

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SECTION 38-672(2), METHOD OF PROCEDURE TO INCLUDE SPECIAL PERMIT PETITIONS.

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, Section 38-672, to delete subsection (2) in its entirety and substitute in lieu thereof the following:

Sec. 38-672. Method of procedure

- (2) Provided, however, that a petition for rezoning, close and abandon, or special permits shall not be accepted for a period of nine (9) months following denial of a previous petition involving the same property or any part thereof.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

_____, 2012

CHAIRPERSON

APPROVED: ____ DISAPPROVED: ____

DATE: _____, 2012.

MAYOR

/mms



Executive Office
Development Services
Transportation Planning Organization (TPO)

**A RESOLUTION TO AMEND THE CHATTANOOG CITY CODE, PART II,
CHAPTER 38 ZONING ORDINANCE, SECTION 38-672 CHANGES AND
AMENDMENTS METHOD OF PROCEDURE TO INCLUDE SPECIAL PERMIT
PETITION ACCEPTANCE**

WHEREAS, current regulations set out a time period of nine (9) months for acceptance of petitions for zoning or closure/abandonment cases involving the same property; and

WHEREAS, it has been determined that Special Permit petitions should be included in the same procedure.

NOW THEREFORE, BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on October 8, 2012, does hereby recommend to the Chattanooga City Council that the Chattanooga Zoning Ordinance be amended as follows:

Section 38-672, Method of procedure, delete subsection (2) in its entirety and substitute in lieu thereof the following:

- (2) Provided, however, that a petition for rezoning, close and abandon, or special permits shall not be accepted for a period of nine (9) months following denial of a previous petition involving the same property or any part thereof.

Respectfully submitted,



John Bridger, Secretary

Date of Adoption: October 8, 2012

JD:GH:PD:sh

(SpPmtTimePeriod)

Executive Office/TPO
(423) 757-5216
Fax: (423) 757-5532

1250 Market Street • Suite 2000, Development Resource Center
Chattanooga, Tennessee 37402

Development Services
(423) 668-2287
Fax: (423) 668-2289

NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2012-121 The Broadway Group, LLC/Lee McCay/Tiftonia Church of Christ. 151 Browns Ferry Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-129 John Wise. 1810 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2012-131 Don Skiles. 6811 McCutcheon Road, from R-1 Residential Zone to R-3MD Moderate Density Zone, subject to certain conditions.

2012-137 Homebuilders Association/Teresa Groves. 3215, 3219, and 3221 Harrison Pike, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-140 Barry Evans/James Pratt. 402 Forest Avenue, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved and denied in part:

2012-143 James D. Lee. 8203 East Brainerd Road, from R-1 Residential Zone and R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2012-117 Ericka Stearns. 906 East 10th Street, from R-1 Residential Zone to R-3 Residential Zone.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be approved:

2012-144 Chattanooga Construction Company, LLC. 100 thru 200 blocks of Templeton Lane, for a Residential Planned Unit Development.

5. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendment be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) Amending Section 38-672, Method of procedure, to include special permit petition acceptance.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

November 13, 2012

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2012.

Carol K. O'Neal, CMC
Clerk to the City Council