

First Reading: August 19, 2014
Second Reading: August 26, 2014

ORDINANCE NO. 12849

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 25, RESIDENTIAL PLANNED UNIT DEVELOPMENT, SECTION 38-393, PERMITTED USES, TO ALLOW ALL USES PERMITTED IN THE UNDERLYING ZONE(S) AND SECTION 38-398, PERMITTED DENSITY.

WHEREAS, The Planned Unit Development is a special exceptions use granted by the Chattanooga City Council; and

WHEREAS, The Planned Unit Development currently only permits residential uses, schools, and churches even in zones that typically permit other uses; and

WHEREAS, The Planned Unit Development could be utilized as a tool to allow mixed use development with both residential and non-residential uses; and

WHEREAS, The Planned Unit Development site plan illustrates and regulates how the development will occur; and

WHEREAS, The Planned Unit Development site plan is a legal, enforceable document; and

WHEREAS, Permitting the uses in the zone underlying a Planned Unit Development will permit mixed use development with both residential and non-residential uses.

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 25, Residential Planned Unit Development, Section 38-393, Permitted Uses, to Allow all Uses Permitted in the Underlying Zone(s) by deleting Item 11 in its entirety and substituting in lieu thereof the following:

Sec. 38-393. Permitted uses in all PUD's.

- (11) All uses permitted in the underlying zone(s).

SECTION 2. BE IT FURTHER ORDAINED that Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Division 25, Residential Planned Unit Development, Section 38-398, Permitted Density be deleted in its entirety and substituted in lieu thereof with the following:

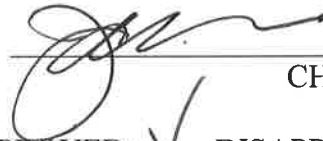
Sec. 38-398. Permitted density.

- (1) The maximum number of dwelling units in a PUD to be located in an R-1 Residential Zone shall be computed by multiplying the gross acreage to be developed by five (5), excluding any area to be developed as a church or school.
- (2) The maximum number of dwelling units of a PUD to be located in an R-3, R-4, or any commercial zone in which dwellings are permitted, except for the C-5 Neighborhood Commercial Zone, shall be computed by multiplying the gross acreage to be developed by twenty-four (24), excluding any area to be developed as a church, school, or other non-residential use.
- (3) The maximum number of dwelling units in a PUD to be located in a C-5 Neighborhood Commercial Zone shall be computed by multiplying the gross acreage to be developed by eight (8), excluding any area to be developed as non-residential.
- (4) The maximum number of dwelling units of a PUD to be located in all other zones shall be computed by multiplying the gross acreage to be developed by eight (8), excluding any area to be developed as a church, school, or other non-residential use.

- (5) Where zone boundaries for two or more residential zones divide one tract of land proposed for a PUD, the maximum number of dwelling units shall be computed by multiplying the gross acreage within each zone by the densities given above, and adding the numbers for the whole tract. The allowed maximum number of dwelling units may be located anywhere within the tract, in accordance with the regulations of this chapter.
- (6) The maximum number of dwelling units to be developed under a PUD in the A-1 Urban Agricultural Zone shall be computed by multiplying the gross acreage to be developed, excluding set asides, as described in article V, section 38-456, Subsections (2) and (3), by eight (8).

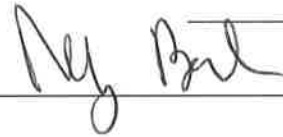
SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect within two (2) weeks from and after its passage as provided by law.

Passed on second and final reading: August 26, 2014



CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR

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