

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

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

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,  
PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V,  
DIVISION 30, URBAN INFILL LOT COMPATIBILITY  
OPTION, SECTION 38-482, PROCESS.

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WHEREAS, the Planning Commission can allow lot frontages and lot sizes to be created that are less than the established minimum with a variance; and

WHEREAS, there are current requirements in the Zoning Ordinance, Article V, Division 30, that allow lot frontages and lot sizes to be created that are less than the established minimum; and

WHEREAS, if a proposed subdivision plat meets those requirements of the Zoning Ordinance, Article V, Division 30, it is unclear why the Planning Commission would need to approve such a plat; and

WHEREAS, any deviation to those requirements is required to be approved by the Planning Commission.

NOW, THEREFORE

SECTION 1. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-482(1) and (2) are hereby amended by deleting it in its entirety and substituting in lieu thereof as follows:

**Sec. 38-482. Process.**

- (1) The applicant shall provide a site plan to the RPA which shows lot lines and, where applicable, proposed building footprint, setbacks, parking, and access.

- (2) All lot(s) proposed to be created using the Lot Comparability Calculation shall be reviewed administratively by RPA staff to determine if the proposed lot(s) meet the requirements. If RPA staff determines that the proposed lot(s) meet the requirements, the applicant may submit a subdivision plat.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-482(3) is hereby amended by adding this subsection as follows and renumbering Section 38-482(3) to subsection (4):

- (3) The applicant may appeal the RPA staff determination by submitting an appeal in writing along with a required fee. The appeal will be heard by the Chattanooga-Hamilton County Regional Planning Commission.

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

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

\_\_\_\_\_  
CHAIRPERSON

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

\_\_\_\_\_  
MAYOR

/mem



**A RESOLUTION TO AMEND THE CHATTANOOGA CITY CODE,  
PART II, CHAPTER 38 ZONING, ARTICLE V ZONING REGULATIONS,  
DIVISION 30 URBAN INFILL LOT COMPATIBILITY OPTION,  
SECTION 38-482 PROCESS, TO REPLACE SUBSECTIONS (1) AND (2), ADD  
SUBSECTION (3) AND RENUMBER REMAINING SUBSECTION NUMERICALLY**

**WHEREAS**, the Planning Commission can allow lot frontages and lot sizes to be created that are less than the established minimum with a variance; and

**WHEREAS**, there are current requirements in the zoning ordinance, Article V, Division 30, that allow lot frontages and lot sizes to be created that are less than the established minimum; and

**WHEREAS**, if a proposed subdivision plat meets those requirements of the zoning ordinance, Article V, Division 30, it is unclear why the Planning Commission would need to approve such a plat; and

**WHEREAS**, any deviation to those requirements is required to be approved by the Planning Commission.

**NOW THEREFORE, BE IT RESOLVED**, that the Chattanooga-Hamilton County Regional Planning Commission on February 8, 2016 does hereby recommend to the Chattanooga City Council that the City of Chattanooga Zoning Ordinance be amended as follows:

**DELETE 38-482, Subsections (1) and (2)** in their entirety and substitute in lieu thereof the following:

- (1) The applicant shall provide a site plan to the RPA which shows lot lines and, where applicable, proposed building footprint, setbacks, parking, and access.
- (2) All lot(s) proposed to be created using the Lot Comparability Calculation shall be reviewed administratively by RPA staff to determine if the proposed lot(s) meet the requirements. If RPA staff determines that the proposed lot(s) meet the requirements, the applicant may submit a subdivision plat.

**ADD Subsection (3)** as follows:

- (3) The applicant may appeal the RPA staff determination by submitting an appeal in writing along with a required fee. The appeal will be heard by the Chattanooga-Hamilton County Regional Planning Commission.

**RENUMBER 38-482, Subsection (3) to Subsection (4).**

Respectfully submitted,

John Bridger, Secretary

Date of Adoption: February 8, 2016

JB:GH:PD:sh/UrbanInfill2016

## 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:

2016-012 Richard Zavala. 1446 Central Avenue and 901, 911, and 915 East Main Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2016-013 Chestnut Holdings, LLC/Matt Hullander, Jonathan Frost, and John Clark. 1413 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2016-015 Asa Engineering c/o Allen Jones and John Pregulman/Rober Partners. 551 West 21<sup>st</sup> Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2016-018 Joseph Parks and James Rogers. 7504 Old Lee Highway, from C-2 Convenience Commercial Zone to R-4 Special Zone.

2016-025 Roger Radpoir and Kaihan Strain. 6708 Hixson Pike, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2016-026 Ben Peppers of Peppers Construction Company and Nancy Miller. 1813 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 amendments be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) **Amending Section 38-402, Application procedure for planned unit development** by amending subsection (2)(b); removing “active” from the last sentence of subsection (5)(a); deleting subsection 6(a) in its entirety and re-letter the remaining items alphabetically; and removing “expires or” from the first sentence in subsection 6(c).

- (b) **Deleting Article V, Zone Regulations, Division 26, Planned Unit Development: Institutional** in its entirety and substituting in lieu thereof new Sections 38-411 through 38-419.
- (c) **Deleting Section 38-482(1)&(2), Process** and substituting in lieu thereof, and adding subsection (3) and renumbering subsection (3) to subsection (4).

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 8, 2016**

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 \_\_\_\_\_, 2016.

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Nicole Gwyn  
Clerk to the City Council