

ORDINANCE 14-O-61 amending Murfreesboro City Code Appendix A — Zoning, Section 2, Section 21, Section 26, Chart 3 and Chart 4, dealing with parking requirements for commercial centers.

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

SECTION 1. Appendix A, Section 2, Interpretation and Definitions, of the Murfreesboro City Code is hereby amended in the Definitions subsection by changing the definition of "Commercial Center" so that the number "25%" is changed to "35%".

SECTION 2. Appendix A, Section 2, Interpretation and Definitions, of the Murfreesboro City Code is hereby amended in the Definitions subsection by changing the definition of "Shopping Center, Neighborhood" so that the number "25%" is changed to "30%".

SECTION 3. Appendix A, Section 21, Commercial Districts, of the Murfreesboro City Code is hereby amended in the CF, COMMERCIAL FRINGE DISTRICT subsection by deleting subsections (B)(2), (B)(3), and (B)(4) in their entirety and substituting in lieu thereof the following:

- "(2) Drive-up windows shall be permitted only when developments with such are located a minimum distance of two hundred feet from any property line of land zoned in the RS, RD, RZ, or PRD classification or the residential portion of land zoned in the PUD classification. The required distance shall be measured from the closest part of the drive-up window use including the queuing lanes to the land zoned in the RS, RD, RZ, PRD or PUD (if applicable) classification. Upon application in the manner described in Section 8 of this article, the Board of Zoning Appeals may approve separations less than those required by subsection (B)(2) as a special use for developments having drive-up windows. In making application to the BZA, the applicant must demonstrate that the drive-up window and associated queuing lane, menu boards, on-site circulation, and ordering system will not have an adverse impact on the property zoned RS, RD, RZ, or PRD or the residential portion of land zoned in the PUD classification. The BZA may consider any factor having a bearing on the impact of such use on the residential uses including, but not limited to, the actual distance of separation, the site design and arrangement, proposed screening and buffering, the intended use, orientation of the structures and site elements, traffic conditions, hours of operation, and sounds and smells associated with the intended use, if any. As with any special use, the BZA may place appropriate conditions upon its approval to assure compatibility of the proposed use with the property in the RS, RD, RZ, or PRD classifications or the residential portion of land zoned in the PUD classification.
- (3) Where developments have a common side or rear lot line with properties in the RS, RD, RZ, or PRD classification or the residential portion of land zoned in the PUD classification, dumpster and garbage collection areas shall be located on-site the maximum distance feasible from the residential properties. In some cases dumpsters may be prohibited by the Planning Commission or staff during Commission or administrative site plan review if the Commission or staff should find that the dumpster would be detrimental to the residential property.
- (4) The sale or distribution of gasoline, diesel, and other fuels for motor vehicles will be permitted in this district only when developments for such are setback a

minimum of two hundred feet from any property zoned in the RS, RD, RZ, or PRD classifications or the residential portion of land zoned in the PUD classification. The required distance shall be measured from property line to property line.”

SECTION 4. Appendix A, Section 26, Off-Street Parking, Queuing, And Loading, of the Murfreesboro City Code is hereby amended by adding a new subsection (C)(2)(e) to read as follows:

“(e) For purposes of determining the number of required parking spaces for a Specialty Restaurant or a Limited-Specialty Restaurant located as a tenant in a retail center with multiple tenants such use shall be considered as a Retail Shop, provide however, that the number of queuing spaces for a drive-up window shall be 10 queuing spaces for each drive-up window associated with the use.”

SECTION 5. Appendix A, Chart 3, Parking Space and Aisle Design Requirements, of the Murfreesboro City Code is hereby amended in column “F”, row 10 by replacing the number “50.0” with “60.0”.

SECTION 6. Appendix A, Chart 4, Required Off-Street Parking and Queuing Spaces By Use, of the Murfreesboro City Code is hereby amended in the Commercial subsection by changing the parking requirement for a “Commercial Center” so that one parking space is required for each “250 square feet” instead of for each “200 square feet”.

SECTION 7. Appendix A, Chart 4, Required Off-Street Parking and Queuing Spaces By Use, of the Murfreesboro City Code is hereby amended in the Commercial subsection by changing the parking requirement for a “Shopping Center, Neighborhood” so that one parking space is required for each “275 square feet” instead of for each “200 square feet”.

SECTION 8. 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.

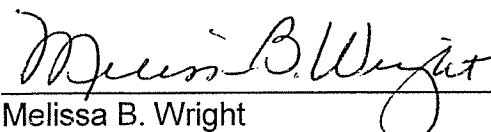
Passed:

1st reading December 11, 2014
2nd reading January 8, 2015
3rd reading January 15, 2015



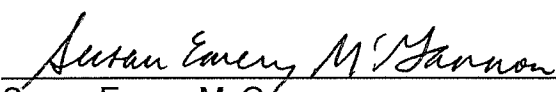
Shane McFarland, Mayor

ATTEST:



Melissa B. Wright
City Recorder

APPROVED AS TO FORM:



Susan Emery McGannon
City Attorney

SEAL