

**ORDINANCE 18-O-69** amending Murfreesboro City Code Appendix A—Zoning, Section 7, Site Plan Review, pertaining to site plan review authority, City of Murfreesboro Planning Department, applicant [2018-807].

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

SECTION 1. Appendix A, Section 7, Site Plan Review, of the Murfreesboro City Code is hereby amended at subsection (D) by removing subsections (D)(2), (D)(4) and (D)(5) in their entirety and substituting in lieu thereof the following:

- (2) Planning Commission site plan review and approval shall be required for the following:
  - (a) commercial, industrial, institutional, medical, or multi-family residential developments of any size located within any area where the Planning Commission acts as a design review body;
  - (b) new multi-family residential developments in the RM-12 and RM-16 zoning districts and enlargements of existing multi-family residential developments in the RM-12 and RM-16 zoning districts; and
  - (c) any site plan that includes any off-site traffic, transportation, and/or drainage improvements, whether required by the City or offered by the applicant.
  
- (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:
  - (a) all applications for building permits for new construction or enlargement of commercial, industrial, institutional, and medical developments;
  - (b) all applications for building permits for new construction or enlargement of multi-family residential developments except those located in the RM-12 and RM-16 zoning districts;
  - (c) all applications for building permits for new construction or enlargement of two-family, three-family, and four-family residential structures;
  - (d) 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; will require site improvements in accord with this article or other City codes and/or ordinances; or will include voluntarily proposed site improvements as a function of the change of use;
  - (e) all applications for building permits for additions to residential structures that will increase density;
  - (f) 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; and
  - (g) any other application that the Planning Director deems appropriate for administrative site plan review and approval.
  
- (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;
  - (b) an applicant wishes to appeal a condition imposed upon a site plan by staff during the administrative site plan review process; or

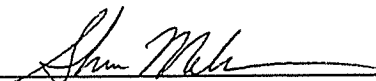
- (c) the Planning Director determines an alternative approach to one or more design standards set forth in the Murfreesboro Design Guidelines is warranted.

SECTION 2. 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.

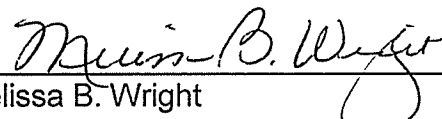
Passed:

1<sup>st</sup> reading 1/17/2019

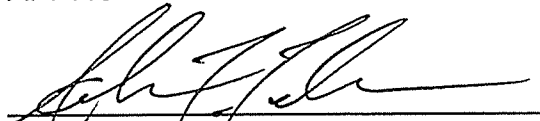
2<sup>nd</sup> reading 1/31/2019

  
Shane McFarland, Mayor

ATTEST:

  
Melissa B. Wright  
City Recorder

APPROVED AS TO FORM:

  
Adam F. Tucker  
City Attorney

SEAL