

**First Reading: December 11, 2018**  
**Second Reading: December 18, 2018**

ORDINANCE NO. 13408

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE IV, HEIGHT AND AREA EXCEPTIONS AND OTHER SPECIAL PERMITS, DIVISION 1, HEIGHT AND AREA EXCEPTIONS, SECTION 38-510, ACCESS TO COMMERCIAL, INDUSTRIAL, OR OTHER NON-RESIDENTIALLY ZONED PROPERTY TO THE R-3 RESIDENTIAL ZONE OR R-4 SPECIAL ZONE THAT IF DEVELOPED WITH NON-RESIDENTIAL USES THE R-3 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE WILL BE CONSIDERED A NON-RESIDENTIAL ZONE FOR PURPOSES OF ACCESS ONLY.

---

**WHEREAS**, the Chattanooga Zoning Regulations, Section 38-510 restricts access to commercial, industrial, or other non-residentially zoned property through residential zones; and

**WHEREAS**, the Chattanooga Zoning Regulations, Section 38-510 states that the R-3 Residential Zone and R-4 Special Zone, for purposes of access, shall be considered a non-residential zone if developed with multi-family residences; and

**WHEREAS**, multi-family residences are considered a non-residential use in the R-3 Residential Zone and R-4 Special Zone, for access purposes only, then additional uses in the R-3 Residential Zone and R-4 Special Zone such as non-residential uses should be considered a non-residential use in the R-3 Residential Zone and R-4 Special Zone; and

**WHEREAS**, the intent of this amendment is to add to Section 38-510 that for access purposes only, any site developed with a non-residential use within an R-3 Residential Zone and R-4 Special Zone are considered a non-residential zone just as multi-family residences are considered a non-residential zone in the R-3 Residential Zone and R-4 Special Zone.

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 IV, Height and Area Exceptions, Section 38-510, Access to commercial, industrial, or other non-residentially zoned property by deleting same in its entirety and substituting in lieu thereof the following:

**Sec. 38-510 - Access to commercial, industrial or other non-residentially zoned property.**

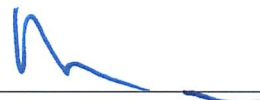
- (1) Access to commercial, industrial or other non-residentially zoned property shall be permitted only through a non-residential zone.
- (2) Access to residentially zoned or developed property may be through any other zone.
- (3) The R-3 Residential Zone, for purposes of access, shall be considered a non-residential zone if developed with non-residential uses or multi-family residential.
- (4) The R-4 Special Zone, for purposes of access, shall be considered a residential zone if undeveloped or developed residentially; it shall be considered a non-residential zone if developed with non-residential uses, or multi-family residential.

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: December 18, 2018

  
\_\_\_\_\_  
CHAIRPERSON

APPROVED:  DISAPPROVED:

  
\_\_\_\_\_  
MAYOR

/mem