



Zoning Standards Summary

Department of Development Services

SUBJECT: ZONING STANDARDS FOR THE HERITAGE DEVELOPMENT DISTRICT

REQUIREMENTS BY CITY OF MARYVILLE ORDINANCE, TITLE 14, ZONING AND LAND USE CONTROL

Zoning District [§ 14-209]: The Heritage Development zone's proximity to the original site of Ft. Craig, the Central Business District, and its location on the greenbelt shall provide opportunities for festivals, festive retail, cultural and heritage-related uses such as museums, craft shops, antiques, or any appropriate use that will attract locals and tourists to the area. In an effort to expand development opportunities for vacant lots and buildings within the Heritage Development Zone, all lots within the district that have frontage along E. Church Avenue shall be afforded the right to develop under the same standards as outlined in the Central Business District zone. Allowing this flexibility will ensure a more cohesive development pattern along both sides of E. Church Avenue.

The Heritage Development district is designated a downtown zoning district and is subject to design review by the Maryville Downtown Design Review Board (DDRB).

Permissible Use [§14-209 (7) (k)]:

- **Residential:** Attached homes including apartments, condominiums, and lofts above storefronts are permitted. Single-family detached housing is not appropriate in this zone.
- **Mixed uses:** Most types of land uses in the Heritage development zone are encouraged including those for entertainment, employment, service, shopping, light manufacturing, cultural, heritage oriented activities, museums and tourist types of development.
- **Prohibited Use:** Adult establishments, heavy manufacturing, mini-storage, landfill or mining, hazardous occupancies or storage of hazardous materials, or any uses not determined to be compatible with the function, character, and intent of the Heritage Development zone.

Nonconforming Situations [§14-208]: Nonconforming situations that were otherwise lawful on the effective date of this ordinance may be continued.

Supplemental Use Requirements [§14-211]: N.A.

Density and Dimensional Requirements [§14-209 (7) (a), (b), & (d)]:

- **Minimum Lot Size:** none
- **Minimum Lot Width:** none
- **Building Height:** 3 stories or 45 feet
- **Primary Structure Setbacks:** Setback from existing utility easements must be observed, otherwise:
 - **Front:** 20 feet *maximum* from street right of way or greenbelt. Building setback preferably should line flush with existing buildings in the district.
 - **Side:** No minimum unless adjacent to residential use; ten (10) foot minimum if adjacent to residential use.
 - **Rear:** No minimum. Maximum variable depending upon placement of parking as determined by the DDRB.

Parking [§14-209 (7) (c)]:

- Total coverage cannot exceed 30% of the entire lot.
- Parking must be placed in the rear of the building. If rear parking is impossible, parking may be placed on one side. Parking shall not be allowed in front.
- In those cases where parking adjoins a street, a six-foot opaque wall made of appropriate materials, including brick, stone, and other natural materials must be appropriately placed to create a visual edge for pedestrians and motorists.
- Appropriate landscaping in and around parking lots, including trees may be required.
- Due to the variety of land uses allowed within the downtown districts and the fact that not all uses are specifically identified within the parking standards and regulations table, the land use administrator is hereby authorized to use the parking table as a guide in determining an adequate number of parking spaces for projects within the Heritage Development Zone. When land uses have specific needs or provide special services, the land use administrator shall use discretion in calculating and determining the number of spaces needed and the parking lot coverage to be constructed on-site, and may also consider public and satellite parking that may be available to a specific site in the final design of the parking needed for a particular project.

Windows & Doors [§14-209 (7) (e)]:

- Spacing and size of fenestration shall match that of the other buildings on the same block that were built before 1950
- Windows shall be square or vertical in orientation
- All fenestration shall be indicative of the period of construction of the building
- Sills and lintels for windows are encouraged
- Only true divided light or simulated divided light units are permissible

Facades [§14-209 (7) (f)]:

- Substantial removal, alteration, or covering of original facades is not allowed
- Facades composed of brick or masonry shall be re-pointed and cleaned to a condition indicative of their original finish
- In cases of extreme deterioration, facades may be repaired and painted
 - Paint colors must be of historic precedent, compatible with adjacent properties and approved by the DDRB.
- Applicants must submit paint samples, awning fabric samples, etc. to the DDRB for all proposed new paint projects, building construction and façade alteration.

Materials [§14-209 (7) (g)]:

- Exterior materials shall be wood, stone, brick or fiber-cement siding that resembles horizontal lap siding with residential scale fenestration.
- Cut stone is allowed while river rock and stacked stone are not allowed.
- Veneer materials (i.e., vinyl siding, stucco, and synthetic stucco) are not allowed.
- Synthetic materials and stucco may only be allowed on a limited basis for accent, trim and cornices.

Accessories/Details [§14-209 (7) (i)]:

- New construction should be sensitive to the historic quality and restored nature of adjacent zones.
- Details such as shutters, balconies, overhangs, exterior lighting, security lighting, etc. must be reviewed and approved by the DDRB as compatible with the original building facade.

- Deteriorated architectural features shall be repaired rather than replaced. The new materials should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence.
- Blank walls are discouraged. Painted murals and other wall decorations on elevations may be appropriate as reviewed by the DDRB.
- Ancillary structures and equipment: HVAC equipment, above ground grease traps, electric generators, fuel tanks, trash compactors, dumpsters, garbage containment areas, storage bins and similar ancillary structures and equipment shall be screened from public roads with landscaping, walls or fences.
 - Proposed screening, ancillary structures and equipment shall be submitted for DDRB review before installation.

Landscaping and Screening [§14-213 (3-5)]: A strip of trees, bushes, and/or a fence is required as a buffer between high intensity and low intensity land uses. In such cases, a landscape plan must be submitted to the department of planning.

Outdoor Lighting [§14-213 (6)]: A lighting plan may be required; determined by the planning department.

- Lighting must not exceed one foot-candle at the property line zoned or used for residential purposes.
- Any luminaire rated at more than 1800 lumens, and all flood or spotlights rated at more than 900 lumens shall not emit light above a horizontal plane.
- Laser source lights or any similar high-intensity light for outdoor advertising or entertainment is prohibited.
- The operation of searchlights for advertising purposes is prohibited.
- A light “point by point” foot-candle diagram must be shown on the site plan with a 10x10 foot maximum grid. The diagram should cover at least ten feet on either side of property lines that border residential zones or uses.

Signs [§14-209 (7) (h)]: A separate sign permit is required. An application for requested signage shall be made to the Department of Development Services. Fees are \$10.00 plus \$1.00 per square foot of signage installed unless work begins before permit is issued, in which case fees are \$250.00 plus \$1.00 per square foot. For information contact Jillian Love at 273-3502 or jlllove@maryville-tn.org.

Demolition [§14-209 (7) (j)]: The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible. Demolition shall not occur unless one or the more following conditions are met:

- If a building has lost its architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
- If the denial of the demolition will result in an unreasonable economic hardship on the applicant as determined by the DDRB;
- If the public safety and welfare requires the removal of a structure or building; and
- If the structural instability or deterioration of a property is demonstrated through a report by a structural engineer or architect. Such a report must clearly detail the property's physical condition, reasons why rehabilitation is not feasible, and cost estimates for rehabilitation versus demolition. In addition to this report, there shall be a separate report that details future action of this site.

Site Plan Review [§14-212]:

- Before a property can be used for a new or changed use, or be substantially altered, the owner, agent, or buyer under contract must obtain a **zoning permit** or **special exception permit**.
- Before property can be subdivided, the owner, agent, or buyer under contract must obtain an approved, **final plat**.
- Before physical improvements can be made to a proposed subdivision, the owner, agent, or buyer under contract, must obtain an approved, **preliminary plat**.
- Before physical improvements can be made to any property, the owner, developer, or agent must obtain **site plan approval** and the required **construction permits**. This is in addition to any reviews that might be required by the DDRB.

This information is provided as a summary only. For specific requirements for a particular property, please contact the Development Services offices.

Department of Development Services
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