

First Reading: July 8, 2014
Second Reading: July 15, 2014

ORDINANCE NO. 12845

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE III, ZONES AND BOUNDARIES, RELATIVE TO NEW DIVISION 4, BR-SO BRAINERD ROAD STREETSCAPE OVERLAY ZONE.

WHEREAS, the intent of the BR-SO Brainerd Road Streetscape Overlay Zone is to realize the primary objectives of “BRAINERD . . . a vision for Today” – the community’s master plan, adopted by the Chattanooga City Council in 2011; and

WHEREAS, the Plan’s goal is to create a vibrant town center along Brainerd Road that is well connected to adjacent neighborhoods; and

WHEREAS, the attached BR-SO Brainerd Road Streetscape Overlay Zone shall apply to ALL properties fronting Brainerd Road from the Spring Creek Road intersection to the East Brainerd Road intersection; and

WHEREAS, the attached BR-SO Brainerd Road Streetscape Overlay Zone shall supplement the requirements of the underlying zoning for all properties within the Overlay Zone area; and

WHEREAS, all other City codes, as currently adopted, apply to properties within the Brainerd Overlay Zone; and

WHEREAS, properties within the Brainerd Overlay Zone are exempt from the street yard requirements of the Chattanooga Landscape Ordinance as applied to the Brainerd Road edge of right-of-way; and

WHEREAS, the Chattanooga Landscape Ordinance street yard requirements still apply to all other street frontages outside of the BR-SO Brainerd Road Streetscape Overlay Zone boundaries; and

WHEREAS, properties which choose to pursue dedication of streetscape land to the City of Chattanooga shall adhere to the requirements set forth in the attached BR-SO Brainerd Road Streetscape Overlay Zone; and

WHEREAS, Redevelopment shall constitute one or more of the following situations: (i) a change of occupancy of the building, as defined by the currently adopted Building Code and/or (ii) additions to a building or parking lot, or other pavement, encompassing less than or equal to 25% of the parcel; and

WHEREAS, New Development shall constitute the following situation: (i) new construction and/or (ii) additions to a building or parking lot, or other pavement, encompassing greater than 25% of the parcel; and

WHEREAS, the requirements of properties qualifying as Redevelopment or New Development are listed in the BR-SO Brainerd Road Streetscape Overlay Zone and shall be the responsibility of the property owner; and

WHEREAS, maintenance of the improvements required in the Brainerd Overlay Zone shall be the responsibility of the property owner; and

WHEREAS, the BR-SO Brainerd Road Streetscape Overlay Zone is a tool needed to facilitate the codification and updates of the 2010 Brainerd Road Development Policies; and

WHEREAS, the BR-SO Brainerd Road Streetscape Overlay Zone shall institute a consistent Street Edge Zone and Bike/ Pedestrian Zone, while only New Development shall also install a Storefront/ Building Zone and a Parking zone; and

WHEREAS, these development zones will work to improve the visual character of the corridor with establishing unified streetscape, signage, building materials, and lighting along Brainerd Road; and

WHEREAS, these development zones will work to mitigate traffic congestion and make the corridor more pedestrian friendly with updated parking and multi-modal circulation requirements; and

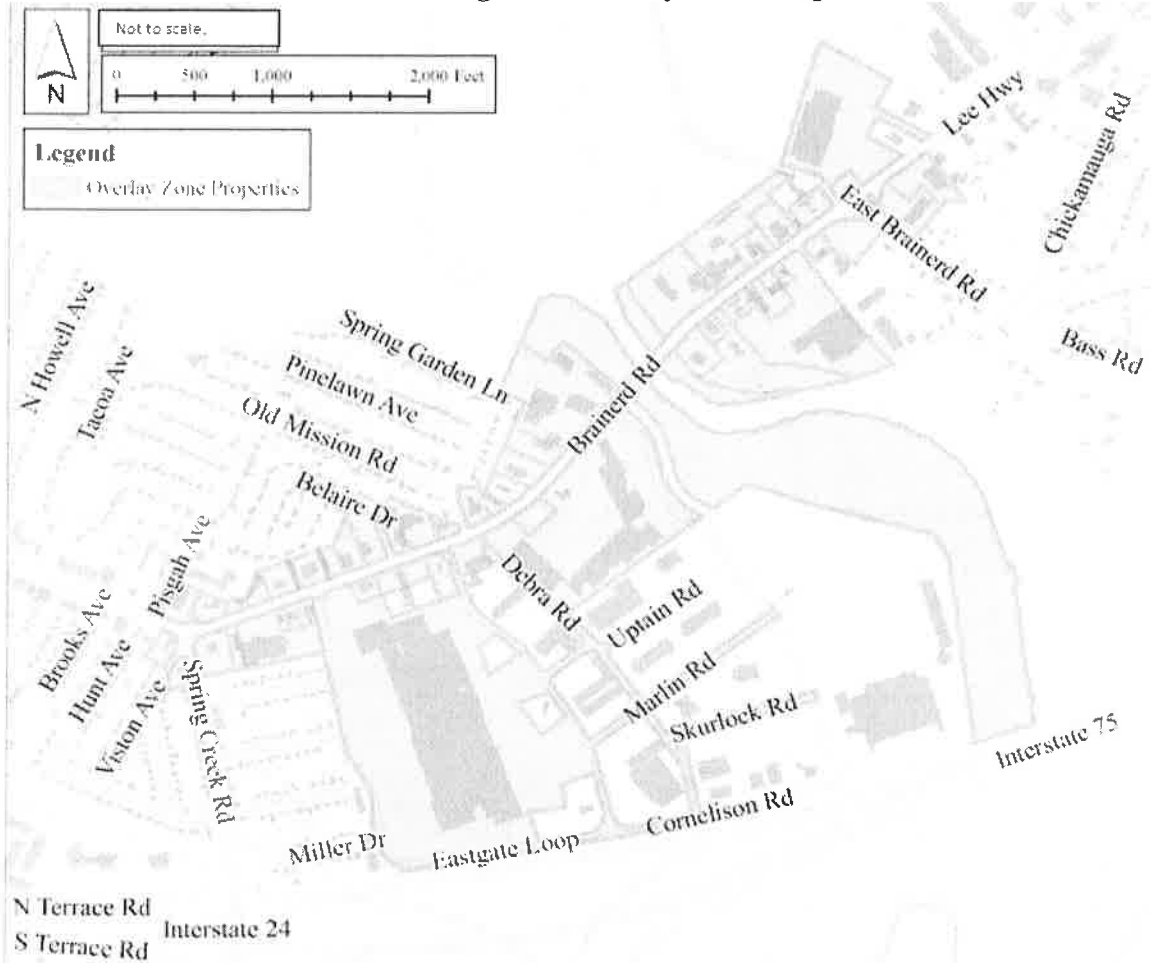
SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article III, Zones and Boundaries, by adding a new Division 4, BR-SO Brainerd Road Streetscape Overlay Zone as follows:

DIVISION 4. BRAINERD OVERLAY ZONE

Sec. 38-13. Brainerd Overlay Zone Standards

- (1) The intent of the Brainerd Road Overlay Zone is to realize the primary objectives of “BRAINERD . . . a vision for Today” – the community’s master plan. Adopted by the Chattanooga City Council in 2011, the Plan’s goal is to create a vibrant town center along Brainerd Road that is well connected to adjacent neighborhoods.
- (2) Applicability.
 - (a) The following requirements apply to ALL properties fronting Brainerd Road from the Spring Creek Road intersection to the East Brainerd Road intersection (see Figure 1. Overlay Zone Map).

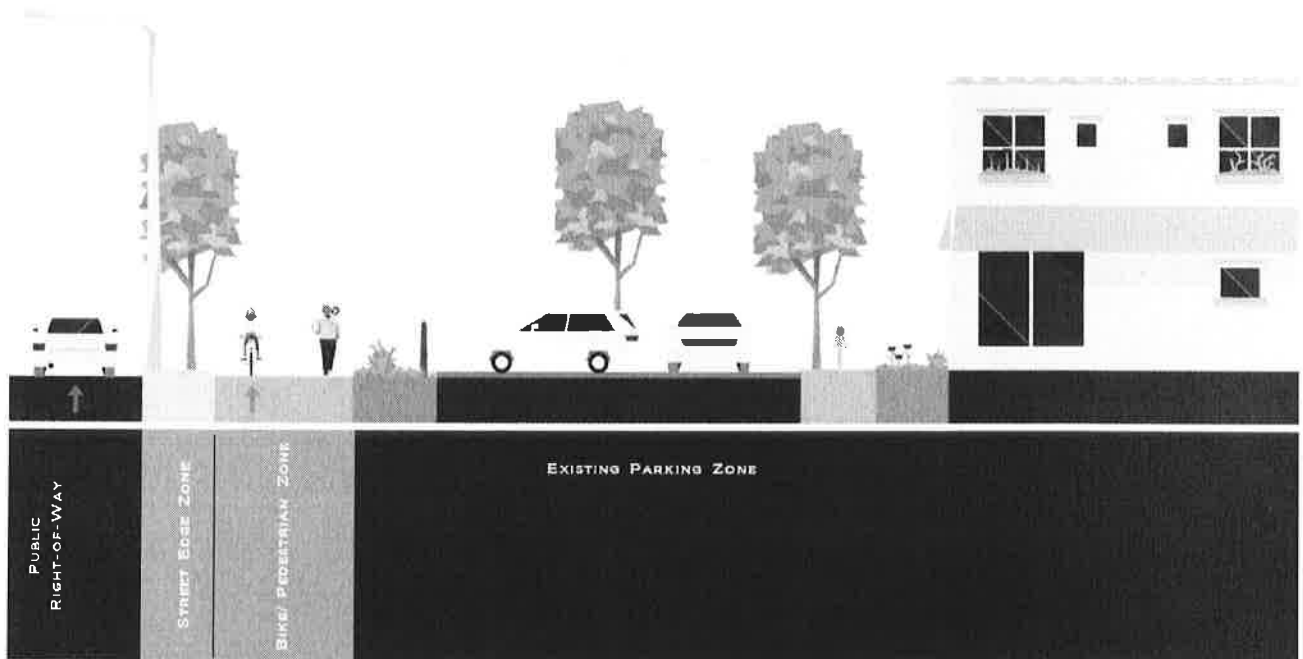
Figure 1 Overlay Zone Map



- (b) The requirements of this Brainerd Overlay Zone shall supplement the requirements of the underlying zoning for all properties within the Overlay Zone area.
- (c) All other City codes, as currently adopted, apply to properties within the Brainerd Overlay Zone.
- (d) Properties within the Brainerd Overlay Zone are exempt from the street yard requirements of the Chattanooga Landscape Ordinance as applied to the Brainerd Road edge of right-of-way. The Chattanooga Landscape Ordinance street yard requirements still apply to all other street frontages.
- (e) Properties which choose to pursue dedication of streetscape land to the City of Chattanooga shall adhere to the following requirements:
 - i. Improvements shall be installed prior to the start of property dedication process and
 - ii. The City will discuss the options for property acquisition via fair market value.
 - iii. All discussions for streetscape property dedication to the City of Chattanooga shall begin with the City of Chattanooga Transportation Department.
- (f) Redevelopment shall constitute one or more of the following situations:

- i. A change of occupancy of the building, as defined by the currently adopted Building Code.
- ii. Additions to a building or parking lot, or other pavement, encompassing less than or equal to 25% of the parcel.
- (g) New Development shall constitute the following situation:
 - i. New construction.
 - ii. Additions to a building or parking lot, or other pavement, encompassing greater than 25% of the parcel.
- (3) Maintenance. Maintenance of the improvements required in the Brainerd Overlay Zone shall be the responsibility of the property owner.
- (4) Redevelopment. See Figure 2. Redevelopment Profile Diagram.

Figure 2. Redevelopment Profile Diagram



- (a) Redevelopment that fronts Brainerd Road shall comply with the following sections:
 - i. New Development - Street Edge Zone as defined in Section (6),
 - ii. New Development - Bike/Pedestrian Zone as defined in Section (7),
 - v. Building Signs as defined by Section (8) (g),
 - vi. Monument Business Signs as defined by Section (8) (h), and
 - vii. Screening of Utilities as defined in Section (9) (f).
- (b) Front Setback. Buildings shall have a maximum front setback of twenty-six (26) feet.
- (c) Curb cuts.
 - i. A net increase in the number of curb cuts shall not be permitted along Brainerd Road.
 - ii. Property owners should consolidate existing driveways and curb cuts.

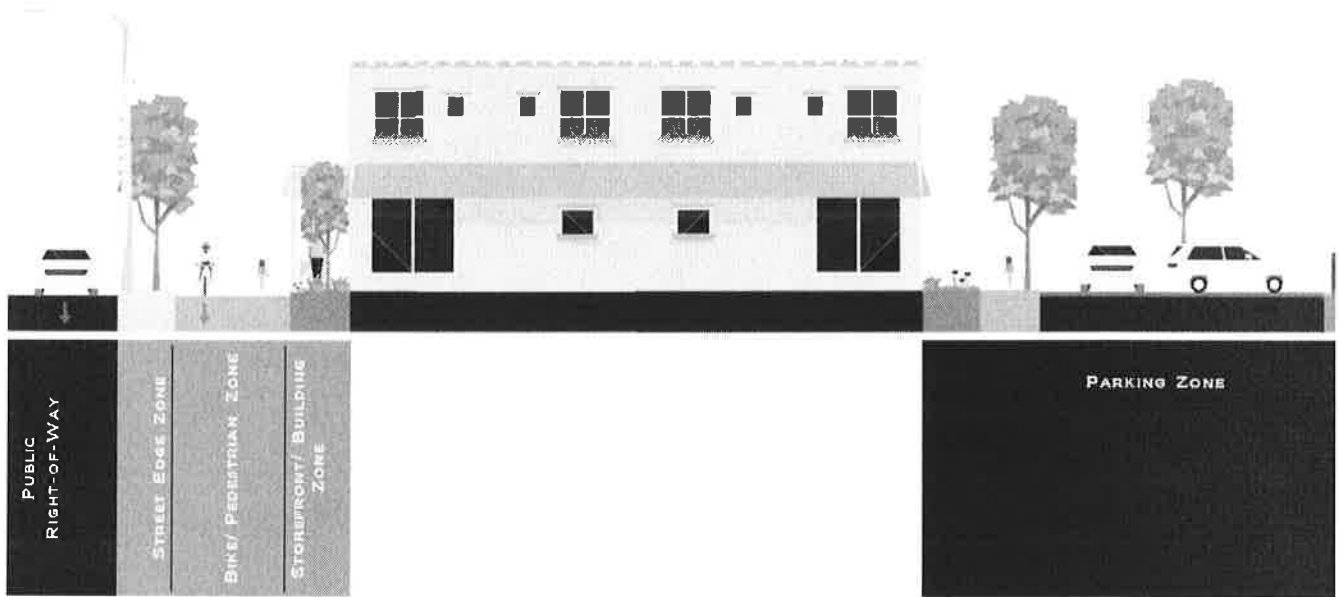
- (d) Screening of Existing Parking Lots.
 - i. Location. Screening materials shall be placed parallel to the edge of the Bike/Pedestrian Zone, accommodating curb cuts and behind the traffic sight triangle at intersections and driveways. See the Chattanooga City Code (Section 32-34) for sight triangle distance requirements.
 - ii. Dimensions.
 - a. Screening shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade, and shall be nearly opaque to screen the parking from view.
 - b. Any portion of the screening elements that exceeds three (3) feet in height shall be semi-transparent to enhance safety.
 - c. Height is measured from the finished floor area of that which is being screened.
 - iii. Materials.
 - a. Screening of existing parking lots shall consist of a decorative masonry wall, landscaping, or a combination of a decorative fence and landscaping.
 - b. When landscaping is used, the planting area shall have a minimum horizontal depth of 4 feet.
 - c. A wire or mesh metal trellis system intended to support vining plants, may be substituted for shrubs with a minimum horizontal depth of eighteen (18) inches. One hundred percent (100%) coverage shall be achieved within three (3) years of planting. Seventy-five percent (75%) of the plant material should be evergreen.
 - d. Landscaping shall consist of evergreen plantings and/or green screens approved by the City Landscape Architect.
 - e. All plantings shall be installed at a minimum height of 24 inches and spaced to create a complete screen within 3 years after planting.
 - f. Landscaping shall be maintained to achieve the minimum height of three (3) feet above grade, within three (3) years after planting. One hundred percent (100%) of the screening shall be evergreen and one hundred percent (100%) coverage shall be achieved within three (3) years. If coverage is not obtained within three (3) years, supplemental plantings shall be required.
- (e) Shade Trees in Parking Lot
 - i. In addition to minimum Chattanooga Landscape Ordinance requirements, parking Lot Shade Trees shall be provided at a minimum rate of one (1) 2.5-inch caliper tree for every seven (7) parking spaces.
 - ii. If there is insufficient space to provide the required quantity of 2.5-inch caliper shade trees due to conflicts with utilities, easements, or

existing underground structures, a lesser quantity of larger caliper trees shall be provided. The quantity of larger trees shall be determined by calculating the total caliper inches required. Any combination of larger caliper trees shall be provided to meet that total. (For example, ten (10) 2.5-inch caliper trees shall be required for 70 parking spaces, therefore a total of 25 caliper inches shall be provided through any combination of larger sized trees.)

- iii. A shade tree shall be provided within 40 feet of every parking space, to ensure adequate shade coverage.
- (f) **Parking Location.** See Section (9) (a). *Note that the location requirements only apply to new or expanded parking facilities, not the existing parking lot.*
- (g) **Parking Requirements.** See Section (9) (b).
- (h) **Off-Site Parking.** See Section (9) (c).
- (i) **Parking lot lighting.** See Section (9) (d)

(5) New Development (See Figure 4. New Development Profile Diagram)

Figure 4. New Development Profile Diagram



- (a) **Parking Lot Screening for New Development** shall be installed as defined in Section (4) (d) and **Parking Lot Shade Trees** as defined in section (4) (e).
- (6) **New Development – Street Edge Zone.** (See Figure 4. New Development Profile Diagram)
 - (a) **Dimensions / Location.**
 - i. **Location.** The Street/Edge Zone is located:
 - a. Between the edge of the public right-of-way and the Bike/Pedestrian Zone and
 - b. Parallel to the edge of the right-of-way.
 - ii. **Width.** Six (6) feet minimum, extends to the bike/pedestrian zone, excluding the curb dimensions.

- (b) Curb Cuts.
 - i. Only one Brainerd Road curb cut per 150 linear feet of street frontage.
 - ii. Property owners should consolidate existing curb cuts.
 - iii. The City Transportation Department may require the consolidation of multiple existing curb cuts.
- (c) Clear Path. Any vertical streetscape elements placed in the Street Edge Zone, such as street trees, bus shelters or lighting, shall be placed a minimum of 1.5 feet from the face of curb. The designer shall refer to AASHTO's Roadside Design Guide for further information and guidance on roadside construction design specifications.
- (d) Elements Not Permitted. The following shall not be permitted in this Zone: parking, chain link or slat fence, drive lanes, HVAC equipment and dumpsters.
- (e) Edge Planting Strip.
 - i. Shall contain street trees.
 - ii. Shall not contain paved surfaces.
 - iii. May contain lawn, shrubs, green infrastructure, bus shelters, road signage, street and pedestrian lighting.
- (f) Length. Twelve (12) feet minimum. For the health of trees located in them, planting strips shall be twelve (12) feet minimum in length.
- (g) Location. Place trees, shrubs and other elements behind the traffic sight triangle at intersections and driveways. If these elements are necessary within the traffic sight triangle, limit their height to (3) three feet. See the Chattanooga City Code (Section 32-34) for sight distance triangle requirements. www.chattanooga.gov.
- (h) Street Trees.
 - i. Dimensions/ Location. Trees shall be provided at a rate of one (1) tree per thirty-five (35) linear feet of street frontage. Actual street tree spacing will reflect a twenty-five (25) or thirty (30) foot rhythm as determined by the Chattanooga Transportation Department.
 - ii. The City's Urban Forester shall approve all of the following in the Street Edge Zone:
 - a. Selection of all trees; and
 - b. Removal or pruning of trees; and
 - c. Construction or demolition of any buildings fronting the Zone to ensure the protection of existing trees.

- (i) Green Infrastructure (landscaped planters, bioswales, etc.) - All development shall adhere to the City's water quality standards. Refer to City of Chattanooga's Code, Chapter 31 and the City's Rainwater Management Guide for Green Infrastructure applications.
 - (j) Bus Shelters.
 - i. The Chattanooga Transportation Department will determine if a bus shelter is needed, based on a consultation with the Chattanooga Area Regional Transportation Authority (CARTA).
 - ii. Coordinate the placement, design, lighting and construction of bus shelters with the CARTA and the Chattanooga Department of Transportation.
 - (k) Lighting.
 - i. Pedestrian and street light design, type, spacing and mounting height shall be determined by the City of Chattanooga's Transportation Department and the Electric Power Board.
 - a. New lighting in the Street Edge Zone shall be aligned with the street trees and parallel to the edge of right-of-way.
 - b. Exterior lighting shall be equipped with full cut-offs to direct light downward and to minimize glare, shadows, night sky pollution, and excessive light levels.
- (7) New Development - Bike/Pedestrian Zone.
- (a) Location - The Bike/Pedestrian Zone is located between the Street Edge Zone and the Storefront/Building Zone.
 - (b) Elements Not Permitted.
 - i. The following are not permitted in this Zone: parking, chain link or slat fence, drive lanes, HVAC equipment and dumpsters.
 - ii. For safety reasons, building doors shall not open across or onto the Bike/Pedestrian Zone.
 - (c) Multi-use Path.
 - i. Width. Twelve (12) feet minimum
 - ii. Materials. Per City of Chattanooga Complete Streets Design Standards.
 - iii. Continental crosswalk pavement markings. Place a crosswalk at the intersection of the multi-use path and any drive aisles. Continental crosswalks feature a series of closely spaced two-foot wide solid white painted lines (longitudinal lines) paired with a limit (stop) line set back from the crosswalk to reduce vehicular encroachment into the crosswalk. See Figure 6.
- (8) New Development - Storefront/Building Zone.
- (a) Dimensions / Location.
 - i. Location. The Storefront/Building Zone is located between the Bike/Pedestrian Zone and all buildings fronting Brainerd Road.
 - ii. Depth eight (8) feet maximum.
 - (b) Elements Not Permitted - The following are not permitted in this Zone: parking, chain link or slat fence, drive lanes, HVAC equipment and dumpsters.

- (c) Building Height.
 - i. No maximum building height.
 - ii. The minimum building height for properties fronting Brainerd Road shall be eighteen (18) feet
- (d) Building Placement.
 - i. Front Setback. Buildings shall have a maximum front setback of twenty-six (26) feet and a minimum setback of eighteen (18) feet fronting Brainerd Road
 - ii. Buildings shall be built to the multi-use path, except in the following circumstance.
 - a. If an outdoor café or landscaped space is provided between the Bike/Pedestrian Zone and the building, then the building may be set back a maximum of eight (8) feet from the Bike/Pedestrian Zone.
 - b. If the building is set back from the Bike/Pedestrian Zone, a pedestrian walkway shall be provided from the multi-use path to the primary building entrance.
 - iii. Primary building entries shall be clearly identifiable and visible from the street.
- (e) Outdoor Café/Landscaped Space.
 - i. Incorporate planters, landscaping, decorative fencing, hedges, low walls, benches or other architectural elements, to frame and define the edge of the landscaped lawns, porches, patios, entry plazas, fountains, outdoor cafes and other man-made spaces.
 - ii. Plant Materials: Plant trees, shrubs, vegetated groundcovers, ornamental grasses, and/or perennials in landscape beds, raised beds, lawns, planters, or tree wells.
- (f) Building Materials.
 - i. Pre-engineered metal buildings shall be prohibited.
 - ii. Use brick, natural and architectural cast stone, architectural pre-cast concrete, glass, glass block, architectural metal panel systems, or concrete masonry units with an architectural coloration or finish on the ground floor of building facades to provide interest for the pedestrian.
 - iii. Other materials may be used on the upper floors.
 - iv. Metal siding, aluminum siding, vinyl siding, synthetic rock, EIFS (synthetic stucco), or other similar exterior materials shall not be used for large expanses of facades. They may be used as accents.
 - v. Hard plastic awnings shall not be used. Awnings, when applied, shall consist of flexible canvas, acrylic, or vinyl coated material.
- (g) Building Signs.
 - i. Within this Overlay Zone, the following requirements are applicable in addition to the general Advertising Provisions in Chapter 3 of the Chattanooga City Code.
 - ii. A City of Chattanooga Sign Permit is still required.
 - iii. Structural requirements in the Chattanooga Sign Ordinance still apply to the Brainerd Road Overlay Zone.

- iv. The Brainerd Road Overlay Zone is exempt from all dimensions, location and type requirements in the Chattanooga Sign Ordinance.
- v. Dimensions.
 - a. Signs on any one side of a building, shall not exceed 1.5 square feet per linear foot of that building side. Awnings and permanent banners used for advertising are considered part of the building signage and square footage calculation.
 - b. Projecting signs shall not exceed sixteen (16) square feet in area.
 - c. Signs painted on windows shall not cover more than 20% of the total window area.
- vi. Location.
 - a. Projecting signs shall be located a minimum of 12 inches below the second story window sill or top of the building, whichever is lower.
 - b. Signs shall be located to fit within the architectural elements such as in the lintel or sign frieze that separates the ground level from the upper facade, on the upper facade walls, or projecting from the face of the building.
 - c. Signs shall not obstruct the architectural elements and details of a building.
 - d. Wall signs shall be placed such that they align with other signs on the block.
 - e. Roof signs shall not be incorporated.
 - f. For buildings with multiple tenants, signs shall be located only on the portions of the building directly outside the area occupied by that tenant or contained within consolidated directories, as defined in the City Sign Ordinance.
- vii. Type.
 - a. Signs shall be illuminated by indirect lighting. Internally illuminated box-type plastic signs shall not be permitted, but signs composed of illuminated individual letters shall be permitted.
 - b. Temporary signs or banners, regardless of size, shall only remain in place for 30 days and require a sign permit, per the Chattanooga Sign Ordinance.
 - c. Mass produced neon signs shall not be permitted.
 - d. Off premises billboard signs shall not be permitted.
- (h) Monument Business Signs.
 - i. Monument Sign.
 - a. A monument sign is defined as an advertising or identification device that is ground mounted and constructed so that there is no space between the ground and the bottom of the device.
 - b. Pole-mounted signs shall not be permitted.
 - ii. Dimensions/ Location.
 - a. Monument signs shall not exceed 6' in height or 10' in width. Maximum sign size is 60 square feet. Height is measured from the

- top of the sign to the lowest point of the ground upon which the proposed sign is to be located.
 - b. Monument signs shall not be located in the sight distance triangle or otherwise obstruct lines of sight for vehicular or pedestrian traffic.
 - c. Monument signs shall not be closer than eighteen (18) feet to any right-of-way, and shall not be located in the Street Edge Zone or Bike/Pedestrian Zone.
 - iii. Materials - Materials that match the materials of the associated building shall be used.
 - iv. Illumination - Signs shall be illuminated by indirect lighting. Internally illuminated box-type plastic signs shall not be permitted, but signs composed of illuminated individual letters shall be permitted.
- (i) Bike Racks - Bike Racks are not required, but when provided they shall adhere to the following standards.
 - i. Each bicycle parking space shall be at least six feet long by two feet wide; and
 - ii. Shall be located within fifty (50) feet of the building entrance.
 - iii. Bicycle parking rails shall be securely attached to the ground and provide support for a bicycle frame at two points.
- 9) New Development - Parking Zone.
- (a) Location.
 - i. The Parking Zone is located to the rear of buildings.
 - ii. New parking shall not be permitted between a building and the Brainerd Road street frontage.
 - iii. If all new parking cannot be accommodated to the rear of the building, parking on the side of the building may be allowed if it is screened from the public right-of-way as described in Section (4) (d).
 - iv. Parking areas shall be connected to parking and access drives in adjacent properties to provide cross-connection. Fences and other barriers shall be removed that prevent interconnection for cars and pedestrians.
 - v. Garages for new residential dwellings shall be located behind the primary building.
 - (b) Parking Requirements
 - i. Reference Table 1700 (Article V, Section 38-471) and the underlying Zone for the required number of car parking spaces.
 - ii. The number of spaces provided shall not exceed the required number of spaces before discounts by more than 50%.
 - iii. A minimum of four (4) bicycle parking spaces are required, plus one bicycle parking space for every fifty (50) required car parking spaces.
 - iv. Parking Discounts. The City's Transportation Department may allow the following discounts for required car parking spaces. Applicants should schedule a consultation with the Transportation Department to determine potential parking discounts.
 - a. Shared Parking. Parking space discounts may be applied to developments that share parking with facilities serving other uses according to the following chart:

	Residential	Lodging	Office	Retail	Institution
Residential	0%	10%	30%	20%	30%
Lodging	10%	0%	50%	30%	20%
Office	30%	50%	0%	20%	50%
Retail	20%	30%	20%	0%	30%
Institution	30%	20%	50%	30%	0%

- b. Shared parking discounts are applied before multi-modal discounts
 - c. To apply shared parking discounts for facilities on separate parcels, a legal agreement between property owners guaranteeing access to and use of designated parking areas is required.
 - d. Bicycle. One car parking space may be discounted for every bicycle parking space required.
 - e. Pedestrian. If the development connects via new or existing sidewalks to an established sidewalk grid that links multiple land uses (i.e. commercial, residential, office), a 10% discount may be applied.
 - f. Transit. If the development is located within a ¼ mile radius of an established transit stop, a 10% discount may be applied.
- (c) Off-Site Parking
- i. 40% of required car parking spaces, except required accessible spaces, may be located off-site if the remote parking area is located within 700 feet from the primary entrance of the facility served.
 - ii. On-street parking spaces may be counted as required parking spaces provided the on-street spaces abut the subject property.
- (d) Parking Lot Lighting.
- i. All parking lot lighting shall be equipped with full cut-offs to direct light downward and to minimize glare, shadows, night sky pollution, and excessive light levels.
 - ii. Light spill on neighboring property shall not be permitted.
 - iii. Maximum mounting height of light fixtures in parking lots shall be 20 feet.
- (e) Shade Trees / Landscape / Green Infrastructure.
- i. All development shall adhere to the City's water quality standards Refer to City of Chattanooga's Code, Chapter 31 and the City's Rainwater Management Guide for Green Infrastructure applications.
 - ii. See section (4) (e) for required parking lot shade tree regulations.
- (f) Screening of Utilities - Completely screen dumpsters, loading areas, mechanical equipment, outdoor storage areas, and other visible utilities with an opaque wall or fence as follows:
- i. The height of the screen shall be a minimum of 6 feet, or 12 inches taller than the object, whichever is higher, and adequate to completely conceal the dumpster or equipment.
 - ii. Chain link fences or slats shall not be permitted.

- iii. Screens shall consist of masonry, stucco, stone, wood, or decorative metal.
- iv. Landscaping, including shrubs, trees, perennials, or green screens, shall be added to screening to soften the appearance of screening walls or fences.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect within two (2) weeks from and after its passage as provided by law.

Passed on second and final reading: July 15, 2014



CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR

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