

ORDINANCE NO. 13178

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ARTICLE VIII, SECTION 38-568, RELATIVE TO USES IN THE FORM-BASED CODE THAT REQUIRE SPECIAL PERMITS FROM THE BOARD'S POWER.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Article VIII, Section 38-568, be amended by deleting subsection (3) in its entirety and substitute in lieu thereof the following:

Sec. 38-568. - Powers, etc., of board; hearings.

- (3) For fraternal, professional, or hobby clubs in the R-4 Special Zone and in Article XVI. Form-Based Code zones, where allowed with Special Permits.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article VIII, Section 38-568, be amended by deleting subsection (12) in its entirety and substitute in lieu thereof the following:

Sec. 38-568. - Powers, etc., of board; hearings.

- (12) For facilities such as a **kennel, animal day care facility, animal grooming service, and similar uses for small, domestic animals**, in the C-2 Convenience Commercial Zone, UGC Urban General Commercial Zone, M-1 Manufacturing Zone, and in Article XVI. Form-Based Code zones where allowed
Any outdoor use such as an animal run or non-enclosed kennel:
- (a) Shall be limited to the rear and/or side yard;
 - (b) Shall be located a minimum of one hundred (100) feet from property line, however this buffer may be reduced by the Board of Zoning Appeals if documented proof of proper screening, soundproofing, and site improvement

efforts are provided or other mitigating factors exist such as compatible abutting uses and zoning, and/or proximity to road, rail, or right-of-way;

- (c) Shall limit use of outdoor facilities to the hours between 7 am and 7 pm, unless the Board determines conditions on or around the subject property (i.e. abutting use and zoning, and/or proximity to road, rail, or river right-of-way) deem it appropriate to allow extended hours of operation;
- (d) Shall be fenced by a sight-obscuring screen (either solid or veil block, or some form of fence that is at least 50% opaque and at least six (6) feet high). No chain link, slat or wire fences can be used to meet the requirements of this section. The fence perimeter facing a residentially zoned neighborhood shall be screened with Type C Landscape Buffer. The Board may consider alternatives to this screening if existing buffer provides a better alternative or location in the Urban Overlay Zone supports a more appropriate urban edge; and

The above Article VIII, Sec. 38-568, Subsection (12) (a—d) requirements shall not apply to structures which are completely enclosed, adequately soundproofed, and constructed so that there will be no emission of odor or noise detrimental to other properties in the area as determined by the zoning official.


- (e) The distance requirement from a commercial or office use or zone set forth in subparagraph (b) shall not apply for the use of the property by an individual walking a single small animal on a leash in a fenced in area of the rear yard.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article VIII, Section 38-568, be amended by adding to subsection (24) “U-RM” and “E-RM” to the Table under Zones Permitted for Fraternity/sorority.

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article VIII, Section 38-568(24), be amended by replacing the second listing of “U-RD” in the Table with “U-RA” for Short-Term Vacation Rentals.

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: April 25, 2017



CHAIRPERSON
APPROVED: DISAPPROVED:



MAYOR

/mem