in accordance with Table 11-2: Required Off-Street Parking, unless otherwise specified in the zoning district.

2. In determining the number of parking spaces, when the result contains a fraction, any fraction less than one-half is disregarded and any fraction of one-half or more is counted as one parking space.

3. Structured parking is not subject to the maximum number of parking spaces set forth in Table 11-2.

4. All parking lot elements required by the Americans with Disabilities Act (ADA) must be accessible. All off-street parking lots must have a number of accessible parking spaces as required by Table 11-3: Required Accessible Parking Spaces, or as amended by ADA:

Table 11-2: Required Off-Street Parking

Use	Minimum Vehicle Parking Required	Maximum Vehicle Parking Allowed
Agriculture (Dwelling On-Premises)	2 per du	No limit
Airport	10 per 1,000sf GFA of terminal area	No limit
Alternative Correctional Facility	2 per 1,000sf GFA of office area	8 per 1,000sf GFA of office area
Amusement Facility – Indoor	4 per 1,000sf GFA *Bowling alley: 3 per lane* *Movie theater: 0.2 per seat*	5 per 1,000sf GFA *Bowling alley: 5 per lane* *Movie theater: 0.5 per seat*
Amusement Facility – Outdoor	Commercial recreation: 4 per 1,000sf GFA *Swimming pool, tennis court: 0.33 per person per design capacity*	Commercial recreation: 5 per 1,000sf GFA *Swimming pool, tennis court: 0.5 per person per design capacity*
Animal Care Facility – Large Animal	2.5 per 1,000sf GFA + 2 per 1,000sf GFA of pet boarding area	3.5 per 1,000sf GFA + 4 per 1,000sf GFA of pet boarding area
Animal Care Facility – Small Animal	2.5 per 1,000sf GFA + 2 per 1,000sf GFA of pet boarding area	3.5 per 1,000sf GFA + 4 per 1,000sf GFA of pet boarding area
Animal Breeder	2 spaces (in addition to dwelling requirements)	4 spaces (in addition to dwelling requirements)
Art Gallery	3 per 1,000sf display floor area	4 per 1,000sf display floor area
Arts and Fitness Studio	4 per 1,000sf GFA	5 per 1,000sf GFA
Bed and Breakfast	1 per guest room	1.25 per guest room
Body Modification Establishment	3 per 1,000sf GFA	5 per 1,000sf GFA
Broadcasting Facility - With or Without Antennae	3 per 1,000sf GFA of office area	8 per 1,000sf GFA of office area
Campground	1 per campsite	4 per campsite
Car Wash – With Employees	0.5 per employee on shift of greatest employment	1 per employee on shift of greatest employment
Cemetery	3 per 1,000sf of office and public assembly area	8 per 1,000sf of office and public assembly area
Community Center	0.25 per seat in main assembly area	0.5 per seat in main assembly area
Conservation Area	Determined by Dept. of Engineering	Determined by Dept. of Engineering
Country Club	Minimum required sum of uses on-site	Maximum allowed by sum of uses on-site
Cultural Facility	3 per 1,000sf display floor area	4 per 1,000sf display floor area
Day Care Center	0.67 per employee on shift of greatest employment + 0.125 off-street loading space per client	1 per employee on shift of greatest employment + 0.167 off-street loading space per client
Day Care Home	0.67 per employee on shift of greatest employment + 0.125 off-street loading space per client	1 per employee on shift of greatest employment + 0.167 off-street loading space per client
Domestic Violence Shelter	2 per 1,000sf GFA of office area	8 per 1,000sf GFA of office area
Drug/Alcohol Treatment Facility, Residential	1 per patient room	2.5 per patient room

Table 11-2: Required Off-Street Parking		
Use	Minimum Vehicle Parking Required	Maximum Vehicle Parking Allowed
Drug Treatment Clinic	4 per 1,000sf GFA	10 per 1,000sf GFA
Dwelling – Above the Ground Floor	0 to 1 bedroom: 1 per du + guest parking 2 bedrooms: 1.25 per du + guest parking 3 bedrooms: 1.5 per du + guest parking 4+ bedrooms: 2 per du + guest parking Housing development renting by bedroom: 0.67 per bedroom Guest parking (located in areas commonly accessible to all du): 0.2 per du	0 to 1 bedroom: 1.25 per du + guest parking 2 bedrooms: 1.75 per du + guest parking 3 bedrooms: 2.25 per du + guest parking 4+ bedrooms: 2.5 per du + guest parking Housing development renting by bedroom: 1.2 per bedroom Guest parking (located in areas commonly accessible to all du): 0.25 per du
Dwelling – Manufactured Home	2 per du	No limit
Dwelling - Multi-Family	0 to 1 bedroom: 1 per du + guest parking 2 bedrooms: 1.25 per du + guest parking 3 bedrooms: 1.5 per du + guest parking 4+ bedrooms: 2 per du + guest parking Housing development renting by bedroom: 0.67 per bedroom Guest parking (located in areas commonly accessible to all du): 0.2 per du	0 to 1 bedroom: 1.25 per du + guest parking 2 bedrooms: 1.75 per du + guest parking 3 bedrooms: 2.25 per du + guest parking 4+ bedrooms: 2.5 per du + guest parking Housing development renting by bedroom: 1.2 per bedroom Guest parking (located in areas commonly accessible to all du): 0.25 per du
Dwelling - Townhouse	2 per du + 0.25 per du guest parking	No limit
Dwelling - Single-Family	2 per du	No limit
Dwelling - Two-Family	2 per du	No limit
Educational Facility - Primary	1 per classroom	2 per classroom
Educational Facility - Secondary	0.25 per student at maximum enrollment	0.5 per student at maximum enrollment
Educational Facility - University or College/Vocational	5 per 1,000sf GFA	6.5 per 1,000sf GFA
Eating and Drinking Establishment	No drive-through: 8 per 1,000sf GFA With drive-through: 6 per 1,000sf GFA	No drive-through: 16 per 1,000sf GFA With drive-through: 12 per 1,000sf GFA
Financial Institution	2.5 per 1,000sf GFA	5 per 1,000sf GFA
Financial Service, Alternative	2.5 per 1,000sf GFA	5 per 1,000sf GFA
Food Bank	3 per 1,000sf of office	8 per 1,000sf of office
Food Pantry	2 per 1,000sf GFA	8 per 1,000sf GFA
Food Truck Park	1 per mobile food unit	2 per mobile food unit
Fraternity/Sorority	0.33 per resident at maximum occupancy	0.5 per resident at maximum occupancy
Funeral Home	0.33 per person at design capacity	0.67 per person at design capacity
Garden, Market	1 per employee on shift of greatest employment	2 per employee on shift of greatest employment
Gas Station	4 per 1,000sf GFA of any retail component Gas station with retail & restaurant: 4 per 1,000sf GFA	8 per 1,000sf GFA of any retail component Gas station with retail & restaurant: 10 per 1,000sf GFA
Golf Course/Driving Range	3 per hole	6 per hole
Government Office/Facility	3 per 1,000sf GFA	8 per 1,000sf GFA

Table 11-2: Required Off-Street Parking		
Use	Minimum Vehicle Parking Required	Maximum Vehicle Parking Allowed
Greenhouse/Nursery – Retail	1 per 1,000sf GFA + 1 per 1,000sf outdoor sales area	2 per 1,000sf GFA + 2 per 1,000sf outdoor sales area
Group Home	2 per 1,000sf GFA of office area	8 per 1,000sf GFA of office area
Halfway House	2 per 1,000sf GFA of office area	8 per 1,000sf GFA of office area
Healthcare Institution	3.25 per bed	5.75 per bed
Heavy Retail, Rental, and Service	1 per 1,000sf GFA + 1 per 1,000sf outdoor sales area *Auto, truck, manufactured home, boat, outdoor equipment sales: 3.5 per 1,000sf of office sales & waiting area* *Building material sales: 1 per 1,000sf GFA + 1 per 1,000sf outdoor sales area* *Home improvement superstore: 2.5 per 1,000sf GFA*	2 per 1,000sf GFA + 2 per 1,000sf outdoor sales area *Auto, truck, manufactured home, boat, outdoor equipment sales: 5 per 1,000sf of office sales & waiting area* *Building material sales: 2 per 1,000sf GFA + 2 per 1,000sf outdoor sales area* *Home improvement superstore: 4 per 1,000sf GFA*
Homeless Shelter	2 per 1,000sf GFA of office area	8 per 1,000sf GFA of office area
Hotel	1 per lodging unit	1.25 per lodging unit
Impound Lot	1 per 1,000sf GFA + 1 per 5,000sf outdoor storage area	2 per 1,000sf GFA + 2 per 5,000sf outdoor storage area
Independent Living Facility	~~0 to 1 bedroom: 1 per du + guest parking~~ ~~2 bedrooms: 1.25 per du + guest parking~~ ~~3 bedrooms: 1.5 per du + guest parking~~ ~~4+ bedrooms: 2 per du + guest parking~~ ~~Housing development renting by bedroom: 0.67 per bedroom~~ 0.65 per unit + guest parking (located in areas commonly accessible to all du): 0.2 per du	~~0 to 1 bedroom: 1.25 per du + guest parking~~ ~~2 bedrooms: 1.75 per du + guest parking~~ ~~3 bedrooms: 2.25 per du + guest parking~~ ~~4+ bedrooms: 2.5 per du + guest parking~~ ~~Housing development renting by bedroom: 1.2 per bedroom~~ 1 per unit + guest parking (located in areas commonly accessible to all du): 0.25 per du
Industrial – Craft	2 per 1,000sf GFA	6 per 1,000sf GFA
Industrial – General	0.9 per 1,000sf GFA	6 per 1,000sf GFA
Industrial – Heavy	0.75 per employee at the largest shift	1 per employee at the largest shift
Industrial Design	3 per 1,000sf GFA	8 per 1,000sf GFA
Pre-School/Kindergarten	1 per classroom	2 per classroom
Live Performance Venue	0.2 per seat	0.5 per seat
Live/Work	1 per du + 2 per 1,000sf GFA	2 per du + 6 per 1,000sf GFA
Lodge/Meeting Hall	5 per 1,000sf GFA	6.5 per 1,000sf GFA
Marina	0.5 per boat slip + requirements for other uses included in development	1 per boat slip + allowances for other uses included in development
Medical/Dental Office/Clinic	4 per 1,000sf GFA	10 per 1,000sf GFA
Micro-Brewery/Distillery/Winery	2 per 1,000sf GFA	6 per 1,000sf GFA
Nightclub	8 per 1,000sf GFA	16 per 1,000sf GFA
Office	3 per 1,000sf GFA *Call center: 4.5 per 1,000sf GFA*	8 per 1,000sf GFA *Call center: 12 per 1,000sf GFA*
Personal Service Establishment	3 per 1,000sf GFA	6 per 1,000sf GFA
Place of Worship	0.25 per seat in the main assembly	0.5 per seat in the main assembly
Public Park	Determined by Dept. of Engineering	Determined by Dept. of Engineering
Public Safety Facility	Determined by Dept. of Engineering	Determined by Dept. of Engineering
Public Works Facility	Determined by Dept. of Engineering	Determined by Dept. of Engineering
Reception Facility	8 per 1,000sf GFA	16 per 1,000sf GFA

Table 11-2: Required Off-Street Parking		
Use	Minimum Vehicle Parking Required	Maximum Vehicle Parking Allowed
Research and Development	2 per 1,000sf GFA	6 per 1,000sf GFA
Residential Care Facility	0.2 per bed + 1 per employee on shift of greatest employment	0.33 per bed + 1 per employee on shift of greatest employment
Retail Goods Establishment	3 per 1,000sf GFA *Appliance, carpeting, furniture sales: 2.5 per 1,000sf gross sales area*	6 per 1,000sf GFA *Appliance, carpeting, furniture sales: 3.5 per 1,000sf gross sales area*
Retail Liquor Stores	3 per 1,000sf GFA	6 per 1,000sf GFA
Salvage Yard	3 per 1,000sf office area	4 per 1,000sf office area
Self-Storage Facility: Enclosed	5 spaces adjacent to office/entry + 0.02 per unit	7 spaces adjacent to office/entry + 0.033 per unit
Self-Storage Facility: Outdoor	5 spaces adjacent to office/entry	7 spaces adjacent to office/entry
Social Service Center	3 per 1,000sf GFA	8 per 1,000sf GFA
Solar Farm	2 spaces	Determined by Dept. of Engineering
Vehicle Dealership – Enclosed (Does not include vehicles on display)	2 per 1,000sf of indoor sales and display area + 4 per service bay	4 per 1,000sf of indoor sales and display area + 6 per service bay
Vehicle Dealership – With Outdoor Storage/Display (Does not include vehicles on display)	2 per 1,000sf of indoor sales and display area + 4 per service bay	4 per 1,000sf of indoor sales and display area + 6 per service bay
Vehicle Operation Facility (Does not include vehicles stored)	3 per 1,000sf office area	4 per 1,000sf office area
Vehicle Rental – Enclosed (Does not include vehicles stored for rental)	3 per 1,000sf office area	4 per 1,000sf office area
Vehicle Rental – With Outdoor Storage/Display (Does not include vehicles stored for rental)	3 per 1,000sf office area	4 per 1,000sf office area
Vehicle Repair/Service– Major	2 per bay	4 per bay
Vehicle Repair/Service – Minor	2 per bay	4 per bay
Warehouse and Distribution	0.5 per 1,000sf GFA	2 per 1,000sf GFA
Wholesale Establishment	0.5 per 1,000sf GFA	2 per 1,000sf GFA
Wind Energy System	2 spaces	Determined by Dept. of Engineering

Table 11-3: Required Accessible Parking Spaces		
Total Parking Spaces Provided	Minimum Number of Accessible Parking Spaces Required	
	Van	Total (Van + Car)
1 to 25	1	1
26 to 50	1	2
51 to 75	1	3
76 to 100	1	4
101 to 150	1	5
151 to 200	1	6
201 to 300	2	7
301 to 400	2	8
401 to 500	2	9
501 to 1000	1 for every 6 accessible spaces	2% of total provided parking spaces
1001 and over	1 for every 6 accessible spaces	20, plus 1 for each 100, or fraction thereof, over 1000

B. Exemptions and Flexibilities

1. The DK District is exempt from required parking. If parking is provided then the maximum number of spaces applies in all subdistricts.

2. Minimum vehicle parking reductions apply in the following districts. Bicycle parking requirements may not be reduced.

a. Required minimum vehicle parking may be reduced by 40% in the C-N District.

b. Required minimum vehicle parking may be reduced by 20% in the C-G-2 and C-G-3 District.

3. Off-street parking requirements in any district may be reduced up to 30% from the minimum requirements in Table 11-2, provided the development is located within one-fourth of a mile of a transit route. A Knoxville Area Transit approved shelter may be required on or within one-fourth of a mile of the development site. Bicycle parking requirements may not be reduced. This reduction cannot be coupled with any other parking reduction, such as the reductions offered in items 1 and 2 above.

4. Parking lots may exceed the maximum number of spaces in Table 11-2 by up to 20% provided that the spaces exceeding the maximum number and the access aisles accessing those spaces are constructed of pervious materials approved by the Department of Engineering. Parking spaces exceeding the identified maximum may be approved by the Department of Engineering upon submittal of a parking study justifying the need for additional spaces, and the approval of the parking study by Department of Engineering. All excess spaces and their access ways must be constructed of pervious materials. Pervious paving materials may not be required for excess parking on sites with brownfield agreements upon approval by the Department of Engineering.

5. Upon approval by the Department of Engineering of a parking study for the proposed use(s), the minimum number of parking spaces in Table 11-2 may be reduced.

C. Mixed-Use Multi-Tenant Structure Requirements

A mixed-use multi-tenant structure is not subject to the individual use calculations for required vehicle parking in Table 11-2. Minimum and maximum parking is calculated as follows:

1. Non-residential gross floor area - minimum parking required: 3 per 1,000sf GFA

2. Non-residential gross floor area - maximum parking allowed: 8 per 1,000sf GFA

3. Residential units: requirements for “dwelling – above the ground floor” per Table 11-2

11.5 DIMENSIONS OF OFF-STREET PARKING FACILITIES

Off-street parking facilities must be laid out in accordance with the following regulations:

A. Accessible Spaces

1. Accessible vehicle spaces must be at least eight feet wide with an adjacent pedestrian access aisle of at least five feet in width.

2. Van accessible spaces must be either:

a. At least 11 feet wide with an adjacent pedestrian access aisle of at least five feet in width.

b. At least eight feet wide with an adjacent pedestrian access aisle of at least eight feet in width.

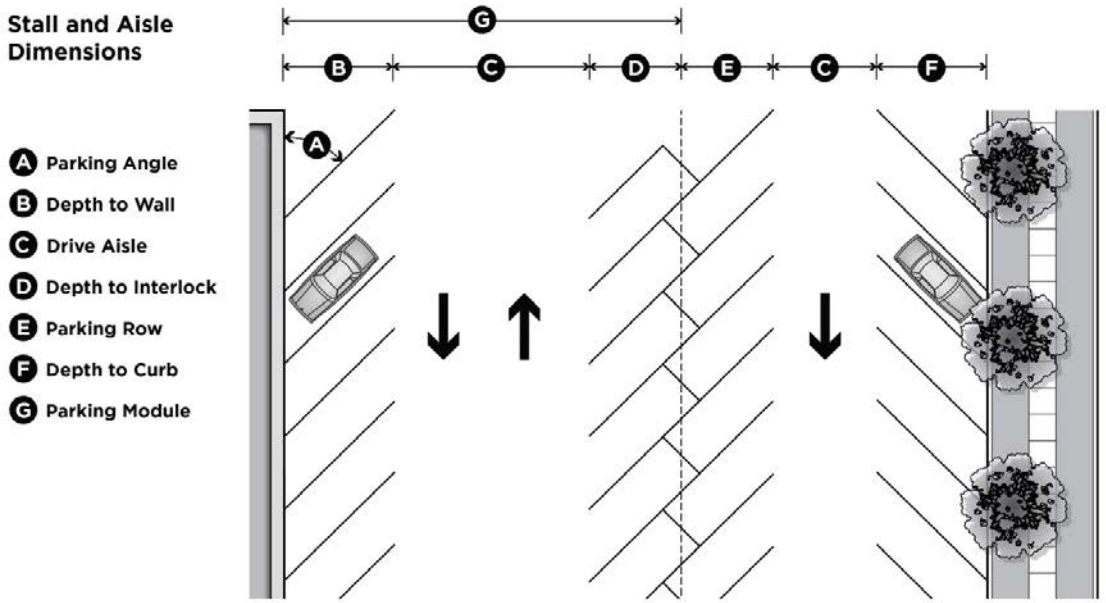
B. Stall and Aisle Dimensions

1. The minimum dimensions for parking stalls and aisles is specified in Table 11-6: Minimum Stall and Aisle Dimensions. Maximum dimensions are the minimum value plus four feet.

Table 11-6: Minimum Stall and Aisle Dimensions						
Parking Angle	Minimum Depth to Wall or Interlock (feet)	Minimum Depth to Curb (feet)	~~Minimum Depth to Interlock (feet)~~	Minimum Stall Width (feet)	Minimum Aisle Width (feet)	
					One-Way	Two-Way
45 degrees	16.5	15.0	~~14.5~~	9.0	15	26
60 degrees	18.0	16.5	~~16.5~~	9.0	18	26
75 degrees	18.5	17.5	~~17.5~~	9.0	22	26
90 degrees	17.5	15.5	~~17.5~~	9.0	26	26
Parallel	22.5	20.5	~~22.5~~	9.0	15	25
~~Parking Direction~~	~~Length to Wall (feet)~~	~~Length to Curb (feet)~~	~~Length to Interlock (feet)~~	~~Stall Width (feet)~~	~~Minimum Aisle Width (feet)~~	
					~~One-Way~~	~~Two-Way~~
~~Parallel~~	~~22.5~~	~~20.5~~	~~22.5~~	~~9.0~~		
Stall depth measured perpendicular to aisle.						
Stall lengths, stall depths, and aisle widths for parking angles, other than those indicated, must be consistent with the above values and are subject to the approval of the City of Knoxville Department of Engineering.						

2. Up to 20% of the total number of parking spaces provided may be designed for compact vehicles. Where possible, these spaces must be clustered together and marked with signs restricting their use to compact vehicles. Compact spaces with a parking angle of 90 degrees must have the following minimum dimensions: eight feet in width, 13.5 feet in depth to curb, and 15.5 feet in depth to a wall or interlock.

STALL AND AISLE DIMENSIONS



C. Pedestrian Access Aisles

Pedestrian access aisles must be hatched and include a painted "No Parking" designation.

D. Encroachments

Columns, light poles, and/or other protrusions may encroach into a parking module up to a maximum of one foot for modules with parking on one side or a maximum of two feet for modules with parking on two sides, one foot protrusion into each parking row. The protrusions cannot affect more that 25% of the spaces.

E. Structured Parking
Structured parking must comply with the following requirements:

1. Parking spaces must comply with Table 11-6. The City of Knoxville Department of Engineering may approve ~~a reduction in parking dimensions when columns and light poles protrude into a parking module a combined maximum of two feet as long as they do not affect more than 25% of the stalls in that bay.~~adjustments to the dimensions while maintaining safety and function.

2. Stairways, elevators, or other provisions must ~~be~~ separate vehicular and pedestrian movements between the various levels of parking structures.

3. The maximum approach, departure, and ramp angles ~~is~~ are subject to the review and approval of the Department of Engineering.

4. A minimum nine foot clearance must be maintained on all levels containing accessible spaces and on all levels providing ingress to and egress from the accessible spaces. A minimum seven foot clearance must be maintained throughout the remainder of the structured parking.

11.6 DESIGN OF OFF-STREET PARKING FACILITIES

A. All areas devoted to off-street parking must be designed so that no vehicle is required to back into a public street or alley to obtain ingress or egress, except for the following:

1. Off-street residential parking for single-family, two-family, and townhouse dwellings when the lot is accessed from a local street or alley.

2. Egress directly from parking spaces to alleys may be allowed when the aisle width, including the alley width, meets the minimum aisle width specified in Table 11-6.

B. The maximum grade in a parking lot is 10%.

C. Surface drainage must be collected so as to preclude uncontrolled drainage onto the paved portion of street rights-of-way as verified by the Department of Engineering.

D. All areas devoted to permanent off-street parking must be surfaced and maintained as to control dust, rutting, erosion as a result of continuous use, and migration of surface materials. Parking spaces must be clearly delineated.

E. Vehicular and pedestrian signs must be MUTCD compliant and approved by the City of Knoxville Department of Engineering.

F. An accessible pathway must be provided from the accessible parking space(s) to the destination that the parking space(s) are intended to serve. The accessible pathway must be located along the shortest accessible route to the accessible door/entrance.

G. In an effort to reduce vehicle/pedestrian conflicts:

1. Parking lots serving a building and having more than one parking row between the fronting street and the building's front entrance should have sidewalks or clearly defined and designated routes connecting the building's main entrance or a central location to the parking lot.

2. A clearly defined and designated accessible route must connect a building's main entrance or central location to a sidewalk in the right-of-way where the cost of providing this route does not exceed 20% of the parking lot improvement cost.

3. Landscaped islands and divider medians must be arranged so as to channel traffic and minimize vehicular and pedestrian conflicts within parking areas. A divider median must be provided at a minimum interval of one median per every six parking rows to channel traffic and minimize vehicular and pedestrian conflicts within interior parking lots.

4. Parking rows must be terminated at both ends with terminal islands of a minimum area of 120 square feet for each parking row. Islands may be combined for double-parking rows, resulting in a terminal island with a minimum area of 240 square feet.~~Parking rows must be terminated at both ends with terminal islands of same dimension as adjacent parking stall. Islands may be combined for double-parking rows.~~

5. Interior islands must have a minimum area of 120 square feet for each parking row that they interrupt. Islands may be combined for double-parking rows, resulting in an interior island with a minimum area of 240 square feet.

6. In the industrial districts and the DK District, terminal islands, interior islands, and divider medians are not required. This exemption does not apply to parking in industrial districts designated for employees and visitors where the principal building is over 40,000 square feet in gross floor area.

H. Terminal islands, interior islands, and divider medians are not required for structured parking facilities or for parking facilities less than 20,000 square feet.

11.7 ACCESS AND DRIVEWAY DESIGN

These regulations are applicable in zoning districts without access and driveway requirements specific to the zoning district. If the district specifically requires access and driveway design, those requirements control. The Department of Engineering is authorized to develop and implement such policies and procedures as may be necessary and desirable to control the design and construction of driveways that are consistent with this Code.

A. The number of driveways on a given street or access easement is based on the following:

1. Typical developments per Table 11-7: Maximum Number of Driveways for Lot Frontages

Table 11-7: Maximum Number of Driveways for Lot Frontages

Lot Frontage	Maximum Number of Driveways
Less than 150 feet	1 For single-family dwellings with lot frontages of 100' or more, a circular driveway is allowed
150 feet – 450 feet	2
Greater than 450 feet – 600 feet	3
Greater than 600 feet – 750 feet	4
Greater than 750 feet	Determined by Department of Engineering

2. Gas stations and establishments where services are normally provided to customers without leaving their vehicles may have two driveways.

3. Projects required to prepare a Traffic Impact Study are considered individually based on the recommendation of the study and the approval of the Department of Engineering.

4. Boulevard driveways (with raised median separation), one way driveways, and right-in/right-out driveway pairs will be considered one driveway

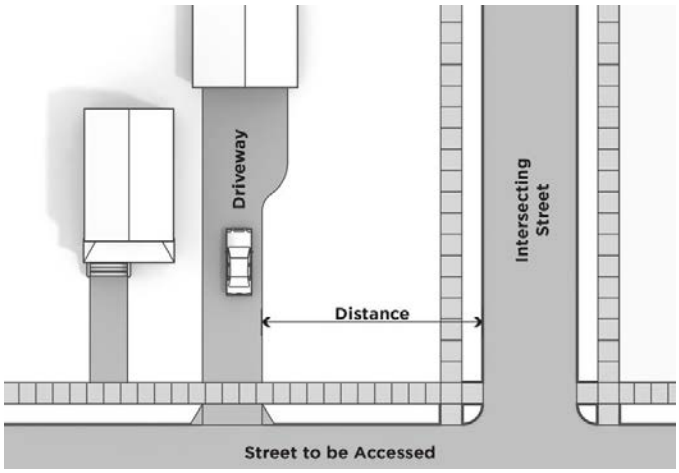
5. The Department of Engineering may impose other access and driveway requirements as necessary based on specific site conditions.

B. ~~On a corner lot, the~~The minimum distance between a driveway and the intersecting street is described in Table 11-8: Corner Clearance Requirements.

Table 11-8: Corner Clearance Requirements

Classification of Intersecting Street	Classification of Street to be Accessed		
	Arterial	Collector	Local
Arterial	200'	150'	100'
Collector	150'	100'	50'
Local	100'	50'	50'

CORNER CLEARANCE



1. If the required distance cannot be met due to lot size or other constraint as verified by the Department of Engineering, the driveway must be located as far as possible from the intersecting street.

2. All driveways in a development must be separated by a minimum distance equal to the width of the wider driveway.

3. No curb cut may encroach on the frontage of adjacent property without the written consent of the owner for such encroachment, except where a joint use driveway with the adjacent property is established at the request of both owners.

C. Table 11-9: Driveway Width and Curb Cut Length Standards provides minimum and maximum driveway widths and curb cut lengths.

Table 11-9: Driveway Width and Curb Cut Length Standards				
	Driveway Dimensions		Length of Curb Cut	
Lot Frontage (feet)	Min.	Max.	Min.	Max.
Single-Family, Two-Family, & Townhouse: By Lot Width				
50 feet or less	10'	18'	15'	24'
> 50 - 74	10'	20'	15'	26'
Greater than 74	10'	25'	15'	32'
A circular driveway can be no wider than 18'				
Other Development				
Land Use: Uses serving a substantial number of large trucks (5/day or 25/week)	20'	40'	60'	90'
Land Use: All other	20'	30'	25'	60'

1. Gas stations may have driveways up to 40 feet wide.

2. Boulevard driveways (with raised median separation), one way driveways, and right-in/right-out driveway pairs are not subject to Table 11-9 and will be reviewed on a case-by-case basis by the Department of Engineering.

3. Access to cell towers, electrical substations, pump stations, etc., ~~shall~~ defer ~~be built~~ to the Department of Engineering's Utility Driveway ~~Standard~~standards.

4. Major traffic generators will be considered as individual cases and are not subject to Table 11-9. A major traffic generator is defined as any facility that is required by this ~~section~~ Article to provide 400 or more parking spaces.

5. On state roads, adjustments to the dimensions in Table 11-9 may be granted based on Tennessee Department of Transportation specifications.

D. When a change in use, redevelopment, or alteration of any land or building makes any or all of the driveways unnecessary or noncompliant, the owner of the property must, at their expense, replace all necessary curbs, gutters, sidewalks, and landscape to a condition consistent with current City of Knoxville standards.

11.8 SHARED PARKING

The Director of the City of Knoxville Department of Plans Review and Inspections, or his/her designee, may consider and approve a shared parking plan for uses that are located near one another and that have different peak parking demands and operating hours. All off-site parking arrangements must comply with the following provisions at a minimum. Additional requirements may be imposed by the Director of the City of Knoxville Department of Plans Review and Inspections, or the Director of the City of Knoxville Department of Plans Review and Inspections may deny the shared parking plan for good cause.

A. The uses will not overlap in hours of operation or in demand for the shared spaces.

B. The person or entity requesting the shared parking must submit a shared parking study and site plan to the Department of Engineering for approval.

C. The lot upon which the shared or off-site parking is located is no greater than 500 feet walking distance as measured from the boundary of the property on which the principal use is located to the boundary of the property where the shared parking is located.

D. Any crossing of a roadway at grade with a classification higher than local roadway must be ~~a longitudinal~~ marked ~~crosswalk~~ per the most recent edition of ~~MUCTD~~MUTCD.

E. The off-site parking must be located on land owned by the owner(s) of the principal use it is intended to serve, or under lease or license to the owner(s) of the principal use it is intended to serve, in accordance with the following:

1. If the shared parking accounts for 50% or less of the parking spaces required for the principal use that is unable to meet its requirements on-site, the shared parking agreement must be a parking license with a minimum term of two years. The shared parking license may be revocable and is not required to be recorded; however, a copy of the license must be provided to the City of Knoxville Department of Plans Review and Inspections after approval of parking plans and before issuance of building permit.

2. If the shared parking accounts for more than 50% of the parking spaces required by the principal use that is unable to meet its requirements on-site, the shared parking agreement must be a lease agreement with a minimum term of five years. Such lease agreement is subject to approval by the City of Knoxville Law Department. Where such a lease is involved, a memorandum of lease must be recorded with the Register of Deeds of Knox County with copies furnished to the City of Knoxville City Law Director and City of Knoxville Department of Plans Review and Inspections after approval of parking plans and before issuance of building permit.

F. Off-site parking must be in a zoning district that permits the principal use it will serve and off-site parking is not located in a residential ~~zoning~~ district.

G. The shared parking spaces must be maintained as long as the uses they serve are in operation.

H. Accessible parking cannot be shared.

11.9 BICYCLE PARKING PROVISIONS

A. Bicycle parking must be provided for all uses where vehicular off-street parking is required and/or provided, with the exception of single-family and two-family dwellings. ~~For newly provided off-street vehicular parking, b~~Bicycle parking must be provided for uses in the amount indicated in Table 11-10: Required Bicycle Parking. In determining the number of bicycle spaces, when the result contains a fraction, any fraction less than one-half is disregarded and any fraction of one-half or more is counted as one space.

Table 11-10: Required Bicycle Parking		
Land Use Category	Total Required Motor Vehicle Parking Spaces (Minimum)	Required Number of Bicycle Parking Spaces
Non-Residential *Shopping centers and mixed-use multi-tenant structures are to be considered as a whole, not as individual tenants; bike racks must be spaced throughout the shopping center*	Less than 50	4
	51 - 100	8
	101 - 500	12
	501 – 1,000	16
	1,001 or more	16 for the first ~~1,001~~ 1,000 + 8 for every 500 thereafter of vehicle parking spaces over 1,000
Land Use Category	Residential Dwelling Type	Required Number of Bicycle Parking Spaces
Residential	Single-family or two-family dwellings	0
	Multi-family or townhouse	0.25 per unit, or none if interior storage space is provided for each unit

B. In the DK District, bicycle parking is required. The number of bicycle parking spaces required is based on the minimum number of vehicle parking spaces that the proposed use(s) would be required to provide in Table 11-2.

C. One required vehicle parking space may be used as a space for providing required bicycle parking.

D. The required bicycle parking spaces must be located in a convenient and visible area within 50 feet of a principal entrance or other location approved by the Department of Engineering. Bicycle parking facilities must be sufficiently separated from motor vehicle parking areas to protect parked bicycles from damage by motor vehicles. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.

E. Users cannot be required to climb or descend stairs in order to access the bicycle parking facility unless there is a bicycle wheel trough parallel to the stairs.

F. Connections to bicycle networks may be required by the Department of Engineering.

G. Bicycle parking cannot impede pedestrian or accessible routes.

H. Bicycle parking spaces must include a rack which permits the locking of the bicycle frame and one wheel to a rack or fixture and must support a bicycle in a stable position without damage to the wheels, frame, or components. Racks must be securely anchored to prevent the racks from being removed from the location.

I. Bicycle racks must be installed according to the following minimum standards:

1. Three feet from the side of the rack to any obstruction.

2. Three feet forwards or backwards from the centerline of the rack to any obstruction.

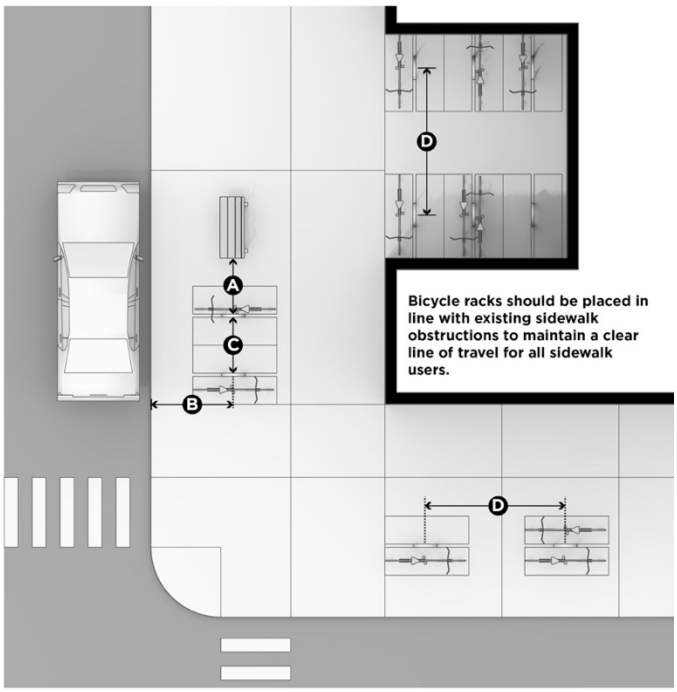
3. Four feet from the side of the rack to another bike rack.

4. Ten feet forwards or backwards from the centerline of the rack to the centerline of another bike rack.

5. Alternatives to these standards may be approved by the Department of Engineering.

J. Bicycle parking and access to bicycle parking must be constructed in accordance with the applicable standards of Section 11.6.D.

BICYCLE RACK INSTALLATION



11.10 REQUIRED OFF-STREET LOADING SPACES

A. Off-street loading spaces must be provided for any use that distributes or receives materials or merchandise by trucks or other commercial vehicles in accordance with Table 11-12: Off-Street Loading Requirements. In the case of multi-tenant developments, required loading spaces are calculated on the basis of each individual tenant. ~~For example, if only one commercial tenant of a multi-tenant development is over 10,000 square feet, only one loading space is required; if all tenants are under 10,000 square feet, no loading is required.~~

B. No structure is required to provide more than five loading spaces.

C. All multi-family dwellings, regardless of size, are required to provide a site plan that shows ingress/egress for moving trucks.

D. Off-street loading spaces must be designed as follows:

1. All required off-street loading spaces must be a minimum of 12 feet in width, a minimum of 35 feet in length, exclusive of aisle and maneuvering space, and have a minimum vertical clearance of 15 feet.

2. All off-street loading spaces must be ~~paved~~ surfaced with a durable, all-weather material ~~paving~~.

3. Off-street loading facilities must be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys.

4. Each required off-street loading space must be designed with adequate means of vehicular access to a street or alley and in a manner that will minimize interference with traffic movement.

Table 11-12: Off-Street Loading Requirements	
Use Type	Number of Spaces Required
Multi-Family Dwelling	
Total of 50 dwelling units or more	1 loading space
Commercial & Institutional Use	
20,000 - 100,000sf GFA	1 loading space
100,001 - 200,000sf GFA	2 loading spaces
Each additional 50,000sf of floor area (This applies only for each additional full 50,000sf over 200,000sf)	1 additional loading space
Industrial Use	
10,000 - 40,000sf GFA	1 loading space~~s~~
40,001 - 100,000sf GFA	2 loading spaces
Each additional 50,000sf of floor area (This applies only for each additional full 50,000sf over 100,000sf)	1 additional loading space

11.11 OUTDOOR STORAGE OF COMMERCIAL VEHICLES

A. No commercial vehicle may be parked outdoors on a lot in a residential district, with the exception of:

1. Vehicles engaged in loading or unloading or current work being done to the adjacent premises.

2. Standard size vehicles owned and used for commercial purposes by the occupant of a dwelling or guest are allowed including, but not limited to, vans, sports utility vehicles (SUVs), standard passenger size livery vehicles, and pick-up trucks, provided that the vehicle is stored or parked in a permitted parking area.

3. Permitted commercial vehicles may include the logo of the commercial business painted on or applied to the vehicle.

B. All other commercial vehicles including, but not limited to, semi-truck tractor units, with or without attached trailers, commercial trailers, box vans and box trucks, buses, tow trucks, construction vehicles, livery vehicles that exceed standard passenger vehicle size, such as limousines, or other large commercial vehicles are not permitted to be stored or parked outdoors overnight on a lot in a residential district.

C. For non-residential uses in all districts, commercial vehicles with the logo of the commercial business painted on or applied to the vehicle that are being operated and stored in the normal course of business, such as signs located on delivery trucks, promotional vehicles, moving vans, and rental trucks, are permitted to be stored on the lot in areas related to their use as vehicles, provided that the primary purpose of such vehicles is not the display of signs. All such vehicles must be in operable condition.

11.12 OUTDOOR STORAGE OF RECREATIONAL VEHICLES

A. ~~No recreational vehicle or trailer licensed to transport recreational vehicles or equipment may be stored outdoors within the front or corner side yard, including within a residential driveway, for more than seven days.~~ No trailer licensed to transport either recreational vehicles or equipment or any recreational vehicle may be stored outdoors within the front or corner side yard, including within a residential driveway, for more than seven days.

B. Recreational vehicles must be located within the interior side yard behind the front building line or in the rear yard. If stored in the interior side or rear yard, the recreational vehicle must be located at least ten feet from any lot line and screened from view from any public right-of-way by a solid fence or wall. If the recreational vehicle is screened by an existing structure or landscape so that it is not visible from the public right-of-way, it is considered to meet these requirements. Temporary storage tents and tarps for recreational vehicles are not considered screening and do not meet these requirements.

C. No recreational vehicle may be used for permanent or temporary living, sleeping, or housekeeping purposes in any district and may not be hooked up to any public utilities. However, temporary connection to utilities is permitted for the maintenance of the recreational vehicle by the owner, such as dehumidification, battery damage prevention, and similar.

D. All recreational vehicles must be maintained in mobile condition. No recreational vehicle may be parked or stored in such manner as to create a dangerous or unsafe condition on the lot where it is parked or stored. If the recreational vehicle is parked or stored, whether loaded or not, so that it may tip or roll, it is considered to be a dangerous and unsafe condition.

ARTICLE 12. LANDSCAPE

12.1 PURPOSE
12.2 LANDSCAPE PLAN
12.3 SELECTION, INSTALLATION AND MAINTENANCE
12.4 LANDSCAPE DESIGN STANDARDS
12.5 PARKING LOT PERIMETER LANDSCAPE YARD
12.6 INTERIOR PARKING LOT LANDSCAPE
12.7 SITE LANDSCAPE
12.8 BUFFER YARDS
12.9 TREE PRESERVATION

12.1 PURPOSE

The landscape standards of this Article are intended to:

A. Create a desirable and functional open space environment for all site users, including pedestrians, bicyclists, and motorists.

B. Preserve unique natural resources, including measures to preserve and protect existing healthy plantings.

C. Design drainage facilities to promote the use and preservation of natural watercourses and patterns of drainage.

D. Establish a natural environment within the City that provides a variety of benefits, including absorbing carbon dioxide and producing oxygen; intercepting stormwater, reducing surface runoff, curtailing erosion, and improving water quality; providing critical wildlife habitat to promote urban biodiversity; and providing shade to aid in passive cooling and the reduction of urban heat island effect.

E. Utilize plant materials suitable to withstand the climatic conditions of the City and microclimate of the site. The use of non-invasive species native to Tennessee is encouraged.

F. Use of screening to minimize the impact of the development on adjacent uses and impact of incompatible uses and certain site elements, and creating a logical transition to adjoining lots and developments.

G. This Article does not apply to routine landscaping or routine maintenance of existing landscaping.

12.2 LANDSCAPE PLAN

A. Landscape Plan Required

A landscape plan is required as part of a site plan review application for multi-family and townhouse development, nonresidential (including mixed-use) development, parking lots, and planned developments. The landscape plan must be approved prior to the issuance of a building permit.

B. Content of Landscape Plan

1. North arrow and graphic scale, the location and dimensions of all existing and proposed structures, property lines, easements, parking lots and drives, rights-of-way, refuse disposal and recycling areas, pedestrian and bicycle paths, fences, mechanical equipment, overhead utility wires, underground utilities, retention/detention facilities, and other drainage facilities, such as drainage swales. Identify lines of sight at all access points and at locations adjacent to intersections.

2. The location, quantity, size, name, and condition, both botanical and common, of all existing trees equal to or greater than 21/2 inches in caliper, indicating trees to be retained and to be removed.

3. The location, quantity, size, and name, both botanical and common, of all proposed plant material. This includes lawn and turf applications.

4. The existing and proposed grading of the site indicating contours at two foot intervals. Any proposed berming, earthwork, or stormwater management basins must also be indicated using two foot contour intervals.

5. Elevations of all proposed fences, stairs, and retaining walls.

6. Existing and proposed plantings in the right-of-way.

7. Any proposed irrigation plan, if irrigation is provided.

8. Any other details as determined necessary by the review body.

C. Minor Changes to Approved Landscape Plans

Minor changes to the landscape plan that do not result in a reduction in the net amount of plant material as specified on the approved landscape plan may be approved by the Zoning Administrator. Changes that reduce the amount of plant materials contained within an approved landscape plan are a major change and must be approved by the body granting approval of the landscape plan initially.

D. Alternative Landscape Design

1. These landscape requirements are intended to set minimum standards for quality development and environmental protection. Site conditions or other reasons may justify the need to request an alternate method of compliance. Alternative landscape plans may be considered when an applicant cannot meet one or more of the specific requirements of this Article because:

a. Strict application of the landscaping requirements would require unreasonable or unnecessary compliance. Such situations could include water features, topography, lot configurations, utility maintenance zones, or unusual site conditions.

b. The applicant envisions a more creative means to meet the spirit and intent of these requirements.

c. A comprehensive landscaping plan involving several properties is proposed.

2. The applicant must submit an alternative landscape plan indicating proposed landscaping, that includes a list of landscaping requirements not met, a description of the alternatives proposed, and a written explanation of how the proposed plan fulfills the spirit and intent of the landscape requirements. The Alternative Landscape Plan must be submitted to and approved by the Administrative Review Committee. In approving the alternative landscape plan, the Administrative Review Committee must find that:

a. The proposed alternative will not present a safety hazard.

b. That proposed alternative will, upon maturity, provide landscaping that is equal to or better than the standard requirements.

c. The proposed alternative is designed to address plant health and vigor.

d. The proposed alternative is reasonably compatible with the natural and topographic features of the site.

12.3 SELECTION, INSTALLATION AND MAINTENANCE

A. Selection

1. All plant materials must be of good quality and meet American Horticulture Industry Association (AmericanHort) or its ANSI accredited successor's standards for minimum acceptable form, quality, and size for species selected.

2. Species must be selected based on those that will survive and thrive in East Tennessee. Trees should be selected from the City of Knoxville's Tree List maintained by the City.

3. The use of native species and drought tolerant species is encouraged.

4. Invasive species are prohibited.

B. Installation

1. All landscape materials must be installed in accordance with current nursery industry standards, and must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with pedestrian or vehicular movement.

2. All plant materials must be free of disease and installed so that soil of sufficient volume, composition, and nutrient balance are available to sustain healthy growth. Installation of plant materials during the appropriate growing season is encouraged.

3. Landscape materials should not conflict with existing overhead and underground utility infrastructure and maintenance zones. Landscape plans should reference the City of Knoxville's Tree List for appropriate species and their respective planting distances from adjacent utility infrastructure. Landscaping should not be selected that at maturity would grow into conflict with the utility maintenance zone. Alternative landscape plans (Section 12.1.D) may be considered when an applicant demonstrates that requirements may conflict with the utility maintenance zones.

a. Overhead utilities: At maturity, landscaping should not grow within ten feet of primary distribution lines and 25 feet within 69kv sub-transmission lines.

b. Utility poles: Trees should not be planted within ten feet of primary distribution poles and 25 feet within 69kV sub-transmission poles.

c. Support wires: Trees should not be planted within five feet of supporting guy wires.

d. Underground utility lines: The minimum distance of tree planting from the utility center line should be a minimum of ten feet. Shrubs and other landscaping vegetation are permitted in this area.

e. Pad mount transformers: Landscaping should be planted a minimum of six feet away from the side with doors and three feet away from the other sides.

4. No landscape should be located within any utility easement, with the exception of lawn grass or other resilient groundcover. If landscape material is located within a utility easement and repair or replacement of the utility is needed, the City or utility is not responsible for the replacement of any landscape that may be damaged.

C. Curbing

1. Landscaped areas may be recessed if flush curbs are utilized. If recessed, the landscaped areas must be designed for stormwater management and to prevent erosion and tracking.

2. Landscaped areas must be protected from encroachment of vehicles through use of curbs or wheel stops where necessary.

D. Maintenance

1. Landscape materials depicted on approved landscape plans are considered a required site element in the same manner as structures, required parking, lighting, and other improvements. As such, the owner of record or the business or homeowner's association is responsible for the maintenance, repair, and replacement of all landscape materials, fences, steps, retaining walls, and similar landscape elements.

2. All landscape materials must be maintained in good condition, present a healthy appearance, and be kept free of refuse and debris. Any dead, unhealthy, or missing plants must be replaced within 30 days of notification, unless an extension is approved by the City.

12.4 LANDSCAPE DESIGN STANDARDS

A. Minimum Planting Sizes

Minimum planting sizes are as follows. For the purposes of determining trunk size, the caliper is measured at six inches above ground level, unless otherwise specified in current American Standard for Nursery Stock (ANSI Z60.1).

1. Evergreen trees must have a minimum height of eight feet.

2. Shade trees must have a minimum two inch caliper.

3. Single stem ornamental trees must have a minimum trunk size of 2.5 inches in caliper. Multiple stem ornamental trees must have a minimum height of eight feet.

4. Evergreen or deciduous shrubs of 18 inches in height.

B. Species Diversity

Diversity among required plant material is required for visual interest and to reduce the risk of losing a large population of plants due to disease. Table 12-1: Plant Diversity Requirements indicates the percentage of diversity required based on the total quantity of species being used. (For example, if a development requires 45 shade trees, no more than 18 trees (40%) can be of one species, and there must be a minimum of five different species within the 45 trees.) When the calculation of plant diversity requirements results in a fraction, the fraction is rounded up.

Table 12-1: Plant Diversity Requirements

Total Number of Plants per Plant Type	Maximum Number of One Species	Minimum Number of Species
1-4	100%	1
5-10	60%	2
12-15	45%	3
16-75	40%	5
76-500	25%	8
500-1,000	30%	10
1,000+	15%	15

12.5 PARKING LOT PERIMETER LANDSCAPE YARD

A perimeter landscape yard, which is established where the parking lot abuts a street right-of-way, is required for all new parking lots of 10,000 square feet or more in area and for any expansions or improvements of existing parking lots when required by Section 11.1.C~~, including vehicular use areas,~~ of 10,000 square feet or more in area. The perimeter landscape yard must be established along the edge of the parking lot to screen vehicle parking from the right-of-way. When an existing parking area is expanded, only the area of expansion shall be required to comply with these landscaping standards. The landscaped area must be improved as follows:

A. For parking lots of 10,000 square feet or more in area, a~~A~~ perimeter yard must be at least ten feet wide, as measured from the edge of the parking lot to the right-of-way or, if utilities exist, to the utility maintenance zone.~~,~~ The parking lot perimeter landscape yard is established between the parking area and the right-of-way of adjoining streets. The width of the perimeter yard may be reduced to six feet for parking lots, including vehicular use areas, of less than 20,000 square feet. Parking lots of less than 10,000 square feet or more in area are exempt from parking lot perimeter landscape yard.

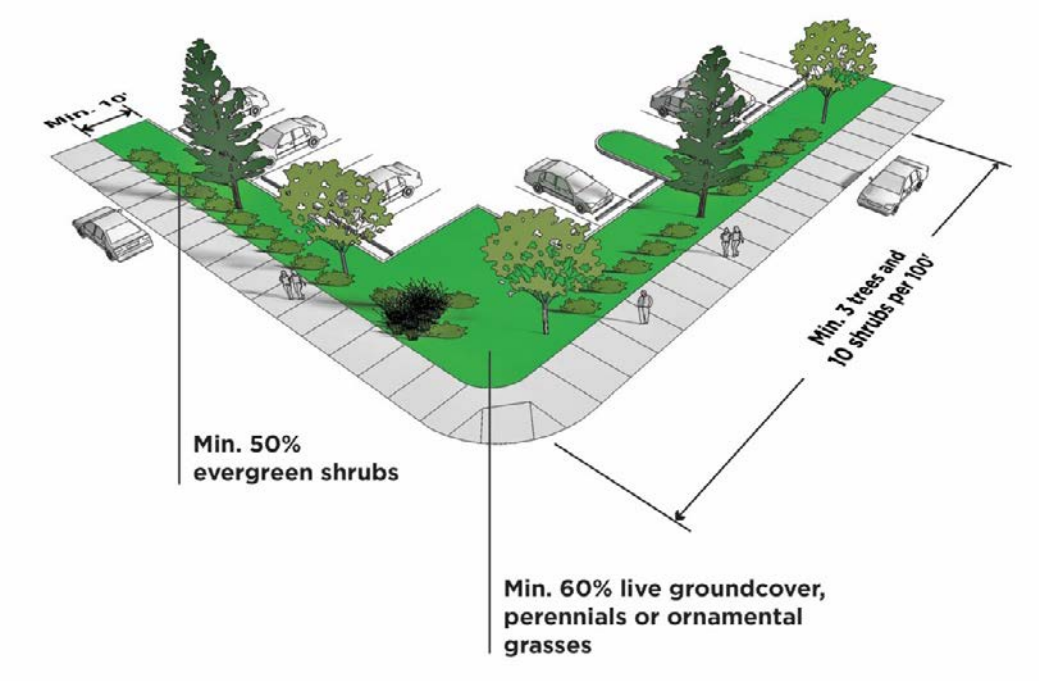
B. The perimeter yard must be planted with a minimum of three shade and/or evergreen trees and ten shrubs for every 100 linear feet. A minimum of 50% of the shrubs must be evergreen. For parking lots, including vehicular use areas, of less than 20,000 square feet in area, the width of the perimeter screening area may be reduced to six feet.

C. 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Stone, mulch, or other permeable landscape materials may be used for any remaining area.

D. Parking lots located on properties developed under a common or unified development plan and/or which have a shared access agreement are not required to provide the perimeter screening area along common property lines where parking areas abut.

E. Areas of off-street parking areas that abut an alley are not required to install a perimeter landscape yard along the alley frontage.

PARKING LOT PERIMETER LANDSCAPE YARD



12.6 INTERIOR PARKING LOT LANDSCAPE

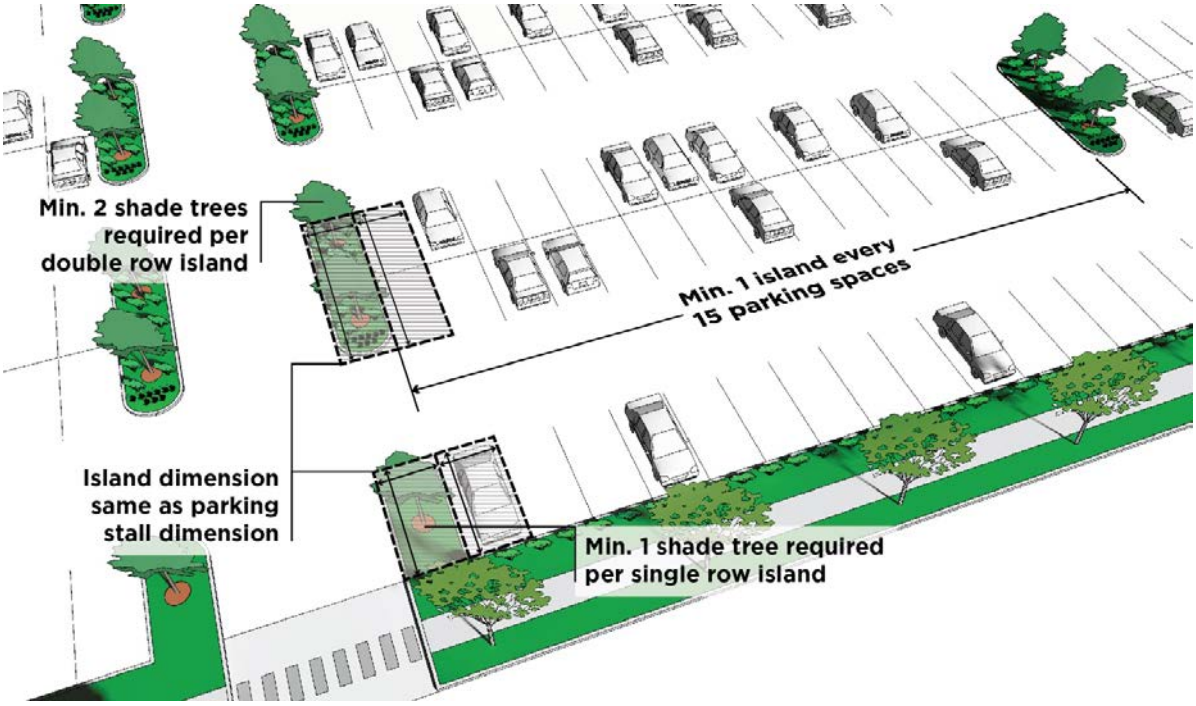
Interior parking lot landscape is required for all new parking lots and vehicular use areas of 20,000 square feet or more in area, and for any expansions or improvements of existing parking lots and vehicular use areas of 20,000 square feet or more when required by Section 11.1.C. The landscape required is as follows:

A. Where more than 15 parking stalls are provided in a row, one parking lot island must be provided between every 15 parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands must be no less than the amount required of one island for every 15 spaces.

B. Parking lot islands must be the same dimension as the parking stall. Double rows of parking must provide parking lot islands that are the same dimension as the double row.

C. A minimum of one shade tree must be provided in every parking lot island or landscape area for single row parking lot islands and two shade trees for double row parking lot islands. In addition to the required shade trees, a minimum of 60% of the area of every parking lot island must be planted in shrubs, live groundcover, perennials, or ornamental grasses, unless the parking lot island or landscape area is designed to facilitate pedestrian access through the parking lot as approved in landscape plan review. Stone, mulch, or other permeable landscape materials may be used for any remaining area.

INTERIOR PARKING LOT LANDSCAPE



12.7 SITE LANDSCAPE

Site landscape requirements apply to new construction and to any additions to a structure existing as of the effective date of this Code of 30% or more in square footage.

A. Areas of any lot that are not covered by structures, pavement, and vehicle parking areas must be planted with live landscaping. Stone, mulch, or other permeable landscape materials may be used to satisfy this requirement, but must not cover more than 40% of the landscape area.

B. Where multi-family and nonresidential (including mixed-use) developments are located ten feet or more from a street lot line and no parking is located in front of the structure or development and where any façade abuts any parking area, foundation landscape must be planted as described below. This planting area is required along 60% of the linear façade area. This percentage may be reduced to accommodate entry design and other building functional operations during landscape plan review.

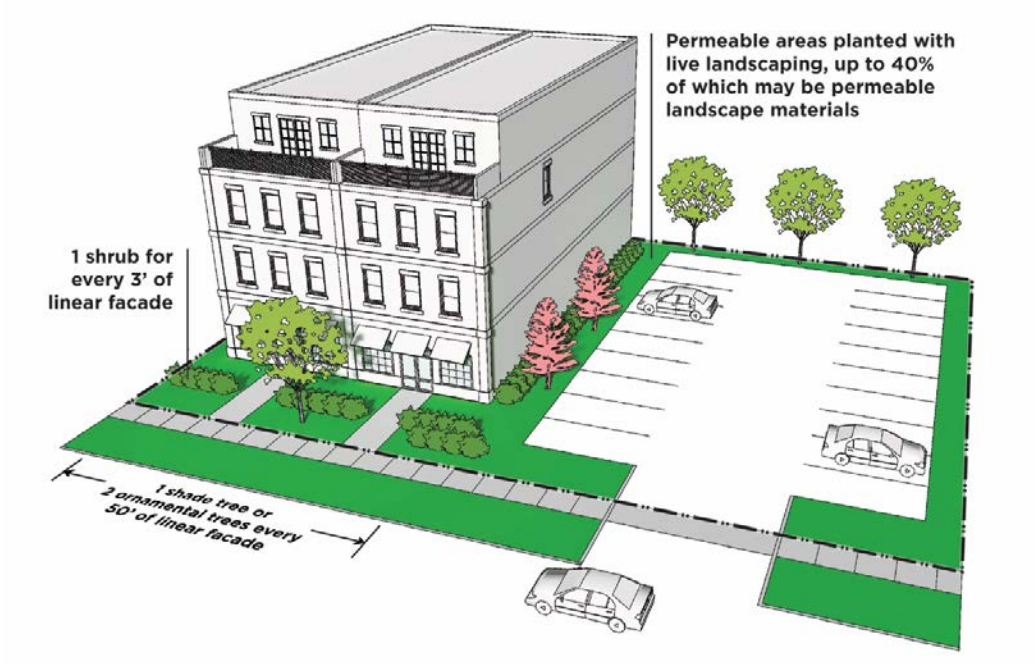
1. One shrub for every three feet. Shrub locations within the planting area may be varied, but the total number of shrubs must be no less than as required in this section.

2. Shade trees are required in the amount of one tree every 50 feet. Two ornamental trees may be substituted for one shade tree and must be spaced one ornamental tree every 25 feet. Tree locations within the planting area may be varied, but the total number of trees must be no less than as required in this section.

3. 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Stone, mulch, or other permeable landscape materials may be used for the remaining area.

4. Planted pots and/or planter boxes may be used to satisfy up to 30% of the total landscape area requirement.

SITE LANDSCAPE



12.8 BUFFER YARDS

This section establishes standards for the dimension and required landscape for buffer yards between land uses and/or zoning districts within the rear and/or side yards. Nothing in this section prevents the applicant's voluntary installation of buffer yards where they are not required. Buffer yard requirements apply to new construction and to any additions to a structure existing as of the effective date of this Code of 30% or more in square footage.

A. Buffer yards may be located within required setbacks but must be reserved for the planting of material and installation of screening as required by this section. No parking, driveways, sidewalks, accessory structures, or any impervious surfaces are permitted within the buffer yard area.

B. The two types of buffer yards are as follows:

1. Class A Buffer

a. Minimum Width: Ten feet.

b. Minimum Required Shrubs: One shrub every five feet. A minimum of 50% of the shrubs must be evergreen.

c. Minimum Required Trees: One evergreen tree for every 25 feet and one shade tree for every 50 feet.

d. Planting locations may be varied, but the total number of trees must be no less than as required in this section.

e. 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Stone, mulch, or other permeable landscape materials may be used for the remaining area.

2. Class B Buffer

a. Minimum Width: Twenty feet.

b. Minimum Required Shrubs: One shrub every three feet. A minimum of 50% of the shrubs must be evergreen.

c. Minimum Required Trees: One evergreen tree for every 20 feet and one shade tree for every 30 feet.

d. Planting locations may be varied, but the total number of trees must be no less than as required in this section.

e. 60% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses. Stone, mulch, or other permeable landscape materials may be used for the remaining area.

C. Where the buffer yard incorporates a wall or solid fence, or a combination of such, the buffer yard width may be reduced by 30%.

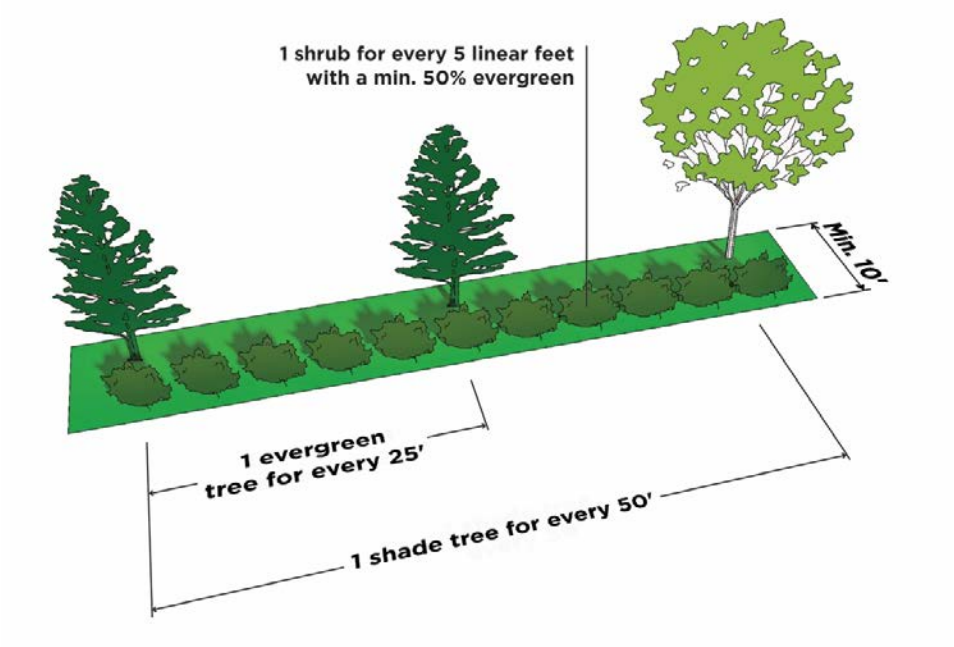
D. When a wall or solid fence is incorporated into a buffer yard, it must be a minimum of six feet up to a maximum of eight feet. When a wall or solid fence is combined with a berm, the combined height of the wall or solid fence and any berm cannot be less than six feet or exceed eight feet.

E. Buffer yards are required as described in the 12-2: Buffer Yard Requirements:

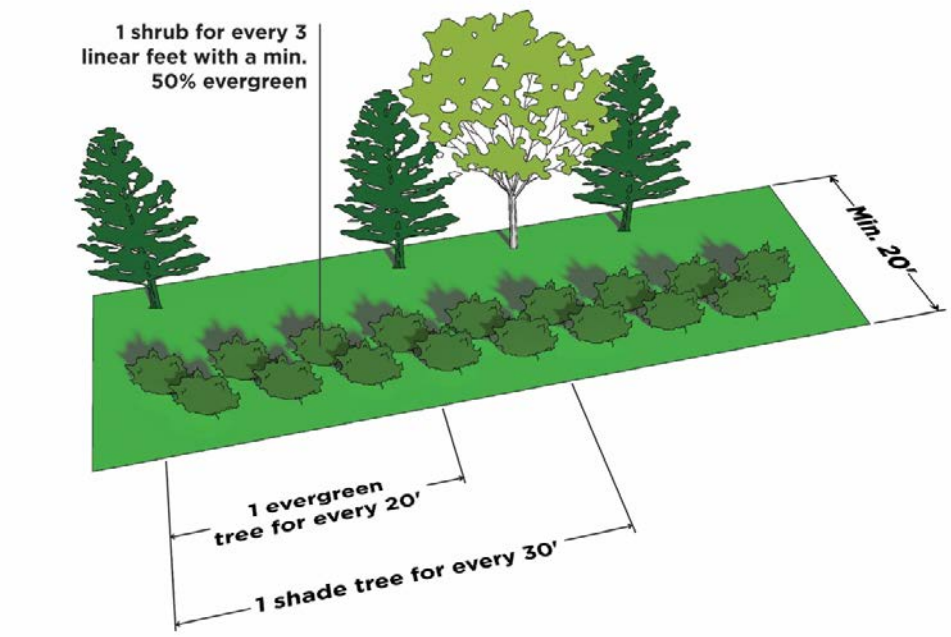
Table 12-2: Buffer Yard Requirements

Development	Buffer Yard Class
Nonresidential use located within residential district	Class A Buffer
Nonresidential district abuts a residential district	Class B Buffer
Parking lot of a multi-family dwelling within a residential district	Class A Buffer
Per use standards (Article 9)	As determined in the standards of Article 9

CLASS A BUFFER YARD



CLASS B BUFFER YARD



12.9 TREE PRESERVATION

Existing healthy trees must be conserved when possible and will be credited toward landscaping requirements, when they are comparable in terms of species to new trees that would be permitted in the proposed location.

A. Credit for conserving existing, healthy trees is subject to Urban Forester approval. The credit approved for each conserved tree is based on a tree's diameter, measured 4.5 feet above the ground, and may be up to the amount indicated below:

1. Four to eight inches: Two trees credited

2. Eight to twelve inches: Three trees credited

3. Twelve to eighteen inches: Four trees credited

4. Eighteen inches or greater: Five trees credited

B. Existing trees may be used to fulfill some of the perimeter screening requirements, subject to approval by the Zoning Administrator. Existing trees are credited as set forth in this section. Trees to be conserved must be identified on the required landscaping plan. Conserved trees may comprise no more than 50% of the perimeter screening requirements and must be supplemented with new landscaping as required to create an effective screen.

C. If existing trees are being used as credit toward meeting the tree planting standards, a grading permit will not be issued until the following tree preservation protections are installed. Tree preservation includes the preservation of the trees root system within the tree protection zone.

1. The tree protection zone is determined by measuring one foot in radius away from the trunk of the tree for every one inch in diameter at 4.5 feet in height. No more than 10% of the tree protection zone may be disturbed with fill or grading work. Any impervious area within the existing tree protection zone does not need to be included in preservation measures.

2. Within the tree protection zone of a tree, there may be no cut or fill material unless a Certified Arborist has evaluated and determined that the disturbance will not impact the health of the tree.

3. Prior to and during construction, temporary barriers must be erected around all protected trees with barriers a minimum of four feet in height. There may be no storage or movement of equipment, material, debris, or fill within the fenced, tree-protection zone.

4. During construction, the applicant must prevent the cleaning of equipment or material or the storage and disposal of waste material, such as paints, oils, solvents, asphalt, concrete, motor oil, or any other material, potentially harmful to the tree within the drip line of any protected tree. Nothing within this section is interpreted as an authorization to ignore or violate applicable federal or state hazardous waste laws.

5. No damaging attachment, wires, signs, or permits may be fastened to any protected tree.

ARTICLE 13. SIGNS

13.1 GENERAL PROVISIONS
13.2 PROHIBITED SIGNS
13.3 SIGNS EXEMPT FROM SIGN REGULATIONS
13.4 SIGNS EXEMPT FROM SIGN PERMIT
13.5 GENERAL SIGN STANDARDS
13.6 STANDARDS FOR SPECIFIC SIGN TYPES
13.7 MASTER SIGN PLANS FOR UNIFIED DEVELOPMENTS
13.8 SIGNS PERMITTED IN ALL DISTRICTS
13.9 SIGNS PERMITTED IN SPECIFIC DISTRICTS
13.10 SIGN CONSTRUCTION AND MAINTENANCE
13.11 ABANDONED SIGNS

13.1 GENERAL PROVISIONS

DEFINITIONS AND MEASUREMENT METHODOLOGIES HAVE BEEN MOVED TO ARTICLE 2.

A. Purpose

The purpose of this section is to create a legal framework for a comprehensive and balanced system of sign regulation that will:

1. Implement the plans, policies, goals and objectives of the City.
2. Protect the health, safety and welfare of the citizens and businesses of the City.
3. Preserve the right of free speech and expression.
4. Provide for effective communication between people within the context of their environment.
5. Avoid visual clutter that may be harmful to traffic and pedestrian safety, property values, business opportunities and community appearance.
6. Facilitate effective way-finding throughout the City.
7. Provide clear and objective sign standards.
8. Provide an efficient and effective review procedure for sign applications.
9. Enable consistent and equitable enforcement of the regulations set forth in this Article.

B. Intent

With these purposes in mind, it is the intent of this Article to authorize the use of signs that are:

1. Effective in communicating with the public.
2. Compatible with their surroundings.
3. Legible in the circumstances in which they are seen.
4. Appropriate to the activity that displays them.
5. Expressive of the identity of individual activities and the community as a whole.

C. Applicability

The regulations of this Article are applicable in zoning districts without sign and other sign structure requirements exclusive to a specific zoning district. Where sign requirements are provided in a specific zoning district, those requirements control.

D. Scope

Signs may be erected, mounted, displayed, or maintained in the City in conformance with the provisions of these regulations. The scope of this Article, as more specifically set forth below, is to:

1. Allow a wide variety of sign types in commercial districts, and a more limited variety of signs in other districts, subject to the standards of this Article.

2. Allow certain signs incidental to the principal use of a site in all districts subject to the standards of this Article.

3. Provide for temporary signs in limited circumstances.

4. Prohibit signs where the location, size, type, illumination, or other physical characteristics are not compatible with the surroundings and may be injurious to the public health, safety, and welfare.

E. Substitution

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are lawfully permitted, and such signs containing noncommercial speech are subject to the same regulations applicable to advertising or business signs under this Article.

13.2 PROHIBITED SIGNS

The following signs are prohibited in all zoning districts:

A. Signs which by color, location, and/or design resemble or conflict with traffic control signs or signals.

B. Signs which contain or make use of any word, phrase, symbol, shape, form or character in such manner as to interfere with, mislead or confuse traffic.

C. Signs with moving parts and signs with red, green, yellow, amber or blue lights.

D. Signs with flashing, chasing, pulsating, twinkling, dancing, scintillating, and/or oscillating lights or light-emitting diodes, or with any other rotating, revolving or moving part; except for a documented historic or reproduction sign located in any H Overlay District and such sign has received a certificate of appropriateness from the Historic Zoning Commission, or an approved sign within the DK District (excluding the DK-E Subdistrict) and such sign has received a certificate of appropriateness from the Downtown Design Review Board.

E. Illuminated signs within 100 feet of property in any residential zone district, unless the illumination of such sign is so designed that it does not shine or reflect light onto such property within a residential district.

F. Signs within the public right-of-way, except publicly owned signs, such as wayfinding signs and regulatory signs, and those signs approved by the City Engineer.

G. Signs placed on a parked vehicle or trailer visible from the public right-of-way where the primary purpose is to advertise a product or direct people to a business located on the same or another property. For the purposes of this regulation, logos, identification or advertising on vehicles being operated by being moved on and off the site in the normal course of business are not prohibited.

H. Billboards and other off-premise signs.

I. Portable signs.

J. Roof signs.

13.3 SIGNS EXEMPT FROM SIGN REGULATIONS

The following signs, unless prohibited elsewhere in these regulations, are exempt from the regulations of this Article, but may be subject to other applicable laws and regulations:

A. Signs conforming to the "Manual of Uniform Traffic Control Devices" and bearing no commercial message.

B. Signs required by federal, state, or local statute.

C. Signs installed by the City, Knox County, a state or federal agency, or employees and officials of these entities in the course of their governmental duties and bearing no commercial message.

D. Signs necessary to promote health, safety, and welfare, and other regulatory, statutory, traffic control, or directional signs erected on public property with permission as appropriate from the City, Knox County, State of Tennessee, or the United States of America.

E. Signs required by an order of a court of competent jurisdiction.

F. Legal notices and official instruments.

G. Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message as necessary to identify the public utility and the use.

H. Signs installed by a transit company with a franchise or other right to operate in the city, where such signs are installed along its routes and relate to schedules or other information about the transit route.

I. Signs approved as part of the City's adopted wayfinding program.

J. Signs carried by a person.

K. Signs incorporated into machinery or equipment by a manufacturer or distributor.

L. Signs located within a building or enclosed space that are not visible or legible from the public right-of-way or from private property or public property other than the property on which it is located.

M. Memorial signs with a maximum sign area of six square feet.

N. Works of art bearing no advertising.

O. Holiday lights and decorations with no advertising.

P. Scoreboards and off-premise signs located on athletic fields if oriented toward the field of play.

Q. Restaurant menuboards located on the premises of the restaurant when oriented toward a drive-through lane, with a maximum sign area of 60 square feet and maximum height of ten feet.

R. Restaurant menu displays located within ten feet of a primary restaurant entrance provided the display area does not exceed four square feet.

S. Official fraternal, religious, or civic flags when mounted on permanent poles attached to the ground or building when located on the same site as the fraternal, religious or civic organization, institution, or building.

T. Official governmental flags, of which the following governmental entities are the only official governmental flags recognized as such by the City:

1. The United States of America
2. Any state, territory, or possession of the United States of America
3. Any official flag adopted as such by the City and the County
4. Any official flag adopted by a member state of the United Nations

U. Decorative flags and bunting for a celebration, convention or commemoration, subject to installation no sooner than 14 days before the event and removal within seven days following the event.

V. In residential districts, any sign of a type described below which does not exceed two square feet in area:

1. A sign giving a property identification name or number or name(s) of occupant, one sign per dwelling.
2. A mailbox sign (one sign per dwelling unit)

3. A sign(s) posted on property relating to private parking, trespassing or dangerous animals, which are limited to four signs per lot if the lot is less than one acre in size, and limited to two additional signs per each additional acre for lots larger than one acre in size.

W. Temporary signs for political purposes; provided that each sign cannot exceed 32 square feet in area, cannot be displayed for more than 30 days prior to the start of the earliest voting period for the candidate or issue, and must be removed within five days following the end of the final voting period for the candidate or issue.

X. Temporary merchandise displays and signs behind storefront windows which are not affixed permanently to the glass, nor intended for permanent display.

Y. Temporary or permanent signs identifying traffic-control measures on private property, such as "stop," "yield," and similar signs, the face of which meet the standards of the "Manual for Uniform Traffic Control Devices" and which contain no logo or commercial message of any sort and which do not exceed six square feet in area per sign.

Z. Temporary signs for announcements by public or nonprofit organizations of special events or activities of interest to the general public, provided such signs are less than 32 square feet in area, are limited to one sign per site of such events, are erected no sooner than 14 days before the event, and are removed within three days after the event.

AA. Temporary signs on vehicles displaying terms of sale.

BB. Umbrella signs.

CC. Signs contained on or affixed to vendor push carts.

DD. Window signs.

13.4 SIGNS EXEMPT FROM SIGN PERMIT

The following signs are exempt from permit requirements, but subject to other regulations of this Article:

A. Temporary signs announcing real estate availability in residential districts; provided that such signs do not exceed nine square feet in area per sign, do not exceed six feet in height for detached signs, and are limited to one ground sign per street frontage and one wall sign per dwelling unit.

B. Temporary signs announcing real estate availability in nonresidential districts; provided that such signs are less than 48 square feet in area per sign, do not exceed eight feet in height for detached signs, and are limited to one ground sign per street frontage and one wall sign per building facade if the entire building is the unit for sale or lease, or one wall sign per leasable area if subunits of the building are for lease or rent.

C. Temporary signs announcing construction in residential districts; provided that such signs do not exceed nine square feet in area and six feet in height for detached signs, are limited to one per lot, and are installed after issuance of a building permit and removed prior to the issuance of a certificate of occupancy. If a sign is displayed pursuant to this paragraph, but construction is discontinued for a period of more than 60 days, the sign must be removed, pending continuation of construction activities.

D. Temporary signs announcing construction in nonresidential districts; provided that such signs are less than 48 square feet in area and eight feet in height for detached signs, which must be spaced at least 100 feet apart, and which are installed after issuance of a building permit and removed prior to the issuance of a certificate of occupancy. If a sign is displayed pursuant to this paragraph, but construction is discontinued for a period of more than 60 days, the sign must be removed, pending continuation of construction activities. Construction-related detached signs that are 64 square feet or more in area and ten feet or more in height must comply with the district requirements for a permanent detached sign.

E. Temporary signs announcing yard sales or real estate open houses; provided that such signs do not exceed six square feet in area, are limited to one per lot, are erected no sooner than four days before the event, and are removed within one day after the event. On the day of these events, and while event staff are on the site, up to two flag signs, not to exceed 16 square feet in area, may be used to announce the event.

F. Temporary auction signs; provided that such signs do not exceed 32 square feet in area per sign, do not exceed eight feet in height for detached signs, are limited to one per lot, and are erected no more than 31 days prior to the event and removed within 24 hours after the auction event. On the day of these events, and while event staff are on the site, up to two flag signs, not to exceed 16 square feet in size, may be used to announce the event.

G. Temporary farmer's market signs; provided that such signs do not exceed two in number, are erected only on days of market operation, and do not exceed 24 square feet in residential districts and 32 square feet in all other districts.

H. Sidewalk signs~~; provided however that sidewalk signs in the CU District require in all districts~~ are subject to the provisions of Section 13.6.A.

I. Signs showing historic or landmark status of a building, provided such signs do not exceed two square feet.

13.5 GENERAL SIGN STANDARDS

A. Minimum Setbacks

1. All detached on-premise signs must be set back no less than ten feet from a street right-of-way or 15 feet from the edge of pavement, whichever is greater.

2. All detached on-premise signs must be set back no less than five feet from all side and rear property lines that are not also street right-of-way

3. Directional or information signs may be allowed closer than the minimum setback from a right-of-way or pavement with the approval of the City Engineer.

B. Minimum Clearance for Projecting Signs

1. Signs cannot project from a building more than ten feet and must maintain a minimum clear height of ten feet, except in the following districts:

a. In the H Overlay District and DK District signs must:

i. Maintain a minimum clear height of seven feet above sidewalks if non-electrified.

ii. Maintain a minimum clear height of eight feet above sidewalks if electrified.

2. Where signs project over public property, the sign cannot extend closer than 20 inches to the back of the curb of the street.

C. Illumination Standards

1. General Requirements

a. In residential districts, internal sign illumination is prohibited. Signs may be externally illuminated, provided no light source exceeds 75 footcandles of surface illumination nor is visible from streets or adjacent property.

b. In nonresidential districts, internally illuminated signs cannot exceed 200 footcandles and externally illuminated signs cannot exceed 75 footcandles of surface illumination.

c. In all office districts, illuminated attached signs are limited to the building façade facing a street that is adjacent to the property and illuminated detached signs are limited to locations between the building and a street that is adjacent to the property.

2. External illumination

Externally illuminated signs must be shielded from adjacent buildings and streets, and cannot cause glare or other nuisances to adjacent land uses or traffic. Projecting light fixtures used for externally illuminated signs must not obscure the sign.

3. Internal illumination
Internal illumination must provide steady, stationary lighting through translucent materials.

4. Electrical Wiring
All electrical wiring to detached signs must be placed underground. Electrical wiring to attached signs must be concealed from public view.

D. Sight Triangle Requirements
Detached signs must be located so that no part of the sign, including the sign cabinet, sign structure, or sign face, encroaches into a sight triangle with dimensions as determined by the City Engineer.

E. Landscape Requirements for Detached Signs
For all detached signs located within the front yard of a property, a landscape area of at least one-half the area of the sign must be provided and maintained around the base or support structure of the detached sign. Plant material used in the landscape area must have a mature height of less than 42 inches in height. For the purpose of these regulations a landscape area is an area reserved for the addition or augmentation of shrubs, plants, turf grasses, and other natural and decorative features.

F. Covering: Posts, Poles, Uprights, and Braces on Detached Signs
All round posts, poles, uprights, braces, or other supporting structures that are a part of a detached sign must be constructed, covered, or finished in a shape that is not round and that obscures the round posts from public view; provided however that this covering requirement does not apply to billboards or signs in a floodway, as determined by the City Engineer.

13.6 STANDARDS FOR SPECIFIC SIGN TYPES

A. Sidewalk Signs

1. Sidewalk signs are allowed only in the ~~C-N, C-G, and I-MU Districts~~DK District and in approved Planned Developments.

2. Such signs must be less than five feet in height, two feet in width, have a sign area less than six square feet, and may be placed no closer than 25 feet from any other sidewalk sign.

3. A sidewalk sign must be placed on the ground or paved surface and may be placed on a sidewalk within public right-of-way or public property within 15 feet of the entry to a business or outdoor space associated with the business.

4. Such signs cannot be located within any designated fire lane or obstruct vehicular, bicycle, or pedestrian traffic, must comply with ADA clearance and accessibility standards, must be removed from the sidewalk at the close of business each day.

5. A sidewalk sign cannot be illuminated, cannot contain an EMC, and cannot have moving parts.

B. Temporary Signs Subject to Permit Requirements

1. Temporary signs cannot be erected or otherwise fixed to any pole, tree, stone, fence, building, structure, or any object within the right-of-way of any street.

2. No temporary sign must be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or be confused with any authorized traffic sign, signal, or device or located in any required parking space.

3. Each business may erect or post one attached and one detached temporary, on-premise sign no more than four occasions during each calendar year, provided that the display of signs does not exceed 15 days in duration for each occasion. Any sign posted for a longer period must meet the requirements for a permanent detached sign.

4. No temporary sign may exceed 48 square feet in area, except where allowed otherwise by this Article.

5. Temporary signs must comply with the applicable setback, parking, electrical code, and safety requirements.

6. No temporary sign may be suspended across or above public streets or other public places.

C. Awning and Canopy Signs

1. The sign area for awning and canopy signs is subject to the maximum sign area calculated for all attached signs. The surface area of awnings and canopies, except for canopies over gasoline pumps, are not calculated in the total area of a primary building elevation for the purposes of determining maximum allowed sign area for attached signs.

2. The canopy sign cannot extend above the highest point of the canopy upon which it is attached or two feet, whichever is greater.

D. Incidental Signs on Large Sites

1. Incidental signs on large sites are for the purpose of an occupant, or occupants, of a lot or parcel to convey on a permanent basis directions or information for the safety and convenience of visitors for the use, or restriction of use, of a lot or parcel.

2. Incidental signs on large sites may be allowed by permit upon receipt and approval by the Building Official or designee of a site plan showing all incidental signs for the site. Incidental signs on large sites are exempt from the maximum sign area requirements of this Article.

3. Plans must be submitted for review and consideration by City Plans Review and Inspections Office, and must include the following information:

a. An application and a consent form signed by the property owner(s) of the subject site.

b. A scaled site plan showing the location and dimensions of all property lines, rights-of-way, easements, improvements (buildings, driveways, street access points, etc.) within the site, the location of all existing and proposed signs, and if required pursuant to other provisions of this section, building elevations showing all building signs.

c. The site plan must show the location, dimensions, and construction details for all proposed incidental signs, and include sign illumination details and landscaping plans.

d. A table identifying each sign, the overall dimensions of each sign, and the sign area of each sign must be a part of the site plan.

e. The minimum size of a site eligible for consideration as a large site must be a single lot or parcel, or several contiguous lots or parcels, of no less than 2.5 acres.

4. Incidental signs on large sites are permitted subject to the following standards:

a. Directional signs, information signs, and/or on-site directory signs may be permitted as incidental signs on large sites.

b. Wall, window, monument, or column signs may be permitted as incidental signs on large sites.

c. Signs approved as incidental signs on large sites are exempt from the maximum sign area allowed for a lot or building and do not count as one of the wall, window, monument, or column signs permitted by other provisions of this article.

d. The number of incidental signs permitted per lot or parcel must be in accordance with the site plan submitted and approved by the Building Official.

e. The maximum sign area for any directional, information, or on-site directory sign approved as part of a site plan of incidental signs on large sites is 16 square feet. An area not to exceed 20% of the approved sign area may be devoted to a name or logo of a business, use, or place.

f. The maximum height of monument or column signs used as incidental signs on large sites is six feet.

g. Incidental signs on large sites must be located not closer than ten feet to a street right-of-way line or 15 feet from the edge of street pavement, whichever is greater, not closer than two feet from any internal driveway or parking lot, and not closer than five feet from any side or rear property line.

h. Incidental signs on large sites are subject to the standards for illumination in accordance with the district.

i. Once approved as part of a site plan of incidental signs on a large site, conversion of a directional, information or on-site directory sign to an off-premise sign without proper approvals is prohibited.

E. Landmark and Historic Signs

The purpose of these regulations is to promote the protection of nonconforming signs that represent important aspects of the City's heritage, to enhance the character of the community by considering such signs during development, and to assist owner(s) in the preservation and restoration of their signs.

1. Landmark Signs

a. Purpose

The purpose of designating a sign as a landmark sign is to encourage the restoration and retention of on-premise, nonconforming signs that are historically significant. Once designated as a landmark sign, the sign is considered to be in compliance with any zoning regulations and will be exempt from regulations of this article, except as stated herein.

b. Designation

The building official, upon receiving a report of recommendation from the historic zoning commission, may designate an existing on-premises sign as a landmark sign if it meets the following criteria:

i. The sign has been in continuous existence at the present location for at least 50 years.

ii. The sign is an on-premise sign, which meets at least four of the following criteria:

(A) It was expressly designed for the business, institution, or other establishments at that location.

(B) A national or local emblem, logo, or other graphic that is unique to the property or the establishment is an integral part of the sign structure.

(C) The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood.

(D) The sign is significant as evidence of the history of the product, business, or service Advertised.

(E) The sign is characteristic of a specific historic period.

(F) The sign is integral to the building's design or physical fabric.

(G) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials, or design.

iii. The sign complies with the appropriate provisions of the state and local building and electrical codes.

iv. The sign is structurally safe or is capable of being made so without substantially altering its historical significance.

2. Historic Signs

a. Purpose

The restoration and retention of nonconforming, historically significant signs that have been removed from original locations and are to be reused is encouraged. Allowing these signs to move to other locations within the community may be necessary to ensure preservation. Once designated as a historic sign, certain nonconforming aspects of the sign are considered to be in compliance with the zoning regulations and will be exempt from regulations of this Article, except as stated herein.

b. Designation Criteria

The Building Official, upon receiving a report of recommendation from the Historic Zoning Commission, may designate an existing sign as a historic sign if it meets the following criteria:

i. The sign must be at least 50 years old.

ii. The sign must meet at least three of the following criteria:

(A) A national or local emblem, logo, or other graphic that is unique to a property or establishment is an integral part of the design of the sign structure.

(B) The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood.

(C) The sign is significant as evidence of the history of the product, business, or service advertised.

(D) The sign is characteristic of a specific historic period.

(E) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials, or design.

iii. The sign complies with the appropriate provisions of the state and local building and electrical codes.

iv. The sign is structurally safe or is capable of being made so without substantially altering its historical significance.

3. Landmark and Historic Sign Administrative Procedures

a. Review and Recommendation by Historic Zoning Commission

i. Any member of City Council, the Mayor or his/her representative, the property owner of the parcel where a proposed landmark sign is located, or the owner of the site where a proposed historic sign is to be relocated, may apply for designation of an existing sign as a landmark or historic sign.

ii. Such application must be submitted to and on a form determined by the Knoxville-Knox County Planning Commission as support to the Historic Zoning Commission, accompanied by a fee as established by the Knoxville-Knox County Planning Commission.

iii. At the time of the filing of an application for designation of a sign, the applicant must file all necessary information in order for the Historic Zoning Commission to determine if the sign meets the criteria for the requested designation and make a recommendation. The staff of the Knoxville-Knox County Planning Commission or the Historic Zoning Commission has the authority to request whatever other information is necessary in order to make a decision. The burden of proof for meeting the criteria is upon the applicant.

iv. Prior to consideration of the application at a meeting of the Historic Zoning Commission, Knoxville-Knox County Planning Commission must provide notice of the public hearing in accordance with the administrative rules of the Historic Zoning Commission.

v. After consideration of the application at a public hearing, the Historic Zoning Commission has the authority to make a recommendation to approve or disapprove the designation of an existing sign as a landmark or historic sign upon consideration of the criteria stated above.

vi. In recommending approval or disapproval of a landmark or historic sign designation, the Historic Zoning Commission must state the reasons for the decision in a report to the Building Official. Such report must include the application and any supporting material considered by the Historic Zoning Commission and minutes of the meeting.

b. Designation as a Landmark or Historic Sign

i. The Building Official must take into account the recommendation of the Historic Zoning Commission in making a decision on the designation of an existing sign as a landmark or historic sign.

ii. The Building Official has the authority to approve or disapprove the designation of an existing sign as a landmark or historic sign based upon the criteria stated above.

iii. In approving or disapproving a landmark or historic sign application, the Building Official must state the reasons in writing.

iv. An appeal of the Building Official's decision must be properly filed in accordance with the administration and enforcement provisions of this Code.

v. Once a sign has been designation as a landmark or historic sign, the Building Official will add the sign to its records and send notice of the action taken to the Historic Zoning Commission and to the applicant.

c. Issuing of Permits

i. The property owner of the parcel where a proposed landmark sign is located, or the owner of the site where a proposed historic sign is to be relocated, may apply for approval of a permit to restore, repair, move, and replace a landmark sign, or restore, remove, repair, and move to another location a historic sign, provided said signs are designated as landmark or historic signs.

ii. Such application must be submitted to and on a form determined by the City Plans Review and Inspections Department.

iii. At the time of the filing of an application for a permit for a sign designated as a landmark or historic sign, the applicant must file all necessary information in order for the Building Official to determine if the proposed work on the sign will meet the intent of this Article. The Building Official has the authority to request whatever other information is necessary in order to make a decision. The burden of proof for meeting the criteria is upon the applicant.

iv. The Building Official has the authority, in accordance with this article, to approve or deny a permit to restore, repair, remove, and replace a landmark sign, or restore, remove, repair, and move to another location a historic sign.

v. Owners may voluntarily remove a sign once designated as a landmark or historic sign, provided such sign is not within a designated H Overlay District, and provided that the owner of the sign notifies the City Plans Review and Inspections Department of such action. After such notification, the sign will be removed from the landmark and historic sign inventory by the Building Official.

4. Landmark and Historic Sign Regulations

a. If a landmark sign is moved on-premise, it is subject to the location regulations of this Article.

b. If any portion of a landmark sign is permitted to remain in or over a public right-of-way, a city or state use or encroachment agreement is required.

c. A historic sign may be moved to another location on the site where it is currently located or to another property. It is encouraged that the sign be relocated to a site within the area from which it originated. The

receiving site must be located within a nonresidential district or mixed-use subdistrict of the CU or SW District which allows commercial signs.

d. Relocated historic signs that are nonconforming based on their size, height, animation, moving parts, or moving, flashing, color, or type of lighting do not have to be brought into conformance. However, relocated signs may not move further out of conformance by any physical alterations to the sign. The lighting of such signs must be located, screened, or shielded so that abutting lots located in any residential district are not directly illuminated and do not cause glare or impair the vision of motorists. All other regulations must comply with the following exceptions:

i. Projecting signs may extend beyond the maximum projecting dimension based upon the existing dimension of the sign.

ii. Roof signs and flashing, fluttering, swinging, and rotating signs, which may be currently prohibited, may be relocated and maintain the prohibited characteristics provided such features contribute to the historic or cultural character of the sign and are in keeping with the surrounding area.

F. Electronic Message Centers (EMC)

Electronic message centers (EMC) are permitted only in commercial and industrial districts, unless this Article otherwise prohibits the use of EMCs in a specific commercial or industrial district. Within these zoning districts the following regulations apply to electronic message centers (EMC).

1. EMCs legally existing on April 10, 2009, are allowed to continue operation subject to meeting the operational standards as required by this Section. After April 10, 2009, no EMC is permitted in any location except in the following instances:

a. An EMC may be permitted in those areas covered by an H Overlay District subject to approval as required within an H-1 district.

b. An EMC may be permitted in the DK District subject to approval as required within a DK District.

c. An EMC may be permitted as a changeable price sign subject to the requirements of item G below. All EMCs legally existing on April 10, 2009, must comply with the operational standards listed in items 7, 8, 10, 11, and 12 below of this section. A legally existing EMC that cannot meet the minimum text size requirement in item 11 below must use the largest size possible for one line of text to fit in the available space.

2. No EMC may be erected or used by a business unless any existing changeable letter reader board is first removed from the parcel.

3. An EMC must be included in the total signage permitted on the parcel.

4. An EMC is permitted as a wall sign, or an integrated part of the total sign surface of a detached on-premise sign. For purposes of this section, integrated into the total sign surface of a detached on-premise sign means an EMC cabinet contained within or contiguous to the smallest, simple polygon enclosing all of the non-electronic advertising content of a sign.

5. An EMC permitted as part of a ground or monument sign must have a minimum matrix area of 20 square feet and a maximum size of one-third of the total signage permitted or 100 square feet, whichever is less.

6. An EMC permitted as a wall sign cannot exceed 100 square feet.

7. Each display on an EMC must hold constant for a minimum of 60 seconds.

8. An EMC cannot display light of such intensity or brightness to cause glare. An EMC must be equipped with an automatic dimmer device and controlled by a light detector. It is the responsibility of the sign owner to demonstrate compliance with brightness/intensity and dimming settings. Brightness, also known as intensity, is measured in candelas per square meter, which is also referred to as nits, and cannot exceed the following standards:

a. Daytime maximum brightness: 3,000 nits

b. Nighttime maximum brightness: 750 nits

c. Maximum brightness at the property line: 0.2 footcandles

d. Maximum bulb wattage for incandescent light: 40 watts

9. No EMC is permitted in any location which is zoned the C-N District.

10. The images and messages displayed must be static. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.

11. Every line of text in an EMC must meet or exceed the standards of Table 13-1: EMC Minimum Text Size. If there is insufficient room for text of this size in the area allowed under this Section, then no text is allowed.

Table 13-1: EMC Minimum Text Size	
Designated Speed Limit on Frontage Road (in MPH)	Minimum Text Size (in Inches)
25 to 34	7
35 to 44	9
45 to 54	12
55 and above	15

12. The transition from one display to another must be instantaneous without any special effects.

G. Changeable Price Signs

1. Changeable price signs are limited to parcels with a minimum of two 250 feet of frontage on the street where the property is addressed.

2. Each changeable price sign on a parcel is counted toward the total allowable signage allowed per parcel.

3. Changeable price signs must be integrated into a detached on-premise sign or be placed on a canopy or wall in accordance with these regulations.

4. Changeable price signs must be limited to three per detached sign structure or three per building or canopy face.

5. An EMC may be integrated into a changeable price sign subject to the following and subject to the requirements of item H above:

a. The EMC component must be used only as a changeable price component.

b. The minimum matrix area of each EMC component of a changeable price sign must be six square feet and the maximum is 25 square feet per changeable price sign.

13.7 MASTER SIGN PLANS FOR UNIFIED DEVELOPMENTS

A. Purpose

For the purpose of providing flexibility and incentives for coordinated, well designed sign systems for shopping centers, commercial subdivisions, office parks and other large scale commercial and mixed-use developments, a master signage plan is required for certain signs identified within this section. A master sign plan will promote the use of signs which are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscape, in order to meet the community's expressed desire for quality development consistent with the property's land use designation.

B. Application Requirements

Master sign plans required pursuant to other provisions of this Code must be submitted for review and consideration by the Knoxville-Knox County Planning Commission as a special use, and include the following information in the application package:

1. Master sign plan application and a consent form signed by all the property owner(s), or owners' representatives, for the unified development under consideration.

2. A site plan showing the location and dimensions of all property lines, rights-of-way, easements, improvements (buildings, driveways, street access points, etc.) within the unified development, the location of all existing and proposed signs, and if required pursuant to other provisions of this Code, building elevations showing all building signs.

3. Scale drawings showing the dimensions and construction details for all proposed signs including sign illumination and landscaping plans.

4. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lots included in the unified development under consideration.

5. A copy of any sign restrictions proposed or implemented for the unified development.

6. Documentation including an accurate site plan for the development must be provided showing that the development was approved as a shopping center, commercial subdivision, office park, or, mixed-use development. The development may be located on both sides of a street or streets if it is determined by the Knoxville-Knox County Planning Commission that it functions as a unified development.

7. The minimum size of a development eligible for consideration as a unified development is 25,000 square feet of gross floor area and must contain three or more businesses or tenants.

8. For the purposes of approving a master sign plan, the Knoxville-Knox County Planning Commission will determine the boundaries of the unified development based on the application and evidence submitted in support of the application.

9. The approved signs must be located on property within the area defined by the Knoxville-Knox County Planning Commission as the unified development.

C. Administrative Procedures

Master sign plans are reviewed by the Knoxville-Knox County Planning Commission as a special use . A master sign plan may also be included as part of a development plan or special use application for a shopping center, commercial subdivision, office park, or similar development. The Knoxville-Knox County Planning Commission may approve, modify, or deny the request. All applications for sign permits in an area with an approved master sign plan must be in conformance with the plan. Since approval of master sign plan is a privilege and not a right, variances from the sign standards of this article will not be granted for development directory signs or project directional signs. When a master sign plan has been approved, variances will not be granted for any signs on a lot covered by the master sign plan. The action of the Knoxville-Knox County Planning Commission may be appealed as provided in this Code.

D. Development Directory Sign

To encourage coordinated, well designed sign systems that allow sufficient identification of businesses within unified developments in a manner which promotes traffic safety and avoids visual blight, development directory signs may be approved by the Knoxville-Knox County Planning Commission as a part of a master sign plan subject to meeting the following:

1. The development directory sign must meet the requirements of Section 13.9 of these regulations for a detached sign in a commercial or industrial district.

2. The development directory sign will count as one of the detached signs permitted pursuant to these regulations for the lot on which the sign will be located. If the maximum number of business ground or monument signs and/or the maximum surface area is already met or exceeded on a lot proposed for a development directory sign, the number of signs and/or surface area must be reduced so that the addition of the development directory sign would put the signs on the lot in conformance with the maximum limitations.

3. Only the name and/or logo for the unified development and the names and/or logos of individual establishments within the unified development are permitted on the sign face(s). The name of the unified development must be located at the top of the sign and designed to stand out from the listing of tenants within the unified development.

4. Only one development directory sign is allowed per street frontage (per side of the street) for the unified development. Interstate frontage is considered a street frontage.

5. Approved development directory signs cannot be converted to any other type of off-premise sign.

E. Project Directional Sign

To promote the safe and efficient flow of traffic, project directional signs may be approved by the Knoxville-Knox County Planning Commission as a part of a master sign plan 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, subject to meeting the following:

1. The project directional sign must be located at the intersection of the lower classification street with the collector or arterial street and oriented toward the traffic flow on the collector or arterial street.

2. The project directional sign must be located out of the right-of-way and must comply with setback, sight distance, and sight triangle requirements for the lot on which it is located.

3. A project directional sign cannot be located closer than 500 linear feet to any other project directional sign on the same side of the collector or arterial street. Only one project directional sign is permitted per intersection on the same side of the collector or arterial street.

4. The project directional sign may be approved in addition to any ground or monument signs that are allowed on a specific lot.

5. Only the name and/or logo for the unified development, name and or logo of individual establishments within the unified development, and a directional arrow are permitted on the sign face(s).

6. The project directional sign cannot exceed six feet in height and a maximum surface area of 36 square feet.

7. Approved project directional signs cannot be converted to any other type of sign.

F. Administrative Changes

After approval of a master sign plan by the Knoxville-Knox County Planning Commission, the Knoxville-Knox County Planning Commission Executive Director may approve a change to the signage plan administratively in instances of an increase in the size of any sign by up to 10%; provided this does not exceed the maximum sizes permitted by these regulations.

13.8 SIGNS PERMITTED IN ALL DISTRICTS

The following signs are allowable in all districts:

A. One nameplate per building with a maximum sign area of two square feet for any residential building and six square feet for any nonresidential building.

B. One bulletin board or identification sign for public recreation uses, community facilities, hospitals, and clinics with a maximum sign area of 32 square feet and a maximum height of eight feet. These signs may be allowed in addition to the maximum sign area as calculated by the controlling zone district.

C. Directional signs within a parking lot to designate entrances and exits with a maximum sign area of nine square feet and a maximum sign height of 42 inches. One sign may be located at each entrance and exit.

D. One informational sign within a parking lot identifying or designating the conditions of uses of such parking area with a maximum sign area of 12 square feet and a maximum height of eight feet.

13.9 SIGNS PERMITTED IN SPECIFIC DISTRICTS

In addition to signs that may be allowable pursuant to other sections of this Article and this Code, this section delineates the signs allowable in specific districts and the standards for such signs.

A. Agricultural and Open Space Districts: AG, OS, NA

1. In the AG District, non-illuminated nameplates and wall signs for home occupations with proper approval of the home occupation use are allowed as attached signs, with a maximum sign area of two square feet.

2. In the AG, OS, and NA Districts, detached signs are allowed, and may include ground signs, monument signs, column signs, and temporary signs as permitted within this section; provided that the signs are for the purpose of advertising the sale of farm products produced on the premises. Such signs are limited to two non-illuminated signs on the parcel or lot, and each individual sign cannot exceed 12 square feet in sign area and eight feet in height.

3. In the AG, OS, and NA Districts, identification signs, detached or attached to a building, are permitted for public parks, playgrounds and other outdoor recreation uses with a maximum sign area of nine square feet and a maximum height of eight feet. Such signs may be externally illuminated, but cannot be internally illuminated.

B. F Floodplain Overlay Zoning District

1. In the F Overlay District, identification signs, detached or attached to a building, are permitted for public parks, playgrounds, and other outdoor recreation uses with a maximum sign area of nine square feet and a maximum height of eight feet.

2. Detached identification signs may be externally illumination, but cannot be internally illuminated.

3. All signs in this district are subject to review and approval by the City Stormwater Engineering Department.

C. H Historic Overlay Zoning Districts

1. In the H Overlay District, one information sign, detached or attached to the building, is permitted in connection with the use of the lot with a maximum sign area of nine square feet and a maximum height of eight feet.

2. An information sign is allowed in addition to any other signs allowed in accordance with the underlying base zone district.

3. All signs in the H Overlay District are subject to review and approval by the Historic Zoning Commission.

D. Residential Districts: EN, RN-1, RN-2, RN-3, RN-4, RN-5

1. In the residential districts, the following signs on a residential parcel or lot are allowed, subject to the following dimensional requirements:

a. For properly approved home occupations, one wall sign with a maximum sign area of two square feet, ~~or one ground or column signs with a maximum sign area of two square feet and a maximum height of 42 inches~~. Such signs cannot be illuminated.

b. Wall signs for multi-~~dwelling structures or developments~~family dwellings, rooming and boarding houses, and fraternity and sorority houses with a maximum total sign area of nine square feet per structure; such sign are limited to only the name and/or address of the premises, and the name of the management. Such signs may be externally illuminated, but cannot be internally illuminated.

c. Monument or column signs for multi-~~dwelling structures or developments~~family dwellings on sites greater than two acres, mobile home parks, and subdivisions with more than 25 lots for residential purposes; provided that such signs are limited to one sign per each separate street frontage that exceeds 150 lineal feet; cannot exceed a maximum sign area of 36 square feet and a maximum height of six feet; and may be externally illuminated, but cannot be internally illuminated.

2. In residential zone districts, the following signs on a nonresidential parcel or lot are allowed, subject to the following dimensional requirements:

a. For medical facilities with less than 150 linear feet of street frontage, clubhouses for civic or nonprofit organizations, lodge halls, studios and day care centers for more than 12 children:

i. Non-illuminated attached signs, excluding window signs, up to a maximum total sign area of 16 square feet.

ii. One monument or column sign with a maximum sign area of 20 square feet, and a maximum height of five feet. Such sign may be externally illuminated, but cannot be internally illuminated.

b. For medical facilities with 150 linear feet or more of street frontage, churches, schools, public buildings, cemeteries and country clubs:

i. Non-illuminated attached signs, excluding window signs, with a maximum total sign area of 32 square feet.

ii. One monument or column sign with a maximum total sign area of 36 square feet, and a maximum height of six feet. Such sign may be externally illuminated, but cannot be internally illuminated.

E. Office Districts: O, OP

1. In the office districts, regulation of signs for permitted residential uses are the same as those for the residential districts.

2. In the office districts, the following signs on a nonresidential parcel or lot are allowed, subject to the following dimensional requirements:

a. Attached signs with a total allowed sign area not to exceed 5% of the wall area of the primary building elevation(s), provided that the sign area may be used on any elevation of the building that does not face an adjacent residential district and that no individual sign may exceed 24 square feet in area. Such signs cannot be internally illuminated, but may be externally illuminated provided that no light source is visible from the public right-of-way or adjacent properties. Hospitals with an emergency room may internally illuminate signs upon approval of a master sign plan.

b. One detached sign is allowed per parcel or lot, but is limited only to monument or column sign; provided that the maximum sign area is 36 square feet and the maximum height is six feet. Such detached signs cannot be internally illuminated, but may be externally illuminated provided that no light source is visible from the public right-of-way or adjacent properties.

F. Commercial, ~~and~~ Industrial, and Institutional Districts: C-N, C-G, C-H, C-R, DK, I-MU, I-RD, I-G, I-H, INST

1. In the commercial and industrial districts, the following signs on a nonresidential parcel or lot are allowed, subject to the following dimensional requirements:

a. Development directory and project directional signs may be approved as part of a master sign plan.

b. Attached signs with a total allowed sign area equal to 10% of the wall area of the primary building elevation(s), and such sign area may be used on any elevation of the building.

c. Detached signs in accordance with the standards described herein, except that standards specified for individual districts control.

2. In the commercial and industrial districts, the number of detached signs on a nonresidential parcel or lot are allowed in accordance with the following requirements:

a. One detached sign is allowed per street frontage, up to a maximum of two per parcel or lot. For these purposes, an adjacent interstate highway is considered a street frontage, even if there is no access to it.

b. The detached sign that is oriented to the street frontage on which the parcel is addressed is deemed primary and subject to the requirements of this subsection.

c. Any secondary detached sign on each lot is limited to a monument or column sign with a maximum sign area of 32 square feet and a maximum sign height of eight feet.

3. In the commercial and industrial districts, the maximum sign height for primary detached signs is based upon the classification of the road or road adjacent to the property upon which the primary detached sign is located, as indicated in Table 13-2: Roadway Type and Maximum Sign Height:

Table 13-2: Roadway Type and Maximum Sign Height	
Roadway Type	Maximum Allowable Sign Height
Property within 500 feet of interstate interchange area	35 feet
Property adjacent to interstate right-of-way	30 feet
Property fronting on federally designated highways	20 feet
All other roadway classifications	10 feet

4. In the commercial and industrial districts, the maximum sign area for primary detached signs is based upon the classification of the road or road adjacent to the property upon which the primary detached sign is located, as indicated in Table 13-3: Roadway Type and Maximum Sign Area:

Table 13-3: Roadway Type and Maximum Sign Area	
Roadway Type	Maximum Allowable Sign Area
Property within 500 feet of interstate interchange area	200sf
Property adjacent to interstate right-of-way	200sf
Property fronting on federally designated highways	165sf
All other roadway classifications	100sf

5. The following exceptions apply to the above standards:

a. On parcels and lots adjacent to the interstate, a secondary detached sign, if located within 100 feet of the interstate right-of-way and if its sign faces are oriented perpendicular or radial to the interstate right-of-way is subject to the maximum height and sign area requirements for a primary detached sign.

b. On parcels and lots adjacent to any streets or roads that are part of the state scenic highway system, only a monument or column sign is allowed, provided that the maximum sign height for such sign is six feet and the maximum sign area is 36 square feet.

c. In the C-N District, the maximum sign area for detached signs is 50 square feet.

d. In the I-RD District, the maximum sign area for detached signs is 100 square feet and the maximum height is six feet.

e. In a C-G, C-H, C-R, I-RD, and I-G Districts, additional signs may be approved by the Knoxville-Knox County Planning Commission ~~as part of the development plan~~ provided that scale drawings indicate the signs will not detract from the character of the development or surrounding development; and that the development plan clearly shows that because of unusual topography, building locations and relationships or developments with multiple structures, additional signs are essential to inform and direct the public.

13.10 SIGN CONSTRUCTION AND MAINTENANCE

A. Sign Construction

1. Any permanent sign erected, constructed, or placed on any property in the City must conform to the Building Code, as most recently revised and adopted by the City.

2. If serviced by electric power, any permanent sign must conform to the latest adopted revision of the National Electrical Code. Electrical materials and devices incorporated into such signs must be certified by the Underwriters' Laboratories, Inc. (ULI), and bear the ULI label, or the label of another approved testing laboratory. Temporary signs, if serviced by electrical power, they must conform to the latest adopted revision of the National Electrical Code.

3. On a parcel or lot, at least one permanent, on-premise signs must contain the street number of the business.

4. Except for permitted flags, temporary signs, and window signs, all signs must be constructed of durable, all-weather materials and must be permanently attached by direct attachment to a rigid wall, frame, or structure.

5. Signs must not obstruct visibility from a driveway to an abutting street or vice versa.

B. Sign Maintenance

1. All signs and surrounding premises must be maintained by the owner thereof in a clean and sanitary condition, and free and clear of all debris, trash, litter, garbage, refuse, and weeds and in full compliance with the City's ordinances concerning lot cleanliness set forth in the City Code of Ordinances, Chapter 13.

2. All signs, including supporting structures, must be maintained in good and safe repair and condition, including the periodic application of paint and/or other weatherproofing material in order to prevent rust or other decay.

3. The display surface or other advertising material of a sign is not allowed to deteriorate to a broken, torn, peeling, flaking, or otherwise decayed condition and must be repaired or removed within 90 days of receipt of notice mailed to the owner by certified mail, return receipt requested. If the owner fails to remove or alter the display surface so as to comply with the standards herein set forth within the time specified in such notice, the Director of Plans Review and Building Inspections may cite the owner for a violation of this section.

4. The owner may request an extension of the 90 days by submitting a written request to the office of the Director of Plans Review and Building Inspections. Upon some exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent an owner from repairing the sign within 90 days, the Director of Plans Review and Building Inspections may grant the requested extension; any grants of extensions must be documented in writing.

13.11 ABANDONED SIGNS

A. Abandoned Sign Determination for Conforming Signs

Any legal conforming sign, as defined by this Article, including its supporting structure, erected in conjunction with a particular use, that use having been subsequently discontinued for a period of 120 days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired. Abandonment is presumed if, for a period of 120 days or longer, the sign has not: 1) advertised goods, services, facilities, events, or attractions available on the premises where located; 2) identified the owner or occupant; 3) directed traffic on the premises; or 4) displayed a noncommercial message which may or may not related to an activity located on the premises. Any sign which otherwise conforms to the provisions of this Article, and by reason of the cessation of activity on the premises, becomes an off-premises sign, may be retained for a period of 14 months by one of the following methods:

1. Painted sign: The sign must be covered by painting over the sign area.

2. Removable sign face*:* The sign face must be removed and replaced with a blank insert or the sign face may be reversed.

3. Temporary covering*:* The sign face may be temporarily covered by the installation of a sock or boot.

If activity on the property has not resumed within a period of fourteen (14) months from abandonment, then the sign is presumed abandoned and must be taken down and removed as provided herein.

B. Abandoned Sign Determination for Nonconforming Signs

Any nonconforming sign, as defined by this Article, including its supporting structure, erected in conjunction with a particular use, that use having been subsequently 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. Abandonment is presumed if, for a period of 60 days or longer, the sign has not: 1) advertised goods, services, facilities, events, or attractions available on the premises where located; 2) identified the owner or occupant; 3) directed traffic on the premises; or 4) displayed a noncommercial message which may or may not related to an activity located on the premises. Any sign which otherwise conforms to the provisions of this Article, and by reason of the cessation of activity on the premises, becomes an off-premises sign, may be retained for a period of nine months by one of the following methods:

1. Painted sign: The sign must be covered by painting over the sign area.

2. Removable sign face*:* The sign face must be removed and replaced with a blank insert or the sign face may be reversed.

3. Temporary covering*:* The sign face may be temporarily covered by the installation of a sock or boot.

If activity on the property has not resumed within a period of nine months from abandonment, then the sign is presumed abandoned and must be taken down and removed as provided herein.

C. Removal of Abandoned Signs

Any abandoned sign, now or hereafter existing, must be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure, or property upon which such sign may be found, within 30 days after the written notification from the Director of Plans Review and Building Inspections. In making a determination that a sign is abandoned the Building Official will consider among other factors, the existence or absence of a current occupational license for the premises, whether there are active utilities or a utilities service deposit at that location, and use of the premises. If such abandoned sign is not removed at the conclusion of such 30 day period, the Director of Plans Review and Building Inspections is hereby authorized to cause the sign to be removed at the expense of the owner. For purposes of this section, removal of the sign includes:

1. The sign face, along with posts, columns or supports of detached signs, must be taken down and removed from the property.

2. The sign face and supporting structures of projecting, roof, or attached signs must be taken down and removed from the property.

3. The sign face of painted attached signs must be removed by painting over the wall sign in such a manner as to completely cover up and hide from sight the sign in question.

ARTICLE 14. CODE ADMINISTRATORS

14.1 CITY COUNCIL POWERS
14.2 KNOXVILLE-KNOX COUNTY PLANNING COMMISSION POWERS
14.3 BOARD OF ZONING APPEALS POWERS
14.4 ZONING ADMINISTRATOR POWERS
14.5 DIRECTOR OF PLANS REVIEW AND BUILDING INSPECTIONS
14.6 ~~DOWNTOWN~~ DESIGN REVIEW BOARD POWERS
14.7 HISTORIC ZONING COMMISSION POWERS
14.8 ADMINISTRATIVE REVIEW COMMITTEE POWERS
14.9 INFILL HOUSING REVIEW COMMITTEE POWERS
14.10 TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY POWERS
14.10 BOARD OF ZONING APPEALS ORGANIZATION
14.11 ~~DOWNTOWN~~ DESIGN REVIEW BOARD ORGANIZATION
14.12 HISTORIC ZONING COMMISSION ORGANIZATION
14.13 ADMINISTRATIVE REVIEW COMMITTEE ORGANIZATION
14.14 INFILL HOUSING REVIEW COMMITTEE ORGANIZATION

14.1 CITY COUNCIL POWERS

The City Council has the following specific powers pursuant to this Code:

A. To make final decisions on zoning text and map amendment applications.

B. To make final decisions on preliminary plans of planned development applications.

C. To hear appeals on decisions of the Knoxville-Knox County Planning Commission and the Board of Zoning Appeals.

14.2 KNOXVILLE-KNOX COUNTY PLANNING COMMISSION POWERS

The Knoxville-Knox County Planning Commission has the following powers pursuant to this Code:

A. To make recommendations to the City Council on zoning text and map amendment applications.

B. To make final decisions on special use applications.

D. To hear appeals on decisions of the ~~Downtown~~ Design Review Board.

D. To hear appeals on decisions of the Infill Housing Review Committee.

E. To make recommendations to the City Council on preliminary plans for planned development applications and final decisions on final plans for planned development.

F. In addition, Knoxville-Knox County Planning staff will make final decisions on site plan review applications as follows:

1. Site plan review applications in the EN District.

2. Site plan review applications for townhouse and multi-family dwellings in the RN-4 District per Section 4.2.B.2.

3. Landscape plans for all development that require landscape per Article 12, with the exception of alternative landscape design per Section 12.2.D.

14.3 BOARD OF ZONING APPEALS POWERS

The Board of Zoning Appeals has the following powers pursuant to this Code:

A. To hear appeals and make final decisions on variance applications.

B. To hear appeals and make final decisions on Zoning Administrator or Director of Plans Review and Building Inspections determinations, or on the administrative authority of the Knoxville-Knox County Planning staff. ~~Zoning Administrator~~ .

14.4 ZONING ADMINISTRATOR POWERS

The Zoning Administrator has the following powers pursuant to this Code. The Zoning Administrator may appoint a designee to act as the Zoning Administrator.

A. To make final decisions on site plan review applications, as applicable.

B. To make final decisions on zoning certification applications.

C. To make final decisions on zoning interpretation applications.

D. To make final decisions on temporary use permit applications.

E. To make final decisions on requests for reasonable accommodation.

14.5 DIRECTOR OF PLANS REVIEW AND BUILDING INSPECTIONS POWERS

The Director of Plans Review and Building Inspections has the following powers pursuant to this Code. The Director of Plans Review and Building Inspections may appoint a designee to act as Director of Plans Review and Building Inspections.

A. Issue all building permits and make and maintain such records.

B. Issue all certificates of occupancy and make and maintain such records.

C. Maintain and keep current zoning maps, and records of amendments to the zoning maps.

D. Issue sign permits and maintain such records.

~~D~~**E.** Conduct inspections as prescribed by this Code, and such other inspections as are necessary to insure compliance with the various provisions of this Code generally.

14.6 ~~DOWNTOWN~~ DESIGN REVIEW BOARD POWERS

The ~~Downtown~~ Design Review Board has the following powers pursuant to this Code:

A. To make final decisions on downtown design review applications in the DK District.

14.7 HISTORIC ZONING COMMISSION POWERS

The Historic Zoning Commission has the following powers pursuant to this Code:

A. To make final decisions on certificate of appropriateness applications.

B. To make recommendations to the City Council on the creation or removal of H Overlay District and NC Overlay District zoning designations.

C. To make recommendations to the City Council on updates to Historic District and Neighborhood Conservation District Design Guidelines.

D. To make recommendations to the City Council on the designation of landmark and historic signs.

E. To make recommendations to the Tennessee Historical Commission on National Register of Historic Places nominations.

F. To determine whether a structure meets the criteria set forth in Tenn. Code Ann. § 7-51-1201.

14.8 ADMINISTRATIVE REVIEW COMMITTEE POWERS

The Administrative Review Committee has the following powers pursuant to this Code:

A. To make recommendations on site plan review applications in the CU and SW Districts.

B. To make recommendations on alternative landscape design per Section 12.2.D.

C. To allow temporary use permit timeframe extensions per Section 9.4.

14.9 INFILL HOUSING REVIEW COMMITTEE POWERS

The Infill Housing Review Committee has the following powers pursuant to this Code:

A. To make final decisions on design review applications in the IH Overlay District and issue certificates of appropriateness.

14.10 TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY POWERS

The Tennessee Technology Corridor Development Authority (TTCDA) has the following powers pursuant to this Code:

A. To make final decisions on development applications in the TO-1 Overlay District and issue certificates of appropriateness, with the exception of a residential or agricultural use.

14.~~10~~ 11 BOARD OF ZONING APPEALS ORGANIZATION

A. Members Generally

A Board of Zoning Appeals consisting of five members must be nominated by the Mayor and confirmed by the City Council.

B. Terms and Renewals for Members

The term of each member of the Board of Zoning Appeals is five years except that on the initial board, one member will serve a term of one year, one member a term of two years, one member a term of three years, one member a term of four years, and one member a term of five years so that the term of one member will expire each year, as per Tennessee Code Annotated §13-7-205. A member may serve consecutive terms upon re-nomination by the Mayor and confirmation by the City Council.

C. Powers and Responsibilities

Powers and responsibilities are as listed in Section 14.3 above.

D. No Compensation

All members serve without compensation.

E. Adoption of Administrative Rules

The Board of Zoning Appeals must adopt administrative rules and submit these rules to the City Council or Knoxville-Knox County Planning Commission, as appropriate, for adoption. These rules must outline terms including, but not limited to, election process for the chairperson, meeting schedules, voting procedures, application requirements, and the appeals process.

F. Changes to Rules

The Board of Zoning Appeals has the authority to make changes, revisions, modifications, and additions to its administrative rules as necessary and to submit the same for approval in accordance with item E above.

14.~~11~~ 12 ~~DOWNTOWN~~ DESIGN REVIEW BOARD ORGANIZATION

A. Members Generally

The ~~Downtown~~ Design Review Board is appointed by the Mayor with the approval of a majority of the City Council and composed of permanent staff and other rotating members as outlined below.

1. Staff (permanent members):

a. Knoxville-Knox County Planning Executive Director, or his/her designee, who is an ex officio non-voting member.

b. City's Director of Policy Development, or his/her designee, who is an ex officio non-voting member.

2. Other (rotating members):

a. One architect from a slate recommended by AIA East Tennessee.

b. One urban design professional with a background in architecture or urban planning selected from nominations from AIA East Tennessee and the local chapter of the American Planning Association, Knoxville Section of the Tennessee American Planning Association (KAPA).

c. Two ~~downtown~~ Downtown residents.

d. Two businesses, development, or real estate professionals whose work is largely focused upon Downtown.

e. A member of the Central Business Improvement District Board from a slate proposed by the board.

f. A member of the Historic Zoning Commission.

3. Ex-officio members - The following may be called on to serve as non-voting members when cases require their technical and professional expertise:

a. Knoxville-Knox County Planning and Historic Zoning Commission staff.

b. Building official or his/her designee.

c. City Engineering Director or his/her designee.

d. Central Business Improvement District staff.

e. Knoxville Utilities Board staff.

f. Knoxville's Community Development Corporation staff.

g. City Law Department staff.

B. Terms and Renewals for Members

Each rotating member (after the initial members) of the ~~Downtown~~ Design and Review Board are appointed for terms of three years commencing on the date of confirmation of appointment by the City Council. No member may serve more than two full terms or six years.

C. Powers and Responsibilities

The responsibilities of the ~~Downtown~~ Design Review Board are to:

1. Review the designs for all public projects, including, but not limited to, street and sidewalk design, landscaping, park improvements, public facility improvements, and public way-finding systems.

2. Review and approve private development plans, based upon the adopted design guidelines as set forth at the time of amendments to the Zoning Map.

3. Advise the Mayor, City Council, Knoxville-Knox County Planning Commission, and Historic Zoning Commission on means to improve Downtown design, incentives that could be used to foster good design, and programs that should be pursued to foster beautification, safety and related public purposes Downtown.

D. No Compensation
All members serve without compensation.

E. Adoption of Administrative Rules
The ~~Downtown~~ Design and Review Board must adopt administrative rules and submit the rules to the Knoxville-Knox County Planning Commission for adoption. The rules must outline the terms of board members, election of its chair, its schedule of meetings, voting procedures, application requirements regarding certificates of appropriateness, and appeal processes to the Knoxville-Knox County Planning Commission.

F. Changes to Rules
The ~~Downtown~~ Design Review Board has the authority to make changes, revisions, modifications, and additions to its administrative rules as necessary and to submit the same for approval in accordance with item E above.

14.~~12~~13 HISTORIC ZONING COMMISSION ORGANIZATION

A. Members Generally
The Historic Zoning Commission consists of nine persons. Historic Zoning Commission members are appointed by the Mayor, subject to confirmation by the City Council.

B. Terms and Renewals for Members
The Historic Zoning Commission consists of the following members: one must be a representative of a local patriotic or historic organization; one must be an architect, if available; one must be a person who is a member of the local Planning Commission at the time of such person's appointment, if possible; and the remainder must be from the community in general.

C. Powers and Responsibilities
Powers and responsibilities are as listed in Section 14.7 above.

D. No Compensation
All members serve without compensation.

E. Adoption of Administrative Rules
The Historic Zoning Commission must adopt administrative rules and submit these rules to the City Council or Knoxville-Knox County Planning Commission, as appropriate, for adoption. These rules must outline terms including, but not limited to, election process for the chairperson, meeting schedules, voting procedures, application requirements, and the appeals process.

F. Changes to Rules
The Historic Zoning Commission has the authority to make changes, revisions, modifications, and additions to its administrative rules as necessary and to submit the same for approval in accordance with item E above.

14.~~13~~14 ADMINISTRATIVE REVIEW COMMITTEE ORGANIZATION

The Administrative Review Committee consists of representatives from the following entities:

1. Civil Engineering
2. Fire Department
3. Knoxville Utilities Board
4. Knoxville-Knox County Planning
5. Plans Review and Inspection
6. Parks and Recreation

7. Public Services
8. Stormwater Engineering
9. Traffic Engineering
10. Other city staff as deemed necessary by the Zoning Administrator

14.~~14~~15 INFILL HOUSING REVIEW COMMITTEE ORGANIZATION

A. Members Generally
The Infill Housing Review Committee consists of nine persons.

B. Terms and Renewals for Members
The Infill Housing Review Committee is comprised of staff from Knoxville-Knox County Planning (three members), the Community Development Division (two members), Plans Review and Inspection Division (two members), City Engineering (one member) and the East Tennessee Community Design Center or their successors (one member).

C. Powers and Responsibilities
The responsibilities of the Infill Housing Review Committee are to review the applications for IH Overlay District for conformance to the Heart of Knoxville Infill Housing Design Guidelines. In addition to setbacks and lot dimensions, the committee reviews the proposed development in terms of roof pitch, porch, door, window, and related features that were characteristic of the original pattern of development.

D. No Compensation
All members serve without compensation.

E. Adoption of Administrative Rules
The Infill Housing Review Committee must adopt administrative rules and submit these rules to the City Council or Knoxville-Knox County Planning Commission, as appropriate, for adoption. These rules must outline terms including, but not limited to, election process for the chairperson, meeting schedules, voting procedures, application requirements, and the appeals process.

F. Changes to Rules
The Infill Housing Committee has the authority to make changes, revisions, modifications, and additions to its administrative rules as necessary and to submit the same for approval in accordance with item E above.

ARTICLE 15. APPLICATION PROCESS

15.1 APPLICATION PROCESSES
15.2 NOTICE
15.3 VESTING

15.1 APPLICATION PROCESSES

A. Application Submittal

All zoning applications must be filed as indicated in Table 15-1: Application Submittals. The application must be on forms provided by the entity with authority over the application and filed in such quantity and with such submittals as required by the instructions.

Table 15-1: Application Submittals

Application	Authority	
	Zoning Administrator	Knoxville-Knox County Planning
Amendment (Text and Map)		•
Special Use Review		•
Variance	•	
Site Plan Review	•	
Planned Development		•
Certificate of Appropriateness		•
Zoning Interpretation	•	
Zoning Appeal of Administrative Body Decisions		•
Zoning Appeal of Administrative Official Decisions	•	

B. Pre-Application Conference

Prior to formal submittal of an application, the applicant may schedule a pre-application conference with the Zoning Administrator or Knoxville-Knox County Planning staff, as applicable. The purpose of a pre-application conference, which does not require a formal application or fees, is to provide informal advice and assistance to the applicant. Any opinions or advice provided are not binding with respect to any official action that may be taken on the formal application. No decision is made on the application.

C. Completeness

a. An application must include all information, plans, and data as specified in the application requirements. The Zoning Administrator or Knoxville-Knox County Planning staff, as applicable, will examine all applications within ten business days of filing to determine completeness. If the application does not include all the submittal requirements for the application, the Zoning Administrator or Knoxville-Knox County Planning staff, as applicable, will reject the application and provide the applicant with the reasons for the rejection. No further steps to process the application will be taken until all deficiencies are remedied.

b. After an application is determined to be complete and before action is taken on the application, any substantive change made by the applicant to the application requires resubmittal of the entire application and a new completeness review. Such revisions may require an additional payment of fees. Once the application is under consideration by the appropriate bodies, additional information or revisions are not subject to this provision.

D. Fees

Each application must be accompanied by the required filing fee, as established and modified, from time to time, in the City or Knoxville-Knox County Planning Commission fee schedule as adopted or approved by the City Council or Knoxville-Knox County Planning Commission. The failure to pay such fee when due is grounds for refusing to process the application and renders the application incomplete.

E. Withdrawal of Application

An applicant has the right to withdraw an application at any time prior to the final decision on the application by a board or official, including the ability to withdraw the application if it has been tabled. The applicant must submit a request for withdrawal in writing.

F. Consideration of Successive Applications

1. Within one year of the date of denial, a subsequent application for the same zoning approval will not be reviewed or heard unless there is substantial new evidence available, or if a significant mistake of law or of fact affected the prior denial.

2. If the application is resubmitted earlier than one year from the date of denial, the subsequent application must include a detailed statement of the grounds justifying its consideration. The Zoning Administrator or Knoxville-Knox County Planning staff, as applicable, will make a determination as to whether the subsequent application is appropriate for resubmittal prior to the expiration of the one year wait requirement. If the Zoning Administrator or Knoxville-Knox County Planning staff, as applicable, finds that there are no new grounds for consideration of the subsequent application, the application will be summarily, and without hearing, denied.

15.2 NOTICE

A. Required Notice

Table 15-2: Zoning Approvals Required Notice indicates the types of notice required for zoning applications. If the specific requirements of a zoning approval process contain contradictory information to Table 15-2, the specific requirements of the zoning approval control.

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	•		
Special Use Review Notice for Public Hearing	•	•	•
Planned Development – Concept Plan Notice for Public Meeting		•	•
Planned Development – Preliminary Plan Notice for Public Hearing	•	•	•

B. Published Notice

When published notice is required, the City will publish notice in a newspaper of general circulation within the City. The notice must include the date, time, place, and purpose of such hearing/meeting, the name of the applicant, and the address of the subject property. Notice must be published no less than 15 days in advance of the scheduled action.

C. Mailed Notice

1. Knoxville-Knox County Planning will send written notice of the application, as specified in Table 15-2, and public hearing/meeting date to all property owners whose property is within 200 feet of the subject property.

2. Notice will be to the last known address of the property owner as listed on the tax rolls.

3. Notices will be mailed at least 12 days before the date of the first advertised hearing.

4. Notice is also required when an application is removed from the table unless the matter is being untabled for withdrawal only.

5. Mailed notice for map amendments and for general amendments to the zoning map initiated by the City Council or Knoxville-Knox County Planning Commission will also be provided to all property owners whose property is within the proposed amendment to the zoning map, the cost of which is born by the initiator of the request.

6. Nothing in this section prevents the City, Knoxville-Knox County Planning, or the applicant from giving additional notice as he/she may deem appropriate.

7. Mailed notice is not be required for changes to the annexation-related map amendments initiated by the City of Knoxville.

8. Mailed notice is not required for comprehensive updates and revisions to the Zoning Code and/or Zoning Map.

D. Posted Notice

1. The applicant will post a sign no less than 12 days prior to the public hearing/meeting date. Calculation of the notice period commences on the first date of posting, but does not include the hearing date.

2. The notice sign must state the nature of the proposal or application, reviewing body contact information (telephone number and internet address), and the date and time and of the public hearing/meeting.

3. Failure to post the notice sign as required is sufficient cause for postponement of the public hearing/meeting. However, failure to post notice signs as required does not preclude the Knoxville-Knox County Planning Commission from acting on any application or proposal properly before it.

15.3 VESTING

~~In accordance with Tenn. Code Ann. § 13-4-310, the following provides for the Vesting of developments through zoning applications. Table 15-3: Vesting Timeline provides for vesting within the City, under state law, for the types of plans approved, the vested right, and what action triggers the vesting.~~

~~**A.** During the vesting periods listed below, the adopted standards in effect on the date of approval of the required preliminary approval or final development approval where preliminary approval is not required remain the development standards applicable to the property.~~

~~**B.** The applicable vesting periods are listed in Table 15-3.~~

~~**C.** The vesting period outlined in Table 15-3 may be terminated in accordance with Tenn. Code Ann. § 13-4-310(f).~~

~~**D.** Should the applicant obtain all necessary permits for site preparation and commences site preparation within three years of preliminary approval, the vesting period are extended an additional two years to commence construction from the date of the expiration of the three year period, for a total of five years. During the two year period, the applicant must commence construction and maintain any necessary permits to remain vested.~~

~~**E.** Should the applicant commence construction during the five year period, the development standards applicable during the vesting period remain in effect until a final certificate of occupancy is issued; provided, the total vesting period of the project cannot exceed ten years from the date of application approval, during which time the applicant must maintain all necessary permits during this period. For a phased development, the total vesting period is 15 years from the original preliminary approval date.~~

~~**F.** Subject to all limitations in Tenn. Code Ann. § 13-4-310(g), a vested development standard or vested property right does not preclude, change, amend, alter, or impair the City's authority regarding enforcement of any development standard, of eminent domain powers, or of its zoning authority regarding property rights that have not yet vested.~~

~~**G.** Unless specifically addressed herein, all other provisions of Tenn. Code Ann. § 13-4-310 are adopted and incorporated by reference.~~

~~Table 15-3: Vesting Timeline~~

~~Application~~	~~Approval~~	~~Effective Date~~	~~Vesting Period~~	~~Total Vesting Period~~	~~Required Actions~~	~~Phasing~~
~~PD Concept Plan~~	~~Not Applicable~~	~~Not Applicable~~	~~Not Applicable~~	~~Not Applicable~~	~~Not Applicable~~	~~Not Applicable~~
~~PD Preliminary Plan~~	~~City Council Approval~~	~~3 years from date of approval~~	~~3 years~~	~~3 years~~	~~Receive Final Plan Approval~~	~~Not Applicable~~

~~Table 15-3: Vesting Timeline~~						
~~Application~~	~~Approval~~	~~Effective Date~~	~~Vesting Period~~	~~Total Vesting Period~~	~~Required Actions~~	~~Phasing~~
~~PD Final Plan~~	~~MPC Approval~~	~~5 years from date of preliminary approval~~	~~5 years~~	~~10 years (with construction)~~	~~Site Preparations; Complete construction; and Maintain permits~~	~~15 years~~
~~Site Plan~~	~~ARC or MPC Approval~~	~~Date of approval~~	~~5 years~~	~~10 years (with construction)~~	~~Site Preparations; Complete construction; and Maintain permits~~	~~15 years~~

In accordance with Tenn. Code Ann. § 13-4-310, the following provides for the vesting of developments through zoning applications.

A. Subject to item C, a vested property right must be established upon the City's approval of a preliminary development plan, a final development plan where no preliminary development plan is required by ordinance or regulation, or a building permit allowing construction of a building where there was no need for prior approval of a preliminary development plan for the property on which that building will be constructed. During the vesting period in item C, the City's development standards in effect on the date of said approval remain the development standards applicable to that property or building during the vesting period in item C.

B. A vested property right is established with respect to any property upon the appropriate department's:

1. Approval of a preliminary or final development plan for any of the following Districts: RP-1, RP-2, RP-3, SC-1, SC-2, SC-3, PC-1, PC-2, BP-1, TND-1, or TC-1 Districts.

2. Approval regarding a project in the I-1 District.

3. Approval regarding a use on review.

4. Approval of a certificate of appropriateness, when required.

5. Approval of a form district project.

6. Issuance of a site development permit.

7. Issuance of a written finding from the Director of Plans Review and Building Inspections that allowing a property right to remain vested is in the best interests of the community.

8. Any other approval or issuance specified in Tenn. Code Ann. § 13-4-310.

C. The applicable vesting periods are as follows:

1. For building permits allowing construction of a building where there was no need for prior approval of a preliminary development plan for the property on which that building will be constructed, the vesting period begins on the day the building permit is issued. The vesting period lasts through the expiration of the building permit and any renewals, unless the applicant has not pursued with reasonable diligence site development or construction.

2. For approval of a preliminary development plan that does not progress in stages or phases, the initial vesting period is three years subject to the following:

a. The applicant must maintain all necessary permits during all vesting period(s) and any extension(s) in order to remain vested. During the initial vesting period, the applicant must obtain the City's approval of the final development plan and commence site preparation. If the applicant complies, then the vesting period will be extended an additional two years.

b. During the two year extension, the applicant must commence construction and, if commenced, the development standards in effect during the vesting period remain in effect until the City certifies final completion of the development or project.

c. In no event will the total vesting period exceed ten years from the date of the approval of the preliminary development plan.

3. For approval of a preliminary development plan that progresses in two or more stages or phases, a separate vesting period as described in item C.2 applies to each section or phase subject to the following:

a. The applicant must maintain all necessary permits during all vesting period(s) and any extension(s) in order to remain vested. The development standards in effect on the date of the approval of the preliminary development plan describing the first stage or phase apply to all subsequent stages or phases.

b. If the applicant begins construction, the development standards in effect during the vesting period remain in effect until the City certifies final completion of the development or project.

c. In no event will the total vesting period for all stages or phases exceed 15 years.

D. In accordance with Tenn. Code Ann. § 13-4-310(f), the City may terminate the applicant's vested rights under the following circumstances.

1. If the City finds in writing that the applicant violated terms and conditions specified in the approved development plan or building permit, the applicant will receive notice and has 90 days from the date of notification to cure all violations.

2. If the City finds in writing that the applicant violated terms and conditions specified in a City ordinance or resolution, the applicant will receive notice and has 90 days from the date of notification to cure all violations.

3. If the City finds in writing that the applicant: 1) intentionally supplied inaccurate information or knowingly made misrepresentations material to the issuance of a building permit or the approval of a development plan; or 2) knowingly did not construct the development in accordance with the issued building permit, approved development plan, or approved amendment for the building permit or development plan. In such case, the applicant has no right to cure the violations.

4. If the City is required to enforce a state or federal law, regulation, rule, policy, corrective action, or other governance that precludes the development as contemplated in the approved development plan or building permit, the vested rights terminate unless within 90 days the applicant modifies the development plan or building permit in a way that brings the applicant into compliance with the new governance.

E. A vested right does not preclude the City's enforcement of any development standard in accordance with any circumstances described in Tenn. Code Ann. § 13-4-310(g).

F. In accordance with Tenn. Code Ann. § 13-4-310(h), any amendment to an approved development plan must first be approved by the City in order for the property rights to remain vested. The City may deny an amendment in accordance with Tenn. Code Ann. § 13-4-310(h) and, if such amendment is denied, the applicant may either proceed with no changes to the prior approved plan with the associated vested property right or, alternatively, may allow the vested property right to terminate and submit a new application in compliance with the development standards in effect at that time.

G. Unless specifically addressed herein, all other provisions of Tenn. Code Ann. § 13-4-310 are adopted and incorporated by reference.

ARTICLE 16. ZONING APPLICATIONS

16.1 ZONING TEXT AND MAP AMENDMENT
16.2 SPECIAL USE REVIEW
16.3 VARIANCE
16.4 SITE PLAN REVIEW
16.5 DOWNTOWN DESIGN REVIEW
16.6 INFILL HOUSING OVERLAY DISTRICT REVIEW
16.7 PLANNED DEVELOPMENT
16.8 OVERLAY DISTRICTS CERTIFICATES OF APPROPRIATENESS
16.9 ZONING INTERPRETATION
16.10 TEMPORARY USE PERMIT
16.11 SIGN PERMIT
16.12 ZONING APPEALS
16.13 REASONABLE ACCOMMODATION

16.1 ZONING TEXT AND MAP AMENDMENT

A. Purpose

The regulations imposed by the zoning regulations of this Code and of the Zoning Map may be amended from time to time in accordance with this section. This process for amending the zoning regulations of this Code or the Zoning Map is intended to allow modifications in response to omissions or errors, changed conditions, or changes in City policy. Amendments are not intended to relieve particular hardships or confer special privileges or rights upon any person or party.

B. Initiation

The City Council, Knoxville-Knox County Planning Commission, City staff, Knoxville-Knox County Planning staff, or a property owner in the City, or his/her designee, may propose a zoning text or map amendment.

C. Authorization

The City Council, after receiving a recommendation from the Knoxville-Knox County Planning Commission, will take formal action on requests for zoning text or map amendments.

D. Procedure

All applications must be filed with the Knoxville-Knox County Planning staff. Once it is determined that the application is complete, staff will schedule the application for consideration by the Knoxville-Knox County Planning Commission. Amendments initiated by the City Council or Knoxville-Knox County Planning Commission also require an application, but are exempt from fees.

1. Action by Knoxville-Knox County Planning Commission

a. Upon receipt of a complete application, the Knoxville-Knox County Planning Commission will consider the proposed zoning amendment at a public hearing.

b. The Knoxville-Knox County Planning Commission must evaluate the application based upon the evidence presented and, for map amendments, the approval standards of this section.

i. For zoning text amendments, the Knoxville-Knox County Planning Commission must recommend approval, approval with modifications, or denial of the application.

ii. For zoning map amendments, the Knoxville-Knox County Planning Commission must recommend approval or denial of the application. No conditions may be recommended as part of a zoning map amendment

c. After the close of the meeting, the Knoxville-Knox County Planning Commission must forward its recommendation to the City Council.

2. Action by City Council

a. The City Council will hold a public hearing on the application following receipt of the Knoxville-Knox County Planning Commission recommendation. The City Council must take action as follows:

i. For zoning text amendments, the City Council must approve, approve with modifications, or deny the application.

ii. For zoning map amendments, the City Council must approve or deny the application. No conditions may be imposed as part of a zoning map amendment.

b. The City Council must act upon the application within 120 days of the final decision of the Knoxville-Knox County Planning Commission public hearing. Failure to act within 120 days means the application is denied. The 120 day time limit does not apply to the adoption of comprehensive updates and/or revisions to the Zoning Code and/or Zoning Map.

E. Standards

1. In addition to the standards below, evaluation of proposed map amendments must consider the appropriateness of the zoning district to the subject property, and all the district's regulations, and not for a specific development and/or use of the subject property.

2. A proposed amendment must be considered on its own merits using the criteria in item ~~4~~ 3 below.

3. The following conditions must be met for all amendments:

a. The proposed amendment is necessary because of substantially changed or changing conditions in the area and districts affected, or in the city generally.

b. The proposed amendment is consistent with the intent and purposes of this Code.

c. The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects result from such amendment.

d. The proposed amendment shall be consistent with and not in conflict with the Knoxville-Knox County General Plan and its component parts, including adopted sector plans, corridor plans, and related documents,.

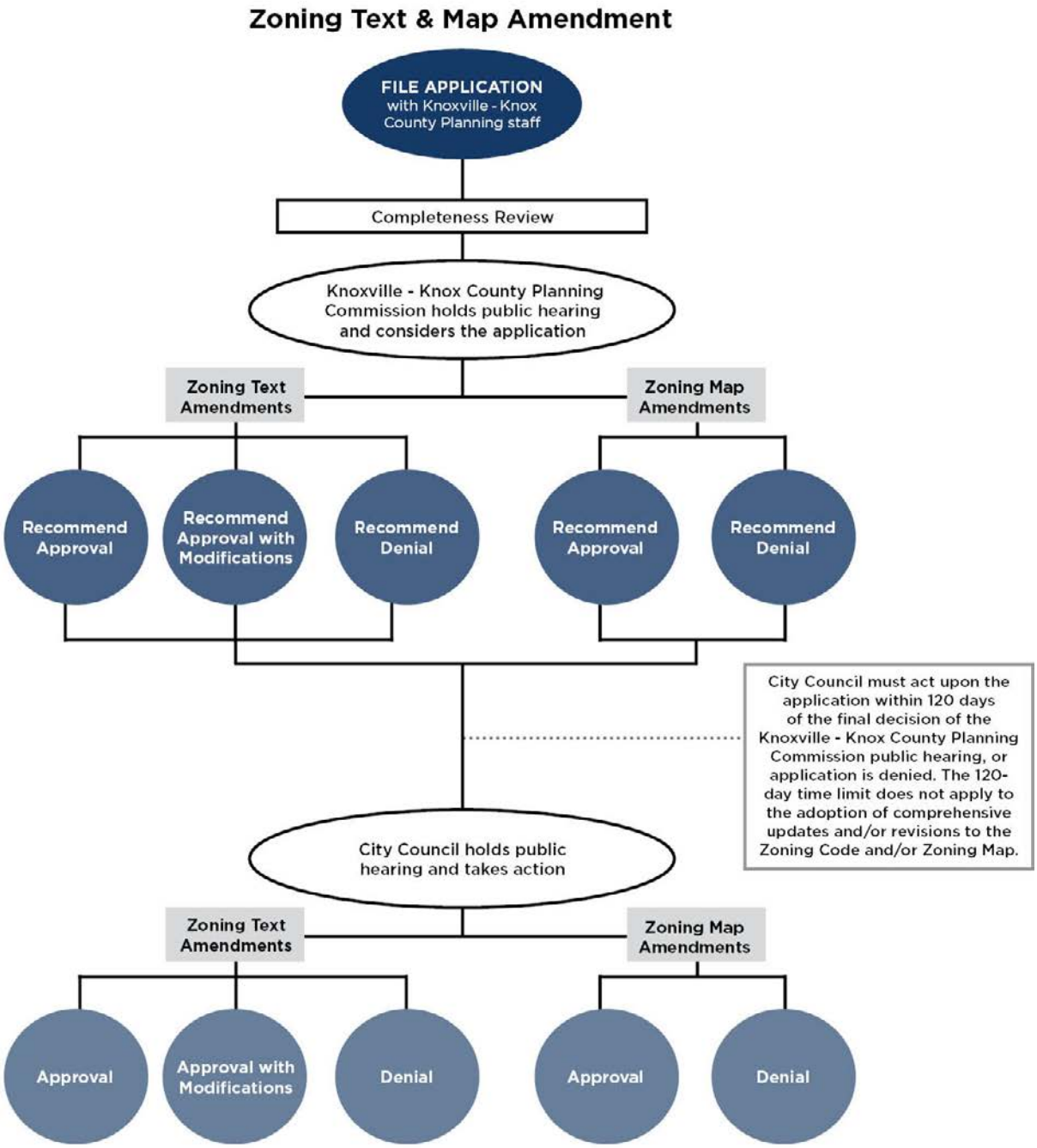
e. Whether adequate public facilities are available including, but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the subject property if the amendment were adopted.

F. Time Limit for City Council Action

All amendments initiated by application filed with the Knoxville-Knox County Planning Commission must be finally acted upon by the City Council within 120 days following the public hearing. Failure of the City Council finally to act upon any proposal within the 120 period is in all respects equivalent to rejection thereof. This 120 day limit does not apply to the adoption of comprehensive updates or revisions to the zoning regulations.

~~F~~G. Appeal

Anyone aggrieved by a final order or judgement of the City Council may have such order or judgement reviewed by the courts as provided by state law.


Zoning Text & Map Amendment
FILE APPLICATION with Knoxville - Knox County Planning staff
Completeness Review
Knoxville - Knox County Planning Commission holds public hearing and considers the application
Zoning Text Amendments
Zoning Map Amendments
Recommend Approval
Recommend Approval with Modifications
Recommend Denial
Recommend Approval
Recommend Denial
City Council must act upon the application within 120 days of the final decision of the Knoxville - Knox County Planning Commission public hearing, or application is denied. The 120-day time limit does not apply to the adoption of comprehensive updates and/or revisions to the Zoning Code and/or Zoning Map.
City Council holds public hearing and takes action
Zoning Text Amendments
Zoning Map Amendments
Approval
Approval with Modifications
Denial
Approval
Denial

16.2 SPECIAL USE REVIEW

A. Purpose

This Code is based upon the division of the City into districts. Within each district the use of land and structures are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in a particular district or districts without consideration of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location.

B. Initiation

A property owner in the City, or his/her designee, may file an application to use his/her land for one or more of the special uses authorized within the zoning district. A property owner may only propose a special use for property under his/her control.

C. Authorization

The Knoxville-Knox County Planning Commission will take formal action on special use applications.

D. Procedure

An application for a special use must be filed with the Knoxville-Knox County Planning staff. Once it is determined that the application is complete, the staff will schedule the application for consideration by the Knoxville-Knox County Planning Commission.

1. Upon receipt of a complete application, the Knoxville-Knox County Planning Commission will consider the special use at a public hearing.

2. The Knoxville-Knox County Planning Commission must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. The Knoxville-Knox County Planning Commission must either approve, approve with conditions, or deny the special use.

E. Conditions

1. Conditions placed upon the special use related to the physical development of the site must be shown on the site plan. A statement must be submitted with the site plan indicating any conditions placed upon the operation of the special use.

2. Prior to final approval of the special use by the Knoxville-Knox County Planning Commission, the proposed conditions must be sent to City staff and Knoxville-Knox County Planning staff for review and recommendation. The Knoxville-Knox County Planning Commission may approve the special use with conditions after receipt of the staff recommendation.

3. A revised site plan showing all required conditions must be submitted prior to issuance of a building permit and/or required licenses.

F. Standards

1. The listing of a use as a special use within a zoning district does not constitute an assurance or presumption that such special use will be approved. Rather, each special use must be evaluated on an individual basis, in relation to all applicable standards of this Code. Such evaluation will determine whether approval of the special use is appropriate at the particular location and in the particular manner proposed. The proposed special use must meet all of the following criteria which Knoxville-Knox County Planning will support with documented findings.

2. The Knoxville-Knox County Planning Commission, in the exercise of its administrative judgment, will be guided by adopted plans and policies, including the General Plan and the One-Year Plan, and by the following general standards:

a. The use is consistent with adopted plans and polices, including the General Plan and the One-Year Plan.

b. The use is in harmony with the general purpose and intent of this Zoning Code.

c. The use is compatible with the character of the neighborhood where it is proposed, and with the size and location of buildings in the vicinity.

d. The use will not significantly injure the value of adjacent property or by noise, lights, fumes, odors, vibration, traffic, congestion, or other impacts detract from the immediate environment.

e. The use is not of a nature or so located as to draw substantial additional traffic through residential streets.

f. The nature of development in the surrounding area is not such as to pose a potential hazard to the proposed use or to create an undesirable environment for the proposed use.

~~**1.** The proposed special use will not endanger the public health, safety, or welfare.~~

~~**2.** The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.~~

~~**3.** The special use in the specific location proposed is consistent with the spirit and intent of this Code and adopted Knoxville-Knox County General Plan and its component parts, including adopted sector plans, corridor plans, and related documents.~~

~~**4.** The special use in the specific location has sufficient public infrastructure and services to support the use.~~

G. Modifications to Approved Special Uses

Any modifications to the conditions of approval for a previously approved special use must be resubmitted as a new special use application. ~~Any modifications that meet Code standards are permitted, subject to the regulations of this Code.~~

H. Expiration

A special use approval expires if any one of the following conditions occurs and no request for an extension of the special use validity is granted or pending. The Knoxville-Knox County Planning Commission may grant one extension for the period of validity~~-~~ for up to one year, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time

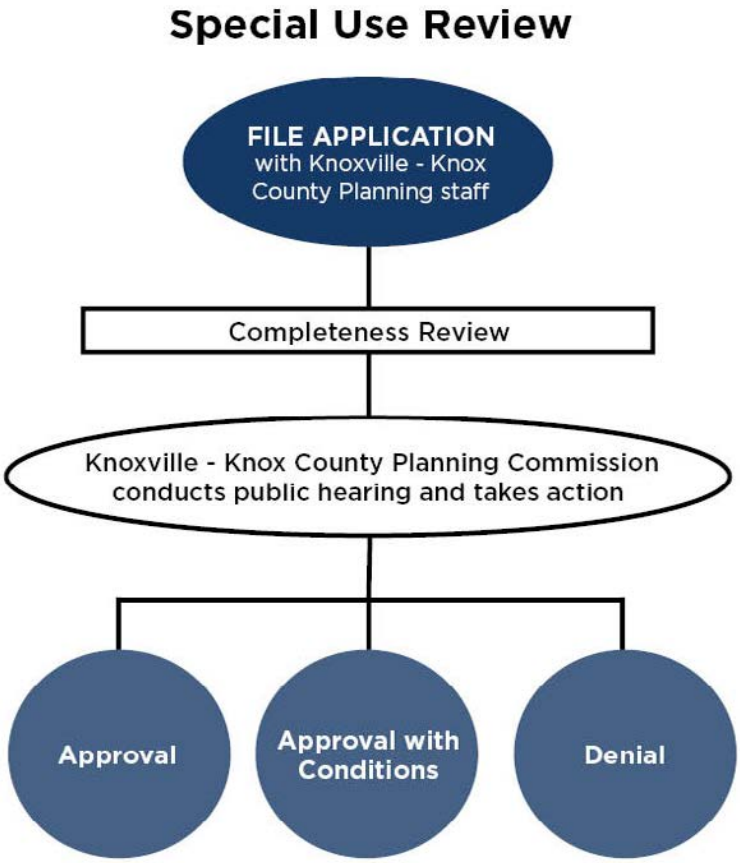
1. When an approved special use is changed to another use.

2. For special uses approved in conjunction with new construction or additions or enlargements to an existing structure, the special use approval expires within one year of the date of approval if a building permit has not been issued.

3. For special uses approved in conjunction with an existing structure or on lot where no structure is planned, the special use approval expires within one year of the date of approval if the licenses or permits required for the operation or maintenance of the use have not been obtained.

I. Appeals

Anyone aggrieved by a final determination of the Knoxville-Knox County Planning Commission may file an appeal in accordance with Section 16.12.


Special Use Review
FILE APPLICATION
with Knoxville - Knox
County Planning staff
Completeness Review
Knoxville - Knox County Planning Commission
conducts public hearing and takes action
Approval
Approval with
Conditions
Denial

16.3 VARIANCE

A. Purpose

The purpose of the variance process is to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of the zoning regulations of this Code that create practical difficulties or particular hardships.

B. Initiation

A property owner in the City, or person expressly authorized in writing by the property owner, may file an application for a variance. A property owner, or his/her designee, may only propose a variance for property under his/her control.

C. Authorization

The Board of Zoning Appeals will take formal action on variances on zoning regulations.

D. Procedure

All applications must be filed with the Zoning Administrator. Once it is determined that the application is complete, the Zoning Administrator will schedule the application for consideration by the Board of Zoning Appeals.

1. Upon receipt of a complete application, the Board of Zoning Appeals will consider the variance at a public hearing.

2. The Board of Zoning Appeals must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. The Board of Zoning Appeals will either approve, approve with conditions, or deny the variance.

3. The Board of Zoning Appeals may impose such conditions and restrictions upon the variance as may be deemed necessary for the protection of the public health, safety, and welfare. The Board of Zoning Appeals may grant a variance that is less than that requested when it has been decided that the applicant is entitled to some relief of the hardship, but not to the entire relief requested in the variance application.

E. Standards

The Board of Zoning Appeals may authorize a variance from the strict application of this Code so as to relieve such difficulties or hardship only in accordance with all three of the following criteria:

1. Variances will be granted only where 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.

2. Variances will not be granted to allow a use otherwise excluded from the particular district in which requested.

3. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this Code would deprive the applicant of any reasonable use of his/her land. Mere loss in value does not justify a variance; there must be a deprivation of beneficial use of land.

4. Any variance granted under the provisions of this section must be the minimum adjustment necessary for the reasonable use of the land.

5. The granting of any variance is in harmony with the general purposes and intent of this Code and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the General Plan for development.

~~**1.** Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of this Code, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property is not able to accommodate development as required under this Code.~~

~~**2.** The strict application of any provision enacted under this Code would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property.~~

~~**3.** Such relief may be granted without substantial detriment to the public health, safety, and welfare, and without substantially impairing the intent and purpose of the Zoning Map and this Code.~~

F. Limitations

1. No variance may allow a use that is prohibited in the applicable base or overlay district.

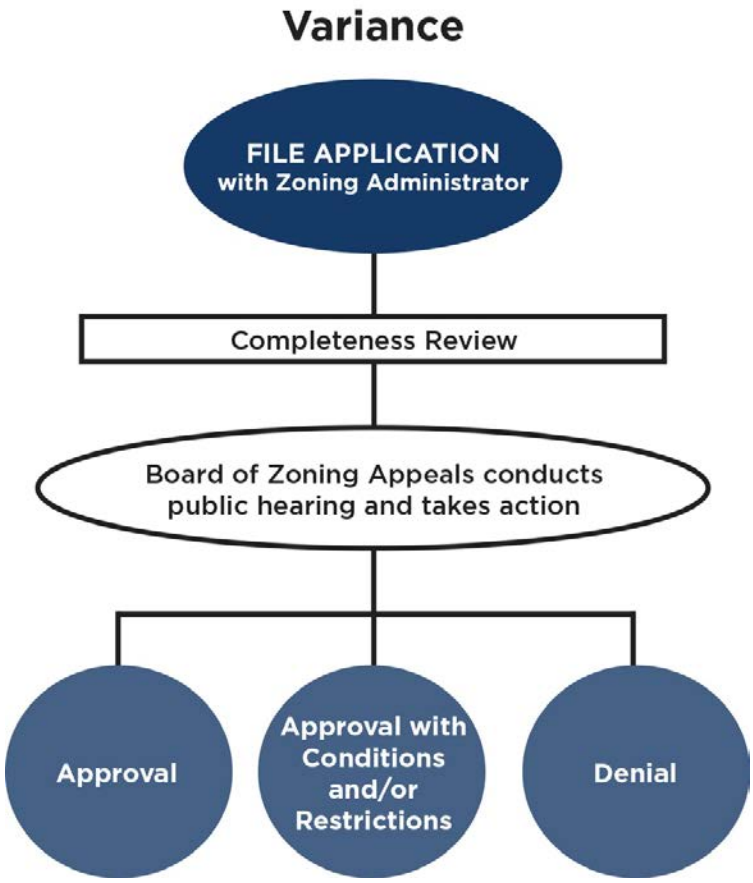
2. The variance granted is the minimum adjustment necessary for the reasonable use of the land.

G. Expiration of Variance

An approved variance will expire one year from the date of approval unless a building permit is obtained or applied for within such period. The Board of Zoning Appeals may grant an extension for a period of validity so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time.

H. Appeals

Anyone aggrieved by a final determination of the Board of Zoning Appeals may file an appeal in accordance with Section 16.12-.



16.4 SITE PLAN REVIEW

A. Purpose

The site plan review process is intended to promote orderly development and redevelopment in the City, and to assure that such development or redevelopment occurs in a manner that is harmonious with surrounding properties, is consistent with the Knoxville-Knox County General Plan, and its component parts, including adopted sector plans, corridor plans, and related documents, and promotes the public health, safety, and welfare.

B. Authority

The Zoning Administrator approves site plans, unless specifically cited in item C below that such applications are approved by the Knoxville-Knox County Planning staff.

C. Required Site Plan Review

All new construction, additions, and alterations require site plan review and approval by the Zoning Administrator with the exception of the following:

1. The Administrative Review Committee will make a recommendation on site plans, to be forwarded for final ~~approval~~ determination by the Zoning Administrator, for the following:

a. New construction, additions, and alterations in the CU and SW Districts.

b. Alternative landscape designs per Section 12.2.D.

2. The Knoxville-Knox County Planning staff will review and approve site plans for the following:

a. New construction, additions, and alterations in the EN District.

b. New construction, additions, and alterations for townhouse and multi-family dwellings in the RN-4 District as required per Section 4.2.B.1~~2~~ and Section 4.5.

c. New construction, additions, and alterations in the DK-E Sub-District.

d. Landscape plans for all development that require landscape per Article 12.

D. Procedure

1. All applications for site plan review must be submitted to the Zoning Administrator. The Zoning Administrator will forward site plan review applications in the CU and SW Districts and applications for alternative landscape design to the Administrative Review Committee for recommendation. The Zoning Administrator will forward site plan review applications in the EN District and applications as required per Section 4.2.B.2 in the RN-4 District to the Knoxville-Knox County Planning staff.

2. Plans for development located within a two mile radius of the Downtown Island Home Airport must be submitted to the Metropolitan Knoxville Airport Authority Planning and Engineering staff for review.

~~2~~3. The Zoning Administrator will approve, approve with conditions, or deny a site plan. In the CU and SW Districts and for applications for alternative landscape design, the Zoning Administrator will issue a decision after receipt of the Administrative Review Committee recommendation. Site plan review applications in the EN District and applications as required per Section 4.2.B.2 in the RN-4 District will be approved by the Knoxville-Knox County Planning staff

~~3~~4. If a site plan is approved subject to conditions and/or modifications, all plans and drawings submitted as part of the application for a building permit or other approval must include those conditions and/or modifications.

E. Approval

Site plan review is evaluated against the following criteria:

1. Conformity with the regulations of this Code, and any other applicable regulations within the City Code.

2. Additional site plan standards may apply in the CU and SW Districts per Article 7.

F. Modifications to Approved Site Plans

1. An application for an amendment to an approved site plan must be submitted to the Zoning Administrator. Amendment applications must include a written description of the proposed change, including the reason for such change, and a notation of the location on the approved site plan.

2. The Zoning Administrator will approve modifications that are not a significant change in accordance with item D above.

3. The Zoning Administrator may decide that the proposed change or changes to the approved site plan is such a significant change that it constitutes a new application and is subject to a complete site plan review per the provisions of this section.

G. Effect of Approval

No building permit, certificate of occupancy, or other applicable permit will be issued until site plan approval is granted. When conditions are imposed upon a site plan, the site plan must be resubmitted showing all required changes prior to the issuance of a building permit, certificate of occupancy, or other permit.

~~**H. Expiration and Vesting**~~

~~**1.** The site plan approval expires if a building permit has not been issued within three years after the date of site plan approval. The site plan is vested within this Code.~~

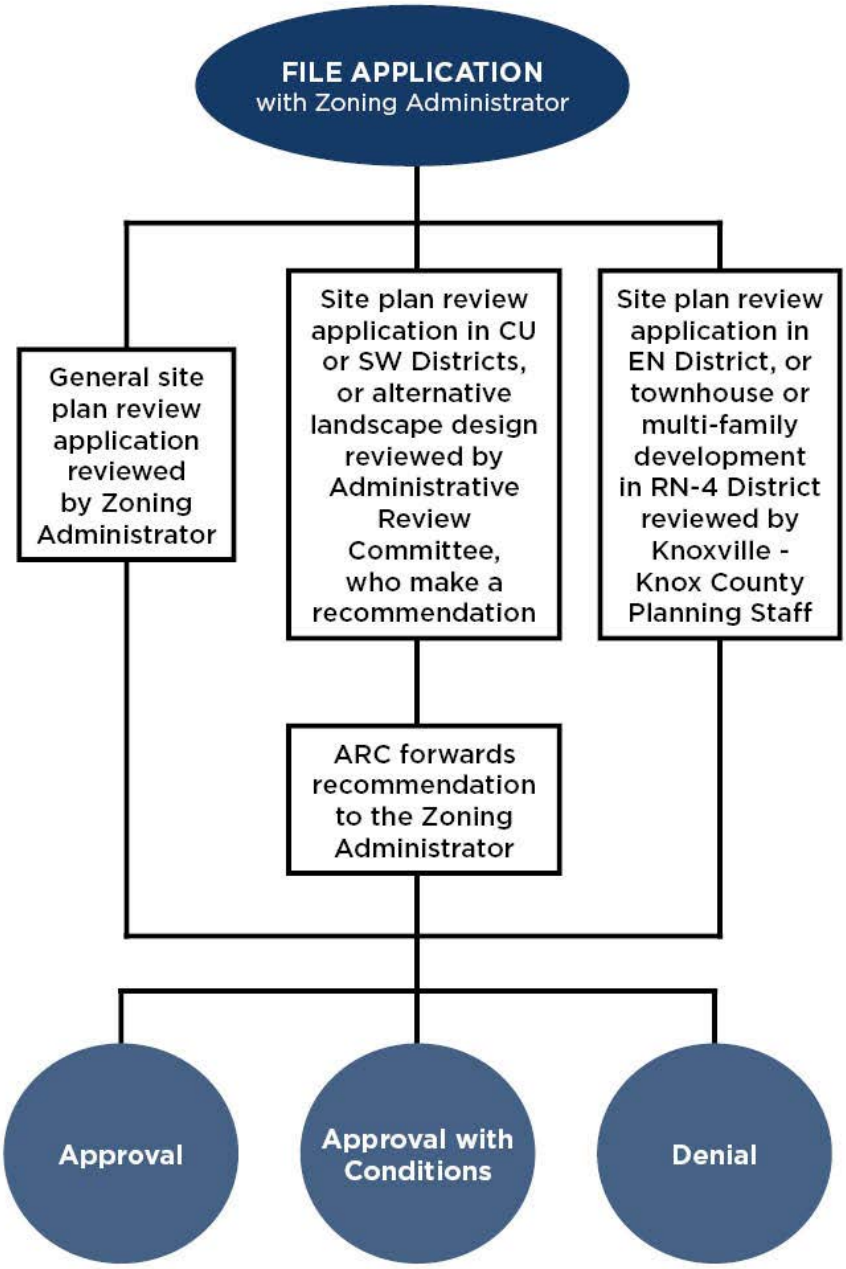
~~**2.** An extension of this three year validity period may be granted by the Zoning Administrator prior to the expiration date of the approval, if the applicant requests an extension in writing prior to the expiration date of the approval.~~

~~I~~H**. Appeals**

1. Anyone aggrieved by a final determination of the Zoning Administrator may file an appeal in accordance with Section 16.12.

2. Anyone aggrieved by a final determination of the Knoxville-Knox County Planning staff may file an appeal to the Knoxville-Knox County Planning Commission~~.~~ in accordance with Section 16.12.

Site Plan Review



16.5 DOWNTOWN DESIGN REVIEW

A. Purpose

Downtown Design Review is intended to foster attractive and harmonious development and rehabilitation in Downtown Knoxville that reflects the goals of adopted plans, and the principles of the Downtown Design Guidelines. The ~~Downtown~~ Design Review Board will review and approve the plans for public and private improvements in the DK District to meet the following objectives:

1. Promote Downtown as a place for a viable mix of commercial, office, civic, and residential uses, including street level development that creates a pedestrian-friendly environment.

2. Create quality publicly-oriented spaces, including streets, pedestrian ways, parks, and squares that are safe and beautiful.

3. Create harmony in architectural and landscape architectural elements to provide a pleasing environment and continuous commerce and interest along sidewalks.

4. Create efficient processes for the review and approval of Downtown projects.

5. Establish a means for design review for public improvements and building development and renovation to protect overall Downtown investments.

6. Foster new development that complements adjacent historic resources.

The ~~Downtown~~ Design Review Board's role is not to impose any architectural preferences, and the Downtown Design Guidelines are not intended to bring uniformity in design or approach or to require specific materials. The Downtown Design Guidelines are to be applied in a flexible manner to meet the needs of the development while encouraging the design to respect the context of nearby buildings and the streetscape. The Downtown Design Guidelines are thus not a rigid set of rules, but rather a set of key principles to guide development. The ~~Downtown~~ Design Review Board's role is to provide certainty that both immediate surroundings as well as Downtown as a whole are taken into account with each building project

B. Applicability

Downtown design review in the DK District is required as follows, unless a historic overlay district is in place, whereby the Historic Zoning Commission will conduct review and approval of the development. (Downtown design review is also not required in the DK-E Subdistrict.) Downtown design review is required in the following instances. No permit will be issued without a certificate of appropriateness from the ~~Downtown~~ Design Review Board.

1. New construction. New construction on a new or existing foundation.

2. Substantial addition. A substantial addition occurs when the total footprint or gross floor area of the structure, as of the effective date of this Ordinance, is increased by either 1,000 square feet or 20% in area, whichever is less.

3. Substantial alteration. Substantial alteration occurs with any exterior change, other than incidental repairs, that would prolong the life of the supporting members of a building. Routine exterior maintenance activities such as painting, tuckpointing, replacing trim in kind, railings in kind, or replacing other nonstructural architectural details in kind are not considered to constitute a substantial exterior alteration.

4. Planned developments.

5. Public improvements.

6. Sign lighting or electronic message center.

C. Modification of Dimensional Regulations

The dimensional requirements of the DK District may not always be consistent with the intent of the Downtown Design Guidelines. The ~~Downtown~~ Design Review Board may issue a certificate of appropriateness to avoid the need for variances in cases where a development has been conceived to respect the historic context of the block, provide greater pedestrian activity at sidewalk level, and/or meet other provisions of the guidelines.

D. Procedure

1. Public Improvements

a. The design of projects that are initiated by the City and Knoxville Utilities Board, such as improvements to or new construction of streets, sidewalks, way-finding and other signs, lighting, parks and civic buildings, must be submitted to the ~~Downtown~~ Design Review Board for approval. The ~~Downtown~~ Design Review Board will send a report to the Mayor and City Council, and Utility Board Director regarding their findings.

b. The ~~Downtown~~ Design Review Board may request the Mayor's assistance to pursue review of other public projects, including those of county, state and federal governments.

c. Plans for development located within a two mile radius of the Downtown Island Home Airport must be submitted to the Metropolitan Knoxville Airport Authority Planning and Engineering staff for review.

2. Private Development

When development is subject to Downtown Design Review, the ~~Downtown~~ Design Review Board must issue a certificate of appropriateness before a building permit can be issued.

a. The developer must meet with staff to discuss preliminary concepts of the proposed development. Staff may waive this provision if they find the project to be of a minor nature or if the renovation is not oriented to a publicly-oriented space such as a street, plaza or pedestrian way. Sketches, draft architectural drawings or photographs of similar projects may be used to provide an understanding of the project. Staff, in turn, will discuss the implications of the Downtown Design Guidelines relative to the proposed concept. A brief report will be provided to the developer.

b. An application for a certificate of appropriateness must be filed with the Knoxville-Knox County Planning Commission and include the application form and the following information for the ~~Downtown~~ Design Review Board's consideration:

i. A site plan, including property lines, sidewalk location, building footprint, landscaping, and parking and access points (as applicable);

ii. Building elevations, showing entrances, windows, sign(s), construction materials and parapet or other structures to avoid visual or noise problems associated with heating/cooling or other utility units (other drawings such as perspectives are encouraged, but not required by the review board); and

iii. A written description, stating the intended uses for the floors of the building(s); these may be presented as notes on the elevation(s).

c. Plans for development located within a two mile radius of the Downtown Island Home Airport must be submitted to the Metropolitan Knoxville Airport Authority Planning and Engineering staff for review.

3. Signs Lighting or Electronic Signs

Any requests for sign lighting or electronic message center exceptions within the DK District must be reviewed and approved by the ~~Downtown~~ Design Review Board and a certificate of appropriateness issued to the applicant.

4. Certificates of Appropriateness

a. All applications for certificates of appropriateness will be considered by the ~~Downtown~~ Design Review Board, which has the power to approve, approve with conditions, or deny certificates of appropriateness.

b. Staff may approve the following when they find that the design conforms to adopted guidelines: new signs, in-kind replacement of building features, removal of non-historic building features facing a publicly-oriented space, replacement of windows at ground level with transparent glass, or other replacements of building features that are consistent with the design guidelines.

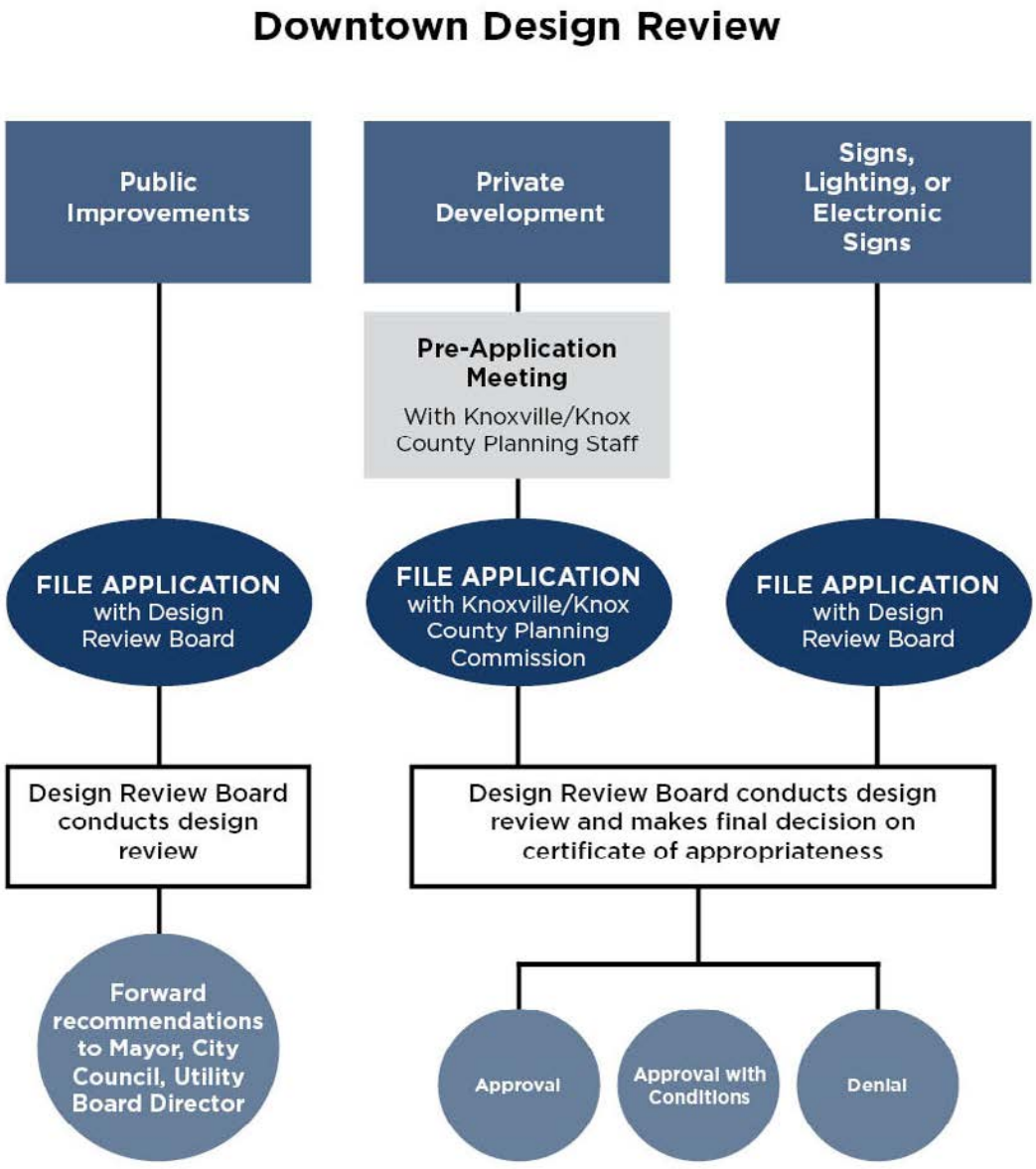
c. The ~~Downtown~~ Design Review Board must, within 30 days following the availability of sufficient data, grant a certificate of appropriateness with or without attached conditions or deny said certificate, and must state the reasons for denial or the conditions attendant with the granting of a certificate in writing.

E. Issuance of Building Permit

No building permit will be issued until after the appeal period expires. If an appeal is filed, no building permit will issue until the appeal is resolved.

~~E.~~F. Appeals

Anyone aggrieved by a final determination of the ~~Downtown~~ Design Review Board may file an appeal in accordance with Section 16.12. A staff decision may be appealed to the ~~Downtown~~ Design Review Board, in accordance with the ~~Downtown~~ Design Review Board Administrative Rules and Procedures.



16.6 INFILL HOUSING OVERLAY DISTRICT REVIEW

A. Purpose

Design review within the IH Overlay District. Review is intended to ensure conformity with the standards of the ~~Heart of Knoxville Infill~~applicable dDesign gGuidelines.

B. Initiation

No building permit will be issued for the following activities within an IH Overlay District without issuance of a certificate of appropriateness by the Infill Housing Review Committee:

1. New primary structure.
2. Additions visible from the primary street.
3. Changes to porches visible from the primary street.
4. Driveways, parking pads, access points, garages or similar facilities.

C. Authorization

All applications for certificates of appropriateness within an IH Overlay District will be reviewed by the Infill Housing Review Committee within 30 days. The Infill Housing Review Committee has the power to approve, approve with conditions, or deny a certificate of appropriateness.

D. Design Review Standards

Design review and approval of a certificate of appropriateness is required for any building permit or request for subdivision approval within the IH Overlay District. Review must be based on conformity with the standards of the applicable design guidelines~~Heart of Knoxville Infill Design Guidelines~~, which are made a part of this Code amendment by reference.

1. The district is intended to foster compatible infill housing, which may have different open space, height, and off-street parking regulations than those found in the base district. Minimum lot sizes and setbacks may differ from those required by the base district in order to realize the principles associated with the guidelines. The Infill Housing Review Committee may vary the base district regulations by issuance of a certificate of appropriateness. The issuance of a certificate of appropriateness will relinquish any need for variances within the overlay district.

2. Lot sizes, front, side and rear setbacks, and off-street parking are to be in accordance with the principles of the applicable design guidelines~~Heart of Knoxville Infill Design Guidelines~~.

3. An alley must serve as the primary means of ingress and egress for all dwelling units unless special site circumstances or conditions prohibit alley access, such as exceptional narrowness or topography.

E. Applications

An application for a certificate of appropriateness must include:

1. Front and side elevation drawings
2. Plot plan with address and CLT#
3. Elevation of corners
4. Finished floor elevation (approximate)
5. Setbacks
6. Driveway and sidewalks locations (proposed and existing)
7. Alley location if lot is adjacent to an alley
8. Applicable design guidelines~~Heart of Knoxville Infill Design Guidelines~~ checklist

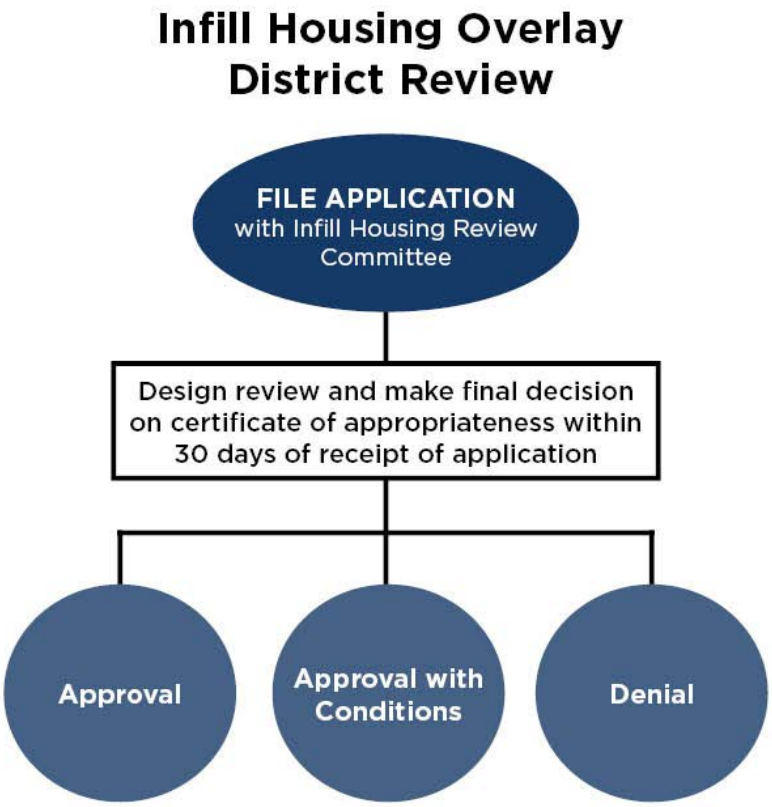
F. Issuance of Building Permits

No building permit will be issued until after the appeal period expires. If an appeal is filed, no building permit will issue until the appeal is resolved.

~~No building permits will be issued until the 16th day after actions by the Infill Housing Review Committee. If the action of the Infill Housing Review Committee is appealed to the Knoxville-Knox County Planning Commission, no building permit will be issued until the Knoxville-Knox County Planning Commission has acted on the appeal.~~

E. Appeals

Anyone aggrieved by a final determination of the Infill Housing Review Committee may file an appeal in accordance with Section 16.12.



16.7 PLANNED DEVELOPMENT

A. Purpose

Planned developments (PD) are intended to encourage and allow more creative and flexible development of land than is possible under district zoning regulations and should only be applied to further those applications that provide compensating amenities and benefits to the City and neighborhood. The underlying zoning district dimensional, design, and use regulations apply to a PD unless specifically modified through the approval process. Through the flexibility of the planned development technique, a PD is intended to:

1. Encourage flexibility in the development of land and in the design of structures.

2. Encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of other sections of this Code.

3. Allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning controls.

4. Combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different uses in an innovative and functionally efficient manner.

5. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, structures, circulation patterns, and utilities.

6. Encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affective flooding, soil, drainage, and other natural ecologic conditions.

7. Facilitate the implementation of the adopted Knoxville-Knox County General Plan and its component parts, including adopted sector plans, corridor plans, and related documents, particularly with respect to areas planned for potential redevelopment.

B. Initiation

The entire property proposed for the planned development must be in single ownership or under unified control. All owners of the property must be included as joint applicants on all applications and all approvals will bind all owners.

C. Authorization

1. A planned development is authorized in all zoning districts.

2. A planned development must be granted in accordance with the procedures and standards of this section. Unless specifically approved as part of the planned development approval, the requirements of the underlying district apply.

3. Planned development approval is separate from subdivision approval. PD approval may be granted first, whereby subdivision approval would be granted subsequently in compliance with the approved lot layout design.

D. Exceptions From District Regulations

1. A planned development is subject to the underlying district dimensional, design, and use regulations unless an exception is specifically granted. The Knoxville-Knox County Planning Commission may recommend and the City Council may grant exceptions to the zoning district dimensional, design, and use regulations where a planned development is located.

2. Exceptions from district regulations may be granted for planned developments, if the exceptions:

a. Enhance the overall merit of the planned development.

b. Promote the objectives of both the City and the development.

c. Enhance the quality of the design of the structures and the site plan.

d. Will not cause excessive adverse impact on neighboring properties.

e. Are compatible with the adopted Knoxville-Knox County General Plan and its component parts, including adopted sector plans, corridor plans, and related documents.

f. Provide a public benefit to the City, as described below.

3. The underlying zoning district dimensional, design, and use regulations apply, unless an exception is granted as part of the planned development approval. To be granted such exceptions, the applicant must demonstrate superior design and enhanced amenities. In no case may an exception to district regulations be granted unless the applicant demonstrates a substantial benefit to the City. Design characteristics and amenities to be considered in this determination include, but are not limited to, the following:

a. Community gathering spaces and amenities including plazas, public art, formal gardens, places to congregate, and pedestrian and transit facilities.

b. Improvement of existing on-site and off-site infrastructure.

c. Use of sustainable design and architecture, such as green roofs, white roofs and other energy efficient design concepts, new building technologies, and approval of buildings and developments that meet established standards such as Leadership in Energy and Environmental Design (LEED), Energy Star, Earthcraft, etc.

d. Preservation of existing environmental features, including additional protections for steep slopes (15% or more slope).

e. Preservation of historic features and adaptive reuse of existing buildings.

f. New open space and recreational amenities such as recreational open space, including parks and playgrounds, natural water features and conservation areas, jogging trails and fitness courses, dog parks, skate parks, and similar recreational features.

g. Provision of public car and/or bike share facilities

h. Affordable housing set-asides. Affordable housing must comply with the standards for affordability approved by the Knoxville Community Development Department.

i. Senior housing set-asides.

E. Procedure

The following procedures, requirements, restrictions, and conditions are required. The approval of a planned development includes a pre-application consultation, optional concept plan review, preliminary plan approval, and final plan approval.

1. Pre-Application Consultation

a. Prior to formal submittal of an application, a pre-application conference with the Knoxville-Knox County Planning Staff is required.

b. At a pre-application consultation, the applicant must provide information as to the location of the proposed planned development, the proposed uses, proposed improvements, including the public benefits and amenities, anticipated exceptions to this Code, and any other information necessary to explain the planned development.

c. The purpose of such pre-application consultation is to make advice and assistance available to the applicant before preparation of concept plan, so that the applicant may determine whether the proposed planned development is in compliance with the provisions of this Code and other applicable regulations, and whether the proposed planned development aligns with the adopted land use policies of the City.

d. The pre-application conference does not require formal application, fee, or filing of a planned development application. Any opinions or advice provided by the Knoxville-Knox County Planning staff are in no way binding with respect to any official action that may be taken on the subsequent formal application. No decision will be made on the application.

2. Optional Concept Plan

Before submitting a formal application for a planned development, the applicant may present a concept plan before the Knoxville-Knox County Planning Commission, at his/her option, for the purpose of obtaining information and guidance prior to formal application.

a. The concept plan will be presented at a public meeting ~~and no notice is required~~. At minimum, the concept plan must consist of the following:

i. A map (or maps) in general form containing the proposed land uses, the natural features of the development site, the character and approximate location of all roadways and access drives proposed, the location of all adjacent public streets, public utilities, and schematic drawings showing the size, character, and disposition of buildings on the site.

ii. A written statement containing a general explanation of the planned development, including a statement of the present ownership of all the land within said development and the expected schedule of construction.

b. The Knoxville-Knox County Planning Commission will review the concept plan, and provide such information and guidance it deems appropriate. Any opinions or advice provided by the Knoxville-Knox County Planning Commission is in no way binding with respect to any official action the Knoxville-Knox County Planning Commission or City Council may take on the subsequent formal application. The review of the concept plan is not a public hearing. No decision will be made on the application.

c. Mailed and posted notice in accordance with Section 15.2 is required for the public meeting at which the concept plan is to be presented.

3. Preliminary Plan

a. Action by Knoxville-Knox County Planning Staff

i. An application for a preliminary plan for a planned development must be filed with the Knoxville-Knox County Planning staff. Once it is determined that the application is complete, the Knoxville-Knox County Planning staff will schedule the application for consideration by the Knoxville-Knox County Planning Commission.

ii. Plans for development located within a two mile radius of the Downtown Island Home Airport must be submitted to the Metropolitan Knoxville Airport Authority Planning and Engineering staff for review.

b. Action by Knoxville-Knox County Planning Commission

i. Upon receipt of a complete application, the Knoxville-Knox County Planning Commission will consider the preliminary plan at a public hearing.

ii. The Knoxville-Knox County Planning Commission will review the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. The Knoxville-Knox County Planning Commission must recommend either approval, approval with conditions and/or modifications, or denial of the preliminary plan.

iii. Following the close of the public hearing, the Knoxville-Knox County Planning Commission will forward its recommendation to the City Council.

c. Action by City Council

i. The City Council will hold a public hearing on the preliminary plan upon receipt of the Knoxville-Knox County Planning Commission recommendation, and must approve, approve with conditions and/or modifications, or deny the preliminary plan.

ii. The City Council must finally act upon the application within 120 days of the final decision of the Knoxville-Knox County Planning Commission public hearing. Failure to act within 120 days means the application is denied.

d. Conditions

The Knoxville-Knox County Planning Commission may recommend, and the City Council may impose conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the planned development as may be deemed necessary for the protection of the public health, safety, and welfare. Such conditions and restrictions must be reflected in the final plan.

e. Approval Standards

The recommendation of the Knoxville-Knox County Planning Commission and decision of the City Council must make a finding that the following standards for a planned development have been met.

i. The proposed planned development meets the purpose of a planned development.

ii. The proposed planned development will not be injurious to the use and enjoyment of other property in the vicinity.

iii. The proposed planned development will not impede the normal and orderly development and improvement of surrounding property.

iv. There is provision for adequate utilities and infrastructure, drainage, off-street parking and loading, pedestrian access, and all other necessary facilities.

v. There is provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets. The Knoxville-Knox County Planning Commission and/or City Council may require a traffic study to provide evidence that the circulation system is adequate.

vi. The location and arrangement of structures, parking areas, walks, landscape, lighting, and other site design elements, and the uses are compatible with the surrounding neighborhood and adjacent land uses.

f. Expiration

i. The preliminary plan approval expires if a complete application for approval of a final plan has not been filed within three years after the date the City Council grants preliminary plan approval. As part of the City Council approval of the preliminary plan, the City Council may extend this period of time by granting ~~an~~ a single extension of up to an additional two years. The City Council also may extend this period of validity through approval of a phasing plan where the validity period is longer than three years for the PD.

ii. A~~n~~ single extension of this three year period, for up to an additional three years, may also be granted by the City Council if the applicant requests an extension in writing prior to the expiration date of the approval. A written request for an extension must be filed with the Knoxville-Knox County Planning staff. A public hearing for an extension of time of a preliminary plan is not required.

4. Final Plan

Following the approval of the preliminary plan, an application for a final plan for a planned development must be filed with the Knoxville-Knox County Planning staff.

a. Action by Knoxville-Knox County Planning Staff

The Knoxville-Knox County Planning staff will review the final plan upon receipt of the complete final plan application and take the following action:

i. If the final plan is in substantial compliance with the approved preliminary plan, the Knoxville-Knox County Planning staff will recommend approval of the final plan to the Knoxville-Knox County Planning Commission. The Knoxville-Knox County Planning staff will certify to the Knoxville-Knox County Planning Commission that the final plan is in substantial conformance with the previously filed preliminary plan.

ii. If the final plan is not in substantial conformance with the approved preliminary plan, the Knoxville-Knox County Planning staff must inform the applicant as to specific areas found not to be in compliance, and the applicant must resubmit the final plan to the Knoxville-Knox County Planning staff with changes

to those areas found not to be in substantial compliance and the validity of the preliminary plan remains in effect. If the revised final plan remains noncompliant with the preliminary plan, the applicant may request that the Knoxville-Knox County Planning staff render a decision to be forwarded to the Knoxville-Knox County Planning Commission. In such case, the Knoxville-Knox County Planning staff will recommend to the Knoxville-Knox County Planning Commission that the final plan be denied. If denied, the applicant may reapply by submitting a new preliminary plan.

b. Action by Knoxville-Knox County Planning Commission

Upon receipt of the Knoxville-Knox County Planning staff recommendation, the Knoxville-Knox County Planning Commission must review the final plan. The Knoxville-Knox County Planning Commission must approve or deny the final plan. If denied, the applicant may reapply by submitting a new final plan and the validity of the preliminary plan remains in effect.

c. Effect of Approval

After final plan approval, the final plan will constitute the development regulations applicable to the subject property. The planned development must be developed in accordance with the final plan, rather than the zoning district regulations otherwise applicable to the property. Violation of any condition is a violation of this Code and constitutes grounds for revocation of all approvals granted for the planned development.

~~**d. Expiration**~~

~~**i.** The final plan approval expires if a building permit has not been issued within three years after the date of final plan approval. As part of the Knoxville-Knox County Planning Commission approval of the final plan, the Knoxville-Knox County Planning Commission may extend this period of time including approval of a phasing plan where the validity period is longer than three years for the planned development.~~

~~**ii.** An single extension of this three year validity period, for up to an additional three years, may be granted by the City Council prior to the expiration date of the approval if the applicant requests an extension in writing prior to the expiration date of the approval. The validity period for the final plan cannot be extended for a period greater than three years. Consideration of a request for extension of the validity period will be at a public hearing.~~

F. Modifications to Approved Final Plans

No adjustments may be made to the approved final plan, except upon application to the City in accordance with the following. Requests for modifications must be filed with the Knoxville-Knox County Planning staff.

1. Minor Modifications

The Knoxville-Knox County Planning Commission may approve the following minor modifications to an approved final plan when it is determined by the Knoxville-Knox County Planning Commission that such changes are in general conformance with the approved final plan. Any changes considered a major modification, as defined in this section, cannot be approved as a minor modification. The Knoxville-Knox County Planning Commission, may choose to classify a modification that meets the criteria of this section as a major modification to be approved by the City Council. Public notice of the Knoxville-Knox County Planning Commission meeting at which a request for a minor modification is to be considered is required. When calculating percentages, all fractions are rounded up to the nearest whole number.

a. An increase or decrease in building height of up to 10%.

b. An increase or decrease in building coverage up to 10%.

c. A change of in the location of walkways, vehicle circulation ways, and parking areas over ten up to 20 feet.

d. An increase or decrease in the number of parking spaces of up to ten parking spaces.

e. A change to the landscape plan that results in a reduction of plant material but does not violate the landscape requirements of this Code and any conditions of the final plan approval.

f. Altering any final grade by no more than 20% of the originally planned grade.

2. Major Modifications

a. The City Council may approve any other changes to an approved final plan that do not qualify as a minor modification. In addition, any of the following are considered major modifications:

i. Any request for an extension of time of the approved final plan.

ii. Changes to any conditions imposed as part of the approved final plan.

iii. Reductions or alterations in the approved public benefit and amenities to be provided.

iv. Any development action that does not comply with zoning district regulations.

b. All major modifications to the final plan must be approved by the City Council. Approval of major modifications will follow the special use process. The City Council may only approve changes to the final plan if they find such changes are in general conformance with the approved final plan, necessary for the continued successful functioning of the planned development, respond to changes in conditions that have occurred since the final plan was approved, and/or respond to changes in adopted City land use policies.

c. Upon review of the proposed major modifications, the City Council may determine that the proposed modifications constitute a new planned development and the final plan must be resubmitted as a preliminary plan and follow the procedures of approval in this Section.

G. Appeal

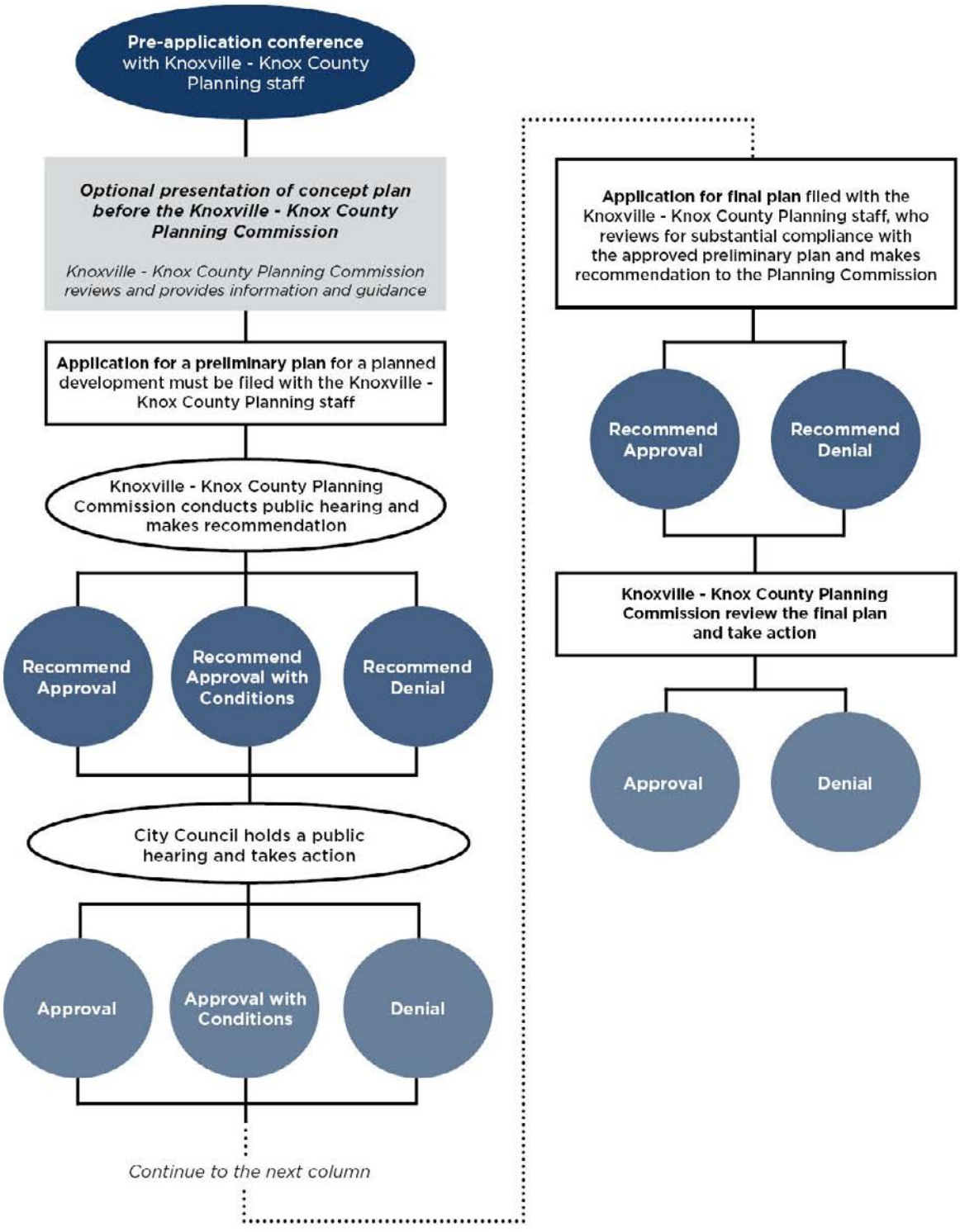
1. Preliminary Plan

Anyone aggrieved by a final order or judgement of the City Council on a preliminary plan may have such order or judgement reviewed by the courts as provided by state law.

2. Final Plan

Knoxville-Knox County Planning Commission decisions on final plans may be appealed per Section 16.12.

Planned Development



16.8 OVERLAY DISTRICT CERTIFICATES OF APPROPRIATENESS

A. Purpose and Applicability

1. H Historic Overlay District

All applications for permits for construction, alteration, repair, rehabilitation, relocation or demolition of any structure, object, or other improvement to real estate located or to be located within an H Historic Overlay District must be referred to the Historic Zoning Commission, who has broad powers to request detailed construction plans and related data pertinent to a thorough review of the proposal. No building permit will be issued for new structures or improvements within an H Overlay District without issuance of a certificate of appropriateness by the Historic Zoning Commission.

2. NC Neighborhood Conservation Overlay District

All applications for certificates of appropriateness within an NC Neighborhood Conservation Overlay District must be reviewed by the Historic Zoning Commission, which has the power to issue or deny certificates of appropriateness. No permit will be issued for the following activities within an NC Overlay District without issuance of a certificate of appropriateness by the Historic Zoning Commission: demolition; construction of a primary or accessory building, structure or other additions to real estate; and the addition of space to an existing primary or accessory building.

3. TO-1 Overlay District

No zoning map amendment or variance to zoning provisions will be granted, and no construction, alteration, repair, rehabilitation, or relocation of any building, structure, or other improvement to real property situated within the TO-1 Overlay District is allowed without the issuance of a certificate of appropriateness by the TTCDA. No building permit issuing authority in Knoxville may issue any such permit for new structures or improvements within the TO-1 Overlay District without issuance of a certificate of appropriateness by the TTCDA.

B. Process

1. H Overlay District Process

a. Knoxville-Knox County Planning staff assigned to serve the Historic Zoning Commission will review applications for level I certificates and issue them if, in staff's judgment, the application meets the adopted design guidelines for the property. Level I certificates include the repair of historic siding, fascia, soffits, windows, roof (including replacement) and other features with features of identical material and design. The Historic Zoning Commission will review all other matters for which certificate applications are made.

b. Level I certificates issued by Knoxville-Knox County Planning staff will be summarized in a report to be presented to the Historic Zoning Commission at their regularly scheduled monthly meeting.

c. In the event of a denial of a level I certificate, the applicant may appeal the staff decision to the next regularly scheduled meeting of the Historic Zoning Commission for which the application deadline is met.

d. The provisions of this section notwithstanding, Knoxville-Knox County Planning staff or the applicant may exercise the option of requesting a review by the Historic Zoning Commission. In that event, the application for certificate of appropriateness will be heard by the Historic Zoning Commission at the next regularly scheduled monthly meeting for which the application deadline is met.

e. The Historic Zoning Commission will, within 30 days following the availability of sufficient data, grant a certificate of appropriateness with or without attached conditions or deny said certificate, and state the reasons for denial or the conditions attendant with the granting of a certificate, in writing.

2. NC Neighborhood Conservation Overlay District Process

a. When Level 1 certificates of appropriateness are approved by staff under authority delegated by the Historic Zoning Commission, a report summarizing staff actions must be presented to the Historic Zoning Commission at its next monthly meeting. When Level 1 certificates of appropriateness are issued by staff, staff's approval or denial of certificates may be appealed to the Historic Zoning Commission within 45 days after the staff decision.

b. The Historic Zoning Commission will, within 30 days following the availability of sufficient data, grant a certificate of appropriateness with or without attached conditions or deny said certificate, and state the reasons for denial or the conditions attendant with the granting of a certificate in writing.

c. The provisions of this section notwithstanding, Knoxville-Knox County Planning staff or the applicant may exercise the option of requesting a review by the Historic Zoning Commission. In that event, the application for certificate of appropriateness will be heard by the Historic Zoning Commission at the next regularly scheduled monthly meeting for which the application deadline is met.

3. TO-1 Technology Park Overlay Zoning District Process

a. All applications for a zoning map amendment, variance, and/or building or grading permit must be reviewed by the TTCDA or TTCDA staff for compliance with the adopted Technology Corridor Comprehensive Development Plan and Design Guidelines.

b. The TTCDA will, within no more than 60 days following initial consideration of an application by the TTCDA meeting in regular session, grant a certificate of appropriateness with or without attached conditions, or deny the certificate, and state in writing its reason for approval or denial.

c. Failure by the TTCDA to act upon an application within the required time period constitutes approval of the certificate, unless an extension is granted by request of the applicant. Approval of a certificate of appropriateness for a zoning map amendment does not constitute approval of the map amendment. Approval of a certificate of appropriateness for a variance does not constitute approval of the variance. Approval of a certificate of appropriateness for a building permit does not constitute issuance of a building permit.

d. Minimum application requirements are as follows:

i. Rezoning: The minimum submission for a certificate of appropriateness for zoning is a copy of the application for submitted to the Knoxville-Knox County Planning Commission.

ii. Variance: The minimum submission for a certificate of appropriateness for a variance is all the information needed to show that the variance is necessary, due to unique circumstances not created by the applicant, to relieve the applicant of undue hardship created by the requirements of the TO-1 Overlay District or the underlying zoning district; that the variance is the minimum necessary to allow the use of the land in the same way as other land in the same district; and that the relief sought may be granted without substantially impairing the intent of the TO-1 Overlay District, the underlying district, or the Technology Corridor Comprehensive Development Plan.

iii. Building permit or grading permit: A site plan for an entire parcel (even when development phasing is being considered) must be submitted to the TTCDA for approval prior to the TTCDA issuance of a certificate of appropriateness for a building or grading permit. The plan must meet all the requirements of the minimum regulations for the subdivision of land in the City and must be accompanied with information required by the adopted procedures of TTCDA.

e. Based on the nature of the development proposal, supplemental data, as described below, may be required by the TTCDA. For all planned developments (Section 16.6), the same data and the same guidelines used by the TTCDA will be applied by the Knoxville-Knox County Planning Commission in addition to the Knoxville-Knox County Planning Commission's data and guidelines, which also apply. All plans must be prepared by a registered engineer or architect.

i. A description of all proposed operations in sufficient detail to indicate the effects of those operations in production of excessive auto and traffic congestion or problems of noise, glare, odor, sewerage, smoke, air pollution, water pollution, fire and safety hazards, or other factors detrimental to the health, safety and welfare of the area.

ii. A plot plan indicating the location of present and proposed buildings, driveways, parking lots, landscaping, signs, other necessary uses, and any development phasing.

iii. Preliminary architectural plans showing elevations, areas, height, materials, and other information necessary to evaluate proposed building(s).

iv. An estimate of the maximum number of employees contemplated for the proposed development and

the number of employees per shift.

v. A storm drainage plan which includes accurate existing and proposed watercourses; the system of open channels, pipes, culverts, drains, inlets, catchbasins, and similar facilities designed to handle stormwater in times of rainstorms, the calculations used in the design of such systems and the easements required in the construction and maintenance of the drainage system. Erosion and sediment control measures suggested in the Knox County Erosion and Sediment Control Handbook, 1981, or subsequent editions, must be utilized.

vi. Other engineering and architectural plans, including a designation of sewers to be used and plans for abating any effects described in item a above, or any other nuisances. All sewage disposal systems and land requirements for such systems must be approved by the Knox County Health Department before a certificate of appropriateness can be issued.

vii. Any other information the TTCDA may need to adequately consider the effect that the proposed uses may have upon their environment and on the cost of providing public services to the area.

f. A stop order will be issued if construction of any part, or phase, of the development is not in compliance with the approved plans.

g. A revised site plan must be submitted to the TTCDA for approval of any changes, or extensions to the development plan. This includes previously approved certificates of appropriateness for building, grading, or sign permits. TTCDA may approve revised plans that are consistent with this Code and with TTCDA adopted design guidelines. Minor revisions to plans may be approved by the TTCDA executive director, or his/her designee, provided such changes:

i. Do not alter the basic relationship of the proposed development to adjacent property or streets and roads.

ii. Do not alter the uses permitted.

iii. Do not increase the area of development by more than 5% of the previously approved square footage.

iv. Do not require the approval of a waiver of the TTCDA Design Guidelines, or a variance to the zoning ordinance.

C. H or NC Overlay District Standards

In its review of any such work to be undertaken in an H or NC Overlay District, the Historic Zoning Commission will apply the applicable review guidelines below, and give prime consideration to the following general criteria when applying specific review guidelines:

1. Historic or architectural value of the present structure, object or building;

2. The relationship of the exterior architectural features of such structure to the rest of the structures, to the surrounding area, and to the character of the district;

3. The general compatibility of exterior design, arrangement, texture, and materials to be used; and

4. Any other factor, including aesthetic, which is justified by the historic character of the proposed district or is reasonably related to the purposes of this section.

D. Moratorium on Issuance of Demolition Permits in the H or NC Overlay District

1. 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 or NC Overlay District for a period not to exceed 180 days after the rezoning and designation application process has been initiated.

2. If litigation is filed challenging a decision of the Historic Zoning Commission, the Knoxville-Knox County Planning Commission or City Council approving the H or NC Overlay District, the prohibition on application for

and issuance of a demolition permit set forth in the preceding item must be extended until the court's decision in any such litigation is final.

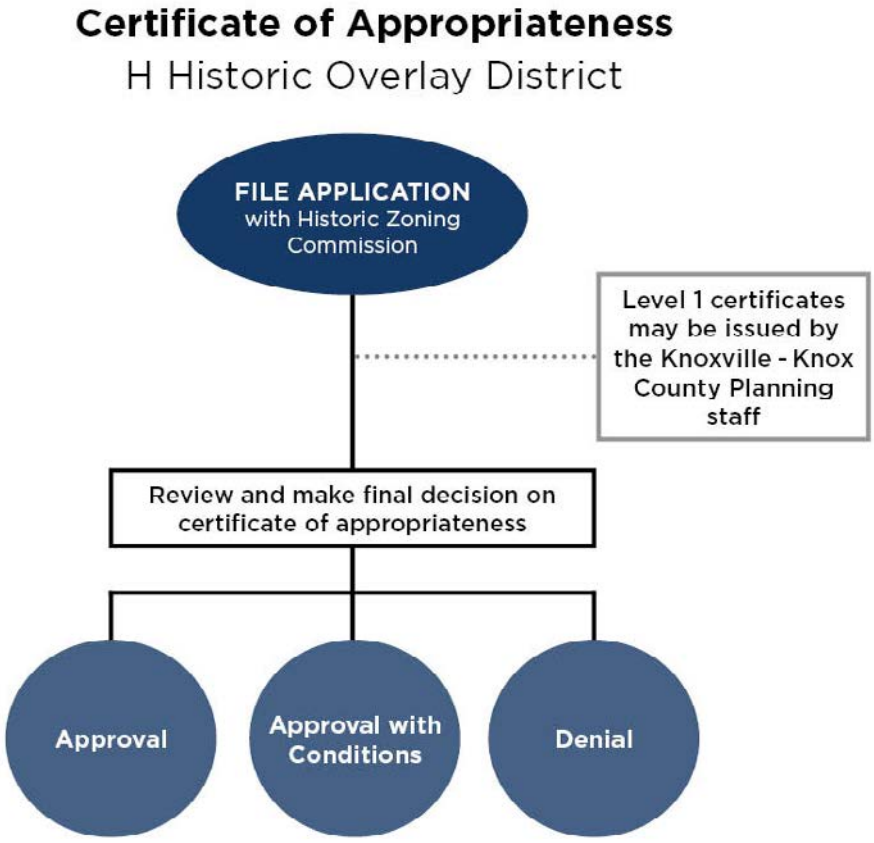
3. In the event that the proposed rezoning to and designation as an H or NC Overlay District is denied, withdrawn or not approved by City Council, or is withdrawn by the applicant or Mayor, within the 180 day period or is subsequently set aside by a court of competent jurisdiction and the court's decision becomes final, the prohibition on application for or issuance of a demolition permit for buildings or structures on such property will terminate.

E. Appeal

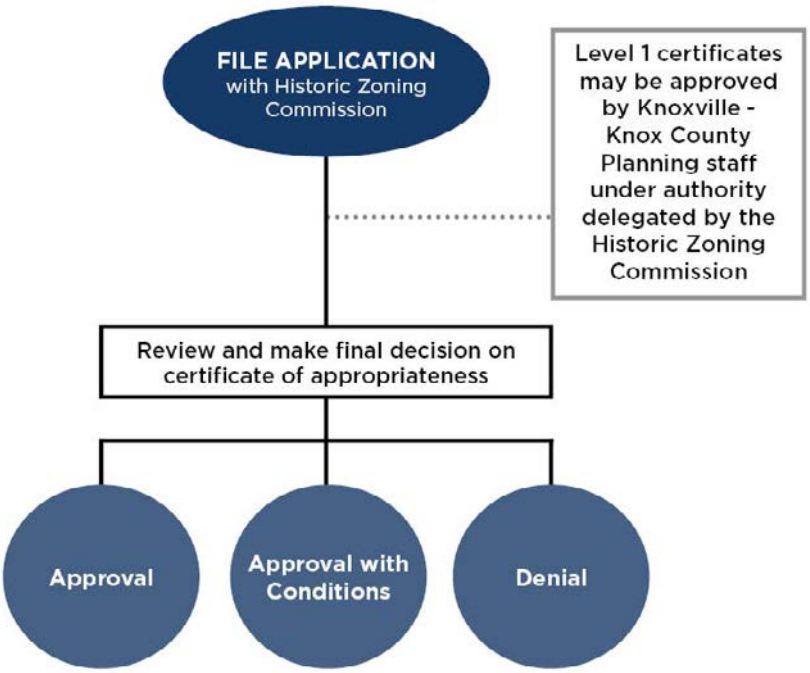
1. Anyone aggrieved by a final determination of the Historic Zoning Commission may have such determination reviewed by the courts as provided by state law~~may file an appeal in accordance with Section 16.12~~.

~~**2.** Anyone aggrieved by a final determination of the Infill Housing Review Committee may file an appeal in accordance with Section 16.12.~~

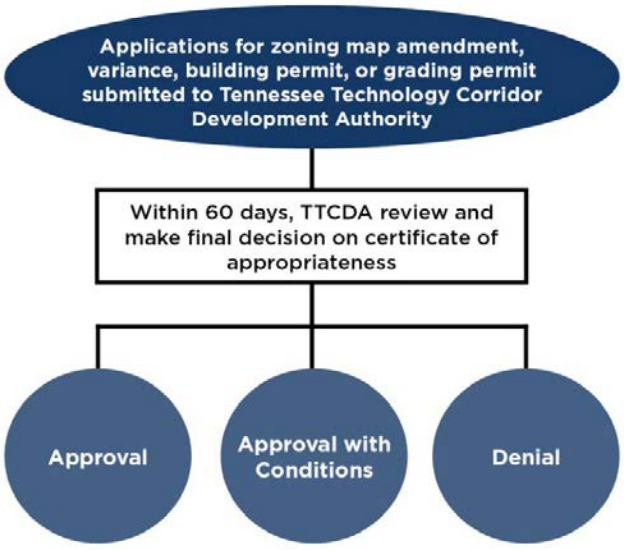
~~3~~2**.** Any interested party who is aggrieved by any action of the TTCDA, including the approval or denial of a certificate of appropriateness, may appeal its decision to the City Council by filing an appeal on the designated form and paying such filing fees as may be required within 30 days of the action of the TTCDA. The action that is appealed ~~may~~ must be overruled by an affirmative majority vote of the City Council. All appeals must be heard within 60 days of filing of application for appeal. Appeal from the action of the City Council ~~must be by writ of certiorari as~~may be appealed in accordance with state law ~~provided in the general law and filed within 30 days of such action~~.



Certificate of Appropriateness
NC Neighborhood Conservation Overlay District



Certificate of Appropriateness
TO-1 Technology Park Overlay District



16.9 ZONING INTERPRETATION

A. Purpose

The interpretation authority is intended to recognize that the provisions of this Code, though detailed and extensive, cannot, as a practical matter, address every specific zoning issue. However, this zoning interpretation authority is not intended to add or change the essential content of the Code.

B. Initiation

Any person or entity, may initiate a zoning interpretation application. ~~All interpretation requests must be for the purpose of furthering actual development.~~

~~**C. Authorization**~~

~~The Zoning Administrator will review and make final decisions on written requests for zoning interpretations.~~

~~D~~C. Procedure

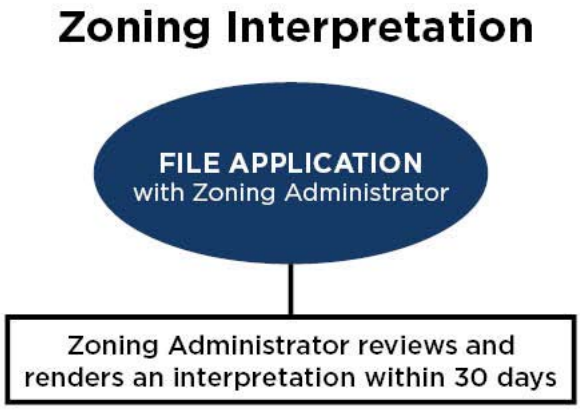
1. All applications for interpretations must be filed with the Zoning Administrator.

2. The Zoning Administrator must review a written request for an interpretation and render the interpretation in writing within 30 days of receipt of a complete application.

3. The Zoning Administrator may request additional information prior to rendering an interpretation. Until such additional material is received, the 30 day period is temporarily suspended until such material is received.

~~E~~D. Appeals

Anyone aggrieved by a final determination of the Zoning Administrator may file an appeal in accordance with Section 16.12.



16.10 TEMPORARY USE PERMIT

A. Purpose
A temporary use permit allows for the short-term use of a lot, including the placement of temporary structures. The temporary use permit regulates temporary uses that occur entirely on and within a lot. Temporary uses located within the public right-of-way are regulated separately by the City Code.

B. Initiation
A property owner in the City, or person expressly authorized in writing by the property owner, may initiate a temporary use permit application

C. Authorization
The Zoning Administrator will review and make final decisions on temporary use permit applications.

D. Procedure

1. All applications for temporary use permit must be filed with the Zoning Administrator.

2. The Zoning Administrator must render a decision on the temporary use permit within 30 days of the date of receipt of a complete application. The Zoning Administrator must review and evaluate the application, pursuant to the standards of this section, and approve, approve with conditions, or deny the application.

E. Standards
All temporary uses must comply with the requirements of this Code, including the temporary use standards of Article 9, and the following standards:

1. Unless otherwise allowed by this Code, the temporary use or structure complies with the dimensional requirements of the district in which it is located.

2. The temporary use does not adversely impact the public health, safety, and welfare.

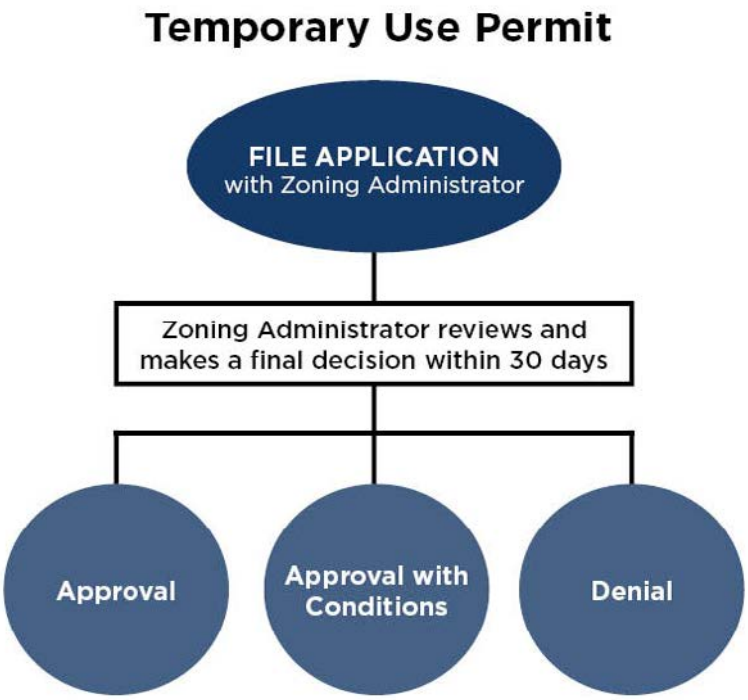
3. The temporary use is operated in accordance with any restrictions and conditions as the Police and Fire Department, or other City officials, may require.

4. The temporary use does not conflict with another previously authorized temporary use.

5. The temporary use may decrease parking by up to 50% so long as traffic patterns and circulation are approved beforehand by the Department of Engineering.

F. Expiration
The temporary use permit is valid for the time period granted as part of the ~~approval.~~approval or as set forth in the temporary use standards in Section 9.4. Unless stated otherwise in Section 9.4, the validity of a temporary use permit may be extended for one time period upon approval of a written request.

G. Appeals
Anyone aggrieved by a final determination of the Zoning Administrator may file an appeal in accordance with Section 16.12.


Temporary Use Permit
FILE APPLICATION
with Zoning Administrator
Zoning Administrator reviews and makes a final decision within 30 days
Approval
Approval with Conditions
Denial

16.11 SIGN PERMIT

THIS WAS MOVED FROM THE SIGN ARTICLE (ARTICLE 13). NO CHANGES HAVE BEEN PROPOSED TO THE LANGUAGE FROM THE PREVIOUS DECEMBER 2018 DRAFT.

A. Permit Requirements

1. No sign, portable sign, outdoor display, or billboard other than signs listed as exempt from these regulations, or exempt from permit requirement, may be placed, operated, maintained, erected or attached to, suspended from, or supported on a building, structure or ground until a permit in writing, authorizing the same has been issued by the office of the Director of Plans Review and Building Inspections.

2. Before a permit may be issued, complete plans and specifications showing the construction, methods of support and the materials used must be submitted for approval to the Director of Plans Review and Building Inspections. In addition to any other required information, such plans and specifications must include the following:

a. A detailed site plan of the property drawn to scale, showing all existing and proposed freestanding signs, buildings, parking areas, and driveway entrances to the site, together with all roadways and informational signs located on the right-of-way of said roadways which are located immediately adjacent to the proposed site.

b. The total number of square feet of existing and proposed signage on the parcel where the proposed sign is to be erected.

c. The location of all existing ground signs located within the area of the proposed site which signs are within the minimum space requirements for distances between structures as set forth in this Article.

d. For off-premise signs and portable signs, the name and a notarized consent affidavit of the property owner and/or lessee of the proposed site.

3. Applications will be processed within ten working days of receipt of all required documents in the plans review and inspections department.

d. The Director of Plans Review and Building Inspections will keep and maintain accurate records of all sign permits issued by the City, which records may serve as the basis for a comprehensive inventory of the signs within the City.

e. As of June 1, 2001, there is a ban on the issuance of permits for new construction of off-premise signs, including billboards, at new locations within the City; provided however that lawfully existing off-premise signs, including billboards, are nonconforming uses, as regulated by Section 13.12.

B. Authority for Approval and Enforcement

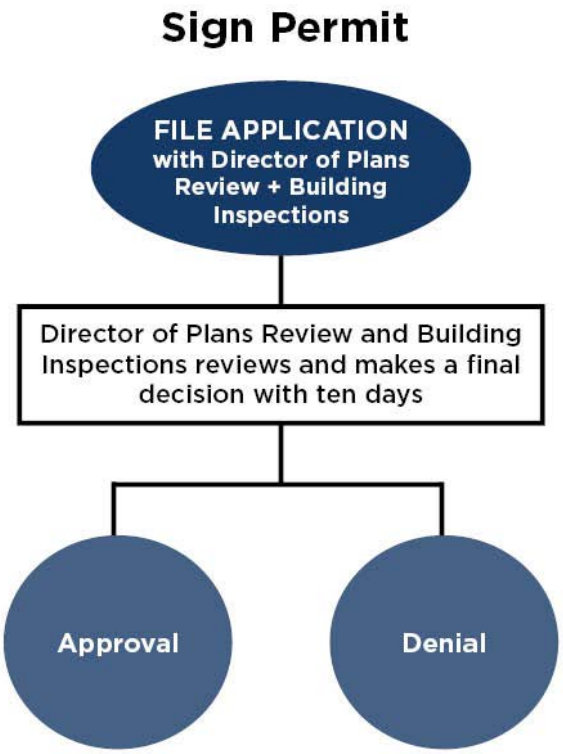
The Director of Plans Review and Building Inspections has primary responsibility for the administration and enforcement of these sign regulations, and will issue sign applications and permits for all signs located within the City.

C. Fees

Prior to issuing any permit for construction of signs, as provided herein, the applicant will pay to the City a sign construction permit fee of $75.00 plus an additional sum of $5.00 per $1,000.00 of sign construction value. Sign construction permit fees are assessed and collected prior to the approval of any application for construction or major renovation. Minor renovation includes changing of removable parts of signs that are designed to be changed, repainting of display matter, or replacing lettering or decoration. Minor renovations are deemed to be maintenance work for which no fees are charged and no permit is required; however such maintenance work may be done only by parties with a valid permit.

D. Appeals

Anyone aggrieved by a final determination of the Director of Plans Review and Building Inspections may file an appeal in accordance with Section 16.12.


Sign Permit
FILE APPLICATION with Director of Plans Review + Building Inspections
Director of Plans Review and Building Inspections reviews and makes a final decision with ten days
Approval
Denial

16.12 ZONING APPEALS

A. Preliminary Appeals of Administrative Decisions

1. Purpose

This appeals process is intended to provide appropriate checks and balances both on the administrative zoning authority of the Zoning Administrator or Director of Plans Review and Building Inspections and on the administrative planning authority of the Knoxville-Knox County Planning staff.

2. Initiation

Any person or entity may appeal a decision made by the Zoning Administrator, Director of Plans Review and Building Inspections, or Knoxville-Knox County Planning staff, regarding a site plan review, zoning interpretation, temporary use permit, or any other administrative zoning decision related to this Code.

3. Authorization

a. The Board of Zoning Appeals will take formal action on appeals of the decisions made by the Zoning Administrator or Director of Plans Review and Inspections.

b. The Knoxville-Knox County Planning Commission will take formal action on all other decisions made by the Knoxville-Knox County Planning staff, except that when a person or entity seeks a certificate of appropriateness, the Knoxville-Knox County Planning staff will forward the application to the Design Review Board, Historic Zoning Commission, or the Infill Housing Review Committee for a decision and, if necessary, intermediate appeals as provided for in item B above.

4. Procedure

a. All applications to appeal a decision by the Zoning Administrator or Director of Plans Review and Building Inspections must be filed with the Zoning Administrator.

i. The Zoning Administrator will schedule the completed application for consideration by the Board of Zoning Appeals.

ii. The Board of Zoning Appeals will consider the appeal at a public hearing.

iii. The Board of Zoning Appeals must evaluate the application based upon the evidence presented at the public hearing.

iv. Following the close of the public hearing, the Board of Zoning Appeals may affirm, modify, impose restrictions, or overrule the initial decision.

b. All applications to appeal a decision by the Knoxville-Knox County Planning staff must be filed with the Knoxville-Knox County Planning Commission.

i. The Knoxville-Knox County Planning staff will schedule the completed application for consideration by the Knoxville-Knox County Planning Commission.

ii. The Knoxville-Knox County Planning Commission will consider the appeal at a public hearing.

iii. The Knoxville-Knox County Planning Commission must evaluate the application based upon the evidence presented at the public hearing.

iv. Following the close of the public hearing, the Knoxville-Knox County Planning Commission may affirm, modify, impose restrictions, or overrule the initial decision.

5. Limitations on Zoning Appeals

A zoning decision of the Zoning Administrator, Director of Plans Review and Building Inspections, or Knoxville-Knox County Planning staff may only be appealed if an application is filed within 30 days of the date the decision is made.

B. Intermediate Appeals Regarding Certificates of Appropriateness

1. Purpose

The intermediate appeals are intended to provide appropriate checks and balances on boards of the Knoxville-Knox County Planning Commission or the City of Knoxville including the Design Review Board and the Infill Housing Review Committee. This process does not apply to the Historic Zoning Commission or to the Board of Zoning Appeals.

2. Initiation

Any person aggrieved by any decision of the Design Review Board or the Infill Housing Review Committee may, in accordance with the applicable reviewing body's administrative rules and procedures, appeal the decision to the Knoxville-Knox County Planning Commission.

3. Authorization

The Knoxville-Knox County Planning Commission will take formal action on appeals regarding decisions made by the Design Review Board or Infill Housing Review Committee.

4. Procedure

All appeals of decisions made by the Design Review Board or the Infill Housing Review Committee must be made in accordance with the administrative rules and procedures of the Design Review Board or Infill Housing Review Committee, respectively. The Knoxville-Knox County Planning Commission must, in accordance with the notice requirements of the Design Review Board or Infill Housing Review Committee, as applicable, give notice of the appeal and of the public meeting during which such appeal will be considered.

5. Appeal Review

Once an appeal is filed, the Knoxville-Knox County Planning Commission will review the application and will either affirm, modify, impose restrictions, or overrule the decision of the Design Review Board or Infill Housing Review Committee. During the period of appeal, no building permit will be issued.

6. Limitations on Appeals

A decision of Design Review Board or Infill Housing Review Committee may only be appealed if an application is filed within 30 days of the date the decision is made.

7. Exception for Historic Zoning Commission

This section does not apply to the Historic Zoning Commission. Any person or entity aggrieved by a decision of the Historic Zoning Commission may appeal to the courts as provided for by state law.

C. Final Appeals from Administrative Body Decisions to City Council

1. Purpose

The final appeals process is intended to provide appropriate checks and balances on the authority of the Knoxville-Knox County Planning Commission or Board of Zoning Appeals.

2. Initiation

Any person aggrieved by any land use-related decision of the Knoxville-Knox County Planning Commission or the Board of Zoning Appeals may appeal to the City Council.

3. Authorization

The City Council will take formal action on appeals of Knoxville-Knox County Planning Commission or Board of Zoning Appeals decisions.

4. Procedure

The petition must be filed with the Knoxville-Knox County Planning Commission no more than 15 days from the date of the Commission's decision to be considered, and must be scheduled for public hearing before City Council at the earliest date possible consistent with these regulations. The same applies to petitions regarding a decision from the Board of Zoning Appeals, except that these petitions must be filed with the Director of Plans Review and Building Inspections.

a. The petition must be in writing. All such petitions must be submitted on forms available in the Knoxville-Knox County Planning Commission office or the Director of Plans Review and Building Inspections. Each petition must clearly describe the petitioner's grounds for the appeal.

b. The Knoxville-Knox County Planning Commission will mail a copy of such petition by certified mail, return receipt requested, to any opposing party who registered as such at the time the matter was heard by the Knoxville-Knox County Planning Commission. If the petition is in regard to a decision from the Board of Zoning Appeals, the Director of Plans Review and Building Inspections will follow the same procedure.

c. The City Council will consider de novo in public hearing and may affirm, modify, impose restrictions, or overrule the action of the Knoxville-Knox County Planning Commission or Board of Zoning Appeals.

d. Prior to holding such public hearing, at least 15 day notice of time and place of said hearing must be published once in a daily newspaper of general circulation in the City of Knoxville and Knox County. The notice must meet the following requirements:

e. It must be placed in the "Want Ads" section of the newspaper before the "Legal Notices" classification or similar section.

f. The caption must be all capital letters no smaller than two-line type and contain the words "PUBLIC NOTICE—APPEAL OF (action to be appealed)."

5. Limitations on Appeals
A decision of Knoxville-Knox County Planning Commission or the Board of Zoning Appeals may only be appealed if an application is filed within 16 days of the date the decision is made.

6. Issuance of Building Permit
No building permit will be issued until 16 days after action by the Knoxville-Knox County Planning Commission or Board of Zoning Appeals. If the action of the Knoxville-Knox County Planning Commission or Board of Zoning Appeals is appealed to City Council, no building permit will be issued until City Council has acted on the appeal.

~~**A. Appeals from Administrative Body Decisions to City Council**~~

~~**1. Purpose**~~
~~This appeals process is intended to provide appropriate checks and balances on the authority of the Knoxville-Knox County Planning Commission or Board of Zoning Appeals.~~

~~**2. Initiation**~~
~~Any person aggrieved by any decision of the Knoxville-Knox County Planning Commission or the Board of Zoning Appeals may appeal to the City Council.~~

~~**3. Authorization**~~
~~The City Council will take formal action on appeals of Knoxville-Knox County Planning Commission or Board of Zoning Appeals decisions.~~

~~**1. Procedure**~~
~~The petition must be filed with the Knoxville-Knox County Planning Commission no more than 15 days from the date of the Commission's decision to be considered, and must be scheduled for public hearing before City Council at the earliest date possible consistent with these regulations. The same applies to petitions regarding a decision from the Board of Zoning Appeals, except that these petitions must be filed with the Director of Plans Review and Buildings Inspection.~~

~~**a.** The petition must be in writing. All such petitions must be submitted on forms available in the Knoxville-Knox County Planning Commission office or the Director of Plans Review and Buildings Inspection.~~

~~**b.** The Knoxville-Knox County Planning Commission will mail a copy of such petition by certified mail, return receipt requested, to any opposing, adverse party who registered as such at the time the matter was heard by the Knoxville-Knox County Planning Commission. If the petition is in regard to a decision from the Board of Zoning Appeals, the Director of Plans Review and Buildings Inspection will follow the same procedure.~~

~~**c.** The City Council will consider de novo in public hearing and may affirm, modify, impose restrictions, or overrule the action of the Knoxville-Knox County Planning Commission or Board of Zoning Appeals.~~

~~**d.** Prior to holding such public hearing, at least 15 day notice of time and place of said hearing must be published once in a daily newspaper of general circulation in the City of Knoxville and Knox County. The notice must meet the following requirements:~~

~~**i.** It must be placed in the "Want Ads" section of the newspaper before the "Legal Notices" classification or similar section.~~

~~**ii.** The caption must be all capital letters no smaller than two-line type and contain the words "PUBLIC NOTICE—APPEAL OF (action to be appealed)."~~

~~**5. Issuance of Building Permit**~~

~~No building permit will be issued until 16 days after action by the Knoxville-Knox County Planning Commission or Board of Zoning Appeals. If the action of the Knoxville-Knox County Planning Commission or Board of Zoning Appeals is appealed to City Council, no building permit will be issued until City Council has acted on the appeal.~~

~~**B. Appeals of Administrative Official Decisions to Board of Zoning Appeals**~~

~~**1. Purpose**~~

~~This appeals process is intended to provide appropriate checks and balances on the administrative zoning authority of the Zoning Administrator or Director of Plans Review and Buildings Inspection..~~

~~**2. Initiation**~~

~~**a.** Made by the Zoning Administrator, Director of Plans Review and Building Inspections, or Knoxville-Knox County Planning staff.~~

~~Any person or entity may file an appeal of the Zoning Administrator and/or Director of Plans Review and Buildings Inspection zoning decision on site plan review, zoning interpretation, temporary use permit, or other administrative zoning decision related to this Code.~~

~~**3. Authorization**~~

~~The Board of Zoning Appeals will take formal action on zoning appeal applications.~~

~~**4. Procedure**~~

~~All applications must be filed with the Zoning Administrator. Once it is determined that the application is complete, the Zoning Administrator will schedule the application for consideration by the Board of Zoning Appeals.~~

~~**1.** Upon receipt of a complete application, the Board of Zoning Appeals will consider the appeal at a public hearing.~~

~~**2.** The Board of Zoning Appeals must evaluate the application based upon the evidence presented at the public hearing.~~

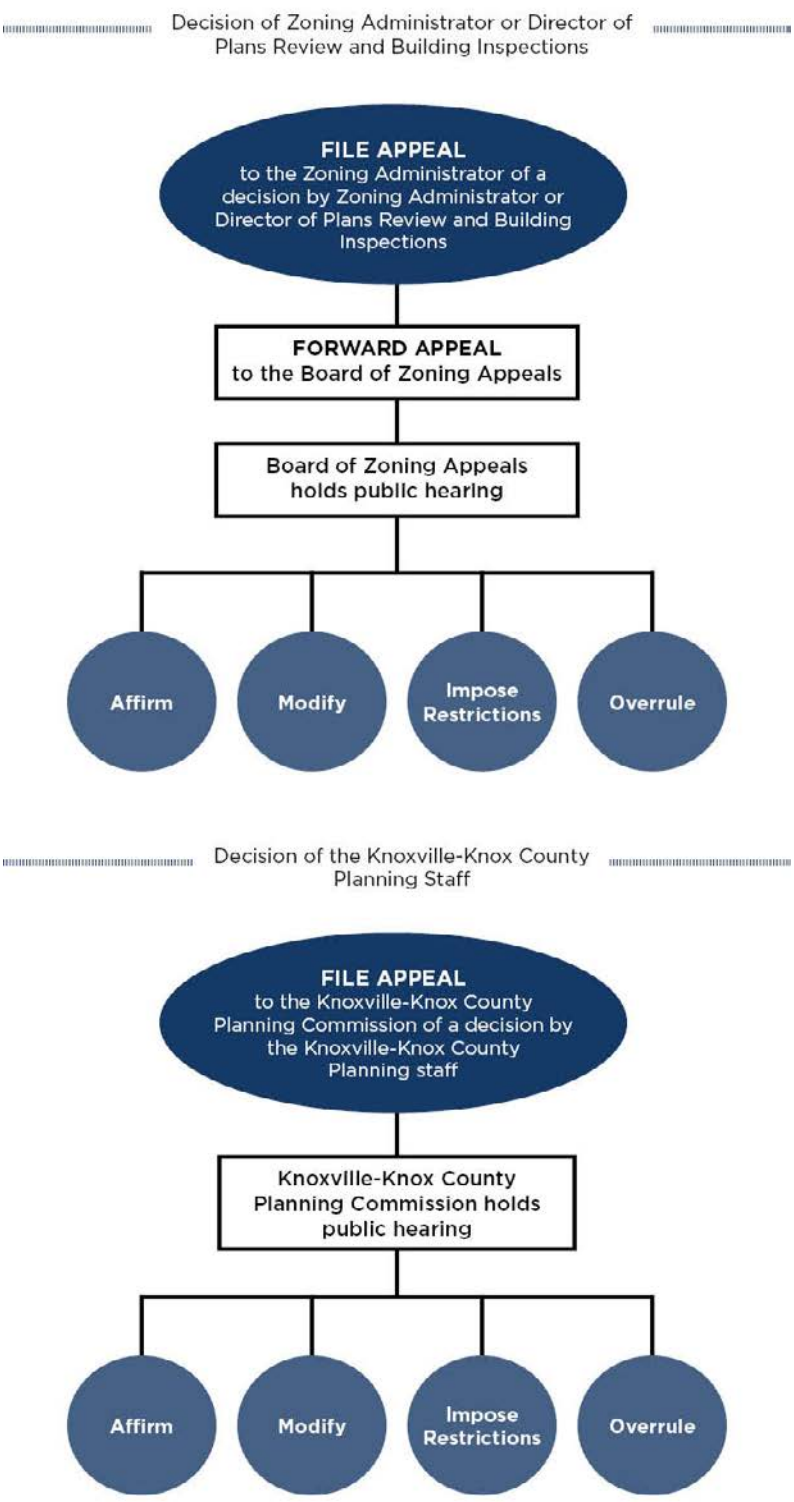
~~**3.** Following the close of the public hearing, the Board of Zoning Appeals affirm, modify, impose restrictions, or overrule the decision.~~

~~**5. Limitations on Zoning Appeals**~~

~~A zoning decision of the Zoning Administrator or Director of Plans Review and Buildings Inspection may only be appealed if an application is filed within 30 days of the date the decision is made.~~

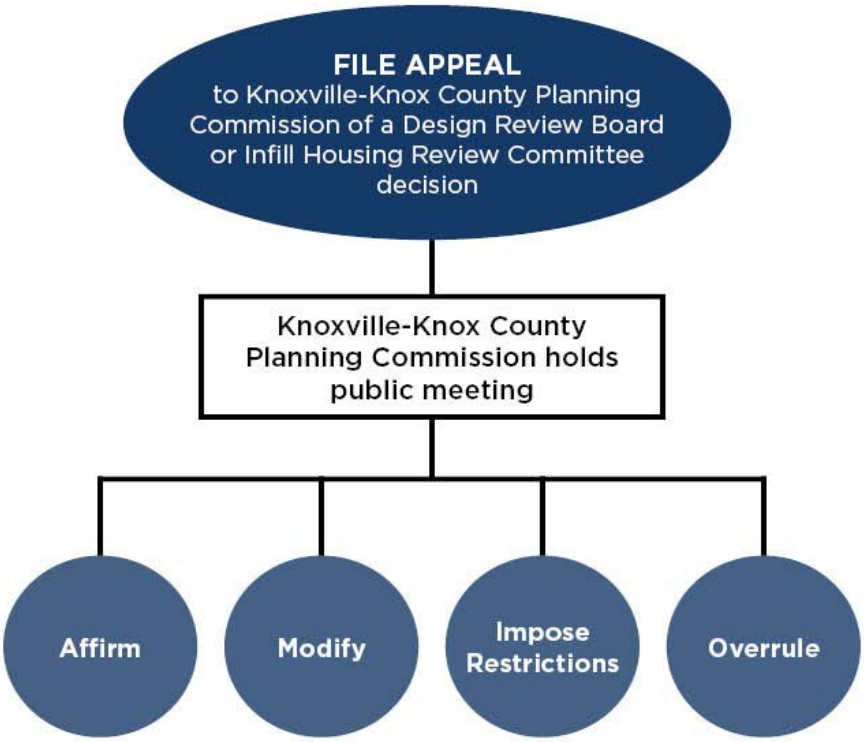
Zoning Appeals

Preliminary Appeals of Administrative Decisions



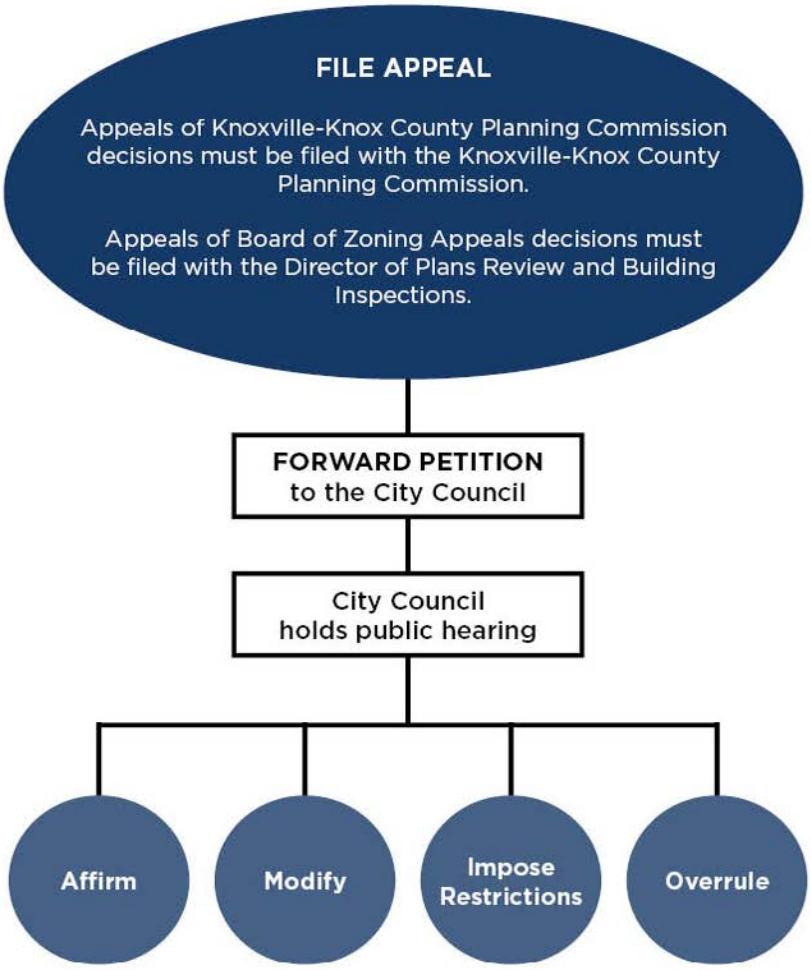
Zoning Appeals

Intermediate Appeals Regarding Certificates of Appropriateness



Zoning Appeals

Final Appeals from Administrative Body Decisions to City Council



16.13 REASONABLE ACCOMMODATION

A. Construction, Application, and Enforcement Consistent with State and Federal Law

The provisions of this section are, in every instance, be construed, applied, and enforced in a manner consistent with applicable State and Federal law including, but not limited to, the state Human Rights Act, Tenn. Code Ann. § 4-21-601 et seq.; state Zoning Classification laws, Tenn. Code Ann. § 13-24-101 et seq.; the Fair Housing Act, 42 U.S.C. § 3601 et seq.; and the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12132 et seq. (collectively, the "Acts"). Notwithstanding any other provision of this section to the contrary, the Zoning Administrator must make reasonable accommodations in the provisions of this Code and the rules, policies, and practices of his/her office so that persons with disabilities, or providers of housing for persons with disabilities, are not discriminated against and are afforded an equal opportunity to use and enjoy dwellings. For purposes of this section, "person" means an individual, entity, group, or institution.

B. Procedure for Requesting a Reasonable Accommodation

1. Request in Writing

Any person who has a disability recognized by the Acts or who provides housing for a person with a disability, may request a reasonable accommodation as contemplated in this section. For purposes of this section, this person is referred to as the "applicant." Any such request must be made in writing using a form provided by the City of Knoxville (the "City").

2. Assistance

If the applicant needs assistance in making a request for a reasonable accommodation or meeting the requirement that the request be made in writing, the City will provide reasonable assistance to ensure that the process is accessible and that the applicant's request is documented on a form provided by the City.

3. Notice to Public of Availability of Accommodation

The City's "Notice under the Americans with Disabilities Act" must be displayed prominently in the public area under the supervision of the Zoning Administrator and on the publicly accessible portion of any Internet website maintained by the City that is devoted to codes enforcement or land use regulations.

4. Fee

There is no fee imposed for requesting a reasonable accommodation under this section.

C. Determinations Regarding Requests for Reasonable Accommodations

1. Coordination with City Departments

Before making a determination regarding a request for a reasonable accommodation, the Zoning Administrator must consult with the City Law Department and the City of Knoxville ADA Coordinator, and consider advice offered by any other City department or official having relevant jurisdiction or duties under the City Charter or Code of Ordinances.

2. Determination by Zoning Administrator

Within 45 calendar days of the date of receipt of a completed request for a reasonable accommodation, the Zoning Administrator must make a written determination regarding the request.

3. Findings and Factors for Determination

The Zoning Administrator's determination as to whether to grant or deny the requested accommodation, must contain specific findings of fact in support of the determination, be consistent with the Acts, and consider all of the following factors:

a. Whether the requested accommodation is reasonable.

b. Whether there is a causal nexus between the need for the requested accommodation and the disability, either of the applicant or of the people using the housing or housing-related facilities.

c. Whether the housing or housing-related facilities, which are the subject of the request, will be used by a person with a disability under the Acts.

d. Whether the requested accommodation is necessary to make specific housing available to a person with a disability under the Acts.

e. Whether the requested accommodation would impose an undue financial or administrative burden on the City.

f. Whether the requested accommodation would require a fundamental alteration to a City law, policy, or program, including, but not limited to, land use or zoning.

g. Whether the requested accommodation would directly threaten the health or safety of others, or would result in substantial physical damage to the property of others.

h. If applicable, whether alternative reasonable accommodations could provide an equivalent level of benefit.

i. Any other reasonable factor.

4. Additional Information
If reasonably necessary to reach a determination on the request for an accommodation, the Zoning Administrator may, prior to the end of said 45 calendar day period, request additional information from the applicant, specifying in sufficient detail what information is required. The applicant has 15 calendar days after the date of the request for additional information to provide the requested information. In the event a request for additional information is made, the Zoning Administrator's 45 calendar day period to issue a written determination is no longer be applicable, and the Zoning Administrator must issue a written determination within 30 calendar days after receipt of the additional information. If the applicant fails to provide the requested additional information within said 15 calendar day period, the Zoning Administrator must issue a written notice advising that the applicant failed to timely submit the additional information and therefore the applicant's request for the reasonable accommodation is deemed withdrawn. No further action by the City with regard to said reasonable accommodation request is required.

5. Notice of Determination
The written determination of the Zoning Administrator must be mailed by certified first-class mail to the applicant. All written determination must give notice that the applicant has the right to appeal the determination of the Zoning Administrator.

6. No Waiver
If the property which is the subject of the requested accommodation is not in compliance with the then-existing applicable laws and regulations, but the City grants the request for a reasonable accommodation, the City thereby does not waive the requirement that the existing violations be corrected in accordance with the City Code of Ordinances.

7. Restrictive Covenant
When applicable, the City and the property owner must enter into a restrictive covenant which provides that, prior to any sale, transfer, lease, or other conveyance of the property in whole or in part, or at the time the relief granted as a reasonable accommodation from the Zoning Code is no longer necessary, the property owner must bring the property into compliance with the Zoning Code. The restrictive covenant must be recorded against the property and provide that the relief granted under this section does not run with the land and terminates upon any sale, transfer, lease, or other conveyance of the property. Upon submittal of a new application for a successor-in-interest to the property, the Zoning Administrator may allow the reasonable accommodation to continue if it is consistent with and does not expand on the original approval.

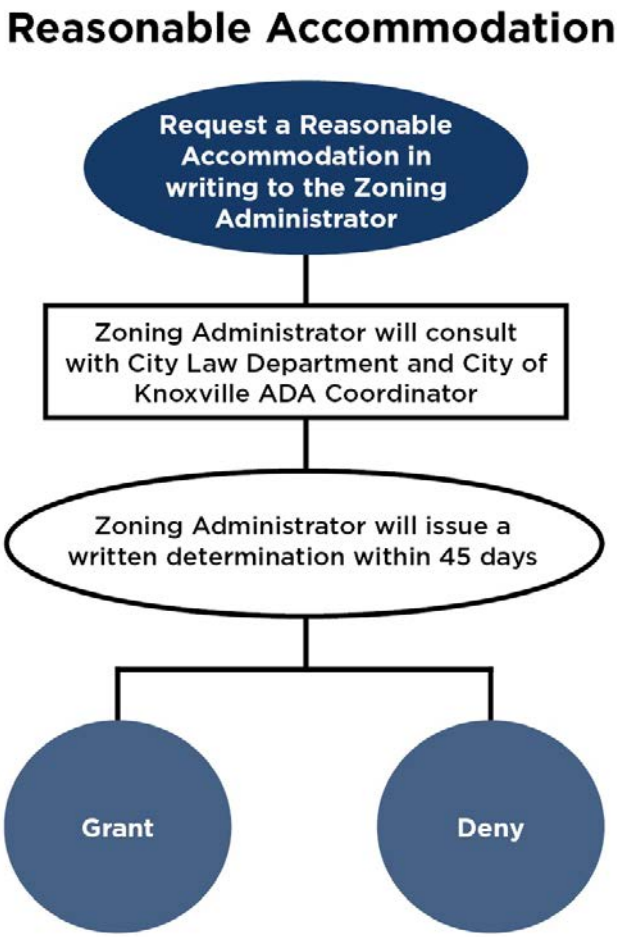
8. Historic Zoning
This Section does not affect the existing procedures for initially requesting a permit to demolish a structure listed on or eligible for listing on the National Register of Historic Places, a structure subject to Tenn. Code Ann. § 7-51-1201, a structure in an historic overlay district, or a structure on the Historic Structures Inventory. The procedures under the City Code of Ordinances Chapter 6, Article II, Sections 6-32 and 6-33 control demolition of these historic structures. If an applicant seeks a reasonable accommodation to the rules, policies, or practices of the Historic Zoning Commission's enabling ordinances or guidelines regarding the demolition of historic structures, the Historic Zoning Commission must document and send determinations in accordance with this section.

D. Appeals and Standing
The determination of the Zoning Administrator constitutes the final determination of the City, unless appealed. Only the applicant has the right to appeal the determination. The applicant may appeal the determination within 30 calendar days of the date that the Zoning Administrator mails the determination to the applicant. All appeals must be made in writing using a form provided by the City, and if the applicant needs assistance in appealing, the City will provide reasonable assistance to ensure that the process is accessible and that the appeal is documented in writing. All appeals

must contain sufficient details of the basis for the appeal. Appeals are to the Board of Zoning Appeals, which must, after public notice and a public hearing, render a determination as soon as reasonably practicable, but in no event later than 60 calendar days after an appeal has been filed unless the applicant agrees to further extend the timeline. There is no fee imposed for appealing the determination regarding a reasonable accommodation under this section.

E. Terms of Accommodation and Duty to Notify the City After Approval

A reasonable accommodation granted under this section does not run with the land, is not transferable to another person or entity, and does not grant or create vested rights. The reasonable accommodation terminates upon any sale, transfer, lease, or other conveyance of the property, and the applicant must notify the Zoning Administrator before such an event. Additionally, the applicant must notify the Zoning Administrator when the reasonable accommodation is no longer necessary.



ARTICLE 17. NONCONFORMITIES

17.1 NONCONFORMING BUILDINGS, STRUCTURES AND USES OF LAND~~GENERAL APPLICABILITY~~
~~17.2 NONCONFORMING USE~~
~~17.3 NONCONFORMING STRUCTURE~~
~~17.4 NONCONFORMING LOT OF RECORD~~
17.2~~5~~ NONCONFORMING SIGNS

17.1 NONCONFORMING BUILDINGS, STRUCTURES AND USES OF LAND

Land uses which existed legally upon the effective date of a zoning change, but which are not in conformance with all the applicable provisions of the adopted or amended zoning regulation, are~~shall be~~ subject to the provisions of this section to the fullest extent permitted by state law.

A nonconforming building, structure or use of land lawfully existing at the time of the adoption or amendment of this ordinance may be continued and maintained as provided in this article; provided, however, that nothing herein may~~shall~~ be construed to authorize the continuation of any illegal or nonconforming use which was illegal prior to the adoption of this ordinance.

A. Alteration or enlargement of buildings and structures.

1. The board of zoning appeals may, in appropriate cases and after public notice and hearing, permit the extension of an existing building and the existing use thereof upon the lot occupied by such building, or permit the erection of an additional building. The addition or extensions are~~shall be~~ subject to the following requirements:

a. Yard requirements will~~shall~~ not be permitted which are less than those required for the district in which the nonconforming use is located.

b. Percentage of lot covered by building ~~shall~~must not be greater than the maximum stated for the district.

c. The architectural style of any new building or additions permitted under this section ~~shall~~must be similar to that which exists in the area.

d. Off-street parking ~~shall~~must be provided and ~~shall~~must be screened from adjacent property by landscaping or a solid screening fence or wall not less than five (5) nor more than six (6) feet in height.

e. Landscaping may be required where the board deems it necessary.

f. Signs used in conjunction with the nonconforming use are~~shall be~~ governed by the regulations of the district in which it is located.

g. These requirements are~~shall be~~ binding on the property regardless of succession of ownership, unless the use is changed to one generally permitted in the district, or the zoning is changed to make the use conforming. Performance bonds or other sureties acceptable to the city may be required where appropriate to the circumstances of the case.

h. Applications ~~shall~~must be accompanied by site and building plans, and photographs of present conditions of the property and surrounding property.

2. Where a building or structure is conforming as to use, but nonconforming as to yard, height, or off-street parking requirements, such building or structure may be enlarged or added to along existing building lines providing:

a. Addition or enlargement does not extend into any other required yard or exceed the existing height of the building or structure.

b. Existing building together with addition or enlargement does not exceed the maximum lot coverage permitted in the district in which it is located.

c. All off-street parking requirements for both existing building and addition or enlargement are complied with.

B. Outdoor advertising signs and structures.
No outdoor advertising sign or outdoor advertising structure which, after the adoption of this ordinance, exists as a nonconforming use in any Residential Neighborhood~~A-1 [R-1A], R-1, R-2 or R-3~~ zoning district, ~~shall~~may continue, as herein provided for nonconforming uses, but every such sign or structure ~~shall~~must be removed or changed to conform to the regulations of said district within a period of two (2) years.

When the building inspector finds that a portable or movable business or advertising sign is not in conformance with these regulations, he ~~shall~~will notify the owner or lessee of the sign, whose business or service is benefitted by the sign. If the violation is not corrected within twenty-four (24) hours, the building inspector ~~shall~~will have the sign removed from the premises at the expense of the owner or lessee thereof.

C. Building vacancy, nonconforming.
With the exception of houses or duplexes, a nonconforming building, structure or portion thereof, which is or hereafter becomes vacant and remains unoccupied for a continuous period of six (6) months, ~~shall~~may not thereafter be occupied except by the uses which conform to the use regulations of the district in which it is located.

D. Change in use.
A nonconforming use of a conforming building or structure (example—commercial use in a dwelling) ~~shall~~may not be expanded or extended into any portion of such conforming building or a structure nor changed except to a conforming use. If such a nonconforming use or a portion thereof is discontinued or changed to a conforming use, any future use of such building, structure or portion thereof ~~shall~~must be in conformity with the regulations of the district in which such building or structure is located. A vacant or partially vacant nonconforming building or structure may be occupied by a use for which the building or structure was designed or intended if occupied within a period of six (6) months after the effective date of this ordinance.

The use of a nonconforming building or structure may be changed to a use of the same or a more restricted district classification. However, where the use of a nonconforming building or structure is changed to a use of a more restricted district classification, it thereafter ~~shall~~may not be changed to a use of a less restricted district classification.

E. Nonconforming uses of land.

1. A nonconforming use of land, where the aggregate value of all permanent buildings or structures is less than one thousand dollars ($1,000.00), existing at the time of adoption of this ordinance, may be continued for a period of not more than three (3) years therefrom, provided:

a. Said nonconforming use may not be extended or expanded.

b. If said nonconforming use or any portion thereof is discontinued for a period of six (6) months, or changed, any future use of such land ~~shall~~must be in conformity with the provisions of the district in which said land is located.

2. The following regulations ~~shall~~ apply to any automobile wrecking, junk or salvage yard, building material storage yard, contractor's yard, or any similar, more or less temporary, use of land when located as a nonconforming use in any residential district.

a. Any such use is hereby declared to be a public nuisance in any residential district established by this ordinance and ~~shall~~must be abated, removed or changed to a conforming use within a period of one (1) year after the date of passage of this ordinance.

b. Whenever any district has~~shall have~~ been changed to a residential district from any other district, the date of abatement, removal or change of such nonconforming use ~~shall~~must be within a period of one (1) year after the date of change of such district.

3. Any nonconforming automobile wrecking, junk or salvage yard in any nonresidential district ~~shall~~must be, after the adoption of this ordinance, abated, removed or changed to a conforming use within three (3) years.

4. Notwithstanding other provisions of this ordinance any automobile wrecking, junk or salvage yard, lawfully existing in an I-H Heavy Industrial District (previously zoned I-2, or I-3~~general industrial distric~~) on January 17, 1964, may be continued and maintained as a nonconforming use provided that:

a. Such nonconforming use is~~shall be~~ subject to all the requirements of this section relating to extension or expansion of use, and discontinuance of such use for a period of six (6) months.

b. Such nonconforming use is~~shall be~~ subject to all applicable requirements of this article.

c. Within ninety (90) days from the effective date of this amendment, all such nonconforming uses ~~shall~~must be brought into full compliance with all applicable requirements of this ordinance not herein excepted~~, including but not limited to the requirements set forth in article V, section 3.~~.

5. Nonconforming parking areas may be continued and counted towards the total parking requirements for any new activity, addition or extension placed on the site; provided, however, that the existing parking design does not pose a threat to traffic safety. The department of engineering may require redesign of such areas if a traffic safety hazard can be eased or eliminated. Loss of parking spaces resulting from the required redesign will be considered by the building inspection department in determining the minimum parking requirements.

F. Damage.
With the exception of houses or duplexes, a building which by reason of the passage of this ordinance has become nonconforming, which has been damaged by fire, explosion, act of God or the public enemy to the extent of more than fifty (50) percent of its value at the time of damage, may~~shall~~ not be restored except in conformity with the regulations of the district in which it is located.

When damaged by less than fifty (50) percent of its value, a nonconforming building may be repaired or reconstructed, and used as before the time of damage, provided such repairs or reconstruction are completed within one (1) year of the date of such damage.

G. Pending applications for building permits.
Nothing herein contained ~~shall~~ requires any change in the overall layout, plans, construction, site or designated use of any development, building, structure or part thereof, for which official approvals and required building permits have been granted before the enactment of this ordinance, the construction of which, conforming with such plans, ~~shall~~must have been started prior to the effective date of this ordinance, and completion thereof carried on in a normal manner within the subsequent six (6) months' completion except for reasons beyond the builder's control.

17.25 NONCONFORMING SIGNS

THIS WAS MOVED FROM THE SIGN ARTICLE (ARTICLE 13). NO CHANGES HAVE BEEN PROPOSED TO THE LANGUAGE FROM THE PREVIOUS DECEMBER 2018 DRAFT.

A. Effect of Change in Use for On-Premise Signs

The utilization of a nonconforming on-premise sign and/or sign structure may continue subject to the conditions and requirements of this Section. When the use of a property changes (including but not limited to the redevelopment of the site or a change in the use of the business), the signs on that property must be brought into compliance with the provisions of this Article; provided, however, that this change in use provision is not construed to require conformity of a legally existing, nonconforming development directory sign or on-site directory sign upon changes in the use of individual businesses or tenants advertised on the directory sign.

1. Change Defined

A change in use of property occurs whenever the essential character or nature of the activity conducted on a lot changes. For the purposes of this Article, a change in use occurs under the following circumstances:

a. When the principal use occupying the property changes from a use permitted or permitted on review, as designated or enumerated for the district, to another use permitted or permitted on review designated or enumerated for the district.

b. When there is an expansion, an increase in the gross square footage or number of dwelling units of an existing use, or in its operating characteristics (such as an expansion of operations, previously conducted within a fully enclosed building to operations conducted outside an enclosed building) such that the resulting use is a designated or enumerated use separate from the designated or enumerated previous use, then this constitutes a change in use.

c. A change in the ownership or management of a use or establishment, without the type of changes noted above, is not considered a change in use.

2. Determination of Change by Building Official

If a use is not designated or enumerated in this Code, the Building Official has the discretion to determine whether there is a change in use.

3. Illegal Use Excluded
A use prohibited by the district or an otherwise illegal use is not allowed to continue use of a nonconforming sign.

B. Regulations for Off-Premise Signs Approved Prior to 1984

1. Size, Location, and Structure Restrictions
Off-premise signs must be placed on a unipole structure and cannot be double-decked (either one above the other, or side by side on the same structure). The total sign area per face cannot exceed 48 feet by 14 feet (672 square feet) with a 20% nonpermanent extension, except within 500 feet of interstate arteries where the total sign area per face may be 775 square feet.

2. Spacing Requirements on Primary and Secondary Arteries
No off-premise sign structure may be established within 750 feet of any other off-premise sign structure on either side of the same street. The minimum distance between sign structures is measured along a straight line and between the two nearest points of the structures. The minimum spacing applies to off-premise sign structures located on either side of the same street or highway. Official and on-premise signs as well as any other sign which does not constitute an off-premise sign structure as defined herein, is not counted nor are measurements made from them for the purpose of determining compliance with these spacing requirements.

3. Spacing Requirements on Interstate Arteries
No off-premise sign structure may be established within 1,000 feet of any other off-premise sign structure on the same side of the same interstate artery. The minimum distance between sign structures is measured along a straight line and between the two nearest points of the structures.

4. Setback Requirements
All off-premise sign structures, including billboards, must be erected in conformity with the front, side and rear yard requirements of the district in which located.

~~17.1 GENERAL APPLICABILITY~~

~~A. Authority to Continue~~
~~Any use, structure, or lot that legally existed as a legal nonconformity as of the effective date of this Code, and any use, structure, or lot that has been made nonconforming as of the effective date of this Code, and any subsequent amendments, may continue subject to the provisions of this Article so long as it remains otherwise legal.~~

~~B. Burden on Property Owner~~
~~The burden of establishing the legality of a nonconformity under the provisions of this Code is the responsibility of the property owner or operator of the nonconforming use, structure, or lot.~~

~~C. Safety Regulations~~
~~All police power regulations enacted to promote public health, safety, and welfare, including, but not limited to, all building, fire, and health codes apply to nonconformities.~~

~~17.2 NONCONFORMING USE~~

~~A nonconforming use is the use of a structure or land that at one time was an allowed use within a zoning district, but because of this Code, or a subsequent amendment to this Code, is no longer allowed. This includes nonconformities created by prior zoning codes or amendments to those codes.~~

~~A. Expansion~~
~~A legally established nonconforming use of a structure or land may be expanded, extended, enlarged, or increased on its existing lot, provided there is reasonable space for such expansion or extension that avoids nuisances to adjoining landowners. The addition of additional lot area to an existing, legally established nonconforming use is prohibited and nullifies nonconforming use protections. The Board of Zoning Appeals may only approve expansions of a nonconforming use on an existing lot through the variance process.~~

~~B. Relocation~~

A nonconforming use of a structure or land cannot be relocated, in whole or in part, to any other structure or location on the same lot. The nonconforming use may only be relocated to another structure or lot only if the use conforms to all regulations of the zoning district where it is relocated.

C. Change of Use

A nonconforming use can only be changed to a use allowed within the zoning district where it is located. When a nonconforming use has been changed, in whole or in part, to an allowed use, the whole or part that conforms cannot be changed back to a use that is not allowed in the district. A change of use occurs when an existing nonconforming use has been terminated and another use has commenced. Any change in use is deemed an abandonment of the previously existing nonconforming use.

D. Discontinuation or Abandonment

If a nonconforming use is discontinued for a continuous period of 12 months, and is not actively marketed, the nonconforming use terminates automatically. Any subsequent use of such land or structure must comply with all regulations of the zoning district in which the structure or land is located.

E. Damage or Destruction

In the event that any structure that is devoted in whole or in part to a nonconforming use is structurally damaged or destroyed through no fault of the property owner or tenant, the nonconforming use may be re-established provided that no new nonconforming uses are created and the degree of the previous nonconformity is not increased, and a building permit is obtained for such rebuilding, restoration, repair, or reconstruction within one year of the date of damage or destruction. In the event that the building permit is not obtained within one year, then the use cannot be re-established. If the structure containing the nonconforming use is also a nonconforming structure, the structure may only be rebuilt, restored, repaired, or reconstructed in accordance with Section 17.3.

17.3 NONCONFORMING STRUCTURE

A nonconforming structure is a principal or accessory structure that at one time conformed to applicable zoning regulations, but because of this Code, or a subsequent amendment to this Code, does not conform. This includes nonconformities created by prior zoning codes or amendments to those codes.

A. Maintenance

Normal maintenance and repair may be performed on any nonconforming structure. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the previously existing nonconformity.

B. Structural Alterations

No structural alterations are permitted on any nonconforming structure, except in the following situations:

1. When the alteration is required by law or is necessary to restore the structure to a safe condition upon the order of any official charged with protecting public safety.

2. When the alteration will eliminate the nonconformity.

3. When the alteration will not create a new nonconformity or will not increase the degree of any existing nonconformity.

C. Relocation

A nonconforming structure cannot be relocated, in whole or in part, to any other location on the same lot unless such relocation would make the structure conforming. A nonconforming structure may be relocated to another lot only if the structure conforms to all regulations of the zoning district where it is relocated.

D. Damage or Destruction

1. If a nonconforming structure is destroyed or damaged, regardless of the percent of damage, it may be rebuilt to its original condition before such casualty or loss if a building permit is obtained within one year of the date of damage or destruction. In the event that the building permit is not obtained within one year, then the structure cannot be restored unless it conforms to all regulations of the district in which it is located.

2. As of the effective date of this Code, structures that do not comply with the following standards are deemed conforming in regard to these elements, and are subject to the following:

a. Required Build-To Zone or Build-To Line

When a structure does not conform to the required build-to zone or build-to line of the applicable district, the structure is deemed conforming in regard to that standard and may be expanded or altered without having to conform to build-to zone or build-to line of the district until the structure's building footprint is expanded by 50% or more. If expansions to the structure are incremental, this is calculated as the sum total of all expansions that occur after the effective date of this Code. Once the principal structure is demolished, deemed conforming status is null and void.

b. Surface Parking Lot Location

When a structure does not conform to the required surface parking lot location of the applicable district, the structure is deemed conforming in regard to that standard and may be expanded or altered without having to conform to parking lot location requirements of the district until the structure's building footprint is expanded by 50% or more. If expansions to the structure are incremental, this is calculated as the sum total of all expansions that occur after the effective date of this Code. Once the principal structure is demolished, deemed conforming status is null and void.

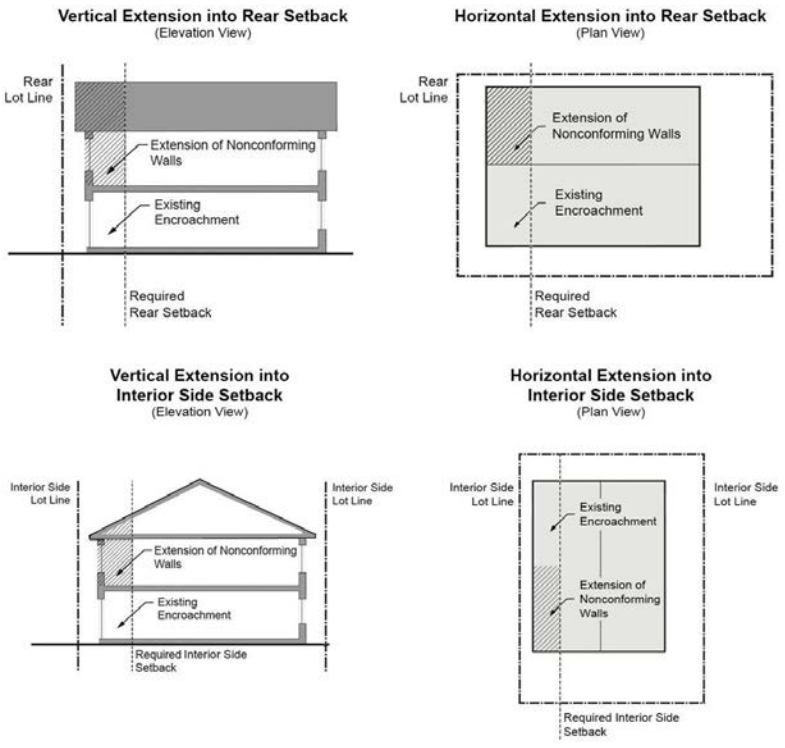
E. Nonconforming Single-Wide Manufactured Homes

Existing nonconforming single-wide manufactured homes in any district may be replaced with a new single-wide manufactured home. The replacement single-wide manufactured home may be a larger square footage so long as the manufactured home meets required setbacks. In a manufactured home park, the following the setbacks are required: a setback of ten feet from all streets and/or access roads, a minimum 20 foot clearance between homes or for homes parked end-to-end, the end-to-end clearance is a minimum of ten feet, and there is a minimum of 20 feet from any permanent structure. When located on a single lot within a district, it must meet all the setback requirements of the district. If a single-wide manufactured home is replaced with a multi-sectional manufactured home, it cannot be replaced with a single-wide manufactured home.

F. Extension of Walls for Nonconforming Single-Family and Two-Family Dwellings

Where a single-family or two-family dwelling is deemed nonconforming because a building wall of the principal structure is located within the required rear or interior side setback, the structure may be enlarged or extended horizontally or vertically along the same plane as the existing perimeter building walls, so long as the resulting structure does not violate any other district regulation.

EXTENSION OF NONCONFORMING WALLS



17.4 NONCONFORMING LOT OF RECORD

A nonconforming lot of record 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, no longer conforms does not conform. This includes nonconformities created by prior zoning codes or amendments to those codes.

A. Use

A nonconforming lot of record may be used for a permitted or special use allowed within the zoning district. In the residential districts, a nonconforming lot of record may be used for a single-family dwelling without a variance but must meet all other district requirements for a single-family dwelling. In addition, a nonconforming lot of record may be used for a two-family dwelling without a variance if the lot is only nonconforming in terms of lot width but meets lot area and all other district requirements for a two-family dwelling. Other residential dwelling types on a nonconforming lot of record in the residential district that would not meet the lot width and/or lot area standards require a variance or variances.

B. Development

Development of a nonconforming lot of record 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.

C. Lot Division

No recorded lot may be divided into two or more lots unless such division results in the creation of lots each of which conform to all of the applicable regulations of the district where the property is located. No reduction in the size of a recorded lot below the minimum requirements of this Code is permitted except in the following situations:

1. When the dedication of right-of-way is required and approved under the provisions of the Knoxville-Knox County Minimum Subdivision Regulations, and this dedication makes a lot or structure nonconforming with requirements for setbacks, building coverage, lot area, or lot width, a final plat may be approved which results in no other new nonconformity and no other increase in the extent of a nonconformity.

2. When a legal, nonconforming structure exists on the property being subdivided and this structure is nonconforming with requirements for setbacks or height, a final plat may be approved which results in no new nonconformity and no increase in the extent of any existing nonconformity.

3. When a subdivision of property is proposed and each proposed new lot will contain a principal building categorized as contributing in an H or NC Overlay District. If each proposed new lot meets this criteria, and the existing principal buildings are nonconforming with requirements for setbacks and/or lot coverage, the property owner may seek a variance as prescribed by law.

4. Items 1,2, and 3 above also apply to one lot subdivisions, as defined in the Knoxville-Knox County Minimum Subdivision Regulations, which combine two or more lots into one lot or where an adjustment is made to one lot line between two existing recorded lots.

D. Lot Consolidation

A nonconforming lot is permitted to consolidate with an adjacent lot, even if such consolidation still does not conform to the lot dimension requirements of the zoning district in which it is located. Such consolidation is seen as a reduction of the nonconformity.

E. Lot Created by Deed

In any residential district, a house may be constructed on a lot created by deed provided the lot is:

1. Located in the area within the City boundary resulting from an annexation in 1917; is described by a deed recorded prior to February 3, 1947; and has remained intact with the same boundary configuration since the recorded date; or

2. Located in the area within the City boundary resulting from a series of annexations in 1962 (Ordinances 3049, 3050, 3052, 3053 and 3054); is described by a deed recorded prior to February 3, 1947; and has remained intact with the same boundary configuration since the recorded date.

If a lot created by deed meets the criteria cited above, and is nonconforming with requirements for minimum yards, building setbacks, and/or lot coverage, the property owners may seek a variance. Upon application for a building permit, the owner will be required to submit a survey completed by a registered land surveyor that has been recorded with the register of deeds.

ARTICLE 18. ENFORCEMENT

18.1 ENFORCEMENT OFFICIAL
18.2 APPLICATION OF PENALTIES
18.3 FINES

18.1 ENFORCEMENT OFFICIAL

This Code is enforced by the Director of Plans Review and Building Inspections. The Director of Plans Review and Building Inspections may secure the assistance of the City Attorney to seek an injunction, abatement, or other appropriate actions to enjoin, abate, or stop any violation of this Code. At times, the aid of the Police Department may be sought to enforce this Code. The property owner charged with the violation may be held responsible for any legal expenses incurred by the City.

18.2 APPLICATION OF PENALTIES

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Code, upon conviction, will be fined for each offense. Each day that a violation continues constitutes a separate offense for the purposes of the penalties and remedies available to the City. The accumulation of penalties for violations, but not the obligation for payment for violations already committed, ceases upon correction of the violation.

18.3 FINES

~~Each violation, and each day that such violation continues, is subject to a fine as established in the City Code.~~
Each violation is subject to a fine as established in the Knoxville City Code. Each individual successive day the violation continues is subject to an additional daily fine.