

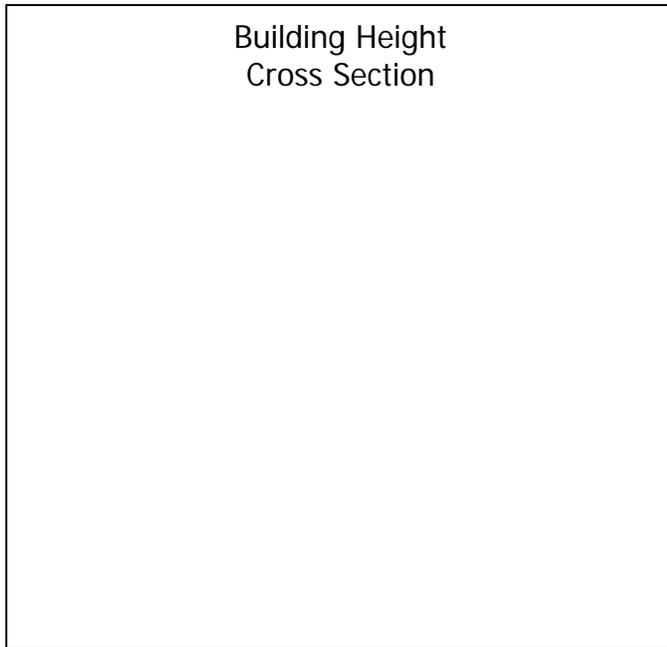
MAP A

Regulating Plan

**B. HEIGHT REQUIREMENTS**

1. Building Height

- The height of the principal building is measured in feet from the highest point of the property line fronting an Avenue to the mid-point of the roof or top of parapet. Buildings on property without frontage on an Avenue shall measure height in accordance with the nearest point on an Avenue.
- For primary residential uses on the ground floor, the finished floor elevation shall be no less than 3 feet and no more than 7 feet above the exterior sidewalk elevation at the RBL.
- Each principal building shall meet the following height standards in accordance with the regulating plan:



Regulating Plan Zone	Minimum Height	Maximum Height Without Stepback	Maximum Height w/ 10 FT Stepback
Cumberland Avenue	30 FT	70 FT	85 FT
Lake Avenue	20 FT	70 FT	85 FT
White and Clinch Avenue – Neighborhood Frontage	20 FT	40 FT	50 FT
White Avenue – Hospital Frontage	20 FT	70 FT	85 FT

2. Parking Structure Height

- Where a parking structure is within 40 feet of any principal building built after (date) that portion of the structure shall not exceed the principal building height

3. Ground Story Height

- The ground story finished floor elevation shall be no lower than the exterior sidewalk elevation in front of the building
- The ground story for property fronting on Cumberland Avenue shall have at least 12 feet of clear interior height (floor to ceiling) contiguous to the required building line frontage for a minimum depth of 20 feet.

4. Street Wall Height

- A street wall not less than 3 feet in height or greater than 8 feet in height shall be required along any required building line frontage that is not otherwise occupied by the principal building on the lot.
- The height of the street wall shall be measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the finished ground elevation.

## C. SITING REQUIREMENTS

### 1. Street Facade

- On each lot, the required building line (RBL) shall be the same as the property line along any public street right-of-way, except for the White Avenue zones where the RBL may be a minimum of 5 feet and maximum of 15 feet in back of the property line along any public street right-of-way.
- Along an Avenue, Seventeenth Street and Montcastle Esplanade, the building facade shall be built to the RBL for at least 80% of the RBL length.
- Along a Street (except 17<sup>th</sup> and Montcastle), the building facade shall be built to the RBL for at least 60% of the RBL length.
- On corner properties along Cumberland Avenue and Seventeenth Street, the RBL shall create a visibility triangle with 25 foot legs at the corner so that a building constructed on the corner shall be chamfered toward the intersection.
- The building façade shall be built to the RBL within 50 feet of a Cumberland Avenue intersection.
- These portions of the building façade (the required minimum build-to) may include articulation of not more than 18 inches in depth except as otherwise provided to allow bay windows, shopfronts, and balconies.
- Outdoor seating areas in front of a building may be counted as building frontage provided that a street wall is included and the principle structure is located no more than 20 feet from the property line for the entire width of the seating area.

### 2. Buildable Area

- Buildings may occupy the portion of the lot specified by these building envelope standards.
- A contiguous open area equal to at least 10% of the total buildable area shall be preserved on every lot. Such contiguous open area may be located anywhere on the lot and may be at grade, on a second floor level, or above a parking structure.
- No part of a building, except overhanging eaves, awnings, or balconies shall occupy space above the dedicated open space.

### 3. Side Lot Setbacks

- On a lot where a common lot line is shared with a property with an existing residential use, the principal building shall be setback at least 5 feet from the shared lot line and building above the minimum height shall provide an additional 10 foot setback from the side lot setback.

### 4. Garage and Parking

- Except for publicly owned parking facilities, surface parking shall be located in the rear of the property with access to parking areas from the alleys and side streets.
- Garage entries or driveways along Cumberland Avenue are prohibited and along White and Lake Avenues are discouraged. Access to parking should be from the alleys and side streets.
- Vehicle parking areas on private property shall be located at least 20 feet from any Avenue right-of-way, except where parking is provided within a structure.
- These requirements are not applicable to on-street parking.

### 5. Alleys

- Land dedication to achieve a 20 FT alley right-of-way shall be required. There is no required setback from alleys or shared access easements meeting alley specifications.

### 6. Corner Lots

- Corner lots shall satisfy the code requirements for the full RBL length, unless otherwise specified in this code.

### 7. Unbuilt Required Building Line and Common Lot Line Treatment

- A street wall shall be required along any RBL frontage that is not otherwise occupied by a building. The street wall shall be located not more than 1 foot behind the required building line.
- Privacy fences may be constructed along that portion of a common lot line not otherwise occupied by a building.

**D. REQUIRED BUILDING ELEMENTS**

**1. Windows and Doors**

- Blank lengths of walls exceeding 20 linear feet are prohibited on all required building lines.
- No window may face or direct views toward a common lot line within 30 feet unless (a) that view is contained within the lot (e.g. by a privacy fence or garden wall) or, (b) the window sill is at least 6 feet above the finished floor level
- Windows, doors and fenestrations shall be in accordance with the following table, measured as a percentage of the façade area between floor levels:

Regulating Plan Zone	Ground Floor	Upper Floors
Cumberland Avenue	Minimum 75% Maximum 90%	Minimum 20% Maximum 60%
Lake Avenue	Minimum 40% Maximum 90%	Minimum 20% Maximum 60%
White and Clinch Avenue – Neighborhood Frontage	Minimum 40% Maximum 90%	Minimum 20% Maximum 60%
White Avenue – Hospital Frontage	Minimum 40% Maximum 90%	Minimum 20% Maximum 60%

**2. Building Projections**

- Balconies and stoops shall not project closer than 5 feet to a common lot line.
- No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops, and shopfronts as specified by the code, shall encroach beyond the required building line.
- Awnings shall project a minimum of 6 feet and a maximum of within 1 foot of back of curb (where there are no street trees) or 1 foot into the tree lawn (where there are street trees).
- Awnings that project over the sidewalk portion of a street-space shall maintain a clear height of at least 10 feet except as otherwise provided for signs, street lighting and similar appurtenances.
- Awnings may have supporting posts at their outer edge provided they:
  - Have a minimum of 8 feet clear width between the façade and the support posts or columns of the awnings; and
  - Provide for a continuous public access easement at least 4 feet wide running adjacent and parallel to the sidewalk cover columns/posts.

**3. Doors / Entries**

- Functioning entry door(s) shall be provided along ground story facades at intervals not greater than 60 linear feet.
- On corner lots with frontage on Cumberland Avenue, at least one building entrance shall be located at the corner.

**4. Street Walls**

- A vehicle entry gate/opening no wider than 18 feet or a pedestrian entry gate/opening no wider than 6 feet shall be permitted within any required street wall.

**E. USE REQUIREMENTS**

1. Ground Story

- The ground story shall house commercial, office, civic, and/or residential uses, except that for lots with frontage on Cumberland Avenue only the common area for residential uses such as a foyer, entry, or accessory uses may be located on the ground floor.

2. Upper Stories

- The upper stories shall house office, civic or residential uses.
- No office or institutional use is permitted above a residential use.
- Retail or restaurant uses may be permitted on a second story if they open to a ground floor common space as a mezzanine or balcony

3. Permitted Uses

**Applicability**

The following use categories are not zoning districts. Uses are grouped into these categories for the purpose of regulation. A use listed below is only permitted in accordance with these regulations

**Basis of Classifications**

Use categories classify land uses and activities based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions. Use categories provide a systematic basis for assigning land uses to appropriate zoning districts.

**Approach to Categorizing Uses**

1. Principal Uses

The "Principal Uses" portion of each use category lists principal uses common to that use category. The names of these sample uses are generic and are based on common meanings, not on what a specific use may call itself.

2. Accessory Uses

Accessory uses are allowed by right in conjunction with a principal use. No accessory use may be established on a site without a principal use. Specific regulations governing accessory uses are set forth at Article 4, Section 5, Accessory Uses, Buildings and Structures.

**Table 1 Residential Use Categories**

<b>A. Household Living</b>	
Residential occupancy of a dwelling unit by a household on a month-to-month or longer basis in structures with self-contained dwelling units, including kitchens.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
House Duplex Attached House Multi-Dwelling Structure Upper Story Residential Live-Work	Dish Antenna under 1 meter Home Occupation as listed at Article 5, Section 12 Detached structures such as garage, carport, shed, swimming pools Raising of Pets Residential Leasing Office Recycling facility

Table 2 Civic Use Categories

<b>A. Community Service</b>	
Uses of a public, nonprofit, or charitable nature providing ongoing public safety, educational, training, or counseling to the general public on a regular basis, without a residential component.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Arts center or similar facility (public) Museum, library Philanthropic institution Police, fire, EMS substation	Associated office Food preparation or dining area Arts and crafts studio, day care, therapy area Indoor or outdoor recreation and athletic facility Limited (internal) retail sales Meeting area Recycling facility
<b>B. Day Care</b>	
Uses providing care, protection and supervision of children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 18 hours each day, although the facility may be open 24 hours each day.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Day care center (8 or more) Drop-in child care center Intermediate childcare Nursery school, preschool	Associated office Food preparation or dining area Health arts and crafts and therapy area Indoor or outdoor recreation and athletic facility Limited (internal) retail sales Meeting area Recycling facility
<b>C. Educational Facility</b>	
Public and private (including charter or religious) schools at the primary, elementary, middle, junior high, or high school level that provide basic academic education. Also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree usually in a campus setting.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Academy (special training) College, community college, university Job training, vocational rehabilitation services Seminary School - public or private (K-12) School - medical, vocational, business Trade school - no heavy equipment or truck operators	Associated office Auditorium, theater Before- and after-school day care Dormitory - housing for students or faculty Food preparation or dining area Health facility Laboratory, library, museum Janitorial facility Meeting area Play area, recreational or sports facility Research - noncommercial, scientific, educational Student center or club Student union or faculty center Support commercial (college-operated bookstore, for example) Recycling facility
<b>D. Medical Facility</b>	
Uses providing medical or surgical care to patients. Some uses may offer overnight care.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Ambulatory surgery center, outpatient clinic Blood plasma donation center Health care service Hospital, medical center Medical, dental laboratory	Associated helicopter landing facility Associated office Chapel, ancillary worship space On-site day care where children are cared for while parents or guardians are occupied on the premises

4.0 Form Districts

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4.1 Specific Form Districts

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4.1.2 Cumberland Avenue Form District

Medical, dental clinic, rehabilitative clinic Medical, dental office, chiropractor	Food preparation or dining area Housing for staff or trainees Limited (internal) retail sales Janitorial facility Meeting area Nursing or medical school Pharmacy Recreational facility Research - noncommercial, scientific, educational Teaching facility Temporary housing for relatives of patients Recycling facility
<b>E. Parks and Open Space</b> Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, or community gardens, and having few structures	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Park, square or plaza	Concession Maintenance facility Play equipment
<b>F. Passenger Terminal</b> Public or commercial facilities for taxi, rail or bus service.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Bus passenger stop, taxi stop Limousine service Charter service	Associated office Concession Janitorial facility Limited (internal) retail sales Maintenance facility Park-and-ride facility
<b>G. Places of Worship</b> Places of assembly that provide meeting areas for religious practice.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Church, mosque, synagogue, temple, chapel	
<b>H. Social Service Institution</b> Uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems, and transient housing related to social service programs	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Alcohol abuse treatment Drug rehabilitation treatment Halfway house Psychiatric institution Sanatorium Social service institution, soup kitchen, transient lodging or shelter for the homeless Transitional home	Adult educational facility Associated office Food preparation or dining area Meeting room On-site day care where children are cared for while parents or guardians are occupied on the premises Staff residences located on-site
<b>I. Utilities</b> Public or private infrastructure serving a limited area with no on-site personnel (minor utility) or the general community and possible having on-site personnel (major utility)	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Minor utilities, including on-site storm water retention or detention facility, neighborhood servicing telephone exchange/switching center, gas or electric installation/transmission, water and wastewater pump station or lift station, gas gates Major utilities artesian well, electric substation, railroad right-of-way (new), transmission tower, waste	Control, monitoring, data or transmission equipment Storage

treatment plant, water pumping facility, water tower or tank	
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**Table 3 Office Use Categories**

<b>A. Office</b>	
Activities conducted in an office setting and generally focusing on business, government, professional, medical or financial services.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Offices including advertising, business management consulting, data processing, collection agency, real estate or insurance agent, professional service such as lawyer, accountant, bookkeeper, engineer, architect, sales office, travel agency Detective agency Financial services such as lender, investment or brokerage house Call Center Counseling in an office setting Government office Radio, TV, or recording studio Utility office	Ancillary storage Food preparation or dining area Health facility Janitorial facility Meeting room On-Site day care where children are cared for while parents or guardians are occupied on the premises Other amenity for the use on on-site employees Limited retail sales (internal) Technical library Recycling facility

**Table 4 Commercial Use Categories**

<b>A. Indoor Recreation</b>	
Generally commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities in an indoor setting.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Auditorium, arena, stadium Athletic, tennis, swim or health club Ballroom, dance hall Bar, tavern, cocktail lounge, nightclub, restaurant with entertainment, beer garden Convention Center Gymnastic facility, sports academy Indoor entertainment activity such as pool hall, billiard hall, bowling alley, amusement arcade, swimming pool Indoor shooting range Movie or other theater Skating rink	Associated office Concession Food preparation or dining area Off-street Parking Pro shop or sales of goods related to the on-site activities of the specific use Recycling facility
<b>B. Overnight Lodging</b>	
Accommodations arranged for short term stays of less than 30 days for rent or lease.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Hotel, motel, inn, extended-stay facility Bed and breakfast, youth hostel Rooming and boarding house	Associated office Bar, tavern, cocktail lounge, nightclub, restaurant with entertainment Food preparation or dining area Laundry facility Meeting facility Restaurant Swimming pool, other recreational facility Recycling facility

<b>C. Restaurant</b> Establishments that prepare and sell food for on- or off-premise consumption.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Cafeteria Delicatessen Pizza delivery facility Restaurant, fast-food restaurant, take-out, yogurt or ice cream shop	Associated office Deck, patio for outdoor seating or dining Drive-through facility Recycling facility
<b>D. Parking</b> Facilities that provide parking not accessory to a principal use, for which a fee may or may not be charged.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Mixed parking lot (partially accessory to a principal use, partly to rent for others), short- and long-term parking facility Park and ride facility Parking lot, surface Parking lot, structure	Structure intended to shield parking attendants from the weather
<b>E. Retail Sales and Service</b> Companies or individuals involved in the sale, lease, or rental of new or used products, or providing personal services or repair services to the general public.	
<b>Principal Uses</b>	<b>Accessory Uses</b>
Stores selling, leasing or renting consumer, home, and business goods within enclosed buildings Auction room, auction house, art or photo studio, gallery Butcher, baker Convenience store with gas pumps, gas station Convenience store without gas pumps Bank Animal grooming, animal hospital, veterinary clinic, pet clinic Dance, martial arts, music studio or classroom Catering establishment Cleaning establishment Dry-cleaning or laundry drop-off or pick-up station, Laundromat Hair, nail, tanning, massage therapy and personal care service Barber and beauty shop Photocopy, blueprint, package shipping and quick-sign service, printing and publishing Photoengraving, post office, travel, ticket agency Security service Tattoo shop, palmist, psychic, medium, massage parlor Urgent care or emergency medical office Appliance, bicycle, canvas product, clock, computer, jewelry, musical instrument, office equipment, radio, shoe, television or watch repair Tailor, milliner Gunsmith, locksmith	Associated office Automatic one bay car wash facility Drive-thru facility Food preparation or dining area On-site day care where children are cared for while parents or guardians are occupied on the premises Repackaging of goods for on-site sale Storage of goods Temporary outside display at the following times: <ul style="list-style-type: none"> <li>• Special sales events endorsed by the Cumberland Avenue Merchants Association;</li> <li>• University of Tennessee home football game weekends; and</li> <li>• For five (5) consecutive days beginning two (2) days prior to U.T. fall and spring semester registration.</li> </ul>