

ORDINANCE NO. 13613

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V. ZONING REGULATIONS, DIVISION 5. R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE TO DELETE THE MAXIMUM DENSITY REQUIREMENTS AND TO ESTABLISH MINIMUM LOT SIZE REQUIREMENTS FOR SINGLE-FAMILY DETACHED AND TOWNHOUSE DWELLINGS, AND TO PERMIT A MAXIMUM OF FOUR DWELLINGS ON ONE LOT WITHIN THE URBAN OVERLAY ZONE.

WHEREAS, on May 18, 2020, the Chattanooga-Hamilton County Regional Planning Commission approved and recommended to the Chattanooga City Council the adoption of the Historic River to Ridge Area 3 Plan. The Historic River to Ridge Area 3 Plan recommends future development patterns around “Place Types” that reflect urban qualities and development patterns that define the urban neighborhoods in the Historic River to Ridge Area 3 Plan; and,

WHEREAS, the Historic River to Ridge Area 3 Plan recommends an Urban Residential Place Type, defined as a traditional neighborhood development pattern that includes a range of housing types with single-family detached and two (2) to four (4) dwelling units per lot being the primary uses; and,

WHEREAS, the Historic River to Ridge Area 3 Plan also recommends an Urban Residential Single-Family Overlay Place Type with the primary purpose of maintaining the existing lot pattern within each block and the only use permitted is single-family detached dwellings; and,

WHEREAS, the Regional Planning Agency is developing three (3) new urban residential zones that would provide flexibility in the development standards and housing types, and would provide a zoning tool option for the recommended Urban Residential Place Type Designation; and,

WHEREAS, the Chattanooga City Council recently approved funding to hire a consultant group to assess the City of Chattanooga Zoning Regulations. As part of the assessment, the consultant group will review and provide guidance on a framework of standards that should be addressed in the proposed three urban residential zones; and,

WHEREAS, the R-T/Z Residential Townhouse Zero Lot Line Zone is the only Residential Zoning designation not providing minimum lot size requirements, but rather maximum density; and,

WHEREAS, the lack of urban residential zones and a maximum permitted density of twelve (12) dwelling units per acre inside the Urban Overlay has required recent developments to request UGC Urban General Commercial or C-3 Central Business District Zones as the default urban zoning tool in urban neighborhoods as the only option to provide flexibility in development standards. The UGC Urban General Commercial and C-3 Central Business District Zones are not the appropriate zoning designation in the urban residential neighborhoods due to the intensive permitted uses; however, at this time these zoning designations are the only zoning tools available; and,

WHEREAS, the intent of the amendment is to remove the maximum permitted density and establish minimum lot size requirements that would permit moderate to higher density residential development more in line with the minimum lot size standards of the E-RA Urban Edge Residential Attached Zone and to permit Multi-Unit (up to 4) Dwelling Units on one lot located inside the Urban Overlay, which is supported by the land use policies of the Historic River to Ridge Area 3 Plan “Place Type” designation of Urban Residential; and,

WHEREAS, the intent of this amendment to the R-T/Z Residential Townhouse Zero Lot Line Zone is to serve as a temporary solution until the zoning code assessment is completed and the new urban residential zones finalized. After adoption of the new urban residential zones, an amendment will be drafted to rescind this amendment to the R-T/Z Residential Townhouse Zero Lot Line Zone.

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

SECTION 1. That Chattanooga City Code, Chapter 38, Chattanooga Zoning Ordinance, amending Article V, Zone Regulations, Division 5, R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-81, Statement of Intent, by deleting in its entirety and replacing with the following:

It is the intent of this section to provide regulations for the development of single-family detached dwellings, townhouses (also called rowhouses and attached homes), single-family zero lot line dwellings (also called patio homes), and/or mixed use moderate to high density residential development in a manner which is attractive, provides for efficient use of land, and is compatible with surrounding development. It is further intended that these regulations provide for standards which will foster compatibility between R-T/Z development and lower density, standard single-family detached uses. Multi-unit (up to 4) dwellings on one lot is intended for areas located inside the Urban Overlay Zone and for new rezoning requests approved after September 08, 2020 by the Chattanooga City Council. The purpose of establishing an effective date for Multi-unit (up to 4) dwellings on one lot is to ensure due process is provided to previous applicants and adjoining property owners who either made a request and participated in the public hearing process and due to a change in permitted uses not have the Multi- unit (up to 4) structures on one lot apply to existing R-T/Z Zoned property unless a new application is filed and due process occurs on the new application.

For purposes of the R-T/Z zone, the term "exterior street" refers to any public, dedicated and accepted street existing prior to the R-T/Z development, the term "interior street" refers to any street built as part of the R-T/Z development, both sides of which are zoned R-T/Z.

SECTION 2. That Chattanooga City Code, Chapter 38, Chattanooga Zoning Ordinance, amending Article V, Zone Regulations, Division 5, R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-82, Permitted Uses, by adding the following:

- (9) Multi-unit (up to 4) Dwellings on One Lot
 - a. Permitted as a use for properties located inside the Urban Overlay Zone
 - b. Applies only to new rezoning requests approved after September 08, 2020 by the Chattanooga City Council.

SECTION 3. That Chattanooga City Code, Chapter 38, Chattanooga Zoning Ordinance, amending Article V, Zone Regulations, Division 5, R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-84, Height, Area, and Building Regulations, (2) For Areas Within the Urban Overlay Zone, by deleting in its entirety (a) Maximum Density, and replacing with the following:

(a) Minimum Lot Size:

- Single-Family Detached: 3,000 Square Feet
- Zero Lot Line Units: 3,000 Square Feet
- Townhouses: 1,700 Square Feet
- Multi-Unit (up to 4) Dwellings on One Lot: 7,500 Square Feet

SECTION 4. That Chattanooga City Code, Chapter 38, Chattanooga Zoning Ordinance, amending Article V, Zone Regulations, Division 5, R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-84, Height, Area, and Building Regulations, (2) For Areas Within the Urban Overlay Zone, by deleting in its entirety (b) Minimum Lot Width, and replacing with the following:

(b) Minimum Lot Width:

- Single-Family Detached Units: 25 Feet
- Zero Lot Line Units: 25 Feet
- Townhouse Units: 16 Feet
- Multi-Unit (up to 4) Dwellings on One Lot: 75 Feet

SECTION 5. That Chattanooga City Code, Chapter 38, Chattanooga Zoning Ordinance, amending Article V, Zone Regulations, Division 5, R-T/Z Residential Townhouse Zero Lot Line Zone, by adding a new section as follows:

Section 38-87. Uses Prohibited

- (1) Multi-Unit (up to 4) Dwellings on One Lot – Outside the Urban Overlay Zone.

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: October 27, 2020

_____CHAIRPERSON

APPROVED:____DISAPPROVED:_____

_____MAYOR

/mem

**A RESOLUTION TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38,
 ZONING ORDINANCE, ARTICLE V. ZONING REGULATIONS, DIVISION 5. R-T/Z
 RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE TO DELETE THE MAXIMUM DENSITY
 REQUIREMENTS AND TO ESTABLISH MINIMUM LOT SIZE REQUIREMENTS FOR SINGLE-
 FAMILY DETACHED AND TOWNHOUSE DWELLINGS, AND TO PERMIT A MAXIMUM OF
 FOUR MULTIPLE SINGLE-FAMILY DETACHED DWELLINGS ON ONE LOT WITHIN THE
 URBAN OVERLAY ZONE**

WHEREAS, on May 18, 2020 the Chattanooga-Hamilton County Regional Planning Commission approved and recommended to the Chattanooga City Council the adoption of the Historic River to Ridge Area 3 Plan. The Historic River to Ridge Area 3 Plan recommends future development patterns around "Place Types" that reflect urban qualities and development patterns that define the urban neighborhoods in the Historic River to Ridge Area 3 Plan; and,

WHEREAS, the Historic River to Ridge Area 3 Plan recommends an Urban Residential Place Type, defined as a traditional neighborhood development pattern that includes a range of housing types with single-family detached and two (2) to four (4) dwelling units per lot being the primary uses; and,

WHEREAS, the Historic River to Ridge Area 3 Plan also recommends an Urban Residential Single-Family Overlay Place Type with the primary purpose of maintaining the existing lot pattern within each block and the only use permitted is single-family detached dwellings; and,

WHEREAS, the Regional Planning Agency is developing three (3) new urban residential zones that would provide flexibility in the development standards and housing types, and would provide a zoning tool option for the recommended Urban Residential Place Type Designation; and,

WHEREAS, the Chattanooga City Council recently approved funding to hire a consultant group to assess the City of Chattanooga Zoning Regulations. As part of the assessment, the consultant group will review and provide guidance on a framework of standards that should be addressed in the proposed three urban residential zones; and,

WHEREAS, the R-T/Z Residential Townhouse Zero Lot Line Zone is the only Residential Zoning designation not providing minimum lot size requirements, but rather maximum density; and,

WHEREAS, the lack of urban residential zones and a maximum permitted density of twelve (12) dwelling units per acre inside the Urban Overlay has required recent developments to request UGC Urban General Commercial or C-3 Central Business District Zones as the default zoning tool in urban neighborhoods as the only option to provide flexibility in development standards. The UGC Urban General Commercial and C-3 Central Business District Zones are not the appropriate zoning designation in the urban residential neighborhoods due to the intensive permitted uses; however, at this time these zoning designations are the only zoning tools available; and,

WHEREAS, the intent of the amendment is to remove the maximum permitted density and establish minimum lot size requirements that would permit moderate to higher density residential development; in line with the minimum lot size standards of the U-1 Urban Edge Residential Attached Zone and to permit Multi-Unit (up to 4) Single-Family Detached Dwelling Units on one lot located inside the Urban Overlay, which is supported by the land use policies of the Historic River to Ridge Area 3 Plan "Place Type" designation of Urban Residential; and,

WHEREAS, the intent of this amendment to the R-T/Z Residential Townhouse Zero Lot Line Zone is to serve as a temporary solution until the zoning code assessment is completed and the new urban residential zones finalized. After adoption of the new urban residential zones, an amendment will be drafted to rescind this amendment to the R-T/Z Residential Townhouse Zero Lot Line Zone.

NOW, THEREFORE, BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on July 13, 2020 does hereby recommend to the Chattanooga City Council that the City of Chattanooga Zoning Ordinance be amended as follows:

Amend Article V. Zone Regulations: Division 5. R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-81, Statement of intent by deleting in its entirety and replace with the following:

It is the intent of this section to provide regulations for the development of single-family detached dwellings, townhouses (also called rowhouses and attached homes), single-family zero lot line dwellings (also called patio homes), and/or mixed use moderate to high density residential development in a manner which is attractive, provides for efficient use of land, and is compatible with surrounding development. It is further intended that these regulations provide for standards which will foster compatibility between R-T/Z development and lower density, standard single-family detached uses. Multi-unit (up to 4) single-family detached dwellings on one lot is intended for areas located inside the Urban Overlay Zone and for new rezoning requests approved after September 08, 2020 by the Chattanooga City Council. The purpose of establishing an effective date for Multi-unit (up to 4) single-family detached dwellings on one lot is to ensure due process is provided to previous applicants and adjoining property owners who either made a request and participated in the public hearing process and due to a change in permitted uses not have the Multi-unit (up to 4) single-family detached structures on one lot apply to existing R-T/Z Zoned property unless a new application is filed and due process occurs on the new application.

For purposes of the R-T/Z zone, the term "exterior street" refers to any public, dedicated and accepted street existing prior to the R-T/Z development, the term "interior street" refers to any street built as part of the R-T/Z development, both sides of which are zoned R-T/Z.

Amend Article V. Zone Regulations: Division 5. R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-82. Permitted Uses, by adding the following:

- (9) Multi-unit (up to 4) Single-Family Detached Dwellings on One Lot
- a. Permitted as a use for properties located inside the Urban Overlay Zone
 - b. Applies only to new rezoning requests approved after September 08, 2020 by the Chattanooga City Council.

Amend Article V. Zone Regulations: Division 5. R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-84. Height, Area, and Building Regulations. (2) For Areas Within the Urban Overlay Zone, delete in its entirety (a) Maximum Density, and replace with the following:

(a) Minimum Lot Size:

- Single-Family Detached: 3,000 Square Feet
- Zero Lot Line Units: 3,000 Square Feet
- Townhouses: 1,700 Square Feet
- Multi-Unit (up to 4) Single-Family Dwellings on One Lot: 7,500 Square Feet

Amend Article V. Zone Regulations: Division 5. R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-84. Height, Area, and Building Regulations. (2) For Areas Within the Urban Overlay Zone, delete in its entirety (b) Minimum Lot Width, and replace with the following:

(b) Minimum Lot Width:

- Single-Family Detached Units: 25 Feet
- Zero Lot Line Units: 25 feet
- Townhouse Units: 16 Feet
- Multi-Unit (up to 4) Single-Family Dwellings on One Lot: 75 Feet

Amend Article V. Zone Regulations: Division 5. R-T/Z Residential Townhouse Zero Lot Line Zone, by adding a new section as follows:

Section 38-87. Uses Prohibited

(1) Multi-Unit (up to 4) Single-Family Detached Dwellings on One Lot -- Outside the Urban Overlay Zone

Respectfully submitted,


John Bridger, Secretary

Date of Adoption: Jul 1 2020
R-T / Z Residential Townhouse Zero Lot Zone -
Delete Max Density, Est. Min Lot Size, and to
Add Multi-Unit (up to 4)

_____ **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:

2020-0043 MAP Engineers, LLC, 6402 Shallowford Road, from RT-I Residential Townhouse Zone to R-3 Residential Zone, subject to certain conditions.

2020-0045 Christine Williams, 1515 East 14th Street, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to Lift Condition No. 4 be denied and recommend amending Condition No. 4 as follows:

2020-0079 Douglas Street, LLC c/o Jason Geraci, 811 Douglas Street, Lift Condition No. 4 from Ordinance No. 11363 of previous Case No. 2002-0132 be denied, and recommend amending Condition No. 4 of Ordinance No. 11363, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the Special Exceptions Permit for a Residential Planned Unit Development be approved as follows:

2020-0080 Kristina Mallo, 811 O'Grady Drive, for a Residential Planned Unit Development, subject to certain conditions.

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) Amending Article V, Zoning Regulations, Division 5, R- T/Z Residential Townhouse Zero Lot Line Zone to delete the maximum density requirements and to establish minimum lot size requirements for single-family detached and townhouse dwellings, and to permit a maximum of four multiple single-family detached dwellings on one lot within the Urban Overlay Zone.
- b) Amending Article XVI, Downtown Chattanooga Form-Based Code, relative to recommended improvements based on the one year review.

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,

August 11, 2020,

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 _____ 2020.

Nicole Gwyn
Clerk to the City Council

