

**First Reading: November 12, 2024**  
**Second Reading: November 19, 2024**

ORDINANCE NO. 14169

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, THE CHATTANOOGA ZONING ORDINANCE AS ADOPTED BY ORDINANCE NO. 14137 ON JULY 23, 2024.

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WHEREAS, the City of Chattanooga adopted a new zoning ordinance, Ordinance No. 14137, on July 23, 2024; and

WHEREAS, the new zoning ordinance is not effective until November 20, 2024, but amendments have been identified; and

WHEREAS, these amendments are to the new Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance and not the currently active Chapter 38, Zoning Ordinance; and

WHEREAS, these amendments are intended to streamline processes, promote objective standards, clarify permitted land uses, remove zone references and language that was modified during the development and adoption process, and add new standards as requested by Chattanooga City Council;

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended as follows:

**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.

**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.

**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.

**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 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 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.

**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

**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).

**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.

**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:

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

- f. extending to the street when that narrow portion is less than the frontage required by the Chattanooga Zoning Ordinance.
- 5. 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).
- 6. 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.

**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
<b>Orientation</b>							
1		✓	✓	✓		✓	✓
2					✓		
3		✓	✓	✓		✓	✓
<b>Roof Design</b>							
4		✓	✓	✓	✓	✓	✓

building.							
5 Green roof, blue roof, and white roof designs are permitted.		✓	✓	✓	✓	✓	✓

**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.

**Amend ARTICLE IX. USES, 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.

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

1. Remove RN-2T column from the table
2. Add “Community center” as a permitted (P) use in the CN-T Zone
3. Add “Townhouses” as a permitted (P) use in the RN-2 zone
4. Add “Dwelling- Manufactured Home” as a Special Exception (SE) in the RN-1-7.5 Zone
5. Add “Funeral Home” as a Special Exception (SE) in the CN Zone.
6. All references to SP changed to SE

**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

**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).

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

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

- (1) 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.

**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	•		

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
<b>Orientation</b>							
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.					✓		

<p>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.</p>		✓	✓	✓	✓	✓	
Roof Design							
<p>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.</p>		✓	✓	✓	✓	✓	
<p>5 Green roof, blue roof, and white roof designs are permitted.</p>		✓	✓	✓	✓	✓	

**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.

**Amend ARTICLE VIII. SPECIAL PURPOSE ZONES, 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.

**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:**

- (2) 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.

**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.

**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:**

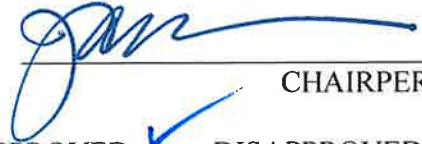
- (iv) The following minimum transparency requirements apply to any façade facing a street and are calculated on the basis of the entire area of the façade:
- a. Townhouse: 10%
  - b. Three-Unit, Four-Unit, Multi-Unit: 15%

**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.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: November 19, 2024



CHAIRPERSON

APPROVED:  DISAPPROVED:



MAYOR

/mem/v3