

First Reading: September 9, 2025
Second Reading: September 16, 2025

ORDINANCE NO. 14278

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, TO AMEND THE FORM-BASED CODE PARKING LOT LANDSCAPE REQUIREMENTS, ADD A NEW USE DEFINITION FOR CREMATORIUMS AND ADD PARKING REQUIREMENTS FOR CREMATORIUMS, AMEND NON-CONFORMITIES FOR NON-RESIDENTIAL USES, AND AMEND TOWNHOUSE MASSING.

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

WHEREAS, the new zoning ordinance was effective as of December 18, 2024, but amendments have been identified; and

WHEREAS, previously, amendments were reviewed and acted on by the Regional Planning Commission as follows:

1. October 2024 that addressed streamline processes, promoted objective standards, clarified permitted land uses, removed zone references and language that was modified during the development and adoption process, and added new standards as requested by Chattanooga City Council. (City Council Ordinance # 14169);
2. November 2024 that addressed added a definition of protected zones as it related to Form Based Codes, added Children's Home as a permitted use in the Institutional Zone, RN-1-5 and the RN-1-7.5 Zones, changed the minimum lot width for single-unit dwellings in the TRN-3 Zone, and provided parking flexibility and exemptions for properties zoned C-3 prior to the effective date of the Official Zoning Map. (City Council Ordinance # 14181);
3. January 2025 that addressed additional definitions, add Office as a permitted use in the RN-3 Residential Neighborhood Zone, Amend various sections of regulations related to the Board of Zoning Appeals, and the Land Use Table to make changes to the retail sale of alcohol. (City Council Ordinance # 14202);
4. February 2025 that addressed the use definitions and use matrix table to add a multi-unit development definition and to add multi-unit developments as a permitted use with the multi-unit dwelling. (City Council Ordinance # 14208);

5. March 2025 that corrects reference and unclear wording, allow certain dwellings as permitted uses if rezoned to C-MU-1 and C-MU-2 and to clarify conditional use language. Provided clear language on structures prohibited in Utility Easements, and reference sections in Off-Street Parking (38-54, 38-56, 38-58, and 38-59). Amended Table 38-63.1. Landscape Plant Materials Standards. (City Council Ordinance # 14222);
6. April 2025 that amended Tables 38-16.3 and 38-16.4 Residential Zone Dimensional Standards to include the 35' setback only applies within 35' of certain zones, add to Section 38-29 Institutional Zone standards for Inside the Urban Overlay Zone, and to add to the permitted Use Table uses in the I-H Heavy Industrial Zone that were previously permitted in the M-1 Zone and to add that these uses are permitted if the property was zoned M-1 prior to the effective of the adoption of the Zoning Map. Also added definitions for commercial parking and vehicle operation facility; and
7. June 2025 to clarify multi-unit developments cannot exceed 25% of total units for short term vacation rentals; correct residential zones dimensional height limitations; clarify on-site tree requirements in setbacks; add Institutional Zone standards inside the Urban Overlay, and add permitted uses in the I-H Heavy Industrial zone.

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 amended as follows:

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.

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.

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:

- iii. Townhouses outside the Urban Overlay Zone are limited to a maximum of eight (8) attached units (i.e. a cluster or grouping of townhouse units may not have more than eight (8) 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.

Amend ARTICLE IX. – USES, Section 38-45. Uses 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.

Amend Article IX. Uses, Section 38-42. Principal Uses 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.

Amend ARTICLE XII. – OFF-STREET PARKING AND LOADING, Table 38-53.1 Off-Street Vehicle and Bicycle Parking Requirements — Excludes Form-Based Code Zones:

Add Crematorium Minimum Vehicle Space: 1 per 500sf GFA

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.

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.

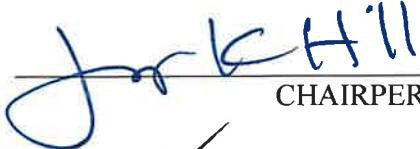
Amend ARTICLE XVIII. – NONCONFORMITIES, Section 38-97, (c) Discontinuation of Abandonment by amending the following:

- (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 or land 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 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.

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

Passed on second and final reading: September 16, 2025


CHAIRPERSON
APPROVED: ☒ DISAPPROVED: ☐


MAYOR

/mem/Alternate Version