



**A RESOLUTION TO AMEND THE HAMILTON COUNTY
ZONING REGULATIONS, ARTICLE IV. SCHEDULE OF
DISTRICT REGULATIONS, TO ADD A NEW SINGLE-FAMILY
RESIDENTIAL ZONING DISTRICT PERMITTING SMALLER
LOT SIZES, REDUCED FRONT AND REAR SETBACKS,
ARTICLE IV. SCHEDULE OF DISTRICT REGULATIONS, AND
SECTION 300 RT-1 RESIDENTIAL TOWNHOUSE DISTRICT,
ARTICLE IV. SCHEDULE OF DISTRICT REGULATIONS**

WHEREAS, at the March 8, 2021 meeting of the Chattanooga-Hamilton County Regional Planning Commission, the Home Builders Association of Greater Chattanooga (HBAGC) presented a series of requested modifications to the Hamilton County subdivision and zoning regulations entitled “HBAGC Smart and Responsible Growth Initiative”; and,

WHEREAS, the HBAGC stated that the changes would help to reduce housing costs and promote more affordable housing and efficient use of land. The Planning Commission asked the staff of the Chattanooga-Hamilton County Regional Planning Agency (RPA) to review the proposed amendments and provide feedback; and,

WHEREAS, as requested by the Planning Commission, staff reviewed the HBA proposal. In preparation of the report, RPA staff consulted with Hamilton County Departments regarding matters related to emergency services, streets and enforcement of subdivision and zoning regulations. Staff also referenced the Tennessee Code Annotated, the 2012 International Fire Code adopted by the County, the existing Zoning/Subdivision Regulations, the zoning history over the past 5 years, and current policies to inform the findings and recommendations in the report; and,

WHEREAS, at the April 12, 2021 meeting of the Chattanooga-Hamilton County Regional Planning Commission RPA staff presented the findings and recommendations outlined in the report and asked for directive from the Planning Commission on what amendments, modifications, or new zoning tools staff should draft and bring back to the Planning Commission for their review and consideration; and,

WHEREAS, at the April 12, 2021 Planning Commission meeting the Planning Commission determined that more options or flexibility should be provided in the zoning regulations for additional development choices, the Planning Commission directed staff to create a new, small lot single-family residential district featuring smaller minimum lot size with reduced setbacks by right. This new single-family residential district would provide the opportunity for two different single family development options; and,

WHEREAS, the Planning Commission directed staff to amend the existing RT-1 Residential Townhouse District to provide more flexibility in housing and development options remove the policy statement that townhouse developments of 8 or more units should be located within five hundred (500) feet of a major arterial or collector street; and,

NOW THEREFORE, BE IT RESOLVED that the Chattanooga-Hamilton County Regional Planning Commission on May 10, 2021, does hereby recommend to the Hamilton County Commission that the Hamilton County Zoning Regulations be amended as follows:

Amend Article IV. Schedule of District Regulations, by adding a new Zoning District as follows:

300. R-1-5 SINGLE-FAMILY RESIDENTIAL DISTRICT REGULATIONS

301. Intent

The intent of this Residential District is for low to medium density single-family detached residences and their accessory uses with flexibility provided for minimum small lot sizes, smaller minimum lot frontages, and smaller front and rear setbacks than the traditional R-1 Single-Family Residential District. This Zoning District is to be used in areas served by public sewer and would be appropriate in areas supported by adopted land use/area plan policies.

302. Use Regulations

A. Principal Uses Permitted

- (1) Single-family dwellings
- (2) Schools
- (3) Parks, playgrounds, and community buildings
- (4) Churches
- (5) Golf courses, except as prohibited in subsection D listed below
- (6) Fire halls and other public buildings
- (7) Kindergartens operated by religious or governmental agencies
- (8) Day care homes

B. Accessory Uses Permitted

- (1) Buildings, structures, and uses customarily incident to any of the above uses, when located on the same lot or tract, and not involving the conduct of a business, subject to the regulations and restrictions of ARTICLES V and VI.
- (2) Home occupations, offices, and studios, when situated in the building used by the person engaged in the occupation as his or her private dwelling provided no advertising sign, merchandise, products or equipment is displayed for advertising purposes. (See Definition of Home Occupation)

C. Additional Uses Allowed with Special Permit

- (1) **Special Permits by Chattanooga-Hamilton County Regional Planning Commission:**
 - a) Single-wide manufactured homes subject to ARTICLE VI, Section 301
 - b) Campgrounds, tent-only, subject to ARTICLE VI, Section 305
- (2) **Special Permits by Hamilton County Commission:**
 - a) Commercial radio, television, telephone, microwave and other communication towers, subject to ARTICLE VI, Section 410
 - b) Day care centers subject to ARTICLE VI, Section 419

- c) Kindergartens, except those operated by governmental units or religious organizations, subject to ARTICLE VI, Section 424
- d) Special Event Facility under the terms specified in Article VI, Section 427
- (3) **Special Permits by Board of Zoning Appeals:**
 - a) Temporary farm stands, subject to ARTICLE VII, Section 401

D. Prohibited Uses

- (1) Golf driving ranges, commercial “Par 3” golf courses, miniature courses, and other similar commercial operations.

303. Area Regulations

A. Lot Area and Frontage

Lot Area

- (1) A minimum lot area of 25,000 square feet for single-family lots on individual wells and septic tanks. In all other instances, a residential lot shall be large enough to construct the original subsurface sewage disposal system as required by the Hamilton County Groundwater Protection and to provide an area for 100% duplication of that system. The area(s) for both original and duplicate systems shall meet the provision of the State Rules and Regulations to Govern Subsurface Sewage Disposal. The Hamilton County Groundwater Protection may limit the number of bedrooms and whirlpool tubs on the basis of effective capacity of the proposed sewage disposal facilities.
- (2) A minimum lot area of 5,000 square feet is required for lots served by public sanitary sewers.

Lot Frontage

- (1) Minimum lot frontage shall be 50 feet for lots served by public sanitary sewers and 75 feet for lots served by septic tanks.

B. Front Yard

There shall be a front yard of a minimum depth of twenty (20) feet.

C. Side Yard

- (1) There shall be a side yard of a minimum depth of five (5) feet on each side of the lot.
- (2) For corner lot side yard requirements, see Article VI, Section 103.
- (3) Churches, schools, or other permitted uses and their accessory structures, other than dwellings, there shall be a side yard of not less than twenty-five (25) feet.

D. Rear Yard

There shall be a rear yard of a minimum depth of twenty (20) feet.

304. Height Regulations

Except as provided in ARTICLES V and VI, no building shall exceed two and one-half stories or 35 feet in height.

Amend Article IV. Schedule of District Regulations, 300. RT-1 Residential Townhouse District, Section 301. Intent by deleting the following:

It is further intended as a policy that any townhouse development of more than 8 units should be located within 500 feet of a major arterial or collector as shown on the General Regional Plan most recently adopted by the Planning Commission.

Amend Article IV. Schedule of District Regulations, 300. RT-1 Residential Townhouse District, Section 303. Height and Area Regulations, by deleting the following:

J. Any townhouse development of more than eight (8) units must be located within five hundred (500) feet of a major arterial or collector street, road or highway as shown on the General Regional Plan most recently adopted by the Planning Commission.

Amend Article V. General Provisions, 300. Hamilton County Landscape Regulations, 305. Screening Requirements B. Procedure, Low Density Residential by deleting and replacing with the following:

Low Density Residential: A-1, R-1, R-1-5, R-2, R-2, and MH

Amend Article IV. Schedule of District Regulations, Sections Numbers from 300, 400, 500, 600, 700, 80, 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, 1800, and 1900 as follows:

- 400: RT-1 Residential District
- 500: R-T/Z Residential Townhouse Zero Lot Line District
- 600: R-2 Urban Residential District
- 700: R-2A Rural Residential District
- 800: R-3 Multi-Family Residential District
- 900: R-3MD Moderate Density District
- 1000: R-5 Single-Wide Manufactured Home District
- 1100: MH Manufactured Home District
- 1200: O-1 Office District
- 1300: C-1 Tourist Commercial District
- 1400: C-2 Local Business Commercial District
- 1500: C-3 General Business Commercial District
- 1600: C-5 Neighborhood Commercial District
- 1700: M-1 Manufacturing District
- 1800: M-2 Wholesale and Light Industrial District
- 1900: M-3 Warehouse and Wholesale District
- 2000: M-4 Outdoor Industrial Use District

Respectfully submitted,

John Bridger, Secretary

Date of Adoption: June 14th, 2021
R-1-5 Single-Family Residential Small Lot