

RESOLUTION NO. 30272

A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO DIRECT THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY STAFF TO DEVELOP A SPECIAL EXCEPTIONS PERMIT PROCESS TO PERMIT EXISTING TWO-FAMILY DWELLINGS THAT HAVE LOST THEIR GRANDFATHER PROTECTION TO REGAIN THEIR USE AS A TWO-FAMILY DWELLING IN THE R-1 RESIDENTIAL ZONE.

WHEREAS, existing duplexes in many urban neighborhoods (Bushtown, Brainerd, East Chattanooga, Avondale, Hill City, North Chattanooga, St. Elmo, Highland Park and others) were downzoned to R-1 to stabilize neighborhoods as part of a neighborhood planning process during the 2000's; and

WHEREAS, many of these existing duplexes have become vacant, as a result of losing their non-conforming use status in the R-1 Zone; and

WHEREAS, Chattanooga's housing needs have changed since the 2000's with more households in need of affordable rental units; and

WHEREAS, these vacant units, being un-occupied, detract from the stability of these established neighborhoods; and

WHEREAS, the City Council desires to create a tool that would allow for these existing vacant duplexes in R-1 to be refurbished and put back into use as a housing option, but still maintain the integrity of the R-1 zoning; and

WHEREAS, the Chattanooga City Council desires to create a Special Exceptions Permit Process in the R-1 Residential Zone, to review on a case by case basis requests to permit existing two-family dwellings who have lost their grandfather protection to regain their use as a two-family

dwelling by the approval of a Special Exceptions Permit without the need to rezone the property to R-2 Residential Zone; and

WHEREAS, the Chattanooga City Council desires to include in the Special Permit tool provisions and/or standards that ensure the units are brought back up to City Code, to ensure the permit has a mechanism for accountability for management, such as a revocability provision.

WHEREAS, the Special Exceptions Permit shall include review criteria for Planning Commission and City Council review of such permits, such as that the request is consistent with adopted plans for the area, request is consistent with the zoning study that down zoned the property, and issuance of permit will benefit the neighborhood by encouraging investment in the property and neighborhood.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that the City Council directs the Chattanooga-Hamilton County Regional Planning Agency staff to develop a Special Exceptions Permit Process, to be reviewed on a case by case basis to permit existing two-family dwellings that have lost their grandfather protection to regain their use as a two-family dwelling in the R-1 Residential Zone if the Special Exceptions Permit is approved by City Council.

ADOPTED: March 10, 2020

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