

First Reading: _____
Second Reading: _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 15, C-3 CENTRAL BUSINESS ZONE, BY ADDING A SPECIAL EXCEPTIONS PERMIT REQUIREMENT FOR ASSISTED LIVING FACILITIES OPERATED FOR-PROFIT.

WHEREAS, Assisted Living Facilities are defined as a “commercial use” if they are operated on a for-profit basis; and

WHEREAS, there is currently no clear provision for Assisted Living Facilities in the C-3 Central Business Zone; and

WHEREAS, Assisted Living Facilities are appropriate in the C-3 Central Business Zone if reviewed through the Board of Zoning Appeals special permit process;

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, Article V, Division 15, C-3 Central Business Zone, Section 38-223, by adding Item (4) as follows:

- (4) Assisted Living Facilities Operated on a For-Profit Basis.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks upon passage of second reading.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: ____ DISAPPROVED: ____

MAYOR

/mem



**A RESOLUTION TO AMEND THE CHATTANOOGA CITY CODE,
PART II, CHAPTER 38 ZONING ORDINANCE, ARTICLE V, DIVISION
15 C-3 CENTRAL BUSINESS ZONE, BY ADDING A SPECIAL
EXCEPTIONS PERMIT REQUIREMENT FOR ASSISTED LIVING
FACILITIES OPERATED FOR-PROFIT**

WHEREAS, Assisted Living Facilities are defined as a "commercial use" if they are operated on a for-profit basis; and

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WHEREAS, Assisted Living Facilities are appropriate in the C-3 Central Business Zone if reviewed through the Board of Zoning Appeals special permit process; and

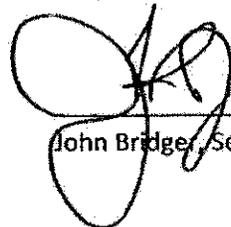
WHEREAS, the Land Development Office and the City Attorney of the City of Chattanooga has requested the amendment.

NOW THEREFORE, BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on May 11, 2015, does hereby recommend to the Chattanooga City Council that the following section be amended as follows:

Amend Article V, Division 15 C-3 Central Business Zone, Section 38-223, by adding item (4) to read as follows:

(4) Assisted Living Facilities Operated on a For-Profit Basis.

Respectfully submitted,



John Bridge, Secretary

Date of Adoption: May 11, 2015

JB:GH:PD:sh

AssLivFacFor-Profit

NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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:

2015-061 James Scott and Holy Temple Church of God. 2311 Bliss Avenue, from M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions.

2015-062 Duane Carleo. 1518 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-070 Asa Engineering, Allen Jones, Ronald Speicher, and Ben O'Daniel. 137 and 200 Oyler Lane and 5510 Moody Sawyer Road, from R-1 Residential Zone to R-3 Residential Zone.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied for the R-4 Special Zone request and recommend approval of R-3 Moderate Density as follows:

2015-063 Donald Runyan and Smart Living Trust. 4200 Willard Drive, from R-2 Residential Zone to R-4 Special Zone.

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

2015-067 MAP Engineers c/o Mike Price and Bernard H. Brown, III. 4500, 4506, 4510, 4514, and 4550 Webb Road, for a Residential Planned Unit Development.

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

- (a) Amending Article V, Division 15, C-3 Central Business Zone, Section 38-223, by adding a Special Exceptions Permit requirement for assisted living facilities operated for profit.
- (b) Deleting the Urban Overlay Zone area description in Article III, Division 3, Urban Overlay Zone, Section 38-11(2) beginning in the text at “the 1800 block of Hixson Pike” and ending with “the center line of the 1200 block of Hixson Pike” and replacing in lieu thereof.

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,

June 9, 2015

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 _____, 2015.

Nicole Gwyn
Clerk to the City Council