

ORDINANCE NO. 13879

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, ZONE REGULATIONS, DIVISION 15, C-3 CENTRAL BUSINESS DISTRICT BY DELETING IN ENTIRETY DIVISION 15A, APPLICABLE C-3 STANDARDS FOR PROPERTIES REZONED TO C-3 AFTER JULY 13, 2021.

WHEREAS, Ordinance Number 13700 was adopted in July 2021 to add a new Division 15A, Applicable Standards for Properties Rezoned to C-3 After July 13, 2021; and

WHEREAS, the text amendment adopted by Ordinance Number 13700 was intended to be a temporary zoning code fix until the Chattanooga Zoning Code Study has been completed and new zoning tools are created for mixed use urban redevelopment; and

WHEREAS, City Council has requested that a one-year review report from the date of the adoption of this ordinance be provided to City Council regarding the performance of this text amendment; and

WHEREAS, Tennessee Code Annotated does not provide powers to planning commissions the authority to grant deviations or variance requests to development standards incorporated into zoning regulations; and

WHEREAS, Tennessee Code Annotated Section 13-7-207, Powers of Board of Appeals (3) provides that variances to the strict application of zoning regulations is the power of the Board of Appeals; and

WHEREAS, the Chattanooga Zoning Study has also been completed and the Chattanooga City Council has approved a contract to move forward with a comprehensive zoning code re-write; and

WHEREAS, the text amendment adopted by Ordinance Number 13700 incorporated the typical C-3 Zoning Conditions as development standards and provided a process in Section 38-235 for a deviation to these standards by the Chattanooga-Hamilton County Regional Planning Commission; and

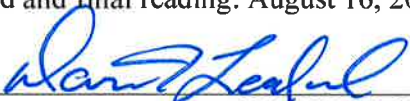
WHEREAS, this amendment to delete in its entirety Division 15A from the Chattanooga Zoning Regulations will be in compliance with the provisions of Tennessee Code Annotated; and

WHEREAS, requests for C-3 Central Business District Zone conditions have been historically used as a basic framework for providing minimum standards that promote urban, walkable development, and will continue to be used as framework when reviewing requests for C-3 Central Business District 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 V, Zone Regulations, Division 15, C-3 Central Business District, be amended by deleting Division 15A, Applicable C-3 Standards For Properties Rezoned To C-3 After July 13, 2021, in its entirety.

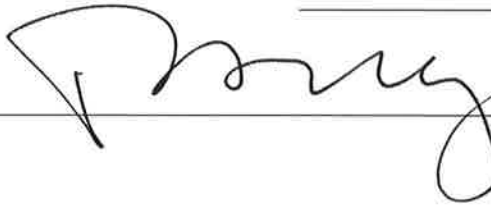
SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect fifteen (15) days after its passage on August 31, 2022.

Passed on second and final reading: August 16, 2022



CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR

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