

1ST READING 3-10-09
2ND READING 3-17-09
INDEX NO.

ORDINANCE NO. 12218

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, ARTICLE V, SECTION 1210 TO DEFINE OPEN SPACE FOR RESIDENTIAL PLANNED UNIT DEVELOPMENT.

WHEREAS, Planning Agency staff has determined a need for defining open space within Planned Unit Development: Residential (PUD) regulations; and,

WHEREAS, such explanation should be incorporated within Article V, Section 1210 of the Planned Unit Development Residential, Open Space Requirements regulations.

WHEREAS, The Chattanooga-Hamilton County Regional Planning Agency has recommended that Article V, Section 1210 be amended by adding the following:

- (3) Open Space shall be defined as an area suitable for passive recreational use or which provides an area of beautification and landscaping, exclusive of detention ponds, retention ponds, flood-control channel rights-of-way, area devoted to parking, vehicular traffic, or private use, and any other area which does not significantly lend itself to the overall benefit of either the particular development or surrounding environment. Retention and detention ponds *may* be included if they are designed as part of a pedestrian-accessible passive park with the following amenities as a minimum: pond fountain (for retention ponds only), benches, and walking path. Detention ponds shall be planted with grass or other live ground cover so as to contribute to the green open space character when the detention pond is dry. Additional amenities may be permitted.

Retention Pond

A pond or pool used for the *permanent* storage of water runoff.

Detention Pond

A pond or pool used for the *temporary* storage of water runoff and which provides for the controlled release of such waters.

NOW, THEREFORE

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ordinance No. 6958, known as the Zoning Ordinance be and hereby is amended by adding the following to Article V, Section 1210:

- (3) Open Space shall be defined as an area suitable for passive recreational use or which provides an area of beautification and landscaping, exclusive of detention ponds, retention ponds, flood-control channel rights-of-way, area devoted to parking, vehicular traffic, or private use, and any other area which does not significantly lend itself to the overall benefit of either the particular development or surrounding environment. Retention and detention ponds *may* be included if they are designed as part of a pedestrian-accessible passive park with the following amenities as a minimum: pond fountain (for retention ponds only), benches, and walking path. Detention ponds shall be planted with grass or other live ground cover so as to contribute to the green open space character when the detention pond is dry. Additional amenities may be permitted.

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

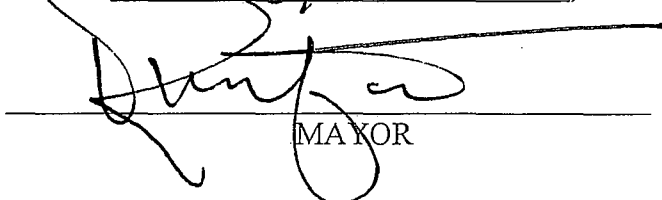
PASSED on Second and Final Reading

March 17, 2009.


CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: 3/23, 2009


MAYOR