

**A RESOLUTION AMENDING THE CHATTANOOGA CITY
CODE, PART II, CHAPTER 38, ZONING ORDINANCE,
ARTICLE III ZONES AND BOUNDARIES BY ADDING A NEW
DIVISION 4 BR-SO BRAINERD ROAD STREETScape
OVERLAY ZONE**

WHEREAS, the intent of the BR-SO Brainerd Road Streetscape Overlay Zone is to realize the primary objectives of “BRAINERD . . . a vision for Today” – the community’s master plan, adopted by the Chattanooga City Council in 2011; and

WHEREAS, the Plan’s goal is to create a vibrant town center along Brainerd Road that is well connected to adjacent neighborhoods; and

WHEREAS, the attached BR-SO Brainerd Road Streetscape Overlay Zone shall apply to ALL properties fronting Brainerd Road from the Spring Creek Road intersection to the East Brainerd Road intersection; and

WHEREAS, the attached BR-SO Brainerd Road Streetscape Overlay Zone shall supplement the requirements of the underlying zoning for all properties within the Overlay Zone area; and

WHEREAS, all other City codes, as currently adopted, apply to properties within the Brainerd Overlay Zone; and

WHEREAS, properties within the Brainerd Overlay Zone are exempt from the street yard requirements of the Chattanooga Landscape Ordinance as applied to the Brainerd Road edge of right-of-way; and

WHEREAS, the Chattanooga Landscape Ordinance street yard requirements still apply to all other street frontages outside of the BR-SO Brainerd Road Streetscape Overlay Zone boundaries; and

WHEREAS, properties which choose to pursue dedication of streetscape land to the City of Chattanooga shall adhere to the requirements set forth in the attached BR-SO Brainerd Road Streetscape Overlay Zone; and

WHEREAS, Redevelopment shall constitute one or more of the following situations: (i) a change of occupancy of the building, as defined by the currently adopted Building Code and/or (ii) additions to a building or parking lot, or other pavement, encompassing less than or equal to 25% of the parcel; and

WHEREAS, New Development shall constitute the following situation: (i) new construction and/or (ii) additions to a building or parking lot, or other pavement, encompassing greater than 25% of the parcel; and

WHEREAS, the requirements of properties qualifying as Redevelopment or New Development are listed in the BR-SO Brainerd Road Streetscape Overlay Zone and shall be the responsibility of the property owner; and

WHEREAS, maintenance of the improvements required in the Brainerd Overlay Zone shall be the responsibility of the property owner; and

WHEREAS, the BR-SO Brainerd Road Streetscape Overlay Zone is a tool needed to facilitate the codification and updates of the 2010 Brainerd Road Development Policies; and

WHEREAS, the BR-SO Brainerd Road Streetscape Overlay Zone shall institute a consistent Street Edge Zone and Bike/ Pedestrian Zone, while only New Development shall also install a Storefront/ Building Zone and a Parking zone; and

WHEREAS, these development zones will work to improve the visual character of the corridor with establishing unified streetscape, signage, building materials, and lighting along Brainerd Road; and

WHEREAS, these development zones will work to mitigate traffic congestion and make the corridor more pedestrian friendly with updated parking and multi-modal circulation requirements; and

NOW THEREFORE BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on June 9, 2014, does hereby recommend to the Chattanooga City Council to amend the Chattanooga Zoning Regulations as follows:

Amend Article III, Zones and Boundaries, by adding a new Division 4. BR-SO Brainerd Road Streetscape Overlay Zone to per the attached document.

Respectfully submitted,

John Bridger, Secretary

Date of adoption: June 9, 2014