

First Reading: _____
Second Reading: _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE II, SECTION 38-2, DEFINITIONS AND ARTICLE V, DIVISION 13, SECTION 38-185; DIVISION 14, SECTION 38-205; DIVISION 15, SECTION 38-224, AND DIVISION 19, SECTION 38-303, USES PERMITTED AS SPECIAL EXCEPTIONS.

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, Article II, Section 38-2, Definitions, is hereby amended by adding new definitions in alphabetical order as follows:

Alcohol Distillery

Small: Small scale distillery limited to producing alcoholic beverages in quantities not to exceed 1,000 barrels per month on-site, with one barrel holding 55 gallons.

Large: Large scale production of alcoholic beverages in quantities exceeding 1,000 barrels per month on-site, with one barrel holding 55 gallons.

SECTION 2. BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Division 13, Section 38-185, Uses permitted as Special Exceptions by the City Council, is hereby amended by adding a new subsection (1)(c), Alcohol Distillery, Small to the C-2 Convenience Commercial Zone.

SECTION 3. BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Division 14, Section 38-205, Uses permitted as Special Exceptions by the City Council, is hereby amended by adding a subsection (3), Alcohol Distillery, Small to the UGC Urban General Commercial Zone.

SECTION 4. BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Division 19, Section 38-303, Uses permitted as Special Exceptions by the City Council, is hereby amended by adding a subsection (2), Alcohol Distillery, Small and Alcohol Distillery, Large to the M-1 Manufacturing Zone.

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect within two (2) weeks from and after its passage as provided by law.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

/mms



**A RESOLUTION TO AMEND THE CHATTANOOGA CITY CODE,
CHAPTER 38 ZONING ORDINANCE, TO ADD DISTILLERIES AS AN
ALLOWABLE USE UNDER SPECIAL EXCEPTIONS PERMIT
REQUIREMENTS IN THE C-2 CONVENIENCE COMMERCIAL ZONE,
UGC URBAN GENERAL COMMERCIAL ZONE, C-3 CENTRAL
BUSINESS ZONE AND M-1 MANUFACTURING ZONE**

WHEREAS, a change to state law allows Distilleries to operate in the City of Chattanooga; and

WHEREAS, the Zoning Ordinance does not define Distilleries nor provide for Distilleries as a permitted use in any zone; and

WHEREAS, generally small-scale operations are recommended to be permitted as a Special Exception by the City Council in commercial zones where Wineries are currently listed; and

WHEREAS, both small and large-scale operations are recommended to be permitted as a Special Exception by the City Council in the M-1 Manufacturing Zone where Wineries are currently listed; and

WHEREAS, it is also recommended as impacts land use to provide development standards for Distilleries in the Chattanooga City Code, Chapter 5, Article IV, to include the following:

For the C-2 Convenience Commercial, UGC Urban General Commercial, and the M-1 Manufacturing Zone:

- Consumption of alcoholic beverage not produced on site shall be prohibited.
- Processing and bottling of products produced off premise is prohibited.
- The following activities are permitted with this use:
 - Growing, harvesting and other products suitable for processing and bottling products produced on the premises is allowed.
 - Sale of alcohol produced on the premises for off premise consumption.
 - Sale of merchandise related to alcohol or the distillery.
 - Tastings involving serving to the public for the purpose of sampling the alcohol produced on the premises.
 - Special events such as weddings, dances, and other social occasions associated with the distillery.

For the C-3 Central Business Zone:

- Consumption of alcoholic beverage not produced on site shall be prohibited.
- Processing and bottling of products produced off premise is prohibited.
- Three of the following permitted activities shall be required with this use:
 - Growing, harvesting and other products suitable for processing and bottling products produced on the premises.
 - Sale of alcohol produced on the premises for off premise consumption.
 - Sale of merchandise related to alcohol or the distillery.
 - Tastings involving serving to the public for the purpose of sampling the alcohol produced on the premises.
 - Special events such as weddings, dances, and other social occasions associated with the distillery.

NOW THEREFORE, BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on February 10, 2014, does hereby recommend to the Chattanooga City Council that the Chattanooga Zoning Ordinance be amended by adding the following definitions and standards:

Section 38-2 Definitions; use of words and terms, add the following new definitions in alphabetical order:

Alcohol Distillery

Small: Small scale distillery limited to producing alcoholic beverages in quantities not to exceed 1,000 barrels per month on-site, with one barrel holding 55 gallons.

Large: Large scale production of alcoholic beverages in quantities exceeding 1,000 barrels per month on-site, with one barrel holding 55 gallons.

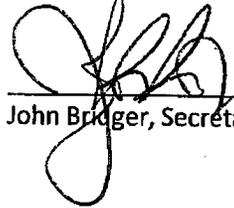
Section 38-185. Uses permitted as Special Exceptions by the City Council, add new subsection (1)(c) Alcohol Distillery, Small to the C-2 Convenience Commercial Zone.

Section 38-205. Uses permitted as Special Exceptions by the City Council, add subsection (3) Alcohol Distillery, Small to the UGC Urban General Commercial Zone.

Section 38-224. Uses permitted as Special Exceptions by the City Council, add subsection (1)(c) Alcohol Distillery, Small to the C-3 Central Business Zone.

Section 38-303. Uses permitted as Special Exceptions by the City Council, add a new subsection (2) Alcohol Distillery, Small and Alcohol Distillery, Large to the M-1 Manufacturing Zone and renumber the remaining uses.

Respectfully submitted



John Bridger, Secretary

Date of Adoption: February 10, 2014

JB: GH: PD: KR:sh

DistilleryFeb2014

NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2014-005 Arbour Valley Development/Michael & Edward Manz, IV. 2848 Anderson Terrace, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions.

2014-014 Ethan Wood/Matt Wood. 5906 Hancock Road, from R-1 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions.

2014-015 NAI Charter Real Estate Corporation/David Graham. 2125 and 2129 West Shepherd Road, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions.

2014-017 Thomas Palmer. 329 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2013-158 Justin Cox/BA Duong. 2537 and 2541 Tunnel Boulevard, from R-1 Residential Zone to RT-1 Residential Townhouse Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following conditions to be lifted be denied:

2014-013 Andre Shved. 306 and 308 Oliver Street, to lift conditions 1, 2, 3, and 4 from Ordinance No. 11657 of previous Case Number 2004-243 to allow Single Family Homes Only.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendment be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) Adding distilleries as an allowable use under Special Exceptions Permit requirements in the C-2 Convenience Commercial Zone, UGC Urban General Commercial Zone, C-3 Central Business Zone, and M-1 Manufacturing Zone;
- (b) Amending Definitions for Section 38-2 for Alcohol Distillery;
- (c) Amending Section 38-185 by adding a new subsection (1)(c) Alcohol Distillery, Small to the C-2 Convenience Commercial Zone;
- (d) Amending Section 38-205 by adding a new subsection (3) Alcohol Distillery, Small to the UGC Urban General Commercial Zone;
- (e) Amending Section 38-224 by adding a new subsection (1)(c) Alcohol Distillery, Small to the C-3 Central Business Zone; and
- (f) Amending Section 38-303 by adding a new subsection (2) Alcohol Distillery, Small and Alcohol Distillery, Large to the M-1 Manufacturing Zone and renumber the remaining uses.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

March 11, 2014

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2014.

Sandra Freeman
Clerk to the City Council