

**ORDINANCE NO. O1911-56**

**AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, AMENDING THE GALLATIN ZONING ORDINANCE, ARTICLE 7.00, PROVISIONS FOR MIXED-USE DISTRICTS, SECTION 7.02 INTENT AND DESCRIPTION FOR THE MRO-MULTIPLE RESIDENTIAL AND OFFICE DISTRICT, SECTION 07.03 INTENT AND DESCRIPTION OF THE MU-MIXED USE DISTRICT, ARTICLE 8.00, PROVISIONS FOR COMMERCIAL DISTRICTS, SECTION 08.01, INTENT AND PURPOSE OF CC-CORE COMMERCIAL DISTRICT, SECTION 08.04, INTENT AND PURPOSE OF THE PGC-PLANNED GENERAL COMMERCIAL DISTRICT, AND SECTION 8.05, INTENT AND PURPOSE OF PNC-PLANNED NEIGHBORHOOD COMMERCIAL DISTRICT, TO PERMIT ANIMAL CARE AS A PERMITTED USE AND PERMITTED USE WITH CONDITIONS; AUTHORIZING THE REVISIONS TO BE MADE TO THE ZONING ORDINANCE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the zoning code text amendment is in agreement and consistent with the recommendations of the *Gallatin on the Move 2020* General Development and Transportation Plan, and

**WHEREAS**, Tennessee Code Annotated, Title 13, Chapter 7, Section 204 authorizes the City to amend its zoning code as necessary upon first being reviewed by the Planning Commission, and

**WHEREAS**, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of these amendments in GMRPC Resolution No. 2019-135; and

**WHEREAS**, the City Council of the City of Gallatin is authorized under Tennessee Code Annotated Title 13, Chapter 7, Section 201 to adopt Zoning regulations for the betterment of the city, and

**WHEREAS**, notice and public hearing before the Gallatin City Council has or will occur before final passage of these amendments pursuant to Section 15.07.060 of the Gallatin Zoning Ordinance and Tennessee Code Annotated, Section 13-7-203;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE as follows:**

**Section 1.** The City Council of the City of Gallatin does hereby approve the Zoning Code text amendment as described in Exhibit 'A'.

**Section 2.** The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Ordinance to show the changes in the text as described in Exhibit 'A'.

**Section 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**Section 5.** This ordinance shall become effective immediately upon adoption, the public welfare requiring such.

PASSED FIRST READING: November 19, 2019.

PASSED SECOND READING: January 7, 2020.

  
\_\_\_\_\_  
MAYOR PAIGE BROWN

ATTEST:

  
\_\_\_\_\_  
CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

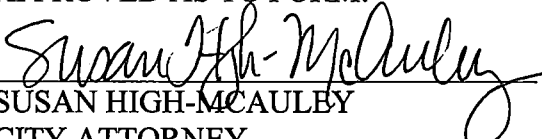
  
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SUSAN HIGH-MCAULEY  
CITY ATTORNEY

Exhibit 'A' –Text Amendment

**Exhibit 'A'**

**Ordinance No. O1911-56**

**ARTICLE 7.00  
PROVISIONS FOR MIXED-USE DISTRICTS**

\* \* \* \* \*

**7.02 Intent and Description of MRO Multiple Residential and Office District**

This class of district is intended to provide adequate and suitable space in appropriate location for high-density residential areas. Characteristics of permitted residential developments are buildings designed for multiple dwelling units, or designed to be attached with party walls. Commercial developments, having a minimum of characteristics objectionable in a high density residential environment, are permitted, if the activities therein minimize direct contact with the ultimate consumers of goods or services, or do not principally involve the sale, transfer, storage, or processing in these districts of goods or chattels. However, a selective list of retail trade and personal service uses are permitted if their principal purpose is to serve the recurring needs of the occupants or employees of other permitted uses in this district. In addition, use of buildings and land is permitted for community facilities and utilities necessary for serving these districts or for general community welfare. This class of district is appropriately located between districts characterized by lower density residential development and areas of more intensive commercial use, or they are extensions along major traffic arteries from areas used for more intensive commercial purposes.

07.02.010 Uses and Structures

A. Principal Permitted Uses and Structures - Within the Multiple Residential and Office Districts as shown on the Gallatin Municipal Zoning Map, the following activities, as described in Section 03.05 are permitted:

- Residential Activities
  - Dwelling, Attached
  - Dwelling, Multi-Family
  - Dwelling, One-Family Detached
  - Dwelling, Two-Family Detached
  
- Community Facility Activities
  - Administrative
  - Community Assembly
  - Community Education
  - Essential Service
  - Nursing Home – Including Assisted Living

Non-assembly Cultural  
Place of Worship

Commercial Activities

Business and Communication Service  
Financial, Consulting, and Administrative  
Food Service  
General Personal Service  
Medical Service

Animal Care, with the following conditions:

1. The building/leasable area footprint shall be limited to no more than four thousand (4,000) square feet with no more than two establishments per lot.
2. No livestock animals (which includes traditional farm animals such as horses, cattle, sheep, pigs or swine (other than Vietnamese pigs), goats, mules, donkeys or large exotic animals, chickens, or turkey) shall be treated on the site.
3. Accessory outside exercise areas shall not exceed 1500 square feet in area.
4. Kennels for boarding of non-livestock animals are permitted as an ancillary use subject to the following conditions:
  - a. Animal boarding shall occur within completely enclosed structures.
  - b. No more than thirty percent of the gross floor area of the facility may be used as a boarding kennel.
  - c. No outdoor kennel runs are permitted, except as permitted herein.
  - d. All boarding areas shall provide humane treatment, spaces and services compliant with law.
5. No building or structure in which animals are housed or kept shall be closer than 150 feet to any residential structure.

B. Permitted Accessory Uses and Structures

1. Signs in accordance with the regulations contained in Section 13.07 of this Article.
2. Accessory off-street parking and loading facilities as required in Article 11.00.
3. Recreational uses associated with and maintained primarily for the uses permitted above and for the benefit and use of the occupants.
4. Accessory facilities and buildings customarily incidental and appurtenant to a permitted use provided that such accessory facilities and buildings are carried out on the same premises and are not otherwise prohibited.

C. Conditional Uses

The following activities may be permitted as conditional uses in accordance with Section 15.06.

**Commercial Activity**

- Utility and Vehicular
- Convenience Sales and Services
- Undertaking Services
- Group Assembly Extensive
- Group Assembly Limited
- Limited Retail Sales
- Transient Habitation

**Community Facility Activities**

- Intermediate Impact Community Facility
- Limited Child and Adult Care

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**07.03 Intent and Description of MU Mixed Use District**

The purpose of the Mixed Use (MU) land use classification is to provide for a long-term mixture of residential and non-residential uses in portions of the community adjacent to major transportation routes. This purpose is intended to be carried out through the reliance on a market-driven approach to the appropriate uses in the various MU locations by utilizing a flexible zoning technique that permits a market-driven approach but requires a master plan for each MU project site or location.

It is envisioned that MU land use areas target relatively large, contiguous land areas that can be developed according to a unified plan in a high-quality, master-planned setting rather than on a lot-by-lot basis. The uses and standards in this category are intended to promote flexibility and innovation in site design and enhance the environmental quality and attractiveness of the area, enhance the natural or scenic qualities of the environment and protect the public health and safety.

**07.03.010 Uses and Structures**

Within the Mixed Use District, as shown on the Gallatin Municipal Regional Zoning Map and as delineated below and as described in Section 03.05 the following activities are permitted:

**A. Permitted Uses**

**Residential Activities**

- Dwelling, Attached
- Dwelling, Multi-Family
- Dwelling, One-Family Detached
- Dwelling, Two-Family Detached

**Community Facility Activities**

- Administrative

Community Assembly  
Community Education  
Essential Service  
Limited Child and Adult Care  
Non-assembly Cultural  
Nursing Home – Including Assisted Living  
Place of Worship  
Utility and Vehicular

Commercial Activities

Business and Communications Service  
Financial, Consulting, and Administrative  
Food Service  
General Retail Sales and Service – Excluding Manufactured Home Sales  
Facilities  
Limited Retail Sales Activities  
Medical Office/Service  
Research Service  
Transient Habitation  
Undertaking Service

Animal Care, with the following conditions:

1. The building/leasable area footprint shall be limited to no more than four thousand (4,000) square feet with no more than two establishments per lot.
2. No livestock animals (which includes traditional farm animals such as horses, cattle, sheep, pigs or swine (other than Vietnamese pigs), goats, mules, donkeys or large exotic animals, chickens, or turkey) shall be treated on the site.
3. Accessory outside exercise areas shall not exceed 1500 square feet in area.
4. Kennels for boarding of non-livestock animals are permitted as an ancillary use subject to the following conditions:
  - a. Animal boarding shall occur within completely enclosed structures.
  - b. No more than thirty percent of the gross floor area of the facility may be used as a boarding kennel.
  - c. No outdoor kennel runs are permitted.
  - d. All boarding areas shall provide humane treatment, spaces and services compliant with law.
5. No building or structure in which animals are housed or kept shall be closer than 150 feet to any residential structure.

B. Permitted Accessory Uses and Structures

1. Signs in accordance with the regulations contained in Section 13.07 of this Article.
2. Accessory off-street parking and loading facilities as required in Article 11.00.

3. Recreational uses associated with and maintained primarily for the uses permitted above and for the benefit and use of the occupants.
4. Accessory facilities and buildings customarily incidental and appurtenant to a permitted use provided that such accessory facilities and buildings are carried out on the same premises and are not otherwise prohibited.

C. Conditional Uses

The following activities may be permitted as conditional uses in accordance with Section 15.06.

Community Facilities

Intermediate Impact

Commercial Activities

Convenience Sales and Service

Food Service Drive In

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**ARTICLE 8.00  
PROVISIONS FOR COMMERCIAL DISTRICTS**

\* \* \* \* \*

**08.01 Intent and Purpose of the CC - Core Commercial District**

This district is designed to provide for a wide range of retail, office, amusement, and service uses normally found in a central business district. High intensity of use is permitted in this district, and increased building bulk is provided as a means of encouraging such development. A setting conducive to and safe for a high volume of pedestrian traffic is desired. All such uses shall comply with the requirements of the International Building Code, whichever is more restrictive.

08.01.010 Uses and Structures

A. Principal Permitted Uses and Structures - Within the Core Commercial District as shown on the Gallatin Municipal Zoning Map, the following activities are permitted:

Residential Activities

Dwelling, One-family detached

Dwelling Attached

Dwelling Two-Family

Dwelling, Two-Family detached

Upper-Story Residential with fire suppression system

Multi-Family Dwellings, subject to the requirements contained in Articles 12.00 and 13.00.

Community Facility Activities

Place of Worship  
Essential Service  
Community Assembly  
Non-assembly Cultural  
Administrative  
Utility  
Vehicular

Commercial Activities

Convenience Sales and Service - Two-Pump Maximum  
Transient Habitation  
Food Service  
General Personal Service  
Financial, Consulting and Administrative  
Business and Communication Service  
General Retail Sales and Service  
Consumer Laundry and Repair  
Retail Business Supply  
Group Assembly – Limited  
Medical Services  
Undertaking Services

Animal Care, with the following conditions:

1. The building/leasable area footprint shall be limited to no more than four thousand (4,000) square feet with no more than two establishments per lot.
2. No livestock animals (which includes traditional farm animals such as horses, cattle, sheep, pigs or swine (other than Vietnamese pigs), goats, mules, donkeys or large exotic animals, chickens, or turkey) shall be treated on the site.
3. Accessory outside exercise areas shall not exceed 1500 square feet in area.
4. Kennels for boarding of non-livestock animals are permitted as an ancillary use subject to the following conditions:
  - a. Animal boarding shall occur within completely enclosed structures.
  - b. No more than thirty percent of the gross floor area of the facility may be used as a boarding kennel.
  - c. No outdoor kennel runs are permitted.
  - d. All boarding areas shall provide humane treatment, spaces and services compliant with law.
5. No building or structure in which animals are housed or kept shall be closer than 150 feet to any residential structure.

B. Permitted Accessory Uses and Structures

1. Signs as permitted in Section 13.07.
2. Accessory off-street parking facilities as required in Article 11.00.
3. Facilities and buildings customarily incidental and appurtenant to a permitted use.



C. Conditional Use

- 1. Dwelling, Upper Story Residential without fire sprinkling systems
- 2. Limited Child and Adult Care
- 3. Automotive Parking lot as a principal use

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**08.04 Intent and Purpose of PGC - Planned General Commercial District**

The purpose of this district is to provide for modern, attractive, and efficient, retail, personal, professional, and commercial facilities with access needs that demand location along major arterial roadways. Uses permitted in this district are frequently automobile-oriented, and, as such, this district is most appropriately located along or at intersections of urban arterials or collector roadways, as identified on the City's Official Street Map. Also, since these corridors are major entryways and focal points in the City, landscape and buffer standards are instituted to provide commercial development which is more compatible and visually pleasing with adjacent residential areas. A master development plan for the development of the entire area is required, but the development may occur in stages.

08.04.010 Previously Approved Commercial PUD'S Applicability to the New Planned General Commercial District

Any project lawfully approved under the provisions of a Commercial Planned Unit Development zone (of this or any other government entity) is hereby approved under their original conditions and are hereby made as a new district of the zoning map of Gallatin as a part of this Ordinance for a period not to exceed two years from the date of the enactment of this Ordinance. If no final plan approval or building permit is requested on the subject property at the end of this period, the Planning Commission shall review its previous recommendations and actions on the subject property and provide to the governing authority a recommendation to: (1) extend the current approval of the subject tract for a period not to exceed two years; (2) revise the current approval in regards to the use, bulk, and/or design standards required of the current approval; or (3) cancel the current approval and impose a new base zoning district on the subject project.

08.04.020 Uses and Structures

Within the Planned General Commercial District, as shown on the Gallatin Municipal Regional Zoning Map, as delineated below and described in Article 3.00, the following activities are permitted:

A. Permitted Uses

- Community Facility Activities:
  - Administrative
  - Community Assembly

Essential Service  
Health Care  
Limited Child and Adult Care  
Non-assembly Cultural  
Nursing Home  
Place of Worship

Commercial Activities:

Animal Care  
Business and Communication Services  
Financial, Consulting, and Administrative Office  
Food Service  
Food Service - Drive-in  
General Personal Service  
General Retail Sales and Services  
Group Assembly - Limited  
Medical Services  
Transient Habitation  
Vehicular, Craft, and Related Equipment Sales  
Limited Retail Sales  
Automotive Parking  
Automotive Servicing  
Convenience Sales and Services  
Retail Business Supply  
Wholesale Sales

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**08.05 Intent and Purpose of PNC – Planned Neighborhood Commercial District**

The purpose of this district is to provide for the establishment of planned neighborhood commercial areas that can efficiently serve day-to-day needs. Consolidation of convenience shopping facilities into planned shopping centers and integrated site designs is encouraged to avoid strip commercial development, lessen traffic conflicts, and improve the safety and convenience of customers. Planned neighborhood commercial areas are also encouraged in order to provide for the appropriate landscape buffers and site design needed to protect property values in adjacent areas. The regulations and conditions contained in this section are designed to ensure that planned neighborhood commercial areas will be developed at locations that will most efficiently serve the needs of the community.

08.05.010 General Standards for Making Determinations

Prior to the establishment of a new Planned Neighborhood Commercial District, the Planning Commission shall review the particular facts and circumstances of each proposal in terms of the following standards and shall find adequate evidence showing that the proposed use:

- A. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;
- B. Will not be hazardous or disturbing to existing or future neighboring uses;
- C. Will be a substantial improvement to property in the immediate vicinity and to the community as a whole;
- D. Will be served adequately by essential public facilities and services, such as highways, streets, police, and fire protection; drainage structures; refuse disposal; or schools; or that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such service;
- E. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
- F. Will not involve uses, activities, processes, materials and equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;
- G. Will be consistent with the intent and purposes of this Ordinance.

08.05.015 Previously Approved Commercial PUDs Applicability to the New Planned Neighborhood Commercial District

Any project lawfully approved under the provisions of a Commercial Planned Unit Development zone (of this or any other government entity) is hereby approved under their original conditions and are hereby made a zone district of the zoning map of Gallatin as a part of this Ordinance for a period not to exceed two years from the date of the enactment of this Ordinance. If no final plan approval or building permit is requested on the subject property at the end of this period, the Planning Commission shall review its previous recommendations and actions on the subject property and provide to the governing authority a recommendation to: (1) extend the current approval of the subject tract for a period not to exceed two years; (2) revise the current approval in regards to the use, bulk, and/or design standards required of the current approval; or (3) cancel the current approval and impose a new base zoning district on the subject project.

08.05.020 Uses and Structures

A. Permitted Uses

- Community Facility Activities:
  - Administrative
  - Assisted Living
  - Community Assembly
  - Essential Service
  - Health Care

Limited Child and Adult Care  
Non-assembly Cultural  
Nursing Home  
Place of Worship

Commercial Activities:

Business and Communication Service  
Convenience Sales and Service, Excluding gasoline service station and  
convenience store  
Financial, Consulting, and Administrative  
Food Service  
Food Service Drive-in  
General Personal Service  
General Retail Sales and Services, Excluding Manufactured Home Sales Facilities  
Group Assembly Limited  
Medical Services  
Automotive Parking  
Limited Retail Sales

Animal Care, with the following conditions:

1. The building/leasable area footprint shall be limited to no more than four thousand (4,000) square feet with no more than two establishments per lot.
2. No livestock animals (which includes traditional farm animals such as horses, cattle, sheep, pigs or swine (other than Vietnamese pigs), goats, mules, donkeys or large exotic animals, chickens, or turkey) shall be treated on the site.
3. Accessory outside exercise areas shall not exceed 1500 square feet in area.
4. Kennels for boarding of non-livestock animals are permitted as an ancillary use subject to the following conditions:
  - a. Animal boarding shall occur within completely enclosed structures.
  - b. No more than thirty percent of the gross floor area of the facility may be used as a boarding kennel.
  - c. No outdoor kennel runs are permitted.
  - d. All boarding areas shall provide humane treatment, spaces and services compliant with law.
5. No building or structure in which animals are housed or kept shall be closer than 150 feet to any residential structure.

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