Memphis City Council

Special Session on Planning and Zoning

September 7, 2010

CHAPTER NO. 165.

House Bill No. 424.

(By Shelby Delegation.)

AN ACT to empower all municipalities having a population in excess of one hundred and sixty thousand inhabitants, by the Federal Census of 1920, or by any subsequent Federal Census, to provide for the establishment of districts or zones within the corporate limits, and to empower such municipalities by ordinance, to regulate within such zones or districts, the use or uses of land, the height, the area, the size and the location of buildings, the required open spaces for the light and ventilation of such buildings and the density of population; to provide for a Board of Appeals, and for the carrying out of such ordinances, and to provide a penalty for the violation thereof.

1921: Private Act creating Memphis Planning Commission and Board of Adjustment

1922: Ordinance creating first Zoning Code & Map in Memphis

1931: Private Act creating Shelby Co. Planning Commission and Board of Adjustment for 5-mile zone outside of Memphis

1935: Private Act permitting Shelby Co. PC & BOA jurisdiction outside of 5-mile zone

1955: Private Act allowing Memphis & Shelby Co. bodies to merge

1970: Ordinance codifying the merger of the Memphis & Shelby County Planning Commission and Board of Adjustment

1976: Ordinance creating Office of Planning and Development

1981: Major overhaul of Memphis and Shelby County Zoning Code

2010: Approval of the UDC

Planning and Zoning Authority of City Council

1. Text Amendments
2. Map Amendments (rezoning)
3. Comprehensive Plans
4. Comprehensive Rezonings
5. Special Use Permits
6. Planned Developments
7. Right-of-Way Dedication & Abandonment
8. Historic District Designation

The Memphis and Shelby County Unified Development Code

Available at **memphis.code-studio.com**

The Process Behind The UDC

- **Project kick-off – October 2004**
- **Staff Review Draft – April 2007**
- **Committee Review Draft – July 2007**
  - Steering Committee Review
  - Neighborhood Group/CDC Review
  - Environmental Group Review
  - Historic Preservation Review
- **Test Cases/Scenarios**
  - Medical Center Overlay – January 2007
  - Broad Avenue Charrette/Code – February 2007
  - Fischer Steel Plan – January 2009
  - University Overlay District – May 2009
- **Sustainable Shelby**
- **Final Public Review Draft – April 2009**
- **Practitioners' Workshops – Feb 2010 to date**
- **Land Use Control Board – 1.) May 2009, 2.) Feb. 2010 and 3.) June 2010**

Article 1 – General Provisions

1. ***SIGNIFICANT CHANGE*:**
   Public Agencies will now be encompassed by Zoning Code

2. ***SIGNIFICANT CHANGE*:**
   Zoning district conversion

NEW DISTRICTS		*FORMER DISTRICTS*
Open Districts		
OS	Parks & Open Space	*NEW*
FW	Floodway	*FW*
CA	Conservation Agriculture	*AG*
CIV	Civic	*NEW*
Residential Districts		
R-MP	Manufactured Home Park	*R-MO*
R-E	Residential – Estate	*R-E*
R-15	Residential Single-Family – 15	*RS-15*
R-10	Residential Single-Family – 10	*RS-10*
R-8	Residential Single-Family – 8	*RS-8*
R-6	Residential Single-Family – 6	*RS-6, RS-6I*
R-3	Residential Single-Family – 3	*NEW*
RU-1	Residential Urban – 1	*R-D*
RU-2	Residential Urban – 2	*R-TH*
RU-3	Residential Urban – 3	*R-ML, R-MM*
RU-4	Residential Urban – 4	*R-MH*
RU-5	Residential Urban – 5	*NEW*
Mixed Use Districts		
RW	Residential Work	*O-L*
OG	Office General	*O-G*
CMU-1	Commercial Mixed Use – 1	*C-L, C-N*
CMU-2	Commercial Mixed Use – 2	*C-P*
CMU-3	Commercial Mixed Use – 3	*C-H*
CBD	Central Business	*CBD*
CMP-1	Campus Master Plan – 1	*CU, H (inside loop)*
CMP-2	Campus Master Plan – 2	*CU, H (outside loop)*
Industrial Districts		
EMP	Employment	*I-L*
WD	Warehouse & Distribution	*NEW*
IH	Heavy Industrial	*I-H*
Special Purpose Districts		
SCBID	South Central Business Improvement	*SCBID*
U	Uptown	*UPT*
Overlay Districts		
-MO	Medical Overlay	*-MO*
-RC	Residential Corridor Overlay	*NEW*
-H	Historic Overlay	*H-P*
-AP	Airport Overlay	*AHR*
-FP	Floodplain Overlay	*FP*
-FC	Fletcher Creek Overlay	*FCD*
-NC	Neighborhood Conservation Overlay	*H-C*

Article 2 – Districts and Uses

- **Establishes the Use Table and uses permitted by right v. those requiring special use review**

*R- = 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	CV	R-MP	R*	R-3			RU-1	RU-2	RU-3	RU-4			OG	OMU-1	OMU-2	OMU-3	OBD	OMP-1	OMP-2	EMP	WD	IH	Use Standard
Medical Facility (see 4.5.3D)	Blood Plasma Donation Center																□	■	■	■	■	■	■				
	Medical or Dental Laboratory																■	■	■	■	■	■	■	■			
	Hospital				□												□			■	■	■	■				
	Medical, Dental or Chiropractor Clinic, massage therapy, or outpatient surgery center																■	■	■	■	■	■	■				
Park/Open Area (see 4.5.3E)	All parks and open areas, except as listed below:	■	■	■	■	■	■	■	■	■	■	■	■	■			■	■	■	■	■	■	■	■	■	■	4.2.2D
	Cemetery, Mausoleum, Columbarium, Memorial Park			□	□													■	■	■							4.2.2E
	Game Preserve, Wildlife Management Area, Refuge, Animal Sanctuary		□	□																							
	Recreation Field	□	□	□	□	□	□	□	□	□	□	□	□	□			□	■	■	■	■	■	■	■	■	■	4.2.2D
	Reservoir, Control Structure, Water Supply, Water Well	■	□	■	■	■	■	■	■	■	■	■	■	■			■	■	■	■	■	■	■	■	■	■	
Passenger Terminal (see 4.5.3F)	Airport, Heliport, Airline Terminal		□																					□	■	■	4.2.2F
	Bus, Train Passenger Terminal																			■	■			□	□	■	
	Taxicab Dispatch Station, Limousine Service																		□	■	■			■	■	■	
	Multimodal Facility																			■	■			■	■	■	
Place of Worship (see 4.5.3G)	All places of worship			■	■	■	■	■	■	■	■	■	■	■			■	■	■	■	■	■	■	■	■	■	4.2.2G
Social Service Institution (see 4.5.3H)	All social service institutions				□														□	□	□						
Utilities (see 4.5.3I)	All minor utilities	■	■	■	■	■	■	■	■	■	■	■	■	■			■	■	■	■	■	■	■	■	■	■	
	All major utilities																							□		■	
	Amateur Radio Operator Tower (65 feet or less)		□	■	■	■	■	■	■	■	■	■	■	■			■	■	■	■	■	■	■	■	■	■	4.2.2H
	Communication towers		□	□	□												□	□	□	□	□			□	□	□	
	CMCS tower and facilities		□	■	□	□	□	□	□	□	□	□	□	□			■	■	■	■	■	■	■	■	■	■	4.2.2I
COMMERCIAL																											
Indoor Recreation (see 4.5.4A)	All indoor recreation, except as listed below:																	■	■	■	■	■	■	■	■		
	Adult-oriented establishment																							■		■	4.2.3A
	Athletic, tennis, swim or health club																■	■	■	■	■	■	■	■	■		
	Bar, Tavern, Cocktail Lounge, Nightclub																□	□	■	■	■						4.2.3C
	Convention Center				■															□	■	□	□				
	Lodge, Membership Club		□		■		□	□	□	□	□	□	□	□			□	■	■	■	■						
	Indoor Shooting Range																		□	□	□			■			
Office (see 4.5.4B)	All offices, except as listed below:																■	■	■	■	■	■	■	■	■		
	Radio, TV, or Recording Studio				■												■	■	■	■	■	■	■	■	■		4.2.3C.1
Overnight Lodging (see 4.5.4C)	Bed and Breakfast								□	□	□	□	□	□			□	■	■	■	■	□	□				
	Hotel or Motel																□		■	■	■	■	■				4.2.3F
	Youth Hostel																		□	□	□	□	□				

■ = Use Permitted By Right

□ = Use Requiring Special Use Review

Zoning Districts – Comprehensive list of the base districts

Use Standards - ensure that certain "negative" characteristics of a particular use can be mitigated so that compatibility with nearby uses can be achieved. It provides an alternative to disallowing a use altogether.

Principal Use – This column sets up the master list of uses.

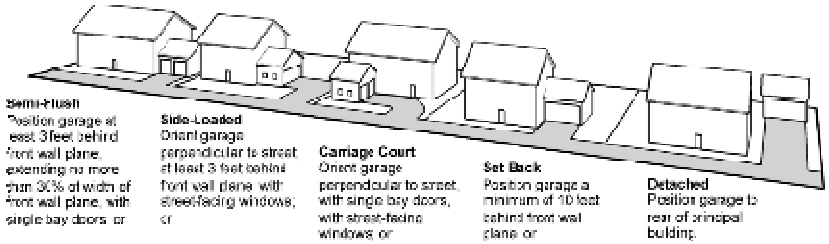
***1. SIGNIFICANT CHANGE*: New mixed use districts**

***2. SIGNIFICANT CHANGE*: Change to permitted uses, especially in regards to residential in current commercial districts**

Article 3 – Building Envelope Standards

- Provides for three subdivision options.
  - Standard
  - Open Space
  - Sustainable
- Establishes residential compatibility standards including garage and carport placement.
- Contextual infill standards

R-6 District: Site	Area (min)		Average Lot Area (min sq. ft.)		Common Open Space (min)		Wate
Open Space Subdivision	10 acres		3,600		20%		Re
Housing Type	Conventional	Side Yard	Cottage	Semi-Attached	Two-Family	Town-house	Large Home
Site (min)							
Unit width (ft.)	--	--	--	--	--	16	--
Tract or Lot (min)							
Width (ft.)	45	45	35	35	50	--	--
Height (max ft.) see also	40	40	25	40	40	50	40
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	--
Required building frontage	--	--	--	--	--	80%	--
Side (interior)	5	0	5	5	5	5	5
Side (total)	10	10	10	--	10	10	10
Side (street)	10	10	10	10	10	10	10
Rear	20	20	20	20	20	20	20
% of Housing Types (max)							
20 acres or less	100%	60%	60%	40%	40%	20%	20%
Larger than 20 acres	70%	60%	60%	40%	40%	20%	20%



1. ***SIGNIFICANT CHANGE*: New threshold date for legal lots: March 1, 1989.**

2. ***SIGNIFICANT CHANGE*: Corner radii reduced.**

3. SIGNIFICANT CHANGE: Block lengths reduced.

4. SIGNIFICANT CHANGE: New housing types.

Side yard house

Large house

Cottage

5. SIGNIFICANT CHANGE: Bulk Regulations.

a. Lot Size

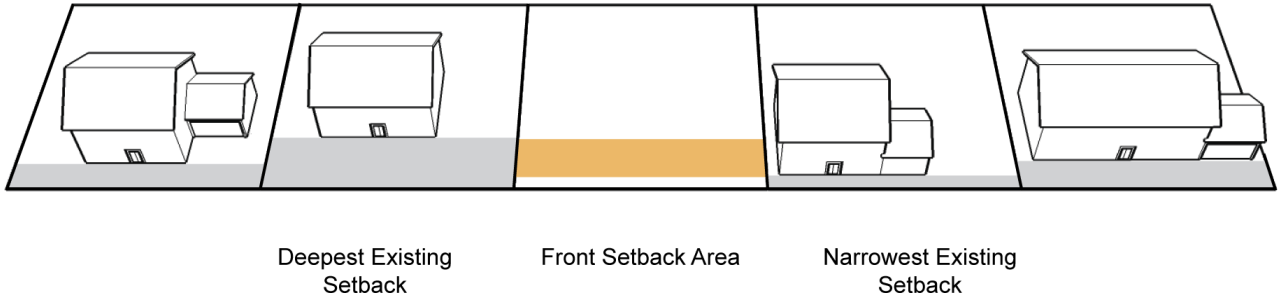
b. Lot Width

c. Building Height

d. Building Setbacks

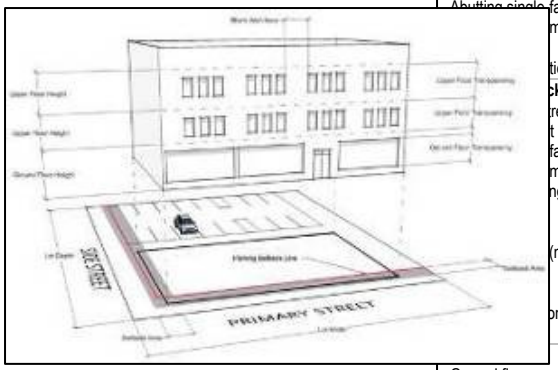
6. SIGNIFICANT CHANGE: New subdivision types.

7. SIGNIFICANT CHANGE: Standards for infill housing.

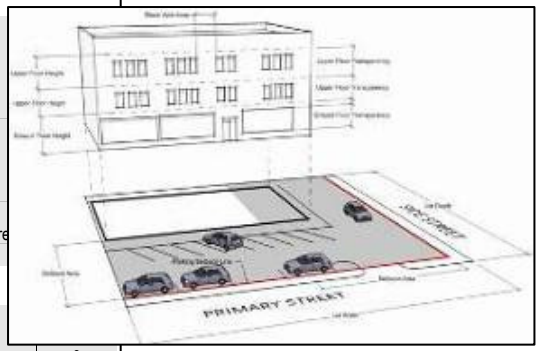


8. SIGNIFICANT CHANGE: Non-residential setbacks.

9. SIGNIFICANT CHANGE: Frontage Standards.

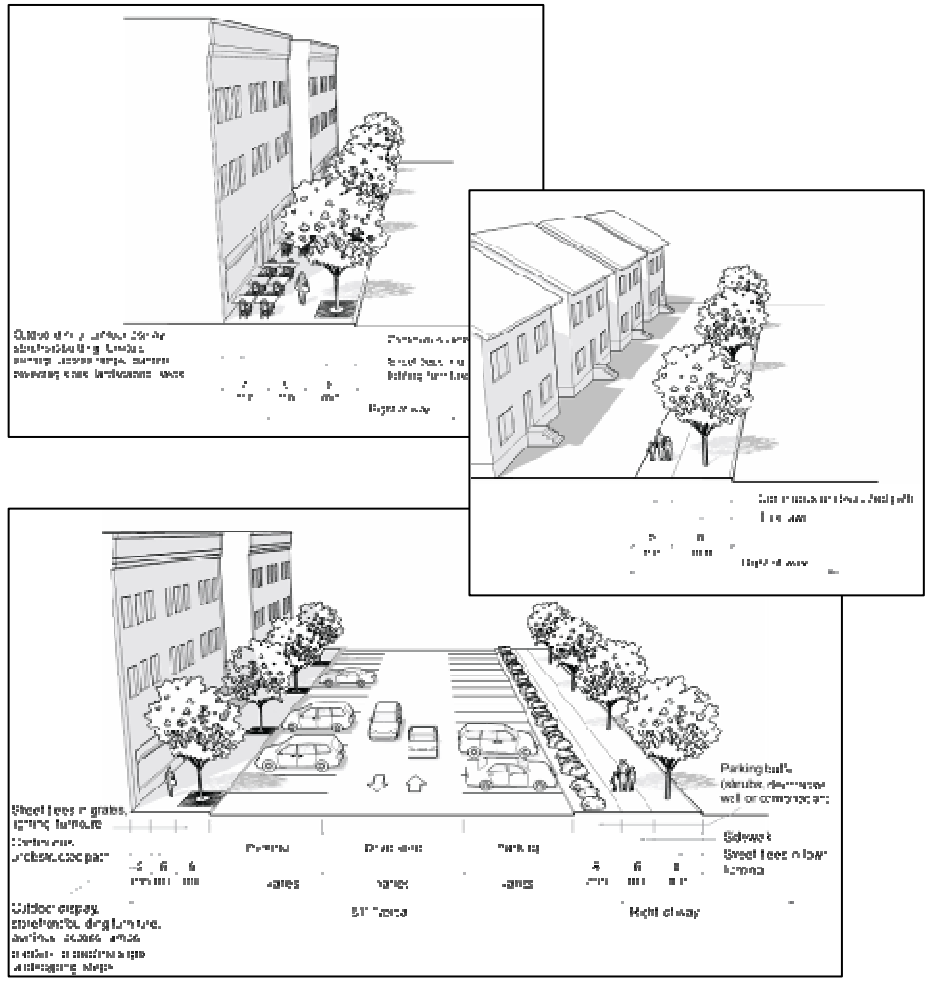


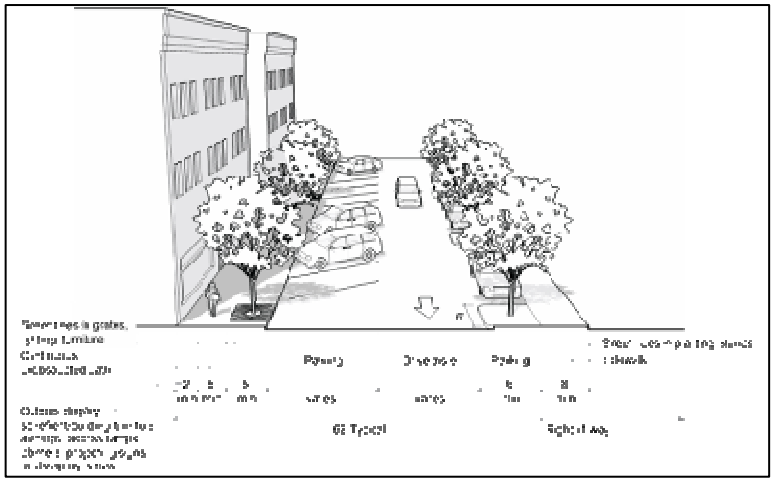
	Shopfront	Pedestrian	Urban	Transitional	Commercial	General	Non-Designated
PLACEMENT							
Setback Area							
Front setback (min ft.)	2	2	2	2	2	2	2
Front setback (min ft.) If outside use	7	7	7	7	7	7	7
Front setback (max ft.)For the purposes of calculating the Required Building Frontage	15	15	20	62	81	90	--
Required Building Frontage (min %)							
Primary street (lot 100 feet in width or more)	80	80	60	60	50	40	--
Primary street (lot less than 100 feet in width)	70	70	40	35	30	20	--
Side street	40	40	25	25	25	15	--
Side/Rear Setback (min ft.)							
Abutting single-family	10	10	10	10	10	10	10
mily, nonresidential	0 or 10	0 or 10	0 or 10	0 or 10	0 or 10	0 or 10	0 or 10
	5	5	5	5	5	5	5
tion	10	10	10	10	10	10	10
ck (min ft.)							
reet	10	10	10	8	8	8	8
t	10	10	10	8	8	8	8
family	10	10	10	10	10	10	10
mily, nonresidential, alley	0	0	0	0	0	0	0
ng Required	Yes	Yes	Preferred	No	No	No	No
(min %)							
	50	40	50	50	50	50	
on-retail)	35	20	25	25	25	25	
	20	15	20	20	20	20	
Ground floor	30	30	30	30	30	30	
Ground floor (non-retail)	15	15	15	15	15	15	
Upper floors	20	20	20	20	20	20	
Building Entrance							
Facing primary street	Required	Required	Required	Required	Required	Require	
Blank Wall Area (max linear ft.)	30	40	30	30	30	30	
ELEMENTS							
Ground Floor Elevation (min inches)							
Residential use	18	18	18	18	18	18	
Nonresidential use	0	0	0	0	0	0	0
Floor Height (min)							
Ground floor height	14	12	12	12	12	12	12
Upper floor height	11	11	11	11	11	11	N/A



Article 4 – General Development Standards

- **Streetscape Standards** ensure the coherence of the street-space. The streetscape standards define the development parameters for **the area of land between buildings and the street**, and includes on-site requirements and off-site requirements. These standards also establish an environment that encourages and facilitates pedestrian activity.

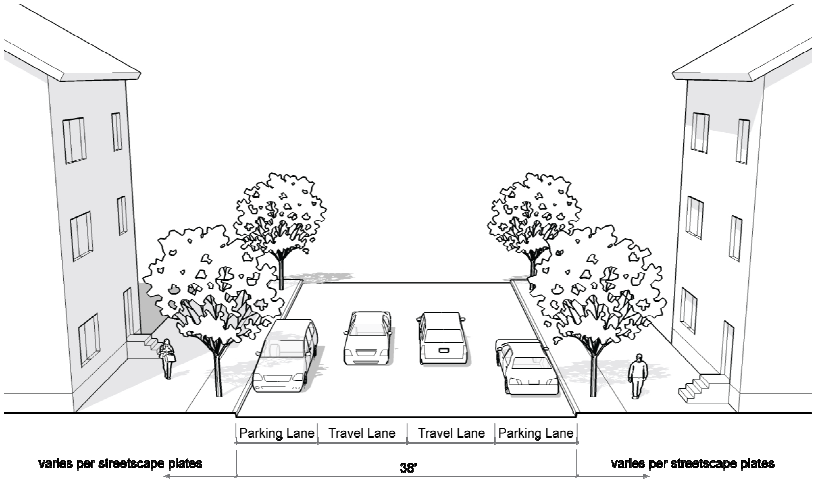


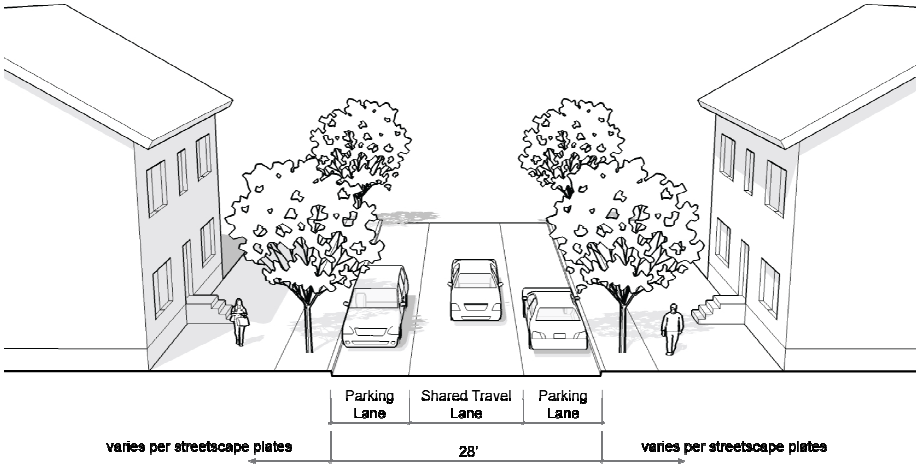


1. ***SIGNIFICANT CHANGE:*** ***Including these development standards in one place in the Code of Ordinances.***
2. ***SIGNIFICANT CHANGE:*** ***Promote wide median strips to allow for tree planting in the streetscape plates.***

3. SIGNIFICANT CHANGE: Curb and gutter exemption.

4. SIGNIFICANT CHANGE: Narrower streets.





Minor connectors may be 38 feet wide.

Minor local roads may be 28 feet wide.

5. SIGNIFICANT CHANGE: Parking reductions.