

1ST READING

9-9-08

2ND READING

9-16-08

INDEX NO.

ORDINANCE NO. 12160

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V, SECTIONS 1212(1) and (2) and 1311(1) and (2), RELATIVE TO MAJOR AND MINOR CHANGES TO RESIDENTIAL AND INSTITUTIONAL PLANNED UNIT DEVELOPMENTS AFTER REVIEW OR ADOPTION.

WHEREAS, The Chattanooga-Hamilton County Regional Planning Commission (RPA) has determined that clarification is needed regarding major and minor changes to Residential and Institutional Planned Unit Developments in order to insure that the Planned Unit Developments adopted by the legislative body is reasonably consistent with the earlier versions reviewed by RPA; and

WHEREAS, The Chattanooga-Hamilton County Regional Planning Commission has recommended amendments of Article V, Sections 1212(1) and (2) and 1311(1) and (2).

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, within Article V, Sections 1212(1) and (2) and 1311(1) and (2), be and are hereby amended by deleting same in their entirety and substituting in lieu thereof the following:

- (1) **Major Changes** - If a major change is made to the Planned Unit Development after it has been reviewed by the Planning Commission or adopted by the legislative body it shall be considered the same as a new petition and shall be made in accordance with the procedures specified in this Section. A major change is any one of the following:
 - a. Any increase in density;
 - b. Any change in the outside (exterior) boundaries;
 - c. Any significant change in the land use classification;

- d. Any significant change in the location or amount of land devoted to a specific land use;
- e. Any significant change in the exterior appearance from what is shown on any plans, if such exterior plans are submitted or presented by the developer;
- f. Any change to the location of access;
- g. Any increase in building height one story or greater.

(2) **Minor Change** - A minor change is any change that is not found in the list of major changes. Minor changes made to the Planned Unit Development after it has been reviewed by the Planning Commission or adopted by the legislative body may be approved by the Planning Commission Staff. Staff shall have the right and responsibility to withhold approval and refer the PUD Plan to the Planning Commission in any situation where the various reviewing agencies, utilities, or Planning Commission member is in disagreement; or in cases involving unusual land features or patterns of development.

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

September 16, 2008.

Linda Bennett
CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: Sept 19, 2008

[Signature]
MAYOR

/add