

1ST READING 3-7-09
2ND READING 3-17-09
INDEX NO. _____

ORDINANCE NO. 12220

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE VI, SECTIONS 204(A) AND (E) TO INCLUDE R-3 RESIDENTIAL ZONE WITHIN THE SPECIAL EXCEPTIONS PROCESS FOR TWO-FAMILY DWELLINGS.

WHEREAS, Article VI, Section 204 provides a special exception process for use of two-family dwellings in the R-1 Residential Zone after loss of nonconforming status; and

WHEREAS, such process requires determination that the request is consistent with the zoning study that rezoned a property from R-2 Residential Zone to R-1 Residential Zone; and

WHEREAS, approved zoning studies sometimes contain existing R-3 Residential Zones that may have existing two-family dwellings that could suffer loss of a same nonconforming status.

WHEREAS, The Chattanooga-Hamilton County Regional Planning Agency has recommended that Article VI, Section 204(A) Intent be amended by deleting the first sentence and substituting in lieu thereof the following:

The City of Chattanooga has rezoned property in several neighborhoods from R-2 Residential Zone and R-3 Residential Zone to R-1 Residential Zone.

WHEREAS, The Chattanooga-Hamilton County Regional Planning Agency has also recommended that Article VI, Section 204(E) be amended by deleting subsection (2) in its entirety and substituting in lieu thereof the following:

- (2) The request is consistent with the zoning study that rezoned requested property from R-2 Residential Zone and R-3 Residential Zone to R-1 Residential Zone.

NOW, THEREFORE

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ordinance No. 6958, known as the Zoning Ordinance be and hereby is amended that Article VI, Section 204(A) Intent be amended by deleting the first sentence and substituting in lieu thereof the following:

The City of Chattanooga has rezoned property in several neighborhoods from R-2 Residential Zone and R-3 Residential Zone to R-1 Residential Zone.

SECTION 2. BE IT FURTHER ORDAINED, :That Ordinance No. 6958, known as the Zoning Ordinance be and hereby is amended that Article VI, Section 204(E) be amended by deleting subsection (2) in its entirety and substituting in lieu thereof the following:

- (2) The request is consistent with the zoning study that rezoned requested property from R-2 Residential Zone and R-3 Residential Zone to R-1 Residential Zone.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

March 17, 2009.

Linda Bennett
CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: 3/23, 2009

[Signature]
MAYOR