

1ST READING

9-22-09

2ND READING

9-29-09

INDEX NO.

ORDINANCE NO. 12290

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,  
PART II, CHAPTER 3, ARTICLE X, SECTION 3-102,  
RELATIVE TO JURISDICTION OF THE BOARD.

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

SECTION 1. That Chattanooga City Code, Part II, Chapter 3, Section 3-102(h), be and the same is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

**Sec. 3-102. Jurisdiction of the board.**

- (h) To hear and rule on requests for special permits for on-premise signs and/or banners located upon commercial, predominantly retail, developments which are: under the same management, not less than twenty-five thousand (25,000) square feet of usable retail floor area, not less than two (2) stories in height, and commercially zoned areas along Manufacturers Road, Cherokee Boulevard and Frazier Avenue located in the Northshore area, or (2) under the same management, not less than six hundred thousand (600,000) square feet of usable retail floor area two (2) stories in height, and located outside the downtown area as described in 3-52(a) of this chapter. Any such special permit may be granted only after the Board has reviewed and approved all signs and/or banners for the development. The Board may authorize signs and/or banners to be erected which are not otherwise in compliance with the provisions of this chapter, subject to the following limitations:
- (1) The Board may not authorize any increase in the maximum sign area for any permitted free-standing sign;
  - (2) The Board may authorize not more than one (1) projecting sign per retail occupant or retail tenant of the development, and any such projecting sign shall not be considered as a detached sign for the purposes of 3-92 of this chapter, provided that any such projecting sign shall not extend more than eight (8) feet from the facade of any building nor shall any such projecting sign exceed thirty (30)

square feet in sign area, and provided further that such projecting signs shall only be located directly outside the space occupied by the occupant or tenant to which the sign refers or directly outside a common entrance for two or more tenants; and

- (3) Roof signs shall not be permitted. For the purposes of this subsection (h), "retail," shall include restaurants. Nothing in this subsection (h) shall require the Board to grant any relief to or issue any special permit to any applicant. (i) To hear and rule on requests for special permits for on-premise and off-premise signs and/or banners located upon any stadium with seating capacity in excess of five thousand (5,000) persons. Any such special permit may be granted only after the Board has reviewed and approved all signs for the development. The Board may authorize signs, flags and/or banners to be erected which are not otherwise in compliance with the provisions of this chapter. The Board may authorize projecting signs which shall not be considered as detached signs for the purposes of §3-92 of this chapter, provided that any such projecting sign shall not extend more than eight (8) feet from the facade of any building nor shall any such projecting sign exceed fifty (50) square feet in sign area.

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

September 29, 2009.

W. Paul Benson  
CHAIRPERSON

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

DATE: Oct 2, 2009.

[Signature]  
MAYOR

PAN/kac/mms