

LAND USE DISTRICTS AND BOUNDARIES

Establishment of Districts.

In order to carry out the intent and purpose of this Ordinance, unincorporated Murray County is hereby divided into the following districts:

Agricultural (AG). This zoning district is comprised primarily of open farm land and land used for intensive agricultural, livestock and poultry production and forestry activity. The intent of the regulations is to encourage maintenance of the rural character of openness and discourage the subdivision of land, which is better suited to agricultural and forestry usage. Permitted and conditional uses shall be as provided in Table 6.4.

Rural Residential District (RR). This district is intended to permit a combination of low density residential uses of various types, limited agricultural activities, and other uses commonly found in rural areas. Low density development is required because areas may lack adequate public water and/or environmental constraints such as poor soils and steep slopes are present. Permitted and conditional uses shall be as provided in Table 6.4.

Suburban Residential District (SR). The purpose of this district is primarily to provide for single family residential development with a limited number of other uses. Permitted and conditional uses shall be as provided in Table 6.4.

Multi-Family Residential (MFR). This district is established as a medium density residential district allowing a minimum of two (2) and a maximum of four (4) dwelling units per lot. Multiple structures per lot shall be permitted in this district. Because of the increased density allowed in this district, any such lots shall be served by public water and shall meet the requirements of the Murray County Health Department for sewage disposal. Permitted and conditional uses shall be as provided in Table 6.4.

Manufactured Home Park District (MHP). This district is designed to encourage the development of manufactured home parks and related facilities within a well-planned environment. Permitted and conditional uses shall be as provided in Table 6.4.

Neighborhood Commercial District (NC). This district is designed to provide suitable areas for the retailing of goods and the provision of services to adjacent and nearby residential neighborhoods. Permitted and conditional uses shall be as provided in Table 6.4; however, business and service establishments shall not exceed 2,500 square feet in size.

Highway Commercial District (HC). The purpose of this district is to provide appropriate locations for a wide variety of commercial activities that will serve a large market area. This district will be generally located along the major arterial highways or where these highways meet. Emphasis is also placed on creating commercial nodes or cluster developments rather than strip developments. Permitted and conditional uses shall be as provided in Table 6.4.

Industrial District (I). The purpose of this district is to provide suitable areas for warehousing, distribution, manufacturing and other intensive activities of an industrial nature. Permitted and conditional uses shall be provided in Table 6.4.

Land Use/Conditional Use Standards. Exercise of the land use power of Murray County shall constitute an effort to balance the interest of the community in promoting the public health, safety, morality, or general welfare against the right of property owners to the unrestricted use of their property. The following standards are determined to be relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of the property:

Land Use.

1. Whether the proposed land use decision would allow a use that is generally suitable for the site compared to other possible uses and the uses and land use district classification of adjacent and nearby properties;

2. Whether the proposed land use decision would adversely affect the economic value or the uses of adjacent and nearby properties;
3. Whether the property to be affected by the proposed land use decision can be used under its current land district use classification;
4. Whether the proposed land use decision, if adopted, would result in a use, which would or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities;
5. Whether the subject property under the proposed land use decision is in conformity with the policies and intent of the adopted Murray County, Chatsworth, and Eton Joint Comprehensive Plan, 1994-2015, as amended.
6. Whether there are other conditions or transitional patterns affecting the use and development of the subject property, if applicable, which give grounds for either approval or disapproval of the proposed land use decision.

Conditional Use (Special Use). The granting of a conditional use does not constitute a permanent change in land use or use. The conditional use can be forfeited if it does not meet the review criteria. To ameliorate the impact of a conditional use on surrounding property, no conditional use may be granted without special provisions for conditions, criteria, standards, and/or requirements as to the particular use. A permit for a conditional use (special use) shall be approved or denied, provided that due consideration is given to the following objective criteria as applicable to the specific use proposed at the specific site requested:

1. Whether the proposed use impacts negatively or positively the anticipated volume of traffic flow or pedestrian safety in the vicinity;
2. Whether the hours and manner of operation of the conditional use (special use) have no adverse effects on other properties/uses in the vicinity;
3. Whether refuse areas, parking, or loading/service areas on the property will be located or screened to protect other properties in the vicinity from noise, light, glare, or odors; and
4. Whether the height, size, or location on the building or other structures on the property are compatible with the height, size, or location of buildings or other structures on neighboring properties.
5. Whether the size of the lot is sufficient for the proposed use, accounting for growth opportunity that will not infringe upon the requirements of the land use ordinance nor infringe upon the relationship to surrounding land.
6. And satisfying the foregoing criteria, whether the benefits of and need for the proposed use are greater than any possible depreciating effects and damages to the neighboring properties.