

ORDINANCE 13-O-50 amending Murfreesboro City Code Appendix A—
Zoning, creating a new Mixed Use (MU) District.

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

SECTION 1. Appendix A, Section 15, Districts Established, (C), Commercial Districts, of the Murfreesboro City Code is hereby amended by adding a new subsection (9) to read as follows:

(9) MU, Mixed Use District.

SECTION 2. Appendix A, Section 21, Commercial Districts, of the Murfreesboro City Code is hereby amended by adding a new subsection at the end thereof to read as follows:

MU, MIXED USE DISTRICT.

The purpose of the MU, Mixed Use district, is to provide a zoning category that allows a mixture of land uses both vertical and horizontal including multiple family dwellings, other housing, institutions, and commercial uses. It is intended that the MU district be allowed only for lands located within a GDO overlay district or within other overlay districts with a similar purpose and intent. 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, maximum gross dwelling unit density, land use intensity ratios, and maximum lot coverages which govern any use in this district are listed on Chart 2 unless otherwise regulated in this article.

SECTION 3. Appendix A, Section 27, Landscaping and Screening, of the Murfreesboro City Code is hereby amended at subsection (L)(1)(a) in the Commercial Districts section by adding a new subsection at the end thereof to read as follows:
"MU, Mixed Use District".

SECTION 4. Appendix A, Section 24, Article II, BPD, BATTLEFIELD PROTECTION DISTRICT, of the Murfreesboro City Code is hereby amended by deleting the subsection in its entirety and marking it as "RESERVED".

SECTION 5. Appendix A, Section 27, Landscaping and Screening, of the Murfreesboro City Code is hereby amended by adding to TABLE 1 the designation "MU" in the CH/CF column and in the CH/CF row so that the column heading reads "CH/CF/MU" and the row heading reads "CH/CF/MU Commercial uses".

SECTION 6. Appendix A, Section 27, Landscaping and Screening, of the Murfreesboro City Code is hereby amended by adding to TABLE 2 the designation "MU" in all places where the zones CH and CF are listed so that the MU district has the same requirements and protections as the CH and CF districts.

SECTION 7. Appendix A, Chart 1, of the Murfreesboro City Code is hereby amended by adding a new column entitled "MU" to be located between the "CH" and "CBD" columns with the uses to be permitted as shown on the Attachment 1 to this ordinance.

SECTION 8. Appendix A, Chart 2, of the Murfreesboro City Code is hereby amended by adding new rows entitled "MU" to be located between the "CH" and "CBD" sections as shown on the Attachment 2 to this ordinance.

SECTION 9. Appendix A, Chart 2 Footnotes, of the Murfreesboro City Code is hereby amended by adding the following new footnotes to the end thereof:

20. The minimum width set forth on Chart 2 shall be required unless the property abuts a major arterial, minor arterial, or collector street identified as such by the Murfreesboro Major Thoroughfare Plan as adopted and as it may be amended from time to time in which event the minimum width shall be 200 feet.
21. The minimum front yard set forth on Chart 2 shall be required unless the property abuts a major arterial, minor arterial, or collector street identified as such by the Murfreesboro Major Thoroughfare Plan as adopted and as it may be amended from time to time in which event the minimum front yard shall be 50 feet.
22. The size of the required side yard shall be 10 feet unless the property abuts property zoned for single-family purposes in which event the side yard shall be 20 feet plus 10 additional feet for each story over two.
23. The size of the required rear yard shall be 20 feet unless the property abuts property zoned for single family purposes in which event the rear yard shall be 20 feet plus 10 additional feet for each story over two.
24. Developments located in the MU (Mixed Use) district shall be allowed a maximum gross density of 25 dwelling units per acre. When calculating the total units permitted if a fraction of a unit results, any fraction over one-half (0.500) shall permit an additional unit but not when the fraction is one-half (0.500) or less.

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

Passed:



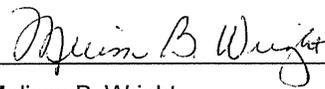
Tommy Bragg, Mayor

1st reading December 5, 2013

2nd reading December 19, 2013

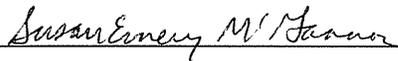
3rd reading January 9, 2014

ATTEST:



Melissa B. Wright
City Recorder

APPROVED AS TO FORM:



Susan Emery McGannon
City Attorney



ATTACHMENT 1.	
USES PERMITTED ³	
	MU ²¹
DWELLINGS	
Single-Family detached	
Single-Family attached	
Two-Family	
Three-Family	
Four-Family	
Multiple-Family	X
OTHER HOUSING	
Accessory Apartment	
Accessory Dwelling Unit	X
Assisted-Care Living Facility ¹⁵	X
Bed-and-Breakfast Homestay	
Bed-and-Breakfast Inn	
Boarding House ¹⁵	
Emergency Shelter	X
Family Crisis Shelter	
Family Violence Shelter	
Fraternity/Sorority	
Group Shelter	
Class I Home for the Aged ¹⁵	
Class II Home for the Aged ¹⁵	
Class III Home for the Aged ¹⁵	X
Hotel	X
Mission ¹⁰	
Mobile Homes	
Motel	X
Rooming House	
Student Dormitory	
Transitional Home	
INSTITUTIONS	
Adult Day Care Center	X
Adult Day Care Home	
Airport, Heliport	
Cemetery, Mausoleum	
Church ¹³	X
College, University	X
Day-Care Center	X
Family Day-Care Home	
Group Day-Care Home	
Hospital	X
Lodge, Club, Country Club ¹³	X
Mental Health Facility	X
Morgue	X
Museum	X
Nursing Home	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 ⁴	
	MU ⁽²⁾
Nursery School	X
Park	X
Philanthropic Institution	X
Pet Cemetery	
Public Building ¹³	X
Recreation Field ¹³	X
Senior Citizens Center	X
School, Public or Private, Grades K - 12 ¹³	X
Student Center	X
AGRICULTURAL USES	
Customary General Farming	
Crop, Soil Preparation Agricultural Services	
Farm Labor and Management Services	
Fish Hatcheries and Preserves	
Grain, Fruit, Field Crop and Vegetable Cultivation and Storage	
Hunting, Trapping, and Game Propagation	
Livestock, Horse, Dairy, Poultry, and Egg Products	
Timber Tracts, Forest Nursery, Gathering of Forest Products	
COMMERCIAL	
Adult Cabaret	
Adult Entertainment Center	
Adult Motel	
Adults-Only Bookstore	
Adults-Only Motion Picture Theater	
Amusements, Commercial Indoor	X
Amusements, Commercial Outdoor excluding Motorized	X
Amusements, Commercial Outdoor Motorized except Carnivals	
Animal Grooming Facility	X
Antique Mall	X
Antique Shop <3,000 sq. ft.	X
Apothecaries (pharmaceuticals only)	X
Art or Photo Studio or Gallery	X
Automotive Repair ¹²	X
Bakery, Retail	X
Bank, Branch Office	X
Bank, Drive-Up Electronic Teller	X
Bank, Main Office	X
Barber or Beauty Shop	X
Beer, Packaged	
Boat Rental, Sales, or Repair	
Book or Card Shop	X
Business School	X
Business and Communication Service	X

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USES PERMITTED ⁵	
	MU(2)
Campground, Travel-Trailer Park	
Carnivals	
Catering Establishment	X
Clothing Store	X
Coffee, Food, or Beverage Kiosk	X
Commercial Center	X
Convenience Sales and Service, maximum 5,000 sq. ft. floor area	X
Crematory	
Delicatessen	X
Department or Discount Store	X
Drive-In Theater	
Dry Cleaning	X
Dry Cleaning Pick-Up Station	X
Financial Service	X
Fireworks Public Display	
Fireworks Retailer	
Fireworks Seasonal Retailer	
Flower or Plant Store	X
Funeral Home	X
Garage, Parking	X
Garden and Lawn Supplies	X
Gas--Liquified Petroleum, Bottled and Bulk	
Gas Station	X
General Service and Repair Shop	X
Glass--Auto, Plate, and Window	X
Glass--Stained and Leaded	X
Greenhouse or Nursery	X
Group Assembly, <250 persons	X
Group Assembly, >250 persons	X
Health Club	X
Ice Retail	
Interior Decorator	X
Iron Work	
Janitorial Service	X
Karate, Instruction	X
Kennels	
Keys, Locksmith	X
Laboratories, Medical	X
Laboratories, Testing	X
Laundries, Self-Service	
Lawn, Tree, and Garden Service	
Liquor Store	X
Livestock, Auction	
Lumber, Building Material	
Manufactured Home Sales	
Massage Parlor	
Mobile Home Sales	
Motor Vehicle Sales	X

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USES PERMITTED ³	
	MU ⁽²⁾
Motor Vehicle Service ¹²	X
Music or Dancing Academy	X
Offices	X
Optical Dispensaries	X
Pawn Shop	
Personal Service Establishment	X
Pet Crematory	
Pet Funeral Home	
Pet Shops	X
Pharmacies	X
Photo Finishing	X
Photo Finishing Pick-Up Station	X
Radio, TV, or Recording Studio	X
Radio and Television Transmission Towers	
Rap Parlor	
Reducing and Weight Control Service	X
Restaurant and Carry-Out Restaurant	X
Restaurant, Drive-In	
Restaurant, Specialty	X
Restaurant, Specialty -Limited	X
Retail Shop, other than enumerated elsewhere	X
Salvage and Surplus Merchandise	
Sauna	
Sheet Metal Shop	
Shopping Center, Community	X
Shopping Center, Neighborhood	X
Shopping Center, Regional	X
Specialty Shop	X
Tavern	
Taxidermy Studio	
Telephone or Telegraph Facility	X
Towing ¹²	
Veterinary Office	X
Veterinary Clinic	X
Veterinary Hospital	X
Vehicle Sales	X
Vehicle Wash	X
Video Rental	X
Warehousing, Transporting	
Wholesaling	
Wrecker Service ¹²	
Wrecker Service Storage Yard ¹²	
INDUSTRIAL	
Manufacture, Storage, Distribution of: Abrasive Products	
Animal or Poultry Slaughter, Stockyards, Rendering	
Asbestos Products	

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USES PERMITTED ³	
	MU ⁽²⁾
Automobile Dismantlers and Recyclers ⁷	
Automobile Manufacture	
Automobile Parts and Components Manufacture	
Automobile Seats Manufacture	
Bakery Goods	
Boat Manufacture	
Bottling Works	
Brewery	
Candy	
Canned Goods	
Chemicals	
Composting Facility	
Contractor's Storage, Indoor	
Contractor's Yard or Storage, Outdoor	
Cosmetics	
Custom Wood Products	
Electrical or Electronic Equipment, Appliances, and Instruments	
Explosives	
Fabricated Metal Products and Machinery	
Fertilizer	
Fireworks	
Food and Beverage Products except animal slaughter, stockyards, rendering, and brewery	
Furniture and Fixtures	
Jewelry	
Leather and Leather Products except tanning and finishing	
Leather and Leather Products, Tanning and Finishing	
Lumber and Wood Products	
Metal or Rubber Stamps	
Mobile Home Construction	
Musical Instruments	
Novelties	
Office/Art Supplies	
Paints	
Paper Mills	
Paper Products excluding paper and pulp mills	
Petroleum, Liquified Petroleum Gas and Coal Products except refining	
Petroleum and Coal Products Refining	
Pharmaceuticals	
Photographic Film Manufacture	
Pottery, Figurines, and Ceramic Products	
Primary Metal Distribution and Storage	

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USES PERMITTED ³	
	MU(2)
TRANSPORTATION AND PUBLIC UTILITIES	
Freight, Service Facility	
Bus Terminal or Service Facility	
Garbage or Refuse Collection Service	
Refuse Processing, Treatment, and Storage	
Gas, Electric, Water, Sewerage Production and/or Treatment Facility	
Landfill	
Post Office or Postal Facility	X
Railroad Switching Yard, Terminal, Piggyback Yard	
Telephone Service Center	X
Telephone Switching Center, Electric Transmission, Gas Piping, Water Pumping Station	X
Taxicab Dispatch Station	
Truck or Motor Freight Terminal, Service Facility	
OTHER	
Advertising Sign	
Automobile graveyard	
Home Occupations	X
Junkyard	
Metal, Sand, Stone, Gravel, Clay, Mining, and other related processing	
Recycling center	
Self-Service Storage Facility	S
Warehouse	
Wholesale Establishments	
Temporary Mobile Recycling Center	

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ATTACHMENT 2.

	Minimum Lot Requirements		Minimum Yard Requirements ^{5, 17}			Maximum Gross Density ² (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)	
	Area (Sq. Ft.)	Width (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)		Maximum Height ¹⁶ (Ft.)	Maximum F.A.R.	Minimum L.S.R.		Minimum O.S.R.
DISTRICT AND USE											
MU DISTRICT											
1. Multiple family dwellings	5 acres	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	75	25 ^[24]	none	none	none	none
2. All commercial uses except mixed use	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	25 ^[24]	none	none	none	none
3. Mixed uses (vertical mix)	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	25 ^[24]	none	none	none	none