

**First Reading: June 14, 2016**  
**Second Reading: June 21, 2016**

**Ordinance A(2)(As Amended)**  
**(Including language from A(3), A(4) & A(5))**

ORDINANCE NO. 13070

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, TO ADD A NEW ARTICLE XVI, DOWNTOWN FORM-BASED CODE; TO PROVIDE FOR SUNSETTING OF ARTICLE V, DIVISION 18, C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE AND ALL PROVISIONS REFERENCING SUCH ZONE WITHIN CHAPTER 38 AFTER SIX MONTHS; AND TO ADD NEW SECTIONS 38-530 AND 38-568(24).

---

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Article XVI, Downtown Form-Based Code is hereby added as amended to add the language set forth in the attached exhibit as a part of the City's Zoning Ordinance with the following amendments:

(a) Section 38-696(4) Code Modifications is amended to delete subsection (5) which allows the Director of the Land Development Office to increase building height up to five (5) feet of the maximum building height in this zone.

(b) Section 38-696(5) Form-Based Code Committee is amended to delete subsection (B)(1) entitled, "Appointment Procedure" and to substitute the following language in lieu thereof:

- (1) Each City Council representative whose district is located in the Form-Based Code Area shall submit up to three (3) candidates that are resident, property owner, or business owner that meet the qualifications noted above for the Mayor's consideration. The Mayor will pick a member selected by each Council Member in developing the Committee appointments or request additional names from the affected Council Member before submitting all members of this Committee to the City Council for final approval.

(c) Section 38-741(1)(C) entitled, “Vehicle Parking” (C) Discounts and the following language under Property provides long-term bike parking is substituted in lieu thereof:

Receive one vehicle parking space credit for every two long-term bike parking spaces provided on-site for up to twenty-five (25%) of total required minimum parking. Long-term bicycle parking must be located in an enclosed area providing protection from weather and must be accessible to intended users.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article V, Zone Regulations, is hereby amended by sunseting Division 18, C-7 North Shore Commercial/Mixed Use Zone in its entirety and all provisions referencing such zone within Chapter 38 shall no longer be operative six months after the effective date of this Ordinance.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article III, Section 38-568, Powers, etc., of board; hearings, is hereby amended by adding a new Item (24) concerning Special Exception Permits to be granted by the Board of Appeals for Variances and Special Permits as follows:

(24) For Special Exceptions as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

<b>Special Exception</b>	<b>Zone Permitted</b>
Assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Boarding House	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Dormitory	D-RM, R-RF
Fraternity/sorority	D-RM, R-RF
Medically assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Nursing home	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX

Social Services	D-RM, D-CX, R-RF, R-RV, U-RM, U-CX, U-IX, E-RM, E-CX, E-IX
Wireless Communications	D-RA, D-RM, D-CX, D-SH, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-SH, U-IX, U-CC, U-IN, U-CIV, E-RD, E-RA, E-RM, E-CX, E-SH, E-IX, E-IN, E-CIV
Adult-Oriented Business	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Animal care, outdoor	E-IX
Day Care	D-RA, D-RM, R-RF, R-RV, U-RD, U-RA, U-RM, E-RD, E-RA, E-RM
Hospital	D-CX, U-CX, U-CC, E-CX
Outdoor Recreation	U-CC
Bed and breakfast	U-RD, U-RA, E-RD, E-RA
Short-term vacation rental	D-RA, D-RM, R-RF, R-RV, U-RD, U-RA, U-RM, E-RD, E-RA, E-RM
Commercial Parking	D-CX, D-SH, R-RV
Remote (off-site) parking	D-CIV, R-CIV, E-CIV
Open air market	D-CX, D-CIV, D-PK, R-RV, R-CIV, R-PK, U-CX, U-IX, U-CC, U-CIV, U-PK, E-CX, E-IX, E-CIV, E-PK
Heavy industrial	U-IN, E-IN
Waste-Related Service, except not including recycling processing center	U-IN, E-IN
Outdoor storage, major	U-IN, E-IN

**SECTION 4.** BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article VI, Division 2, Other Special Exceptions is hereby amended by adding Section 38-530 as follows:

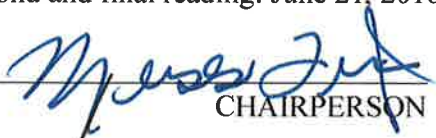
**Sec. 38-530. For Special Exceptions after approval by the City Council as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table.**

The following uses shall only be permitted as Special Exceptions after public hearing and approval by the City Council as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

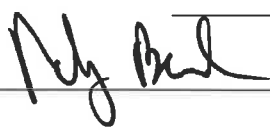
<b>Special Exception</b>	<b>Zone Permitted</b>
Residential home for the handicapped or aged persons, commercial	D-RM, D-CX, R-RF, R-RV, U-RD, U-RA, U-RM, U-CX, U-IX, E-RD, E-RA, E-RM, E-CX, E-IX
Non-profit heritage educational facility	D-RA, D-RM, D-CX, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-IX, U-CIV, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV
Cemetery	U-RD, U-RA, U-RM, U-CX, U-IX, U-CC, U-CIV, U-PK, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV, E-PK
Alternative financial services	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Liquor Stores	D-CX, D-SH, R-RF, R-RV, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Wineries, including vineyards, processing, bottling and sales facilities	U-IX, U-IN, E-IX, E-IN
Alcohol Distillery, Small	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, U-IN, E-CX, E-SH, E-IX, E-IN
Alcohol Distillery, Large	U-IX, U-IN, E-IX, E-IN

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: June 21, 2016

\_\_\_\_\_  
  
CHAIRPERSON

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

\_\_\_\_\_  
  
MAYOR

/kjr/mem/Ordinance A(2)(Amended)