

**First Reading: December 14, 2021**  
**Second Reading: December 21, 2021**

ORDINANCE NO. 13760

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DOWNTOWN CHATTANOOGA FORM BASED CODE, DIVISION 1, INTRODUCTORY PROVISIONS, SECTION 38-692, LEGAL REQUIREMENTS, BY ADDING A PROCESS ON AMENDMENTS AND ADDING NEW ZONES TO THE FORM BASED CODE.

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**WHEREAS**, the Downtown Chattanooga Form Based Code was developed to promote urban development form that aligns with the vision and policies set forth by the Downtown, ML King, Southside, and Northshore Plans; and

**WHEREAS**, the traditional Chattanooga Zoning districts provide very limited options for urban development form; and,

**WHEREAS**, the Form Based Code was adopted in 2016 establishing Context Boundaries and urban development standards for these Context Boundaries; and,

**WHEREAS**, the Form Based Code Zone includes provisions for expansions of the Form Based Code Boundary for abutting properties and non-abutting properties; and,

**WHEREAS**, the Form Based Code Zone was amended in 2019 to permit expansions of the Form Based Code for non-abutting properties-large sites for development sites over 40 acres; and,

**WHEREAS**, the Form Based Code Zone does not provide direction on how amendments are processed for petitioner requests to amend the development standards in the existing zones; and,

**WHEREAS**, the Form Based Code Zone does not establish or provide a process for petitioner requests to add new zones to the Form Based Code; and,

**WHEREAS**, at the October 2021 meeting of the Chattanooga-Hamilton County Regional Planning Commission, a petitioner requested amendments to the Bend Context and Zones within this the Bend Context Area, as well as a request to add a new zone; and,

**WHEREAS**, at the October 2021 meeting of the Chattanooga-Hamilton County Regional Planning Commission, the Planning Commission directed RPA staff to process an amendment to the Form Based Code Zone to establish a process on how amendments are requested and to establish a process for adding new zones to the Form Based Code.

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

SECTION 1. That Chattanooga City Code, Part II, Chapter 38, be amended by amending Article XVI, Downtown Chattanooga Form Based Code, Division 1, Introductory Provisions, Section 38-692, Legal Requirements by adding the following:

(11) AMENDMENTS TO EXISTING FORM-BASED CODE ZONES

Requests to amend existing Form Based Code Zone(s) may be made following the methods described below:

1. Petitioner discusses the proposed amendments at the regularly-scheduled meeting of the Chattanooga-Hamilton County Regional Planning Commission under Non-Agenda Items.

The Chattanooga-Hamilton County Regional Planning Commission may direct RPA staff to explore options/suggestions on the proposed amendment, place it on the Planning Commission's agenda for future action, or take no action.

SECTION 2. That Chattanooga City Code, Part II, Chapter 38, be amended by amending Article XVI, Downtown Chattanooga Form Based Code, Division 1, Introductory Provisions, Section 38-692, Legal Requirements by adding the following:

(12) PROCESS FOR ADDING NEW ZONES TO AN EXISTING FORM-BASED CODE CONTEXT AREA

1. Applicability

A. Requests for new Form Based Code Zone(s) may be requested by a petitioner only for Context Areas created by Section 38-692, Legal Requirements, (10) Expansion of the Form Based Code Boundary, (C) Non-Abutting Properties-Large Site under the following conditions:

1. The proposed new Form-Based Code Zone(s) shall not modify Sections 38-698 or Divisions 8, 9, 10, 11, 12, and 13.
2. Elements to be included in the proposed new Form-Based Code Zone(s) are limited to the land use table, and development standards for the new zone(s).
3. Form-Based Code Zone(s) are limited to the land use table, and development standards for the new zone(s).

2. Process

A. The following shall be submitted at the same time.

1. A request for the new zone; and
2. A request to rezone the property to the new zone.

B. Staff will review both requests and provide a staff recommendation to the Regional Planning Commission.

3. Application Submittal Requirements for the new zone.

A. Applicants are encouraged to schedule a pre-application meeting prior to the application submittal deadline with RPA staff. The purpose of this meeting is to make sure staff understands the request and to provide the applicant with the information on submittal application materials, timelines, and fees.

At the pre-application meeting the applicant should be prepared to discuss why the existing Form Based Code Zone(s) do not align with the unique site conditions or the development proposal in terms of permitted uses, lot configuration, and building heights. The use of existing FBC zones throughout all contexts of the Form-Based Code will be reviewed.

B. The application packet shall consist of the following:

- a. Written narrative: Provide justification for the need for the new Form Based Code Zone(s) and how the existing zones throughout all contexts of the Form-Based Code do not align with unique site related conditions, and the development proposal in terms of permitted uses, lot configuration, and building heights.
  - b. Street Network Plan, including A and B street, if applicable.
  - c. Proposed new zone using the Form-Based Code format.
    1. Provide a zone name that is consistent with the Form-Based Code naming convention, found in Sec. 38-694(2) of the adopted Form-Based Code, amended June 8, 2021.
    2. Dimensional standards, including all dimensional standards and graphic elements of the current Form-Based Code zones.
4. Application Submittal Requirements for rezoning shall be the same as normally required.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: December 21, 2021

  
CHAIRPERSON

APPROVED:  DISAPPROVED:

  
MAYOR

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