

**First Reading: January 9, 2018**  
**Second Reading: January 23, 2018**

ORDINANCE NO. 13273

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 10, SECTION 38-137, ENVIRONMENTAL REQUIREMENTS TO DELETE AND ADD A CROSS-REFERENCE TO CITY CODE CHAPTER 31, ARTICLE VIII, STORMWATER MANAGEMENT.

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**WHEREAS**, Chattanooga City Code Chapter 31, Article VIII. Stormwater Management provides for the protection, maintenance, and enhancement of the environment by providing regulations for the protection of the public health, safety, and general welfare of the citizens of the City of Chattanooga by controlling discharges of pollutants into the stormwater system and to improve the quality of the community waters into which the stormwater outfalls flow; and,

**WHEREAS**, Chattanooga City Code Chapter 31, Article VIII. Stormwater Management provides regulations for the purpose of promoting the public health, safety and welfare through integrated site and landscape development to achieve effective stormwater management and the environmental, economic, and social benefits of landscape, trees and their preservation; and,

**WHEREAS**, Chapter 38, Zoning Regulations, Article V. Zone Regulations, Division 10, MXU-Mixed Use Zone, Sec. 38-137 Environmental Requirements includes minimum standards and regulations with regard to stormwater and riparian buffers within this zone; and,

**WHEREAS**, the environmental requirements in Chapter 38, Zoning Regulations, Article V. Zone Regulations, Division 10, MXU-Mixed Use Zone, Sec. 38-137 Environmental Requirements were established in 2006, prior to the adoption of new environmental requirements added to Chapter 31, Article VIII. Stormwater Management; and,

**WHEREAS**, in an effort to avoid confusion and to ensure compatibility between Chapter 38, Zoning Regulations, Article V. Zone Regulations, Division 10, MXU-Mixed Use Zone, Sec. 38-137 and Chapter 31, Article VIII. Stormwater Management, Chapter 38, Zoning Regulations, Article V. Zone Regulations, Division 10, MXU-Mixed Use Zone, Section 38-137 should be amended to include a cross reference to Chapter 31, Article VIII. Stormwater Management.

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 38-137, be amended as follows:

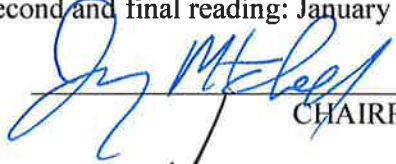
**Delete in its entirety Article V. ZONE REGULATIONS, Division 10. MXU-Mixed Use Zone Section 38-137 Environmental Requirements and replace with the following:**

**Sec. 38-137. Environmental Requirements.**


- (1) See City Code Chapter 31 Article VIII. Stormwater Management for environmental requirements.
- (2) Trees: The MXU site shall provide a minimum of fifteen percent (15%) tree canopy coverage with either existing or planted trees calculated as a percentage of the total land area (including streets, buildings, etc.) of the MXU site. Planted tree canopy coverage is determined by an estimate of the tree's coverage at maturity. Trees necessary to meet the MXU landscape requirements can be credited toward meeting the required fifteen percent (15%) tree canopy requirement.

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: January 23, 2018

  
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CHAIRPERSON

APPROVED:  DISAPPROVED:

  
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MAYOR

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