

First Reading: October 8, 2019
Second Reading: October 15, 2019

ORDINANCE NO. 13505

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DOWNTOWN FORM BASED CODE, DIVISION 1, INTRODUCTORY PROVISIONS, SECTION 38-692, LEGAL REQUIREMENTS (10)(C) EXPANSION OF THE FORM BASED CODE BOUNDARY.

WHEREAS, there are several large sites that are planned for redevelopment adjacent to the existing Form Based Code boundary; and

WHEREAS, the current Form Based Code regulations do not provide a process for creating new context areas and associated zones for these large sites through the rezoning process; and

WHEREAS, these sites, due to their size and scale do not readily fit into the existing Form Based Code contexts and zone options within each context;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE:

SECTION 1. That Chattanooga City Code, Chapter 38, Article XVI, Downtown Form Based Code, Division 1, Introductory Provisions, Section 38-692, Legal Requirements (10)(C), Expansion of the Form Based Code Boundary, be amended by adding the following new subsection:

Sec. 38-692. Legal Requirements.

C. Non-Abutting Properties - Large Sites

1. For development sites over forty (40) acres, an applicant may submit a request for a new context area and related Form Based Code zones based on the following criteria:
 - A. The applicant demonstrates that the current Form Based Code zone options do not align with the unique site related conditions and the proposed development program.
 - B. Applicant demonstrates how the new context and zones fulfill the Form Based Purpose set forth in Section 38-696(4).
2. For a new context request, the applicant is limited to the following Form Based Code elements:
 - A. The defined new context area
 - B. The proposed Form Based Code zones, using the existing form based code zone templates
 - C. Proposed land use table, height, development standards for the zones
 - D. Proposed street standards (if departing from current street standards)
3. Proposed modifications are limited to the specific district related standards noted above. Changes to standards applied throughout the Form Based Code Area (Sections 38-698, Divisions 8, 9, 10, 11, 12 and 13) are not eligible for this request. The only exception is the minimum off-street parking standards, which the applicant may submit as part of the request. All proposed changes (zones, land use table, height, district standards, parking) are subject to staff review and recommendation as part of the rezoning process.
4. Application Submittal Requirements
 - A. Provide a description and map of the proposal that includes the following:
 - 1) Map of proposed new context, including legal description
 - 2) Map of proposed new Form Based Code zones, including legal description
 - B. Provide a description and map (drawn to scale) of the proposed development program that includes the following:
 - 1) The proposed streets
 - 2) The proposed uses and height ranges for each block
 - 3) Proposed lot configuration
 - 4) Proposed open spaces/parks

- C. Provide a context map that shows how the proposed development program and form based code districts relate to adjoining properties (uses, lot configuration, heights) within three hundred (300) feet of the proposed context boundary. The purpose of the context map is to demonstrate how the request appropriately accommodates transition and complements the surrounding development.
- D. Provide a written justification that addresses the need for the new context and form based code districts and how it meets the criteria established by Section 38-692 (10)(C)(1) above.

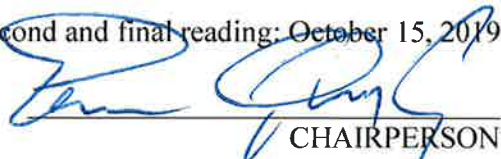
5. Submittal Process

- A. Project Eligibility Review: Due to the scale and complexity of such a request, the applicant is required to schedule a pre-application meeting with staff to determine eligibility. Applicant will submit to staff prior to the meeting a written justification for establishing a new context. Following the meeting staff will notify the applicant in writing confirming or denying the project eligibility for the new context based on the criteria defined by Section 38-692(C)(1).
- B. Once eligibility is confirmed by staff, all materials must be submitted at least two weeks prior to the zoning application deadline to allow staff time for review and to prepare the appropriate zoning text amendments.
- C. Staff recommendation will consider the appropriateness of the requested zones and proposed standards as defined by Section 38-696(4)(A).
- D. Staff will prepare the zoning text amendment as part of the request, not the applicant.

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, 2019



 CHAIRPERSON

APPROVED: DISAPPROVED:



 MAYOR

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