

City of Chattanooga Zoning Ordinance Amendments

Last Updated: 11/4/2025

***PLEASE NOTE: All amendments approved by city council are sent to Municode, however, Municode only gets updated every 3 months. So you will see a lag in the updates.*

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City Council Approved Amendments

ARTICLE I

Amend ARTICLE I. TITLE, PURPOSE, & APPLICABILITY, Section 38.4. Transition Rules, by deleting (g) in its entirety and replacing with the following:

- (g) Existing Conditional Zoning Amendments
Zoning conditions related to use, dimensions, landscaping, parking, height, or other restrictions may be in place on property. Since 1984, zoning conditions have been added to zoning by Chattanooga Council Ordinance through the rezoning process. Any and all conditions placed by

ordinance (unless otherwise amended or lifted) are still effective/active with adoption of the new zoning map on December 18, 2024.

The zoning conditions placed by ordinance prior to the adoption of the new zoning map remain in effect on the new zone adopted as the official zoning map on December 18, 2024.

Vesting provisions are contained in Section 38-73. VESTING.

Passed April 2025

ARTICLE II

Amend ARTICLE II. DEFINITIONS & RULES OF MEASUREMENT, Section 38.8. General Abbreviations by adding the following:

DU is an abbreviation for “dwelling unit”

Passed December 2024

Amend ARTICLE II. DEFINITIONS & RULES OF MEASUREMENT, Section 38.9. General Definitions by adding the following:

Protected Zone: As relates to the Downtown Form-based Code, includes the following zones: A-1, RN-1-3, RN-1-5, RN-1-6, RN-1-7.5, RN-2 and RD.

Passed December 2024

ARTICLE IV

Amend ARTICLE IV. – RESIDENTIAL ZONES, Table 18-16.5: Residential Zones Dimensional Standards- Setbacks, RN-1-5 and RN-1-3 Minimum Corner Setbacks by replacing with the following:

RN-1-5: Minimum Corner Setbacks from 15’ to:

Side/Corner: alley 5’

Side/Corner: street 10’

RN-1-3: Minimum Corner Setbacks from 15’ to:

Side/Corner: alley 5’

Side/Corner: street 10’

Passed July 2025

Amend Article IV. Residential Zones by adding a new subsection (a):

Developments participating in the Voluntary Incentives Program are subject to the lot area standard reductions and maximum height increases as detailed in Article XIX. Voluntary Incentives Program, Sec. 38-106 Incentives.

Passed July 2025

Amend ARTICLE IV. RESIDENTIAL ZONES, Section 38-16. Residential Zone Dimensional Standards, Table 38-16.2: Residential Zones Dimensional Standards- Lot Standards by changing the Minimum Lot Width of TRN-3, SU to 25’.

Passed December 2024

Amend ARTICLE IV. RESIDENTIAL ZONES, Section 38-16 Residential Zones Dimensional Standards by amending Table 38-16.1: Residential Zones Dimensional Standards – Lot Standards by deleting and replacing in the RN-1-7.5 the following:

Minimum Lot Width: 60’ or average of blockface, whichever is less

Passed November 2024

Amend ARTICLE IV. RESIDENTIAL ZONES, Section 38-16 Residential Zones Dimensional Standards by amending Table 38-16.1: Residential Zones Dimensional Standards – Lot Standards by inserting in the RN-1-7.5 the following:

Minimum Lot Width 60’ or the Minimum Lot Frontage Required within the Minimum Suburban Infill Lot Frontage Per Section 38-16(a)(1).

Passed November 2024

Amend ARTICLE IV. RESIDENTIAL ZONES, Section 38.16 Residential Zone Dimensional Standards by deleting the following:

Table 38-16.1: Residential Zone Dimensional Standards establishes the dimensional standards for the residential zones. These regulations apply to all uses within each zone unless a different standard is listed for a specific use.

Passed November 2024

Amend ARTICLE IV. RESIDENTIAL ZONES, Section 38.16 Residential Zone Dimensional Standards by inserting the following:

a) Table 38-16.1: Residential Zone Dimensional Standards establishes the dimensional standards for the residential zones. These regulations apply to all uses within each zone unless a different standard is listed for a specific use.

1. Minimum Suburban Infill Lot Frontage for RN-1-7.5: The minimum frontage and for Suburban Infill Lots shall be determined as follows:

1. Applicability. The Minimum Suburban Infill Lot Frontage Regulations shall apply only to:
 - a. Lots zoned RN-1-7.5.
 - b. Proposed lot frontage is less than one hundred twenty (120) feet.
 - c. Lots fronting an existing public street.
 - d. Lots served by sewers.

2. Exceptions. This rule shall not apply to:
 - a. Planned Unit Developments (PUDs).
 - b. Lots created on a new street.
 - c. The consolidation of lots.
 - d. Lots at the terminus of permanent dead-end streets with thirty-five (35) feet of street frontage or more.
 - e. Lots that are a combination of existing lots where all of the lots are as large or larger than the previous lots and have equal or greater frontage than the previous lots.

3. Compatible Lots. The following properties shall be used to determine the block character for purposes of establishing lot compatibility:
 - a. Lots with on the same and opposing block face within three hundred (300) feet of the boundary of the boundary of the property proposed to be subdivided.
 - b. Lots abutting each quadrant of an intersection when the proposal involves a corner lot; and
 - c. Lots that abut or are directly across a public way, but not to the rear of the property, from the property proposed to be subdivided.

4. Excluded Lots. The following properties shall not be used to determine the block character for purposes of establishing lot compatibility:
 - a. Properties zoned non-residential or multi-family.
 - b. Properties zoned from single-family, but used for legal non-residential uses or other legal non-conforming uses.
 - c. Properties where development continuity cannot be provided due to a natural or man-made barrier, including but not limited to, arterial or collector streets, public land, railroad right-of-way, waterways, or
 - d. Properties that face a block face within a non-residential zoning district.
 - e. Interior lots located to the rear of another lot but with a narrow portion extending to the street when that narrow portion is less than the frontage required by the Chattanooga Zoning Ordinance.

6. Lot Frontage Compatibility Calculation. New residential infill lots shall have a minimum lot frontage that is no smaller than the smallest frontage on the same and opposing block face within three hundred (300) feet of the lot to be subdivided.
 - a. The new infill lot frontage is not required to exceed one hundred twenty (120) feet.
 - b. The new infill lot frontage shall not be less than 60’.
 - c. Each lot frontage shall be the actual access to the property as well as the legal access (e.g. — no sole access via common easement).

1. Applications for variances to the minimum lot frontage compatibility calculation and minimum Suburban Infill front yard setback, shall be made to the Board of Appeals.

Passed November 2024

Amend ARTICLE IV. Residential Zones, Section 38.16. Residential Zones Dimensional Standards by deleting in its entirety table 38-16.3 Residential Zones Dimensional Standards and replace with the following table:

Table 38-16.3: Residential Zones Dimensional Standards—Height						
	RN-1-7.5	RN-1-6	RN-1-5	RN-1-3	RN-2	RN-3

Maximum Building Height ¹	35'	35'	35'	35'	35'	35'
						MU: 65' ¹
¹ Maximum height of a structure is limited to 35' within 35' of an RN-1-7.5, RN-1-6, RN-1-5, RN-1-3, RN-2, TRN-1, or TRN-2 zone. This limitation applies only to that portion of a structure within the 35' distance.						

Passed May 2025

Amend ARTICLE IV. Residential Zones, Section 38.16. Residential Zones Dimensional Standards by deleting in its entirety table 38-16.4 Residential Zones Dimensional Standards and replace with the following table:

Table 38-16.4: Residential Zones Dimensional Standards—Height				
	TRN-1	TRN-2	TRN-3	TRN-4
Maximum Building Height ¹	35'	35'	35' MU: 50'	35' MU: 65' ¹
¹ Maximum height of a structure is limited to 35' within 35' of an RN-1-6, RN-1-5, RN-2, TRN-1, or TRN-2 zone. This limitation applies only to that portion of a structure within the 35' distance.				

Passed May 2025

ARTICLE V

Amend Sec. 38-20. - Mixed-Use and Commercial Zones Dimensional Standards by Deleting Table 38-20.1: Mixed-Use and Commercial Zones Dimensional Standards establishes the dimensional standards for the mixed-use and commercial zones. These regulations apply to all uses within each zone unless a different standard is listed for a specific use. And replacing with Table 38-20.1: Mixed-Use and Commercial Zones Dimensional Standards establishes the dimensional standards for the mixed-use and commercial zones. These regulations apply to all uses within each zone unless a different standard is listed for a specific use. Developments participating in the Voluntary Incentives Program are subject to the lot area standard reductions and maximum height increases as detailed in Article XIX. Voluntary Incentives Program, Sec. 38-106 Incentives.

Passed July 2025

Amend ARTICLE V. MIXED-USE & COMMERCIAL ZONES, Section 38-21. Mixed Use and Commercial Development Standards, (b) Development Standards, Table 38-21.1. Mixed Use and Commercial Zone Development standards by deleting in its entirety Façade Design and renumber the remaining section. The new table shall read as follows:

Table 38-21.1: Mixed-Use and Commercial Zone Development Standards							
	C-NT	C-N	C-TMU	C-C	C-R	C-MU1	C-MU2
Orientation							
1 For single-tenant developments, a minimum of one prominent entrance on a façade facing a street is required. For multi-tenant developments, a prominent entrance is required for each individual nonresidential tenant facing a street.		✓	✓	✓		✓	✓

2	All buildings must have one prominent entrance along a façade facing a street. On a corner lot, only one street-facing façade must have a prominent entrance.					✓		
3	Where vehicle parking is accessed from an alley, an entrance to the building must be located and clearly marked on that façade facing an alley unless a pedestrian path is designed and has appropriate signage to direct pedestrians to the front entrance.		✓	✓	✓		✓	✓
Roof Design								
4	Reflective roof surfaces that produce glare are prohibited, except for cool roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.		✓	✓	✓	✓	✓	✓
5	Green roof, blue roof, and white roof designs are permitted.		✓	✓	✓	✓	✓	✓

Passed November 2024

ARTICLE VI

Amend ARTICLE VI. – DOWNTOWN FORM-BASED CODE, Section 38-739 Applicability, (2) Additions by deleting in its entirety and replacing with the following:

Sec. 38-379. Applicability, (2) Additions

- A. When an existing building, use or site is increased in gross floor area, or improved site area, by up to 25% cumulatively, the parking requirements of this Division apply to the additional floor or site area only.
- B. When an existing use, building or site is increased in gross floor area, or improved site area, by more than 25% cumulatively, both the existing building, use or site and the additional floor or site area, must conform to the parking requirements.
- C. Any combination of reconstruction, alteration or improvement to a building, taking place during a five-year period, in which the cumulative percentage of improvement equals or exceeds fifty-percent (50%) of the current market value of the building.

Passed October 2025

Amend ARTICLE VI. INDUSTRIAL ZONES, Section 38-26 I-MU Zone Development Standards, (c) Façade Design by deleting in its entirety the following and renumber the remaining:

- (1) For facades that face a street, the waterfront, riverwalk, or a park of 100 feet or greater, facades must include a repeating architectural pattern with a minimum of two of the following elements: color change; texture change; material change; a wall articulation change; such as a reveal, recess, offset, or pilaster; or building recesses or projections. This includes patterns made by structural components visible through glass curtain walls.

Passed November 2024

Amend ARTICLE VI. – DOWNTOWN FORM-BASED CODE, Section 38-748(1) B Applicability by deleting in its entirety and replacing with the following:

B. Only Perimeter Planting is required for new parking areas with 4 to 19 spaces and only along the

public right-of-way.

Passed September 2025

ARTICLE VII

Amend Article VII. Industrial Zones, Sec. 38-25. Industrial Zones Dimensional Standards

by adding a new subsection (c):

(c) Developments participating in the Voluntary Incentives Program are subject to the lot area standard reductions and maximum height increases as detailed in Article XIX.

Voluntary Incentives Program, Sec. 38-106 Incentives.

Passed July 2025

Amend ARTICLE VII. INDUSTRIAL ZONES, Section 38-26 I-MU Zone Development Standards, (c) Façade Design by deleting in its entirety the following and renumber the remaining:

(1) For facades that face a street, the waterfront, riverwalk, or a park of 100 feet or greater, facades must include a repeating architectural pattern with a minimum of two of the following elements: color change; texture change; material change; a wall articulation change; such as a reveal, recess, offset, or pilaster; or building recesses or projections. This includes patterns made by structural components visible through glass curtain walls.

Passed November 2024

Amend ARTICLE VII. INDUSTRIAL ZONES, Section 38-26 I-MU Zone Development Standards, (c) Façade Design by deleting in its entirety the following and renumber the remaining:

(2) Façades that face a street, the waterfront, the riverwalk, or a park of 100 feet in length or greater must be designed with consistent building materials and treatments.

(3) Facades that face a street, the waterfront, the riverwalk, or a park must include windows, projected or recessed entrances, overhangs, and other architectural features.

Passed November 2024

ARTICLE VIII

Amend ARTICLE VIII. – SPECIAL PURPOSE ZONES, Section 38-29. 1- INST Institutional Zone, Table 38-29.1: INST Zone Dimensional Standards by replacing the Minimum River Setback with the following:

Riverfront Buffer Zone: Structures within 100' of the Tennessee River floodway may not exceed 5 stories/60'

Passed July 2025

Amend ARTICLE VIII. SPECIAL PURPOSE ZONES, Section 38-29. INST Institutional Zone, Table 38-29.1 by replacing the title with the following:

Table 38-29.1 INST Zone Dimensional Standards Inside the Urban Overlay

Passed May 2025

Amend ARTICLE VIII. SPECIAL PURPOSE ZONES, Section 38-29. INST Institutional Zone by adding Table 38-29.2:

Table 38-29.2: INST Zone Dimensional Standards Inside the Urban Overlay

Minimum Lot Area	None
Minimum Lot Width	None
Maximum Building Height	Limited to 60' within 60' of an RN-1-7.5, RN-1-6, RN-1-5, RN-1-3, RN-2, TRN-1, or TRN-2 zone. This limitation applies only to that portion of a structure within the 60' distance.
Minimum Front Setback	0'
Maximum Front Setback	15' may be permitted if an intentional public space or pedestrian activity space is provided between the building and right-of-way such as a park, plaza, outdoor dining, or sculpture garden.
Minimum Interior Side Setback	0', unless abutting a residential zone, then 20' plus 1' additional setback for each 2' of building height over 45'
Minimum Corner Side Setback	0', 10' when abutting a residential zone or single unit detached use
Minimum Rear Setback	0', 25' 10' when abutting a residential zone or single unit detached use

Table 38-29.2: INST Zone Dimensional Standards Inside the Urban Overlay	
Minimum Distance Between Buildings	10'
Minimum Riverfront Setback	100' as measured from the Floodway

Passed May 2025

Amend ARTICLE VIII. SPECIAL PURPOSE ZONES, Section 38-42 Principal Use Standards (I) Dwelling: Single-Unit Detached; Single-Unit Attached; Two-Unit by deleting in its entirety the following and renumber the remaining:

- i. The dwelling must have an entrance from a façade facing the street. The front entry must be a dominate feature on the front elevation, using features such as porches, raised steps and stoops, or decorative railings to articulate the front façade. On a corner lot, only one façade facing the street requires a primary entrance.

Passed November 2024

ARTICLE IX

Amend ARTICLE IX. USES, Section 38-16 Residential Zones Dimensional Standards, Table 38-16.5 Residential Zones Dimensional Standards – Setbacks, Minimum Front Setback for the Residential Zones Replace (See Sec. 2.4L) with (See Sec. 38-10 (I)(2)(iv). New table 38-16.5 to read as follows:

Table 38-16.5: Residential Zones Dimensional Standards - Setbacks						
	RN-1-7.5	RN-1-6	RN-1-5	RN-1-3	RN-2	RN-3
Minimum Front Setback¹	25' or average setback (See Sec. 38-10 (I) (2) (iv)), whichever is less Where adjacent lots are not developed, 25'	25' or average setback (38-10 (I) (2) (iv)), whichever is less Where adjacent lots are not developed, 25'	15' or average setback (See Sec. 38-10 (I) (2) (iv)), whichever is less Where adjacent lots are not developed, 15'	15' or average setback (See Sec. 38-10 (I) (2) (iv)), whichever is less Where adjacent lots are not developed, 15'	15' or average setback (See Sec. 38-10 (I) (2) (iv)), whichever is less Where adjacent lots are not developed, 15'	15' or average setback (See Sec. 38-10 (I) (2) (iv)), whichever is less Where adjacent lots are not developed, 15'

Passed February 2025

Amend ARTICLE IX. USES, Section 38-41.1 Use Matrix by adding the following uses as a permitted use in the I-H Industrial Heavy Zone:

Add a “P¹” for Animal Care Facility – Indoor in the I-H Zone.

Add a “P¹” for Animal Care Facility – Outdoor in the I-H Zone.

Add a “P¹” for Animal Care Facility – With Outdoor Area in the I-H Zone.

Add a “P¹” for Animal Shelter – in the I-H Zone.

Add a “P¹” for Body Modification Establishment – Indoor in the I-H Zone.

Add a “P¹” for Broadcasting Facility – With Antennae in the I-H Zone.

Add a “P¹” for Broadcasting Facility – With No Antennae in the I-H Zone.

Add a “P¹” for Car Wash in the I-H Zone.

Add a “P¹” for Commercial Kitchen in the I-H Zone.

Add a “P¹” for Food Truck Park in the I-H Zone.

Add a “P¹” for Funeral Home in the I-H Zone.

Add a “P¹” for Gas Station in the I-H Zone.

Add a “P¹” for Government Office/Facility in the I-H Zone.

Add a “P¹” for Heavy Retail, Rental, and Service in the I-H Zone.

Add a “P¹” for Retail Goods Establishment in the I-H Zone.

Add a “P¹” for Industrial – Artisan/Craft in the I-H Zone.

Add a “P¹” for Industrial – General in the I-H Zone.

Add a “P¹” for Industrial – Light in the I-H Zone.

Add a “P¹” for Industrial – Design in the I-H Zone.

Add a “P¹” for Live Entertainment – Secondary Use in the I-H Zone.

Add a “P¹” for Live Performance Venue in the I-H Zone.

Add a “P¹” for Micro-Production of Alcohol in the I-H Zone.

Add a “P¹” for Outdoor Market in the I-H Zone.

Add a “P¹” for Parking Lot (Principal Use) in the I-H Zone.

Add a “P¹” for Parking Structure (Principal Use) in the I-H Zone.

Add a “P¹” for Public Safety Facility in the I-H Zone.

Add a “P¹” for Solar Energy System in the I-H Zone.

Add a “P¹” for Vehicle Dealership in the I-H Zone.

Add a “P¹” for Vehicle Operation Facility in the I-H Zone.

Add a “P¹” for Vehicle Repair/Service: Major in the I-H Zone.

Add a “P¹” for Vehicle Repair/Service: Minor in the I-H Zone.

Add a “P¹” for Drive-Through Facility in the I-H Zone.

Add a “P¹” for Mobile Food Vendor in the I-H Zone.

Add a “P¹” for Mobile Retail Vendor in the I-H Zone.

Add a “P¹” for Temporary Outdoor Entertainment and/or Sales Event in the I-H Zone.

Passed May 2025

Amend ARTICLE IX. USES, Section 38-41.1. Use Matrix by adding the following at the end of the table as a new row:

¹ Properties zoned M-1 Manufacturing Zoning prior to the effective date of the Official Zoning Map, Adopted 12/17/2024 of the Chattanooga Zoning Ordinance Adopted July 23, 2024, unless zoning conditions were placed on the property at the time of rezoning.

Passed May 2025

Amend Article IX. USES, Section 38-41 Use Matrix (b) by adding the following in the C-MU2 column:

** in the Dwelling—Single-Unit Detached land use indicates that the use is a Permitted Use in the C-MU2 Zone if zoned prior to December 18, 2024

** in the Dwelling—Single-Unit Attached land use indicates that the use is a Permitted Use in the C-MU2 Zone if zoned prior to December 18, 2024

** in the Dwelling—Two-Unit land use indicates that the use is a Permitted Use in the C-MU2 Zone if zoned prior to December 18, 2024

** in the Dwelling—Three-Unit land use indicates that the use is a Permitted Use in the C-MU2 Zone if zoned prior to December 18, 2024

** in the Dwelling—Four-Unit land use indicates that the use is a Permitted Use in the C-MU2 Zone if zoned prior to December 18, 2024

** in the Dwelling—Townhouse land use indicates that the use is a Permitted Use in the C-MU2 Zone if zoned prior to December 18, 2024

Passed April 2025

Amend Article IX. USES, Section 38-41 Use Matrix (b) by adding the following in the C-MU1 column:

** in the Dwelling—Single-Unit Detached land use indicates that the use is a Permitted Use in the C-MU1 Zone if zoned prior to December 18, 2024

** in the Dwelling—Single-Unit Attached land use indicates that the use is a Permitted Use in the C-MU1 Zone if zoned prior to December 18, 2024

** in the Dwelling—Two-Unit land use indicates that the use is a Permitted Use in the C-MU1 Zone if zoned prior to December 18, 2024

** in the Dwelling—Three-Unit land use indicates that the use is a Permitted Use in the C-MU1 Zone if zoned prior to December 18, 2024

Passed April 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, add the following as a permitted use in the I-H Zone:

Add a “P” for Office in the I-H Zone.

Passed April 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, add the following as a permitted use in the INST Zone:

Add a “P” for Office in the INST Zone.

Passed April 2025

Amend ARTICLE IX. USES, Section 38-41. Use Matrix, Dwelling-Multi-Unit to change it as follows:

Dwelling – Multi-Unit/Multi-Unit Developments

Passed March 2025

Amend ARTICLE IX. USES, Section 38-41 Use Matrix, Table 38-41.1: Use Matrix as follows:

1. Add “Children’s Home” as a permitted (P) use in the RN-1-7.5 Zone
2. Add “Children’s Home” as a permitted (P) use in the RN-1-5 Zone
3. Add “Children’s Home” as a permitted (P) use in the INST Zone

Passed December 2024

Amend ARTICLE IX. USES, Section 38-41 Use Matrix, Table 38-41.1: Use Matrix as follows:

4. Remove RN-2T column from the table
5. Add “Community center” as a permitted (P) use in the CN-T Zone

6. Add “Townhouses” as a permitted (P) use in the RN-2 zone
7. Add “Dwelling- Manufactured Home” as a Special Exception (SE) in the RN-1-7.5 Zone
8. Add “Funeral Home” as a Special Exception (SE) in the CN Zone.
9. All references to SP changed to SE

Passed November 2024

Amend Article IX. USES, Section 38-41 Use Matrix (b) by adding the following:

(4) SE-C indicates that the use is a Special Exceptions by City Council.

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix (b) by adding the following:

(5) ** in the Office land use indicates that the Office use is a Permitted Use in the RN-3 Zone if zoned prior to December 18, 2024

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix by adding the following to Table 38-41.1 Use Matrix:

Add to the Title SE-C = Special Exceptions City Council

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, Retail Sales of Alcohol in the CN and C-TMU Zones Change the following:

In the land use table for the Retail Sales of Alcohol in the CN and C-TMU Zones change from “SE” to “SE-C”

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, Retail Sales of Alcohol in the C-C, C-R, C-MU1, C-MU2, I-L, and the I-MU Zone change the following:

In the land use table for the Retail Sales of Alcohol change from “P” to “SE-C”.

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, Retail Sales of Alcohol by adding as a Special Exceptions – City Council in the I-H and I-X Zones.

Add “SE-C” in the land use table for the Retail Sales of Alcohol for the following Zones: I-H and I-X

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, Use Standards in Retail Sales of Alcohol Permitted Land Use by adding the following:

Sec. 5-109b

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, Office by adding as a permitted use in the RN-3 Zone as follows:

Add ** in the land use table for Office Uses.

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, change “Retail Sales of Alcohol” to “Liquor Store”

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, add the following as a permitted use in the I-H Zone:

Add a “P” for Micro-Production of Alcohol in the I-H Zone.

Passed February 2025

Amend Article IX. USES, Section 38-41 Use Matrix, Table 38-41.1 Use Matrix, for “Gas Stations” change from “SE” to “P” in the C-C Zone.

Passed February 2025

Amend ARTICLE IX. USES, Sec. 38-42.- Principal Use Standards (m) Dwelling: Three-Unit; Four-Unit; Multi-Unit; Townhouse by deleting in its entirety and replacing with the following:

(m) Dwelling: Three-Unit; Four-Unit; Multi-Unit, Townhouse

(1) Development Standards

- i. Multi-unit dwellings in the TRN-2 Zone are limited to a maximum of six units within a multi-unit structure (i.e. each multi-unit structure shall have six or fewer connect multi-unit dwellings)
- ii. Townhouses in the RN-2 and TRN-2 Zones are limited to a maximum of six attached units (i.e. a cluster or grouping of townhouse units may not have more than six individual townhouse dwelling units contiguous to one another)
- iii. Townhouses outside the Urban Overlay Zone are limited to a maximum of four attached units (i.e. a cluster or grouping of townhouse units may not have more than four individual townhouse dwelling units contiguous to one another).

Passed November 2024

Amend ARTICLE IX. USES, Section 38-42 Principal Use Standards (l) Dwelling: Single-Unit Detached; Single-Unit Attached; Two-Unit by deleting in its entirety the following and renumber the remaining:

- i. The dwelling must have an entrance from a façade facing the street. The front entry must be a dominate feature on the front elevation, using features such as porches, raised steps and stoops, or decorative railings to articulate the front façade. On a corner lot, only one façade facing the street requires a primary entrance.

Passed November 2024

Amend ARTICLE IX. USES, Section 38-42 Principal Use Standards (l) Dwelling: Single-Unit Detached; Single-Unit Attached; Two-Unit by deleting in its entirety the following and renumber the remaining:

- (1) A 10% minimum transparency requirement applies to any facade facing a street and is calculated on the basis of the entire area of the facade.

Passed November 2024

Amend ARTICLE IX. USES, Section 38-42 Principal Use Standards (m) Dwelling: Three-Unit; Four-Unit, Multi-Unit, Townhouse by deleting in its entirety the following and renumber the remaining:

- (i) Street-facing building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.

Passed November 2024

Amend ARTICLE IX. USES, Section 38-42 Principal Use Standards (m) Dwelling: Three-Unit; Four-Unit, Multi-Unit, Townhouse by deleting in its entirety the following and renumber the remaining:

- (iv) The following minimum transparency requirements apply to any façade facing a street and are calculated on the basis of the entire area of the façade:

- a. Townhouse: 10%
- b. Three-Unit, Four-Unit, Multi-Unit: 15%

Passed November 2024

Amend ARTICLE IX. USES, Section 38-45 Use Definitions to delete in its entirety Dwelling – Multi Unit and replace with the following:

Dwelling – Multi-Unit: A Structure containing five or more dwelling units within a single-building where the units are accessed by one or more common entryways. However, ground floor units may be accessed by individual entry ways. See also Multi-Unit Developments.

Passed March 2025

Amend ARTICLE IX. USES, Section 38-45. Use Definitions by adding the following definition:

Commercial Parking. Parking areas, lots, or structures, that are used primarily for the parking of vehicles for a fee or compensation, excluding parking required for residential or other non-commercial uses.

Passed May 2025

Amend ARTICLE IX. USES, Section 38-45. Use Definitions by amending the following definition:

Vehicle Operation Facility. A facility for the dispatch, storage, and maintenance of emergency medical care vehicles, taxicabs and similar vehicles for hire, school buses, utility vehicles, towing dispatch, and similar vehicles. Vehicle operation facility does not include a public works or public safety facility.

Passed May 2025

Amend ARTICLE IX. USES, Section 38-45 Use Definitions by adding the following new definition:

Multi-Unit Developments: A multi-unit development is a property that has more than one dwelling unit, such as single-unit dwellings, two-unit, three-unit, four-unit, and multi-unit dwellings built on a single lot with no individual lot lines present. A multi-unit development can include various housing options/types on the one lot.

Passed March 2025

Amend ARTICLE IX. USES, Section 38-45 Use Definitions by adding the following new definition:

Horizontal Property Regime: See Horizontal Property Act.

Passed March 2025

Amend ARTICLE IX. USES, Section 38-45 Use Definitions to add the following as a definition:

Horizontal Property Act: See Tennessee Code Annotated Title 66, Chapter 27 Horizontal Property Act

Passed March 2025

Amend Article IX. USES, Section 38-45 Use Definitions by adding the following:

Multi-Use Stadium/Area: An open, partially enclosed facility used or intended to be used primarily for spectator sports, entertainment events and other public gatherings

Passed February 2025

Amend Article IX. USES, Section 38-45 Use Definitions by adding the following:

Open Activation Related Uses: A commercial or non-commercial use situated in a public or private building or open space that provides temporary activation for an area.

Passed February 2025

Amend Article IX. USES, Section 38-45 Use Definitions by adding the following:

Entertainment Venue: Any establishment (indoors or outdoors) where entertainment, either passive or active, is provided for the pleasure of patrons, either independent or in conjunction with any other use. Such entertainment includes, but is not limited to vocal and instrumental music, dancing, karaoke, comedy, acting, weddings, corporate and charitable events, or other activities using amplified sound. Entertainment venues do not include country clubs, golf courses, or residential neighborhood amenity centers.

Passed February 2025

Amend Article IX. USES, Section 38-45 Use Definitions by adding the following:

Urban Agriculture: Land or structures used for the cultivation of fruits, vegetables, plants, flowers, or herbs, with the primary purpose of growing food for sale. No farm animals. Use for any fertilizer or pesticides should not present public health hazards or nuisances to adjacent properties.

Passed February 2025

Amend Article IX. USES, Section 38-45 Use Definitions add the following as a new use definition:

Liquor Store. Retail store selling package liquor.

Passed February 2025

Amend Article IX. USES, Section 38-45 Use Definitions by deleting in its entirety the definition for “Retail Sales of Alcohol”.

Passed February 2025

Amend ARTICLE IX. – USES, Section 38-41.1 Use Matrix by adding crematorium as a special exception (SE) use in the C-N Neighborhood Commercial Zone, C-C Commercial Corridor Zone, C-R Regional Commercial Zone and I-MU Industrial Mixed-Use Zones.

Passed September 2025

Amend ARTICLE IX. – USES, Section 38-42 – Principal Use Standards, (m) Dwelling: Three-Unit; Four-Unit; Multi-Unit; Townhouse (1) Development Standards, (iii) by replacing with the following:

2 iii. Townhouses outside the Urban Overlay Zone are limited to a maximum of four attached units (i.e. a cluster or grouping of townhouse units may not have more than four individual townhouse dwelling units contiguous to one another) except for those properties that were zoned for townhouses prior to the adoption of the 2024 Zoning Ordinance shall be permitted to have a maximum of twelve attached units.

Passed September 2025

Amend Article IX. - USES, Section 38-45 Use Definitions to add a new definition:

Crematorium. A standalone, enclosed facility where human or companion animal remains are cremated in a cremation retort. A crematorium may be an independent principal use and not associated with a funeral home. If a crematorium is used in association with a funeral home, then it is considered an accessory use to the funeral home.

Passed September 2025

Amend Article IX. Uses, Section 38-42. Principal Use Standards by adding the following and renumbering:

(j) Crematory

- (1) Applicant must have an approved permit from the Hamilton County Air Pollution Control Bureau for said use at location prior to submitting an application for a Special Permit.
- (2) All activity related to the dead shall be handled discreetly and screened from public view by a Commercial Buffer, unless a more intense buffer is required by zoning code, including delivery and storage of remains.

Passed September 2025

ARTICLE X

Section 38.46

Amend ARTICLE X. GENERAL DEVELOPMENT STANDARDS, Section 38.46. General Development Standards Applicable to Zones, by deleting (d) in its entirety and replacing with the following:

(d) Structures Prohibited in Utility Easements

Permanent structures, including buildings, retaining walls, and decks, and accessory structures, are prohibited within utility easements unless otherwise approved by the authorizing agency.

If any structures are located within a utility easement and repair or replacement of the utility is needed, neither the City nor the utility is responsible for the replacement of any structures that may be damaged.

Passed April 2025

ARTICLE XII

AMEND ARTICLE XII. – OFF-STREET PARKING AND LOADING, Section 38-54. – Required Parking Flexibilities, Exemptions, and Reductions, (e) Off-Site Parking, (3) Agreement for Off-Site Parking by deleting in its entirety and replacing with the following:

(3) Agreement for Off-Site Parking

A copy of the recorded access easement between properties is required and must be submitted to the Land Development Office and any changes after shall be maintained on file with the Land Development Office.

Passed September 2025

Amend ARTICLE XII. – OFF-STREET PARKING AND LOADING, Sec. 38-53. -

Required Off-Street Vehicle and Bicycle Parking Spaces, (c)Vehicle Parking Space

Maximums by deleting (1) in its entirety and replacing with the following:

(1) Required off-street vehicle parking for nonresidential uses is subject to a parking maximum of 200%.except that the required off-street parking maximum for Medical/Dental Office/Clinic uses shall be calculated at a minimum number of parking spaces of 1 per 200sf GFA.

Passed July 2025

Amend Article XII. Off-Street Parking & Loading, Sec. 38-52 General Requirements by adding a new subsection (f):

(f) Voluntary Incentives Program

Developments participating in the Voluntary Incentives Program are subject to the parking reductions as detailed in Article XIX. Voluntary Incentives Program, Sec. 38-107 Parking Minimum Standards.

Passed July 2025

Amend ARTICLE XII. OFF-STREET PARKING & LOADING, Section 38.54. Required Parking Flexibilities, Exemptions, and Reductions, by deleting (e)(1)(ii) in its entirety and replacing with the following:

- ii. Off-site spaces must be approved by the Director of the Land Development Office. In addition, shared parking is permitted where one of the uses is off-site per item F below.

Passed April 2025

Amend ARTICLE XII. OFF-STREET PARKING & LOADING., Section 38-54. – Required Parking Flexibilities, Exemptions and Reductions by inserting the following:

(2) Properties zoned C-3 Central Business Zone prior to the effective date of the Official Zoning Map of the Chattanooga Zoning Ordinance adopted July 23, 2024, unless zoning conditions were placed on the property at the time of rezoning.

Passed December 2024

Amend ARTICLE XII. OFF-STREET PARKING & LOADING, Section 38.56. Off-Street Parking Facility Design by deleting (a) in its entirety and replacing with the following:

- (a) Dimensions

Minimum parking space dimensions must meet the current edition of City standard drawing, as amended from time to time.

Passed April 2025

Amend ARTICLE XII. OFF-STREET PARKING & LOADING, Section 38.56. Off-Street Parking Facility Design by deleting (e)(1) in its entirety and replacing with the following:

- (1) Curbing, wheel stops, or raised sidewalks are required when a parking space abuts required landscape areas, pedestrian walkways, structures, fences, or the edge of the parking lot along a lot line.

Wheel stops must be constructed of permanent materials, a minimum height of four inches above ground level, and permanently affixed to the paved parking area.

Passed April 2025

Amend ARTICLE XII. OFF-STREET PARKING & LOADING, Section 38.58. Required Off-Street Loading Spaces. by deleting (e) in its entirety and replacing with the following:

- (e) Loading areas must be located to the rear of buildings and no loading areas may be placed between a public street and the associated building. This does not apply in the I-H and I-X Zones.

Passed April 2025

Amend ARTICLE XII. OFF-STREET PARKING & LOADING, Section 38.59. Commercial Vehicle Storage by deleting (a)(1) in its entirety and replacing with the following:

- (1) No commercial vehicle, except as noted in item (i) below, may be parked in a driveway or other parking area located in a front yard on a residential lot with the exception of vehicles engaged in loading or unloading or current work being done to the adjacent premises.

Passed April 2025

Amend ARTICLE XII. OFF-STREET PARKING & LOADING, Section 38.59. Commercial Vehicle Storage by deleting (a)(1)(ii) in its entirety and replacing with the following:

- (ii) Permitted standard size passenger commercial vehicles, as described in item (i) above, also include those owned and used for commercial purposes by the occupant of a dwelling or guest, provided that the vehicle is stored or parked in a permitted parking area. Permitted personal commercial vehicles may include the logo of the commercial business painted on or applied to the vehicle.

Passed April 2025

Amend ARTICLE XII. LANDSCAPE, Section 38-65 Buffer Yards, Table 38-65.1: Required Buffer Yards be adding RN-1-7.5 to the Zone of Lot Under Development and deleting RN-2T from the Zone of Lot Under Development. Amend Table 38-65.1 Required Buffer Yard by removing the Buffer Yard Class Required and replacing it as shown below. The new table 38-65.1 Required Buffer Yard Class shall be as follows:

Table 38-65.1: Required Buffer Yard Class			
Zone of Lot Under Development	Development Type Required to Install Buffer Yard	Buffer Yard Required for Development When	Buffer Yard Class Required
RN-1-7.5, RN-1-6, RN-1-5, RN-2	Nonresidential development – excludes neighborhood commercial establishments	Abutting residential use	R
RN-3	Nonresidential development – excludes neighborhood commercial establishments	Abutting residential use	R
TRN-1, TRN-2, TRN-3, TRN-4	Nonresidential development – excludes neighborhood commercial establishments	Abutting residential use	R
	Multi-family development	Abutting residential use-excludes multi-unit	R
C-NT	Nonresidential development	Abutting residential use	R
C-N, C-TMU C-C	Development in the zone	Abutting residential zone	C
C-R	Development in the zone	Abutting residential zone	C
C-MU1, C-MU2	Development in the zone	Abutting residential zone	C
I-L	Development in the zone	Abutting any other zone except I-L or I-H Zone	C

I-H	Development in the zone	Abutting any other zone except I-L or I-H Zone	M
I-MU	Development in the zone	Abutting residential zone	M
INST	Development in the zone	Abutting residential zone	C

Passed November 2024

ARTICLE XIII

Amend ARTICLE XIII. – LANDSCAPE, Landscape Table 38-65.2: Buffer Yard Class by deleting the language as noted and replace with the following:

Change “Minimum Planting Requirements” to “Minimum Evergreen Requirements” with the following changes:

10-R Residential Buffer: from “All Planting minimum 25% Evergreen” to “25% Evergreen”

20-C Commercial Buffer: from “All Planting minimum 50% Evergreen” to “50% Evergreen”

30-M Industrial Buffer: from what it currently is to “One row of Evergreen Trees (ET) plus two rows of large trees (LT). OR One double row of Evergreen Large Shrubs (LS) plus two rows of Large trees (LT).

Passed October 2025

Amend ARTICLE XIII. – LANDSCAPE, Sec. 38-65. - Buffer Yards (b) by deleting in its entirety and replacing with the following:

(b) Buffer yards are located within rear and interior side setbacks along the lot lines when indicated in Table 38-65.1. Buffer Yard width maximum is equal to the setback for each zone.

Passed September 2025

Amend Article XIII. Landscape, Sec. 38-61 Landscape Plan by adding a new subsection

(e):

(e) Voluntary Incentives Program

Developments participating in the Voluntary Incentives Program are subject to the landscaping reductions as detailed in Article XIX. Voluntary Incentives Program, Sec. 38-106 Incentives.

Passed July 2025

Amend ARTICLE XIII. LANDSCAPE. Sec. 38-63. - Selection, Installation, and Maintenance by deleting table 38-63.1: Landscape Plant Material Standards and replacing with the following in order to fix the row headers:

Table 38-63.1: Landscape Plant Material Standards							
SYM	Plant Type	Class	Minimum Installed Size	Minimum Mature Size		Minimum Linear Spacing Ratio	Maximum Horizontal On Center Spacing
				Height (feet)	Spread (feet)		
LT	Large Tree	I	2" caliper	40	20	1 tree per 30 linear feet	30 feet On Center
ST	Small Tree	II	1.5" caliper	20	15	1 tree per 20 linear feet	20 feet On Center
ET	Evergreen Tree	III	5' height	15	10	1 tree per 10 linear feet	10 feet On Center
LS	Large Shrub	IV	24" height or spread	7	7	1 shrub per 7 linear feet	7 feet On Center
SS	Small Shrub	V	18" height or spread	3	3	1 shrub per 3 linear feet	3 feet On Center

*Evergreen trees may only be treated as shade trees if they meet both the minimum maturity height and if their crown meets minimum canopy spread criteria.

Passed April 2025

Amend ARTICLE XIII. LANDSCAPE, Section 38.65. Buffer Yards, Table 38-65.1: Required Buffer Yard Class, Zone of Lot Under Development, TRN-1, TRN-2, TRN-3 TRN-4, Development Type Required to Install Buffer Yard, by changing “Multi-family Development” to “Multi-Unit Dwellings”

Passed February 2025

Amend ARTICLE XIII. LANDSCAPE, Section 38.65. Buffer Yards, Table 38-65.1: Required Buffer Yard Class, Zone of Lot Under Development, TRN-1, TRN-2, TRN-3 TRN-4, Development Type Required to Install Buffer Yard, by changing “Multi-family Development” to “Multi-Unit Dwellings”

Passed February 2025

Amend ARTICLE XIII. LANDSCAPE, Section 38-66. Required On-Site Tree by deleting in its entirety (b) Applicability and replace with the following:

(b) Applicability

On-site trees are required for all portions of any property line where no building is present within 15' or more of the front or corner setback. This does not apply to lots used for single-unit or two-unit dwellings.

Passed May 2025

ARTICLE XV

Amend ARTICLE XV. APPLICATION PROCESS, Section 38.71. Application, in Table 38-71.1 Submittals by changing Special Exceptions from Regional Planning Agency to Land Development Office. The new table for Table 38-71.1 is as follows:

Table 38-71.1: Submittals

Application	Administrator	
	Regional Planning Agency	Land Development Office
Amendment (Text and Map)	•	
Special Exception		•
Variance		•
Administrative Modification		•
Planned Unit Development	•	
Zoning Interpretation		•
Zoning Appeal		•

Passed February 2025

Amend ARTICLE XV. APPLICATION PROCESS, Section 38.72. Notice (c) Mailed Notice, by (1) by deleting in its entirety and replacing with the following:

(c) Mailed Notice

- (1) For applications to the Board of Appeals, the Board of Appeals will mail written notice at least seven days in advance of the first scheduled action to all property owners within 300 feet of the property line of the subject property. The notice must include the date, time, place, and purpose of such action, the name of the applicant, and the address of the subject property.

Passed February 2025

Amend ARTICLE XV. APPLICATION PROCESS, Sec. 38-72.-Notice, (c) Mailed Notice delete the following:

- i. For administrative modifications, written notice must be mailed no less than seven and no more than 30 days in advance of the date of when the Director of the Land Development Office will make a decision to property owners abutting the subject property as well as the property owner(s) located directly across the street and alley, when applicable.

Passed November 2024

Amend ARTICLE XV. APPLICATION PROCESS, Sec. 38-72.-Notice, (c) Mailed Notice, (1) delete in its entirety and replace with the following:

- (1) The Regional Planning Agency will mail written notice at least seven days in advance of the first scheduled action to all property owners within 300 feet of the property line of the subject property. The notice must include the date, time, place, and purpose of such action, the name of the applicant, and the address of the subject property.

Passed November 2024

Amend ARTICLE XV. APPLICATION PROCESS, Section 38-72. Notice, to delete in its entirety (c) Mailed Notice replace with the following:

- (2) The Regional Planning Agency will mail written notice at least fifteen (15) days in advance of the first scheduled action to all property owners within 300' of the property line of the subject property. The notice must include the date, time, place, and purpose of such action, the name of the applicant, and the address of the subject property.

Passed November 2024

Amend ARTICLE XV. APPLICATION PROCESS, Section 38-72. Notice, (a) Required Notice , Table 38-72.1 Zoning Approvals Required Notice to delete Administrative Modification Notice of Decision Date, the new table will be as follows:

Table 38-72.1: Zoning Approvals Required Notice			
Zoning Application	Notice Type		
	Published	Mailed	Posted On Property
Zoning Text Amendment Notice for Public Hearing	•		
Zoning Map Amendment Notice for Public Hearing	•	•	•
Special Exception Notice for Public Hearing	•	•	•
Variance Notice for Public Hearing	•	•	•
Zoning Appeals Notice for Public Hearing	•		

Passed November 2024

ARTICLE XVI

Amend ARTICLE XVI. ZONING APPROVALS, Section 38-74. Zoning Text and Map Amendment, (d) Procedure to delete in its entirety (1) Filing and Notice and replace with the following:

- (1) Filing and Notice
All Applications must be filed per Section 38-71. Once it is determined that the application is complete, staff will schedule the application for consideration by the Planning Commission.

Amendments initiated by the City Council or Planning Commission also require an application but are exempt from fees. Notice is required per Section 38-72.

Passed November 2024

Amend ARTICLE XVI. ZONING APPROVALS, Section 38.74. Zoning Text and Map Amendments, (3) Action by City Council by adding the following:

- iii. A petition for rezoning, closure and abandonment, or special permits shall not be accepted for a period of nine (9) months following a denial of a previous petition involving the same property or any part thereof.

Passed February 2025

Amend ARTICLE XVI. ZONING APPROVALS, Section 38-75. Special Exceptions, (d) Procedure to delete in its entirety (1) Filing and Notice and replace with the following:

(1) Filing and Notice

All Applications must be filed per Section 38-71. Once it is determined that the application is complete, staff will schedule the application for consideration by the appropriate body. Notice is required per Section 38-72.

Passed November 2024

Amend ARTICLE XVI. ZONING APPROVALS, Section 38.75. Special Exceptions by adding the following:

(i) Rehear of Special Exceptions Applications

The Board shall not rehear any case for a Special Exceptions on the same site or parcel of property within a minimum period of one (1) year of its previous hearing date.

Passed February 2025

Amend ARTICLE XVI. ZONING APPROVALS, Section 38.76. Variance, (d) Procedure by adding the following:

- (6)** The Board of Appeals shall not rehear any case upon the same grounds within a minimum period of one (1) year of its previous hearing date.

Passed February 2025

Amend ARTICLE XVI. ZONING APPROVALS, Section 38.76. Variance, by adding the following:

- (i)** Appeal of Boards Decision

The action of the Board of Appeals shall be final on Special Exceptions, provided an appeal from the action of the Board may be taken to a court of competent jurisdiction by any aggrieved, affected party.

Passed February 2025

Amend ARTICLE XVI. ZONING APPROVALS, Section 38.76. Variance, by adding the following:

- (h) Appeal of Boards Decision

The action of the Board of Appeals shall be final, provided an appeal from the action of the Board may be taken to a court of competent jurisdiction by any aggrieved, affected party.

Passed November 2024

Amend ARTICLE XVI. ZONING APPROVALS, Section 38-76. Variance, to delete in its entirety (a) Purpose and replace with the following:

- (a) Purpose

The purpose of the variance process is to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of the zoning regulations of this Code that create practical difficulties or particular hardships. Certain types of modifications are eligible for approval under the administrative modification process in Section 38-77. In the Form-Based Code Zones, certain variances are approved by the Form-Based Code Committee in Article VI.

Passed November 2024

Amend ARTICLE XVI. ZONING APPROVALS, Section 38-76. Variance, (c) Authority to delete in its entirety (2) and replace with the following:

- (2) Certain types of modifications are eligible for approval under the administrative modification process in Section 38-77.

Passed November 2024

Amend ARTICLE XVI. ZONING APPROVALS, Section 38-76. Variance, (d) Procedure to delete in its entirety (1) and replace with the following:

- (1) All Applications must be filed per Section 38-71. Once it is determined that the application is complete, staff will schedule the application for consideration by the Board of Appeals. Notice is required per Section 38-72.

Passed November 2024

Amend ARTICLE XVI. ZONING APPROVALS, Sec. 38-77. – Administrative Modifications by deleting 38.77(e) Procedure (1) in its entirety and replace with the following:

- (1) All applications must be filed per Section 38-71.- Application.

Passed February 2025

Amend ARTICLE XVI. ZONING APPROVALS, Sec. 38-77. – Administrative Modifications by deleting 38.77(e) Procedure (5) as follows and renumber the remaining:

If an objection is filed to the administrative modification application in writing, prior to the date indicated on the notice that the Director of Land Development Office may render the decision, the application must be resubmitted as a variance. No additional fees are required.

Passed November 2024

Amend ARTICLE XVI. ZONING APPROVALS, Section 38-77. Administrative Modifications, (e) Procedure to delete in its entirety (8) and replace with the following:

(8) If the Administrative Modification is denied, it may be resubmitted as a variance (Section 38-76). If resubmitted as a variance, payment of associated fees is required.

Passed November 2024

Amend ARTICLE XVI. ZONING APPROVALS, Section 38-79. Planned Unit Development, (e) Procedure, (3) Development Plan to delete in its entirety (1) Filing and Notification and replace with the following:

(1) Filing and Notice

All Applications must be filed per Section 38-71. Once it is determined that the application is complete, staff will schedule the application for consideration by the Planning Commission. Notice is required per Section 38-72.

Passed November 2024

ARTICLE XVII

Amend the Short-Term Vacation Rental Overlay District Map, be amended to add the additional property within City Council District 5 [as described above in the legal description](#) and as shown on the attached map.

Passed October 2025

Amend Article XVII. Short Term Vacation Rentals, Section 38-85. Definitions be amended by deleting in its entirety the Editor's Note(s) including the legal description after the Editor's Note and replace with the following:

Editor's note(s): A copy of the Short-Term Vacation Rental Overlay District Map, referenced above as Exhibit A as amended from time to time, is available for inspection in the offices of the City Council Clerk. The map was amended to add an additional area within City Council District 1 effective June 11, 2024, and was amended to add an additional area with City Council District 5 effective October 21, 2025.

Passed October 2025

Amend ARTICLE XVII. SHORT-TERM VACATION RENTALS

APPLICABILITY, Section 38.85. Definitions, by deleting Short-Term Vacation Rental in its entirety and replace with the following:

Short-Term Vacation Rental. Any or other structure containing no more than five bedrooms within permissible zones which is used, advertised, or held out to the public in part or its entirety to be a place where sleeping accommodations are supplied for pay and such accommodations are provided on a daily or weekly basis for not more than 30 days for overnight stay. For the purposes of this definition, any short-term vacation rental on a site located in the RN-1-7.5, RN-1-6, RN-1-5, RN-2 Zones, must contain no more than five bedrooms and excludes hotels, rooming houses, bed and breakfast, and boarding houses, or other licensed multi-unit dwellings for rent or lease, as defined in Section 21-67 and/or Section 11-186 and/or Section 38-45. No Multi-Unit Dwellings or Multi-Unit Developments can exceed a maximum of 25% of the total units.

Passed May 2025

ARTICLE XVIII

Amend ARTICLE XVIII. – NONCONFORMITIES, Section 38-97, (c) Discontinuation of Abandonment by amending the following:

- (1) If a nonconforming nonresidential use is discontinued for a continuous period of one hundred (100) consecutive days, the nonconforming use terminates automatically. Any subsequent use of such land or structure must comply with all regulations of the zone in which the structure is located.
- (2) If a nonconforming use of an on or off premise sign is discontinued for a continuous period of one hundred (100) days, the nonconforming use terminates automatically, regardless of the intent of the landowner to continue or discontinue when such nonconforming use. The nonconforming use of an on or off premise sign continues with the owner of the sign structure rather than the landowner or any other tenant of the landowner.
- (3) A nonconforming residential use is not subject to any discontinuance or abandonment.

Amend ARTICLE XVIII. – NONCONFORMITIES, Section 38-98. Nonconforming Structure to add a new section (f):

(f) Fenestration as part of Exterior Modification in a Form-based Code District

A nonconforming structure that does not conform to Sec. 38-698 Measurements and Exceptions,

(5) Public Realm, A. Openings shall be allowed to have nonconforming fenestration if the following conditions are met:

- **Would not create any new nonconformity or increase the degree of the previously existing nonconformity.**
- **Meets the intent of the Form-based Code per Sec. 38-692 (5) Intent.**

Passed July 2025

Amend ARTICLE XVIII. NONCONFORMITIES, Section 38-96 General Applicability by adding the following new numbered section:

(d) Signs

Article XVIII. - Nonconformities does not apply to Signs. See City Code Sec. 3-13. - Violations declared nuisances; preexisting violations for nonconforming applicability to signs.

Passed November 2024

Amend ARTICLE XVIII. NONCONFORMITIES, Section 38-97 Nonconforming Use, by deleting in its entirety (c) Discontinuation or Abandonment, (1) and replace with the following:

- (1) If a nonconforming nonresidential use is discontinued for a continuous period of 100 consecutive days, the nonconforming use terminates automatically. Any subsequent use of such land or structure must comply with all regulations of the zone in which the structure or land is located.

Passed November 2024

Amend ARTICLE XVIII. NONCONFORMITIES, Section 38-99. Nonconforming Lot (a) Eligibility, by deleting in its entirety subsection (2)(i)(ii) and replacing with the following:

(2) A nonconforming lot of record is a legal lot of record as established as follows:

- (i) Created by subdivision or plat prior to the effective date of this code (October 20, 2024 Ordinance # 14137).
- (ii) Created by deed legally recorded in the Hamilton County Register of Deeds, or any lot legally recorded with the Hamilton County Register of Deeds on or before June 20, 1961.

Passed May 2025

ARTICLE XIX

Add New ARTICLE XIX. – VOLUNTARY INCENTIVES PROGRAM and renumber ARTICLE XIX. – ENFORCEMENT to ARTICLE XV. – ENFORCEMENT and renumber accordingly

ARTICLE XIX. VOLUNTARY INCENTIVES PROGRAM

Sec. 38-100. Intent.

Ordinance No. 14185 created a Voluntary Attainable Housing Incentive Program (VIP) for the purpose of authorizing certain incentives to be provided to property owners who seek to build multi-unit attainable housing pursuant to Tenn. Code Ann. § 13-3-603.

The VIP waives certain zoning and land use requirements for multi-unit developments in exchange for providing rental housing attainable to low- and moderate-income households. This voluntary program is designed to increase the overall number of attainable rental units created in Chattanooga by allowing more efficient permitting and flexible, by-right land use and zoning entitlements for qualifying developments.

The City shall not compel any property owner to participate in the program.

All projects constructed under the Voluntary Incentives Program shall be deed restricted to ensure that the attainable housing continues for a period of 30 years.

Sec. 38-101. Applicability.

The incentives will apply to any development of five (5) or more attached or semi-attached residential units in any zone permitting development of five (5) or more residential units.

The incentives provided through this program are available to any developer that volunteers to comply with program requirements and provide a certain amount of attainable housing for a period of 30 years.

Sec. 38-102. VIP Definitions.

For the purposes of Article X. Voluntary Incentives Program, the following definitions shall be used:

(a) **Attainable Multi-Unit Housing.** Housing accommodations that are designed principally for residential use and consist of not less than 5 rental units on one site, provided that such units may not be detached, as required by Tennessee State Code, Section 13-3-601. Attainable housing is defined as income restricted housing providing rents not to exceed one third gross monthly income for a household earning 80% Area Median Income or less. Attainable rents will be determined according to the annually updated Department of Housing and Urban Development income and rent limits for the Chattanooga-Hamilton County Metro Statistical Area.

(b) **Area Median Income (AMI).** The Department of Housing and Urban Development (HUD) develops income limits based on Median Family Income estimates at the Metro Statistical Area (MSA) level. The Chattanooga, TN-GA MSA contains the following areas: Catoosa County, GA; Dade County, GA; Walker County, GA; Hamilton County, TN; Marion County, TN; and Sequatchie County, TN.

(c) **Income restricted housing.** Housing units with rents or sales prices set according to a

certain AMI level to achieve a certain “level of affordability.” Tenants of income-restricted rental units will periodically be required to provide proof of income to

demonstrate they qualify for income-restricted housing.

(d) **Program requirement period.** Qualifying developments must remain in compliance with the program requirements for a period of 30 years, following the issuance of a certificate of occupancy.

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(e) **Qualifying Development.** Any development of 5 or more attached or semi-attached residential units in Chattanooga City limits within a zone permitting development of 5 or more residential units that have been certified through the process outlined in Sec. 38-108 Certification Process.

Sec. 38-103. Qualifying Development Types.

- (a) Type 1 – Attainable Multi-Unit Housing - Medium. Any development with 5-9 attached or semi-attached residential units. This may include townhouse developments with 5 or more units.
- (b) Type 2 – Attainable Multi-Unit Housing - Large. Any development with 10 or more attached or semi-attached residential units.
- (c) Type 3 – Attainable High Opportunity Development. Any development with 10 or more attached or semi-attached residential units that is located within 500 feet of a CARTA transit stop, AND located within an “A, B, C, or D” market in the most recent Chattanooga Market Value Analysis as designated by the City of Chattanooga Office of Housing and Community Development.

Sec. 38-104. Program Requirements.

To participate in the Voluntary Incentives Program for Attainable Housing, applicants will ensure that they comply with one of the following types of attainable housing criteria and maintain required attainable housing units for a period of 30 years.

- (a) Type 1 – Attainable Multi-Unit - Medium (5-9 Units)

One (1) or more units must be affordable to households with incomes at or below eighty percent (80%) AMI, according to the most recently available HUD Income Limits. These terms shall be recorded on the deed for the development.

- (b) Type 2 – Attainable Multi-Unit Housing - Large (10+ Units)

At least ten percent (10%) of all units included on the site must be attainable to households with incomes at or below eighty percent (80%) AMI, according to the most recently available HUD Income Limits. These terms shall be recorded on the deed for the development.

- (c) Type 3 – Attainable High Opportunity Development (10+ Units)

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At least ten percent (10%) of all units included on the site must be attainable to households with incomes at or below eighty percent (80%) AMI, according to the most recently available HUD Income Limits. These terms shall be recorded on the deed for the development.

Sec. 38-105. General Requirements.

- (a) If the number of units required in this section includes less than a whole unit, the unit number is rounded up to the nearest whole unit.
- (b) Qualifying developments must remain in compliance with the program requirements for a period of 30 years, following the issuance of a certificate of occupancy.
- (c) Tenants residing in attainable units shall be provided equal access to parking and other onsite amenities consistent with what is provided to other tenants.
- (d) Income-restricted units shall be comparable to market rate units in quality, size, configuration, and location.
- (e) Property owners shall comply with all applicable fair housing laws.
- (1) Prior to receiving a certificate of occupancy, applicants must provide

documentation of having completed a Fair Housing Training with a nationally certified training organization.

(f) Program participants must verify rents and incomes through a third-party, such as a project management company, affordable housing consultant, or HUD contractor on an annual basis for the first 15 years of the program. See Sec. 38-111 Annual Review and Fees for further information.

Sec. 38-106. Incentives.

Applicants that have been determined to meet program requirements outlined above through the process outlined in Section 38-104 shall be eligible for the following incentives.

(a) Type 1 Attainable Housing Incentives: Developments that comply with the Type 1 VIP requirements above will be eligible for all of the following incentives:

a. Waiver of off-street Vehicle Parking requirements in Table 12-1: Off-Street Vehicle and Bicycle Parking Requirements and waiver of Off-street Vehicle Parking in the Form Based Code, Sec. 38-741. Vehicle Parking

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i. These waivers shall only apply to non-ADA, residential parking requirements

ii. Qualifying developments must provide at least .5 parking spaces for every non-ADA housing unit unless less parking is required by the base use or zone

b. Thirty percent (30%) decrease of minimum lot area standards required for base zoning district

(b) District Type 2 Attainable Housing Incentives: Developments that comply with the Type 2 VIP requirements above will be eligible for the following incentives:

a. Waiver of off-street Vehicle Parking requirements in Table 12-1: Off-Street Vehicle and Bicycle Parking Requirements and waiver of Off-street Vehicle Parking in the Form Based Code, Sec. 38-741. Vehicle Parking

i. These waivers shall only apply to non-ADA, residential parking requirements

ii. Qualifying developments must provide at least .5 parking spaces for every non-ADA housing unit unless parking is required by the base use or zone

b. Waiver of Interior Parking Lot Landscape Requirements (Section 38-63.C - Parking Lot Landscape)

c. Thirty percent (30%) decrease of minimum lot area standards required for base zoning district

(c) Type 3 Attainable Housing Incentives: Developments that comply with the Type 3 VIP requirements above will be eligible for the following incentives, including the addition of a height bonus.

a. Waiver of off-street Vehicle Parking requirements in Table 12-1: Off-Street Vehicle and Bicycle Parking Requirements and waiver of Off-street Vehicle Parking in the Form Based Code, Sec. 38-741. Vehicle Parking

i. These waivers shall only apply to non-ADA, residential parking requirements

ii. Qualifying developments must provide at least .5 parking spaces for every non-ADA housing unit unless less parking is required by the base use or zone

b. Waiver of Interior Parking Lot Landscape Requirements (Section 38-63.C - Parking Lot Landscape)

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c. Thirty percent (30%) decrease of minimum lot area standards required for base zoning district

d. Thirty percent (30%) increase of maximum height permitted for base zoning district

Sec. 38-107. Parking Minimum Standards.

(a) Applicants shall provide a parking plan as part of their application.

(b) Applicants shall provide the required number of ADA compliant parking spaces, per Section 38-52.d Accessible Spaces Required.

(c) Applicants must provide at least .5 parking spaces for every non-ADA housing unit.

a. This standard shall not apply to permanent supportive housing developments.

b. This standard shall not apply if less parking is required by the base use or zone.

(d) Applicants may utilize one of the following flexible parking options in the zoning code to meet the minimum requirement of .5 non-ADA parking spaces

a. On Street Spaces, per Article 12, Section 3.C, AND/OR

b. Off-site Parking, per Article 12, Section 3.E, AND/OR

c. Collective and Shared Parking per Article 12, Section 3.F

(e) In the Urban Overlay Zone and Form Based Code areas, applicants may also receive one vehicle parking space credit for every two long-term bike parking spaces provided on-site for up to 25% of total required minimum parking. Long-term bicycle parking must be located in an enclosed area providing protection from weather and must be accessible to intended users.

Sec. 38-108. Certification Process.

Per Tennessee State Code, Tenn. Code Ann. § 13-3-603 Applicants are required to provide written notice of interest for consideration under the program to the Office of Housing and Community Investment (HCI) within the Office of Economic Development and to the Regional Planning Agency (RPA). The City shall not compel any property owner to participate in the program.

(a) Upon receipt of a potential applicant's written notice of interest by the planning

commission staff, a pre-application conference shall be held between the HCI and the Regional Planning Agency and the potential applicant before a complete application for housing incentives is filed. The purpose of the pre-application conference is to determine

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whether a potential project satisfies all of the requirements set out in the ordinance created under § 13-4-402 and program requirements within this section of the Zoning Code.

(b) Upon the conclusion of the pre-application conference, the Regional Planning Agency either:

a. Determine the proposed project satisfies the requirements to receive housing incentives as set out in the ordinance established under § 13-4-402, and thereafter prepare a conference summary document that shall include at a minimum

i. the parameters of the project, including the timeframe for completing the project,

ii. the incentives being offered,

iii. a finding that the potential project conforms to the ordinance and state law, and

iv. a recommendation to the planning commission; or

b. Determine that the proposed project does not conform to the ordinance and state law or that the property owner is no longer interested in participation in the Voluntary Incentives Program. When the proposed project is determined to not meet the requirements of the ordinance, the property owner may either request another meeting within 60 days of the pre-application conference or move forward with the proposed project without the requested incentives.

c. Any finding referenced in Sec. 38-108(b)(a) by the Regional Planning Agency is not binding and does not create any vested property rights for the property owner.

(c) Upon receipt of the pre-application conference summary document, the potential

applicant may submit a complete application and applicable fee to the Chattanooga-Hamilton County Regional Planning Commission for participation in the Voluntary

Incentives Program.

a. Such an application shall include a copy of the pre-application conference summary document and an attestation that the applicant is willingly participating in a voluntary program and will construct and complete the project in a manner outlined and reviewed in the pre-application conference.

b. The applicant must submit a completed application to the planning commission within one hundred twenty (120) days of receiving the pre-application conference summary document for the completed application to be considered.

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c. VIP applications before the Regional Planning Commission are not subject to the requirements of Sec. 38-72 Notice. VIP applications shall be individually listed

as part of the Regional Planning Commission legal notice.

(d) The Planning Commission shall make the final decision on whether to approve the completed application at the next available public meeting after the completed application is submitted.

a. For the purposes of this Article, “next available public meeting”, is the one following the submittal of a completed application, payment of fee(s), and availability to add to a Planning Commission agenda and advertise as such.

b. Planning Commission shall review the completed application to determine if it is compliant with the parameters of the pre-application conference summary document. If the completed application is determined to be within the parameters of the pre-application conference summary document, the completed application shall not be denied based on any provisions set out in the document.

c. Planning Commission may deny the application based upon any legal issue subsequently identified during the review of the completed application.

i. An applicant may correct the legal issue and be placed on a future agenda.

Sec. 38-109. Deed Restrictions.

(e) All multi-family facilities, buildings and structures constructed under the Voluntary Incentives Program shall be deed restricted to ensure that the attainable housing continues for a period of 30 years

(1) Deed restrictions shall be reviewed by Office of Housing and Community Development and approved for recording by that office prior to recording of the deed by the applicant.

Sec. 38-110. Appeals.

(a) Any reduction in landscaping, parking, height or lot size received through the VIP and approved by the Chattanooga-Hamilton County Regional Planning Commission is not subject to additional reduction in the applicable standard from the Board of Zoning Appeals.

(b) The action of the Regional Planning Commission shall be final, provided an appeal from the action of the Commission may be taken to Hamilton County Chancery Court by any aggrieved, affected party.

Sec. 38-111. Annual Review and Fees.

(a) All qualifying developments shall be deed restricted to ensure that the attainable housing requirements are maintained for a period of 30 years, in accordance with Tenn. Code Ann. § 13-3-603(f).

(b) Housing and Community Investment (HCI) staff will monitor rents and incomes on an annual basis for the first 15 years of the program. After 15 years of operation, HCI will request rent and income verification periodically at a frequency of not less than every 5 years.

(c) Program participants must submit rent and income verification for all units contributing to eligibility for this program. The Housing and Community Investment (HCI) division shall handle ongoing monitoring and compliance for affordability requirements for this program, and communications regarding compliance documentation will be provided by HCI.

(1) In accordance with the City of Chattanooga's Program Compliance Policies and Guidelines, documents verifying incomes and rents for attainable units must be provided through a third party, such as a project management company, affordable housing consultant, or HUD contractor.

(d) Properties found to be out of compliance with committed attainable rents and unit counts will be subject to a penalty fee of \$5,000 per non-compliant unit per year of noncompliance, which shall be collected and placed in the Chattanooga Affordable Housing Fund.

Passed July 2025

Pending Amendments

***These Amendments have been passed by Planning Commission, but not brought in front of City Council.*

