

**A RESOLUTION TO AMEND THE CHATTANOOGA CITY CODE,
PART II, CHAPTER 38 ZONING, ARTICLE V ZONING REGULATIONS,
DIVISION 30 URBAN INFILL LOT COMPATIBILITY OPTION,
SECTION 38-482 PROCESS, TO REPLACE SUBSECTIONS (1) AND (2), ADD
SUBSECTION (3) AND RENUMBER REMAINING SUBSECTION NUMERICALLY**

WHEREAS, the Planning Commission can allow lot frontages and lot sizes to be created that are less than the established minimum with a variance; and

WHEREAS, there are current requirements in the zoning ordinance, Article V, Division 30, that allow lot frontages and lot sizes to be created that are less than the established minimum; and

WHEREAS, if a proposed subdivision plat meets those requirements of the zoning ordinance, Article V, Division 30, it is unclear why the Planning Commission would need to approve such a plat; and

WHEREAS, any deviation to those requirements is required to be approved by the Planning Commission.

NOW THEREFORE, BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on February 8, 2016 does hereby recommend to the Chattanooga City Council that the City of Chattanooga Zoning Ordinance be amended as follows:

DELETE 38-482, Subsections (1) and (2) in their entirety and substitute in lieu thereof the following:

- (1) The applicant shall provide a site plan to the RPA which shows lot lines and, where applicable, proposed building footprint, setbacks, parking, and access.
- (2) All lot(s) proposed to be created using the Lot Comparability Calculation shall be reviewed administratively by RPA staff to determine if the proposed lot(s) meet the requirements. If RPA staff determines that the proposed lot(s) meet the requirements, the applicant may submit a subdivision plat.

ADD Subsection (3) as follows:

- (3) The applicant may appeal the RPA staff determination by submitting an appeal in writing along with a required fee. The appeal will be heard by the Chattanooga-Hamilton County Regional Planning Commission.

RENUMBER 38-482, Subsection (3) to Subsection (4).

Respectfully submitted,

John Bridger, Secretary

Date of Adoption: February 8, 2016

JB:GH:PD:sh