

5.4. IH-1 infill housing overlay district.

- A. *General description.* This overlay district is intended to foster infill residential development and major additions that are compatible with the design of original houses in older Knoxville neighborhoods, particularly those built prior to 1950 along grid streets that often had sidewalks and alleys.

The purposes of an Infill Housing Overlay District are as follows:

- To promote neighborhood and economic stability;
 - To strengthen desirable physical features and design characteristics, and a neighborhood's identity, charm and flavor;
 - To enhance pedestrian-oriented streets;
 - To prevent blight, caused by incompatible and insensitive development;
 - To promote and retain affordable housing;
 - To encourage the harmonious, orderly and efficient growth and redevelopment in older Knoxville neighborhoods.
- B. *Permitted uses.* The district is not intended to regulate the use of the land, buildings or structures. Property and buildings in the infill housing overlay district may be used for the purpose permitted by the base zoning.
- C. *IH-1 Infill housing overlay districts defined—Selection criteria.* An infill housing overlay district shall be a geographically definable area, having the following characteristics:
1. The district is located in a neighborhood where the houses and streets were generally established prior to 1950;
 2. The neighborhood has similar lot sizes, housing patterns and related physical features; and
 3. The area should be ten (10) or more acres in size. Areas of less than ten (10) acres may be designated if they abut an existing infill housing overlay district.
- D. *Creation of an infill housing review committee.*
1. For the purpose of administering the regulations and guidelines of the overlay district, an infill housing design review committee is hereby established. The review of applications by this committee shall be administered by the metropolitan planning commission. The committee shall be comprised of staff from metropolitan planning commission (three (3) members), community development division (two (2) members), plans review and inspection division (two (2) members), city engineering (one (1) member) and the East Tennessee Community Design Center or their successors (one (1) member).
 2. The responsibilities of the infill housing design review committee are to review the applications for infill housing overlay district for conformance to the Heart of Knoxville infill housing design guidelines. In addition to setbacks and lot dimensions, the committee shall review the proposed development in terms of roof pitch, porch, door, window and related features that were characteristic of the original pattern of development.
- E. *Creation of an IH-1 infill housing overlay district.*
1. The metropolitan planning commission shall submit written recommendations to the city council regarding the creation of, or subsequent changes to the boundaries and related criteria of an infill housing overlay district.

2. The city council, the mayor, an owner or a majority of the owners to be included in the proposed IH-1 infill housing overlay may initiate an application for infill housing overlay district or an application for removal of property from an existing infill housing overlay district. The city council shall make final determination of designation after reviewing the recommendations of the infill housing design review committee.
3. Applications may be initiated by petition when signed either by the owners of fifty-one (51) percent of the property or by at least fifty-one (51) percent of the property owners within the proposed district.

F. *Administrative procedures.* The district is intended to foster compatible infill housing, which may have different open space, height, and off-street parking regulations than those found in the base zone. Minimum lot sizes and setbacks may differ from those required by the base zone in order to realize the principles associated with the guidelines. The infill housing review committee may vary the base zone regulations by issuance of a certificate of appropriateness. The issuance of a certificate of appropriateness will relinquish any need for variances within the infill overlay district.

Lot sizes, front, side and rear setbacks, and off-street parking are to be in accordance with the principles of the Heart of Knoxville Infill Guidelines.

An alley shall serve as the primary means of ingress and egress for all dwelling units unless special site circumstances or conditions prohibit alley access (such as exceptional narrowness or topography).

A certificate of appropriateness shall be required for any building permit or request for subdivision approval within the overlay district and shall be based on conformity with the adopted standards of the overlay district which are made a part of this ordinance amendment by reference.

1. An application for an infill housing overlay district (IH-1) shall include:
 - a. A map designating the boundaries of the proposed district, depicting both the developed and undeveloped parcels.
 - b. A description of the physical development of the proposed district, including photographs of representative houses within the neighborhood.
2. Certificates of appropriateness will be issued as outlined below:
 - a. All applications for certificates of appropriateness within an infill housing overlay district shall be reviewed by the infill housing design review committee within thirty (30) days. The infill housing design review committee shall have the power to approve, approve with conditions or deny a certificate of appropriateness.
 - b. No building permits shall be issued until the sixteenth day after actions by the infill housing design review committee. If the action of the infill housing design review committee is appealed to the metropolitan planning commission, no building permit shall be issued until the metropolitan planning commission has acted on the appeal.
 - c. No building permit shall be issued for the following activities within an infill housing overlay district without issuance of a certificate of appropriateness by the infill housing design review committee:
 - 1) New primary structure;
 - 2) Additions visible from the primary street;
 - 3) Changes to porches visible from the primary street;
 - 4) Driveways, parking pads, access points, garages or similar facilities.
3. An application for a certificate of appropriateness shall include:
 - a. Front and side elevation drawings;
 - b.

- Plot plan with address and CLT#;
- c. Elevation of corners;
 - d. Finished floor elevation (approximate);
 - e. Setbacks;
 - f. Driveway and sidewalks locations (proposed and existing);
 - g. Alley location if lot is adjacent to an alley;
 - h. Heart of Knoxville infill guidelines checklist.

(Ord. No. O-201-06, § 1, 9-26-06; Ord. No. O-75-08, § 1, 3-25-08; Ord. No. O-70-09, § 1, 5-5-09)

Note—Former Art. IV, § 25.