

ORDINANCE 15-O-25 amending Murfreesboro City Code Appendix A— Zoning, Sections 24, 26 and 27, regarding separation of and landscaping between a building and drive-up drive-thru lanes.

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 III, GDO, GATEWAY DESIGN OVERLAY DISTRICT, subsection (E), Site planning and design, (4)(b)[3] by deleting the subsection in its entirety and substituting in lieu thereof the following:

- [3] minimum space between buildings and parking and/or access drives: ten feet on lots of 1.5 acres or more and seven feet on lots of less than 1.5 acres; provided that the required minimum space shall not be required on the side of a building that provides drive-thru pick-up windows or bank teller drive-thru windows, or in front of vehicular access doors, loading docks, and other such facilities.

SECTION 2. Appendix A, Section 24, Overlay District Regulations, of the Murfreesboro City Code is hereby amended at ARTICLE III, GDO, GATEWAY DESIGN OVERLAY DISTRICT, subsection (F), Landscape development, (3)(d) by deleting subsections [7] and [8] in their entirety and substituting in lieu thereof the following:

- [7] A five (5) foot minimum width landscape strip planted with shrubs, trees, or other landscape materials in accordance with Section 27 of Appendix A – Zoning shall be provided along the front and sides adjacent to the base of the buildings or separated from buildings by a sidewalk. The landscape area may be used for menu boards to the extent otherwise permitted by this article and other regulations of the City.
- [8] The base of building landscaping requirement in subsection [7] above shall not be required:
 - [aa] on the side of a building that provides drive-thru pick-up windows or bank teller drive-thru windows, or
 - [bb] within five (5) feet of a pedestrian building entrance, a vehicular access door, loading dock, or in such a manner as to block access to a door or other building element requiring access.

SECTION 3. Appendix A, Section 26, Off-Street Parking, Queuing and, Loading, of the Murfreesboro City Code is hereby amended at subsection (D), Regulations applicable to off-street queuing and drive-up/drive-thru lanes, (5)(d) by deleting it in its entirety and substituting in lieu thereof the following:

- (d) Drive-up/drive-thru lanes that are accessory to a building with drive-up windows or other such facilities shall be designed with a landscape area between the drive-up/drive-thru lanes and the building to which it is accessory except on the side of the building that contains the drive-up window or other such facility. This area shall be planted with shrubs and trees in accordance with Section 27 of Appendix A – Zoning. The landscape area may be used for menu boards to the extent otherwise permitted by this article and other regulations of the City.

SECTION 4. Appendix A, Section 27, Landscaping and Screening, of the Murfreesboro City Code is hereby amended at subsection (K), Required landscaping within parking lots and around base of buildings, (3) by deleting subsections (a) and (b) it in their entirety and substituting in lieu thereof the following:

- (a) A three (3) foot minimum width landscape strip planted with shrubs, trees and other landscape materials in accordance with this Section 27 shall be provided along the front and sides adjacent to the base of the buildings or separated from buildings by a sidewalk. The landscape area may be used for menu boards to the extent otherwise permitted by this article and other regulations of the City.
- (b) The base of building landscaping requirement in subsection (a) above shall not be required:
 - [1] on the side of a building that provides drive-thru pick-up windows or bank teller drive-thru windows, or
 - [2] within five (5) feet of a pedestrian building entrance, a vehicular access door, loading dock, or in such a manner as to block access to a door or other building element requiring access, or
 - [3] within maneuvering areas that are not visible from a public right-of-way, or
 - [4] for 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 Appendix A - Zoning.

SECTION 5. 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.

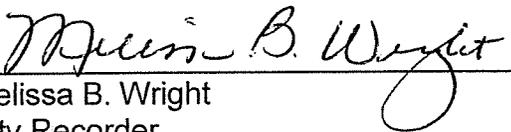
Passed:

1st reading April 16, 2015
 2nd reading May 7, 2015
 3rd reading May 14, 2015



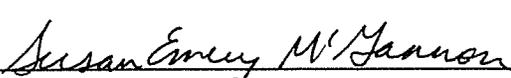
 Shane McFarland, Mayor

ATTEST:



 Melissa B. Wright
 City Recorder

APPROVED AS TO FORM:



 Susan Emery McGannon
 City Attorney

SEAL