

First Reading: April 8, 2025
Second Reading: April 15, 2025

ORDINANCE NO. 14222

AN ORDINANCE AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, THE CHATTANOOGA ZONING ORDINANCE AS ADOPTED BY ORDINANCE NO. 14137 ON JULY 23, 2024, TO CORRECT REFERENCES AND UNCLEAR WORDING, ALLOW CERTAIN DWELLINGS AS A PERMITTED USE IF REZONED C-MU1 AND C-MU2 WITH THE NEW ZONING MAP, AND CLARIFY CONDITIONAL USE LANGUAGE.

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

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

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.
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.
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.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,
TENNESSEE:

SECTION 1. That Chattanooga City Code, Part II, Chapter 38, be amended as follows:

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.

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.

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.

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.

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.

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.

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.

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.

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

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

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.

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.

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.

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: April 15, 2025

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

/mem