

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, ARTICLE V. DIVISION 30, URBAN
INFILL LOT COMPATIBILITY OPTION, SECTION 38-480, MINIMUM YARD
REQUIREMENTS.**

WHEREAS, the intent of the Urban Infill Lot Compatibility Option is to permit a development form to occur by determining compatible lot size, lot frontage, front setback, and allowing reduced side yard setbacks in older established neighborhoods within the Urban Overlay Zone; and,

WHEREAS, if a proposed subdivision plat meets the minimum compatibility calculation requirements of the Urban Infill Lot Compatibility Option, then a subdivision plat may be recorded creating lots that have lot frontages, lot sizes, and front and side setbacks that are less than the established minimum standards of the base zoning that are compatible with the form and character of the neighborhood; and,

WHEREAS, requirements of Chattanooga Zoning Regulations, Section 38-480 Minimum Yard Requirements permits reduced front yard and side yard setbacks for lots that are created in compliance with the Urban Infill Lot Compatibility Option where the lot sizes are less than 7,500 square feet; and,

WHEREAS, if the lots are similar and compatible in lot frontage, lot size, and setbacks, then limiting the reduced setbacks to lots that are less than 7,500 square feet could lead to increased requests for setback variances, and new construction that may or may not be compatible with the character and form of the existing neighborhood.

NOW THEREFORE, BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on September 12, 2016 does hereby recommend to the Chattanooga City Council that the City of Chattanooga Zoning Ordinance be amended as follows:

AMEND Article V, Division 30, Urban Infill Lot Compatibility Option, by removing **Section 38-480** in its entirety and substituting in lieu thereof in the following:

Section 38-480 Minimum Yard Requirements.

- (1) For lot sizes created with the reduction allowed under the Urban Infill Lot Compatibility Option the following minimum yard requirements shall apply:
 - (a) Front building setback shall be equal to the average of the building setbacks of adjacent residential structures on the same street, +/- 5 feet. Maximum setback allowed is 25'. If adjacent lots are vacant, the nearest residential structures on the same side of the street shall be used. Exceptions for hardships due to topography, lots of record, or other factors must be approved by the Chattanooga-Hamilton County Regional Planning Commission.
 - (b) Rear setback: There shall be a rear setback of not less than 25'.

(c) If the Infill Lot is an interior lot there shall be a side yard of not less than five (5) feet.

(d) If the Infill Lot is a corner lot the following minimum side yards on the street shall apply:

LOT WIDTH	
50 feet or less	10 feet
50.1 feet to 60 feet	10 feet
60.1 feet or more	25 feet

(e) On corner Infill Lots the interior sidelines shall be permitted to have a side yard setback of five (5) feet.

(2) Height: No building shall exceed two and one-half stories or 35 feet in height except that a building may exceed these height regulations provided that for every one (1) foot of additional height over 35 feet the building shall be set back one (1) additional foot from all property lines.

Respectfully submitted,

John Bridger, Secretary

Date of Adoption: September 12, 2016

JB:GH:PD:SH:bs