

Districts 5 & 6

ORDINANCE NO. 13289

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE III,
ZONING AND BOUNDARIES, TO ADD A NEW DIVISION 6,
LOVELL FIELD GATEWAY OVERLAY ZONE.

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, to add a new Division 6, Lovell Field Gateway Overlay Zone as follows:

Sec. 38-14. - Lovell Field Gateway Overlay Zone Regulations.

- 1) **Intent.** The intent of the Lovell Field Gateway Overlay Zone is to realize the primary objectives of “BRAINERD . . . a vision for Today” – the community’s master plan. Adopted by the Chattanooga City Council in 2011, the Plan’s goal is to create a vibrant town center along Brainerd Road that is well connected to adjacent neighborhoods. Specific issues and opportunities identified in the community’s master plan and in meetings by the Brainerd community include:
 - a) Poor visual quality in the corridor attributed to: sign clutter, overhead utility poles and electrical lines, lack of street trees, varying building setbacks, and poor quality building designs.
 - b) Poor walkability and pedestrian connectivity due to: large parking lots and multiple curb cuts, gaps in the sidewalk network, and lack of landscaping along the street and in parking lots.
 - c) Unsafe cycling conditions due to: multiple car/bicycle conflict points from numerous curb cuts, high traffic speeds, and lack of dedicated bike lanes.
 - d) Enhance the corridor as it acts as a Gateway into the City of Chattanooga.

2) **Applicability.**

- a) The regulations of this Lovell Field Gateway Overlay Zone shall supplement the regulations of the underlying zoning for all properties within the Overlay Zone area, except single-family residential properties are exempt from the Overlay Zone.
- b) Where the following Overlay Zone regulations conflict with a standard set out in Chapter 8 – Aviation, the regulations of Chapter 8 shall prevail.
- c) All other City codes, as currently adopted, apply to properties within the Lovell Field Gateway Overlay Zone, except where noted.
- d) The following regulations apply to ALL properties within the Figure 1. Lovell Field Gateway Overlay Zone Map. Primary roads within this Zone are Airport Road and Shepherd Road/Airport Connector Road.
- e) Properties within the Lovell Field Gateway Overlay Zone are exempt from the street yard regulations of the Chattanooga Landscape Ordinance as applied to Airport Road and Shepherd Road/Airport Connector Road's edge of rights-of-way. The Chattanooga Landscape Ordinance street yard regulations apply to side street frontages.
- f) Properties which choose to pursue dedication of streetscape land to the City of Chattanooga shall adhere to the following regulations:
 - i) Improvements shall be installed prior to the start of the property dedication process; and
 - ii) The City will provide fair market value for property acquisition, if a judge requires this process; and
 - iii) All discussions for streetscape property dedication to the City of Chattanooga shall begin with the City of Chattanooga Department of Transportation.
- g) The Overlay Zone Regulations are divided into two categories: New Development and Redevelopment. The regulations of this Section shall apply to these two categories as follows:
 - i) All New Development, both public and private which constitutes one or more of the following situations:
 - (1) Where a building expansion increases the building footprint by more than fifty percent (50%).
 - (2) Where a parking lot or other pavement expansion of at least ten (10) spaces increases the total number of spaces or paved surface by more than fifty percent (50%).

- ii) Redevelopment shall constitute both public and private projects. For existing buildings and parking facilities, expansion in building footprint or parking spaces will trigger Redevelopment regulations based on the cumulative scope of work as established below.

h) Regulations Table (Based on Scope of Work)

Building Expansion = Regulations (Cumulative Square Footage)	Parking Lot Expansion = Regulations (10 Spaces or More)
< 10% = Utility screening	< 10% = Utility screening
10% to 25% = Utility Screening, plus Signage update	10% to 25% = Utility Screening, plus Signage update, plus All parking additions
>25% to 50% = Utility screening, plus Signage update, plus ½ of Existing parking and all parking additions	>25% to 50% = Utility screening, plus Signage update, plus ½ of Existing parking and all parking additions
> 50% = Everything	> 50% = Everything

i) Building Expansion

- (1) Where a building expansion increases building footprint less than ten percent (10%), the entire property shall comply with the Screening of Utilities regulations of this chapter in Section (5)(m).
- (2) Where a building expansion increases building footprint at least ten percent (10%) but no more than twenty-five percent (25%):
 - (a) The entire property shall comply with the Screening of Utilities regulations in Section (5)(m), and
 - (b) The entire property shall comply with all Signage regulations per this chapter, Sections (5)(i),(5)(j),(5)(k).
- (3) Where a building expansions increases building footprint more than twenty-five percent (25%) but no more than fifty percent (50%):
 - (a) The entire property shall comply with the Screening of Utilities regulations in Section (5)(m);
 - (b) The entire property shall comply with all Signage regulations of this chapter, Sections (5)(i),(5)(j),(5)(k);
 - (c) Fifty percent (50%) of the existing parking lot and all of any expanded portions of the parking lot shall comply with the Parking lot regulations, Sections (4)(d); and

- (4) Where a building expansion increases building footprint more than fifty percent (50%), the entire property shall comply with all regulations of this Division.
- ii) **Parking Lot Expansion**
 - (1) Where a parking lot expansion of at least ten (10) spaces increases the total number of parking spaces by less than ten percent (10%), the entire property shall comply with the Screening of Utilities regulations in Section (5)(m).
 - (2) Where a parking lot expansion of at least ten (10) spaces increases the total number of parking spaces by at least ten percent (10%) and no more than twenty-five percent (25%):
 - (a) The entire property shall comply with the Screening of Utilities regulations in Section (5)(m);
 - (b) The entire property shall comply with all Signage regulations per this chapter, Sections (5)(i),(5)(j),(5)(k); and
 - (c) The expanded portion of the parking lot shall comply with the Parking Lot regulations, Sections (4)(d).
 - (3) Where a parking lot expansion of at least ten (10) spaces increases the total number of parking spaces more than twenty-five percent (25%) but no more than fifty percent (50%):
 - (a) The entire property shall comply with the Screening of Utilities regulations in Section (5)(m);
 - (b) The entire property shall comply with all Sign regulations per this chapter, Sections (5)(i),(5)(j),(5)(k);
 - (c) The expanded portion of the parking lot and fifty percent (50%) of the existing parking lot shall comply with the Parking Lot regulations, Sections (4)(d); and
 - (4) Where a parking lot expansion of at least ten (10) spaces increases the total number of parking spaces more than fifty percent (50%), the entire property, including the expanded parking lot portion, shall comply with all regulations of this Division.
 - iii) All signs shall adhere to all Sign regulations of this chapter, Sections (5)(i),(5)(j),(5)(k), as signs are replaced, repaired, and/or added.
- 3) **Maintenance.** Maintenance of the improvements required in the Lovell Field Gateway Overlay Zone shall be the responsibility of the property owner.

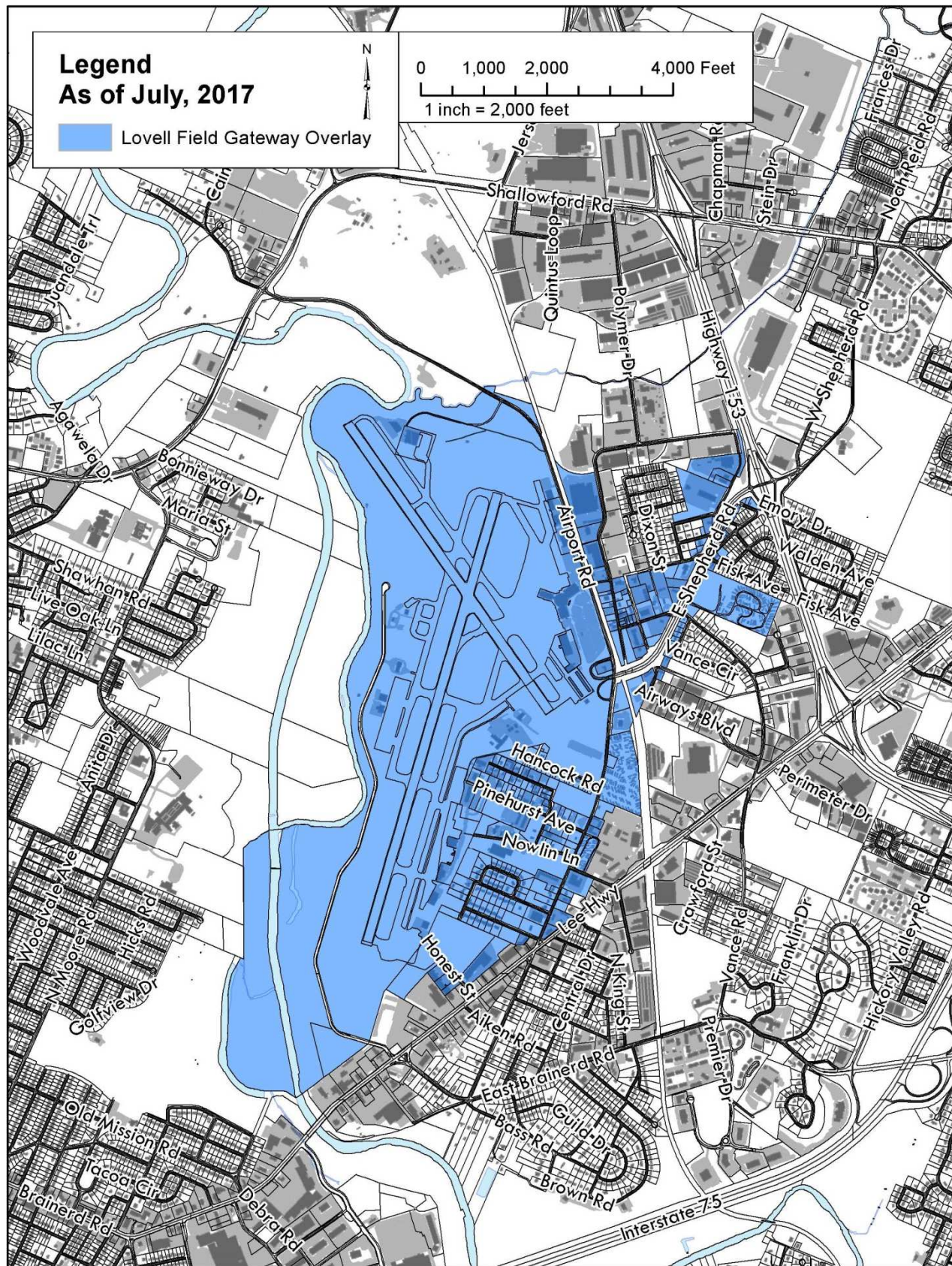


Figure 1. Overlay Zone Map

Figure 2. Redevelopment Profile Diagram



4) **Redevelopment.** See Figure 2. Redevelopment Profile Diagram.

- a) Redevelopment that fronts Airport Road and Shepherd Road/Airport Connector Road shall comply with the following sections:
 - i) **Building Height** as defined in Section (5)(h)(ii),
 - ii) **Building Materials** as defined in Section (5)(h)(iv),
 - iii) **On-premise Building Signs** as defined by Section (5)(i),
 - iv) **On-premise Monument Signs** as defined by Section (5)(j), and
 - v) **Off-premise Billboard Signs.** Off-premise billboard signs shall not be permitted.
 - vi) **Screening of Utilities** as defined in Section (5)(m).
- b) **Front Setback.** Buildings shall have a maximum front setback of twenty-six (26) feet and minimum setback of eighteen (18) feet.
- c) **Curb Cuts.**
 - i) A net increase in the number of curb cuts shall not be permitted along Airport Road and Shepherd Road/Airport Connector Road.
 - ii) Property owners shall meet with the Chattanooga Department of Transportation to discuss consolidating existing driveways and curb cuts.
- d) **Parking Lot Regulations**

i) **Perimeter Screening of Existing Parking Lots.**

(1) **Location.** Screening materials shall be placed parallel to the edge of the Bike/Pedestrian Zone, accommodating curb cuts and behind the traffic sight triangle at intersections and driveways. See the Chattanooga City Code (Section 32-34) for sight triangle distance regulations.

(2) **Dimensions.**

(a) Screening shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade, and shall be nearly opaque to screen the parking from view.

(b) Height is measured from the grade level of that which is being screened.

(c) When landscape is used, the planting area shall have a minimum horizontal depth of four (4) feet.

(3) **Materials.**

(a) Perimeter screening of existing parking lots shall consist of perimeter landscape plantings, decorative masonry wall, or a combination of a decorative fence and landscape shrubs, approved by the City Landscape Architect.

(b) All shrubs shall be installed at a minimum height of twenty-four (24) inches and spaced to create a complete screen within three (3) years after planting.

(c) Landscape shrubs shall be maintained to achieve the minimum height of three (3) feet above grade or one hundred percent (100%) coverage shall be achieved within three (3) years of planting. Seventy-five percent (75%) of the plant material should be evergreen. If coverage is not obtained within three (3) years, supplemental plantings shall be required.

ii) **Shade Trees in Parking Lot.**

(1) In addition to minimum Chattanooga Landscape Ordinance regulations, Parking Lot Shade Trees shall be provided at a minimum rate of one (1) two and one-half (2.5) inch caliper tree for every seven (7) parking spaces.

(2) If there is insufficient space to provide the required quantity of two and one-half (2.5) inch caliper shade trees due to conflicts with utilities, easements, or existing underground structures, a lesser quantity of larger caliper trees shall be provided. The quantity of larger trees shall be determined by calculating the total caliper inches required. Any combination of larger caliper trees shall be provided to meet that total. (For example, ten (10) two and one-half (2.5) inch caliper trees shall be required for seventy (70) parking spaces, therefore a total of twenty-five (25) caliper inches shall be provided through any combination of larger sized trees.)

(3) A shade tree shall be provided within forty (40) feet of every parking space, to ensure shade coverage throughout the parking lot.

iii) **Parking Location.** See Section (5)(l)(i). *Note that the location regulations only apply to new or expanded parking facilities, not the existing parking lot.*

iv) **Parking Space Regulations.** See Section (5)(l)(ii).

- v) **Off-Site Parking.** See Section (5)(l)(iii).

Figure 3. New Development Profile Diagram



5) **New Development.** See Figure 3. New Development Profile Diagram.

- a) **Front Setback.** Buildings shall have a maximum front setback of twenty-six (26) feet and minimum setback of eighteen (18) feet.
- b) **Curb Cuts.**
 - i) Only one (1) Airport Road and Shepherd Road/Airport Connector Road curb cut per one hundred fifty (150) linear feet of street frontage is permitted.
 - ii) Property owners shall meet with the Chattanooga Department of Transportation to discuss consolidating existing driveways and curb cuts.
- c) **Elements Not Permitted.** The following shall not be permitted in the Front Setback: parking, chain link or slat fence, drive lanes, HVAC equipment and dumpsters.
- d) **Front Setback Materials.**
 - i) Shall not include paved surfaces.
 - ii) May include lawn, shrubs, green infrastructure, street trees, bus shelters, road signage, street and pedestrian lighting.
 - iii) **Green Infrastructure (landscaped planters, bioswales, etc.).** All development shall adhere to the City's water quality regulations. Refer to City of Chattanooga's Code, Chapter 31 and the City's Rainwater Management Guide for Green Infrastructure applications.
- e) **Street Trees.**

- i) **Dimensions/ Location.** When warranted, dimensions and locations of street trees shall be specified by Chattanooga Department of Transportation.
 - ii) The City's Urban Forester shall approve all of the following:
 - (1) Selection of all trees; and
 - (2) Removal or pruning of street trees; and
 - (3) Construction or demolition of any buildings fronting the Zone to ensure the protection of existing trees.
- f) **Bus Shelters.**
- i) The Chattanooga Department of Transportation (CDOT) will determine if a bus shelter is needed, based on a consultation with the Chattanooga Area Regional Transportation Authority (CARTA).
 - ii) Coordinate the placement, design, lighting and construction of bus shelters with the CARTA and the CDOT.
- g) **Lighting.**
- i) When warranted, pedestrian and street light design, type, spacing and mounting height shall be determined by the Chattanooga Department of Transportation and the Electric Power Board.
 - (1) New lighting in the Front Setback shall be aligned with the street trees and parallel to the edge of right-of-way.
 - (2) Exterior lighting shall be equipped with full cut-offs to direct light downward and to minimize glare, shadows, night sky pollution, and excessive light levels.
- h) **Storefront/Building Zone.**
- i) **Dimensions / Location.**
 - (1) **Location.** The Storefront/Building Zone is located between the minimum eighteen (18) feet setback and the maximum twenty-six (26) feet setbacks fronting Airport Road and Shepherd Road/Airport Connector Road.
 - (2) **Width.** Eight (8) feet maximum.
 - (3) **Elements Not Permitted.** The following are not permitted in the Storefront/Building Zone: parking, chain link or slat fence, drive lanes, HVAC equipment and dumpsters.
 - ii) **Building Height.**
 - (1) No maximum building height.
 - (2) The minimum building height for properties fronting Airport Road and Shepherd Road/Airport Connector Road shall be eighteen (18) feet.
 - iii) **Building Placement.**

- (1) **Front Setback.** Buildings shall have a maximum front setback of twenty-six (26) feet and a minimum setback of eighteen (18) feet fronting Airport Road and Shepherd Road/Airport Connector Road.
 - (2) Primary building entries shall be clearly identifiable and visible from the street.
- iv) **Building Materials.**
- (1) Pre-engineered metal buildings shall be prohibited.
 - (2) Use brick, natural and architectural cast stone, architectural pre-cast concrete, glass, glass block, architectural metal panel systems, or concrete masonry units with an architectural coloration or finish on the ground floor of building facades to provide interest for the pedestrian.
 - (3) Other materials may be used on the upper floors.
 - (4) Metal siding, aluminum siding, vinyl siding, synthetic rock, EIFS (synthetic stucco), or other similar exterior materials shall not be used for large expanses of facades. They may be used as accents.
 - (5) Hard plastic awnings shall not be used. Awnings, when applied, shall consist of flexible canvas, acrylic, or vinyl coated material.
- i) **On-premise Building Signs.**
- i) Within this Overlay Zone, the following regulations are applicable in addition to the general Advertising Provisions in Chapter 3 of the Chattanooga City Code.
 - ii) A City of Chattanooga Sign Permit is still required.
 - iii) Structural regulations in the Chattanooga Sign Ordinance still apply to the Lovell Field Gateway Overlay Zone.
 - iv) The Lovell Field Gateway Overlay Zone is exempt from all dimensions, location and type regulations in the Chattanooga Sign Ordinance.
- v) **Dimensions.**
- (1) Signs on any one (1) side of a building, shall not exceed one and one half (1.5) square feet per linear foot of that building side. Awnings and permanent banners used for advertising are considered part of the building signage and square footage calculation.
 - (2) Projecting signs shall not exceed sixteen (16) square feet in area.
 - (3) Signs painted on windows shall not cover more than twenty percent (20%) of the total window area.
- vi) **Location.**
- (1) Projecting signs shall be located a minimum of 12 inches below the second story window sill or top of the building, whichever is lower.
 - (2) Signs shall be located to fit within the architectural elements such as in the lintel or sign frieze that separates the ground level from the upper facade, on the upper facade walls, or projecting from the face of the building.

- (3) Signs shall not obstruct the architectural elements and details of a building.
- (4) Wall signs shall be placed such that they align with other signs on the block.
- (5) Roof signs shall not be incorporated.
- (6) For buildings with multiple tenants, signs shall be located only on the portions of the building directly outside the area occupied by that tenant or contained within consolidated directories, as defined in the City Sign Ordinance.

vii) Type.

- (1) Signs shall be illuminated by indirect lighting. Internally illuminated box-type plastic signs shall not be permitted, but signs composed of illuminated individual letters shall be permitted.
- (2) Temporary signs or banners, regardless of size, shall only remain in place for 30 days and require a sign permit, per the Chattanooga Sign Ordinance.
- (3) Mass produced neon signs shall not be permitted.

j) On-premise Monument Signs.

i) Monument Sign.

- (1) A monument sign is defined as an advertising or identification device that is ground mounted and constructed so that there is no space between the ground and the bottom of the device.
- (2) One monument sign is permitted per parcel.
- (3) Pole-mounted signs shall not be permitted.

ii) Dimensions/ Location.

- (1) Monument signs shall not exceed six feet (6') in height or ten feet (10') in width. Signs shall not exceed twenty-five (25) square feet per face and total sign area shall not exceed fifty (50) square feet total of all faces. Height is measured from the top of the sign to the lowest point of the ground upon which the proposed sign is to be located.
- (2) Monument signs shall not be located in the sight distance triangle or otherwise obstruct lines of sight for vehicular or pedestrian traffic.
- (3) Monument signs shall not be closer than eighteen (18) feet to any right-of-way.

iii) Materials. Materials that match the materials of the associated building shall be used.

iv) Illumination.

- (1) Signs shall be illuminated by indirect lighting. Internally illuminated box-type plastic signs shall not be permitted, but signs composed of illuminated individual letters shall be permitted.

k) Off-premise Billboard Signs. Off-premise billboard signs shall not be permitted.

Figure 4. Parking Zone Behind Buildings



l) **Parking Zone.**

i) **Location.**

- (1) The Parking Zone is located to the rear of buildings.
- (2) New parking shall not be permitted between a building and the Airport Road and Shepherd Road/Airport Connector Road frontage.
- (3) If all new parking cannot be accommodated to the rear of the building, parking on the side of the building may be allowed if it is screened from the public right-of-way as described in Section (4)(d).
- (4) Parking areas shall be connected to parking and access drives of adjacent properties to provide cross-connection. Fences and other barriers shall be removed that prevent interconnection for cars and pedestrians.
- (5) Garages for new residential dwellings shall be located behind the primary building.

ii) **Parking Space Regulations**

- (1) Reference Table 1700 (Article V, Section 38-471) and the underlying Zone for the required number of parking spaces.
- (2) The number of spaces provided shall not exceed the required number of spaces by more than fifty percent (50%).
- (3) **Parking Discounts.** The City's Department of Transportation (CDOT) may allow the following discounts for required car parking spaces. Applicants should schedule a consultation with CDOT to determine potential parking discounts.
 - (a) Bicycle. One (1) car parking space may be discounted for every bicycle parking space required.

- (b) **Pedestrian.** If the development connects via new or existing sidewalks to an established sidewalk grid that links multiple land uses (i.e. commercial, residential, office), a ten percent (10%) discount may be applied.
- (c) **Transit.** If the development is located within one-quarter (¼) mile of an established transit stop, a ten percent (10%) discount may be applied.
- (4) **Shared Parking.** Parking space discounts may be applied to developments that share parking with facilities serving other uses according to the following chart:

	Residential	Lodging	Office	Retail	Institution
Residential	0%	10%	30%	20%	30%
Lodging	10%	0%	50%	30%	20%
Office	30%	50%	0%	20%	50%
Retail	20%	30%	20%	0%	30%
Institution	30%	20%	50%	30%	0%

- (a) Shared parking discounts are applied before multi-modal discounts
- (b) To apply shared parking discounts for facilities on separate parcels, a legal agreement between property owners guaranteeing access to and use of designated parking areas is required.

iii) **Off-Site Parking**

- (1) Forty percent (40%) of required car parking spaces, except required accessible spaces, may be located off-site if the remote parking area is located within 700 feet from the primary entrance of the facility served.
- (2) On-street parking spaces may be counted as required parking spaces provided the on-street spaces abut the subject property.

iv) **Parking Lot Lighting**

- (1) All parking lot lighting shall be equipped with full cut-offs to direct light downward and to minimize glare, shadows, night sky pollution, and excessive light levels.
- (2) Light spill on neighboring property shall not be permitted.
- (3) Maximum mounting height of light fixtures in parking lots shall be twenty (20) feet.

v) **Shade Trees / Landscape / Green Infrastructure.**

- (1) All development shall adhere to the City's water quality regulations. Refer to City of Chattanooga's Code, Chapter 31 and the City's Rainwater Management Guide for Green Infrastructure applications.
- (2) See Section (4)(d) for required parking lot shade tree regulations.

- m) **Screening of Utilities.** Completely screen dumpsters, loading areas, mechanical equipment, outdoor storage areas, and other visible utilities with an opaque wall or fence as follows:

- i) The height of the screen shall be a minimum of six (6) feet, or twelve (12) inches taller than the object, whichever is higher, and adequate to completely conceal the dumpster or equipment.
- ii) Chain link fences or slats shall not be permitted.
- iii) Screens shall consist of masonry, stucco, stone, wood, or decorative metal.
- iv) Landscaping, including shrubs, trees, perennials, or green screens, shall be added to screening to soften the appearance of screening walls or fences.

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: March 20, 2018

VICE-CHAIRMAN

APPROVED:____ DISAPPROVED:____

MAYOR

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