

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE III, ZONES AND BOUNDARIES, DIVISION 3, SECTION 38-11(2), URBAN OVERLAY ZONE, BY MOVING THE URBAN OVERLAY ZONE BOUNDARY ON SHADY CIRCLE, SUNSET ROAD, AND FALMOUTH ROAD.

---

**WHEREAS**, the intent statement of the Urban Overlay Zone states that the Urban Overlay Zone was created to maintain the physical layout of older urban areas; and

**WHEREAS**, the intent statement of the Urban Overlay Zone describes older urban areas as including sidewalks, public transit routes, available on-street parking, and smaller lots; and

**WHEREAS**, the properties fronting Hixson Pike have features more consistent with the features described by the intent statements of the Urban Overlay Zone; and

**WHEREAS**, the current Urban Overlay Zone boundary includes properties that front Shady Circle, Sunset Road, and Falmouth Road; and

**WHEREAS**, the properties fronting Shady Circle, Sunset Road, and Falmouth Road are currently zoned R-1 Residential and have suburban features more in common with the neighboring properties across the street from them *outside* of the Urban Overlay Zone; and

**WHEREAS**, removing these properties from the Urban Overlay Zone will place them under the Suburban Infill Lot and Setback requirements of Article V, Division 1, Section 38-44(7) just as the neighboring properties across the street from them are; and

**WHEREAS**, the Suburban Infill Lot and Setback requirements regulate the subdivision and creation of new lots and new home front setbacks in the R-1 Residential Zone so as to be compatible with existing lots frontages and front setback on the same street.

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 III, Zones and Boundaries, Division 3, Section 38-11(2), Urban Overlay Zone, is hereby amended beginning in the text at “the 1800 block of Hixson Pike” and ending with “the center line of the 1200 block of Hixson Pike” and replace in lieu thereof the following:

the 1800 block of Hixson Pike, “thence southeast along the center line of Hixson Pike at 1614 Hixson Pike to the northwest corner of Tax Map 127I-F-020, thence following the northern boundary of parcel 020 to its rear property line, thence southerly along the rear property line to its intersection with the side boundary of Tax Map 127I-F-019, thence northeast along the side line of parcel 019 to its rear property line, thence southeast along the rear property lines of parcels 019, 018 and 017, thence in a southwest direction along the side boundary of parcel 017 to the center line of Hixson Pike, thence southeast to 1508 Hixson Pike at the northwest corner of Tax Map 127P-S-014, thence following the northern boundary of said parcel 014 to its rear property line, thence southerly along the rear property lines of parcels 014, 013, 012 and 011, thence in a southwest direction along the southern side boundary of parcel 011 to the center line of Hixson Pike continuing south along said center line to 1422 Hixson Pike to the northwest corner of Tax Map 127P-T-054 and following the northern side boundary of parcel 054 to its rear property line, thence southerly along the rear property line of parcel 054 descending in a southerly direction to parcel 023, thence in a westerly direction approximately 108 feet, thence southerly (Tax Map 127P-T-022 through

054), extending into the center line of Falmouth Road, thence in a westerly direction to" the center line of the 1200 block of Hixson Pike, ...

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks upon passage of second reading.

Passed on second and final reading: \_\_\_\_\_

\_\_\_\_\_  
CHAIRPERSON

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

/mem



**A RESOLUTION TO AMEND THE CHATTANOOGA CITY CODE,  
PART II, CHAPTER 38 ZONING ORDINANCE, ARTICLE III ZONES  
AND BOUNDARIES, DIVISION 3 URBAN OVERLAY ZONE, BY  
MOVING THE URBAN OVERLAY ZONE BOUNDARY ON SHADY  
CIRCLE, SUNSET ROAD AND FALMOUTH ROAD**

**WHEREAS**, the intent statement of the Urban Overlay Zone states that the Urban Overlay Zone was created to maintain the physical layout of older urban areas; and

**WHEREAS**, the intent statement of the Urban Overlay Zone describes older urban areas as including sidewalks, public transit routes, available on-street parking, and smaller lots; and

**WHEREAS**, the properties fronting Hixson Pike have features more consistent with the features described by the intent statements of the Urban Overlay Zone; and

**WHEREAS**, the current Urban Overlay Zone boundary includes properties that front Shady Circle, Sunset Road, and Falmouth Road; and

**WHEREAS**, the properties fronting Shady Circle, Sunset Road, and Falmouth Road are currently zoned R-1 Residential and have suburban features more in common with the neighboring properties across the street from them *outside* of the Urban Overlay Zone; and

**WHEREAS**, removing these properties from the Urban Overlay Zone will place them under the Suburban Infill Lot and Setback requirements of Article V, Division 1, Section 38-44(7) just as the neighboring properties across the street from them are; and

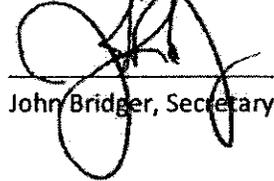
**WHEREAS**, the Suburban Infill Lot and Setback requirements regulate the subdivision and creation of new lots and new home front setbacks in the R-1 Residential Zone so as to be compatible with existing lots frontages and front setback on the same street.

**NOW THEREFORE, BE IT RESOLVED**, that the Chattanooga-Hamilton County Regional Planning Commission on May 11, 2015, does hereby recommend to the Chattanooga City Council that the City of Chattanooga Zoning Ordinance be amended by deleting the descriptive language of the area to be removed and replacing it in lieu thereof with the following:

**DELETE** the Urban Overlay Zone area description in Article III, Division 3 Urban Overlay Zone, Section 38-11(2), beginning in the text at "the 1800 block of Hixson Pike" and ending with "the center line of the 1200 block of Hixson Pike" and replace in lieu thereof to read as follows:

the 1800 block of Hixson Pike, "thence southeast along the center line of Hixson Pike at 1614 Hixson Pike to the northwest corner of Tax Map 127I-F-020, thence following the northern boundary of parcel 020 to its rear property line, thence southerly along the rear property line to its intersection with the side boundary of Tax Map 127I-F-019, thence northeast along the side line of parcel 019 to its rear property line, thence southeast along the rear property lines of parcels 019, 018 and 017, thence in a southwest direction along the side boundary of parcel 017 to the center line of Hixson Pike, thence southeast to 1508 Hixson Pike at the northwest corner of Tax Map 127P-S-014, thence following the northern boundary of said parcel 014 to its rear property line, thence southerly along the rear property lines of parcels 014, 013, 012 and 011, thence in a southwest direction along the southern side boundary of parcel 011 to the center line of Hixson Pike continuing south along said center line to 1422 Hixson Pike to the northwest corner of Tax Map 127P-T-054 and following the northern side boundary of parcel 054 to its rear property line, thence southerly along the rear property line of parcel 054 descending in a southerly direction to parcel 023, thence in a westerly direction approximately 108 feet, thence southerly (Tax Map 127P-T-022 through 054), extending into the center line of Falmouth Road, thence in a westerly direction to" the center line of the 1200 block of Hixson Pike,.....

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'John Bridger', written over a horizontal line.

John Bridger, Secretary

Date of Adoption: May 11, 2015

JB:GH:PD:sh

UrbanOverlayAmend

Current Urban Overlay Zone Boundary



Proposed Urban Overlay Zone Boundary Change (Per Legal Description in PC Resolution)



## NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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:

2015-061 James Scott and Holy Temple Church of God, 2311 Bliss Avenue, from M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions.

2015-062 Duane Carleo, 1518 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-070 Asa Engineering, Allen Jones, Ronald Speicher, and Ben O'Daniel, 137 and 200 Oyler Lane and 5510 Moody Sawyer Road, from R-1 Residential Zone to R-3 Residential Zone.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied for the R-4 Special Zone request and recommend approval of R-3 Moderate Density as follows:

2015-063 Donald Runyan and Smart Living Trust, 4200 Willard Drive, from R-2 Residential Zone to R-4 Special Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Permit be approved:

2015-067 MAP Engineers c/o Mike Price and Bernard H. Brown, III, 4500, 4506, 4510, 4514, and 4550 Webb Road, for a Residential Planned Unit Development.

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

- (a) Amending Article V, Division 15, C-3 Central Business Zone, Section 38-223, by adding a Special Exceptions Permit requirement for assisted living facilities operated for profit.
- (b) Deleting the Urban Overlay Zone area description in Article III, Division 3, Urban Overlay Zone, Section 38-11(2) beginning in the text at “the 1800 block of Hixson Pike” and ending with “the center line of the 1200 block of Hixson Pike” and replacing in lieu thereof.

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,

**June 9, 2015**

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 \_\_\_\_\_, 2015.

---

Nicole Gwyn  
Clerk to the City Council