

1ST READING 9-8-09
2ND READING 9-15-09
INDEX NO. _____

ORDINANCE NO. 12282

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SECTION 38-84, REGARDING THE USE OF THE URBAN OVERLAY ZONE WITHIN R-TZ RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE.

WHEREAS, urban standards are needed modifications to allow for urban forms of development within the Urban Overlay Zone; and

WHEREAS, patio homes, small lot homes, and townhomes are traditionally urban forms of development; and

WHEREAS, modifying the R-T/Z Residential Townhouse/Zero Lot Line Zone to allow reduced setbacks and lot widths and greater density will support desired and needed development; and

WHEREAS, a density of 12 dwelling units an acre has been identified in several plans as an appropriate density for the urban area;

NOW, THEREFORE

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, Section 38-84, Height, Area, and Building Regulations, be and hereby is amended by deleting the subsections (1), (2), (3), (4), (6), (8), and (9) in their entirety and substituting in lieu thereof the following:

- (1) Maximum density outside the Urban Overlay Zone shall not exceed eight (8) units per acre for attached or detached dwelling units. Maximum density within the Urban Overlay Zone shall not exceed twelve (12) units per acre for attached or detached dwellings.
- (2) Minimum lot width for zero lot line or single-family detached units outside the Urban Overlay Zone shall be 35 feet and within the Urban Overlay Zone shall be 25 feet. Minimum lot width for townhouse units

outside the Urban Overlay Zone shall be 24 feet and within the Urban Overlay Zone shall be 18 feet.

- (3) Outside the Urban Overlay Zone, all buildings except detached single-family houses may be set back at least 40 feet from any exterior dedicated public street. The setback may be reduced to 25 feet if Type C Landscaping or equivalent (refer to Landscaping Provisions) is provided along the exterior street(s). Detached single-family houses must be set back at least 25 feet from any exterior dedicated public street.

Within the Urban Overlay Zone, front yard setback requirements for detached single-family housing or townhomes from any exterior dedicated public street shall be equal to the average (mean) setback of existing residential structures located wholly or in part within 300 feet on each side of such lot within the same block face and fronting on the same side of the street, \pm 5 feet. Setbacks on corner lots of a greater distance may be required by the City Traffic Engineer prior to the issuance of any building permit to insure adequate sight triangle visibility.

- (4) Outside the Urban Overlay Zone, no building shall be located less than twenty-five (25) feet from any boundary of the R-T/Z zone except on side-yards where an R-T/Z zone abuts RT-1, RZ-1, R-3, R-4, O-1 or any commercial or industrial zone.
- (5) Outside the Urban Overlay Zone, side yard setback for zero lot line units must be from zero (0) to one and one-half (1.5) feet, or a minimum of ten (10) feet from the adjacent property line if buildings are to be separated over a tenth of a foot. The eave overhang is the only permitted element of the building structure allowed in the one and one-half (1.5) feet setback. The opposite side yard must be at least ten (10) feet and must be kept perpetually free of permanent obstructions (such as accessory buildings).

Within the Urban Overlay Zone, side yard setback for zero lot line units must be from zero (0) to one and one-half (1.5) feet, or a minimum of six (6) feet from the adjacent property line if buildings are to be separated over a tenth of a foot. The eave overhang is the only permitted element of the building structure allowed in the one and one-half (1.5) feet setback. The opposite side yard must be at least six (6) feet and must be kept perpetually free of permanent obstructions (such as accessory buildings).

- (6) Single-family detached dwellings shall be separated by not less than forty (40) feet except ten (10) feet from side to side outside the Urban Overlay Zone. Single-family detached dwellings shall be separated by not less than forty (40) feet except six (6) feet from side to side within the Urban Overlay Zone.

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

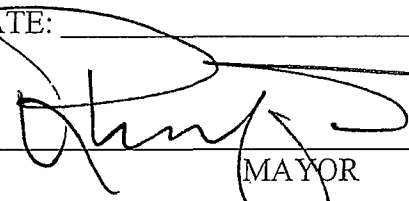
_____ September 15 _____, 2009.



CHAIRPERSON

APPROVED: x DISAPPROVED: _____

DATE: _____, 2009



MAYOR

/mms/add