

First Reading: January 13, 2015
Second Reading: January 20, 2015

ORDINANCE NO. 12896

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 1, SECTION 38-43 RELATING TO SPECIAL EXCEPTIONS PERMIT FOR A TWO-FAMILY DWELLING IN THE R-1 RESIDENTIAL ZONE AND ARTICLE VI, DIVISION 2, SECTION 38-524 RELATING TO SPECIAL PERMIT FOR A TWO-FAMILY DWELLING IN THE R-1 RESIDENTIAL ZONE.

WHEREAS, Section 38-43, item (4) was added to the Zoning Ordinance in 2007 to allow two-family dwellings (duplexes) in the R-1 Residential Zone with approval of a Special Exceptions Permit by the City Council; and

WHEREAS, eighteen (18) applications have been made for the Special Exceptions Permits since 2007, only one has been approved (in 2007); and

WHEREAS, two-family dwellings (duplexes) are currently permitted in the existing R-2 Residential Zone, R-3MD Moderate Density Zone, R-3 Residential Zone, R-4 Special Zone, and several other mixed use and commercial zones; and

WHEREAS, if the Special Exceptions Permit for Two-Family Dwellings (duplexes) is removed, property owners can request a zoning change to one of the above mentioned zones to accommodate a two-family dwelling; and

WHEREAS, allowing a Special Exceptions Permit for Two-Family Dwellings (duplexes) in an R-1 Residential Zone weakens the integrity, strength, and single-family character of the R-1 Residential Zone; and


WHEREAS, Special Exceptions Permits can be a useful tool in certain zones so as to allow certain additional uses in a zone by requiring an additional public review process; and

WHEREAS, the Special Exceptions Permit for Two-Family Dwellings (duplexes) in the R-1 Residential Zone was created with good intentions, the tool itself has proved to be more problematic than helpful.

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 1, Section 38-43, item (4), Special Exceptions Permit for a Two-Family Dwelling in the R-1 Residential Zone be deleted in its entirety and Article VI, Division 2, Section 38-524, Special Permit for a Two-Family Dwelling in the R-1 Residential Zone be deleted in its entirety.

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

Passed on second and final reading: January 20, 2015



CHAIRPERSON
APPROVED: DISAPPROVED:



MAYOR

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