

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

**07.01 General Purpose of Mixed-Use Districts**

The mixed-use districts established by this title are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. Toward the achievement of these goals, mixed-use districts have the following specific purposes and intents:

- 07.01.010     *Deleted – Ordinance O1003-23*
- 07.01.020     To provide the opportunity for the development of permanent residential activities that are spatially integrated either horizontally or vertically with the broadest possible range of compatible non-residential activities.
- 07.01.030     To ensure residential livability for permanent residential activities in a mixed-use area, to protect adjacent residential areas and to provide a harmonious and supportive relationship with all other adjoining uses.
- 07.01.040     To encourage permanent residential activities in mixed-use areas through the provision of development incentives.
- 07.01.050     To promote economic development and job opportunities combined with living arrangements that reduce reliance on automotive travel and parking needs and enhance mass transit usage.
- 07.01.060     To encourage the preservation and economical use of existing buildings that contribute to the historical or architectural character of a mixed-use area.
- 07.01.070     To ensure that the scale and intensity of mixed-use development are appropriately related to supporting public services and facilities.
- 07.01.080     To provide for compact, locational patterns of principal land uses within mixed-use districts in order to encourage pedestrian linkages and to provide for parking arrangements which do not interfere with this pattern.



## **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/Single Family Residence
- Dwelling Two-Family Detached -Duplex
- Short-term rental unit meeting the requirements of Section 12.02

#### **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 Limited

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

D. Prohibited Uses and Structures

Any use or structure not of a nature specifically permitted herein, and any use not conforming to the performance standards.

07.02.020 Residential Site Development Regulations

Permitted residential activities and developments in the MRO District shall be designed and developed according to the following regulations:

- |    |                            |                |
|----|----------------------------|----------------|
| A. | Bulk Regulations           |                |
| 1. | Site Area Per Unit         | 3,000 sq. ft.  |
| 2. | Maximum Building Height    | 35 feet        |
| B. | Area and Yard Regulations  |                |
| 1. | Minimum Required Lot Area  | 6,000 sq. feet |
| 2. | Minimum Required Lot Width | 60 feet        |

3. Minimum Required Building Setback.

<i>Yard</i>	<i>Single-Family Detached</i>	<i>Single-Family Attached</i>	<i>All Other Uses</i>
Front	20 Feet	20 Feet	25 Feet
Side	10 Feet	10 Feet on yard opposite common wall	10 Feet
Rear	10 Feet	15 Feet	20 Feet

Greater yard and building setbacks may be required when the MRO zoned properties are located adjacent to a separate zoning district to comply with bufferyard requirements of Article, 13, Section 13.03.

07.02.030 Non-Residential Site Development Regulations

A. Bulk Regulations.

1. Maximum Building Height 35 feet
2. Maximum Floor Area Ratio 0.5

B. Area and Yard Regulations

1. Minimum Lot Area 20,000 sq. ft.
2. Minimum Front Yard 10 feet
3. Minimum Side Yard 10 feet
4. Minimum Rear Yard 20 feet
5. Minimum Building Setback.

Street Classification

- |           |         |
|-----------|---------|
| Arterial  | 10 feet |
| Collector | 10 feet |
| Local     | 10 feet |

Greater yard and building setbacks may be required when the MRO zoned properties are located adjacent to a separate zoning district to comply with bufferyard requirements of Article, 13, Section 13.03.

Setbacks from roadways scheduled for widening shall meet the setback from the projected future right-of-way line as identified in the Comprehensive Plan.

07.02.040 Additional Site Development Regulations

- A. Preliminary Master Development Plan Approval Required: The establishment of the MRO zoning district shall be based upon the submission and approval of a preliminary master development plan according to the provisions of Sections 12.02 and 15.07 of this Ordinance. The preliminary master development plan shall form the basis of the proposed MRO District, and, if approved, the plan and all of its components shall run with the land. All other conditions, regulations, and stipulations of the preliminary master development plan requirements shall be applied to any proposed development in the MRO District. A preliminary master development plan is not required for property zoned MRO prior to July 14, 1998.

- B. Final Master Development Plan Approval Required: The Mayor and Aldermen's approval of a preliminary master development plan of a MRO District shall authorize and form the basis for the Planning Commission's final approval of said development. The final approval of the Planning Commission of the development shall be subject to the provisions of Section 12.02 of this Ordinance:
  
- C. Additional Site Design Standards: All developments occurring within a MRO District shall be designed and developed to comply with the standards of Articles 11.00, 12.00, and 13.00 of this Ordinance.

### **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/Single Family Residence
- Dwelling, Two-Family Detached -Duplex
- Short-term rental unit meeting the requirements of Section 12.02

###### **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, including short term Rental unit(s)  
 Undertaking Service  
 Animal Care Limited

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

07.03.020 Residential Site Development Regulations

Permitted residential activities and developments in the MU District shall be designed and developed according to the following regulations:

A. Bulk Regulations

- |    |                         |               |
|----|-------------------------|---------------|
| 1. | Site Area per Unit      | 3,000 sq. ft. |
| 2. | Maximum Building Height | 35 feet       |

B. Area and Yard Regulations

- |    |  |                |
|----|--|----------------|
| 1. | Minimum Site Size (Entire Development) | 5 acres        |
| 2. | Minimum Lot Area                       | 60,000 sq. ft. |
| 3. | Minimum Lot Width                      | 60 feet        |
| 4. | Minimum Building Setback.              |                |

<i>Yard</i>	<i>Single-Family Detached</i>	<i>Single-Family Attached</i>	<i>All Other Uses</i>
Front	20 Feet	20 Feet	25 Feet
Side	10 Feet	10 Feet on yard opposite common wall	10 Feet
Rear	10 Feet	15 Feet	20 Feet

Greater yard and building setbacks may be required when the MU zoned properties are located adjacent to a separate zoning district to comply with bufferyard requirements of Article, 13, Section 13.03.

Setbacks from roadways scheduled for widening shall meet the setback from the projected future right-of-way line as identified in the Comprehensive Plan.

### 07.03.30 Non-Residential Site Development Regulations

#### A. Bulk Regulations

1. Maximum Building Height 35 feet
2. Maximum Floor Area Ratio 1.0
3. Maximum Building Coverage 50 percent

#### B. Area and Yard Regulations

1. Minimum Site Size (Entire Development) 5 acres
2. Minimum Lot Area 20,000 sq. ft.
3. Minimum Front Yard 10 feet
4. Minimum Side Yard 10 feet
5. Minimum Rear Yard 20 feet
6. Minimum Building Setback.
  - Street Classification
  - Arterial 10 feet
  - Collector 10 feet
  - Local 10 feet

Greater yard and building setbacks may be required when the MU zoned properties are located adjacent to a separate zoning district to comply with bufferyard requirements of Article, 13, Section 13.03.

Setbacks from roadways scheduled for widening shall meet the setback from the projected future right-of-way line as identified in the Comprehensive Plan.

### 07.03.040 Additional Site Development Regulations

- A. Preliminary Master Development Plan Approval Required: The establishment of the MU zoning district shall be based upon the submission and approval of a preliminary master development plan according to the provisions of Sections 12.02 and 15.07 of this Ordinance. The preliminary master development plan shall form the basis of the proposed MU District, and, if approved, the plan and all of its components shall run with the land. All other conditions, regulations, and stipulations of the preliminary master development plan requirements shall be applied to any proposed development in the MU District.

- B. Final Master Development Plan Approval Required: The Mayor and Aldermen's approval of a preliminary master development plan of a MU District shall authorize and form the basis for the Planning Commission's final approval of said development. The final approval of the Planning Commission of the development shall be subject to the provisions of Section 12.02 of this Ordinance:
- C. Additional Site Design Standards: All developments occurring within a MU District shall be designed and developed to comply with the standards of Articles 11.00, 12.00, and 13.00 of this Ordinance.

**7.04 Intent and Description of Existing Mixed-Use General (MUG) Districts Approved Prior to July 7, 1998**

These provisions apply to only those Mixed-Use General Districts that were approved prior to July 7, 1998. No rezoning to Mixed-Use General District shall be approved after that date.

This district is designed to provide adequate and suitable space in appropriate locations for high intensity residential uses mixed with a wide range of compatible nonresidential uses at low to moderate intensities. A high level of accessibility is a necessary locational requirement for this district due to the intensity of development expected. Appropriate locations include major highways which have undeveloped or intermittent developed land.

07.04.010 Uses and Structures

A. Principal Permitted Uses and Structures

Within the Mixed-Use General Districts as shown on the Gallatin Municipal-Regional Zoning Map and as delineated below, as described in Article 3, the following activities are permitted:

Residential Activities

- Dwelling, Attached
- Dwelling, Multi-Family
- Short-term rental unit meeting the requirements of Section 12.02

Community Facility Activities

- Administrative
- Community Assembly
- Essential Service
- Limited Child and Adult Care
- Non-assembly Cultural
- Place of Worship

Commercial Activities

- Animal Care
- Automotive Servicing
- Business and Communication Service
- Consumer Laundry and Repair
- Convenience Sales and Service
- Financial, Consulting, and Administrative
- Food Service
- General Personal Service
- General Retail Sales and Service
- Group Assembly-Extensive
- Group Assembly-Limited
- Medical Service