

City of Senatobia, Mississippi Zoning Ordinance

Adopted March 19, 2024

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Zoning Ordinance
City of Senatobia, Mississippi

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ARTICLE I-TITLE, PURPOSE, AND LEGAL PROVISIONS

SECTION 100-SHORT TITLE

This ordinance shall be known as the "Zoning Ordinance" and the map herein referred to identified by the title "Zoning Map of Senatobia" and attested by the City Clerk. The Zoning Map of Senatobia and all explanatory matter thereon is hereby adopted and made a part of this ordinance. Such map shall be filed in the office of the City Clerk and shall show thereon the date of adoption of this ordinance.

SECTION 101-PURPOSE

The purpose of this ordinance is to protect and enhance the integrity and value of the property in Senatobia. This ordinance shall be considered the minimum requirements adopted for the promotion of the public health, safety, morals, convenience, order, prosperity, and general welfare of the community inside the city limits of Senatobia. Further any subdivision, proposed development, operation, or other activity that intends to have and be serviced by Senatobia city water and/or sewer and/or gas shall abide by these rules and commit to being annexed into the city.

SECTION 102-ZONING DISTRICTS

For the purpose of this ordinance the City of Senatobia is hereby divided into the type of districts designated as follows:

- A-R, Agricultural Residential District (Rural Residential)
- R-E, Residential Estate District (Fringe Residential, 3 acre lot minimum)
- R-1, Residential District (Single-Family 13,500 sq.ft. lot minimum),
- R-2, Residential District (Single-Family 10,000 sq.ft. lot minimum),
- R-3, Residential District (Single-Family 8,000 sq.ft. lot minimum),
- R-4, Multi-Family District (Multi-Family 1-4 units per structure)
- R-5, Multi-Family District (Multi-Family 1-20 units per structure)
- R-6, Manufactured Home District (Manufactured Home Subdivision or Park)
- B-1, Business District (Local Shopping),
- B-2, Business District (General)
- B-3, Business District (Central Business District),
- SCOD, Senatobia Corridor Overlay District.
- M-1, Industrial District (Light)
- M-2, Industrial District (Heavy)
- X-1, Special Use District,
- PUD, Planned Unit Development, and

SECTION 103-DISTRICT BOUNDARIES

The boundaries of the above districts are hereby established as shown on the zoning map of the municipality. Unless otherwise shown on said zoning map, the boundaries of districts are lot lines, the center lines of streets or alleys or such lines extended, railroad right-of-way lines, or the corporate limit lines as they existed at the time of enactment of this ordinance. Questions

concerning the exact location of district boundary lines shall be decided by the Building and Planning Director.

SECTION 104-INTERPRETATION

Where other ordinances or regulations presently in place, or that may be adopted hereafter, impose greater restrictions than those specified herein, compliance with such other ordinances or regulations is mandatory. This ordinance shall not lower the restrictions of other ordinances, regulations, plats, deeds, or private contracts if such are greater than the provisions of this ordinance.

SECTION 105-SAVING CLAUSE

If any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance that is not in and of itself invalid or unconstitutional.

ARTICLE II-DEFINITIONS

SECTION 200-RULES FOR WORDS AND PHRASES

For the purpose of this ordinance words used in the present tense include the future, the singular number includes the plural, and the plural the singular. The word "building" includes the word "structure" or "premises"; the word "shall" is mandatory and "may" is permissive; the word "person" includes a firm, organization, association, partnership, trust, company, or corporation, as well as an individual. Words not specifically defined herein shall be interpreted in accordance with their usual dictionary meaning and customary use in municipal government and the planning and zoning profession. Words and terms are defined as follows:

SECTION 201-DEFINITIONS

Accessory Building or Structure: Any detached minor building in the rear or side of the main building consisting of masonry or frame walls and roof: one (1) or two stories in height, that is subordinate or incidental to the principal or main structure or use and located on the same lot. Any and all accessory buildings will be located behind the front building line of the main structure in the rear or side yards. Further, the accessory buildings overhang or any portion of the building or structure will not be located less than five (5) feet from the side or rear property lines. It is the intent of this ordinance that there shall be but one (1) main structure plus any permitted accessory structures on any lot used for residential purposes; also, that accessory structures, including storage buildings, shall not include living quarters, and shall generally conform to the style and appearance of the main structure to blend in with the main structure and/or the neighborhood.

Accessory Use: A subordinate use that is incidental to and customary in connection with the principal building or use and located on the same lot.

Alteration and altered: A building or structure shall be classified as altered when it is repaired, renovated, remodeled, rebuilt at a cost in excess of fifty (50) percent of its property value prior the commencement of such repairs, renovation, remodeling, rebuilding. The word "alteration" shall include any of the following:

- a. Any addition to the height or depth of a building or structure.
- b. Any change in the location of any of the exterior walls of a building or structure.
- c. Any increase in the interior accommodation of a building or structure.

Apartment: Same as Dwelling, Multi-family.

Bed & Breakfast: A building or portion thereof, formerly a single-family dwelling unit, where an owner-operator is paid for lodging in a limited number of guest bedrooms, for specific time periods, with meals provided only to registered guests. This definition does not include hotels, restaurants, cafes, or any other activities that involve sales or services to non-registered guests.

Billboard (or Off-Premises Sign): A sign that directs attention to a business, commodity, profession, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located. This definition shall also include an object, device, display, sign, or structure used to express a point of view, by any means, including words, letters, figures, design, symbols, advertising flags, fixtures, colors, illuminations or projected images. Each

substantially different face of a billboard structure shall constitute a separate billboard. See Senatobia Sign Ordinance for details and regulations regarding all signs.

Boarding house: Similar to Bed & Breakfast.

Building: Any structure having a roof supported by columns or walls built for the support, shelter, or enclosure of persons, animals, or property of any kind, but not including any vehicle, trailer (with or without wheels) nor any movable device. It is the intent of this ordinance that there shall be but one (1) main structure plus any permitted accessory structures on any lot used for residential purposes; also, that accessory structures, including storage buildings, shall not include living quarters, and generally conform to the style and appearance of the main structure to blend in with the main structure and/or the neighborhood.

Building area: The portion of the lot occupied by the building, including porches, carports, accessory building, and other structures.

Building Line-- Front, Side, Rear: Lines that define the required area for the front, side, and rear yards, as set forth in this Ordinance (see Yards). This line is usually fixed parallel to the property line and is equivalent to the required yard.

Building height: The vertical distance from the grade (as defined herein) to the highest point of the coping of a flat roof, or to the top deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, and gambrel roofs.

Cannabis: As defined in *Mississippi Code*, all parts of the plant of the genus cannabis, the flower, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or its resin, including whole plant extracts. Such term shall not mean cannabis-derived drug products approved by the federal Food and Drug Administration under Section 505 of the Federal Food, Drug and Cosmetic Act.

Cannabis Cultivation Facility: A business entity licensed and registered by the Mississippi Department of Health that acquires, grows, cultivates and harvests medical cannabis in an indoor, enclosed, locked and secure area.

Cannabis Disposal Entity: A business entity licensed and registered by the Mississippi Department of Health that is involved in the commercial disposal or destruction of medical cannabis.

Cannabis Processing Facility: A business entity licensed and registered by the Mississippi Department of Health that (i) acquires or intends to acquire cannabis from a cultivation facility; (ii) possesses cannabis with the intent to manufacture a cannabis product; (iii) manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and (iv) sells or intends to sell a cannabis product to a medical cannabis dispensary, cannabis testing facility, or cannabis research facility.

Cannabis Products: Cannabis flower, concentrated cannabis, cannabis extracts and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes, without limitation, edible cannabis products, beverages, topical products, ointments, oils, tinctures and suppositories that contain

tetrahydrocannabinol (THC) and/or cannabidiol (CBD) except those products excluded from control under Sections 41-29-113 and 41-29-136 of the Mississippi Code.

Cannabis Research Facility: A research facility at any university or college or an independent entity licensed and registered by the Mississippi Department of Health pursuant to Mississippi Code that acquires cannabis from cultivation and processing facilities in order to research cannabis, develop best practices for specific medical conditions, develop medicines and provide commercial access for medical use.

Cannabis Testing Facility: An independent entity licensed and registered by the Mississippi Department of Health that analyzes the safety and potency of cannabis.

Cannabis Transportation Entity: An independent entity licensed and registered by the Mississippi Department of Health that is involved in the commercial transportation of medical cannabis.

Medical Cannabis: Cannabis, cannabis products and edible cannabis that are intended to be used by registered qualifying patients as provided by Mississippi Code.

Medical Cannabis Dispensary: An entity licensed and registered with the Mississippi Department of Revenue that acquires, possesses, stores, transfers, sells, supplies or dispenses medical cannabis, equipment used for medical cannabis, or related supplies and education materials to cardholders.

Medical Cannabis Establishment: A cannabis cultivation facility, cannabis processing facility, cannabis testing facility, cannabis dispensary, cannabis transportation entity, cannabis disposal entity or cannabis research facility licensed and registered by the appropriate state agency.

Church: A building used principally for religious worship, but the word church shall not include or mean a funeral chapel or building, religious educational institution or parochial school, day care center, or any type of religious owned or sponsored residential facilities.

Cluster Development: A development pattern for residential subdivisions that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision and the resultant land area is devoted to open space.

Commercial Vehicle: Any motor vehicle, trailer, or semi-trailer designed or used to carry freight, passengers for a fee, merchandise, or services in the furtherance of any commercial enterprises and bearing or required to bear commercial license plates.

Communications Tower: Structure used for receiving and relaying radio, telegraph, telephone, and television signals. This definition includes monopole and taller structures that require external wire supports.

Comprehensive Plan: The adopted comprehensive plan for Senatobia Comprehensive Plan Update 2023.

Condominium: The ownership of single units in a multi-unit structure with common areas and facilities. Also, a building, or group of buildings, where units are owned individually, and where the

structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Daycare Center: A place operated by a person, social agency, corporation, institution, or other group, whether such place be organized or operated for profit or not, that receives pay for the instruction, guidance, care, supervision, and protection of six (6) or more children under 17 years of age for less than 24 hours per day, without transfer of custody.

Daycare Center, Adult: A place operated by a person, social agency, corporation, institution, or other group, whether such place be organized or operated for profit or not, that receives pay for the instruction, guidance, care, supervision, and protection of six (6) or more for elderly and/or functionally impaired adults for less than 24 hours per day.

Density: The number of dwelling units per acre of gross land area.

Drive-in restaurant: A restaurant or public eating business so conducted that food, meals or refreshments are brought to the motor vehicles for consumption by the customer or patron.

Dwelling: A house or other building used primarily as an abode for one family except that the word "dwelling" shall not include boarding or rooming houses, tents, tourist camps, hotels, manufactured homes and/or mobile homes, manufactured home and mobile home parks or subdivisions, or other structures designed or used primarily for transient residents.

Dwelling unit: One room or rooms connected together, constituting a separate, independent housekeeping establishment for one family, physically separated from any other dwelling units that may be in the same structure, and containing independent cooking, sleeping and bathroom facilities.

Dwelling, Single-family, Detached: A dwelling designed for and occupied by not more than one family which does not have any roof wall or floor in common with any other dwelling unit

Dwelling, Multi-family: A building designed or occupied by more than two families living independently of each other.

Dwelling--- Two-family (duplex), Three-family (triplex), or Four-family (quadplex): A building designed or occupied by two, three, or four families, living independently of each other having one wall common to the dwelling units, and located on one lot.

Easement: A strip of land extending along a property line or across a lot for which a limited right of use has been granted for a public or quasi-public purpose, such as drainage, utility lines, construction infringement, access, etc., and within which the owner of the property shall not erect any permanent structures.

Family: Any number of individuals related by blood, marriage, or other legal arrangement, or a group of unrelated individuals not to exceed four unrelated persons living together as a single housekeeping unit and in which food preparation is conducted on the premises.

Farm: An area of more than 10 acres located outside a recorded subdivision which is used for the growing of the usual farm products such as vegetables, fruit, trees, hay, cotton, and grain, and their storage on the area, as well as the raising thereon of the usual farm animals, such as horses and cattle. The term "farming" includes the operating of such an area for one or more of the above uses

with the necessary accessory uses for treating or storing the produce provided, however, that the operation of such accessory uses shall be secondary to that of the normal farming activities, and provided further that farming does not include the extraction of minerals, the feeding of collected garbage or offal to swine or other animals or intensive livestock raising, such as commercial feed lots, large batteries of rabbit hutches, or poultry lots or coops.

Floor Area: The total number of square feet of floor space within the exterior walls of a building, not including unheated space in attics, garages, cellars, or basements.

Flood, 100-year: The highest level of flooding that, on average, is likely to occur once every one hundred (100) years (i.e. that has one (1) percent chance of occurring each year). Details and definitions concerning uses and development are covered in a separate ordinance.

Flowage Easement: Privately owned land on which the U.S. Army Corps of Engineers has acquired certain perpetual rights. Namely the right to flood it in connection with the operation of the reservoir; the right to prohibit construction or maintenance of any structure for human habitation; the right to approve all other structures constructed on flowage easement land, except fencing. This is typically based on elevation and is done to protect individual property during a flood event and allow hydrologist to better predict the changes in elevation a lake will undergo during high inflow.

Food Truck (Mobile Vendor): A vehicle or trailer equipped with facilities for cooking and selling food or from which food is sold. The vehicle or trailer must remain on wheels at all times.

Garbage: The animal and vegetable waste resulting from the handling, preparation, cooking, serving and non-consumption of food.

Home Owners' Association (HOA), or Property Owners Association (POA): A community association which is organized in a development in which individual owners share common interests in common property such as open space, private drives, or facilities. The HOA/POA manages and maintains the common property and enforces certain covenants and restrictions. To assure that common property is maintained any development that proposes to have private amenities and/or common properties, those that are not being dedicated to and accepted by the city of Senatobia, shall have a HOA/POA that is established with the first part of the development HOA/POA and shall be mandatory in membership and dues, and shall apply to the entire development. All lots within the subdivision should be included in one HOA /POA for the development.

Home occupation: Any occupation, profession, activity, or use that is clearly a customary, incidental, and secondary use of a residential dwelling unit, and shall be subject to the following conditions:

- a. The home occupation shall be conducted entirely within a dwelling unit which is the bona fide residence of the practitioner(s), or entirely within only one accessory garage building (not to include a carport, driveway, yard, or outside area).
- b. No more than 25 percent of the total gross floor area of residential buildings plus other buildings housing the purported home occupation, or more than 500 square feet of gross floor area (whichever is less), is used for home occupation purposes.

- c. The residential character of the lot and dwelling shall be maintained. Neither the interior nor the exterior of the dwelling shall be structurally altered so as to require compliance with non-residential construction codes to accommodate the home occupation. No additional building shall be added to the property to accommodate the home occupation.
- d. The home occupation shall not generate customer related vehicular traffic in excess of ten (10) vehicles per twenty-four (24) hour day in the residential neighborhood. Not more than two (2) customer related vehicles shall occupy the neighborhood at any given time.
- e. No direct selling of merchandise shall occur on the premises.
- f. No equipment or materials associated with the home occupation shall be displayed or stored where visible from anywhere off the premises.
- g. The occupation shall not produce external noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, or waste runoff outside the dwelling unit or on the property surrounding the dwelling unit.
- h. No vehicle used in connection with the home occupation that requires a commercial driver's license to operate shall be parked on the premises or on any street adjacent to the residentially zoned property.
- i. Nothing herein shall be construed to allow the following businesses or occupations as home occupations: animal hospitals, clinics, hospitals, contractor's yards, dancing schools, junk yards, car lots, wrecker services, restaurants, rental outlets, vehicle repair shops, or massage parlors.

Hotels: Any building or portion thereof that contains at least ten (10) guest rooms intended for overnight lodging and occupancy by individuals, for compensation whether paid directly or indirectly. This definition also includes Motels, Motor Courts, Motor Lodges, Tourist Courts, and other similar establishments.

Improvements: Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, gas lines, street lights, flood control and drainage facilities, utility lines, landscaping, dirt work, and other related matters normally associated with the development of undeveloped land into building sites.

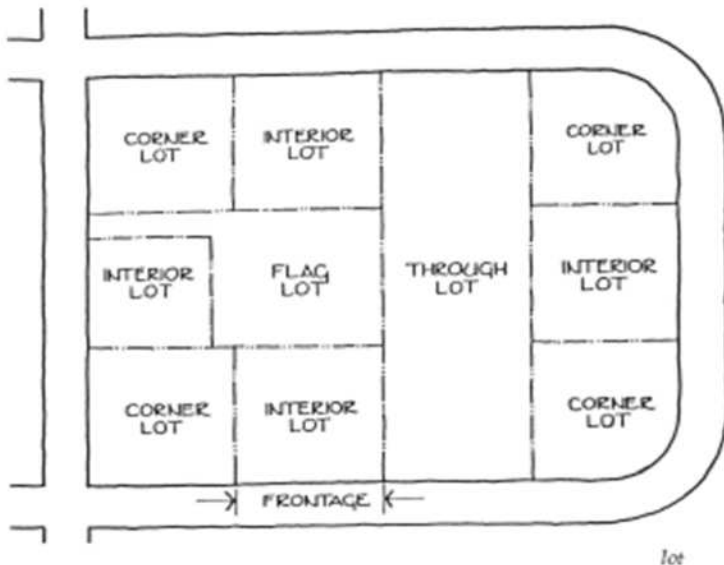
Junk: Old and dilapidated vehicles and parts thereof, scrap, building material, scrap contractor's equipment, tanks, casks, cans, barrels, boxes, drums, piping, bottles, glass, old iron, machinery, rags, paper, excelsior, hair, mattresses, beds or bedding or any other kind of scrap or waste material which is stored, kept, handled, or displayed within the City Limits.

Junk car or vehicle: Any motor vehicle without a state license plate that is current. Any vehicle that is obviously in such condition as to be considered inoperable. Evidence for determining whether a vehicle is disabled shall include removed or flat tires, partial or complete dismantling or removal of parts, broken glass, missing major parts such as lights, doors, trunk covers, hoods, or motor parts essential for the lawful, safe operation of the vehicle, or other signs of substantial deterioration. Further evidence shall include growth of vegetation about the vehicle, the positioning of the vehicle in other than an upright or operable manner, and vandalism.

Junkyard: A lot or parcel of land used for collection, storage or sale of discarded material such as waste paper, rags, automobiles, scrap metal, or other junk, whether the use thereof was intended or

not. For the purposes of this ordinance, a lot or parcel with two or more inoperable or unlicensed automobiles shall be considered a Junk Yard. Junkyards shall be prohibited in all agricultural, residential, or business zones.

Lot: A portion of a subdivision, any parcel, plot, piece, or survey of land, intended as a unit for transfer of ownership or for development. For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Every lot shall have frontage on a public right-of-way, public road, or public street of at least 50 feet except in a cove where at least 20 feet is required. Types of lots are shown below:



Source: A Planners Dictionary, PAS report 521/522 (2004)

Lot Area: The total area within the lot lines of a lot including land area within easements and excluding any street rights-of-way.

Lot, Corner: A lot that fronts on two or more streets or roads at their intersection (see illustrations above).

Lot, Cove: A lot located within a cove or cul-de-sac that is more narrow at the street frontage than is in the rear.

Lot, Double Frontage or Through: A lot that fronts on two or more non-intersecting streets, as distinguished from a corner lot (see illustrations above)

Lot, Flag or Toothbrush: A lot that is shaped so that the access is through a narrow strip of land, at least 50 feet wide, that touches a public street, but the main building and lot are set back from the street and otherwise conform to lot and yard requirements. No buildings are allowed in the narrow street that connects the main portion of the lot and the public street (see illustrations above).

Lot Lines: The property lines bounding the lot.

Lot Line, Front: The property line separating the lot from a street right-of-way. In the case of a corner lot each line separating such lot from the street shall be considered a front lot line.

Lot line, Rear: The lot line opposite and most distant from the front lot line of the lot. In the case of a corner lot the line opposite the front of the house shall be considered the rear lot line.

Lot line, Side: Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is considered a front lot line. A side lot line separating a lot from another lot, or lots is called an interior side lot line.

Lot Width: The width of a lot at the building line. Buildable width is the width of lot left to be built upon after the side yards are provided.

Manufactured Home: A factory manufactured movable home, as provided in Miss Code Ann §75-49-3, is a residential dwelling, transportable in two or more sections, which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Manufactured homes are defined by and constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.) and manufactured after June 14, 1976.

Manufactured Housing Park or Subdivision: A parcel of land under single ownership that has been planned and improved for the placement of manufactured housing for dwelling purposes.

Mobile Home: A mobile home, as provided in Miss Code Ann §75-49-3 is a structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), as amended. It is a structure that is transportable in one or more sections, that, in the traveling mode is eight (8) feet or more in width and thirty two (32) body feet or more in length, or, when erected on site, is two hundred fifty-six (256) or more square feet, that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes any plumbing, heating, air conditioning, and electrical systems contained therein.

Modular Homes: A residential dwelling unit assembled on-site in accordance with the municipal building code and composed of components substantially constructed in a manufacturing plant and transported to the building site for final, permanent assembly on a permanent foundation.

Non-conforming building: A structure or building the size, dimensions, or location of which was lawful prior to the adoption, revision or amendment to a zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district. See Article III General Provisions for restrictions regarding continued use.

Non-conforming lot: A lot where the area, dimensions, and/or location, was originally lawful and conformed to the zoning ordinance, but no longer conforms to the requirements of this ordinance or any subsequent amendments thereto of the zoning district where it is located. See Article III General Provisions, Section 5, for restrictions regarding continued use.

Non-conforming use: A use of any structure or land that though originally lawful no longer conforms with the provisions of this ordinance or any subsequent amendments thereto for the district in which it is located. Uses established after the passage of this ordinance that are in violation of this ordinance are illegal uses and shall not be given the status of nonconforming uses. See Article III General Provisions, Section 5, for restrictions regarding continued use.

Noxious plant: Any plant capable of poisoning, including but not limited to poison ivy, at any height or state of maturity.

Offices: Space or rooms, clinics, suites, or buildings used for conduct of a business such administrative, clerical, professional, and similar uses. These offices shall include, but shall not necessarily be limited to, professional offices, medical (doctors and dentists), attorneys, accountants, real estate brokers, insurance agents, architects, or engineers, but shall in no way be construed as permitting undertaking establishments, funeral homes or living quarters.

Parking Area: Any public or private land designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets. This definition does not include grassy or other non-hard surface areas of lots. And it is the intention of this ordinance that each lot should be designed to accommodate the parking requirements of the normal occupants of the lot/building/house on the lot in a hard surface area, driveway, or garage without parking in the street. Coves should be left clear of parked vehicles to allow access and turning of emergency vehicles and school buses.

Parking Space: A paved area, measuring a minimum of nine (9) feet in width and eighteen (18) feet in length with adequate space for ingress and egress to all spaces and/or right-of-way.

Planned Unit Development: (See Article XXI Planned Unit Developments). A development with a minimum of four acres, under unified control to be planned and developed as a whole in a single development or in a definitely programmed series of development phases. A planned unit development is built according to a detailed development plan proposed by the developer and approved by the Planning Commission and the Mayor and Board that include not only streets, utilities, lots and building locations, and the like, but also site plans for all buildings as are intended to be located, constructed, used, and related to each other, and plans for other uses and improvements. A planned unit development may include zero lot line developments.

Premises: Any public or private property, vacant or occupied lot, plot, parcel of land, street, sidewalk, alley, boulevard, highway, right-of-way, park, parkway, public square, or viaduct, including the structures or buildings thereon.

Public/Quasi-Public Facilities: Any building, structure, system, use, or combination of uses, which is customarily and ordinarily provided by either public or private agencies, groups, societies, corporations, or organizations, whose purpose is the provision of necessary and desirable goods and/or services for the general public health, safety, and welfare. Such uses shall include, but not be limited to:

- 1) Churches and other religious institutions.
- 2) Schools, including all private, public or parochial schools, excluding institutions of higher learning which shall be zoned "Special Use" districts only.

- 3) All governmental buildings (including municipal buildings and buildings erected by County, State or Federal governments) and major governmental facilities, such as water pumping stations, sewage treatment plants, sanitary landfills and the like. (NOTE: Public recreation and open space facilities are a land use permitted outright in any district, and such facilities are not subject to the regulations of Section 402 as special exceptions.)
- 4) All hospitals, whether public or private.
- 5) Civic organization buildings and major facilities.
- 6) Buildings and facilities erected by charitable organizations (e.g., American Red Cross, Salvation Army, etc.); (Note: When such facilities are erected as emergency measures, they shall be exempt from the Conditional Use provisions of this Ordinance, including site plan review and public hearing requirements).
- 7) Country clubs and other major recreational facilities constructed by private groups.
- 8) All cemeteries, including associated facilities (e. g., caretaker offices and residence, etc.) not including funeral homes and mortuaries.
- 9) Major facilities associated with privately-owned utilities (electrical, natural gas, telephone) including, but not limited to, electrical substations, telephone communications centers, microwave towers, cellular telephone antennas, natural gas pumping facilities and similar significant uses.

Rank weeds: Thickets or any vegetation which may emit noxious odors or any vegetation which is 12 inches or more in height, including but not limited to grasses and unattended growths of other plants, bushes, and shrubbery. Rank weeds shall not mean trees in excess of six feet in height, cultivated or attended trees less than six feet in height, or cultivated or attended plants, bushes, or shrubbery.

Refuse: Unwanted or discarded waste materials in a solid or semisolid state consisting of garbage or rubbish or a combination thereof.

Rubbish: Solid wastes consisting of combustible and noncombustible waste materials from residential, commercial, industrial, and institutional establishments, including yard wastes and items commonly referred to as trash.

Setback: The minimum distance required between the lot boundary and the building line. (Also see Lots & Yards)

- a. **Front setback line:** A line parallel to the street right-of-way line and representing distance which all or any part of the building is set back from said right-of-way line.
- b. **Side setback line:** A line parallel to the side lot line and representing the distance which all or any part of the building is set back from the rear lot line.
- c. **Rear setback line:** A line parallel to the rear lot line and representing the distance which all or any of the building is set back from the rear lot line.

Sign: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. For details and regulations see separate Senatobia Sign Ordinance.

Site Plan, Non-Residential: A site plan prepared by a licensed Professional Engineer, which includes all drawings and required information as found in Appendix A, Section 11 of the Senatobia Zoning Ordinance.

Site Plan, Residential: A site plan prepared by a licensed Professional Engineer or licensed Professional Surveyor, showing a proposed residence's location on a piece of property. Residential site plan shall also show property lines, setbacks, easements, and utility tap locations.

Special Exception or Conditional Use: a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, time limit, or relation to the neighborhood as approved by the Board of Adjustments, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

Street: Any public or private way set aside for common travel more than twenty-one feet in width if such existed at the time of enactment of this ordinance, or such right-of-way fifty (50) feet or more in width if established thereafter. The term "street" means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, place, or however otherwise designated.

- a. Arterial streets or highways are those that are used primarily for fast and heavy traffic.
- b. Collector streets are those which carry traffic from minor or neighborhood streets to the major system of arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such a development.
- c. Cul-de-sac is a short street, less than 400 feet in length, having one end open to traffic and being permanently terminated within the plat by a permanent vehicular turnaround.
- d. Frontage road is a street, parallel to and adjacent to a major highway or thoroughfare, which provides access to abutting properties.
- e. Local or Minor streets are those that are used primarily for access to the abutting properties and are designed to carry traffic from residential areas to collector streets.
- f. Alleys are minor ways that are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

Street Right-of-Way (ROW): A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a road, communication, crosswalk, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and similar uses.

Structure: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground, including among other things signs, billboards, but not including telephone poles and overhead wires.

Subdivision: A subdivision shall include all divisions of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose of sale or building development, whether for immediate or future sale or development. The public acquisition of land, either by purchase or other

public improvements, shall not be included within this definition of a subdivision or be subject to these subdivision procedures.

- a. **Subdivision, Major:** A subdivision of land as defined above involving the dedication of a new street or a change in existing streets. A major subdivision shall also include divisions of more than five lots that do not involve the dedication or construction of a new street regardless of the zoning classification.
- b. **Subdivision, Minor:** A subdivision of land as defined above that does not involve the dedication or construction of a new street, that is currently zoned Agricultural Residential (A-R) or Residential Estate (R-E), and has frontage on an existing public right-of-way sufficient to comply with requirements of the zoning ordinance and other regulations. A minor subdivision shall also be defined to include the division of two or more lots with a maximum of five lots.

Use: The purpose for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

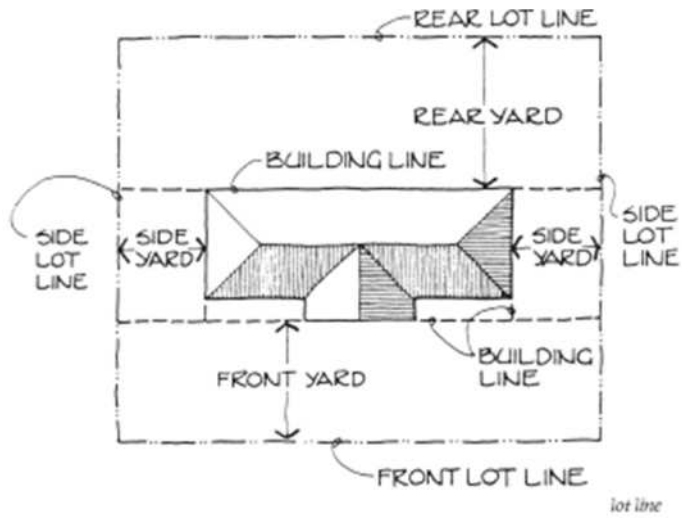
Utility Substation: A facility containing high voltage electrical equipment, transformers or specialized transmission facilities for gas, water, sewer, telephone, or other public utilities enclosed in a single area and connected to a transmission network, but not requiring office space, or other space with regular attendants.

Variance: A variance is a relaxation of the terms of the zoning ordinance, granted by the Board of Adjustments, where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

Wireless Communication Facilities (WCF): Any unstaffed facility for the transmission and/or reception of wireless telecommunication services, usually consisting of an antenna array, cabling and associated ground equipment and a support structure.

Yard: An open space, on the lot with the main building left open, unoccupied, and unobstructed by buildings from the ground to the sky except as otherwise provided in this ordinance (See illustrations below).

- a. **Front yard:** The yard extending across the width of the lot between the main building, including covered porches, and the front lot line, or if an official future street right-of-way line has been established, between the main building, including covered porches, and the right-of-way line. Corner lots and double-frontage lots or "through" lots have two front yards (See illustrations below).
- b. **Rear yard:** The yard extending across the entire width of the lot between the main building, including covered porches, and the rear lot line (See illustrations below).
- c. **Side yard:** The yard extending along a side lot line, from the front yard to the rear yard, between the main building, including covered porches and carports and such lot line (See illustrations below).



Source: A Planners Dictionary, PAS report 521/522 (2004)

Zero lot line development: A development approach in which a single-family dwelling is located on a lot in such a manner that one (1) or more of the building's sides rest directly on a lot line.

ARTICLE III-ADMINISTRATION & ENFORCEMENT

SECTION 300-ADMINISTRATION AND ENFORCING OFFICER

The provisions of this ordinance shall be administered and enforced by the Building and Planning Director. This official shall have the right to enter upon any premises at any reasonable time prior to the issuance of a certificate of occupancy for the purpose of making inspections of buildings or premises necessary in carrying out the enforcement duties of this ordinance.

SECTION 301-DUTIES, POWERS AND LIMITATION OF POWERS OF ADMINISTRATIVE OFFICER

- a) Coordinate all matters relating to this Ordinance with, as appropriate, the Director of Public Works and other City officials.
- b) Provide information to the public on matters relating to zoning.
- c) Provide application forms to the public on matters relating to zoning.
- d) Maintain, or be responsible for, the maintenance of the Official Zoning Map.
- e) Review all building permit applications and plot diagrams as they relate to this Ordinance.
- f) Receive and take appropriate action on all applications for dimensional variances, special exceptions, and zoning amendments (rezoning).
- g) Receive and take appropriate action on all site plans submitted in accordance with Section 404 of this Ordinance and the forwarding copies of site plans and associated materials to the proper individuals or bodies.
- h) Check construction (or use conversion) performed under zoning-related permits to determine if the work (or use conversion) meets the requirements before issuing a certificate of occupancy.
- i) Oversee the preparation and maintenance of a map or other recording process indicating nonconforming uses, structures and undeveloped (or vacant) lots.
- j) Clear with other local, county, state, or Federal agencies where such clearance is necessary in connection with zoning matters.
- k) Appear before the Planning Commission and the Mayor and Board of Aldermen to furnish information helpful to those bodies in carrying out their assigned functions.
- l) Make periodic checks for violations or investigate written complaints of violations of this Ordinance and notify in writing the person(s) responsible for violations of the Ordinance, indicating the nature of the violation and ordering the action necessary to correct it.
- m) Report uncorrected violations to the Mayor and Board of Aldermen and recommend action to prevent or halt violations of this Ordinance.
- n) Advertise public hearings as required by this Ordinance. (Note: The Building and Planning Director may simply notify the City Clerk that advertisement of a public hearing is needed,

and the City Clerk may actually transmit the required notice to the appropriate newspaper or newspapers).

- o) Keep records pertaining to zoning matters.
- p) Attend Planning Commission meetings as needed but especially when site plans are to be reviewed.
- q) Provide administrative interpretation.

SECTION 302-ADMINISTRATIVE INTERPRETATION

In the event there is a question as to the general intent or specific meaning of any provision of the Zoning Ordinance text, or of the boundaries or district designations or other matters relating to the Official Zoning Map, the Building and Planning Director shall have the power to make such administrative decisions and interpretation. Such decisions or interpretations shall be made in writing by the Building and Planning Director.

- a) **Limitation of Powers:** Said administrative interpretation shall in no manner be construed to include, or used in any way which would permit, the granting of a special exception, dimensional variance, or zoning amendment (either an amendment to the zoning text or a district re-classification -- that is, the rezoning of any land), the provisions for which use are given elsewhere in this Ordinance.
- b) **Appeals from the Administrative Interpretation by the Building and Planning Director:** Appeals from said administrative interpretation shall be made as provided in Section 408 of this Ordinance.
- c) **Administrative Interpretation by the Building and Planning Director shall not be used in matters which the Building and Planning Director has personal financial interest or personal gain is involved.**

SECTION 303-ESTABLISHMENT AND RULES OF PLANNING COMMISSION

The Senatobia Planning Commission has been duly established as allowed under Mississippi Code 17-1-11 to assist with implementation of the comprehensive plan, zoning ordinance, subdivision ordinance, and other ordinances and regulations as allowed. In accordance with Section 25-41-5 of the Mississippi Code of 1972, As Amended, all meetings of the Planning Commission shall be open to the public at all times unless an executive session is declared as provided in Section 25-41-7. No member of the Planning Commission shall participate in the hearing of the singular item nor vote on any matter before the Commission in which he has a personal financial interest.

In addition to other rules of conduct that the Planning Commission may adopt, the following shall apply: The secretary for the Planning Commission shall record all recommendations and decisions regarding variances, special exceptions, rezoning, amendments to the Zoning Ordinance text, site plans, subdivision plats, and other matters through the Minutes of the Planning Commission.

The Planning Commission shall hold regular meetings (unless there are no items of business to be considered by the Planning Commission for a particular month) once a month at a date and time

established by and a site specified by the membership of the Planning Commission. Special meetings may be called by the Chairman or two or more members of the Planning Commission within two hours of a meeting.

The concurring vote of five (5) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Building and Planning Director, or to decide in favor of applicant on any matter upon which it is required to pass under this ordinance; or to affect any variation in the application of this ordinance.

SECTION 304-DUTIES, POWERS AND LIMITATION OF POWERS OF PLANNING COMMISSION

The Commission's duties regarding this Ordinance shall include, but not be limited to:

- a) The Planning Commission shall review and make recommendations to the Mayor and Board of Aldermen on the following applications:
 - 1) Applications for amendments to the Official Zoning Map (i.e. applications for rezoning);
 - 2) Proposed amendments to the text of this Ordinance.
- b) The Planning Commission shall have review and approval authority on the following applications:
 - 1) Site plans as required under Section 404 of this Ordinance.
 - 2) Special exceptions: As described in Section 403, to hear and decide only such special exceptions as the Board of Adjustment is specifically authorized to pass on by the terms of this ordinance; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this ordinance, or to deny special exceptions when not in harmony with the purpose and intent of this ordinance.
 - 3) Variances: As described in Section 402, to authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship.
 - 4) Administrative review: To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Building and Planning Director in the enforcement of this ordinance.
 - 5) Review and approval of all signs for compliance with the City's Sign Ordinance.
- c) Shall hold all public hearings on matters relating to dimensional variance and special exception permits as required in this Ordinance.

SECTION 304-DUTIES OF THE MAYOR AND BOARD OF ALDERMEN

The Mayor and Board of Aldermen of the City of Senatobia shall have the final authority regarding all matters involving this Zoning Ordinance. The duties of the Mayor and Board of Aldermen shall include, but not necessarily be limited to:

- 1) Applications for amendments to the Official Zoning Map (i.e. applications for rezoning);
- 2) Proposed amendments to the text of this Ordinance;
- 3) Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Planning Commission; and
- 4) Hold all public hearings on matters relating to amendments to the Zoning Map or Ordinance and appeals from the Planning Commission.

Neither the Mayor nor any Alderman shall participate in the hearing of the singular item nor vote on any matter before the Mayor and Board in which he has a personal financial interest.

ARTICLE IV-PROCEDURES

SECTION 400-PURPOSE OF THIS ARTICLE

The purpose of this Article is to provide stated procedures for the administration and enforcement of this Ordinance, which shall be followed by the Building and Planning Director, Planning Commission, and Mayor and Board of Aldermen.

SECTION 401-ZONING CHANGE PROCEDURES

The regulations, restrictions and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or repealed, by the Mayor and Board of Aldermen after advice from the Planning Commission. This can be initiated by the Mayor and Board, or by an individual property owner.

If a property owner or developer wishes to request a change in the existing zoning of a property, an application for “Rezoning” shall be filed with the Planning Commission. The information required by the rezoning application shall be determined by the Planning Commission office and shall be listed on the application form. It shall be similar to the information that is required for preliminary subdivision approval or for a PUD and shall include a description of the property proposed to be rezoned, information related to adjacent properties including lot lines and owners names, etc. The application shall be accompanied by a non-refundable fee established by the Mayor and Board of Aldermen.

In accordance with State Statute, a change in zoning must be supported by clear and convincing evidence that:

- There is a mistake in the original zoning; or
- The character of the neighborhood has substantially changed and warrants the rezoning; **and**
- There is a public need for rezoning the property.

Additionally, the rezoning request must address the following:

- How the proposal conforms to the Comprehensive Plan, or,
- Why the Comprehensive Plan did not anticipate the proposed change;
- What is proposed in detail;
- Why the existing zoning designation is not appropriate; and,
- How the proposed zoning is appropriate.

PUBLIC HEARING

Any proposed amendments, supplements, change, modification, or repeal to this Ordinance or Zoning Map shall be first submitted to the Planning Commission for its recommendations and report, and the Planning Commission shall discuss all possible actions as part of its regular public meetings process.

The Planning Commission shall make its recommendation on any such request to the Mayor and Board of Aldermen. Then, the Mayor and Board of Aldermen shall proceed to hold a public

hearing in relation thereto after giving 15 days notice of the hearings in an official newspaper specifying the time and place for said hearing.

Additional notice of the Planning Commission public meeting and the Mayor & Board of Aldermen public hearing shall be advertised on the property involved in said request in the following manner:

1. The owner, developer, or person requesting the action shall post a sign or signs on the site.
2. The sign must be posted fifteen (15) days prior to the date of the first public hearing. It is the responsibility of the applicant to maintain the sign until final decision is rendered by the Mayor and Board of Aldermen.
3. Applicants may use the sign vendor of their choice.
4. Fifteen (15) days prior to the Planning Commission hearing the applicant must submit a notarized affidavit of the posting and a photo of the sign posted on site.
5. Sign Specifications:

<p>SENATOBIA (3" letters) PUBLIC NOTICE (3" letters)</p> <p>ZONING HEARING (4" letters)</p> <p>SENATOBIA CITY HALL (1" letters) 133 NORTH FRONT STREET (1" letters) SENATOBIA, MISSISSIPPI (1" letters)</p> <p>PLANNING COMMISSION MEETING: TIME & DATE (2" letters)</p> <p>MAYOR AND BOARD OF ALDERMEN MEETING: TIME & DATE (2" letters)</p> <p>REQUEST: REZONE ## ACRES FROM XXXX TO YYYY (2" letters) APPLICANT: NAME OF DEVELOPER (2' letters)</p> <p>Case file is available in the Senatobia Planning Commission Office (2" letters) 133 North Front Street, Senatobia, MS 38668 (2" letters)</p> <p>POSTING DATE: DATE THAT SIGN IS PUT UP (1" letters)</p> <p>Penalty for removing or defacing sign prior to date of last meeting (1" letters)</p>

- a. The sign shall be 4' x 8' maximum size.
- b. It shall be constructed of laminated plywood or MDO board.
- c. The front, back, and all edges shall be painted with two coats of red acrylic exterior enamel.
- d. White lettering shall be used with the above-mentioned dimensions.

- e. One sign shall be located on each road front and should face the road. It should also be in an obvious location along the road, no more than 20 feet from the road pavement.
 - f. The sign shall be attached with six (6) screws to two (2) 4"x4"x8' wooden posts.
6. If the provisions of this policy are not met, the application shall be tabled or denied.
 7. The sign must be removed from the property within 5 days of the Mayor and Board of Aldermen's decision.

The Mayor and Board of Aldermen may refer the application back to the Planning Commission for additional study before final decision; however, no notice other than for the first public hearing need be given.

Changes may be made provided that no such action may be taken until after a public hearing in relation thereof, at which parties of interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City.

In case, however, of a protest against such change signed by the owners of twenty percent, or more, either of the area of the lots included in such proposed change, or of those immediately adjacent to the rear thereof, extending one hundred sixty (160) feet therefrom or of those directly opposite thereto, extending one hundred sixty (160) feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fifths (3/5) of the members of the Mayor and Board of Aldermen who are not required by law or ethical considerations to recuse themselves.

EFFECTIVE

No amendment to the Official Zoning Map or the text of this Ordinance shall become effective until an Ordinance amending same has been passed by the Mayor and Board of Aldermen. Any ordinance amending the Official Zoning Map shall contain findings of fact citing evidence demonstrating compliance with the criteria specified under Section 401 of this Ordinance. Section 21-13-11 of the Mississippi Code of 1972, as amended, requires that "every ordinance passed by the Mayor and Board of Aldermen,---shall be published at least one time in some newspaper published in such municipality, or, if there be no such newspaper, then in a newspaper within the county having general circulation in said municipality---."

In accordance with Section 21-13-11 of the Mississippi Code of 1972, As Amended, "No ordinance shall be in force for one month after its passage---." One month is interpreted to mean 30 calendar days.

SECTION 402- DIMENSIONAL VARIANCE PROCEDURES

To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A variance from the terms of this ordinance shall not be granted by the Planning Commission unless and until a written application for a variance is submitted demonstrating:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. Examples of such difficulties or hardships include exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of this Ordinance; or by reason of the location of trees, natural drainage course, lakes, or other desirable or attractive features, which condition is not generally prevalent in the neighborhood.
2. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
3. That the special conditions and circumstances do not result from the intentional actions of the applicant.
4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

In granting any variance, the Planning Commission may prescribe appropriate conditions and safeguards relative for compliance with this ordinance. The applicant shall be required to sign an agreement whereby he/she accepts those conditions and safeguards (which shall be specified in the agreement). This instrument shall be in a form recordable in public land records.

Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance.

Under no circumstances shall the Planning Commission grant a variance to permit a use not generally or by special exception permitted in the district involved, or any use expressly or implication prohibited by the terms of this ordinance in district.

The existence of non-conforming uses of neighboring lands, structures, or buildings in the same zoning district shall not be considered grounds for granting a variance. Furthermore, the existence of permitted or non-conforming use of lands, structures, or buildings in other districts shall not be considered grounds for issuance of a variance.

If the Building and Planning Director feels that more information is needed than is included on the plot diagram submitted with an application for a building permit, then a site plan shall be submitted with an application for a dimensional variance.

A public hearing shall be held in accordance with the following for all proposed dimensional variances:

Any variance applications shall be first submitted to the Planning Commission for its review and consideration, and the Planning Commission shall discuss all possible actions as part of its regular public meetings process.

The Planning Commission shall proceed to hold a public hearing in relation thereto after giving 15 days notice of the hearings in an official newspaper specifying the time and place for said hearing.

Additional notice of the Planning Commission public meeting and public hearing shall be advertised on the property involved in said request in the following manner:

1. The owner, developer, or person requesting the action shall post a sign or signs on the site.
2. The sign must be posted fifteen (15) days prior to the date of the first public hearing. It is the responsibility of the applicant to maintain the sign until final decision is rendered by the Planning Commission.
3. Applicants may use the sign vendor of their choice.
4. Fifteen (15) days prior to the Planning Commission hearing the applicant must submit a notarized affidavit of the posting and a photo of the sign posted on site.
5. Sign Specifications:

<p>SENATOBIA (3" letters) PUBLIC NOTICE (3" letters)</p> <p>ZONING HEARING (4" letters) VARIANCE REQUEST (2" letters)</p> <p>SENATOBIA CITY HALL (1" letters) 133 NORTH FRONT STREET (1" letters) SENATOBIA, MISSISSIPPI (1" letters)</p> <p>PLANNING COMMISSION MEETING: TIME & DATE (2" letters)</p> <p>APPLICANT: NAME OF DEVELOPER (2' letters)</p> <p>Case file is available in the Senatobia Planning Commission Office (2" letters) 133 North Front Street, Senatobia, MS 38668 (2" letters)</p> <p>POSTING DATE: DATE THAT SIGN IS PUT UP (1" letters)</p> <p>Penalty for removing or defacing sign prior to date of last meeting (1" letters)</p>
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- a. The sign shall be 4' x 8' maximum size.
 - b. It shall be constructed of laminated plywood or MDO board.
 - c. The front, back, and all edges shall be painted with two coats of red acrylic exterior enamel.
 - d. White lettering shall be used with the above-mentioned dimensions.
 - e. One sign shall be located on each road front and should face the road. It should also be in an obvious location along the road, no more than 20 feet from the road pavement.
 - f. The sign shall be attached with six (6) screws to two (2) 4"x4"x8' wooden posts.
6. If the provisions of this policy are not met, the application shall be tabled or denied.

7. The sign must be removed from the property within 5 days of the Planning Commission's decision.

Changes may be made provided that no such action may be taken until after a public hearing in relation thereof, at which parties of interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City.

SECTION 403-SPECIAL EXCEPTION PROCEDURES

The Planning Commission is empowered to hear and decide whether or not proposed special exceptions authorized under this Ordinance should be granted.

Any person desiring a special exception shall submit a written application indicating the Section in the Ordinance under which the special exception is sought and stating the grounds on which it is requested. The Planning Commission shall not grant a special exception unless satisfactory provision and arrangement has been made concerning ALL of the following:

- A. Ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- B. Off-street parking and loading areas.
- C. Refuse and service areas.
- D. Utilities, with reference to locations, availability, and compatibility.
- E. Screening and buffering with reference to type, dimensions, and character.
- F. Required yards and other open space.
- G. General compatibility with adjacent properties and other property in the district.
- H. Any other provisions deemed applicable by the Planning Commission or the Mayor and Board of Aldermen.

Every applicant for a special exception permit shall submit a site plan in accordance with guidelines published by the Building and Planning Director.

A public hearing before the Planning Commission shall be held in accordance with the following for all proposed special exceptions:

Any special exception applications shall be first submitted to the Planning Commission for its review and consideration, and the Planning Commission shall discuss all possible actions as part of its regular public meetings process.

The Planning Commission shall proceed to hold a public hearing in relation thereto after giving 15 days notice of the hearings in an official newspaper specifying the time and place for said hearing.

Additional notice of the Planning Commission public meeting and public hearing shall be advertised on the property involved in said request in the following manner:

1. The owner, developer, or person requesting the action shall post a sign or signs on the site.

2. The sign must be posted fifteen (15) days prior to the date of the first public hearing. It is the responsibility of the applicant to maintain the sign until final decision is rendered by the Planning Commission.
3. Applicants may use the sign vendor of their choice.
4. Fifteen (15) days prior to the Planning Commission hearing the applicant must submit a notarized affidavit of the posting and a photo of the sign posted on site.
5. Sign Specifications:

<p>SENATOBIA (3" letters) PUBLIC NOTICE (3" letters)</p> <p>ZONING HEARING (4" letters) SPECIAL EXCEPTION REQUEST (2" letters)</p> <p>SENATOBIA CITY HALL (1" letters) 133 NORTH FRONT STREET (1" letters) SENATOBIA, MISSISSIPPI (1" letters)</p> <p>PLANNING COMMISSION MEETING: TIME & DATE (2" letters)</p> <p>APPLICANT: NAME OF DEVELOPER (2' letters)</p> <p>Case file is available in the Senatobia Planning Commission Office (2" letters) 133 North Front Street, Senatobia, MS 38668 (2" letters)</p> <p>POSTING DATE: DATE THAT SIGN IS PUT UP (1" letters)</p> <p>Penalty for removing or defacing sign prior to date of last meeting (1" letters)</p>

- a. The sign shall be 4' x 8' maximum size.
 - b. It shall be constructed of laminated plywood or MDO board.
 - c. The front, back, and all edges shall be painted with two coats of red acrylic exterior enamel.
 - d. White lettering shall be used with the above-mentioned dimensions.
 - e. One sign shall be located on each road front and should face the road. It should also be in an obvious location along the road, no more than 20 feet from the road pavement.
 - f. The sign shall be attached with six (6) screws to two (2) 4"x4"x8' wooden posts.
6. If the provisions of this policy are not met, the application shall be tabled or denied.
 7. The sign must be removed from the property within 5 days of the Planning Commission's decision.

Changes may be made provided that no such action may be taken until after a public hearing in relation thereof, at which parties of interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City.

SECTION 404-SITE PLAN AND DEVELOPMENT PROCEDURES

If a property owner, or developer, in order to achieve their desired development results, needs to initiate a change in the zoning of a property, a change in the zoning ordinance, a variance or a special exception, the process is described in Sections 400-403 of this Zoning Ordinance. The approval of a zoning action and site plan may occur simultaneously; however, final approval of a site plan may occur after approval of a zoning action.

For Subdivision or PUD Development:

If a property has the proper zoning designation to allow the desired development, or, after a change in zoning, also known as a rezoning, has been approved by the Mayor and Board of Aldermen, then the owner or developer must apply for, and potentially receive, preliminary and final subdivision plat approval from the Planning Commission and the Mayor and Board of Aldermen. The approval of a PUD zoning with its Preliminary Outline Plan is equivalent to the approval of a preliminary subdivision plat and entitles the developer to begin improving the site. Otherwise, there is a two-step process for subdivision approval.

The technical requirements of the subdivision process are described in the subdivision ordinance. But, in summary, the developer or subdivider presents a preliminary subdivision plat for approval by the Planning Commission. If the preliminary subdivision plat meets all of the regulations and is recommended for approval by the planning commission, then the developer may begin with infrastructure and other improvements. If the preliminary subdivision plat is not recommended for approval, the developer may revise and re-submit it to the Planning Commission or may appeal the preliminary subdivision plat recommendation to the Mayor and Board of Aldermen.

After the preliminary subdivision plat has received approval by the Planning Commission or Mayor and Board of Aldermen, then the developer/subdivider presents a final subdivision plat to the Planning Commission for potential approval. If the final subdivision plat substantially conforms with the approved preliminary subdivision plat, then the Planning Commission should recommend the approval of the final subdivision plat and forward the plat to the Mayor and Board of Aldermen for consideration. Upon approval of the final subdivision plat by the Mayor and Board of Aldermen the final subdivision plat may be recorded, and lots sold, provided all regulations and requirements have been met.

For Site Development:

If a property has the proper zoning designation to allow the desired development, or, after a change in zoning, also known as a rezoning, has been approved by the Mayor and Board of Aldermen, then the owner or developer must apply for, and potentially receive, site plan approval from the Planning Commission.

The technical requirements of the site plan approval process shall be provided to the applicant by the Building and Planning Director. In summary, the developer presents a site plan for approval by the Planning Commission. If the site plan meets all the regulations and is approved by the Planning Commission, then the developer may begin construction of their site. If the site plan is not approved by the Planning Commission, the developer may revise and re-submit it to the Planning Commission or may appeal the site plan disapproval to the Mayor and Board of Aldermen.

This process allows for discussion and revision so that the developer/subdivider is able to accomplish his or her goals while at the same time meeting the requirements of the city and its development goals. But, at each point the process may be continued to additional Planning Commission and/or Mayor and Board of Aldermen meetings to allow for discussion and public hearings. Additional issues such as variances and/or special exceptions must be approved by the Planning Commission with the opportunities for appeal in certain cases. And, after these and other issues have been favorably resolved then an individual lot owner may apply for a building permit and Certificate of Occupancy.

Summary of Development Process:

- Developer meets with City Building and Planning Director for “pre-application” meeting to describe what is desired.
- Developer applies to Building and Planning Director for rezoning with detailed application information and fee at least 2 weeks before Planning Commission meeting.
- Developer puts up sign for Planning Commission meeting and probable Board meeting dates.
- Planning Commission meets in public meeting and amends, recommends, or rejects rezoning application.
- Application is legally advertised for hearing by Board.
- Meeting with Mayor & Board regarding rezoning application.
- If approved, developer meets with City Building and Planning Director and City Engineer for “pre-development” meeting to describe proposed subdivision and/or proposed site plan. It is at this meeting that the developer will be advised what is required (based upon what approvals developer is seeking).
- Developer applies to Building and Planning Director for preliminary subdivision plat approval, or site plan approval, whichever applies, with detailed application information and fee at least 45 days prior to the Planning Commission meeting on which it is to be presented.
- If approved, then developer may begin building infrastructure in the case of a subdivision or may begin site construction in the case of a site plan.
- If any of the improvements by the developer require a building permit, the developer must obtain the building permit.
- Within one year of preliminary plat approval by Planning Commission developer applies to Building and Planning Director for final subdivision plat approval with detailed application information and fee at least 21 days prior to the Planning Commission meeting on which it is to be presented.

- Meet with Planning Commission, and if Final subdivision plat application substantially conforms with preliminary approval, Planning Commission may recommend approval of the Final Subdivision Plat to the Board.
- Meet with Mayor & Board for approval of Final Subdivision Plat.
- If approved, developer has mylar originals of Final Subdivision Plats signed and certified and recorded by Chancery Clerk.
- The developer may begin selling lots or may obtain a building permit.

SECTION 405-BUILDING PERMIT AND OTHER PERMITS REQUIRED

It shall be unlawful to commence the demolition of, excavation for, or the construction of any building or other structure, including accessory structures, or to store building materials or erect temporary field offices, or to commence the moving, alteration, or repair (except repairs, not changing the character of the structure and not exceeding ten thousand dollars (\$10,000) in cost, or painting or wallpapering) of any structure, including accessory structures until the Senatobia Building and Planning Director has issued a building permit for said work. The building permit shall include a statement that the plans, specifications and intended use of such structure in all respects conform with the provisions of this ordinance. The requirement for a building permit and other permits shall include placement or re-placement of a manufactured housing unit in a manufactured housing park on a new or previously used space.

This permit requirement applies to all homes, manufactured housing, commercial or industrial buildings, for demolition of, excavation for, or the construction of any building or other structure, including accessory structures, fences, pools, storage buildings, patio enclosure, permanent roof structure, irrigation, signs, etc.

Application for a building permit shall be made not less than three (3) days prior to the date of commencement of construction. In addition to a building permit, permits for electrical, plumbing, and mechanical work are required. Each of these permits requires a non-refundable fee as established by the Mayor and Board of Aldermen.

For persons who begin activities without applying and receiving a permit, the Senatobia Building and Planning Director and/or Code Enforcement Officer shall provide notice that permits are required. If the person or persons notified do not make application and receive the required permits, then penalties as described below in Section 307 shall be assessed.

SECTION 406-APPROVAL OF PLANS AND ISSUANCE OF BUILDING PERMIT

It shall be unlawful for the Building and Planning Director to approve any plans or issue a building permit for any excavation or construction until the building plans have been reviewed in detail and found to be in conformity with this ordinance and other city requirements. To this end, the Building and Planning Director shall require that every application for a building permit for excavation, construction, use of land, moving or alteration be accompanied by the building plans and by the site plans that were approved by the Planning Commission. Plans shall be signed and sealed by a Mississippi licensed architect and/or engineer.

If the proposed excavation, construction, moving, or alteration, as set forth in the application, is in conformity with the provisions of this ordinance, the Building and Planning Director shall issue a building permit accordingly. If an application for a building permit is not

approved, the Building and Planning Director shall state in writing on the application the cause for such disapproval. Issuance of a building permit shall, in no case, be construed as waiving any provision of this ordinance.

The building process shall be begun within six months of issuance of the building permit, and the project shall be completed within two years of commencement. If an extension is needed, it is the responsibility of the builder, applicant, and/or property owner to make a written request to the Building and Planning Director.

A Foundation Survey is required prior to inspections by the Building and Planning Director to assure that the building was sited and built exactly as was proposed.

SECTION 407-CERTIFICATE OF OCCUPANCY REQUIRED

No land or building or other structure or part thereof hereafter erected, moved or altered in its use shall be used until the Building and Planning Director has issued a certificate of occupancy stating that such land or structure or part thereof is found to be in conformity with the provisions of this ordinance. Within three (3) days after the owner or his agent has notified the Building and Planning Director that a building or premises or part thereof is ready for occupancy or use, and after a Final Survey has been received by the Building and Planning Director, it shall be the duty of the Building and Planning Director to make a final inspection thereof, and to issue a certificate of occupancy if the building or premises or part thereof is found to conform with the provisions of this ordinance or, if such certificate is refused, to state the refusal in writing with the cause. Sod shall be laid to cover all exposed areas of the construction site.

SECTION 408 - APPEALS

Appeals from Administrative Interpretation

In accordance with Section 302 of this Ordinance, any party aggrieved with the administrative interpretation of the Building and Planning Director shall have the right to appeal such interpretation. Such appeals shall be made to the Planning Commission in writing. The party aggrieved shall submit a written request to the City Clerk one week preceding any regularly-scheduled meeting of the Planning Commission at which the aggrieved party desires to be heard.

Appeals from Planning Commission Actions

Any party aggrieved with the decision or action of the Planning Commission, shall have the right to appeal such decision. Such appeals shall be made directly to the Mayor and Board of Aldermen. The aggrieved party shall submit a written request to the City Clerk within fifteen (15) days of the vote of the Commission on the decision which is appealed.

All appeals shall be in writing and shall include a copy of the original application for a site plan, dimensional variance, or special exception, together with a statement of the reason for the appeal.

Any party aggrieved by the decision of the Planning Commission SHALL be entitled to a public hearing before the Mayor and Board of Aldermen, with due notice thereof as provided under Section 401 of this Ordinance. Such a hearing shall be provided only if the aggrieved party files a written request with the Town Clerk within fifteen (15) days of the vote of the Commission on the recommendation. The Board will set a hearing within 30 days of receipt of request.

At the time of the Appeal Hearing, the Board shall hear the recommendation of the Commission, and then hear from the appellant and then the appellee and other interested parties. The Mayor and Board shall then uphold or reject the appeal, and then accept or reject the recommendation of the Commission upon its own motions. If the appeal or recommendation of the Commission has several parts, the Mayor and Board of Aldermen may uphold the appeal and accept the recommendation of the Commission on some, and deny and reject others. Any change in any part or parts of the petition which the Mayor and Board of Aldermen may deem appropriate or necessary resulting from the appeal (except conditions applying to variances and special exceptions), shall be referred back to the Planning Commission for reconsideration, subject to public notice and hearing, as a separate and new petition. The filing fee may be waived at the discretion of the Mayor and Board of Aldermen.

Appeals from Mayor and Board of Aldermen

An appeal from any action, decision, ruling, judgment or order by the Mayor and Board of Aldermen may be taken by any person or persons to the Circuit Court of Tate County as provided in *Mississippi Code 1972 Annotated 11-51-75*.

ARTICLE V: VIOLATIONS

SECTION 500-NOTICE OF VIOLATIONS

Whenever the Building and Planning Director or Code Enforcement Officer becomes aware of a reported nuisance or violation of this ordinance, he/she shall serve written notice of violation upon the property's owner and occupant having control thereof, or their agent, to abate such nuisance or otherwise correct the violation. To constitute official notice, this notice of violation shall:

1. Be in writing.
2. State the nature of such nuisance and that such condition constitutes a nuisance.
3. Describe the premises where the nuisance is alleged to exist or to have been committed.
4. Specify a period of 15 days for the abatement of the nuisance and advise the owner or occupant of his right to request a hearing, except for "grass mowing" violations during the height of "grass" season (spring/summer) when the period shall be 7 days.
5. State that, unless such nuisance is abated within the 15 days specified, except for "grass mowing" violations during the height of "grass" season (spring/summer) when the period shall be 7 days, it may be abated by the city and the costs of such abatement may be specially assessed and constitute a lien against the property from which abated.
6. State that failure, neglect, or refusal to abate such nuisance within the 15 days specified, except for "grass mowing" violations during the height of "grass" season (spring/summer) when the period shall be 7 days, renders the owner or occupant prosecutable in municipal court, and, upon a finding of guilty, punishable by a fine.
7. Be served upon the owner or occupant of the premises or owner of the vehicle by delivery to him personally or by leaving such notice at his usual place of abode with a member of the family over the age of 15 years, or by mail addressed to the owner, occupant, or agent. If a person to whom such notice is addressed cannot be found after diligent effort to do so, service may be made upon such person by posting the notice in or about the premises described in the notice, or by causing such notice to be published in a newspaper of general circulation. If the owner or occupant is a corporation, notice shall be served upon an officer, a person in charge of any local business office, or its registered agent or any other agent authorized by appointment or required by law to receive service of process.

SECTION 501-APPEALS

Any person entitled to be served with a notice of violation shall have the right to appeal from any notice of violation to the Board of Aldermen. The Board of Aldermen shall hear each duly filed appeal and decide whether to affirm, amend or reverse the notice of violation or other action appealed. In doing so, the Board of Aldermen may interpret the provisions of this ordinance.

An appeal shall be in writing and shall be in such form and provide such information as the Board of Aldermen may require. An appeal must be delivered to the office of the City Clerk within ten days of the date of service of the notice of violation. Only those matters or issues specifically raised by the appellant in the written appeal shall be considered in the appeal hearing.

The timely filing of an appeal to the Board of Aldermen shall stay enforcement of the notice of violation or action appealed, including abatement, until the appeal is finally determined. Failure of a person entitled to appeal under this chapter either to make appeal or to timely file his appeal shall constitute a waiver of his right to an administrative hearing and adjudication of his complaint, and such person shall be estopped to deny the validity of any order or action which could have been timely appealed.

SECTION 502-PENALTIES

After notice and an opportunity to be heard, any person who shall knowingly and willfully violate the terms, conditions or provisions of this zoning ordinance adopted under the authority of the City of Senatobia, for violation of which no other criminal penalty is prescribed, shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars (\$100.00).

In case of continuing violations without reasonable effort on the part of the defendant to correct same, each day the violation continues thereafter shall be a separate offense constituting a fine of one hundred (\$100.00) per day until remedied.

SECTION 503-REMEDIES

In case any building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land used in violation of this ordinance, the Building and Planning Director or any other appropriate authority or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to correct or abate such violations or to prevent occupancy of such building, structures, or land.

ARTICLE VI-GENERAL PROVISIONS

SECTION 600-BUILDING LOTS, YARDS, FENCES, AND OPEN SPACE

In each district each structure hereafter erected or altered shall be provided with the yards specified and shall be on a lot of the area and width specified in Articles VIII - XXIII. No open space or lot required for a building or structure shall during its life be occupied by or counted as open space for another building or structure.

For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Every lot shall have frontage on a public right-of-way, public road, or public street of at least 50 feet except in a cove where at least 20 feet is required.

No lot shall be reduced in area so that yards and other open spaces total less than the minimum area required under this ordinance.

It is the intent of this ordinance that there shall be but one (1) main structure plus any permitted accessory structures on any lot used for residential purposes; also, that accessory structures, including storage buildings, shall not include living quarters, and generally conform to the style and appearance of the main structure to blend in with the main structure and/or the neighborhood.

Where the owner of a lot of official record at the time of adoption of this ordinance does not own sufficient adjacent land to enable him to conform to the yard and other requirements of this ordinance, the building and its accessory structures may be built provided the yard space and other requirements conform as closely as possible, in the opinion of the Board of Adjustment through the specific action of granting a variance, to the requirements of the district in which it is located; and further provided that neither side yard shall be reduced to less than three (3) feet in width.

Fences shall normally be located behind the front yard building line, be no more than six (6) feet high and shall not enclose the utility meters.

No fence shall impede or divert the flow of water through any drainage easement unless by adequate investigation by the city engineer.

All fences and walls shall be maintained and in a structurally sound condition and in good repair. Fences shall be free from loose or rotting materials and shall have braces and supports attached or fastened in accordance with common building practices. Fences shall have smooth side, the side without bracing, of the fence facing toward the street.

SECTION 601-CORNER VISIBILITY IN DISTRICTS AND OBSTRUCTIONS ALONG STREET RIGHT-OF-WAY

In all zoning districts no fence, wall, shrubbery, tree, sign, marquee, or other obstruction to vision shall be permitted within at least twenty (20) feet of the intersection of the right-of-way lines of two (2) streets or railroads or of a street and a railroad right-of-way line. This is also known as the "sight triangle". Further, no fence, wall, shrubbery, tree, or other obstruction should be permanently

placed or planted within fifteen (15) feet of the curb due to placement of sidewalks, and utility lines in these areas and easements thereof, and the long-term detriment to public infrastructure in the right-of-way by such items.

SECTION 602-RESERVED

SECTION 603-USES

In each district no other use than the types specified as "permitted" or "permitted as a special exception" shall be allowed. (See Article VIII-XXIII). Uses specified as "permitted" shall be permitted upon application to the Building and Planning Director. Uses specified as "permitted as a special exception" are special exceptions and no permit shall be issued for such uses except with the written approval of the Planning Commission and subject to such conditions as may be required to preserve and protect the character of the district. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

SECTION 604-NON-CONFORMING USES

Any non-conforming use, lot, building/structure may be continued as long as it shall not be:

- a. Changed to another non-conforming use.
- b. Re-established after discontinuance or abandonment for six (6) months.
- c. Rebuilt after fire or damage exceeding 50% of its fair market value of the building or structure as determined by the city.

If any of the above three items (a-c) were to happen, then the non-conforming use, lot, or structure would lose its non-conforming status and shall be required to come in conformance with the regulations immediately.

A non-conforming use, lot, or structure can be sold or otherwise legally transferred, and the use continued as long as the non-conforming status is maintained as described above. Any non-conforming use, lot, or structure may be repaired and maintained to keep them in sound condition, as long as, the costs of alterations or improvements do not exceed 50% of its fair market value of the building or structure as determined by the city.

SECTION 605-NON-CONFORMING MOBILE HOMES AND MANUFACTURED HOMES

All manufactured homes that are not currently located in areas zoned "R6", upon adoption of this ordinance and accompanying Zoning Map, are deemed non-conforming uses. Also, all mobile homes, as defined above, are deemed non-conforming uses. These manufactured homes or mobile homes are "grandfathered" non-conforming uses and may continue to be used for residential purposes as long as the non-conforming status is maintained as described above. Subject to the provisions of this ordinance, all occupants of "grandfathered" manufactured homes will be afforded all rights and privileges of the city including water, gas and any other utility and privilege afforded to all citizens.

SECTION 606-NUISANCES

It shall be unlawful for any owner or occupant of any lot, tract or parcel of land, or owner of a vehicle, to cause or permit any nuisance as defined in this ordinance to be created or remain upon

such premises; and it shall be the duty of such owner or occupant to abate and remove any such nuisance from such premises.

No owner or occupant shall permit, cause, keep, maintain, or do any nuisance, as defined by the laws of the state or ordinances of the city, or cause to be committed, caused kept, maintained, or done any such nuisance, within the corporate limits of the city.

No owner or occupant of any house, building, lot, or premises shall cause or allow any nuisance to be or remain in or upon any such house, building, lot or premises.

The following are hereby declared to constitute nuisances:

1. All substances which emit, generate, or cause noxious or toxic odor, dust, vapor, fume, or mist in the neighborhood where they exist.
2. All carcasses of animals remaining exposed 12 hours after death.
3. All establishments or structures that emit, generate, or cause any hazardous, noxious or toxic dust, vapor, fume, mist, odor or condition.
4. All foul, dirty or polluted water or liquid deposited or allowed to remain upon any premises, except for noncommercial washing of private automobiles.
5. All filth, excrement, boards, sawdust, wood or metal shavings, rubber, old tires, discarded plastic containers or wrappers, coal, gasoline, paint, lumber scraps, boxes, barrels, kegs, crates, cans, bottles, cartons, paper, trash, rubbish, brush, logs, broken ware, rags, iron or other metal, old wearing apparel, refuse, debris, vehicle parts, broken concrete, slag, garbage, offal, putrid fish, meat entrails, wastewater, dead animals, broken glass, tacks, nails, wire, or any other unwanted or discarded substance or thing thrown, cast, dropped, blown, spilled, poured, discharged, swept, left or deposited by anyone in or upon any premises, except when any of these items are allowed and used in a licensed recycling or salvage facility holding a valid permit under the Code of Ordinances of Senatobia, Mississippi.
6. All malfunctioning private sewage disposal systems which allow polluted, raw, or partially treated wastewater or effluent to be deposited or stand upon any premises. When any private sewage disposal system has been determined to be malfunctioning, the owner of the subject premises will be ordered to make connection to the public sewer if available.
7. Any wrecked, damaged, demolished, disassembled, or disabled vehicle left or permitted to remain upon any portion of the premises other than within a private garage, except when a license for salvaging vehicles has been issued for the property where the vehicles are located and the salvage vehicles are being stored properly pursuant to other applicable provisions of the Code of Ordinances of Senatobia, Mississippi. Evidence under this subsection for determining whether a vehicle is disabled shall include removed or flat tires, partial or complete dismantling or removal of parts, broken glass, missing major parts such as lights, doors, trunk covers, hoods, or motor parts essential for the lawful, safe operation of the vehicle, or other signs of substantial deterioration. Further evidence shall include growth of vegetation about the vehicle, the positioning of the vehicle in other than an upright or operable manner, and vandalism.
8. The off-street parking of vehicles other than on a parking space.
9. A live or dead tree which constitutes a hazard to the safety of persons or of property, private or public.

10. Rank weeds, tall grass in excess of one foot in length/height, and/or noxious plants allowed to stand at any season of the year upon any lot, tract or parcel of land, or unpaved alley, or along the sidewalk, street, or paved alley adjacent to such lot, tract or parcel of land.
11. Any portion of residential premises is maintained in an unclean manner or used for the open storage of items or materials other than yard furniture, neatly stacked firewood, garden or yard tools, toys, or temporarily stored usable building materials.
12. Any situation that constitutes a health or fire hazard, or other threat to the health, safety, or welfare to the citizens of Senatobia.

SECTION 607-MEDICAL CANNABIS

All Medical Cannabis facilities shall be limited to the following hours of operations:

Monday through Saturday 8am to 8pm and Sunday 9am to 6pm

For location regulations see Article VIII-XXIII. District Regulations.

SECTION 608-PUBLIC/QUASI PUBLIC FACILITIES

All public and quasi-public facilities and utilities, as defined under Article II of this Ordinance, may be located in any district in the City, provided:

- A. That all applicable requirements of federal, state and county or City laws shall be met.
- B. That all such proposed uses shall be subject to the procedures stated under Section 2605 relative to Conditional Uses.

No public or quasi-public facility or utility shall be located in a residential district or other district where such land use would adversely affect the surrounding area.

SECTION 609-FOOD TRUCKS

Food trucks, or mobile food vendors, as defined under Article II of this Ordinance, may be excluded from the City's Transient Vendor Ordinance, and shall be subject to the following limitations and such conditions as may be determined by the Planning Commission and Mayor and Board of Aldermen:

1. Food trucks may operate in any general or major thoroughfare commercial or industrial district and shall be subject to the procedures stated under Section 403 relative to Special Exceptions in commercial districts.
2. All requirements of federal, state and local laws shall be met, and maintain permits for operation from Mississippi Department of Health.
3. No storage or display of materials, goods, supplies, or equipment related to the operation of a food truck (excluding trash receptacles) shall be visible from the outside of any vehicle involved in the operation.
4. No traffic shall be generated by such food truck in greater volumes than would normally be expected in a commercial or industrial zone (as determined by the Building and Planning Director), and any need for parking generated by the operation of such food trucks shall be met off the street. Furthermore, an ample amount of such off-street parking shall be provided as determined by the Planning Commission at the time of the application for a

special exception permit. A food truck shall not operate on a public roadway or in the public rights-of-way.

5. Allowed hours of operation shall be limited to 30 minutes prior to sunrise and 30 minutes after sunset, unless the Planning Commission determines a different hours of operation as stated in the special exception permit.
6. The maximum size for all food truck signs is two (2) square feet. Food truck signs shall be affixed to the vehicle no more than six (6) feet above floor level and may not be illuminated.
7. A privilege license and operation permit must be obtained from the Mississippi Department of Health and the City of Senatobia prior to the initiation of a food truck operation. The local permit shall cost an initial fee of \$1,000, and the permit shall be renewed annually for a fee of \$500.

Food trucks or mobile food vendors may operate within the City during special events, festivals, etc. which are approved by the City without a privilege license; however, all inspections shall be required. Private events, such as weddings, are exempt from these regulations.

ARTICLE VII-OFF-STREET PARKING, STORAGE AND LOADING

SECTION 700-AUTOMOBILE PARKING REQUIREMENTS

Off-street automobile storage or standing spaces shall be provided in any district other than the downtown area B-3 Central Business District Zone.

For each dwelling, multiple dwelling, business, or industrial establishment there shall be provided and maintained off-street parking facilities to accommodate the motor vehicles used by the occupants, customers, clientele, and employees of such structures. It is the intention of this ordinance that each lot should be designed to accommodate the parking requirements of the normal occupants of the lot/building/house on the lot in a hard surface area, driveway, or garage without regular parking in the street.

Parking spaces shall be provided with vehicular access to a street or alley.

Each required parking space shall not be less than nine (9) feet in width and eighteen (18) feet long, and in addition there shall be adequate space for ingress and egress to all spaces.

No off-street automobile storage space required for a building or structure shall during its life be occupied by or counted as off-street automobile space for another building or structure.

All driveways that connect to a concrete or asphalt street shall use either material for the first 50 feet from the edge of pavement.

No parking or storage of vehicles is allowed in the front yard of any residence except on the paved driveway.

No major recreational equipment such as boats and boat trailers, travel trailers, pickup campers or coaches, recreational vehicles (RV), motor home, motorized dwellings, tent trailers, and the like, shall be parked or stored on any front yard in any residential district. These may be stored behind the front line of the residence on a paved driveway or other hard surface.

Junk vehicles, as defined above, which is without current a state license plate, shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings. Further, the repair of inoperable vehicles, and/or junk vehicles, in the front yard of residences or in the street or public right-of-way is prohibited. Junk vehicles that are found to be in violation of this ordinance will receive notice from the Senatobia Code Enforcement Office or Police Department and will have 15 days to correct the violation before court action is initiated.

The loading of household goods into personal vehicles, moving vans, or other storage devices, such as "PODS", should be done quickly and shall not be allowed to continue over a period of more than ten days.

Coves should be left clear of parked vehicles to allow access and turning of emergency vehicles and school buses.

SECTION 701-REQUIRED PARKING FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DISTRICTS

As listed in Article IV, the maximum required parking spaces for zoning districts are as follows:

Residential: Four (4) parking spaces per single-family detached, or single-family attached dwelling unit, including manufactured home and/or mobile home; Two (2) parking spaces per apartment dwelling unit; and /or two (2) spaces per room for each room let to roomers.

Commercial: Two hundred (200) square feet of parking space for every two hundred (200) square feet of gross floor area including multi-story buildings. The required rear or side yard shall be used for loading and unloading. No additional parking spaces are required for the downtown area of the B-3 Central Business District Zone.

Industrial: Parking space shall be provided at the ratio of 0.75 spaces per worker, and one (1) space for each company vehicle incidental to the operations of the industry or use. Adequate space shall be provided for loading and unloading all vehicles or trucks incidental to the operation of the industry or use inside the established building lines.

SECTION 702-ADDITIONAL USES

Rooming houses, lodging houses, clubs, fraternities, and dormitories: For each two (2) guest rooms there shall be at maximum provided one (1) parking space, or one (1) parking space for every five (5) active members, whichever is greater.

Auto courts, tourist courts, hotels, and motels: For each living or sleeping space one (1) parking space shall be provided.

Hospital, sanitariums, convalescent homes, and homes for the elderly: Maximum of One (1) parking space shall be provided for each three-fourths (3/4) of one dwelling unit or fraction thereof. At hospitals there shall not be more than one & one-half (1.5) parking spaces per bed at maximum capacity.

Auditoriums, churches, theater, and places of assembly: For places of general assembly maximum of one (1) parking space shall be provided for every five (5) seats provided. When seats are arranged in rows or pews ["seat"] shall mean eighteen (18) lineal inches of seating space.

Schools: Five (5) parking spaces for each classroom.

Amusement facilities: For stadiums, arenas, fairs, and outdoor sports fields, one (1) parking space shall be provided for each four (4) seats or eighteen (18) lineal inches of seating space.

Restaurants: Two hundred (200) square feet of parking space shall be provided for each one hundred (100) square feet of floor space.

Other uses: Other uses permitted in Article VII, not having specified parking space, as determined by the Building and Planning Director.

SECTION 703-COMMERCIAL VEHICLES

Commercial vehicles, commercial trucks, and commercial trailers, as defined in this Ordinance, are not permitted in residential zoning districts with the exception of a truck or trucks, tractors, trailers, etc., that are being used as part of the farming operation on property zoned Agricultural- Residential. The code enforcement officer for the City of Senatobia may determine that

a commercial vehicle not specifically described herein is similar to the body types shown and, therefore, would not be permitted in residential zoning districts.

Utility Trailers, Motor Homes, and towed Campers are allowed in residential zoning districts provided they are parked in the back yard or side yard of the residence and behind the front building line of the dwelling unit. Utility Trailers, Motor Homes, and towed Campers shall not be parked on the street.

Motor Homes and towed Campers shall not be used as a temporary residence.

Semi-Truck Tractors (trucks registered in Mississippi as a commercial vehicle, primarily used for commercial business, and commonly referred to as the pulling unit for an 18-wheel tractor-trailer combination) shall be allowed to park in residential zoning districts provided they meet the following criteria:

1. Resident must be the legal title owner and operator of said tractor and must be the legal owner of the property on which the tractor is parked.
2. Tractors must be parked in the back yard or side yard of the residence and behind the front building line of the dwelling unit. Tractors may not encroach on adjacent property.
3. Tags and inspections for the tractor must be current.
4. No trailers allowed.
5. Owner-operator must register with the City Clerk. When registering, owner-operator must present a copy of the property deed and registration papers for the vehicle. Applicants must register annually before August 1. Failure to reapply shall be cause to revoke permit unless just cause can be proven by appeal before the governing authority.
6. For property zoned Agricultural-Residential (A-R), the legal owner of the property may park a semi-truck tractor for which he or she is not the owner, but he/she is the normal operator of said tractor and employed by the owner of the vehicle.

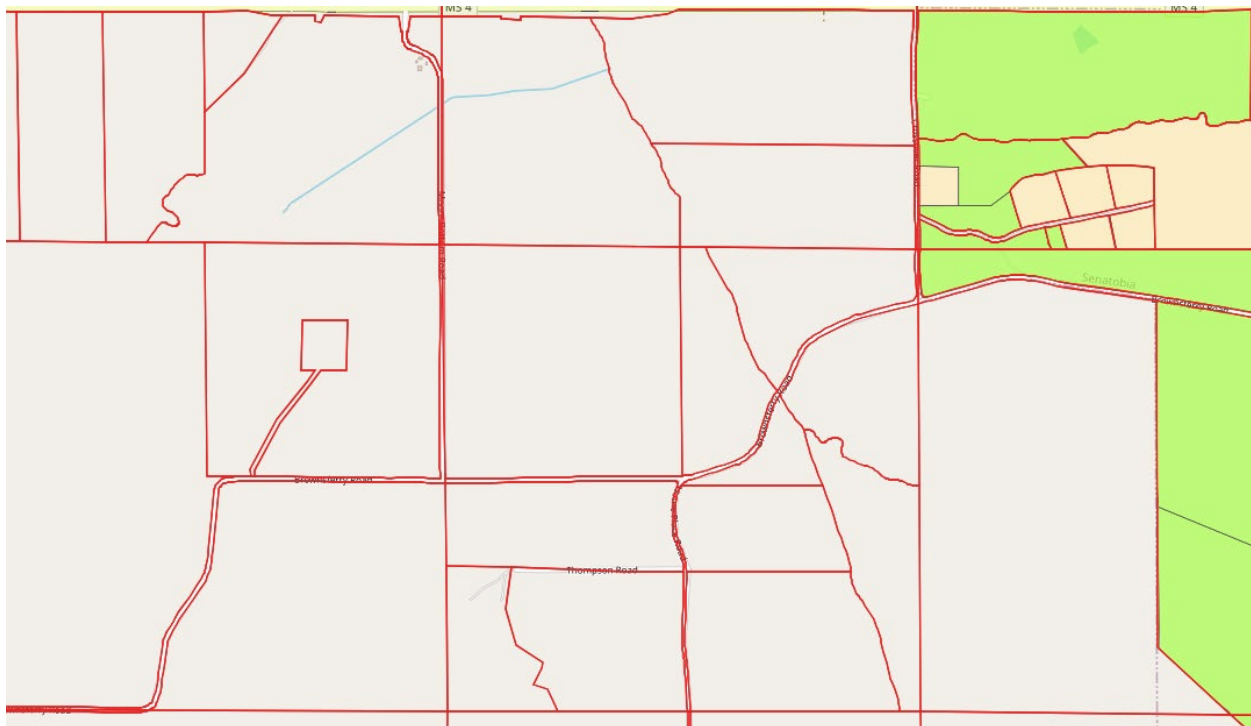
In addition to the code enforcement officer for the City of Senatobia, an officer of the Senatobia Police Department may give notice to the owner of a Commercial Vehicle, Utility Trailer, Motor Home, or Towed Camper and/or the owner of a property where the unit is parked. Notice shall be given if it is determined that the unit is not permitted in a residential zoning district, or if the unit is not properly parked.

SECTION 704-MISCELLANEOUS PROVISIONS

- A. If vehicle storage space or standing space required herein cannot be reasonably provided on the same lot on which the principal use is conducted, the Board of Adjustment may permit such space to be provided on other off-street property provided such space lies within four hundred (400) feet of the main entrance to such principal use measured on the nearest traveled way. Such vehicle storage or standing space shall be specifically dedicated for space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner.

- B. When, in its judgment, the public convenience and welfare will be substantially served and the appropriate use of neighboring property will not be substantially or permanently injured, the Board of Adjustment may, in specific cases, permit the use of lot or lots in a residential district, immediately adjacent to any business or industrial district, even if separated there from by an alley, for the parking of passenger cars provided no fee is charged and under such safeguards and conditions as the Board of Adjustment may require for the adequate protection of the more restricted property.
- C. Nothing in this Article shall prohibit the collective use of space for off-street parking, provided such collectively used space is equal to the sum of the requirements of each individual establishment participating in such collective use.

Agricultural Residential (A-R) Zoning District			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Area, min. (acre)	10	Single-Family Dwellings	Public/Quasi Public Facilities
Lot Width, min. (ft)	150	Agricultural Activities	Animal Clinics
Street Frontage, min. (ft)	50	Accessory Structures	
Front Yard Depth, min. (ft)	50	Home Occupations	
Rear Yard Depth, min. (ft)	50	Gardens	
Side Yard, min. width per side (ft)	50	Parks	
Total Building Area, max. % of lot	30%		
Height of Structures, max. (ft)	35		



ARTICLE VIII-Agricultural Residential (A-R) Zoning District

All medical cannabis facilities must remain in full compliance with all State of Mississippi regulations.

SECTION 800-PURPOSE OF THIS DISTRICT

The purpose of the Agricultural Residential district is to allow less-intensive agricultural uses with residential dwellings within the City. These parcels are large in size, are not serviced by sewer, may not be served by public drinking water, and may be used for agricultural purposes.

SECTION 801-LAND USES PERMITTED

Uses permitted: Single-family dwellings; agricultural activities such as the production of crops and/or livestock for sale or show; accessory structures; home occupations; gardens, and parks.

SECTION 802-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as a special exception: Public/Quasi Public Facilities, such as Public utility substations, public buildings of a proprietary nature,, semi-public buildings and uses, including private schools, and churches; and animal clinics.

Uses prohibited: Industrial uses; intensive agriculture such as feedlots, sales barns, or auction houses; mineral extraction including sand, dirt, or gravel; junkyards; manufactured homes and/or mobile homes; and medical cannabis facilities and processing facilities.

SECTION 803-DIMENSIONAL REQUIREMENTS

- Minimum lot area – 10 acres
- Minimum lot width at the building line – 150 feet
- Minimum street frontage – 50 feet
- Minimum depth of front yard – 50 feet
- Minimum depth of rear yard – 50 feet
- Minimum width of each side yard – 50 feet
- Maximum total building area - 30% of total lot area
- Maximum height of structures – 2 & 1/2 stories or 35 feet

SECTION 804- OFF-STREET PARKING REQUIREMENTS

Off-street parking requirements: Minimum of four (4) paved spaces per dwelling. See Article V of this ordinance for requirements for other uses.

SECTION 805-GENERAL PROVISIONS

Large animals, such as horses and cattle, are allowed on properties in the A-R zone. The prohibition against these animals in Senatobia’s municipal limits within 300 feet of a residence of any person who shall complain in the Animal and Fowl ordinance, are waived in the A-R zoning district. However, the animals are to be securely confined to the property at all times.

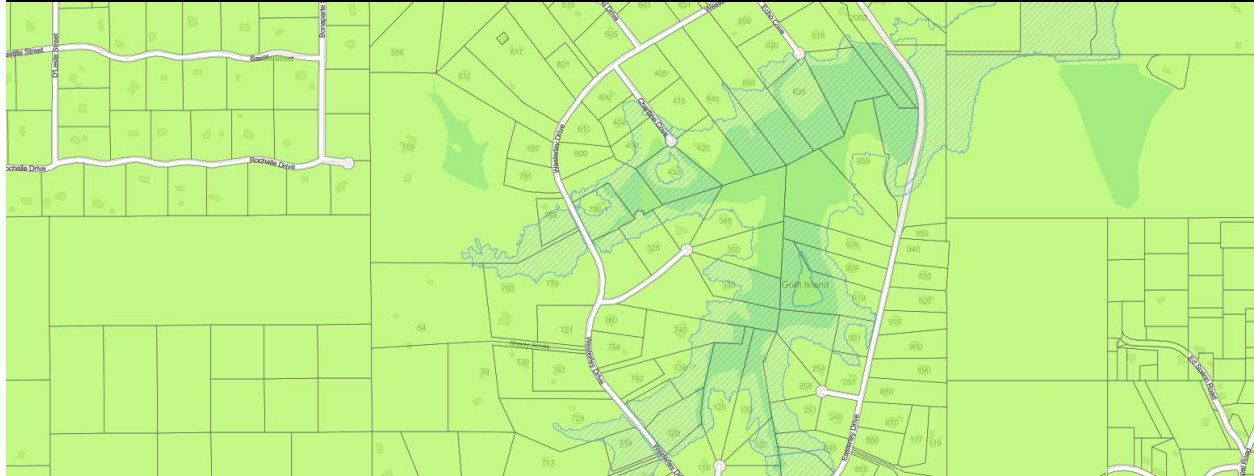
These large tracts---at least 10 acres in size---in the A-R zoning are exempt from mowing requirements that apply to the other zoning districts regarding “rank weeds and noxious plants” from the Nuisances Ordinance. In the event of a complaint or complaints from neighboring property owners, action shall be taken as defined in Article VI, Administration, Section 6 Notice of

Violations, to prevent any obnoxious, offensive, or detrimental dust, pests, smoke, vibration, noise, odor, or effluents from impacting neighboring property.

SECTION 806-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for development as (A-R) will require site plan approval. The information required for site plan approval can be found in the definition of “Site Plan, Residential”, see Article II for definitions.

Residential (R-E) Zoning District			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Area, min. (acres)	3	Single-Family Dwellings	Public/Quasi Public Facilities
Lot Width, min. (ft)	100	Agricultural Activities	
Street Frontage, min. (ft) (Cove)	50	Accessory Structures	
Front Yard Depth, min. (ft)	50	Home Occupations	
Rear Yard Depth, min. (ft)	50	Gardens	
Side Yard, min. width per side (ft)	50	Parks	
Total Building Area, max. % of lot	30%		
Height of Structures, max. (ft)	35		



ARTICLE IX-Residential Estate (R-E) Zoning District

SECTION 900-PURPOSE OF THIS DISTRICT

The Residential Estate (R-E) District is established and intended to accommodate principally low density, large-lot, single-family detached residential development with limited agricultural uses. It is the intent of this Ordinance that such districts be located primarily in those areas of the City of Senatobia that are not served by the public sewer system, and may not be part of a subdivision.

SECTION 901-LAND USES PERMITTED

Uses permitted: Single-family dwellings; agricultural activities such as the production of crops and/or livestock for sale or show; accessory structures; home occupations; gardens, and parks.

SECTION 902-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as a special exception: Public/Quasi Public Facilities.

Uses prohibited: Industrial uses; intensive agriculture such as feedlots, sales barns, or auction houses; mineral extraction including sand, dirt, or gravel; junkyards; manufactured homes and/or mobile homes; and medical cannabis facilities and processing facilities.

SECTION 903-DIMENSIONAL REQUIREMENTS

- Minimum lot area – 3 acres
- Minimum lot width at the building line – 100 feet
- Minimum street frontage – 50 feet
- Minimum depth of front yard – 50 feet
- Minimum depth of rear yard – 50 feet
- Minimum width of each side yard – 50 feet
- Maximum total building area - 30% of total lot area
- Maximum height of structures – 2 & 1/2 stories or 35 feet

SECTION 904- OFF-STREET PARKING REQUIREMENTS

Off-street parking requirements: Minimum of four (4) paved spaces per dwelling. See Article V of this ordinance for requirements for other uses.

SECTION 905-GENERAL PROVISIONS

Large animals, such as horses and cattle, are allowed on properties in the R-E zone; however, such animals shall not be kept within 300 feet of a residence on an adjoining parcel.

Large tracts---at least 10 acres in size---in the R-E zoning are exempt from mowing requirements that apply to the other zoning districts regarding “rank weeds and noxious plants” from the Nuisances Ordinance. In the event of a complaint or complaints from neighboring property owners, action shall be taken as defined in Article VI, Administration, Section 6 Notice of Violations, to prevent any obnoxious, offensive, or detrimental dust, pests, smoke, vibration, noise, odor, or effluents from impacting neighboring property.

SECTION 906-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for development as (R-E) will require site plan approval. The information required for site plan approval can be found in the definition of “Site Plan, Residential”, see Article II for definitions.

Residential (R-1) Zoning District			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Area, min. (sq ft)	13,500	Single-Family Dwellings	Public/Quasi Public Facilities
Lot Width, min. (ft)	90	Accessory Structures	
Street Frontage, min. (ft) (Cove)	50/35	Home Occupations	
Front Yard Depth, min. (ft)	35	Gardens	
Rear Yard Depth, min. (ft)	35	Playgrounds	
Side Yard, min. width per side (ft)	15	Parks	
Total Building Area, max. % of lot	30%		
Height of Structures, max. (ft)	35		



ARTICLE X-RESIDENTIAL (R-1) (SINGLE-FAMILY DETACHED 13,500 SQ. FT.) ZONING DISTRICT

SECTION 1000-PURPOSE OF THIS DISTRICT

The purpose of this district is to provide areas for the development of moderate density, single-family detached dwellings and related compatible uses in relatively spacious surroundings which provide ample, usable open space for leisure time activities. No new single-family residential subdivisions shall be developed in R-1 districts after the effective date of this Ordinance without public sewer.

SECTION 1001-LAND USES PERMITTED

Uses permitted: Single-family dwellings; accessory structures; home occupations; gardens; playgrounds, and parks.

SECTION 1002-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as a special exception: Public/Quasi Public Facilities.

Uses prohibited: Business, or industrial uses; junkyards; and manufactured homes and/or mobile homes.

SECTION 1003-DIMENSIONAL REQUIREMENTS

- Minimum lot area - 13,500 square feet
- Minimum lot width at the building line –90 feet
- Minimum street frontage – 50 feet; except in a Cove where it shall be at least 20 feet
- Minimum depth of front yard - 35 feet
- Minimum depth of rear yard - 35 feet
- Minimum width of each side yard - 15 feet
- Maximum total building area - 30% of total lot area
- Maximum height of structures – 2 & 1/2 stories or 35 feet

SECTION 1004-OFF-STREET PARKING REQUIREMENTS

Off-street parking requirements: Minimum of four (4) car spaces per dwelling. See Article V of this ordinance for requirements for other uses.

SECTION 1005-GENERAL PROVISIONS

General Provisions: Large tracts---at least 10 acres in size---in the R-1 zoning are exempt from mowing requirements that apply to the other zoning districts regarding “rank weeds and noxious plants” as defined above. In the event of a complaint or complaints from neighboring property owners, action shall be taken as defined in Article VI, Administration, Section 6 Notice of Violations, to prevent any obnoxious, offensive, or detrimental dust, pests, smoke, vibration, noise, odor, or effluents from impacting neighboring property.

SECTION 1006-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing R-1 next to an existing or vacant A-R, B, M, or X, there shall be a twenty (20) foot buffer.

Second, there shall be plantings within the 20-foot buffer. The buffer shall be landscaped as follows:

- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet.

The 20-foot buffer can be left alone if there is natural tree cover, and this can count as plantings with approval of the Building and Planning Director.

SECTION 1007-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for development as (R-1) will require site plan approval. The information required for site plan approval can be found in the definition of “Site Plan, Residential”, see Article II for definitions.

Residential (R-2) Zoning District			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Area, min. (sq ft)	10,000	Single-Family Dwellings	Public/Quasi Public Facilities
Lot Width, min. (ft)	80	Accessory Structures	
Street Frontage, min. (ft) (Cove)	50/20	Home Occupations	
Front Yard Depth, min. (ft)	30	Gardens	
Rear Yard Depth, min. (ft)	35	Playgrounds	
Side Yard, min. width per side (ft)	12	Parks	
Total Building Area, max. % of lot	30%		
Height of Structures, max. (ft)	35		



ARTICLE XI-RESIDENTIAL (R-2) (SINGLE-FAMILY DETACHED 10,000 SQ. FT.) ZONING DISTRICT

SECTION 1100-PURPOSE OF THIS DISTRICT

The purpose of this district is to provide areas for the development of medium density residential uses in relatively spacious surroundings. Any area zoned R-2 shall have public or any other approved sewer.

SECTION 1101-LAND USES PERMITTED

Uses permitted: Single family dwellings; accessory structures; home occupations; gardens; playgrounds; parks.

SECTION 1102-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as a special exception: Public/Quasi Public Facilities..

Uses prohibited: Business, industrial uses, junkyards; and manufactured homes and/or mobile homes.

SECTION 1103-DIMENSIONAL REQUIREMENTS

- Minimum lot area Single -family dwelling - 10,000 square feet
- Minimum lot width at the building line - 80 feet
- Minimum street frontage – 50 feet; except in a Cove where it shall be at least 20 feet
- Minimum depth of front yard - 30 feet
- Minimum depth of rear yard - 35 feet
- Minimum width of each side yard - 12 feet
- Maximum total building area – 30 % of total lot area
- Maximum height of structure – 2 & 1/2 stories or 35 feet

SECTION 1104-OFF-STREET PARKING REQUIREMENTS

Off-street parking requirements: Minimum of four (4) car parking spaces per dwelling unit. See Article V of this ordinance for requirements for other uses.

SECTION 1105-GENERAL PROVISIONS

General Provisions: Large tracts---at least 10 acres in size---in the R-2 zoning are exempt from mowing requirements that apply to the other zoning districts regarding “rank weeds and noxious plants” as defined above. In the event of a complaint or complaints from neighboring property owners, action shall be taken as defined in Article VI, Administration, Section 6 Notice of Violations, to prevent any obnoxious, offensive, or detrimental dust, pests, smoke, vibration, noise, odor, or effluents from impacting neighboring property.

SECTION 1106-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must

be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing R-2 next to an existing or vacant A-R, B, M, or X, there shall be a twenty (20) foot buffer.

Second, there shall be plantings within the 20-foot buffer. The buffer shall be landscaped as follows:

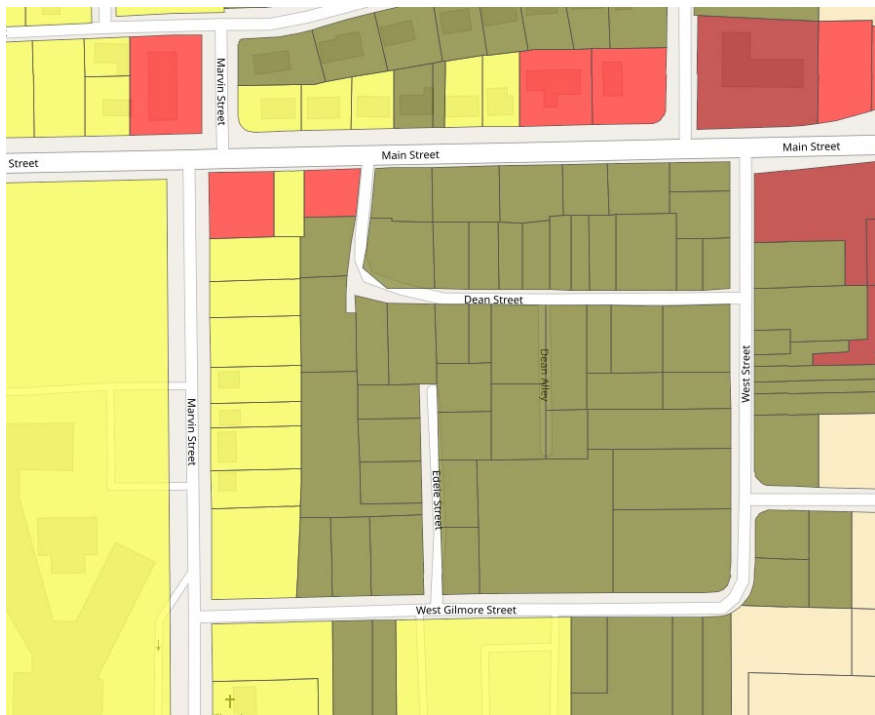
- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet.

The 20-foot buffer can be left alone if there is natural tree cover, and this can count as plantings with approval of the Building and Planning Director.

SECTION 1107-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for development as (R-2) will require site plan approval. The information required for site plan approval can be found in the definition of “Site Plan, Residential”, see Article II for definitions.

Residential (R-3) Zoning District			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Area, min. (sq ft)	8,000	Single-Family Dwellings	Public/Quasi Public Facilities
Lot Width, min. (ft)	70	Accessory Structures	
Street Frontage, min. (ft) (Cove)	50/15	Home Occupations	
Front Yard Depth, min. (ft)	25	Gardens	
Rear Yard Depth, min. (ft)	35	Playgrounds	
Side Yard, min. width per side (ft)	10	Parks	
Total Building Area, max. % of lot	50%		
Height of Structures, max. (ft)	35		



ARTICLE XII-RESIDENTIAL (R-3) (SINGLE-FAMILY DETACHED 8,000 SQ. FT.) ZONING DISTRICT

SECTION 1200-PURPOSE OF THIS DISTRICT

The purpose of this district is to provide areas for the development single-family detached houses on small lots. All areas zoned R-3 shall have public sewer and drinking water.

SECTION 1201-LAND USES PERMITTED

Uses permitted: Single-family dwellings; accessory structures; home occupations; gardens; playgrounds; parks.

SECTION 1202-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as a special exception: Public/Quasi Public Facilities.

Uses prohibited: Business, industrial uses, junkyards; and manufactured homes and/or mobile homes.

SECTION 1203-DIMENSIONAL REQUIREMENTS

- Minimum lot area Single -family dwelling - 8,000 square feet
- Minimum lot width at the building line - 70 feet
- Minimum street frontage – 50 feet; except in a Cove where it shall be at least 15 feet
- Minimum depth of front yard - 25 feet
- Minimum depth of rear yard - 35 feet
- Minimum width of each side yard - 10 feet
- Maximum total building area – 50 % of total lot area
- Maximum height of structure – 2 & 1/2 stories or 35 feet

SECTION 1204-OFF-STREET PARKING REQUIREMENTS

Off-street parking requirements: Minimum of four (4) car parking spaces per dwelling unit. See Article V of this ordinance for requirements for other uses.

SECTION 1205-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing R-3 next to an existing or vacant A-R, R-1, B, M, or X, there shall be a twenty (20) foot buffer.

Second, there shall be plantings within the 20-foot buffer. The buffer shall be landscaped as follows:

- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet

- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet

The 20-foot buffer can be left alone if there is natural tree cover, and this can count as plantings with approval of the Building and Planning Director.

SECTION 1206-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for development as (R-3) will require site plan approval. The information required for site plan approval can be found in the definition of “Site Plan, Residential”, see Article II for definitions.

Residential (R-4) Zoning District			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Area, min. (sq ft) – Duplex	12,000	Multi-Family Dwellings – Two to Four Units	Public/Quasi Public Facilities
Lot Area, min. (sq ft) – Triplex	14,000		
Lot Area, min. (sq ft) – Quadplex	16,000		
Lot Width, min. (ft)	70	Accessory Structures	
Street Frontage, min. (ft) (Cove)	50/15	Home Occupations	
Front Yard Depth, min. (ft)	25	Gardens	
Rear Yard Depth, min. (ft)	35	Playgrounds	
Side Yard, min. width per side (ft)	10	Parks	
Total Building Area, max. % of lot	40%		
Height of Structures, max. (ft)	35		



ARTICLE XIII-RESIDENTIAL (R-4) (MULTI-FAMILY TWO [2] TO FOUR [4] UNITS) ZONING DISTRICT

SECTION 1300-PURPOSE OF THIS DISTRICT

The purpose of this district is to allow for the development of two- to four-unit multiple family dwellings. These dwellings may share ownership in common areas or may be owned by one entity.

SECTION 1301-LAND USES PERMITTED

Uses permitted: multi-family dwellings for not more than four (4) families, accessory structure, home occupations, gardens, playgrounds, parks.

SECTION 1302-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as a special exception: Public/Quasi Public Facilities.

Uses prohibited: Business, industrial use, junkyards, or manufactured homes and/or mobile homes.

SECTION 1303-DIMENSIONAL REQUIREMENTS

- Minimum lot area for duplex --- 12,000 square feet
- Minimum lot area for a triplex --- 14,000 square feet
- Minimum lot area for a quadplex --- 16,000 square feet
- Minimum lot width at the building line – 70 feet
- Minimum street frontage – 50 feet; except in a Cove where it shall be at least 15 feet
- Minimum depth of front yard - 25 feet
- Minimum depth of rear yard - 35 feet
- Minimum width of each side yard - 10 feet
- Maximum total building area - 40% of total lot area
- Maximum height of structure - 2 & 1/2 stories or 35 feet

SECTION 1304-OFF-STREET PARKING REQUIREMENTS

Off-street parking requirements: Minimum of four (4) parking spaces per dwelling unit. See Article V of this ordinance for requirements for other uses.

SECTION 1305-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing R-4 next to an existing or vacant A-R, R, B, M, or X, there shall be a twenty (20) foot buffer.

Second, there shall be plantings within the 20-foot buffer. The buffer shall be landscaped as follows:

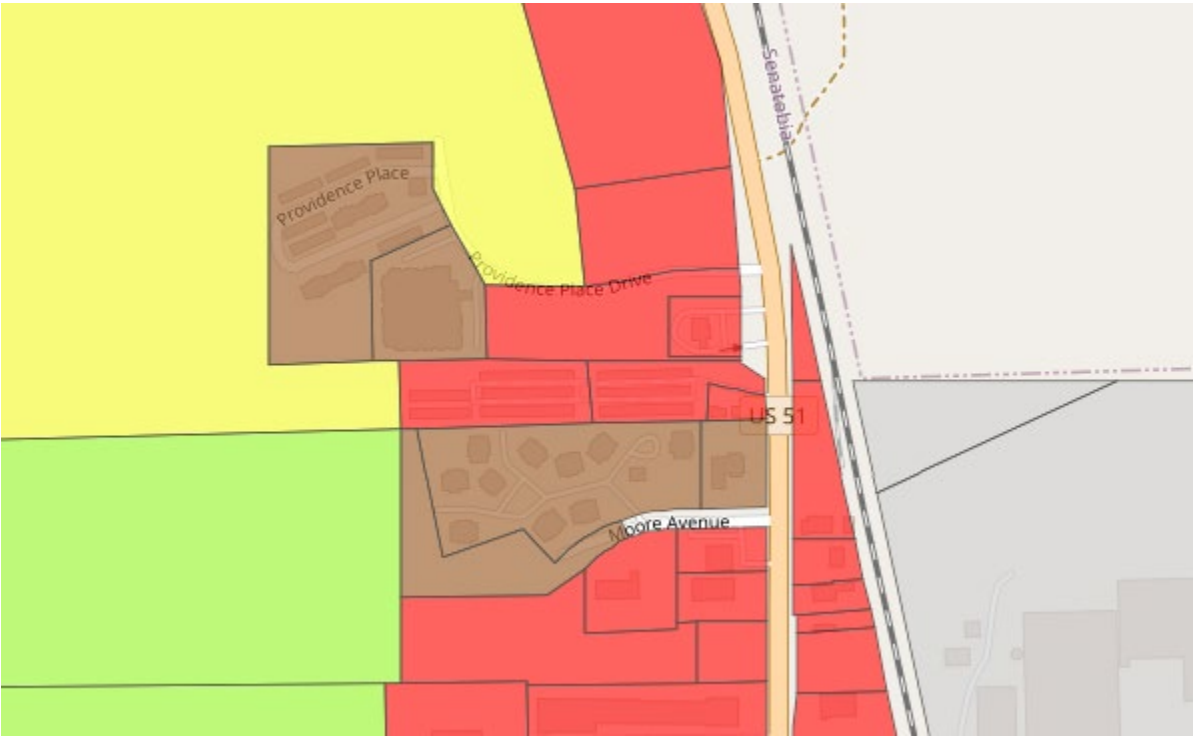
- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet.

The 20-foot buffer can be left alone if there is natural tree cover, and this can count as plantings with approval of the Building and Planning Director.

SECTION 1306-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for development as (R-4) will require site plan approval. The information required for site plan approval can be found in the definition of “Site Plan, Residential”, see Article II for definitions.

Residential (R-5) Zoning District			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Area, min. (sq ft)	7,700	Multi-Family Dwellings	Public/Quasi Public Facilities
Lot Width, min. (ft)	70	Rooming Houses	Non-profit Lodges/Clubs
Street Frontage, min. (ft)	50		
Front Yard Depth, min. (ft)	25		
Rear Yard Depth, min. (ft)	35		
Side Yard, min. width per side (ft)	10		
Total Building Area, max. % of lot	30%		
Height of Structures, max. (ft)	45		



ARTICLE XIV-RESIDENTIAL (R-5) MULTI-FAMILY APARTMENTS ZONING DISTRICT

SECTION 1400-PURPOSE OF THIS DISTRICT

The purpose of this district is to provide areas for the development of higher density multiple family (i.e., five or more) residential uses with adequate, usable open space to prevent overcrowding. It is the intent of this Ordinance that these districts be carefully located only in areas where the infrastructure of the City (i.e., the road/highway system, storm drainage and water and sanitary sewer systems) is adequate to serve such higher density housing. The use of this district is appropriate as a transition between moderate density residential districts and higher intensity uses, such as commercial uses or light industrial (M-1) uses, that are not compatible with lower density residential environment. All R-5 developments shall front upon at least one road or highway that is classified as an Arterial or approved Collector Street.

SECTION 1401-LAND USES PERMITTED

Uses permitted: Residential structures for any number of families, and rooming houses up to nine units per acre.

SECTION 1402-CONDITIONAL USES AND PROHIBITED USES

Uses which may be permitted as an exception: Public/Quasi-Public Facilities, Lodges, clubs, fraternity houses and similar uses not operated for a profit.

Uses prohibited: Any commercial and industrial uses, or junkyards.

SECTION 1403-DIMENSIONAL REQUIREMENTS

- Minimum lot area - 7,700 square feet
- Minimum lot width at the building line - 70 feet
- Minimum street frontage – 50 feet
- Minimum depth of front yard - 25 feet:
- Minimum depth of rear yard - 35 feet
- Minimum width of each side yard - 10 feet
- Maximum total building area - 30% of total lot area
- Maximum height of structures - 3 stories or 45 feet

SECTION 1404-OFF-STREET PARKING REQUIREMENTS

Off-street parking requirements: Two (2) spaces per dwelling unit; two (2) spaces for each three hundred (300) square feet or fraction thereof of office space or guest, meeting, or other non-residential space in structure; or two (2) spaces per room for each room let to roomers. See Article V of this ordinance for requirement for other uses.

SECTION 1405-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must

be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing R-5 next to an existing or vacant A-R, R, B, M, or X, there shall be a twenty (20) foot buffer.

Second, there shall be plantings within the 20-foot buffer. The buffer shall be landscaped as follows:

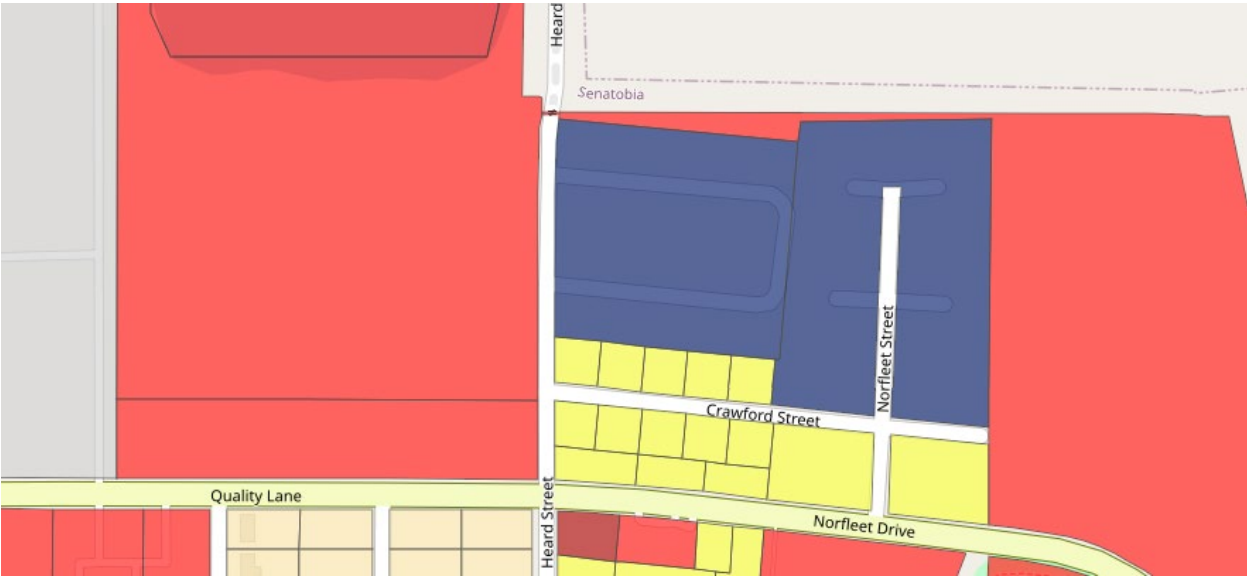
- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet.

The 20-foot buffer can be left alone if there is natural tree cover, and this can count as plantings with approval of the Building and Planning Director.

SECTION 1406-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for development as (R-5) will require site plan approval. The information required for site plan approval can be found in the definition of “Site Plan, Residential”, see Article II for definitions.

Residential (R-6) Zoning District			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Park Size Area, min. (ac)	2	Manufactured Home Parks	None
Park Width, min. (ft)	310		
Park Front Yard Depth, min. (ft)	30		
Park Rear Yard Depth, min. (ft)	15		
Park Side Yard Depth, min. (ft)	15		
Lot Size Area, min (sq ft)	5,500		
Lot Park Width, min. (ft)	50		
Lot Street Frontage, min. (ft)	50		
Lot Front Yard Depth, min. (ft)	30		
Lot Rear Yard Depth, min. (ft)	15		
Lot Side Yard Depth, min. (ft)	10		
Total Building Area, max. % of lot	30%		
Height of Structures, max. (ft)	12		



ARTICLE XV-RESIDENTIAL (R-6) MANUFACTURED HOUSING (MH) ZONING DISTRICT

SECTION 1500-PURPOSE OF THIS DISTRICT

The purpose of this district is to provide for properly planned manufactured home parks in which spaces are offered on a rental or lease basis only for owner-occupied manufactured homes, or in which the space and manufactured home combination are both offered to the public on a rental or lease basis only.

SECTION 1501-LAND USES PERMITTED

Uses permitted: Manufactured home parks

SECTION 1502-CONDITIONAL USES AND PROHIBITED USES

Uses which may be permitted as an exception: None.

Uses prohibited: All residential, commercial, or industrial uses not specifically permitted.

SECTION 1503-DIMENSIONAL REQUIREMENTS

- Dimensional requirements for the Park:
 - Minimum Size of Park – 2 acres
 - Minimum width of park – 310 feet
 - Minimum depth of park front yard – 30 feet
 - Minimum depth of park rear yard – 15 feet
 - Minimum width of park side yard – 15 feet

This yard space may not be used for parking, nor shall it constitute the yard requirements for any manufactured home.

Dimensional requirements for each lot within a Park:

- Minimum lot area – 5,500 square feet
- Minimum lot width at the building line - 50 feet
- Minimum street frontage – 50 feet
- Minimum depth of front yard - 30 feet:
- Minimum depth of rear yard - 15 feet
- Minimum width of each side yard - 10 feet
- Maximum total building area - 30% of total lot area
- Maximum height of structures - 1 story or 12 feet

This yard space may be used for parking of the resident's vehicle but shall not constitute any of the yard requirements for the manufactured home park or subdivision. However, such parking shall be on a driveway or similar designated area. Private accessory structures, such as sheds, must be within the building area defined for each manufactured home lot. Such structures shall not cover more than ten (10) percent of the remaining building area after the manufactured home has been located on the manufactured home.

SECTION 1504-OFF-STREET PARKING REQUIREMENTS

Off-street parking requirements. Four (4) car spaces shall be provided on each manufactured home lot. See Article VIII of this ordinance for requirements for other uses.

SECTION 1505-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing R-6 next to an existing or vacant A-R, R, B, M, or X, there shall be a twenty (20) foot buffer.

Second, there shall be plantings within the 20-foot buffer. The buffer shall be landscaped as follows:

- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet.

The 20-foot buffer can be left alone if there is natural tree cover, and this can count as plantings with approval of the Building and Planning Director.

SECTION 1504-REGULATIONS

All manufactured homes that are not currently located in areas zoned “R6”, upon adoption of this ordinance and accompanying Zoning Map, are deemed non-conforming uses. All mobile homes, as defined in Article II, are deemed non-conforming uses, no matter their location. These manufactured homes and all mobile homes are “grandfathered” non-conforming uses and may continue to be used for residential purposes as long as the non-conforming status is maintained as described above. Subject to the provisions of this ordinance, all occupants of “grandfathered” manufactured and mobile homes will be afforded all rights and privileges of the city including water, gas and any other utility and privilege afforded to all citizens.

This Ordinance prohibits any new mobile home from being located in the City of Senatobia. Also, this Ordinance prohibits the replacement of any existing mobile home with another mobile home.

Only Manufactured homes located within an “R6” district are eligible for replacement.

All new placement or replacement manufactured homes, which may only be located within an “R6” district, must meet the following requirements:

- Any placement or replacement manufactured home shall be five (5) years of age from date of replacement or newer. Suitable perimeter skirting is also required constructed of block, brick, stone, heavy duty faux block, heavy duty faux brick, or heavy-duty faux stone.
- Any manufactured home that an applicant intends to locate in the City of Senatobia must be a minimum of twelve feet wide (12’), contain at least 1,000 square feet of heated/cooled

interior living space and no older than five (5) years old at the time the proposed home is to be moved into the City. Any manufactured home placed in the City of Senatobia also must be permitted with the City, follow the Tate County installation standards including poured concrete piers, and 5' x 5' landings at each access point, and have a State Fire Marshall inspection decal before final inspection and Certificate of Occupancy is issued.

- Any mobile home that has been abandoned or un-inhabited for a period of six (6) months or more must be removed from the property and replaced with a manufactured home that meets the requirements above.
- If the mobile home is not removed within thirty (30) days from written notice being provided to the owner of said mobile home by the City, the City may elect to prosecute in municipal court per Article VI, Section 6-8 of the zoning ordinance of the City of Senatobia or remove the mobile home and charge the cost of removal to the owner of the mobile home.

All manufactured homes located within the Senatobia city limits must conform to the guidelines as set forth in the National Manufactured Housing Construction and Safety Standards Act of 2000 (“NHCSSA”). A copy of these guidelines may be obtained at the City Hall at 133 North Front Street, Senatobia, Mississippi 38668. (All manufactured homes must be inspected upon ownership change, occupancy change, or annually, whichever comes first.)

All manufactured homes that are manufactured and sold after 1976 shall be identified with a HUD Certification Label or HUD tag, a metal plate that is affixed to the outside of the manufactured home in accordance with Section 3280.11(b), and a Data Plate affixed inside the home and is located in a kitchen cabinet, an electrical panel, or a bedroom closet, containing the information that is described more fully in <http://www.hud.gov/offices/hsg/sfh/mhs/mhslabels.cfm>.

All manufactured homes found in violation of the NHCSSA guidelines will be deemed “nonconforming” with respect to the NHCSSA guidelines. All manufactured homes in the City of Senatobia currently deemed nonconforming with respect to the NHCSSA guidelines must conform to the guidelines within ninety (90) days from the passage of this Ordinance.

All manufactured homes in the City of Senatobia determined “nonconforming” with respect to the NHCSSA guidelines after their annual inspection or after inspection due to change in ownership or occupancy must conform to the NHCSSA guidelines within ninety (90) days from the date of inspection.

Notice and opportunity for hearing concerning nonconforming manufactured housing:

1. Notice will be provided to owners of manufactured homes and mobile homes deemed “nonconforming” by any part of this ordinance via hand delivery by any law enforcement officer of the city or county. Additionally, a notice will be posted on the property explaining the right to contest and avenues of redress.
2. Upon notice as provided above, the owner of any manufactured home and/or mobile home shall have the right to be heard by the Board of Aldermen of the City of Senatobia. The owner must submit a written request for a hearing to the City Clerk at 133 N. Front St.,

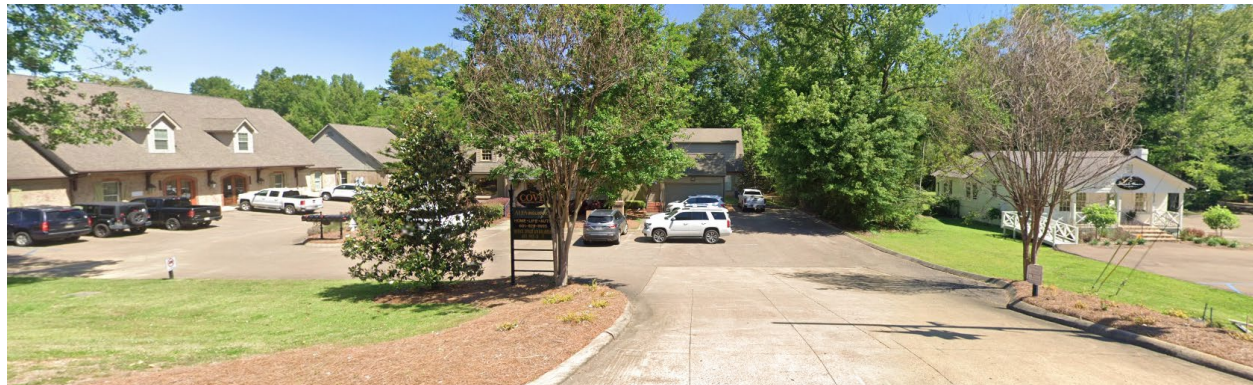
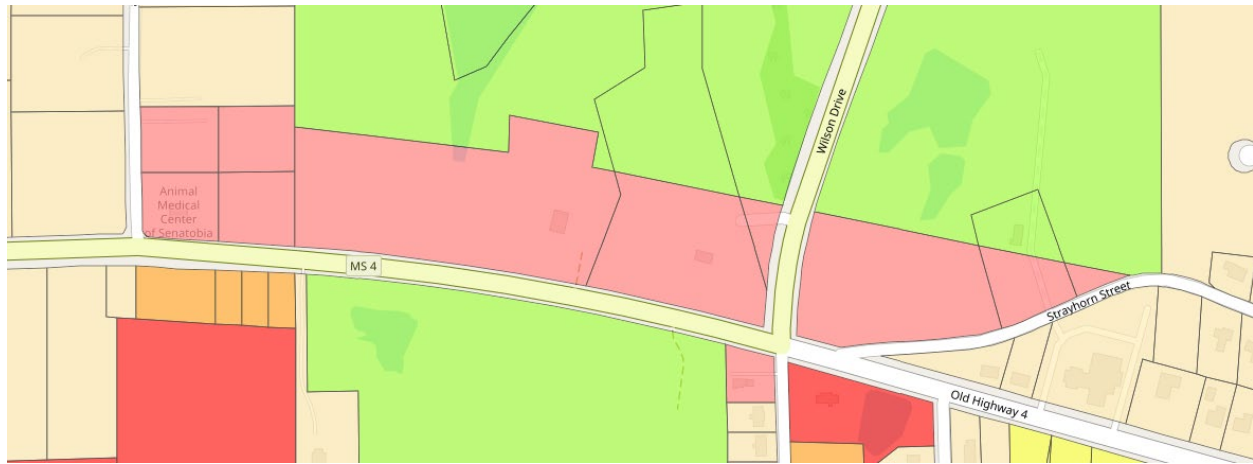
Senatobia, Mississippi, 38668, no later than one week before the Board's next regularly scheduled meeting.

3. In the event of a timely written request, the owner of the home in question, or his representative, will be given the opportunity to appear before the City of Senatobia in open session and contest the citation that the home in question is not in violation or is entitled to an exemption from this ordinance.

SECTION 1505-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for developments as R6 will require site plan approval as part of the rezoning process. The information required for site plan approval is similar to that required for Planned Unit Developments (PUD) Outline Plans, see Article IV, Sec. 14 (m) for details.

Business (B-1) Zoning District – Local Shopping			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Size Area, min. (sq ft)	none	Neighborhood (small-scale) retail stores and markets, such as: food, general merchandise, apparel, furniture, pharmacy, jewelry and gifts, florists, etc.	Public/Quasi Public
Lot Street Frontage, min. (ft)	50		Filling Stations*
Lot Front Yard Depth, min. (ft)	20		
Lot Rear Yard Depth, min. (ft)	20		
Lot Side Yard Depth, min. (ft)	10*		
Total Building Area, max. % of lot	25%		
Height of Structures, max. (ft)	35		



ARTICLE XVI-BUSINESS (B-1) ZONING DISTRICT (LOCAL SHOPPING)

SECTION 1600-PURPOSE OF THIS DISTRICT

The purpose of this district is to provide relatively quiet, attractive, and spacious areas for the development of restricted commercial uses that do not generate substantial volumes of vehicular traffic. This district is intended to encourage high quality commercial development and to serve as a transition zone between residential uses and higher intensity commercial uses or arterial streets. These districts are appropriate for the fringes of retail districts.

SECTION 1601-LAND USES PERMITTED

Uses permitted: Neighborhood retail stores and markets, including the following types of stores: food; general merchandise; apparel; furniture; household and hardware; radio and television; drugs and sundries; jewelry and gifts; florists; sporting goods; pet shops; and similar types. Neighborhood services, including the following types: dry cleaning and laundry pickup stations; barber and beauty shops; animal clinics, shoe repair; offices; banks; post offices; restaurants, and similar services.

SECTION 1602-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as a special exception: Public/Quasi public facilities, Filling stations, provided that there is no major auto repair, drive-in eating places, and motels.

Uses prohibited: Residential dwellings; outdoor advertising structures; major auto repair; laundry and dry cleaning plants; manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically permitted herein; any industrial use; trucking terminals; manufactured home and/or mobile homes; hospitals; junkyards; kennels; check cashing; title loan; pawn shop; tattoo parlor; body piercing establishments (other than ear piercings), or similar activity; adult oriented business.²⁵; medical cannabis dispensaries, research facilities and processing facilities; parking of commercial trucks and commercial trailers, buses, RV's, campers, unless used for the purposes of loading or unloading products or supplies. A 24-hour limit will be placed on loading or unloading.

SECTION 1603-DIMENSIONAL REQUIREMENTS

- Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.
- Minimum street frontage for each lot: – 50 feet; except in a Cove where it shall be at least 20 feet.
- Minimum yard size: Front, twenty (20) feet; rear, twenty (20) feet; side: ten (10) feet; except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than that required by the residential district.
- Maximum total building area: Twenty-five (25) percent.
- Maximum height of building or structures: Two (2) stories or thirty-five (35) feet.

SECTION 1604-OFF-STREET LOADING/UNLOADING REQUIREMENTS

Off-street loading and unloading: The required rear or side yard shall be used for loading and unloading.

SECTION 1606-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing B-1 next to an existing or vacant M or X, there shall be a twenty (20) foot buffer.
- When developing B-1 next to an existing or vacant A-R or R, there shall be a fifty (50) foot buffer.

Second, there shall be plantings within the buffer. The buffer shall be landscaped as follows:

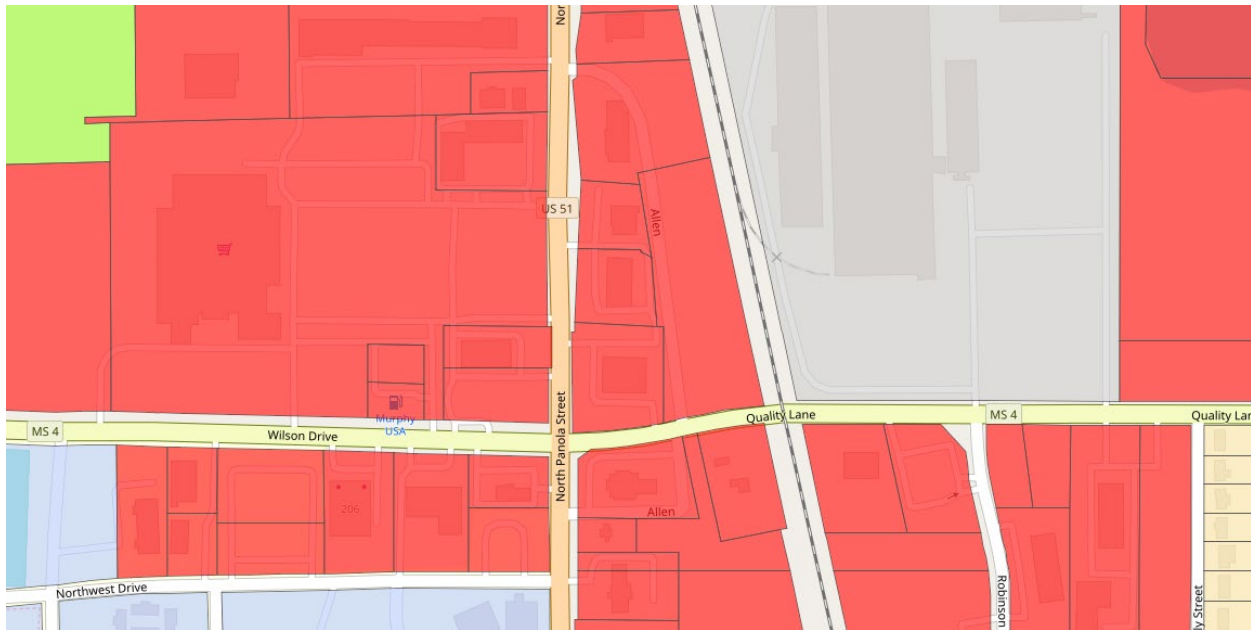
- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet.
- In addition, when developing B-1 next to an existing vacant A-R or R, a fence will be required within the buffer.

The buffer can be left alone if there is natural tree cover, and this can count as plantings and fence with approval of the Building and Planning Director.

SECTION 1607-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for developments as (B-1) will require site plan approval. The information required for site plan approval is listed in Appendix A, Section 11 of the Senatobia Zoning Ordinance.

Business (B-2) Zoning District – General Commercial			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Size Area, min. (sq ft)	none	Larger scale retail, grocery, pharmacy, hospitals, offices, banks, drive-in restaurants, hotels, automobile repair, medical cannabis dispensaries, etc.	Public/Quasi Public
Lot Street Frontage, min. (ft)	50		Retail or Wholesale not specifically permitted.
Lot Front Yard Depth, min. (ft)	20		
Lot Rear Yard Depth, min. (ft)	20		
Lot Side Yard Depth, min. (ft)	10*		
Total Building Area, max. % of lot	25%		
Height of Structures, max. (ft)	35		



ARTICLE XVII-BUSINESS (B-2) (GENERAL COMMERCIAL) ZONING DISTRICT

SECTION 1700-PURPOSE OF THIS DISTRICT

The purpose of this district is to promote the development of well-planned shopping centers and independent commercial uses within carefully selected areas of the City. The commercial activities permitted in this district include uses of a higher intensity than those first allowed in Local Shopping district (B-1). Although shopping center uses permitted in this zone require access to an arterial street, it is the intent of this Ordinance that shopping centers and independent commercial uses be developed so that pedestrian and vehicular circulation is coordinated with the circulation patterns of adjacent properties in the vicinity that are also affected. In order to facilitate access between adjoining properties and to reduce the number of curb cuts onto arterial streets, the installation of a service drive shall be considered in connection with any independent commercial use (i.e., a commercial use that is not a part of a shopping center) proposed in this district.

SECTION 1701-LAND USES PERMITTED

Uses permitted: Stores selling food, general merchandise, apparel, furniture, houseware and household wares, radios and televisions, department stores, groceries, drugs and sundries, jewelry, gift items, flowers, sporting goods, and similar types, fitness instruction facilities, educational instruction facilities, places of amusement, hospitals, dry cleaning and laundry pick-up stations, barber and beauty shops, animal clinics, pet shops, shoe repair, offices, banks, post offices, restaurants, theaters, and similar services, automobile filling stations, drive-in eating places, motels, automobile repair, funeral homes, medical cannabis dispensaries, research facilities and testing facilities as allowed by the State of Mississippi.

SECTION 1702-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as a special exception: Public/Quasi Public facilities and any retail or wholesale business or service not specifically permitted herein.

Uses prohibited: Residential dwellings, outdoor advertising structures, dry cleaners and laundries plant; manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically permitted herein; manufactured homes and/or mobile homes, kennels, junkyards; any industrial use; check cashing; title loan; pawn shop; tattoo parlor; body piercing establishments (other than ear piercings), or similar activity; adult oriented business; parking of commercial trucks and commercial trailers, buses, RV's, campers, unless used for the purposes of loading or unloading products or supplies. A 24-hour limit will be placed on loading or unloading. Maintenance and/or repairs of these vehicles will not be allowed unless at a licensed established repair garage. Exceptions to this rule will be the Circle K Truckstop at 524 E Main ST. and the Marathon Truck Stop at 509 E Main St.

SECTION 1703-DIMENSIONAL REQUIREMENTS

- Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the normal operation of the business or service.
- Minimum street frontage for each lot: – 50 feet; except in a Cove where it shall be at least 20 feet.
- Minimum yard size: Front, twenty (20) feet; rear, twenty (20) feet; side, one (1) side shall be ten (10) feet in width to provide vehicular access to the rear. On adjacent lots zoned B-2 where written agreement has been made on joint use of vehicular access to the rear of the lots no side yard shall be required. Such agreement shall run with the land. On any lot that the side lot line adjoins a residential district the side yard on that side shall not be less than that required by the residential district.
- Maximum total building area: Twenty-five (25) percent.
- Maximum height of buildings or structures: Two (2) stories or thirty-five (35) feet.

SECTION 1704-OFF-STREET PARKING REQUIREMENTS

Off-street parking: Maximum of two hundred (200) square feet of parking space for every two hundred (200) square feet of gross floor area including multi-story buildings. See Article VIII of this ordinance for requirements for other uses.

SECTION 1705-OFF-STREET LOADING/UNLOADING REQUIREMENTS

Off-street loading and unloading: The required rear or side yard shall be used for loading and unloading.

SECTION 1707-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing B-2 next to an existing or vacant M or X, there shall be a twenty (20) foot buffer.
- When developing B-2 next to an existing or vacant A-R or R, there shall be a fifty (50) foot buffer.

Second, there shall be plantings within the buffer. The buffer shall be landscaped as follows:

- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet

- One small deciduous or ornamental tree for every seventy-five (75) linear feet.
- In addition, when developing B-2 next to an existing vacant A-R or R, a fence will be required within the buffer.

The buffer can be left alone if there is natural tree cover, and this can count as plantings and fence with approval of the Building and Planning Director.

SECTION 1706-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for developments as (B-2) will require site plan approval. The information required for site plan approval is listed in Appendix A, Section 11 of the Senatobia Zoning Ordinance.

Business (B-3) Zoning District – Central Business District			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Size Area, min. (sq ft)	none	Offices, Hotels, Uses permitted in B-1, Single Family Dwellings, etc.	Public/Quasi Public
Lot Street Frontage, min. (ft)	50		Retail or Wholesale not specifically permitted.
Lot Front Yard Depth, min. (ft)	None		Loft-Dwellings.
Lot Rear Yard Depth, min. (ft)	None		
Lot Side Yard Depth, min. (ft)	None		
Total Building Area, max. % of lot	None		
Height of Structures, max. (ft)	50		



ARTICLE XVIII- CENTRAL BUSINESS DISTRICT (B-3) ZONING DISTRICT

SECTION 1800-PURPOSE OF THIS DISTRICT

The purpose of this district is to preserve the character of historic buildings and development pattern in Senatobia's traditional core.

The Senatobia Historic Central Business District is the core of Senatobia and contains residences and businesses that developed around the railroad depot in Senatobia. Because many of the businesses in the Senatobia Historic Central Business District were constructed very near or directly upon the right-of-way line and with little, if any, side or rear yard setbacks, special provisions are included in the district regulations for this area. Residential patterns are similar with rear or side access and a prominent façade facing the street.

It is further the purpose of this district to prevent the deterioration and protect the revitalization efforts of the Senatobia Historic District as the result of inappropriate land uses and incompatible architectural design. This district is intended to encourage the development of selected commercial activities that are compatible with historic structures, single-family detached residences and public/quasi-public sector uses.

It is also the purpose of this district to preserve property values in the SHCBD by requiring that any person proposing new buildings, additions to existing buildings or rehabilitation of/repairs, including painting, to existing buildings to not only comply with the Building Code but also submit an application for Site Plan Review. This requirement is intended to insure compatibility of such new buildings, additions or repairs with other uses in the district, thereby preserving the property values of other dwellings and businesses.

SECTION 1801-LAND USES PERMITTED

Uses permitted: Places of amusement, offices, hotels; all uses permitted in a (B-1) (Local Shopping) Zoning District, Single-family dwellings; multi-family dwellings for not more than four (4) families; gardens; playgrounds; parks.

SECTION 1802-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as an exception: Dry cleaners and laundries drop-off facilities; Manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein; churches. loft-style dwellings; accessory structures; home occupations

Uses prohibited: Major auto sales and repair; laundry and dry cleaning plants; animal clinics, hospitals or kennels; lumber yard or mill; auto wrecking; gasoline, oil, gas, or storage above ground in excess of five hundred (500) gallons; junkyards; any use prohibited in a light industrial (M-1) Zoning District; trucking terminals; manufactured home and/or mobile home, outdoor advertising structures; check cashing; title loan; pawn shop; tattoo parlor; body piercing establishments (other than ear piercing), or similar activity; adult oriented business; churches; auto storage; money services; tax services; tobacco shops; vape shops; CDB shops; hemp and other related products; and mini-storage.

Medical cannabis dispensaries, research facilities and testing facilities; parking of commercial trucks and commercial trailers, buses, RV's, campers, unless used for the purposes of loading or unloading products or supplies. A 24-hour limit will be placed on loading or unloading.

SECTION 1803-DIMENSIONAL REQUIREMENTS

Width of buildings and structures: All dimensional controls regarding setbacks and yard size will be determined during Site Plan Review based on the setbacks of surrounding and similar properties.

- Minimum street frontage for each lot: – 50 feet; except in a Cove where it shall be at least 20 feet.
- Maximum height of buildings and structures: Fifty (50) feet or four (4) stories.

SECTION 1804-OFF-STREET PARKING REQUIREMENTS

Off-street parking: No additional parking spaces are required in the downtown area of the B-3 Central Business District. This area is defined as west of the railroad tracks, south of College Street, east of Ward Street, north of Tate Street, and east of Highway 51 on Main Street. Properties inside this area and along both sides of these streets benefit from the availability of existing parking and are not required to create additional parking spaces. Other properties zoned B-3 are required to provide parking based upon a use most similar. See Article V of this ordinance for requirements for other uses. Building and Planning Director

It is intended that all off-street parking be located in the side or rear of said properties, and only on-street parking shall be permitted in front of a building.

SECTION 1805-OFF-STREET LOADING/UNLOADING REQUIREMENTS

Off-street loading and unloading: The required rear or side yard shall be used for loading and unloading.

SECTION 1806-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing B-3 next to an existing or vacant M or X, there shall be a twenty (20) foot buffer.
- When developing B-3 next to an existing or vacant A-R or R, there shall be a fifty (50) foot buffer.

Second, there shall be plantings within the buffer. The buffer shall be landscaped as follows:

- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet

- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet
- In addition, when developing B-3 next to an existing vacant A-R or R, a fence will be required within the buffer.

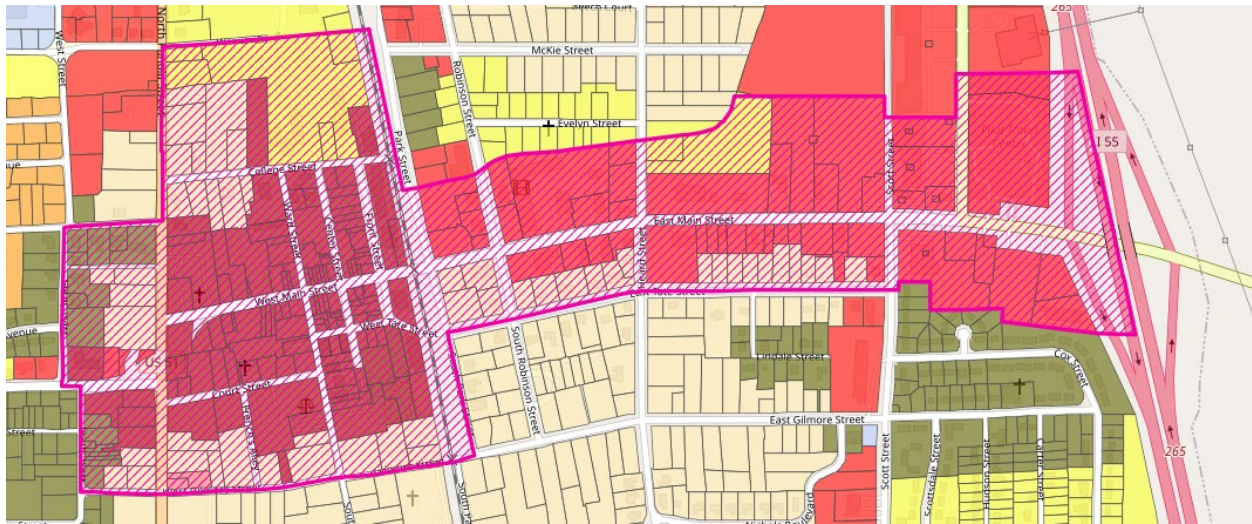
The buffer can be left alone if there is natural tree cover, and this can count as plantings and fence with approval of the Building and Planning Director.

SECTION 1807-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for developments as (B-3) will require site plan approval if there will be changes or additions to the exterior of the building and/or lot design. The information required for site plan approval is listed in Appendix A, Section 11 of the Senatobia Zoning Ordinance.

Business (SCO) Zoning District – Senatobia Corridor Overlay District

Dimensional Standards	Land Uses: Permitted	Land Uses: Prohibited
<p>Determined during site plan review depending on proximity to intersections and surrounding properties. Requirements may also be subject to the underlying zoning. Inventory which is not movable by hand-carry shall not be closer than ten (10) feet from the road right-of-way.</p>	<p>Subject to underlying zoning unless specifically prohibited.</p>	<p>Bail Bonds, Check Cashing/Cash for Title, Game room/Pool Hall, Pawn Shop, Cell or Radio Towers, Tattoo Parlor, Massage Parlor, Bar, Nightclub, Tobacco/Vape Shops, Medical Cannabis Dispensary, any Adult Entertainment Business, and Used Car Dealerships.</p>



Article XIX-Senatobia Corridor Overlay District

SECTION 1900-PURPOSE OF THIS DISTRICT

The purpose of the Senatobia Corridor Overlay District is to protect the public health, safety, comfort, historical properties and general welfare by providing for consistent and coordinated treatment of the properties bordering Interstate 55, Highway 4 and 51, Main Street, and the Senatobia Historic District. By establishing this overlay district, the City of Senatobia seeks to foster quality development along the City's primary entranceway and within its Historic District that creates a special sense of place and will protect property values, promote real estate investment, spur commercial activity and attract new business. This overlay district is intended to guide individual development activities by means of a coordinated set of design principles for buildings, site planning, landscaping and signage.

SECTION 1901-LAND USES PERMITTED

Uses permitted in the Senatobia Corridor Overlay District are subject to the underlying zoning unless specifically addressed in Section 1902.

SECTION 1902- CONDITIONAL USES AND PROHIBITED USES

Within the Senatobia Corridor Overlay District the land uses that are not permitted, regardless of zoning classification, are as follows: Bail Bonds, Check Cashing/Cash for Title, Game room/Pool Hall, Pawn Shop, Cell or Radio Towers, Tattoo Parlor, Massage Parlor, Bar, Nightclub, Tobacco/Vape Shops, Medical Cannabis Dispensary, any Adult Entertainment Business, and Used Car Dealerships.

SECTION 1903-DIMENSIONAL REQUIREMENTS

Dimensional requirements in the Senatobia Corridor Overlay District will be determined during site plan review depending on proximity to intersections and surrounding properties. Requirements may also be subject to the underlying zoning. Inventory which is not movable by hand-carry shall not be closer than ten (10) feet from the road right-of-way.

SECTION 1904-REQUIREMENTS FOR OFF-STREET PARKING, LOADING AND ACCESS CONTROL

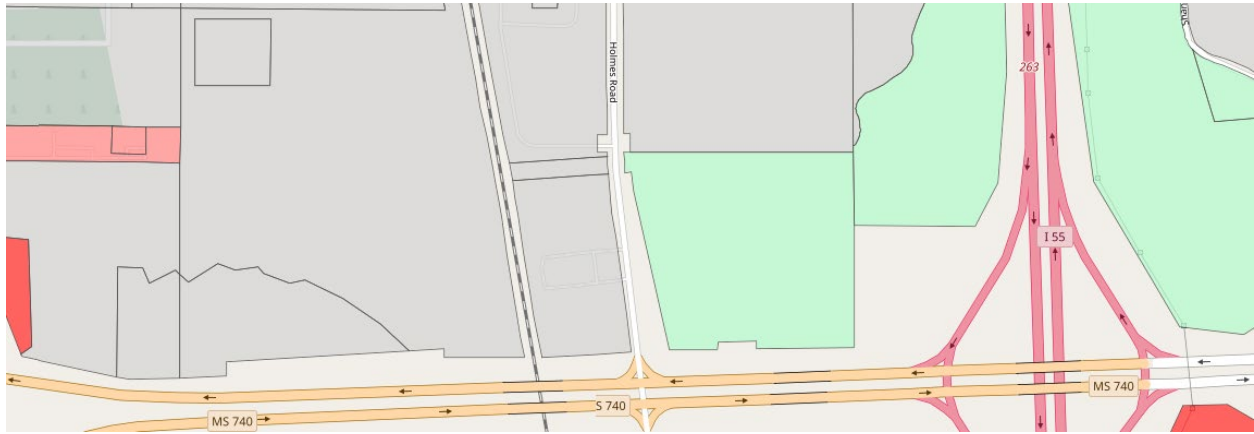
See Article V for off-street parking, loading and access control requirements. On-street parking shall be utilized where feasible. Off-street parking, loading and access control shall be located in the rear of buildings when possible.

No off-street parking shall be located any closer than ten (10) feet from the right-of-way.

SECTION 1905 -SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for developments in the Senatobia Corridor Overlay District will require site plan approval. If there will be changes or additions to the exterior of the building and/or lot design, site plan is required. The information required for site plan approval is listed in Appendix A, Section 11 of the Senatobia Zoning Ordinance.

Manufacturing (M-1) Zoning District – Light Industry			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Size Area, min. (sq ft)	none	Light industrial uses that are mostly within an enclosed building and that are not obnoxious, offensive, or detrimental to neighboring properties.	Public/Quasi Public
Lot Street Frontage, min. (ft)	50		Manufacturing or Retail not specifically permitted
Lot Front Yard Depth, min. (ft)	30		Check Cashing/Title Loan
Lot Rear Yard Depth, min. (ft)	30		Pawn Shops
Lot Side Yard Depth, min. (ft)	20*		Tattoo and Piercing
Total Building Area, max. % of lot	40%		Adult Oriented Businesses
Height of Structures, max. (ft)	45		



ARTICLE XX-MANUFACTURING (M-1) ZONING DISTRICT (LIGHT INDUSTRY)

SECTION 2000-PURPOSE OF THIS DISTRICT

The purpose of this district is to provide areas for the exclusive development of limited manufacturing and industrial uses within enclosed structures. It is the intent of this Ordinance that M-1 land uses be compatible with abutting districts, such as commercial districts, which will serve as transitional zones between the industrial users and the lower intensity residential uses. The uses permitted in M-1 districts shall generate no objectionable odor, smoke, fumes, vibration, or excessive noise. Such limited industrial and related uses shall be located only in areas directly accessible to major thoroughfares or railroads. It is further the intent of this Ordinance that encroachment by all residential uses be prohibited.

SECTION 2001-LAND USES PERMITTED

Uses permitted: Light industrial operations that are not obnoxious, offensive, or detrimental to neighboring property by reason of dust, smoke, vibration, noise, odor, or effluents, and including the following types of business or industry as permitted uses; ice cream plants; bottling and central distribution plants; baking plants; cold storage plants; textile mills; warehouses; dry cleaners and laundries plants; trucking terminals, and similar types of industries or businesses, public utility substations, offices, churches, or funeral homes. Medical cannabis cultivation facilities and processing facilities as allowed by the State of Mississippi.

SECTION 2002-CONDITIONAL USES AND PROBITED USES

Uses that may be permitted as a special exception: Any manufacturing or business use not specifically prohibited herein; check cashing; title loan; pawn shop; tattoo parlor; body piercing establishments (other than ear piercings), or similar activity; adult oriented business.

Uses prohibited: Residential uses of any type; slaughterhouse, stockyard; central mixing plant for cement, mortar, plaster, or paving material; manufacturing of acetylene, acid, alcohol, ammonia, bleaching powder, brick, pottery, terra-cotta or tile, blocks, candles, disinfectants, fertilizers, illuminating or heating gas, including storage, paint, turpentine, varnish, soap, and tar products; junkyard; cotton waste reclaiming; and similar types of plants or operations.

SECTION 2003-DIMENSIONAL REQUIREMENTS

Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any industrial service or business use to provide adequate parking and loading space in addition to the space required for the other normal operations of the enterprise. Each lot is required to have at least 50 feet of frontage on public road right-of-way.

Minimum yard size: Front yard, thirty (30) feet; except where existing establishments (other than residential) are set back, any new structures shall be set back not less than the average of the setbacks of the existing establishments within one hundred (100) feet on each side thereof. Side yards: twenty (20) feet, excepting a lot, adjoining its side lot lines to another lot which is in a residential zoning district, in which case there shall be a side yard not less than thirty (30) feet wide. Rear yard: thirty (30) feet.

- Maximum building coverage: Forty (40) percent.
- Maximum height of buildings or structures: Forty-five (45) feet or three (3) stories.

SECTION 2004-OFF-STREET PARKING REQUIREMENTS

Off-street parking: Parking spaces shall be provided at the ratio of 0.75 spaces per worker, and one (1) space for each company vehicle incidental to the operation of the industry or use. See Article V for requirements for other uses.

SECTION 2005-OFF-STREET LOADING/UNLOADING REQUIREMENTS

Off-street loading and unloading: Adequate space shall be provided for loading or unloading all vehicles or trucks incidental to the operation of the industry or use inside the established building lines.

SECTION 2006-GENERAL PROVISIONS

General Provisions: These large tracts---at least 10 acres in size---in the M-1 zoning are exempt from mowing requirements that apply to the other zoning districts regarding “rank weeds and noxious plants” as defined above. In the event of a complaint or complaints from neighboring property owners, action shall be taken as defined in Article VI, Administration, Section 6 Notice of Violations, to prevent any obnoxious, offensive, or detrimental dust, pests, smoke, vibration, noise, odor, or effluents from impacting neighboring property.

SECTION 2007-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing M-1 next to an existing or vacant B or X, there shall be a twenty (20) foot buffer.
- When developing M-1 next to an existing or vacant A-R or R, there shall be a fifty (50) foot buffer.

Second, there shall be plantings within the buffer. The buffer shall be landscaped as follows:

- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet.
- In addition, when developing M-1 next to an existing vacant A-R or R, a fence will be required within the buffer.

The buffer can be left alone if there is natural tree cover, and this can count as plantings and fence with approval of the Building and Planning Director.

SECTION 2008-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for developments as (M-1) will require site plan approval. The information required for site plan approval is listed in Appendix A, Section 11 of the Senatobia Zoning Ordinance.

Manufacturing (M-2) Zoning District – Heavy Industry			
Dimensional Standards		Land Uses: Permitted	Land Uses: Special Exception
Lot Size Area, min. (sq ft)	none	Industrial Uses.	Public/Quasi Public
Lot Street Frontage, min. (ft)	50		Uses which could adversely affect the City.
Lot Front Yard Depth, min. (ft)	60		
Lot Rear Yard Depth, min. (ft)	50		
Lot Side Yard Depth, min. (ft)	30		
Total Building Area, max. % of lot	50%		
Height of Structures, max. (ft)	45		



ARTICLE XXI (M-2) ZONING DISTRICT (HEAVY INDUSTRIAL)

SECTION 2100-PURPOSE OF THIS DISTRICT

There is at present no Heavy Industrial zoning in existence in Senatobia. It is anticipated that if M-2 zoning were needed in Senatobia the following locational criteria would be used:

- The zone shall be located not less than 1000 feet from an Interstate Highway interchange, but no more than one mile from the Interstate Highway interchange.
- The zone shall be located at least 1000 feet away from homes, schools, parks, or churches.

SECTION 2101-LAND USES PERMITTED

Uses permitted: Any industry, service, or commercial use except those which, in the opinion of the City Planning Commission, buildings and utilities departments of the municipal government of the City of Senatobia would cause noise, smoke, gas, vibration, fumes, dust, or other objectionable conditions which would affect a considerable portion of the said City of Senatobia.

SECTION 2102-CONDITIONAL USES AND PROHIBITED USES

Uses which may be permitted as a special exception: Any industrial, service, or commercial use, and subject to such conditions and safeguards as the Planning Commission may require to preserve and protect any portion or portions of the City which otherwise could be adversely affected, and specifically, slaughter house, stockyard; central mixing plant for cement, mortar, plaster, or paving material; manufacturing of acetylene, acid, alcohol, ammonia, bleaching powder, brick, pottery, terra-cotta or tile, blocks, candles, disinfectants, fertilizers, illuminating or heating gas, including storage, paint, turpentine, varnish, soap, and tar products; junkyards, cotton waste reclaiming; intensive agriculture such as feedlots, sales barns or auction houses; mineral extraction including sand, dirt or gravel; and similar types of plants or operations.

Uses prohibited: Dwellings for any number of families or manufactured home, excepting quarters for a watchman or custodian and his family. Medical cannabis cultivation facilities and processing facilities.

SECTION 2103-DIMENSIONAL REQUIREMENTS

- Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for an industrial, service, or business use to provide adequate parking and loading space in addition to the space required for the other normal operations of the enterprise. Each lot is required to have at least 50 feet of frontage on public road right-of-way.
- Minimum yard size: Front yard, sixty (60) feet which shall be open yard space not used for parking or loading; rear yard, thirty (30) feet; side yard, fifty (50) feet.
- Maximum building coverage: Fifty (50) percent.
- Maximum height of buildings or structures: Forty-five (45) feet or three (3) stories.

SECTION 2104-OFF-STREET PARKING REQUIREMENTS

Off-street parking: Parking space shall be provided at the ratio of 0.75 spaces per worker, and one (1) space for each company vehicle incidental to the operations of the industry or use. See also Article VIII for requirements for other uses.

SECTION 2105-OFF-STREET LOADING/UNLOADING REQUIREMENTS

Off-street loading and unloading: Adequate space shall be provided for loading and unloading all vehicles or trucks incidental to the operation of the industry or use inside the established building lines.

SECTION 2106-GENERAL PROVISIONS

General Provisions: These large tracts---at least 10 acres in size--- in the M-2 zoning are exempt from mowing requirements that apply to the other zoning districts regarding “rank weeds and noxious plants” from the Nuisances Ordinance. In the event of a complaint or complaints from neighboring property owners, action shall be taken as defined in Article VI, Administration, Section 6 Notice of Violations, to prevent any obnoxious, offensive, or detrimental dust, pests, smoke, vibration, noise, odor, or effluents from impacting neighboring property.

SECTION 2107-BUFFERING FOR NEW DEVELOPMENTS

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing M-2 next to an existing or vacant B or X, there shall be a fifty (50) foot buffer.
- When developing M-2 next to an existing or vacant A-R or R, there shall be a one hundred (100) foot buffer.

Second, there shall be plantings within the buffer. The buffer shall be landscaped as follows:

- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet.
- In addition, when developing M-2 next to an existing vacant A-R or R, a fence will be required within the buffer.

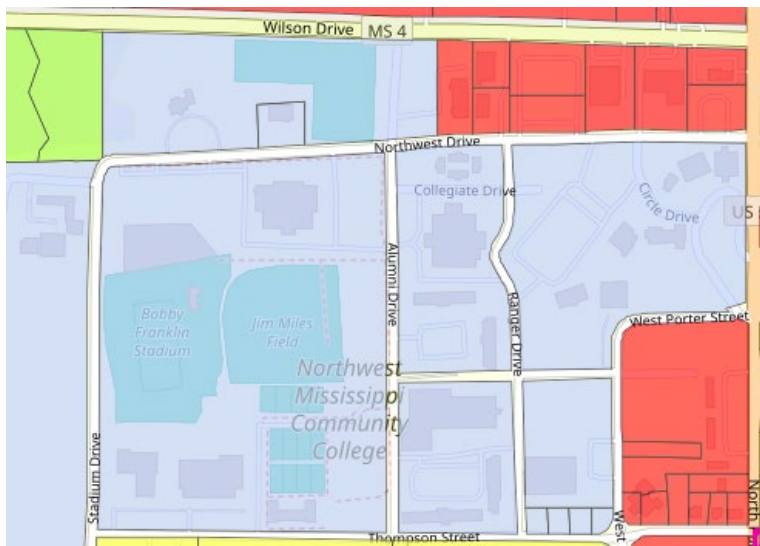
The buffer can be left alone if there is natural tree cover, and this can count as plantings and fence with approval of the Building and Planning Director.

SECTION 2108-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for developments as (M-2) will require site plan approval. The information required for site plan approval is listed in Appendix A, Section 11 of the Senatobia Zoning Ordinance.

Special Use (X-1) Zoning District

Dimensional Standards	Land Uses: Permitted	Land Uses: Prohibited
<p>Determined during site plan review depending on proximity to intersections and surrounding properties. Minimum street frontage of 50 feet is required.</p>	<p>Educational institutions, including large-scale colleges and universities, religious seminaries, technical and vocational training facilities, and comprehensive living facilities for elderly or disabled.</p>	<p>Public/Quasi Public facilities.</p>



ARTICLE XXII-SPECIAL USE (X-1) ZONING DISTRICT

SECTION 2200-PURPOSE OF THIS DISTRICT

The purpose of this district is to provide areas for the development of special uses, which, because of their size, institutional nature and/or unique characteristics, do not fit compatibly into other zoning districts of the City.

SECTION 2201-LAND USES PERMITTED

Uses permitted: Educational institutions, including large-scale colleges and universities, religious seminaries, technical and vocational training facilities, and comprehensive living facilities for elderly or disabled. Uses permitted in such X-1 districts include administrative buildings/offices; educational facilities such as classrooms, libraries, laboratories, and gymnasiums; stadiums, auditoriums and coliseums; student or faculty housing; dining or food service facilities; recreational facilities such as golf courses, tennis courts, swimming pools, and similar uses; chapels and places of worship; commercial-type facilities such as bookstores, laundries, hair styling shops and similar enterprises primarily intended for the benefit of students and staff; parking lots intended primarily for staff and students of the institution; and other uses commonly associated with educational institutions. Elementary schools and secondary schools, are not included as special uses under this article, but are regulated as public/quasi-public uses.

SECTION 2202-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as an exception: Public/Quasi Public facilities

SECTION 2203-DIMENSIONAL REQUIREMENTS

- Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used to provide adequate parking and loading space in addition to the space required for the other normal operations of the enterprise without adversely affecting the neighboring properties.
- Minimum street frontage – 50 feet
- Minimum yard size: Front yard, rear yard, & side yards, none specified, should be in character with the surrounding areas, and should use adjacent zoning district requirements as a guide.
- Maximum building coverage: None specified, should be in character with the surrounding areas, and should use adjacent zoning district requirements as a guide.
- Maximum height of buildings or structures: None specified, should be in character with the surrounding areas, and should use adjacent zoning district requirements as a guide.

SECTION 2204-OFF-STREET PARKING REQUIREMENTS

Off-street parking: As required for other non-governmental uses in Senatobia's zoning districts, generally, a maximum of two hundred (200) square feet of parking space for every two hundred (200) square feet of gross floor area including multi-story buildings. See also Article V for requirements for other uses.

SECTION 2205-OFF-STREET LOADING/UNLOADING REQUIREMENTS

Off-street loading and unloading: Adequate space shall be provided for loading and unloading all vehicles or trucks incidental to the operation of the use inside the established building lines.

SECTION 2206-BUFFERING FOR NEW DEVELOPMENT

Buffering for new developments: Where a new development is adjacent to an existing development of a different zoning category or is adjacent to vacant land of a different zoning category, the developing property must provide a buffer to the adjacent property. This buffer must be provided in two ways. First, the lot(s) immediately adjacent to the differing zoning must provide the following buffer width:

- When developing X-1 next to an existing or vacant B, M or X, there shall be a twenty (20) foot buffer.
- When developing X-1 next to an existing or vacant A-R or R, there shall be a fifty (50) foot buffer.

Second, there shall be plantings within the buffer. The buffer shall be landscaped as follows:

- One large deciduous tree (ultimate height 50+ feet) for every seventy-five (75) linear feet
- One group of three (3) medium evergreen trees (planted on 15-foot triangular staggered spacing) for every seventy-five (75) linear feet
- One small deciduous or ornamental tree for every seventy-five (75) linear feet.
- In addition, when developing X-1 next to an existing vacant A-R or R, a fence will be required within the buffer.

The buffer can be left alone if there is natural tree cover, and this can count as plantings and fence with approval of the Building and Planning Director.

SECTION 2207-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for developments as (X-1) will require site plan approval. The information required for site plan approval is listed in Appendix A, Section 11 of the Senatobia Zoning Ordinance.

ARTICLE XXIII-PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

SECTION 2300-PURPOSE OF THIS DISTRICT

The purpose and intent of these PUD regulations is to promote innovative design in development by providing flexibility in regard to permitted uses and bulk regulations. These regulations are designed to promote the development of attractive, desirable communities of place, where residents and visitors can work and live in a development pattern that integrates residential and non-residential uses in a design that is accessible to pedestrians and encourages the use of alternative modes of transportation and shared parking and offers greater convenience to the residents of the City. PUDs may include zero lot line developments.

For purposes of this ordinance a PUD shall be a tract of land at least four (4) acres in area, under single corporation, firm, partnership, or association ownership, planned and developed as an integrated unit, in a single development operation or a programmed series of development operations, and according to an approved general site plan.

It is the intent and policy of the City to encourage PUDs because of the extensive planning that is required prior to development. PUDs may allow the City to plan for large areas and to manage the impacts of growth on the provision of City services and infrastructure. PUD's must conform to the procedures, standards, and requirements of the Subdivision Regulations and other applicable codes and ordinances of the City of Senatobia.

SECTION 2301-LAND USES PERMITTED

Uses Permitted: Any use not otherwise prohibited by the terms of this ordinance. An application for establishment of a PUD District must include a listing of the permitted uses within the proposed PUD. All uses that are set out in an approved outline plan shall thereafter be treated as permitted uses within the PUD. Any use not listed in the approved PUD outline plan will not be permitted.

SECTION 2302-CONDITIONAL USES AND PROHIBITED USES

Uses that may be permitted as an exception: None

Uses Prohibited: Any uses, if any, that are otherwise prohibited by this ordinance.

SECTION 2303-DIMENSIONAL REQUIREMENTS

Minimum lot size: The parcel of land proposed for development as a PUD shall be a minimum of four (4) acres. Details of the proposal must be listed in the PUD outline plan and will use the existing zoning districts as a guide.

SECTION 2304-OUTLINED PROCESS

An approved outline plan is a defined document to allow development. Amendments to the outline plan constitute a change in zoning, and the process must be followed.

- a. *Uses Permitted:* Any use not otherwise prohibited by the terms of this ordinance. An application for establishment of a PUD District must include a listing of the permitted

uses within the proposed PUD. All uses that are set out in an approved outline plan shall thereafter be treated as permitted uses within the PUD. Any use not listed in the approved PUD outline plan will not be permitted.

- b. *Uses that may be permitted as an exception:* None
- c. *Uses Prohibited:* Any uses, if any, that are otherwise prohibited by this ordinance.
- d. *Minimum lot size:* The parcel of land proposed for development as a PUD shall be a minimum of four (4) acres. Details of the proposal must be listed in the PUD outline plan and will use the existing zoning districts as a guide.

Residential

No minimum lot area is specified; however, density of detached single-family residential development shall not exceed six (6) dwelling units per acre. A maximum of twelve (12) units per acre is permitted in multi-family residential areas. This will allow clustering of dwellings to provide maximum open space. PUDs may include zero lot line developments.

Non- Residential

No minimum lot area is specified. It is the intent of this ordinance that lots of sufficient size be used for any non-residential use in the PUD. Lot sizes must be adequate to provide sufficient parking and loading space in addition to the space required for other normal operation of the uses.

- e. *Minimum street frontage for each lot:* 50 feet.
- f. *Minimum yard size:* No front, rear, or side yard requirements are specified, but details must be listed in the PUD outline plan and will use the existing zoning districts as a guide.
- g. *Maximum building coverage:* None specified, but details must be listed in the PUD outline plan and will use the existing zoning districts as a guide. Additionally, ten percent (10%) of the gross residential space is required to be developed and dedicated as approved open space (see #k below).
- h. *Maximum height of buildings or structures:* None specified, but details must be listed in the PUD outline plan and will use the existing zoning districts as a guide.
- i. *Off-street parking, loading and unloading:* Off-street parking and off-street loading shall be provided per zoning district regulations outlined in Article V of this ordinance. Reductions or variations in the required parking may be recommended by the Planning Commission and approved by the Mayor and Board of Aldermen if suitable alternatives are presented in the proposed PUD outline plan.
- j. *General provisions:* The large tracts---at least 10 acres in size---in the PUD zoning are exempt from mowing requirements that apply to the other zoning districts regarding “rank weeds and noxious plants” from the Nuisances Ordinance. In the event of a complaint or complaints from neighboring property owners, action shall be taken as

defined in Article VI, Administration, Section 6 Notice of Violations, to prevent any obnoxious, offensive, or detrimental dust, pests, smoke, vibration, noise, odor, or effluents from impacting neighboring property.

- k. *Buffering required:* In a PUD the buffering for new developments shall follow the regulations of other districts depending on what is proposed in the PUD unless more buffering is offered in the proposed PUD outline plan.
- l. *Open Space Required:* Proposed Open space in the form of a total of at least ten (10) percent of the gross residential area shall be set-aside as parks, open spaces and/or playgrounds unless otherwise approved by the Mayor and Board of Aldermen. Of this ten (10) percent, a maximum of one-half may be covered with water. A maximum of five (5) percent of the area designated to be parks, and playgrounds may be covered with structures to be used in the recreational use of the area. Parks, open spaces and/or playgrounds must be suitably improved for their intended use, but parks, open spaces and/or playgrounds containing natural features clearly worthy of preservation may be left unimproved. At its discretion, the Planning Commission may recommend that the Mayor and Board of Aldermen accept a cash contribution in lieu of land dedication for parks and open spaces; this payment, in lieu of land dedication, will be no less than three hundred fifty dollars (\$350) per dwelling units created.
- m. General requirements of PUD design are as follows:
 - 1. Street widths and improvements must conform to the requirements established by the Subdivision Regulations; however, alternative design cross sections of minor roadways may be presented for consideration and approval at the time of outline plan review.
 - 2. Provisions for water supply and sanitary sewer connections shall be made to the satisfaction and requirements of the Mayor and Board of Aldermen and the appropriate area authority.
 - 3. Drainage provisions: A means of on-site drainage retention shall be provided to control storm water runoff so that surface waters will be properly disposed of without adversely affecting neighboring properties through erosion, flooding, and other drainage problems. Drainage provisions shall be made to the satisfaction and requirements of the City Engineer and the Mayor and Board of Aldermen.
 - 4. All improvements are to be installed and maintained by the developers unless other arrangements approved by the Mayor and Board of Aldermen are made.
 - 5. Approval of the PUD outline plan is equivalent to preliminary subdivision approval and allows the developer the right to begin making improvements to the property.
- n. Proposed PUD Outline Plan shall include, at a minimum, the following information:

1. The submission to the commission shall consist of six (6) black or blue prints on white background and other documents in six (6) copies as are necessary to meet the requirements of these regulations.
2. Two electronic versions of the Preliminary PUD Outline Plan or Subdivision Plat shall be provided, one in “dwg” or “tif” or “shp” format, AND, one in “pdf” format.
3. The plan shall be clearly and legibly drawn. The size of the plan drawing shall not be smaller than inches or larger than a maximum size of twenty-four by thirty-six inch (24" x 36"). The scale of the plan showing subdivision lots shall be one inch equals one hundred feet (1"=100'), the scale of a subdivision containing one (1) acre or less shall be one inch equals 50 feet (1"=50'). An overall drawing of the subdivision at a scale that shows the entire proposal on one 8 ½ by 11 page shall be included.
4. Vicinity map, a drawing of the proposed site that shall locate streets and highways, railroads, schools, parks and other community facilities, section lines, tract lines, existing subdivisions, and other significant features within one-half (1/2) mile of the proposed PUD or subdivision.
5. North arrow and scale (graphically and numerically).
6. Date of the survey and date of proposed PUD outline plan.
7. Proposed PUD or subdivision name.
8. Exact boundary lines of the tract indicated by a heavy line or other acceptable control traverse, giving dimensions to the nearest one-tenth foot, and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one to 5,000.
9. Tie in dimension and distance from property corner to nearest existing street(s) and to section corner.
10. Names and addresses of the owners of the property, including the names of the existing mortgages, the Developer or Subdivider, and the engineer platting the tract.
11. The location of the tract by legal description giving total acreage.
12. Source of title, giving deed record book and page number.
13. Preliminary engineering certificate.
14. Any city and county political lines, section lines, or other significant information to locate the particular parcel of land.
15. Adjoining subdivisions by name, section and lot number, and zoning designation, with plat book, page references; and the names of owners, parcel acreage and instrument number for all abutting unsubdivided tracts (across the street is construed to mean abutting).

16. Existing and platted streets abutting the proposed subdivision, showing the right-of-way and pavement widths as well as all existing bridges and culverts.
17. The locations of existing streets on the parcel, with both the existing and proposed rights-of-way from centerline. Street center lines showing angles of deflection, angles of intersection, radii, length of tangents and arcs, degree of curvature, and all required curve data.
18. Lot and block numbers, and lot lines with dimensions to the nearest one-tenth foot, necessary internal angles, arcs and chords and radii of rounded corners.
19. The right-of-way, pavement widths, and names of all proposed streets.
20. Typical cross sections of all street improvements with curb, gutter, and sidewalk. Centerline profiles of approximate street grades, derived from office computations, may be required by the staff if deemed advisable.
21. The size and location of all utilities on or adjacent to the tract to be subdivided, including pipelines, and power transmission lines should be noted.
22. Any other existing and proposed right-of-way or easements showing locations, widths, and designated purposes.
23. Existing topography showing contour intervals, to sea level datum, of not more than two feet when the slope is less than four percent, and not more than five feet when the slope is greater than four percent, referenced to a United States Geological Survey or Coast and Geodetic Survey benchmark or monument.
24. Natural features within and immediately surrounding the proposed subdivision, including drainage channels, bodies of water, wooded areas, and other significant features. On all watercourses leaving the tract, the direction of flow shall be indicated; and for all watercourses entering the tract, the drainage area above the point of entry shall be noted.
25. If any portion of the land of the proposed subdivision is subject to inundation by storm drainage or overflow or ponding of local storm water; or if the land is located in a designated floodplain area shown as FEMA Floodway and Flood Plain, boundaries as shown on current FEMA maps; the extent of the land so affected shall be clearly shown and identified.
26. The location of all major existing tree growth. Major tree growth shall be defined as trees greater than six (6) inches in diameter at four (4) feet above the ground.
27. Grading and drainage information, including preliminary proposals for on-site detention of storm water, if necessary, in accordance with City storm water drainage policy.
28. Required or proposed landscape buffering (shown on the plan graphically and in cross section).

29. Accurate outlines and descriptions of any areas to be dedicated or reserved for public use or acquisition, such as proposed parks, playgrounds, open space, or school sites, with the purposes indicated thereon; and of any areas to be reserved by deed covenant for common use by all the property owners.
30. Proposed source and adequacy for provision of water and sewer.
31. Existing and proposed covenants and restrictions.
32. Any other information that may be necessary for the full and proper consideration of the proposed PUD or subdivision if such material is deemed reasonable and essential to the consideration of the project. Such material may include, but not be limited to, studies of traffic generation, drainage, sewer and public utilities, marketing and economic feasibility analyses and other issues that may be pertinent to the site and surrounding area.
33. There shall be text to accompany the PUD outline Plan that may include the information above in more of different details. The following additional information shall be included in the PUD text:
 - a. Proposed land uses and population densities.
 - b. Estimates of traffic volumes generated by the completed project.
 - c. Delineation of the units or phases to be constructed, together with a proposed timetable.
 - d. Relation to the comprehensive plan and to land uses in the surrounding area.
 - e. Proposed means of dedication of common open space areas and organizational arrangement for the ownership, maintenance, and preservation of common open space, including drainage and stormwater maintenance facilities.
- o. Zero-Lot Line Developments are specialized PUDs. In addition to the above information, the following additional requirements apply to proposed Zero-Lot line developments:

Minimum lot areas single-family attached dwellings - 3,200 square feet
 Minimum lot width at the building line - 50 feet
 Maximum total building area - 40% of total lot area
 Maximum height of structure- 2 & 1/2 stories or 35 feet
 Minimum Building Setbacks:

	SINGLE FAMILY ATTACHED	ALL OTHER USES
Front Yard:	25 feet	25 feet
Interior Side Yard:	10 feet*	10 feet

Street Side Yard:	25 feet	25 feet
Rear Yard:	35 feet	35 feet

* On yard opposite common wall.

Site plan information:

1. Lot size and location, size and arrangement of proposed and existing buildings to remain, if any, including height in stories and feet, floor area ratio, total floor area, total square feet of ground area coverage, number and size of dwelling units, broken down by the number of bedrooms in each dwelling unit.
2. Proposed use of the structures on the subject property.
3. Proposed means of dedication of common open space areas and organizational arrangements for the ownership, maintenance, and preservation of common open space.
4. The location, arrangement, and dimensions of
 - a. Existing and proposed streets and driveways.
 - b. Adjacent streets.
 - c. Sidewalks.
 - d. Parking areas, including the number of off-street parking spaces.
 - e. Points of ingress and egress.
 - f. Off-street loading areas.
 - g. Other vehicular, bicycle or pedestrian rights-of-way.
 - h. Locations and types of existing and proposed utilities and easements.
 - i. Fire hydrants.
 - j. Proposed stages of development, if applicable, and the anticipated time required to develop each stage; and
 - k. The developer shall also submit architectural elevations of the proposed development and any other necessary plans to ensure that their construction shall conform to Senatobia building regulations.
- p. Amending a PUD outline plan: An approved outline plan is a defined document to allow development. Amendments to the outline plan constitute a change in zoning, and the process must be followed. The proposed amended outline plan shall include the same minimum information as that required in the initial application for a PUD including an application form and fee, and, the changes, specifically spelled out for emphasis to the Planning Commission. The developer must address the following issues:
 1. List of changes proposed to be made to the original approved outline plan.
 2. Describe how such changes were not anticipated by the outline plan.

3. Describe how such changes make the proposed amendment to the outline plan appropriate.
 4. How the proposed amendment would conform to the comprehensive plan.
- q. Procedure for final plat for an approved PUD outline plan: The procedure for filing a final plat for an approved PUD outline plan is very similar to the procedure for any final subdivision plat. However, there are additional information requirements for PUDs as follows. The final plat for each section or phase of an approved PUD outline plan shall include the following:
1. Submission of the final plat shall consist of the original drawing plus six prints, and six copies of all documents that may be required to meet the provisions of this section. (Same as Preliminary Plat requirement)
 2. The final plat shall be clearly and legibly drawn in black ink on tracing cloth or another suitable transparent material. The commission may require specific scales to be used.
 3. The final plat shall contain the following information:
 - a) All of the information required by the preliminary subdivision plat, listed above, except:
 - Preliminary Engineering Certificate (Art. IV, 14, m, 13) and
 - Existing topography (Art. IV, 14, m, 23).
 - b) The following additional information:
 1. Accurate location and description of existing monuments and markers, or the location and description of a permanent benchmark set as a part of the subdivision survey.
 2. A Title block that includes the information from the preliminary plat submission and also the subdivision name and phase or section number, the number of lots shown on the plat, including common areas, the “section, township, and range” numbers, and the jurisdiction location.
 3. The dimension and location of all setback lines.
 4. Conditions imposed by the Planning Commission and Mayor and Board of Aldermen.
 5. Location/footprint of proposed buildings, including height in stories and feet, floor area ratio, total floor area, and total square feet of ground area coverage.
 6. Points of ingress and egress, parking areas, all internal circulation, including bicycle or pedestrian easements/paths.
 7. The number of off-street parking spaces and off-street loading areas.
 8. Existing tree masses to remain, streams, flood plain, and other natural features.
 9. Landscaping, screening, buffering, and open space areas in accordance with the approved outline plan.
 10. On-site drainage retention basins located in accordance with the outline plan with design approved by the City Engineer.
 11. The following certificates, as worded in Article V, section 4, signed, and notarized:
 - a. Owner's Certificate.

- b. Mortgagee's Certificate, or a note that there is no mortgagee.
 - c. Notary's Certificates for all owners, mortgagees, signed and sealed.
 - d. Certificate of engineering accuracy, with engineer's and/or surveyor's certificate number, signature, and seal.
 - e. Final Plat Approval certificate
 - f. Recording Certificate.
- c) The final plat shall be accompanied by the following information and documents, unless this information appears on the plat itself:
1. Certificate of approval of water supply and sanitary sewage disposal facilities by the appropriate health department when the system is not connected to the municipal system.
 2. A statement of organizational arrangements for the ownership, maintenance, and preservation of common open space.
 3. Resolution by the board of aldermen accepting or assenting to the vacation of any street, public way, or portion thereof shown on the plat, together with the certification of the city clerk as to the correctness of the resolution.
 4. A copy of a covenant running with the land stating that the city may at any time change the grade of any such street or other public way or any part thereof from the natural grade to the permanent grade without the payment of compensation or damages to the abutting property owners. The certificate shall include the consent by the mortgagee to the aforesaid dedication and covenant if a lien holder does exist.
 5. A copy of a covenant running with the land setting forth the deed restrictions and covenants running with each lot; and the procedure by which amendments can be made and containing a reference to the approval of the final plat.
 6. The final plat shall be accompanied by three copies of any protection covenants running with the land in form for recording and their location, size, type, and material are correctly shown; and that all requirements of the Senatobia, Mississippi, Subdivision Regulations have been complied with.
- r. *Procedure for final plat for an approved PUD outline plan:* The procedure for filing a final plat for an approved PUD outline plan is very similar to the procedure for any final subdivision plat. (See Subdivision Ordinance, Article V, Sec.2, for Final Subdivision Plat requirements)
- s. *PUD Review and Approval:*
- 1) The Planning Commission shall study the outline plan, text, and supporting data, make suggestions for changes and adjustments, and attach conditions for the approval of the plan as necessary. After the Commission reviews the outline plan and text at a regularly scheduled public hearing, it shall recommend approval, disapproval, or approval with conditions of the outline plan to the Mayor and Board of Aldermen in accordance with Article VII amendments of this ordinance. If the entire development is to be constructed at one time, an outline/final plan may be submitted in lieu of the outline plan for consideration by the Mayor and Board of Aldermen.
 - 2) Within sixty (60) days after the date of the Planning Commission public hearing, the applicant shall submit a revised outline plan, incorporating any and all conditions imposed by the Planning Commission, to the Administrative Official for submittal to the Mayor and Board of Aldermen for approval. If no plan has been submitted

- within the required sixty (60) day period, the application shall be deemed withdrawn.
- 3) The Administrative Official shall forward the recommendations of the Planning Commission to the Mayor and Board of Aldermen within fourteen (14) days of the date of the Planning Commission meeting or within fourteen (14) days of the date the applicant submits an outline plan incorporating the required conditions, whichever date occurs later. The Mayor and Board of Aldermen shall approve with conditions or reject the request in accordance with Article VII amendments of the ordinance.
 - 4) Upon approval, the applicant shall submit the outline plan of the development, including all conditions of approval, engineer's certification, owner's and mortgagee's signatures with notary acknowledgments, and municipal authorization blocks to the Administrative Official for recording in the office of the Chancery Clerk of Tate County, Mississippi.
 - 5) The recording of an outline plan in the office of the Chancery Clerk of Tate County, Mississippi, shall not allow the development of the site, but shall merely authorize the filing of a final plan with the Administrative Official.
 - 6) If an application for an amendment to classify property in the PUD district is denied by the Mayor and Board of Aldermen, a reapplication pertaining to the same property and requesting the same PUD amendment may not be filed within eighteen (18) months of the date final amendment was taken on the previous application.
 - 7) No building permit shall be issued until a final plan of the proposed development, or phase thereof, is approved, filed, and recorded.
 - 8) If construction of the PUD district is not started within two (2) years of the date of approval, the Mayor and Board of Aldermen may consider rezoning the site to its previous classification. The applicant, by showing good cause why he cannot adhere to the proposed timetable described in subsection (3) b4 of this section, may seek an extension of not more than one (1) year at a time. A request for extension shall be submitted in writing to the Planning Commission.
 - 9) The Mayor and Board of Aldermen may refer the application back to the Planning Commission for additional study before final decision; however, no notice other than for the first public hearing need to be given.
- t. *PUD Final Plan Procedure:* The final site plan may be files at any time after approval of the outline plan by the Mayor and Board of Aldermen. The final plan shall be reviewed by the Planning Commission in order to establish that it substantially meets the conditions of the outline plan. After the Planning Commission reviews the final plan at a regularly scheduled public hearing, it shall recommend approval, disapproval, or approval with conditions of the final plan to the Mayor and Board of Aldermen in accordance with the subdivision regulations. Upon approval by the Mayor and Board of Aldermen, the Administrative Official shall record the final plan in the office of the Chancery Clerk of Tate County, Mississippi, after the required signatures for recordation have been secured and any contract to provide improvements required in the subdivision regulations has been approved by the City Engineer and the Mayor of Senatobia. No building permit shall be issued until a final plat of the proposed development, or portion thereof: is approved, filed, and recorded. After approval, filing, and recording of the plan, a building permit may be issued in accordance with the approved plan.

SECTION 2305-PROPOSAL FOR REZONING AND FILING A PLAN

A proposal for rezoning to PUD can be made in any area of Senatobia. Whether it is appropriate for the area is left to the planning commission and Mayor and Board of Aldermen and depends on the specifics of the PUD proposed outline plan. The proposal should generally conform to the Future Land Use Plan Map of the Senatobia Comprehensive Plan. If the proposal does not conform to the Future Land Use Plan Map evaluation should be conducted to see if the Future Land Use Plan Map should be amended. Any PUD proposed outline plan is subject to revision of the planning commission and/or Mayor and Board.

The filing of a PUD outline plan shall constitute an agreement by the owner and applicant, their heirs, successors and assigns when the PUD outline plan is approved by the Mayor and Board of Aldermen. Building permits for improvement of such property shall be issued only when in conformance with the binding elements of the PUD outline development plan as approved by the Planning Commission and Mayor and Board of Aldermen for the property in question. Such a plan shall be strictly complied with and be enforceable in the same manner as the zoning district regulations.

SECTION 2306-SITE PLAN REQUIRED FOR ANY PROPOSED ACTION

Site Plan approval required: All new proposals for developments as PUD will require site plan approval. The information required for site plan approval is listed in Appendix A, Section 11 of the Senatobia Zoning Ordinance.

ARTICLE XXIV-CONCLUSION

SECTION 2400-REPEAL OF PREVIOUS RELATED ORDINANCES

This zoning ordinance is intended to address issues of public health and safety as related to zoning regulations thereby taking the place of and repealing previous ordinances addressing the same issues.

SECTION 2401-EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its passage for the reason that a great number of the citizens have been affected by the enforcement of the provisions of this ordinance when said ordinance was not legally enforceable.

SECTION 2402-ADOPTION AND CERTIFICATION

The above and foregoing ordinance was previously reduced to writing, proposed, and introduced for the consideration of the Mayor and Board of Aldermen of the City of Senatobia, and was read, considered and voted upon by sections and as a whole; the vote on each and all the sections, and upon the ordinance as an entirety was taken by "yea" and "nay" vote.

The said ordinance was adopted, enacted and passed on the _____ day of _____ 2024 by the Mayor and Board of Aldermen in lawful session, all as appears of record in the Municipal Minutes Book Number ____

Katie Harbin, City Clerk

Greg Graves, Mayor

It is hereby certified that the foregoing ordinance was passed, adopted, and granted by the Mayor and Board of Aldermen of the City of Senatobia, Mississippi on the day and in the manner therein stated, and the foregoing is a true and exact copy of the same as so passed, and adopted, and granted.

This the ____ day of _____ 2024,

Katie Harbin, City Clerk

Read, verified, and subscribed to by the Mayor and the City Clerk at a regular meeting of the Mayor and Board of Aldermen held on the ____ day of _____ 2024, in the manner provided and as required by Section 21-13-13 and 21-13-17, Mississippi.

Katie Harbin, City Clerk

Greg Graves, Mayor

APPENDIX A

TO THE ZONING ORDINANCE CITY OF SENATOBIA, MISSISSIPPI

MINIMUM DESIGN STANDARDS

The City of Senatobia realizes new developments, along with the improvement and preservation of existing developments, is what creates a healthy, vibrant community that will enhance the lives of its citizens. The following minimum design standards are intended to allow the City of Senatobia to grow into the healthy and vibrant community it desires to be.

Section 1 – Applicability and Exemptions

1. Except as otherwise provided below, the standards in this Appendix shall apply to all land located in the city with the exception of the following:
 - a. Routine maintenance related to plumbing, mechanical, or electrical systems of buildings or sites.
 - b. Any interior renovations, repairs, or alterations to a building or structure which does not change the principal use of said building or structure.
 - c. Construction or alteration necessary for the compliance with a lawful order of the City, Fire Department, Police Department, or Public Works Department related to the immediate public health or safety.
 - d. Building permits for buildings less than 100 square feet.
 - e. New parking lots with 9 or fewer parking bays.
 - f. Expansion of existing uses not exceeding 30 percent of the gross floor area or lot area of the existing development.
 - g. Building permits for restoration of a building when restoration is required as a result of damage and/or destruction by fire or natural causes – provided said permit is applied for within 12 months of the occurrence of fire or natural causes.
 - h. Single family residences and appurtenances.
2. Any development in existence before adoption of the minimum design standards herein shall comply with the requirements in this appendix in the following circumstances regarding renovations or additions to said development:
 - a. Any change in a parking lot that requires an increase in the number of parking spaces.
 - b. Any addition, exterior renovations or remodeling which increases the square footage of a structure by more than 30 percent.
 - c. When an exterior renovation or remodeling is less than 30 percent of existing square footage, 5% of the total permitted cost for projects costing \$15,000 or more shall be utilized for landscaping that complies with this appendix.
 - d. Any exterior repainting and/or remodeling that does not result in an increase in square footage shall also abide by appropriate requirements of Section 10 – Building Form and Materials.

3. All developments in existence before adoption of the minimum design standards herein, regardless of renovations or additions, shall bring their sites into compliance with the requirements in this appendix before December 31, 2026.

Section 2 – Parking Lot Design Standards

1. Parking Lot and Driveway Entrances
 - a. Driveway entrance width requirements:
 - i. One-way: min. 12 feet wide and max. 14 feet wide
 - ii. Two-way: 24 feet wide
 - iii. Three-way: 36 feet wide
 - b. Sidewalks shall be installed along the site's frontage of a public street. Curb ramps shall be required where sidewalks meet driveway entrances. The cross-slope of the pedestrian crossing, or any pedestrian route, shall not exceed 2%.
 - c. The curb radii of parking lot entrances shall be a minimum of 20 feet measured to the back of curb.
 - d. Access to the site shall be within a driveway. Unlimited access across the front of a property is not permitted.
 - e. Entrances and exits should be clearly defined with the appropriate signage and/or striping.
 - f. Location of entrances:
 - i. Curb cuts shall be located no closer than 75 feet from the intersection of two streets, as measured at the curb line from the end of radius of the intersection. In those instances where the width of the site is less than 75 feet, the curb cut shall be placed adjacent to the interior side lot line furthest distant from the street intersection.
 - ii. Curb cuts, other than those shared between two properties, shall be located a minimum of 10 feet from any property line.
 - iii. Curb cuts shall be located directly across from one another on the opposite sides of a public or private street or offset by a minimum of 150 feet.
 - g. The number of entrances shall be limited to one curb cut for every 300 feet of street frontage. Properties that are less than 300 feet side shall be limited to one curb cut per street frontage, subject to the requirements of the fire department.
2. Parking Lot Interiors
 - a. All parking lot surfaces shall be solidly surfaced with asphalt, concrete, or similar material.
 - b. All parking lot edges shall be curbed.
 - c. Parking lots shall be setback from property lines 8 feet.
 - d. The minimum dimensions of parking bays shall be 9 feet wide by 18 feet deep. Minimum dimensions of ADA parking bays shall meet ADA standards for typical and van accessible parking bays.
 - e. Parking spaces shall be delineated with 4-inch-wide white stripe unless otherwise required by ADA to be blue. Reflective striping is encouraged.

- f. ADA parking bays require the appropriate signage in front of the parking bays.
- g. Pedestrian circulation within a parking lot shall be provided to allow pedestrians safe conveyance from a public or private street through the parking lot to the building it serves.
- h. Loading docks, loading areas, overhead doors, and truck parking shall be positioned, or screened in such a way as to not be visible from a public street.
- i. Parking lot islands:
 - i. Median islands – an island with a minimum width of 8 feet inside the curb shall be placed along both sides along primary internal and external access drives.
 - ii. End of aisle islands – the end of every parking aisle shall have a landscaped island and 15 parking spaces is the maximum number that can occur before a landscaped island is proposed.
 - iii. Mid bay islands – one island, not less than 9 feet wide and 18 feet long (the size of a standard parking bay) shall be installed for each 100 linear feet of parking area and shall cap ends of rows and be landscaped.
- j. Landscaping of parking lot islands:
 - i. Median islands – one large canopy tree shall be planted every 50 linear feet or one small canopy tree shall be planted every 35 linear feet.
 - ii. End of aisle islands and mid bay islands – one large canopy tree shall be planted in each required parking lot island. Island placement, and therefore tree placement, shall be such that, at the maturity of 10 years, the minimum tree canopy coverage of all parking spaces will be 40 percent.
 - iii. Trees may be selected from a list of any trees that are considered native to North Mississippi and the area and shall have a caliper of two inches or greater.
 - iv. Each tree planting area shall have a three-foot depth of quality, root-growing soil.
 - v. Landscaped areas shall be at least 90 percent covered with grass.
 - vi. Plantings shall be established prior to building occupancy.
- k. Specific standards for parking lots based on number of spaces:
 - i. Parking areas with between 10 and 20 spaces shall provide a minimum landscaping totaling 15 percent of the total parking area. It must be landscaped with shrubs at one per every 15 square feet of landscaped area and one canopy tree for every 5 parking spaces, with a minimum of two trees planted.\
 - ii. Parking areas with more than 20 spaces shall provide a parking island of 100 square feet or larger for every 10 parking spaces.
- l. Parking lot perimeter:
 - i. A landscaped buffer of at least five feet in width shall be installed around the perimeter of all parking lots not adjacent to a building.
 - ii. In this buffer, one large tree is required every 50 linear feet or fraction thereof, or one small tree every 35 linear feet or fraction thereof.

Section 3 – Pedestrian Circulation

1. Where the subject property does not already provide a public sidewalk, a five (5) foot wide sidewalk shall be constructed along the entire street frontage of the property. The sidewalk shall be constructed to align with existing sidewalks on adjacent properties. Where sidewalks are not yet constructed on adjacent properties, the sidewalk shall be constructed at least five (5) feet back from the curb to allow for green space. In the instance of a corner lot, the sidewalk shall be constructed along both street frontages, and ADA compliant curb ramps shall be constructed at the street corner.
2. Where a property or development borders more than one street, sidewalks shall be constructed along the entire frontage of all streets which the property or development borders. Where the sidewalk intersects a driveway access point to the property or development, the sidewalk will not be required to cross the driveway, provided that appropriate ADA compliant curb ramps are provided on either side of the driveway access.
3. Sidewalks shall be a minimum of five (5) feet in width. Sidewalks shall be set back a minimum of five (5) feet from the back of the curb.
4. Sidewalk materials should blend with the natural landscape, avoiding slick surfaces. Acceptable materials allowed internally within the development are brick, pavers, tile, washed aggregate concrete, or stamped concrete. Asphalt or gravel sidewalks are not allowed. Sidewalk materials allowed on public right-of-way are only concrete with a broom finish.
5. ADA compliant curb ramps shall be provided for both sidewalks adjacent to public streets, as well as sidewalks provided internally within the development.
6. Crosswalks shall be provided both internally and externally to the development. Public crosswalks shall be striped in conformance with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). Crosswalks on private property, internal to the site, shall either be delineated by white, reflectorized pavement striping or may be delineated by materials of a different color and texture from the surrounding parking lot, otherwise conforming to the overall color scheme of the development.
7. At least one continuous five (5) foot wide pedestrian walkway shall be provided from the public street to the building entry.
8. When, as a result of the proposed development, street signs, traffic signals, or traffic signs are required, the developer shall be responsible for the installation of such devices and signs.
9. The driveways, private streets, parking areas, traffic aisles, fire apparatus access roads/lanes, loading areas, exterior lighting, signage, internal crosswalks, curb stops, pedestrian facilities, and other such transportation related improvement depicted on the approved site plans shall be considered as binding elements of the project in the same manner as the proposed buildings, landscaping, and other details. The developer, his successors, assigns, and/or subsequent owners and their agents shall be responsible for the continued maintenance of all such private improvements in accordance with the approved site plans. The parking areas shall be maintained in a clean manner with all litter and other debris removed daily. Grass shall be removed from all curbs and sidewalk areas. Potholes in the parking lot

surface, cracks in the pavement or sidewalks, and all other signs of the physical deterioration of all approved improvements shall be repaired or replaced within thirty (30) days following notification from the City.

Section 4 – Site Preparation and Grading

1. Temporary air pollution and soil erosion shall be minimized through retention or natural vegetation and topography until the developer is prepared to initiate grading and continue immediately with the construction of the project. The period of construction shall be of a duration reasonable to the size and complexity of the development. Topsoil shall be retained upon the site and placed over areas to be landscaped at a depth of not less than six (6) inches. The required site plans shall include an erosion control plan and developer shall submit proof of coverage under the appropriate Mississippi Department of Environmental Quality (MDEQ) permit, if requested by the City Engineer. The methods utilized and the minimum standards for care of the site during construction shall be in conformance with MDEQ requirements.
2. Buildings and improvements shall be located on the site to minimize changes to the existing topography and the loss of existing, mature landscaping.
3. Finished slopes within a development project site shall not exceed three-to-one horizontal to vertical (3:1).
4. Development site shall be graded so that existing drainage flows are not impeded to back up onto upstream property or that allows larger drainage flows onto downstream property.

Section 5 – Landscaping

1. All developments shall preserve existing major tree growth where practical and incorporate significant areas of existing vegetation in the development.
2. Existing vegetation along property lines shall be preserved and incorporated within the buffer requirements, where possible.
3. When existing trees, equal to or greater than six (6) inches in diameter, are removed by the proposed development, trees of similar mature size shall be replaced on site.
4. An existing tree survey shall be required of all major tree growth defined as trees greater than six (6) inches in diameter measured at four (4) feet above the ground. The survey shall include the species of the tree and the size in diameter measured four (4) feet above the ground.
5. A proposed landscaping plan shall be required that notes all individual trees from the existing tree survey that are to be preserved. The plan shall detail the size and type of all proposed landscaping inside and outside of the required buffers. Proposed landscaping plan shall also include the required number of trees based on the replacement ratio below.
6. Trees determined to be preserved on site shall be protected during construction by a temporary barrier around the drip line of the existing tree. This barrier shall be maintained

- by the developer throughout the period of construction to protect the life of the tree and shall not be breached by construction traffic or used for storage or dumping.
7. All trees removed within a development shall be mitigated according to a ratio equal to the diameter size of the removed tree. For example, if a twelve (12) inch diameter tree was removed, five (5) trees with a diameter of two and one-half (2.5) inches measured four (4) above the ground shall be provided on site. Mitigated/replaced trees shall be of similar species with a similar mature size. When all trees cannot be mitigated on site, the City may approve trees to be located within public park land in the City, or the developers may pay a fee to the City equal to the cost of the mitigated trees. However, this should not be used as a reason for not mitigating any onsite trees.
 8. All proposed large trees shall be a minimum of two and one-half (2.5) inches in diameter. Proposed small or medium trees shall be a minimum of one (1) inch in diameter.
 9. It shall be the developer's or business owner's responsibility to ensure survival of trees by watering and maintenance and shall replace any trees that expire within the first two (2) years from planting.
 10. Proposed trees are prohibited within any easements. Proposed trees shall be located at least seven (7) feet from the edge of a sidewalk and/or utility easement.
 11. Landscaped areas shall be at least 90 percent covered with grass.

Section 6 – Screening (Buffers, Fences, Walls, and Retaining Walls)

1. Screening.
 - a. Nuisance activities such as auto repair, vehicle storage areas, equipment, or material storage areas, loading docks and similar functions shall provide screening to conceal such activities from public view.
 - b. Utility apparatus and all HVAC equipment shall be screened by architectural elements consistent with the design of the principal structure. Parapets shall extend above the highest level of any roof-mounted equipment so that equipment is screened from public views.
 - c. Outside storage and waste disposal areas.
 - i. Screening of these areas can be accomplished by one or a combination of earthen berms, walls, or buildings.
 - ii. Garbage collection areas shall not be screened by wooden or chain link fences. Garbage collection areas shall be enclosed on all four sides by opaque material consistent with the design and color of materials with that of the principal structure.
 - iii. Trash containers and waste oil and grease containers must be visually screened on all sides including gates. The screening shall be at least two feet taller than the container.
 - iv. Exterior storage areas and waste containers shall be located at the side or rear of principal structures and include wash down facilities.
 - d. Loading and utility service areas.

- i. Loading and utility service areas not screened by an intervening building shall be screened from view from any public street right-of-way for their entire length except for necessary access.
 - ii. Option 1 - Screening shall be provided by a closed fence or wall at least six feet in height that is compatible with materials and color of the principal building, along with additional natural evergreens, shrubs, or trees so that no more of two-thirds of the surface area of the closed fence or wall is visible from the street within three years of erection of the structure.
 - iii. Option 2 – Screening shall be provided with natural evergreen shrubs or trees which can be expected to reach six feet or a greater height within three years of planting, or a combination of the two.
 - e. Outside storage for a business.
 - i. Outside storage for a business (automotive, mechanics shops, construction equipment, etc.) shall be screened from public views with an approved fence and shall not extend past the front building line of the property. Fence shall be eight (8) feet tall. Auto and equipment sales may be excluded from this requirement.
- 2. Buffers. With the exception of developments in the Agricultural Residential (A- R) Zoning District, all new developments in all other zoning districts require buffering where the new development is adjacent to an existing development of a different zoning category or vacant land of a different zoning category. Buffering requirements for each zoning category can be found in Article IV of the Senatobia Zoning Ordinance.
- 3. Fences and yard walls.
 - a. Fences and yard walls shall be of design and materials compatible with the surrounding existing developments and/or buildings, or with proposed buildings on a site. The “finished” side of the fence or wall shall face the exterior of the property.
 - b. Fences or yard walls topped with metal spikes, broken glass, razor wire, or similar materials are prohibited.
 - c. All fences installed in any commercial district will need to go before the Planning Commission for approval. Exception for iron fence of a standard design, this may be staff approved.
 - d. In a front yard, the maximum height of fences and yard walls shall be four feet above grade and shall allow for visibility. When located behind the front building line, the maximum height for a fence located in the side or rear yard shall be six (6) feet. The maximum height of a fence located on top of a retaining wall shall be six (6) feet.
 - e. Fences and yard walls shall not impede or divert the flow of storm water.
- 4. Retaining walls
 - a. In a front yard, the maximum height of a retaining wall shall be four feet above grade. In a side or rear yard, the maximum height of a retaining wall shall be eight feet.

- b. Retaining walls less than three feet tall may be constructed of treated timbers, split-faced concrete block, flat-faced concrete block, or poured- in-place concrete with either a flat or decorative face.
- c. Retaining walls three feet or more in height shall only be constructed of split-faced concrete block or poured-in-place concrete with a decorative face. Retaining walls three feet or more in height shall be designed by a registered engineer or architect.

Section 7 – Stormwater Retention/Detention

1. A development's drainage facilities shall be designed so that the rate of runoff of surface water from the site, in the condition in which it is proposed to be developed, will not exceed the rate of runoff from the site in its existing condition for the 2-year, 10-year, 25-year, or 100-year storm.
2. Increased stormwater runoff from the developed site shall be detained primarily by retention or detention facilities. These facilities can be wet ponds, dry ponds, or subsurface multi-chamber systems.
3. Retention/detention facilities shall be designed so that the post-development rate of runoff is released at or below the pre-development rate of runoff and having the storage capacity to do so.
4. Storage capacity of the retention/detention facilities shall be sufficient to store all excess runoff volumes of runoff for the 2-year, 10-year, 25-year, and 100-year storm.
5. Required detention/retention facilities shall be designed so that they do not become nuisances or health hazards.
6. Side slopes of detention/retention ponds shall be three to one, horizontal to vertical (3:1), or flatter.
7. Required detention/retention facilities shall be designed so they require minimal maintenance. Maintenance of the detention/retention facilities shall be the responsibility of the developer.
8. The stormwater runoff from the proposed development shall not increase channel instability downstream. Velocity dissipaters may be required to achieve this requirement.

Section 8 – Fire Department Requirements

1. Every non-residential use shall provide access for fire vehicles and emergency vehicles from a public street.
2. When the building structure is thirty-five (35) feet in height or less, a fire apparatus access road/lane shall be provided where the building structure is more than one hundred and fifty (150) feet from the nearest street right-of-way.
3. When the building structure is greater than thirty-five (35), a fire apparatus access road/lane shall be provided where the building structure is more than fifty (50) feet from the nearest street right-of-way.

4. In addition to the above, the Fire Chief for the City of Senatobia may require a fire apparatus road/lane to any part of any building where the distance of the building structure from the nearest fire hydrant, the configuration of building structures on a site, or other special characteristics of the site inhibit rapid, effective fire extinguishment.
5. Fire apparatus access roads/lanes shall comply with the following:
 - a. Fire apparatus access roads/lanes shall have an unobstructed width of not less than twenty (20) feet and an unobstructed vertical clearance of not less than thirteen and a half (13'-6") feet.
 - b. Aerial fire apparatus access roads/lanes shall have a minimum unobstructed width of twenty-six (26) feet, exclusive of shoulders, in the immediate vicinity of the building structure or portion thereof.
 - c. Where a fire hydrant is located on a fire apparatus access road/lane, the minimum road width shall be twenty-six (26) feet.
 - d. Signage/striping shall be installed prohibiting the parking or standing within a fire apparatus access road/lane.
 - e. Fire apparatus access roads/lanes shall extend to within one hundred and fifty (150) feet of all portions of the facility and all portions of exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Route shall be approved by the Fire Chief of the City of Senatobia.
 - f. The required turning radius of a fire apparatus access road/lane shall be determined by the Fire Chief of the City of Senatobia.
 - g. Fire apparatus access roads/lanes shall not exceed 10 percent in grade.
 - h. Dead-end fire apparatus access roads/lanes in excess of one hundred and fifty (150) feet in length shall be provided with width and turnaround provisions as follows:
 - i. 0 to 150 feet – none required.
 - ii. Greater than 150 feet – 120-ft hammerhead, 60-ft “Y”, or 96-ft cul- de-sac in accordance with International Fire Code Figure D103.1.

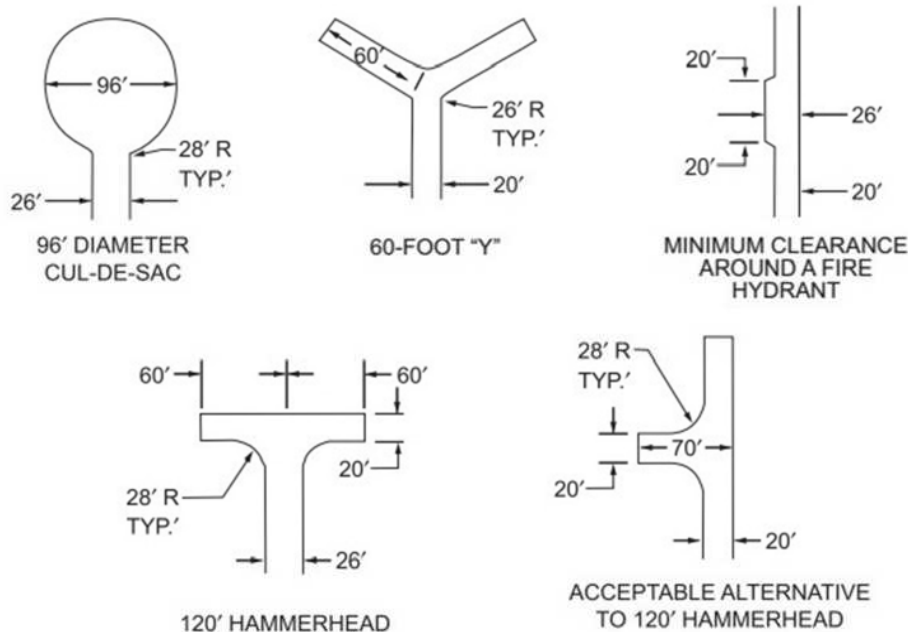


FIGURE D103.1 DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

6. The average spacing between fire hydrants shall not exceed 400 feet.
7. For building structures that are to be sprinkled:
 - a. All fire department connections shall be installed on the approaching side of the building structure.
 - b. All fire department connections should be located not less than 18 inches and not more than 4 feet above the finished grade outside the building structure.
 - c. All fire department connections shall be piped in above any main control valves.
 - d. A fire hydrant shall be within 100 feet of the fire department connection.
 - e. All riser rooms shall have access from the outside if the main control valve is located in an interior portion of the building structure.

Section 9 – Site and Building Lighting

1. Streets, driveways, parking lots, walks, and service areas shall be adequately illuminated as evenly as possible, not exceeding an average of 1.0-foot candles. A photometric survey prepared by a licensed design professional may be required by the City Engineer.
2. Site lighting shall not extend beyond site boundaries. Luminaries shall be shielded, shaded, or directed to prevent light from being cast on adjacent properties.
3. No exterior light shall have any blinking, flashing, or fluttering light, or other illuminating device which has a changing light intensity or brightness of color.

4. Lighting fixtures shall be compatible in style with the architecture of their associated buildings.
5. No exterior lighting fixture of any kind shall be so placed or directed such that the direct or reflected light therefrom shall interfere with the operation of automotive vehicles on any adjacent street.
6. All exterior lighting fixtures shall be either high pressure sodium, metal halide, or LED fixtures.
7. Light fixture poles should be proportional to the height and building mass of the structure but in no event shall exceed 25 feet in height. Freestanding light poles shall not exceed 14 feet when adjacent to a residential property.
8. Any artificial light source which creates glare observable within the normal range of vision from any public walk or thoroughfare under normal weather conditions is considered a safety hazard and is prohibited.
9. Any artificial light source which creates glare observable within the normal range of vision from any property other than the property where the light source is located, under normal weather conditions, is considered a nuisance and is prohibited.
10. Building mounted light fixtures shall be fully cut-off to direct light at 45 degrees or less except for low intensity decorative lighting not exceeding 45 watts per bulb or incandescent equivalent.

Section 10 – Building Form and Materials

1. Materials should have good architectural character, be durable, and be selected for their compatibility with adjoining buildings and properties. Natural, traditional building materials are encouraged. Highly reflective and/or synthetic materials are prohibited.
2. Exterior materials should be selected based on their durability and appropriateness for their intended function. Special attention should be given to the durability of materials used around the ground floor of the building. Acceptable building materials include stone, brick, cement board, cementitious stucco, and wood. The materials selected should require minimal maintenance. Their color should be integral to the material and not painted on (except in the case of wood). No more than three (3) painted or applied colors may be used on the exterior of any building. Colors of the predominate exterior surface material shall be subdued, with natural tones and neutral colors predominating.
3. Exterior Insulating Finishing (EIFS) and concrete masonry shall not be the predominant building material. EIFS should be used as a way to accentuate an architectural element and should be limited to areas not subject to damage or abuse (lower parts of buildings). Concrete masonry should be limited to split face or burnished units. Painted, flat-faced concrete masonry units are prohibited.
4. Warehouse or manufacturing areas of industrial buildings may utilize metal veneer surface or pre-cast concrete panels which are tinted or colored with the approval of the Site and Design Committee.
5. Architectural consistency of colors, materials and detailing are to be provided between all building elevations. False or decorative façade treatments, where one or more unrelated

materials are placed upon the building are prohibited. Large parapet walls should reflect the function behind them and should not be freestanding. All elevations need not look alike; however, a sense of overall architectural continuity is strongly encouraged.

6. Building colors should be subdued, with natural tones and neutral colors predominating.

Desired colors:

- a. White
- b. Off whites
- c. Earthtones
- d. Creams

Prohibited colors:

- a. High intensity colors
- b. Pastel colors
- c. Metallic colors
- d. Gloss colors
- e. Red, black, or orange colors
- f. Fluorescent colors
- g. Chroma colors

The use of uncolored concrete or tilt up slabs is prohibited. The design review committee will issue judgement on the appropriateness of color choices.

7. Inconsistent adornment and frequent changes in material shall be avoided.
8. All buildings shall be designed to be compatible with the most positive elements of community character as determined by the Site and Design Review Committee.
9. With the exception of industrial uses, the maximum unbroken facades plane shall be fifty (50) feet for multiple-family residential uses, and sixty (60) feet for commercial and office uses. The wall of any such building shall be interrupted through the use of projections or recesses, portals, courtyards, plazas, or other appropriate architectural conventions. The design of off-setting wall plane projections or recesses shall have a minimum depth of two (2) feet.
10. No flat-faced cement block or metal surfaces shall be visible upon the exterior of any building.
11. Where pitched roofs are utilized, the primary roof form shall be on a slope of no less than $6\frac{1}{2}$; unless fronted by a parapet wall. Porches shall be on a slope of not less than $3/12$. Pitched roofs shall be shingled with wood textured composition shingles or architectural shingles. Roof design should be appropriate for the architectural style of the building. Enameled standing seam metal, flat tiles of concrete or clay, and copper metal roofs are permitted. All surfaces are permitted when the roof is concealed from public view by parapets (flat, built up or pitched roofs). The use of plastic, fiberglass, other metal, or glass,

visible to public view, is strictly prohibited. The use of bright, high intensity, shiny colors is strictly prohibited.

12. The treatment of doors and windows shall be uniform throughout the building design, with the exception of designated fire doors located on the rear of the building.
13. Parapet facades may be used when of unified construction with the primary surface of the wall and of the same material and color. The parapet shall be design such that the reverse side of all elements shall not be visible to public view. False mansards are prohibited. Canopies are permissible provided they are an integrated part of the overall building design, are not used to create the impression of a false mansard and are not used as a location or support for wall- mounted signage (painted signs on canopies are permitted).
14. Exterior materials to be used shall be noted in terms of type, location, texture, and color, with samples of each to be provided with the submitted plans.
15. The names, addresses, telephone numbers, fax numbers, and email addresses of the developer(s), the property-owner(s), and the designer(s) of the plan.

Section 11 – Information Required for Non-Residential Site Plan Submittals

1. A plan of the site as it is currently without improvements (an existing site plan) showing:
 - a. The zoning designation of the project site and of adjoining properties, public and/or private streets, and adjacent property owners.
 - b. Exact boundary lines of the tract indicated by a heavy line or other acceptable control traverse, giving dimensions to the nearest one-tenth foot, and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one to 5,000.
 - c. Tie in dimension and distance from property corner to nearest existing street(s) and to section corner.
 - d. Required dimension and location of all setback lines and existing easements.
 - e. Existing streets abutting the site or traversing the site, showing the right-of- way and pavement widths as well as all existing bridges and culverts.
 - f. Existing topography showing contour intervals, to sea level datum, of not more than two feet when the slope is less than four percent, and not more than five feet when the slope is greater than four percent, referenced to a United States Geological Survey or Coast and Geodetic Survey benchmark or monument.
 - g. Natural features within and immediately surrounding the site, including drainage channels, bodies of water, wooded areas, and other significant features. On all watercourses leaving the tract, the direction of flow shall be indicated; and for all watercourses entering the tract, the drainage area above the point of entry shall be noted.
 - h. The size, location, and name of owners of all the utilities on or adjacent to the site, including pipelines, and power transmission lines should be noted.
 - i. The size and location of all storm drainage inlets and pipe culverts on or adjacent to the site.

- j. An existing tree survey of all major tree growth defined as trees greater than six (6) inches in diameter at four (4) feet above the ground. The survey shall include the species of the tree and the size in diameter measured four (4) feet above the ground.
 - k. A note reporting the status of the land in the site related to the FEMA FIRM Maps (located in Zone X, A, AE, FW, etc.) with the Map number and date.
 - l. If the site is located in a designated floodplain area shown as FEMA Floodway and Flood Plain, boundaries as shown on current FEMA maps shall be clearly shown and identified including the Base Flood Elevation (BFE).
2. A plan of the proposed site with improvements showing:
 - a. Location of proposed building structure.
 - b. Exact boundary lines of the tract indicated by a heavy line or other acceptable control traverse, giving dimensions to the nearest one-tenth foot, and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one to 5,000.
 - c. Required dimension and location of all setback lines and proposed easements.
 - d. The right-of-way, pavement widths, and names of all proposed streets, if any.
 - e. Parking lots with location and number of parking bays and location and number of ADA parking bays.
 - f. Location of dumpsters and/or trash receptacles.
 - g. Traffic striping and signage within and around the site to safely direct pedestrian and vehicular traffic around and through the site.
 3. A grading and storm drainage plan showing:
 - a. Existing topography with contour intervals, to sea level datum, of not more than two feet when the slope is less than four percent, and not more than five feet when the slope is greater than four percent, referenced to a United States Geological Survey or Coast and Geodetic Survey benchmark or monument.
 - b. Proposed topography and grading plan, with proposed contour intervals of one foot, and spot elevations in areas where contours cannot be shown.
 - c. Locations, sizes, and types of materials for storm drainage inlets and pipe culverts.
 - d. Locations, sizes, and types of materials for storm water retention/detention systems, if necessary, as required by Chapter 1 of the City's Minimum Design and Construction Standards.
 - e. Retaining walls, with heights noted, if retaining walls are proposed.
 4. An erosion and sediment control plan showing:
 - a. Locations and types of Best Management Practices (BMPs) used to keep sediment from leaving the site during construction.
 - b. Descriptions of temporary and permanent seeding, grassing, and or solid sodding to be used to control erosion.
 - c. The area of disturbed acreage.
 5. A utility plan showing;
 - a. The size, location, and name of owners of all the utilities on or adjacent to the site, including pipelines, and power transmission lines should be noted.
 - b. Site lighting amenities.

- c. The size, location, and type of material for sanitary sewer manholes, main lines, service lines, lift stations, grease traps, cleanouts, or any other component of the project's sanitary sewer system.
 - d. The size, location, and type of material for water distribution lines, gate valves, meters, fire hydrants, fire lines, or any other component of the project's water distribution system.
 - e. The size, location, and type of material for natural gas distribution lines, valves, meters, or any other component of the project's natural gas distribution system.
 - f. Tap locations where the project's utilities will connect to City sewer, water, and/or natural gas mains.
 - g. Locations of other non-City utilities serving the project from connection points to the proposed building.
 - h. Locations, widths, and purposes of proposed utility easements. (Any utility proposed to be turned over to the City will require an easement. Any utility proposed to be turned over to the City shall meet the requirements of the City's Minimum Design and Construction Standards.)
6. A landscape plan showing:
- a. Individual trees from the tree survey that are proposed to be removed and those that are to be preserved on site. The plan shall detail the size and type of all proposed landscaping inside and outside of the required buffers. Proposed landscaping shall include the required number of trees based on the replacement ratio in Article VI, Section 11.
 - b. Foundation plantings around the building.
7. Building elevation drawings showing:
- a. Elevation views of all sides of the proposed building.
 - b. Building height.
 - c. Building forms and materials called out.
8. A texture and color board with examples of building materials shall be submitted for any proposed building structure.

The cover sheet of the site plan submittal drawings shall include the following information:

- 1. Proposed development name.
- 2. The physical address of the site.
- 3. Names and addresses of the owners of the property, including the names of the existing mortgages, the Developer, and the Mississippi Registered Professional Engineer responsible for the site design.

Additional information that shall be submitted if requested:

- 1. Any required documentation from the Mississippi Department of Environmental Quality (MDEQ) regarding erosion and sediment control, including, but not limited to, proof of coverage under the MDEQ Small or Large General Construction Permit.

2. Any required documentation from the Mississippi Department of Transportation (MDOT) regarding work on MDOT right-of-way including, but not limited to, proof of coverage under and MDOT construction permit.
3. Storm water hydraulic calculations for pre-development and post- development conditions, as well as design calculations for any storm water retention/detention systems.
4. A photometric survey of the proposed site lighting prepared by a licensed design professional.
5. A maintenance of traffic plan if proposed site is adjacent to a public street.
6. A traffic study of the existing area with proposed trip generations and impacts, if any, to existing traffic that a proposed development may have.