

MURFREESBORO



Our future begins now



**Kendig Keast Collaborative
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Smith Seckman Reid, Inc.**

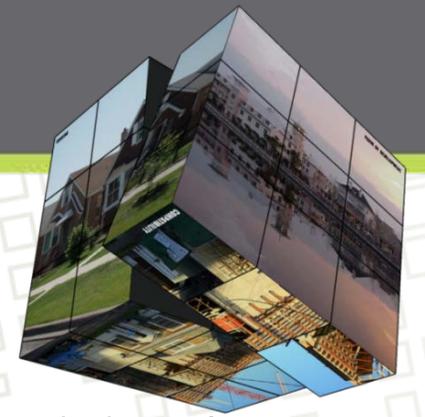
Presentation:

Land Development Code Critique



Purpose of this Critique

- Evaluate the **“closeness of fit”** with the emerging policies and directions of the Comprehensive Plan
 - Outline needed amendments to reconcile the Comprehensive Plan and its implementing regulations
 - Align (or realign) the type, pattern, and character of development with the intended outcomes expressed through the community vision and plan principles, policies, and recommendations
- Evaluate the structure, organization, and content of the City’s development-related ordinances, and the opportunities to **streamline the development process and improve administrative efficiency**
- Identify the **gaps, overlaps, and conflicts between disparate ordinances**, and the means for addressing and resolving them
- Consider the warrants for and benefits of a **Unified Development Code (UDC)**
- Identify ways to **improve public access, user friendliness, and the function and form** of the development ordinances



Goals for Amending the Development Ordinances

1. Reconcile the City's plans, policies, and practices
2. Make **good development the rule** rather than the exception, e.g. planned development
3. Provide for **predictability and improved certainty** of the process and outcomes
4. Integrate flexibility by providing for **multiple paths to "yes"** – write the Code to express what can (rather than what can't) be done
5. Use the **carrot vs. the stick** via bonuses and incentives
6. Infuse **best practices** provisions, e.g. clustering and resource protection
7. **Eliminate unnecessary process**, e.g. neighborhood conservation in lieu of variances, limited instead of conditional approvals, etc.
8. Clearly **articulate the development standards and expectations**
9. Simplify and **streamline the development process**, e.g. more clearly articulated standards and more administrative approvals
10. Protect and preserve the community's most **valued assets**

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The **BIG** Ideas





Key Recommendation: Consolidate all development-related ordinances into a Unified Development Code (UDC)

What is a UDC?

1. A collection and consolidation of ordinances that guide the development or redevelopment of property within the City and its extraterritorial jurisdiction (ETJ)
2. A single source of standards, regulations, and procedures to aid development in gaining approval
3. A procedural guide outlining application requirements and review and approval steps

Why a UDC?

- Single source of standards, procedures, and definitions
- User-friendly and easier to navigate
- Procedural simplification and streamlining

Current Ordinances

- Appendix A, Zoning
 - Parking and Loading
 - Landscaping and Screening
 - Floodplain Zoning
- Chapter 25(1/4): Signs
- Chapter 27(1/2): Stormwater Management
- Chapter 28: Streets and Sidewalks
- Chapter 29: Subdivisions, Maps, and Plats
- Chapter 31: Telecommunications
- Chapter 32: Traffic
- Chapter 32(1/2): Tree Management
- Chapter 33: Water and Sewers

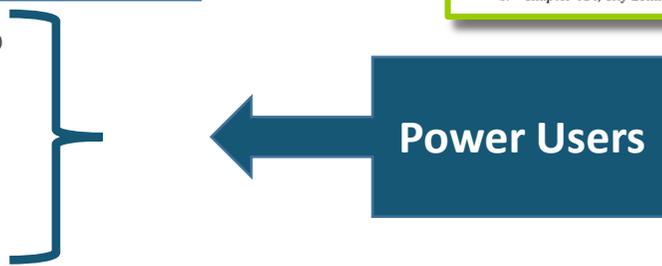


Key Recommendation: Restructure and reorganize the development regulations into a UDC

How would a UDC be organized?

In the manner in which the code is most often used:

1. What is my property zoned?
2. What uses are permitted?
3. Where and how much can I build?
4. What building or site design standards are required?
5. What are the steps in the process?
6. From whom do I receive approval?
7. How are things measured or defined?



Structural Enhancements

- Establish a deliberate and consistent hierarchy
 - Numbering system
 - Use of font types, sizes, and tabs to establish visual hierarchy
- Keep similar provisions together (e.g. districts, standards, procedures, etc.)

CHAPTER 25.01 AUTHORITY, JURISDICTION, APPLICATION, AND PURPOSES

SUBCHAPTER 25.01-A AUTHORITY, JURISDICTION, APPLICATION, AND PURPOSES

Sec. 25.01.010 Title

The Sioux City Zoning and Sign Code shall be known as, and may be referred to as, "the Sioux City Zoning and Sign Code," "the ZSC," or "this Code."

Sec. 25.01.020 Authority

1. **Generally.** The provisions of this Code are authorized as provided in this Section.
2. **City Charter.** In general, this Code is authorized by Section 1.10.040, *Powers and Duties*, of the Charter of the City of Sioux City, Iowa (Chapter 1.10, *City Charter*, of the City of Sioux City). All provisions in this Code that affect the area within the corporate boundaries of the City and are not preempted by state or federal law are authorized by the City Charter.
3. **Authority.** This Code is adopted pursuant to the authority granted by the Iowa Code including, but not limited to:
 - a. Chapter 372, Organization of City Government, Section 372.9, *Home Rule Charter Procedure*; and
 - b. Chapter 414, City Zoning.



Proposed Organization

Proposed Structure and Contents	Current Sections / Articles
Authority, Jurisdiction, Applicability, Purpose, and Transitional Provisions (Chapter)	1. Title, Purpose, and Applicability
Zoning Districts and Land Uses (Chapter) Zoning Districts (Article) Special and Overlay Districts (Article) Land Use Matrices (Article) Limited and Special Uses (Article) Temporary Uses (Article)	9. Standards for Special Use Permits 15. Districts Established 16. Zoning District Map 17. Annexed Land 18. Regulations of General Applicability 19. Residential Districts 20. Office Districts 21. Commercial Districts 22. Industrial Districts 23. Special Purpose Districts (Planned Developments) 24. Overlay Districts (AOD, GDO) Article IV. H-1 Historic District Article V. PS, Planned Signage Overlay District Article VI. CCO, City Core Overlay District 25. <u>Temporary</u> and Accessory Structures and Uses 31. Temporary Mobile Recycling Centers 32. Regulation of Sexually Oriented Adult Businesses



Proposed Organization

Proposed Structure	Current Sections
Development Yield and Lot Standards (Chapter)	24. Overlay Districts (GDO) Article VI. CCO, City Core Overlay District 33. Regulation of Zero Lot Line Developments
Accessory and Supplemental Standards (Chapter)	25. Temporary and <u>Accessory Structures and Uses</u>
Open Space and Environmental Standards (Chapter)	
Site Design Standards (Chapter) - Landscaping, Screening, and Buffering (Article) - Outdoor Lighting (Article) - Parking, Loading, and Access (Article) - Sign Standards (Article) - Streets and Sidewalks (Article)	Article V. PS, Planned Signage Overlay District Article VI. CCO, City Core Overlay District 26. Off-Street Parking, Queuing and Loading 27. Landscaping and Screening
Building Design Standards (Chapter)	14A Amenity Incentives for Multiple-Family Developments in the Multiple-Family Res. Districts 24. Overlay Districts (GDO)
Subdivision Design and Land Development (Chapter) - Stormwater Management (Article) - Flood Damage Prevention (Article) - Infrastructure (Article)	34. Floodplain Zoning



Proposed Organization

Proposed Structure	Current Sections
<p>Administrative Bodies and Procedures (Chapter)</p> <ul style="list-style-type: none"> - Administrative Bodies (Article) - Administrative Approvals (Article) - Public Meeting and Hearing Approvals (Article) 	<ul style="list-style-type: none"> 3. Administrative Bodies, Departments and Personnel 4. Comprehensive Plan and Procedure 5. Zoning Permits and Certificates of Occupancy 6. Amendments 7. Site Plan Review (checklists in Guidebook) 8. Procedure for Uses Requiring Special Permits 10. Variances 12. Appeals and Administrative Decisions 13. Planned Development Regulations 24. Overlay Districts (GDO) <ul style="list-style-type: none"> Article IV. H-1 Historic District Article V. PS, Planned Signage Overlay District 28. Nonconformities 30. Board of Zoning Appeals 34. Floodplain Zoning (Variance Procedures)
<p>Interpretation, Enforcement and Legal Status (Chapter)</p>	<ul style="list-style-type: none"> 11. Interpretations 29. Violation and Penalty
<p>Measurements and Words (Chapter)</p>	<ul style="list-style-type: none"> 2. Interpretation <u>and Definitions</u>



Key Recommendation: Streamline the development review and approval procedures

Administrative Approvals

- Establish provisions for “limited uses”, which are uses that may be approved by the Zoning Administrator subject to well articulated standards
- Create options for Staff to forward or applicant to appeal to the Planning Commission for a final decision

Neighborhood Conservation

- Establish a Neighborhood Conservation (NC) Overlay for all existing neighborhoods to set out unique standards and to establish conformity
- Develop alternative standards for front, street-side, side, and rear setbacks and lot area and intensity ratios to mitigate the need for variances

Minor Modifications

- Establish standards, criteria, and procedures to give the Zoning Administrator latitude to vary zoning standards without requiring variances or rezoning



Key Recommendation: Improve user-friendliness

Improve Public Access (e.g. enCodePlus™)

- Provide the Code in a searchable online format
- Use hyperlinks to improve navigation of the code and to link to other applicable codes, ordinances, and laws
- Integrate pop-up definitions to improve understanding
- Add quick links to popular sections and table
- Insert links to other resource documents
- Allow print versions in MS Word and Adobe PDF
- Consider enhancements
 - Online zoning map
 - Decision tools, e.g. calculators
 - Application downloads / uploads

Tables, Graphics, and Illustrations

- Embed land use and dimensional standard tables in the text
- Use graphics to help illustrate and explain technical standards

**Table 25.02.200
Temporary Uses**

Land Use	Standards Reference ¹	Agriculture AG	Residential				Mixed Use MU	Nonresidential				Overlay and Special		Historic			
			RR	SR	GR	UR		SC	GC	DC	BP	GI	AP	CE	PI	HA-4	HA-P
Commercial Outdoor Sales Event	§ 25.02.240	P	P	P	P	P	L	L	L	L	L	P	L	L	L	L	P
Farmers' Market	§ 25.02.240	L	L	P	P	P	L	L	L	L	P	P	P	L	L	L	P
Roadside Stand	§ 25.02.210	L	L	P	P	P	P	C	P	P	L	L	P	P	P	P	P
Seasonal Sales	§ 25.02.210	P	P	P	P	P	L	L	L	L	L	P	L	L	L	L	P

LEGEND: A = Allowed L = Limited C = Conditional P = Prohibited

Public and Commercial Events



Benefits of enCodePlus™

Notice to User

- The most recent and official version of the Code is always available, which may be viewed and navigated online or printed
- Users may be automatically notified of text amendments through the subscription / notification service

Archiving

- The Maintenance Module allows for editors notes, auto-archiving of repealed provisions, and cataloging and storing of ordinances in a cloud-based library, retrieved via ordinance number, adoption date, or key word

Navigability

- Cross-references are hyperlinked – internal to the Code or to external resources

Presentation

- In-line graphics and tables





Features of enCodePlus™

STANDARD FEATURES	
Adobe PDF Generator (with headers/footers/page numbers) (NEW)	
At-a-Glance, Pop-Up Definitions	
Best Bets Search Engine	
Dynamic Tables	
External Resource Links	
Google Analytics Search Term Statistics	
Graphic Library (NEW)	
In-Line Illustrations, Graphics, and Tables	
Internal and External Hyperlinking	
Microsoft Word Exporter (with headers/footers/page numbers)	
Mobile Device Access (smartphone, tablet, or iPad)	
My Favorites Links to Popular Sections and Tables	
Public Commenting on Pending Amendments	
Social Media Links (Facebook, Twitter, LinkedIn)	
Redaction Tool (NEW)	
User Guide and Tutorials (NEW)	
Video Animation ²	

UPGRADE FEATURES (AVAILABLE FOR ADVANCED 180 ⁰⁰ and PREMIUM 360 ⁰⁰)	
Custom Site Branding (color scheme, logo/tag line)	•
e-Reader Styled Viewer and Printer (formatted file provided) ³	•
Embedded Calculators (Individual or 15% off if Bundled) ^{4,5}	
- Bufferyard Simulator	•
- Landscaping and Screening	•
- Parking, Loading, and ADA	•
- Shared Parking	•
- Signage	•
- Site Capacity / Site Yield	•
GIS Interactive Map (Advanced) ^{1,13} (NEW)	•
Source Code Escrow Deposit ¹⁴	

UPGRADE FEATURES (AVAILABLE FOR PREMIUM 360 ⁰⁰ ONLY)	
Agendas/Minutes/Applications ⁶ Download	•
Archiving (retroactive archiving by quote)	•
GIS Interactive Map (Premium) ^{1,7} (NEW)	•
- Multiple Listing Service (MLS) Lease / Sale Data ⁹	•
- Parcel Buffer Tool	•
Land Use Lookup	•
MuniPRO (NEW)	•
Ordinance Library ¹⁰	•
Permit System Integration ¹¹	•
Project Calendar / eNotice and RSVP (NEW)	•
User Subscription/Notification	•



online.encodeplus.com/regs/fayetteville-nc/

City of Fayetteville
North Carolina

MUNICIPAL CODE

Welcome to the Fayetteville, North Carolina Municipal Code!

Welcome to the City of Fayetteville Code of Ordinances. The Code is presented in an interactive format to assist the user in quickly accessing the information you want to find. You can view the entire Code of Ordinances by clicking on the View button, or search for a particular item by clicking on the Search button. The Favorite Links and Favorite Tables buttons have portions of the Code that are frequently used.

If you know the particular section of the Code you would like to view, click on the View button and navigate to the section using the folder displayed on the right side.

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City of Fayetteville
North Carolina

MUNICIPAL CODE

Part II - Code of Ordinances > Chapter 30 - Unified Development Ordinance > Article 30-5. Development Standards

c. Minimum Width
Cross-access ways shall allow for two-way traffic between parcels through the use of a single drive side with a minimum width of 20 feet, or through two one-way aisles, each with a minimum width of ten feet.

Figure 30-5.A.1.F. Parking Lot Cross Access

Parking lot cross access allows vehicles to move from one development to another without use of a street.

- Chapter 4 - Alarm Systems Regulations
- Chapter 5 - Alcoholic Beverages
- Chapter 6 - Reserved
- Chapter 7 - Building Code
- Chapter 8 - Cemeteries
- Chapter 9 - Emergency Management
- Chapter 10 - Fair Housing
- Chapter 11 - Fire Protection and Prevention
- Chapter 12 - Flood Damage Prevention
- Chapter 13 - Health and Sanitation
- Chapter 14 - Housing, Dwellings and Buildings
- Chapter 15 - Licenses
- Chapter 16 - Motor Vehicles and Traffic
- Chapter 17 - Offenses and Miscellaneous Provisions
- Chapter 18 - Parks and Recreation
- Chapter 19 - Personnel
- Chapter 20 - Police
- Chapter 21 - Railroads
- Chapter 22 - Solid Waste
- Chapter 23 - Stormwater Management
- Chapter 24 - Streets and Sidewalks
- Chapter 25 - Reserved
- Chapter 26 - Taxis
- Chapter 27 - Trailers, Manufactured Homes, and Manufactured
- Chapter 28 - Water and Sewers
- Chapter 29 - Water Supply Watershed Management and Protection
- Chapter 30 - Unified Development Ordinance
 - Article 30-1. General Provisions
 - Article 30-2. Administration
 - Article 30-3. Zoning Districts
 - Article 30-4. Land Standards

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City of Fayetteville
North Carolina

MUNICIPAL CODE

Calculators

Offstreet Parking Requirements Off-Street Loading Space Landscape Requirements

Off-Street Parking Requirements Calculator (See 30-5.A.4)

Land Use	ADA Spaces Req'd	Minimum Required			Maximum Allowed		
		Conventional Spaces	ADA Regular Spaces	ADA Van Accessible Spaces	Conventional Spaces	ADA Regular Spaces	ADA Van Accessible Spaces
Use 1	Quantity A						
	Quantity B						
	Quantity C						
Total Spaces							
Use 2	Quantity A						
	Quantity B						
	Quantity C						
Total Spaces							
Use 3	Quantity A						
	Quantity B						
	Quantity C						
Total Spaces							

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City of Fayetteville
Planning Department

enCodePlus Map Viewer

Results

- Land Use Category: Commercial
- Land Use: Business Services
- Permitted:
 - O - Office and Industrial
 - IC - Neighborhood Commercial
 - LC - Limited Commercial
 - CC - Community Commercial
 - DD - Mixed Use
 - DT - Downtown
 - BE - Business Park
- Select All
- Clear All

Legend

- For Sale
- For Lease
- City Boundary
- Selected Zones
- City Zoning Plan

Powered by enCodePlus



Key Recommendation: Extend the design standards of the GDO District to influence development quality city-wide.

Reorient regulations to be more design-based

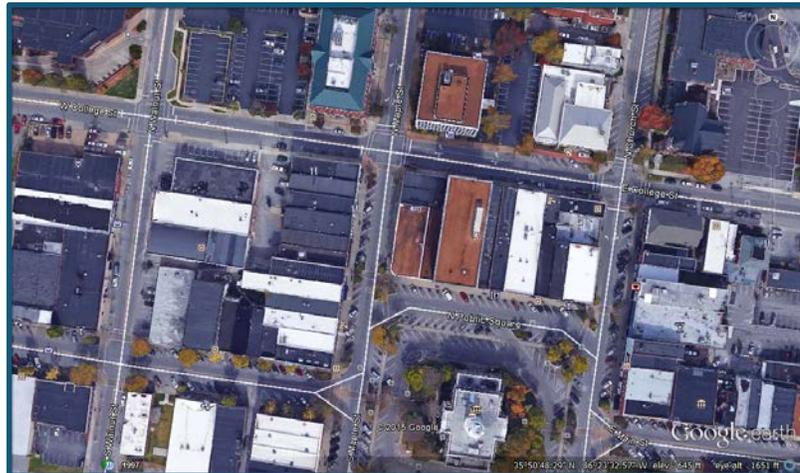
- Restructure zoning districts to orient development by its character and design rather than solely by land use and lot size
- Character:
 - Is based on density, open space, and design
 - Relates to the physical design (lot width, street design, on-lot/common space)
 - Allows flexibility to respond to market demands
 - Does not require planned development
 - Is more definitive as to outcomes

Infuse form-based elements

- Integrate form standards where relevant and practical, e.g. CBD, mixed use centers
 - Focus on building frontage
 - Link building form and street design
 - Provide civic space



Land Use vs. Character: The **use** is the same but the **character** is much different.



***Character** is a result of the context and design rather than its use. Here, one is of an **urban** character while the other is of an **auto-urban** character.*



RS-12

RS-15

RS-15

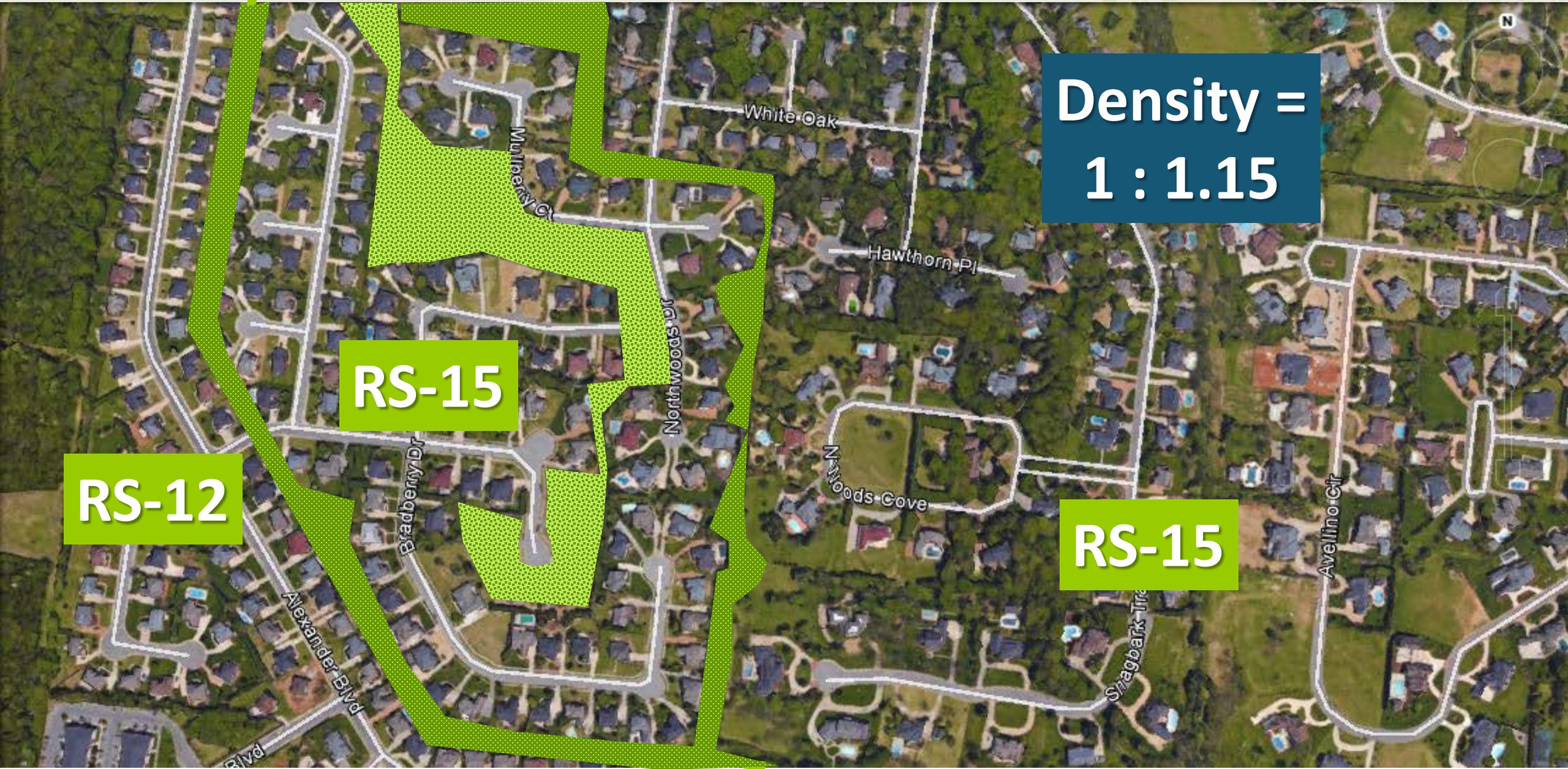


RS-12

RS-15

Alexander Blvd

Bradberry Dr



Density =
1 : 1.15

RS-15

RS-12

RS-15



Key Recommendation: Defend and boost the integrity and value of existing development with infill and redevelopment strategies and standards.

Neighborhood reinvestment and stabilization

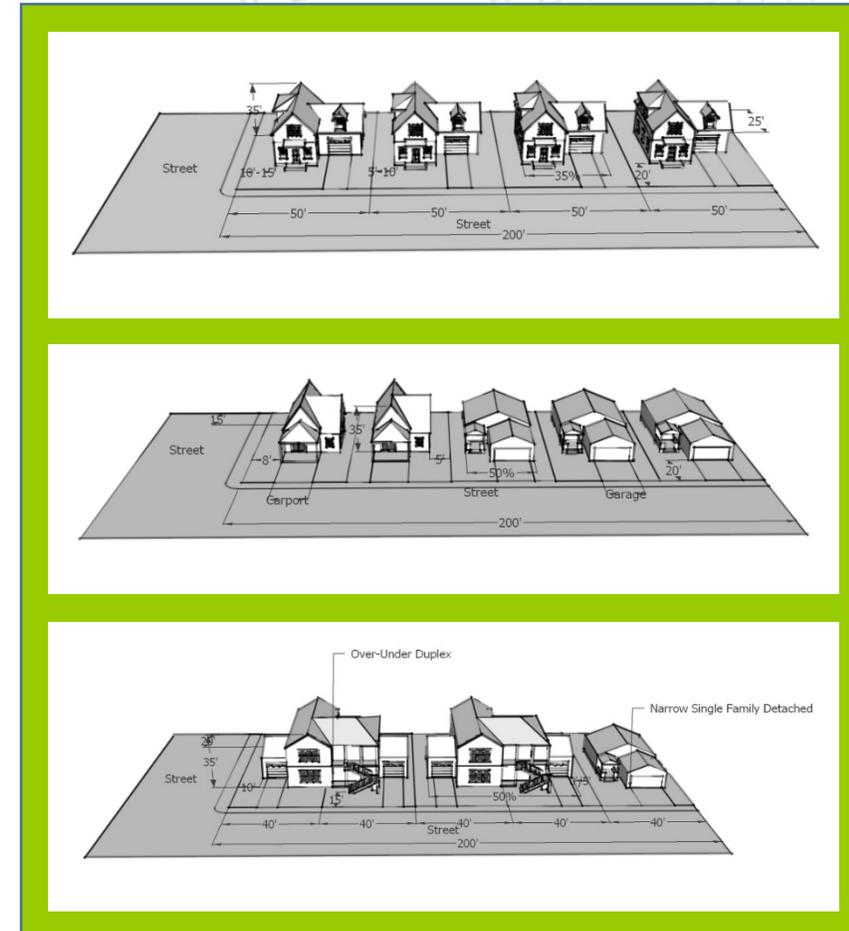
- Conserve the character of stable neighborhoods
 - Adopt neighborhood conservation districts and standards
 - Implement infill development standards
- Consider density incentives for transitioning areas
 - Allow alternate housing types on replatted narrow lots
 - Provide incentive for assembling and consolidating lots

Nonresidential reinvestment and redevelopment

- Provide zoning incentives to encourage revitalization
 - Floor area bonuses for mixed use, structured parking, etc.
 - Deferred or shared parking
 - Greenlight review and approval

Rezoning

- Initiate rezoning where warranted
- Establish a transition district





Key Recommendation: Provide for good land stewardship, environmental management, and responsible development practices.

Land stewardship

- Adopt resource protection standards
 - Provide flexible regulations and incentives to better accommodate resource protection
 - Create procedural and regulatory incentives for development clustering
- Preserve and manage open space
 - Embed minimum open space (residential) and landscape surface (nonresidential) ratios in districts
 - Identify allowed uses in open space areas

Environmental management

- Integrate zoning, land development, and environmental standards
 - Consolidate stormwater, floodplain, grading, erosion, and stream protection regulations
 - Adopt best practices design standards
- Enact provisions to sustain development quality, e.g. energy efficiency

Responsible development practices

- Adopt green infrastructure / low impact development policies, practices, and standards
- Require preservation of natural resources and sensitive lands



Key Recommendation: Broaden the palette of available and affordable housing options and living choices to meet market demands.

Housing choice

- Adopt a housing palette
 - Allow for mixed housing neighborhoods by-right
 - Outline housing types permitted in each district and neighborhood type
 - Establish minimum housing types to maximum density
 - Specify dimensional standards for each housing type

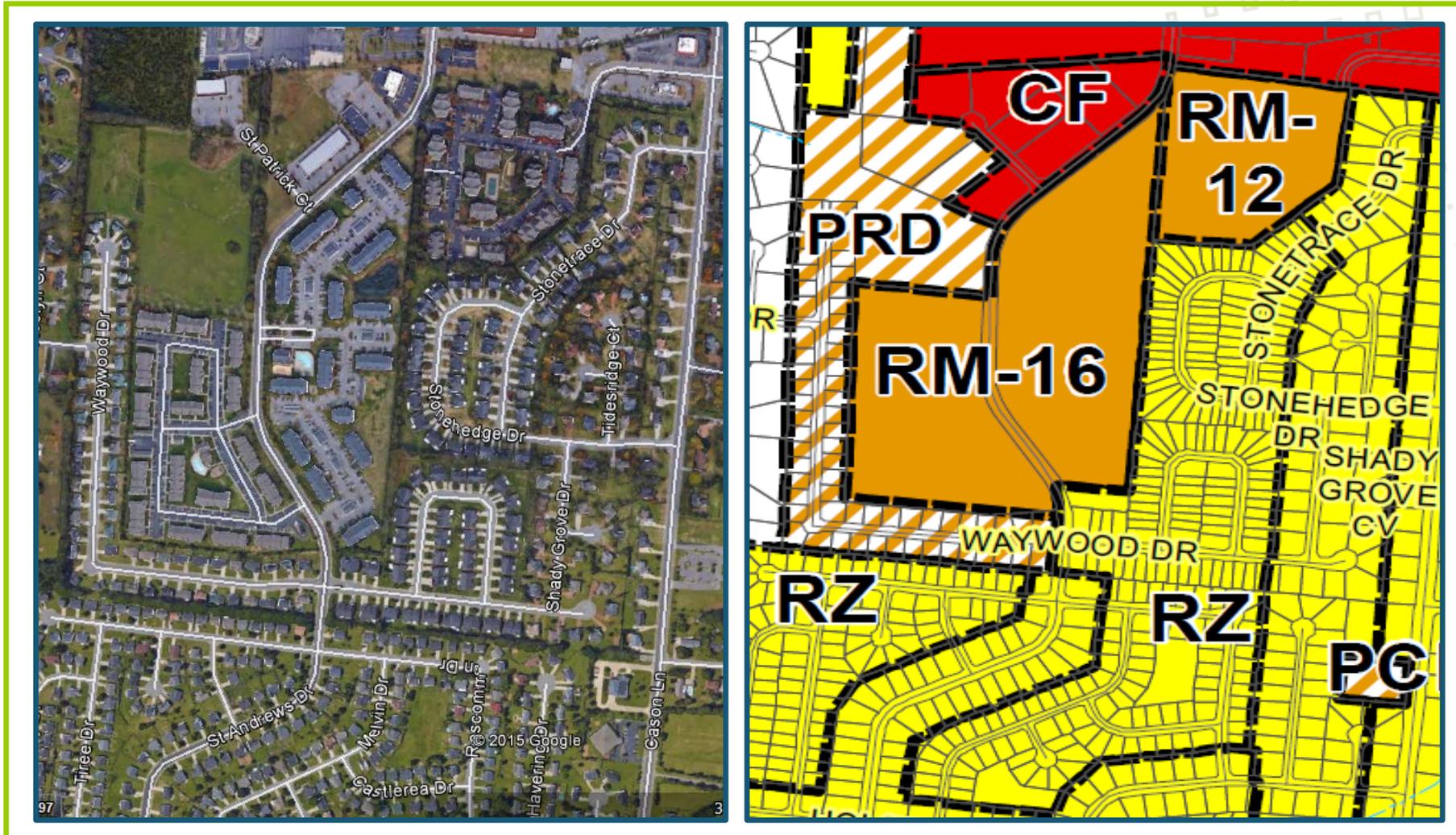
Attainable housing

- Establish average rather than minimum lot sizes
 - Commonly option in standard and required in cluster and planned development options
 - Addresses monotony and provides for home sizes
- Provide density bonuses for integration of affordable units
 - Bonus used to write down infrastructure costs
 - Warrants good design and materials standards





Mixed Housing Neighborhood: Character approach would allow mixed housing types without requiring a PRD.





Housing Palette: The palette sets out the minimum lot area and width, building setback, maximum height, and building coverage ratio for each of several alternative housing types.



Lot-Line Houses Lot and Building Standards

Lot Size Group	Min.						Max.		
	Lot Area	Lot Width	Setbacks				Height	Overall Height (ft.)	Building Coverage Ratio
			Front (House / Garage)	Small Side ¹ / Interior Single Side	Street Side	Rear			
Small	5,000 sf.	50 ft.	15 ft. / 20 ft.	6 ft. / 25 ft.	10 ft.	20 ft.	2 stories	30	35%
Average	5,500 sf.	55 ft.	15 ft. / 20 ft.	6 ft. / 25 ft.	10 ft.	20 ft.	2 stories	30	35%
Large	6,000 sf.	60 ft.	15 ft. / 20 ft.	6 ft. / 25 ft.	10 ft.	20 ft.	2 stories	30	35%



Key Recommendation: Narrow and streamline the land uses, including clear, well-articulated or illustrated definitions and cross-referencing for improved navigation..

Favor by-right or administrative review approvals

- Convert applicable special uses to limited-administrative uses
 - Establish list of limited-administrative uses to reduce special uses
 - Draft limited-administrative use standards
 - Compliance with limited use standards subject to administrative review
 - May forward or appeal to Planning Commission

Consolidate and define land uses

- Consolidate similar uses based on operational characteristics
 - Church and group assembly
 - Clothing store and department or discount store
 - Financial service and bank or office

Applicable standards

- Cross-reference applicable special or limited use standards, or other related development provisions
- Footnote application of design standards to certain uses

Potential Limited Uses

- Accessory apartment
- Adult day care home
- Bed and breakfast homestay
- Cemetery/mausoleum
- Family day care home
- Home occupations
- Homes for the aged
- Self service storage
- Senior citizen center
- Transitional home



Pop-up definitions for all land uses

District Categories

Commercial Uses																				
Land Use	Standards Reference ¹	Zoning Districts																		
		Agriculture	Residential					Mixed Use	Nonresidential					Overlay and Special			Historic ²			
		AG	RR	SR	GR	UR	MU	SC ²	GC	DC ²	BP	GI	AP	CE ²	PI	HA-4	HA-P	HA-N		
Legend: A = Allowed L = Limited C= Conditional P = Prohibited																				
Commercial Retail and Service Uses																				
<u>Adult Entertainment Business</u>	§ 25.02.180	P	P	P	P	P	P	P	P	P	P	P	C							
<u>Alcoholic Beverage and Tobacco Sales, Offsite Consumption</u>	§ 25.02.180	P	P	P	P	P	S	P	L	L	L	L								
<u>Alcoholic Beverage Sales, Onsite Consumption</u>	§ 25.02.180	P	P	P	P	P	S	P	L	L	S	L			A	A	L	L	P	
<u>Animal Boarding or Grooming Facilities</u>	-	A	P	P	P	P	L	P	A	P	A	A	Refer to BP and GI Districts.			P	P	A	A	P
<u>Animal Veterinary Services, Small Animal</u>	§ 25.02.180	L	P	P	P	P	L	P	L	P	L	L				P	P	P	P	P
<u>Automobile Sales, Rental, and Service</u>	§ 25.02.180	P	P	P	P	P	S	P	L	P	L	L				P	P	P	L	P
<u>Automobile Repairs and Service</u>	-	P	P	P	P	P	S	P	L	P	L	L				P	P	P	L	P
<u>Automobile Wash</u>	§ 25.02.180	P	P	P	P	P	S	P	L	S	A	A			P	P	P	P	P	
<u>Bank or Credit Union</u>	-	P							A	A	A	A								

Accessory uses

Hyperlinked cross-references

Links to applicable standards

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The **Details**



Sec. 1. Title, Purpose and Applicability

Key Recommendation: *More clearly express the purposes of the development regulations in the context of the Comprehensive Plan, Municipal Charter and Code, and the Tennessee Code; further clarify the applicability of the Code; and set out the rules for transitioning from the current to new regulations.*

General Purpose and Intent

- **Build consistency between the Comprehensive Plan and its implementing regulations**
- **Elaborate on general and specific purposes**
 - General: Tie to Title 13, Public Planning and Housing:
 - Chapter 4, Municipal Planning; Part 2, Municipal Plan
 - Chapter 7, Zoning; Part 2, Municipal Zoning; 13-7-201, Grant of power.
 - Specific: Tie to guiding principles of the Comprehensive Plan
 - **Community character**
 - **Quality, affordable housing**
 - **Conservation and protection of resources**
 - Set out purposes and findings for sexually oriented adult businesses

Applicability

- **Expand to address:**
 - Applicability or exemptions of the regulations for publicly-owned property
 - Specific exceptions, e.g. Airport Overlay District



Sec. 1. Title, Purpose and Applicability

Applicability cont'd

- **Convert to Transitional Provisions addressing:**
 - Pending applications
 - Approvals and permits that predate the Code
 - Variances and special permits, e.g. special uses
 - *Prior conditions of approval*
 - *Planned development, e.g. timelines, expirations, application of UDC*
 - *Existing violations*
- **Cross-reference applicable provisions of the Tennessee Code**



Sec. 2. Interpretation and Definitions

Key Recommendation: Organize and expand the lists of definitions, and incorporate and clearly articulate how the dimensional standards are measured and calculated.

Word Usage

- Address captions, cross-references, and external references
 - Statutory and U.S. Code references
 - Disclaimer regarding hyperlinks
 - Authorization to maintain hyperlinks
- Include acronyms and their meanings

Measurements and Calculations

- Define the means for measuring heights, areas, and other standards
 - Setbacks
 - Gross floor area
 - Lot or building coverage
 - Sign area and height
- Define the methods of calculation, as applicable
 - Density
 - Floor area ratio
 - Landscape surface ratio

Definitions

- Consider organizing by:
 - General definitions
 - Use definitions
 - Floodplain definitions
- Include definitions for all land uses
- Expand list of uses
- Incorporate pop-up definitions

DIVISION 3.200 CALCULATION OF HEIGHT AND BULK REQUIREMENTS

Sec. 3.201 Height

- A. **Buildings.** Building height is calculated by measuring the vertical distance from the finished ground level at the center of the front of the building to the highest point of the roof. If the building has a mansard roof style, the height is lower, to:
1. The mean height between the top of the mansard roof and the top of the hipped roof. See **Figure 3.201.A., Height Measurement by Roof Style.**
 2. The highest point of the mansard roof. The slope of a mansard roof is broken into two sections. The upper sections are flat. See **Figure 3.201.A., Height Measurement by Roof Style.**
 3. The deck line for the mansard roof style. See **Figure 3.201.A., Height Measurement by Roof Style.**



Sec. 3. Administrative Bodies, Departments, and Personnel

Key Recommendation: *Clearly outline powers and duties of each Board, Department, Agency, and Staff Member relative to the implementation and administration of the development regulations.*

- **Reference Municipal Code as to establishment, powers and responsibilities, of each body**
- **Establish powers and duties for administering the Ordinance / UDC**
 - City Council
 - Planning and Zoning Commission
 - Board of Zoning Appeals
 - Historic Zoning Commission
 - Zoning Administrator
 - Building Official
 - City Engineer
 - Floodplain Administrator
 - Other City Officials, Departments and Agencies
- **Establish “No Implied Limitation” provision as to the authorities set out in this Section**



Sec. 4. Comprehensive Plan and Procedure

Key Recommendation: Establish means for consistency between the Comprehensive Plan and Zoning and Land Development Regulations (i.e. Tennessee Code, Annotated Title 13)

- Reinforce the purpose of the Comprehensive Plan as the official statement of public policy
- Strengthen the relationship and desired consistency between the plan and the development regulations
 - Consider requiring consistency of the Future Land Use Plan and Zoning Map
 - Integrate plan amendments as part of zoning map amendment process, as warranted
- Relocate the amendment procedures to **ADMINISTRATIVE BODIES AND PROCEDURES**

Sec. 5. Zoning Permits and Certificates of Occupancy; Sec. 6. Amendments; Sec. 7. Site Plan Review; & Sec. 8. Procedures for Uses Requiring Special Permits

Key Recommendation: Relocate these provisions to ADMINISTRATIVE BODIES AND PROCEDURES.

- Expand upon zoning permits to spell out provisions for permitted, special, and limited uses
- Create a separate section of the Code regarding public notice requirements for this and all application types
- Relocate the submittal requirements and checklists to an application packet or a Development Guidebook



Sec. 9. Standards for Special Permit Uses

Key Recommendation: *Delineate between “special” and “limited” uses to streamline development approval and remove unnecessary steps through use of well articulated standards and administrative approval, with discretion to seek*

- Consider renaming “Special Uses” as “Special Exception Uses” to be consistent with Tenn. Code Ann. § 13-7-109
- Consider grouping or cross-referencing similar standards applicable to all special exception uses, e.g. parking, access, lighting, etc.
- Limited uses are those with substantially known operating characteristics that may be adequately addressed with clearly articulated standards
- Potential reclassification to “limited uses” include:
 - Accessory apartments
 - Adult day care center and home
 - Assisted-care living facilities
 - Bed and breakfast homestays
 - Cemeteries and mausoleums
 - Family day care homes
 - Group shelters
 - Home occupations
 - Homes for the aged (one or more classes)
 - Restaurants, specialty
 - Retail sales events (move to temporary uses)
 - Self-service storage facilities
 - Senior citizens center
 - Temporary vendors (move to temporary uses)



Sec. 10. Variances

Key Recommendation: Clarify different types of variances (height and area, sign, floodplain, avigation, etc.) and the applicable matters subject to a variance, procedures, and approval and decision criterion.

- **Specify which variance are and are not within the jurisdiction of the Board of Zoning Appeals (BZA)**
 - Building code variances
 - Variances of conditions of approval
 - Those allowing a prohibited use
 - Variances modifying special use requirements
 - Those contrary to other ordinances, requirements, or laws
- **Specify variances that are prohibited, such as those:**
 - Allowing any use or development that is not permitted as of right
 - That would allow creation of a lot that cannot be developed
 - Are intended as a temporary measure
 - That are greater than the minimum variance necessary to relieve the practical difficulty
- **Subject to legal viability, consider elaborating on the approval criteria, to include:**
 - Undue and unnecessary hardship
 - Adverse impacts on the land or character of surrounding properties
 - Materially injurious to enjoyment, use, development, or value of the property or vicinity



Sec. 11. Interpretations

Key Recommendation: *Establish different levels of interpretation, including those that may be determined by the Zoning Administrator and those by the City Attorney, as well as the process to review, determine, and amend the regulations, as warranted.*

- **Certain interpretations may be within the authority of the Zoning Administrator**
 - Land uses that are not listed
 - Minor versus major plan deviations
- **Once an interpretation is made, it is advisable to do a text amendment, as applicable**

Sec. 12. Appeals from Administrative Decisions

Key Recommendation: *In addition to appeals of administrative decisions determined by the BZA, add provisions for Appeals to the City Council for planning-related decisions of the Planning Commission.*

- **City Council may decide appeals of dispositive decisions of the Planning Commission provided:**
 - The action is dispositive with respect to the application or a material part of it
 - The appeal is not used to resolve disputed questions of fact in connection with an enforcement action



Sec. 13. Planned Development Regulations

Key Recommendation: *In lieu of individual planned development districts, consider them as a by-right development option within the base districts, which would be subject to definitive standards.*

- **Establish definitive standards dependent upon the intended character (Rural, Suburban, or Urban) of development**
 - As a by-right development option:
 - Good, innovative development may occur without an exceptional process
 - The development process and outcomes are more predictable and are of less risk
 - Standards must contribute to deliberate development character rather than being negotiable
- **Consider the means by which pre-existing, partially developed planned developments conform to the policies of the Comprehensive Plan and new development standards**
 - Establish warrants for the termination of PDs
 - No construction within 18 months
 - Based on status of development
 - Define the conditions warranting an “inactive status”
 - Development approvals are maintained but no right to exercise
 - Requires “active” status to proceed, which requires conformance with plan and code

“The ordinance approving the planned development may provide for such exceptions from the non-overlay zoning district regulations governing use, density, area, bulk, parking, and such subdivision regulations as may be necessary or desirable to achieve the objectives of the proposed planned development.”



By-Right Development Options

Development options better accommodate site resources and market conditions

District Oriented by Character vs. Land use

Planned Development is a by-right option

District and Neighborhood Type	Development Standards				
	Minimum Lot Size	Minimum Open Space Ratio (OSR) ¹	Maximum Gross Density	Minimum Area of Development	Utility Requirement
Agricultural (AG)					
Farm	20 ac.	0%	0.05	NA	On-Site
Rural Residential (RR)					
Acreage	10 ac.	0%	0.09	NA	On-Site
Cluster (Ranchette)	2 ac.	78%	0.10	20 acres	On-Site
Planned (Homestead)	1 ac.	86%	0.12	20 acres	Public
Suburban Residential (SR)					
Standard	2 ac.	0%	0.50	NA	On-Site
Cluster	31,000 sf.	20%	1.00	10 acres	Public
Planned	6,000 sf.	35%	3.50	10 acres	Public
Semi-Urban Residential (GR)					
Standard	12,000 sf.	10%	2.73	NA	Public
Cluster	7,000 sf.	12%	4.22	10 ac.	Public
Planned	5,000 sf.	20%	5.35	20 ac.	Public

Protection of resources and preservation of open space is accommodated by development clustering and density bonuses



By-Right Development Options

- no zone change required

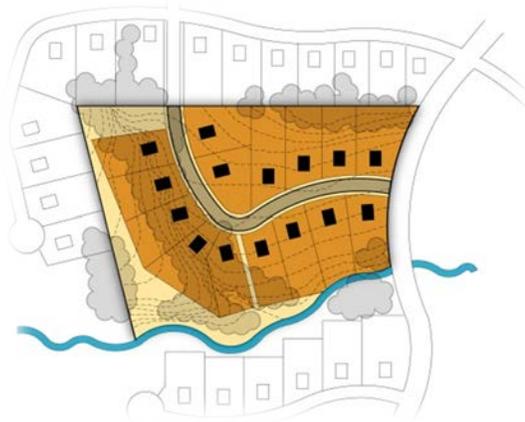


Standard

Units: 15

Size: 2 ac.

OSR: 0%

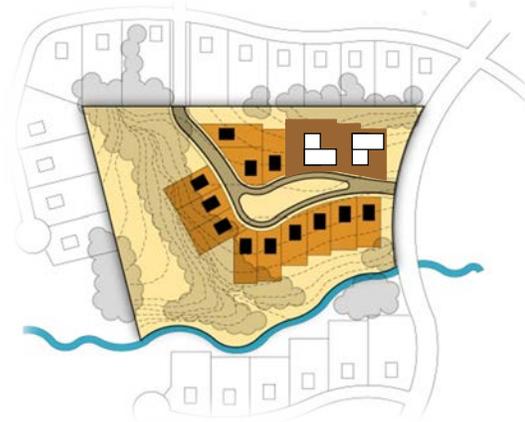


Cluster

Units: 15

Size: 1.5 ac.

OSR: 15%



Planned

Units: 24

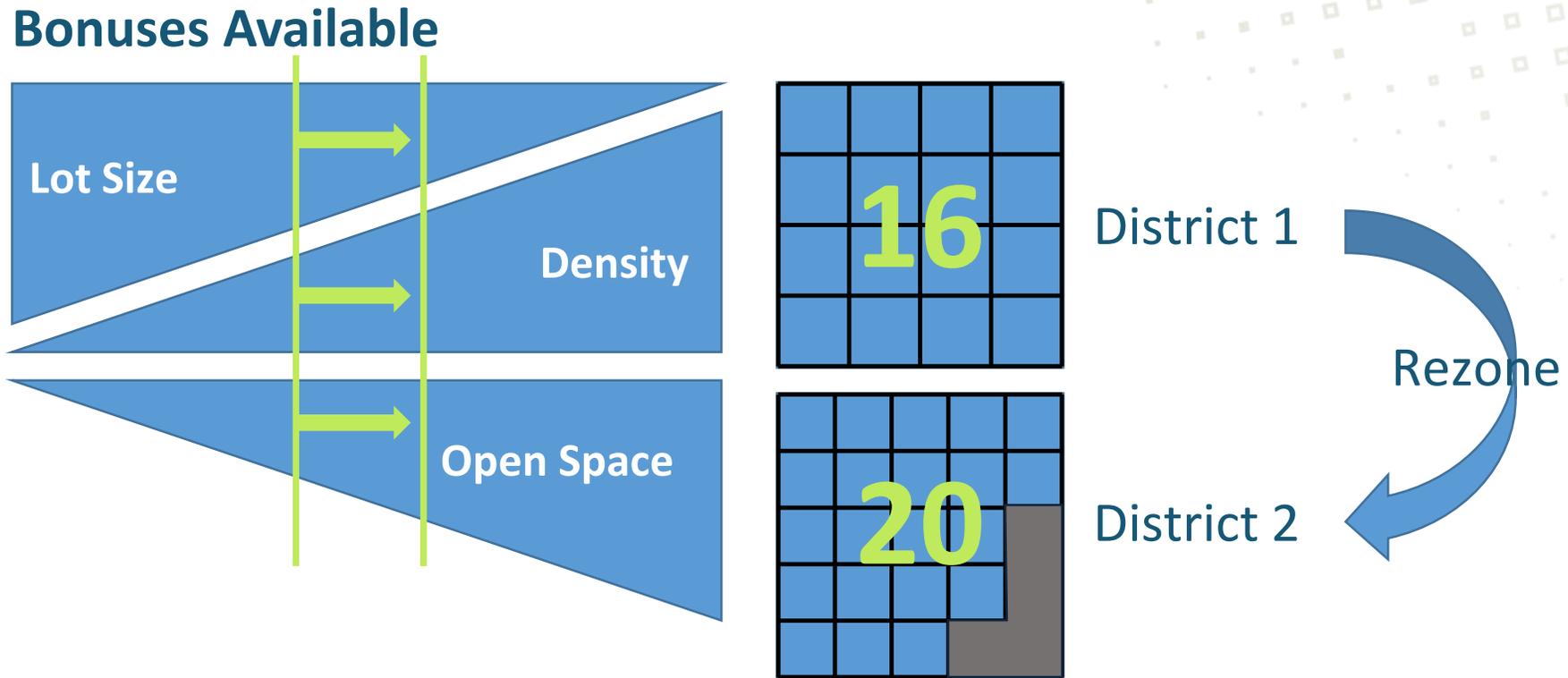
Size: 10,000 sf.

OSR: 65%

The reduction of lot size is offset by an increase in the percentage of open space thereby holding density neutral. The open space may protect sensitive resources, preserve valued open space for parks and greenways, and be used to buffer adjacent development.



Districts that Reward Good, Responsible Development





MURFREESBORO 2035





Sec. 14A. Amenity Incentives for Multiple-Family Developments in the Multiple-Family Residential Districts

Key Recommendation: *The measures that define density include building height, minimum floor area per unit, required parking, and the landscape surface ratio, which are not subject to the listed amenities. As such, while bonuses may be used as incentive, the dimensional standards must change accordingly.*

- **Among the listed amenities, certain features should be required**
 - Preservation of natural features
 - Construction of walking, jogging, or bicycle trails
- **Since the required parking is firm, consider allowable variations in building height and a mix of unit sizes to accommodate amenities**
 - Reduce standard building height to 35', with provision to increase to 45' (3 stories) in exchange for amenities
 - Reduce landscape surface ratio commensurate with indoor lieu of outdoor common areas, e.g. clubhouse
- **Evaluate the success of the incentive program to determine warrant for continuing**
- **Recalibrate the bonuses commensurate with the required investment**



Sec. 19. Residential Districts

Key Recommendation: For new development, consolidate districts according to intended development character, which will reduce the total number of districts and necessary map amendments and hence unnecessary process.



Comprehensive Plan	Current Zoning Ordinance	Zoning & Sign Code	
Land Use Designation	Current Zoning	Proposed Zoning	Development Options
Suburban	RS-15, Single-Family Residential	Suburban Residential (SR)	Estate
	RS-12, Single-Family Residential		Standard
	RS-10, Single-Family Residential		Cluster
	RS-8, Single-Family Residential		Planned





Sec. 19. Residential Districts

Key Recommendation: For new development, consolidate districts according to intended development character, which will reduce the total number of districts and necessary map amendments and hence unnecessary process.

Proposed District	Current District(s)	Notes
Rural Residential	None	Acreages / Large Lots (1+ ac)
Suburban Residential	RS-15; RS-12; RS-10; RS-8	Open space ratio (OSR) increases commensurate with reduced lot size to moderate density
Semi-Urban Residential - Single Family	RS-8; RS-4; R-D; RZ	Single-family detached and attached dwellings, with increasing OSR to moderate density
Semi-Urban Residential - Multiple-Family	R-D; RM-12; RM-16	Single-family attached and multiple-family dwellings R-MO as a special use
Urban Residential	RM-16; RM-22	Form standards applied; limited landscape surface; provisions for live-work and mixed-use

Preliminary



Sec. 19. Residential Districts; Neighborhood Conservation

Key Recommendation: Convert currently zoned and developed neighborhoods to Neighborhood Conservation (NC) districts.

- **Currently mapped district designations would change, e.g. RS-15 to NC-15**
- **Applies to:**
 - Developed lots
 - Development of vacant, platted lots
 - Development of vacant tract < 5 acres
 - Expansion or redevelopment of existing buildings in platted neighborhoods
- **All buildings and structures lawfully built are “conforming” except:**
 - Buildings constructed without permits or in violation of permit requirements
 - Buildings constructed on substandard lots
 - Buildings constructed as single-family detached dwellings and later converted to multiple-family units or boarding homes (?)
- **Lot and area standards remain**
- **Alternate standards created to allow reasonable variations without necessitating variances**



Sec. 20. Office Districts & Sec. 21. Commercial Districts

Key Recommendation: Establish nonresidential (office + retail) districts based on building scale, site and operational characteristics, and intended character and form.

Preliminary

Proposed District	Current District(s)	Notes
Residential Transition	CF	Neighborhood fringe transitioning from residential to light commercial uses; apply special use standards
Suburban Commercial	OG-R; CL; CM-R; CM-RS-8	Site and building standards, plus scale limitations; apply special use standards
Semi-Urban Commercial	OG; CM; PCD	Single-family detached and attached dwellings, with increasing OSR to moderate density
Urban Commercial / Downtown	CBD	Form standards applied; limited landscape surface; provisions for live-work and mixed-use
Mixed Use Center	MU; PUD	Large-scale, mixed use projects



Sec. 22. Industrial Districts

Key Recommendation: *Either add a new district or potentially convert the L-I, Light Industrial District to a Business Park (BP) District.*

Proposed District	Current District(s)	Notes
Business Park	PID	Uses limited to office warehouses with site and building design standards
Suburban Industrial	L-I	Comparable to current uses and standards; apply environmental performance and buffeyard standards
General Industrial	H-1	Comparable to current uses and standards; apply environmental performance and buffeyard standards

Preliminary



Sec. 23. Special Purpose Districts

Key Recommendation: *Convert the CU, College and University District and the P, Park District to a Public and Institutional (PI) District, with applicable standards for each.*

- In lieu of individual special purpose districts, what are currently the CU and P Districts can be merged into a single Public and Institutional District
- The applicable uses and standards for each of the current special purpose districts would be spelled out as part of the PI District

Sec. 24. Overlay District Regulations; AOD

Key Recommendation: *Expand upon the AOD provisions to consider an option for aviation easements.*

- It is advisable to link the purpose statement to 2010 Tennessee Code; Title 42, Aeronautics; Chapter 6, Airport Zoning, specifically 42-6-102, Control of airport hazards is a public purpose.
- Consolidate the definitions with all other definitions of a Unified Development Code, with pop-up definitions and hyperlinks to the full definition.
- Add the following additional provisions:
 - Jurisdiction and authority to clarify the applicable jurisdiction and to set out the authorities for the administration and enforcement of the airport zoning regulations
 - Interpretations relating to the applicable requirements of 14 CFR § 77
 - Disclaimer as to the liability on behalf of the city related to aircraft hazards outside the zones



Sec. 24. Overlay District Regulations; ADO cont'd

Key Recommendation: Expand upon the AOD provisions to consider an option for aviation easements.

- **Consider provisions to require an aviation easement when determined necessary to prevent or mitigate environmental impacts or hazards to navigation, including:**
 - Conditioning of development approvals
 - Require recording an aviation easement over parcel proposed for development stating:
 - Flight operations are permitted
 - Release of aircraft operator, airport owners and operators, and City from liability or responsibility
 - Recognize right of aircraft operator to create noise, prohibit electrical interference and light and glare
 - Noise mitigation techniques may be required
 - Require annotations on development approvals acknowledging AOD district
- **Consolidate the provisions regarding permits, variances, enforcement and appeals with similar provisions of a UDC**



Sec. 24. Overlay District Regulations; GDO

Key Recommendation: *Either repurpose or vacate the overlay district in favor of applying the standards more broadly to all multiple-family, nonresidential, and mixed use development city-wide.*

- **Alternative Approaches**
 - In lieu of an overlay district, apply the design standards either within a certain distance of defined corridors (which does not warrant an overlay district, per se) or city-wide applicable to all multiple-family, nonresidential, and mixed use development, whereby:
 - Temporary uses standards and applicable locations are set out in a temporary use section of the proposed Zoning Districts and Land Uses Article
 - The uses prohibited in the GDO sub-districts become special uses with applicable standards specifying where they are permitted and prohibited (by districts or location relative to certain corridors)
 - Certain standards are applied within specified distances of defined corridors or natural features
 - Keep the GDO district (possibly consolidating sub-districts, as applicable) and establish development and design standards that apply city-wide to all multiple-family, nonresidential, and mixed use development.
- **Consolidate the development and review procedures with similar provisions within the proposed ADMINISTRATIVE BODIES AND PROCEDURES Article of a UDC.**



Sec. 24. Overlay District Regulations; GDO

Key Recommendation: Elaborate on the GDO standards.

- **Applicability:**
 - Define “new development”, “redevelopment”, and “substantial improvement”
 - Strengthen “modifications to existing buildings, structures, and developments”
 - Reduce percent of building expansion (e.g. 15% vs. 50%);
 - Reduce percent increase of parking spaces; OR
 - Consider application of standards based on certain thresholds of investment / reinvestment
- **Variances to development and design standards should be considered by the Planning Commission (instead of the Board of Zoning Appeals), which may be appealed to the City Council**
- **It is advisable to relocate the project information form and checklists to either application packets or a Development Guidebook, allowing them to be updated without amending the zoning ordinance of UDC.**
- **Consolidate the design standards applicable within the GDO with the similar provisions applicable city-wide**
 - Circulation and parking with Sec. 26, Off-Street Parking, Queuing, and Loading
 - Landscape development with Sec. 27, Landscaping and Screening



Sec. 24. Overlay District Regulations; GDO

Key Recommendation: Consider the application of standards based on certain thresholds of investment or reinvestment.

- **Applicability:**

Administrative Compliance Requirements		
Type of Improvement	Definition of Improvement	Level of Compliance that is Required
Major expansions	Expansion of a building by 30 percent to 70 percent of its gross floor area, or an increase in parking requirements of more than 20 percent, as set out in Section 25.05.030, Parking and Loading Calculations.	<ol style="list-style-type: none"> 1. Parking spaces and drive aisles shall be dimensioned, and loading spaces shall be provided, as required by Section 25.05.030, Parking and Loading Calculations. Parking spaces shall be provided according to the applicable regulations set out in Subsection 25.05.040.4, Space and Module Standards. 2. Landscaping improvements must further the objectives of Subchapter 25.05-B, Landscaping and Buffering. 3. Bufferyards shall be provided as required by Section 25.05.100, Bufferyards. 4. Improvements that are needed to ensure public safety and safe access and circulation are required. 5. Buildings affected by the construction shall be designed according to the standards of Subchapter 25.03-C, Design Standards. 6. Major nonconforming uses shall be discontinued.

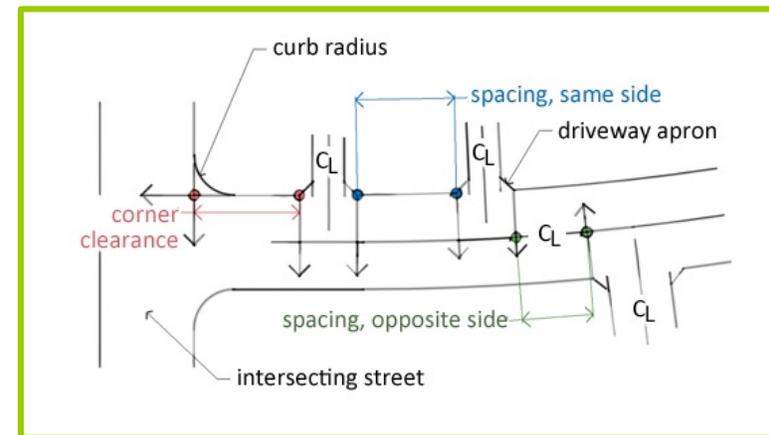
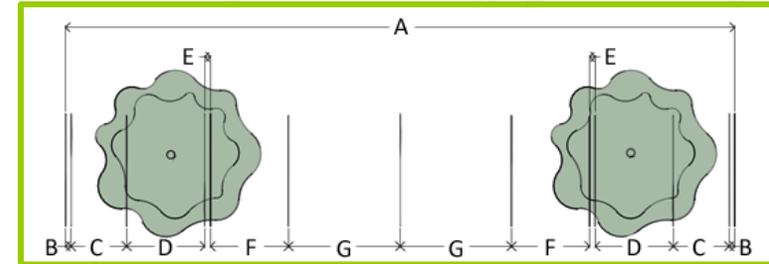


Sec. 24. Overlay District Regulations; GDO

Key Recommendation: *Better articulate and illustrate the design standards with specific, quantifiable measures and the use of graphics.*

- **Design Standards:**

- **Street Design:** Consider form-based design provisions regarding street design, depending on development character; more specific standards warranted to clarify how “landscaping and buildings facades should dominate the public roadway frontage.”
- **Sidewalks:** Consider varying widths of sidewalks relative to street classification of district character
- **Street Trees:** Incorporate an approved plant list as an appendix to the code
- **Cross Access:** Access management standards are recommended, with standards as to number, width, location, etc.
- **Green Infrastructure:** Spell out what and when LID improvements are allowed
- **Structured Parking:** Provide illustrated design standards





Sec. 24. Overlay District Regulations; GDO

Key Recommendation: Better articulate and illustrate the design standards with specific, quantifiable measures and the use of graphics.

- **Design Standards:**
 - *Tree Preservation:* Provide requirements, standards, and beneficial credits for preserving existing trees
 - *Historic Preservation:* Historic features/areas should be subject to historic preservation standards (Art. IV. H-1, Historic District)
 - *Greenway and Open Space Areas:* A minimum landscape surface ratio (LSR) should be established for all development, based upon the intended character rather than a standard 20%
 - Minimum Open Space Ratio (OSR) to be established for all residential districts
 - Minimum Landscape Surface Ratio (LSR) to be established for all nonresidential and mixed use districts

Example

District and Neighborhood Type	Development Standards				
	Minimum Lot Size	Minimum Open Space Ratio (OSR) ¹	Maximum Gross Density	Minimum Area of Development	Utility Requirement
Semi-Urban Residential (SR)					
Standard	12,000 sf.	10%	2.73	NA	Public
Cluster	7,000 sf.	12%	4.22	10 ac.	Public
Planned	5,000 sf.	20%	5.35	20 ac.	Public



Sec. 24. Overlay District Regulations; GDO

Key Recommendation: Amend the current design standards to be more articulate as to specific, measurable requirements, e.g. landscape strips

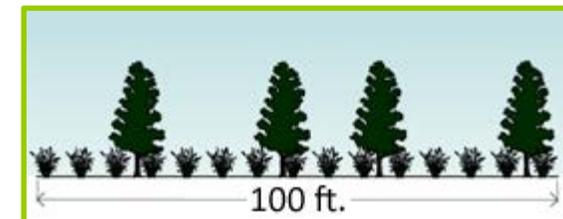
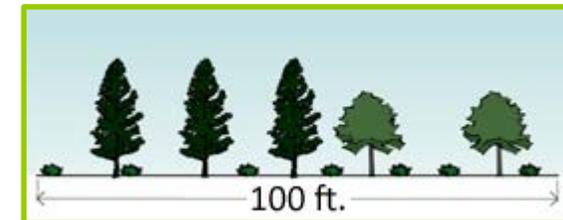
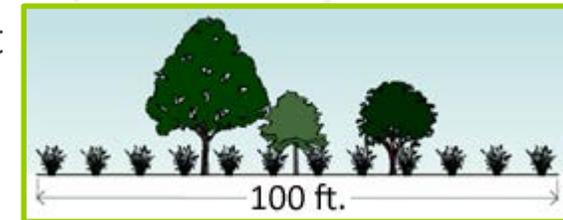
- **Design Standards:**

- *Site Lighting:* Depending on the satisfaction with site lighting, consider:

- Establishing lighting zones ranging from low to high ambient lighting, which zones may be established on a district by district basis
- Different lumen levels may be allowed for the different zones as well as for different applications, e.g. building entrances, outdoor sales, landscaping lighting, etc.
- Provisions for lighting controls such as photoelectric, time, or auto-control switches
- Lighting curfews requiring dimmed or extinguished lighting after certain hours
- Special review standards for intense and specialty lighting, e.g. sports complexes, industrial sites, etc.

- *Landscaping:*

- In lieu of irrigation requirements, consider water-wise provisions such as xeriscaping and other Low Impact Development (LID) techniques
- Consider applying plant units which include combinations of canopy, under-story, and ornamental trees and shrubs that are designed for different applications, e.g. along corridors, between districts, beneath powerlines





Sec. 24. Overlay District Regulations; GDO

Key Recommendation: Amend the current design standards to provide to alternatives and to be more articulate, e.g. parking lot screening

- Design Standards:
 - Landscaping:
 - Allow alternate landscape islands
 - Better articulate the alternatives and standards for parking lot screening



“All parking areas shall be screened and buffered from public right-of-way by berms or planting or a combination thereof, which shall have a minimum height of three feet at the time of installation.”



Sec. 24. Overlay District Regulations; GDO

Key Recommendation: Amend the architectural design standards to be more specific as to dimensioning standards such that they are more definitive as to what's required and how the standards are applied, e.g. required offsets,

- **Architectural Design:**

- *Building Form:*

- Differentiate standards by size of building, e.g. < 50,000 sf.; 50,001 – 100,000 sf.; > 100,000 sf.
 - Building form requirements, e.g. offsets, blank walls, entrances
 - Façade treatments
 - Height and roofline
- Design building facades in 30' to 50' increments





Sec. 24. Overlay District Regulations; GDO

Key Recommendation: Amend the architectural design standards to elaborate on allowable building materials and to require architectural detailing.

- **Architectural Design:**
 - *Building Materials:*
 - Specify percent of primary and secondary materials required on:
 - Front elevation
 - Street and non-street side
 - Abutting parking lot or drive-through
 - Rear
 - Allow for limited materials that may be pre-approved for use
 - Expand upon architectural materials, e.g. architectural concrete masonry units
 - *Detailing:*
 - Require architectural detailing, including:
 - Arcades
 - Awnings
 - Balconies
 - Canopies
 - Columns





Sec. 24. Overlay District Regulations; Historic District

Key Recommendation: *Develop design guidelines to provide the Historic Zoning Commission deliberate guidance by which to consider the appropriateness of additions or alterations of historic structures.*

- It is advisable to add provisions allowing for the delineation of historic sub-districts, which would allow the application of standards applicable to certain neighborhoods or districts
- In addition to the permitted uses, allow the Historic Zoning Commission to specify prohibited uses that are contrary or detrimental to the purposes of the historic district
- **Design Guidelines**
 - Add a provision allowing for the incorporation of design guidelines by reference
 - Specify that the Historic Zoning Commission shall use the Secretary of the Interior’s Standards for Rehabilitation, together with any applicable historic design guidelines adopted for special areas
 - Develop and integrate into the code specific design standards for exterior rehabilitation addressing:
 - Foundations
 - Doorways and windows
 - Storefronts
 - Signs
 - Awnings
 - Roofs
 - Incorporate standards for new construction and building additions regarding massing, materials, architecture, etc.



Sec. 24. Overlay District Regulations; Historic District

Key Recommendation: *Reintegrate the historic district standards and procedures into the recommended structure and organization of a Unified Development Code, and add applicable procedures for district or site designation and certificates of appropriateness.*

- Relocate the provisions regarding the creation, appointment, and powers and duties of the Historic Zoning Commission, as well as the building permit procedures to the proposed ADMINISTRATIVE BODIES AND PROCEDURES Article
- Add the procedures and corresponding requirements, timing, exceptions, and standards to the proposed ADMINISTRATIVE BODIES AND PROCEDURES Article for the following:
 - Certificate of appropriateness
 - Certificate of appropriateness, hardship waiver
 - Designation of historic site or district
 - Local nomination to National Register of Historic Places
 - Sign Permit for Historic sites or in Historic Districts



Sec. 24. Overlay District Regulations; Planned Signage

Key Recommendation: *Abandon the planned signage overlay district in favor of implementing a sign design program that is applicable to unique and large-scale developments.*

- **Rationale:**
 - An overlay district is not warranted to achieve these purposes.
 - An overlay district is difficult to track and administer over time and may compete or cause confusion with the application of base and other overlay district standards.
 - A sign design program does not require a public hearing.
 - The sign design program may apply in the same districts and to the same development types, e.g. > 20 ac.
- **Relocate the application requirements to the proposed ADMINISTRATIVE BODIES AND PROCEDURES Article, and combine the provisions of the Planned Signage Overlay District with the other sign regulations**
- **The purpose of the sign design program is to pre-approve a comprehensive signage program**
- **The Planning Commission may be given latitude regarding sign types, heights, setbacks, and locations, and may condition approval**
- **Sign design program should apply to:**
 - Public, semi-public, and institutional land uses
 - Nonresidential and mixed use development > 20 acres or 100,000 sf.
 - College and university campuses
 - Shopping malls and centers
 - Multi-tenant buildings or complexes



Sec. 24. Overlay District Regulations; CCO

Key Recommendation: Convert the Central Code Overlay District to an Original Town Neighborhood Conservation District.

- **Rationale:**
 - The Neighborhood Conservation provisions provide that all lawfully subdivided lots and lawfully built buildings are conforming rather than nonconforming
 - Alternate standards may be used to allow administrative approval in lieu of variances
 - A single district will be simpler and easier to understand, e.g. permitted and prohibited uses in the underlying district relative to those in the overlay district – difficult to follow as they’re listed in different places of the ord,
- **In the Original Town NC district, consolidate and reconcile the permitted and prohibited uses**
- **Eliminate duplicate provisions regarding Special Use Permits (Sec. 9, Standards for Special Permit Uses)**
- **Designate the special uses in the use matrix and add the standards to the SPECIAL AND OVERLAY DISTRICT Section of the proposed ZONING DISTRICTS AND LAND USES Article, e.g. delicatessen, laundries, etc.**
- **Consolidate the parking and landscaping provisions with the proposed SITE DESIGN STANDARDS Article**



Sec. 25. Temporary and Accessory Structures and Uses

Key Recommendation: *Distinguish the difference between temporary uses and permanent accessory uses, together with their unique and applicable standards.*

- Provide a definition for “temporary use”
- Accessory Uses: Warranted standards include:
 - Timing relative to the principal structure
 - Permitted accessory uses by district
 - Standards and limitations for certain accessory uses, e.g. accessory dwelling units
- Temporary uses commonly include:
 - Public and Commercial Events
 - Commercial outdoor sales events
 - Farmers’ market
 - Roadside stands
 - Seasonal sales
 - Sidewalk sales
 - Public exhibit or transient event or show
 - Truckload sales
 - Construction, Storage, and Refuse Collection
 - Asphalt or concrete batch plants
 - Construction building/site office
 - Construction yard
 - Portable storage unit
 - Construction dumpster



Sec. 25. Temporary and Accessory Structures and Uses

Key Recommendation: *Differentiate the scale of temporary uses and the means of administrative or public meeting approvals for each type.*

- **Types of temporary uses**
 - Type I: < 1,500 attendees with a minimum site area of 3 acres
 - Type II: > 1,500 attendees with a minimum site area of 10 acres
- **Applicable standards**
 - Locational restrictions, e.g. residential districts and uses, public street right-of-way, etc.
 - Heights
 - Access, circulation, and parking
 - Noise controls
 - Public convenience and litter control, e.g. restrooms
 - Frequency and duration
- **Conditions of approval**
 - Hours of operation or duration of event
 - Performance bond
 - Traffic or security personnel
 - General liability insurance policy



Sec. 25. Temporary and Accessory Structures and Uses

Key Recommendation: Set out the permitted, special, and limited temporary uses by district.

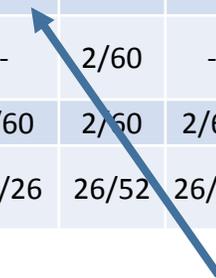
Temporary Uses																		
Land Use	Standards Reference ¹	Zoning Districts																
		Agriculture	Residential				Mixed Use	Nonresidential					Overlay and Special			Historic		
		AG	RR	SR	GR	UR	MU	SC	GC	DC	BP	GI	AP	CE	PI	HA-4	HA-P	HA-N
LEGEND: A = Allowed L = Limited C = Conditional P = Prohibited																		
Public and Commercial Events																		
Commercial Outdoor Sales Event	§ 25.02.240	P	P	P	P	P	L	L	L	L	L	P	L	L	L	L	L	P
Farmers' Market	§ 25.02.240	L	L	P	P	P	L	L	L	L	P	P	P	L	L	L	L	P
Roadside Stand	§ 25.02.210	L	L	P	P	P	P	P	S	P	P	L	L	P	P	P	P	P
Seasonal Sales	§ 25.02.210	P	P	P	P	P	L	L	L	L	L	P	L	L	L	L	L	P
Sidewalk Sales	§ 25.02.210	P	P	P	P	P	L	L	L	L	P	P	P	L	L	L	L	P
Public Exhibit or Transient Event or Show	§ 25.02.210	S	P	P	P	P	L	S	L	L	P	P	P	L	L	L	L	P
Truckload Sales	§ 25.02.210	P	P	P	P	P	S	P	L	S	L	P	L	L	L	L	L	P



Sec. 25. Temporary and Accessory Structures and Uses

Key Recommendation: Set out the frequency and duration of each temporary use by district.

Frequency and Duration of Public and Commercial Events																		
Land Use	Standards Reference ¹	Zoning Districts																
		Agriculture	Residential				Mixed Use	Nonresidential				Overlay and Special			Historic			
			AG	RR	SR	GR		UR	MU	SC	GC	DC	BP	AP	CE	PI	HA-4	HA-P
LEGEND: E / D = Number of Events Per Year / Number of Days Per Year																		
Public and Commercial Events																		
Commercial Outdoor Sales Event	§ 25.02.240	-	-	-	-	-	4/12	2/6	4/12	6/18	4/12	-	4/12	6/18	6/18	6/18	-	
Farmers' Market	§ 25.02.240	52/52	52/52	-	-	-	52/52	52/52	52/52	52/52	-	-	-	52/52	52/52	52/52	-	
Roadside Stand	§ 25.02.210	2/60	2/60	-	-	-	-	-	2/60	-	-	2/60	2/60	-	-	-	-	
Seasonal Sales	§25.02.240	-	-	-	-	-	2/60	2/60	2/60	2/60	2/60	-	2/60	2/60	2/60	2/60	-	
Sidewalk Sales	§25.02.240	-	-	-	-	-	26/52	13/26	26/52	26/52	-	-	-	26/52	26/52	26/52	-	



Frequency / Duration



Sec. 26. Off-Street Parking, Queuing, and Loading

Key Recommendation: *Elaborate on the parking standards and requirements to address local parking issues and to bring the standards to current practices.*

- **Expand on and articulate the variables used for the parking calculations**
 - Per square foot of gross floor area or assembly area
 - Per dwelling unit or per bedroom
 - Per bed
 - Per employee
 - Per seat or seat design capacity
 - Per person design capacity
- **Shared parking standards**
 - Reduction to be based on hours of operation and peak parking demands
 - Requires a legal instrument
- **Use of parking areas**
 - Prohibit storage and vehicle work
 - Restrict blocking access
 - Address sales and events

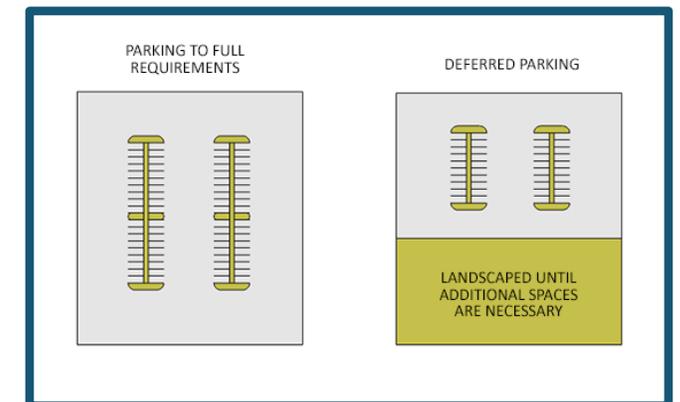
Shared Parking					
General Use Category	Weekday			Weekend	
	Night (12 AM to 6 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)
Residential	100%	60%	90%	80%	90%
Office	5%	100%	10%	10%	5%
Retail/Commercial	5%	70%	90%	100%	70%
Overnight Accommodations	80%	80%	100%	50%	100%
Restaurant	10%	50%	100%	50%	100%
Entertainment	10%	40%	100%	80%	100%
All Others	100%	100%	100%	100%	100%



Sec. 26. Off-Street Parking, Queuing, and Loading

Key Recommendation: *Update the parking and loading standards and allow for special parking conditions.*

- **Update parking standards**
 - Reconcile parking ratios with permitted, special, and limited uses
 - Organize parking tables consistent with land use matrices
 - Consider parking maximums
 - Build an online calculator to determine required number of spaces for individual land uses
- **Re-evaluate loading space requirements (too few/many spaces required?)**
 - Better define use categories, e.g. “retail, service, wholesale, or institutional establishment”
 - Consider requiring spaces based on gross floor area
 - Set out loading required for special areas and uses, e.g. CBD, multi-family, hotel/motel, dormitory, etc.
 - Provide for exemptions
 - Specify loading space dimensions for nonresidential and industrial uses
- **Establish provisions for parking studies, credits, and reductions**
 - Special studies for uses with nonlinear or widely varying parking demand characteristics
 - Reduction of parking for demonstration of lesser demand
 - Deferred parking for later improvement



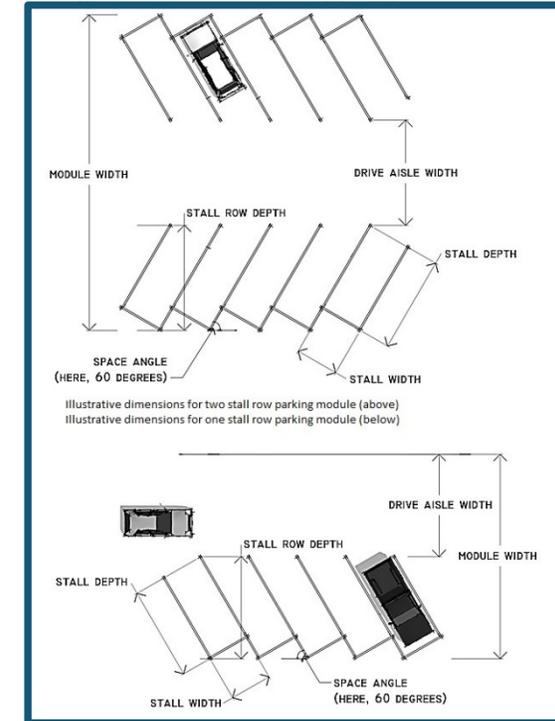


Sec. 26. Off-Street Parking, Queuing, and Loading

Key Recommendation: Spell out the layout and design or functional parking lots.

- Lay out parking module dimensions for one-way and two-way aisles and different angles

Parking Module Dimensions				
Measurements	Parking Space Angle			
	0/Parallel Parking	45°	60°	90°
One-Stall Row, One-Way Aisle				
Stall Row Depth	8 ft.	20 ft. 7 in.	21 ft. 11 in.	20 ft.
Drive Aisle Width	13 ft. 2 in.	13 ft. 10 in.	15 ft. 6 in.	24 ft.
Minimum Module Width (row & aisle)	21 ft. 2 in.	34 ft. 5 in.	34 ft. 5 in.	44 ft.
Two Stall Rows, One-Way Aisle				
Stall Row Depth	16 ft.	41 ft. 1 in.	43 ft. 8 in.	40 ft.
Drive Aisle Width	13 ft. 2 in.	13 ft. 10 in.	15 ft. 6 in.	24 ft.
Minimum Module Width (row & aisle)	29 ft. 2 in.	54 ft. 11 in.	59 ft. 2 in.	64 ft.





Sec. 27. Landscaping and Screening

Key Recommendation: *Elaborate on the applicability of the landscaping and screening requirements, specifically articulating exemptions, permissible plant types, and protection requirements.*

- **Modifications or changes to requirements only by reason of:**
 - Unnecessary hardship
 - Conditions not self-imposed
 - Site constraints or impracticalities
 - Considered and approved by Planning Commission
- **Exemptions**
 - Include or exempt existing residential lots?
 - Changes to buildings affecting < 10% or 2,500 sf. of g.f.a
 - Require contribution to tree bank for development in the CBD?
- **Allowed and prohibited plants**
 - Establish process for amendment of an “approved plant list” and the “do not plant tree list”
 - Include provisions regarding water-wise landscaping and water saving treatments, e.g. mulch
- **Tree protection requirements and standards**
 - Set out protection standards for “preserved” trees for which credit is requested
 - Protect driplines, changes in grade, storage or dumping of materials, etc.



Sec. 27. Landscaping and Screening

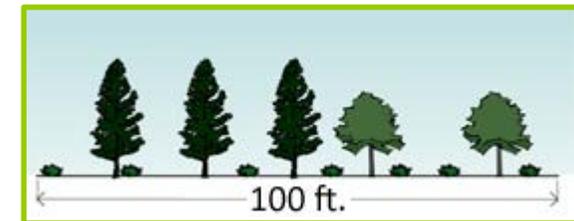
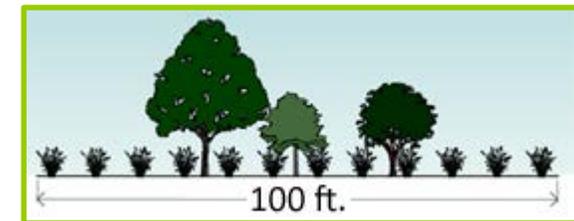
Key Recommendation: *Establish landscape surface ratios for all nonresidential and mixed use developments and the requisite landscaping depending on the use and character of the site or district.*

- **Landscape surface areas**

- Establish minimum landscape surface ratios (LSRs) for all nonresidential and mixed use development
- LSRs are based on use and intended character rather than lot size, e.g. higher LSR for suburban vs. auto-urban
- Provide alternatives whereby a lesser width is allowed when parking is to side or rear of site
- In lieu of a uniform width, consider varying widths with an established minimum
- Reconcile side and rear perimeter landscaping and buffering requirements

- **Plant units**

- Consider applying plant units (applied per each 100') which include combinations of canopy, under-story, and ornamental trees and shrubs (deciduous and evergreen) that are designed for different applications, e.g. along corridors, between districts, beneath powerlines
- Special ornamental to shade tree exchange rate, e.g. base on crown spread?
- Simply shrub planting on basis of square footage, e.g. 1 shrub per 12-5/10 sf.
- Clarify screening requirements along perimeter of parking/vehicular use areas





Sec. 27. Landscaping and Screening

Key Recommendation: *Simplify the overall site landscaping requirements.*

- **Interior landscaping of parking lots**

- **New parking lots**

- The landscape surface ratio (LSR) should be set according to the intended development character rather than size of parking area
 - LSR includes pervious over in and around parking areas, for stormwater management, and buffering
 - Consider reducing the ratio of landscape islands to parking spaces from 1:20 to 1:15
 - Consider landscaped bioswales in lieu of raised islands

- **Existing parking lots**

- Consider an alternate standard of canopy coverage rather the 100' from parking space to tree, or simply reduce the distance

- **Foundation landscaping**

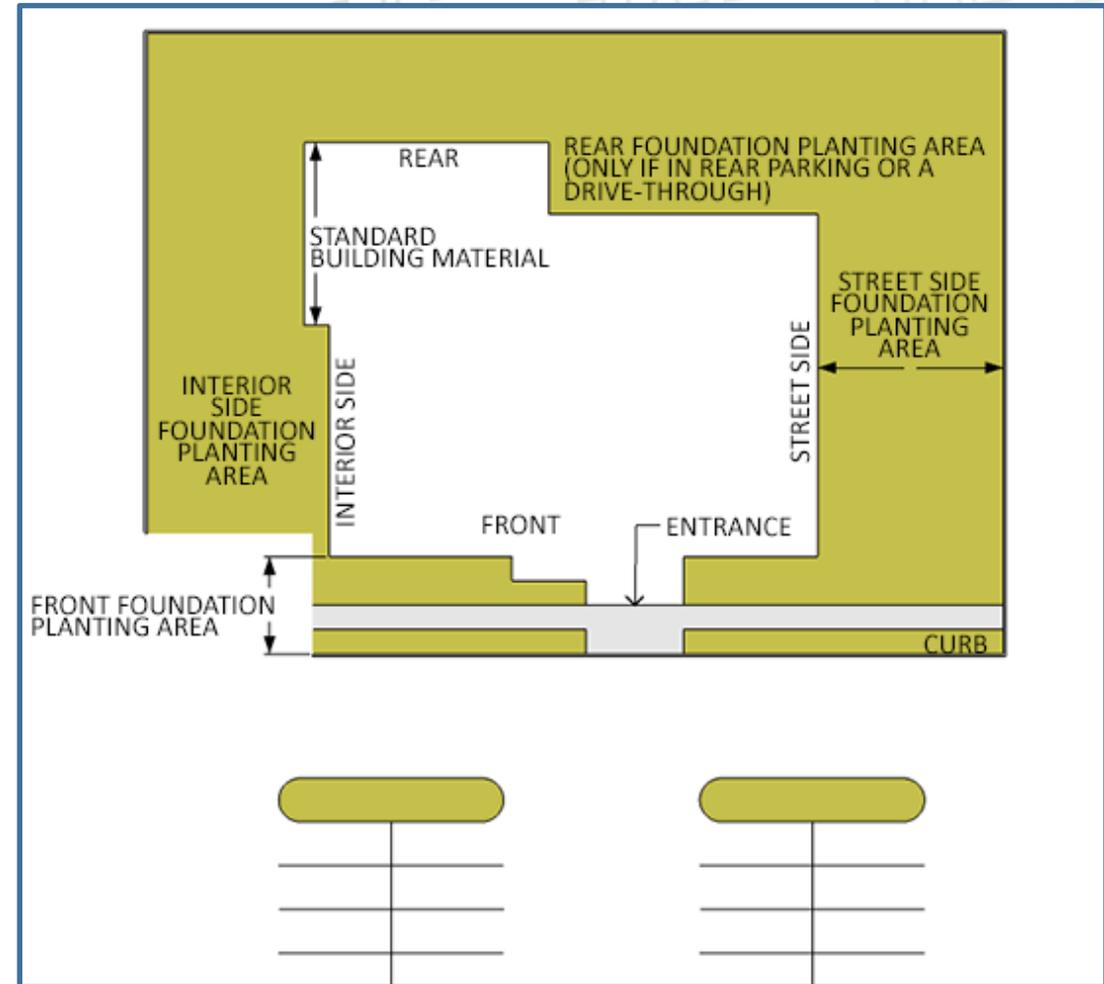
- Expand the 3' landscape strip around buildings
 - Better accommodate trees and root zones
 - Base the width of the landscape strip on the scale (height and length) of building, as well as its context and intended character



Sec. 27. Landscaping and Screening

Key Recommendation: *Simplify the overall site landscaping requirements.*

- **Foundation landscaping**
 - Specify the types, numbers, and spacing of plants in the landscape strip
 - Consider the application of decorative building material reductions commensurate with increased site landscaping requirements
 - Reduce the percentage of decorative materials required in exchange for increased pervious cover and landscaping
 - Set out for street-facing and non street-facing side and rear elevations



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Presentation:

Land Development Code Critique