

**Passed: 4/12/18**

**ORDINANCE 18-O-12** amending Murfreesboro City Code Appendix A—Zoning, Section 13, Planned Development Regulations; Section 19, Residential Districts; Section 21, Commercial Districts; Chart 1 and Chart 1 Endnotes, Uses Permitted by Zoning District; pertaining to multi-family housing, City of Murfreesboro Planning Department, applicant [2017-809].

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

SECTION 1. Appendix A, Section 13, Planned Development Regulations, of the Murfreesboro City Code is hereby amended at subsections (C)(1) and (C)(4) by deleting the subsections in their entirety and substituting in lieu thereof the following:

(C)(1) *PRD, Planned Residential District.* Any planned development for a land use, uses, or combination of uses permitted by right or by special use permit in the RS-15, RS-12, RS-10, RS-8, RS-6, RS-4, RS-A, RD, RM-12, RM-16, R-MO, or MU districts as indicated in the DWELLINGS, OTHER HOUSING, and INSTITUTIONS section of Chart 1 of this article shall be classified as and shown on the official zoning map as a PRD, Planned Residential District. The use “dwelling, multiple-family” may be permitted within the Planned Residential District if approved by the City Council.

(C)(4) *PUD, Planned Unit District.* Any planned development consisting of a combination of uses permitted by right or by special use permit in a combination of the zoning districts indicated on Chart 1 of this article and which does not qualify otherwise as a PRD, PCD, or PID shall be classified as and shown on the official zoning map as a PUD, Planned Unit District. The use “dwelling, multiple-family” may be permitted within the Planned Unit District if approved by the City Council.

SECTION 2. Appendix A, Section 19, Residential Districts, of the Murfreesboro City Code is hereby amended at the RM-12, RESIDENTIAL MULTI-FAMILY DISTRICT and RM-16, RESIDENTIAL MULTI-FAMILY DISTRICT subsections by deleting the subsections in their entirety and substituting in lieu thereof the following:

**RM-12, RESIDENTIAL MULTI-FAMILY DISTRICT**

This district is characterized by a broad range of residential housing types including single-family detached, single-family attached, two-family, three-family, and four-family dwellings up to three stories in height. Other uses such as churches, schools, and specified services associated with or compatible with the residential uses allowed in this district are also permitted subject to site plan review and approval or the issuance of a special permit therefor. 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 and the land use intensity ratios which govern any use in this district are listed on Chart 2 unless otherwise regulated in this article. The use “dwelling, multiple-family” is not permitted by right or special use permit in the RM-12 zoning district unless the property shall have been zoned RM-12 on or before December 31, 2017, provided that all regulations and procedures set forth in this article (Appendix A – Zoning) and all other applicable codes are satisfied.

## **RM-16, RESIDENTIAL MULTI-FAMILY DISTRICT**

This district is characterized by a broad range of residential housing types including single-family detached, single-family attached, two-family, three-family, and four-family dwellings up to three stories in height. Other uses such as churches, schools, and specified services associated with or compatible with the residential uses allowed in this district are also permitted subject to site plan review and approval or the issuance of a special permit therefor. 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 and the land use intensity ratios which govern any use in this district are listed on Chart 2 unless otherwise regulated in this article. The use "dwelling, multiple-family" is not permitted by right or special use permit in the RM-16 zoning district unless the property shall have been zoned RM-16 on or before December 31, 2017, provided that all regulations and procedures set forth in this article (Appendix A – Zoning) and all other applicable codes are satisfied.

SECTION 3. Appendix A, Section 21, Commercial Districts, of the Murfreesboro City Code is hereby amended at the CBD, CENTRAL BUSINESS DISTRICT and MU, MIXED USE DISTRICT subsections by deleting the subsections in their entirety and substituting in lieu thereof the following:

### **CBD, CENTRAL BUSINESS DISTRICT**

The purpose of this district is to provide a zoning category which allows the maintenance and development of uses which will reinforce the vitality of the central business district as a residential and employment center and as the commercial, governmental, and cultural center of Murfreesboro. 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 and the land use intensity ratios which govern any use in this district are listed in Chart 2 unless otherwise regulated in this article. The use "dwelling, multiple-family" is not permitted by right or special use permit in the CBD zoning district unless the property shall have been zoned CBD on or before December 31, 2017, provided that all regulations and procedures set forth in this article (Appendix A – Zoning) and all other applicable codes are satisfied.

### **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 commercial and institutional 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 and the land use intensity ratios which govern any use in this district are listed in Chart 2 unless otherwise regulated in this article. The use "dwelling, multiple-family" is not permitted by right or special use permit in the MU zoning district unless the property shall have been zoned MU on or before December 31, 2017, provided that all regulations and procedures set forth in this article (Appendix A – Zoning) and all other applicable codes are satisfied.

SECTION 4. Appendix A, Chart 1, Uses Permitted by Zoning District, of the Murfreesboro City Code is hereby amended under "Dwellings" in the "Multiple-Family"

row by adding a reference to Endnote 37 in every column but "CU" as indicated in the Chart 1 excerpt attached hereto.

SECTION 5. Appendix A, Chart 1 Endnotes, Uses Permitted by Zoning District, of the Murfreesboro City Code is hereby amended as follows:

Insert the following introductory paragraph prior to endnote 1:

The uses permitted in the various districts established in this article shall be as identified in this section on Chart 1 USES PERMITTED BY ZONING DISTRICT. Those uses identified in Chart 1 with a "X" at the intersection of the uses row and a zoning district column shall be uses that are permitted by right subject to site plan review and approval and the issuance of building permits in those zoning districts. Those uses identified in Chart 1 with a "S" at the intersection of the uses row and a zoning district column shall be uses 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 in those zoning districts. Those uses that are shown with no "X" or "S" at the intersection of a uses row and a zoning district column shall be uses that are prohibited and are not permitted or allowed in those districts.

Insert new 37. to read as follows:

- 37. The use "dwelling, multiple-family" shall be permitted by right in the RM-12, RM-16, MU, and CBD zoning districts only if the property was zoned RM-12, RM-16, MU, or CBD on or before December 31, 2017. Otherwise, "dwelling, multiple family" shall not be a permitted use in the above zones.

SECTION 6. Appendix A of the Murfreesboro City Code is hereby amended by removing all references to "RM-22".

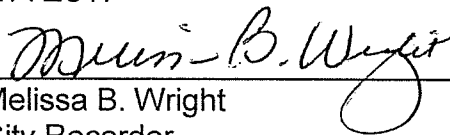
SECTION 7. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

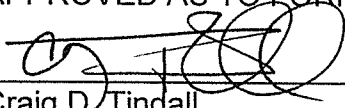
1<sup>st</sup> reading March 22, 2018  
2<sup>nd</sup> reading April 12, 2018

  
Shane McFarland, Mayor

ATTEST:

  
Melissa B. Wright  
City Recorder

APPROVED AS TO FORM:

  
Craig D. Tindall  
City Attorney

SEAL

USES PERMITTED <sup>3</sup>	ZONING DISTRICTS																									
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	RMO	OG R <sup>2</sup>	OG <sup>2</sup>	CL <sup>2</sup>	CF <sup>2,14</sup>	CH <sup>2</sup>	MU <sup>2</sup>	CBD <sup>2</sup>	H <sup>2</sup>	L <sup>2</sup>	CM-RS-8 <sup>2</sup>	CM-R <sup>2</sup>	CM <sup>2</sup>	CU	P	
DWELLINGS																										
Multiple-Family								X <sup>(37)</sup>	X <sup>(37)</sup>								X <sup>(37)</sup>	X <sup>(37)</sup>							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.