

**First Reading: July 11, 2017**  
**Second Reading: July 18, 2017**

ORDINANCE NO. 13204

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SECTIONS 38-84(1)(f) AND (g), 38-84(2)(f) AND (g), 38-84(3)(d), AND 38-86(1) RELATING TO ZONING REGULATIONS, MINIMUM SIDE YARD SETBACKS, BUILDING SEPARATION, LANDSCAPE, AND PUD RESIDENTIAL SPECIAL EXCEPTIONS.

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**WHEREAS**, the intent of the R-T/Z Residential Townhouse/Zero Lot Line Zone is to allow single-family detached dwellings, townhouse, zero lot line dwellings, and/or a mixed use moderate density residential that provides for efficient use of land, and is compatible with surrounding development; and,

**WHEREAS**, it is further intended to provide standards that foster compatibility between the R-T/Z Residential Townhouse/Zero Lot Line development and lower density, standard single-family dwellings; and,

**WHEREAS**, the R-T/Z Residential Townhouse/Zero Lot Line Zone provides for differences in the minimum standards for height, area, and building regulations for areas located outside or inside the Urban Overlay Zone; and,

**WHEREAS**, for areas within the Urban Overlay Zone the current side yard building setback for single-family detached dwellings is ten (10') feet, five (5') feet, if abutting RT-1, RZ-1, R-3, R-4, O-1, or any commercial or manufacturing zone; and,

**WHEREAS**, it is not specifically clear the minimum side yard building setback for developments where the R-T/Z Residential Townhouse/Zero Lot Line Zone abuts R-T/Z Residential Townhouse/Zero Lot Line Zone; and,

**WHEREAS**, reducing the side yard building setback for developments located within the Urban Overlay Zone would allow for more flexibility in house placement on the lot and compatibility with adjacent lots considered to be “lot of record”; and,

**WHEREAS**, the R-T/Z Residential Townhouse Zero Lot Line Zone currently permits Planned Unit Developments (PUD) by Special Permit; however, the minimum acreage required for PUD’s is different if located inside or outside of the Urban Overlay the proposed amendment clarifies this minimum acreage required; and,

**WHEREAS**, the Chattanooga Land Development Office requested the staff of the Regional Planning Agency to draft an amendment to provide clarification on side building setbacks.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, be amended as follows:

**Amend Article V. Zone Regulations, Division 5. R-T/Z Residential Townhouse/Zero Lot Line Zone, Section 38-84. Height, Area, and Building Regulations (1) For Areas Outside the Urban Overlay Zone (f) Minimum Side Yard Setback by deleting in its entirety and replacing with the following:**

- Single-Family Detached Units: 10 feet
- Zero Lot Line Units: From 0 to 1.5 feet, or a minimum of 10 feet from the adjacent property line if buildings are to be separated over 1/10 of a foot. The eave overhang is the only permitted element of the building structure allowed in the 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).
- Townhouse Units (when a side yard exists): 25 feet; 10 feet if abutting R-T/Z, RT-1, RZ-1, R-3, R-3MD, R-4, O-1 or any commercial or industrial zone.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II,

Chapter 38, be amended as follows:

**Amend Article V. Zone Regulations, Division 5. R-T/Z Residential Townhouse/Zero Lot Line Zone, Section 38-84. Height, Area, and Building Regulations (1) For Areas Outside the Urban Overlay Zone (g) Building Separation by deleting in its entirety and replacing with the following:**

- (g) Building Separation  
For minimum building separation see Chapter 10 Buildings, of the current adopted Building Code.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II,

Chapter 38, be amended as follows:

**Amend Article V. Zone Regulations, Division 5. R-T/Z Residential Townhouse/Zero Lot Line Zone, Section 38-84. Height, Area, and Building Regulations (2) For Areas Inside the Urban Overlay Zone (f) Minimum Side Yard Setback by deleting in its entirety and replacing with the following:**

- Single-Family Detached Units: 10 feet; however, if abutting lots are zoned R-1 or R-2 and the lots are considered to be “lots of record” then the side yard building setback is 5 feet.
- Single-Family Detached Units 5 feet if abutting R-T/Z, RT-1, RZ-1, R-3, R-3MD, R-4, O-1 or any commercial or manufacturing zone.
- Zero Lot Line Units: Side yard setback for zero lot line units must be from zero (0) to one and one-half (1½) 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 (1½) 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).
- Townhouse Units (when a side yard exists): 25 feet; 6 feet if abutting R-T/Z, RT-1, RZ-1, R-3, R-3MD, R-4, O-1 or any commercial or manufacturing zone.

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II,

Chapter 38, be amended as follows:

**Amend Article V. Zone Regulations, Division 5. R-T/Z Residential Townhouse/Zero Lot Line Zone, Section 38-84. Height, Area, and Building Regulations (2) For Areas Inside the Urban Overlay Zone (g) Building Separation by deleting in its entirety and replacing with the following:**

- (g) **Building Separation**  
For minimum building separation see Chapter 10 Buildings, of the current adopted Building Code.

SECTION 5. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, be amended as follows:

**Amend Article V. Zone Regulations, Division 5. R-T/Z Residential Townhouse/Zero Lot Line Zone, Section 38-84. Height, Area, and Building Regulations (3) All Development, (d) Landscape Regulations by deleting in its entirety and replacing with the following:**

- (d) **Landscaping Regulations**
- All property lines abutting R-1 zoned property must have Type C landscaping or equivalent (refer to Landscaping Provisions). Single-Family Detached Residential Dwellings are exempt from this requirement. Section 38-592(2) of these regulations exempts Single-Family Detached Residential Dwellings from the landscape requirements.
  - Townhouse development which fronts on exterior public streets must have front yards which are at least sixty-five percent (65%) grass/landscaping with any driveway and/or sidewalk to be composed of concrete or pavers. Landscaping along all property lines fronting exterior streets must be provided subject to review and approval of a site-specific landscape plan.

SECTION 6. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, be amended as follows:


**Amend Article V. Zone Regulations, Division 5. R-T/Z Residential Townhouse/Zero Lot Line Zone, Section 38-86. Uses Permitted as Special Exceptions by the City Council (1) Planned Unit Development-Residential by deleting in its entirety and replacing with the following:**

- (1) **Planned Unit Development – Residential:**

Flexibility in the arrangement of residential uses may be permitted by the City Council as special exceptions in any residential zone, provided that the minimum size of any tract of land sought to be used for the planned unit shall be two (2) acres inside the Urban Overlay Zone and five (5) acres outside the Urban Overlay Zone and that a desirable environment through the use of good design procedures is assured, allowing flexibility in individual yard requirements to provide for multiple dwelling units, townhouses, and two family units, except that such use or uses shall require a Special Permit under the terms of Article V of this chapter.

SECTION 7. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two  
(2) weeks from and after its passage.

Passed on second and final reading: July 18, 2017

  
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CHAIRPERSON  
APPROVED:  DISAPPROVED:

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MAYOR

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