

**A RESOLUTION TO AMEND THE HAMILTON COUNTY ZONING REGULATIONS BY  
ADDING SECTION 107 TO ARTICLE III IN ORDER TO DEFINE VESTED RIGHTS IN THE  
CONTEXT OF DEVELOPMENT PLANS**

**WHEREAS**, Tennessee Code Annotated Sections 13-3-413 and 13-4-310 as amended by Public Chapter 686, establishes statewide standards for "vesting periods" upon the approval of new development plans; and

**WHEREAS**, during the vesting periods established under the new Act, local governments may not apply development standards other than those in effect at the time of approval of the development plan, except as permitted by the Act; and

**WHEREAS**, the Act which takes effect January 01, 2015, allows local governments to pass an ordinance or resolution to identify the types of development plans that will cause property rights to become vested and specify the actions that constitute approval of such development plans; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chattanooga-Hamilton County Regional Planning Commission on December 8, 2014, does hereby approve the following amendments to the Hamilton County Zoning Regulations:

**ADD new section to Article III, Establishing Districts and District Boundaries and Limiting the Uses of Property Therein:**

**Section 107.** Vested property rights within approved development plans

The following list details which development plans will cause property rights to vest, as set forth in Tennessee Code Annotated Section 13-3-413 and 13-4-310, and the action that constitutes approval of that development plan:

- a. Approval of Preliminary Subdivision Plat by the Chattanooga-Hamilton County Regional Planning Commission
- b. Approval of Final Subdivision Plat by the Chattanooga-Hamilton County Regional Planning Commission
- c. A Final Plat that meets the definition of a staff approved subdivision plat upon the date of the last signature of approval required on the plat for recording
- d. Approval by the Chattanooga-Hamilton County Regional Planning Commission of a Special Permit that is required by the zoning regulations to complete a site or development plan
- e. Approval by the Board of Zoning Appeals of a Temporary or Special Permit that is required by the zoning regulations to furnish a site or development plan
- f. Approval by the Hamilton County Commission of a Special Permit that is required by the zoning regulations to furnish a site or development plan.

Respectfully Submitted,

---

John Bridger, Secretary

Date of Adoption: December 08, 2014

JB:KR:GH:PD:sh