

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**May 1, 2019
6:00 PM**

**Kathy Jones
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the March 6, 2019 and April 17, 2019 Planning Commission meetings.**
- 4. Public Hearings:**
 - a. Annexation plan of services and annexation petition [2019-504] for approximately 3.1 acres located along Shelbyville Pike, Douglas Dales applicant. (project planner: Amelia Kerr)**
 - b. Zoning application [2019-411] for approximately 3.1 acres located along Shelbyville Pike to be zoned CH simultaneous with annexation, Five Star Joint Venture applicant. (project planner: Amelia Kerr)**
 - c. Proposed amendments to the Zoning Ordinance regarding Sections 14 and 22 and Charts 1 and 2 [2019-803]; pertaining to industrial uses, City of Murfreesboro Planning Department applicant.**
 - d. Proposed amendment to the Zoning Ordinance regarding Section 24. Overlay District Regulations, Article VI. CCO, City Core Overlay District [2019-802], pertaining to expansion of the CCO zoning district, City of Murfreesboro Planning Department applicant.**
 - e. Proposed amendment to the Subdivision Regulations and Street Design Specifications regarding small wireless devices in public rights-of-way [2019-804], City of Murfreesboro Legal Department applicant.**
 - f. Proposed amendment to the Zoning Ordinance regarding Section 24 Planned Signage Overlay District pertaining to eligible zones and uses for PSO zoning [2019-806], City of Murfreesboro Building and Codes Department applicant.**

MURFREESBORO PLANNING COMMISSION AGENDA

PAGE 2

May 1, 2019

- g.** Proposed amendments to the Sign Ordinance regarding Sections 25.2, 25.2-25, 25.2-26 pertaining to building entry signs, banners, and institutional group assembly uses [2019-805], City of Murfreesboro Building and Codes Department applicant.

5. Staff Reports and Other Business:

- a.** Mandatory Referral [2019-710] to consider the dedication of a portion of a pump station easement on City-owned property north of West Thompson Lane and east of Leanna Road as part of the Caroline Farms development, Caroline Farms, LLC applicant.

6. Adjourn.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MAY 1, 2019
PROJECT PLANNER: AMELIA KERR**

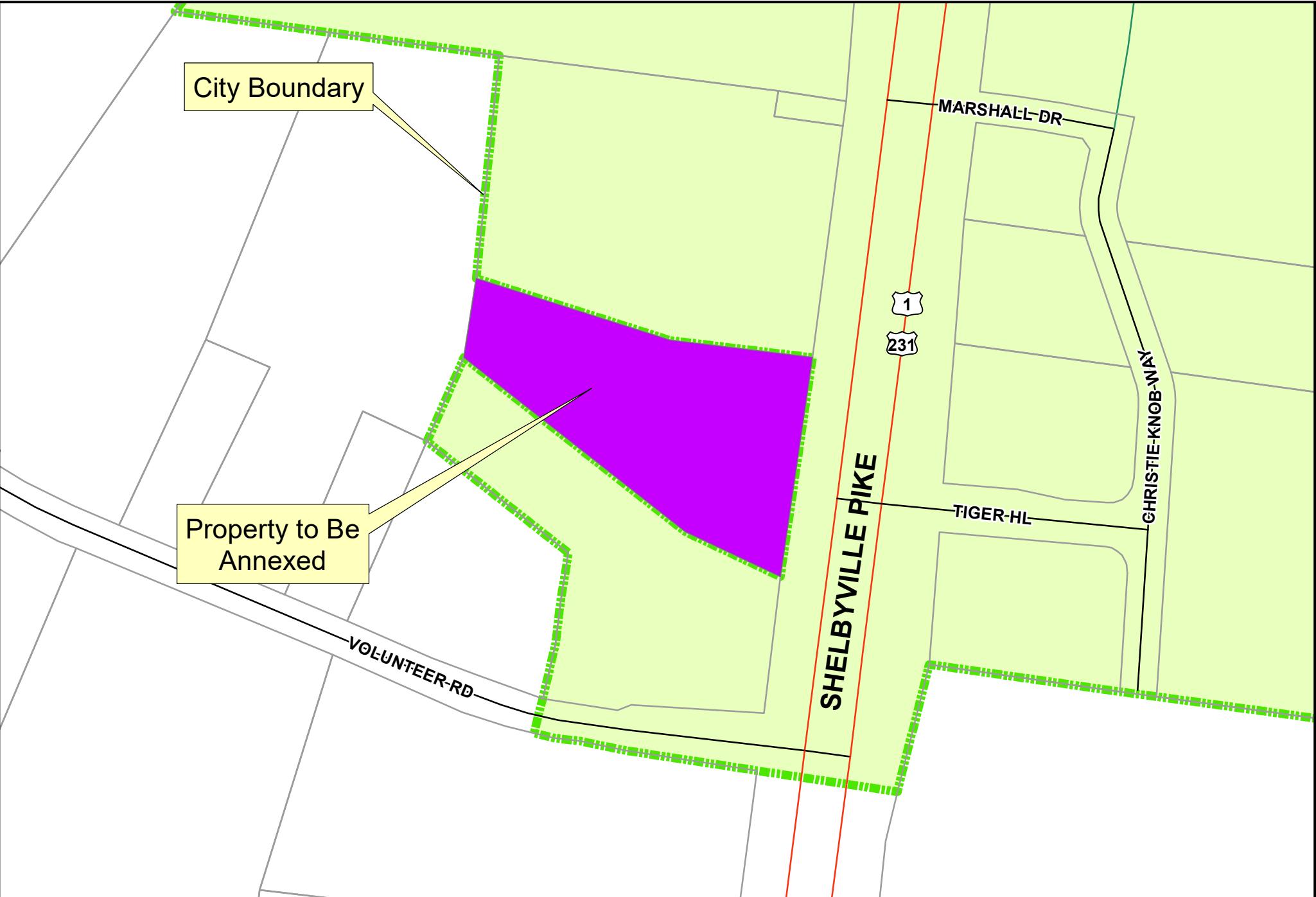
4.a. Annexation plan of services and annexation petition [2019-504] for approximately 3.1 acres located along Shelbyville Pike, Douglas Dales applicant.

The subject property, which consists of a single parcel, is located on Shelbyville Pike north of Volunteer Road. The subject parcel is approximately 3 acres and contains a single-family home and several accessory structures. The property owner has filed a written request to have the subject parcel annexed into the City Limits. The study area is located within the City's Urban Growth Boundary and is contiguous with the existing City limits on its north, south, and east boundaries.

Staff has prepared a plan of services for the annexation of the property. It has been included in the agenda packet. It indicates that the City will be able to provide services to the subject property upon annexation except for fire services. The subject parcel does not currently have access to adequate fire protection, as the closest fire hydrant is approximately 1,100' to the south at Volunteer Road. Murfreesboro Fire & Rescue (MFRD) requests that, if the existing structures are to remain, a fire hydrant be installed closer to the property prior to the effective date of annexation or, as a second option, that the structures be removed prior to the effective date of annexation.

The Murfreesboro Water Resources Department indicates that this property must use an E-one grinder pump system for sanitation for compatibility with other private grinder pumps along the available 2 1/2" forcemain along this section of Shelbyville Pike.

The Planning Commission will need to conduct a public hearing, after which it will need to discuss this annexation petition and plan of services and then formulate a recommendation for the City Council. An application to have the property zoned CH simultaneous with the annexation has also been filed. The zoning request will be the next item on the agenda.



City Boundary

Property to Be Annexed

SHELBYVILLE PIKE

1
231

MARSHALL DR

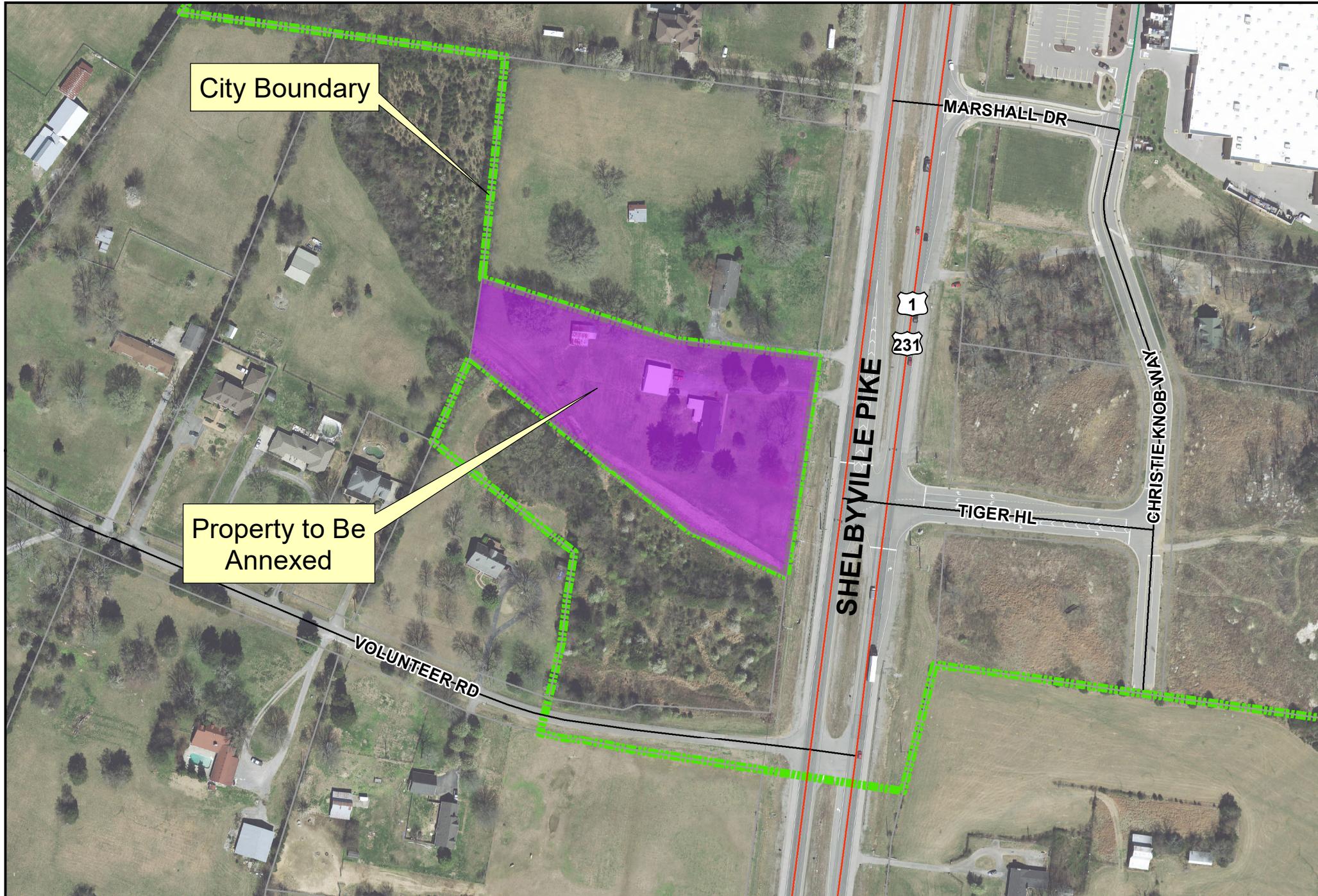
TIGER-HL

CHRISTIE-KNOB-NAV

Annexation Request for Property Along Shelbyville Pike

0 200 400 800 Feet





Annexation Request for Property Along Shelbyville Pike

0 200 400 800 Feet



G:\annex\Shelbyville_Pike_Annex_with_Aerial.mxd



Planning Department
City of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesboro.tn.gov

PETITION FOR ANNEXATION BY THE CITY OF MURFREESBORO

The undersigned is the only owner / are all of the owners of the property identified in the attached legal description (including street address and tax map / parcel number), and hereby petitions the City of Murfreesboro to annex such property into the City.

Signatures must be by owners or those with an appropriate written Power of Attorney from an owner. If the owner is not an individual (eg. corporation, trust, etc.), list the entity's name, the name of the individual signing on behalf of the entity and the status of the individual (eg. president, trustee, partner). If you are signing this Petition based on a Power of Attorney, you must also attach a copy of the Power of Attorney.

1. Douglas M. Dales

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Douglas M. Dales Status: Owner Date: 3-18-19

Mailing Address (if not address of property to be annexed)

2.

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: _____ Status: _____ Date: _____

Mailing Address (if not address of property to be annexed)

3.

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: _____ Status: _____ Date: _____

Mailing Address (if not address of property to be annexed)

4.

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

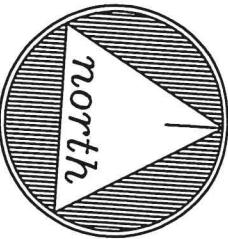
Signature: _____ Status: _____ Date: _____

Mailing Address (if not address of property to be annexed)

(Attach additional signature pages if necessary)

Legal Description is attached: X Yes

Power of Attorney applies and is attached: _____ Yes X No



SCALE: 1" = 100'
DATE: 3-12-19

MAP I36, PARCEL 3.06
JOHN McDUGAL ET UX
D.B. 332, PG. 223
ZONED RM

MAP I36, PARCEL 4.02
ANDREW S. MCLEAN ET AL
R.B. 1438, PG. 1381
ZONED RM

MAP I36, PARCEL 4.03
MICHAEL PEPPER
R.B. 109, PG. 1036
P.B. 3, PG. 104
ZONED RM

MAP I36, PARCEL 4.13
SOUTH CHURCH PROPERTIES,
LLC
R.B. 1686, PG. 3360
P.B. 25, PG. 207
ZONED CF

TO BE
REZONED CH

MAP I36, PARCEL 4.01
DOUGLAS M. DALES
R.B. 439, PG. 735
P.B. 3, PG. 104
ZONED RM
3.04 ACRES +/-

MAP I36, PARCEL 5.00 FIVE
STAR JOINT VENTURE
R.B. 1674, PG. 3657
ZONED CH

SHELBYVILLE PIKE

HWY 231

ZONED RM

ZONED CH

TIGER
HILL

ZONED CH

ZONED CH

SEC, Inc.

SITE ENGINEERING CONSULTANTS

ENGINEERING • SURVEYING • LAND PLANNING
850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129
PHONE (615) 890-7901 • FAX (615) 895-2567

$N66^{\circ}50'47''W$ 159'

$S04^{\circ}56'50''W$ 346'

$N55^{\circ}18'47''W$ 461'

$S84^{\circ}37'00''E$ 211'

$S74^{\circ}53'00''E$ 345'

$N05^{\circ}23'00''E$ 130'

REZONING EXHIBIT
MAP 136, PARCEL 4.01
DOUGLAS M. DALES
3602 SHELBYVILLE HWY.
MURFREESBORO, TN.
11TH CIVIL DISTRICT
RUTHERFORD COUNTY
R.B. 439, PG. 735
P.B. 3, PG. 104

PROPERTY DESCRIPTION

MAP 136, PARCEL 4.01

DOUGLAS M. DALES

A TRACT OF LAND IN THE 11TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE, BOUNDED ON THE NORTH BY FIVE STAR JOINT VENTURE (R.B. 1674, PG. 3657), ON THE EAST BY THE RIGHT OF WAY FOR SHELBYVILLE HIGHWAY (U.S. 231), ON THE SOUTH BY SOUTH CHURCH PROPERTIES, LLC (R.B. 1686, PG. 3360) AND ON THE WEST BY MICHAEL PEPPER (R.B. 109, PG. 1036). PROPERTY IS MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGINNING AT THE SOUTHEAST CORNER OF FIVE STAR JOINT VENTURES, A POINT IN THE WESTERLY RIGHT OF WAY FOR SHELBYVILLE PIKE;

THENCE WITH SAID RIGHT OF WAY, S04°56'50"W, A DISTANCE OF 346' TO THE NORTHEAST CORNER OF SOUTH CHURCH PROPERTIES, LLC;

THENCE LEAVING THE WESTERLY RIGHT OF WAY FOR SHELBYVILLE PIKE AND WITH THE NORTHERLY LINE OF SOUTH CHURCH PROPERTIES, LLC WITH THE FOLLOWING CALLS:

N66°50'47"W, A DISTANCE OF 159';

THENCE, N55°18'47"W, A DISTANCE OF 461' TO THE NORTHWEST CORNER OF SOUTH CHURCH PROPERTIES, LLC, A POINT IN THE EASTERLY LINE OF MICHAEL PEPPER (R.B. 109, PG. 1036);

THENCE WITH THE EASTERLY LINE OF MICHAEL PEPPER, N05°23'00"E, A DISTANCE OF 130' TO THE SOUTHWEST CORNER OF FIVE STAR JOINT VENTURE (R.B. 1674, PG. 3657), THENCE WITH THE SOUTHERLY LINE OF FIVE STAR JOINT VENTURE AND THE FOLLOWING CALLS:

S74°53'00"E, A DISTANCE OF 345';

THENCE, S84°37'00"E, A DISTANCE OF 211';

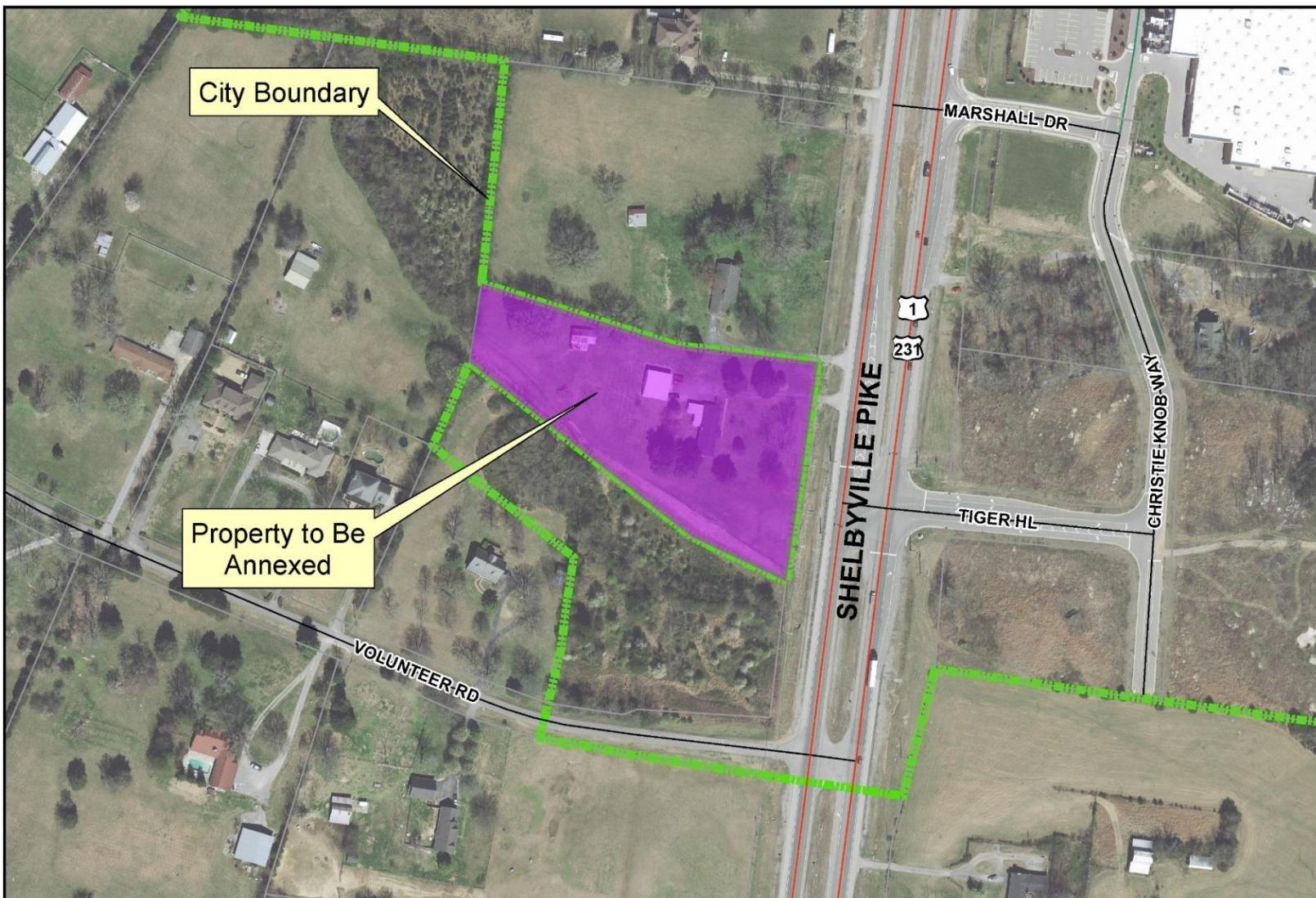
WHICH IS THE POINT OF BEGINNING, HAVING AN AREA OF 3.04 ACRES, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO DOUGLAS M. DALES, OF RECORD IN RECORD BOOK 439, PAGE 735, IN THE OFFICE OF THE REGISTER OF DEEDS FOR RUTHERFORD COUNTY, TENNESSEE.

ANNEXATION REPORT FOR PROPERTY LOCATED ALONG SHELBYVILLE PIKE INCLUDING PLAN OF SERVICES



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
May 1, 2019**



Annexation Request for Property Along Shelbyville Pike

0 200 400 800 Feet



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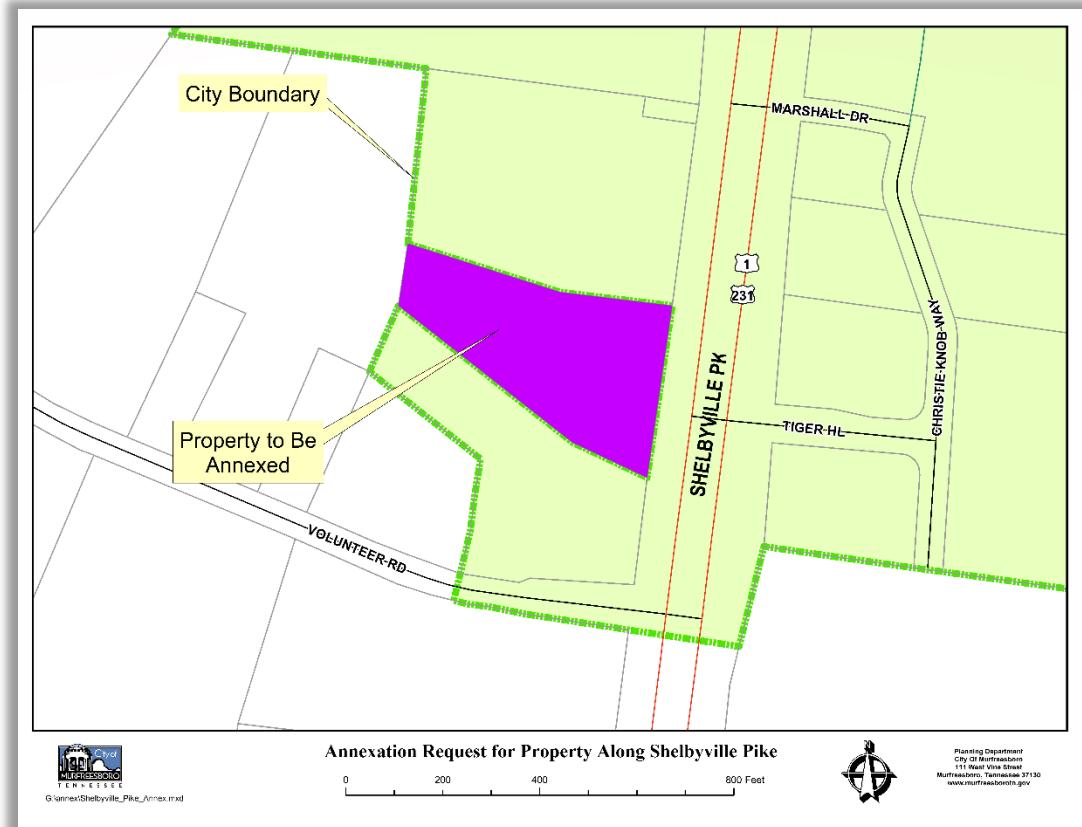
INTRODUCTION

OVERVIEW

The applicant, Douglas Dales, has requested annexation of the property located at 3602 Shelbyville Pike, along the western side of Shelbyville Pike. The area studied in this Plan of Services is approximately 3 acres:

- Tax Map 136, Parcel 00401

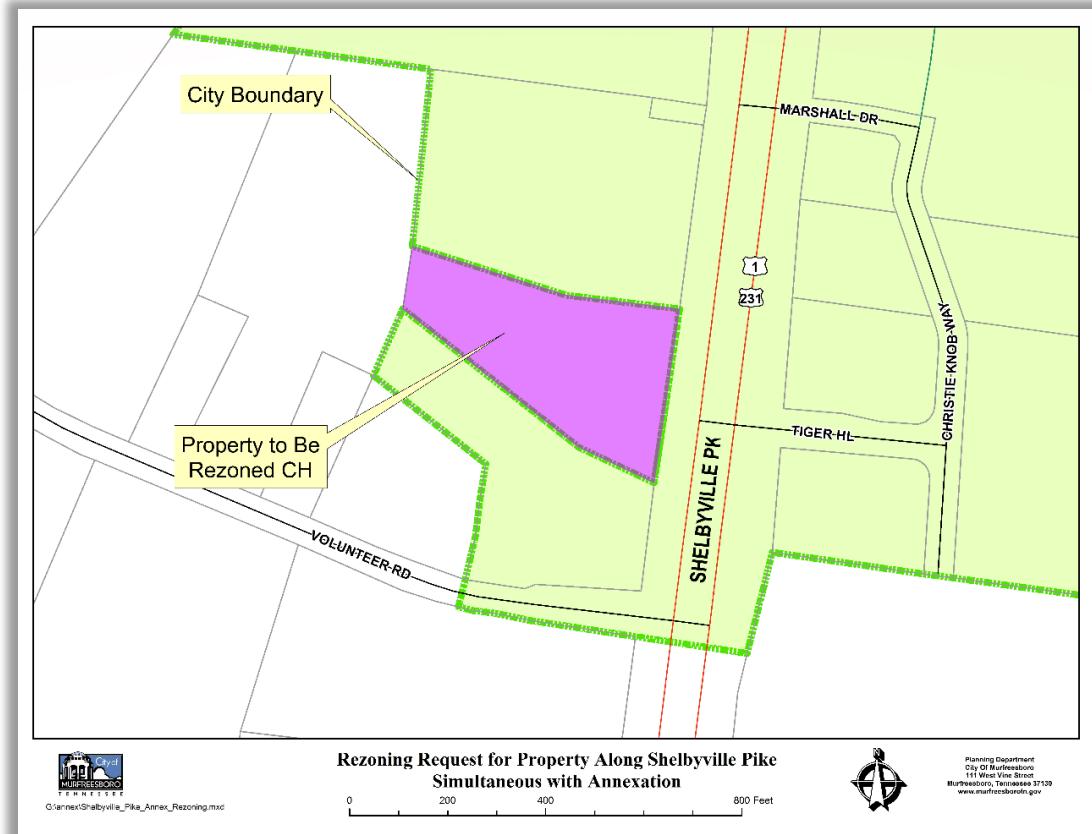
The study area lies within the City of Murfreesboro's Urban Growth Boundary. The parcels to the north and south of the subject property are within the City, and the adjacent area to the west lies within the unincorporated County.



CITY ZONING

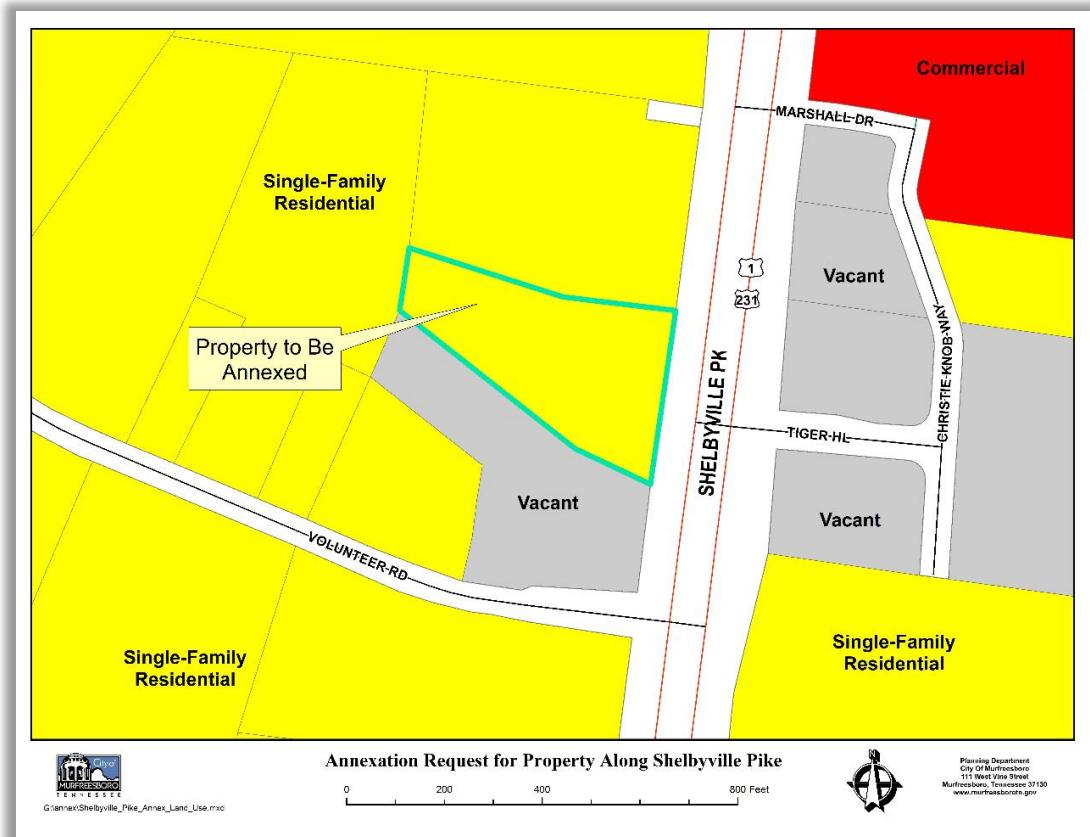
The applicant has requested rezoning to CH (Commercial Highway District) for the study area simultaneous with annexation. The study area is presently zoned RM (Residential – Medium Density) in the unincorporated County.

Adjacent property to the west of the study area lies within the unincorporated County and is zoned RM. Properties located north and south of the study area are within the City and are zoned CH and CF, respectively.



PRESENT AND SURROUNDING LAND USE

The study area is developed with a single-family residence and several accessory structures. The property to the north is developed with a single-family home, and the property to the south is being developed with a medical clinic. Adjacent properties to the west are large single-family tracts of land and single-family residential lots. Directly across Shelbyville Pike to the east are several vacant CH-zoned lots.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2019 will be due on December 31, 2020. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2703/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

Table I
Estimated Taxes from Site

Owner of Record	Acres	Land Value	Improvements Value	Total Assessment	Estimated City Taxes
Douglas Dales	3.1	\$57,400	\$176,100	\$58,375	\$741.54

These figures are for the property in its current state. The study area is proposed to be zoned and developed commercially.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department can provide police services to the property as it currently exists immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Police Department. No additional costs to the department are expected as a result of this annexation based on the current state of the property as a result of this annexation based on the current state of the property. This property is located in Police Zone #7.

ELECTRIC SERVICE

The property is located within Middle Tennessee Electric Membership Cooperative's (MTEMC) service boundary. MTEMC currently serves the residence on this property and has the capacity to continue to provide service for any future development that may occur on this property.

STREET LIGHTING

According to MTEMC, street lighting already exists along Shelbyville Pike to the north of the subject property and if requested by the City of Murfreesboro street lighting can be installed along Shelbyville Pike in front of the subject property as well.

STREETS AND ACCESS

Public Roadway System

The annexation study area does not include any public roadway systems. Access to a public roadway system is available through Shelbyville Pike. Shelbyville Pike is existing State Route 10/US 231. Roadway connections to Shelbyville Pike will require approval of TDOT following review by the City Engineer and must align with Tiger Hill. A public access easement must be provided from connection to Shelbyville Pike to the property to the south.

Any future public roadway facilities to serve the study area must be constructed to City standards.

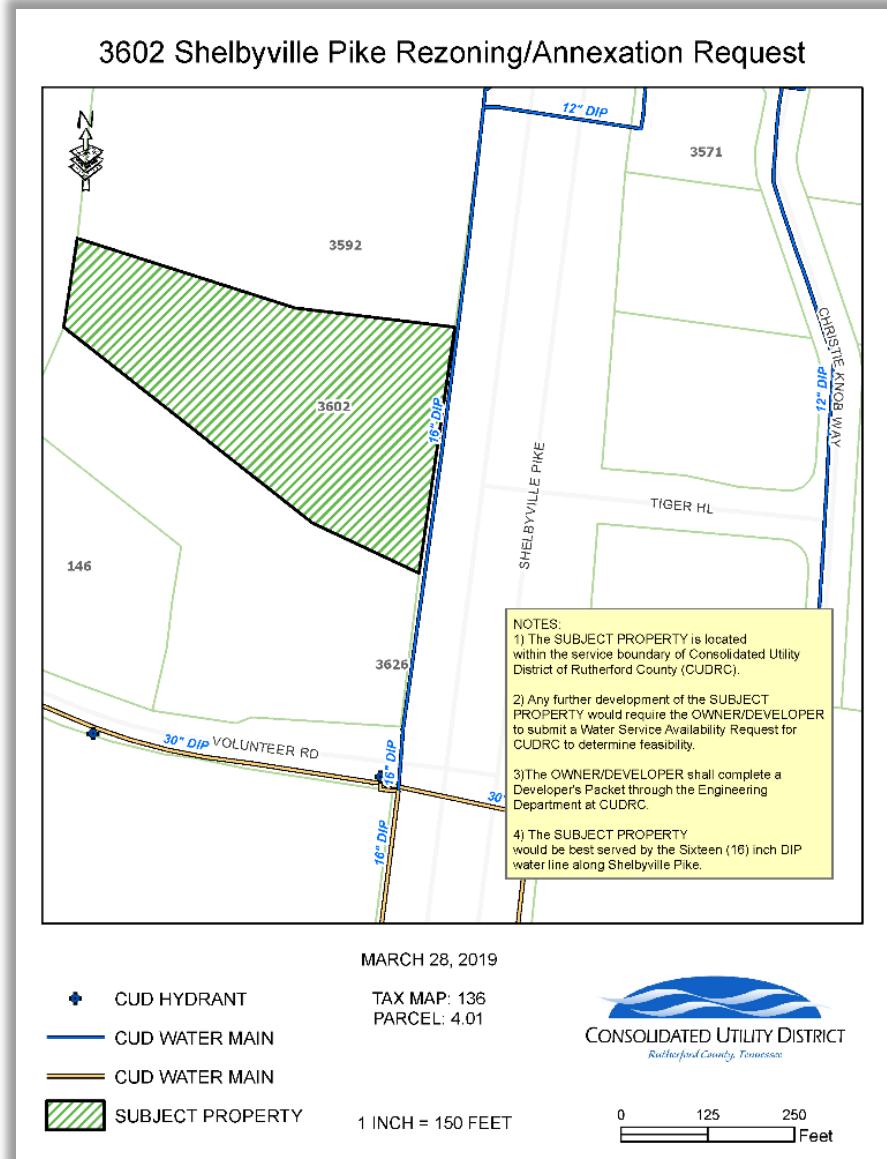
Regional Traffic and Transportation Conditions

The study area is served by Shelbyville Pike as the major roadway facility. The 2014 Level of Service Model in the proposed 2040 Major Transportation Plan shows Shelbyville Pike to be operating at a Level of Service C in the study area using average daily traffic (ADT) counts. The 2040 Level of Service Model indicates Shelbyville Pike will operate at a Level of Service D without the proposed improvements recommended in the 2040 Plan. The 2040 Level of Service Model indicates Shelbyville Pike will continue to operate at a Level of Service D with the proposed improvements recommended in the 2040 Plan.

WATER SERVICE

The study area lies within Consolidated Utility District's (CUD) service area. CUD presently maintains a sixteen (16)-inch water main along the eastern side of the study area along Shelbyville Pike to serve the property. CUD currently provides water service to the existing house and will continue to do so upon annexation if the house remains. The existing infrastructure is adequate to serve the existing structures. Any further development would require the developer of the property to submit a Water Service Availability Request to CUD to determine if water demands can be met at this location. Also, the developer will be required to complete CUD's Developer Packet prior to entering the construction phase.

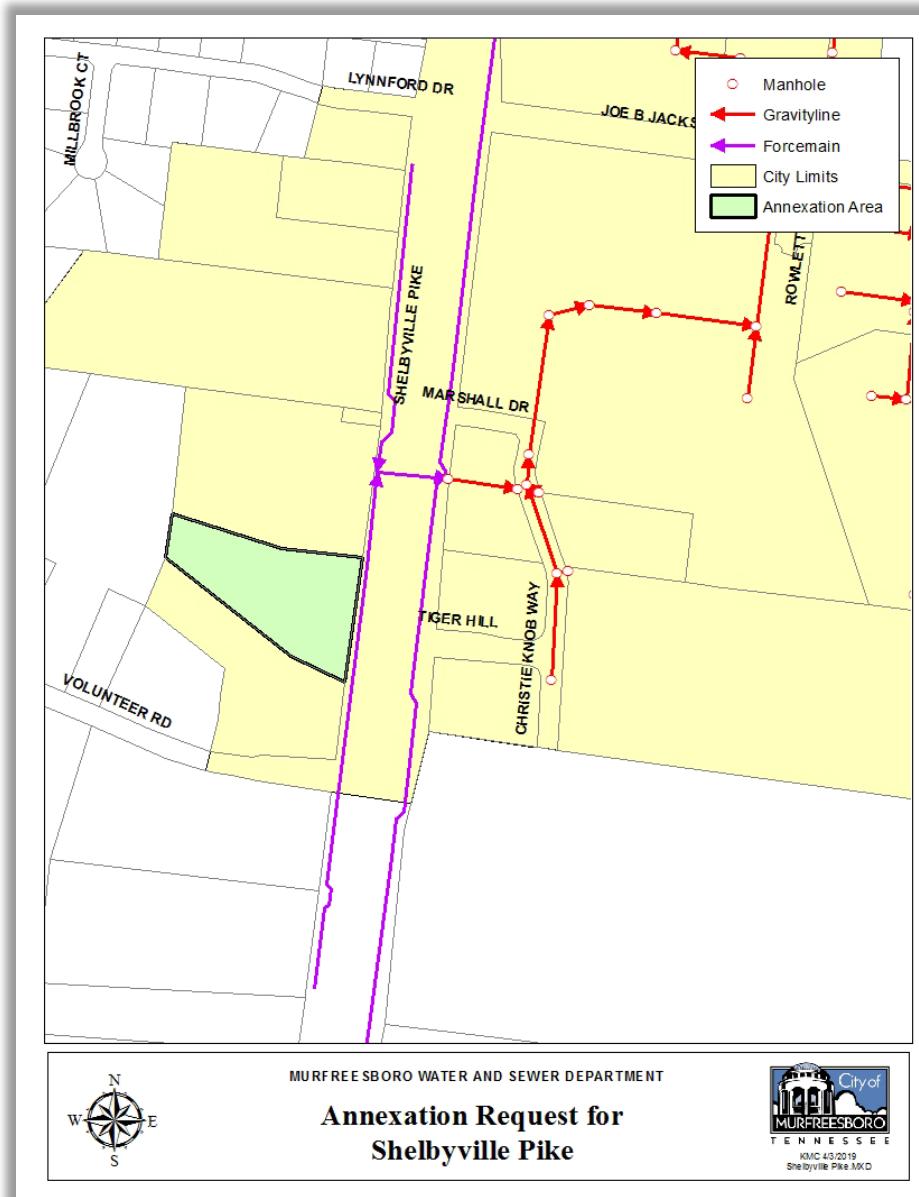
The existing water lines are shown on the adjacent map. Any new water line development must be done in accordance with CUD's development policies and procedures.



SANITARY SEWER SERVICE

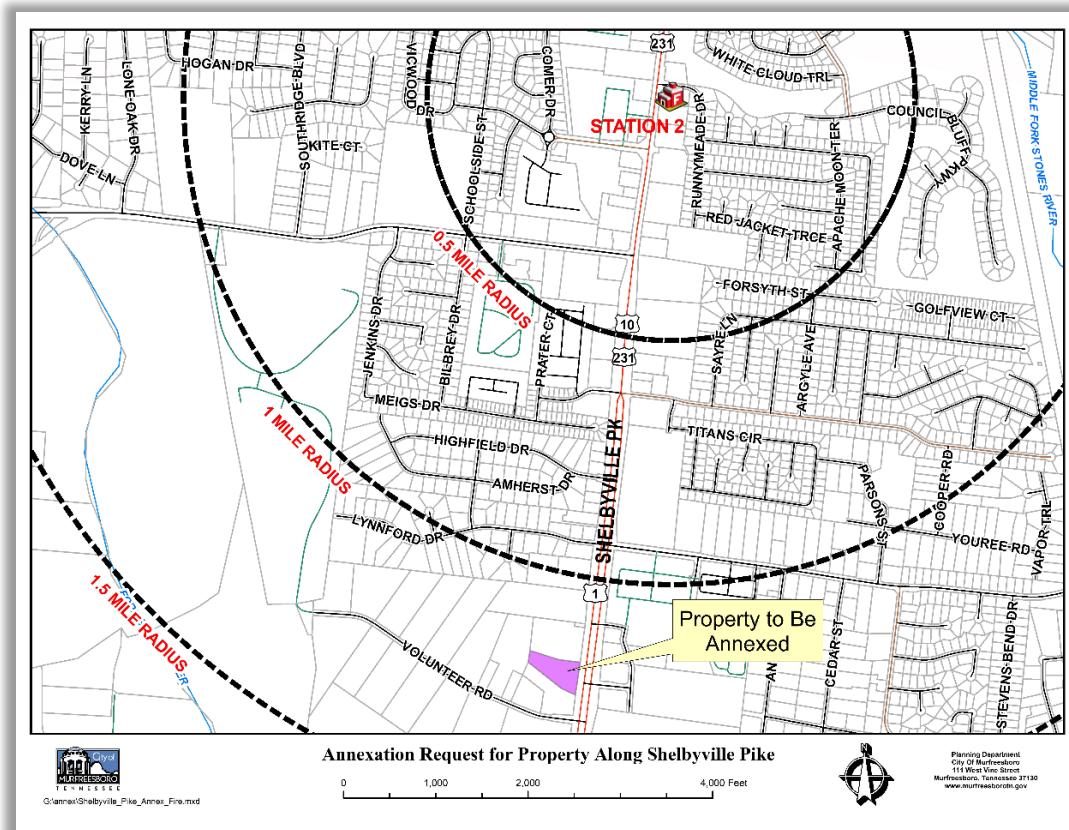
Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water Resources Department's (MWRD) definition of "available." There is an existing 2½-inch sewer force main along the western right-of-way of Shelbyville Pike. There is a 2½-inch service connection stubbed to the property line at the southeastern corner of the subject property. This property must use an E/one grinder pump system, so that it will be compatible with the other private grinder pumps along this section of force main. Each individual grinder pump will be a private pump maintained by each property owner and MWRD will maintain the common force main along the right-of-way of Shelbyville Pike.

This property is within the South Church Street Sanitary Sewer Assessment District and will be charged \$10,600 per acre in addition to the current and standard connection fees which is \$2,550 per single-family unit or equivalent.



FIRE AND EMERGENCY SERVICE

The closest fire station to the subject tract is Fire Station #2, located at 2880 Runnymede Drive, 1.2 miles from the study area. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations. There is an existing single-family dwelling and two (2) accessory structures, which do not have access to adequate fire protection, as the closest fire hydrant is approximately 1,100' to the south at Volunteer Road. The Murfreesboro Fire and Rescue Department (MFRD) will be able to provide emergency services to the requesting parcel upon annexation but can only provide limited fire protection in the property's current state. Therefore, MFRD recommends installation of a fire hydrant closer to the property prior to annexation if the existing structures are to remain or that these structures be removed/demolished prior to annexation. Then required fire protection can be installed at the time of development.



SOLID WASTE COLLECTION

The Solid Waste Department will provide household garbage collection service on Thursdays. The cost of the cart would be \$53.30. In addition, it will provide brush/debris removal every two-three weeks. Service can be provided immediately upon annexation.

BUILDING AND CODES

The property will come within the City's jurisdiction for code enforcement immediately upon the effective date of annexation. The City's Building and Codes Department will begin issuing building and construction permits and enforcing the codes and inspecting new construction for compliance with the City's construction codes immediately upon the effective date of annexation. The Building and Codes Department will also ensure that any new signs associated with the development of the property comply with the Sign Ordinance. No additional costs are expected.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to residents of the study area. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of parks, a network of greenways, and recreational sports. These facilities and programs are wholly funded by the Murfreesboro taxpayers. Children who are residents of the

City of Murfreesboro, attend Murfreesboro Elementary Schools, and receive free or reduced lunches also receive free or reduced recreational fees.

CITY SCHOOLS

The Murfreesboro City School system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The study area is currently located in the new Salem Elementary school zone scheduled to open August 2019. Murfreesboro City Schools is prepared to accommodate any elementary school students generated by this annexation.

GEOGRAPHIC INFORMATION SYSTEMS

The property is within the area photographed and digitized as part of the City's Geographic Information Systems (G.I.S.) program.

PLANNING, ENGINEERING, AND ZONING SERVICES

The property will come within the City's jurisdiction for planning and engineering code enforcement immediately upon the effective date of annexation. As new development occurs, the Planning Commission will review all site plans, preliminary, and final plats. Among other duties, the Planning and Engineering Departments will inspect and monitor new construction of streets and drainage structures for compliance with the City's development regulations.

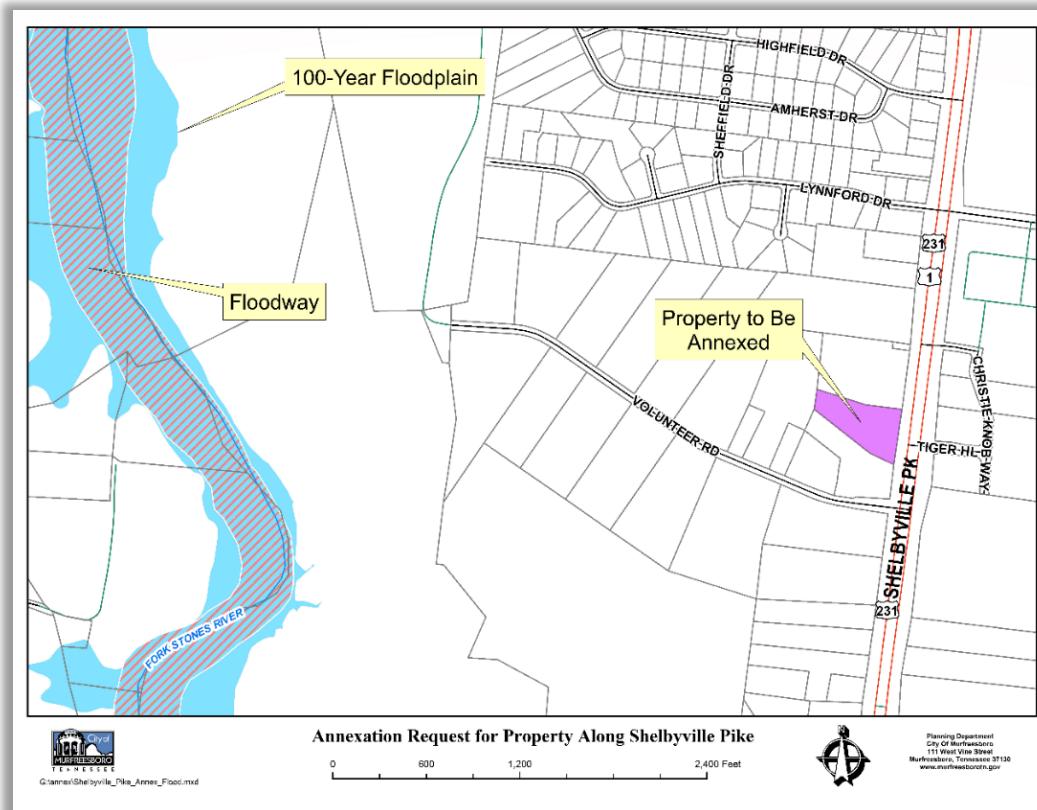
Property and Development

New development should comply with the City's Stormwater Quality Regulations by providing stormwater quality, streambank protection, and detention.

FLOODWAY

The study area is not located within a floodway or 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA).

The map shows the floodway boundary in red stripes and the 100-year floodplain boundary in blue.



DRAINAGE

Public Drainage System

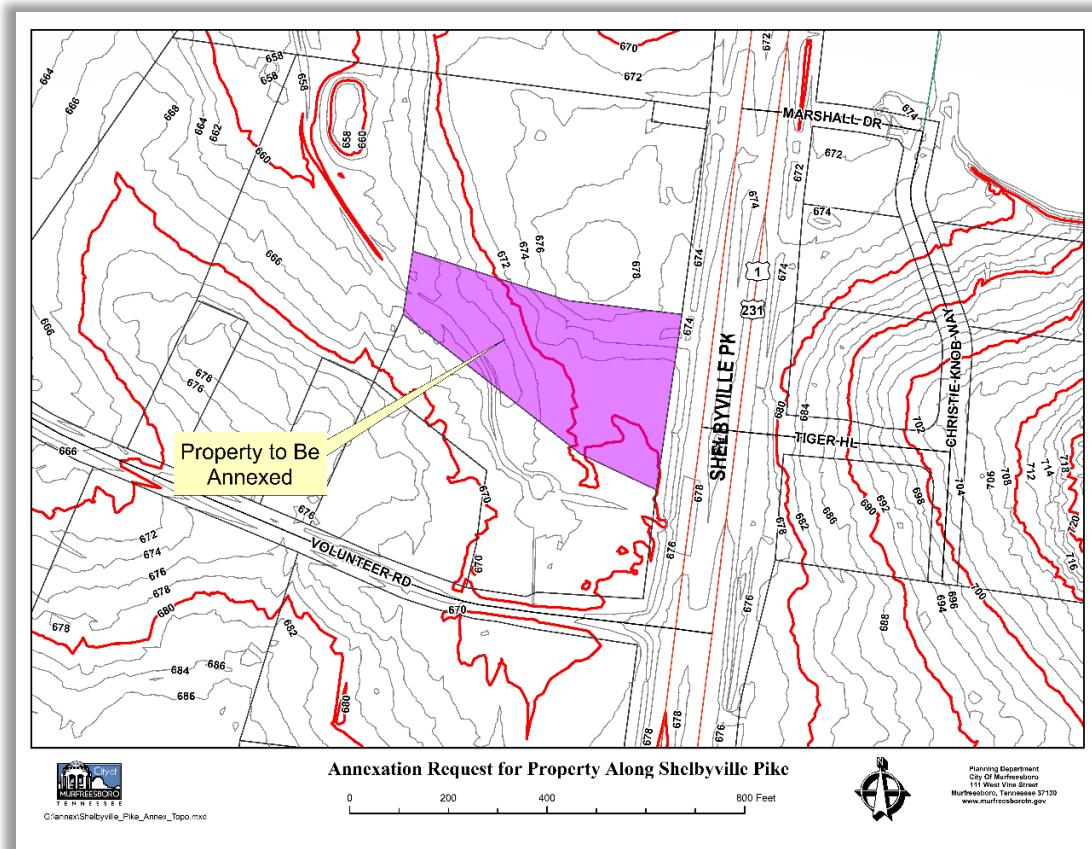
Public Drainage facilities available to the study area are located within the right-of-way (ROW) of Shelbyville Pike. The annualized operation and maintenance cost for the systems is included in the public roadway sections above as they are internal roadway drainage system. Future operation and maintenance costs are anticipated to be paid from the Stormwater Utility Fee and State Street Aid. A public drainage easement will need to be provided for the stormwater that enters the site from the south and leaves the site on the western property line. No other public drainage facilities are available to the study area. Any public drainage facilities proposed to serve the study area in the future must meet City standards.

Regional Drainage Conditions

A review of the regional drainage patterns indicates the study area drains to the ROW of Shelbyville Pike and to the west in a swale along the southern property line.

Stormwater Management and Utility Fees

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area. The study area currently has one single-family residence and will generate approximately \$39 per year in revenue for the Stormwater Utility Fee. The applicant is requesting a Commercial Highway (CH) zoning classification with annexation. Based on this development scenario, it is anticipated that the site will generate approximately \$650 annually in revenue for the Stormwater Utility Fund upon full build-out.



ANNEXATION FOLLOW-UP

The Murfreesboro City Council will be responsible for ensuring that this property will receive City services described in this plan. According to the Tennessee Growth Policy Act, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MAY 1, 2019**

PROJECT PLANNER: AMELIA KERR

4.b. Zoning application [2019-411] for approximately 3.1 acres located along Shelbyville Pike to be zoned CH simultaneous with annexation, Five Star Joint Venture applicant.

The subject property is located along the west side of Shelbyville Pike and north of Volunteer Road. The property is mostly undeveloped but does contain a residence and two (2) accessory structures. The requested parcel totals approximately 3.1 acres. The previous item on the agenda was the annexation petition and plan of services. The applicant has requested a zoning classification of Commercial Highway (CH) simultaneous with annexation. This property lies within the City of Murfreesboro's Urban Growth Boundary and is currently zoned Residential Medium -Density (RM) in the unincorporated county.

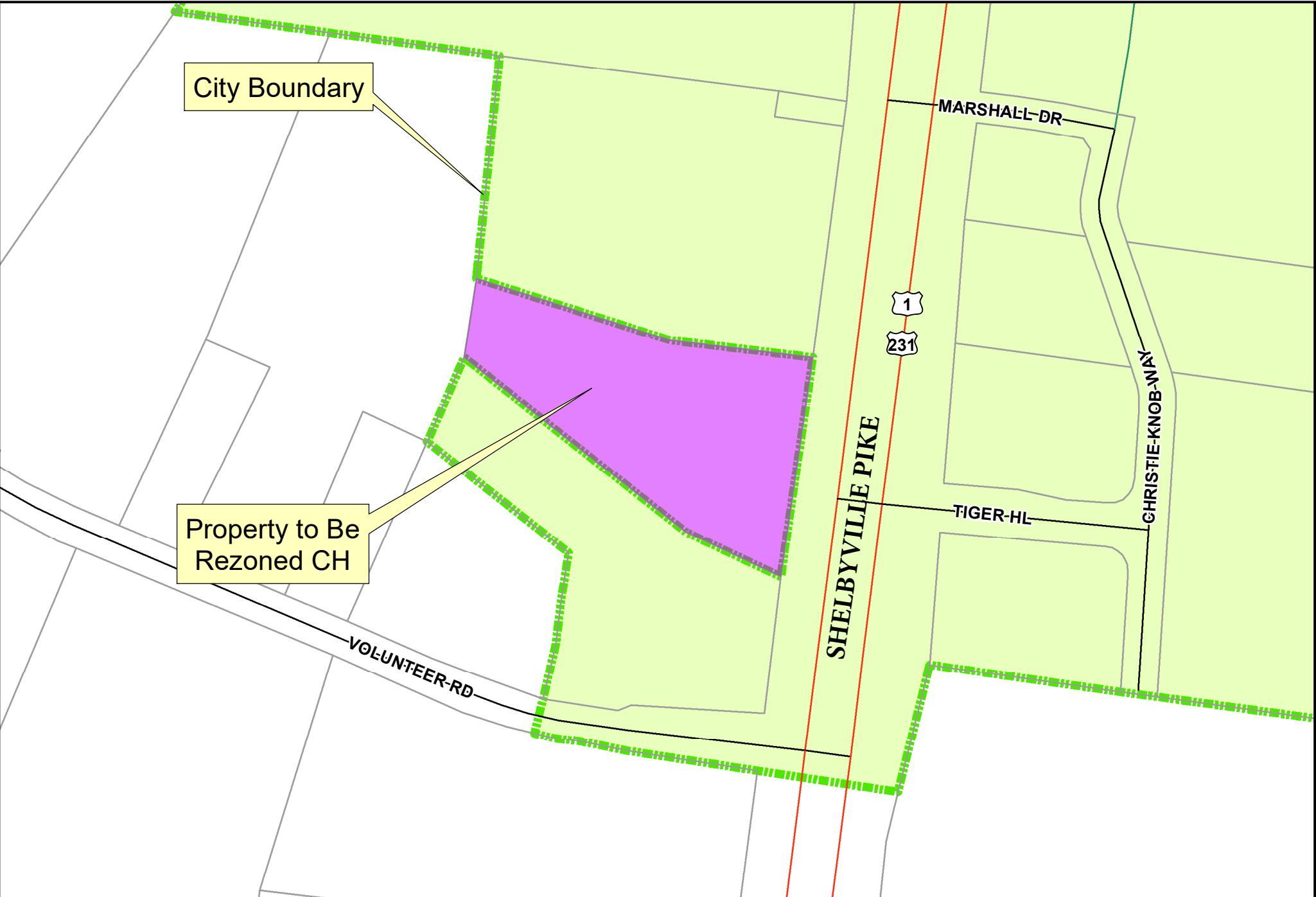
The properties to the north and south of the property are within the city and zoned CH and CF respectively. The adjacent area to the west lies within the unincorporated area and is the single-family residential subdivision Town and Country Estates. Properties located across Shelbyville Pike from the property are vacant tracts of land zoned CH. Further northeast of the subject property is Wal-mart on Joe B. Jackson Parkway.

Future Land Use Map

The future land use map of the *Murfreesboro 2035 Comprehensive Plan*, which was adopted in July 2017, recommends that Suburban Residential is the most appropriate land use character for the subject property, as shown on the map included in the agenda packet. The characteristics of Suburban Residential include detached residential dwellings of 2.0-3.54 dwelling units per acre. Compatible existing zoning districts are RS-15, RS-12 and RS-10.

The proposed rezoning is inconsistent with the future land use map of the *Murfreesboro 2035 Comprehensive Plan*. The Planning Commission should discuss the proposed zoning with regards to the recommended Suburban Residential land use character designation and determine if this is an appropriate instance to deviate from the plan's recommendation and whether or not an amendment to the future land use map is warranted.

The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and formulate a recommendation for the City Council.



City Boundary

Property to Be
Rezoned CH

SHELBYVILLE PIKE

1
231

MARSHALL DR

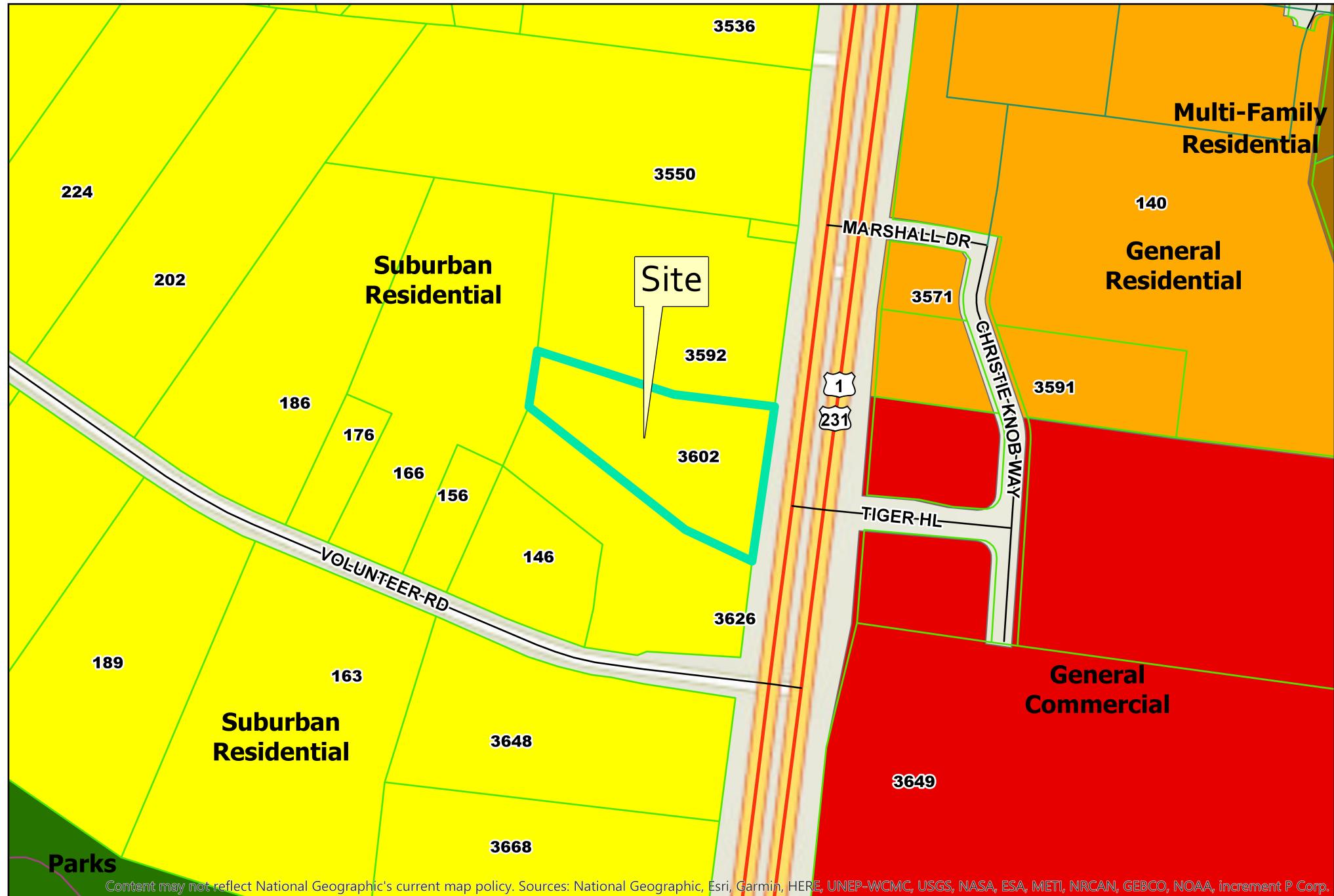
TIGER-HL

CHRISTIE-KNOB-NW

Rezoning Request for Property Along Shelbyville Pike CH Simultaneous with Annexation

0 200 400 800 Feet





Rezoning Request Along Shelbyville Pike - Land Use Plan

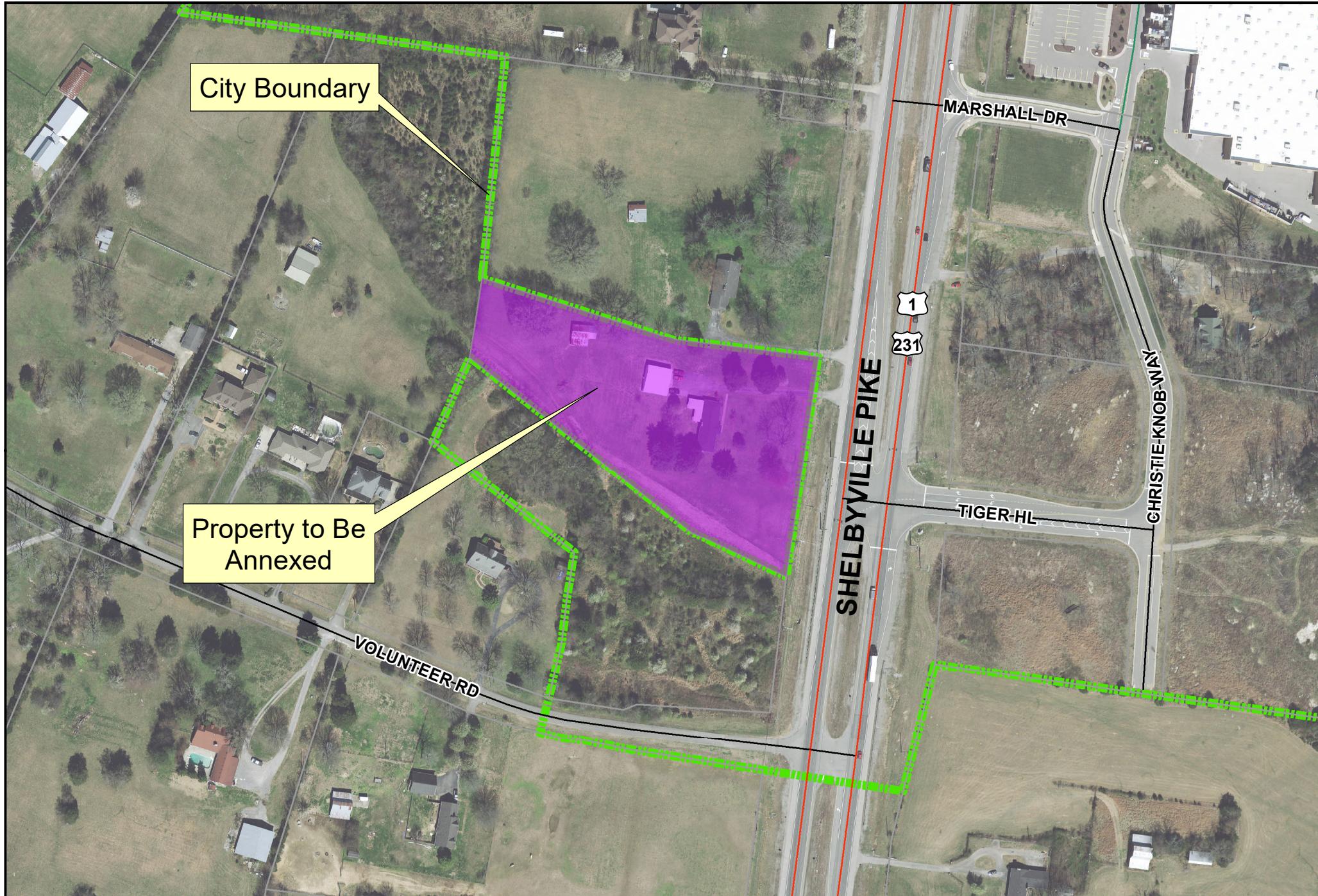
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111 West Vine Street
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www.murfreesborotn.gov



Annexation Request for Property Along Shelbyville Pike

0 200 400 800 Feet



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Creating a better quality of life

City of Murfreesboro
Planning and Engineering Department
111 W. Vine Street, P.O. Box 1139
Murfreesboro, TN 37133-1139
(615) 893-6441 Fax (615) 849-2606
www.murfreesborotn.gov

Received
Planning Department
MAR 14 2019
111 West Vine Street
Murfreesboro, TN 37130

Zoning & Rezoning Applications – other than rezoning to planned unit development	\$700.00
Zoning & Rezoning Applications – Planned Unit Development, initial or amended	\$950.00

Procedure for applicant:

The applicant must submit the following information to initiate a rezoning:

1. A completed rezoning application (below).
2. A plot plan, property tax map, survey, and/or a legal description of the property proposed for rezoning. (Please attach to application.)
3. A non-refundable application fee (prices listed above).

For assistance or questions, please contact a planner at 615-893-6441.

To be completed by applicant:

APPLICANT: FIVE STAR JOINT VENTURE

Address: 208 NORTH THOMPSON LN City/State/Zip: MURFREESBORO

Phone: 615 - 275 - 9287 E-mail address: _____

PROPERTY OWNER: Douglas Dales Five Star Joint Venture

Street Address or property description: 3602 Shelbyville Pike

and/or Tax map #: 136 Group: _____ Parcel (s): 4.01

Existing zoning classification: RM

Proposed zoning classification: CH Acreage: 3.1

Contact name & phone number for publication and notifications to the public (if different from the applicant): Matt Taylor 615-890-7901

E-mail: mtaylor@sec-civil.com

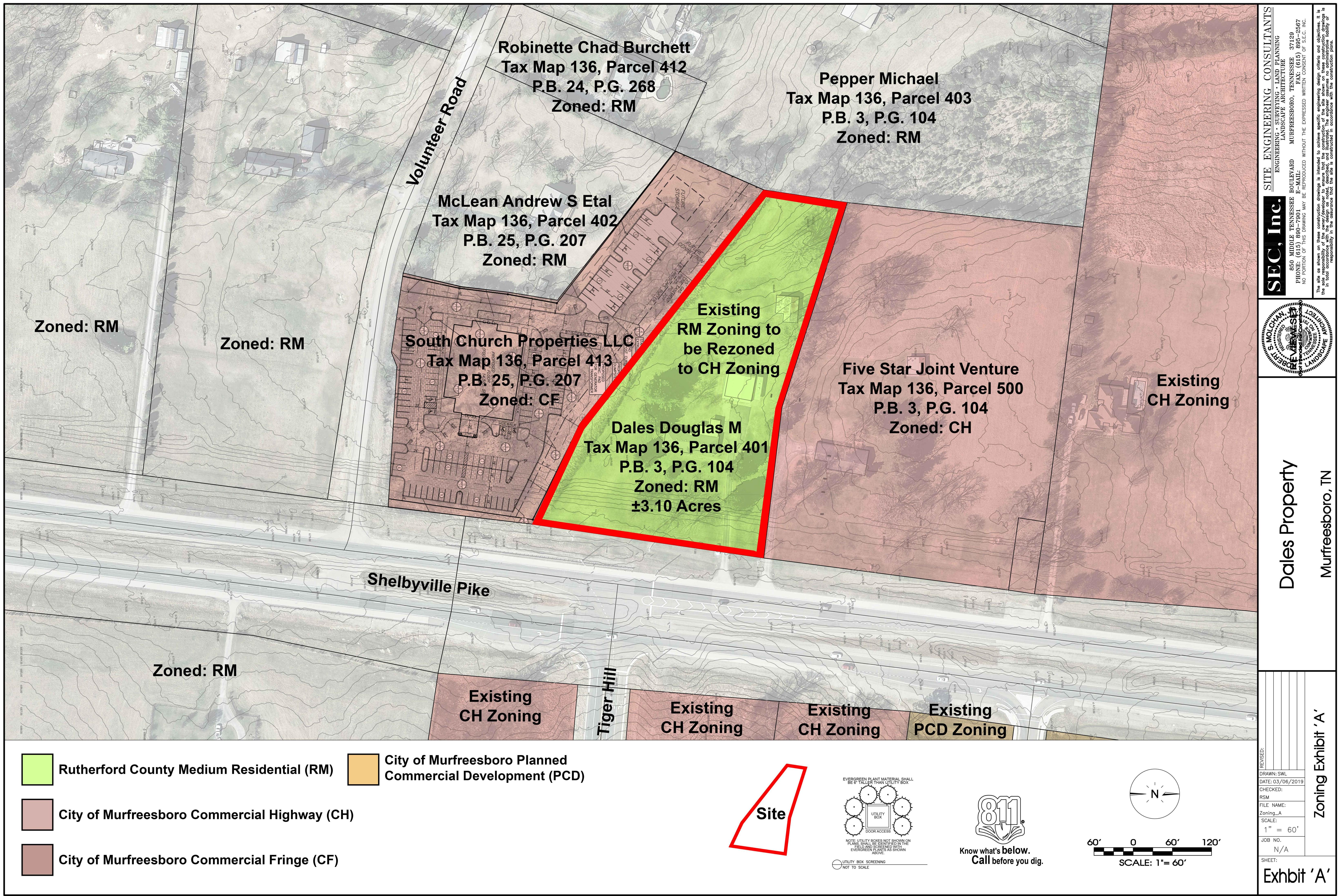
APPLICANT'S SIGNATURE (required): P. N. Paty

DATE: 3-12-19

*****For Office Use Only*****

Date received: 3-14-19 **MPC YR.:** _____ **MPC #:** 2019-411 + 2019-504

Amount paid: \$700.00 **Receipt #:** 364200



**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MAY 1, 2019**

Proposed amendments to the Zoning Ordinance regarding Sections 14 and 22 and Charts 1 and 2 [2019-803]; pertaining to industrial uses, City of Murfreesboro Planning Department applicant.

The primary purpose of this revision to the Murfreesboro Zoning Ordinance is to create a new industrial zoning district. For the most part, the new district—General Industrial (G-I)—would allow uses consistent with those allowed in the Heavy Industrial (H-I) district. However, certain intensive heavy industrial uses would be restricted from the G-I district.

Use Standards for G-I District

Chart 1 of the Zoning Ordinance would be amended to add the new district and designate uses for the district as either by-right or allowed by Special Use Permit. Uses currently allowed in the H-I district that would not be allowed in the G-I district include:

Manufacture, Storage, Distribution of:

- Asbestos Products
- Automobile Dismantlers and Recyclers
- Chemicals
- Composting Facility
- Fertilizer
- Leather and Leather Products, Tanning and Finishing
- Lumber and Wood Products
- Mobile Home Construction
- Paper Mills
- Petroleum, Liquified Petroleum Gas and Coal Products except refining
- Petroleum and Coal Products Refining
- Primary Metal Manufacturing
- Saw Mills
- Scrap Processing Yard
- Scrap Metal Processors
- Scrap Metal Distribution and Storage
- Secondary Material Dealers
- Refuse Processing, Treatment and Storage
- Landfill
- Junkyard

Each of the above uses would continue to be allowed by right or by Special Use Permit in the H-I zoning district. Likewise, while adult oriented businesses would be restricted from the G-I district, they would continue to be allowed by right in the H-I zoning district subject to the distance and separation requirements set forth in Section 32 of the Zoning Ordinance.

Bulk Standards for G-I District

In addition to the Chart 1 changes listed above, Chart 2 would be modified to include bulk standards for the G-I zoning district. The bulk standards for the G-I district would mimic those of the H-I and L-I districts and would include the following:

- Minimum front setback: 42 feet
- Minimum side setback: 10 feet
- Minimum rear setback: 20 feet
- Maximum building height: 75 feet
- Minimum lot width: 50 feet

Lot area, density, floor area ratio, livability space ratio, open space ratio, and lot coverage standards would not apply to the G-I zoning district. This is consistent with the H-I and L-I zoning districts.

Uses to Be Removed from Chart 1

Along with creating the G-I zoning district, this proposed revision to the Zoning Ordinance would remove certain uses from Chart 1 that are obsolete, repetitive, or otherwise unnecessary. The uses that would be removed from Chart 1 are:

Agricultural Uses

- Hunting, Trapping and Game Propagation

Reason for removal: Listed but not currently allowed in any zoning district

Commercial Uses

- Mobile Home Sales

Reason for removal: Repetitive, covered by other use listings

- Wrecker Service

Reason for removal: Repetitive, covered by other use listings

Industrial Uses

Manufacture, Storage, Distribution of:

- Animal or Poultry Slaughter, Stockyards, Rendering

Reason for removal: Not suitable for most urban environments

- Candy

Reason for removal: Repetitive, covered by other use listings

- Explosives

Reason for removal: Not suitable for most urban environments

- Fireworks

Reason for removal: Not suitable for most urban environments

- Metal or Rubber Stamps

Reason for removal: Obsolete; repetitive; covered by other use listings

- Novelties

Reason for removal: Repetitive, covered by other use listings

- Pulp Mills
Reason for removal: Listed but not currently allowed in any zoning district
- Radioactive Materials
Reason for removal: Not suitable for most urban environments
- Soap
Reason for removal: Repetitive, covered by other use listings
- Toys
Reason for removal: Repetitive, covered by other use listings
- Warehouse
Reason for removal: Repetitive, covered by other use listings

Transportation and Public Utilities

- Freight, Service Facility
Reason for removal: Repetitive, covered by other use listings
- Railroad Switching Yard, Terminal, Piggyback Yard
Reason for removal: Repetitive, covered by other use listings
- Automobile graveyard
Reason for removal: Repetitive, covered by other use listings
- Metal, Sand, Stone, Gravel, Clay, Mining, and other related processing
Reason for removal: Not suitable for most urban environments

Each of the listed uses that are being removed for unsuitability could still be allowed through the planned development zoning process.

Additional Changes to Chart 1

In an effort to modernize Chart 1, staff recommends making the following nomenclature changes:

Current Use Name	Proposed Use Name
Telephone Service Center	Telephone or Communication Services
Telephone Switching Center, Electric Transmission, Gas Piping, Water Pumping Station	Electric Transmission, Gas Piping, Water Pumping Station
Truck or Motor Freight Terminal, Service Facility	Freight Terminal, Service Facility

Public Hearing

The Planning Commission should conduct a public hearing on this matter and then make a recommendation to the City Council.

ORDINANCE 18-O-XX amending the Murfreesboro City Code, Appendix A-Zoning, Section 9, Standards for Special Use Permits; Section 13, Planned Development Regulations; Section 14, Districts Established; Section 18, Regulations of General Applicability; Section 22, Industrial Districts; Section 24, Overlay District Regulations; Section 25, Temporary and Accessory Structures and Uses; Chart 5, Required Loading Spaces by Use and Zoning District; Section 27, Landscaping and Screening; Chart 1 and Chart 1 Endnotes, Uses Permitted by Zoning District; Chart 2 and Chart 2 Endnotes, Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios; Table 1, Adjacent and Proposed Districts; and Table 2, Buffer Zone Requirements; pertaining to industrial zoning districts, City of Murfreesboro Planning Department, applicant [2019-803].

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. Appendix A, Section 9, Standards for Special Use Permits, of the Murfreesboro City Code is hereby amended at subsection (D)(2)(ddd)[1] by inserting „general industrial (G-I)” between “light industrial (L-I)” and “and heavy industrial (H-I)”.

SECTION 2. Appendix A, Section 13, Planned Development Regulations, of the Murfreesboro City Code is hereby amended at subsection (C)(3) by inserting „, G-I” between “H-I” and “or L-I”.

SECTION 3. Appendix A, Section 14, Districts Established, of the Murfreesboro City Code is hereby amended at subsection (D) by deleting the list of Industrial Districts in its entirety and substituting in lieu thereof the following list:

- (D) *Industrial Districts.*
 - (1) H-I, Heavy Industrial District
 - (2) G-I, General Industrial District
 - (3) L-I, Light Industrial District

SECTION 4. Appendix A, Section 18, Regulations of General Applicability, of the Murfreesboro City Code is hereby amended at subsection (G)(4) by inserting „, G-I (General Industrial),” between “H-I (Heavy Industrial)” and “or L-I (Light Industrial).”

SECTION 5. Appendix A, Section 22, Industrial Districts, of the Murfreesboro City Code is hereby amended by inserting the following between the description of “H-I, Heavy Industrial District” and the description of “L-I, Light Industrial District”:

G-I, GENERAL INDUSTRIAL DISTRICT.

This industrial district is intended to provide areas in which the principal uses permitted are wholesaling, warehousing, or limited manufacturing and which are accessible to major transportation routes. The regulations of this district are designed to minimize the adverse impact such uses may have on nearby

districts. The uses permitted in this district, the special uses that may be allowed in this district, and the uses for which site plan review and approval are required are listed in Chart 1 unless otherwise regulated in this article. The minimum lot and yard requirements, maximum height, and the land use intensity ratios which govern any use in this district are listed on Chart 2 unless otherwise regulated in this article.

SECTION 6. Appendix A, Section 24, Overlay District Regulations, of the Murfreesboro City Code is hereby amended at Article V, PS, Planned Signage Overlay District, subsection (C) by inserting “General Industrial (G-I);” between “Heavy Industrial (H-I);” and “Light Industrial (L-I”).

SECTION 7. Appendix A, Section 25, Temporary and Accessory Structures and Uses, of the Murfreesboro City Code is hereby amended at subsection (D)(5) by inserting “G-I” between “H-I,” and “and L-I”.

SECTION 8. Appendix A, Chart 5, Required Loading Spaces by Use and Zoning District, of the Murfreesboro City Code is hereby amended under the column “District” at the row “Manufacturing, processing, storage or distribution establishment” by inserting “, G-I” between “L-I” and “and H-I”.

SECTION 9. Appendix A, Section 27, Landscaping and Screening, of the Murfreesboro City Code is hereby amended as follows at:

Subsection (K)(3)(b)[4] by inserting “, G-I (General Industrial)” between “H-I (Heavy Industrial)” and “or L-I (Light Industrial)”.

Subsection (L)(1)(a) by inserting “G-I, General Industrial District” between “H-I, Heavy Industrial District” and “L-I, Light Industrial District”.

SECTION 10. Appendix A, Chart 1, Uses Permitted by Zoning District, of the Murfreesboro City Code, is hereby amended at the portions indicated on the attached Chart 1 by:

Inserting column for “G-I” zoning district and indicating uses allowed by right with “X” and uses allowed by Special Use Permit with “S”.

Deleting the following rows under the headings indicated in bold print:

Agricultural Uses
Hunting, Trapping and Game Propagation

Commercial Uses
Mobile Home Sales

Wrecker Service

Industrial Uses

Manufacture, Storage, Distribution of:
Animal or Poultry Slaughter, Stockyards, Rendering
Candy
Explosives
Fireworks
Metal or Rubber Stamps
Novelties
Pulp Mills
Radioactive Materials
Soap
Toys
Warehouse

Transportation and Public Utilities

Freight, Service Facility
Railroad Switching Yard, Terminal, Piggyback Yard
Automobile graveyard
Metal, Sand, Stone, Gravel, Clay, Mining, and other related processing
Telephone Service Center
Telephone Switching Center, Electric Transmission, Gas Piping, Water Pumping Station
Truck or Motor Freight Terminal, Service Facility

Adding the following rows under the heading indicated in bold print:

Transportation and Public Utilities

Telephone or Communication Services
Electric Transmission, Gas Piping, Water Pumping Station
Freight Terminal, Service Facility

SECTION 11. Appendix A, Chart 1 Endnotes, Uses Permitted by Zoning District, of the Murfreesboro City Code, is hereby amended at Endnote 1 by inserting "G-I," between "H-I," and "and L-I".

SECTION 12. Appendix A, Chart 2, Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios, of the Murfreesboro City Code is hereby amended as indicated on the attached portion of Chart 2 by inserting a row for "G-I District" between "H-I District" and "L-I District".

SECTION 13. Appendix A, Chart 2 Endnotes, Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios, of the Murfreesboro City Code is hereby amended at Endnote 13 by inserting "G-I," between "L-I," and "and H-I".

SECTION 14. Appendix A, Table 1, Adjacent and Proposed Districts, of the Murfreesboro City Code is hereby amended as indicated on the attached Table 1.

SECTION 15. Appendix A, Table 2, Buffer Zone Requirements, of the Murfreesboro City Code is hereby amended as indicated on the attached Table 2.

SECTION 16. That this Ordinance shall take effect immediately after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

Melissa Wright
City Recorder

APPROVED AS TO FORM:

Adam F. Tucker
Interim City Attorney

SEAL

Chart 1
Page 1 of 9

Revised: 04/11/19

USES PERMITTED ³	ZONING DISTRICTS																									
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	L ²	CIM-RS-8 ²	CIM-R ²	CM ²	CU	P
DWELLINGS																										
Single-Family detached	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X					
Single-Family attached							X	X	X	X	X	X	X	X	X	X	X	X	X	X	X					
Two-Family							X	X	X			X	X	X						X	X					
Three-Family							X	X			X	X	X							X	X					
Four-Family							X	X			X	X	X							X	X					
Multiple-Family							X ²¹	X ²¹						X ²¹	X ²¹						X					
OTHER HOUSING																										
Accessory Apartment	S ^o	S ^o	S ^o	S ^o	S ^o	S ^o				S ^o																
Accessory Dwelling Unit											X ¹	X ¹	X ¹	X ¹	X ¹	X	X ¹	X ¹	X ¹	X ¹						
Assisted-Care Living Facility ¹⁵							S	X	X	X	X	X	X	X	X	X	X	X	X	X	S					
Bed-and-Breakfast Homestay	S	S	S	S	S	S	S	S	X	S	S	S	X	X	X	X	X		S	S	S	X				
Bed-and-Breakfast Inn	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X		S	S	S	S				
Boarding House ¹⁵							S	S	X	X	S	S	X	X	X	X	X		S	S	X					
Emergency Shelter	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X					
Extended Stay Hotel/Motel															X	X										
Family Crisis Shelter											S	S	S	S	S	S	S	S	S	S	S					
Family Violence Shelter								S	S		S	S	S	X	X	X	X	X	X	S	S					
Fraternity/Sorority											S	S	S	S	S					S	S	S				
Group Shelter								S	S		S	S	S	S	S	S	S	S	S	S						
Class I Home for the Aged ¹⁵	S	S	S	S	S	S	S	S	X	X	X	X	X	X	X	X			S	S	S	S				
Class II Home for the Aged ¹⁵	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X		S	S	S	S				
Class III Home for the Aged ¹⁵								S	S		S	S	X	X	X	X			S	S	S	S				
Hotel															X	X	X	X	X	X						
Mission ¹⁰																S	S	S								
Mobile Homes											X															
Motel														X	X	X	X	X								
Rooming House							S	S	S						X				S	S	X					
Student Dormitory									S												X					
Transitional Home							S	S	S		S	S							S	S						
INSTITUTIONS																										
Adult Day Care Center	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	X	X	X	S	X	X					
Adult Day Care Home	S	S	S	S	S	S	S	S	S	S	S	X	S	X	X	X	X	X	X	X	X					
Airport, Heliport	S	S	S	S	S	S	S	S	S	S				S			S	S	S	S	S					
Cemetery, Mausoleum	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S					
Church ¹³	S	S	S	S	S	S	S	S	X	X	S	S	S	X	X	X	X	X	S	S	X					
College, University											X	X			X				X	X						

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

USES PERMITTED ³	ZONING DISTRICTS																		P					
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	L ²	CM-RS 8 ²	CM-R ²	CM ²
Day-Care Center					S	S	S			S	S	S	X	X	X	X	X	X	X	S	S	S		
Family Day-Care Home	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X		X	X	X	S	S	S		
Group Day-Care Home	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X		X	X	X	S	S	S		
Hospital											X	X				X	X	X	X	X	X	X		
Lodge, Club, Country Club ¹³	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	S	S	S			
Mental Health Facility											X	X	X		X	X	X	X	X	X	X	X		
Morgue														X	X		X	X	X	X	X	X		
Museum							S	S	S		S	S	S	X	X	X	X	X	X	S	S	S		
Nursing Home											X	X	S	S	S	X		X	X	X	X	X		
Nursery School							S	S	S		S	S	S	S	S	X		S	S	S	S	S		
Park	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Philanthropic Institution							S	S	S		X	X	X	X	X	X	X	X	X	X	X	X		
Pet Cemetery	S	S	S											S	S			S	S	S				
Public Building ¹³	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	X	S	S	S		
Recreation Field ¹³	S	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	S	S	S		
Senior Citizens Center	S	S	S	S	S	S	S	S	X	X	S	X	X	X	X	X	X	X	S	X	X	X		
School, Public or Private, Grades K - 12 ¹³	S	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	S	S	S		
Student Center								S	S		S	S	S	S	X					S	S			
AGRICULTURAL USES																								
Customary General Farming	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶			X ⁶	X		X	X	X		X	X	
Crop, Soil Preparation Agricultural Services	S	S	S	S	S	S	S	S	S	S	S	S			X	X	X	X	X	X	X	X	X	
Farm Labor and Management Services														X	X	X	X	X	X	X	X	X	X	
Fish Hatcheries and Preserves															X		X	X	X					
Grain, Fruit, Field Crop and Vegetable Cultivation and Storage	X	X	X	X	X	X	X	X	X	X	X	X						X	X	X		X		
Livestock, Horse, Dairy, Poultry, and Egg Products	S	S	S	S	S	S	S	S	S	S	S	S						X	X	X		X		
Timber Tracts, Forest Nursery, Gathering of Forest Products	S	S	S	S	S	S	S	S	S	S	S	S						X	X	X				
COMMERCIAL																								
Adult Cabaret																	X ⁹							
Adult Entertainment Center																	X ⁹							
Adult Motel																	X ⁹							
Adults-Only Bookstore																	X ⁹							
Adults-Only Motion Picture Theater																	X ⁹							
Amusements, Commercial Indoor																	X	X	X	X	X	X	S	

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

USES PERMITTED ³	ZONING DISTRICTS																								
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	L ²	CM-RS 8 ²	CM-R ²	CM ²	CU
Amusements, Commercial Outdoor excluding Motorized																X	X		X	X	X		S	S	
Amusements, Commercial Outdoor Motorized except Carnivals																		S	S	S					
Animal Grooming Facility															X	X	X		X	X	X				
Antique Mall															X	X	X	X	X	X	X				
Antique Shop <3,000 sq. ft.												X	X	X	X	X	X	X	X	X	X				
Apothecaries (pharmaceuticals only)												X	X	X	X	X	X	X	X	X	X	X	X	X	
Art or Photo Studio or Gallery												X	X	X	X	X	X	X	X	X	X	X		X	
Automotive Repair ¹²																X	X		X	X	X				
Bakery, Retail														X	X	X	X	X	X	X	X				
Bank, Branch Office												X	X	X	X	X	X	X	X	X	X				
Bank, Drive-Up Electronic Teller												X	X	X	X	X	X	X	X	X	X				
Bank, Main Office															X	X	X	X	X	X	X				
Barber or Beauty Shop												X	X	X	X	X	X	X	X	X	X			X	
Beer, Packaged														X	X	X	X	X	X	X	X				
Boat Rental, Sales, or Repair																X			X	X	X				
Book or Card Shop												X	X	X	X	X	X	X	X	X	X			X	
Business School												X	X		X	X	X	X	X	X	X				
Business and Communication Service												X	X	X	X	X	X	X	X	X	X				
Campground, Travel-Trailer Park															X			X	X	X					
Carnivals															S			S	S	S		S			
Catering Establishment												X	X	X	X	X	X	X	X	X	X			X	
Clothing Store														X	X	X	X	X	X	X	X				
Coffee, Food, or Beverage Kiosk														X	X	X	X		X	X	X				
Commercial Center														X	X	X	X		X	X	X				
Convenience Sales and Service, maximum 5,000 sq. ft. floor area														X	X	X	X	X	X	X	X				
Crematory															X	X	X	X	S	S	S				
Delicatessen														X	X	X	X	X	X	X	X				

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

USES PERMITTED ³	ZONING DISTRICTS																										
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	L ²	CM-RS 8 ²	CM-R ²	CM ²	CU	P	
Department or Discount Store															X	X	X	X	X	X	X						
Drive-In Theater																X	X	X	X	X	X	X					
Dry Cleaning															X	X	X	X	X	X	X	X					
Dry Cleaning Pick-Up Station															X	X	X	X	X	X	X	X					
Financial Service															X	X	X	X	X	X	X	X					
Fireworks Public Display																									X		
Fireworks Retailer																	S		S	S	S						
Fireworks Seasonal Retailer																S	S		S	S	S						
Flower or Plant Store															X	X	X	X	X	X	X	X	X	X	X		
Funeral Home																S	X	X		X	X	X					
Garage, Parking																	X	X	X	X	X	X	X	X	X		
Garden and Lawn Supplies																S	X	X	X	X	X	X	X	X	X		
Gas--Liquified Petroleum, Bottled and Bulk																	X			X	X	X					
Gas Station																	X	X	X	X	X	X	X	X	X		
General Service and Repair Shop																		X	X	X	X	X	X	X	X		
Glass--Auto, Plate, and Window																		X	X		X	X	X	X	X		
Glass--Stained and Leaded																	X	X	X	X	X	X	X	X	X		
Greenhouse or Nursery																		X	X		X	X	X	X	X		
Group Assembly, <250 persons																S	S	X	X	X	X	X	X	S	S	S	
Group Assembly, >250 persons																S	S	S	S	S	S	S	S	S	S	S	
Health Club																X	X	X	X	X	X	X	X	X	X		
Ice Retail																	X	X	X	X	X	X	X	X	X		
Interior Decorator																X	X	X	X	X	X	X	X	X	X		
Iron Work																		X			X	X	X				
Janitorial Service																	X	X	X	X	X	X	X	X	X		
Karate, Instruction																	X	X	X	X	X	X	X	X	X		
Kennels																		X			X	X	X				
Keys, Locksmith																		X	X	X	X	X	X	X	X		
Laboratories, Medical																X	X	X	X		X	X	X	X	X		
Laboratories, Testing																		X	X	X		X	X	X			
Laundries, Self-Service																	X	X	X		X	X	X				
Lawn, Tree, and Garden Service																		X			X	X	X				
Liquor Store																	X	X	X	X	X	X	X	X	X		
Livestock, Auction																				X	X	X					
Lumber, Building Material																		X			X	X	X				
Manufactured Home Sales																				X	X						
Massage Parlor																				X ⁹							

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

USES PERMITTED ³	ZONING DISTRICTS																										
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	H ²	GI ²	L ²	CM-RS 8 ²	CM-R ²	CM ²	CU	P	
Motor Vehicle Sales (Automobiles)																S	S	X ³	X ³	X ³							
Motor Vehicle Sales (Other Than Automobiles)																S	S	X	X	X							
Motor Vehicle Service ¹²																X	X		X	X	X						
Movie Theater																X	X	X	X	X	X	X					
Music or Dancing Academy																X	X		X	X	X						
Offices												X	X	X	X	X	X	X	X	X	X ⁵	X ⁵	X ⁵				
Optical Dispensaries												X	X		X	X	X	X	X	X	X	X	X	X			
Pawn Shop																X		X	X	X	X						
Personal Service Establishment																X	X	X	X	X	X						
Pet Crematory																			S	S	S						
Pet Funeral Home																X	X		X	X	X						
Pet Shops																X	X	X	X	X	X						
Pharmacies												X	X	X	X	X	X	X	X	X	X	X	X	X			
Photo Finishing																X	X	X	X	X	X						
Photo Finishing Pick-Up Station																X	X	X		X	X	X					
Radio, TV, or Recording Studio																X	X	X	X	X	X	X					
Radio and Television Transmission Towers																S	S	S	S	S	S	S					
Rap Parlor																			X ⁹								
Reducing and Weight Control Service												X	X	X	X	X	X	X	X	X	X	X	X	X			
Restaurant and Carry-Out Restaurant																X	X	X	X	X	X	X					
Restaurant, Drive-In																	X			X	X	X					
Restaurant, Specialty																X	X	X	X	X	X	X					
Restaurant, Specialty -Limited												S	S	X	X	X	X	X	X	X	X	S	S	S			
Retail Shop, other than enumerated elsewhere																X	X	X	X	X	X	X					
Salvage and Surplus Merchandise																X			X	X	X						
Sauna																			X ⁹								
Sheet Metal Shop																	X			X	X	X					
Shopping Center, Community																	X	X		X	X	X					
Shopping Center, Neighborhood																X	X	X		X	X	X					
Shopping Center, Regional																X	X		X	X	X	X					
Specialty Shop												X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Tavern																X		X	X	X	X	X					
Taxidermy Studio																S			S	S	S						
Towing ¹²																X		X	X	X	X						

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

USES PERMITTED ³	ZONING DISTRICTS																										
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	L ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P	
Veterinary Office												X	X	X	X	X		X	X	X							
Veterinary Clinic														X	X	X		X	X	X							
Veterinary Hospital															X	X		X	X	X							
Vehicle Sales (Non-Motorized)															X	X		X	X	X							
Vehicle Wash														X	X	X		X	X	X							
Video Rental														X	X	X	X	X	X	X	X						
Wholesaling															X		X	X	X								
Wireless Telecommunications Towers, Antennas ¹⁷	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Wrecker Service, Wrecker Storage Yard ¹²															X		X	X	X								
INDUSTRIAL																											
Manufacture, Storage, Distribution of:																											
Abrasive Products																		X	X								
Alcoholic Beverage Manufacture																	X ²⁰	X ²⁰									
Asbestos Products																	S										
Automobile Dismantlers and Recyclers ⁷																	S ⁷										
Automobile Manufacture																	X	X									
Automobile Parts and Components Manufacture																	X	X									
Automobile Seats Manufacture																	X	X									
Bakery Goods, Candy																	X	X	X								
Boat Manufacture																	X	X									
Bottling Works																	X	X	X								
Brewery																	X	X									
Canned Goods																	X	X									
Chemicals																	X										
Composting Facility																	S			S							
Contractor's Storage, Indoor																X	X	X	X	X							
Contractor's Yard or Storage, Outdoor																X	X	X	X	X							
Cosmetics																	X	X	X								
Custom Wood Products																	X	X	X	X							
Electrical or Electronic Equipment, Appliances, and Instruments																	X	X	X								
Fabricated Metal Products and Machinery																	X	X	X								
Fertilizer																	X										
Food and Beverage Products except animal slaughter, stockyards, rendering, and brewery																	X	X	X								

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

Chart 1
Page 7 of 9

Revised: 04/11/19

USES PERMITTED ³	ZONING DISTRICTS																								
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	LJ ²	CM-RS 8 ²	CM-R ²	CM ²	CU
Furniture and Fixtures																		X	X						
Jewelry																		X	X	X					
Leather and Leather Products except tanning and finishing																		X	X	X					
Leather and Leather Products, Tanning and Finishing																		X							
Lumber and Wood Products																		X							
Mobile Home Construction																		X							
Musical Instruments																		X	X	X					
Office/Art Supplies																		X	X	X					
Paints																		X	X						
Paper Mills																		S							
Paper Products excluding paper and pulp mills																		X	X						
Petroleum, Liquified Petroleum Gas and Coal Products except refining																		S							
Petroleum and Coal Products Refining																		S							
Pharmaceuticals																		X	X	X					
Photographic Film Manufacture																		X	X						
Pottery, Figurines, and Ceramic Products																		X	X	X					
Primary Metal Distribution and Storage																		X	X						
Primary Metal Manufacturing																		X							
Printing and Publishing																		X	X	X	X	X	X	X	X
Rubber and Plastic Products except rubber or plastic manufacture																		X	X						
Rubber and Plastic Products, Rubber and Plastic Manufacture																		X	X						
Saw Mills																		X							
Scrap Processing Yard																		S							
Scrap Metal Processors																		S							
Scrap Metal Distribution and Storage																		S							
Secondary Material Dealers																		S							
Silverware and Cutlery																		X	X	X					
Small Moulded Metal Products																		X	X						
Sporting Goods																		X	X	X					
Stone, Clay, Glass, and Concrete Products																		X	X						
Textile, Apparel Products, Cotton--Factoring, Grading																		X	X	X					
Textile, Apparel Products, Cotton Gin																		X	X						

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

USES PERMITTED ³	ZONING DISTRICTS																								
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	LJ ²	CM-RS 8 ²	CM-R ²	CM ²	CU
Tire Manufacture																		X	X						
Tobacco Products																		X	X						
Toiletries																		X	X	X					
Transportation Equipment																		X	X	X					
Warehousing, Transporting/Distributing ¹⁸																		X	X	X					
TRANSPORTATION AND PUBLIC UTILITIES																									
Bus Terminal or Service Facility																	X		X	X	X				
Garbage or Refuse Collection Service																		X	X						
Refuse Processing, Treatment, and Storage																		S							
Gas, Electric, Water, Sewerage Production and/or Treatment Facility																		X	X	S					
Landfill ¹⁹																		S							
Post Office or Postal Facility																X	X	X	X	X	X	X	X	X	
Telephone or Communication Services																X	X	X	X	X	X	X	X	X	
Electric Transmission, Gas Piping, Water Pumping Station	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	X	X	X		
Taxicab Dispatch Station																	X		X	X	X				
Freight Terminal, Service Facility																	X		X	X	X				
OTHER																									
Advertising Sign																	X		X	X	X				
Home Occupations	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	X		X			S ¹¹	S ¹¹	S ¹¹		
Junkyard																		S							
Recycling center																	S		X	X	X				
Self-Service Storage Facility ¹⁶																S	S	X	S	X	X	X			
Wholesale Establishments																X		X	X	X	X				
Temporary Mobile Recycling Center																S	S		S	S	S		S		

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

Chart 2

Revised: 04/11/19

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{5, 17, 25}					Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)	Maximum Height ¹⁶ (Ft.)	Maximum Gross Density ² (D.U./Acre)	Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
G-I DISTRICT											
1. All uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none

APPENDIX A - ZONING

TABLE 1.
ADJACENT AND PROPOSED DISTRICTS.

PROPOSED DISTRICT

	RS / R-D/ RS-A	RM	R-MO	CM-R/CM/ CM-RS-8/ OG-R/OG	CL	CH / CF / MU	CU	H-I / G-I / L-I	P
RS / R-D / RS-A Single-family detached, attached, zero lot line, and two family	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
RS-A Three, four, five family and greater	D	N/A ¹	C	A	A	A	A	A	A
R-MO Mobile homes	C	A	N/A	A	A	A	A	A	B
CM-R / CM / OG-R / OG / CM-RS-8 Medical offices, clinics, offices *Except single-family and two family uses	B	A	A	N/A ¹	A ¹	A	A ¹	A	B
CL Commercial uses *Except single-family and two family uses	B	A	A	A ¹	N/A ¹	A	A ¹	A	B
CH / CF / MU Commercial uses	D	C	C	A ¹	A ¹	N/A	A	A	C
CU Educational institutions *Except single-family and two family uses	C	A	A	A ¹	A ¹	A	N/A ¹	A	A
H-I / G-I / L-I Industrial uses	E	D	D	C	A	A	A	N/A	D
P Parks *All of the uses	A	A	A	A	A	A	A	N/A	

Footnote: ¹ If single family or two family exists use Type B.

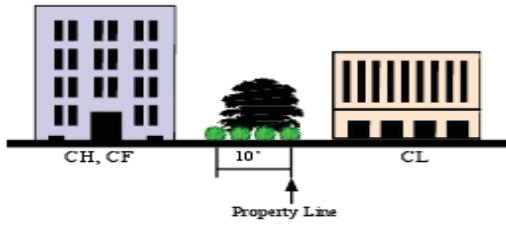
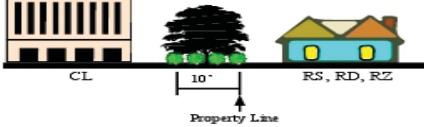
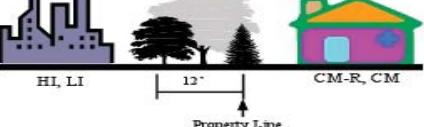
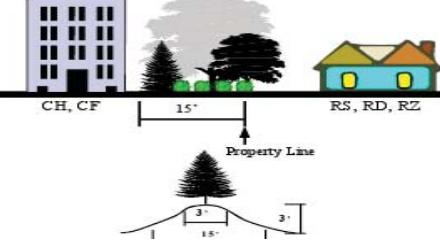
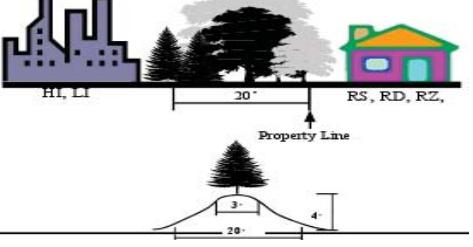
² CBD Exempt.

TABLE 1

ADJACENT DISTRICT

APPENDIX A - ZONING

TABLE 2. **BUFFER ZONE REQUIREMENTS.**

THE CITY OF MURFREESBORO			
TABLE 2. BUFFER ZONE REQUIREMENTS			
TYPE	ADJACENT LAND USES		TYPICAL PLAN VIEWS
A	PROPOSED	EXISTING	PROPOSED
	CH, CF, MU	CM-R, CM-RS-8 OG-R, OG CL, CU, H-I, G-I, L-I, P	
	CL	RM, R-MO, CM, CM-R CM-RS-8, OG-R, OG, CH, CF, CU, H-I, G-I, L-I, P, MU	
	CU	RM, R-MO, CM, CM-R CM-RS-8, OG-R, OG, CM, CH CF, H-I, G-I, L-I, P, MU	
	H-I, G-I, L-I	CL, CH, CF, CU, MU	
	CM, CM-R, CM-RS-8 OG-R, OG	RM, R-MO, CL, CH CF, CU, H-I, G-I, L-I, P, MU	
B	CL	RS, R-D, RS-A	
	CM, CM-R, CM-RS-8 OG-R, OG	RS, R-D, RS-A	
C	CH, CF, MU	RM, R-MO	
	CU	RS, R-D, RS-A	
	H-I, G-I, L-I	CM, CM-R, CM-RS-8 OG-R, OG	
	R-MO	RS, R-D, RS-A, RM	
	RM	R-D, RS-A, R-MO	
D	RM	RS	
	CH, CF, MU	RS, R-D, RS-A	
	H-I, G-I, L-I	RM, R-MO, P	
E	H-I, G-I, L-I	RS, R-D, RS-A	
K E Y	Shade Tree: A large tree growing to over 40' in height at maturity, usually deciduous, that is planted to provide canopy cover shade. <u>Minimum 2 1/2 - 3 inch caliper at planting.</u>		Large Evergreen Shrub: An upright plant growing 10' to 20' in height at maturity that is planted screening purposes. <u>Minimum 3 ft. ht. at planting.</u>
	Ornamental Tree: A small to medium tree, growing 15' to 40' in height at maturity that is planted for aesthetic purposes such as colorful flowers, interesting bark, or fall foliage. <u>Minimum 1 1/2 inch caliper at planting.</u>		Medium Evergreen Shrub: A plant growing 5' to 10' in height at maturity that is planted for screening purposes. <u>Minimum 2 ft. ht. at planting.</u>
	Broad Growing Evergreen Tree: A tree having foliage that remains green throughout the year that is planted for screening purposes. <u>Minimum 6 ft. ht. at planting.</u>		Evergreen Shrub: A shrub having foliage that remains green throughout the year that in this instance is planted for screening purposes. <u>Minimum 4 ft. at planting.</u>
	TYPICAL DIAGRAMS ON FOLLOWING PAGE		

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MAY 1, 2019**

4.d. Proposed amendment to the Zoning Ordinance regarding Section 24, Article VI, City Core Overlay expansion (2019-802), City of Murfreesboro Planning Department applicant.

The purpose of this proposed Zoning Ordinance revision is to expand the existing area of the City Core Overlay to include those areas in the Historic Bottoms and North Highlands small area studies, as well as, implement the recommendations of those studies pertaining to contextual development for the area.

The City Core Overlay expansion

- Creates four character areas: North Highland Corridor, Historic Bottoms, Midtown-Northwest, and Midtown-Southeast
- Creates ten development patterns: Downtown, Mixed Use Node, Urban Transitional, Suburban Transitional, Mixed Residential Corridor, Mixed Residential Neighborhood, Conservation Neighborhood, Adaptive Reuse, Single Family Residential, and Urban Residential Node
- Allows uses appropriate for an urban context
- Ensures the public realm is developed in appropriate contextual pattern

In Fall 2018, Planning staff presented the draft CCO ordinance to both the City Council and Planning Commission for review. Both bodies indicated that a public meeting would be an appropriate next step. In 2019, Planning staff hosted a meeting with Downtown merchants and conducted an open house for public review and comments.

Generally, the proposed CCO ordinance has been received positively by participants in the public review process. However, at the urging of meeting attendees, staff has examined two specific concerns raised after the initial presentations to the City Council and Planning Commission: 1) Central Business District (CBD) parking concerns and 2) Downtown design criteria. With regard to parking in the CBD, staff has determined that additional study should be conducted before any future expansion of the CBD. This ordinance does not expand the CBD or suggest any such expansion. With regard to Downtown design standards, this ordinance would require new and expanded structures to comply with the Murfreesboro Design Guidelines. Additional design standards would be applied to certain development patterns.

Public meeting attendees were asked two specific questions about the CCO expansion. First, should the CCO ordinance allow two separate dwelling units on

a single lot of record? Second, should the CCO ordinance allow accessory dwelling units by right? Based on public feedback, staff recommends that duplexes without shared walls be permitted in certain pattern areas on properties with underlying duplex zoning. Public feedback was less clear on whether accessory dwelling units should be allowed by right. Therefore, the CCO ordinance being presented does not include such an allowance. Staff will continue to explore this issue and may present an ordinance amendment in the future.

Planning staff will be available at the Planning Commission meeting to discuss the request and answer any questions. Planning staff recommends that a public hearing be set for May 1.

ORDINANCE 18-O-XX amending the Murfreesboro City Code, Appendix A-Zoning, Section 24, Overlay District Regulations, pertaining to the City Core Overlay zoning district, City of Murfreesboro Planning Department, applicant [2019-802].

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. Appendix A, Section 24, Overlay District Regulations, of the Murfreesboro City Code is hereby amended at Article VI, CCO, City Core Overlay District, by removing Article VI in its entirety and substituting in lieu thereof Attachment A.

SECTION 2. That this Ordinance shall take effect immediately after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading _____
2nd reading _____

Shane McFarland, Mayor

ATTEST:

Melissa Wright
City Recorder

APPROVED AS TO FORM:

Adam F. Tucker
Interim City Attorney

SEAL

ARTICLE VI. CCO, CITY CORE OVERLAY DISTRICT**(A) District description.**

(1) *Purposes and character area delineation.* The purposes of the City Core Overlay (CCO) district are: to promote infill development that is compatible with existing development patterns; to encourage new development patterns in areas where existing patterns are inconsistent or unestablished; and to promote reinvestment in Downtown Murfreesboro and surrounding neighborhoods. The CCO encompasses four distinct areas:

- (a) North Highland Corridor (NHCA)
- (b) Historic Bottoms (HBCA)
- (c) Midtown-Northwest (MNCA)
- (d) Midtown-Southeast (MSCA)

(2) *Development pattern subareas.* The CCO is further subdivided into development pattern subareas. Development patterns include: Downtown; Mixed Use Node; Urban Transitional; Suburban Transitional; Mixed Residential Corridor; Mixed Residential Neighborhood; Conservation Neighborhood; Adaptive Reuse; Single-Family Residential; and Urban Residential Node. Standards for each development pattern subarea are set forth in this section. Where bulk and use standards are not specified, the standards set forth in Charts 1 and 2 of this article shall apply.

(B) Application of regulations.

(1) *Official zoning map.* The CCO district shall overlay land located as shown on the official zoning map of the City.

(2) *Conflicts with other regulations.* Where there is a conflict between the provisions of this subsection and those of the underlying zoning district, the provisions of this subsection shall apply. Where there is a conflict between the provisions of this subsection and those of another overlay district, the more restrictive regulations shall apply.

(3) *Extension and reconstruction.* The requirements set forth in this subsection shall apply to all new development in the CCO from the effective date of this Article. Notwithstanding the requirements of Section 28 of this Article, an existing structure may be extended or reconstructed one (1) time in accordance with the zoning standards in effect on December 31, 2018. All additional extensions and reconstructions shall comply with the terms of this subsection and Section 28 of this Article.

(4) *Uses permitted.* Any use permitted by right or by special use permit in the underlying zoning classification shall also be permitted by the CCO district unless specifically listed as excluded or otherwise limited by this subsection. Uses specifically listed in this subsection as permitted (though otherwise excluded by the underlying zoning) shall be permitted as though they are listed in Chart 1 of this article as allowed by right or special use permit.

(a) *Dwelling units permitted.* The following uses listed on Chart 1 of this article shall be permitted in the Mixed Use Node, Urban Transitional, Suburban Transitional, Mixed Residential Corridor, Mixed Residential Neighborhood, and Urban Residential Node development pattern subareas, regardless of underlying zoning.

DWELLINGS

Single-Family detached

Single-Family attached

Two-Family

Three-Family

Four-Family

(b) *Additional uses permitted by right or special use permit.* The following uses listed on Chart 1 of this article shall be permitted by right or by special use permit in the Midtown-Southeast Character Area (MSCA), regardless of underlying zoning and development pattern subarea, subject to the standards in this subsection as noted below. An "X"

indicates the use is permitted by right subject to meeting the standards of this article, and an "S" indicates that the use shall be reviewed and approved by the Board of Zoning Appeals for a special use permit and shall meet the additional standards that may be required for such use by this article. A blank space indicates that the use is not permitted.

	RS-4	RS-6	RS-8	R-D	RM-12	RM-16
COMMERCIAL						
Antique shop <2000 sq ft	X	X	X	X	X	X
Art or photo studio or gallery <2000 sq ft	X	X	X	X	X	X
Barber or beauty shop	X	X	X	X	X	X
Clothing store <2000 sq ft	X			X	X	X
Delicatessen	S	S	S	S	X	X
Funeral home	X			X	X	X
Interior decorator	X			X	X	X
Laundries, self-service	S	S	S	S	S	S
Office <2000 sq ft	X	X	X	X	X	X
Restaurant and carry out restaurant	S	S	S	S	S	S
Restaurant, specialty	S	S	S	S	S	S
Restaurant, specialty-limited	S	S	S	S	S	S
Retail shop <2000 sq ft	X	X	X	X	X	X

(c) *Mixed-use buildings.* Buildings classified as mixed-use buildings in the CCO shall include a minimum of two distinct land uses, one of which shall

be residential. No single use may constitute more than 80 percent of the total floor area of any building classified as a mixed-use building.

(5) *Uses Requiring Issuances of Special Use Permits*

The Board of Zoning Appeals (BZA) is authorized to grant special use permits for the uses specified in this subsection in accordance with the procedure for the issuance of such permits set forth in Section 8 of this article.

(6) *Uses not permitted.* The following uses listed in Chart 1 of this article and which may be otherwise permitted by right or special use permit in the underlying zoning district shall not be permitted as principal uses in the CCO district:

OTHER HOUSING

Fraternity/Sorority

Motel

INSTITUTIONS

Airport/Heliport

Pet Cemetery

COMMERCIAL

Amusements, Commercial Outdoor Motorized Except Carnivals

Carnivals

Drive-in Theater

Fireworks Retailer

Greenhouse or Nursery

Kennels

Lumber, Building Material

Motor Vehicle Sales (Automobiles)

Motor Vehicle Sales (Other than Automobiles)

Pawn Shop

Pet Crematory

Pet Funeral Home

Radio and Television Transmission Towers

Shopping Center, Regional

Shopping Center, Community

Restaurant, Drive-in

Salvage and Surplus Merchandise

Sheet Metal Shop

Taxidermy Studio

Warehousing, Transporting

Wholesaling

Wrecker Service

Wrecker Service Storage Yard

INDUSTRIAL

Animal or Poultry Slaughter, Stockyards, Rendering

Automobile Dismantlers and Recyclers

Contractor's Yard or Storage, Outdoor

Mobile Home Construction

Paper Mills

Petroleum and Coal Products Refining

Primary Metals Distribution and Storage

Saw Mills

Scrap Processing Yard

Scrap Metal Processors

Scrap Metal Distribution and Storage

Secondary Material Dealers

Stone, Clay, Grass, and Concrete Products

TRANSPORTATION AND PUBLIC UTILITIES

Garbage or Refuse Collection Service

Freight Service Facility

Truck or Motor Freight Terminal, Service Facility

Refuse Processing Treatment and Storage

Landfill

Railroad Switching Yard, Terminal, Piggyback Yard

OTHER

Metal, Sand, Stone, Gravel, Clay, Mining and Related Processing

(7) *Off-Street Parking.* Parking shall be provided in accordance with the requirements of Section 26 of this article, provided that the following provisions for the number of required parking spaces shall apply:

- (a) *Parking for Single Family Residential Structures.* Within the CCO district, one (1) off-street on-site parking space shall be required for each dwelling with one bedroom and two (2) off-street on-site parking spaces shall be required for each dwelling unit with two or more bedrooms.
- (b) *Parking for Multiple Family Residential Structures.* Within the CCO district, one (1) off-street on-site parking space shall be required for each bedroom provided in each multiple family dwelling unit.
- (c) *Parking for Commercial Uses.* Within the CCO district, parking for commercial uses shall be provided in accordance with the requirements of Section 26 and Chart 4 of this article. The number of required on-site off-street parking spaces may be reduced by 25% if on-street off-site parking is available along the street fronting the property. The number of required parking spaces may be reduced by up to 50% if the property is located within 500 feet of a publicly owned parking lot where parking is freely available to the users.
- (d) *Bicycle Parking.* Designated bicycle parking shall be provided at a ratio of one (1) space for every five hundred (500) square feet of floor area for commercial and office uses and the nonresidential portions of mixed-use developments. Bicycle parking structures and facilities shall be readily accessible and well-maintained.

(8) *Landscaping, screening, and buffering requirements.* Landscaping shall not be required in the Downtown development pattern subarea, except as required by subsection (C)(1) of this section. Within all other development pattern subareas of the CCO district, landscaping shall be required as provided in Section 27 of this article; provided, however, within the CCO district subsections Section 27 (C)(3), (J), (K), and (L) shall not apply and instead the following subsection shall apply:

(a) *Changes to existing buildings, structures and developments.* The requirements of this section shall be applicable to existing buildings, structures and developments under the following circumstances:

- [1] if an existing building, structure or development is expanded by seventy-five percent (75%) or more, then the entire building, structure or development shall comply with the requirements of this subsection;
- [2] if the estimated cost of a renovation of an existing building, structure, or development equals seventy-five percent (75%) or more of the total appraised value of the existing building, structure, or development (including land), then the entire building, structure or development including parking area shall comply with the requirements of this subsection;
- [3] if there is a change in use of an existing building, structure or development, then the entire building, structure, or development including parking area shall be required to comply with the requirements of this subsection;
- [4] if there is a change in use of an existing building, structure or development from a residential use to a nonresidential use then the entire building, structure, or development including parking area shall be required to comply with the requirements of this subsection; or,

- [5] if the number of parking spaces for an existing building, structure or development is expanded by fifty percent (50%) or more, or the area of the parking lot is expanded by fifty percent (50%) or more, then the area of expansion shall comply with the requirements of this subsection.
- (b) *Alternative landscaping arrangements.* For projects being reviewed administratively, the Planning Director shall have the authority to permit an alternative landscaping arrangement where such an arrangement provides at least the minimum number of plantings specified in this section and satisfies the intent of this article. For projects requiring Planning Commission review and approval, the Planning Commission shall have the authority to permit such an alternative landscaping arrangement.
- (c) *Required perimeter landscaping.* Perimeter landscaping yards shall be required around all properties in the CCO except properties in the Downtown development pattern subarea and properties in other development pattern subareas where buildings are constructed to the property line(s). In cases where a building has been constructed to less than all of the property lines, perimeter landscaping yards shall be installed along the remaining boundaries of the site where practical. Unless determined otherwise by the Planning Director or Planning Commission, a perimeter landscaping yard shall have a minimum width of:
 - [1] five (5) feet on a front planting yard and three (3) feet on other planting yards where the site is two (2) acres or less; or
 - [2] eight (8) feet on a front planting yard and five (5) feet on other planting yards where the site is greater than two (2) acres.
- (d) *Shared planting yards.* Along a side or rear property line, the requirement for perimeter landscaping may be satisfied by the creation

and maintenance of a single planting yard with the adjacent property owner. The number of trees shall be the same as required as if it was only one perimeter landscaping for the common planting yard. Both property owners must present and execute an enforceable written agreement for the perpetual maintenance of the planting yard and record it in the Rutherford County Register of Deeds office at no expense to the City. The agreement shall be binding on any successor owner of either property.

(e) *Specifications for planting yards.* Unless otherwise specified in this subsection, the following specifications shall apply to planting yards in the CCO:

- [1] Planting yards shall contain one shade tree every fifty (50) linear feet, excluding any vehicular access way. Ornamental trees may be substituted for up to sixty percent (60%) of otherwise required shade trees. Ornamental trees shall be planted not more than thirty (30) linear feet from another tree. Only ornamental trees may be planted under overhead utility lines. These trees shall be generally equally distributed along the property lines, but they are not required to be at absolute equal intervals. This will allow for some flexibility in design while discouraging long intervals without trees.
- [2] Lots within the CCO district having one hundred and fifty (150) linear feet or less of lot frontage may also meet the requirement for perimeter landscaping in front planting yards as specified below. Shrubs required to be planted within a front planting yard under this provision may be planted anywhere within the front planting yard and may be mass planted to achieve a more naturalistic appearance. Ground cover is not considered a shrub. Shrubs shall be of at least two different types (small, medium, or

large being the types) and at least fifty percent (50%) of the shrubs shall be evergreen. The shrubs shall have a minimum height of eighteen (18) inches from ground level at the time of planting.

- [i] With a five (5) foot front planting yard, no trees are required, but one shrub is required for every twelve and one-half (12.5) square feet of planting yard.
- [ii] With an eight (8) foot front planting yard, one shade tree or two ornamental trees are required and one shrub is required for every ten (10) square feet of planting yard.

(f) *Diversity of species.* No one tree species shall comprise more than sixty percent (60%) of the total number of trees. This provision is still met if an uneven number of trees is required and there is one tree more than sixty percent (60%) of a given species.

(g) *Distance between planting yard and right-of-way.* All trees in a planting yard shall be planted no closer than two and one half (2.5) feet from any public right-of-way unless such planting yard is less than five (5) feet wide, in which event care shall be taken to avoid damage to trees from automobiles that may overhang the planting yard.

(h) *Shrubs in front planting yard.* A front planting yard shall contain a number of shrubs equal to one shrub for five (5) linear feet of frontage. These required shrubs may be small, medium, or large. They may be planted anywhere within a front planting yard and may be mass planted to achieve a more naturalistic appearance. Up to fifty percent (50%) of the required number of shrubs for a front planting yard may be located in the immediate vicinity of the building, structure, or development.

(i) *Required landscaping within parking lots and around base of buildings.* Parking lots should be effectively landscaped with trees and shrubs to: reduce the visual impact of glare, headlights, and parking lot lights;

delineate driving lanes; aid the control of stormwater runoff; and define rows of parking. Parking lots should be shaded in order to reduce the amount of reflected heat. Landscaping—including shrubs and ornamental trees—should be planted at the base of buildings as foundation plantings to aid in stormwater control, reduce the amount of reflected heat, identify significant entries into buildings, and screen unsightly elements of the building.

(j) *Landscape requirements for new parking lots.*

- [1] Off-street parking areas with multiple access aisles shall be designed and constructed with landscape islands dividing at least every twelve (12) parking spaces in a row. Such islands shall have a minimum width of eight (8) feet and shall have a minimum depth equal to the depth of the adjacent parking stall(s). In addition to being designed with landscape islands dividing the rows, large parking areas with multiple rows of parking aisles shall be divided into sub-lots (sub-areas) containing no more than thirty-six spaces along either side of an aisle. Such sub-lots shall be divided by cross-access aisles allowing for cross circulation between aisles. The minimum width of such cross- access aisles shall be twenty-two (22) feet.
- [2] All landscape islands shall be designed and constructed to include continuous curbing around their perimeter and shall be backfilled with topsoil to a depth of thirty (30) inches and shall be free of rock, debris, inorganic compositions, and chemical residues detrimental to plant life. All such landscape islands shall be planted with shade trees or, in appropriate circumstances, ornamental trees.

- [3] The stormwater drainage plan and landscaping plan shall be coordinated so the landscaping plan enhances stormwater drainage.
- (k) *Base of building landscaping requirements.*
 - [1] A three (3) foot minimum width landscape strip shall be provided along the front and sides adjacent to the base of buildings or separated from the building by a sidewalk. Such strip shall be planted with shrubs, trees, or other landscape materials. However, no such landscape strip shall be required within five (5) feet of a building entrance or in such a manner as to block access to a door or other significant building element or within an area used for outdoor seating for a restaurant use.
 - [2] The base of building landscaping requirement shall not apply to maneuvering areas and loading areas that are not visible from a public right-of-way or to land zoned H-I (Heavy Industrial) or L-I (Light Industrial) when such land is developed with a use identified as Industrial in Chart 1 of this article (Appendix A – Zoning).
 - [3] The base of building landscaping requirement shall not be required if it will cause the width of an access drive to the rear of a property to be reduced to less than twenty-two (22) feet.
 - [4] Base of building plantings shall not be required in the Downtown, Mixed Use Node, Urban Transitional, and Suburban Transitional development pattern subareas for structures built to the edge of a sidewalk or a property line.
- (l) *Screening Requirements:*
 - [1] *Screening Requirements.* Service areas, mechanical equipment, trash containers, dumpsters, and similar unaesthetic site

elements shall be screened with the use of plant material, fences, or walls to reduce potential negative impacts.

[2] *Screening Requirements for Stormwater Management Areas.* Stormwater management areas including detention or retention areas shall be landscaped. Such areas may be planted in a manner conducive to stormwater management with appropriate vegetation upon approval by the City Engineer.

(9) *Streetscape Standards.* To promote harmonious development and walkability throughout the CCO, the following streetscape standards shall apply:

- (a) *Building entrances.* Building entrances shall be oriented to the primary street frontage. For corner lots, entrances shall be either oriented to the street with the higher functional classification or angled and oriented to the street intersection.
- (b) *Sidewalks and street trees.* The applicant shall be responsible for installing sidewalks and street trees in accordance with all adopted City standards and plans. The Development Services Division in consultation with the Public Works Division shall have the authority to collect a payment in lieu of installation in cases where the City deems immediate installation impractical or undesirable.
- (c) *Sidewalk location.* In cases where a sidewalk or any portion thereof is located on private property, a sidewalk easement permanently dedicated to the City of Murfreesboro shall be recorded.
- (d) *Public utility easements.* If a public utility easement prevents the planting of trees due to conflicts with utility lines, drainage ways, or other necessary infrastructure components, the applicant shall provide an alternative planting arrangement that satisfies the minimum planting requirements set forth in this section. The Development Services Division in consultation with the Public Works Division shall have the authority to

collect a payment in lieu of installation in cases where the City deems immediate installation impractical or undesirable.

(e) *Ground floor uses.* Active ground floor uses shall be required in a minimum of thirty (30) percent of the structure's frontage on the primary street. For purposes of this section, active ground floor uses shall include habitable spaces occupied by retail, office, residential, institutional, or recreational uses. Parking and mechanical and utility uses are specifically excluded.

(C) *Development pattern subareas.*

(1) *Downtown.* The Downtown development pattern subarea is intended to allow traditional, compact development with minimal lot encumbrances. This subarea includes portions of the North Highland Corridor and Historic Bottoms character areas.

(a) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be as follows:

- [1] For commercial and office developments, structures shall be built to the edge of the sidewalk or the property line, whichever is closer to the street. If no sidewalk exists, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than ten (10) feet behind the front property line.
- [2] For residential developments, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty (20) feet behind the front property line.
- [3] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director

shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to make such a determination.

(b) *Building height for principal buildings.* The minimum height for principal buildings shall be two (2) stories. The maximum height for principal buildings shall be four (4) stories. However, mixed use buildings that include at least one (1) entire story of residential uses shall be entitled to an additional two (2) stories for a total of six (6) stories. In no case shall any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.

(c) *Lot coverage.* Maximum lot coverage may be one hundred (100) percent, regardless of underlying zoning.

(d) *Parking.* On-site parking shall not be located at the front or side of any building. On-site parking shall be permitted at the rear of a building, in an underground garage, or within a parking garage.

[1] *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office uses accessible from the public sidewalk. Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.

[2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley or rear driveway where practical.

(e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:

- [1] *Sidewalk.* Sidewalks in the Downtown development pattern subarea shall have minimum widths of six (6) feet and maximum widths of twelve (12) feet. In cases where an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk abuts the proposed development or shall be constructed to comply with the requirements of this subsection.
- [2] *Landscape strip.* In the Downtown development pattern area, a landscape strip shall not be required between the curb and sidewalk. In cases where a landscape strip is already established along a block, the Planning Director shall determine whether the landscape strip shall continue where the strip abuts the proposed development or shall not be continued.
- [3] *Street trees.* Street trees shall be required as determined by the Planning Director. Street trees in the Downtown development pattern subarea shall be limited to compact species that are appropriate for an urban setting.
- [4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.
- [5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the rear of the principal structure and shall not be visible from the public right-of-way.

(f) *Land Uses.* Land uses in the Downtown development pattern subarea shall be limited to those listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District, subject to the following exceptions:

- [1] Mixed use buildings that include residential uses shall be permitted.

- [2] Certain uses which may otherwise be permitted by right or special use permit in the underlying zoning district shall not be permitted as principal uses within the Downtown development pattern subarea. Section 24(VI)(B)(5) of this article identifies such uses.
- (g) *Building architecture and design.* Buildings in the Downtown development pattern subarea shall comply with the design standards set forth in the Murfreesboro Design Guidelines.
 - [1] *Foundation plantings.* Foundation plantings shall not be required for structures built to the edge of the sidewalk. For structures with adequate front setbacks, foundation plantings shall be required at the discretion of the Planning Director.
 - [2] *Design modifications.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design modifications in cases where demonstrated hardships exist or where a nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design modifications.
- (h) *Accessory structures.* Accessory structures shall be designed as follows:
 - [1] *Location.* Accessory structures shall be located to the rear of the principal structure.
 - [2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.
 - [3] *Height.* An accessory structure shall not have a height greater than two (2) stories. In no event shall an accessory structure have a height greater than that of the principal structure.

[4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

(2) *Mixed Use Node.* The Mixed Use Node development pattern subarea is intended to allow a mix of land uses and building styles. This subarea includes portions of the North Highland Corridor, Historic Bottoms, Midtown-Northwest, and Midtown-Southeast character areas.

(a) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be as follows:

- [1] For commercial and office developments, structures shall be built to the edge of the sidewalk or the property line, whichever is closer to the street. If no sidewalk exists, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than fifteen (15) feet behind the front property line.
- [2] For residential developments, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty (20) feet behind the front property line.
- [3] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to make such a determination.

(b) *Building height for principal buildings.* The maximum height for principal buildings shall be three (3) stories. However, mixed use buildings that

include at least one (1) entire story of residential uses shall be entitled to an additional one (1) story for a total of four (4) stories. In no case shall any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.

- (c) *Lot coverage.* Maximum lot coverage may be one hundred (100) percent, regardless of underlying zoning.
- (d) *Parking.* Shared and/or combined parking is encouraged where practical. On-site parking shall be permitted at the rear of a building, in an underground garage, or within a parking garage.
 - [1] *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office uses accessible from the public sidewalk. Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.
 - [2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley or rear driveway where practical.
- (e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:
 - [1] *Sidewalk.* Sidewalks in the Mixed Use Node development pattern subarea shall have minimum widths of six (6) feet and maximum widths of twelve (12) feet. In cases where an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk

abuts the proposed development or shall be constructed to comply with the requirements of this subsection.

- [2] *Landscape strip.* In the Mixed Use Node development pattern area, a landscape strip shall not be required between the curb and sidewalk. In cases where a landscape strip is already established along a block, the Planning Director shall determine whether the landscape strip shall continue where the strip abuts the proposed development or shall not be continued.
- [3] *Street trees.* Street trees shall be required as determined by the Planning Director. Street trees in the Mixed Use Node development pattern subarea shall be limited to compact species that are appropriate for an urban setting.
- [4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.
- [5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the rear of the principal structure and shall not be visible from the public right-of-way.

(f) *Land Uses.* Land uses in the Mixed Use Node development pattern subarea shall be limited to those listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District, subject to the following exceptions:

- [1] Mixed use buildings that include residential uses shall be permitted.
- [2] Certain uses which may otherwise be permitted by right or special use permit in the underlying zoning district shall not be permitted as principal uses within the Mixed Use Node development pattern subarea. Section 24(VI)(B)(5) of this article identifies such uses.

(g) *Building architecture and design.* Buildings in the Mixed Use Node development pattern subarea shall comply with the design standards set forth in the Murfreesboro Design Guidelines.

[1] *Foundation plantings.* Foundation plantings shall not be required for structures built to the edge of the sidewalk. For structures with adequate front setbacks, foundation plantings shall be required at the discretion of the Planning Director.

[2] *Design modifications.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design modifications in cases where demonstrated hardships exist or where a nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design modifications.

(h) *Accessory structures.* Accessory structures shall be designed as follows:

[1] *Location.* Accessory structures shall be located to the rear of the principal structure.

[2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.

[3] *Height.* An accessory structure shall not have a height greater than two (2) stories. In no event shall an accessory structure have a height greater than that of the principal structure.

[4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

(3) *Urban Transitional.* The Urban Transitional development pattern subarea is intended to provide a physical transition between the Downtown development pattern and more suburban development patterns. This subarea includes lots in the Historic Bottoms Character Area that have street frontage along Southeast Broad Street between South Church Street and South Maney Avenue.

(a) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be as follows:

- [1] For commercial and office developments, structures shall be built to the edge of the sidewalk or the property line, whichever is closer to the street. If no sidewalk exists, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty-five (25) feet behind the front property line.
- [2] For residential developments, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty-five (25) feet behind the front property line.
- [3] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to make such a determination.

(b) *Building height for principal buildings.* The maximum height for principal buildings shall be two (2) stories. However, mixed use buildings that include at least one (1) entire story of residential uses shall be entitled to an additional one (1) story for a total of three (3) stories. In no case shall

any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.

(c) *Lot coverage.* Maximum lot coverage may be one hundred (100) percent, regardless of underlying zoning.

(d) *Parking.* Shared and/or combined parking is encouraged where practical. On-site parking shall be permitted at the rear of a building, in an underground garage, or within a parking garage.

[1] *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office uses accessible from the public sidewalk. Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.

[2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley or rear driveway where practical.

(e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:

[1] *Sidewalk.* Sidewalks in the Urban Transitional development pattern subarea shall have widths of six (6) feet. In cases where an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk abuts the proposed development or shall be constructed to comply with the requirements of this subsection.

[2] *Landscape strip.* In the Urban Transitional development pattern area, a landscape strip having a minimum width of six (6) feet

shall be required between the curb and sidewalk. In cases where a nonconforming landscape strip is already established along a block, the Planning Director shall determine whether the nonconforming landscape strip width shall continue where the strip abuts the proposed development or the new portion of the landscape strip shall comply with this standard.

- [3] *Street trees.* Street trees shall be required and shall be located within the required landscape strip where practical. Street trees shall be installed at minimum intervals of every fifty (50) feet and shall have a minimum caliper inch D.B.H. (diameter at breast height) of three (3) inches.
- [4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.
- [5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the side or rear of the principal structure and shall be fully screened with landscaping from the public right-of-way and adjacent residential areas.

(f) *Land Uses.* Land uses in the Urban Transitional development pattern subarea shall be limited to those listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District, subject to the following exceptions:

- [1] Mixed use buildings that include residential uses shall be permitted.
- [2] Certain uses which may otherwise be permitted by right or special use permit in the underlying zoning district shall not be permitted as principal uses within the Urban Transitional development pattern subarea. Section 24(VI)(B)(5) of this article identifies such uses.

(g) *Building architecture and design.* Buildings in the Urban Transitional development pattern subarea shall comply with the design standards set forth in the Murfreesboro Design Guidelines.

[1] *Foundation plantings.* Foundation plantings shall not be required for structures built to the edge of the sidewalk. For structures with adequate front setbacks, foundation plantings shall be required.

[2] *Design modifications.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design modifications in cases where demonstrated hardships exist or where a nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design modifications.

(h) *Accessory structures.* Accessory structures shall be designed as follows:

[1] *Location.* Accessory structures shall be located to the rear of the principal structure.

[2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.

[3] *Height.* An accessory structure shall not have a height greater than two (2) stories. In no event shall an accessory structure have a height greater than that of the principal structure.

[4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

(4) *Suburban Transitional.* The Suburban Transitional development pattern subarea is intended to provide a physical transition between the Downtown development pattern and more suburban development patterns. This subarea includes lots in the Historic

Bottoms Character Area that have street frontage along Southeast Broad Street between South Maney Avenue and Mercury Boulevard.

(a) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be as follows:

- [1] For commercial and office developments, structures shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty (20) feet behind the front property line.
- [2] For residential developments, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty-five (25) feet behind the front property line.
- [3] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to make such a determination.

(b) *Building height for principal buildings.* The maximum height for principal buildings shall be two (2) stories. In no case shall any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.

(c) *Lot coverage.* Maximum lot coverage may be one hundred (100) percent, regardless of underlying zoning.

(d) *Parking.* Shared and/or combined parking is encouraged where practical. On-site parking shall be permitted at the rear of a building, in an underground garage, or within a parking garage.

[1] *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office uses accessible from the public sidewalk. Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.

[2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley, secondary street, or rear driveway where practical.

(e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:

[1] *Sidewalk.* Sidewalks in the Suburban Transitional development pattern subarea shall have widths of six (6) feet. In cases where an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk abuts the proposed development or shall be constructed to comply with the requirements of this subsection.

[2] *Landscape strip.* In the Suburban Transitional development pattern area, a landscape strip having a minimum width of six (6) feet shall be required between the curb and sidewalk. In cases where a nonconforming landscape strip is already established along a block, the Planning Director shall determine whether the nonconforming landscape strip width shall continue where the

strip abuts the proposed development or the new portion of the landscape strip shall comply with this standard.

[3] *Street trees.* Street trees shall be required and shall be located within the required landscape strip where practical. Street trees shall be installed at minimum intervals of every fifty (50) feet and shall have a minimum caliper inch D.B.H. (diameter at breast height) of three (3) inches.

[4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.

[5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the side or rear of the principal structure and shall be fully screened with landscaping from the public right-of-way and adjacent residential areas.

(f) *Land Uses.* Land uses in the Suburban Transitional development pattern subarea shall be limited to those listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District, provided the following exceptions:

[1] Mixed use buildings that include residential uses shall be permitted.

[2] Certain uses which may otherwise be permitted by right or special use permit in the underlying zoning district shall not be permitted as principal uses within the Suburban Transitional development pattern subarea. Section 24(VI)(B)(5) of this article identifies such uses.

(g) *Building architecture and design.* Buildings in the Suburban Transitional development pattern subarea shall comply with the design standards set forth in the Murfreesboro Design Guidelines.

[1] *Foundation plantings.* Foundation plantings shall not be required for structures built to the edge of the sidewalk. For structures

with adequate front setbacks, foundation plantings shall be required at the discretion of the Planning Director.

[2] *Design modifications.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design modifications in cases where demonstrated hardships exist or where a nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design modifications.

(h) *Accessory structures.* Accessory structures shall be designed as follows:

[1] *Location.* Accessory structures shall be located to the rear of the principal structure.

[2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.

[3] *Height.* An accessory structure shall not have a height greater than two (2) stories. In no event shall an accessory structure have a height greater than that of the principal structure.

[4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

(5) *Mixed Residential Neighborhood.* The Mixed Residential Neighborhood development pattern subarea is intended to allow a range of residential use types with limited office or commercial uses at intersections. This subarea includes lots in the North Highland Corridor Character Area.

(a) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be as follows:

- [1] For commercial and office developments, structures shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty (20) feet behind the front property line.
- [2] For residential developments, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty (20) feet behind the front property line.
- [3] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to make such a determination.

(b) *Building height for principal buildings.* The maximum height for principal buildings shall be two and one-half (2.5) stories. In no case shall any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.

(c) *Lot coverage.* Maximum lot coverage may be one hundred (100) percent, regardless of underlying zoning.

(d) *Parking.* Shared and/or combined parking is encouraged where practical. On-site parking shall be permitted at the rear of a building. For residential structures, parking may be permitted in front of the primary structure, provided that all parking including garages attached to residential structures shall be situated a minimum of ten (10) feet behind the front façade of the structure.

- [1] *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office use accessible from the public sidewalk. Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.
- [2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley or secondary street, where practical. Private parking lots may be accessed from primary streets.

(e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:

- [1] *Sidewalk.* Sidewalks in the Mixed Residential Neighborhood development pattern subarea shall have widths of six (6) feet. In cases where an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk abuts the proposed development or shall be constructed to comply with the requirements of this subsection.
- [2] *Landscape strip.* In the Mixed Residential Neighborhood development pattern area, a landscape strip having a minimum width of six (6) feet shall be required between the curb and sidewalk. In cases where a nonconforming landscape strip is already established along a block, the Planning Director shall determine whether the nonconforming landscape strip width shall continue where the strip abuts the proposed development or the

new portion of the landscape strip shall comply with this standard.

- [3] *Street trees.* Street trees shall be required and shall be located within the required landscape strip where practical. Street trees shall be installed at minimum intervals of every fifty (50) feet and shall have a minimum caliper inch D.B.H. (diameter at breast height) of three (3) inches.
- [4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.
- [5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the side or rear of the principal structure and shall be fully screened with landscaping from the public right-of-way and adjacent residential areas.

(f) *Land Uses.* Land uses in the Mixed Residential Neighborhood development pattern subarea shall be limited to those listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District, provided the following exceptions:

- [1] Live-work buildings that include residential uses shall be permitted.
- [2] Mixed use buildings shall be permitted on corner lots. However, office and commercial uses shall be limited to the ground floor of any mixed use building.
- [3] Mixed use, office, and commercial structures shall not be located mid-block. Such uses shall be limited to corner lots.
- [4] Certain uses which may otherwise be permitted by right or special use permit in the underlying zoning district shall not be permitted as principal uses within the Mixed Residential Neighborhood development pattern subarea. Section 24(VI)(B)(5) of this article identifies such uses.

(g) *Building architecture and design.* Buildings in the Mixed Residential Neighborhood development pattern subarea shall comply with the design standards set forth in the Murfreesboro Design Guidelines.

[1] *Fencing.* Wrought-iron or aluminum fencing with a maximum height of four feet may be installed between the sidewalk and the primary structure to delineate public and private space. Alternative fence materials may be approved by the Planning Director. Fencing shall not obstruct line of sight for vehicular traffic. Opaque fencing shall not be permitted in any front yard.

[2] *Multi-unit residential buildings.* Residential buildings with multiple dwelling units shall be designed to resemble single-family detached houses. This may be accomplished by locating separate entry doors on multiple sides of the building or by having a single front entry door on the front façade with multiple internal entry doors. The maximum number of dwelling units in any structure shall be four (4).

[3] *Urban design.* Buildings in the Mixed Residential Neighborhood development pattern subarea shall incorporate architectural features that are typical of urban neighborhoods. These features may include porches, stoops, bays, and dormers. Other architectural features such as windows and shutters shall be compatible with typical urban residential development.

[4] *Design modifications.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design modifications in cases where demonstrated hardships exist or where a nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design modifications.

(h) *Accessory structures.* Accessory structures shall be designed as follows:

- [1] *Location.* Accessory structures shall be located to the rear of the principal structure.
- [2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.
- [3] *Height.* An accessory structure shall not have a height greater than two (2) stories. In no event shall an accessory structure have a height greater than that of the principal structure.
- [4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

(6) *Mixed Residential Corridor.* The Mixed Residential Corridor development pattern subarea is intended to allow a range of residential use types with limited office or commercial uses at intersections. This subarea includes lots in the North Highland Corridor Character Area.

(a) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be as follows:

- [1] For commercial and office developments, structures shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty (20) feet behind the front property line.
- [2] For residential developments, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty (20) feet behind the front property line.

- [3] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to make such a determination.
- (b) *Building height for principal buildings.* The maximum height for principal buildings shall be four (4) stories. In no case shall any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.
- (c) *Lot coverage.* Maximum lot coverage may be one hundred (100) percent, regardless of underlying zoning.
- (d) *Parking.* Shared and/or combined parking is encouraged where practical. On-site parking shall be permitted at the rear of a building. For residential structures, parking may be permitted in front of the primary structure, provided that all parking including garages attached to residential structures shall be situated a minimum of ten (10) feet behind the front façade of the structure.
 - [1] *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office uses accessible from the public sidewalk. Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.
 - [2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley or secondary street, where practical. Private parking lots may be accessed from primary streets.

(e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:

- [1] *Sidewalk.* Sidewalks in the Mixed Residential Corridor development pattern subarea shall have widths of six (6) feet. In cases where an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk abuts the proposed development or shall be constructed to comply with the requirements of this subsection.
- [2] *Landscape strip.* In the Mixed Residential Corridor development pattern area, a landscape strip having a minimum width of four (4) feet shall be required between the curb and sidewalk. In cases where a nonconforming landscape strip is already established along a block, the Planning Director shall determine whether the nonconforming landscape strip width shall continue where the strip abuts the proposed development or the new portion of the landscape strip shall comply with this standard.
- [3] *Street trees.* Street trees shall be required and shall be located within the required landscape strip where practical. Street trees shall be installed at minimum intervals of every fifty (50) feet and shall have a minimum caliper inch D.B.H. (diameter at breast height) of three (3) inches.
- [4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.
- [5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the side or rear of the principal structure

and shall be fully screened with landscaping from the public right-of-way and adjacent residential areas.

(f) *Land Uses.* Land uses in the Mixed Residential Corridor development pattern subarea shall be limited to those listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District, provided the following exceptions:

- [1] Live-work buildings that include residential uses shall be permitted.
- [2] Mixed use buildings shall be permitted on corner lots. However, office and commercial uses shall be limited to the ground floor of any mixed use building.
- [3] Mixed use, office, and commercial structures shall not be located mid-block. Such uses shall be limited to corner lots.
- [4] Certain uses which may otherwise be permitted by right or special use permit in the underlying zoning district shall not be permitted as principal uses within the Mixed Residential Corridor development pattern subarea. Section 24(VI)(B)(5) of this article identifies such uses.

(g) *Building architecture and design.* Buildings in the Mixed Residential Corridor development pattern subarea shall comply with the design standards set forth in the Murfreesboro Design Guidelines.

- [1] *Fencing.* Wrought-iron or aluminum fencing with a maximum height of four feet may be installed between the sidewalk and the primary structure to delineate public and private space. Alternative fence materials may be approved by the Planning Director. Fencing shall not obstruct line of sight for vehicular traffic. Opaque fencing shall not be permitted in any front yard.
- [2] *Urban design.* Buildings in the Mixed Residential Corridor development pattern subarea shall incorporate architectural

features that are typical of urban neighborhoods. These features may include porches, stoops, bays, and dormers. Other architectural features such as windows and shutters shall be compatible with typical urban residential development.

[3] *Design modifications.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design modifications in cases where demonstrated hardships exist or where a nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design modifications.

(h) *Accessory structures.* Accessory structures shall be designed as follows:

[1] *Location.* Accessory structures shall be located to the rear of the principal structure.

[2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.

[3] *Height.* An accessory structure shall not have a height greater than two (2) stories. In no event shall an accessory structure have a height greater than that of the principal structure.

[4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

(7) *Conservation Neighborhood.* The Conservation Neighborhood development pattern subarea is intended to allow new development that is consistent with the traditional development patterns found throughout Murfreesboro's early neighborhoods. Uses in this subarea should be predominantly residential. This

subarea includes lots in the North Highland Corridor, Midtown-Northwest, and Midtown-Southeast character areas.

(a) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be as follows:

- [1] For residential developments, the structure shall be built to the average front setback of all structures on the same block face.
- [2] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to make such a determination.

(b) *Building height for principal buildings.* The maximum height for principal buildings shall be two and one-half (2.5) stories. In no case shall any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.

(c) *Lot coverage.* Maximum lot coverage shall be fifty (50) percent, regardless of underlying zoning.

(d) *Parking.* Shared and/or combined parking is encouraged where practical. On-site parking shall be permitted at the rear of a building. For residential structures, parking may be permitted in front of the primary structure, provided that all parking including garages attached to residential structures shall be situated a minimum of ten (10) feet behind the primary front façade of the structure.

- [1] *Parking garages.* Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.

- [2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley, secondary street, or rear driveway where practical. Private parking lots may be accessed from primary streets.
- (e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:
 - [1] *Sidewalk.* Sidewalks in the Conservation Neighborhood development pattern subarea shall have widths of six (6) feet. In cases where an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk abuts the proposed development or shall be constructed to comply with the requirements of this subsection. Where a sidewalk is not practical, the Planning Director in consultation with the City Engineer shall have the authority to waive the sidewalk requirement and require a payment-in-lieu of sidewalk construction.
 - [2] *Landscape strip.* In the Conservation Neighborhood development pattern area, a landscape strip having a minimum width of four (4) feet shall be required between the curb and sidewalk. In cases where a nonconforming landscape strip is already established along a block, the Planning Director shall determine whether the nonconforming landscape strip width shall continue where the strip abuts the proposed development or the new portion of the landscape strip shall comply with this standard.
 - [3] *Street trees.* Street trees shall be required and shall be located within the required landscape strip where practical. Street trees

shall be installed at minimum intervals of every fifty (50) feet and shall have a minimum caliper inch D.B.H. (diameter at breast height) of three (3) inches.

- [4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.
- [5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the side or rear of the principal structure and shall be fully screened with landscaping from the public right-of-way and adjacent residential areas.

(f) *Land Uses.* Land uses in the Conservation Neighborhood development pattern subarea shall be limited to those listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District, provided the following exceptions:

- [1] Home occupations shall be permitted in accordance with Section 9(D)(2)(rr) of this article.
- [2] For Properties having underlying R-D zoning, duplex residential units shall not be required to have a shared wall.
- [3] Certain uses which may otherwise be permitted by right or special use permit in the underlying zoning district shall not be permitted as principal uses within the Conservation Neighborhood development pattern subarea. Section 24(VI)(B)(5) of this article identifies such uses.

(g) *Building architecture and design.* Buildings in the Conservation Neighborhood development pattern subarea shall be designed to be compatible with existing surrounding development.

- [1] *Building materials.* Buildings shall be constructed of a material that is consistent with a traditional urban residential area. Such materials may include brick, stone, or cementitious siding. Other traditional, authentic materials such as stucco and board-and-

batten may be approved by the Planning Director or Planning Commission.

[2] *Urban design.* Buildings in the Conservation Neighborhood development pattern subarea shall incorporate architectural features that are typical of urban neighborhoods. These features may include porches, bays, columns, chimneys, and dormers. Other architectural features such as windows and shutters shall be compatible with typical urban residential development.

[3] *Design modifications.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design modifications in cases where demonstrated hardships exist or where a nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design modifications.

(h) *Accessory structures.* Accessory structures shall be designed as follows:

[1] *Location.* Accessory structures shall be located to the rear of the principal structure.

[2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.

[3] *Height.* An accessory structure shall not have a height greater than that of its principal structure. In no case shall an accessory structure have a height greater than two (2) stories.

[4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

(8) *Adaptive Reuse.* The Adaptive Reuse development pattern subarea is intended to encourage reuse of existing structures in a way that is compatible and not disruptive to adjacent residential areas. This subarea includes lots in the Midtown-Northwest and Midtown-Southeast character areas.

(a) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be as follows:

- [1] For commercial and office developments, structures shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty-five (25) feet behind the front property line.
- [2] For residential developments, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty-five (25) feet behind the front property line.
- [2] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to make such a determination.

(b) *Building height for principal buildings.* The maximum height for principal buildings shall be two and one-half (2.5) stories. In no case shall any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.

(c) *Lot coverage.* Maximum lot coverage shall be fifty (50) percent, regardless of underlying zoning.

(d) *Parking.* Shared and/or combined parking is encouraged where practical. On-site parking shall be permitted at the rear of a building. For residential structures, parking may be permitted in front of the primary structure, provided that all parking shall be situated a minimum of ten (10) feet behind the front façade of the structure.

[1] *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office uses accessible from the public sidewalk. Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.

[2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley, secondary street, or rear driveway where practical. Private parking lots may be accessed from primary streets.

(e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:

[1] *Sidewalk.* Sidewalks in the Adaptive Reuse development pattern subarea shall have widths of six (6) feet. In cases where an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk abuts the proposed development or shall be constructed to comply with the requirements of this subsection. Where a sidewalk is not practical, the Planning Director in consultation with the City Engineer shall have the authority to waive the sidewalk requirement and require a payment-in-lieu of sidewalk construction.

- [2] *Landscape strip.* In the Adaptive Reuse development pattern area, a landscape strip having a minimum width of four (4) feet shall be required between the curb and sidewalk. In cases where a nonconforming landscape strip is already established along a block, the Planning Director shall determine whether the nonconforming landscape strip width shall continue where the strip abuts the proposed development or the new portion of the landscape strip shall comply with this standard.
- [3] *Street trees.* Street trees shall be required and shall be located within the required landscape strip where practical. Street trees shall be installed at minimum intervals of every fifty (50) feet and shall have a minimum caliper inch D.B.H. (diameter at breast height) of three (3) inches.
- [4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.
- [5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the side or rear of the principal structure and shall be fully screened with landscaping from the public right-of-way and adjacent residential areas.

(f) *Land Uses.* Land uses in the Adaptive Reuse development pattern subarea shall be limited to those listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District, provided the following exceptions:

- [1] Home occupations shall be permitted in accordance with Section 9(D)(2)(rr) of this article.
- [2] For properties having underlying R-D zoning, duplex residential units shall not be required to have a shared wall.
- [3] Certain uses which may otherwise be permitted by right or special use permit in the underlying zoning district shall not be permitted

as principal uses within the Adaptive Reuse development pattern subarea. Section 24(VI)(B)(4) of this article identifies such uses.

(g) *Building architecture and design.* Buildings in the Adaptive Reuse development pattern subarea shall be designed to be compatible with existing surrounding development.

[1] *Building materials.* Buildings shall be constructed of a material that is consistent with a traditional urban residential area. Such materials may include brick, stone, or cementitious siding. Authentic materials such as stucco and board-and-batten may be approved by the Planning Director or Planning Commission.

[2] *Urban design.* Buildings in the Adaptive Reuse development pattern subarea shall incorporate architectural features that are typical of urban neighborhoods. These features may include porches, bays, columns, chimneys, and dormers. Other architectural features such as windows and shutters shall be compatible with typical urban residential development.

[4] *Consistent design.* All new buildings in the Adaptive Reuse development pattern subarea shall be constructed in a manner consistent with a single-family residential house, regardless of intended use.

[3] *Design variances.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design variances in cases where demonstrated hardships exist or where a nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design variances.

(h) *Accessory structures.* Accessory structures shall be designed as follows:

- [1] *Location.* Accessory structures shall be located to the rear of the principal structure.
- [2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.
- [3] *Height.* An accessory structure shall not have a height greater than two (2) stories. In no event shall an accessory structure have a height greater than that of the principal structure.
- [4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

(9) *Single-Family Residential.* The Single-Family Residential development pattern subarea is intended to allow new single-family residential development that is consistent with existing residential development patterns found throughout Murfreesboro's early neighborhoods. Uses in this subarea should be predominantly residential, though compatible institutional uses may be permitted as well. This subarea includes lots in the North Highland Corridor character area.

(a) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be as follows:

- [1] For residential developments, the structure shall be built to the average front setback of all structures on the same block face.
- [2] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning

Commission, the Planning Commission shall have the authority to make such a determination.

- (b) *Building height for principal buildings.* The maximum height for principal buildings shall be two and one-half (2.5) stories. In no case shall any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.
- (c) *Lot coverage.* Maximum lot coverage shall be thirty (30) percent, regardless of underlying zoning.
- (d) *Parking.* Shared and/or combined parking is encouraged where practical. On-site parking shall be permitted at the rear of a building. For residential structures, parking may be permitted in front of the primary structure, provided that all parking shall be situated a minimum of ten (10) feet behind the front façade of the structure.
 - [1] *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office uses accessible from the public sidewalk. Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.
 - [2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley, secondary street, or rear driveway where practical. Private parking lots may be accessed from primary streets.
- (e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:
 - [1] *Sidewalk.* Sidewalks in the Single-Family Residential development pattern subarea shall have widths of six (6) feet. In cases where

an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk abuts the proposed development or shall be constructed to comply with the requirements of this subsection. Where a sidewalk is not practical, the Planning Director in consultation with the City Engineer shall have the authority to waive the sidewalk requirement and require a payment-in-lieu of sidewalk construction.

- [2] *Landscape strip.* In the Single-Family Residential development pattern area, a landscape strip having a minimum width of four (4) feet shall be required between the curb and sidewalk. In cases where a nonconforming landscape strip is already established along a block, the Planning Director shall determine whether the nonconforming landscape strip width shall continue where the strip abuts the proposed development or the new portion of the landscape strip shall comply with this standard.
- [3] *Street trees.* Street trees shall be required and shall be located within the required landscape strip where practical. Street trees shall be installed at minimum intervals of every fifty (50) feet and shall have a minimum caliper inch D.B.H. (diameter at breast height) of three (3) inches.
- [4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.
- [5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the side or rear of the principal structure and shall be fully screened with landscaping from the public right-of-way and adjacent residential areas.

(f) *Land Uses.* Land uses in the Single-Family Residential development pattern subarea shall be limited to detached single-family residential dwelling units and accessory structures, regardless of the permitted uses listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District. The following exceptions shall apply:

- [1] Home occupations shall be permitted in accordance with Section 9(D)(2)(rr) of this article.
- [2] Institutional uses permitted by the underlying zoning district may be permitted in the Single-Family Residential development pattern subarea, provided that such uses are designed to be compatible with a traditional single-family residential neighborhood in scale, massing, and appearance.

(g) *Building architecture and design.* Buildings in the Single-Family Residential development pattern subarea shall be designed to be compatible with existing surrounding development.

- [1] *Building materials.* Buildings shall be constructed of a material that is consistent with a traditional urban residential area. Such materials may include brick, stone, or cementitious siding. Authentic materials such as stucco and board-and-batten may be approved by the Planning Director or Planning Commission.
- [2] *Urban design.* Buildings in the Single-Family Residential development pattern subarea shall incorporate architectural features that are typical of urban neighborhoods. These features may include porches, bays, columns, chimneys, and dormers. Other architectural features such as windows and shutters shall be compatible with typical urban residential development.
- [3] *Design variances.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design variances in cases where demonstrated hardships exist or where a

nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design variances.

- (h) *Accessory structures.* Accessory structures shall be designed as follows:
 - [1] *Location.* Accessory structures shall be located to the rear of the principal structure.
 - [2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.
 - [3] *Height.* An accessory structure shall not have a height greater than two (2) stories. In no event shall an accessory structure have a height greater than that of the principal structure.
 - [4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

- (10) *Urban Residential Node.* The Urban Residential Node development pattern subarea is intended to allow new compact residential development that is both appropriate for street intersections and compatible with existing adjacent development. Uses in this subarea should be predominantly residential, though compatible institutional uses may be permitted as well. Traditional townhouse, row house, and brownstone units would be appropriate for this development pattern. This subarea includes lots in the North Highland Corridor, Midtown-Northwest and Midtown-Southeast character areas.

- (a) *Setbacks for principal buildings.* Along exterior property boundaries, the minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Structures on a single lot of record shall have a minimum internal separation of ten (10) feet or the minimum established

in the building code adopted by the City of Murfreesboro and in effect at the time of site plan application, whichever is greater. Front setbacks shall be as follows:

- [1] For residential developments, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty (20) feet behind the front property line.
- [2] For institutional developments, the structure shall have a front setback appropriate to the scale and purpose of the building. For projects being reviewed administratively, the Planning Director shall have the authority to determine the appropriate front setback. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to make such a determination.

(b) *Building height for principal buildings.* The maximum height for principal buildings shall be three (3) stories. In no case shall any building have a height more than fifty (50) percent over that of the highest adjacent building. Average story height shall be calculated at fourteen (14) feet. Height shall be measured to eave or roof deck.

(c) *Lot coverage.* Maximum lot coverage may be one hundred (100) percent, regardless of underlying zoning.

(d) *Parking.* Shared and/or combined parking is encouraged where practical. On-site parking shall be permitted at the rear of a building. For residential structures, parking may be permitted in front of the primary structure, provided that all parking shall be situated a minimum of ten (10) feet behind the front façade of the structure.

- [1] *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office uses accessible from the public sidewalk. Parking garages shall follow

the design standards set forth in the Murfreesboro Design Guidelines.

- [2] *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley, secondary street, or rear driveway where practical. Private parking lots may be accessed from primary streets.
- (e) *Streetscape.* Where applicable, streetscape design shall be consistent with the Main Street Revitalization Plan. On streets or blocks that are not included in the Main Street Revitalization Plan, the following standards shall apply:
 - [1] *Sidewalk.* Sidewalks in the Urban Residential Node development pattern subarea shall have widths of six (6) feet. In cases where an established nonconforming sidewalk width exists on a block where new development is proposed, the Planning Director shall determine whether the established width shall continue where the sidewalk abuts the proposed development or shall be constructed to comply with the requirements of this subsection. Where a sidewalk is not practical, the Planning Director in consultation with the City Engineer shall have the authority to waive the sidewalk requirement and require a payment-in-lieu of sidewalk construction.
 - [2] *Landscape strip.* In the Urban Residential Node development pattern area, a landscape strip shall not be required on any street frontage having a sidewalk with a minimum width of ten (10) feet. On any street frontage having a sidewalk with a width of less than ten (10) feet, a landscape strip having a minimum width of four (4) feet shall be required between the curb and sidewalk. In cases where a nonconforming landscape strip is already established along a block, the Planning Director shall determine whether the

nonconforming landscape strip width shall continue where the strip abuts the proposed development or the new portion of the landscape strip shall comply with this standard.

- [3] *Street trees.* Street trees shall be required and shall be located within the required landscape strip where practical. Street trees shall be installed at minimum intervals of every fifty (50) feet and shall have a minimum caliper inch D.B.H. (diameter at breast height) of three (3) inches.
- [4] *Site lighting.* Pedestrian-scaled street lighting shall be required along all street frontages.
- [5] *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the side or rear of the principal structure and shall be fully screened with landscaping from the public right-of-way and adjacent residential areas.

(f) *Land Uses.* Land uses in the Urban Residential Node development pattern subarea shall be limited to attached and detached single-family residential dwelling units and accessory structures, regardless of the permitted uses listed for the underlying zoning district in Chart 1, Uses Permitted by Zoning District. The following exceptions shall apply:

- [1] Home occupations shall be permitted in accordance with Section 9(D)(2)(rr) of this article.
- [2] Institutional uses permitted by the underlying zoning district may be permitted in the Urban Residential Node development pattern subarea, provided that such uses are designed to be compatible with a traditional single-family residential neighborhood in scale, massing, and appearance.

(g) *Building architecture and design.* Buildings in the Urban Residential Node development pattern subarea shall be designed to be compatible with existing surrounding development.

- [1] *Building materials.* Buildings shall be constructed of a material that is consistent with a traditional urban residential area. Such materials may include brick, stone, or cementitious siding. Authentic materials such as stucco and board-and-batten may be approved by the Planning Director or Planning Commission.
- [2] *Urban design.* Buildings in the Urban Residential Node development pattern subarea shall incorporate architectural features that are typical of urban neighborhoods. These features may include porches, bays, columns, chimneys, and dormers. Other architectural features such as windows and shutters shall be compatible with typical urban residential development.
- [3] *Design variances.* For projects being reviewed administratively, the Planning Director shall have the authority to grant design variances in cases where demonstrated hardships exist or where a nonconforming unique design is deemed appropriate. For projects being reviewed by the Planning Commission, the Planning Commission shall have the authority to grant such design variances.

(h) *Accessory structures.* Accessory structures shall be designed as follows:

- [1] *Location.* Accessory structures shall be located to the rear of the principal structure.
- [2] *Setbacks.* Minimum accessory structure setbacks shall be consistent with those of the underlying zoning district. In no case shall an accessory structure be located less than five (5) feet from any other structure.
- [3] *Height.* An accessory structure shall not have a height greater than two (2) stories. In no event shall an accessory structure have a height greater than that of the principal structure.

[4] *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the primary structure.

The Citizen's Guidebook to the City Core Overlay Zoning District



Murfreesboro Planning Department
111 West Vine Street • Murfreesboro, Tennessee
murfreesborotn.gov/planning

City Core Overlay

General Standards

Land Uses

- Certain land uses are not permitted in the CCO, regardless of underlying zoning. Generally, these uses are not compatible with compact development forms and/or residential uses. A list of uses not permitted in the CCO can be found in Section (B)(5) of the CCO regulations.
- Mixed use buildings are required to include at least two distinct uses, one of which must be residential. No single use may constitute more than 80 percent of the building's total floor area.

Parking

- Within the CCO, minimum parking requirements for certain uses are reduced. Such reductions reflect the compact nature of existing and future development in the CCO as well as the limited availability of on-street parking.

Use	Parking Required
Single-Family Residential, 1 Bedroom	1 space
Single-Family Residential, 2+ Bedrooms	2 spaces
Multi-Family Residential	1 space per bedroom
Commercial	See Chart 4; may be reduced by 25% to 50%, depending upon proximity to on-street parking or public garage parking

- Bicycle parking at ratio of 1 space for every 500 square feet of floor area is required for commercial and office uses

Streetscape

- Orient buildings to the primary street frontage.
- Buildings on corner lots may be oriented to street with higher classification or may be angled and oriented to corner.

Streetscape (cont.)

- Sidewalks and street trees are required. However, the City may require a payment-in-lieu in cases where sidewalks or street trees are not practical.
- Sidewalks on private property require a perpetual sidewalk easement dedicated to the City.
- Alternative plantings may be permitted if required plantings interfere with utility easements.
- Ground floor uses are required to make up at least 30 percent of a structure's street frontage.

Landscaping

Note: CCO landscaping standards do not apply to the Downtown development pattern subarea.

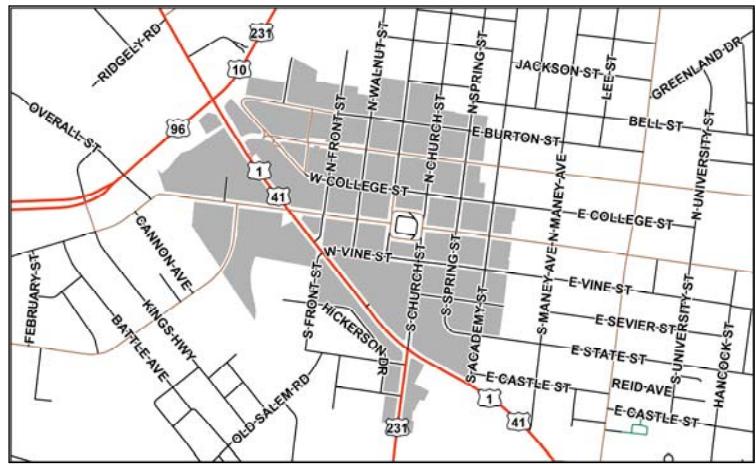
- Perimeter plantings are required along all properties where buildings are not constructed to the sidewalk or property line.
- Perimeter planting yards range from 5 to 8 feet in width, depending on the size of the property.
- Planting yards must include 1 canopy tree for every 50 linear feet.
- Narrow lots having 150 feet or less of street frontage may provide shrubs and/or ornamental trees in lieu of canopy trees.
- In parking lots, landscape islands must be provided at an interval of 1 island for every 12 parking spaces. Landscape islands must be backfilled with topsoil to a depth of 30 inches.
- Where base-of-building plantings are required, a 3-foot landscape strip must be provided around the building's foundation.
- All service areas, mechanical equipment, trash containers, and dumpsters must be screened.
- All stormwater management areas including detention and retention ponds must be screened.

Downtown

The Downtown development pattern is intended to allow traditional, compact development with minimal lot encumbrances. This subarea includes portions of the North Highland Corridor and Historic Bottoms character areas.

Land Uses

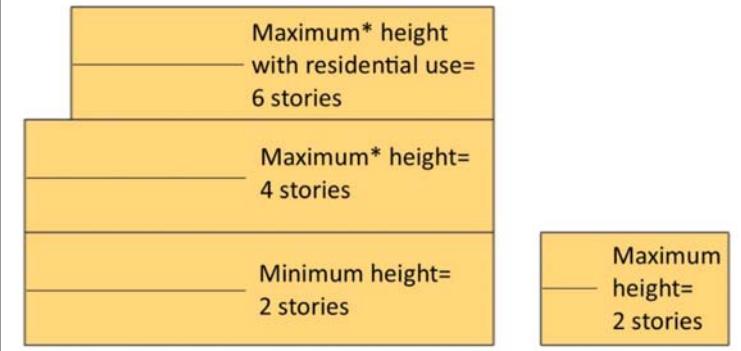
- Allowable land uses must be consistent with those for the underlying zoning district.
- Mixed use buildings that include residential uses are allowed, regardless of underlying zoning.



Building Height: Principal Structure

- Minimum height is 2 stories.
- Maximum height is 4 stories.
- Maximum of 6 stories allowed if building includes a residential component.
- A 10-foot recess is required for 5th-6th stories.

BUILDING HEIGHT (PRIMARY AND ACCESSORY)



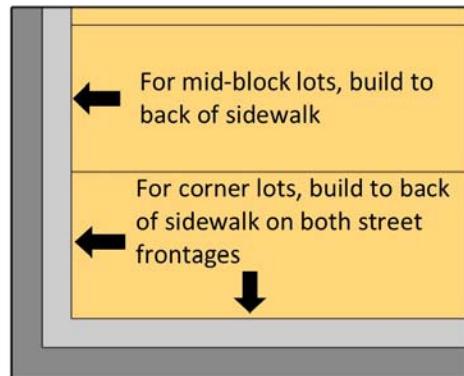
Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

Setbacks: Commercial Front

- Build to back edge of the sidewalk.
- If on a corner lot, build to the back edges of both sidewalks.

COMMERCIAL FRONT SETBACK



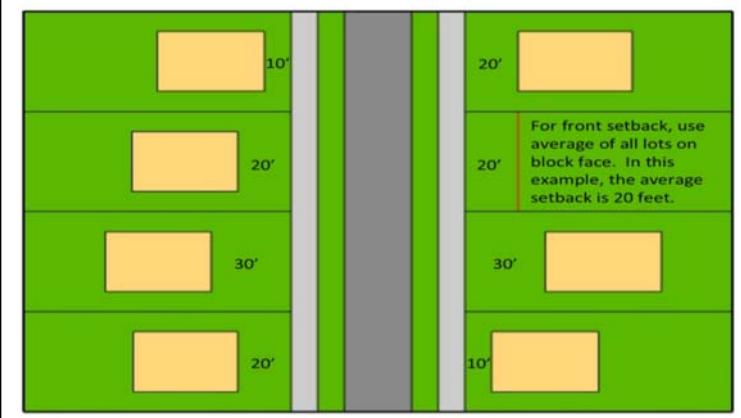
Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 20 feet.

Setbacks: Side and Rear and Accessory

- Side and rear setbacks shall follow the underlying zoning district setback standards.
- Accessory structures shall be set back a minimum of 5 feet from the primary structure.

RESIDENTIAL FRONT SETBACK



Lot Coverage

- Maximum lot coverage is 100 percent.

Additional Standards

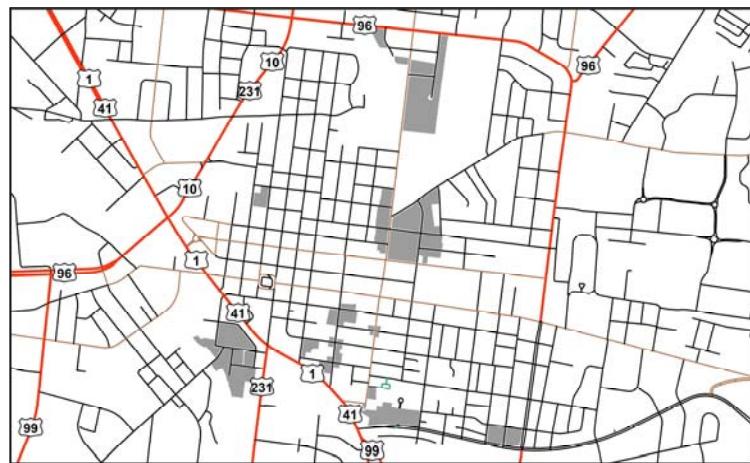
- If underlying zoning is CBD, on-site parking is not required.
- On-site parking is allowed only at the rear of the building or in a garage.
- Foundation plantings are not required for structures built to the edge of sidewalk.

Mixed Use Node

The Mixed-Use Node development pattern is intended to allow a mix of land uses and building styles with minimal lot encumbrances. This subarea includes portions of the North Highland Corridor, Historic Bottoms, Midtown-Northwest, and Midtown-Southeast character areas.

Land Uses

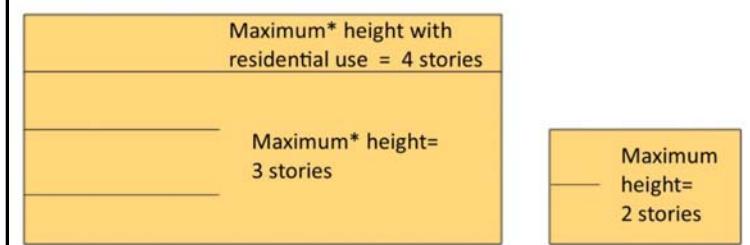
- Allowable land uses must be consistent with those for the underlying zoning district.
- Mixed use buildings that include residential uses are allowed, regardless of underlying zoning.



Building Height: Principal Structure

- Maximum height is 3 stories.
- Maximum of 4 stories allowed if building is mixed-use and includes a residential component.

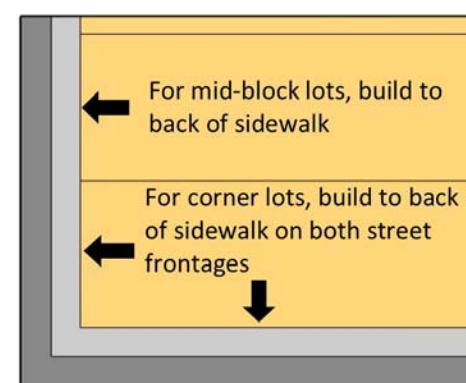
BUILDING HEIGHT (PRIMARY AND ACCESSORY)



Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

COMMERCIAL FRONT SETBACK



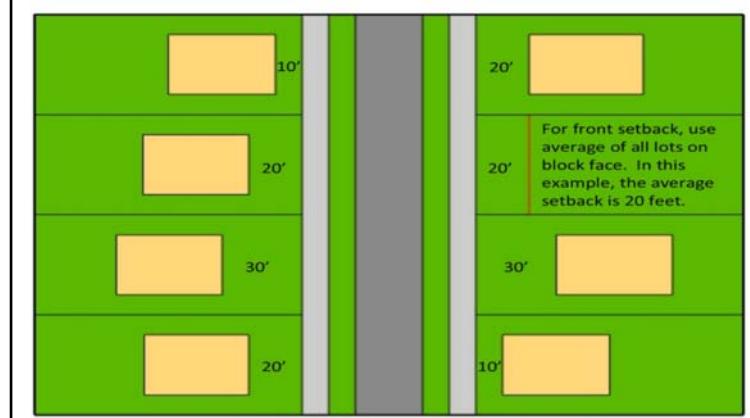
Setbacks: Commercial Front

- Build to back edge of the sidewalk.
- If on a corner lot, build to the back edges of both sidewalks.

Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 20 feet.

RESIDENTIAL FRONT SETBACK



Setbacks: Side and Rear and Accessory

- Side and rear setbacks shall follow the underlying zoning district setback standards.
- Accessory structures shall be set back a minimum of 5 feet from the primary structure.

Lot Coverage

- Maximum lot coverage is 100 percent.

Additional Standards

- On-site parking is allowed only at the rear of the building or in a garage.
- Foundation plantings are not required for structures built to the edge of sidewalk.

Urban Transitional

The *Urban Transitional* development pattern is intended to provide a physical transition between the *Downtown* development pattern and more *suburban* development patterns. This subarea includes lots in the *Historic Bottoms* that have street frontage along *Southeast Broad Street*.

Land Uses

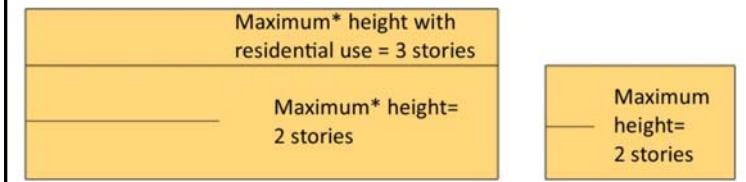
- Allowable land uses must be consistent with those for the underlying zoning district.
- Mixed use buildings that include residential uses are allowed, regardless of underlying zoning.



Building Height: Principal Structure

- Maximum height is 2 stories.
- Maximum of 3 stories allowed if building is mixed-use and includes a residential component.

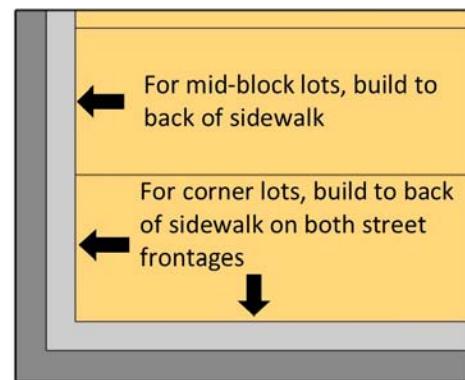
BUILDING HEIGHT (PRIMARY AND ACCESSORY)



Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

COMMERCIAL FRONT SETBACK



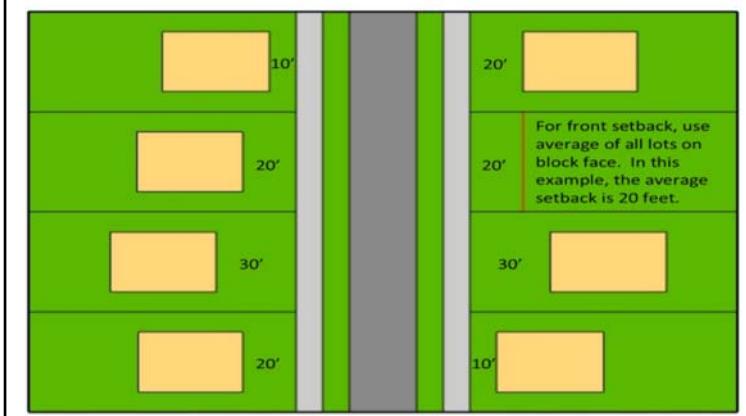
Setbacks: Commercial Front

- Build to back edge of the sidewalk.
- If on a corner lot, build to the back edges of both sidewalks.

Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 25 feet.

RESIDENTIAL FRONT SETBACK



Lot Coverage

- Maximum lot coverage is 100 percent.

Additional Standards

- On-site parking is allowed only at the rear of the building or in a garage.
- Foundation plantings are not required for structures built to the edge of sidewalk.

Suburban Transitional

The Suburban Transitional development pattern is intended to provide a physical transition between the Downtown development pattern and more suburban development patterns. This subarea includes lots in the Historic Bottoms that have street frontage along Southeast Broad Street.

Land Uses

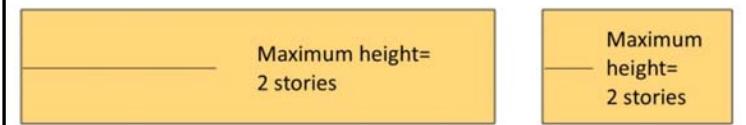
- Allowable land uses must be consistent with those for the underlying zoning district.
- Mixed use buildings that include residential uses are allowed, regardless of underlying zoning.



Building Height: Principal Structure

- Maximum height is 2 stories.

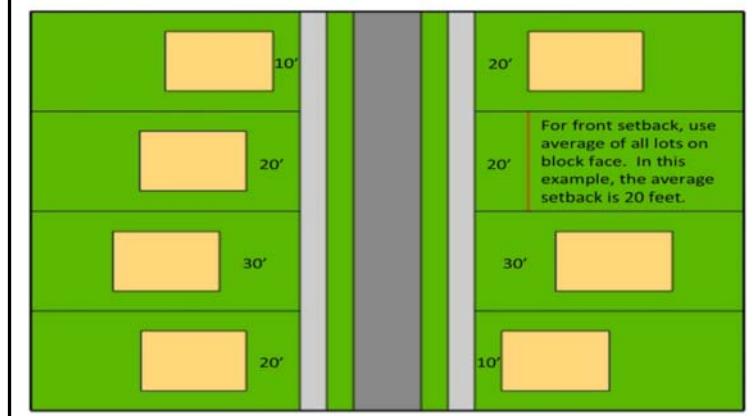
BUILDING HEIGHT (PRIMARY AND ACCESSORY)



Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

COMMERCIAL AND RESIDENTIAL FRONT SETBACK



Setbacks: Commercial Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 20 feet.

Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 25 feet.

Setbacks: Side and Rear and Accessory

- Side and rear setbacks shall follow the underlying zoning district setback standards.
- Accessory structures shall be set back a minimum of 5 feet from the primary structure.

Lot Coverage

- Maximum lot coverage is 100 percent.

Additional Standards

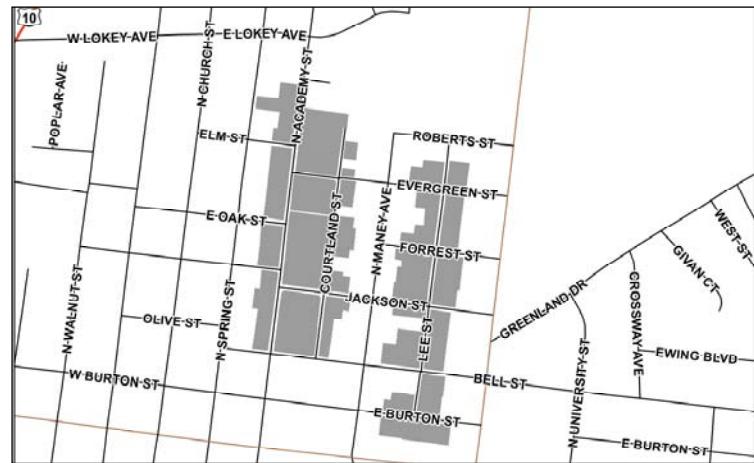
- On-site parking is allowed only at the rear of the building or in a garage.
- Foundation plantings are not required for structures built to the edge of sidewalk.

Mixed Residential Neighborhood

The Mixed Residential Neighborhood development pattern is intended to allow a range of residential use types with limited office or commercial uses at intersections. This subarea includes lots in the North Highland Corridor character area.

Land Uses

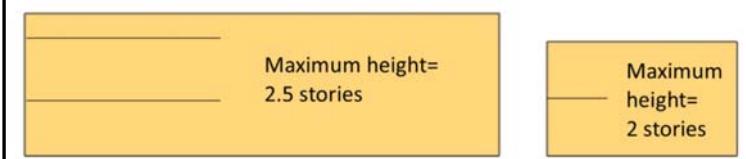
- Allowable land uses must be consistent with those for the underlying zoning district.
- Live-work units are allowed.
- Mixed-use buildings are allowed on corner lots. Office and commercial uses are limited to the ground floor of any mixed-use building.



Building Height: Principal Structure

- Maximum height is 2.5 stories.

BUILDING HEIGHT (PRIMARY AND ACCESSORY)



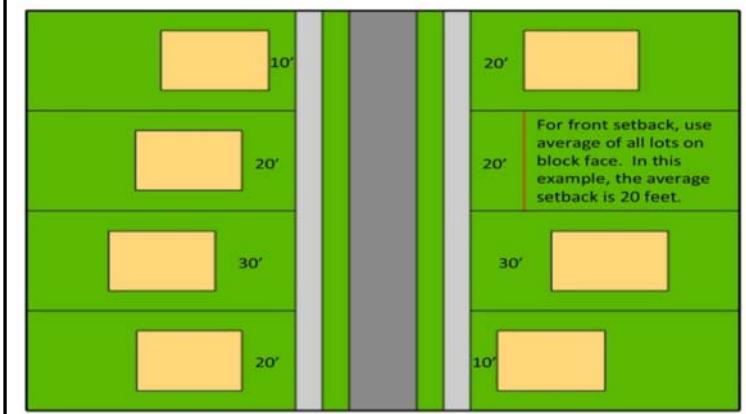
Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

Setbacks: Commercial Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 20 feet.

COMMERCIAL AND RESIDENTIAL FRONT SETBACK



Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 20 feet.

Setbacks: Side and Rear and Accessory

- Side and rear setbacks shall follow the underlying zoning district setback standards.
- Accessory structures shall be set back a minimum of 5 feet from the primary structure.

Lot Coverage

- Maximum lot coverage is 100 percent.

Additional Standards

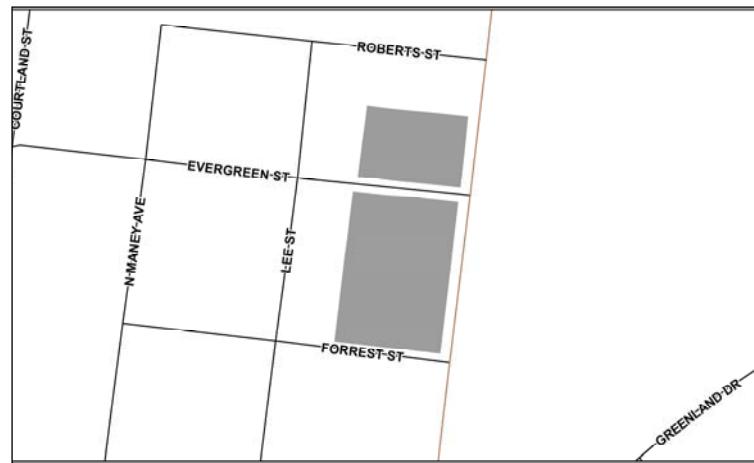
- For commercial uses, on-site parking is allowed only at the rear of the building or in a garage. For residential uses, front-loaded garages are allowed if located at least 10 feet behind front façade of house.
- Foundation plantings are required.

Mixed Residential Corridor

The Mixed Residential Corridor development pattern is intended to allow a range of residential use types with limited office or commercial uses at intersections. This subarea includes lots in the North Highland Corridor character area.

Land Uses

- Allowable land uses must be consistent with those for the underlying zoning district.
- Live-work units are allowed.
- Mixed-use buildings are allowed on corner lots. Office and commercial uses are limited to the ground floor of any mixed-use building.



Building Height: Principal Structure

- Maximum height is 4 stories.

BUILDING HEIGHT (PRIMARY AND ACCESSORY)



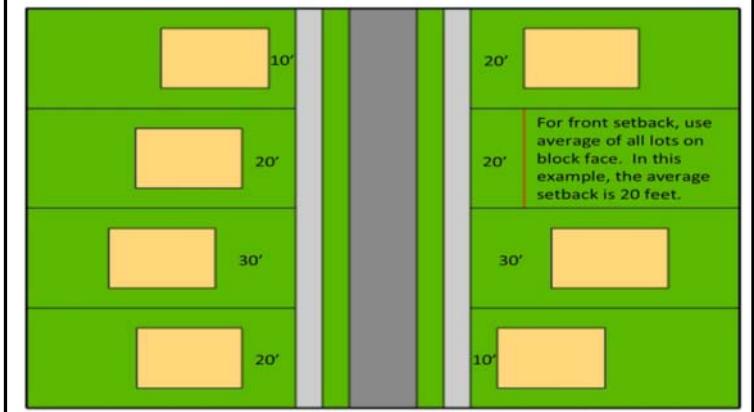
Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

Setbacks: Commercial Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 20 feet.

COMMERCIAL AND RESIDENTIAL FRONT SETBACK



Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 20 feet.

Setbacks: Side and Rear and Accessory

- Side and rear setbacks shall follow the underlying zoning district setback standards.
- Accessory structures shall be set back a minimum of 5 feet from the primary structure.

Lot Coverage

- Maximum lot coverage is 100 percent.

Additional Standards

- For commercial uses, on-site parking is allowed only at the rear of the building or in a garage. For residential uses, front-loaded garages are allowed if located at least 10 feet behind front façade of house.
- Foundation plantings are required.

Conservation Neighborhood

The Conservation Neighborhood development pattern is intended to allow new residential development that is compatible with existing development. This subarea includes lots in the North Highland, Midtown-Northwest, and Midtown-Southeast character areas.

Land Uses

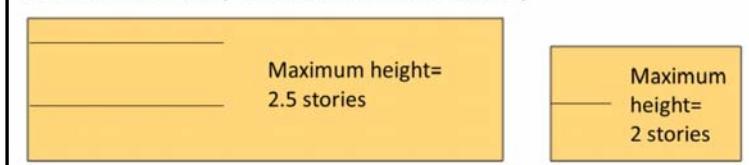
- Allowable land uses must be consistent with those for the underlying zoning district.
- Duplexes on lots with underlying R-D zoning are not required to have shared walls.



Building Height: Principal Structure

- Maximum height is 2.5 stories.

BUILDING HEIGHT (PRIMARY AND ACCESSORY)



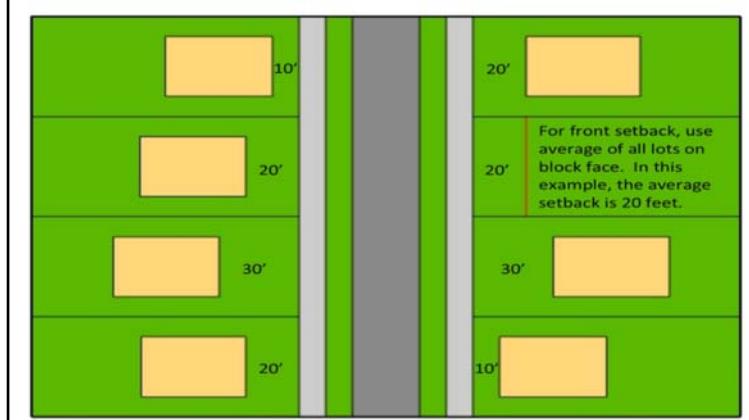
Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.

RESIDENTIAL FRONT SETBACK



Lot Coverage

- Maximum lot coverage is 50 percent.

Additional Standards

- For residential uses, front-loaded garages are allowed if located at least 10 feet behind front façade of house.
- The use of traditional building materials such as brick, stone, or cementitious siding is required.
- Traditional architectural features such as porches, bays, columns, chimneys, and dormers are required.

Adaptive Reuse

The Adaptive Reuse development pattern is intended to encourage reuse of existing structures in a way that is compatible and not disruptive to adjacent residential areas. This subarea includes lots in the Midtown-Northwest and Midtown-Southeast character areas.

Land Uses

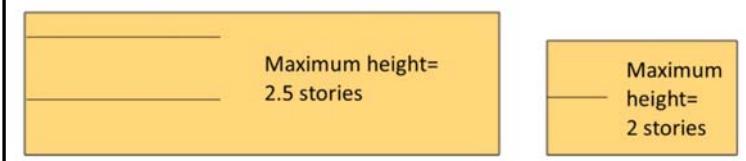
- Allowable land uses must be consistent with those for the underlying zoning district.
- Duplexes on lots with underlying R-D zoning are not required to have shared walls.



Building Height: Principal Structure

- Maximum height is 2.5 stories.

BUILDING HEIGHT (PRIMARY AND ACCESSORY)



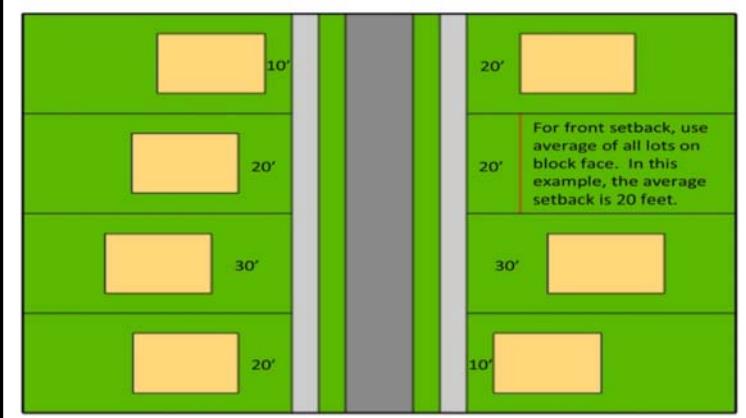
Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

Setbacks: Commercial Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 25 feet.

COMMERCIAL AND RESIDENTIAL FRONT SETBACK



Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 25 feet.

Setbacks: Side and Rear and Accessory

- Side and rear setbacks shall follow the underlying zoning district setback standards.
- Accessory structures shall be set back a minimum of 5 feet from the primary structure.

Lot Coverage

- Maximum lot coverage is 50 percent.

Additional Standards

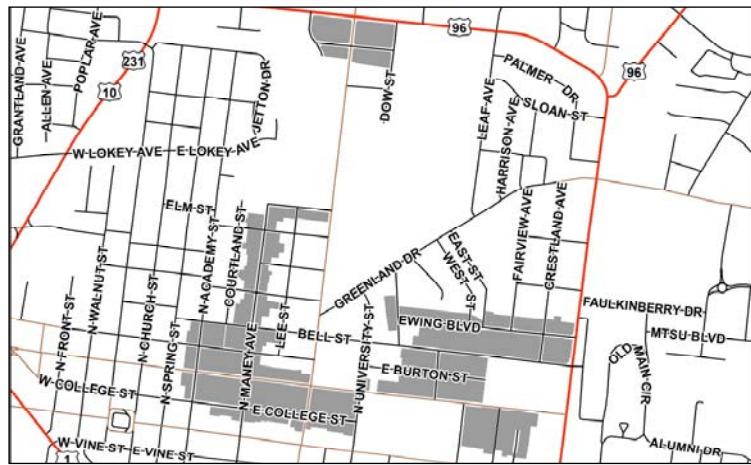
- For residential uses, front-loaded garages are allowed if located at least 10 feet behind front façade of house.
- The use of traditional building materials such as brick, stone, or cementitious siding is required.
- Traditional architectural features such as porches, bays, columns, chimneys, and dormers are required.

Single-Family Residential

The Single-Family Residential development pattern is intended to allow new residential development that is compatible with existing development. This subarea includes lots in the North Highland character area.

Land Uses

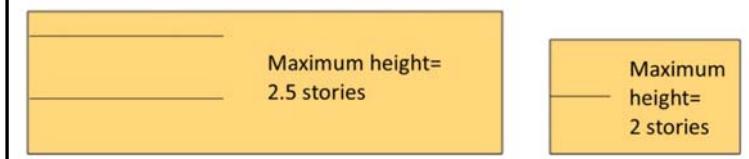
- Land use is limited to detached, single-family residential dwelling units and accessory structures, regardless of permitted uses listed in Chart 1 of the Zoning Ordinance.



Building Height: Principal Structure

- Maximum height is 2.5 stories.

BUILDING HEIGHT (PRIMARY AND ACCESSORY)



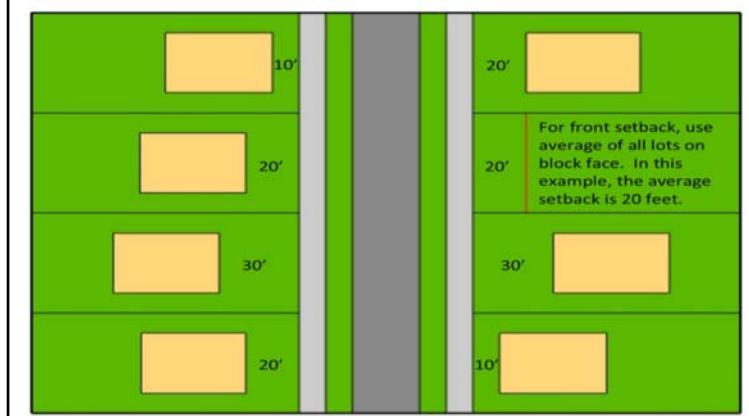
Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.

RESIDENTIAL FRONT SETBACK



Lot Coverage

- Maximum lot coverage is 30 percent.

Additional Standards

- For residential uses, front-loaded garages are allowed if located at least 10 feet behind front façade of house.
- The use of traditional building materials such as brick, stone, or cementitious siding is required.
- Traditional architectural features such as porches, bays, columns, chimneys, and dormers are required.

Urban Residential Node

The Urban Residential Node development pattern is intended to allow compact residential development including townhouses, row houses, and brownstone units. This subarea includes lots in the North Highland, Midtown-Northwest, and Midtown-Southeast character areas.

Land Uses

- Land use is limited to attached and detached single-family residential dwelling units and accessory structures, regardless of permitted uses listed in Chart 1 of the Zoning Ordinance.



Building Height: Principal Structure

- Maximum height is 3 stories.

BUILDING HEIGHT (PRIMARY AND ACCESSORY)



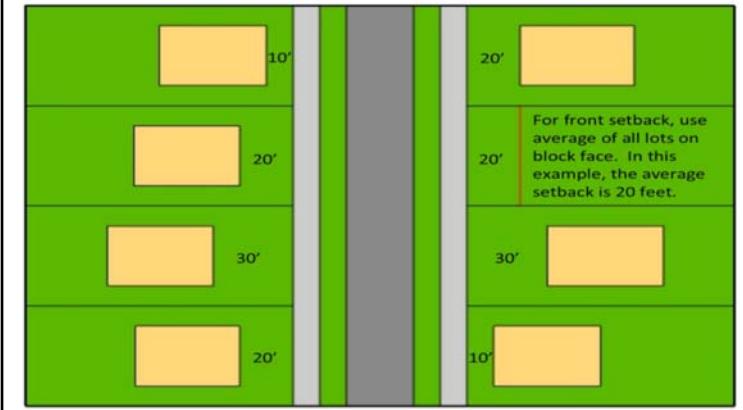
Building Height: Accessory Structure

- Maximum height is 2 stories.
- Accessory structure height may not exceed primary structure height.

Setbacks: Residential Front

- Build to the average front setback of all structures on the same block face.
- Maximum front setback is 20 feet.

RESIDENTIAL FRONT SETBACK



Setbacks: Side and Rear and Accessory

- Side and rear setbacks shall follow the underlying zoning district setback standards.
- Accessory structures shall be set back a minimum of 5 feet from the primary structure.

Lot Coverage

- Maximum lot coverage is 100 percent.

Additional Standards

- For residential uses, front-loaded garages are allowed if located at least 10 feet behind front façade of house.
- The use of traditional building materials such as brick, stone, or cementitious siding is required.
- Traditional architectural features such as porches, bays, columns, chimneys, and dormers are required.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MAY 1, 2019**

4.f. Proposed amendment to the Subdivision Regulations and Street Design Specifications regarding small wireless devices in public rights-of-way [2019-804], City of Murfreesboro Legal Department applicant.

In April 2017 the Planning Commission adopted an amendment to the Street Design Specifications regarding the placement of small wireless facilities (Small cells) in the ROW. Since that time, the Tennessee General Assembly and the Federal Communications Commission have changed the rules such that these Street Design Specifications are no longer appropriate. Included with this agenda item is an action by the Planning Commission to amend the Street Design Specifications. Accordingly, we recommend that the Amendment adding these Street Design Specifications be rescinded.

The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation for City Council.



MEMORANDUM
CITY OF MURFREESBORO
LEGAL DEPARTMENT

TO: Chair Jones and Members of the Planning Commission

FROM: David A. Ives

DATE: April 10, 2019

RE: Small Wireless Facilities in the ROW

In April 2017 the Planning Commission adopted an amendment to the Street Design Specifications regarding the placement of small wireless facilities (Small cells) in the ROW.

Since that time, the Tennessee General Assembly and the Federal Communications Commission have changed the rules such that these Street Design Specifications are no longer appropriate. Staff is in the process of preparing a Zoning Ordinance Amendment that will be compliant with the state and federal provisions.

Accordingly, we recommend that the Amendment adding these Street Design Specifications be rescinded.

I will be happy to answer any questions.

MURFREESBORO PLANNING COMMISSION

Action by the Planning Commission to amend the Street Design Specifications.

WHEREAS, the Murfreesboro Street Design Specifications were amended on April 5, 2017, with respect to the installation and interconnection of small wireless devices in the rights-of-way, and

WHEREAS, the Tennessee General Assembly and the Federal Communications Commission have since adopted statutes and rules that conflict with many of the provisions of the April 5, 2017, amendment, and

WHEREAS, the City is in the process of adopting an ordinance that will be consistent with the referenced statutes and regulations.

NOW THEREFORE, BE IT ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

The amendment to the Street Design Specifications adopted April 5, 2017, is hereby in all things rescinded.

This Action shall take effect immediately upon adoption, the public welfare of the City requiring it.

Planning Commission Chair

Adopted: _____, 2019.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MAY 1, 2019**

4.f. Proposed amendment to the Zoning Ordinance regarding Section 24 Planned Signage Overlay District pertaining to eligible zones and uses for PSO zoning [2019-806], City of Murfreesboro Building and Codes Department applicant.

This amendment will allow an Intuitional Group Assembly Use in any zone, and a property owner in the proposed new General Industrial (G-I) zone, if it is approved, to apply for a Planned Signage Overlay (PSO) zoning classification. The eligibility for a PSO zoning overlay district remains as being a development of 20 acres or more. Currently only developments zoned Commercial Highway (CH), Heavy Industrial (H-I), Light Industrial (L-I), Planned Development, or located in any of the GDO Overlay Districts that meet the acreage requirements can apply for a PSO Overlay.

The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation for City Council.

ORDINANCE 19-O-XX amending Murfreesboro City Code, Appendix A, Section 24, Article V, dealing with planned signage overlay.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. Appendix A, Zoning, of the Murfreesboro City Code is hereby amended at Section 24, Article V. PS, Planned Signage Overlay District at subsection (C), Eligible Zone, by deleting it in its entirety and substituting in lieu thereof the following:

(C) *Eligible Zone.* An application for a Planned Signage Overlay District may be submitted by an owner if the development is zoned Highway Commercial (CH), any industrial zone, or as a Planned Development; if it is located in any of the Gateway Design Overlay (GDO) Districts; or if it is an Institutional Group Assembly Use in any zone. An applicant for Planned Development zoning may request Planned Signage Overlay District zoning simultaneously or subsequently to receipt of Planned Development zoning.

SECTION 2. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

Shane McFarland, Mayor

1st reading _____

2nd reading _____

ATTEST:

APPROVED AS TO FORM:

Melissa B. Wright
City Recorder

Adam F. Tucker
City Attorney

SEAL

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MAY 1, 2019**

4.g. Proposed amendments to the Sign Ordinance regarding Sections 25.2, 25.2-25, 25.2-26 pertaining to building entry signs, banners and institutional group assembly uses [2019-805], City of Murfreesboro Building and Codes Department applicant.

The primary purpose of this amendment is to create a separate section for Intuitional Group Assemblies that are on a single lot of (5) five acres or more. Currently these uses are allowed signs in accordance with the zoning of the property they are located on. Institutional Group Assemblies include recreational fields, public buildings, public or private schools (K thru 12), country clubs, clubs, churches, and other places of worship. Because these types of uses usually have large buildings and may have multiple buildings on one lot, we believe that treating them as a separate category would allow these uses more appropriate signage to direct pedestrians and automobiles to the appropriate entrance, parking area, or building.

The vast majority of Institutional Group Assemblies are churches and are located in residential zones which are one of the most restrictive zones for signage. This amendment allows more signage, but the type of lighting allowed is push-through or indirect only, which will limit the amount of light emitting from the signs.

This amendment also creates a new category of “Building Entry Signs” and increases the allowable size of temporary “Pennant Signs” from 9 square-feet to 15 square-feet on lots of 10 or more acres. Pennant Signs on lots of less than 10 acres will remain at 9 square-feet.

The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation for City Council.

ORDINANCE 19-O-XX amending Murfreesboro City Code, Chapter 25.2—
Signs, Sections 25.2-2, 25.2-25, and 25.2-26 dealing with building entry
signs, pendants, institutional group assemblies.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
MURFREESBORO, TENNESSEE, AS FOLLOWS:**

SECTION 1. Section 25.2-2 of the Murfreesboro City Code is hereby amended at subsection (A) by adding the following definition in appropriate alphabetical order:

“Building Entry Sign:” An attached sign that is located near a primary pedestrian entrance of a building that identifies the interior uses of the building that are accessible from that entrance. This sign is not included in the total number of attached signs.”

SECTION 2. Section 25.2-25 of the Murfreesboro City Code is hereby amended at subsection (C), *Conditionally allowable temporary signs*, by deleting (6)(b) and (6)(h), dealing with pennant size and zone, and substituting in lieu thereof the following:

“(b) Size – Fifteen square feet each maximum on a single lot of 10 or more acres, 9 sf for a single lot of less than 10 acres.”

“(h) Zone - All zones except residential zones and residential use areas of MU and PUD. Also allowed on a lot of (5) five acres or more that is used as an Institutional Group Assembly in any zone.”

SECTION 3. Section 25.2-26 of the Murfreesboro City Code is hereby amended at subsection (C), *Permitted signs*, by renumbering (7) and (8) as (8) and (9) respectively and adding a new subsection (7) as follows:

(7) Institutional Group Assemblies in any zone on a single lot shall be permitted the following signs:

(a) Development ID Sign:

Type- Freestanding Wall sign.
Number – Two per development entrance.
Display Surface Area - 40 sq. ft. maximum.
Setback – N/A
Height - 8 ft. maximum
Illumination – Push-thru or indirect only
Other limitations – Shall not obstruct sight triangle.

(b) Attached:

Number - Three per building maximum.
Size - 3 sq. ft. per linear feet of building frontage not to exceed 75 sq. ft. maximum.
Setback - N/A.
Height - Ground level floor.
Illumination – Push Thru style or Indirect only

(c) Complex:

Type – Ground.
Number - One per lot maximum.
Size - 60 sq. ft. maximum.
Setback - 5 ft. ROW, 8 ft. power lines minimum.
Height - 16 ft. maximum.
Illumination – Push thru or indirect illumination
OR
Type - Freestanding wall sign:
Number – Two per lot maximum.

Size - Letters shall not exceed 24 in. in height. Display surface shall not exceed 40 sq. ft.

Setback - 5 ft. ROW, 8 ft. power lines minimum.

Height - 8 ft. maximum.

Illumination – Push Thru or Indirect Only.

(d) Outline lighting: Not Allowed

(e) Strip lighting: Not Allowed

(f) Permanent Flag signs:

Type - Ground-mounted or wall-mounted.

Number - Three per lot maximum.

Size - 150 sq. ft. maximum any one flag sign.

- 230 sq. ft. maximum total flag signage.

Setback - 20 ft. ROW, 8 ft. power lines minimum.

Height - 50 ft. maximum if ground-mounted.

- 20 ft. maximum if wall-mounted vertical.

- 16 ft. maximum if wall-mounted outrigger.

Neither the flag sign, flagpole or other support structure may extend over a public ROW.

Neither the flag sign, flagpole or other support structure may extend over an adjoining property line without the written consent of the adjoining property owner.

(g) Building material sign:

Type - Constructed as part of a building wall:

Number - One per building.

Size - The total square footage shall not exceed the greater of: 350 sq. ft. or 15% of the surface of the exterior wall on which it is located.

For this purpose, an exterior wall surface shall have an unbroken horizontal and vertical elevation.

(h) Building Entry Sign:

Type: Attached; in close proximity of the pedestrian entrance doors.

Number: One per primary entrance; does not count towards total attached signage.

Size: 10 sf maximum

Height: 12ft. maximum

Illumination: Indirect or push-thru

(i) Routing Sign:

Type: Ground mounted or freestanding wall sign.

Number: One per intersection

Display surface area: 10 sq. ft. maximum each

Setback 5 ft. from ROW, 8 ft. from power lines.

Height: 8 ft. maximum

Illumination: In-direct or push thru

SECTION 4. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

Shane McFarland, Mayor

1st reading _____

2nd reading _____

ATTEST:

APPROVED AS TO FORM:

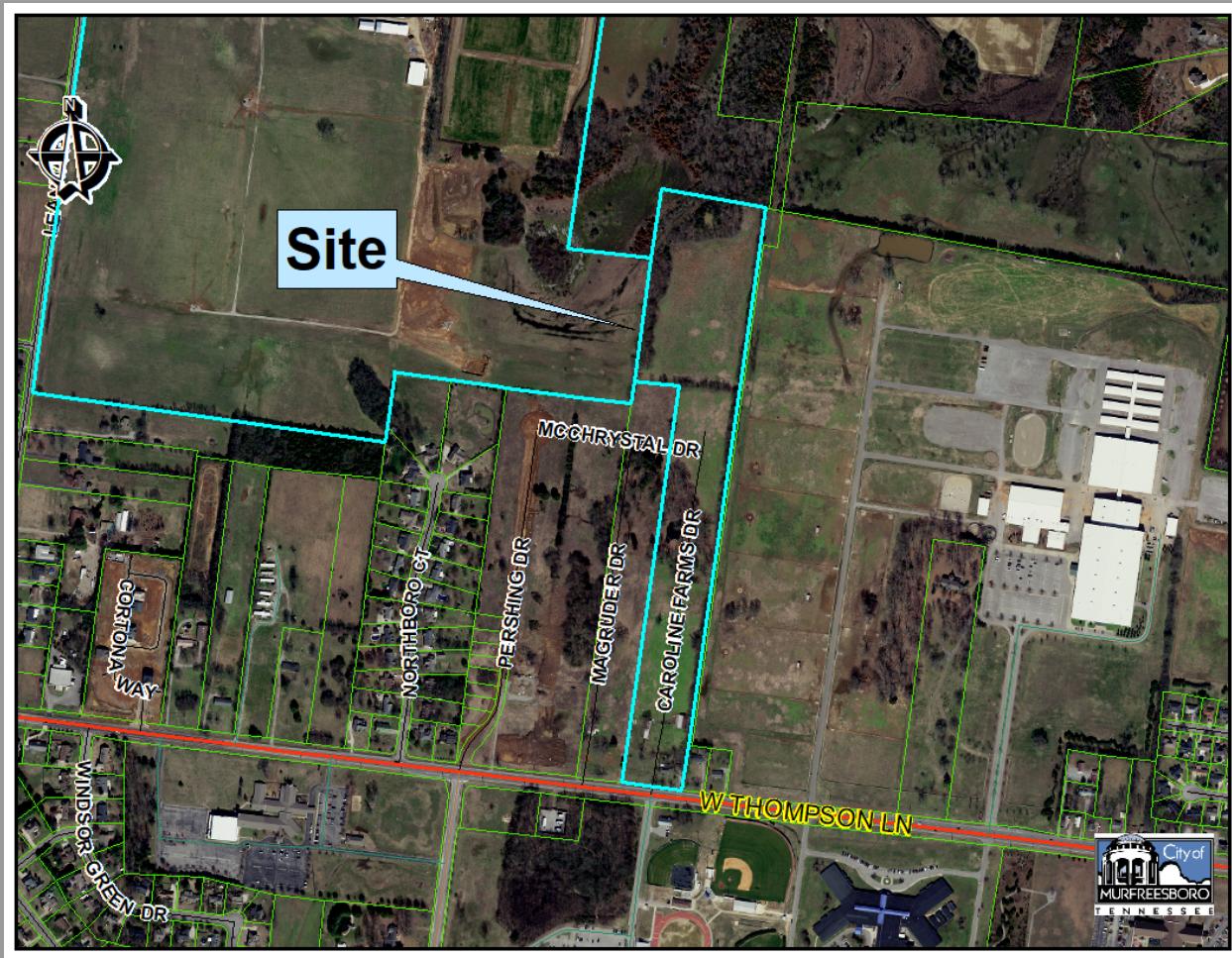
Melissa B. Wright
City Recorder

Adam F. Tucker
City Attorney

SEAL

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MAY 1, 2019**

5.a. Mandatory Referral [2019-710] to consider the dedication of a pump station easement on City-owned property north of West Thompson Lane and east of Leanna Road as part of the Caroline Farms development, Caroline Farms, LLC applicant.



In this mandatory referral, the Planning Commission is being asked to consider approving the dedication of a sanitary sewer pump station easement on the City-owned property east of Leanna Road and north of West Thompson Lane commonly referred to as the "Jordan Farm." The pump station will be utilized by the Caroline Farms single-family residential subdivision to its east. A memo from the Water Resources Department (MWRD) is attached providing additional information. According to MWRD, the location of the pump station was included in the construction plans for Section 1 of Caroline Farms approved by MWRD in

April 2018. MWRD anticipates that the location of this pump station will be temporary as there is another pump station to the north planned in the Cherry Lane Sewer Master Plan, which will serve the general Cherry Lane area and make the current pump station unnecessary. When the pump station to the north is constructed, the current pump station can be abandoned. Staff recommends that the Planning Commission recommend approval of this request to the City Council.



... creating a better quality of life

MEMORANDUM

DATE: April 23, 2019
TO: Matthew Blomeley
FROM: Valerie H. Smith
SUBJECT: Caroline Farms Subdivision
Pump Station Easement
Jordan Farm

The Water Resources Department approved the construction of Caroline Farms Subdivision in April of 2018. The approval of the subdivision included, water main and gravity sewer main extensions, a sewer pump station and forcemain. The pump station was designed and placed at the shared property line between the Jordan Farm, owned by the City, and Caroline Farms. This location was chosen to allow the abandonment of this pump station in the future. Per the Cherry Lane Sewer Master Plan, developed for the Department by Wiser Company, there is a future pump station planned to the north to serve the area around Cherry Lane with sewer service. This future pump station and a gravity sewer main extension to the south, will abandon this Caroline Farms pump station. The approval of the location also went before City Administration in the Land Acquisition and Construction monthly meeting. The easement dedicated around the pump station is really for the Department/City, because the pump station will be dedicated to the Department for operations & maintenance.

Water Resources Department

300 NW Broad Street * P.O. Box 1477 * Murfreesboro, TN 37133-1477 * Office: 615 890 0862 * Fax: 615 896 4259
TTY 615 848 3214 * www.murfreesborotn.gov

**Minutes of the
Murfreesboro Planning Commission
March 6th, 2019
Council Chambers 6:00 P.M.**

Members Present

Bob Lamb, Chairman
Kathy Jones, Vice Chair
Eddie Smotherman
Warren Russell
Ronnie Martin
Jennifer Garland
Ken Halliburton

Staff Present

Donald Anthony, Planning Director
Matthew Blomeley, Assist. Planning Director
Margaret Ann Green, Principal Planner
Lexi Stacey, Recording Assistant
David Ives, Assistant City Attorney
Carl Peas, Fire Marshall
Austin Cooper, Planner
Jafar Ware, Planner
Mike Browning, Public Information Officer
Gary Whitaker, Assistant City Manager

Chairman Bob Lamb called the meeting to order after determining there was a quorum.

Mayor Shane McFarland announced that this meeting was Chairman Bob Lamb's last meeting after 28 years of service. Mayor McFarland presented Chairman Lamb with the "Key to Murfreesboro."

Mr. Kirt Wade, Ms. Kathy Jones, and Mr. Eddie Smotherman also thanked Chairman Lamb for his years of service.

Public Hearings

Zoning application [2019-407] for approximately 1.4 acres located along Mercury Boulevard to be rezoned from PCD to CH, Pradeep Agnihotri applicant. Mr. Matthew Blomeley summarized the staff report, which was made available in the agenda packet provided to the Planning Commission. Mr. Blomeley explained that this parcel was rezoned PCD in 2006 for the Tractor Supply Company and that they only used 3.4 acres out of 6.7 acres. Mr. Blomeley noted that this rezoning is consistent with the City's Comprehensive Plan. Mr. John Mifflin was in attendance to represent the applicant.

Chairman Bob Lamb opened the public hearing. No one came forward to speak for or against the zoning request; therefore, Chairman Bob Lamb closed the public hearing.

Mr. Ken Halliburton made a motion to approve subject to all staff comments, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

**Minutes of the
Murfreesboro Planning Commission
March 6th, 2019
Council Chambers 6:00 P.M.**

Annexation plan of services and annexation petition [2019-502] for approximately 8,100 linear feet of Interstate 24 right-of-way located between South Church Street (exit 81) and Joe B Jackson Parkway (exit 84), City of Murfreesboro Fire and Rescue Department applicant. Mr. Matthew Blomeley summarized the staff report, which was made available in the agenda packet provided to the Planning Commission. This annexation request is to annex right-of-way along I-24 for Authority Having Jurisdiction for emergency services.

Chairman Bob Lamb opened the public hearing. No one came forward to speak for or against the zoning request; therefore, Chairman Bob Lamb closed the public hearing.

Mr. Ronnie Martin asked Mr. Blomeley if this was the only segment of I-24 right-of-way that was not annexed into the City. Mr. Blomeley replied that there are other segments of I-24 right-of-way that were approved for annexation by the Planning Commission in October 2019 but have not been to the City Council yet. Mr. Blomeley added that if those were to be approved by the City Council, this would be the only segment I-24 right-of-way not in the city's jurisdiction.

Mr. Eddie Smotherman made a motion to approve subject to all staff comments, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

Annexation plan of services and annexation petition [2019-501] for approximately 123 acres located along Lee Lane and I-24, Pinnacle Bank and Elizabeth Hoover Derryberry applicants. Ms. Margaret Ann Green summarized the staff report, which was made available in the agenda packet provided to the Planning Commission. Ms. Green explained that this annexation request is for three parcels located along South Rutherford Boulevard and Lee Lane, totaling 123 acres and 2,200 feet of right-of-way.

Ms. Kathy Jones and Mr. Ken Halliburton abstained from discussion and voting.

Chairman Bob Lamb opened the public hearing.

The following residents spoke during the public hearing:

- Diane Parker (2101 Wimbledon Road) asked the Planning Commission and Staff what type of notice the City is required to provide for annexation and rezoning.
- Lucille Nunley (1802 Lee Lane) opposed proposed annexation due to noise concerns.
- Joanne Plough (2232 Elam Road) opposed proposed annexation due to traffic concerns.
- James Jernigan (214 Second Avenue) had concerns about property lines and fencing.

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Chairman Bob Lamb closed the public hearing.

Mr. Donald Anthony explained that the Zoning Ordinance requires the staff to post notice in three different ways via a newspaper ad, mailouts, and signs on the proposed property. Mr. Anthony noted that there is not a specified time that signs must be put up.

Mr. Warren Russell made a motion to approve subject to all staff comments, seconded by Ms. Jennifer Garland. The motion carried by 5-0 vote in favor, with two abstaining.

Zoning application [2019-405] for approximately 233.3 acres located along South Rutherford Boulevard, Lee Lane and I-24 to be zoned H-I simultaneous with annexation (123 acres) and to be rezoned from CH to H-I (110.4 acres), Brian Berryman applicant. Ms. Margaret Ann Green summarized the staff report, which was made available in the agenda packet provided to the Planning Commission. Ms. Green explained that this is a rezoning request for 233.3 total acres. 110.4 of those acres are zoned CH, and 123 acres are to be rezoned simultaneous with annexation. Ms. Green noted that the Future Land Use Map recommends that the northern portion of the proposed rezoning be zoned as industrial and the southern portion be zoned residential.

Mr. Matt Taylor, Mr. John Harney, and Mr. Jeff Reed were in attendance to represent the applicant. Mr. Taylor explained that Mr. Brian Berryman is the applicant and is looking to move his business to this property because of access to the interstate and the railroad. Mr. Taylor discussed the proposed plan, noting the following:

- Adjacent to Husky Truss, Mahle, Rich's, General Mills, and Steel Technologies
- Near I-24
- Approved by CSX to attach a spur to the railroad
- Sewer, water, and electric to be extended from S. Rutherford Blvd

Chairman Bob Lamb opened the public hearing.

The following residents spoke during the public hearing:

- Richard Baines (1319 Parkview Terrace) supported proposed rezoning due to job opportunities, opportunities with the railroad and good site conditions for this type of zoning.
- Cles Holbrook (2603 Elam Road) asked the Planning Commission and Staff if there were plans to widen Elam Road or to restrict access to tractor trailers.
- Diane Parker (2101 Wimbledon Road) opposed proposed project due to traffic concerns.

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- Joanne Plough (2232 Elam Road) opposed proposed project due to traffic, noise, safety, and crime concerns.
- Lucille Nunley (1802 Lee Lane) opposed proposed project due to concerns with HI zoning and traffic.
- Brick Murfree (S Rutherford Boulevard) supported proposed property due to its proximity to other industrial developments and railroad access.
- Keith Jones (127 Tenby Drive) opposed proposed project due to concerns with HI zoning.

Chairman Lamb closed the public hearing.

Mr. Taylor explained that the applicant has no intention of connecting to Lee Lane but staff might require it and that it would be a long time before they develop the south side of the property. Mr. Taylor noted that they have committed to leaving a 25' strip of RS-15 along the property lines on the south east side of the property and that the zoning ordinance requires a 20-foot buffer between industrial zonings and residential zonings. Therefore, there will be a total of 45 feet of buffer.

Mr. Ken Halliburton asked Mr. Taylor and staff why some uses are restricted on the plat versus restricted by covenant. Mr. Donald Anthony explained that municipalities try not to get involved in contract zoning, which is unconstitutional in the state of Tennessee. Conditional zoning, however, is used where the City can impose conditions unilaterally on the plat. The “adult” businesses are protected by the first amendment; therefore, they will be restricted by covenants. Mr. Jeff Reed agreed with Mr. Anthony’s explanation.

Mr. Halliburton asked staff if at site plan approval, they could control the connection to Lee Lane. Ms. Green replied that staff would encourage connectivity to S. Rutherford Boulevard but during site planning and master planning the applicant and staff will look at possibilities with Lee Lane. Mr. Anthony added that the residents of Lee Lane can speak with Rutherford County to discuss the restriction of trucks using Lee Lane. Mr. Eddie Smotherman added that he would be in support of connecting to Lee Lane for emergency access reasons.

Ms. Kathy Jones asked Mr. Taylor if there would be more than one access point onto S. Rutherford Boulevard. Mr. Taylor answered that he would look into two access points and if the property warrants for two, then two would be included in their site plan.

Mr. Ronnie Martin made a motion to approve subject to all staff comments, with the exclusion of a 25-foot-wide strip along the southeastern property line, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.

Zoning application [2019-406] for approximately 90.56 acres located along New Salem Highway to be rezoned from RS-15, CH, OG and RM-16 to RS-6, Vision Development applicant. Mr. Matthew Blomeley summarized the staff report, which was

**Minutes of the
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March 6th, 2019
Council Chambers 6:00 P.M.**

made available in the agenda packet provided to the Planning Commission. Mr. Blomeley stated that approximately 7 acres are proposed to be rezoned from CH to RS-6, approximately 35 acres are proposed to be rezoned from OG to RS-6, approximately 1 acre is proposed to be rezoned from RM-16 to RS-6, and approximately 47 acres are proposed to be rezoned from RS-15 to RS-6. Mr. Blomeley added that the Comprehensive Plan recommends this property be used for commercial and suburban residential.

Mr. Matt Taylor, Mr. John Harney, and Mr. Tim McClure were in attendance to represent the applicant. Mr. Taylor discussed the proposed plan, noting the following:

- Salem Springs Landing as project name
- 350 single family homes
- 120 townhomes
- 20 acres of open space
- Main access on New Salem Hwy
- Turn lanes with possible signalization
- Secondary access point to Clear Ridge Dr.
- Multiple stubs for future connectivity
- Multiple detention ponds

Chairman Bob Lamb opened the public hearing.

The following resident spoke during the public hearing:

- Jeff Pike (2036 Armstrong Valley Rd) opposed proposed project due to drainage and property line concerns.

Chairman Lamb closed the public hearing.

Mr. Taylor explained that by law, the project will have to meet pre-development flow at site plan. Mr. Taylor added that the applicant has not completed a survey of the property yet, but any possible encroachment onto Mr. Pike's property will be corrected then.

Mr. Ken Halliburton made a motion to approve subject to all staff comments, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

Naming of new streets associated with the construction of Salem Elementary. Mr. Matthew Blomeley summarized the staff report, which was made available in the agenda packet provided to the Planning Commission. The Murfreesboro City Schools representatives asked that the two streets be named "Saint Bernard Way" and "Learning Lane."

Ms. Kathy Jones made a motion to approve subject to all staff comments, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

**Minutes of the
Murfreesboro Planning Commission
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Council Chambers 6:00 P.M.**

Mandatory Referral (2019-706) Easement transaction with Atmos Energy – W

Northfield Blvd. Mr. David Ives explained that the City proposes to grant a new easement to Atmos and Atmos proposes to abandon portion of its current easement to accommodate the new extension of W. Northfield Blvd.

Mr. Ken Halliburton made a motion to approve subject to all staff comments, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

Mandatory Referral (2019-706) Easement to Atmos Energy – Veterans Parkway. Mr. David Ives explained that this mandatory referral proposal is to grant an easement to Atmos Energy as they prepare to increase its capacity along Veterans Parkway to accommodate anticipated development between Hwy 96 and Hwy 99.

Ms. Jennifer Garland made a motion to approve subject to all staff comments, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.

Mandatory Referral (2019-705) Purchase of Property for Cherry Lane Extension. Mr. David Ives explained that this mandatory referral proposal is for the purchase of property from Kip and Vicki Bowers located west of Siegel Soccer Park for right of way for the Cherry Lane Extension.

Mr. Ken Halliburton made a motion to approve subject to all staff comments, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

There being no further business the meeting adjourned at 7:47 pm.

Chairman

Secretary

MINUTES OF THE MURFREESBORO PLANNING COMMISSION

APRIL 17, 2019

1:00 P.M.

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice Chair
Eddie Smotherman
Jennifer Garland
Warren Russell
Chase Salas

STAFF PRESENT

Donald Anthony, Planning Director
Matthew Blomeley, Assistant Planning Dir.
Margaret Ann Green, Principal Planner
Dianna Tomlin, Principal Planner
Amelia Kerr, Planner
Carolyn Jaco, Recording Assistant
David Ives, Assistant City Attorney
Katie Noel, Project Engineer
Matt Fasig, Project Engineer
Brad Barbee, Landscape Site Plan Inspector
Carl Peas, Fire Marshall

Chair Kathy Jones called the meeting to order after determining there was a quorum.

Mr. David Ives introduced Ms. Felicia Reed, whom had recently joined the staff with the Legal Department. Ms. Reed is a Legal Assistant and will be taking the position currently held by Ms. Diane Johnson. Ms. Johnson will be retiring in the upcoming months. Please welcome Ms. Felicia Reed to the Planning Commission.

Consent Agenda

Chair Kathy Jones read the following items to be considered for approval.

The Gardens at Three Rivers, Section 3 [2019-1011] preliminary plat for 53 lots on 9.19 acres zoned PRD located along Eldin Creek Drive, Achiever Development developer.

Haverford Subdivision, Resubdivision of Lot 22 [2019-2017] final plat for 1 lot on 3.8 acres zoned CH located along Old Fort Parkway, Race Trac Petroleum, Inc. developer.

Hooper One Lot Subdivision, Resubdivision of Lot 1 [2019-2014] final plat for 1 lot on 3.29 acres zoned RS-15 located along Siegel Road, Bruce Hooper developer.

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Shelton Square, Lots 117-141 Amendment Plat [2019-2018] final plat for 25 lots on 4.1 acres zoned PRD located along Florence Road and Pointer Place, Shelton Square, LLC developer.

The Gardens at Three Rivers, Section 1 [2019-2019] final plat for 13 lots on 8.5 acres zoned PRD located along Audubon Lane, Achiever Development developer.

Barfield Animal Hospital Subdivision [2019-2015] final plat for 2 lots on 1.66 acres zoned CH located along South Church Street, Grey Barker, Steve Myers, and Tim Williams developers.

Holsted Subdivision [2019-2016] final plat for 2 lots of 0.35 acres zoned RM- 12 located along Courtland Court and Evergreen Street, Mike Holsted developer.

Mr. Eddie Smotherman made a motion to approve the consent agenda, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

Gateway Design Overlay

North Church Lot 17 (Las Trojas Cantina) [2019-6004 & 2019-3042] initial design review for 10,501ft² restaurant on 2.7 acres zoned MU & GDO-1 located along Medical Center Parkway, Conference Center Boulevard and Silohill Lane, Martinez Garcia Properties, LLC developer. Ms. Margaret Ann Green began by describing the initial design review from the staff report, which had been provided to the Planning Commission in the agenda packet. Ms. Green made known the design of the proposed building is unique and the site meets the minimum parking requirements.

Mr. Rob Molchan, Mr. Michael Hindman and Ms. Mindy Denny were in attendance to represent the applicant. Mr. Molchan came forward making known his clients have several restaurants in the south and they are excited to bring their restaurant to the Gateway. He explained the majority of the parking area would be located at the back side of the building. All parking areas would be screened with landscaping. Mr. Michael Hindman came forward to explain the building would

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APRIL 17, 2019

be designed to serve the entrance into the Gateway area. The primary materials for the building include two different colors of brick with natural limestone. There would be towers on each corner of the building to be elevated with stone material to serve as anchors for the building. Continuing, Mr. Hindman made known the locations of the arch windows on the east side of the building are enclosed space. However, the windows would roll up within the building. The building would not include an outdoor patio. Instead, the building would have indoor space with rolled up windows.

The Planning Commission discussed the proposal and requested for the following items to be considered:

- The shared access drive heading out toward Conference Center Boulevard should include a small island or additional signage and striping to assist traffic flow.
- A masonry base should be added to all areas on the building.

Mr. Ken Halliburton made a motion to approve subject to including a masonry base to the building and addressing all other staff comments, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

Vantage Murfreesboro Subdivision [2019-2020] easement plat for 2 lots on 34.30 acres zoned RM-16 and GDO-1 located along Manson Pike, Vantage at Murfreesboro, LLC developer.

Mr. Matthew Blomeley began by describing the final plat from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Blomeley explained the two lots were being shifted to accommodate utility easements

Mr. Bill Huddleston was in attendance to represent the applicant.

Ms. Jennifer Garland made a motion to approve subject to all staff comments, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

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Plats and Plans

Osborne Estates, Section 2 [2019-1010] preliminary plat for 19 lots on 5.8 acres zoned RS-10 located along Osborne Lane, Randy Friedsam developer. Mr. Matthew Blomeley began by describing the preliminary plat from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Blomeley requested the preliminary plat be approved subject to all revised staff comments.

Mr. Bill Huddleston and Mr. Randy Friedsman the applicant was in attendance for the meeting.

Ms. Warren made a motion to approve subject to all revised staff comments, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.

New Business

Annexation plan of services and annexation petition [2019-504] for approximately 3.1 acres located along Shelbyville Pike, Douglas Dales applicant. Ms. Amelia Kerr began by describing the annexation request from the staff report, which had been provided to the Planning Commission in the agenda packet. Ms. Kerr recommended that the Planning Commission to schedule a public hearing.

Mr. Ken Halliburton made a motion to schedule a public hearing on May 1, 2019, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

Zoning application [2019-411] for approximately 3.1 acres located along Shelbyville Pike to be zoned CH simultaneous with annexation, Five Star Joint Venture applicant. Ms. Amelia Kerr began by describing the zoning request from the staff report, which had been provided to the Planning Commission in the agenda packet. Ms. Kerr recommended for the Planning Commission to schedule a public hearing.

Mr. Eddie Smotherman made a motion to schedule a public hearing on May 1, 2019, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

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Proposed amendments to the Zoning Ordinance regarding Sections 14 and 22 and Charts 1 and 2 [2019-803]; pertaining to industrial uses, City of Murfreesboro Planning Department applicant. Mr. Donald Anthony began by making known the proposed amendment was for the creation of a third industrial district. The new industrial use as presented would be General Industrial (GI). This type zone would allow heavier industrial uses; however, it would not allow the more intensive heavy industrial uses. Chart 1 of the Zoning Ordinance would be amended to add the new GI district with designated uses. Also, Chart 1 would be updated to remove outdated uses or repetitive uses. Mr. Anthony recommended for a public hearing to be scheduled.

Mr. Eddie Smotherman made a motion to schedule a public hearing on May 1, 2019, seconded by Ms. Jennifer Garland.

Proposed amendment to the Zoning Ordinance regarding Section 24. Overlay District Regulations, Article VI. CCO, City Core Overlay District [2019-802], pertaining to expansion of the CCO zoning district. Mr. Dianna Tomlin began by making known the proposed amendment was to expand the City Core Overlay District. Over the last few weeks, the CCO had been presented during several different occasions to the public. There had been an open house information outreach during the evening hours at City Hall. Also, the proposal had been presented at a City Council meeting, a Planning Commission meeting, and a Historic Zoning Commission meeting. After each meeting there had been positive feedback from the public. Therefore, Staff is ready to move forward and would recommend scheduling a public hearing for the expansion of the CCO zoning district.

Mr. Ken Halliburton made a motion to schedule a public hearing on May 1, 2019, seconded by Mr. Warren Russell.

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Proposed amendment to the Subdivision Regulations and Street Design Specifications regarding small wireless devices in public rights-of-way [2019- 804], City of Murfreesboro Legal Department applicant. Mr. David Ives began by making a request to repeal portions of the Subdivision Regulations and Street Design Specifications pertaining to small cell devices.

Recently, the Tennessee State Legislature and Federal Communication Commission had approved new regulations regarding small cell devices in the public rights-of-way. Therefore, the new regulations would be added to the Zoning Ordinance and applied to rights-of-way and other areas such as City property and private property.

Therefore, Mr. Ives recommended for the current information regarding small cell devices in public rights-of-way be removed from the Subdivision Regulations and Street Design Specifications. A public hearing would need to be scheduled to amend the Subdivision Regulations and Street Design Specifications.

Mr. Ken Halliburton made a motion to schedule a public hearing on May 1, 2019, seconded by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.

Staff Reports and Other Business

Proposed amendment to Murfreesboro City Code, Appendix A, Section 24, Article V, dealing with planned signage overlay [2019- 806], City of Murfreesboro Legal Department applicant. Mr. David Ives explained that the proposed amendment is to change areas in which the Planned Sign Overlay (PSO) may be utilized for institutional group assembly uses.

Ms. Jennifer Garland asked if the new General Industrial (GI) zone would be included with this request, in which Mr. David Ives answered yes.

Mr. Warren Russell made a motion to schedule a public hearing on May 1, 2019, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.

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Proposed amendment to Murfreesboro City Code, Chapter 25.2-Signs, Section 25.2-2, 25.2-25, and 25.2-26 and Appendix A, Section 24, Article V, dealing with building entry signs, banners, institutional group assemblies [2019-805], City of Murfreesboro Legal Department applicant. Mr. David Ives began by making known this amendment has several components, such as:

- Creating new building entry signs for commercial buildings
- Expanding the maximum size of banners
- Treating all institutional group assemblies as one group

Mr. Ken Halliburton requested for examples to be provided so he would be able view the proposed changes. For example, he would like to view the current banners on a building beside the proposed increased size banner.

Mr. Ken Halliburton made a motion to schedule a public hearing on May 1, 2019, seconded by Mr. Chase Salas.

Proposed Map Amendment to the City Core Overlay Expansion [2019-802], City of Murfreesboro applicant. Mr. Matthew Blomeley began by making known an amended map for the City Core Overlay should be included with the expansion of the City Core Overlay District. With the expansion some of the parcels that are not currently in the CCO overlay area would need to be added onto the CCO map. Therefore, a public hearing should be scheduled for zoning and to add the additional parcels that are not currently in the CCO overlay. If approved, this map would incorporate the North Highland Avenue area and The Historic Bottoms area.

Mr. Ken Halliburton made a motion to schedule a public hearing on May 1, 2019, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

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There being no further business the meeting adjourned at 2:00 p.m.

Chair

Secretary

DA: cj