



TO: Knoxville-Knox County Planning Commission
FROM: Amy Brooks, AICP | Executive Director
DATE: September 28, 2023
SUBJECT: **10-A-23-OA Agenda Item # 20**

STAFF RECOMMENDATION

Staff recommends approval of the amendments as proposed to the City of Knoxville Zoning Code, Article 7.

BACKGROUND

In January 2023, Knoxville City Council requested a study of the Form-Based Code districts. From March to July, an advisory group made up of City staff and neighborhood representatives met to discuss possible changes to the Article 7 of the zoning ordinance. The group identified the following revisions:

- Add part i and ii to 7.0.2.F.8.c. to limit the percentage of ground floor transparency variances in the South Waterfront District and to limit variance and permitted deviations for minimum interior and rear setbacks for stand-alone parking lots in the South Waterfront.
- Add part d to 7.1.4.D.1. to provide standards for stand-alone surface parking lots in the South Waterfront District.

City of Knoxville staff requested, per the attached memo, that the Planning Commission review and consider amendments to the Zoning Code of the City of Knoxville, Article 7 Form Based Code Districts.

**MEMORANDUM**

DATE: July 24, 2023
TO: Planning Staff
FROM: Peter Ahrens
Director of Plans Review & Building Inspections
RE: Zoning Code Amendment

Article 7 Form-Based Code Districts

Background The Plans Review and Inspections Department requests the following amendments to the Zoning Code of the City of Knoxville, Article 7 Form-Based Code Districts.

- The following sections of the Form-Based Code Districts need to be amended to correct the article and section references pertaining to “City of Knoxville Board of Zoning Appeals” and “Variances,” which currently reference incorrect sections of the zoning ordinance.
 - 7.02.E.10, 7.02.F.1.c, 7.0.2.F.11, 7.0.2.G.3, 7.0.2.H.5
- In January 2023, Knoxville City Council requested a study of the Form-Based Code districts. From March to July, an advisory group met to discuss possible changes to the zoning ordinance. The group identified the following revisions:
 - Add part i and ii to 7.0.2.F.8.c. to limit the percentage of ground floor transparency variances in the South Waterfront District and to limit variance and permitted deviations for minimum interior and rear setbacks for stand-alone parking lots in the South Waterfront.
 - Add part d to 7.1.4.D.1. to provide standards for stand-alone surface parking lots in the South Waterfront District.

Attachments

- 1) Proposed amendments to Article 7.

Sincerely,

Peter Ahrens
Director of Plans Review & Building Inspections
865-215-3938

7.0.2. 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. 7.0.2.F.
- c. Where a variance is requested, the application must be reviewed pursuant to Article ~~7~~ 14, Section ~~2~~ 3, "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. 7.0.2.D.1.

5. Application Requirements

An application for Zoning Clearance Review must be submitted pursuant with Sec. 7.0.2.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 ten 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 14. Section 2 3, "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. 7.0.2.D.1.

5. Application Requirements

An application for Development Plan Review must be submitted pursuant with Sec. 7.0.2.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 14. Section 2 3, "City of Knoxville Board of Zoning Appeals."

- i. No variance can be granted to reduce transparency by more than 10% in the South Waterfront District.
- ii. No variance or permitted deviations can be granted to reduce minimum interior and rear setbacks of stand-alone surface parking lots in the South Waterfront District.

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 14. Section 2 3, "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. 7.0.2.E or Sec. 7.0.2.F, or Article 7 16, Section 2 3 "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. 7.0.2.D.1.

5. Application Requirements

An application for Alternative Compliance Review must be submitted pursuant with Sec. 7.0.2.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. 7.0.2.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 14. Section 2 3, "City of Knoxville Board of Zoning Appeals."

7.1.4. 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.

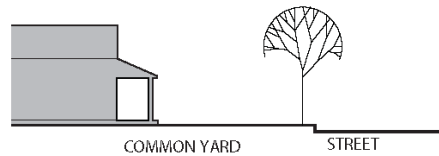
B. Building Envelope and Materials

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 façade 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

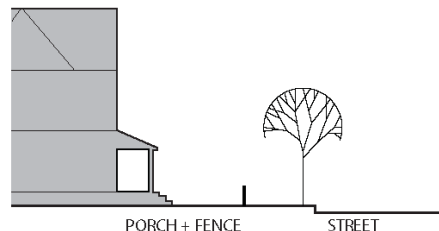
1. Common Yard

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



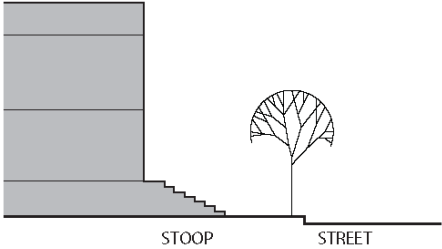
2. Porch and Fence

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.



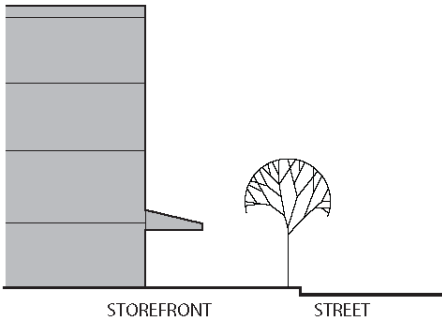
3. Stoop

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.



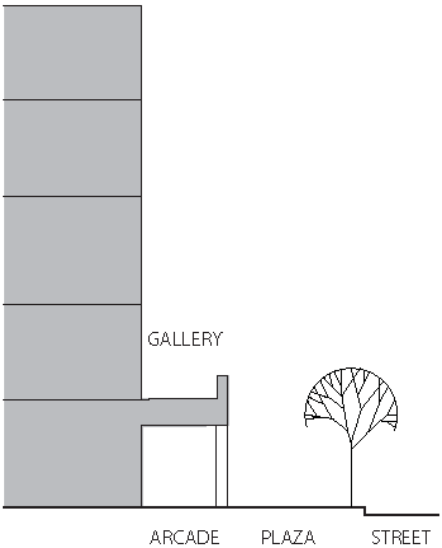
4. Shopfront/Awning

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



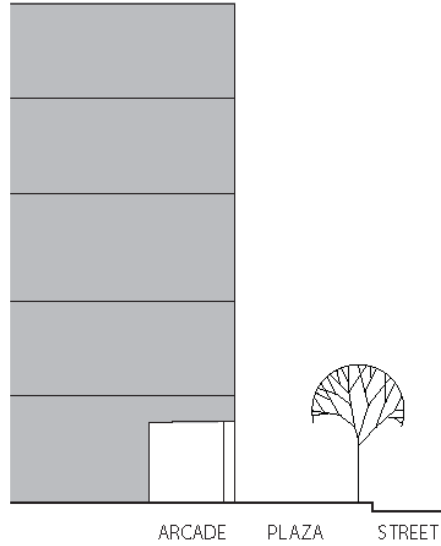
5. Gallery

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

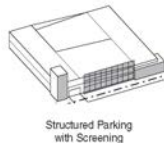
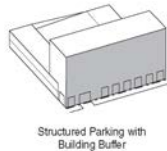
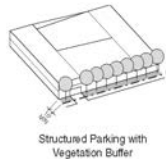
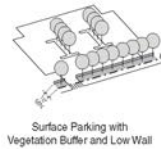


6. Arcade

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.



D. Off Street Parking and Loading



1. Surface Parking

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.
- c. 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 **only** is used, the planting bed shall be a minimum of 10 feet wide.
- d. 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.
- e. One bicycle rack space shall be provided for every 10 vehicular parking spaces.
- f. **Stand-alone surface parking lots:**
 - i. **Parking lots that are on lots without a primary use or structure are required to have a minimum interior and rear setback of 5 feet from adjacent properties.**
 - ii. **Headlight screening of parked cars along adjacent properties must be with a solid fence or wall a minimum of 42 inches in height. Breaks in the fence or wall may be permitted for pedestrian access, where it continues a pedestrian way. The fence or wall must be placed a minimum of two feet from the parking lot. The area on the other side of the fence or wall opposite the surface parking lot must be planted with a minimum of ten shrubs for every 100 linear feet. A minimum of 50% of the shrubs must be evergreen.**
 - iii. **Interior parking lot landscape is required for stand-alone surface parking lot of 5,000 square feet or more.**
 - a) **Where more than five parking stalls are provided in a row, one parking lot island must be provided between every five parking spaces.**
 - 1) **Islands must be a minimum of 120 square feet in single rows and in double rows are a minimum of 240 square feet.**
 - 2) **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.**
 - 3) **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 during the landscape plan review process. Stone, mulch, or other permeable landscape materials may be used for any remaining area.**

2. **Structured Parking**

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.

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**

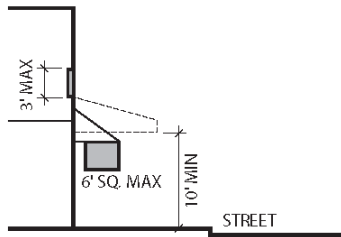
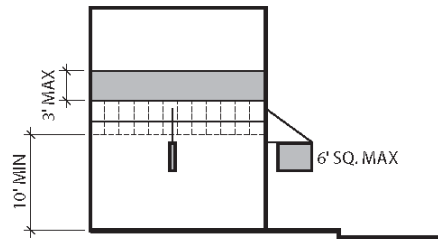
- 1) The maximum sign area shall not exceed 6 square feet per awning or canopy.

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 façade 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 façade.



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 façade. 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.

iii. **Roof Signage**

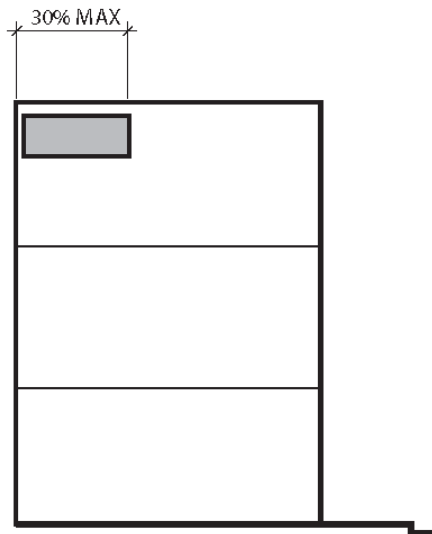
Roof Signs are prohibited in the Knoxville South Waterfront.

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.



Wall Signage

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. Minimize 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.

