

ORDINANCE 17-O-39 amending Murfreesboro City Code, Appendix A – Zoning, Section 2, Interpretations and Definitions, Section 7, Site Plan Review, and Section 26, Off-Street Parking, Queuing, and Loading, pertaining to pavement materials and site plan review; Murfreesboro Planning Department, applicant [2017-808].

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

SECTION 1. Appendix A, Section 2, Interpretations and Definitions, of the Murfreesboro City Code is hereby amended within the Definitions section by adding the following in alphabetical order:

“Hard dustless surface: A vehicular travel surface for a parking area, loading area, service area, driveway, private street, or the like, consisting of concrete, asphalt, pavers, or other equivalent material as determined by the Planning Director in consultation with the City Engineer.”

“Smooth dustless surface: See *hard dustless surface.*”

SECTION 2. Appendix A, Section 7, Site Plan Review, of the Murfreesboro City Code is hereby amended at:

Subsection (A) by deleting the subsection in its entirety and substituting in lieu thereof the following:

“(A) *Authority.* The City Council shall have the authority to grant site plan approval concurrent with its action on planned developments in accordance with the provisions of Section 13 of this article (Appendix A – Zoning). City Council review and approval of a site plan in conjunction with its actions on a planned development request shall not substitute for Planning Commission and/or administrative site plan approval required pursuant to Sections 7(D)(2) and 7(D)(4).
The Planning Commission shall have the authority to grant site plan approval for specified commercial, industrial, and residential developments.
The Board of Zoning Appeals shall have the authority to grant site plan approval concurrent with its action on special exception uses in accordance with the provisions outlined in Sections 8 and 9 for specified uses as set forth in Chart 1. Board of Zoning Appeals review and approval of a site plan in conjunction with a special use permit shall not substitute for Planning Commission and/or administrative site plan approval required pursuant to Sections 7(D)(2) and 7(D)(4).
The Building Official shall have the authority to grant administrative site plan approval concurrent with approval of building permit applications.”

Subsection (D)(4) by deleting it in its entirety and substituting in lieu thereof the following:

“(4) Administrative site plan review and approval shall be required for the following applications regardless of any approval by any other body as provided in this article (Appendix A – Zoning):
(a) all applications for building permits for new construction or enlargement of commercial, multi-family, or industrial developments;
(b) all changes of use or applications for building permits involving a change or occupancy that: will increase the need for parking as defined by this article (Appendix A – Zoning); will require site

- improvements in accord with this article (Appendix A – Zoning) or other City codes and/or ordinances; or will include voluntarily proposed site improvements as a function of the change of use;
- (c) additions to residential structures that will increase density;
 - (d) all applications for building permits for construction or alteration of structures located within areas of special flood hazard in accordance with the requirements of Section 34, Floodplain Zoning, of this article (Appendix A – Zoning);
 - (e) all applications for building permits for new construction or enlargement of two-family, three-family, and four-family structures; and
 - (f) any other application that the Planning Director deems appropriate for administrative site plan review and approval.”

Subsection (D) by adding a new subsection (5) to read:

- “(5) At the Planning Director’s discretion, Planning Commission review and approval shall be required for certain site plans which otherwise qualify for administrative site plan review as described in Section 7(D)(4). The Planning Director may exercise such discretion when:
- (a) the Planning Director determines that the public interest would be better served by requiring Planning Commission review; or
 - (b) an applicant wishes to appeal a condition imposed upon a site plan by staff during the administrative site plan review process.”

SECTION 3. Appendix A, Section 26, Off-Street Parking, Queuing, and Loading, of the Murfreesboro City Code is hereby amended at subsection (C)(7)(b) by adding the following after the paragraph:

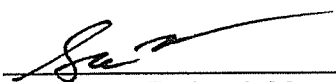
“Gravel and bituminous surface treatment may be permitted for wrecker service storage yards or areas used for materials or equipment storage, only after approval from the Planning Director in consultation with the City Engineer.”

SECTION 4. 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:

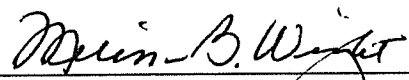
1st reading August 17, 2017

2nd reading August 31, 2017

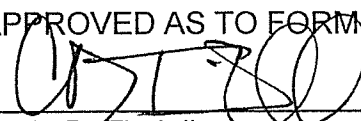


 Shane McFarland, Mayor

ATTEST:



 Melissa B. Wright
 City Recorder

APPROVED AS TO FORM:


 Craig D. Tindall
 City Attorney

SEAL