

ORDINANCE NO. 11458

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE III, SO AS TO ADD A NEW SECTION 105, TO INCORPORATE NEW LANGUAGE RELATIVE TO AN URBAN OVERLAY ZONE.

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WHEREAS, The Chattanooga-Hamilton County Regional Planning Commission has identified special characteristics of downtown Chattanooga and its surrounding neighborhoods; and

WHEREAS, There is a need to maintain the physical layout of this urban area and the overlay zone will not change or amend the underlying zoning classification within the Urban Overlay Zone; and

WHEREAS, An overlay zone has been created to allow alteration of existing zoning standards within this area; and

WHEREAS, The Chattanooga-Hamilton County Regional Planning Commission has adopted a resolution on August 11, 2003, recommending the adoption of an Urban Overlay Zone to the Chattanooga City Council;

NOW, THEREFORE,

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

SECTION 1. BE IT ORDAINED, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, within Article III, be amended to add a new Section 105, as follows:

**Article III, Zones and Boundaries, be amended by adding a new Section 105 as follows:**

105. Urban Overlay Zone.

Intent: As downtown Chattanooga and its surrounding neighborhoods have a different development pattern than the rest of the city, the Urban Overlay Zone has been created to maintain the physical layout of this older urban area. This layout generally includes sidewalks, public transit routes, available on-street parking, and smaller lots. This Urban Overlay Zone, as defined by the attached map and legal description, is generally bounded by Missionary Ridge on the east, North Chattanooga to the north, the base of Lookout Mountain to the west and the state line to the south. An overlay zone is a tool to deal with special requirements and is placed over the existing zoning to alter some of the regulations. The overlay does not change the permitted uses, yard, landscaping, and height and access requirements present in the underlying zone

The Urban Overlay Zone contains that area described herein:

BEGINNING at the intersection of the southeast corner of Tax Map 154-015, being The Chickamauga National Military Park, and the Tennessee Georgia State Line, thence following the east line of said parcel northeastwardly and northwestwardly to its intersection with the west line of the 4000 block of Jo Conn Guild Trail, thence some 40 feet east to the east line of said Trail, thence northeastwardly and northwestwardly along said east line to the southwest corner of Tax Map 155O-B-007, thence following the west line of parcel 007 to the southwest corner of Tax Map 155J-C-051, thence along the west line of parcel 051 to its north corner thence northeast to the southeast corner of Tax Map 155J-C-038, thence along the south line of parcel 038 to its southwest corner, thence along the west line of parcel 038 to the southwest corner of Tax Map 155J-C-039, thence northeast along the west line of parcel 039 to the northeast corner of Tax Map 155J-C-037, thence northwest to the southeast corner of Tax Map 155J-C-036, thence northeast along the east line of parcel 036 to its northeast corner, thence northwest to the southwest corner of Tax Map 155J-C-009, thence northeast along its west line to the northwest corner of parcel 009 and the south line of the 1800 block of Old Wauhatchie Pike, thence northwest across said pike to the southeast corner of Tax Map 155J-B-004, thence northeast along the east line of parcel

004 to the southeast corner of Tax Map 155J-B-001, thence to the northeast corner of parcel 001 and the south line of the 1900 block of Cummings Highway, thence northeast across said highway to the southwest corner of Tax Map 155G-A-0-14, thence northwest to the north line of Interstate 24 and the south line of the Tennessee River, then following the meanderings of said river northeastwardly to the northeast corner of Tax Map 145O-A-001, thence northwest along the north line of parcel 001 to its northwest corner and the east line of the Tennessee River, thence following the meanderings of the Tennessee River northwestwardly and northeastwardly to the center line of the Unit Block of Highway 27, thence northwestwardly along the center line of said highway to the center line Highway 27 at Whitehall North Bound Off Ramp, thence northeastwardly along said center line to its intersection with the center line of the 900 block of East Frontage Road, thence northeastwardly along said center line to its intersection with the City of Chattanooga/City of Red Bank City Limits Line, thence following said line northeastwardly and southeastwardly to the southeast corner of Tax Map 126E-B-019, thence southwardly to the center line of the 500 block of West Oxford Road, thence continuing southeast along said road to its intersection with the center line of the 1600 block of White Oak Road, thence northeast along the center line of White Oak Road to its intersection with the center line of Auburndale Avenue, thence continuing southeast along White Oak Road to its intersection with the center line of the 700 block of Dallas Road, thence northeast along the center line of Dallas Road to its intersection with the center line of the 1000 block of East Dallas Road, thence southeast along the center line East Dallas Road to its intersection with the 1200 block of Duane Road, thence continuing northeast along the center line of the 1200 block of East Dallas Road to its intersection with the center line of the 1800 block of Hixson Pike, thence southeast along the center line of Hixson Pike to its intersection with the center line of the 1300 block of Shady Circle, thence northeast along the center line of Shady Circle to its intersection with the center line of the 1600 block of Shady Circle, thence southeast along the center line of said circle to its intersection with the center line of the 1500 block of Sunset Road, thence southeastwardly and southwestwardly along said road to its intersection with the 1400 block of Riverview Road, thence southwest along Riverview Road to its intersection with the center line of the 1300 block of Falmouth Road, thence continuing southwestwardly along the center line of said road to its intersection with the center line of the 1200 block of Hixson Pike,

thence southwest along the center line of said pike to its intersection with the southwest line of the 1300 block of Dorchester Road, thence southeastwardly to the northeast corner of Tax Map 136G-A-001, thence southwest along the north line of parcel 001 to its northwest corner, thence southeast along the west line of said parcel to the southeast corner of Tax Map 136H-M-022, thence southwest along the south line of parcel 022 to the northeast corner of Tax Map 136H-J-038.01, thence southeast along the east line of said parcel to the north line of Tax Map 136H-J-015.10, thence southwest along the north line of parcel 015.10 to the southwest corner of Tax Map 136H-J-015.04, thence northwest to the northeast corner of Tax Map 136H-J-015.14, thence southwest along the north line of said parcel to the northwest corner of said parcel, thence northeast to the northeast corner of Tax Map 135E-N-021, thence northwest along the north line of parcel 021, thence south to the south line of the 200 block of Dickerson Avenue, thence southwestwardly and northwestwardly to its intersection with the east line of the Unit Block of Georgian Avenue, thence southwest along the east line of Georgia Avenue to the south line of the Tennessee River, thence northeast along the south line of said river to the northeast corner of Tax Map 136P-A-001, thence southeast along the east line of parcel 001 to the north line of the 1000 block of Riverside Drive, thence southeast across said drive to the northeast corner of Tax Map 136P-D-001, thence southeast to the south line of the Southern Railway Right-of-way, thence following the south line of said railway right-of-way southeastwardly and northeastwardly to the south line of the 2100 block of Sims Street, thence southeast along the south line of Sims Street to the northeast corner of Tax Map 128P-G-001, thence southwest along the east line of parcel 001 to its southeast corner, thence southeast to the northeast corner of Tax Map 128P-G-002, thence southeast along the east line of parcel 002 to the north line of the 2300 block of Allin Street, thence southeast to the intersection of the center line of the 2300 block of Allin Street with the center line of the 2300 block of Searle Street, thence southeast along the center line of Searle Street to its intersection with the center line of an unnamed right-of-way, thence southeast along said right-of-way to its intersection with the center line of the 3200 block of Wheeler Avenue, thence southwestwardly along said avenue to its intersection with the center line of the 2400 block of Elmendorf Street, thence southeast to the center line of the 3100 block of North Chamberlain Avenue, thence southwest along the center line of said avenue to its intersection with the center line of an unnamed right-of-way,

thence southeast along said right-of-way to its intersection with the center line of the 3100 block of Noa Street, thence southeast across said right-of-way to the northwest corner of Tax Map 128P-N-022 thence southeast following the north property lines of Tax Maps 128P-N-022, 128P-N-017 and 128P-N-013 to the west line of the 3100 block of Campbell Street, thence southeastwardly to the center line of Campbell Street, thence following the center line of said street southwestwardly and to its intersection with the 700 block of North Crest Road, thence following southeastwardly and southwestwardly along the center line of said road, thence across said road to the northeast corner of 137H-G-006, thence following the west property lines of Tax Maps 137H-G-006 and 137I-A-042 to the north line of Tax Map 137I-B-008, thence southeast to the west line of the 500 block of North Crest Road, thence southwest across North Crest Road to its intersection with the east line of the 2000 block of Marshall Street, thence southwest along the east line of said street to its intersection with the south line of the 1900 block of Marshall Street, thence southeast along the south line of said street to the northeast corner of Tax Map 137P-A-006, thence following the western property lines of Tax Maps 137P-A-004.01, 137P-A-006, 137P-A-007, 137P-A-007.01, 137P-A-009 thru 137P-A-023, 146D-M-001 thru 146D-M-008, 146E-K-001, 146E-K-002.01, 146E-K-002.02, 146E-K-003 thru 146E-K-011, 146E-K-013, 146E-K-015 thru 146E-K-017, and 146L-J-001 thru 146L-J-005 to the northwest line of the unit block of Shallowford Road, thence southwest to the northwest corner of Tax Map 146L-H-003, thence southeast to the northwest corner of Tax Map 146L-H-005, thence following the western property lines of Tax Maps 146L-L-005 thru 146L-L-010 and 146L-L-012 thru 146L-L-017 southwestwardly and southeastwardly to intersection of the east line of the 2900 block of Birds Mill Road with the west line of the unit block of North Crest Road, thence continuing southwest along North Crest Road to the northeast corner of Tax Map 146M-D-002, thence northwest along the north line of said parcel to its northwest corner, thence following the western property lines of Tax Maps 146M-D-002 thru 146M-D-009, 146M-D-010.02, 146M-D-011 thru 146M-D-014, 156D-C-002, 156D-C-003, 156D-C-007 thru 156D-C-011, and 156D-C-013 thru 156D-C-019 southwestwardly to the west line of South Crest Road, thence southwest along the west line of said road to the northwest corner of Tax Map 156F-P-009, thence following the western property lines of Tax Maps 156F-P-001 thru 156F-P-009, 156K-H-001, 156K-H-002, 156K-H-003.01, 156K-H-004.01, 156K-H-005 thru 156K-H-007.01, 156K-H-010 thru 156K-H-012, 156K-H-013.01,

156K-H-014.01, 156K-H-015, and 156K-H-016 southwestwardly to the east line of the 2100 block of Old Ringgold Road, thence southwest across said road to the northeast corner of Tax Map 156K-G-011, thence following the eastern property lines of Tax Maps 156K-G-011 thru 13 southwestwardly to the southwest corner of Tax Map 156N-D-001.02, thence southeast along the south line of parcel 001.02 to the northwest corner of 156N-D-002, thence following the eastern property lines of Tax Maps 156N-D-008 thru 156N D 015.01 to the east line of the 2900 block of Westside Drive, thence southeast along said drive to the north corner of Tax Map 168C-C-001, thence southwest following the eastern property lines of Tax Maps 168C C 001, 168C C 001.01, and 168C C 014 thru 168C C 022, thence northeast along the south line of Tax Map 168C-C-014 to the east line of the 3100 block of Westside Drive, thence southwest across said drive to the northeast corner of Tax Map 168C-B-016, thence following the western property lines of Tax Maps 168C-B-016 thru 019 southwestwardly to the northwest corner of Tax Map 168C-B-020, thence southeast to the west line of the 500 block of West Shadowlawn Drive, thence southeast across said drive to the northwest corner of Tax Map 168J-T-014.01, thence southeast to the northwest corner of Tax Map 168J-T-014, thence southwest following the western property lines of Tax Maps 168J-T-014 thru 168J-T-018, 168J-T-020 thru 168J-T-027, and 168J-T-029 to the north line of Tax Map 168J-T-001, thence southeast along the north line of parcel 001 to the northwest corner of Tax Map 168J-T-032, thence southwest following the western property lines of Tax Maps 168J-T-032, 168J-T-034, 168O-N-001 thru 168O-N-005, 168O-N-016 and 168O-N-017, thence southeast to the Tennessee/Georgia State Line, thence following said line southeast to the southeast corner of Tax Map 154-015, being The Chickamauga National Military Park, the point of BEGINNING.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage, as provided by law.

PASSED on Third and Final Reading

September 16, 2003.

S/ \_\_\_\_\_

CHAIRPERSON

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

DATE: September 19, 2003

S/ \_\_\_\_\_

MAYOR

Reviewed By: s/ \_\_\_\_\_

*David Eichenthal*

AKS/pm

