

**A RESOLUTION TO AMEND THE CHATTANOOGA CITY CODE,
PART II, CHAPTER 38 ZONING, ARTICLE V ZONING REGULATIONS,
DIVISION 25 PLANNED UNIT DEVELOPMENT: RESIDENTIAL, SECTION 402
APPLICATION PROCEDURE FOR PLANNED UNIT DEVELOPMENT, TO DELETE
THE 60 MONTH PERIOD AND CORRECT MINOR WORDING WITHIN
SUBSECTIONS (2), (5) AND (6)**

WHEREAS, development projects have certain "vested rights" under state law that did not exist at the time the 5-year (sixty month) expiration rule was added to the PUD requirements; and

WHEREAS, the "major change" section of the PUD requirements are very specific and are a better tool than an expiration date to regulate change over time; and

WHEREAS, PUD Plans must follow existing platting and/or permitting process and timelines; and

WHEREAS, the current sixty (60) month expiration requirement is proving to create administrative conflicts and confusion.

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:

Section 38-402 Application procedure for planned unit development:

Subsection (2) PUD Development Plan, Item "b":

Change the minimum scale from one inch equals one hundred feet (1"=100') to one inch equals two hundred feet (1"=200').

Subsection (5) Subdivision Plat, Item "a":

Remove the word "active" from the last sentence.

Subsection (6) Enforcement,

DELETE Item "a" in its entirety and re-letter the remaining items alphabetically.

Subsection (6) Enforcement, Item "c:"

Remove the words "expires or" from the first sentence.

Respectfully submitted,

John Bridger, Secretary

Date of Adoption: February 8, 2016

JB:GH:PD:sh