

**First Reading: 10/8/13**  
**Second Reading: 10/15/13**

2013-104  
Troy Cox  
District No. 2  
Planning Version

ORDINANCE NO. 12776

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO AMEND AND REPLACE CONDITIONS OF ORDINANCE NO. 12472 FROM CASE NO. 2013-104 ON PROPERTY LOCATED AT 706, 710, AND 716 ASHLAND TERRACE, BEING MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

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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, so as to amend and replace conditions of Ordinance No. 12472 from Case No. 2013-104 on property located at 706, 710, and 716 Ashland Terrace, being more particularly described herein:

Three unplatted tracts of land located at 706, 710, and 716 Ashland Terrace, being the properties described in Deed Book 9799, Page 495, ROHC. Tax Map Nos. 109O-E-008, 009 and 010.

SECTION 2. BE IT FURTHER ORDAINED to amend all of Conditions 1 and 2 below which apply to the C-2 Convenience Commercial Zoned areas only. Condition 3 applies to the R-1 Residential Zone only:

1. Within 250' of the Ashland Terrace right-of-way the following uses shall be prohibited:
  - Adult Oriented Establishments
  - Liquor Stores and Wineries
  - Late Night Entertainment/Event Facility, and/or Nightclubs
  - Hotels/Motels
  - Hospital
  - Off Premise Signs and Billboards
  - Theaters, Bowling Alleys, Billiard Rooms, and other Indoor Amusement Establishments
  - Open-Air Markets
  - Miniature Golf Courses and other similar Outdoor Establishments
  - Travel Trailer Camps and other Camping Facilities
  
2. The following shall apply beyond 250' from the Ashland Terrace right-of-way:
  - Offices with associated Indoor Storage and mini-warehouses only
  - Buildings shall not exceed 2 stories in height
  - Building setbacks shall be no closer than:
    - 100' from the south property line
    - 70' from the west property line; and,
    - 85' from the east property line
  - Outdoor lighting shall be directed downward
  - No dumpster located within 100' of the south property line
  - All existing easements are retained
  - Provide tree protection fencing on site during construction to protect the integrity of the natural buffer
  
3. The following shall apply to the R-1 Residential Zone only:
  - A sixty (60) foot buffer of existing vegetation along the south property line.
  - An eighty (80) foot buffer of existing vegetation along the south property line.
  - A fifty (50) foot buffer of existing vegetation along the west property line where adjacent to R-1 Residential Zone. If vegetation is damage or removed, trees shall be replaced on a 2 for 1 basis, minimum 6' in height.
  - Retain/maintain 56 Leyland Cypress planted 15' on center inside the existing natural buffer, except where sanitary sewer or EPB easements exists; for both easements, use alternate Type C buffer consisting of a double row (staggered) of screening shrubs spaced a maximum of 7' on center, to be installed at a minimum height of 36".

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: October 15, 2013.

Yusuf Hakeem  
CHAIRPERSON

APPROVED:  DISAPPROVED:

Ady Bal  
MAYOR

/mms