

## CITY OF CHATTANOOGA – M-1 ZONING REGULATIONS

### DIVISION 19. - M-1 MANUFACTURING ZONE

#### Sec. 38-301. - Use regulations.

- (1) The following uses shall be PROHIBITED:
  - (a) Dwellings, except watchman's house
  - (b) Cemeteries
- (2) The following uses shall be located at least one thousand (1,000) feet from the nearest boundary of the R-4 Special Zone, if undeveloped or developed with residential uses, or any Residential Zone:
  - (a) Blast furnace
  - (b) Boiler works
  - (c) Forge plants
  - (d) Foundries
  - (e) Planing mills
  - (f) Processing of fish, poultry and meat
  - (g) Rolling mills
  - (h) Smelting
- (3) Recycling Processing Centers for construction, demolition, or other materials to be recycled and used in new products shall be required to have an Industrial Conditional Permit unless the following provisions are met:
  - (a) All processing such as compacting, shredding, or bailing shall be within an enclosed building;
  - (b) All outdoor storage shall be concealed from view, beyond the limits of the property, by fencing or natural screening; or
  - (c) Any other storage shall be within an enclosed building; and
  - (d) No salvaging of parts or dismantling will be permitted.
  - (e) If the provisions of Section 38-301(3)(a—d) are not met, any person desiring such a Conditional Permit shall apply to the Chattanooga-Hamilton County Regional Planning Commission, which shall hold a public hearing thereon. The Chattanooga-Hamilton County Regional Planning Agency shall provide notification by first class mail to the adjoining and other property owners within a radius of three hundred (300) feet of the property affected.
  - (f) In order that the Planning Commission may evaluate the effect on nearby uses and on the community at large, the applicant for an Industrial Conditional Permit shall:
    - (i) Furnish complete plans and method of operation.
    - (ii) Have present at the hearing for said permit an Engineering Consultant in this particular phase of industry to fully evaluate all areas of control of vibration, dust, noxious odors fumes, nuisance factor, etc.
  - (g) An appeal to the decision of the Chattanooga-Hamilton County Regional Planning Commission may be made to the Chattanooga City Council. Notification of the decision to appeal shall be made to the Regional Planning Agency within ten (10) days after the decision of the Chattanooga-Hamilton County Regional Planning Commission. At the hearing before the Chattanooga City Council, the decision of the Chattanooga-Hamilton County Regional Planning Commission shall constitute nothing more than a recommendation, and the Chattanooga City Council shall determine the appropriate action to be taken upon the request for a conditional permit de novo.

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- (4) Any other lawful use, other than those uses specified in section 38-341(1) of the M-4 Outdoor Industrial Use Zone, shall be permitted in this zone,
  - (a) except that Commercial Hazardous Waste Management Facilities or Commercial Medical Waste Management Facilities shall also be subject to the provisions of article X of this chapter.
- (5) Any use shall comply with all currently adopted codes of the City of Chattanooga (Federal, State, or local) with regard to fire and explosive hazards, smoke, dust, fly ash, fumes, or odor.
- (6) Tank farms for petroleum and relating products, including ethanol transfer facilities.

(Code 1995, App. B, Art. V, § 1001; Ord. No. 10811, 12-15-98; Ord. No. 12005, § 1, 9-18-07; Ord. No. 12079, 8-19-08; Ord. No. 12550, § 2, 10-18-11)

Sec. 38-302. - Uses permitted as special exceptions by the board of appeals.

The following uses and structures with their customary accessory buildings may be permitted as special exceptions by the Board of Appeals, subject to the requirements and restrictions as specified in article VIII:

- (1) Open air markets:

Open air markets shall be permitted only subject to the approval of a Special Permit by the Board of Appeals under terms of article VIII and

- (2) Day care centers:

Day care centers shall be permitted subject to issuance of a Special Permit by the Board of Appeals in accordance with the provisions of article VIII.

- (3) Adult-oriented establishments:

Adult-oriented establishments, as defined and restricted by article VIII, shall be subject to the issuance of a Special Permit by the Board of Appeals in accordance with the requirements of article VIII.

- (4) All Telecommunications Facilities:

The Board of Appeals for Variances and Special Permits may issue a Special Permit for all Telecommunications Facilities under the terms specified in article VIII.

- (5) Cremation/Crematory:

- (a) Facilities for human remains; or
- (b) Facilities for companion animal remains.

Either facility shall require issuance of a special permit from the Board of Zoning Appeals as provided in Article VIII. Such facility shall not be combined to allow the combination of human and companion animal remains within the same facility operation.

- (6) Kennel, animal day care facility, animal grooming service, and similar uses for small, domestic animals. Such facilities shall be permitted only subject to the approval of a Special Permit by the Board of Zoning Appeals under terms of Article VIII.

(Code 1995, App. B, Art. V, § 1002; Ord. No. 10881, 7-27-99; Ord. No. 11253, 3-19-02; Ord. No. 12241, § 2, 5-19-09; Ord. No. 12378, § 1, 4-20-10; Ord. No. 12717, § 6, 4-23-13; Ord. No. [13061](#), § 4, 5-17-16; [Ord. No. 13205, § 2, 7-18-17](#) )

Sec. 38-303. - Uses permitted as special exceptions by the city council.

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The following uses may be permitted as special exceptions by the City Council, subject to the requirements and restrictions as specified in Article VI:

- (1) Wineries, including vineyards, processing, bottling and sales facilities shall be permitted only subject to approval of the City Council by Special Exceptions Permit;
- (2) Alcohol Distillery, Small and Alcohol Distillery, Large to the M-1 Manufacturing Zone;
- (3) Liquor stores shall be permitted only subject to approval of the City Council for each proposed liquor store as authorized by Tennessee Code Annotated, 57-3-108 and sections 5-101 through 5-126, Part II, Chattanooga City Code; and
- (4) Non-Profit Heritage Educational Facility under the terms specified in Article VI, Section 38-525.
- (5) Alternative Financial Services.

(Code 1995, App. B, Art. V, § 1003; Ord. No. 12232, § 1, 4-21-09; Ord. No. 12816, § 5, 3-25-14; [Ord. No. 12911, § 8, 2-17-15](#) )

Sec. 38-304. - Height and area regulations.

- (1) No building shall exceed thirty-five (35) feet in height except that a building may exceed thirty-five (35) feet in height provided either that for every foot of additional height over thirty-five (35) feet the building shall be set back one (1) additional foot from all property lines; or that if any point on the exterior surface of the building is above thirty-five (35) feet in height, the vertical projection of such point upon the ground shall not be nearer to any property line than a horizontal distance equal to the height of such point above the ground.
- (2) There is no minimum building site area.
- (3) There shall be a front yard of not less than twenty-five (25) feet.
- (4) There shall be a side yard of not less than twenty-five (25) feet when side yard adjoins residential zone.
- (5) There shall be a rear yard of not less than twenty-five (25) feet where the rear yard adjoins a residential zone.
- (6) Other than as provided above, no other front, rear or side yards are required, but where buildings are separated, the distance between them shall be at least ten (10) feet.
- (7) All Telecommunication Facilities shall be subject to the setback requirements set forth in article VIII.

(Code 1995, App. B, Art. V, § 1004; Ord. No. 11253, 3-19-02; Ord. No. 11459, § 2, 9-16-03; Ord. No. 13205, § 2, 7-18-17)

**Cross reference**— Off-street parking requirements, article V, section 38-471, et seq.

Sec. 38-305. - Reserved.

**Editor's note**— [Ord. No. 13496](#), § 3, adopted Aug. 27, 2019, repealed § 38-305, which pertained to screening from residential zones and derived from Ord. No. 9492, 11-20-90; Code 1995, App. B, Art. V, § 1006; Ord. No. 10383, 2-20-96; Ord. No. 10397, 4-2-96.

Sec. 38-306. - Reserved.

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**Editor's note**— [Ord. No. 13496](#), § 4, adopted Aug. 27, 2019, repealed § 38-306, which pertained to outdoor storage in the M-1 Manufacturing Zone and derived from Code 1995, App. B, Art. V, § 1007.

Secs. 38-307—38-320. - Reserved.