



City of Memphis, Tennessee
Paul A. Young, Mayor

REQUEST FOR INFORMATION

City of Memphis Purchasing Department
125 North Main, Suite 354
Memphis, TN 38103

RFI #2024-001

COMPREHENSIVE UPDATE TO UNIFIED DEVELOPMENT CODE

Issued: June 5, 2024
Due: July 5, 2024 no later than 12:00 P.M. (Central Time)

City of Memphis, Tennessee seeks to retain the services of a consultant to provide a comprehensive update of the Memphis and Shelby County Unified Development Code. City of Memphis is issuing this Request for Information (RFI) to solicit written qualifications from consultants who are interested in providing such services. Based on an evaluation of responses to this RFI, one team of consultants will be selected and invited to participate in further discussions and negotiation of a contract agreement for the requested services.

I. Introduction

City of Memphis, Tennessee through its Division of Planning and Development (DPD) seeks to retain the services of a consultant undertake a comprehensive update of the City of Memphis and Shelby County's Unified Development Code (UDC). This update to the UDC is intended to make the code clearer, more user-friendly, and better align with the City's comprehensive plan, *Memphis 3.0 Comprehensive Plan*. City of Memphis is issuing this Request for Information (RFI) to solicit written qualifications from consultants who are interested in providing such services. Based on an evaluation of responses to this RFI, one team of consultants will be invited to submit a detailed scope of work and participate in further discussions and negotiation of a contract agreement for the requested services.

The recent completion and adoption of the City's *Memphis 3.0 Comprehensive Plan* has brought awareness to land use and zoning issues throughout the city of Memphis. As part of the City's five-year plan update of Memphis 3.0, a comprehensive rezoning will be undertaken to align the zoning map with the future land use map of the comprehensive plan. In addition to updates to the comprehensive plan and zoning map, the City and County seek to update the Unified Development Code, first adopted in 2010, to bring the text of the code more current with the goals of the comprehensive plan, plan update, and proposed zoning map changes.

II. Scope of Work

DPD seeks to add a team of consultants to assist the City from August 2024 through December 2025, with final deliverables due December 31, 2025. Consultant teams must possess experience in land use planning, zoning and land use regulations, and form-based codes. Interested consultants should submit a Letter of Interest and Statement of Qualifications related to the services requested by the RFI specifications. Consultant firms should demonstrate they have experience to achieve the project scope described below.

In 2022, DPD commissioned a zoning code audit report which outlined a series of recommendations to modify the UDC to make the code clearer, more user-friendly, and better align with the City's comprehensive plan. The full zoning audit report can be found in Appendix A. Following the receipt of the zoning audit report, DPD assembled a stakeholder committee to review the report and identify the most appropriate and pressing changes necessary to the UDC. Based on months of discussions, the committee recommends the following updates to be included in the scope of work performed by the selected firm or team of firms of consultants.

1. Align zone districts with Memphis 3.0 Comprehensive Plan land use designations, simplify/combine zone districts, and create new zone districts following the recommendations in part 3 of the zoning audit report, with suggested modifications by the stakeholder committee. For general reference, see part 1 of Appendix B – stakeholder committee summary. Note: the scope of work performed by the selected firm or team of firms will not include map updates. These will be conducted by DPD staff.

2. Develop, revise, or consolidate Building Envelope and General Development standards (such as housing type definitions and objective design standards, frontage designations, and streetscape plates) to support diverse housing options, help make mixed use areas more walkable, support design quality across districts, and generally advance the goals and policies of the Memphis 3.0 Comprehensive Plan. For general reference, see part 5 of the zoning audit report.

3. Simplify/combine subdivision standards, develop large site standards, and raise the standards for obtaining a planned development (PD) to reduce overuse. For general reference, see part 6 of the zoning audit report and part 2 of the stakeholder committee summary.

4. Simplify/consolidate overlays, special purpose districts, and historic districts and associated standards and guidelines to reduce overlapping requirements, utilize overlays only for additional standards above base code standards, streamline historic guidelines and standards, and introduce objective design standards to complement historic and other design standards for all other districts outside of overlays. For general reference, see part 4 of the zoning audit report and part 3 of the stakeholder committee summary.

5. Review and update minimum parking requirements to reduce or eliminate parking minimums, introduce parking maximums where appropriate, and provide more detailed parking requirements based on use type in the existing parking ratio table.

6. Address overall format and organization of the UDC to improve ease of use for all users of the code, including staff, elected and appointed bodies, members of the public, property owners, applicants, designers, and developers.

In addition to the scoped modifications listed above and in the appendices, the selected firm or team of firms will be responsible for conducting community engagement on the proposed changes to the code to include: creation and content maintenance of a project website hosted on the division's website, develop901.com; ongoing engagement of the stakeholder committee; participation in one meeting in each of the fourteen (14) planning districts of the City of Memphis on the city's five-year plan update of Memphis 3.0 (see schedule in Appendix C); and dedicated public engagement in all fourteen (14) planning districts of the City of Memphis and in unincorporated Shelby County. A minimum of one (1) public meeting will be conducted by the selected firm or team of firms in each of the 14 planning districts and in three zones of unincorporated Shelby County (north, central, south).

The selected firm or team of firms will be responsible for all tasks associated with dedicated public engagement for the comprehensive update to the UDC project, including but not limited to: (1) meeting venue identification and booking; (2) meeting scheduling (to align with the city's five-year plan update meeting schedule included in Appendix C); (3) meeting preparation and logistics; (4) meeting promotion and public outreach; (5) development of meeting agenda and activities; (6) development of all meeting collateral, including project information, graphics, illustrations, and engagement materials; (7) management of all meeting tasks and functions, including providing meeting supplies and materials, managing participant sign-in, meeting presentation and facilitation, and managing all community input activities; (8) meeting follow-up activities including summary of input and feedback, content creation for project website, incorporation of input and feedback into project direction, and ongoing communication with staff, stakeholder committee, and community participants.

III. Submittal Format/Evaluation

Submittals shall be organized in a manner requested in the RFI. Submittals shall contain all pertinent information requested and will be evaluated based on adherence to the following:

1. General Requirements (10% of evaluation)

- Letter of Interest
- Firm name, address, and telephone number
- Point of contact: name, telephone number, and email address

2. Qualifications (20%)

- Company overview for all consulting firms participating as team members
- Resumes for proposed project manager and staff from each participating firm
- Areas of expertise addressed by team members presented in submittal

3. Experience (20%)

Provide case study information documenting relevant experience within the past five years (minimum of five projects with at least two in the public sector). Case studies shall list the following as a minimum:

- Summary of the project
- Public engagement involved in the project
- Client and client's point of contact information
- Firm's role in the project
- Project staff and their role
- Overall project budget

4. Approach (40%)

Summary of suggested approach shall include:

- Clearly defined understanding of the scope of work
- Proposed distribution of tasks among team members
- Organizational chart, including roles of all team members

5. Proposed Schedule (10%)

DPD anticipates bringing the selected firm under contract on or before August 1, 2024. All project deliverables should be submitted no later than December 31, 2025.

Inclusion of a fee is not required. A cost proposal will be negotiated with the selected consultants.

IV. Deadlines

Respondents requesting additional information or clarification shall contact Frances Brooks, Purchasing Agent with the City of Memphis, in writing at frances.brooks@memphistn.gov. Questions should include RFI #2024-001 in the Subject of the email, reference the section of the RFI to which the question pertains, and include all contact information for the person submitting the questions. In order to prevent an unfair advantage to any respondent, verbal questions will not be answered. The deadline for submitting questions will be by end of day Wednesday, June 19, 2024, with answers posted to the City's website by end of day Friday, June 21, 2024.

Firms may request consideration by submitting one original (clearly marked as such) and four copies of a proposal that follows the submittal format described in Section III of this RFI to Frances Brooks, Purchasing Agent, City of Memphis, 125 North Main, Room 354, Memphis, TN 38103. **All qualifications must be received in the Purchasing Agent's office on or before 12:00 PM (Central Time), Friday, July 5, 2024.**

Submittals will be reviewed by a consultant review committee that will identify the most qualified proposers. At the discretion of the committee, selected consultants may be interviewed to determine the most qualified firm or firms.

City of Memphis Equal Business Opportunity (EBO) Program

This project is subject to the requirements of the City of Memphis Ordinance #5384, responsibility to ensure that all requirements of this ordinance are met. The Ordinance may be accessed on the City's website at www.memphistn.gov under "Doing Business". The intent of the EBO Program is to increase the participation of minority and women-owned business enterprises (M/WBEs) in the City's purchasing activities. Toward achieving this objective, the M/WBE participation goal for this solicitation is 10%. The percentage of M/WBE participation is defined as the dollar value of subcontracts awarded to certified minority and/or women-owned business enterprises divided by the total proposed base bid amount.

Participation Plan

The Participation Plan must include: (1) level and dollar amount of participation your firm anticipates to achieve in the performance of the contract resulting from this RFQ; (2) the type of work to be performed by the M/WBE participation; and (3) the names of the M/WBEs the Respondent plans to utilize in the performance of the contract resulting from this solicitation.

The Respondent must complete the Equal Business Opportunity Program Compliance Form included in this solicitation.

Eligible M/WBE Firms

To qualify as an M/WBE firm, per the requirements of City of Memphis Ordinance #5384, a firm must be included on the City's list of certified M/WBE firms. One or a combination of several M/WBEs may be utilized to meet the established goal of 10%.

Requests for verification must be submitted to the City's Contract Compliance Office listed below:

Zanderia Davidson; City of Memphis; Phone 901-636-6210; Fax 901-636-6560
Director, Business Diversity & Compliance
zanderia.davidson@memphistn.gov
125 North Main Street, Suite 546
Memphis, TN 38103

**CITY OF MEMPHIS
EQUAL BUSINESS OPPORTUNITY PROGRAM COMPLIANCE FORM**

PROJECT TITLE: Comprehensive Update to Unified Development Code

Project M/WBE Goal: 10%

The following sections must be completed by bidder. A certified subcontractor or supplier is defined as a firm from the list of certified firms provided with this solicitation.

Bidder's Name

Section A - If the bidder is a certified firm, so indicate here with a check mark.

_____ MBE _____ WBE

Section B - Identify below those certified firms that will be employed as subcontractors or suppliers on this project. By submitting this response, the bidder commits to the use of the firms listed below.

\$ = Show the dollar value of the subcontract to be awarded to this firm

% = Show the percentage this subcontract is of Offeror's base bid

M/WBE = Show by inserting an M or W whether the subcontractor is an MBE or WBE

\$/% M/WBE SERVICE CERTIFIED SUBCONTR. NAME, ADDRESS, TEL. #

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Total MBE \$ _____ % _____

Total WBE \$ _____ % _____

THIS COMPLETED FORM MUST BE SUBMITTED WITH THE PROPOSAL/RESPONSE OR THE RESPONSE WILL BE CONSIDERED NON-CONFORMING.

Good Faith Efforts Documentation

If a Respondent proposes an M/WBE percentage less than the established goal, the Respondent must, at the time of the response, submit a Good Faith Efforts statement accompanied by the appropriate documentation justifying its submitted M/WBE percentage. The ability of the Respondent to perform the work with its own work force will not in itself excuse the Respondent from making good faith efforts to meet participation goals. The determination of whether a Respondent has made a good faith effort will be made by the City’s Contract Compliance Officer, Director of Finance and the Purchasing Agent, prior to the award of the project. The Good Faith Efforts statement must include the following documentation:

GOOD FAITH EFFORT DOCUMENTATION FORM

To The Honorable Mayor City of Memphis, Tennessee

From: _____
CONTRACTOR NAME

PROJECT TITLE: _____

Enclosed please find the required documents:

_____ Said Bidder _____ did / or _____ did not attend the project pre-bid meeting.

_____ Copies of all written notification to City of Memphis M/WBE listed firms.
(Please attach list of all firms notified, detail how they were notified and when).

_____ Said Bidder _____ did / or _____ did not select economically feasible portions of the work to be performed by M/WBE firms.

_____ List all M/WBE firms with which negotiations took place. (Attach list. If no negotiations were held, please state so.) Provide names, addresses, and dates of negotiations.

_____ Statement of efforts to assist M/WBE firms, with bonding, insurance, financing, or with document review. (Attach list. If no assistance was provided, please state so.)

_____ The Bidder _____ did / or _____ did not use all M/WBE quotations received. If the Bidder did not use all M/WBE quotations received, list on attached sheets, as required as to the reasons those quotes were not used.

_____ List (on attached sheets as required) all M/WBE firms contacted that the bidder considered not to be qualified, and a statement of the reasons for the bidder’s conclusions. If no firms were found to be non-qualified, please state so.

THIS SIGNED FORM MUST BE SUBMITTED WITH THE BID IF THE BIDDER DOES NOT MEET THE REQUIRED M/WBE PROJECT GOAL WITH THEIR BID. IF NOT SUBMITTED THE BID WILL BE CONSIDERED NON-CONFORMING.

Contractor’s Name

Signature

Printed or Typed Name and Title



Memphis Code Diagnosis

Findings + Recommendations Memo

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Introduction

This Code Diagnosis is a high-level analysis of the Memphis Unified Development Code (“UDC”) and is meant to assess the UDC’s readiness to implement the new Comprehensive Plan (Memphis 3.0). We have paid particular attention to the development standards to understand which standards enable development patterns consistent with the Comprehensive Plan’s vision for walkable, mixed-use anchors and anchor neighborhoods and which frustrate or block these development patterns.

In support of this goal, we have explored strategies for streamlining the code to make it easier to use and to make compliance simpler. The UDC contains numerous layers of regulation, and while many of these layers are well-intentioned, our conversations with planning staff and stakeholders have confirmed that the repetition of content and the scattering of development standards among many different parts of the code make the document unnecessarily burdensome for all parties. Moreover, much of the regulatory content that supports policies of the Comprehensive Plan has, to date, been applied only to limited areas. Thus, while the UDC contains plenty of tools for implementing the vision of Memphis 3.0, the UDC’s effectiveness is limited by its current disorganized form.

The UDC isn’t Working

Variances

In 2021 alone, city staff processed, and the Board of Adjustment approved over 75 variances from the UDC’s requirements. Key themes in these variance requests are:

- Building Setbacks
- Minimum Lot Sizes
- Accessory Structures
- Accessory Dwelling Units
- Allowed Uses
- Density
- Signage
- Parking

See Section 5.4 – Other Standards Identified by Variances for further discussion.

Special Use Permits

Twenty special use permits were approved in 2021. While many of these were for uses that legitimately call for further scrutiny, others reveal misalignments between uses allowed by zoning and the mix of uses envisioned for anchors and anchor neighborhoods. Other

special use permit applications that were either rejected or withdrawn signal the need for clarity on where certain auto-oriented uses (such as car washes, car lots, and gas stations) should either be allowed by right or prohibited.

PDs

In the last year, the Land Use Control Board approved 22 PD applications. While some of the applications were by choice, meaning that the applicant intentionally selected the process to achieve a development that is not currently enabled by the UDC, the majority were not. The PD route offered the relief and response that the UDC currently does not.

When so many development applications are processed through a PD, this is a symptom of two larger problems: first, that the UDC is a burden to use and understand, and second, that there is a misalignment between the UDC's requirements and what Memphis wants in new development and reinvestment. See Section 6 – Planned Developments + Subdivisions for more on this subject.

This diagnosis includes seven sections to address the various topics or themes of the UDC and their relationships to the new Comprehensive Plan, beginning with a discussion of the code's overall organization. The following sections deal with residential and mixed-use zones as well as the overlays and special purpose districts, examining how the panoply of standards might be condensed, refined, and prepared to implement Memphis 3.0. More specific topics—such as frontages, streetscapes, and standards for large sites—are covered further on, as well as recommendations on establishing procedures to navigate the complexities of infill development more effectively. Taken together, they illustrate how the policy direction from Memphis 3.0 could be better implemented at all relevant scales—from the city as a whole down to the individual block or parcel. Below are the key recommendations from the 58 total recommendations in this memo.

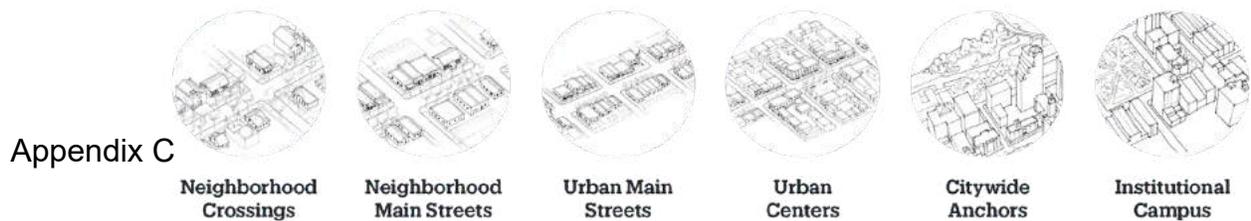
1. Summary of Key Recommendations

This analysis resulted in over 60 recommendations for updating the UDC, which add up to a fundamental restructuring of the code. We therefore recommend a comprehensive approach to a UDC update, which has the potential to result in a much stronger relationship between Memphis 3.0 and the UDC, as well as a simpler and more user-friendly code to use and administer. Although much of what follows suggests that the standards could be better organized by means of a thorough restructuring, this diagnosis aims to provide useful insights and recommendations regardless of how aggressive the future changes are. The six key recommendations of this analysis are summarized below:

Key Recommendations

1. **Align zone districts with Memphis 3.0 land use designations.** The Future Land Use Map provides a clear vision for anchors and the neighborhoods surrounding them, but not all of the place types envisioned can be effectively implemented by

the existing base zones. Using the Memphis 3.0 land use designations as the organizing framework for the UDC’s zones would facilitate the process of remapping zones to implement the plan. We recommend developing an updated set of zones containing standards driven by the plan’s vision and recommendations for each place type.



(Above) Not all of the place types envisioned in Memphis 3.0 can be effectively implemented by the existing base zones.

2. **Simplify/combine zone districts to eliminate redundancy and clarify intent.** Of the 40 zoning districts currently found in the UDC—between the base zones and special purpose districts—many are meant to generate similar outcomes. Consolidating zones that support similar place types will make the UDC more effective and user-friendly. We recommend reducing the number of single-family zones by combining those zoning districts that have only minor differences, as well as creating new form-based zones to implement the AN-S, AN-M, and AN-U land use designations by uniting the residential districts from the special purpose districts with the analogous RU zones.
3. **Create new zone districts to implement walkable places.** The existing base zones are poorly equipped to deliver the walkable, mixed-use environments intended for anchors. Because the success of “Neighborhood Main Street” and “Urban Main Street” anchors as pedestrian destinations hinges on how new buildings relate to the street and sidewalk, both place types need standards focused on building form, which are best implemented through corresponding zone districts. We recommend creating new form-based zones that are tailored to these environments and mapping them at the appropriate anchors.
4. **Apply supplemental standards to implement Memphis 3.0.** The UDC contains “supplemental” standards (those that are in addition to the base zoning districts, such as housing type definitions, frontage designations, and streetscape plates). These standards are intended to help make mixed-use areas more walkable and to support diverse housing options, but they need further refinement to achieve their aim. The disconnect between these standards and the place types and street types from Memphis 3.0 means that they are applied haphazardly rather than supporting an organized vision. We recommend coordinating the streetscape plates with the Comprehensive Plan’s street typology, using the private frontage standards to inform new mixed-use zones for anchors, introducing standards for the various housing types to ensure that they will integrate well with their context, and

introducing pedestrian-friendly frontage types to the residential zones applied in anchor neighborhoods.



New and refined supplemental standards could help make mixed-use area more walkable and help to support more diverse housing options, consistent with the vision of Memphis 3.0.

5. **Simplify Overlay Districts.** Article 8 of the UDC (Overlay Districts) contains much more content than necessary—due to both repetition of content from the preceding Articles, as well as overlay districts whose purposes would be better served directly through the base zoning districts. The current system becomes a cause for confusion when the same zoning district or frontage designation means different things in different areas of the city. We recommend that standards covered in both the main body of the development code and the existing overlays be consolidated in the main body of the code, and that overlays be used only to respond to specific issues or situations that span multiple zones.
6. **Address overuse of PDs.** For the benefit of applicants, neighbors, and city staff, compliance with the UDC should be incentivized over the use of PDs. For large sites, we recommend a simple and straightforward set of standards for a master planning process wherein nuances of placemaking as outlined in Memphis 3.0 and the Urban Design Guidelines can be applied at a finer scale. This can result in higher quality physical outcomes, less required discretion, and a greater degree of predictability for all interested parties.

2. Overall Format + Organization of the UDC

The UDC contains development standards in six different layers:

- base zoning districts,
- special purpose zoning districts,
- overlay districts,
- landmark districts,
- the contextual infill area, and
- frontage designations.

Because these layers cover many of the same regulatory topics related to physical form, several stakeholders that we spoke with stated that the only way to move forward with a compliant project is to obtain one or more variances to resolve the contradiction in regulations. Another common way for developers to move forward with projects with conflicting regulations—or too many regulations to track—is through a planned development (PD). The planned development entitlement exchanges all development standards for master-planned and negotiated designs, resulting in heavy involvement by city departments and unpredictable built results. See further commentary in Section 6 – Planned Developments + Subdivisions.

While each of these layers were undoubtedly created in response to a specific need and seem indispensable, the city should consider how standards contained in each of these layers can be incorporated into re-mapped base zoning districts when the UDC is updated.

In addition to the UDC’s internal conflicts, there is a structural disconnect between the UDC and the new Comprehensive Plan, making implementation of the land use policies of Memphis 3.0 difficult. Ideally, the tasks of better organizing the UDC and implementing Memphis 3.0 policies can work in tandem.

The primary example of misalignment between Memphis 3.0 and the UDC is in the zoning district boundaries, which do not correlate with the land use designations of the new Comprehensive Plan. The Plan is clear that these land use designations' policies do not supersede the allowances for use and development granted through the UDC. However, they *should* be primary informers of the boundaries and standards of zones.

The frontage designations further demonstrate this problem: the designations determine the building envelope standards for abutting parcels, even though the policies in the Comprehensive Plan are organized by place type rather than by any frontage-based organizing principle. Indeed, in describing each anchor designation the Comprehensive Plan recommends that frontage standards be embedded into base zoning districts.

Section 2 Recommendations

1. **Remap zoning districts to correspond with the new land use designations of Memphis 3.0.** Appropriate selection of zones can be informed by small area plans, the Degree of Change Map in Memphis 3.0, and surrounding context. If the code update aligns the zones with the land use designations, the UDC will be better prepared to incorporate policy direction from Memphis 3.0.
2. **Incorporate the standards of each of the six layers of regulation (mentioned above) into re-mapped base zoning districts.** Since the policy



If the code update aligns the zones with the land use designations, the UDC will be better prepared to incorporate policy direction from Memphis 3.0.

direction regarding land use and the built environment is organized by land use designation, implementation of these policies is unnecessarily circuitous if implemented through designations that do not correlate with zones. Furthermore, the six layers contain standards for many of the same topics, thus creating conflicts that consolidated base zones could resolve.

3. **Use a frontage overlay only where active ground floor environments are envisioned in Memphis 3.0.** In contrast to the current system that contains more frontage designations than needed, this approach allows the city to regulate the ground floor environment similarly across multiple zones that contain building envelope standards.

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3. Base Zoning Districts

3.1 Residential Districts

There are currently 18 residential zoning districts in Memphis. This includes the single-family and “Residential Urban” base zones, as well as residential districts within Uptown and the South Central Business Improvement District. These zoning districts are listed in Table 3.1.1.

Table 3.1.1

Zone Name	Abbreviation
Conservation Agriculture	CA
Manufactured Home Park	R-MP
Residential – Estate	R-E
Residential Single-Family – 15	R-15
Residential Single-Family – 10	R-10
Residential Single-Family – 8	R-8
Residential Single-Family – 6	R-6
Residential Single-Family – 3	R-3
Residential Urban – 1	RU-1
Residential Urban – 2	RU-2
Residential Urban – 3	RU-3
Residential Urban – 4	RU-4
Residential Urban – 5	RU-5
South Downtown Residential	R-SD
Riverside Residential	R-R
Bluffview Residential	R-B
Moderate-Density Residential	MDR
High-Density Residential	HDR

Several of these zones overlap significantly with others in terms of their standards and intent. Combining some of these zones would further Memphis' goals of simplifying the code, promoting housing diversity, and generating context-sensitive development. By pursuing this strategy, the total number of residential zoning districts could be cut in half. Strategic recommendations for consolidation are outlined below.

Semi-Rural Residential

The **CA** district could easily absorb the **R-E** district. Both zoning districts are mapped toward the outskirts of Memphis. The slight differences in minimum setbacks and lot area within the R-E district are not enough to change the development pattern appreciably, and they seem not to be highly prioritized—judging by the fact that existing R-E lots frequently exceed these minimums and display built results that would be consistent with the CA district standards.

Mobile Home Parks and Low-Density Single-Family Residential

Neither the **R-MP** district nor the **R-15** district have close equivalents among Memphis' residential zoning districts and thus could *not* be consolidated with others in the interest of simplifying the code.

Medium-Density Single-Family Residential

The **R-10** and **R-8** districts are nearly alike, aside from their minimum lot sizes—and the difference here is almost entirely reducible to the difference in minimum lot *widths* between the two (50' vs. 60'). These two zoning districts are mapped in many similar areas. The fact that most of the relevant neighborhoods have long since been built out makes the minimum lot area/width standards less relevant to future development. Thus, if the two districts were to be combined into a single district adopting the R-8 standards, there would be no impact within existing neighborhoods.

Primarily Single-Unit Neighborhoods

The **R-6** zoning district is mapped throughout Memphis, but largely within the I-40/240 beltway. Most significantly, it forms a major constituent of historic districts as well as neighborhoods surrounding “Nurture” anchors—with many of the latter characterized by high vacancy rates. The vacancy rates



surrounding these “Nurture” anchors, and the fact that recent decades have seen higher rates of demolition than new construction, suggest that the existing development pattern is not sustainable, but this also signals abundant opportunity to incentivize reinvestment and help stabilize the neighborhoods by introducing new housing types. Under “Ways to Nurture,” Memphis 3.0 recommends “allow[ing] increased density and building height” and

“allow[ing] a broader mix of uses.” Accordingly, enabling housing types that are currently available in the RU-1 zone (Cottage, Semi-Attached, Two-Family), as well as Live/Work opportunities, cottage courts, and/or pocket neighborhoods, would be appropriate implementation steps. On balance, this suggests that areas currently zoned R-6, particularly within anchor neighborhoods, could benefit from being rezoned to (or combined with) RU-1. While such a step might generate resistance in historic neighborhoods, it is worth noting that the Historic Overlay District standards provide an added layer of protection against incompatible development, ensuring that each instance of the new housing types is subject to review for its appropriateness.

Whether or not the R-6 zoning district is ultimately consolidated with them, the **RU-1** and **MDR** districts could be combined into a single base zone. Both envision similar housing types at similar densities (a mix of single-unit homes and duplexes) and would be appropriate within the “Anchor Neighborhood – Primarily Single-Unit” (AN-S) land-use designation citywide. In addition to the housing types currently allowed, cottage courts and pocket neighborhoods would be appropriate here.

Auto-Oriented Multifamily Residential

For the most part, the **RU-2** zoning district is currently mapped outside the I-40/240 beltway, and generally not within anchor neighborhoods. Characterized by attached housing types (including Townhouses, Large Homes, and Stacked Townhouses) in relatively low-density locations, it is the zone most likely to reach the optimum for low construction costs. This development pattern is also largely compatible with conventional garden apartment complexes, many of which currently require RU-3 zoning. Permitting two- to three-story garden apartments in RU-2 instead would allow the RU-2 zone to cover areas designated “Primarily Multifamily Neighborhood” in Memphis 3.0 and would enable the standards in RU-3 to be more appropriately tailored to the mix of building types envisioned for anchor neighborhoods and infill sites. No other existing zoning districts are similar enough to be combined with RU-2.

Neighborhoods of Mixed Building Types

The next set of zoning districts all provide for a mix of housing types within detached buildings of four stories or less. The **RU-3**, **R-SD**, **R-R**, and **HDR** districts represent various efforts to bridge the gap between detached, single-family houses and duplexes on the one hand and mid-rise apartment buildings on the other—

accommodating Large Homes, Townhouses, Stacked Townhouses, and Apartments. The “Anchor Neighborhood – Mix of Building Types” (AN-M) land use designation defines the type of neighborhood that each of these districts aims to generate, and South Bluffs and Foote Park provide built examples. An updated base zone with standards sufficiently



flexible to accommodate this range of types could cover the areas for which these districts are intended.

Mid-Rise Neighborhoods and Apartment Buildings

The **RU-4** and **R-B** districts could be combined into a single zone accommodating mid-rise, block-scale buildings of the type envisioned for “Urban” anchor neighborhoods. One reconcilable difference between the two is the maximum height (75 feet—about 7 stories—in RU-4 vs. 90 feet—about 8



stories—in R-B). The 90-foot/8-story height limit in the Bluffview Residential district is a sensible one for mid-rise development, based on the economics of construction. Current building codes incentivize the construction of apartment buildings from 5 to 8 stories, depending on local market conditions (higher rents = taller building). Because building higher than 8 stories involves switching to a more expensive construction type, it is typically not worth doing unless several additional stories can be achieved—resulting in a true “high-rise” building more characteristic of the CBD zone. In addition, the Bluffview Residential district permits non-residential uses that, while not currently permitted in RU-4, would be compatible with a neighborhood of this intensity and should be permitted. The AN-U land use designation describes “walkable residential and mixed-use districts,” which supports the inclusion of these uses.

Unnecessary Zones

As of this writing, two zones have not been mapped anywhere in Memphis and are not needed:

The **R-3** zone provides for small-lot single-unit homes. While such a zone could potentially solve the problem of non-conforming (too small) lots in R-6, as revealed by OPD’s stress tests, there are better solutions under consideration. Allowing Cottage housing on the 30’-wide **R-6** lots could allow such lots to be redeveloped without needing a variance for minimum lot width/area—rendering the R-3 zone unnecessary.

The **RU-5** zone is meant for high-rise residential development, which represents a level of intensity appropriate to areas where the existing **CBD** district could be applied instead. There is no need to restrict a high-rise zone to residential use because this amount of housing can and should readily support other uses on the ground floor.

Section 3.1 Recommendations

1. **Consolidate residential districts that implement similar place types.** This effort would greatly streamline the code and clarify the role of the zones regarding the Memphis 3.0 land use designations. This work should be coordinated with

refinements to contextual infill standards and housing type standards, as described in Sections 4.3 and 5.1, to further help new development harmonize with existing neighborhoods. Recommendations for a consolidated set of residential zones are summarized in Table 3.1.2.

Table 3.1.2

Residential Zones		
Recommended Consolidated Residential Zone	Contributing Zone(s)	Applicable Land Use Designation(s)
Conservation Agriculture	CA R-E	OSN
Manufactured Home Park	R-MP	NS, NM, AN-S
Residential Single-Family – Low	R-15	NS
Residential Single-Family – Medium	R-10 R-8	NS
Residential Urban – 1	RU-1 MDR R-6	AN-S
Residential Urban – 2	RU-2	NM
Residential Urban – 3	RU-3 R-SD R-R HDR	AN-M
Residential Urban – 4	RU-4 R-B	AN-U, NM

2. **If the R-6 and RU-1 zones cannot be combined, rezone from R-6 to RU-1 within anchor neighborhoods—particularly around “Nurture” and “Accelerate” anchors.** A broader range of housing types will better serve the needs of these neighborhoods, consistent with Memphis 3.0’s *Actions 7.3.2 and 7.3.3*.

3. **Allow cottage courts and pocket neighborhoods within the RU-1 district.**

These housing types are compatible with the character of the district and offer alternative housing choices. See Section 5.1 – Housing Types for recommendations on how to regulate these types.



4. **Facilitate Live/Work uses within RU districts.** Live/Work currently requires a special use permit in RU-1, RU-2, and RU-3, which could impose a barrier to entrepreneurship inconsistent with Memphis 3.0’s *Action 7.3.7*.

5. **Enable two- to three-story garden apartments in RU-2.** This would allow RU-2 to implement the “NM” designation and would allow RU-3 to be tailored to the “AN-M” designation.
6. **Allow non-residential uses permitted in R-B within the RU-4 district.** These uses are compatible with a neighborhood of this intensity and can contribute greatly to walkability.
7. **Allow “Cottage” housing on 30’-wide lots in the R-6 and RU-1 districts.** This would bring many historic lots into conformance and eliminate the need for the R-3 district.
8. **Eliminate the R-3 and RU-5 districts.** These zones are not yet mapped in Memphis, and relevant areas should be covered by the R-6/RU-1 and CBD districts, respectively.



3.2 Mixed-Use Districts

Memphis 3.0’s strategy of “focus[ing] on anchors” as centers of walkable neighborhoods implies that the mixed-use zones to be mapped at these anchors require special attention. A thorough analysis of how the mixed-use districts in the UDC could implement Memphis 3.0 is outside the scope of this analysis, as each anchor deserves to be studied individually. Section 7.2 – Alignment with and Implementation of Small Area Plans includes preliminary findings related to certain areas already examined. The overview below is a first step toward identifying a framework for the zones needed to support the place types identified in the comprehensive plan and the types of private investment envisioned by the small area plans.

One significant issue is that the “Commercial Mixed-Use” zones, which are fundamentally use-based, are not calibrated in terms of form to the types of walkable environments that the anchor designations envision. The current UDC contains frontage designations meant to help bridge this gap (see Section 5.2 – Private Frontages), and zones within the Special Purpose Districts have been introduced to address the issue from a different angle (see Section 4.1 – Special Purpose Districts). Ideally, these various efforts would be combined to create a set of form-based zones specifically to support these walkable, mixed-use locations. At least two such zones are needed:

- **“Main Street – 1” (MS-1):** A low-rise, mixed-use zone (three to five stories max. height) with 0’ minimum side setbacks and shallow front setbacks. This could incorporate elements of Uptown’s MU zone, the CMU-1 zone, and the “Shopfront,” “Pedestrian”, and “Urban” frontage standards. Allowed uses would be based on CMU-1 and should include both Live/Work and Upper-Story Residential,



although it would be unwise to become too fixated on vertical mixed-use at the expense of neighborhood-serving commercial development. In refining the standards for this zone, built examples to study would include Beale Street and the Cooper Area, Overton Square, and Broad Avenue anchors. This zone would be appropriate for “Neighborhood Main Street” anchors.

- **“Main Street – 2” (MS-2):** A mid-rise mixed-use zone (up to 90’ max. height) with 0’ minimum side setbacks and shallow front setbacks. This could be derived from a combination of the SCBID’s SM and SE districts with the “Shopfront” and “Pedestrian” frontage standards and could incorporate influence from CMU-2 in terms of its allowed uses. In refining the standards for this zone, built examples to study would include the South Main anchor and newer development within the SM district, as well as successful projects on a similar scale within Midtown. This zone would be appropriate for “Urban Main Street” anchors and some “Urban Center” anchors.



Other zones would remain largely intact but could include modifications to support the intent of the land-use designations where they would be applied, potentially including the integration of appropriate frontage designation standards and the associated streetscape plates. If the “Main Street” zones described above are mapped within anchors, the CMU-2 and CMU-3 zones would be appropriate for more auto-oriented areas, designated CSH and CSL. Because the same standards could support high-rise development both in Downtown and in “Urban Center” anchors elsewhere, the CBD zone should be renamed—e.g., “Core District” (CD)—to indicate that it can be mapped in locations other than Downtown.

One more issue the analysis uncovered is that Upper-Story Residential, as a land use category, does not account for the full range of ways that residential units might be incorporated into a mixed-use building. It should be amended to permit ground-floor units in combination with ground-floor non-residential so that these units can be included without completely replacing the intended active ground floor uses. This would provide flexibility in locations where the commercial market is less strong and help developers meet Fair Housing Act requirements by enabling fully accessible ground-floor units in smaller mixed-use buildings.

Section 3.2 Recommendations

1. **Create new zones to implement walkable, mixed-use environments at anchors.** By incorporating appropriate standards for building form, these zones could implement the vision for “Neighborhood Main Street” and “Urban Main Street” anchors better than the zones currently available. Recommendations for new

mixed-use zones and an example of what a restructured set of mixed-use zones could look like are included in Table 3.2.1.

2. **Incorporate development standards from frontage designations into mixed-use zones as appropriate.** This could eliminate the need for many if not all of the frontage designations. Table 3.2.1 outlines the frontage designations most relevant to each zone.
3. **Revise Upper-Story Residential land use category to permit ground-floor residential units in combination with ground-floor non-residential.** Allowing vertical mixed-use in specific locations is valuable, but it can be equally valuable (in terms of economics and accessibility) to include ground-floor residential in the same locations—either behind or alongside the non-residential portion.
4. **Eliminate the CMP-2 zoning district.** This zone is only mapped in two places, signaling that the development it generates is not a common enough type to need its own zoning district. Institutions that favor this development pattern can either take advantage of the flexibility provided by the CMU-2 and CMU-3 zones or avail themselves of the PD process.

Table 3.2.1

Mixed-Use Zones			
Recommended New or Updated Mixed-Use Zone	Contributing Standards		Applicable Land Use Designation(s)
	Zone(s)	Frontage Designation(s)	
RW	RW	Urban	AN-M, A-NC
OG	OG	Commercial	AN-U
CMU-1	CMU-1	Urban Transitional	A-NC, CSL
CMU-2	CMU-2	Commercial	CSL, CSH
CMU-3	CMU-3	N/A	CSH
MS-1 – “Main Street – 1” [New]	CMU-1 MU	Shopfront Pedestrian	A-NMS
MS-2 – “Main Street – 2” [New]	SM SE CMU-2	Shopfront Pedestrian	AN-U, A-UMS, A-UC
CD – “Core District”	CBD	CBD District Form Stds	A-UC, A-DT
CMP	CMP-1	Shopfront Urban	A-C

4. Special Purpose + Overlay Districts

4.1 Special Purpose Districts

The UDC contains two special purpose districts—the South Central Business Improvement District and the Uptown District—each of which contains several zoning districts. Both special purpose districts are intended to “promote a more carefully tailored standard of development” in areas of Memphis close to Downtown. These are areas where a walkable, mixed-use development pattern is both warranted and desired, and the establishment of these special purpose districts indicates that the conventional use-based zones employed elsewhere are insufficient to support this pattern.

In many cases the standards in these special purpose districts are more consistent with the Memphis 3.0 vision for anchors and anchor neighborhoods than the existing base zones are. Based on their respective *intent* statements and standards, several of the sub-districts are similar enough to each other and/or to existing base zones that they could be combined into updated base zones. This would better implement Memphis 3.0 and help simplify the UDC. Ideally, this would allow the updated base zones to implement the special purpose districts' intent while introducing more appropriate development standards in comparable parts of the city.

Special Purpose Districts: Mixed-Use Districts

The **South Main (SM)** and **Sports and Entertainment (SE)** districts could be combined to form a new base zone, represented by the “**Main Street – 2**” zone described in Section 3.2 – Mixed-Use Districts. This zone, allowing connected block-scale buildings up to 90 feet (8 stories), would be appropriate for the “Anchor – Urban Main Street” (A-UMS), “Anchor – Urban Center” (A-UC), and “Anchor Neighborhood – Urban” land use designations elsewhere in Memphis—such as the North Main and Willis anchor in Uptown. One caveat is that the maximum density standards in the SM district are inconsistent with the allowed building heights and should be eliminated (see Section 5.4 – Other Standards Identified by Variances for discussion of specific examples). The SE and SM districts are largely the same in terms of their allowed uses and intended form, which would facilitate the process of integrating them and adding the consolidated zone to the main use table. The SE district's active ground floor requirements for parking garages would be valuable in all such areas. The façade articulation requirements in the SM district align with the direction for long facades in the Urban Design Guidelines and contribute towards the intended high quality pedestrian environment. Although these requirements may conflict with the large-format sports arena type, such projects are rare enough that any variances they require would be manageable, and thus they do not need special treatment in the code. Standards supporting the type of walkable environment exhibited in the South Main district should be prioritized.

The intent of the **Mixed Use (MU)** district from Uptown is to generate a pedestrian-friendly “main street” environment with shallow setbacks, bringing together commercial and

residential uses. This aligns with the vision for “Neighborhood Main Street” and “Urban Main Street” anchors, which explains why the City has found the MU zone to be an attractive option to map outside of the Uptown Special Purpose District. The available uses in this zone should be revisited, because several that would be key components of the intended environment are not permitted in the MU district—e.g., Upper-Story Residential and Live/Work. Theoretically, the MU district allows buildings up to 75 feet tall, but in practice, development within the district has been four stories or fewer (thus matching the intended heights within the **CMU-1** district). Aside from the MU district, the CMU-1 district with “Shopfront” or “Pedestrian” frontage designation standards applied could also implement the intended vision. Given that the UDC has multiple incomplete tools for achieving the same type of outcome, we recommend that they be consolidated and enhanced to establish a new “**Main Street - 1**” zone (see Section 3.2 – Mixed-Use Districts).

It is not immediately clear what advantage the Gateway Commercial (**C-G**) district has over the **CMU-2** district in terms of creating a “gateway” to Memphis from the west. If the wide, landscaped areas along E. H. Crump Blvd are an important priority, they could be regulated through streetscape standards, but otherwise CMU-2 could be mapped here for simplicity. Given the weak commercial market along this stretch and the fact that it mostly falls under the “AN-M” designation apart from the “A-NMS” anchor at Crump and Third, rezoning to **RW** outside of key nodes would be a good means of providing more flexibility.

Special Purpose Districts: Business/Industrial and Institutional Districts

The **South Downtown Business Park (SDBP)** and **Uptown Light Industrial (ULI)** districts align most closely with the “Industrial Flex” land use designation (accommodating light industrial uses while maintaining compatibility with nearby neighborhoods), but both are located within anchor neighborhoods. Given that the existing special purpose zoning conflicts with the direction for anchor neighborhoods in Memphis 3.0, the City may choose to rezone these areas with zones appropriate to the anchor neighborhoods (AN-S, AN-M, and AN-U), rather than keep them as “Industrial Flex” areas. In any case, it would be useful to consider these districts in developing a zone appropriate for “Industrial Flex” areas throughout the city. The **EMP** district—as applied in Midtown—could serve as an additional source.

The **Uptown Hospital (UH)** district is devoted to the St. Jude campus. Other hospitals in Memphis are regulated by the **CMP-1** zone, with which the UH district could be consolidated. The CMP-1 zone ensures the necessary flexibility for hospital buildings internal to the campus, while also providing for a degree of neighborhood compatibility.

Special Purpose Districts: Residential Districts

In many ways, the residential portions of the Special Purpose Districts support Memphis 3.0’s vision for anchor neighborhoods better than the existing base zones, and they can help provide templates for updated zones to apply in anchor neighborhoods citywide. These possibilities are explored more thoroughly in Section 3.1 – Residential Districts.

Potential Role of Special Purpose Districts after Zone Consolidation

Assuming the zoning districts within the Special Purpose Districts are consolidated into updated base zones according to this analysis, the role of the Special Purpose Districts themselves within the UDC would be far more limited and would more closely resemble that of conventional overlays. Topics that could be regulated throughout the SCBID and Uptown District, respectively, could include site plan review and site design standards (see UDC 7.2.9, 7.3.10), parking standards (see UDC 7.3.10, 7.3.12), and Significant Neighborhood Structure provisions (see UDC 7.3.12).

Avoiding Redundancy with Overlay Districts

There are instances where overlay districts overlap with special purpose districts. Without firm justification, having multiple layers of base regulation is excessive. We recommend that they be consolidated and simplified to the extent feasible. If the Special Purpose Districts are reconceptualized as overlays themselves, as outlined in the preceding paragraph, it would be best to eliminate any overlap with adjacent overlays. In that case, one decision point would be whether the St. Jude complex and the areas immediately to the southeast would be better served by the Medical District Overlay as opposed to remaining part of Uptown.

Section 4.1 Recommendations

1. **Integrate Special Purpose District zones with base zones to implement Memphis 3.0 land use designations.** Revising the base zones to align with the special purpose district zones would help simplify the code by eliminating the need for these separate districts, and the revised zones would be better equipped to implement the Future Land Use Map. See Table 4.1.1 for an example of how the standards of the special purpose districts might be combined and consolidated into base zones. Compare with Tables 3.1.1 and 3.2.1 to see recommendations on how these could fit into the full complement of residential and mixed-use zones.
2. **Allow Upper-Story Residential and Live/Work in the MU district (or the new base zone that replaces it).** These uses are important components of the type of environment the MU district envisions but are missing from its use table.
3. **Rezone C-G to CMU-2 and apply appropriate streetscape standards; rezone to RW outside of key nodes/intersections.** Here, the special purpose district zoning does not offer a significant advantage over CMU-2. The commercial market here is limited, so the RW district could provide much-needed flexibility.
4. **Rezone UH to CMP-1.** The CMP-1 zone is applied to hospitals elsewhere in the city and achieves the same goals.
5. **If the Special Purpose Districts are consolidated with base zones, map SCBID and Uptown as overlays to apply any standards that span all districts within them.** This would be the most effective means of regulating factors that apply to each Special Purpose District as a whole.

6. **Eliminate overlap between Special Purpose Districts and Overlays.** The St. Jude complex and the areas to the south and east that currently fall under both the Medical District Overlay and the Uptown Special Purpose District may be regulated more effectively through the Medical District Overlay alone.

Table 4.1.1

Special Purpose Districts	Zone to Incorporate Special Purpose District Standards	Appropriate Land Use Designations
South Main (SCBID) / Sports and Entertainment (SCBID)	[No close equivalent; new “MS-2” base zone needed]	AN-U, A-UMS, A-UC
Mixed Use (Uptown)	[New “MS-1” base zone needed]	A-NMS
South Downtown Business Park (SCBID) / Uptown Light Industrial	EMP	IF
Medium Density Residential (Uptown)	RU-1	AN-S
High Density Residential (Uptown) / South Downtown Residential (SCBID) / Riverside Residential (SCBID)	RU-3	AN-M
Bluffview Residential (SCBID)	RU-4	AN-M, AN-U

4.2 Overlay Districts

The UDC contains ten overlay districts. While overlays in conventional planning practice often include complete or near-complete sets of alternative zoning standards that trump the standards of the underlying zoning districts, this “zoning patch” approach is not best practice. It should be a rare instance for the development standards in one layer of regulation to prevail over the development standards in another layer of regulation within the same code. Such an occasion should be reserved for instances in which a condition or feature that spans several zones justifies a modification of one or more specific standards.

When used appropriately, overlays can add or modify development standards so that development better responds to such a feature or condition. With a proper use of an overlay, only those standards which are directly related to the common feature or condition are modified or replaced.

The following represent appropriate and effective use of overlays:

- **Airport Overlay District.** This overlay encompasses areas in which a height limit is imposed by a separate agency. Its inclusion on the zoning map and in the UDC is helpful and appropriate.

- **Floodplain District.** This overlay is mapped onto a floodplain, which has real development and land use implications.
- **Fletcher Creek.** This overlay is mapped onto the Fletcher Creek Drainage Basin and provides requirements to ensure responsible development within this distinctive natural environment.
- **Wellhead Protection.** This overlay locally implements Federal and State regulations to protect public groundwater supply from disturbance or pollution.

The following represent inappropriate use of overlays:

- **Residential Corridor.** This overlay renders nonresidential uses within 200 feet of designated corridors nonconforming, prohibits re-zoning, and allows only detached single-family homes. The intent of the overlay is to prevent the encroachment of nonresidential uses into residential neighborhoods.
- **Transitional Office.** This overlay applies to arterial-fronting lots and intends to generate “relatively small-scale office uses” that have “predominantly residential property appearance and building scale.” Essentially, this overlay district exists for the purpose of allowing office uses in these locations so long as they are in buildings that resemble houses.
- **Neighborhood Conservation.** This is not an overlay, but an allowance of property owners to establish their properties into a district with its own unique set of development standards. Any development that occurs within an established Neighborhood Conservation District then requires the review and approval of the Zoning Administrator before building permits may be issued. The existence of this available entitlement demonstrates that the base zoning standards (and/or the historic districts and contextual infill standards, where applicable) are likely insufficient to preserve and/or generate the intended physical character of residential neighborhoods. It also allows the possibility of many local development codes to be scattered throughout the city, which can be a burden on staff and applicants.

The **Medical Overlay District**, the **University Overlay District**, and the **Midtown Overlay District** are grouped together in this analysis because they are all instances of “zoning patches.” The lengthy content is similar among all three of these overlays and is meant to replace much of the regulatory content that is covered elsewhere in the UDC. With so many use and development standards being repeated or superseded, it is not clear why overlays are used rather than new zones.

- **Medical Overlay District.** The purpose of this overlay is threefold: to protect institutional uses by restricting those uses deemed incompatible; to achieve an urban and walkable physical character; and to reduce the impact of large-scale uses on the surrounding neighborhoods. The first of the three is an appropriate justification for an overlay – since there is a common condition across several zones.

- **University Overlay District.** The stated purpose of this overlay is nearly identical to that of the Midtown Overlay District: to “encourage[e] rehabilitation and new construction that is sensitive to the existing urban form and reflects appropriate uses, scale and character of the neighborhood.” In addition to the content that is potentially redundant with other sections of the UDC, this overlay contains a complete set of standards that regulate signage in nonresidential zones of the overlay – which differ from the set of standards that regulate signage elsewhere (Section 4.9).¹
- **Midtown Overlay District.** The purpose of this overlay is to preserve and reinforce the existing physical character of the district. Like the Medical Overlay District, this overlay contains content that is largely redundant with the base zoning district standards of the UDC, including processes for plan review and for deviations from standards, an extensive use table, and standards for frontage designations. Uniquely, this overlay includes all 15 streetscape plates that are copied from Section 4.3.3 of the UDC.

Table 4.2.1 shows the overlap of regulated topics. All the topics below are also covered by universally applicable sections of the UDC.

Table 4.2.1

Topic Regulated	Overlay District		
	Medical District	University District	Midtown District
Administration	Yes	Yes	Yes
Use Table	Yes	Yes	Yes
Building Envelope Standards	Yes	Yes	Yes
Large Format Buildings & Structured Parking Standards	Yes	Yes	Yes
Height & Adjacency Standards	Yes	Yes	Yes
Site Development Standards	Yes	Yes	Yes

¹ Signage is also separately regulated in the Uptown Zoning District, in the Central Business Improvement District (CBID), and the South Central Business Improvement District (SCBID) – another opportunity for consolidation.

Streetscape Standards	Yes	No	Yes
Sign Standards	No	Yes	No
Definitions	Yes	Yes	No

Content that is redundant between these overlays and the base code should be covered in the base code only. The simplest sections to remove (and default to other sections of the UDC) are likely those on administration, allowed uses (where they are redundant), standards for “Large Format Buildings and Structured Parking”, streetscape standards, signage standards, and definitions.

Allowed uses may be subject to local modification; a concentration of a particularly sensitive use can justify an overlay and would ideally contain standards to implement the stated intent. Uses which the city has deemed incompatible with the relevant institutional use(s) should be either prohibited or approved only conditionally. In any case, the overlays should itemize only those uses that are intended to differ from the allowances of the base zones.

The height standards may prove difficult to extract from the overlay districts, since they have been locally mapped—but ideally, height standards would also differ only by base zone. If it is determined that the intended physical form and character of these districts are more nuanced than what the (updated) base zones can deliver, the mapping of these areas should be refined through the small area plan process.

Section 4.2 Recommendations

1. **Eliminate the Residential Corridor Overlay District.** While the standards of this overlay may be appropriately regulated in the base zoning, it should be noted that Memphis 3.0 envisions the evolution of the Anchor Place Types to become more walkable (characterized by residents’ ability to walk or bike to fulfill most daily needs). The continuance of a prohibition on nonresidential uses, and the allowance of only detached single family homes in any anchor or anchor neighborhood along these corridors can inadvertently impede the realization of core aspects of the vision of Memphis 3.0.
2. **Eliminate the Transitional Office Overlay District.** Since there is no common feature or condition that spans zones, this is an inappropriate use of an overlay. Rather, the overlay is geared towards generating a particular built outcome for a specific set of allowed uses, which is best addressed in the base zoning.
3. **Eliminate the Neighborhood Conservation Overlay District.** Instead of introducing these districts, ensure that the development standards of the base zoning districts (and contextual infill standards, as applicable) suffice to preserve intended neighborhood character. The fact that Neighborhood Conservation

Districts have not yet been mapped in Memphis means that they can then be safely deleted from the code.

4. **To the extent feasible, consolidate the use and development standards of the Medical, Midtown, and University Overlay Districts and incorporate them into base zones.** Extracting redundant content will clarify the function of these districts and make the standards easier to use. See Section 5.2 – Private Frontages for recommendations on how to consolidate frontage standards and implement them within the overall context of the UDC.
5. **Clarify allowed uses within the Medical, Midtown, and University Overlay Districts by listing only differences from the underlying zoning.** If the intent of these districts justifies modifying allowed uses, the section of each overlay that addresses land use should indicate only where there is a departure from the uses permitted by the underlying zoning.

4.3 Landmarks Districts + Contextual Infill Standards

Different Historic Districts cover many of the same themes with the same goals in mind—often repeating the same language verbatim. This is a strong indication that some of the guidelines they contain could be applied to older neighborhoods across the board. Typically, a certain set of form parameters are listed, with the intent of ensuring that new buildings or additions do not differ markedly from nearby historic examples in terms of these parameters. Recurring themes include:

- Height
- Scale and Massing
- Setbacks and Rhythm of Spacing
- Orientation
- Materials
- Roof Shape
- Proportion and Rhythm of Openings
- Parking

Distilling the most universal design guidelines and incorporating them into a more robust set of contextual infill standards could reduce the incentive to establish more historic districts than necessary just to ensure that these principles are followed. There is precedent for this in the existing contextual infill standards, which aim to align front setbacks with those of the neighboring buildings and which also contain standards pertaining to porch frontages and elevated ground floors.

The contextual infill standards themselves could also be expanded to cover more of the design aspects that are important to residents of established neighborhoods. The absence of architectural design standards in the current UDC motivates residents to push projects

toward a time-consuming discretionary review process so they can weigh in. To the extent that the recurring themes of these hearings can be codified in the standards themselves, a great deal of time can be saved in the approval process.

Section 4.3 Recommendations

1. **Distill guidelines that appear in all or nearly all historic districts and add them to the contextual infill standards (UDC 3.9.2).** Ensuring a base level of form compatibility throughout older neighborhoods could help prevent the overuse of Historic Overlay Districts.

Appendix 2 **Expand contextual infill standards to cover the topics most important to residents.** Rather than requiring the same points to be argued repeatedly through discretionary review processes, the design characteristics desired by the community should be codified objectively to the maximum extent possible.

5. Key Zoning District Development Standards

5.1 Housing Types

The “housing types” identified in Section 3.4 of the UDC represent valuable tools for serving diverse housing needs—especially in infill scenarios. Unfortunately, they are currently presented in the form of relatively loose definitions, leaving many unanswered questions regarding their physical arrangement and how they integrate into the broader neighborhood. Ideally, the intent for each type would be translated into clear standards communicating what community members can expect in terms of scale, massing, open space, arrangement of units and placement of entrances, etc.

The existing diagrams in Section 3.4 of the UDC are helpful in this regard, up to a point—but they are merely illustrative, and so do not convey each type’s requirements and limitations objectively. Diagrams in this section should be detailed enough to demonstrate the outcome of the housing type standards, without making implications that the standards themselves do not support. This way, they will become sources of clarity rather than confusion.

In addition to the housing types currently in the UDC, the code should include the Cottage Court and Pocket Neighborhood as discrete types, using the corresponding sections of the Urban Design Guidelines as a starting point. All the current residential zone districts assume one “housing type” per parcel, with no provision for multiple buildings on a lot. The cottage court (or bungalow court) is not included as a “housing type,” except as a variant of the “Apartment” type; these are two different things, however, and should not be categorized together.

As it stands, cottage courts are prohibited in zones where they would make the most sense (e.g., RU-1), and unlikely to be built in zones where they are permitted (because they will be

superseded by apartment buildings with a higher ROI)—leaving PDs as the most reasonable option for implementing the vision of “infill housing in ‘pocket neighborhood[s],” as called for in the Soulsville Small Area Plan (See Section 7.2 – Alignment with and Implementation of Small Area Plans). Treating the cottage court and pocket neighborhood as distinct housing types would help solve this problem.

Section 5.1 Recommendations:

1. **Introduce standards for each identified housing type.** Housing type standards should pay particular attention to the scale and massing of each type to ensure its compatibility with the other housing types in the applicable zones. Where appropriate, the standards for a housing type (e.g., max. height/footprint, open space) can vary by zone to ensure such compatibility. Regulate the placement of entrances to help integrate each housing type with the streetscape and neighborhood.
2. **Ensure correspondence between housing type diagrams and regulatory content.** Diagrams associated with each housing type should illustrate those aspects of the type that the standards regulate—no more and no less. Depict precisely what is regulated to reduce the potential for miscommunication.
3. **Introduce cottage courts and pocket neighborhoods as distinct housing types, with appropriate standards.** Cottage courts and pocket neighborhoods should have specific standards for those types of developments, and these standards should be informed by their respective sections in the Urban Design Guidelines (2.3.A and 2.3.B). See Section 3.1 – Residential Districts for recommendations on which zones should incorporate these types.

5.2 Private Frontages

The purpose of frontage regulations is summarized by the Urban Design Guidelines:

The ultimate intent of regulating frontages is to ensure, after a building is located appropriately, it interfaces with the public realm and the transition between the two are detailed appropriately²

Mixed Use and Industrial Districts

Within the section on Building Envelope Standards for Mixed Use and Industrial Districts is a section on Frontages. This section establishes “frontage designations” - which dictate the private frontage requirements for abutting properties.

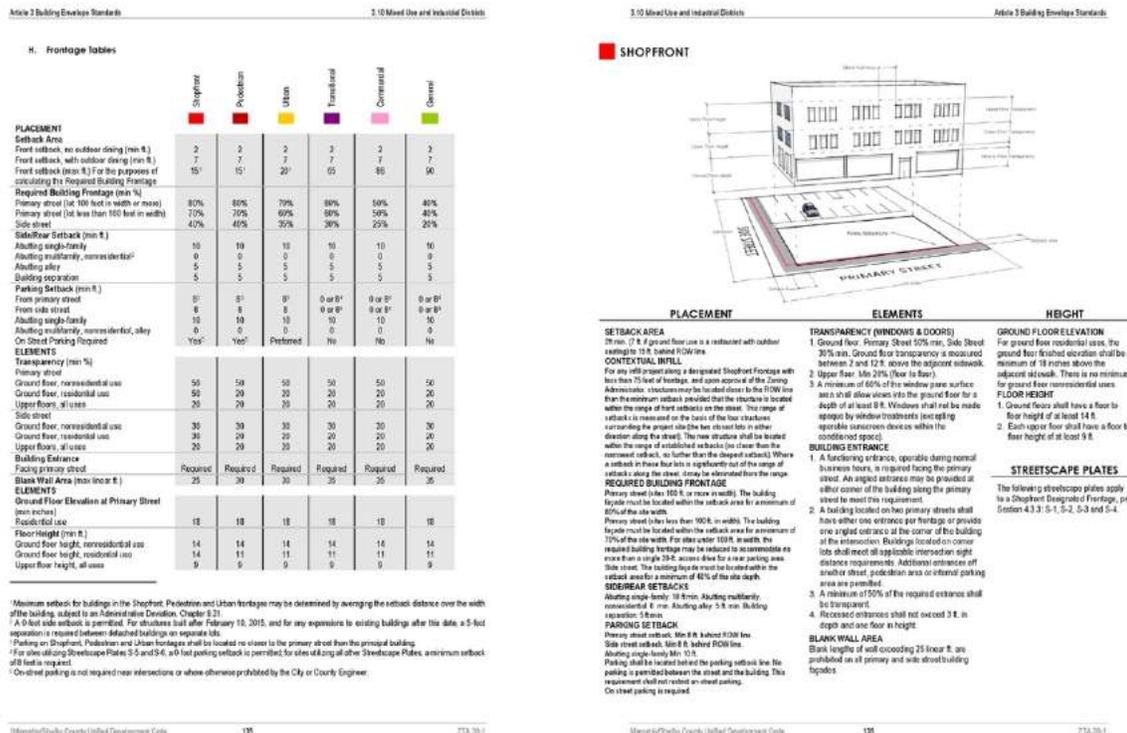
None of these designations appear on the Zoning Map, however. Rather, the Medical, University, and Midtown Overlay Districts (Sections 8.2, 8.3, and 8.4, respectively) utilize

² Frontage Principles, page 96

designations from the same palette of frontage designations that is established in Section 3.10.3. Within the UDC overlay section, select frontage designations are mapped locally within their respective boundaries and contain standards that differ slightly from the base standards (those from Section 3.10.3) and from their own counterparts in the other overlays. For example, some of the standards for parcels with *Urban* frontage designation in the Medical Overlay District are different from the standards for parcels with *Urban* frontage designation in the University or Midtown Overlay Districts.

See Figure 5.2.1 for an example of what frontage designations regulate.

Figure 5.2.1



Currently, these frontage designations contain standards for building setbacks, parking setbacks, fenestration of all floors, building entrances, ground floor elevation, floor heights, and allowed streetscape plates. Generally, the different designations account for differences in intended environment, ranging from more walkable and urban (Shopfront and Pedestrian) to more auto-oriented (General, which allows 90-foot setbacks).

The Comprehensive Plan envisions the anchors as walkable places. These are the areas that would primarily merit frontage-based development standards, whereas this is not necessarily the case for places where walkability is not envisioned. Frontage designations are most useful for supporting pedestrian activity and can control the allowed uses and physical characteristics of the ground floor environment even though the overall intended

urban form might not change. Such an approach would require only one or two frontage designations, each of them regulating much less than they currently do. If frontage designations continue to exist in this way, they should be realigned with the boundaries of the zoning districts. However, a recommendation for all Anchor Place Types in Memphis 3.0 is that private frontage standards be embedded into zoning districts. Given the walkable vision for all Anchor Place Types, it makes little sense to preserve frontage designations outside of those areas.

Table 5.2

Frontage Designations	UDC	Midtown	University	Medical
Shopfront	Includes but unmapped	Includes	Includes	Includes
Pedestrian	Includes but unmapped	Includes	X	X
Urban	Includes but unmapped	Includes	Includes	Includes
Transitional	Includes but unmapped	Includes	X	X
Commercial	Includes but unmapped	X	X	Includes
General	Includes but unmapped	X	X	X

Residential Districts

Currently, the UDC does not regulate frontages in residential single-family districts. In residential urban districts, standards regulate setback and fenestration—and only in certain areas, which do not correlate with zones. The repeating footnote in each residential urban zone’s table of standards states that the frontage standards “only apply to those parcels in the CBID or Zone 1 depicted on Map 3 of Section 4.9.7D (i.e. inside the Parkways) or in the University District Overlay.” Specifically, the requirement is that 80% of the façades of townhouses and 50% of the facades of apartment buildings be between two and 20 feet from the abutting street. Regarding fenestration, 20% of all floors that fall between two and 20 feet from the abutting street(s) must be fenestrated. The frontage of residential projects is unregulated if projects do not meet the criteria above, or are not in areas that have mapped frontage designations.

Within the Contextual Infill area, elevated ground floors and eight-foot-deep porches are required on block faces where these are dominant characteristics.

Section 5.2 Recommendations

1. **Embed frontage standards into updated and remapped zoning districts.** The recommendation in each of the “Anchor” land use designations is to embed

frontage standards into base zones. With a realignment of a new and/or updated set of zoning districts that correspond to land use designations, it will be possible to regulate the same development characteristics without the additional regulatory layer. Frontage designations may still be useful, but there should be fewer, they should be consistent across the city, and they should regulate much less. See Table 3.2.1 for an example of how existing frontage standards could inform an updated set of mixed-use zones.

2. **Add more robust frontage standards and embed them into the base zoning districts.** The Urban Design Guidelines provide a palette of “frontage types” that are tailored to house-scale buildings – which are what are primarily envisioned in the residential urban districts. These frontages make a valuable contribution to neighborhood walkability. Incorporate the recommendations of Chapter 3.3.I of the Urban Design Guidelines and include the appropriate frontage types included in Chapter 5.
3. **Bring internal consistency to the frontage designations.** If the frontage designation system is to remain, a single set of standards should be established for each, so that standards do not differ by location.
4. **Eliminate redundant and unnecessary frontage designations.** If the frontage designation system is to remain, consolidate or eliminate designations as much as possible. The Shopfront and Pedestrian designations are essentially variations of each other that differ primarily in how they accommodate residential uses. On the other end of the spectrum, Commercial and General designations have very similar standards to each other and might be consolidated into one. However, frontage designations that are not intended to generate more walkable environments are likely unnecessary.
5. **Remove frontage designations from the overlay sections of Chapter 8 and cover once in Chapter 3.** If the frontage designation system is to remain, all designations should be included on the Zoning Map. Newly mapped frontage designations should correspond with the boundaries of the Anchor Neighborhoods (and by extension, the boundaries of the remapped zoning districts).

5.3 Public Frontages + Streetscapes

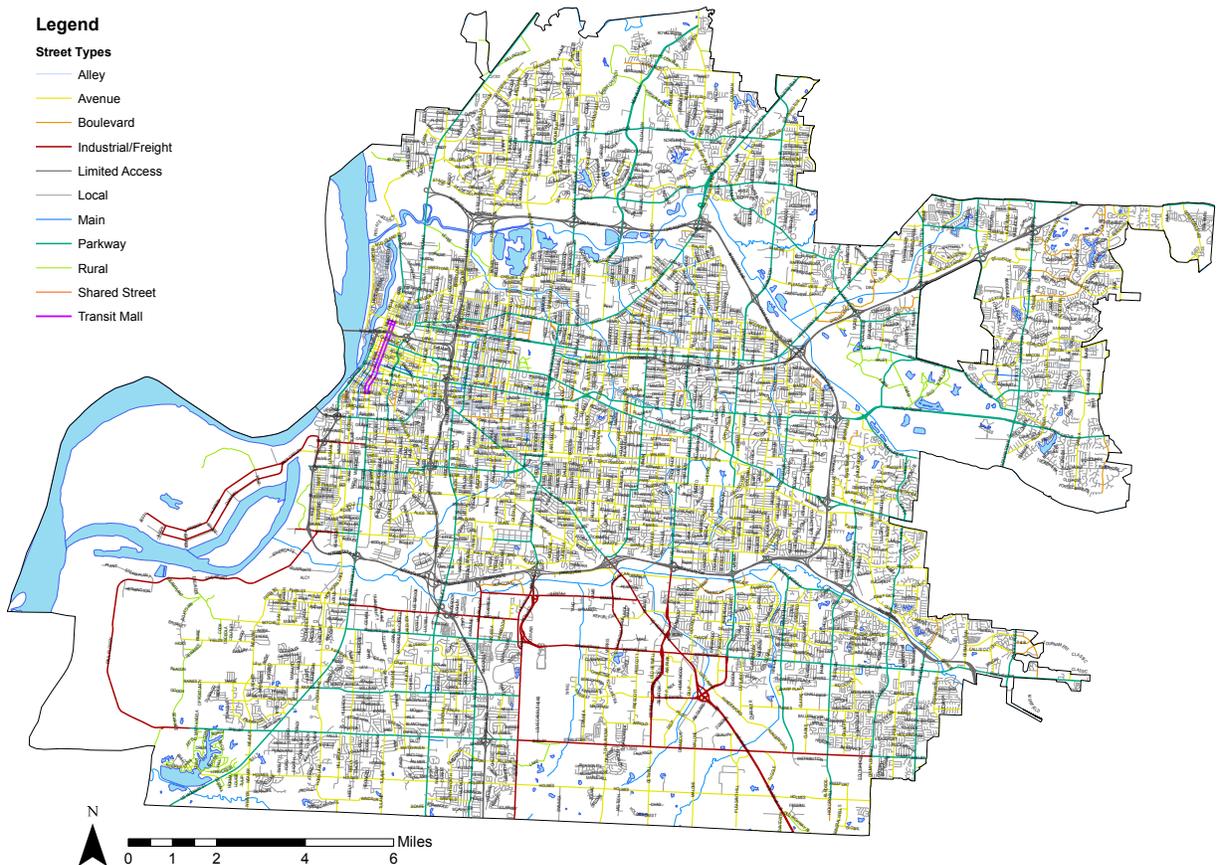
The section in the Comprehensive Plan entitled Street Typology and Design contains detailed policy to inform the intended future of Memphis’ streets. The Plan identifies ten street types and maps them onto every thoroughfare in the city (“[Street Types Map](#)”). Along with other documents, this map is intended to inform the update of the City’s Major Roads Plan.

The ten Street Types that are identified in Memphis 3.0 are intended to be merely guidelines. However, they can serve as a simple and informed starting point in the recalibration of public frontage standards of the UDC. The “public frontage” (in contrast to

“private” frontage) refers to the space generally between the back of sidewalk and vehicular travel lanes. It typically includes the sidewalk, parkway, street parking area, and bike lanes, or whatever other elements are in that space.

Improved public frontages can be realized in part through private development – whether those improved areas are technically on private property or are actual public improvements that the city requires of the developer. The Applicability Matrix within the Street Typology and Design section of the Comprehensive Plan shows how street design, which includes public frontage, is intended to correlate with the land use designations.

Figure 5.3.1



The corresponding UDC section is 4.3: Streetscape Standards. This section includes a palette of streetscape plates (S-1 through S-15) that provide dimensional standards for the spaces between building façades and primary vehicular travel lanes (public frontage). The section also includes a matrix identifying allowed streetscape plates by frontage designation *and* by zone.

Section 5.3 Recommendations

1. **Recalibrate the streetscape plates to align with the Future Land Use Planning Map and Street Type Applicability Matrix in Memphis 3.0.** Integrate the policy of the Comprehensive Plan with the UDC by revising the streetscape plates per the

recommended dimensions and characteristics of the Street Types in Memphis 3.0, and to link them by *land use designation* as shown in the Applicability Matrix of the Street Typology and Design in Memphis 3.0. While the Street Types are more comprehensive than the streetscape plates of the UDC (in that they apply to the entire right of way), the Street Types *do* provide dimensional standards for those public frontage areas covered by the UDC. It should be noted that the Street Types were primarily intended to convey the general vision for the entire rights of way and were not meant to directly translate into hard dimensional standards along their edges. However, the new streetscape plates should be informed by and correlate with the street types.

5.4 Other Standards Identified by Variances

Variances

The list of variances approved by OPD in recent years is long, but a few major themes emerge when considering the issues that come up repeatedly. By addressing these issues at the root and “allowing the right things by right,” Memphis can pave the way for the types of projects the community wants to see while cutting down on the departmental workload.

Recurring themes include:

- **Reductions to setbacks**, especially for accessory structures/garages.
- **Exceptions to minimum lot size requirements**, most frequently in the CA, R-6, and RU-1 zones. Staff has been studying non-conforming lots within the R-6 district and is exploring options for bringing these lots into conformance by permitting alternative housing types on small lots.
- **Permitting ADUs**, especially on lots < 10,000 sf (≈ 7,800 sf lots). Staff is also currently working on amending ADU regulations to make such units more widely available.
- **Permitting uses prohibited by existing zoning**. Approved variances have largely been consistent with Memphis 3.0, such as residential uses on industrial land in anchor neighborhoods. Variances also demonstrate that there is a need to allow a more appropriate range of residential uses along mixed-use corridors in Uptown, where long stretches are mapped with the MU zone; a more effective strategy would be to focus mixed-use zoning at key intersections or nodes while allowing more residential options in between (e.g., through the RW zone). Remapping of zones according to Memphis 3.0’s Future Land Use Map (see Section 10 – Zoning Map) would reduce the need for such variances.
- **Permitting greater density in the South Main district**. Recently-approved densities of 170-212 du/ac far exceed the density standard of 40-60 du/ac in the SM district. These projects are consistent with the Memphis 3.0 vision for “Urban”

anchor neighborhoods. The RU-4 district, which is intended to generate a similar form, has no density cap, and the SM district could benefit from a similar approach.

- **Signage.** Approved variances have largely involved detached signs with electronic message boards (schools and churches) and continuing use of non-conforming signs. Staff has advised against changing signage regulations merely to avoid the need for such variances.
- **Reducing required parking and allow for more alternatives.** Many of these variances have been for reduced parking requirements, while others have been for making use of existing and off-site parking; both strategies could be eased through changes to the UDC. Other projects have requested variances to permit parking in the front setback, but several of these were denied.

Section 5.4 Recommendations

1. **Provide an administrative alternative to setback variances for existing buildings and accessory structures.** Projects that do not increase an existing nonconformity should not trigger the level of review as currently required. Accessory structures need not be subject to the same setback requirements as primary buildings.
2. **Allow alternative housing types on small lots in R-6/RU-1.** As mentioned in Section 3.1 above, this would bring many smaller historic lots into conformity.
3. **Allow ADUs by right on lots smaller than 10,000 square feet.** It is possible for these units to fit on single-family lots as small as 6,000 square feet (the minimum lot area for a conventional single-family house in R-6), so this would be a reasonable benchmark.
4. **Reduce use-variances by remapping zones to align with the Future Land Use Map.** Completing this remapping effort will mean that most of the new residential development Memphis is seeing within anchor neighborhoods will no longer require these variances. Along corridors with long stretches of mixed-use zoning, as in Uptown, much of the anchor neighborhood portions can be rezoned to RW, with the primary mixed-use zones reserved for the anchors themselves.
5. **Remove the density maximums from the SM district.** Memphis' other mixed-use and RU zones do not regulate by residential density. The limits in the SM district are out of step with the latest approach and do not align with the scale of the buildings envisioned.
6. **Reduce parking minimums and make provisions for existing and off-site parking, particularly within anchor neighborhoods.** Both strategies would help prevent oversupply of surface parking and avoid imposing unnecessary costs.

6. Planned Developments + Subdivisions

Planned developments (PDs) are land entitlements in which the standards of the zoning district are exchanged for a negotiated site design. These entitlements can and should be a useful tool for some projects. For example, one can imagine an innovative several-acre residential or mixed-use plan that arranges new buildings around narrow, pedestrianized streets and/or a grand central amenity. While it is desired that most large development projects take shape in the regular and time-tested neighborhood patterns and connect seamlessly with their surrounding environments, the occasional innovation should have a clear way in. Nonetheless, the frequency of the use of PDs should be minimized to increase certainty for investor and neighbor alike.

Aside from the proper use of PDs summarized above, there are two primary reasons that applicants choose this route:

1. **Disorganization and/or inconsistency of the UDC.** It is understandable that applicants frequently choose this route when the development standards are seen as too restrictive for their project, too complex to figure out, and/or too vague or silent where clear answers are needed. A similar problem occurs when the UDC contains internally conflicting standards. The PD is an attractive option for those seeking project approval without having to understand and comply with the minutiae of the code.
2. **Large sites.** PDs are often used for the development of larger parcels, and involve subdivisions, multiple buildings, and on-site circulation. The complexity of this level of design can easily exceed what a typical development code is equipped for. While the UDC provides standards for minimum lot sizes, setbacks of new buildings from those lot lines, building size, land use, and residential density, it lacks standards that are relevant and needed for multi-acre projects, especially when such projects encompass areas larger than neighboring blocks.

Memphis 3.0 clarified the physical vision for new development over the next several decades. While a protocol of site-by-site design negotiation with the Comprehensive Plan's policy as the primary guiding force may seem like a reasonable approach, this neglects the proper use of the zoning code. Not only is policy inherently insufficient to check tangible development proposals against, but this approach also requires a significant amount of time and discretion from staff and decision makers. Rather, the policy of Memphis 3.0 should be used to inform the standards of the UDC, which in turn are used – not bypassed – in the processing of development applications. There are several other reasons to limit the use of PDs:

- **Stakeholder expectations.** Property owners and prospective developers should have a general idea of what sorts of development is expected and therefore permissible on each site. This is already the case with zoning in place, but the ease of the PD route makes each site into a potential blank slate that is bounded only by

the Special Use Permit approval criteria (UDC Section 9.6) and those criteria and standards set forth for PDs in Section 4.10, many of which are very general and/or subjective.

- **Neighborhood Unpredictability.** PDs are inherently negotiated designs. This is particularly unhelpful in more urban areas where there is a specific physical form and character envisioned for the area. In places where traditional lotting patterns and individual buildings on those lots establish the physical character, a PD development on a large lot could result in an undesirable break in the expected pattern.
- **Inability to evolve.** PDs – like other planning entitlements – get approved with conditions. But unlike other planning entitlements where development is still subject to zoning requirements, PDs have no underlying zoning. Therefore, the specific conditions that are imposed at approval serve as the de facto permanent development standards for the site. When surrounding zoning districts are updated, PD properties are unaffected.

PDs effectively get locked into their condition at time of approval and cannot grow or change in any significant ways without going through the costly and tedious process of applying for an amendment to the original entitlement. This creates an element of uncertainty – for both the applicant, neighbors, and the city – and unnecessarily forces applicants to consider the threshold of what modifications justify the trouble. Meanwhile, neighboring properties are able to respond to the changing environment, demographics, and market conditions so long as they comply with the established allowances of their zoning district.

Currently, the City of Memphis not only has a large number of parcels that have been re-zoned PD and therefore carry their own customized set of zoning standards, but has many that have yet to be built – meaning that they can still be built at any time per designs that were approved decades before. A mechanism for “sunsetting” PDs that have outlived their relevance is critical for enabling these properties to evolve in accordance with the Comprehensive Plan’s vision.

- **Integration with surrounding areas.** Because PDs are often on large sites and untethered from the standards of neighboring zoning districts, it is unlikely that new development will integrate into surrounding and/or intended street and block patterns. Without standards related to block sizes, open space, street and alley design, the interface between buildings and the public (or semi-public) realm, or design and location of civic spaces, it is unlikely that new development will contribute to the surrounding neighborhood in terms of public access and amenities.

PDs and large sites. Typically, development codes are straightforward for platted land, but tend not to include standards and direction for larger infill sites. Subdivision standards

frequently fail to address design considerations to the same degree that development codes do for smaller infill projects. This is an especially important topic for Memphis, which has a significant amount of available and developable land within its limits. The UDC does contain residential subdivision standards that require a mix of housing types, and PD standards that control some design characteristics. But while these standards occupy many pages of the UDC, the current content does not clearly express an intent for development to integrate into surrounding street and block patterns or provide specific enough standards to achieve this. Given the sewer moratorium, the vision of Memphis 3.0 to Build Up, Not Out, and the general need for the simplification of the UDC³, we recommend that these Residential Subdivision types be discontinued and replaced with a new set of large site standards. Such standards should apply to any developable site that is larger than a typical block, which will differ by area; additional standards might be applied at different thresholds. Generally, we recommend that large sites trigger a simple and straightforward master planning process wherein nuances of placemaking as outlined in Memphis 3.0 and the Urban Design Guidelines can be applied at a finer scale. If done well, this can result in a greater degree of predictability by all interested parties, less required discretion, and higher-quality built outcomes.

1. Since it is often desirable that new development match the surrounding or intended block-and-lot pattern and contribute to the overall circulation network, it is important that new blocks be established within large sites, that new rights of way and civic spaces (whether public or not) divide the new blocks, and that the new buildings have frontages that frame those rights-of-way and civic spaces in addition to the rights-of-way and civic/open spaces that surround the site. In rural areas, streets are of a different character, and blocks and lots tend to be larger, whereas the opposite is true for urban areas. This can be sorted out through tables that contain standards for these elements that differ by zone.
2. It may be appropriate that some rezoning occur through the large development standards. This can help ensure that large sites/superblocks can integrate and transition appropriately into adjacent neighborhoods, that new developments provide a variety of housing choices in proximity to one another instead of the more familiar monocultures of identical housing types, and it can also help ensure that nonresidential amenities are at least possible to serve the new neighborhood.

Section 6 Recommendations

1. **Reduce barriers to straightforward code compliance and incentivize the use of the UDC rather than PDs.**

³ For example, the Open Space Subdivision and Sustainable Subdivision types each contain sets of tables in which the development standards for residential building types differ from the development standards for each of those residential building type allowed elsewhere.

- a. **Complexity.** The implementation of many of the recommendations of this memo that address the complexity of the UDC will result in a more user-friendly document to use. There are instances of PD entitlements being issued for projects which more reasonably would have been processed by right. A simplification of the UDC could persuade applicants of simple projects to forego the PD path and comply with the development standards of the zone(s).
 - b. **Streamlining.** In addition to the overall citywide benefits from increased clarity and user-friendly nature of the updated UDC, the City may consider streamlining the approval process for development in certain locations, such as those in Anchor Place Types, especially where designated *Accelerate* on the Degrees of Change Map in the Comprehensive Plan. For example, requiring approval from only from the Planning Director and the TRC could help to accelerate the approval process without diminishing the quality of development.
 - c. **Administrative flexibility.** See Section 7.1 – Administrative Deviations + Code Interpretation for recommendations on administrative deviations.
 - d. **Anticipate types of likely development proposals and ensure that the UDC is equipped to provide the parameters that applicants will be looking for.** Patterns of PD applications which deviate from the intent of the land use designation zoning district might cause the City to reconsider whether the zoning district is appropriate, but patterns of PD applications wherein the proposals are largely consistent with the intent of the land use designation and/or zoning district should cause the city to consider whether the right sets of standards are included in the base zoning district. This is especially true for larger sites (see below).
2. **Introduce a means of “sunsetting” obsolete PDs.** To ensure that properties can evolve in line with the vision of the Comprehensive Plan, the UDC should include provisions for the elimination of the requirements of PDs, through sunset clauses, triggered through a change in ownership, or by some other method. Further, the city should explore how existing PDs might be revert to previous or current neighboring zoning, especially those which have not yet been built.
 3. **Create “large site” standards.** Rather than having a separate-but-similar set of standards to regulate the development of large sites (Residential Subdivisions and Planned Residential Developments), deal with the topic in one place. Large-site standards should require a mix of building types, and require new streets and open spaces. The standards can differ by project location, size, and/or other variables. Importantly, a set of required findings should supplement these standards to help ensure that the intent is meant in through technical compliance.

- a. **Required Findings.** Whether the city creates large site standards or continues to rely on PDs, we recommend a robust set of required findings for the development of large sites. A good start for such findings might be derived from the standards and criteria listed for PDs under 4.10.4 and 4.10.5. Further recommendations are listed below.
 - i. The project is consistent with the goals and objectives of Memphis 3.0;
 - ii. The scale, design, and intensity of the development is consistent with the Place Type as assigned by Memphis 3.0, and its associated intent;
 - iii. The scale, design, and intensity of the development is consistent with the degree of change envisioned for the area per Memphis 3.0;
 - iv. The project is designed to be consistent in character and integrated with adjacent developed land;
 - v. The project bears its fair share of public improvements according to the standards of Article 5 of the UDC;

7. Administration + Procedures

7.1 Administrative Deviations + Code Interpretation

In our focus group interviews, participants mentioned the difficulty of contending with mismatches between existing conditions and the conditions assumed by the zoning code. For example, streetscape plates might require a certain public frontage width that the existing right of way could not support or that would be incongruous with the adjacent public frontage, or a property line located at the curb might prevent the inclusion of a sufficiently wide sidewalk on the parcel without exceeding the maximum setback. These are a few examples of cases where prescribed allowances for administrative deviations would be useful. Building flexibility into the code through administrative tools would help it to properly navigate the complexity of unpredictable conditions, particularly in infill situations.

Currently, Section 9.2.1 of the UDC outlines the development standards eligible for administrative deviations within specified parameters. Many of the standards listed allow a flat percentage of deviations that is clearly insufficient to increase the viability of a project—for example, applicants are allowed to request only a 5% deviation from the required minimum façade transparency. The recommendations below outline the form that administrative deviation tools might take and the principles that should guide their development.

Section 7.1 Recommendations

- 1. Introduce administrative deviations to provide a predictable degree of flexibility that can account for inevitable contingencies.** These administrative deviations are critical for streamlining infill development, which must account for all sorts of unusual conditions. The list of allowable administrative deviations might be most useful in table format—clearly showing different levels of deviations allowed, different approving authority, as well as a specific set of findings correlated with each allowed deviation. The administrative deviations included in the code should adhere to the following principles:
 - a. Conditions that trigger the administrative deviation should be spelled out clearly and objectively.
 - b. The amount of the allowed deviation should be meaningful in context and sufficient to solve the problem at hand (i.e., not 5%). In some cases, an absolute measurement may be preferable to a percentage of the standard.
- 2. Within “Nurture” anchors and anchor neighborhoods, allow deviations or waivers for cases where complying with standards as written imposes an unnecessary cost burden.** Examples could include “architectural compatibility” of accessory structures. These provisions should be developed in accordance with Memphis 3.0, including the Degrees of Change, with additional guidance from the Urban Design Principles found in the Urban Design Guidelines.
- 3. Offer incentives (“carrots”) rather than mandates (“sticks”) for aspects of development that are merely preferred, rather than essential.** The Urban Design Guidelines were informed by a “good, better, best” framework, acknowledging different levels of importance among the guidelines. The code should mandate only those features with critical impacts on neighboring properties or the public realm, but it may incentivize projects to exceed this level by—for example—conditionally enabling greater height or floor area than would otherwise be allowed, etc.
- 4. Measure front and side street setbacks from the back of sidewalk rather than from the property line.** This would help projects address a wide variety of existing conditions and clarify the process of applying development standards in relation to streetscape plates.

7.2 Alignment with and Implementation of Small Area Plans

The Small Area Plans generated in 2021 illustrate specific ways that the vision of the Comprehensive Plan could be implemented in key locations and highlight the tools needed to do so. The role and value of the small area planning process is described under Objective 1.2 of Memphis 3.0:

The primary recommendations related to this objective deal with the content and application of the Unified Development Code (UDC) and the purpose and function of

small area plans developed consistent with the Memphis 3.0 Comprehensive Plan. One of the key issues created by the Comprehensive Plan is potential incompatibility between the future land use map and zoning map in the UDC. While the consistency process can mitigate issues, the City should use the small area planning process to reconcile the zoning map with the future land use map.

The analysis below identifies key goals reflected in the recent small area plans and connects them with recommended changes to the code and zoning map.

Mixed-Use Infill and Defining the Public Realm

One topic that was covered in all six area plans was the desire for “mixed-use infill development with active ground floor uses,” particularly to define public space around the anchors themselves. In Highland Heights, this was envisioned along Summer Avenue to either side of National Street. In Hollywood-Hyde Park and Klondike, mixed-use buildings were seen defining the edges of new pedestrian plazas. In Orange Mound, these buildings were to establish a gateway to the neighborhood by filling out the shopping center property at Lamar and Park Avenues. In Soulsville and South City, they were imagined as important components of the anchors at key intersections.

Most of these locations are currently zoned either MU or CMU-1. What the small area plans show is the need for a zone that combines the public-space-defining qualities of the MU district’s “build-to line” with the more flexible range of uses found in the CMU-1 zone (most notably, Upper-Story Residential and Live/Work). A new “Main Street – 1” zone, as described in Section 3.2 – Mixed-Use Zones, could achieve this full set of objectives at once and would be more effective for implementing a low-to-mid-rise, mixed-use, block-scale environment than any one of the existing options. See Section 3.2 – Mixed-Use Districts for recommendations on developing these zones.

Live/Work

In Highland Heights (along National Street/the “Heights Line”), Orange Mound (along Park Avenue), and South City (along Vance Avenue) live/work development is desired as a means of activating corridors without a mature level of commercial activity. Resident-operated businesses have the potential to establish local identity and build community wealth, while providing greater flexibility than dedicated commercial space. The RW district would be the best zone to apply in these locations, given its accommodation of Live/Work, Upper-Story Residential, and neighborhood-compatible commercial uses—as well as appropriate housing types (Large Home, Stacked Townhouse, Single-Family Attached) that could be incorporated if the necessary commercial demand is not present. One caveat is that the 50-foot minimum lot width for non-residential in RW is too wide for individual Live/Work units, which can be successful in buildings as narrow as 16 feet; such uses should be subject to the same minimum lot widths as Townhouse and Stacked Townhouse uses.

Infill Housing

Most of the small area plans also contain a vision for infill housing, incorporating a broad array of types—including townhouses, duplexes, and fourplexes. The Klondike plan places an emphasis on “affordable residential infill,” and Single-Family Attached types as well as Stacked Townhouses and Large Homes would be particularly valuable from an affordability standpoint. Of the existing zones, the only ones that permit all these types are RU-2, RU-3, and RW (RU-4 is likely too intense to properly enable development on the scale envisioned). Neither the CMU-1 or MU districts permit the full range of housing types and are thus inappropriate for the areas where this infill housing is intended; outside of anchors, these sites would benefit from being rezoned to RW, RU-3, or RU-2. If only single-family and duplex types are expected, RU-1 may be appropriate.

Cottage Courts and Pocket Neighborhoods

The Soulsville small area plan envisions a “variety of housing types and unit sizes provid[ing] housing options for the community.” The fact that Memphis has already moved away from regulating by residential density is a major step toward realizing this vision, because it places different building types and unit sizes on more equal regulatory footing. Although the RU-1, RU-3, and RW zones permit an appropriate variety of housing types, the cottage court and pocket neighborhood would be valuable additions—particularly in light of their prominent place in the Soulsville small area plan.

Cottage courts or pocket neighborhoods could be developed by aggregating several of Soulsville’s numerous vacant lots, providing a greater supply of smaller, more affordable homes while supporting the vision of “open green spaces link[ing] infill housing and provid[ing] a desirable address onto which new housing can front.” Unfortunately, the existing zone districts do not support this type of development. See Section 5.1 – Housing Types for discussion of how cottage courts and pocket neighborhoods could be incorporated into updated zones, and for recommendations on how to regulate these types.

Frontage Types

The Soulsville plan envisions “frontages such as porches and stoops provid[ing] privacy for residents while creating a welcoming environment along the sidewalk and along open green spaces.” The existing residential zones (outside of historic districts) contain no standards to ensure this. Working the Frontage Principles and Frontage Types from the Urban Design Guidelines into the UDC could help in this regard. See Section 5.2 – Private Frontages for recommendations on this topic.

New Street Networks and Large Site Subdivision

The Orange Mound and South City small area plans envision large-scale redevelopment, whether on the shopping center site at Lamar and Park Avenues or on the sites of shuttered schools. In theory, the “Sustainable Subdivision” standard could guide such

development, but most likely a PD would be necessary to properly realize the vision. See Section 6 for discussion on PDs in relation to subdivision standards and recommendations on alternative approaches.

Civic and Open Space

The redevelopment schemes shown in the small area plans, particularly those in the South City small area plan, show a significantly higher amount of formal/common open space than the UDC requires—especially given that the formal open space requirement is not triggered on sites under 15 acres. The Open Space Subdivision standards represent an alternative that could produce results more like those shown; however, it is rarely used. Redevelopment of large sites is more often handled through the PD process. If new large site standards are developed, they should include standards for civic space so that outcomes like those shown can be reliably generated.

On a related note, the “Soulsville Neighborhood Loop,” as depicted, incorporates mid-block crossings through the “community greenspace” within pocket neighborhoods for people walking and biking. There is nothing in the zoning to prohibit this, but also nothing to require it. Easements would need to be provided, and if they are not established through a PD process, there would need to be a different mechanism. Likewise, “landscape improvements, including more trees to shade [the] sidewalk” does not conflict with existing regulations, but there may be cause to include tree planting standards for the front setback in situations where the full streetscape plates will not be built out (this may be a preferred strategy in “Nurture” areas).

Section 7.2 Recommendations

1. **Rezone to RW along corridors where small area plans show that activation of the street is desired, but where commercial demand is not currently well developed.** This zone permits an appropriate level of flexibility in terms of allowed uses and housing types.
2. **Reduce the minimum lot width for Live/Work uses in the RW zone to match the minimum lot width for Townhouse and Stacked Townhouse types.** Live/Work building types as narrow as 16 feet wide have been successful in nearby markets.
3. **Outside of anchors, rezone CMU-1 and MU areas to RW, RU-3, RU-2, or RU-1 where a variety of infill housing is desired.** The RW district and the low- to medium-intensity Residential Urban zones permit more possibilities for residential infill than the existing mixed-use zones.
4. **Translate the street, block, and civic space networks represented in small area plans into large site standards.** If the principles underlying these schemes can be codified into a system for developers to follow without relying on the PD process, it will be easier to produce and administer such projects.

5. **Set up a system for establishing and regulating easements in instances where common open space is meant to be publicly accessible.** This can enable the open space within pocket neighborhoods, cottage courts, and open space subdivisions to become part of an integrated bike/pedestrian trail and green space network.
6. **Develop tree planting standards for front setbacks to provide shade for sidewalks where building out complete streetscape plates is not feasible.** Particularly within “Nurture” anchor neighborhoods with tree lawns that are too narrow or nonexistent, this strategy is much easier to implement than rebuilding the public frontage.

Conclusions + Next Steps

In its current form, the UDC is standing in the way of smooth implementation and realization of the vision in Memphis 3.0. We recommend a restructuring of the development code itself, along with revisioning of its content. The misalignments between Memphis 3.0 and the UDC are not easily resolvable without significant revisions, but this effort has the potential to result in a UDC that is at once more user friendly for all parties, and effective in generating the physical vision of the Comprehensive Plan.

Next Steps

1. **Communicate the Findings and the Update Approach to Stakeholders.** Inform the community why and how the UDC is to be updated and that they can be a part of it.
2. **Form a Work Group or Technical Advisory Group of stakeholders** to work with throughout the update process for input and feedback on concepts and content.
3. **Prepare RFP for consultant services to update UDC.** It will be key here to understand which, if any, portions of the UDC should be updated directly by City staff. Identify core City staff to work with the Work Group or TAG and the consultant.

Appendix B: Stakeholder Committee Summary

A. Subcommittee 1 (Consolidate and Correct Base Zoning) Recommendations

1. Residential Zoning Districts
 - a. Consolidate residential uses of CA and R-E districts into one and rename district to better convey district intent. "Rural Residential" was a suggestion for a new name. Retain CA district for uses more directly associated with conservation and agricultural uses.
 - b. Rename the R-MP (Manufactured Home Park). The intent of the district is more for mobile home parks and the term manufactured homes has different connotations.
 - c. Consolidate R-10 and R-8 into one district.
 - d. Keep RU-1 and R-6 as separate zoning districts. However, there are areas of R-6 that could be rezoned to RU-1 in accordance with the Comprehensive Plan Future Land Use.
 - e. Allow cottage courts and pocket neighborhoods in the RU-1 districts but ensure that proper street frontage is required.
 - f. Properly delineate where live/work is allowed, and the type of live/work based on context. In mixed-use districts all options could be on the table such as, live/work, only work, only live. In residential the intent should be that live/work is allowed but not only work.
 - g. Allow two-three story garden apartments/stacked townhouses in the RU-2 district but require proper street frontage.
2. Mixed-Use Zoning Districts
 - a. Create new Main Street zoning districts (MS-1 and MS-2) in accordance with the Comprehensive Plan anchor designations.
 - b. Allow both residential and non-residential uses in ground floors.
 - c. Eliminate CMP-2 zoning district and rezone any CMP-2 to CMP-1 or other relevant existing zoning district.

B. Subcommittee 2 (Planned Developments and Large Site Standards) Recommendations

1. Residential Subdivisions
 - a. The Open Space Subdivision and Sustainable Subdivision are un- or under-used and should be removed from the UDC, leaving the UDC with a single unified set of residential subdivision requirements.
 - b. For residential subdivisions, increase the open space requirement from the current 0.6% to something more substantial and shift the requirement down from the current 15ac threshold to something lower.
 - c. Allow a tradeoff between reduced lot width/size and increased formal open space, similar to what's currently included in the Open Space Subdivision requirements. This will need further study to make sure these relationships are properly balanced and don't reduce density/access too much.
 - d. Some elements in the Sustainable Subdivision (parking reductions, benefits for connection or proximity to transit, inclusion of low-impact commercial, etc) may be appropriate for consideration in the new Large Site Standards.
2. PD Management
 - a. PDs should be reserved for mixed use or large-scale developments and should not be permitted for single-family residential-only subdivisions.

- b. Small-site residential (re)development (approximately <1ac and/or 4 units) should be addressed through other processes such as a rezoning and subdivision process. This type of development has been pushed into the PD process because the current regulatory framework requires rezoning and subdividing in two separate processes and a PD is faster and simpler. This framework needs to change to push/require developers and applicants into avoiding the PD route.
 - c. An ongoing concern is the recording of multi-phase PDs which are then abandoned after construction (complete or partial) of one or two phases. A potential solution is a post-approval field review to determine whether the PD is being executed as written, after a pre-defined span of time had elapsed post-approval. If the field review determines that the PD is no longer being actively developed, any uncompleted phases of the PD would then be nullified. This would need to be written into the UDC as well as the typical PD approval conditions.
 - d. A similar concern to the above recommendation is to identify a way to sunset previously granted PDs. The legal landscape surrounding the City's ability to unilaterally cancel previously issued PDs is murky. DPD staff will explore this with legal consultation to identify potential options. There is a process for property owners to surrender approved PDs which could be spurred by instituting some form of fee or tax on uncompleted PDs. This is a potential solution that needs to be explored further.
3. Large Site Standards
- a. For large site standards, the committee proposes a mandatory process for all sites above a certain size threshold, currently estimated between 12-20ac and subject to further study. The intent of these standards is to provide flexibility for larger projects by right.
 - b. There would be three different standards since these use types have strikingly different scales and needs and cannot be effectively shoehorned into a single standard. These standards need to be immediately comprehensible, with the goal being to communicate the bulk of the standards on a two-page graphic.
 - i. One set of standards for primarily residential (single or multi-family) projects
 - ii. One set of standards for commercial/mixed use projects
 - iii. One set of standards for industrial projects
 - c. A framework of potential points of variation for use by a consultant to develop the standards in detail could include:
 - i. Permitting developers to include a small amount (% TBD) of compatible uses in these larger developments by right which would otherwise be impermissible based on the zoning district. These uses may be restricted by location within the site.
 - ii. Allowing flexibility from required lot widths and/or setbacks to encourage the development of dedicated contiguous open space
 - iii. Allowing flexibility from parking minimums (or elimination of these altogether) for compatible mixed uses or integration of transit
 - iv. Providing incentives for stormwater mitigation
 - v. Requiring connection through developments to adjacent (or future) sites to encourage regular block formation

C. Subcommittee 3 (Development and Design Standards) Recommendations

1. Overlay Districts
 - a. To the extent feasible, consolidate the use and development standards of the Medical, Midtown, and University Overlay Districts and incorporate them into base zones. Extracting redundant content will clarify the function of these districts and make the standards easier to use. See Section 5.2 – Private Frontages for recommendations on how to consolidate frontage standards and implement them within the overall context of the UDC.
 - b. Clarify allowed uses within the Medical, Midtown, and University Overlay Districts by listing only differences from the underlying zoning. If the intent of these districts justifies modifying allowed uses, the section of each overlay that addresses land use should indicate only where there is a departure from the uses permitted by the underlying zoning.
 - c. Explore removing the Pedestrian frontage type and replace with the Shopfront type.
2. Historic Districts and Contextual Infill
 - a. Explore a way to incorporate a common section for all repetitive Historic District standards and create a separate District specific standards section as appropriate. Consolidate the standards in a way to make them easily accessible, preferably in one document or creating appendices for the documents.
 - b. Simplify the contextual infill standards and help remove barriers to affordability.
 - c. Applicability of the contextual infill for large homes, duplexes, or multifamily housing, especially anything within the 3–10-unit range, should be clarified. Include relevant, clear standards for these development types in the UDC.
 - d. Reference the Urban Design Guidelines in the Historic Overlay Districts and Contextual Infill Standards.
3. Housing Types
 - a. Introduce detailed standards for identified housing types, zone specific design standards and placement of entrances.
 - b. Create prescriptive standards that are dependent on the type of development (infill vs greenfield development, for example).
 - c. Ensure housing type diagrams correspond to standards in the zoning districts.
 - d. Cottage courts and pocket neighborhoods should be allowed in RU-1 zoning districts and should be contextually appropriate. Clarification on how they're different from each other should be presented in clear and concise language and diagram for the developers and residents.
4. Frontages
 - a. Embed frontage standards into updated and remapped zoning districts to incorporate new and/or updated set of zoning districts that correspond to land use designations, specifically in the mixed-use zones as appropriate.
 - b. Eliminate the general frontage type, as this is not widely used and only applied to the Medical District Overlay. Combine pedestrian and shopfront frontage types in a newly created MS-1 and MS-2 Mixed-Use zoning districts.
 - c. Explore removing the requirement of 18" ground floor elevation at the primary street for commercial and live/work units in frontage standards.

5. Streetscape Plates

- a. Recalibrate the streetscape plates to align with the Future Land Use Planning Map and Street Type Applicability Matrix in Memphis 3.0. The existing street plates are repetitive and can be consolidated to align them well with the Future Land Use and Street Types in the Memphis 3.0 Comprehensive Plan.

D. Subcommittee 4 (Parking) Recommendations

- a. Develop a context sensitive combination of parking minimums and parking maximums.
- b. Explore the standards of administrative flexibility as it relates to parking maximums and minimums.
- c. Update the Parking Ratio Table in UDC to modernize and align it with the varieties of land uses that exist throughout the county.
- d. The new parking code should align with the streetscape plate update in the UDC.
- e. Incentivize the development of environmentally sustainable parking design and explore suitable codes to accommodate the provision of incentives.

E. Subcommittee 5 (Administrative Flexibility) Recommendations

- a. All subdivisions should be administrative if requirements of the UDC are met.
- b. Explore other areas of potential administrative flexibility or deviations in the Code.
 - i. Modifications to existing administrative flexibility or deviations.
 - ii. New administrative flexibility or deviations.

Appendix Cere

District Planning Engagement Schedule	2024					2025						
	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July
Jackson	8/1-9/12											
South	8/13-9/26											
Lamar	8/29-10/10											
Raleigh			10/3-11/14									
University			10/22-12-5									
North			10/29-12/12									
Whitehaven						1/7-2/18						
East						1/16-2/27						
Core City						1/28-3/18						
Frayser							3/4-4/22					
Westwood							3/27-5/8					
Oakhaven/Parkway Village							4/1-5/13					
Southeast										5/6-6/17		
Cordova										5/22-7/8		