

## A. INTRODUCTION

The intent of the Cumberland Avenue Corridor form district is to provide a blue-print for future development of the Cumberland Avenue corridor that allows for greater certainty in determining the outcome of growth. The Cumberland Avenue Corridor Plan, adopted by the Metropolitan Planning Commission and City Council in 2007, provides a vision for future growth shared by those who participated in the plan development process. These regulations are written to shape future development in such a way as to assist in creating a built environment that achieves the vision of the plan.

Form districts differ from basic zone districts. Basic zone districts regulate development primarily by controlling the use of property within specific zone districts with the intent to isolate uses from one another. Basic zoning results in dispersed land uses with few centers, excessive land consumption and streets oriented primarily, if not solely, toward the vehicle. The focus on separation of uses makes mixed-use, pedestrian-oriented development difficult in most basic zone districts.

Form districts de-emphasize land use in favor of building form, type and scale. They encourage a greater mix of land uses and place a stronger emphasis on design of the public realm. In addition, greater public participation in the planning process enables all stakeholders in the district to have a better understanding of the outcome of future development.

The Cumberland Avenue Corridor is divided into four frontage sub-districts, identified in these regulations as Cumberland Avenue and 17<sup>th</sup> Street frontages (CAC-1), Lake Avenue frontage (CAC-2), White Avenue – Hospital frontage (CAC-3), and White and Clinch Avenue – neighborhood frontage (CAC-4). These sub-districts also include the side street to the mid-block alley. Each sub-district has some of its own characteristics, but all share the common goal of providing quality development that provides a mix of uses and pedestrian-oriented streets and public spaces.



Example Street Scene

### How to Use These Regulations

In order to understand what these regulations allow on property within the district there is a very important procession of steps.

- a. Review the **Cumberland Avenue Corridor Plan**, adopted in 2007, to gain an understanding of the future potential and character envisioned for the area and the overall design principles to understand the area context.
- b. Review the **Administrative Procedures** section of these regulations in order to gain an understanding of the purpose of the code, its applicability to specific sites, and the approval and administrative process required of development.
- c. Look at the **Regulating Plan** (available at MPC offices or on its website). Locate the property. The Regulating Plan is a graphic representation to show the developable area and setbacks as they apply to the site. Note the color of the lot to determine the zoning designation and the applicable standards. Additional information is available in the specific district requirements.
- d. Look at the appropriate **specific district requirements** sections. These sections describe the regulations for developing each site in terms of Height, Building Site, Building Development Standards, and Use. This information explains where the building will sit on the site, the parameters for its three dimensional form, the range of allowable uses, the palette of materials that will cover it.
- e. Look for **additional standards, specifications and requirements** that may be included as specific district regulations.



Cumberland Ave. Urban Design Plan

**B. ADMINISTRATIVE PROCEDURES**

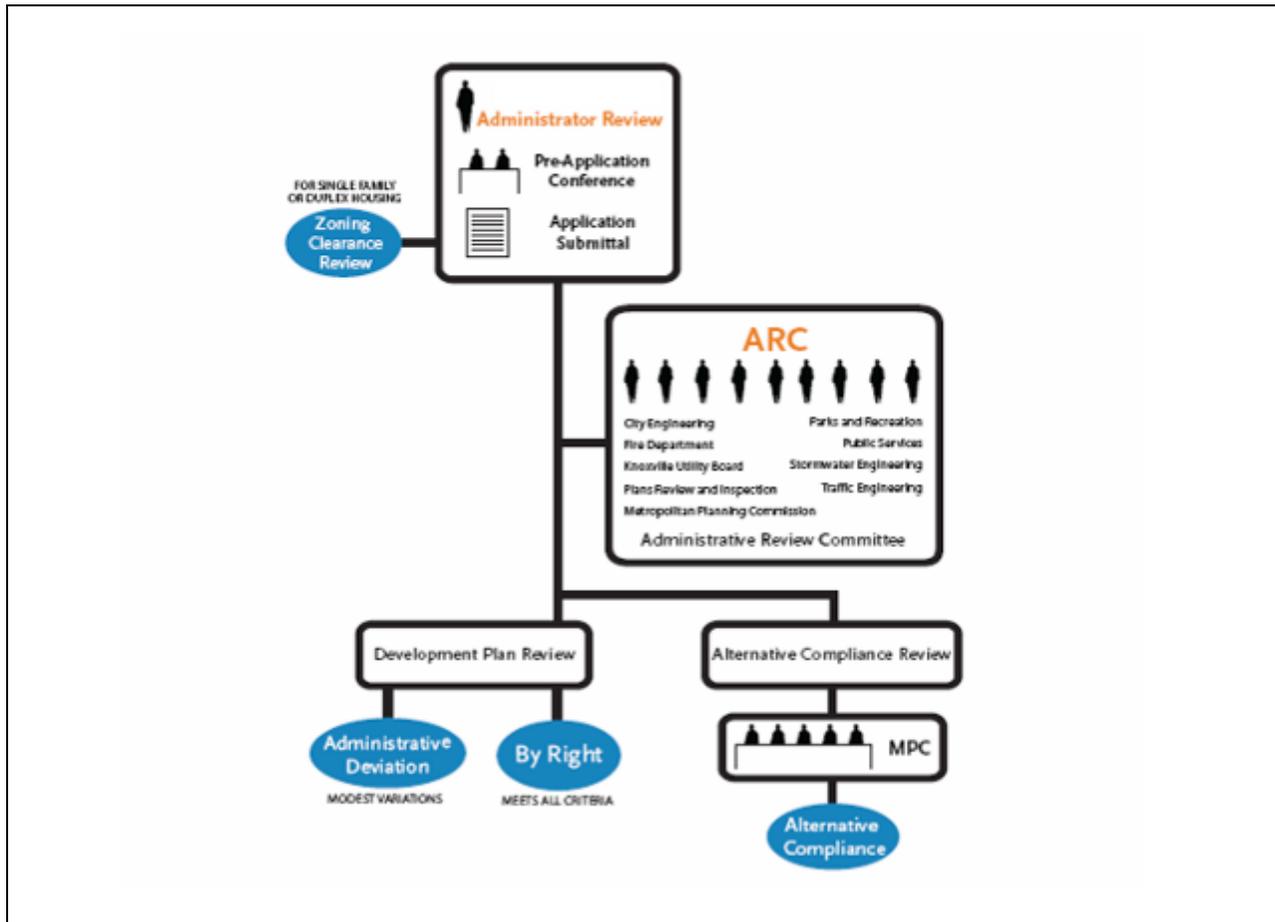
**1. Summary of Review Authority**

	Administrator	Administrative Review Committee	MPC	Appeal Body	Reference
Zoning Clearance Review	D			<BZA>	Article 4, Section 4.2.B.6
Development Plan Review	D	R		<BZA>	Article 4, Section 4.2.B.7
Alternative Compliance Review	R	R	<D>	<CC>	Article 4, Section 4.2.B.8
Written Interpretations	D			<BZA>	Article 4, Section 4.2.B.9

R = Recommendation  
CC = City Council

D = Decision  
MPC = Metropolitan Planning Commission

< > = Public Hearing  
BZA = Board of Zoning Appeals



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**2. General Administrative Provisions**

- a. **Applicability.** The requirements of this section apply to all development within any Form District as designated on the Zoning Map (See Article 3, Section 2).
- b. **Conflicting Provisions.** Wherever there appears to be a conflict between the provisions of the Cumberland Avenue Corridor district regulations and requirements in Article 5 (Supplementary Regulations) of the Zoning Ordinance or the Knoxville and Knox County Subdivision Regulations, the requirements set forth in the Cumberland Avenue Corridor district regulations shall prevail.
- c. **Applicable Standards.** Standards shall be applied as shown below to any portion of development to the extent possible, as determined by the Administrator.

Type of Development	Applicable Standards, if required in Specific District Regulations												
	Parking, Stacking and Loading	Landscaping	Buffers and Screening	Signs	Exterior Lighting	Street Walls	Setbacks and Yards, Required Building Line	Height	Fenestration (doors and windows)	Open Space Areas	Access and Circulation	Awnings, Canopies, Porches	Materials
<b>Commercial, Office, Mixed Uses</b>													
New Construction	X	X	X	X	X	X	X	X	X	X	X	X	X
Change of Use	X			X									
Expansion of Use within Existing Structure	X			X									
25% or less Expansion of Existing Gross Floor Area	X	X	X	X					X				
More than 25% up to 50% Expansion of Existing Gross Floor Area	X	X	X	X			X		X	X			
50% or more Expansion of Existing Gross Floor Area	X	X	X	X	X	X	X	X	X	X	X	X	X
Façade Changes (Increase/decrease in windows, doors and awnings)		X		X									X
Reconstruction of structure on same footprint (foundation or slab) if involuntarily damaged or destroyed	X	X	X	X									X
<b>Attached Houses, Multi-Dwelling Residential Structures (three or more units)</b>													
New Construction	X	X	X	X	X	X	X	X	X	X	X	X	X
Change of Use	X			X									
Expansion of Gross Floor Area	X			X			X	X					X
Reconstruction of structure on same footprint (foundation or slab) if involuntarily damaged or destroyed	X	X	X	X									X
<b>Houses and Duplexes</b>													
New Construction	X	X	X	X	X	X	X	X	X	X	X	X	X
Change of Use	X			X									
Expansion of Gross Floor Area	X			X			X	X				X	X
Addition of Structures (accessory structure, shed, detached garage)							X	X					X
Reconstruction of structure on same footprint (foundation or slab) if involuntarily damaged or destroyed	X	X	X	X				X					

### 3. Cumberland Avenue Corridor Administrator

- a. **Authority.** The **Cumberland Avenue Corridor Administrator** (Administrator) is responsible for the day-day-administration of these district regulations and is specifically authorized to approve applications for Zoning Clearance and Development Plans pursuant to these regulations. The Administrator is the Chief Building Official for the City of Knoxville.
- b. **Delegation of Authority.** The Administrator may designate any City or Metropolitan Planning Commission staff member to represent the Administrator in any function assigned by these regulations. The Administrator shall remain responsible for any final action.

### 4. Form District Administrative Review Committee

- a. **Authority.** The City Council has delegated review of Development Plans and application to the Administrative Review Committee pursuant to these regulations. The Administrator shall serve as chairman of the Administrative Review Committee and shall be responsible for all final actions.
- b. **Composition.** In addition to the Administrator, the Administrative Review Committee shall consist of a representative from the following entities:
  - (1) Civil Engineering
  - (2) Fire Department
  - (3) Knoxville Utility Board
  - (4) Metropolitan Planning Commission
  - (5) Plans Review and Inspection
  - (6) Parks and Recreation
  - (7) Public Services
  - (8) Stormwater Engineering
  - (9) Traffic Engineering

### 5. General Review Procedures

- a. **Pre-application Conference.**
  - (1) Prior to completion of project design and formal submittal of a required application, the Administrator shall schedule a pre-application conference with the applicant to discuss the procedures, standards and regulations of development within the district.
  - (2) A request by a potential applicant shall be accompanied by preliminary project plans and designs and the required filing fee.
  - (3) The Administrator shall 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 shall not be binding for either the applicant or the City.
- b. **Application Requirements.**
  - (1) **Forms.** Applications required under these district regulations shall be submitted to the Administrator on forms and in such numbers as required by the Administrator.
  - (2) **Completeness Review.**
    - (a) All applications shall 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 shall notify the applicant in writing whether or not the application is complete or whether additional information is required.
    - (b) An application shall be 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 this section.
    - (c) The presumption shall be that all of the information required in the applications forms is necessary to satisfy the requirements of these district 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 is necessary.

- (d) Upon receipt of a complete application, the Administrator shall review the application and may confer with the applicant to ensure an understanding of the applicable requirements of the specific 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.
- (3) Concurrent Applications.
  - (a) Applications may be filed and reviewed concurrently, at the option of the applicant. Any application that also requires a variance shall not be eligible for final approval until the variance has been granted.
  - (b) Applications submitted concurrently are subject to approval of all other related applications; denial or disapproval of any concurrently submitted application shall stop consideration of any related applications until the denied or disapproved application is resolved.
- c. **Definitions and Rules of Interpretation.**
  - (1) Definitions in this section apply to Section 4.2, Cumberland Avenue Corridor Form District only.
  - (2) Statements that have language such as "shall" or "shall not" are mandatory.
  - (3) Statements that have language such as "preferred" mean that the applicant must comply unless he/she can prove to the ARC that it is impractical for his/her project, based on the following criteria:
    - (a) The physical conditions of the property (e.g. Steep slopes, flood plain, drainage, or small/irregular lot shape) or the existing building features make compliance physically impossible; or
    - (b) The applicant presents an alternative means of compliance that, in the judgment of the Metropolitan Planning Commission, in accordance with approval procedures described below, meets the applicable principles and complies with the stated goals and standards of the District.
  - (4) Guideline statements that have language such as "encouraged" or "discouraged" mean that compliance is not mandatory, but recommended.

## 6. Zoning Clearance Review

- a. **Purpose.** Zoning Clearance review is intended to ensure that all houses and duplexes comply with the requirements of these district regulations.
- b. **Applicability.** Zoning Clearance is required for the construction of, or major addition to (greater than 50 percent of existing gross floor area) a house or duplex on an individual lot.
  - (1) Where an administrative deviation is requested, the application shall be reviewed pursuant of Section 4.2.B.7 (Development Plan Review).
  - (2) Where a variance is requested it shall be considered by the Board of Zoning Appeals in accordance with Article 7, Section 2 (Variances), prior to approval of an application for Zoning Clearance.
- c. **Authority.** The Administrator is authorized to approve applications for Zoning Clearance within the district. No building permit for a house or duplex shall be issued or structure or building erected, and no existing house or duplex shall be altered, remodeled, or enlarged or extended until the Administrator has approved the application for Zoning Clearance.
- d. **Pre-Application Conference.** An applicant requesting Zoning Clearance shall schedule a pre-application conference in accordance with Section 4.2.B.5.a.
- e. **Application Requirements.** An application for Zoning Clearance shall be submitted in accordance with Section 4.2.B.5.b.

- f. **Administrator Action.**
  - (1) Upon submission of a completed application, the Administrator shall review the application for consistency with the requirements of the district regulations.
  - (2) Within 10 working days after the application has been determined complete, the Administrator shall approve or deny the application for Zoning Clearance.
- g. **Approval Criteria.** In approving an application for Zoning Clearance, the Administrator shall consider the following:
  - (1) Compliance with all applicable district standards;
  - (2) Compliance with all applicable Zoning Ordinance standards; and
  - (3) Compliance with all applicable Subdivision Regulations.
- h. **Modifications of Approved Applications.** The Administrator has the authority to grant modifications to approved applications for Zoning Clearance in accordance with the provisions of Section 4.2.B.7.h (Administrative Deviations).
- i. **Effect of Zoning Clearance Approval.** Approval of Zoning Clearance shall permit the applicant to apply for other permits and approvals including, but not limited to, those permits and approvals required by this Zoning Ordinance, the Subdivision Regulations, or the Building Code.
- j. **Appeals.** Any person, firm or corporation aggrieved by any decision of the Administrator may appeal the decision to the Board of Zoning Appeals pursuant to Article 7, Section 1C.

## 7. Development Plan Review

- a. **Purpose.** Development Plan review is intended to ensure that all attached houses, multi-dwelling structures, nonresidential development and mixed-use development comply with the requirements of these district regulations.
- b. **Applicability.** Except for houses and duplexes on individual lots, all proposed development, including new construction or expansion of an existing structure of building, is subject to the Development Plan review process set forth herein in accordance with the applicability table set forth in Section 4.2.B.2.
- c. **Authority.** The Administrator, with review by the Administrative Review Committee, is authorized to approve Development Plans within Form Districts. No building permit shall be issued or structure or building erected, and no existing building or structure shall be altered, remodeled, or enlarged or extended until the Administrator has approved the Development Plan.
- d. **Pre-Application Conference.** An applicant requesting Development Plan approval shall schedule a pre-application conference in accordance with Section 4.2.B.5.a.
- e. **Application Requirements.** An applicant for Development Plan approval shall be submitted in accordance with Section 4.2.B.5.b.
- f. **Administrator Action.**
  - (1) Upon submission of a completed application, the Administrator shall schedule the Development Plan for review by the Administrative Review Committee. The Administrative Review Committee shall review the Development Plan for consistency with the requirements of district regulations.
  - (2) Upon completion of the technical review, the Administrator may meet with the applicant to discuss any changes in development design.
  - (3) Within 20 working days after the application has been determined complete, the Administrator shall determine whether the Development Plan conforms to all applicable requirements of the district regulations.
- g. **Approval Criteria.** In approving a Development Plan, the Administrator shall consider the following:
  - (1) Recommendations from the Administrative Review Committee;
  - (2) Compliance with all applicable district standards;
  - (3) Compliance with all applicable Zoning Ordinance standards;
  - (4) Compliance with all applicable Subdivision Regulations;
  - (5) Compliance with the Major Road Plan; and

- (6) Compliance with the One Year Plan.
- h. **Administrative Deviations.**
  - (1) Authority. During the Development Plan review process, the Administrator is authorized to approve specific administrative deviations to certain provisions of the district regulations, where, owing to special conditions, strict enforcement would be physically impractical. This optional approval shall occur only where the applicant requests an administrative deviation to a standard specified below.
  - (2) Permitted Deviations. The Administrator shall review the request in light of the intent and purpose of the district requirements. The Administrator is authorized to approve an administrative deviation for the following building and site design configurations:
    - (a) Required Building Line – increase or decrease of up to 1 foot from a Required Building Line.
    - (b) Frontage at Required Building Line (minimum percentage of build-to) – reduction of up to 5 percent of required length.
    - (c) Side Setback – reduction of up to 50 percent of the required minimum setback.
  - (3) Unlisted Standards. Any request for relief from a required standard, other than those listed above, shall be reviewed by the Board of Zoning Appeals in accordance with Article 7, Section 2 (Variances).
- i. **Modifications of Approved Development Plan.** The Administrator, with review by the Administrative Review Committee, has the authority to grant modifications to approved Development Plans in accordance with the provisions of this section.
- j. **Effect of Development Plan Approval.** Approval of a Development Plan shall permit the applicant to apply for other permits and approvals including, but not limited to, those permits and approvals required by this Zoning Ordinance, the Subdivision Regulations, or the Building Code.
- k. **Appeals.** Any person, firm or corporation aggrieved by any decision of the Administrator may appeal the decision to the Board of Zoning Appeals pursuant to Article 7, ~~Section B-3~~ **Section 1C**.

## 8. Alternative Compliance Review

- a. **Purpose.** Alternative Compliance is intended to permit innovative, high quality developments than would otherwise not be allowed under a strict interpretation of the district regulations, but nevertheless comply with the intent of adopted plans. The Alternative Compliance mechanism is also intended to provide a review process for requests by applicants for reconstruction or expansion of nonconforming structures in the Cumberland Avenue Corridor District.
- b. **Applicability.** Any development that does not meet the requirements of Zoning Clearance (Section 4.2.B.6 above), Development Plan review (Section 4.2.B.7 above), or Article 7, Section 2 (Variances) may submit an application for Alternative Compliance.
- c. **Authority.** The Administrator, with review by the Administrative Review Committee, is authorized to forward applications for Alternative Compliance to the Metropolitan Planning Commission. No building permit shall be issued or structure or building shall be erected, and no existing building or structure shall be altered, remodeled, or enlarged or extended until the Metropolitan Planning Commission has approved the application for Alternative Compliance.
- d. **Pre-Application Conference.** An applicant requesting Alternative Compliance approval shall schedule a pre-application conference in accordance with Section 4.2.B.5.a.
- e. **Application Requirements.** An applicant for Alternative Compliance approval shall be submitted in accordance with Section 4.2.B.5.b.
- f. **Administrator Action.**
  - (1) Upon submission of a completed application, the Administrator shall schedule the application for review by the Administrative Review Committee. The Administrative Review Committee shall review the application for consistency with the requirements of district regulations.

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- (2) Upon completion of review, the Administrator may meet with the applicant to discuss any changes in development design.
  - (3) The Administrator shall prepare a report that reviews the application in light of comments provided by the Administrative Review Committee, and in light of adopted plans and the general requirements of district regulations. The report and any related application materials shall be forwarded to the Metropolitan Planning Commission.
- g. **Metropolitan Planning Commission Action.**
- (1) The Planning Commission shall hold a public hearing subsequent to notification consistent with its Administrative Rules and Procedures.
  - (2) Within 25 working days after the application has been determined complete, the Planning Commission shall approve or disapprove the application, or send the application back to the Administrative Review Committee for additional consideration.
  - (3) In the exercise of its approval, the Planning Commission may impose such conditions regarding the location, character or other features of the proposed development as it may deem advisable in the furtherance of the general purpose of adopted plans.
- h. **Approval Criteria.**
- (1) In reviewing an application for Alternative Compliance, in cases other than applications concerning reconstruction or expansion of nonconforming structures in the district, the Planning Commission shall consider the following:
    - (a) Consistency with adopted plans;
    - (b) That the development will not have a substantial or undue adverse effect upon the neighborhood, the character of the plan area, traffic conditions, parking, public infrastructure, and other matters affecting the public health, safety and general welfare;
    - (c) That the development will be constructed and operated to be compatible with the neighborhood.
    - (d) That the proposed development can be adequately served by public facilities;
    - (e) That the proposed development will not result in the destruction, loss, or damage of any significant natural, scenic, or historical district, site, or feature;
    - (f) Compliance with all applicable district standards;
    - (g) Compliance with all applicable Zoning Ordinance standards;
    - (h) Compliance with all applicable Subdivision Regulations;
    - (i) Compliance with the Major Road Plan; and
    - (j) Compliance with the One Year Plan.
  - (2) In reviewing an application for Alternative Compliance, in cases concerning nonconforming structures in the districts, the Planning Commission shall consider the following:
    - (a) That the application concerns such nonconforming structures that are proposed to be reconstructed due to a voluntary destruction, or that are proposed to be expanded; and
    - (b) That the application only concerns the reconstruction or expansion of such structures that the Administrator has determined are not addressed by the dimensional, locational, or building design requirements applicable in the district; and
    - (c) 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 applicable in the district.
- i. **Modifications of Approved Applications.**
- (1) Minor Modifications. The Administrator, with review by the Administrative Review Committee, has the authority to grant minor modifications to a development with Alternative Compliance approval. The applicant shall file a written application for such

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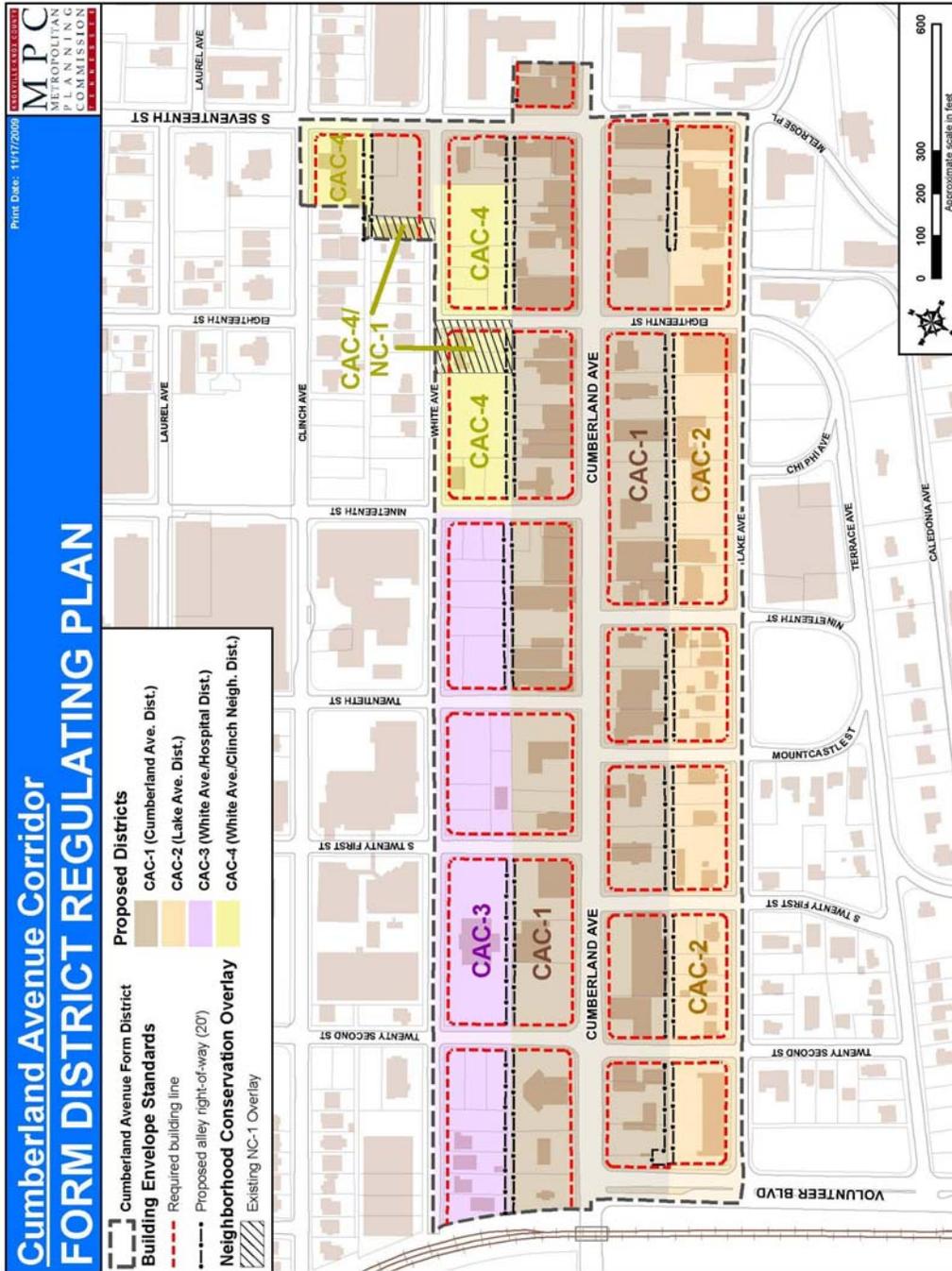
amendment with the Administrator. Minor modifications shall include, but not be limited to the following:

- (a) A less than 5 percent change in gross floor area, number of residential dwelling units, parking area, or parking spaces; and
  - (b) A 10 percent decrease in open space; and
  - (c) 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.
- (2) Major Modifications. If the proposed amendment is not considered a minor modification, the approved application shall be amended in accordance with the procedures and standards that governed its original approval.
- j. **Appeals.** Any person, firm or corporation aggrieved by any decision of the Planning Commission may petition the decision to the City Council in accordance with Article 7, Section 6.F.

### 9. Written Interpretations

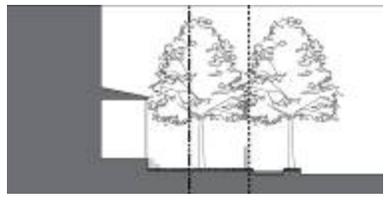
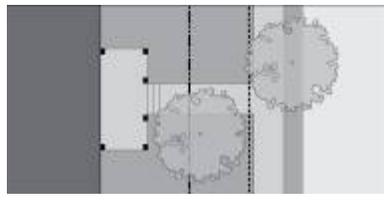
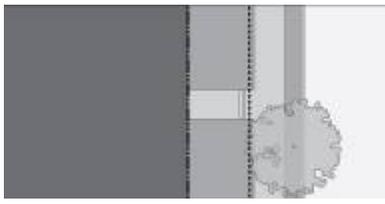
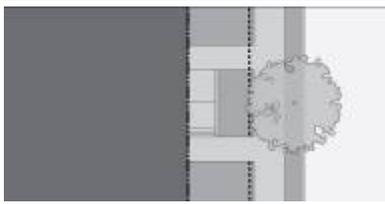
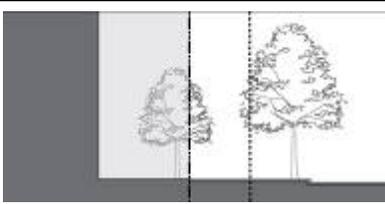
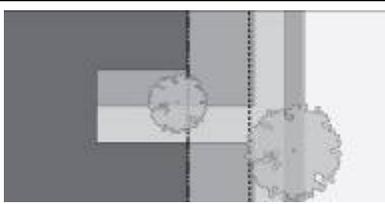
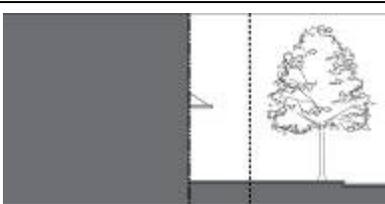
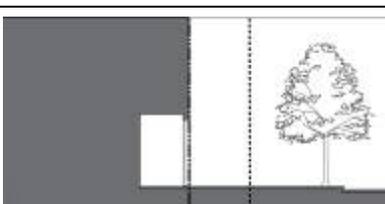
- a. **Applicability.** When uncertainty exists, the Administrator shall be authorized to make all interpretations concerning the provisions of the Cumberland Avenue Corridor district regulations.
- b. **Application Requirements.** An application for a written interpretation shall be submitted in accordance with 4.2.B.5.b.
- c. **Administrator Action.**
  - (1) The Administrator shall review and evaluate the request in light of the text of the district regulations, the Zoning Map, the adopted plans, and any other relevant information;
  - (2) Following completion of ~~staff~~ review, the Administrator shall render an opinion.
  - (3) The interpretation shall be provided to the applicant in writing.
- d. **Official Record.** The Administrator shall maintain an official record of all interpretations and shall provide a copy of all interpretations to appropriate city officials. The record of interpretations shall be available for public inspection during normal business hours.
- e. **Appeals.** Any person, firm or corporation aggrieved by any decision of ~~a~~ **the** Form District Administrator may appeal the decision to the Board of Zoning Appeals pursuant to Article 7, Section B.3.

C. REGULATING PLAN



**D. BUILDING FRONTAGE TYPES**

1. The following building frontage types are allowed within the district:

Building Frontage Type	Section View	Plan View
<p><b>Porch.</b> A frontage wherein the façade is set back from the frontage line 15' with an attached porch permitted to encroach up to 8' beyond the RBL. A fence at the frontage line maintains the street wall concept. The porches shall be no less than 8 feet deep.</p>		
<p><b>Terrace or Light Court.</b> A frontage wherein the façade is set back from the frontage line by an elevated terrace or sunken light court. This type buffers residential use from urban sidewalks and removes the private yard from public encroachment.</p>		
<p><b>Stoop.</b> A frontage type with a stoop centered on the entry, no more than 5' deep with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residences.</p>		
<p><b>Courtyard.</b> A frontage type wherein a portion of the façade is at the frontage line and a portion is set back. The entry is at grade. The courtyard created is suitable for vehicular drop-offs or outdoor uses.</p>		
<p><b>Shopfront.</b> A frontage wherein the façade is at the RBL with the building entrance at sidewalk grade. This type is conventional for retail use. It has windows facing the sidewalk level and an awning that may overlap the sidewalk as defined in Section G, Building Development Standards.</p>		
<p><b>Gallery.</b> A frontage wherein the façade is aligned at the frontage line with an attached cantilevered shed or lightweight colonnade overlapping the sidewalk. This type is conventional for retail use. The gallery shall be no less than 8 feet wide and cannot extend past the property line.</p>		
<p><b>Arcade.</b> A frontage wherein the façade is a colonnade that is at the required building line. The arcade shall be no less than 8 feet wide and may have habitable or useable floor space above it.</p>		

Note: These are graphic examples and are not exhaustive.

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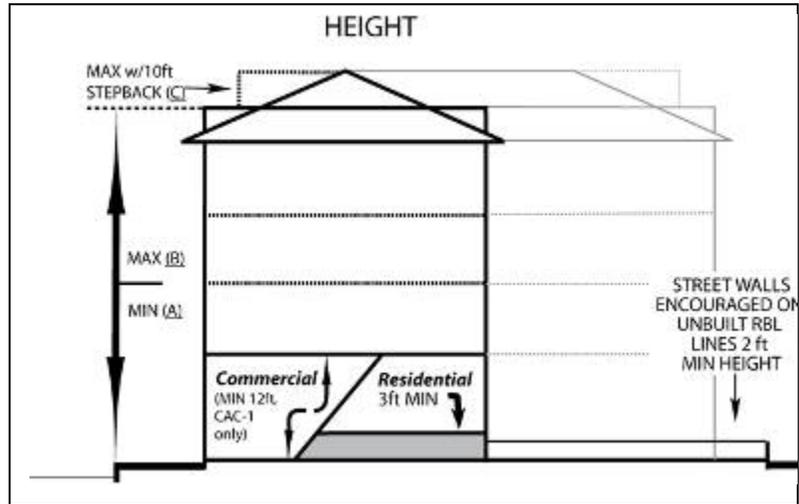
2. Along each street frontage, the building frontage types are allowed in accordance with the following table:

Building Frontage Type	CAC-1 Cumberland Ave.	CAC-2 Lake Ave.	CAC-3 White Ave. Hospital	CAC-4 White Ave. Residential
Porch				X
Terrace or Light Court		X	X	X
Stoop		X	X	X
Courtyard		X	X	X
Shopfront	X	X	X	
Gallery	X	X	X	
Arcade	X	X	X	

**E. HEIGHT REQUIREMENTS**

**1. Building Height**

- a. The height of the principal building is the vertical distance from the front building line grade plane to the average height of the highest roof surface. For roofs with less than a four in twelve pitch, the height shall be measured to the highest point of the roof.
- b. For primary residential uses on the ground floor, the finished floor elevation shall be no less than 3 feet above the exterior sidewalk elevation.
- c. Each principal building shall meet the following height standards in accordance with the regulating plan:



**Table 1 Height Requirements**

Regulating Plan Zone		(A) Minimum Height	(B) Maximum Height Without Step-back	(C) Maximum Height w/ 10 FT Step-back
Type	Frontage Area			
CAC 1	Cumberland Avenue and Seventeenth Street	30 FT	70 FT	85 FT
CAC 2	Lake Avenue	20 FT	70 FT	85 FT
CAC 3	White Avenue - Hospital Frontage	20 FT	70 FT	85 FT
CAC 4	White and Clinch Avenues - Neighborhood Frontage	20 FT	40 FT	50 FT

**2. Parking Structure Height**

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

**3. Ground Story Height**

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.

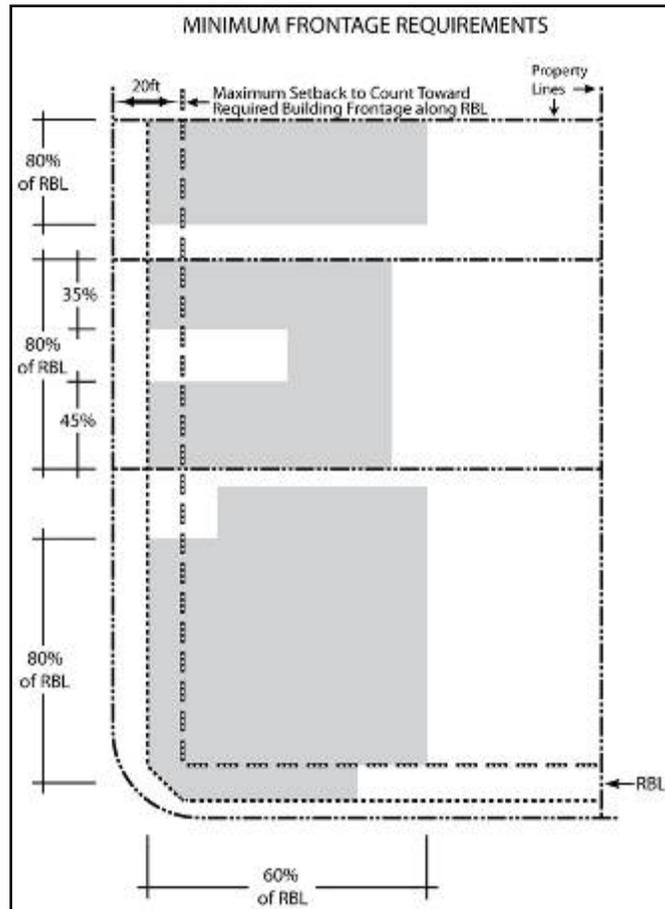
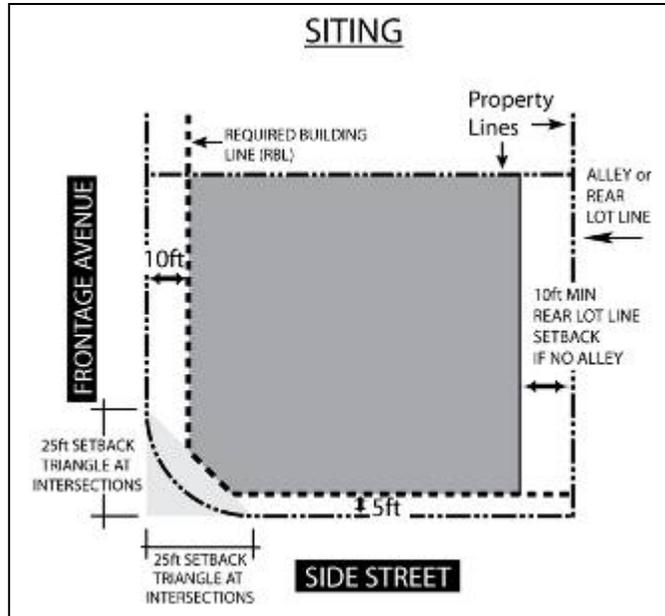
**4. Street Wall Height**

- a. A street wall not less than 2 feet in height is encouraged along any required building line frontage that is not otherwise occupied by the principal building on the lot.
- b. 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.

**F. SITING REQUIREMENTS**

**1. Street Facade**

- a. On each lot, the required build-to line (RBL) shall be established 10 feet in back of the property line along Cumberland, White and Lake Avenue rights-of-way, and 5 feet in back of the property line along all other street rights-of-way. The building façade or building elements may be built 1 foot on either side of the RBL.
- b. Along an Avenue and Seventeenth Street, the building facade shall be built to the RBL for at least 80% of the RBL length.
- c. Along a Street (except 17<sup>th</sup> Street), the building facade shall be built to the RBL for at least 60% of the RBL length.
- d. On all corner properties, the RBL shall create a visibility triangle with 25 foot legs along the property lines at the corner so that a building constructed on the corner shall be chamfered toward the intersection. No part of any building shall encroach within the visibility triangle established on the regulating plan. Adequate sight distance shall be demonstrated to the satisfaction of the Department of Engineering.
- e. The building façade shall be built to the RBL within 50 feet of a Cumberland Avenue intersection.
- f. Building façades on the required build-to line may include articulation of not more than 18 inches in depth except as provided in BUILDING DEVELOPMENT STANDARDS, (Sections G.2.b.11 and G.4.b.2).
- g. Outdoor seating areas in front of a building may be counted as building frontage provided the principle structure is located no more than 20 feet from the required build-to line for the entire width of the seating area. The seating area shall be separated from the sidewalk by a wall or fence and shall provide any required means of exiting.



**2. Open Space**

A contiguous open space equal to at least 10% of the total buildable area shall be preserved on every lot. Such contiguous open space may be at grade, on a second floor level, or above a parking structure. The intent of this open space is to allow light and air to penetrate the site. No part of a building, except overhanging eaves, awnings, or balconies shall occupy space above the dedicated open space.

**3. Side Lot Setbacks**

- a. 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 step-back from the side lot setback.
- b. No setback is required where a common lot line is shared with a property with a non-residential use.
- c. Mixed-use buildings with a residential component shall be considered a residential use, for the purpose of determining the side lot setback.

**4. Garage and Parking**

- a. 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.
- b. Garage entries or driveways shall not be permitted along Cumberland Avenue and along White and Lake Avenues are discouraged. Access to parking from the alleys and side streets is preferred.
- c. 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.
- d. These requirements are not applicable to on-street parking.

**5. Alleys**

- a. Minimum required right-of-way shall be 20 feet.
- b. Land requiring subdivision approval shall provide minimum required alley right-of-way in accordance with the regulating plan.
- c. There is no required setback from alleys or shared access easements meeting minimum alley specifications.
- d. A minimum setback of 10 feet from rear property line is required if there is no alley or easement in accordance with the regulating plan.

**6. Unbuilt Required Building Line and Common Lot Line Treatment**

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

## G. BUILDING DEVELOPMENT STANDARDS

### 1. General Principles and Intent

These Building Development Standards serve to establish a coherent character for the Cumberland Avenue Corridor District and encourage a high caliber, lasting quality of development. Proposed development plans must be reviewed by the Administrative Review Committee (ARC) and approved by the Administrator to verify that they meet these standards, as well as the building type, height, siting and other standards established by the Cumberland Avenue Corridor regulations.

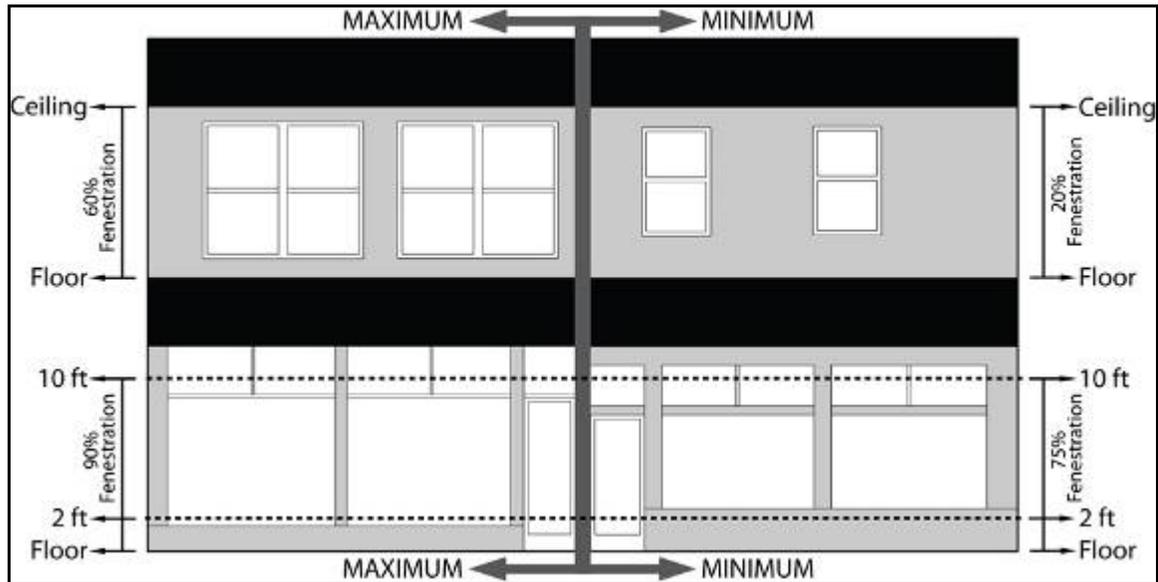
- a. The following *Principles* and *Standards* shall be applied to all development projects within the district. A statement of Principle precedes each set of Standards, defining the general intent and goals to be achieved.
- b. The standards that follow each Principle define more specific requirements for compliance. The standards are intended to provide some flexibility to the applicant, providing the project meets the general intent of the principle.
- d. Development standards apply only in conditions where clearly visible from the public space. For these purposes the definition of public space includes street rights-of-way (not including alleys), parks, public squares, and public greens. These standards therefore concentrate on the views from the public space and minimize interference in the private realm. For example, an architectural element that is visible only through an opening in a street wall is not clearly visible from the street space.

### 2. Building Entry Doors and Windows

- a. **Principle.** Doors, windows and other façade and street wall openings and bays shall reinforce and maintain the district's patterns of the slot commercial context, and provide interest for the pedestrian.
- b. **Standards:**
  - (1) On corner lots with frontage on Cumberland Avenue, at least one building entrance shall be located at the corner.
  - (2) Maximum length of walls without fenestration is 20 linear feet.
  - (3) Except the CAC 4 sub-district, 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 five (5) feet above the finished floor level.
  - (4) Window and door openings shall be in accordance with the following table, measured as a percentage of the area of the façade between two (2) feet and ten (10) feet above each floor level:

**Table 4.2.2 Window and Door Requirements**

Regulating Plan Zone		Ground Level	Upper Levels
Sub-District	Frontage Area		
CAC 1	Cumberland Avenue and Seventeenth Street	Minimum 75% Maximum 90%	Minimum 20% Maximum 60%
CAC 2	Lake Avenue	Minimum 40% Maximum 90%	Minimum 20% Maximum 60%
CAC 3	White Avenue - Hospital Frontage	Minimum 40% Maximum 90%	Minimum 20% Maximum 60%
CAC 4	White and Clinch Avenues - Neighborhood Frontage	Minimum 40% Maximum 90%	Minimum 20% Maximum 60%

**EXAMPLE OF WINDOW AND DOOR REQUIREMENTS**

- (5) Window frames (including glass block) shall be recessed at least 2 inches from the exterior face of the building (to avoid a flat appearance to the plane of the wall).
- (6) Stone or similar materials for window heads (lintels) and sills consisting of accent masonry, precast concrete, soldier, or rowlock brick courses are preferred.
- (7) A vertical or square orientation for upper story windows is preferred.
- (8) Windows divided into multiple panes of glass are encouraged.
- (9) Heavily tinted or mirrored windows shall not be used on the ground floor.
- (10) Recessed entry doorways are encouraged. Entry doors located so as to face the street and recessed no less than the door width are encouraged. Doorways should not be recessed more than five (5) feet from the front façade unless a colonnade, arcade, courtyard, café, window display, or other animated space is provided between the doorway and the sidewalk. If the doors are recessed more than three (3) feet, then angled walls to promote the door's visibility are preferred.
- (11) All openings, especially windows, are preferred to have a size, spacing, and configuration that is similar to adjoining buildings, provided those buildings meet the standards stated above.
- (12) A vehicle entry gate/opening no wider than 25 feet or a pedestrian entry gate/opening no wider than six (6) feet shall be permitted within any required street wall.

**3. Building Facades**

a. **Principle.** Building facades shall reflect the district's patterns of the slot commercial context and provide interest for the pedestrian. Street walls are also subject to these standards.

b. **Standards:**

- (1) Cornice lines, stringcourses, and other architectural elements shall create a recognizable base, middle, and top to buildings.
- (2) Horizontal elements of all street-facing facades shall generally be aligned with, or related to, the horizontal elements of adjoining buildings.
- (3) Long, uninterrupted horizontal stretches of street-facing facades shall be avoided. Building bays, storefronts, entrances, columns and other vertical elements shall be used in approximately twenty (20) to forty (40) foot increments to articulate the building façade.

- (4) Storefronts shall include elements such as display windows, transoms, awnings, and recessed entrances.
- (5) Recessed or projected brick or masonry courses may be used to emphasize horizontal details of the façade and avoid a flat appearance of the wall.

#### 4. Building Projections.

- a. **Principle.** Building projections are encouraged to provide visual interest to the facades of buildings, but shall not overwhelm the scale of the street façade.
- b. **Standards:**
  - (1) Balconies and stoops shall not project closer than 5 feet to a common lot line.
  - (2) No part of any building, except as provided in Article V, Section 6.B.
  - (3) When an awning is incorporated into a building, the following requirements must be met:
    - (a) Minimum 10 feet clear height above sidewalk, minimum 6 feet depth out from the building façade. Maximum projection to within one foot of back of curb where there are no street trees, or one foot into the furnishing zone.
    - (b) Canvas cloth or equivalent (no shiny or reflective materials) is permitted.
    - (c) Metal and glass are permitted, when configured as a marquee.
    - (d) No internal illumination through the awning/overhang.
    - (e) Awnings and canopies shall complement the fenestration pattern of the building façade.

#### 5. Building Roofs & Parapets

- a. **Principle.** Roofs shall reflect the patterns of the surrounding context and provide visual interest to the tops of the buildings, but shall not overwhelm the scale of the street façade.
- b. **Standards:**
  - (1) Acceptable roof styles are flat, hipped, and front-gabled, although flat roofs are encouraged for commercial and mixed use buildings.
  - (2) Shed roofs (i.e. roofs with a single pitch visible from the street space), except on a gallery, are discouraged.
  - (3) Flat roofs shall incorporate a parapet and/or cornice line that clearly identifies the top of a building.
  - (4) Roof lines similar in pitch and type to nearby buildings on the same street are preferred, unless those buildings have roof types that are disallowed by this code.
  - (5) Occupied roofs, such as roof gardens and terraces are acceptable and shall be incorporated into parapet or appropriate building code standards.
  - (6) Mechanical equipment located on roof tops shall be screened per section 4.2.G.9.b. (Mechanical Equipment).

#### 6. Exterior Building Materials

- a. **Principle.** Exterior materials shall be durable, of high quality and reflect a sense of permanence and urban character.
- b. **Standards:**
  - (1) Buildings shall use materials that are compatible with, or similar to, nearby buildings on the same street, unless those buildings use materials which are disallowed by this code.
  - (2) Materials used at the base of the building are to be stone, brick, ground faced/burnished concrete masonry, stucco, precast concrete or high quality synthetic stone. EIFS materials are not to be used on the base portion of buildings. Utility materials such as split face or standard concrete block are only allowed on rear, interior lot lines and alley frontages.

- (3) Lap siding of metal, aluminum, vinyl or wood shall not be used. Metal panels (as distinct from lap siding) with concealed fastening systems may be used as accent materials.
- (4) **Street Wall Materials**

## 7. Older Existing Buildings & Additions

- a. **Principle.** If at all reasonable, buildings within this district that were built prior to 1950 shall be encouraged for retention and/or preservation.
- b. **Standards:**
  - (1) New additions or alterations shall be compatible with the massing, size, scale, rooflines, materials, and architectural features of the original building.
  - (2) Alterations shall not cover, infill, remove or damage significant, original architectural elements of existing buildings that are visible from the street. Such elements include decorative cornices, windows, doors, trim around openings, railings, storefronts and any historically significant decorative features. Original architectural elements which are in too poor of condition to repair or re-use are preferred to be closely replicated with new elements.
  - (3) New additions shall be placed to the side or rear of existing buildings whenever possible.
  - (4) All building additions shall generally align windows, doors, cornices and other architectural elements with those of the existing building on the primary street frontage.

## 8. Lighting

- a. **Intent.** Building and site lighting shall be designed in such a way as to eliminate light trespass and minimize light pollution. The best lighting schemes will generally lower lighting levels, maximize uniformity and eliminate glare. Lighting for pedestrians is an important consideration and shall be designed to maximize visibility and comfort. These considerations can decrease first costs, have marked value in life-cycle costs and create a more attractive and comfortable nighttime environment. The Illuminating Engineering Society of North American (IESNA) Recommended Practice Manual: Lighting for Exterior Environments (IESNA RP-33-99) is a valuable resource for guidance on best lighting practices. The intent of the outdoor lighting standards is to:
  - (1) Provide adequate light for safety and security;
  - (2) Promote efficient and cost effective lighting and to conserve energy;
  - (3) Minimize light pollution, light trespass, glare, and offensive light sources;
  - (4) Minimize sky-glow to increase night sky access;
  - (5) Minimize development impact on nocturnal environments;
  - (6) Prevent inappropriate, poorly designed or installed outdoor lighting; and to
  - (7) Encourage quality lighting design and light fixture shielding, establish maximum uniformity ratios and establish maximum light levels within and on property lines.
- b. **Principle.** Materials and equipment chosen for lighting fixtures shall be durable and weather well. Appropriate lighting is desirable for nighttime visibility, crime deterrence, and decoration. However, lighting that is too bright or intense creates glare, hinders night vision, and creates light pollution.
- c. **Standards:**
  - (1) **Illuminance.** Meet and maintain the recommended illuminance range and uniformity for each use and/or structure specified in the latest issue of the IESNA publications. These uses include, but are not limited to, service stations, buildings and monuments, intersections, outdoor seating areas, outdoor merchandising, parking facilities, pedestrian ways, walkways/bikeways, roadways, and security locations.
  - (2) **Street Lights.** The pole light or luminaire as specified by the city and KUB shall be used in the district. Refer to Streets Standards for street light information.

- (3) Exterior Building Light Locations. At the front of the building, exterior lights shall be mounted on the building between seven (7) feet and fourteen (14) feet above the adjacent grade.
  - (4) Alley Lighting. All lots with adjacent alleys shall have lighting fixtures within five (5) feet of the alley right-of-way. This fixture shall illuminate the alley consistently (without dark spots), shall be between nine (9) and sixteen (16) feet in height, and shall not cause glare in adjacent lots.
  - (5) Light Colors. Lighting elements that cast a clearly/perceptively unnatural spectrum of light (such as low pressure sodium) are prohibited. Metal halide or halogen light sources are preferred. No fluorescent lights (excepting compact fluorescent bulbs that screw into standard sockets) may be used on the exterior of buildings. These standards may be adjusted by the city as technologies advance and produce additional acceptable elements.
  - (6) Site Lighting. Site lighting may be used to illuminate alleys, parking garages and working (maintenance) areas and shall be full cut-off and not exceed ½ foot-candles of illumination at any property line. Any light fixtures used for alley illumination shall not exceed ½ foot-candles at the alley right-of-way line opposite the subject property. Lighting shall maintain an average-to-minimum uniformity ratio of 5:1. Floodlighting shall not be used to illuminate building walls from sidewalk level (i.e. no horizontally projected up lighting as opposed to vertical "wall washing").
  - (7) Light Trespass. Site lighting shall be of a design and height; and shall be located so as to minimize light spillover on adjoining property.
  - (8) Lighting of Parking Facilities. Lighting for parking garages shall satisfy Crime Prevention Through Environmental Design (CPTED) standards.
  - (9) Light Controls. Automated external lighting controls shall be used and maintained to minimize light pollution and energy consumption. Such controls include but are not limited to, time clocks and/or dimmers, motion and/or light sensors, and phased switching of multiple circuits.
- d. **Prohibitions.** The following types of outdoor lighting fixtures are prohibited;
- (1) Blinking, flashing, moving, revolving, flickering, changing intensity or color, and chase lighting, except for temporary seasonal displays or for public safety.
  - (2) Any light fixture that may be confused or construed as a traffic control device.
- e. **Exceptions.** The standards of this Section shall not apply to the following types of exterior lighting:
- (1) 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.
  - (2) Strings of lights: Strings of lights, not exceeding a maximum of 50 lumens per lamp (equivalent to a seven watt C7 incandescent light bulb) on properties that are used exclusively for residential uses.
  - (3) Right-of-Way lighting: Public lighting that is located within the public right-of-way.
  - (4) Seasonal Lighting Displays: Lighting displays that are temporary and seasonal in nature.
  - (5) Temporary Events: Temporary outdoor activities that include, without limitation, fairs, carnivals, sporting events, concerts, and promotional activities that require temporary outdoor lighting.

## 9. Mechanical Equipment

- a. **Principle:** Mechanical equipment shall be screened from view from the street-space.
- b. **Standards.** The following shall be placed behind and away from any required building line, not be stored or located within any street-space:

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- (1) Air compressors , mechanical, pumps, exterior water heaters, water softeners, utility and telephone company transformers, meters or boxes, garbage cans/dumpsters, storage tanks, and similar equipment shall not be stored or located within any area considered street-space in this code.
- (2) Roof mounted equipment shall be placed behind and away from any required building line and be screened from view from the street-space.

### **10. Front Yard Requirements**

## H. USE REQUIREMENTS

### 1. Ground Level

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 Level

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

### 3. Permitted Uses

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.

#### a. Residential Uses:

- (1) Dwelling Unit
- (2) Live-Work Unit

#### b. Office Uses:

- (1) Office
- (2) Medical or dental offices and clinics
- (3) Banks, savings and loans, mortgage companies and stockbrokers
- (4) Call centers, not exceeding 20,000 square feet at the ground floor

#### c. Commercial Uses:

- (1) Retail sales and trade within enclosed buildings
- (2) Eating and drinking establishments
- (3) Amusement and entertainment establishments
- (4) Hotels and motels
- (5) Bed and breakfast inns
- (6) Commercial and job printing
- (7) Personal service establishments
- (8) Business service establishments
- (9) Establishments offering repair service on small appliances, electronic equipment, watches, furniture, and similar items brought in by customers
- (10) Wholesaling from sample stocks only, provided that no manufacturing or storage for distribution shall be permitted on the premises
- (11) Business schools, studios and vocational schools not involving processes of light or heavy industrial nature
- (12) Laboratories and establishments for production and repair of jewelry, eyeglasses, electronic equipment, small appliances, hearing aids, and prosthetic appliances
- (13) Parking structures

**d. Civic Uses:**

- (1) Churches and similar places of worship
- (2) Clubs and lodges
- (3) Governmental, educational, and cultural facilities, other than middle or high schools
- (4) Utility sub-stations, facilities, and easements; and transportation easements
- (5) Parks and recreational establishments and facilities
- (6) Recycling collection facility as an accessory use only as regulated by article V, section 18.B.

**e. Other Uses:**

- (1) Any other store or shop for retail trade or for rendering personal, professional, or business service, which the Planning Commission finds does not produce more noise, odor, dust, vibration, blast or traffic than those enumerated above.
- (2) Other uses and structures which are customarily accessory and clearly subordinate and incidental to permitted uses and structures, as regulated in Article 5, Section 4.
- (3) Private day nurseries and kindergartens, as regulated in Article 5, Section 3.

**4. 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 five (5) consecutive days beginning two (2) days prior to the University of Tennessee fall and spring semester registration.

# I. Streets

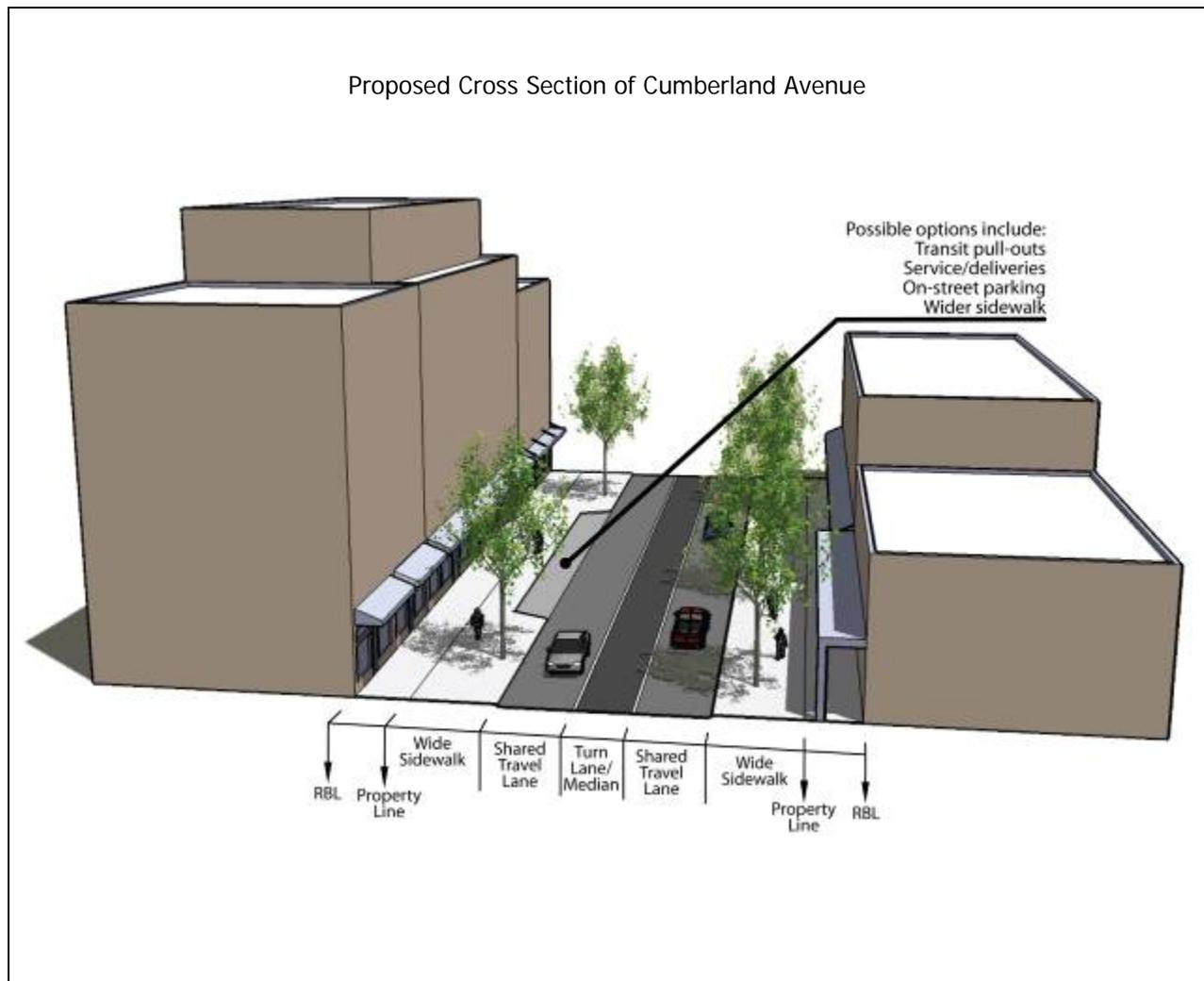
## 1. Intent

The streets within the district are intended to balance the needs of all types of traffic – auto, bicycle, transit, and pedestrian – to maximize mobility and convenience for all citizens and users of the respective street frontage areas. While all streets will appropriately balance the needs of all users, their character will vary by specific location. Some streets will carry a large volume of both automobile and pedestrian traffic and provide a more intense urban experience while others will provide more intimately scaled street-space.

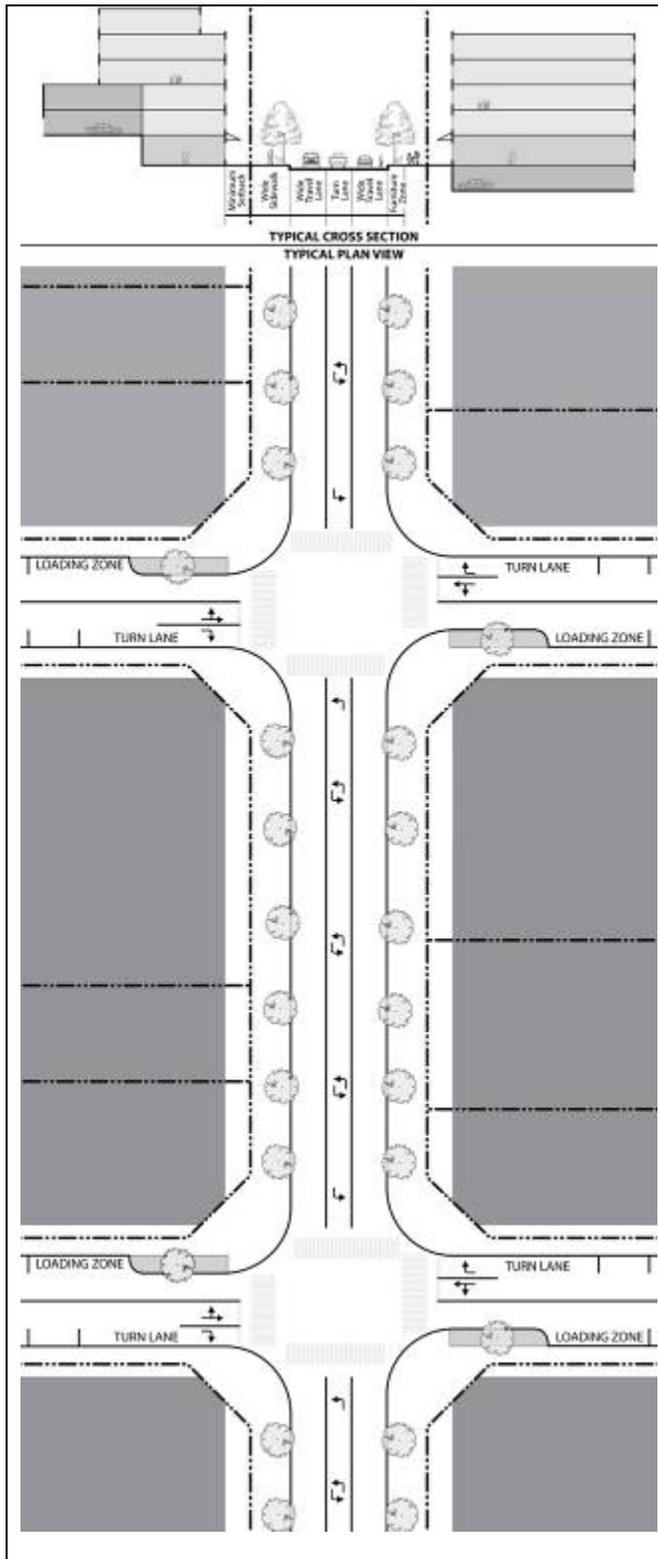
## 2. Street-Type Characterizations

These street characterizations illustrate typical configurations for streets within the district. The City will configure and adjust these as necessary for specific conditions. The characterizations address the concept of complete streets with generalizations of travel and turning lanes, turning radii, on-street parking, sidewalks, street trees and street furnishings.

## 3. Cumberland Avenue Corridor District Street Characterizations



a. Cumberland Avenue



Cumberland Avenue shall be a 'complete street' – one that is designed and operated to enable safe access and movement along and across Cumberland Avenue for pedestrians, bicyclists, motorists and bus riders of all ages and abilities. The design of Cumberland Avenue is intended to slow vehicular traffic in order to maximize the comfort and safety of pedestrians.

Adequate right-of-way is necessary to accommodate vehicle, transit, bicycle and pedestrian movements. Cumberland Avenue featuring two wide travel lanes and a center lane to accommodate turning movements and/or a median is envisioned.

Cumberland Avenue will feature wide sidewalks to accommodate pedestrians, as well as, street trees planted at regular intervals and other street furnishings designed to provide comfort and safety to pedestrians as well as a character to the street that is unique to Cumberland Avenue. The Cumberland Avenue design shall provide transit stops, commercial loading zones, and bicycle accommodations.

Utilities placed underground or within alleys to improve aesthetics are preferred.

Note: This is a graphic example and is not exhaustive.

b. Lake and White Avenues

The diagram consists of two main parts: a 'TYPICAL CROSS SECTION' at the top and a 'TYPICAL PLAN VIEW' below it. The cross section shows a street with a 'Cumberland Avenue Corridor Form Code' on the left, a 'Property Line' in the middle, and 'Adjacent Zoning' on the right. It details various zones: 'Median', 'Subway', 'Bicycle', 'Transit', 'Loading Zone', and 'Bike Lane'. The plan view shows a street layout with buildings, sidewalks, trees, and 'LOADING ZONE' markings. It illustrates the relationship between the street, sidewalks, and adjacent properties.

Lake and White Avenues shall be “complete streets” – streets that are designed and operated to enable safe access and movement for all users along and across the street. The intent of any future redesign of Lake and White Avenues shall be to slow vehicular traffic in order to maximize the comfort and safety of pedestrians.

Adequate right-of-way is necessary to accommodate vehicle, transit, bicycle and pedestrian movements.

White and Lake avenues will feature sidewalks to accommodate pedestrians as well as street trees planted at regular intervals and other street furnishings designed to provide comfort and safety to pedestrians as well as a character to the street that is in keeping with the District.

Utilities placed underground or within alleys to improve aesthetics are preferred.

Note: This is a graphic example and is not exhaustive.

c. Side Streets

The diagram illustrates the proposed street layout for side streets perpendicular to Cumberland Avenue. It includes a cross-section and a plan view. The cross-section shows a street with a sidewalk, parking lanes, travel lanes, and a minimum setback. The plan view shows a grid with Cumberland Avenue at the bottom, White/Lake Avenue at the top, and an Alley in the middle. A 'LOADING ZONE' and 'TURN LANE' are also indicated.

Side streets perpendicular to Cumberland Avenue shall be “complete streets” – streets that are designed and operated to enable safe access and movement for all users along and across the street. The intent of any future redesign of these streets shall be to slow vehicular traffic in order to maximize the comfort and safety of pedestrians.

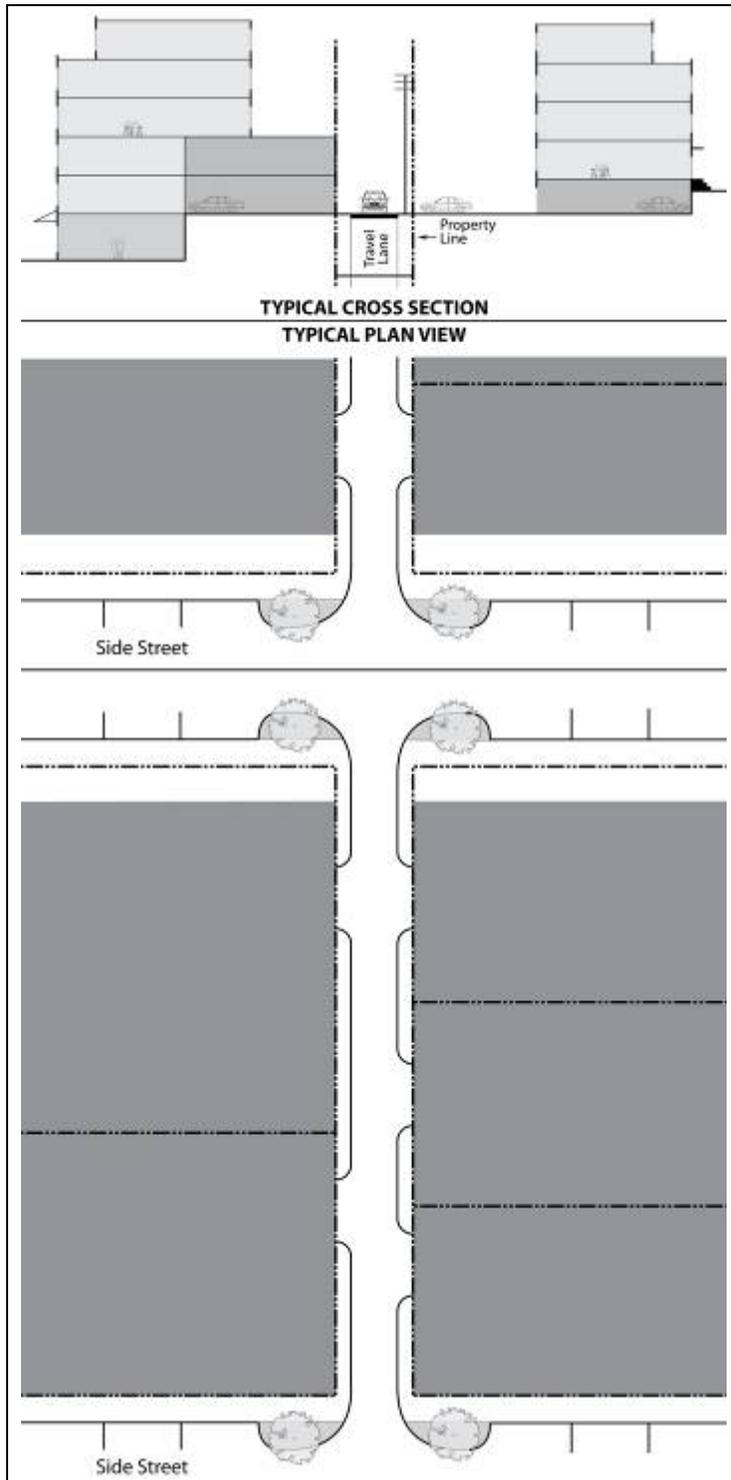
Adequate right-of-way is necessary to accommodate vehicle, bicycle and pedestrian movements. Side streets configured for two-way traffic is envisioned. Turning movements to Cumberland, Lake and White Avenues must be accommodated, as well as potential commercial loading zones and parking.

The side streets shall feature sidewalks to accommodate pedestrians as well as street trees planted at regular intervals and other street furnishings designed to provide comfort and safety to pedestrians as well as a character to the street that is in keeping with the District.

Utilities should be underground or within alleys to improve aesthetics.

Note: This is a graphic example and is not exhaustive.

e. Alleys



Alleys within the District are intended to provide space for utilities and primary vehicular access to parking and loading areas located at the rear of the property. Future design of alleys shall allow slow vehicular traffic, to provide access to property and utilities, and accommodate pedestrian and bicycle travel along and across the alley.

Adequate right-of-way is necessary to accommodate vehicle movements and access to utilities.

Utilities placed underground or overhead within alleys are preferred.

Note: This is a graphic example and is not exhaustive.

## J. Streetscape Standards

### 1. Intent

Streetscapes are the areas between building facades that are occupied by front yards, 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 District. That image is significant to how residents and visitors think and feel about the District and the City of Knoxville. The following standards apply to the design and construction of front yards, public rights-of-way and right-of-way improvements in conjunction with proposed development or improvements designed and constructed by the City of Knoxville.

Streetscape standards ensure the coherence of public space. They also serve to assist building owners and operators with understanding the relationship between the public space and their own lots. This code requires that sites will be developed with buildings placed at the required building lines along the outer edge of the lots they occupy. These standards also establish an environment that encourages and facilitates pedestrian activity. Native trees and plants contribute to privacy, reduction of noise and air pollution, maintenance of the natural habitat, and conservation of water. Location and provision of some or all streetscape elements are subject to detailed design and may be modified to fit specific conditions.

### 2. General Principles

#### a. Streetscape

- (1) Building facades are part of the public realm and therefore are subject to more regulation than the rest of the property.
- (2) Trees are part of an overall streetscape plan designed to provide both form (canopy) and comfort (shade) to the public space. Trees give special character and coherence to each street-space. The desired aesthetic shall be achieved through the use of native species (as identified by the Tennessee Exotic Pest Plant Council) or proven hardy adapted species.

#### b. Fronts and Rears of Buildings

- (1) Building facades are the public "face" of every building. Owners are encouraged to place planters and window boxes with flowering plants and/or climbing vines adjacent to the building façade.
- (2) The private, interior portions of lots (toward the alley or rear lot line) allow commercial operators to utilize these spaces as efficient working environments unseen by the public and allow residents to have private and semi-private (for apartment and condominiums buildings) gardens and courtyards.

### 3. Standards

#### a. General Provisions

- (1) All plant material shall be planted in accordance with approved development plans. Plants tagged in the field by a registered landscape architect in accordance with the American Standard for Nursery Stock by American Nursery & Landscape Association (ANLA) are preferred.
- (2) Privately-owned mechanical and electrical equipment, including, but not limited to, air compressors, pumps, exterior water heaters, water softeners, garbage cans (not including public sidewalk waste bins), and storage tanks may not be stored or located within any public space or front yard. Water pumps not visible are excluded from this prohibition, see Section 4.2.G.9, Mechanical Equipment.

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- b. Plants in the Streetscape. At the time of development or redevelopment, trees are required to be planted in accordance with an approved Cumberland Avenue Corridor District tree planting plan:
- (1) Public spaces shall have trees planted within the furnishing zone or designated tree planting areas in sufficient number and spacing to meet the goals of the tree planting plan. Rows of trees shall have their trunk centerlines in alignment with each other. Trees in rows shall be planted no closer than thirty (30) feet on center.
  - (2) Tree planting areas (tree pits and tree lawns) shall be located at a grade sufficient to meet City tree planting goals. The open soil surface of planting areas shall be sufficient to support the healthy life of the tree. A minimum soil volume of seven hundred fifty (750) cubic feet for root development is preferred for each tree. Achieving additional soil volume is strongly encouraged.
  - (3) Plant quality and dimensional requirements such as caliper, spread, height, and root ball diameter at planting shall be in accordance with the American Standard for Nursery Stock by ANLA. It is preferred that tree species be selected from the Cumberland Avenue Corridor District Tree Planting Plan. Tree diversity shall be required throughout the District so that no single tree species represents more than ten (10) percent of the total District trees. Tree form at anticipated maturity shall be considered for all locations within the District. For example, tree specifications shall be of upright, columnar, or fastigiated form in very narrow conditions so interference with building facades or vehicular parking or travel is minimized.
  - (4) Any unpaved ground area shall be planted with groundcover, flowering vegetation, or climbing vines.
  - (5) Trees shall be "limbed up" as they gain appropriate maturity so as to not interfere with pedestrian or truck travel. It is preferred that pruning be performed under the supervision of an arborist certified by the International Society of Arboriculture for practice in Tennessee. At any time during their life, the branching height of trees in the streetscape is preferred to be above eight (8) feet from the ground.
- c. Sidewalks and Planting Strips
- (1) At the time of development or redevelopment, sidewalks adequate to serve the development shall be provided. Sidewalks shall conform to City of Knoxville construction standards and are preferred to be designed and constructed as to allow the top of any exposed or grated tree pit a footprint of thirty-six (36) square feet.
  - (2) Sidewalks shall be a minimum of five feet wide and shall be constructed to meet all City specifications.
  - (3) Turf and Groundcover in the planting strip:
    - (a) All turf grass shall be solidly sodded at installation; seeding, sprigging or plugging shall not be allowed.
    - (b) Vegetative groundcovers may be used in place of turf grass.
    - (c) In addition to the lot, the owner must maintain the following areas:
      - (i) The portion of the public space between their lot line(s) and the back of the curb.
      - (ii) The portion of the alley between the lot line(s) and the edge of pavement.
  - (4) Sidewalk zones. Sidewalks with sufficient width to be organized into three distinct zones are envisioned: the furnishing zone nearest the roadway, the frontage zone nearest the required build-to line (RBL), and the walking zone between the frontage zone and furnishing zone. Narrow sidewalks may have width sufficient only for a walking zone.
    - (a) Furnishing zone. The furnishing zone of a sidewalk is the area between the curb and the walking zone. As one of its purposes, the furnishing zone can be designed to accommodate through pedestrian traffic, but it is primarily used by people alighting from vehicles, and is the proper location for trees and other plantings, street lights, utility control boxes, hydrants, signs, parking meters, driveway aprons, grates, hatch

covers, transit shelters, benches, sidewalk cafes, newspaper vending boxes, trash cans, street art and other sidewalk amenities.

- (b) Walking zone. The walking zone is the area of the sidewalk designated for unimpeded through pedestrian travel along the length of the sidewalk, typically aligned between the furnishing zone and the frontage zone, consisting of an area free of temporary or permanent objects and, when possible, five to eight feet in width, depending on the anticipated number of pedestrians.
- (c) Frontage zone. The frontage zone is the area of the sidewalk between the walking zone and the required build-to line. This zone is designed to allow pedestrians a comfortable buffer distance (sometimes also called a shy zone) from building fronts; or fences, hedges or street walls on private property. A frontage zone could accommodate portions of a sidewalk café.

d. Civic Greens, Esplanade and Squares

- (1) The term civic green or esplanade is generally used to describe a formally configured, public lawn or park that is primarily unpaved. The term square is generally used to describe public spaces that have more paved surface area.
- (2) Civic greens, esplanades and squares shall be designed, planted and maintained according to the following requirements:
  - (a) Civic greens, esplanades and squares with the majority of their perimeter fronting rights-of-way and these spaces should be surrounded by trees are preferred.
  - (b) Dimensions no narrower than a 1:5 ratio are preferred and no square or civic green width or breadth dimension shall be less than twenty (20) feet.
  - (c) The trees of squares, civic greens and esplanades provide a landscape and civic architecture that complement the surrounding building architecture. An unobstructed view through the public spaces (from two (2) to seven (7) feet in height) is required and is important for safety and urban design purposes.
  - (d) Asphalt shall not be used within a square, civic green or esplanade, but may be incorporated in adjacent travel or parking lane design.
- (3) Squares are generally intended to be active pedestrian centers. They shall be designed appropriate to their high pedestrian traffic level with a higher percentage of paved surface area. Within the site area back-of-curb, excluding any civic building, public art or monument footprint, hardscapes such as pavers and sidewalks, with a secondary treatment of unpaved pervious surface (turf, groundcover, gravel, soil or mulch) are preferred. These materials shall conform to City of Knoxville construction specifications.
- (4) Civic greens and esplanades are spaces intended for less intensive foot traffic. Pervious paving materials (to allow oxygen for tree roots and reduce storm water runoff) are encouraged in squares, civic greens and esplanades, while limited amounts of impervious paving are preferred. Surface treatment and materials (within the site area back-of-curb, excluding any civic building, public art or monument footprint) should be comprised primarily of unpaved pervious surface (turf, groundcover, gravel, soil or mulch) with a secondary treatment of hardscapes such as pavers and sidewalks and shall conform to City of Knoxville construction specifications.
- (5) Situated at prominent locations within the Form Districts and often dedicated to important events or citizens, civic greens, esplanades and squares shall not include active recreation structures such as ball fields or sports courts.

## K. Sign Standards

### 1. Principle

Signs along commercial frontages shall be clear, informative to the public and shall weather well. Signs are necessary for advertising destinations and businesses in the district. Signs shall be scaled to the nature of the district: mixed-use, pedestrian-oriented, with slow-moving automobile traffic. Signs that are glaring or too large create distraction, intrude into and lessen the district experience, and create visual clutter. Signs shall align with or be framed by the building's major architectural elements such as doors, windows, moldings, pilasters, arches, roof eaves, and/or cornice lines. Additional regulations may be applicable and can be found in Article V, Section 10.

### 2. Maximum Allocated Sign Area

The maximum allocated sign area of all storefront and wall signs on any building facade shall not exceed 1 square foot per linear foot of street frontage of the building facade. **Sign square area shall be used on the property facing the street frontage; square footage of multiple frontages shall not be combined and used on one side of the property.** Except for arcade and hanging signs, window signs and building nameplates, the combination of all other permitted sign types shall not exceed the maximum allocated sign area for the building facade.

### 3. Prohibited Signs

The signs listed below are prohibited in the Cumberland Avenue Form District.

- a. Signs which move, or give the appearance of moving with the exception of those signs not requiring a permit in Section 4.2.K.4, Signs Not Requiring a Permit. This category includes pennants, streamers, string pennants, "garrison" size (20 feet by 38 feet) flags (other than the official national flag of the United States of America) 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 category 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. Changeable Letter Reader Board Signs.
- g. Electronic Message Center Signs.
- h. Advertising Signs and Billboards.
- i. Wall signs with bare, uncovered, or exposed neon tubing.
- j. Ground Signs and Column Signs.
- k. Portable or wheeled signs.
- l. Roof Signs.

### 4. Signs Not Requiring a Permit

The signs listed below do not require a permit if they meet the associated provisions.

- a. Street address numbers provided that they shall not exceed one (1) square foot in area.
- b. Building nameplates that do not exceed six (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. Such public signs may be of any type, number, area, height, location, or illumination as authorized by law, statute, or ordinance.
- e. Flags bearing the officially adopted design of a nation, state, county, city or the University of Tennessee. Flags shall not exceed thirty (30) square feet in size, except that United States of America garrison size flags are allowed.
- f. Business flags displaying the name of the business and the corporation symbol or logo. Each lot shall be permitted one flag, and such flag shall not exceed thirty (30) square feet.
- g. Signs on storefronts that include business hours of operation, not to exceed one square foot in size.
- h. Window signs that cover no more than 10 percent of the total surface of each window.

**5. Signs Requiring a Permit**

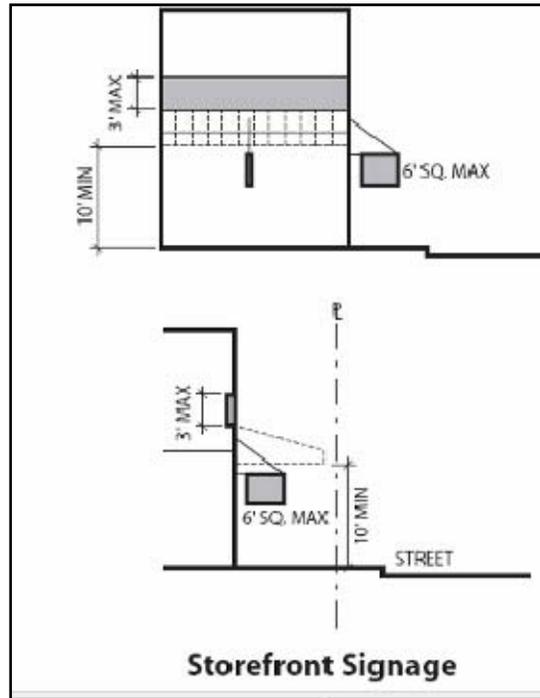
The following types of signs shall be permitted, according to the procedures outlined in Article 5, Section 10:

**A. Storefront Signs.**

1. **Arcade and Hanging Signs.** Arcade or hanging signs shall provide a minimum clearance of 8 feet above the sidewalk. The maximum sign area shall not exceed 6 square feet per arcade or hanging sign. One sign is allowed per tenant space.

2. **Awning and Canopy Signs.** Awning or canopy signs shall not exceed 6 square feet of sign area per awning or canopy. One sign is allowed per tenant space.

3. **Projecting Signs.** Projecting signs (perpendicular to the property line) shall maintain a minimum clear height of 10 feet and not project more than four feet from the façade. When placed at the ground story level, or from an overhang or awning, they shall not exceed 6 square feet in area. When placed at the second story level, they shall not exceed 12 square feet in area. When placed at the third story level, they shall not exceed 18 square feet in area. One sign is allowed per building frontage or on a building with two street frontages a single sign may be allowed on a corner.



4. **Window Signs.** Window signs shall not collectively exceed 10 percent of the window area on each window. Window signs with bare, uncovered or exposed neon tubing may be allowed if located inside the building.

**B. Wall Signs.**

1. Wall signs are permitted within the area between the bottom of the second story windows and the top of the 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 highest point from the finished ground floor elevation.

2. Wall signs are also permitted immediately below the roof line of the building or structure and shall not extend more than 30 percent of the width of the building façade. Wall signs shall not project above the elevation of the building or structure.

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

## 6. Standards

The Cumberland Avenue Corridor district is intended to be a lively mixed-use, pedestrian-oriented area, with a variety of activities at different hours of the day. The scale and orientation of the signage standards reflect this intent, while allowing for more variation in the types and placement of the signs to complement the diverse character of the area. The following specific standards apply in the Cumberland Avenue Corridor District:

- A. Letters used in sign copy shall not exceed 18 inches in height or width and three inches in relief. Letters may be constructed with two inch standoff studs to allow for reverse-lit / halo-lit illumination. Letters shall be individually cut reverse channel letters and opaque or as channel letters with through face illumination. Signs shall not come closer than two feet to an adjacent common lot line.
- B. Temporary sidewalk easel signs not exceeding 6 square feet of sign area are permitted within an area 10 feet either side of a business entry door on a lot or may also be considered, with prior approval from the City, within the sidewalk frontage or furnishing zones.
- C. Temporary signs are permitted as defined in Article 5, Section 10.
- D. Signs with historic designation as approved by the City, free-standing or painted on the exterior walls of buildings, may be maintained or preserved.

## 7. Design, Construction and Maintenance

All signs shall be designed, constructed and maintained in accordance with the following standards:

- A. Except for permitted flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of durable, all-weather materials and shall be permanently attached to a building by direct attachment to a rigid wall, frame, or structure.
- B. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this code, at all times.
- C. All signs shall be kept and maintained in a safe, neat and orderly condition and appearance, and shall 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.
- D. Signs shall not obstruct visibility from a driveway to an abutting street or vice versa.

## 8. Illumination of Signs

- A. Indirect Illumination Standards. For indirect illumination of signs, the light source shall be shielded so as to prevent glare and overspill. The source of light shall be located and directed in such a manner that the light is not directly visible from any public street or private residence.
- B. Direct Illumination Standards. Direct illuminated signs shall be designed with individually illuminated letters, an opaque background, or the background of the sign face having a darker color than the content or message of the sign.
- C. Brightness Limitations – All Illumination Methods. In no case shall the lighting intensity of any sign, whether resulting from direct or indirect illumination exceed seventy-five (75) foot candles when measured with a standard light meter perpendicular to the face of the sign at a distance equal to the narrowest dimension of the sign.

## DEFINITIONS

Storefront signs - arcade and hanging signs, awning and canopy signs, projecting signs and window signs.

## L. Parking Requirements

1. **Allowed Off-Street Parking Facilities.** Allowed off-street parking facilities shall be surface parking spaces and parking lots, above ground parking structures and basement parking structures.
2. **Parking Spaces Required.** Required parking spaces shall be provided as follows:
  - a. A minimum of 1 and 1/8 parking spaces per dwelling unit, of which a minimum of 1/8 parking space per dwelling unit shall be provided as shared parking. A maximum of two spaces per dwelling unit may be provided as reserved parking for dwelling units. There are no maximum limits on shared parking.
  - b. There are no minimum parking requirements for non-residential uses. A maximum of 3 spaces per 1,000 square feet may be provided as reserved parking for on-site non-residential uses. There are no maximum limits on shared parking.
3. **Surface Parking Lots.**
  - a. Principle. Parking lots shall be placed behind the buildings, or on the side of buildings provided that the parking is screened from view from the adjacent right-of-way. All parking areas must meet or exceed City accessibility standards.
  - b. Standards.
    - (1) Unbroken expanse of pavement **shall not be allowed**. Parking lots shall be divided into paved areas that are separated by landscaping, access driveways, or ancillary structures. Parking shall include parking islands to break up the scale of the surface lot, with the inclusion of pedestrian-scale lighting in addition to standard lot lighting.
    - (2) One tree (with a 2 inch diameter measured four feet above grade) is required for every 5 surface parking spaces, to be planted in vegetated islands or medians a minimum of 5 feet in width.
    - (3) 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 a street wall, berm, or landscaping or a combination of these three. If landscaping is used, the planting bed shall be a minimum of 10 feet wide.
    - (4) Parking areas shall be separated from buildings by use of a raised walkway or planting strip.
    - (5) One bicycle rack space shall be provided for every 10 vehicular parking spaces.
4. **Structured Parking Facilities.**
  - a. Principle. Parking structures shall be located to the side of property or underneath building. Parking structures shall be constructed with the understanding that required parking spaces for an area shall 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 districts, it is important to establish parking ratios that promote the use of public transportation and encourage development that generates less traffic. New parking facilities shall be designed in such a way that does not adversely affect their surroundings. All parking structures must meet or exceed City accessibility standards.
  - b. Standards.
    - (1) Blank wall parking structure elevations are prohibited. Blank walls and exposed parking levels facing directly onto Cumberland, White and Lake Avenues are discouraged. Attempts to reduce the overall visual mass of the parking garage through the architecture expression of stair towers, canopies and screening devices are preferred. 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 of parked cars. When possible, programmable spaces that are on the ground floor of parking structures (such as small commercial/retail uses) are encouraged to activate the building edges facing streets.

- (2) Garage entries shall not exceed 16 feet clear height and 25 feet clear width.
- (3) One bicycle rack space shall be provided for every 10 vehicular parking spaces.

**5. Service Loading.**

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

