

ORDINANCE NO. 13761

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DOWNTOWN CHATTANOOGA FORM BASED CODE, DIVISION 14, THE BEND, BY ADDING A NEW ZONE, BEND-RIVERFRONT ZONE (B-R-12).

---

**WHEREAS**, the Downtown Chattanooga Form Based Code was developed to promote urban development form that aligns with the vision and policies set forth by the Downtown, ML King, Southside, and Northshore Plans; and

**WHEREAS**, the Form Based Code was adopted in 2016 establishing Context Boundaries and urban development standards for these Context Boundaries; and,

**WHEREAS**, the Form Based Code Zone includes provisions for expansions of the Form Based Code Boundary for abutting properties and non-abutting properties; and,

**WHEREAS**, the Form Based Code Zone was amended in 2019 to permit expansions of the Form Based Code for non-abutting properties-large sites for development sites over 40 acres; and,

**WHEREAS**, at the October 2021 meeting of the Chattanooga-Hamilton County Regional Planning Commission, a petitioner requested amendments to the Bend Context by adding a new zone to the Bend Context Area; and,

**WHEREAS**, at the October 2021 meeting of the Chattanooga-Hamilton County Regional Planning Commission, the Planning Commission directed RPA staff to process an amendment to the Form Based Code Zone to establish a process on how amendments are requested and to establish a process for adding new zones to the Form Based Coded.

**WHEREAS**, the petitioner submitted an application package to RPA for the creation of a new zone to be added to the Bend Context and this new zone was reviewed at the November 8, 2021 meeting of the Chattanooga-Hamilton County Regional Planning Commission; and,

**WHEREAS**, there was no opposition present at the meeting of the Chattanooga-Hamilton County Regional Planning Commission; and,

**WHEREAS**, the Planning Commission determined that the request for the proposed new Bend Riverfront Zone was appropriate is different from the other Form Based Code Context Areas.


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

SECTION 1. That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article XVI, Downtown Chattanooga Form Based Code, Division 14, The Bend (B), Section 38-763, Allowed Uses, (2) Allowed Use Table, be amended by adding a new table as attached for B-R-Riverfront Zone.

SECTION 2. That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article XVI, Downtown Chattanooga Form Based Code, Division 14, The Bend (B), be amended by adding the revised section sent on December 14, 2021.

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: December 21, 2021

  
\_\_\_\_\_  
CHAIRPERSON  
APPROVED:  DISAPPROVED:

  
\_\_\_\_\_  
MAYOR

/mem/Alternate Version

**THE BEND (B) | Allowed Uses**

See Sec. 38-738 for ADDITIONAL USE PROVISIONS

| Use Category<br>Specific Use                                 | the Bend |      |     | Definition/<br>Standards |
|--|----------|------|-----|--------------------------|
|  | B-CX     | B-PK | B-R |                          |
| <b>Residential Uses</b>                                      |          |      |     |                          |
| <b>Household Living</b>                                      |          |      |     | 38-738.(1)A.1.           |
| Single-unit living detached                                  | --       | --   | --  |                          |
| Single-unit living detached with accessory dwelling unit     | --       | --   | --  |                          |
| Two-unit living  | --       | --   | --  |                          |
| Single-unit living attached                                  | P        | --   | P   |                          |
| Single-unit living attached with accessory dwelling unit     | L        | --   | L   | 38-738.(6)C.             |
| Multi-unit living (up to 4 units)                            | P        | --   | P   | 38-738.(6)C.3            |
| Multi-unit living (5+ units)                                 | P        | --   | P   |                          |
| Manufactured home, single-wide                               | --       | --   | --  |                          |
| Manufactured home park                                       | --       | --   | --  |                          |
| Live/work unit   | P        | --   | P   | 38-738.(1)A.2.           |
| <b>Group Living</b>  |          |      |     | 38-738.(1)B.             |
| Assisted living facility                                     | P        | --   | SZ  | 38-568.(19)              |
| Boarding house   | P        |      | P   |                          |
| Dormitory  | P        | --   | SZ  | 38-568                   |
| Fraternity/sorority  | SZ       |      | SZ  | 38-568                   |
| Medically assisted living facility                           | P        | --   | SZ  | 38-568.(19)              |
| Nursing home   | P        | --   | SZ  | 38-568.(19)              |
| Residential home for handicapped or aged persons, commercial | P        | --   | SZ  | 38-523                   |
| <b>Social Services</b>                                       | SZ       | --   | SZ  | 38-738.(1)C.             |
| <b>Public/Institutional Uses</b>                             |          |      |     |                          |
| <b>Civic, except as listed below:</b>                        | P        | --   | P   | 38-738.(2)A.             |
| Church or other place of worship                             | P        | --   | P   |                          |
| Fire/police station  | P        | --   | P   |                          |
| Kindergarten, governmental or religious                      | P        | --   | P   |                          |
| Non-profit heritage educational facility                     | SC       | --   | SC  | 38-525                   |
| Publicly-owned building                                      | P        | P    | P   |                          |
| School   | P        | --   | P   |                          |
| <b>Public/Institutional Uses</b>                             |          |      |     |                          |
| <b>Parks and Open Space, except as listed below:</b>         | P        | P    | P   | 38-738.(2)B.             |
| Cemetery   | --       | --   | --  |                          |
| Golf course  | --       | --   | --  |                          |

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required  
SC = Special Exception from City Council Required -- = Not Permitted

**Allowed Uses | THE BEND (B)**

See Sec. 38-738 for ADDITIONAL USE PROVISIONS

| Use Category<br>Specific Use                  | the Bend |      |     | Definition/<br>Standards    |
|---|----------|------|-----|-----------------------------|
|   | B-CX     | B-PK | B-R |                             |
| <b>Utilities</b>                              |          |      |     | 38-738.(2)C.                |
| Minor utilities                               | P        | P    | P   |                             |
| Major utilities                               | P        | P    | P   |                             |
| Wireless Communications                       | SZ       | SZ   | SZ  | 38-568.(16)                 |
| <b>Commercial Uses</b>                        |          |      |     |                             |
| <b>Adult-Oriented Business</b>                | SZ       | --   | SZ  | 38-738.(3)A.<br>38-568.(18) |
| <b>Animal Care</b>                            |          |      |     | 38-738.(3)B.                |
| Animal care, indoor                           | P        | --   | P   |                             |
| Animal care, outdoor                          | --       | --   | --  |                             |
| <b>Day Care</b>                               | P        | --   | SZ  | 38-738.(3)C.                |
| <b>Indoor Recreation</b>                      | P        | --   | P   | 38-738.(3)D.                |
| <b>Medical, except as listed below:</b>       | P        | --   | P   | 38-738.(3)E.                |
| Hospital                                      | SZ       | --   | SZ  | 38-568.(19)                 |
| <b>Office</b>                                 | P        | --   | P   | 38-738.(3)F.                |
| <b>Outdoor Recreation</b>                     | P        | P    | P   | 38-738.(3)G.                |
| <b>Overnight Lodging</b>                      |          |      |     | 38-738.(3)H.                |
| Bed and breakfast                             | P        | --   | P   |                             |
| Hotel, motel                                  | P        | --   | P   |                             |
| Short-term vacation rental                    | P        | --   | P   | Chapter II Article XX       |
| Travel trailer camp or other camping facility | --       | --   | --  |                             |
| <b>Parking</b>                                |          |      |     | 38-738.(3)I.                |
| Commercial parking                            | P        | --   | P   | 38-568                      |
| Remote (off-site) parking                     | P        | --   | P   | 38-568                      |
| <b>Passenger Terminal</b>                     | P        | --   | P   | 38-738.(3)J.                |
| <b>Personal Service</b>                       | P        | --   | P   | 38-738.(3)K.                |
| <b>Restaurant</b>                             | P        | --   | P   | 38-738.(3)L.                |
| Mobile Food Units                             | P        | P    | P   | 20-149                      |

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required  
SC = Special Exception from City Council Required -- = Not Permitted

**THE BEND (B) | Allowed Uses**

See Sec. 38-738 for ADDITIONAL USE PROVISIONS

| Use Category<br>Specific Use                            | The Bend |      |     | Definition/<br>Standards |
|---|----------|------|-----|--------------------------|
|   | B-CX     | B-PK | B-R |                          |
| <b>Commercial Uses</b>                                  |          |      |     |                          |
| Retail, except as listed below:                         | P        | --   | P   | 38-738.(3)M.             |
| Alternative financial services establishment            | SC       | --   | SC  | 38-529                   |
| Gas station   | --       | --   | --  |                          |
| Liquor store  | SC       | --   | SC  | City Code 5-108          |
| Open air market   | SZ       | SZ   | SZ  | 38-568.(17)              |
| Vehicle Sales and Rental                                |          |      |     | 38-738.(3)N.             |
| Minor sales and rental                                  | --       | --   | --  |                          |
| Major sales and rental                                  | --       | --   | --  |                          |
| Entertainment Venue                                     | P        | P    | P   |                          |
| Marina w/ Gas Station                                   | --       | P    | P   |                          |
| <b>Industrial Uses</b>                                  |          |      |     |                          |
| Artisanal   | P        | --   | P   | 38-738.(4)A.             |
| Heavy Industrial  | --       | --   | --  | 38-738.(4)B.             |
| Light Industrial/Manufacturing, except as listed below: | P        | --   | P   | 38-738.(4)C.             |
| Alcohol distillery, small                               | SC       | --   | SC  | 38-2                     |
| Micro-brewery   | P        | --   | P   |                          |
| Research and Development                                | P        | --   | P   | 38-738.(4)D.             |
| Resource Extraction                                     | --       | --   | --  | 38-738.(4)E.             |
| Vehicle Service and Repair                              |          |      |     | 38-738.(4)F.             |
| Minor vehicle service and repair                        | --       | --   | --  |                          |
| Major vehicle service and repair                        | --       | --   | --  |                          |
| Warehouse, Storage and Distribution                     | P        | --   | --  | 38-738.(4)G.             |
| Waste-Related Service                                   | --       | --   | --  | 38-738.(4)H.             |
| <b>Outdoor Uses</b>                                     |          |      |     |                          |
| Agriculture   |          |      |     | 38-738.(5)A.             |
| Community garden  | P        | P    | P   |                          |
| Urban Agriculture                                       | SZ       | SZ   | SZ  |                          |
| <b>Accessory Uses</b>                                   |          |      |     |                          |
| Day care home   | P        | --   | P   | 38-738.(6)A.             |
| Drive-thru facility                                     | --       | --   | --  | 38-738.(6)B.             |
| Home occupation   | L        | --   | L   | 38-738.(6)D.             |
| Outdoor dining  | P        | P    | P   | 38-738.(6)E.             |
| Outdoor display   | L        | P    | P   | 38-738.(6)F.             |
| Outdoor storage, minor                                  | --       | --   | --  | 38-738.(6)G.             |
| Outdoor storage, major                                  | --       | --   | --  | 38-738.(6)H.             |

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required  
 SC = Special Exception from City Council Required -- = Not Permitted