

## The Memphis & Shelby County Unified Development Code - What's It All About?

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### Genesis of Project

- Current zoning and subdivision codes were created in the early 1980's and have been amended repeatedly.
- Current Zoning Code favors "suburban development design" with strict separation of uses and near total dependence on the automobile for travel needs.
- Zoning and Subdivision are separate documents and are often not in harmony.

## Aims of new code

- Better adherence to adopted plans
- All the rules together
- Smart growth model with New Urbanism at core of development activities
- See this website for copy of draft:
  - <http://www.memphis.code-studio.com/>

## Not in Draft

- Final Signs Ordinance Amendments – These may be considered independently prior to adoption of full Code.
  - There are some rules in the Building Envelope Section
- Adult Entertainment Issues

## Article 1 General Provisions

Contains the legal foundation of Code including authority from state law and effective date

Purpose and Intent provisions which add environmental component to enumerated list of intended outcomes

Includes section cross referencing related plans applicable to the use and development of land

Applicability of ordinance to land and uses established prior to its adoption

## Article 1 General Provisions (Cont'd) District Conversion Chart (Page 1-4)

Adds Four (4) New Districts

- Open Space
- Civic (CIV)
- R-3
- Warehouse and Distribution (WD)
- Two new Overlay Zones (2),
  - Medical District
  - Neighborhood Conservation

- Deletes Two (2) Existing Overlay Districts
  - Residential Home
  - Winchester Park

## Article 1 General Provisions (Continued) District Conversion Chart

- Renames
  - Agriculture to Conversation Agriculture (CA)
  - Light Industrial to Employment (EMP)
- Consolidates
  - R-S6i into R-S6
  - R-D, R-TH and R-M into districts according to location
  - Limited office (O-L) to general office (O-G)
  - Local commercial and neighborhood commercial to CMU-1
  - College and university and hospital into campus master plan with standards depending on location
  - Historic and conservation into historic overlay

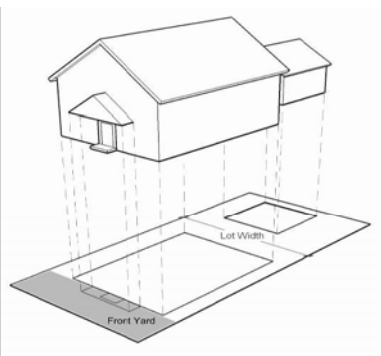
## Article 2 District and Uses

- Describes the purpose of each zoning district
- Establish use by right, use by legislative review or uses that are not allowed
- Indicates uses having additional requirements to be allowed at a particular location
- Location and establishment of accessory uses
- Tables give examples of principal uses, typical accessory uses and uses not permitted

## Article 2 Districts and Uses (Cont'd) New Districts and Concepts

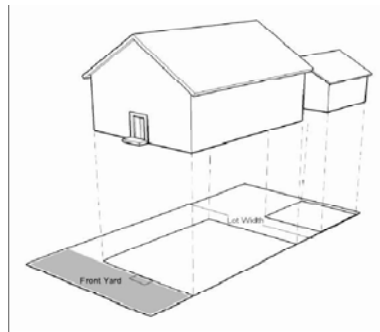
- Housing Types
- New Districts Ideas
  - Open Space
  - Residential Suburban vs. Residential Urban (RU- & RS- )
  - Commercial districts accommodate mixed use including residential uses (CMU-1,CMU-2 & CMU-3)
  - Campus Master Planning
  - Light Industrial divided into two districts (EMP & WD)

## Housing Type Single Family Detached- Conventional



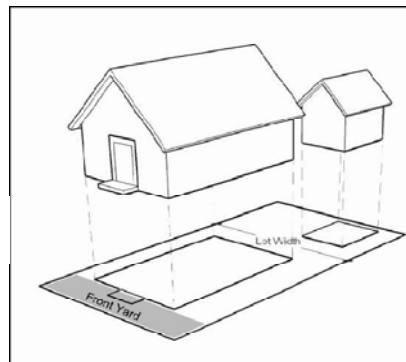
A single-family residential house containing one dwelling unit located on a single lot with private yards on all four sides.

## HOUSING TYPE SINGLE FAMILY DETACHED – SIDE YARD HOUSE



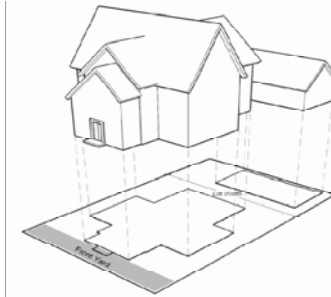
A single-family detached residential house containing one dwelling unit located on a single lot with private yards on three sides. A side yard house has only a single side yard comprising the equivalent of the two side yards of a conventional single-family house.

## Housing Type SINGLE FAMILY DETACHED – COTTAGE



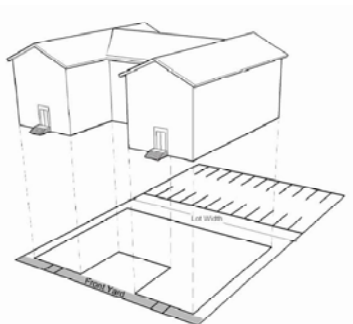
A small one-story single-family detached residential house containing one dwelling unit. A cottage shall take vehicle access from the rear of the lot.

## Housing Type MULTIFAMILY – LARGE HOME



A multifamily residential building with three to eight attached dwelling units consolidated into a single structure. A large home is located on a single lot, and contains common walls. The building looks like a conventional single-family house with a single primary entrance. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units.

## Housing Type MULTIFAMILY – APARTMENT



A multifamily residential building containing three or more dwelling units consolidated into a single structure. An apartment contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building often shares a common entrance.

## Article 2 Districts and Uses (Cont'd) Permitted Use Table (Old Chart 1) Pg. 2-15

- Each category of uses (Left Side of Chart) is reference to:
  - Section of the ordinance that explains category
  - Typical uses and accessory uses; and
  - Uses not permitted
- Chart introduction to use standards and additional requirement on right side
  - No longer in footnotes or zoning text amendments

Article 2 Districts and Uses 2.6 Permitted Uses  
2.6.2 Permitted Use Table

IR- R-E, R-15, R-10, R-8, R-6 KEY: BLANK CELL = NOT PERMITTED ■ = PERMITTED □ = SPECIAL USE APPROVAL

USE CATEGORY	PRINCIPAL USE	OS	FW	CA	CIV	R-MP	R-1	R-3	RS-1	RS-2	RL-1	RL-2	RL-3	RL-4	OG	CMU-1	CMU-2	CMU-3	CBD	CMP-1	CMP-2	EMP	WD	IH	Use Standard		
RESIDENTIAL	Single-Family Detached																										
	Conventional																										
	Side Yard House																									2.7.1A	
	Cottage																										
	Single-Family Attached																										
	Semi-attached																										
	Two-Family																										
	Multifamily																										
	Townhouse																										
	Large Home																										
	Stacked Townhouse																										
	Apartment																										
	Upper-Story Residential																										2.7.1B
	Live-Work																										2.7.1C
	Household Living (see 2.10.2A)	Manufactured Home (Type A), Modular																									2.7.1D
Manufactured Home (Type B)																										2.7.1E	
Manufactured Home Park																										2.7.1F	
Boarding House, Rooming House, Single Room Occupancy																										2.7.1G	
Group Living (see 2.10.2B)	Fraternity, Sorority, Dormitory																									2.7.1G	
	Monastery, Convent																									2.7.1G	
	Nursing Home, Full-time Convalescent, Hospice																									2.7.1G	
	Personal Care Home for the Elderly																									2.7.1G	
	Residential Home for the Elderly, Assisted Living Facility																									2.7.1G	
	Supportive Living Facility																									2.7.1G	
	Supportive Living Facility																									2.7.1G	
CIVIC	Museum, Library																										
	Neighborhood Arts Center or Similar Community Facility (public)																										
	Philanthropic Institution																										
	Police, Fire, EMS Substation																									2.7.2A	

IR- R-E, R-15, R-10, R-8, R-6		KEY: BLANK CELL = NOT PERMITTED ■ = PERMITTED □ = SPECIAL USE APPROVAL														Use Standard										
USE CATEGORY	PRINCIPAL USE	OS	FW	CA	CIV	R-1	R-2	R-3	RS-1	RS-2	RU-1	RU-2	RU-3	RU-4	OG	CMU-1	CMU-2	CMU-3	CBU	CMF-1	CMF-2	EMP	WD	IH		
Retail Sales & Service (see 2.10.4f)	All retail sales and service, except as listed below:																									
	Animal Hospital, Veterinary Clinic, Pet Clinic				□												■	■	■	■				■		2.7.3H
	Animal Boarding, Animal Shelter, Kennel, Doggy Day Care				□												■	■	■	■				■		2.7.3H
	Art or photo studio, gallery							□	□	□	□	□	□	□	□	■	■	■	■	■	■	■	■	■	■	
	Bakery, retail																■	■	■	■	■	■	■	■	■	
	Barber or beauty shop																■	■	■	■	■	■	■	■	■	
	Bank																■	■	■	■	■	■	■	■	■	
	Convenience store with gas pumps, Gas station																	■	■	■	■	■	■	■	■	
	Convenience store without gas pumps								□	□	□	□	□	□	□		■	■	■	■	■	■	■	■	■	
	Catering establishment, small-scale																	■	■	■	■	■	■	■	■	
	Cleaning establishment, small-scale																	■	■	■	■	■	■	■	■	
	Cleaning, pickup station									□	□	□	□	□	□		■	■	■	■	■	■	■	■	■	
	Farmers' Market				□	□											□	□	□	□						
	Greenhouse or Nursery, Commercial				□	□												■	■	■	■	■	■	■	■	
	Post Office																	■	■	■	■	■	■	■	■	
	Pastry shop																	□	□	□	□					
	Retail Sales Outdoor (vendor)				□													□	□	□	□					2.7.3J
Tattoo, Pedicure, Psychic or Medium, Massage Parlor																	■	■	■	■	■	■	■	■		
Vehicle parts and accessories																	■	■	■	■	■	■	■	■		
Self-Service Storage (see 2.10.4f)	Warehouse, self-service, mini-storage																						■		2.7.3K	
	Warehouse, indoor multi-story																■	■	■	■	■	■	■	■	■	2.7.3K
Vehicle Sales & Service (see 2.10.4j)	All Vehicle Service, except as listed below:																□	□	□	□	□	□	□	□		
	Lube, Oil Change Facility																	■	■	■	■	■	■	■	■	2.7.3L
	Tire motor vehicle sales and service																	■	■	■	■	■	■	■	■	2.7.3L
	Full- or Self-Service Vehicle Wash																	■	■	■	■	■	■	■	■	2.7.3L
	All Vehicle Repair																	■	■	■	■	■	■	■	■	2.7.3L
All Vehicle Sales, Rental, Leasing, except as listed below:																	□	□	□	□	□	□	□	□	2.7.3L	

## Article 3 Building Envelope Standards

- A.K.A. Bulk Standards
- Describes Measures Related To:
  - Density/Intensity
  - Lot Size
  - Setbacks
  - Height of Uses by zoning classification
  - Terms associates with location a building on a lot

## Building Envelope Standards (Cont'd) Applicability - § 3.1.1

- All new construction, including parking lot construction or expansion.
- All building expansion with removal of more than 25% of existing walls facing a public street (applies to individual street frontage on a corner lot), or
- A street-facing elevation if the project is landlocked; or
- Removal of more than 50% of all existing exterior walls.

## Building Envelope Standards (Cont'd) Site Plan Review- § 3.1.3 (Pg 3-1)

- **All new construction** or building expansion as defined above, is subject to the **site plan review process** (§10.12)
  - Exclude Single Family (S. F.) detached and S.F. attached housing types on individual lots
- Developments with multiple S.F. detached and S.F attached housing types on a single lot, site or tract shall be subject to the site plan review process.

## Building Envelope Standards (Cont'd) Dedication and Improvement - § 3.1.4

- All development required to submit a site plan, preliminary plan or final plat shall require the dedication and improvement of public facilities to provide adequate public streets, sidewalks, or other public infrastructure
  - Article 7- Site Development Standards and
  - Article 9- Infrastructure and Public Improvements

## Building Envelope Standards (Cont'd) Multiple Buildings On Single Lot - § 3.1.5(B)

- Multiple principal buildings (but not billboards) with nonresidential uses (i.e. office, commercial or industrial), mixed uses and multifamily uses (townhouse, apartment etc.) may be established on a single lot provided:
  - Meets all applicable development standards
  - All uses are permitted
  - Overall intensity of the land use is no higher, and the standard of development no lower, than that permitted in the district
  - Distance of every building from every property line meets the relative setback requirements
  - All buildings below height limit

## Building Envelope Standards (Cont'd)

### § 3.3 Blocks

- **Block Width must provide for two tiers of lots except:**
  - to separate
    - residential development from arterial traffic,
    - lots from an incompatible use,
  - to accommodate a requirement for single loaded streets,
  - to allow for unusual topographical conditions,
  - where across from a public park or open space, or
  - when adjacent to the outer perimeter of a subdivision.
- **Length**
  - Block face length in the CA and R-E districts shall not exceed 1,600 feet.
  - In other residential districts, a traditional or modified grid of small blocks should be used and the perimeter of a block shall not exceed 3,000 feet in length.
  - Where a block face exceeds 800 feet, a minimum 20-foot pedestrian access easement shall be provided through the block.
  - Block face length in all other districts shall not exceed 1,320 feet.

## Residential Single Family Districts

### § 3.5 Building Regulations for Permitted Housing Types

TRACT	CA	RE	R-15	R-10	R-8	R-6	R-3
Open Space (min) see 3.5.2	--	--	25%	25%	25%	25%	25%
<b>SFD- CONVENTIONAL</b>							
<b>Lot (w/o water/sewer)</b>							
Area (min. acres)	.4	.4					
Width (min ft.)	120	120					
Building coverage (max)	30%	30%					
<b>Lot (with water)</b>							
Area (min. sq. ft.)	2	2					
Width (min ft.)	120	120					
Building coverage (max)	30%	30%					
<b>Lot (with water/sewer)</b>							
Area (min. sq. ft.)	1	22,030	15,000	10,000	8,000	6,000	3,000
Width (min ft.)	120	120	100	60	50	45	30
Building coverage (max)	30%	30%	30%	30%	40%	50%	50%
<b>Building setback (min ft.)</b>							
Front (with street access)	60	50	30	20	20	20	20
Front (with alley access)	--	--	--	15	15	15	15
Side (interior)	20	15	10	5	5	5	5
Side (total)	40	30	20	10	10	10	10
Side (street)	--	--	20	10	10	10	10
Rear	40	40	25	20	20	20	20
<b>Height (max ft.) see also 3.2.8</b>	35	35	35	35	35	35	35

## Residential Single Family Districts

### § 3.5.1 Building Regulations for Permitted Housing Types (Cont'd)

<i>SFD – SIDE YARD HOUSE</i>	R-10	R-8	R-6	R-3
Lot (with water/sewer)				
Area (min sq. ft.)	10,000	8,000	6,000	3,000
Width (min ft.)	60	50	45	30
Building coverage (max)	30%	40%	50%	50%
<b>Building setback (min ft.)</b>				
Front (with street access)	20	20	20	20
Front (with alley access)	15	15	15	15
Side (interior)	0	0	0	0
Side (total)	10	10	10	10
Side (street)	10	10	10	10
Rear	20	20	20	20
<b>Height (max ft.) see also 3.2.8</b>	35	35	35	35

## Building Regulations for Permitted Nonresidential Uses - § 3.5.3

<i>NONRESIDENTIAL USES</i>	CA	R-E	R-15	R-10	R-8	R-6	R-3
Lot (with water/sewer)							
Area (min sq. ft.)	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Width (min ft.)	100	100	100	100	100	100	100
Building coverage (max)	30%	30%	30%	30%	40%	50%	50%
<b>Building setback (min ft.)</b>							
Front (with street access)	60	50	30	20	20	20	20
Front (with alley access)	--	--	--	15	15	15	15
Side (interior)	20	15	10	10	10	10	10
Side (total)	40	30	20	20	20	20	20
Side (street)	--	--	20	10	10	10	10
Rear	40	40	25	20	20	20	20
<b>Height (max ft.) see also 3.2.8</b>	35	35	35	35	35	35	35

## Residential Suburban Districts - § 3.6

### § 3.6.1 Development Patterns

- **Standard** – A pattern of residential subdivision that provides a majority of the property owners with substantial yards on their own property
- **Open Space** – These trade conventional minimum lot area and dimensions for additional common open space and must be of sufficient size to assure such open space is available for in its design.
- **Amenity** – These trade even smaller lot sizes (with similar yards) for additional common open space. This lot size reduction requires the developer provide certain enhancements into the design.

## Building Envelope Standards (Cont'd)

### Residential Suburban District

### § 3.6.3 Permitted Housing and Subdivision Types

Housing Types	District		Subdivision Type		
	RS-1	RS-2	Standard	Open Space	Amenity
Conventional	■	■	■	■	■
Side Yard House	■	■	■	■	■
Cottage	■	■	--	■	■
Semi-Attached	■	■	--	■	■
Two-Family	■	■	--	■	■
Townhouse	■	■	--	■	■
Large Home	■	■	--	■	■
Stacked Townhouse	--	■	--	■	■
Apartment	--	■	--	■	■

■ = Permitted    -- = not permitted

## Residential Suburban Districts (Page 3-19)

### 3.6.4 Building Regulations for Permitted Housing Types

TRACT	Area (min)		Area (max)		See 3.6.6	Density	Water/
					Open Space (min)	(max units/acre)	sewer
Conventional	--	--	5 acres	5 acres	--	6	↑
Open Space	5 acres	--	--	--	35%	7	required
Amenity	10 acres	--	--	--	50%	8	↓
<b>STANDARD</b>							
<i>Subdivision</i>	Conventional	Side Yard					
Lot (min)							
Area (sq. ft.)	10,000	10,000					
Width (ft.)	60	60					
Building coverage (max)	30%	30%					
Building setback (min ft.)							
Front (with street access)	20	20					
Front (with alley access)	15	15					
Side (interior)	5	0					
Side (total)	10	10					
Side (street)	10	10					
Rear	20	20					
Height (max ft.) see also 3.2.8	35	35					

## Residential Suburban Districts Building Regulations for Permitted Housing Types

<i>OPEN SPACE</i> <i>Subdivision</i>	Conventional	Side Yard	Cottage	Semi-Attached	Two-Family	Town-house	Large Home	Stacked Townhouse	Apartment
Site (min)	--	--	--	4,000	4,000	2,500	2,500	2,500	2,500
Area per unit (sq. ft.)	--	--	--	--	--	16	--	16	--
Unit width (ft.)	--	--	--	--	--	--	--	--	--
Lot (min)									
Area (sq. ft.)	8,000	8,000	4,000	4,000	8,000	--	--	--	--
Width (ft.)	50	50	35	35	50	--	--	--	--
Building coverage (max)	--	--	35%	35%	35%	45%	45%	45%	50%
Building setback (min ft.)									
Front (with street access)	20	20	20	20	20	--	20	--	--
Front (with alley access)	15	15	15	15	15	--	15	--	--
Front (min/max)	--	--	--	--	--	7-15	--	7-15	7-15
Required building frontage	--	--	--	--	--	80%	--	80%	50%
Side (interior)	5	0	5	5	5	5	5	5	5
Side (total)	10	10	10	--	10	10	10	10	10
Side (street)	10	10	10	10	10	10	10	10	10
Rear	20	20	20	20	20	20	20	20	20
Height (max ft.) see also 3.2.8	35	35	25	35	35	42	35	42	42

## Residential Suburban Districts Building Regulations for Permitted Housing Types

<i>AMENITY Subdivision</i>	Conventional	Side Yard	Cottage	Semi- Attached	Two- Family	Town- house	Large Home	Stacked Townhouse	Apartment
Site (min)	--	--	--	4,000	4,000	2,500	2,500	2,500	2,500
Area per unit (sq. ft.)	--	--	--	--	--	16	--	16	--
Unit width (ft.)	--	--	--	--	--	--	--	--	--
Lot (min)	6,000	6,000	4,000	4,000	8,000	--	--	--	--
Area (sq. ft.)	45	45	35	35	50	--	--	--	--
Width (ft.)	--	--	35%	35%	35%	35%	35%	35%	50%
Building coverage (max)	<b>Building setback (min ft.)</b>								
Front (with street access)	20	20	20	20	20	--	20	--	--
Front (with alley access)	15	15	15	15	15	--	15	--	--
Front (min/max)	--	--	--	--	--	7-15	--	7-15	7-15
Required building frontage	--	--	--	--	--	80%	--	80%	50%
Side (interior)	5	0	5	5	5	5	5	5	5
Side (total)	10	10	10	--	10	10	10	10	10
Side (street)	10	10	10	10	10	10	10	10	10
Rear	20	20	20	20	20	20	20	20	20
Height (max ft.) see also 3.2.8	35	35	25	35	35	42	35	42	42

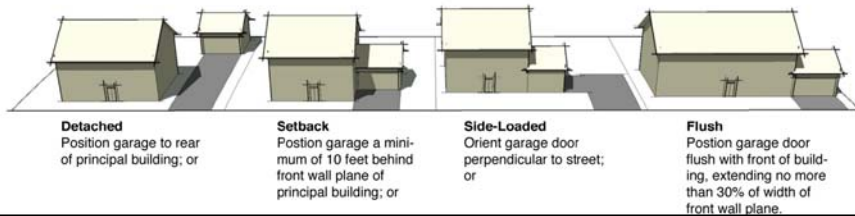
## Residential Suburban Districts § 3.6.5 Building Regulations for Permitted Nonresidential Uses

### NONRESIDENTIAL USES

Lot (min)	
Area (sq. ft.)	10,000
Width (ft.)	100
Building coverage (max)	50%
<b>Building setback (min ft.)</b>	
Front (min)	20
Side (interior)	5
Side (total)	10
Side (street)	10
Rear	20
Height (max ft.) see also 3.2.8	35

## Residential Compatibility - § 3.8

- Garage Placement – applies to all housing types within residential single-family, residential suburban and residential urban districts
  - Attached garages are considered part of the principal structure and must meet all applicable requirements of the principal structure.
  - Detached garages are considered accessory structures and must meet all applicable requirements



## Residential Compatibility - § 3.8

- **Contextual Infill Standards can be used on residential projects that are:**
  - Less than two acres in size,
  - Surrounded on all sides by existing single-family detached or single-family attached development
  - Legally established before 1950 in a residential district.
- Allows use of existing conditions to guide establishment of setback, lot width, building height and building coverage requirements

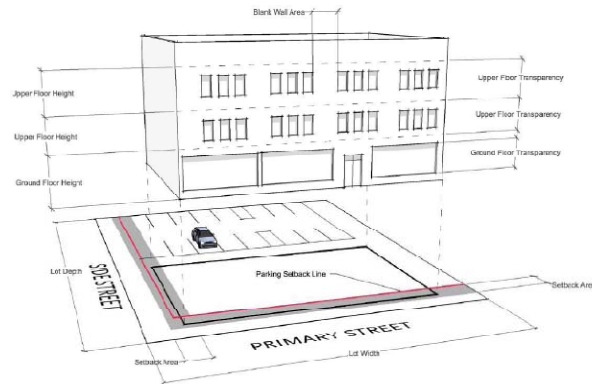
## Nonresidential District Standards -§ 3.9 General Building Standards (Note: Can vary with frontage type assigned in §3.9.6)

	OG	CMU-1	CMU-2	CMU-3	CBU
<b>Lot (min)</b>					
Area (sq. ft.)	5,000	10,000	20,000	--	--
Width (ft.)	50	25	50	100	--
Building coverage (max)	75%	50%	75%	75%	100%
<b>Building</b>					
Height (max ft.) see also 3.2.8	60	40	60	60	--
Ground floor area (max sq. ft.)	--	15,000	80,000	--	--
<b>Setback (min ft.)</b>					
Front	7				
Side (street)	7	See	See	See	See
Side/rear abutting single-family	10	3.9.2	3.9.2	3.9.2	3.9.4
Side/rear abutting multifamily, nonresidential	0 or 10	or	or	or	
Side/rear abutting alley	5	3.9.3	3.9.3	3.9.3	
Building separation	10				
<b>Parking setback (min ft.)</b>					
From street	10	See	See	See	See
Abutting single-family	10	or	or	or	3.9.4
Abutting multifamily, nonresidential, alley	10	3.9.3	3.9.3	3.9.3	

## Nonresidential District Standards -§ 3.9 General Building Standards (Cont'd)

	CMP-1	CMP-2	EMP	WD	IH
<b>Lot (min)</b>					
Area (sq. ft.)	10,000	20,000	20,000	20,000	20,000
Width (ft.)	25	50	50	50	50
Building coverage (max)	75%	50%	75%	75%	75%
<b>Building</b>					
Height (max ft.) see also 3.2.8	125	60	60	60	60
Ground floor area (max sq. ft.)	--	--	--	--	--
<b>Setback (min ft.)</b>					
Front	7	25	7	7	7
Side (street)	7	25	7	7	7
Side/rear abutting single-family	10	25	10	10	10
Side/rear abutting multifamily, nonresidential	0 or 10	0 or 10	0 or 10	0 or 10	0 or 10
Side/rear abutting alley	5	5	5	5	5
Building separation	10	10	10	10	10
<b>Parking setback (min ft.)</b>					
From street	10	10	10	10	10
Abutting single-family	10	10	10	10	10
Abutting multifamily, nonresidential, alley	10	10	10	10	10

## CBD District Form Standard-§ 3.9.4 (Page 3-29)



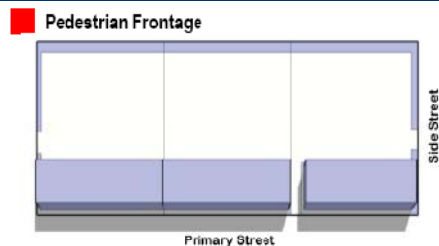
## CBD District Form Standard-§ 3.9.4 (Page 3-29) Cont'd

PLACEMENT	ELEMENTS	HEIGHT
<p><b>SETBACK AREA</b> 7 ft. to 15 ft. behind ROW line.</p> <p><b>REQUIRED BUILDING FRONTAGE</b> 1. Primary street. Building facade must be located within the setback area for a minimum of 90% of the lot width. The required building frontage may be reduced to accommodate no more than a single 20-ft. access drive for a rear parking area.</p> <p>2. Side street. The building facade must be located within the setback area for a minimum of 60% of the lot depth.</p> <p><b>SIDE/REAR SETBACKS</b> Abutting single-family: 10 ft. min. Abutting multifamily, nonresidential, U or 10 ft. min. Abutting alley: 5 ft. min. Building separation: 10 ft. min.</p> <p><b>PARKING SETBACK</b> 1. Primary street setback. Min 15 ft. behind ROW line. 2. Side street setback. Min 10 ft. behind ROW line. 3. Parking shall be located behind the parking setback line. No parking is permitted between the street and the building. This requirement shall not restrict on-street parking (see 4.1.3).</p>	<p><b>TRANSPARENCY (WINDOWS &amp; DOORS)</b> 1. Ground floor. Primary Street min 60%, Side Street min 30%, situated between 2 and 12 ft. above the adjacent sidewalk. Ground floor residential, office and industrial uses may provide translucent windows to meet all transparency requirements. 2. Upper floor. Min 20% situated from floor to floor. 3. Retail sales and service uses. A minimum of 60% of the window pane surface area shall allow views into the ground floor for a depth of at least 9 ft. Windows shall not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space).</p> <p><b>BUILDING ENTRANCE</b> 1. A functioning entrance, operable during normal business hours, is required facing the primary street. An angled entrance may be provided at either corner of the building along the primary street to meet this requirement. 2. A building located on two primary streets shall have either one entrance per frontage or provide one angled entrance at the corner of the building at the intersection. Buildings located on corner lots shall meet all applicable intersection sight distance requirements. Additional entrances off another street, pedestrian area, or internal parking area are permitted. 3. A minimum of 50% of the required entrance shall be transparent. 4. Recessed entrances shall not exceed 3 ft. in depth and one floor in height.</p> <p><b>BLANK WALL AREA</b> Blank lengths of wall exceeding 30 linear ft. are prohibited on all building facades.</p>	<p><b>GROUND FLOOR ELEVATION</b> For ground floor residential uses, the ground floor finished elevation shall be a minimum of 18 inches above the adjacent sidewalk (measured from the level building facade to the top of the finished ground floor). There is no minimum for ground floor nonresidential uses.</p> <p><b>FLOOR HEIGHT</b> 1. The ground floor shall have at least 11 ft. of clear interior height (floor to ceiling) for a minimum depth of at least 25 ft. 2. The maximum floor-to-floor height for the ground floor is 20 ft. 3. The maximum floor-to-floor height for floors other than the ground floor is 12 ft. 4. At least 80% of each upper floor shall have an interior clear height (floor to ceiling) of at least 9 ft.</p>

## Frontage Standards

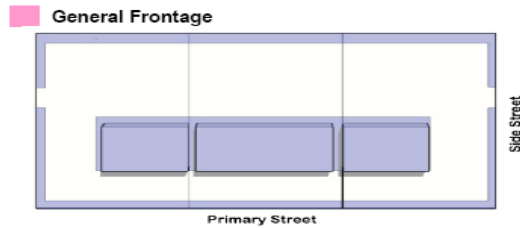
- Applicability (§ 3.9.6)
  - The building regulations for sites with a designated frontage vary. The Zoning Map specifically designates Pedestrian, Urban, General and Commercial frontages.
  - Exempt – Stand-alone K-12, Libraries, places of worship and public buildings
  - Structured parking is permitted fronting on any street provided that on a designated frontage all frontage requirements are met

## Frontage Standards § 3.9.6 (B)



In general, should be used where the highest level of walkability is desired. Buildings abut the street and sidewalk, creating a main street-like environment. There is no on-site parking between the building and the street. On-site parking areas are located to the rear of buildings. Entrances are prominent and street facing.

## General Frontage



Used where easy access to buildings by automobile is still desired but where some level of walkability is still maintained. The General Frontage is intended to accommodate development where the land-use pattern is predominately urban in character or where such a land use pattern is desired in the future. Buildings are set back further from the street. Parking occurs in front of buildings but is limited to one row of parking parallel to the street, a one-way drive aisle and angled parking closest to the building.

## Building Form Standard by Frontage

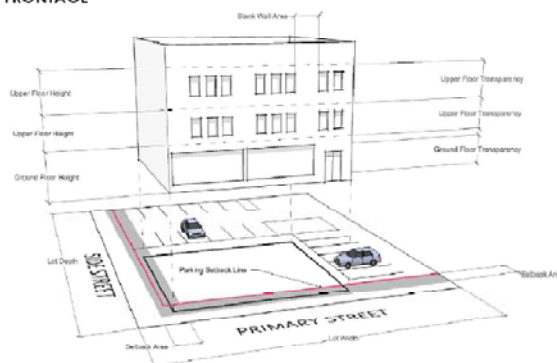
	Pedestrian	Urban	General	Commercial
<b>PLACEMENT</b>				
<b>Setback Area</b>				
Front setback (min ft.)	7	7	8	8
Front setback (max ft.)	15	15	50	80
<b>Required Building Frontage (min %)</b>				
Primary street (lot 100 feet in width or more)	80	60	80	60
Primary street (lot less than 100 feet in width)	70	50	70	50
Side street	40	25	40	25
<b>Side/Rear Setback (min ft.)</b>				
Abutting single-family	10	10	10	10
Abutting multifamily, nonresidential	0 or 10	0 or 10	0 or 10	0 or 10
Abutting alley	5	5	5	5
Building separation	10	10	10	10
<b>Parking Setback (min ft.)</b>				
From primary street	15	15	8	8
From side street	10	10	8	8
Abutting single-family	10	10	10	10
Abutting multifamily, nonresidential, alley	0	0	0	0

## Building Form Standard by Frontage (Cont'd)

	■	■	■	■
ELEMENTS	Pedestrian	Urban	General	Commercial
<b>Transparency (min %)</b>				
Primary street				
Ground floor	60	50	60	50
Upper floors	20	20	20	20
Side street				
Ground floor	30	30	30	30
Upper floors	20	20	20	20
<b>Building Entrance</b>				
Facing primary street	Required	Required	Required	Required
<b>Blank Wall Area (max linear ft)</b>	30	30	30	30
<b>Ground Floor Elevation (min inches)</b>				
Residential use	18	18	18	18
Nonresidential use	0	0	0	0
<b>Floor Height (min/max ft.)</b>				
Ground floor height	14/20	14/20	14/20	14/20
Upper floor height	9/12	9/12	9/12	9/12

## Urban Frontage Building Design

### URBAN FRONTAGE



## Urban Frontage Building Design Standard (Cont'd)

PLACEMENT	ELEMENTS	HEIGHT
<p><b>SETBACK AREA</b> 7 ft. to 15 ft. behind ROW line.</p> <p><b>REQUIRED BUILDING FRONTAGE</b></p> <ol style="list-style-type: none"> <li>1. Primary street (lots 100 ft. or more in width). The building façade must be located within the setback area for a minimum of 60% of the lot width.</li> <li>2. Primary street (lots less than 100 ft. in width). The building façade must be located within the setback area for a minimum of 50% of the lot width.</li> <li>3. Side street. The building façade must be located within the setback area for a minimum of 25% of the lot depth.</li> </ol> <p><b>PARKING SETBACK LINE</b></p> <ol style="list-style-type: none"> <li>1. Primary street setback. Min 15 ft. behind ROW line.</li> <li>2. Side street setback. Min 10 ft. behind ROW line.</li> <li>3. Parking shall be located behind the parking setback line. No parking is permitted between the street and the building. This requirement shall not restrict on-street parking (see 4.1.3).</li> </ol>	<p><b>TRANSPARENCY (WINDOWS &amp; DOORS)</b></p> <ol style="list-style-type: none"> <li>1. Ground floor. Primary Street min 60%, Side Street min 30%, situated between 7 and 17 ft above the adjacent sidewalk. Ground floor residential, office and industrial uses may provide translucent windows to meet all transparency requirements.</li> <li>2. Upper floor. Min 20% situated from floor to floor.</li> <li>3. Retail sales and service uses. A minimum of 50% of the window pane surface area shall allow views into the ground floor for a depth of at least 15 ft. Windows shall not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space).</li> </ol> <p><b>BUILDING ENTRANCE</b></p> <ol style="list-style-type: none"> <li>1. A functioning entrance, operable during normal business hours, is required facing the primary street. An angled entrance may be provided at either corner of the building along the primary street to meet this requirement.</li> <li>2. A building located on two primary streets shall have either one entrance per frontage or provide one angled entrance at the corner of the building at the intersection. Buildings located on corner lots shall meet all applicable intersection sight distance requirements. Additional entrances off another street, pedestrian area, or internal parking area are permitted.</li> <li>3. A minimum of 50% of the required entrance shall be transparent.</li> <li>4. Recessed entrances shall not exceed 3 ft. in depth and one floor in height.</li> </ol> <p><b>BLANK WALL AREA</b> Blank lengths of wall exceeding 30 linear ft. are prohibited on all building façades.</p>	<p><b>GROUND FLOOR ELEVATION</b> For ground floor residential uses, the ground floor finished elevation shall be a minimum of 18 inches above the adjacent sidewalk (measured from the front building façade to the top of the finished ground floor). There is no minimum for ground floor nonresidential uses.</p> <p><b>FLOOR HEIGHT</b></p> <ol style="list-style-type: none"> <li>1. The ground floor shall have at least 14 ft of clear interior height (floor to ceiling) for a minimum depth of at least 25 ft.</li> <li>2. The maximum floor-to-floor height for the ground floor is 20 ft.</li> <li>3. The maximum floor-to-floor height for floors other than the ground floor is 12 ft.</li> <li>4. At least 80% of each upper floor shall have an interior clear height (floor to ceiling) of at least 9 ft.</li> </ol>

## Article 4 Streetscapes and Street Standards

- Typically found in Subdivisions Regulations and are used to ensure coherence of the street-space.
- Focuses on street trees and green spaces by street type
- Contains forms or cross-section of non-major road such collectors and locals

## §§ 4.1.2 thru 4.1.11

- Describes and illustrates the required streetscape plantings based on development type
- Applicability - Table from § 4.1.3 Follows

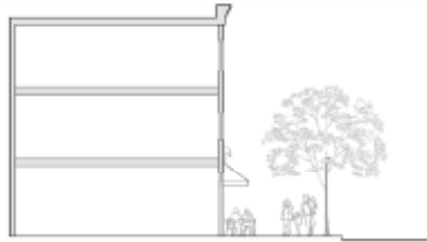
Type of Development/Zoning District	4.1.6A	4.1.6B	4.1.7A	4.1.7B	4.1.8A	4.1.8B	4.1.9A	4.1.9B	4.1.10A	4.1.11A	4.1.11B
	A-1	A-2	B-1	B-2	C-1	C-2	D-1	D-2	E-1	F-1	F-2
<b>Designated Frontage</b> (see 3.9.6)											
Pedestrian Frontage	■	■									
Urban Frontage	■	■									
General Frontage			■	■							
Commercial Frontage					■	■					
<b>Nonresidential District</b>											
OG, CMP-1, CMP-2	■	■	■	■	■	■	■	■	■		
CMU-1, CMU-2, CMU-3 (inside the loop)	■	■	■	■	■	■					
CMU-1, CMU-2, CMU-3 (outside the loop)	■	■	■	■	■	■					
CBD	■	■	■	■	■	■					
EMP, WD, IH	■	■	■	■	■	■	■	■	■		
<b>Residential Suburban District (RS-)</b>											
Conventional, Side Yard, Cottage, Semi-Attached, Two-Family, Large Home										■	■
Townhouse, Stacked Townhouse, Apartment	■	■	■	■	■	■					
<b>Nonresidential Uses</b>							■	■	■		
<b>Residential Urban District (RU-)</b>											
Conventional, Side Yard, Cottage, Semi-Attached, Two-Family, Large Home										■	
Townhouse, Stacked Townhouse, Apartment	■	■	■	■							
<b>Nonresidential Uses</b>							■	■	■		
<b>Residential Single-Family District</b>											
RM-P, R-E, R-15, R-10, R-8, R-6, R-3										■	■
<b>Nonresidential Uses</b>							■	■	■		
<b>Open District</b>											
OS, FW, CA							■	■	■		
CIV	■	■	■	■	■	■	■	■	■		

## Streetscape Plat - Type A

**TYPE A.** Building adjacent to street (no parking between building and street).

**Type A-1.** Sidewalk (trees planted in grates).

**Type A-2.** Sidewalk, tree lawn.



## Streetscape Plat – Type B

**TYPE B.** Parking area adjacent to street with maximum building setback of 60 feet (parking between building and street).

**Type B-1.** Parallel parking, trees planted in grates.

**Type B-2.** Parallel parking, tree lawn.

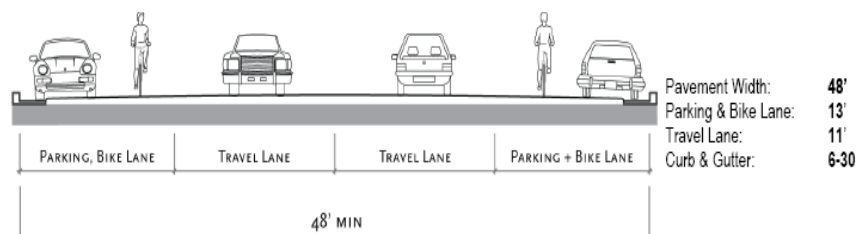


## Public Streets - § 4.2

- Arterial Street - Dimensional requirements found in MPO Long Range Plan.
- Primarily used for through traffic and broken into three sub-classifications
  - Limited Access Arterials
  - Principal Arterial
  - Minor Arterial

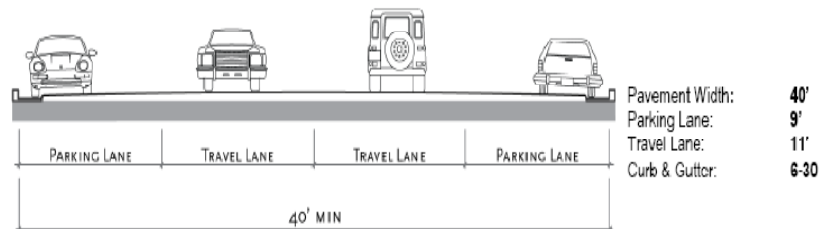
## Collector Streets § 4.2.5 – Collecting traffic from local streets, taking it to arterials

- Major Collector – Serves commercial and industrial areas, or large volume residential traffic



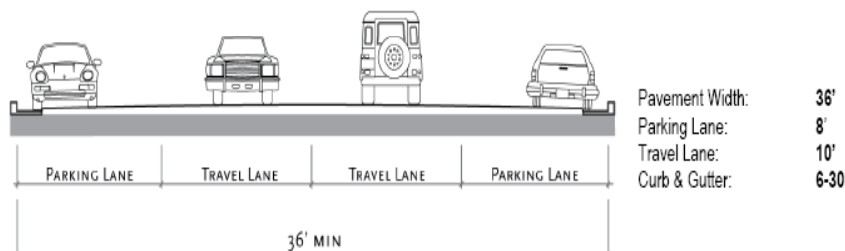
## Collector Streets § 4.2.5 –

- Minor Collector – Serving smaller number of dwelling units than major, Serve cul-de-sacs with offices uses generating less than 1000 trips per day



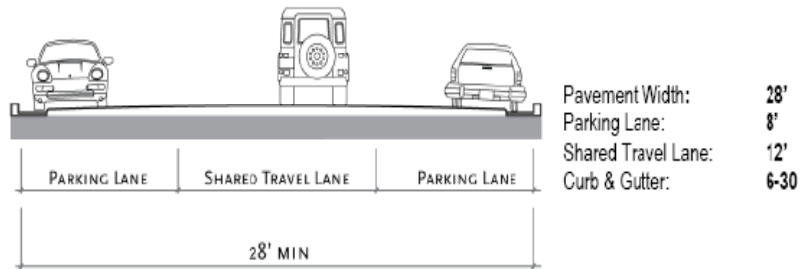
## Local Streets - § 4.2.6

- Major Local - provide direct access to abutting property



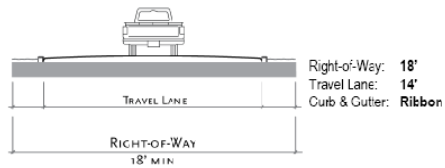
## Local Streets - § 4.2.6

Minor Local – Minimum level of mobility for two-way traffic

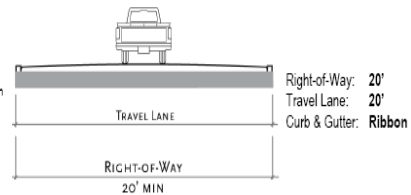


## Alley – Serve as secondary means of access

A. Residential Alley



B. Commercial Alley



## Article 5 Special Purpose Districts

- Carried Forward from Existing Ordinance
  - South Central Business Improvement District
  - Uptown Districts
    - Uptown may be folded into other proposed districts

## Article 6 Overlay Districts

- Underlying district controls use of land and minimum lot sizes
- Overlay adds additional requirements
  - Medical District (-MO)
  - Residential Corridors (-RC)
  - Floodplain District (-FP)
  - Fletcher Creek (-FC)
  - Airport (-AP) (Determined by Airport Authority)

## Article 6 Overlay Districts

- Historic Districts (-H)
  - Adds section on Demolition by Neglect (§ 6.3.4)
    - Owners must maintain certain historic structures and remedy condition of neglect in a set period of time
    - Planning Director determines when condition exists
    - Safeguard due to economic hardship
  - Neighborhood Conservation District(-NC) NEW
    - Preserve valued feature of established neighborhoods
    - Creation of a Neighborhood Conservation Plan

## Article 7 Site Development Standards

- After determining permitted uses and required setbacks, this sets finishing touches
- Elements
  - Street Access (§ 7.2)
  - Parking and Loading (§ 7.3)
  - Landscaping and screening (§7.4)
  - Outdoor lighting (§7.5)
  - Outdoor storage and display (§7.6)
  - Signs (§7.7)
  - **PLANNED DEVELOPMENT (§7.8)**

## Applicability - TO BE DETERMINED

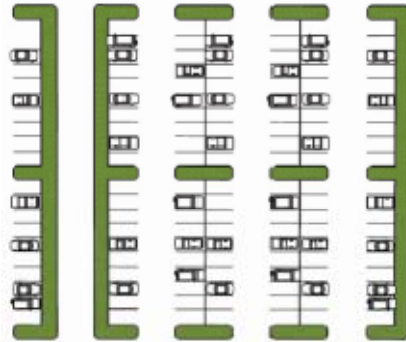
TYPE OF DEVELOPMENT	Access Management	Parking & Loading	Landscaping & Screening	Outdoor Lighting	Outdoor Storage & Display	Signs
<b>Commercial, Office, Industrial, Mixed Use</b>						
New Construction						
Change of Use, Expansion of Use						
Expansion of Building Area						
0%-25% expansion of building area						
26% to 50% expansion of building area						
51% or greater expansion of building area						
Expansion of Parking Area Only (Not in conjunction with a use/building expansion)						
Up to 3 spaces						
6 or more additional spaces						
<b>Multi-family (Three or more units)</b>						
New Construction						
Change of Use						
Expansion of Use (addition, additional unit, recreational facility)						
<b>Single-Family (attached or detached)</b>						
New Construction						
Change of Use						
Expansion of Use (addition, accessory structure, deck, porch, shed, detached garage, recreational facility)						

## Parking Pods (§ 7.3.5(C))

- Maximum Parking Area Pod Size** - Parking areas shall be broken up by landscaped area, tree islands, and buildings into pods containing no more than the number of parking spaces listed in the table below.

District	Pod Size (max)
RS-, RU-	60 spaces
OG, CMU-1, CMU-3	120 spaces
CMU-3, CBD	180 spaces
EMP, WD, IH	240 spaces

## Example of 120 Space Pod for District O-G, CMU-1 and CMU-3



## Landscaping Required Buffers § 7.4.5

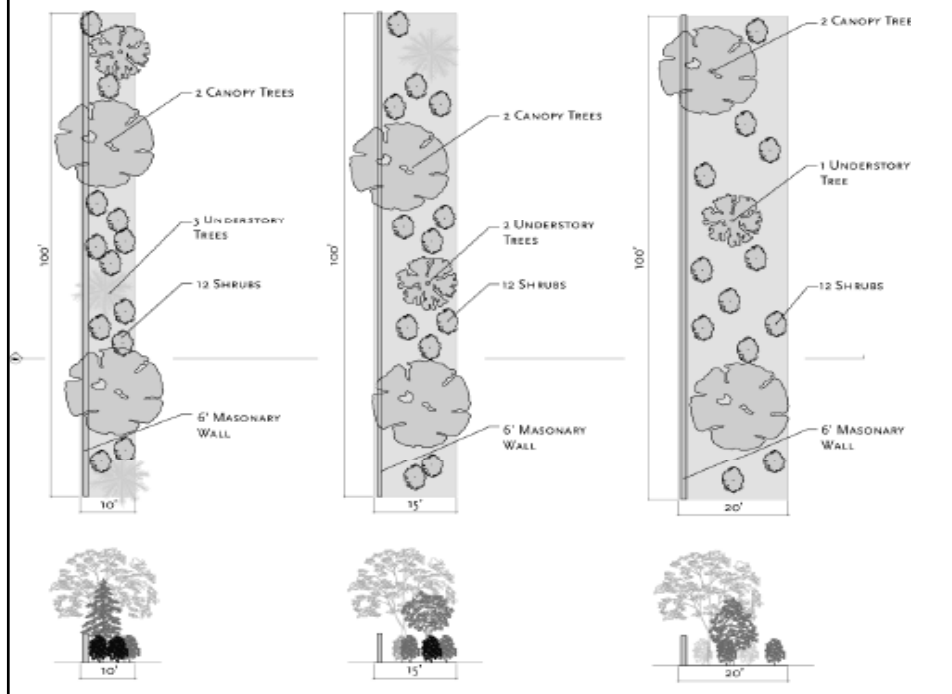
- Determined exclusive of any required setback, required open space or side yard.
- Any reverse frontage shall provide a class C buffer (7.4.5(c))
- District Boundary Buffers (See next slide)

## District Boundary Landscape Buffer Table (§ 7.4.5(B))

Subject Property	OS	FW	CA	CIV	R-MP	R-E*	RS-1	RS-2	RU-1	RU-2	RU-3	RU-4	OG	CMU-1	CMU-2	CMU-3	CBD	EMP	WD	IH
OG	--	--	--	--	A	A	A	A	A	A	A	A	--	--	--	--	--	--	--	--
CMU-1	--	--	--	--	B	B	B	B	B	B	B	B	A	--	--	--	--	--	--	--
CMU-2	--	--	--	B	B	B	B	B	B	B	B	B	A	A	--	--	--	--	--	--
CMU-3	--	--	--	B	C	C	C	C	C	C	B	B	B	B	A	--	--	--	--	--
CBD	--	--	--	B	C	C	C	C	C	C	B	B	B	B	B	--	--	--	--	--
EMP	--	--	C	C	C	C	C	C	C	C	C	C	C	C	B	B	B	B	--	--
WD	--	--	C	C	C	C	C	C	C	C	C	C	C	C	C	C	B	--	--	--
IH	--	--	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	B

\* R- = R-15, R-10, R-8, R-6, R-3

### 4. Class C Buffers



## Outdoor Lighting - § 7.5

- If visible from adjacent areas the following sources and fixtures are prohibited:
  - Low-Pressure Sodium and mercury vapor
  - Cobra Head type fixtures having dished or dropped lenses or refractors with other than incandescent source
  - Searchlight and other high-intensity narrow beam fixtures

## Outdoor Storage and Display (§7.6)

Separate category for motor vehicle sales and lease otherwise see table below

	OG	CMU-1	CMU-2	CMU-3	ICBD	CMP-1	CMP-2	EMP	WD	IH
Outdoor Display		■	■	■	■	■	■			
Limited Outdoor Storage			■	■	■	■	■	■	■	■
General Outdoor Storage								■	■	■

## Signs - § 7.7

- To be provided prior to end of the year
- Current draft only has existing sign ordinance

## Planned Development - § 7-8

- Planned Development is a Special use Permit (See § 10.6)
  - Used to create a more desirable use of land
  - A tool to allow more “creative and imaginative design” than that expected for conventional development
- Requirements for minimum of 35 percent common open space in residential developments

## Article 8 Natural Resource Protection Tree Protection - §8.1

- No clearing in advance of an approved preliminary or outline plan and the issuance of a tree removal permit
- § 8.1.3 Clarification on when tree preservation is required (See Table on next slide)
- § 8.1.4 Tree replacement on a caliper inch basis with 2.5 inch minimum

## Tree Preservation Minimums - § 8.1.3

Zoning District	Maximum Disturbed Area	
	Perimeter of Site	Remainder of Site
R-E, R-15	18%	30%
R-10, R-8, R-6, R-3	18%	100%
R-S, R-U	18%	30%
OG	18%	30%
CMU-, CBD, CMP	23%	30%
CMP, WD, III	30%	100%
CA, CIV	18%	100%
Planned Development Proposed Use	Perimeter of Site	Remainder of Site
Single-family (10,000 sq. ft. or less)	18%	100%
Single-family (over 10,000 sq. ft.)	18%	30%
Multifamily	18%	30%
Office/institutional	18%	30%
Retail	23%	30%
Industrial	30%	100%
Agricultural	18%	100%

## Article 8 Natural Resource Protection § 8.2 Open Space Requirement

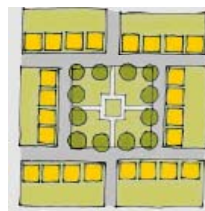
- Establishes Hierarchy for Selection of Open Space
  - Primary includes 100 year flood plain, 404 wetlands, stream buffer, steep slopes greater than 5000 square feet, native forests of at least 10 contiguous acres
  - Secondary include native forests of at least one acre, areas that connect the tract to other open spaces, soils with severe limitations for development, etc.

## Article 8 Natural Resource Protection § 8.2 Open Space Requirement (Cont'd)

- § 8.2.4 -25% of required open space shall be improved (includes Greenways, Tot Lots and Playgrounds, Plazas and Squares)



Tot Lot



Plaza

## Article 8 Natural Resource Protection § 8.2 Open Space Requirement (Cont'd)

- § 8.2.7(B) - **Management Plan**
  - Allocate responsibility for maintenance and operation
  - Estimate maintenance and insurance costs and how they are to be funded
  - Changes must be approved by Planning Director
  - Identify means of enforcement

## Article 8 Natural Resource Protection § 8.3 Steep Slope

- Must have grade >25% and an area of >5,000 square feet
- Must be natural, not man-made
- Development Limitations
  - Minimize Disturbance
  - Use terrain-adaptive design
  - Minimize street construction on steep slope areas

## **Article 8 Natural Resource Protection**

### **§ 8.4 Stream Buffers (New)**

- 60 foot buffer on both sides of all “perennial” or “intermittent” streams on USGS Quad maps
- Measure outward from mean high water line
- Permitted activities
  - Sewage easements, utilities, streets, bridges and similar structures
  - When possible cross perpendicular to stream

## **Article 9 Infrastructure Improvements**

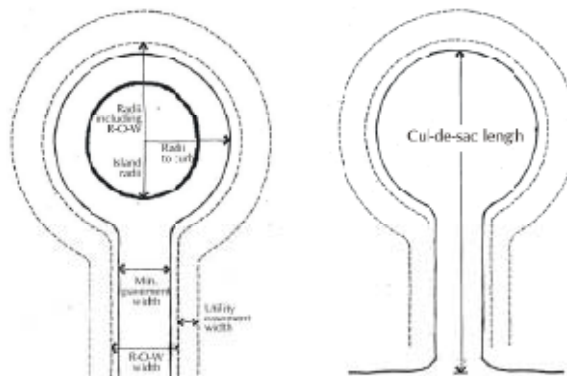
- § 9.1.1 - Required for all Site Plan (§ 10.12) and Subdivision Review (§ 10.7) Projects
- § 9.1.2 - No Board of Adjustment Variances
- § 9.2.4 External Connectivity
- § 9.2.9 Private Streets
- § 9.2.15 Bikeways

## Article 9 Infrastructure Improvements § 9.2.6 Cul-de-sacs

- Any time a cul-de-sac is created, it shall have a landscaped island including at least one canopy tree
- Maximum standards:

STANDARD	WITH ISLAND
Maximum Length	750 ft
Minimum Turnaround Radii (including ROW)	62 ft
Minimum Turnaround Radii (to curb)	54 ft
Minimum pavement width	36 ft
Right-of-way width	50 ft
Utility Easement Width	15 ft
Minimum center island radii	10 ft
Maximum center island radii	20 ft

## Article 9 Infrastructure Improvements § 9.2.6 Cul-de-sacs (Cont'd)



## **Article 9 Infrastructure Improvements**

### **§ 9.2.14 Sidewalks**

- Install according to Streetscape Plat (§ 4.1)
- Required on both sides of street
- Waiver available in CA and R-E districts
- Sidewalks and curb ramps must meet ADA
- Constructed prior to issuance of Certificate of Occupancy

## **Article 10 Administration**

- This article establishes jurisdictional bounds for the various agencies and bodies involved in zoning and development
- Increases neighborhood involvement in process (§10.3.2)
- Allows concurrent applications to be reviewed in some instances (§10.3.3(H))

	Governing Bodies	Land Use Control Board	Board of Adjustment	Landmarks Commission	Planning Director	Building Official	Technical Review Committee	
Text Amendment	[decision]	[review]			review			10.4
Zoning Change	[decision]	[review]			review			10.5
Special Use Review	[decision]	[review]			review		review	10.6
Planned Development Review	[decision]	[review]			review		review	10.6
Minor Preliminary Plan			[appeal]		decision		review	10.7.6
Major Preliminary Plan	[appeal]	[decision]			review		review	10.7.7
Final Plat	decision				review		review	10.7.8
Right-of-Way Vacation	[decision]	[review]			review		review	10.8
Right-of-Way Dedication	[decision]	[review]			review		review	10.9
Street Name Change	[decision]	[review]			review		review	10.10
Plat of Record Revocation	[decision]	[review]			review		review	10.11
Minor Site Plan			[appeal]		decision		review	10.12
Major Site Plan	[decision]	[review]			review		review	10.12
Special Exception Review		[decision]			review		review	10.13
Temporary Use Review			[appeal]			decision		10.14
Tree Removal			[appeal]		decision			10.15
Sign Permit			[appeal]			decision		10.16
Common Signage Plan			[appeal]		decision			10.17
Certificate of Occupancy			[appeal]			decision		10.18
Historic District Designation	[decision]	[review]		[review]	review			6.3.2
Certificate of Appropriateness				decision	review			6.3.3
Demolition by Neglect			[appeal]		decision			6.3.4
Written Interpretations			[appeal]			decision		10.19
Administrative Deviation			[appeal]		decision			10.20
Variance			[decision]					10.21

## Center City Design Review Board (§10.1.5)

- Responsible for reviewing applications and issuing permits in the CBID
  - For the design of public building facades and exteriors in public view,
  - Signs, and
  - other public improvements

## **Article 10 Administration Common Review Procedures (§10.3)**

- Nearly every process requires pre-application process (§10.3.1)
  - Subdivision,
  - Site Plan,
  - Special Use,
  - Zoning Changes
    - Planned Developments are treated similar to special use permits and are subject to super majority vote for approval

## **Article 10 Administration Common Review Procedures (§10.3) Cont'd**

- Neighborhood Meeting (New)
  - When? After Pre-app. conference and before final acceptance of application
  - What? Zoning Changes not in compliance with any applicable adopted plan (see §1.6) and for Special Use Review
  - Applicant must include meeting summary in application including attendance, major points discussed and any agreements reached.

## Article 10 Administration Common Review Procedures (§10.3) Cont'd

### • Public Hearings and Notification (§10.3.4)

	Public Hearing				Public Notice		
	Governing Bodies	Land Use Control Board	Board of Adjustment	Landmarks Commission	Posted	Mailed	Published
Text Amendment	■	■					■
Zoning Change	■	■			■	■	■
Comprehensive Rezoning	■	■			■	■	■
Special Use Review	■	■			■	■	■
Planned Development Review	■	■			■	■	■
Major Preliminary Plan	■	■			■	■	■
Right-of-Way Vacation	■	■			■	■	■
Right-of-Way Dedication	■	■				■	■
Street Name Change	■	■				■	■
Plat of Record Revocation	■	■				■	■
Major Site Plan	■	■			■	■	■
zSpecial Exception Review	■	■			■	■	■
Historic District Designation	■	■		■	■	■	■
Variance			■			■	■
Administrative Appeal			■			■	■

■ = public hearing/notice required    blank cell = no hearing/notice required

## Article 10 Administration Common Review Procedures (§10.3) Cont'd

### • Withdrawal of Application (§10.3.7)

- Applicant may withdraw at any time by filing a statement of withdrawal
- If a valid zoning protest petition has been filed, must file withdrawal at least 5 days before scheduled hearing before governing bodies
- Applicant may postpone a scheduled hearing only once per application for up to 90 days after date of scheduled hearing

## **Article 10 Administration Special Use Review (§10.6)**

- In addition to traditional special use, planned developments are now included
- Special use permit for a planned development “shall be noted on the “Official Zoning Map.”
- Parcels having multiple uses:
  - Any use requiring special use permit subjects whole project to this review,
  - If use is on a separate legal parcel, it can be reviewed alone

## **§ 10.7 Subdivision Review**

- Ties public improvements to specified design manuals of City and County Engineering as opposed to listing those standards again in this document
- Exemptions to subdivision process are found in (§ 10.7.3) and are unchanged

## Site Plan Review (§10.12)

- Major Site Plan Review is the same as legislative site plan review
- Minor is the same as administrative site plan review
- Both now reviewed by the Technical Committee

## Common Signage Plan (§10.17)

- Expands current procedures
- If filed for site with existing signs, all nonconforming signs must be brought into compliance within 3 years
- Approved by Planning Director
- Binding on future development

## **§ 10.21 Variance**

- Board of Adjustment can vary dimensional standards except those related to subdivision which are controlled by § 10.7(F)
- Board of Adjustment cannot grant use variances
- Additional findings now necessary to grant variance

## **Article 11 Nonconforming Uses**

- Nearly the same as current ordinance language
- Some added language for removal of certain nonconforming signs (§ 11.6.6(D))

## ARTICLE 12 Enforcement

- Consolidates existing enforcement provisions into a single Chapter. Enforcement of UDC continues to be the province of Construction Code Enforcement
- Tree Protection enforcement (§ 12.4) is the exception and fall under Planning Director
  - Unpermitted removal requires mitigation at 2 to 1 ratio

## Article 13 Definitions

- A general update which deletes terms no longer used and includes new ones
- Subdivision still defined as “division of land into two or more lots” so no one lot subdivisions
- Added include
  - Drop-in Child Care Center
  - Single room occupancy residence
  - Mobile Home and Manufactured Home

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