

1ST READING: 1-13-09  
2ND READING: 1-20-09  
INDEX NO: \_\_\_\_\_

ORDINANCE NO. 12206

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V, SECTIONS 122, 124, 152, 154, AND 164, TO PROVIDE FOR CHANGES TO RT-1 RESIDENTIAL TOWNHOUSE ZONE, RZ-1 ZERO LOT LINE RESIDENTIAL ZONE, AND R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE.

WHEREAS, single-family, detached dwellings are a compatible use with zero lot line single-family detached dwellings and townhouse dwellings in RT-1, RZ-1, and R-T/Z zones; and

WHEREAS, there has been a demand for single-family detached dwellings in RT-1, RZ-1, and R-T/Z zones; and

WHEREAS, the RT-1 and RZ-1 zones in the City of Chattanooga do not currently permit single-family detached dwellings; and

WHEREAS, the RT-1, RZ-1, and R-T/Z zones in Chattanooga and Hamilton County should have comparable regulations for each type of permitted development; and

WHEREAS, the twenty-five-foot (25') setback from all boundaries of the RT-1, RZ-1, and R-T/Z zones should not apply to boundaries of RT-1, RZ-1, and R-T/Z zones with each other; and

WHEREAS, there has been public objection to two-unit townhomes in RT-1 and R-T/Z zones where they are currently permitted; and

WHEREAS, The Chattanooga-Hamilton County Regional Planning Agency has recommended amendments to Article V, Sections 122, 124, 152, 154, and 164 (4) and (8) to address these issues.

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ordinance No. 6958, as amended, known as the Zoning

Ordinance, Article V, Section 122, be amended by deleting same in its entirety and substituting in lieu thereof the following:

122. Permitted Uses:

- (1) Single-family detached dwellings (excluding factory manufactured homes constructed as a single self-contained unit and mounted on a single chassis).
- (2) Townhouse dwellings, excluding factory manufactured homes constructed as single self-contained unit and mounted on a single chassis, provided that such townhouse dwellings shall meet all structural standards set forth in the Standard Building Code adopted by the City of Chattanooga for townhouse construction.
- (3) Parks, playgrounds, schools, churches, and community-owned not-for-profit buildings which are complimentary to the immediate neighborhood.
- (4) Golf courses except driving ranges, miniature courses and other similar commercial operations.
- (5) Accessory uses and buildings.
- (6) Home occupations.
- (7) Kindergartens operated by governmental units or religious organizations.”

SECTION 2. BE IT FURTHER ORDAINED, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, Article V, Section 124, be amended by deleting subsections (2) through (8) in their entirety and substituting in lieu thereof the following:

- (2) The minimum building site area for each single-family detached dwelling shall be two thousand six hundred twenty-five (2625) square feet and the minimum building site area for each townhouse unit shall be one thousand three hundred fifty (1350) square feet.
- (3) The minimum building site width for each single-family detached dwelling shall be thirty-five (35) feet and the minimum building site width for each townhouse unit shall be eighteen (18) feet.

- (4) All buildings except detached single-family houses must be set back at least 40 feet from any exterior dedicated public street. The setback may be reduced to 25 feet if Type C Landscaping or equivalent (refer to Landscaping Provisions) is provided along the exterior street(s). Detached single-family houses must be set back at least 25 feet from any exterior dedicated public street.
- (5) No building shall be located less than twenty-five (25) feet from any boundary of the RT-1 zone, except on side yards where an RT-1 zone abuts RZ-1, R-T/Z, R-3, R-4, O-1 or any commercial or industrial zone.
- (6) Front setback from any interior street shall be minimum twenty-five (25) feet or ten (10) feet if rear parking and loading is provided.
- (7) Single-family detached dwellings shall be separated by not less than forty (40) feet except ten (10) feet from side to side.
- (8) Townhouse buildings (a continuous row of townhouse units) shall be separated by not less than forty (40) feet except fifteen (15) end to end or end to the side of other permitted housing types.
- (9) Except as provided above, there are no minimum front, side, or rear yard setback requirements.
- (10) Frontage on a dedicated public street of the individual units shall be required only when the underlying properties are individually sold as lots along with the units on a fee simple basis.

SECTION 3. BE IT FURTHER ORDAINED, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, Article V, Section 152, be amended by deleting same in its entirety and substituting in lieu thereof the following:

152 Permitted Uses

- (1) Single-family detached dwellings (excluding factory manufactured homes constructed as a single, self-contained unit and mounted on a single chassis).

- (2) Single-family zero lot line dwellings, excluding manufactured homes constructed as a single, self-contained unit and mounted on a single chassis.
- (3) Parks, playgrounds, schools, churches, and community-owned not-for-profit buildings which are complimentary to the immediate neighborhood.
- (4) Golf courses except driving ranges, miniature courses and other similar commercial operations.
- (5) Accessory uses and buildings.
- (6) Home occupations.
- (7) Kindergartens, operated by governmental units or religious organizations.

SECTION 4. BE IT FURTHER ORDAINED, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, Article V, Section 154, be amended by deleting subsections (2), (9), and (10) in their entirety and substituting in lieu thereof the following:

- (2) The minimum building site area shall be two thousand six hundred twenty five (2625) square feet.
- (9) No building shall be located less than twenty-five (25) feet from any boundary of the RZ-1 zone, except on side yards where any RZ-1 zone abuts RT-1, R-T/Z, R-3, R-4, O-1 or any commercial or industrial zone.
- (10) Single family detached dwellings shall be separated by not less than forty (40) feet, except ten (10) feet from side to side.
- (11) To assure security with a development, no windows, doors or other openings are permitted on the zero-lot line of structures except that the use of translucent glass block shall be permitted to allow natural light to enter the building without significantly compromising privacy.

SECTION 5. BE IT FURTHER ORDAINED, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, Article V, Section 164, be amended by deleting subsections (4) and (8) in their entirety and substituting in lieu thereof the following:

- (4) No building shall be located less than twenty-five (25) feet from any boundary of the R-T/Z zone except on side yards where an R-T/Z zone abuts RT-1, RZ-1, R-3, R-4, O-1 or any commercial or industrial zone.
  
- (8) Single-family detached dwellings shall be separated by not less than forty (40) feet except ten (10) feet from side to side.

SECTION 6. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

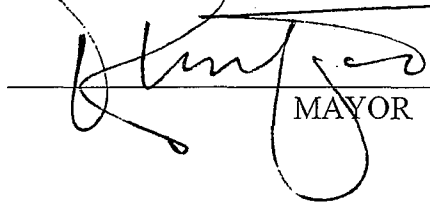
PASSED on Second and Final Reading

January 20, 2009.

  
CHAIRPERSON

APPROVED:  DISAPPROVED:

DATE: 1-23, 2009

  
MAYOR

/add