

First Reading: _____
Second Reading: _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 25, SECTION 38-402, APPLICATION PROCEDURE FOR PLANNED UNIT DEVELOPMENT TO DELETE THE REFERENCE TO A SIXTY (60) MONTH PERIOD AND FOR CORRECTION OF WORDING WITHIN SUBSECTIONS (2)(b), (5)(a), (6), AND (6)(c).

WHEREAS, development projects have certain “vested rights” under state law that did not exist at the time the five (5) year, sixty (60) month expiration rule was added to the PUD requirements; and

WHEREAS, the “major change” section of the PUD requirements are very specific and are a better tool than an expiration date to regulate change over time; and

WHEREAS, the current sixty (60) month expiration requirement is proving to create administrative conflicts and confusion; and

WHEREAS, the following amendments will apply to all active PUDs.

NOW, THEREFORE

SECTION 1. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-402(2)(b), (5)(a), (6), and 6(c) be and are hereby amended as follows:

Sec. 38-402 Application procedure for planned unit development.

(2)(b) PUD Development Plan – Change the minimum scale from one inch equals one hundred feet (1”=100’) to one inch equals two hundred feet (1”=200’).

(5)(a) Subdivision Plat – Remove the word “active” from the last sentence.

(6) Enforcement – Delete Item “a” in its entirety and re-letter the remaining items alphabetically.

6(c) Enforcement – Remove the words “expires or” from the first sentence.

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

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

/mem