

---

---

## MEMORANDUM

### Agenda Item # 5

**Date:** March 31, 2010  
**To:** Metropolitan Planning Commission  
**From:** Mark Donaldson, Executive Director  
**Subject:** **Amendments to the City of Knoxville Zoning Ordinance creating a new R-4 (Residential/Office) District providing for a mix of land uses that are complementary in scale to adjacent residential neighborhoods – 11-A-07-OA**

---

### Request

These proposed district regulations will replace the current regulations for the R-4 district (which are only in place for two parcels in the city) with a new set of regulations that provide for residential and office development and redevelopment that will strengthen neighborhoods in critical areas along their edges. The R-4 district is recommended for consideration in areas that are designated with mixed-use classifications in land use plans of the *Knoxville-Knox County General Plan*.

Initiated more than two years ago, the effort to create the new district was put on hold at the request of the City administration for the last year. Recently, Vice-Mayor Becker requested that the effort be restarted. MPC staff held a public meeting on Thursday, March 25, which has resulted in several modifications to the previous drafts of the regulations. See attached list of edits.

### Background

The proposed *R-4 (Residential/Office) District* is intended to create a flexible, mixed-use district for residences and low intensity office and professional uses within mixed-use land use plan classifications as provided in the *Knoxville-Knox County General Plan*. The district is likely to be used:

- as a transition between more intense development and low density residential uses;
- within a defined neighborhood center; or
- at the edge of established neighborhoods along arterial and major collector streets.

Permitted uses are made compatible with adjacent residential uses by limiting heights, regulating the scale of development, and providing other requirements. It is likely this district will be used in lieu of the R-2 and O-1 districts that are currently used in similar circumstances.

*Permitted Uses.* The proposed R-4 district offers a very limited list of permitted uses (by right). Primary among them are houses and houses that have been converted to duplexes and professional offices and clinics. In addition, permitted uses include home occupations, signs for single-tenant offices and clinics and accessory uses and structures. The intent is to encourage, by allowing as a use by right, the reuse and reinvestment in houses that can be converted to other compatible uses without altering the exterior of existing structures.

*Uses on Review.* Uses permitted on review expand the list of uses within the proposed district, to include other residential structures such as attached houses, duplexes (other than converted houses), and multi-dwelling structures (at a density of less than 12 dwelling units per acre); and nonresidential uses such as professional, business and medical offices and clinics, the occupations listed as home occupations, churches, day nurseries and adult day care facilities, cell towers and halfway houses.

*Dimensional Regulations.* The dimensional regulations mimic many of those in the R-1 (Low Density Residential) district, except that lot dimensions allow a little greater density and multi-dwelling structures are allowed up to 12 dwelling units per acre. Setbacks, lot coverage and building height are comparable to R-1 and will result in building forms that are compatible with the existing built context. Off-street parking is required to provide screening: screening from the street if the parking area is in front of the structure and screening from adjacent residential uses if the parking area is behind the front of the structure.

*Signs.* Sign size has been perhaps the most controversial regulation as the proposed district has gone through public review. The current flawed maximum wall sign size of two (2) square feet per tenant in the O-1 (Office, medical, and related services) district has become the benchmark for comparison by many. This maximum wall sign size is not appropriate for any size structure that must be readable by viewers in a passing car. The proposed signs are modeled after those in the TND-1 (Traditional Neighborhood Development) district and are believed to be appropriate for the likely settings of the R-4 district. See attachment for sign comparisons.

*Use on Review conditions.* The proposed ordinance provides a list of conditions that can be considered by the planning commission when reviewing development plans associated with uses on review to assure compatibility with adjacent developed areas.

### **Staff Recommendation**

Staff recommends approval.

### **Attachments:**

- Edits from the draft proposed regulations dated March 4, 2010
- Comparison of sign sizes in various zone districts

# Edits made to 030410 version of R-4 district regulations

## General Wording:

1. The term *primary* has been eliminated and replaced with *principal* throughout.
2. In section A, changed "buffer and landscape" to "other" and added reference to *Knoxville-Knox County General Plan 2033*.
3. C.5 has been changed to more closely correspond to the language for home occupations found at Article V, Section 12.B.

## Permitted Uses:

4. Existing houses converted to duplexes added as a permitted use.
5. Existing houses converted to offices added as a permitted use.
6. Duplexes, other than a converted existing house, added as a use on review.
7. Offices, other than a converted existing house, added as a use on review
8. Multi-dwelling structures eliminated as a permitted use and capped at 12 units per acre as a use on review.
9. Size threshold for offices eliminated.
10. Signs for offices converted from existing houses added as permitted use.
11. Signs for structures with more than one non-residential tenant added as a use on review.
12. Added to Use on Review criteria are:
  - Placement and screening of mechanical, utility, or waste storage equipment and accessory uses and structures.
  - Lighting
  - Sidewalks

## Regulations:

13. Sign regulations have been simplified, sign sizes have been reduced, and reference has been made to the sign lighting provisions for signs in residential districts (Article 5, Section 10.C.10).
14. The term *required* has been removed as an adjective to front yard with regard to accessory buildings or structures in the front yard and the phrase "they shall be required to be located behind the front of the principal building" has been added parenthetically.
15. The term "same side of" has been added to Front Yard regulations regarding the averaging of required front yards.
16. The maximum lot size has been eliminated because it is no longer needed with all structures other than houses and existing houses requiring use on review approval.

## Proposed R-4 District Sign Dimension Comparison By Zone District

<b>MONUMENT SIGNS</b>			
<b>Zone District</b>	<b>Land Uses/Building Types</b>	<b>Maximum Sign Area</b>	<b>Maximum Sign Height</b>
R-1 & R-1A	churches, schools, public buildings, cemeteries, country clubs, mobile home parks, subdivisions with more than 25 lots, and medical facilities with 150 feet or more of frontage	36 Square Feet	6 Feet From Ground
R-1 & R-1A	medical facilities with less than 150 feet of frontage, club houses, lodge halls, studios, and day care centers	20 Square Feet	5 Feet From Ground
O-1 & O-2	Office, Medical and Related Services Civic and Institutional Uses	36 Square Feet	6 Feet From Ground
TND-1	1 or 1 ½ Stories	12 Square Feet	3 Feet Plus 12" Base
TND-1	2 Stories	17.5 Square Feet	3.5 Feet Plus 15" Base
TND-1	3 or more Stories	24 Square Feet	4 Feet Plus 18" Base
Proposed R-4	Non-Residential Uses	12 Square Feet	3 Feet Plus 12" Base
<b>WALL SIGNS</b>			
<b>Zone District</b>	<b>Land Uses/Building Types</b>	<b>Maximum Sign Area</b>	<b>Maximum Sign Height</b>
R-1 & R-1A	Houses, Duplexes & Multi-Dwelling Structures	2 Square Feet	NA
RP-1	Non-Residential Uses – 1 Story	10 Square Feet	NA
RP-1	Non-Residential Uses – More than 1 Story	12 Square Feet	NA
O-1 & O-2	Office, Medical and Related Services Civic and Institutional Uses	2 Square Feet Per Tenant	NA
TND-1	Commercial, Office, Civic or Multi-Dwelling Structures	0.5 per lf of frontage, max of 30 sf	2 Feet
Proposed R-4	Non-Residential Uses - Single Tenant (If no monument sign is used)	10 Square Feet	2 Feet
Proposed R-4	Non-Residential Uses – Multi-Tenant	0.5 per lf of frontage, max of 6 sf for any single sign	2 Feet

03/27/10

**AMENDMENTS TO THE KNOXVILLE ZONING ORDINANCE  
CREATING A NEW RESIDENTIAL/OFFICE DISTRICT**

**ARTICLE IV, SECTION 2.1.8: R-4 RESIDENTIAL / OFFICE DISTRICT  
[REPLACING THE EXISTING R-4 DISTRICT IN ITS ENTIRETY]**

**A. GENERAL DESCRIPTION.**

This district is intended to create a flexible, mixed-use district for residences and low intensity office and professional uses within mixed-use land use plan classifications as provided in the *Knoxville-Knox County General Plan*. The district can be used as a transition between more intense development and low density residential uses, within a neighborhood center, or at the edge of established neighborhoods along arterial and major collector streets. Permitted uses are made compatible with adjacent residential uses by limiting heights, regulating the scale of development, and providing other requirements.

**B. PERMITTED PRINCIPAL AND ACCESSORY USES AND STRUCTURES.**

The following uses shall be permitted:

1. Houses, but not including house trailers and mobile homes.
2. Duplexes converted from a house without altering the exterior of the existing structure (house).
3. Professional offices, business offices, medical offices and clinics, and dental offices and clinics converted from a house without altering the exterior of the existing structure (house).
4. Home Occupations, subject to the requirements of Article V, Section 12.
5. Signs for single-tenant offices and clinics converted from existing houses
6. Uses, buildings and structures accessory to permitted uses, subject to the provisions of Article V, Section 4.

**C. USES AND STRUCTURES PERMITTED ON REVIEW.**

The following uses may be permitted on review, individually, or in combination with any other permitted uses, by the Planning Commission in accordance with provisions contained in Article VII, Section 5:

1. Attached houses, subject to the provisions of Article V, Section 3.C.
2. Duplexes not allowed as a permitted principal use.
3. Multi-dwelling structures at an intensity of more than 3,600 square feet of lot area per dwelling unit.
4. Professional offices, business offices, medical offices and clinics and dental offices and clinics not allowed as a permitted principal use.
5. Facilities and space for the following: artists, sculptors, and authors; barber and beauty shops; dressmakers, milliners, seamstresses, tailors or interior decorators; teaching, including tutoring, musical and dancing instruction; computer programming and word processing; telephone

03/27/10

- answering; cooking and preserving; and any other use which the Planning Commission deems to be similar with respect to performance and impact.
4. Private day nurseries and kindergartens, as regulated in Article 5, Section 3.G.4; and adult day care facilities.
  5. Churches.
  6. Commercial telecommunication towers.
  7. Halfway houses, subject to the following standards:
    - a. No other halfway house located within one mile of this site.
    - b. The site cannot be located within 300' of a park, school, or day care center.
    - c. The use shall comply with all applicable city, state, and federal codes and regulations.
    - d. The site shall be within 1,000 feet of an established transit route.
    - e. Signs identifying a use as a halfway house are not permitted.
    - f. The Knoxville Police Department must be provided with a written notification of the use prior to its occupancy.
  8. Signs for structures with more than one nonresidential tenant.
  9. Uses, buildings and structures accessory to uses permitted on review, subject to the use-on-review provisions of Article V, Section 4.C.

**D. DIMENSIONAL REGULATIONS.**

**1. Lot Area.**

- a. Minimum lot area for principal permitted uses and structures:
  - i. For a house – 6,000 square feet
  - ii. For a duplex – 9,000 square feet
  - iii. For a multi-dwelling structure – 12,000 square feet
  - iv. For all other permitted uses - 7,500 square feet.
- b. For uses and structures permitted on review, the planning commission shall determine the minimum lot area with development plan approval.

**2. Lot Width.**

- a. Minimum lot width for principal permitted uses and structures:
  - i. For a house: 50 feet
  - ii. For a duplex: 75 feet
  - iii. For a multi-dwelling structure: 100 feet
  - iv. For all other permitted uses – 50 feet
- b. For uses and structures permitted on review, the planning commission shall determine the minimum lot width with development plan approval.

**3. Front Yard.**

- a. For principal permitted uses and structures, the required depth of a front yard shall be equal to the average [plus or minus 10 feet] of developed lots on the same side of the street within 300 feet of the

subject property, but not less than 25 feet, and in no case shall an accessory building or structure be located in or extend into the front yard (they shall be required to be located behind the front of the principal building).

- b. For uses permitted on review, the Planning Commission shall determine the depth of a front yard with development plan approval, using any existing structures on the same street as guidance.

4. **Side Yard, Interior.** The minimum side yard that is adjacent to another lot shall be as follows:

- a. For principal buildings or structures, the minimum width of an interior side yard shall be 10 percent of the lot width, but no less than 5 feet.
- b. For accessory buildings or structures, the minimum width of an interior side yard shall be 5 percent of the lot width, but no less than 5 feet.

5. **Side Yard, Street.** The minimum side yard that is adjacent to a street shall be as follows:

- a. For principal buildings or structures, the minimum width of a street side yard shall be 15 percent of the lot width, but no less than 5 feet; except a side yard that is adjacent to a street that is also adjacent to a front yard of an abutting property must match the minimum required front yard of the abutting property.
- b. For accessory buildings or structures, the minimum width of a street side yard shall be 25 feet.

6. **Rear Yard.**

- a. No principal buildings or structures shall be located closer than 30 feet to the rear property line.
- b. No accessory buildings or structures shall be located closer than 15 feet to the rear property line.

7. **Maximum Building Coverage.**

- a. For permitted principal uses and structures, the maximum building coverage shall be 35 percent.
- b. For uses and structures permitted on review, the planning commission shall determine the maximum building coverage with development plan approval.

E. **HEIGHT REGULATIONS.**

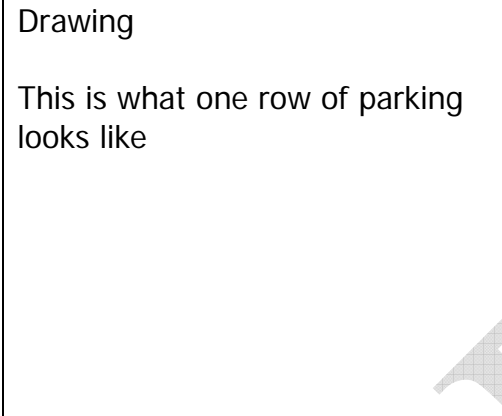
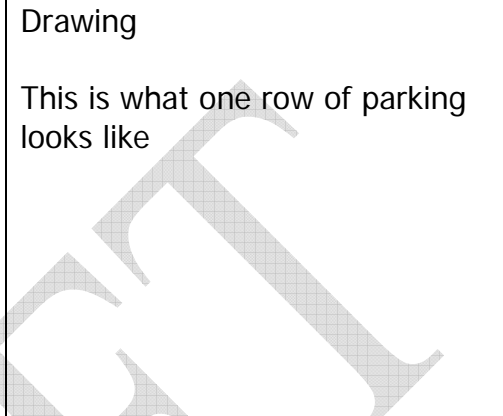
- a. Principal buildings or structures shall not exceed 35 feet in height.
- b. Accessory buildings or structures shall not exceed 15 feet in height.

F. **OFF-STREET PARKING.**

Off-street parking shall be in accordance with the requirements of Article V, Section 7. In addition:

03/27/10

1. Parking within this district shall be located behind the front of the principal building, unless the lot frontage is on an arterial road, where a maximum of one (1) row of parking spaces and associated access ways is permissible in the front yard, with a minimum of fifteen (15) feet of landscaping between the parking lot and the front property line.

<p>Drawing</p> <p>This is what one row of parking looks like</p> 	<p>Drawing</p> <p>This is what one row of parking looks like</p> 
--	---

2. Parking in the front yard of the principal building for uses other than a house, attached house or duplex shall be buffered from the street view by an eight (8) foot wide landscape area planted with a continuous row of evergreen shrubs on three (3) foot centers (maximum) and maintained at a height of no more than 42 inches. In place of the landscaped area, the property owner may choose to install a masonry wall of no more than 42 inches in height. In addition, one (1) large maturing deciduous tree, as included on the Knoxville City Tree Board species list (as provided at Chapter 14, Article 3, Section 14-55 of the Code of Ordinance) shall be provided within the front yard for every 30 lineal feet of street frontage.
3. Parking behind the front of the principal building for uses other than a house, attached house, or duplex shall be buffered from adjacent residential uses by a twelve (12) foot wide landscape area planted with medium or large maturing evergreen trees, as included on the Knoxville City Tree Board species list (as provided at Chapter 14, Article 3, Section 14-55 of the Code of Ordinances). These trees should be placed on average thirty (30) feet apart. In place of the landscape area, the property owner may choose to install a six (6) foot high opaque (or other suitable) wall as a means to buffer the parking area.
4. On-street parking provided adjacent to the site may be used to meet up to fifty (50) percent of the off-street parking requirements for nonresidential uses, subject to approval by the City of Knoxville Engineering Department.



**G. OTHER DEVELOPMENT CONSIDERATIONS:**

For uses on review, MPC may impose development conditions to assure compatibility with adjacent residential character. Compatible does not mean “the same as.” Rather, compatible refers to the sensitivity of the proposed building in maintaining the character of any nearby residential buildings. Considerations to assure compatibility with adjacent residential character may be given with respect to:

- a. Scale
- b. Proportions of facades
- c. Massing
- d. Height
- e. Exterior materials
- f. Roof shapes
- g. Fenestration and ornamentation
- h. Placement of parking
- i. Placement and screening of mechanical, utility, or waste storage equipment and accessory uses and structures.
- j. Landscaping, screening and buffers
- k. Lighting
- l. Sidewalks

03/27/10

# PROPOSED NEW SIGN STANDARDS FOR THE R-4 DISTRICT

## ARTICLE V, SECTION 10. C.: Signs, Billboards and Other Advertising Structures

### C. RESIDENTIAL DISTRICTS (new item 11)

11. For nonresidential uses in the R-4 office district, business signs shall be permitted as follows, in lieu of the provisions of C.3 and C.4 above:

a. For a single-tenant nonresidential use, one monument or column sign, or one wall-mounted sign shall be permitted per lot. Signs may be illuminated in accordance with Article V, Section 10. C.10 (Signs in Residential Districts).

i. Monument or column signs shall be permitted as follows:

Maximum Base Height	Maximum Height of Sign	Maximum Width of Sign	Maximum Area of Sign
12 inches above ground	3 feet	4 feet	12 sq. feet plus base

ii. One wall sign may be permitted in lieu of a monument or column sign. The total sign area shall not exceed ten (10) square feet in area and two (2) feet in height. No wall signs shall project above the top of a wall of a structure.

b. For multi-tenant nonresidential uses, one monument or column sign, and one or more tenant signs, shall be permitted per lot upon approval of the planning commission. Signs may be illuminated in accordance with Article V, Section 10. C.10 (Signs in Residential Districts).

i. Monument or column signs may be permitted as follows:

Maximum Base Height	Maximum Height of Sign	Maximum Width of Sign	Maximum Area of Sign
12 inches above ground	3 feet	4 feet	12 sq. feet plus base

ii. One wall sign may be permitted for each tenant of a building. The total sign area shall not exceed one-half (0.5) square foot per one linear foot of the front face of the building. Any one sign shall not exceed six (6) square feet. The height of any sign shall not exceed two (2) feet, and the sign shall not extend above the top of a wall of the structure.

03/27/10

## PROPOSED NEW DEFINITIONS

### ARTICLE 2 Definitions

*Business Office* – Administrative, executive, professional, research or similar organizations, and laboratories having only limited contact with public, provided that no merchandise or merchandising services are sold the premises, except such as are incidental or accessory to the principal use.

*Day Care Facility, Adult* – A facility that provides non-medical care to three (3) or more persons eighteen (18) years of age and older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour a day basis. Any persons who are related to the provided by blood, marriage, or adoption shall not be included in the total number of persons for which care is provided. *(Source: Knox County Zoning Ordinance)*

## OTHER RELATED AMENDMENTS REQUIRED

Article 5, Section 3, C. Attached Houses. Attached houses are permitted in the R-1A, R-2, R-3 and **R-4** Residential districts, provided .....

Article 5, Section 7, A, i. In the R-1, R-1A, R-1E, R-2, R-3 and **R-4** zoning districts, parking .....