FORM BASED CODE
ADMINISTRATION
UPDATES

Public Meeting
May 7, 2015
What is a form based code?

“A method of regulating development to achieve a specific urban form. Form-based codes create a predictable public realm primarily by controlling physical form, with a lesser focus on land use, through city or county regulations.”

For more info: [http://www.formbasedcodes.org/](http://www.formbasedcodes.org/)
Background of FBC in Knoxville

- South Waterfront Form Based Development Code adopted by MPC & City Council in 2007

- Cumberland Avenue Form Based Code adopted by MPC and City Council in 2013
Changes to General Provisions of FBC

Section 4.0 General Provisions

4.0.1 Introductory Provisions:
- Purpose & Intent – no change
- Districts Established – no change
- How to Use this Code – additions for clarification

4.1 GENERAL PROVISIONS

4.1.1 Introductory Provisions

A. Purpose and Intent

The new code will be an example of a book for those who are interested in the development of the city and in the new technology.

B. Districts Established

The existing Districts have been restated in the new ordinance.

C. How to Use this Code for New Development

1. Step One
   - All new structures will be based on the current code.

2. Step Two
   - The new code will be used as a guide for the development of the site.

3. Step Three
   - Any application related to new developments shall be considered.

4. Step Four
   - The new code will be used as a guide for the development of the site.

5. Step Five
   - Any application related to new developments shall be considered.

6. Step Six
   - Any application related to new developments shall be considered.

7. Step Seven
   - Any application related to new developments shall be considered.

8. Step Eight
   - Any application related to new developments shall be considered.

9. Step Nine
   - Any application related to new developments shall be considered.

10. Step Ten
    - Any application related to new developments shall be considered.

11. Step Eleven
    - Any application related to new developments shall be considered.

12. Step Twelve
    - Any application related to new developments shall be considered.

13. Step Thirteen
    - Any application related to new developments shall be considered.

14. Step Fourteen
    - Any application related to new developments shall be considered.

15. Step Fifteen
    - Any application related to new developments shall be considered.

16. Step Sixteen
    - Any application related to new developments shall be considered.

17. Step Seventeen
    - Any application related to new developments shall be considered.

18. Step Eighteen
    - Any application related to new developments shall be considered.

19. Step Nineteen
    - Any application related to new developments shall be considered.

20. Step Twenty
    - Any application related to new developments shall be considered.
Changes to General Provisions of FBC

- Section C. How to Use this Code – becomes “How to Use this Code for New Development”

- Added “Section D. How to Use this Code for Additions to Structures or Developments”
  - “addition” - construction that extends or increases the floor area or height of a structure
  - Alterations, repairs, or new construction shall not be considered an addition

- Existing construction that is not modified by the addition may remain and does not have to comply with the provisions of Sections 4.0 through Section 4.3 – as long as legally permitted

- Any addition shall comply with Subsection 4.0.1.C of this Section.
Added “Section E. How to Use this Code for Alterations to Structures or Developments”

- “alteration” - any change or modification in the construction of an existing structure or portion of an existing structure that may change the structure, but does not increase the overall area, height, or dimensions of the structure.

- Repair, maintenance, demolition, or additions shall not be considered an alteration.

- Existing construction that is not modified by the alteration may remain and does not have to comply with the provisions of Sections 4.0 through Section 4.3 – as long as legally permitted

- Any alteration shall comply with Subsection 4.0.1.C of this Section.
Changes to General Provisions of FBC

- Added “Section F. How to Use this Code for Repairs to Structures or Developments”
  - “repair” - the reconstruction, replacement, or renewal of any part of existing construction or one of its constituent systems for the purpose of maintenance, with similar material while retaining sound parts or elements

  - Repair shall be synonymous with the terms renovation and restoration

- Alterations, additions, or demolition shall not be considered repair.

- Existing construction that is not modified by the repair may remain and does not have to comply with the provisions of Sections 4.0 through Section 4.3 - as long as legally permitted
Legal Pre-Existing Non-Conforming (Art. VI)

- Land uses which existed legally upon the effective date of a zoning change, but which are not in conformance with all the applicable provisions of the adopted or amended zoning regulation, shall be subject to the provisions of this section to the fullest extent permitted by state law.

- A nonconforming building, structure or use of land lawfully existing at the time of the adoption or amendment of this ordinance may be continued and maintained as provided in this article; provided, however, that nothing herein shall be construed to authorize the continuation of any illegal or nonconforming use which was illegal prior to the adoption of this ordinance.
2. Where a building or structure is conforming as to use, but nonconforming as to yard, height, or off-street parking requirements, such building or structure may be enlarged or added to along existing building lines providing:

- a. Addition or enlargement does not extend into any other required yard or exceed the existing height of the building or structure.
- b. Existing building together with addition or enlargement does not exceed the maximum lot coverage permitted in the district in which it is located.
- c. All off-street parking requirements for both existing building and addition or enlargement are complied with.
## Current Fee Schedule

### Knoxville-Knox County Metropolitan Planning Commission Schedule of Fees

To place your item on the MPC meeting agenda, you must submit a completed application form and pay the specified fee. MPC may approve or deny an application, or take other appropriate action.

<table>
<thead>
<tr>
<th>SUBDIVISION</th>
<th>CONCEPT PLAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 6 lots</td>
<td>$500</td>
</tr>
<tr>
<td>6 or more lots</td>
<td>$500 + $20 per lot</td>
</tr>
<tr>
<td>Concept Plan Extension</td>
<td>$200</td>
</tr>
</tbody>
</table>

**Review Fees**

| Less than 6 lots | $500 |
| 6 or more lots | $500 + $20 per lot |
| Administrative (no variance request) | $250 |
| Exempt Subdivision | $250 |
| Corrected | $200 |
| Resubmittal of Final Plat (120 days after MPC denial) | $250 |

**Additional Fees**

| Variance Request (by number) | $250 |
| County Boundary Closure (each submission) | $100 |
| Prepayment Request (each submittal) | $50 |

### DEVELOPMENT PLAN

| Non-Residential | $500 + $50 per acre |
| Residential* | $500 + $50 per unit |
| Comprehensive Administrative Review | $400 |
| C.O. | $500 |
| R-1 | $50 |

### USE ON REVIEW

| Telecommunication Tower Consultant Review | $5,000 |
| Noise Residential Zone | $1,500 |
| Residential Zone - More than 1 acre* | $1,500 |
| Similar Use Determination | $200 |

### FORM CODE DEVELOPMENT

| Alternative Compliance | $1,500 |
| Development Plan Review | $4,000 |
| Zoning Compliance | $50 |

### OTHER REQUESTS

| MPC Decision | $500 |
| Staff Decision to MPC | $250 |

### ZONING

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Basic</th>
<th>Overlay</th>
<th>Planned</th>
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<tbody>
<tr>
<td>R-1</td>
<td>R-3</td>
<td>C-2</td>
<td>R-2</td>
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<tr>
<td>B-1A</td>
<td>B-4</td>
<td>C-3</td>
<td>R-3</td>
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<tr>
<td>R-1H</td>
<td>O-7</td>
<td>C-8</td>
<td>R-8</td>
</tr>
</tbody>
</table>

**Note**: For purposes, Agriculture, Open Space, and Estate zones are also considered “Residential.”

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*Note*: For purposes, Agriculture, Open Space, and Estate zones are also considered “Residential.”
**New Fee Schedule**

**FORM CODE DEVELOPMENT FEE SCHEDULE**

<table>
<thead>
<tr>
<th>Alternative Compliance</th>
<th>$1,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Plan Review</td>
<td></td>
</tr>
<tr>
<td>Value of Work from $0 to $500.00</td>
<td>$50</td>
</tr>
<tr>
<td>Value of Work from 500.01 to $5,000.00</td>
<td>$100</td>
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<tr>
<td>Value of Work from $5,000.01 to $50,000.00</td>
<td>$500</td>
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<tr>
<td>Value of Work from $50,000.01 and above</td>
<td>$1,000</td>
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<tr>
<td>Zoning Clearance</td>
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<td>Value of Work from $0 to $500.00</td>
<td>$25</td>
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<tr>
<td>Value of Work from $500.01 and above</td>
<td>$50</td>
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</tbody>
</table>

**Form Based Code fees are collected by the Plans Review and Inspections Department**
Questions and Comments

For more information please visit:

www.cityofknoxville.org/policy/formbasedcode.pdf

Peter Ahrens, Director of Building Inspections

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