

2.1.4. R-1EN established neighborhood district.

A. *General description.* This district is intended to protect and preserve older low density neighborhoods established with a prevalent development pattern of large lots on a highly connected street pattern and character of development dominated by large lawns and complex, intricately designed residences. The district establishes dimensional regulations that compliment the prevalent development pattern and residential design requirements that reflect the prevalent building character of the neighborhoods. The district is intended to provide for neighborhood stability while allowing continued development that is in harmony with the existing development pattern. The district is not intended for use on previously undeveloped land that is currently zoned as agricultural (A-1). It should be used in the context of the prevalent existing development pattern.

B. *Definitions applicable to this section.*

1. *Accessory dwelling unit.* A separate and complete dwelling unit that is contained on the same lot as a house.
2. *Facade, front.* The exterior walls of a structure that face a public right-of-way.
3. *Infill parcel.* A tract of land that is at least 250 wide at the street boundary and at least two (2) acres in area.
4. *Irregular lot.* A lot or tract that one or more of the following apply:
 - a. The lot or tract has six (6) or more sides; or
 - b. The natural slope within the required front yard is twenty-five (25) percent or greater from the front property line to the setback line; or
 - c. The proposed first floor finished elevation is greater than twenty (20) feet above or below the average adjacent street elevation; or
 - d. The proposed building site is not visible from the street.
5. *Pervious surface.* A surface that presents an opportunity for precipitation to infiltrate into the ground.

C. *Permitted principal and accessory uses and structures.*

1. The following residential uses shall be permitted:
 - a. Houses, but not including house trailers and mobile homes.
2. The following nonresidential uses shall be permitted:
 - a. Utilities, including but not limited to electric sub-stations and other electric system facilities, water and wastewater facilities, storm water facilities, and transportation related easements, alleys and right-of-ways.
 - b. Accessory uses described at article V, section 4.
 - c. Accessory buildings and structures, subject to the provisions of article V, section 4.C.
 - d. Signs as regulated in article V, section 10.

D. *Uses and structures permitted on review.*

1. The following residential uses may be permitted on review by the planning commission in accordance with provisions contained in article VII, section 5.
 - a. Duplex, provided the duplex is located on a lot with two street frontages and each primary entrance faces a different street.
 - b. Accessory dwelling unit, subject to the provisions of article IV, section 2.1.4.J. except

that an accessory dwelling unit shall not be provided on a lot already having a duplex.

c. Bed and breakfast inn, subject to the provisions of article IV, section 2.1.4.K.

2. The following nonresidential uses may be permitted on review by the planning commission in accordance with provisions contained in article VII, section 5.

a. Churches or similar places of worship, with accessory structures, but not including missions or revival tents.

b. Elementary or high schools, public or private.

c. Parks, playgrounds and playfields, and neighborhood and municipal buildings and uses in keeping with the character and requirements of the district.

d. Libraries, museums, and historical monuments or structures.

e. Plant nursery in which no building or structure is maintained in connection therewith.

f. Country clubs with eighteen-hole golf course having grounds of not less than one hundred forty (140) acres, or country club with nine-hole golf course having grounds of not less than sixty (60) acres, but not miniature golf courses or driving ranges operated for commercial purposes.

g. Cemeteries.

h. Home occupation as regulated in article V, section 12.

i. Community swimming pool as regulated in article V, section 16.

j. Club house for a civic, non-profit organization such as a garden club, women's club or a local community club. Off-street parking shall be provided as specified for private clubs in article V, section 7.

k. Private day nurseries and kindergartens as regulated in article V, section 3.

l. Commercial telecommunications towers.

m. Accessory buildings and structures, subject to the provisions of article V, section 4.C and D, with building coverage that does not exceed the building coverage of the principal building, but exceeds the maximum size for a single accessory building as a permitted use.

E. *Dimensional and density regulations.*

1. *Lot area:*

a. In newly platted subdivisions other than MPC approved infill parcels:

i. For each primary use except duplexes there shall be a minimum lot area of not less than twenty-two thousand (22,000) square feet.

ii. For each duplex there shall be a minimum lot area of not less than thirty-three thousand (33,000) square feet.

iii. To qualify for an accessory dwelling unit, a lot with a primary house must be not less than thirty-three thousand (33,000) square feet.

b. In replats of existing subdivisions other than MPC approved infill parcels:

i. For each primary use except duplexes the minimum lot area shall be equal to the average of those lots within the same subdivision and within five hundred (500) feet of the subject property.

ii. For each duplex the minimum lot area shall be equal to one hundred fifty (150) percent of average of those lots within the same subdivision and within five

hundred (500) feet of the subject property.

iii. To qualify for an accessory dwelling unit, a lot with a primary house must be not less than ten thousand (10,000) square feet larger than the average of those lots within the same subdivision and within five hundred (500) feet of the subject property.

2. *Lot width:*

a. For each primary use except duplexes the minimum lot width shall be not less than one hundred (100) feet at the front building line and such lots shall abut for a distance not less than fifty (50) feet on a public street or an approved permanent easement meeting the requirements of the Knoxville/Knox County minimum subdivision regulations.

b. For each duplex the minimum lot width shall be not less than one hundred thirty (130) feet at two street frontages (it must be one a corner lot).

3. *Front yard:*

a. For each house or duplex the minimum depth of the front yard shall be equal to the average (plus or minus ten (10) feet) of developed lots on the same street within 500 feet of the subject property, but not less than forty (40) feet and in no case shall an accessory building be located or extend into the front yard.

b. For each primary nonresidential structure the minimum depth of the front yard shall be fifty (50) feet and in no case shall an accessory building be located or extend into the front yard.

c. A covered, but not enclosed, porch may extend up to eight (8) feet into a front yard.

4. *Side yard:*

a. For each house or duplex the minimum width of a side yard, except a side yard adjacent to a street, shall be equal to ten (10) percent of the lot width at the front building line.

b. For each primary nonresidential structure the minimum width of a side yard, except a side yard adjacent to a street, shall be equal to twenty (20) percent of the lot width at the front building line.

c. For any accessory building the minimum width of a side yard, except a side yard adjacent to a street, shall be equal to five (5) percent of the lot width at the front building line, and in no case shall be less than five (5) feet.

5. *Side yard adjacent to street:*

a. For each house or duplex, and any accessory structures thereto, the minimum width of a side yard adjacent to a street shall be equal to fifteen (15) percent of the lot width at the front building line, except a side yard adjacent to a street that is also adjacent to a front yard of an abutting property must match the adjacent front yard, plus or minus ten (10) feet.

b. For each primary nonresidential structure, and any accessory structures thereto, the minimum width of a side yard adjacent to a street shall be equal to twenty (20) percent of the lot width at the front building line, except a side yard adjacent to a street that is also adjacent to a front yard of an abutting property must match the adjacent front yard, plus or minus ten (10) feet.

6. *Rear yard:*

a. For each primary building or structure the minimum depth of the rear yard shall be twenty-five (25) feet.

b. For any accessory building or structure the minimum depth of the rear yard shall be five (5) feet.

7. *Pervious surface of yards:* Each yard shall be required to maintain not less than seventy-five (75) percent of its area as pervious surface and shall be covered with lawn, ground cover, landscaping or left in natural condition so as to allow absorption of storm water.

8. *Lot coverage:*

a. Principal and accessory buildings shall cover not more than twenty-five (25) percent of the lot area.

9. *Height:*

a. For primary buildings the maximum height shall be thirty-five (35) feet.

b. For accessory buildings the maximum height shall be fifteen (15) feet, except that the maximum height may be increased one (1) foot for each foot of side and/or rear yard greater than the minimum, up to a maximum of twenty-five (25) feet.

10. *Exception for irregular lots:* Where a building site on an irregular lot is situated such that any of the front, side or rear property lines are not readily determinable or cannot be literally applied, required setbacks shall be as determined by the director in compliance with the following criterion: required setbacks shall not permit the placement of buildings on the site in a manner that will constitute a grant of special privileges inconsistent with the limitations placed on other properties in the vicinity and incompatible with surrounding uses.

11. *Infill parcels:* Qualifying infill parcels may be developed upon approval of a development plan by the MPC utilizing the use-on-review process with the following density calculations:

a. Base density of two (2) dwelling units per acre.

b. Additional density of up to one (1) dwelling unit per acre may be awarded if the proposed development provides for owner-occupancy by creating attached houses with fee simple lots or recording of condominium documents.

c. Additional density of up to one (1) dwelling unit per acre may be awarded if the proposed development is located with access to a major collector or arterial road as shown on the major road plan.

F. *Design requirements for new structures.* The intent of this section is to require new structures to reflect the character of the existing development within the district. New primary structures shall meet the following design requirements:

1. *Foundations.*

a. All primary structures shall be attached to a permanent foundation, such as a slab-on-grade, piles, piers, concrete footing or other form designed to give permanent and unmovable stability to a structure.

b. The foundation system shall be surrounded by a perimeter wall of solid masonry, concrete or other approved material.

2. *Orientation of structure to street.* It is important that new structures reflect the prevalent orientation of structures toward the street that is prevalent in the district. Front facade of the primary structure shall be parallel to the street or tangent to the curve of the street.

a. Primary entrance to a structure shall face the street and provide a hard-surfaced pedestrian connection of driveway and/or sidewalk from the street to the entry; or the primary entrance to a structure shall open upon a covered porch or courtyard that faces the street and that is at least sixty (60) square feet with a minimum depth of six (6) feet and provides a hard surface pedestrian connection of driveway and/or sidewalk from the

street to the porch or courtyard.

3. *Door openings on attached garages.*

a. Front facing garage door opening(s) may comprise no more than forty (40) percent of the front elevation. Detached garages may not be located in front of a primary structure and are not a part of this calculation.

b. Attached garages with front facing garage door openings must be set back from the front facade of the structure no less than four (4) feet.

4. *Building mass and shape.* To increase architectural variation within neighborhoods and increase architectural interest, yet allow for flexibility in design, primary structures shall have two (2) of the three following characteristics:

a. Roofs shall be either:

i. Flat -- with roof pitch less than 1/12 and a single plane;

ii. Steep -- with roof pitch of 6/12 or more, or

iii. Articulated -- with multiple pitches, planes, ridge line directions or heights, or displaying hips and valleys.

b. More than one finished floor level.

c. The shape of habitable and attached garage space must have no less than eight (8) sides. For the purpose of these regulations a side is an exterior wall segment, from change of direction to change of direction, no less than four (4) feet in length.

5. *Elevations facing a street.* To increase architectural variation along streetscapes and increase architectural interest, yet allow for flexibility in design the following requirements apply to elevations that face a street, except for a rear elevation if property abuts a street on the rear of the lot:

a. Street-facing elevations must contain window and door systems no less than twenty-five (25) percent of the wall surface area;

b. Street-facing elevations must contain wall articulation so that no more than twenty-four (24) feet of wall is continuous without one of the following:

i. A recess or projection of habitable space of more than sixteen (16) inches;

ii. An entry door system recessed more than sixteen (16) inches; or

iii. A covered porch with roof integrated into the primary structure;

c. In addition, street-facing elevations must contain three (3) of the following design elements:

i. Dormers;

ii. Gabled or hipped roof for a portion of the facade that is a projection from the balance of the elevation;

iii. Recessed or projecting entry of at least sixteen (16) inches in depth and eight (8) feet in width;

iv. Covered porch that is at least 6 feet in depth and no less than 25% of the street-facing elevation in width;

v. Architectural columns supporting a porch roof;

vi. Bay window of at least 12 inches in depth that creates a bay or alcove in a room within;

- vii. Window and door trim of a least four inches in width;
- viii. Front facing balcony that projects from the facade and is enclosed by a railing or parapet;
- ix. All masonry wall surface; or multiple surface coverings, with a masonry surface no less than twenty-five (25) percent of the total facade surface;
- x. Habitable space above the garage equal to no less than fifty (50) percent of the garage space below.

6. *Exceptions for irregular lots.* On irregular lots where it is determined by MPC staff that a proposed building site is not visible from the street, these requirements may be waived.

G. *Off-street parking.* Off-street parking shall be provided in accordance with article V, section 7 of these regulations; except:

- 1. Required off-street parking spaces must be located behind the front building line.
- 2. Paved vehicle parking and access facilities in the front yard and street side yard shall be limited to not more than the greater of the following:
 - a. Twenty-five (25) percent of the front or street side yard area; or
 - b. The hard surface area leading directly to a carport or enclosed garage; or
 - c. Four hundred (400) square feet.

H. *Administration.*

- 1. Prior to the construction or placement of any new structure within the district, and the issuance of any permits therefore, a site plan and street facing elevation for any primary building must be submitted to the staff of the MPC for approval and appropriate certification of the plans. These plans are to be used by the staff to insure that any proposed development is in conformance with the intent, regulations and requirements of this section.
- 2. The site plan shall be drawn to scale and must include the following:
 - a. Lot boundaries, dimensions and calculation of area;
 - b. Topography, if the applicant wishes to demonstrate status as an irregular lot;
 - c. Street boundaries and names;
 - d. Building locations, dimensions and calculations of area, including details of wall articulation of the street facing elevations if applicable;
 - e. Roof plan showing roof pitches and location of dormers, hips, valleys, and ridge lines; and roof area for purposes of calculation lot coverage.
 - f. Driveway and sidewalk locations, dimensions, materials and calculation of area;
 - g. Any other hard surfaced areas, including dimensions, materials and area calculations
- 3. The drawings of street facing elevations shall be drawn to scale and must include the following:
 - a. Location and dimensions of window and door openings;
 - b. Dimension and details on window and door trim;
 - c. Covered porch and courtyard dimensions and area calculations;
 - d. Identification of exterior materials and area calculations of each type;
 - e. Identification of habitable space above a garage, if proposed, and calculations of area.

4. The applicant may appeal any decisions of staff regarding the certification of these plans to the city board of zoning appeals pursuant to the procedures for application for variances to the zoning regulations.

I. *Infill parcel development standards.* These standards would be applied during the use-on-review process if development does not choose to use the dimensional requirements shown in "E" above.

1. *Use and density/intensity.* Use, residential types and density/intensity factors shall be approved by MPC and documented on the development plan.

2. *Minimum lot dimensions and setbacks.* Minimum lot dimensions and setbacks shall be approved by MPC and documented on the development plan.

3. *Residential design requirements.* Residential design requirements consistent with the intent of this section shall be approved by MPC and documented on the development plan.

4. *Required open space.*

a. No less than twenty-five (25) percent of the development shall be required to be maintained as permanent open space such as a park, playground, natural area or other approved open space.

b. Required open space may not be a part of any private yard and shall be maintained for common access.

5. *Landscaping requirements.*

a. Within any new street right of way or joint permanent easement, street trees (species and minimum size approved by MPC) shall be provided at a rate of one (1) tree per fifty (50) lineal feet of street or easement frontage.

b. On residential lots, canopy trees (species and minimum size approved by MPC) shall be provided at a rate of one (1) tree per two thousand five hundred (2,500) square feet of lot area.

c. Within required open space, canopy and ornamental trees (species and minimum size approved by MPC) shall be provided at a rate of one (1) tree per one thousand (1,000) square feet of lot area. Existing trees with dbh greater than six (6) inches may be preserved and counted toward this requirement.

J. *Accessory dwelling unit standards.* These standards shall apply to applications for use-on-review of proposed accessory dwelling units within the R-1EN zone district.

1. *Ownership.* The property owner must occupy either the primary dwelling or the ADU as their permanent residence.

2. *Applicability of building codes.* The design and size of the accessory dwelling unit (ADU) shall conform to all applicable building codes. When there are practical difficulties involved in carrying out the provisions of the building codes, the building official may grant modifications for individual cases.

3. *Water, sewer and other utilities.* Building officials shall certify that utilities are adequate for the ADU.

4. *Number of ADU per lot.* Only one ADU may be created per lot in the R-1EN district, except that lots with an existing duplex may not add any additional ADU.

5. *Location.* The ADU may be within, attached to, or detached from the primary dwelling structure and may be a part of a detached accessory structure. An ADU may be developed within an existing structure or as new development.

6. *Lot coverage and yards.* Any additions to an existing building shall not exceed the allowable

lot coverage or encroach into required yards.

7. *Size of ADU.* In no case shall an ADU exceed forty (40) percent of the primary dwelling habitable floor area, nor more than eight hundred (800) square feet or less than 300 square feet, nor more than two (2) bedrooms, unless warranted by the circumstances of the particular building.

8. *Appearance.* The ADU shall be designed so that the appearance of the primary structure remains that of a house. The entrance to the ADU shall be located in such a manner as to be unobtrusive from the same view of the structure which encompasses the entrance to the principal dwelling.

9. *Parking.* One parking space per bedroom, in addition to those required for the primary dwelling, shall be created for the ADU. This space shall be located behind the front of the primary structure and shall not obstruct access to any garage openings of the primary dwelling, whether required or not.

K. *R-1EN bed and breakfast inn standards.* A bed and breakfast inn is an allowed use-on-review provided the following standards are met:

1. *Ownership.* A bed and breakfast inn may only be operated by an owner who also resides in the building.

2. *Location.* A bed and breakfast inn must be operated in the principal building on the site and not in accessory structures.

3. *Number of guest rooms.* The number of guest rooms allowed is based on the following square footage requirements:

TABLE INSET:

Gross Sq. Ft. of Principal Building	Guest Rooms Permitted
Less than 1,200 square feet	One (1) room
1,201 to 1,800 square feet	Two (2) rooms
1,801 to 2,400 square feet	Three (3) rooms
2,301 to 3,000 square feet	Four (4) rooms
3,001 to 3,600 square feet	Five (5) rooms
Over 3,600 square feet	Six (6) rooms

5. *Operation.*

a. The maximum length of stay for a transient paying guest is limited to thirty (30) days in any twelve-month period, and the owner shall maintain a current guest register.

b. Only incidental retail sale of goods or merchandise will be allowed on the premises.

c. No receptions, meetings or other functions shall be allowed on the premises.

d. The serving of meals shall be limited to breakfast for registered guests only.

e. At least one (1) bathroom for use exclusively by guests is required on each floor of the building.

6. *Parking.* All required off-street parking spaces shall be screened by landscaping or other suitable opaque barrier from adjacent residences. No required off-street parking shall be allowed in the front yard.

7. *Spacing.* Bed and breakfast inns with more than one guest room must be 1,000 feet apart from each other as measured along the centerline of right-of-way from edge of lot to edge of lot.

8. *Appearance.*

a. Each bed-and-breakfast shall be established, maintained and operated so as to preserve and compliment the residential character and integrity of the surrounding area.

b. One (1) wall sign of no more than two (2) square feet identifying the bed and breakfast inn shall be permitted. This sign shall not be directly or internally lighted.

(Ord. No. O-108-07, § 1, 5-22-07; Ord. No. O-129-08, § 1, 6-17-08; Ord. No. O-70-09, § 1, 5-5-09)

Note: Former Art. IV, § 2c.