

1ST READING
2ND READING
INDEX NO.

11-9-10
11-16-10

ORDINANCE NO. 12440

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 10, SECTION 39-133(4), MXU-MIXED USE ZONE, TO APPLY THE MAXIMUM BUILDING FOOTPRINT TO RETAIL USES ONLY.

WHEREAS, the original intent of the maximum footprint requirement was to control the size and scale of retail uses; and

WHEREAS, controlling the scale of retail structures contributes to the strength of this zone; and

WHEREAS, other permitted uses can have a stronger presence within this zone by allowing them to exceed the maximum footprint; and

WHEREAS, the strength of the MXU Zone is its focus on site design; and

WHEREAS, flexibility is necessary for good site design.

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 V, Division 10, Section 39-133(4) in its entirety and substitute in lieu thereof the following:

- (4) Maximum Building Footprint: Within the MXU, the maximum building footprint for stand-alone restaurants or retail buildings shall be 25,000 square feet. This maximum building footprint also applies to a retail or restaurant portion of a mixed use building. Hotels, motels, and inns are excluded from the maximum building footprint 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

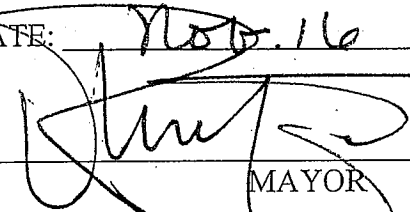
November 16, 2010.



CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: Nov. 16, 2010.



MAYOR

/mms