

1ST READING 5-12-10
2ND READING 5-18-10
INDEX NO. _____

ORDINANCE NO. 12396

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE II, DEFINITIONS AND ARTICLE V, DIVISION 3, RT-1 RESIDENTIAL TOWNHOUSE ZONE, AND DIVISION 5, R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE REGARDING TOWNHOUSES.

WHEREAS, current regulations prohibit two (2) unit townhouses from being adjacent to existing single-family detached dwellings; and

WHEREAS, an adequate landscape buffer would help to soften the placement of 2-unit townhouses adjacent to existing single-family detached dwellings; and

WHEREAS, current regulations prohibiting two (2) unit townhouses from being adjacent to single-family detached dwellings should not apply if the single-family detached dwelling and the 2-unit townhouse are within the same development; and

WHEREAS, it is appropriate for the lot width of townhouse units within the Urban Overlay Zone to be substantially less than those outside of the Urban Overlay Zone.

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, Article II, Section 38-2, be amended so as to delete the definition of Townhouse in its entirety and substitute in lieu thereof the following:

- (2) *Townhouse:* A townhouse is a single-family dwelling unit attached by fireproof common walls to other similar type units, each unit having an open space for light, air, and access in the front and rear. There shall be not less than three (3) nor more than twelve (12) such units connected together.

A two (2) unit townhouse may be permitted if it is part of a townhouse-only or mixed-residential development that consists predominantly of townhouses with three (3) or more units. The

two-unit townhouses should be sited to the interior of a development and shall not be placed adjacent to any existing single-family detached dwelling unless landscaping is provided as required by the Landscaping Ordinance, or Type C landscaping is provided, or a landscape equivalent is provided per the Landscaping Coordinator, or if the existing single-family dwelling and the two-unit townhouse are part of the same development. Two-unit townhouses shall not have frontage on an exterior public street or have a rear or side property line abutting an exterior public street This does not apply to existing duplexes being converted into two (2) unit townhouses for subdivision in fee simple purposes.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Division 3, Section 38-62, RT-1 Residential Townhouse Zone, Permitted Uses, be amended so as to delete subsection (2) in its entirety and substitute in lieu thereof the following:

- (2) *Townhouse:* A townhouse is a single-family dwelling unit attached by fireproof common walls to other similar type units, each unit having an open space for light, air, and access in the front and rear. There shall be not less than three (3) nor more than twelve (12) such units connected together.

A two (2) unit townhouse may be permitted if it is part of a townhouse-only or mixed-residential development that consists predominantly of townhouses with three (3) or more units. The two-unit townhouses should be sited to the interior of a development and shall not be placed adjacent to any existing single-family detached dwelling unless landscaping is provided as required by the Landscaping Ordinance, or Type C landscaping is provided, or a landscape equivalent is provided per the Landscaping Coordinator, or if the existing single-family dwelling and the two-unit townhouse are part of the same development. Two-unit townhouses shall not have frontage on an exterior public street or have a rear or side property line abutting an exterior public street This does not apply to existing duplexes being converted into two (2) unit townhouses for subdivision in fee simple purposes.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Division 5, Section 38-82, R-T/Z Residential Townhouse/Zero Lot Line Zone, Permitted Uses, be amended so as to delete subsection (2) in its entirety and substitute in lieu thereof the following:

- (2) *Townhouse:* A townhouse is a single-family dwelling unit attached by fireproof common walls to other similar type units, each unit having an open space for light, air, and access in the front and rear. There shall be not less than three (3) nor more than twelve (12) such units connected together.

A two (2) unit townhouse may be permitted if it is part of a townhouse-only or mixed-residential development that consists predominantly of townhouses with three (3) or more units. The two-unit townhouses should be sited to the interior of a development and shall not be placed adjacent to any existing single-family detached dwelling unless landscaping is provided as required by the Landscaping Ordinance, or Type C landscaping is provided, or a landscape equivalent is provided per the Landscaping Coordinator, or if the existing single-family dwelling and the two-unit townhouse are part of the same development. Two-unit townhouses shall not have frontage on an exterior public street or have a rear or side property line abutting an exterior public street. This does not apply to existing duplexes being converted into two (2) unit townhouses for subdivision in fee simple purposes.

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Division 3, Section 38-84, R-T/Z Residential Townhouse/Zero Lot Line Zone, Height, area and building regulations, be amended so as to delete subsection (2) in its entirety and substitute in lieu thereof the following:

- (2) *Townhouse:* A townhouse is a single-family dwelling unit attached by fireproof common walls to other similar type units, each unit having an open space for light, air, and access in the front and rear. There shall be not less than three (3) nor more than twelve (12) such units connected together.

A two (2) unit townhouse may be permitted if it is part of a townhouse-only or mixed-residential development that consists predominantly of townhouses with three (3) or more units. The

two-unit townhouses should be sited to the interior of a development and shall not be placed adjacent to any existing single-family detached dwelling unless landscaping is provided as required by the Landscaping Ordinance, or Type C landscaping is provided, or a landscape equivalent is provided per the Landscaping Coordinator, or if the existing single-family dwelling and the two-unit townhouse are part of the same development. Two-unit townhouses shall not have frontage on an exterior public street or have a rear or side property line abutting an exterior public street. This does not apply to existing duplexes being converted into two (2) unit townhouses for subdivision in fee simple purposes.

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

PASSED on Second and Final Reading

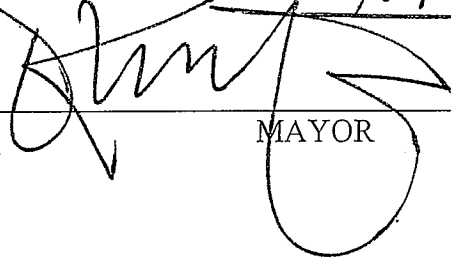
May 18, 2010.



CHAIRPERSON

APPROVED: DISAPPROVED: _____

DATE: 5/19, 2010.



MAYOR

/mms