



A RESOLUTION TO AMEND THE CHATTANOOGA CITY CODE, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 1, SECTION 38-43 TO REMOVE ITEM (4) SPECIAL EXCEPTIONS PERMIT FOR A TWO-FAMILY DWELLING IN THE R-1 RESIDENTIAL ZONE AND TO REMOVE ARTICLE VI, DIVISION 2, SECTION 38-524 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 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 existing 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; and

NOW, THEREFORE, BE IT RESOLVED, that the Chattanooga- Hamilton County Planning Commission on December 8, 2014 does respectfully recommend to the Chattanooga City Council that the Chattanooga Zoning Ordinance be amended as follows:

Delete in its entirety Section 38-43, item (4).

Delete in its entirety Section 38-524, Special Permit for a Two-Family Dwelling in the R-1 Residential Zone.

Respectfully submitted,

John Bridger, Secretary

Date of Adoption: December 8, 2014
JB:GH:PD:sh