

ORDINANCE NO. 13778

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V. ZONING REGULATIONS, DIVISION 5. R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE TO AMEND THE SETBACK REQUIREMENTS FOR SINGLE-FAMILY, TOWNHOUSE & MULTI-UNIT DWELLINGS AND REMOVE THE SITE PLAN REQUIREMENTS.

WHEREAS, on May 18, 2020, the Chattanooga-Hamilton County Regional Planning Commission approved and recommended to the Chattanooga City Council the adoption of the Historic River to Ridge Area 3 Plan. The Historic River to Ridge Area 3 Plan recommends future development patterns around “Place Types” that reflect urban qualities and development patterns that define the urban neighborhoods in the Historic River to Ridge Area 3 Plan; and,

WHEREAS, the Historic River to Ridge Area 3 Plan recommends an Urban Residential Place Type, defined as a traditional neighborhood development pattern that includes a range of housing types with single-family detached and two (2) to four (4) dwelling units per lot being the primary uses; and,

WHEREAS, the Historic River to Ridge Area 3 Plan also recommends an Urban Residential Single-Family Overlay Place Type with the primary purpose of maintaining the existing lot pattern within each block and the only use permitted is single-family detached dwellings; and,

WHEREAS, the R-T/Z Residential Townhouse Zero Lot Line Zone was amended in 2020 to remove the density requirements and allow up to four units on one lot to permit moderate to higher density residential development more in line with the minimum lot size standards of the E-RA Urban Edge Residential Attached Zone and to permit Multi-Unit (up to 4) Single-Family Detached Dwelling Units on one lot located inside the Urban Overlay, which is supported by the land use policies of the Historic River to Ridge Area 3 Plan “Place Type” designation of Urban Residential; and,

WHEREAS, the R-T/Z Amendment did not clearly address setback standards for townhouse units and multi-family units so recent developments have requested UGC Urban General Commercial Zone as the default urban zoning tool in urban neighborhoods as the only option to provide flexibility in setback standards. The UGC Urban General Commercial Zone is not the appropriate zoning designation in the urban residential neighborhoods due to the intensive permitted uses; however, at this time these zoning designations are the only zoning tools available; and,

WHEREAS, the intent of this amendment to the R-T/Z Residential Townhouse Zero Lot Line Zone is to serve as a temporary solution until the zoning code assessment is completed and the new urban residential zones finalized. After adoption of the new urban residential zones, an amendment will be drafted to rescind this amendment to the R-T/Z Residential Townhouse Zero Lot Line Zone; and

WHEREAS, the R-T/Z Residential Townhouse Zero Lot Line Zone has site plan requirements listed in the zone standards. These requirements are redundant and not necessary because the Chattanooga-Hamilton County Regional Planning Agency has a site plan policy for zoning applications for all zones.

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

SECTION 1. BE IT ORDAINED, That Chattanooga City Code, Part II, Chapter 38, be amended by amending **Article V, Zone Regulations, Division 5, R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-84, Height, Area, and Building Regulations, (2) For Areas Within the Urban Overlay Zone, delete in its entirety (c) Front Setback (from any Exterior Public Street), and replace with the following:**

(c) Front Yard Setback (from any Exterior Public Street):

- The front yard setback from any exterior public street for single-family detached, zero lot line, townhouse, and multi-unit (up to four dwellings on one lot) shall be equal to the average (mean) setback of existing residential structures located wholly or in part within three hundred (300) feet on each side of such lot within the same block face and fronting on the same side of the street, \pm five (5) feet. Setbacks on corner lots of a greater distance may be required by the City Traffic Engineer prior to the issuance of any building permit to insure adequate sight triangle visibility.
- If there are no existing residential structures within 300 feet on the same block face and fronting on the same side of the street, then the minimum front yard setback shall be 15 feet.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, be amended by amending **Article V, Zone Regulations, Division 5, R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-84, Height, Area, and Building Regulations, (2) For Areas Within the Urban Overlay Zone, delete in its entirety (f) Minimum Side Yard Setback and replace with the following:**

(f) Minimum Side Yard Setback:

- Single-Family Detached Units: 5 feet
- Zero lot Line Units: Side yard setback for zero lot line units must be from zero to one and one-half (1½) feet, or a minimum of six (6) feet from the adjacent property line if buildings are to be separated over a tenth (1/10) of a foot. The eave overhang is the only permitted element of the building structure allowed in the one and one-half (1½) feet setback. The opposite side yard must be at least six (6) feet and must be kept perpetually free of permanent obstructions (such as accessory buildings).
- Townhouse Units (when a side yard exists): 6 feet. Townhouse units between abutting units shall have a zero (0) foot side setback.
- Multi-unit (up to four units on one lot) when a side yard exists: 6 feet.

SECTION 3. BE IT FURTHER ORDAINED That Chattanooga City Code, Part II, Chapter 38, be amended by amending **Article V, Zone Regulations, Division 5, R-T/Z Residential Townhouse Zero Lot Line Zone, Section 38-84, Height, Area, and Building Regulations, (3) All Development, delete in its entirety C Site Plan Requirement.**

SECTION 4. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: January 18, 2022



CHAIRPERSON

APPROVED: 1 DISAPPROVED:



MAYOR

/mem/Alternate Version