



Jackson County

Zoning Ordinance Revised
5/2/2022

Jackson County Planning Department

**JACKSON COUNTY ZONING ORDINANCE
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Article 1.

PURPOSE, ENACTMENT AND TITLE.

Section 1.1. Purpose.

The purpose of this revised Zoning Ordinance shall be to promote the public health, safety, and general welfare of Jackson County and the residents thereof, and to attain the objectives of the adopted Comprehensive Plan through the regulation of: the location, height, number of stories, size of buildings and other structures; the density and distribution of population, size of yards and other open spaces; and the use of buildings, structures, and land for commercial, industrial, residential and other purposes.

Section 1.2. Short Title.

This ordinance shall be known and may be cited as the Jackson County Zoning Ordinance.

Section 1.3. Authority.

The rules and regulations herein set forth are hereby adopted in accordance with the requirements of Section 17-1-1 through 17-1-27 of the Mississippi Code of 1972.

Section 1.4. Consistency with the Comprehensive Plan.

It is the intent of the Jackson County Board of Supervisors that the Zoning Ordinance shall be consistent with the adopted Comprehensive Plan and any amendments thereof and with any supplemental land use and planning policies of Jackson County. It is the intent of the Board of Supervisors that the Zoning Ordinance be revised within a reasonable time so as to become or remain consistent with the new Comprehensive Plan.

Section 1.5. Applicability.

The Zoning Ordinance shall apply to all land areas of Jackson County, Mississippi. The use of all land and any buildings or structures located upon the land and the construction, reconstruction, alteration, expansion, or relocation of any building or structure upon the land shall conform to all regulations applicable to the district in which the land is located as provided within.

No land, building, structure or premises shall be for any purpose or in any manner other than is permitted in the district in which such land, building, structure or premise is located except as provided.

The provisions of this Zoning Ordinance shall be also applied to all applications for a change in zoning classification from and after the date of the adoption of the Zoning Ordinance.

Section 1.6. Conflict With Other Laws.

Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted statutes, rules, regulations, or ordinances, the more restrictive, or that imposing the higher standard shall govern.

Section 1.7. Effective Date.

This ordinance shall be effective on May 2, 2022.

Article 2.

DEFINITIONS.

Section 2.01. General Purpose.

This Article shall be known as the Definitions section. The purpose of this section is to promote consistency and precision in the interpretation of the Zoning Ordinance. The meaning and construction of words and phrases as set forth shall apply throughout the Zoning Ordinance, except where the context of such words or phrases clearly indicates a different meaning or construction. In case of conflict between building code or dictionary definitions with the definitions contained in this Ordinance, the definition herein shall prevail. Additional definitions may be included in the Special and Supplemental District Regulations of this Ordinance.

ABANDONED PROPERTY: Means all tangible property which does not have an identifiable owner or tangible property which has been disposed of on public or private property in a wrecked, inoperative, or partially dismantled condition or which has not apparent intrinsic value to the rightful owner.

ABANDONMENT: To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

ACCESS POINT: A driveway, local street or collector street intersecting an arterial street; or a driveway or local street intersecting a collector street; or a driveway or local street intersecting a local street.

ACCESSORY STRUCTURE OR USE: Any structure or use on the same lot with, and customarily incidental and secondary to the main structure, including satellite receiving dishes.

ACCIDENTAL DISCHARGE: A discharge prohibited by this ordinance, which occurs by chance, and without planning or thought prior to occurrence.

ADDITION (to an existing building): Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. Any walled and roofed addition that is connected by a firewall or is separated by independent perimeter load-bearing walls is considered new construction. An addition may also include the addition of a second story.

ADJACENT: Touching, sharing a common boundary or border.

ADVERTISING SIGN OR STRUCTURE: Any sign, device or structure of any character whatsoever, including statuary, placed for outdoor advertising purposes on the premises. The area of an advertising structure or sign shall be determined as the area of the largest cross-section of such structure or sign.

AGRICULTURE: The raising or growing of crops, fowl, livestock or swine, in any A-1 or A-2 Zone, providing such does not constitute a nuisance or health hazard.

AGRICULTURAL BUILDING: Structures with no foundation or floors associated strictly with an agricultural use, such as growing, storage, harvesting crops, raising livestock and cultivation of land, whether there is a residential structure already located on the property or not.

AGRICULTURAL LIVESTOCK: Any animal normally considered to be a farm animal or commercially produced animal. This includes but is not limited to: cows, horses, mules, pigs, hogs, goats, ducks, geese, chickens, and other forms of poultry.

AIRPORT: Any area of land designed and set aside for the landing and takeoff of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

ALLEY: A minor right-of-way dedicated to public use which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

ALTERATION, STRUCTURAL: Any change in the supporting members or a building or structure, such as bearing walls, columns, beams, or girders; provided, however, that the application of any exterior siding to an existing building for the purpose of beautifying and modernizing shall not be considered a structural alteration.

AMUSEMENT FACILITIES/ARCADE: An establishment that provides arcade-type entertainment including such items as pinball machines, video games, pool tables, miniature golf and other amusements.

APARTMENT HOUSE OR MULTIFAMILY DWELLING: Any single detached dwelling unit designed for and occupied by three (3) or more families living independently of each other as separate housekeeping units, including apartment houses, apartment hotels, flats and town houses or condominiums, but not including auto or trailer courts or camps, hotels, motels, or resort-type hotels.

APPLICANT: Any person, individual, firm, partnership, association, corporation, trust or any other group or combination acting as a unit that makes a formal application to the Planning Commission in accordance with these regulations. (See also: Developer).

AQUACULTURE: The human controlled production and harvest, not to include processing, of freshwater and marine aquatic species or plants by private industry for commercial purposes, or by public agencies for social benefit.

ASSISTED LIVING FACILITY: A facility which provides care for seniors who need help with activities of daily living yet wish to remain as independent as possible. A middle ground between independent living and nursing homes, Assisted Living Facilities aim to foster as much autonomy as the resident is capable of. Most facilities offer 24-hour supervision and an array of support services, with more privacy, space, and dignity than many nursing homes.

AUTHORIZED ENFORCEMENT AGENCY: Jackson County, Mississippi.

AUTOMOBILE-JUNK AREA OR GRAVEYARD: An area other than a street or alley used for the dismantling or wrecking of used automobiles or the storage, sale or dumping of dismantled or wrecked automobiles or their parts.

AUTO WRECKING: The collecting, burning out, dismantling or wrecking of used motor vehicles, wheeled or track laying equipment, or trailers or their parts. The dismantling and rebuilding, other than custom repair, of more than one (1) motor vehicle, piece of wheeled or track laying equipment, or trailer at a time even though not for profit or a principal use of a parcel of land shall be defined as auto wrecking. The storage of a partially dismantled motor vehicle, piece of wheeled or track laying equipment or trailer shall be considered auto wrecking.

BED and BREAKFAST INN OR TOURIST HOME: A residential structure or portion thereof where short-term lodging rooms and meals are provided. The operators of the inn shall live on the premises or on adjacent premises. The inn shall contain no more than six guest rooms where lodging is provided for compensation.

BEST MANAGEMENT PRACTICES (BMPS): Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures and other management practices designed to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

BEST MANAGEMENT PRACTICES (BMPS) – NON-STRUCTURAL: A policy, practice or preventative action that involves operational planning and source controls designed to provide a similar approach to stormwater management.

BEST MANAGEMENT PRACTICES (BMPS) – STRUCTURAL: A physical device designed and constructed or manufactured to trap or filter pollutants from runoff, to reduce runoff velocities, or to minimize or prevent the effects of soil erosion caused by Stormwater Runoff.

BILLBOARD: An object, device, display, sign, or structure displayed outdoors or visible from a public way, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or place that is not on the premises on which the billboard 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.

BOARD OF SUPERVISORS: The Jackson County Board of Supervisors.

BOARDING HOUSE OR ROOMING HOUSE: Any dwelling unit other than a hotel where for compensation and by prearrangement for definite periods, meals or lodging and meals are provided for three (3) or more persons.

BORROW PIT: Any place or premises where dirt, soil, sand, gravel, or other material is removed below the grade of surrounding land for any purpose other than that necessary and incidental to site grading or building construction, land leveling, and swimming pool construction.

BUFFER: An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, and/or berms, designed to limit continuously the view of and/or sound from the site to adjacent sites or properties.

BUFFER AREA: An area which acts as a separation area between two (2) or more noncompatible districts.

BUILDABLE AREA: That portion of a lot remaining after the required yards have been provided.

BUILDING: Any structure intended for shelter, housing or enclosure of persons, animals or chattel.

BUILDING, ALTERATION OF: Any change or rearrangement in the supporting members (such as bearing walls, beams, columns, or girders) of a building, any addition to a building or movement of a building from one location to another.

BUILDING, FRONT LINE OF: A line intersecting the foremost portion of a building and parallel and/or concentric to the street line.

BUILDING HEIGHT: The vertical distance from grade plane to the average height of the highest roof surface as defined in the current building codes adopted by Jackson County.

BUILDING, MAIN: Building in which is conducted as the principal use of the lot on which it is situated.

BUILDING OFFICIAL: The official appointed by the Planning Director or the Board of Supervisors and charged with the responsibility of enforcing the County Building Codes and issuance of building permits.

BUILDING SETBACK LINES: The distance required by this ordinance to be maintained between a given lot line, easement or right-of-way line and any structure – front, rear, or side, as specified.

BUILDING SITE: A single parcel of land occupied or intended to be occupied by a building or structure, and appropriate accessory buildings or uses.

BUILDING WIDTH: Width of the building site left after required yards have been provided.

CAMPGROUND: An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, recreational vehicles and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character.

CANOPY: An extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.

CEMETERY: A tract of land, private or public, divided into plots for internment of the human dead and in compliance with applicable state statutes.

CERTIFICATE OF OCCUPANCY: A permit issued by the Building Official indicating that the use of the building or land in question is in conformity with this ordinance or that there has been a legal variance therefrom, as provided by the Ordinance.

CHILD CARE FACILITY: A place which provides shelter or personal care for four (4) or more hours of any part of the twenty-four hour day for six (6) or more children who are not related within the third degree computed according to civil law to the operator and who are under thirteen (13) years of age. There shall be four (4) classifications of child care facilities being defined as follows:

- a. *Child Care Center/Home:* An occupied residence in which shelter and personal care is regularly provided for sixteen (16) or more children who are not related within the third degree computed according to the civil law to the operator and who are under the age of thirteen (13) and receive care for any part of a twenty-four (24) hour day.
- b. *Child Care Center:* A facility (not a residence) in which shelter and personal care is regularly provided for six (6) or more children who are not related within the third degree computed according to the civil law to the operator and who are under the age of thirteen (13) and receive care for any part of a twenty-four (24) hour day.
- c. *Family Child Care Home:* An occupied residence in which shelter and personal care is regularly provided for five (5) or less children who are not related within the third degree computed according to the civil law to the provider and who are under the age of thirteen (13) years of age and are provided care for any part of the twenty-four (24) hour day. These homes may be voluntarily registered with the Mississippi State Department of Health.
- d. *Group Child Care Home:* An occupied residence in which shelter and personal care is regularly provided for six (6) to fifteen (15) children who are not related within the third degree computed according to the civil law to the operator and who are under the age of thirteen (13) and receive care for any part of a twenty-four (24) hour day. Children related within the third degree are included in determining space and staff but are not included in the licensed number.

Exempted from this definition is any facility operating as a kindergarten, nursery school or Head Start in conjunction with an elementary and/or secondary school system, whether it be public, private or parochial, whose primary purpose is a structured school readiness program. Space requirements shall be as stipulated by the Mississippi State Board of Health and current adopted building codes.

CHURCH: Any structure used principally as a place wherein persons regularly assemble for religious worship, including sanctuaries, chapels, and cathedrals and on-site buildings adjacent thereto, such as parsonages, friaries, convents, fellowship halls, Sunday Schools, rectories, recreation facilities, and parking facilities and grounds.

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C., 1251 et seq.), and any subsequent amendments thereto.

CLINIC, DENTAL OR MEDICAL: Any establishment housing facilities for medical or dental diagnosis and treatment exclusive of major surgical procedures for patients who are not kept overnight on the premises.

CLUBS: Organizations of persons for special purposes or for the promulgation of sports, arts, literature, politics, or the like, but not operated for profit, excluding churches, synagogues, or

other houses of worship. A building or facility owned or operated by a corporation, association, or organization of persons for a social, educational, or recreational purpose.

COMMERCIAL: An occupation, enterprise, or employment related to the provision of products and services that is carried on for profit by the owner, lessee, or licensee. (See also retail and wholesale trade, personal and professional services).

COMMUNITY FACILITY: A building or structure owned and operated by a governmental agency that provides a governmental service to the public.

COMPREHENSIVE PLAN: In accordance with Section 17-1-1 of the Mississippi Code of 1972, Annotated, As Amended, "Comprehensive Plan" shall be defined as "a statement of public policy for the physical development of the entire municipality—adopted by resolution of the governing body, consisting of the following elements at a minimum: (i) Goals and Objectives—; (ii) a Land Use Plan—; (iii) a Transportation Plan—; and (iv) a Community Facilities Plan—.

CONDITIONAL USE (SPECIAL USE): A land use which would not generally be appropriate in a particular zoning district but which, with certain restrictions or conditions, would in the judgment of the Board of Supervisors promote the public health, safety, morals, or general welfare of the County and would not adversely affect adjacent properties. A permit (building permit or change of use permit) granted by the Board of Supervisors for the initiation of a conditional use (with the necessary restrictions included) will not change the zoning of the property involved and will allow such use to continue as long as the specific use granted by the conditional use remains the same. Also referred to as a "Special Exception"

CONDOMINIUM: An ownership arrangement in which the buyer purchases a dwelling unit within a multifamily or time share development but does not receive the title to any real property. It also refers to a building or group of buildings in which units are owned individually and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

CONFORMING USE: Any lawful use of a building or lot which complies with the provisions of this ordinance.

CONGREGATE HOUSING: A residential facility for four or more elderly persons (age 55 or older) within which are provided living and sleeping facilities, meal preparation, laundry services, and room cleaning. Such facilities may also provide other services, such as transportation for routine social and medical appointments, and counseling.

CONSERVATION AREAS: Environmentally sensitive and valuable lands protected from activities that would significantly alter their ecological integrity, balance, or character. Conservation areas may include freshwater marshes, lakes, hardwood swamps, wetlands and other areas of significant biological character.

CONSTRUCTION ACTIVITY: Activities subject to NPDES construction permits. These include construction projects resulting in land disturbances. Such activities include, but are not limited to, clearing and grubbing, grading, excavating and demolition.

CONSTRUCTION OFFICE, TEMPORARY: A one-story structure used during the construction period of a principal building or structure on the premise or within a subdivision or project.

CONVENIENCE STORE: Retail establishment selling food for off-premises consumption and a limited selection of groceries and sundries, and possibly gasoline, if pumps are provided. It does not include or offer any automobile repair services or automatic or manual car washing service. See “Gasoline, Service or Filling Station”.

COUNTY DRAINAGE SYSTEM (CDS): Any County maintained or designated roadway, ditch, culvert, channel, or conduit intended to direct water flows.

COVERAGE: The percentage of the lot area covered by the building area.

CULTURAL ACTIVITY: Any institution concerned with the appreciation of nature and the humanities such as, but not limited to, museums, art galleries, historic sites and aquariums.

DAY CARE CENTER: A place operated by a person, social agency, corporation, institution, or other group that receives pay for the care of six (6) or more children under thirteen (13) years of age for less than twenty-four (24) hours per day without transfer of custody.

DENSITY: Maximum number of dwelling units per acre allowed by this Zoning Ordinance.

DEVELOPER: An individual, partnership, corporation, or other legal entity or agent thereof which undertakes the activities covered by this Ordinance. The term “developer” may include “subdivider”, “owner” or “builder” even though the persons and their precise interests may vary at different project stages. (See also: APPLICANT).

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operation.

DISTRICT: Any section or sections of Jackson County for which the regulations governing the use of land, density, bulk, height, and coverage of buildings and other structures are uniform. Also known as a zoning district.

DRIVEWAY: A privately owned or maintained access from a property or lot to a street or road. All residential driveways shall be paved with gravel as a minimum. All commercial drives shall be paved with a dust-free surface. A single lane drive shall be a minimum of sixteen (16) feet wide at the street and all two (2) lane drives shall be a minimum of twenty-four (24) feet wide. No driveway shall serve more than two (2) residential units.

DWELLING: Any building, or portion thereof, which is designed or used as living quarters for one (1) or more families to be occupied for thirty (30) days or longer.

DWELLING, SINGLE-FAMILY, ATTACHED: A one-family dwelling attached to two or more one-family dwellings by a common vertical fire resistant wall with each dwelling being located on a separate lot. This definition shall include zero lot line development.

DWELLING, SINGLE-FAMILY, DETACHED: A building designed for or occupied exclusively by one (1) family which has no connection by a common wall to another building or structure similarly designed.

DWELLING, TOWNHOUSE: An attached residential dwelling unit for occupancy by one (1) family constructed in a row with each unit located on a single lot. Each dwelling unit is separated

from the adjoining unit in each story by an adjoining fire resistant wall, which has no opening in it and extends from the lowest floor to the roof with each dwelling unit having independent access to the exterior in the ground floor. For the purpose of this ordinance a townhouse designation shall apply to three (3) or more units built contiguous to each other. This definition does not preclude condominium standards as set forth in the Building Code. This definition does not include zero lot line development.

DWELLING, TWO-FAMILY (DUPLEX): A building designed to be occupied by two families, living independently of each other having one wall common to both dwelling units, and located on one lot.

DWELLING, MULTIFAMILY: A dwelling designed for occupancy for three (3) or more families living independently of each other.

DWELLING UNIT: A room or group of rooms occupied or intended to be occupied as separate living quarters.

EASEMENT: A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.

EDUCATIONAL FACILITIES: Established schools including primary, secondary, universities, colleges, junior colleges and various private facilities such as correspondence schools, vocational schools and art, dance and music schools.

ELEVATED BUILDING: A non-basement building that is built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or break-away walls.

ELEVATION CERTIFICATE: A certified statement that verifies the elevation information of a building.

EMERGENCY SHELTER/MISSION: A nonprofit, charitable, or religious organization providing boarding and/or lodging and ancillary services on its premises to primarily indigent, needy, homeless, or transient persons. A facility providing temporary housing for one or more individuals who are temporarily homeless.

EROSION: The wearing away of the land surface by running water, wind, ice or other geological agents, or the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

ESSENTIAL SERVICES: The erection, construction, alteration, or maintenance by public utilities or municipal departments, or commissions, of underground or overhead gas, electrical, steam, or water transmission or distribution system, collection, communications supply or disposal systems, including poles, wire, mains, drains, sewers, pipes, conduits, cables, traffic signals, in connection therewith, but not including buildings or substations reasonably necessary for the furnishing of adequate services by such public utilities or municipal departments or commissions, or for the public health or safety or general welfare.

EXCAVATE: Means to dig out, scoop out, hollow out, or otherwise make a hole or cavity by removing soil, sand, gravel, or other material from any property so as to change the grade of such property.

FACILITIES AND UTILITIES, PUBLIC/QUASI-PUBLIC: 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:

- (a) Churches and other religious institutions
- (b) Schools, including all private, public or parochial schools, excluding institutions of higher learning which shall be zoned "Special Use" districts only.
- (c) 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 Article 9, Section 9.12 as special exceptions.)
- (d) All hospitals, whether public or private.
- (e) Convalescent homes or nursing homes.
- (f) Civic organization buildings and major facilities.
- (g) 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 Special Exception provisions of this Ordinance, including site plan review and public hearing requirements).
- (h) Country clubs and other major recreational facilities constructed by private groups.
- (i) ALL cemeteries, including associated facilities (e.g., caretaker offices and residence, etc.) NOT INCLUDING funeral homes and mortuaries.
- (j) 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 towers, natural gas pumping facilities and similar significant uses.

FACILITY: A structure, installation, or system that is designed to serve a particular purpose, service, or function.

FAMILY: One (1) or more persons related by blood, marriage, including adopted children, occupying premises and living as a single nonprofit housekeeping unit. A family shall be deemed to include domestic servants employed by said family.

FENCE(S): Shall mean solid (privacy) fences when required in this ordinance for screening purposes when a commercial or industrial use abuts a residential district or under open storage regulations.

FISH CAMP: An area of land used for temporary occupancy and rented or leased by the owner including and limited to placement of mobile homes, modular homes, cabins, camper trailers, boats and accessory structures or uses.

FLAMMABLE LIQUIDS: Any liquid which gives off flammable vapors, as determined by the flash point from an open-cup tester as used for test of burning oils, at or below a temperature of eighty (80) degrees Fahrenheit, is flammable.

FLEA MARKET: An occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage or yard sales.

FLOOD PLAIN MANAGEMENT PROGRAM: An overall program of corrective and preventive measures for reducing flood damage, including, but not limited to emergency preparedness plans, flood control works, and land use and control measures.

FLOODPROOFING: Structural and/or nonstructural adjustments to a building which make it watertight below the base flood level and which enable the building to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood level of 13.1 feet mean sea level (MSL). Said adjustments to be certified by a registered professional engineer or architect.

FLOODWAY: The channel of a river, bayou, or other water course, and the adjacent land areas required to carry and discharge the normal high tidal water, or land areas that are inundated by the normal flow of the water course, including marsh land.

FLOOR AREA: The square feet of floor space within the outside line of walls and including the total of all space on all floors of a building used for dwelling purposes.

FRONTAGE: The frontage is that side of a lot abutting on a street or road and ordinarily regarded as the front of the lot, but shall not be considered as the ordinary side line of a corner lot.

GARAGE APARTMENT: A dwelling unit erected above a private garage.

GARAGE, PRIVATE: An accessory building or part of a main building used for storage purposes for one (1) or more automobiles.

GARAGE, PUBLIC: Any building other than a private garage, available to the public for the care, servicing, repair, or equipping of automobiles or where such vehicles are parked or stored for remuneration, hire, or sale.

GARAGE, REPAIR: A building designed and used for the storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint, and body work. (See also: Gasoline, Service or Filling Station).

GASOLINE, SERVICE OR FILLING STATION: Any area of land, including structures thereon, that is used for the retail sale of gasoline or oil fuels, and installation of other minor automobile accessories, and which may or may not include facilities of lubricating, washing or cleaning, but not including storage and rental of vehicular equipment.

GOVERNING AUTHORITY: The Jackson County Board of Supervisors.

GOVERNMENTAL SERVICES: Fire, Police, Judicial and other services provided by the government.

GRADE: The amount of rise or descent of a sloping land surface, usually measured as a percent where the numbered percent refers to the amount of vertical rise or fall, in feet, for every 100 feet horizontally. Also refers to the ground elevation used for the purpose of regulating the height of a building. The ground elevation used for this purpose shall be the average of the finished ground elevations at the front line of the building.

GREEN SPACE: The area that is reserved for the purpose of establishing lawns or landscape planting.

GROUND COVER: Natural mulch, permanent type lawn grasses, annual flowering plants, ivy, and evergreen perennials which mature at a height of not more than eighteen (18) inches, installed to form a continuous cover over the ground.

GROUP HOME FOR THE HANDICAPPED: A dwelling shared by four or more handicapped persons, including resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the resident to live as independently as possible. The term shall not include alcoholism or drug treatment centers, work release facilities for convicts or ex-convicts or other housing facilities serving as an alternative to incarceration.

GUEST HOUSE: An accessory building containing a lodging unit with or without kitchen facilities, and used to house occasional visitors or nonpaying guests of the occupants of a dwelling unit on the same site.

HABITABLE FLOOR: Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "Habitable Floor".

HABITABLE SPACE: Areas within the building designed and/or used as living quarters for human beings.

HARDSHIP: Hardship, as related to variances of this Ordinance, means the exceptional hardship that would result from a failure to grant the requested variance. The Board of Supervisors requires that the variance is exceptional, unusual and peculiar to the property involved. Mere economic or financial hardship alone is not considered to meet the standard of exceptional under this Ordinance. Inconvenience, aesthetic considerations, physical handicaps, personal preferences or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HAZARDOUS MATERIALS: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard

to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

HAZARDOUS SUBSTANCES: Any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

HEALTH/RECREATION FACILITY: An indoor facility including uses such as game courts, exercise equipment, locker rooms, jacuzzi, and/or sauna and pro shop.

HEALTH CLUB: Health club means, but is not limited to, gymnasiums (except public), private clubs (athletic, health, or recreational), reducing salons, and weight control establishments.

HELIPORT: Any landing area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

HISTORIC AREA: A district or zone designated by a local authority, state or federal government within which the buildings, structures, appurtenances and places are of basic and vital importance because of their association with history, or because of their unique architectural style and scale, including color, proportion, form and architectural detail, or because of their being a part or related to a square, park, or area the design or general arrangement of which should be preserved and/or developed according to a fixed plan based on cultural, historical or architectural motives or purposes. Historic Structure: Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior; or
 - b. Directly by the Secretary of the Interior in states without approved programs.

HOME OCCUPATION: Any occupation or profession, activity, or use carried on by a family residing on the premises which is clearly customary, incidental, and secondary to the use of the dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood. Without limiting the generality of the foregoing, use is defined as having a significant adverse impact on the surrounding neighborhood if:

- a) goods, stock in trade, or other commodities are displayed,
- b) any on-premises retail sales occur,
- c) any person not a resident on the premises is employed in connection with the purported home occupation,
- d) it creates objectionable noise, fumes, odor, dust or electrical interference or,
- e) 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.

HOMEOWNERS' OR PROPERTY OWNERS' ASSOCIATION: A formally constituted nonprofit association or corporation made up of the property owners and/or residents of a fixed area that may take permanent responsibility for costs and upkeep of semiprivate community facilities and grounds.

HOSPITAL: An institution where sick or injured persons are given medical care and in the course of the same are housed overnight, fed and provided nursing and related services.

HOTEL OR MOTEL: A building containing sleeping rooms occupied, intended or designed to be occupied more or less as temporary abiding place of persons who are lodged with or without meals for compensation.

HOUSING FOR THE ELDERLY: Multifamily dwelling units occupied by persons 55 years or older. In case of double occupancy of a unit, only one (1) resident is required to be at least 55 years of age. The housing must be self-contained and physically accessible to elderly citizens.

ILLEGAL CONNECTIONS: Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the drainage system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, wash water, or any other such discharge, to enter the City Drainage System and any connections to the County Drainage System from any source, regardless of whether such pipe, open channel, drain, connection, or source had been previously allowed, permitted, or approved by the County.

ILLICIT DISCHARGE: Any direct or indirect discharge into the County Drainage System that is not composed entirely of stormwater.

IMPROVEMENTS: Physical changes made to raw land and structures on or under the land surface in order to make the land more usable for human activity. Typical improvements in these regulations would include, but not be limited to, grading, street pavements, curbs, gutters, drainage ditches, storm and sanitary sewers, street name signs, and street trees.

INDUSTRIAL ACTIVITY: Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26(b)(14).

INSTITUTION: A building occupied or operated by a nonprofit society, corporation, individual foundation or governmental agency for the purpose of providing charitable, social educational or similar services of a charitable character to the public.

IN-HOUSE STAFF REVIEW: Consideration of matters which are authorized to be determined by the Planning Director and/or staff.

JACKSON COUNTY OR THE COUNTY: Jackson County, Mississippi.

JUNKYARD, OPEN STORAGE: An open area where waste, used or secondhand materials are bought, sold, exchanged, stored, or salvaged.

KENNEL: An establishment in which more than six (6) dogs or domesticated animals more than one (1) year old are housed, groomed, bred, boarded or trained for remuneration or offered for sale.

KINDERGARTEN: A school other than a public school for children of pre-public school age in which constructive endeavors, object lessons and helpful games are prominent features of the curriculum.

LAND USE AND CONTROL MEASURES: Zoning ordinances, subdivision regulations and other ordinances, to provide standards and effective enforcement provisions for the prudent use and occupancy of flood prone areas.

LANDFILL: A disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

LARGER COMMON PLAN OF DEVELOPMENT OR SALE: A contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, tec.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.), indicating that construction activities may occur on a specific plot.

LAUNDROMAT: A business that provides coin-operated clothes washing, drying, and/or ironing machines to be used by customers on the premises.

LEVEL OF THE 100-YEAR FLOOD: The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years or that has a one (1.0) percent chance of occurring each year.

LOADING SPACE: An area logically and conveniently located to provide temporary parking for delivery vehicles while loading and unloading merchandise or materials. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

LOT: Any plot of land occupied or being capable of being occupied for any use as defined in this ordinance. The word “lot” includes the words “plot” and “parcel”, except where the natural construction of the writing indicates otherwise.

LOT, CORNER: A lot located at the intersection of and abutting on two (2) or more streets.

LOT DEPTH: The average horizontal distance between the front lot line and the rear lot line.

LOT, DOUBLE FRONTAGE: A lot, other than a corner lot which has frontage on more than one (1) street. Also referred to as through lot.

LOT, FLAG: Lots or parcels that the county has approved with less frontage on a public street than is normally required. The panhandle is an access corridor to lots or parcels located behind lots or parcels with normally required street frontage.

LOT, INTERIOR: A lot other than a corner lot.

LOT AREA: The total area included within the front, side and rear lot lines.

LOT FRONTAGE: That dimension of a lot or portion of a lot abutting on a street.

LOT LINES: The lines bounding a lot as defined herein.

LOT LINE, FRONT: In the case of an interior lot, the line separating said lot from the street. In the case of a corner or through lot, the line separating said lot from the street which the house will face, to be determined from the request for a building permit. Front lot line is synonymous with street right-of-way line.

LOT WIDTH: The width of a lot at the front lot line.

LOT OF RECORD: A lot, the plat of which has been recorded in the Office of the Chancery Clerk of Jackson County.

LOWEST ADJACENT GRADE: The elevation of the sidewalk, patio, deck support, or basement entryway immediately next to the structure and after the completion of construction. It does not include earth that is replaced for aesthetic or landscape reasons around a foundation wall. It does include natural ground or properly compacted fill that comprises a component of a building’s foundation system.

MANUFACTURED HOME: means a structure defined by and constructed in accordance with the National Manufactured Home and Construction and Safety Standards Act of 1974, as amended, 42, U.S.C. 5401, et seq., and manufactured after June 15, 1976, and designed to be used as a single family residential 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; except that such term shall include any structure which meets all the requirements of this code and with respect to which the manufacturer voluntarily files a certification required by the secretary and complies with the standards established under the National Manufactured Home Construction and Safety Standards Act of 1974 and the Uniform Standards Code for Factory Built Homes Law, State of Mississippi. A mobile home is not a manufactured home except as hereinafter provided.

MANUFACTURED HOME FOUNDATION: The site built supporting parts upon which the manufactured home is placed, whether constructed to encompass the perimeter of the home or in the form of piers and including all exterior materials required to physically screen, veneer or shield from such supports, extending at a minimum from the ground surface to the bottom portion of the exterior wall surfaces of the home.

MAP: The Zoning Map of Jackson County, Mississippi.

MARINA: A boat basin, harbor or dock, with facilities for berthing and servicing boats, including bait and fishing tackle shop and eating establishment.

MEAN SEA LEVEL: The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with North American Vertical Datum (NAVD).

MEDICAL AND DENTAL FACILITIES:

- a. **Convalescent, Rest, or Nursing Home:** A health facility where persons are housed and furnished with medical and/or nursing care.
- b. **Dental Office or Doctors Office:** A facility for the examination and treatment of patients.
- c. **Hospital:** An institution providing comprehensive health services.
- d. **Public Health Center:** A facility primarily utilized by a health unit for the provisions of public health services.

MITIGATION: Sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is twofold: to protect people and structures, and to minimize the costs of disaster response and recovery.

MIXED USE DEVELOPMENT: The development of a tract of land or building or structure with two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.

MOBILE FOOD VENDOR: A food service establishment that is vehicle-mounted, trailer-mounted, or wheeled and is capable of being readily movable. This does not include vehicles regularly operating on a public road, selling individually packaged items like ice cream trucks. Units may be motorized or not and may or may not require outside power or utility service but must be fully mobile and able to be relocated within one hour of notice.

MOBILE HOME: A structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufacture Housing Construction and Safety Standards Act of 1974, as amended, (42 U.S.C. Section 5401 et seq.). It is a structure that is transportable in one or more sections, that, in traveling mode, is eight (8) body feet or more in width and thirty-two (32) feet or more in length or when erected on site, is two hundred and fifty-six (256) or more square feet and that is built on a chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems. A "mobile home" also includes any structure which meets all the requirements and complies with the standards established under this Regulation.

MOBILE HOME PARK: A mobile home park shall include any of the following: 1) A parcel, lot, or tract of land on which more than two (2) mobile homes are placed; or 2) Two (2) or more

mobile homes placed on any lot, tract, or parcel of land or any adjacent, successive, contiguous or consecutive lots, tract, or parcel of land (whether or not separated by a road) for rental purposes, or for the purposes of renting the land for placement of two (2) or more mobile homes owned by another; 3) When the density of mobile homes for rental purposes exceeds more than two (2) mobile homes within 1,000 feet regardless of ownership.

MOBILE HOME SUBDIVISION: A mobile home subdivision is a tract of land in which spaces or lots for mobile homes are for sale in which the purchaser receives fee simple title to the space or lot.

MODEL HOME: A residential structure in an approved subdivision under construction that is used for a temporary period of time to display furnishings and building materials such as carpet, wallpaper and paint color and to display layouts of subdivision plans and home plans for individual lots within the subdivision. A model home may be staffed with homebuilders, sales agents or real estate brokers to show, assist and contract with potential purchasers of homes within the subdivision.

MODULAR HOMES: A modular home is a factory fabricated dwelling over thirty-two (32) feet in length and at least twenty-four (24) feet wide designed and constructed without carriage or hitch collar as stationary house construction for placement upon a permanent foundation, to be permanently connected to utilities, and to be used for year-round occupancy. It may consist of two (2) or more components that can be separated when transported but designed to be joined into one (1) integral unit. A modular home must meet the minimum construction standards for house construction as specified in the current adopted building code, the Federal Housing Administration Minimum Property Standards, the minimum construction standards as may from time to time be fixed by the law of the State of Mississippi, and must have a roof with at least a 3/12 pitch. Modular Homes shall be allowed in the A-1, A-2, A-3, R-1B, R-2, R-3, and R-4 Zoning Districts.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT: A permit issued by EPA (or by the State under authority delegated pursuant to (33 USC 1342(b)) that authorizes the discharge of Pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

NEW CONSTRUCTION: The first placement of permanent construction on a site, such as the pouring of slabs or footings, or any work beyond the stage of excavation. For a structure without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof or its pilings or foundation, or the affixing of any prefabricated structure or mobile home to its permanent site. Permanent construction does not include land preparation, land clearing, grading, filling, excavation for basements, footings, piers or foundations, erection of temporary forms, installation of sewer, gas and water pipes, or electric or other service lines from the street, or existence on the property of accessory buildings such as garages or sheds, not occupied as dwelling units or not a part of the main structure.

NONCONFORMITIES: Any land, lot, building, structures, or parts thereof, or the various uses to which those items are or were put, and which lawfully existed prior to the enactment of this Ordinance; but which subsequently do not comply with the provisions of this Ordinance and the requirements of the district wherein located. The regulations pertaining to such nonconformities are established under Article 8.

NON-STORMWATER DISCHARGE: Any discharge to the County Drainage System that is not composed entirely of stormwater.

NURSING HOME: A building or structure where aged or infirm persons reside on a twenty-four (24) hour basis and are provided with food, shelter and nursing care for compensation, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

OFFICE: Any room, studio, suite, or building in which the primary use is the conduct of a business such as accounting, correspondence, research, editing, administration or analysis; or the conduct of a business by a salesman, sales representative or manufacturer's representative; or the conduct of a business by professionals such as engineers, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents and landscape architects; and including offices for dentists, physicians or other medical practitioners.

OPEN SPACE: An area that is intended to provide light and air, and is designed for either environmental, scenic, or recreational purposes. Open may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and water courses. Open space shall not be deemed to include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

OPEN SPACE, COMMON: Open space within or related to a planned development, not individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of the development.

OPEN STORAGE: 1) To reserve for future use in the open air; or 2) to accumulate in the open air; or 3) outdoor storage.

OUTDOOR STORAGE: A depository or place for storing goods related to the establishment on the same premises and not located within a building. All outdoor storage must conform to Section 6.12.

PARCEL: A continuous quantity of land in the possession of or owned by, or recorded as the property of the same person or persons.

PARK: An open area set aside for recreational, educational, cultural or leisure activities, such as, but not limited to, playgrounds, athletic fields and picnic areas and is not used for the operation of a profit making venture.

PARKING LOT: An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.

PARKING SPACE: An unobstructed space or area other than a street or alley that is required by this Ordinance to be permanently reserved for parking one (1) motor vehicle. Except on lots occupied by single-family and two-family dwellings, parking spaces and driveways shall be arranged as to provide for both ingress and egress into any street by forward motion of the parked or parking vehicle.

PEDESTRIAN WAY: A sidewalk or similar facility that is provided primarily for the movement of pedestrians within or between developments.

PERIMETER LANDSCAPING: Landscaped areas intended to enhance the appearance of parking lots and other outdoor auto related uses or to screen incompatible uses from each other along their boundaries.

PERMITTED USE: Any use specifically identified as being allowed in a zoning district and subject to the restrictions applicable to that zoning district.

PERSON: An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

PERSONAL SERVICES: Establishments which provide services which include, but are not limited to, laundry, beauty, funeral, and other services to individuals.

PLANNING COMMISSION: The Jackson County Planning Commission.

PLANNING DEPARTMENT: The Jackson County Planning Department consisting of the Planning Director and all of the Planning Director's staff.

PLANNING DEPARTMENT STAFF OR STAFF: All personnel who are employed in the Jackson County Planning Department.

PLANNING DIRECTOR: The head of the Jackson County Planning Department.

PLANNED UNIT DEVELOPMENT: A land tract in which a multiplicity of land uses may be permitted including single-family residential, multifamily residential, public use and compatible commercial use, and in which land not used by residential or commercial structures and yards but required by basic zoning of the site shall be reserved collectively in contiguous units accessible to all the building sites in the development as open space for the purpose of providing recreational facilities and pedestrian circulation.

POLE BARN: Farm structure with no foundation or floors and no sides, supported by poles set in the ground used strictly for agriculture use, such as storage of farm equipment and accessories.

POLLUTANT: Any substance which causes or contributes to pollution. Pollutants may include, but are not limited to paints, varnishes, solvents, petroleum hydrocarbons, automotive fluids, cooking grease, detergents (biodegradable or otherwise), degreasers, cleaning chemicals, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter, discarded or abandoned objects, munitions, accumulations that may cause or contribute to pollution, any floatables, pesticides, herbicides, fertilizers, hazardous substances and wastes, sewage, fecal coliform and pathogens, dissolved and particulate metals, animal wastes, wastes and residues that result from constructing a building or structure including concrete/cement (this includes water from washing out cement trucks) and noxious or offensive matter of any kind or any other substance which has been or may be determined to be a pollutant.

POLLUTION: The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any substance or condition including but not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

PREMISES: Land together with structure or structures occupying it.

PRINCIPAL BUILDING: A building in which the primary use of the lot on which the building is located is conducted.

PRINCIPAL USE: The main use of land or structures, as distinguished from a secondary or accessory use.

PRIVATE SCHOOL: A facility not operated by a public entity that may provide academic instruction from kindergarten through high school. This definition shall not include a home-based school.

PROFESSIONAL SERVICES: Establishments which provide services which include, but are not limited to, architectural, engineering, legal, or accounting.

PUBLIC ASSEMBLY FACILITY: Any of the following types of institutions or installations where community activities are typically performed, such as: parochial and private clubs, lodges, meeting halls, recreation centers and areas; temporary festivals; theaters; public, parochial and private museums and art galleries; places of worship, including any structure or site such as a church, synagogue, chapel, sanctuary or cathedral, used for collective or individual involvement with a religious activity, such as rites, rituals, ceremonies, prayer and discussion; public community centers and recreational areas such as playgrounds, playing fields and parks.

PUBLIC HEARING: A meeting for the review of a matter where the public may present opinions. A public hearing may take place during a regular meeting of the Planning Commission or Board of Supervisors and is held in accordance with state laws.

PUBLIC SERVICE FACILITIES: Structures used and operated by a government entity for the benefit of the public. These would not include detention centers, prisons or mental health sanitariums.

PUBLIC USES: Facilities such as, but not limited to, parks, schools, and offices owned and operated by governmental bodies.

PUBLIC UTILITY: Any plant or equipment for the conveyance, production, transmission, delivery of or furnishing of gas, power, water or sewage facilities, either directly or indirectly to or for the public.

RECREATIONAL ACTIVITIES: Sports activities, playground and athletic areas, swimming areas, marinas and other similar activities.

RECREATIONAL FACILITIES: Country clubs, riding stables, golf courses, public swimming pools and other similar areas or facilities.

RECREATIONAL VEHICLE: A vehicle of 400 square feet or less towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed to provide temporary living quarters for recreation, camping, travel or seasonal use. The term recreational vehicle shall include, but shall not be limited to, travel trailers, pick-up-campers, camping trailers, motor coach homes, converted trucks and buses.

RECREATIONAL VEHICLE (RV) PARK: Any parcel of land upon which recreational vehicle sites are located, established, or maintained for temporary occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

RECYCLING CENTER: A building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.

RECYCLING COLLECTION POINT: A collection point for recyclable items, such as bottles, cans and newspapers, located either in a container or small structure, research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

REGULATORY FLOOD: A flood which is representative of large floods known to have occurred generally in the area.

REGULATORY FLOOD PROTECTION ELEVATION OR BASE FLOOD LEVEL: The elevation to which structures and uses regulated by this section are required to be elevated or floodproofed.

RESIDENTIAL STRUCTURE: A building or portion thereof designed or used exclusively for residential occupancy but not including hotels, motels, and motor lodges.

RESTAURANT, CONVENTIONAL: An establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, tearooms, and outdoor cafes. If alcoholic beverages are sold, they shall not comprise more than twenty-five (25) percent of the gross receipts.

RETAIL SERVICES: Establishments providing services or entertainment, as opposed to products, to the general public, including eating and drinking places, hotels and motels, finance, real estate and insurance, personal services, motion pictures, amusement and recreation services, health, educational and social services, museums and galleries.

RETAIL TRADE: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

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, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and similar uses.

ROADSIDE STAND: A temporary structure with a floor area of not more than 400 square feet, unenclosed, or partially enclosed, and so designed and constructed that the structure is easily portable.

ROOMING HOUSE: A residential structure that provides lodging with or without meals, is available for permanent occupancy only, and which makes no provision for cooking in any of the rooms occupied by paying guests.

RUNWAY: A defined area that is designed for landing and takeoff of aircraft along its length.

SCHOOL: An educational facility that provides a curriculum of elementary and secondary academic instruction, including charter, parochial, public and private institutions of learning.

SCREENING: The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features.

SECONDARY LIVING UNIT: An attached or detached accessory structure secondary to a principal detached single household dwelling; the unit has a kitchen, sleeping and full bathroom facilities and is permitted on single family lots. Secondary living units can take a variety of forms, including but not limited to, a converted garage, an addition above an existing garage, an addition connected to the side of a house, or a free standing newly built structure. Only one secondary living unit is permitted on any given single-family lot. Terms commonly used to describe a secondary living unit are mother in laws house, granny flat and grounds keeper's cottage.

SELF-SERVICE STORAGE FACILITY (MINI STORAGE): A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customer's goods or wares.

SHOPPING CENTER: A grouping of retail business and service uses on a single site with common parking facilities.

SIDEWALK: A paved access way intended primarily for pedestrian conveyance and located within a right-of-way or pedestrian easement.

SIGHT TRIANGLE: A triangular-shaped area formed by the right of way lines abutting the intersection and a line connecting points on these street lot lines at a distance of twenty-five (25) feet from the point of intersection of each right of way line. There are restrictions on things erected, placed or planted in this area that would limit or obstruct the sight distance of motorists entering or leaving the intersection.

SIGNS:

- a. **Outdoor Advertising Sign** – A sign, including the supporting sign structure, which directs the attention of the general public to a business, service, or activity not conducted, or a product not offered or sold upon the premises where such sign is located.
- b. **Business Sign (On-Premise Sign)** – Signs advertising activities, products and accommodations conducted or sold on the property upon which the signs are located.
- c. **Roof Sign** – Any sign or outdoor advertising device attached to the roof of a building.
- d. **Sign** – Any structure or device maintained outside of enclosed buildings for the purpose of advertising, displaying or informing, including poster, pictures, billboards, bulletin boards, banners, etc.
- e. **Sign Area** – The entire width within a single, continuous perimeter enclosing the outer dimensions of the actual message area. It does not include decorative trim, customary extensions or embellishments nor any structural elements not forming an integral part of the display.

- f. **Off-Premise Sign** – A sign which relates in its subject matter to products, accommodations, services, or activities which are available or conducted at locations other than on the premises where the sign is located.

SITE PLAN: A document or group of documents containing sketches, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, siting of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements.

SITE PLAN REVIEW COMMITTEE: That committee which has the duty to review certain site plans, all as herein provided for in this Ordinance.

SMALL ANIMAL CLINIC: A commercial facility operated to provide treatment and care including temporary boarding for domestic animals.

SPACE SATELLITE RECEIVING SYSTEMS: A structure which receives audiovisual wave frequencies from earth orbiting communications satellites. These satellite systems shall be considered as an accessory use.

SPECIAL EVENT: An exceptional activity such as fairs, revivals, rodeos, circuses, grand opening and similar activities.

SPECIAL EXCEPTION: A use which is not permitted in the zoning district where the property is located under the provisions of this Ordinance but which in the specific case, would, in the judgment of the Board of Supervisors, promote the public health and safety, and the general welfare of the community and the granting of which would not adversely affect adjacent properties. A permit granted as a Special Exception will not change the general zoning of the property or allow any change in integrity and appearance of the existing structure that would be contrary to the desired character of the district, during the occupancy or ownership of the person to whom it was granted, and upon their vacating the property or structure, the property and structure shall revert to the original use.

SPECIAL FLOOD HAZARD AREA: (Flood Plain District) Areas below the base flood level.

SPOT ZONING: The improper zoning or re-zoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses. While such spot zoning may not be illegal per se, it is generally regarded as an improper practice.

STABLE, PRIVATE: An accessory building for the keeping of horses, or mules owned by the occupants of premises and not kept for remuneration, hire or sale, and not to exceed one (1) large animal per 20,000 square feet.

STATE WATERS: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State, which are not entirely confined and retained completely upon the property of a single person.

STEALTH DESIGN: (for a Wireless Communications Facility): Any communications tower or Wireless Communications Facility (WCF) which is designed to enhance compatibility with adjacent land uses, including, but not limited to, architecturally screened roof-mounted antennas, antennas integrated into architectural elements, and tower structures designed to

look other than like a WCF and with a visual appearance whereby the structure suggests a purpose other than a WCF. This includes steeples, flagpoles and trees. Towers and other WCF utilizing Stealth Design may be approved by the Planning Department and do not require a Conditional Use Permit under this Ordinance.

STORM DRAINAGE SYSTEM: Any one (1) or more of various devices used in the collection, treatment or disposition of storm, flood or surface drainage waters, including but not limited to any roads with drainage systems, natural and human-made or altered drainage channels, reservoirs, manmade structures and natural watercourses and/or floodplains for the conveyance of runoff, such as detention or retention areas, berms, swales, improved gutters, pumping stations, pipes, ditches, siphons, catch basins, inlets, and other equipment and appurtenances and all extensions, improvements, remodeling, additions and alterations thereof; and any and all rights or interests in such stormwater facilities.

STORMWATER/STORMWATER RUNOFF: Any surface flow, runoff and/or drainage consisting entirely of water from any form of natural precipitation, which is not absorbed, transpired, evaporated or left in surface depressions, and which then flows controlled or uncontrolled into a watercourse or body of water.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP): A document which describes the Best Management Practices (BMPs) and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems and/or receiving waters to the maximum extent practicable.

STORY: That portion of a building, other than a basement, included between the surface of any floor and the ceiling next above it.

STORY, HALF: A story under a sloping roof, the finished floor area which does not exceed one half of the floor area of the floor immediately below it, or a basement used for human occupancy, the floor area of the part of the basement thus used not to exceed fifty (50) percent of the floor area of the floor immediately above.

STREET OR ROAD: Any public or private right-of-way for vehicular traffic, whether it is designated as an avenue, arterial, collector, boulevard, road, highway, street, expressway, lane, alley or other way, and for the purpose of these regulations, streets or roads are divided into the categories defined below.

STREET, ARTERIAL: A major highway used primarily for heavy through traffic that will be so designated on the Tunica County Major Road Plan.

STREET, ARTERIAL HIGHWAY: a major highway officially designated as a Federal or State Aid highway.

STREET, COLLECTOR: A street designed to carry traffic from local streets to the arterial streets, including the principal entrance streets to a residential development and the streets for major circulation within such a development.

STREET LINE: Public right-of-way line of a street.

STREET, LOCAL: A street designed to carry traffic from residential areas to collector streets.

STRUCTURE: Anything constructed or erected on the ground or building.

STRUCTURAL ALTERATIONS: Any change in the roof, exterior walls or supporting members of a building.

STRUCTURAL STORMWATER CONTROL: A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff, including but not limited to, the quantity and quality, the period of release or the velocity of flow.

SUBDIVISION: The division of any tract or parcel of land, including frontage along an existing street or highway, into two or more lots, plots, or other divisions of land for the purpose, whether immediate or future, of building development for rental or sale, and including all changes in street or lot lines, provided, however, that this definition of a subdivision shall not include division of land for agricultural purposes.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the actual cash value of the structure either (1) before the improvement is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. Substantial improvement is started when the first alteration of any structural part of the building commences.

TELECOMMUNICATION FACILITY: A building, tower or other structure and equipment used for the transmission, retransmission, broadcast or promulgation of telephone, telegraph, radio, television or other communications signals. Also referred to a Communications Tower.

TEMPORARY STRUCTURE: A factory assembled, movable building not designed or used as a dwelling unit which is towed on its own chassis composed of a frame and wheels. The structure is to be used without a permanent foundation.

TOPOGRAPHY: General term to include characteristics of the ground surface such as plains, hills or mountains. Also refers to the degree of relief, steepness of slopes and other physiographic features of the land.

TOWER: A structure situated on a nonresidential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications. May also include private radio towers on residential sites in rural areas.

TRAILER, CAMPER: A portable or mobile dwelling used for temporary occupancy, self-contained, intended for camping purposes and not for extended occupancy.

TRUCK TERMINAL: Land and buildings used as relay station for the transfer of a load from one vehicle to another or one party to another. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

UNOBSTRUCTED OPEN SPACE: An area of land upon which no structure may be erected.

USE PERMIT: A use which is not allowed in the zone as a matter of right, but which is permitted upon findings of the Planning Commission that under the particular circumstances present such use is in harmony with the Principal Permitted Uses of the Zone. Allowable Use Permits are

specifically listed under the district regulations. Uses not so listed shall not be allowed as conditional uses.

USED CAR SALES: Two (2) or more automobiles shown, advertised, or displayed for sale.

VARIANCE: A modification of the literal provisions of this ordinance which the Planning Commission is permitted to grant when strict enforcement of said provisions would cause undue hardship (such hardship cannot be self-created or of an economic nature) owing to circumstances unique to the individual property on which the variance is sought.

VEHICLE WASH: An area of land and/or a structure with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

VESTED INTEREST: A legally fixed immediate right of present or future enjoyment to real property.

VIOLATION: The failure of a structure or other development to be fully compliant with the Zoning Ordinance and/or building code. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

WAREHOUSE AND DISTRIBUTION: A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

WASTEWATER: Any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

WATERCOURSE: Any stream, river, or drainage channel or drainage easement, that is located in the unincorporated portions of Jackson County.

WETLAND: An area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

WHOLESALE TRADE: Establishments or places of business primarily engaged in selling merchandise to retailer, to industrial, commercial, farm, or professional business users, or to other wholesalers, or acting as agents or brokers in buying merchandise for, or selling merchandise to such persons or companies.

WIRELESS COMMUNICATIONS FACILITY (WCF): A WCF is a structure designed to support an antenna array. A monopole tower is permitted within the guidelines of this Ordinance. Guyed towers hereinafter referred to as Communications Towers, and requiring external wire supports are allowed only in the Agricultural and Industrial Districts as Conditional Uses.

YARD: An open space at grade between a building and the adjoining lot lines.

YARD, FRONT: A yard located in front of the front elevation of a building unoccupied and unobstructed by any portion of a structure from the ground upward and extended across a lot between the side lot lines and being the minimum distance between the front property line and the outside wall of the main building.

YARD, REAR: A yard extending across the rear of a lot measured between inner yard lines and being the minimum distance between the rear lot line and the rear of the main building. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

YARD, SIDE: A yard between the building and the side line of the lot unoccupied and unobstructed by any portion of a structure from the ground upward and extending from the front building line to the rear building line and being the minimum distance between a side lot line and the outside wall of the side of the main buildings.

ZERO LOT LINE: The location of a building on a lot in such a manner that one or more of its sides rest directly on a lot line.

ZONING ADMINISTRATOR: Manages the implementation of the Zoning Ordinance and performs any other duties assigned.

ZONING DISTRICT: Any section of the County for which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of the yards and the intensity of use are uniform.

ZONING MAP: The official zoning map or maps which are a part of the Zoning Ordinance and delineates the boundaries of the zoning districts.

ZONING OFFICER(S): The personnel within the Planning Department who investigates possible violations of the ordinance, checks property for compliance with the Zoning Ordinance, is primarily responsible for enforcing the ordinance, and performs any other duties assigned.

Article 3.

ZONING DISTRICTS.

Section 3.1. Establishment of Zoning Districts. To classify and regulate the uses of land and buildings, the height of buildings, the area and other open spaces about buildings, the unincorporated area of Jackson County is hereby divided into zoning districts listed below:

<u>Symbol</u>	<u>District description</u>
A-1	General Agricultural District
A-2	Agricultural-Residential District (Large Lot Development)
A-3	Agricultural-Residential District (Smaller Lot Development)
R-1	Single-Family Residential District
R-1A	Single-Family Residential District
R-1B	Single-Family Residential District
R-2	Two-Family Residential District
R-3	Multi-Family Residential District
R-4	High-Density Residential District
R-5	Residential Estates District
C-1	Neighborhood Commercial District
C-2	Community Commercial District
C-3	Highway Commercial District
C-4	Commercial Corridor District
OP	Office Park District
I-1	Planned Industrial Park District
I-2	Light Industrial District
I-3	Heavy Industrial District
F	Flood Plain District
PL	Public Lands District
GUDA	Gautier Urbanized Development Area District
OSUDA	Ocean Springs Urbanized Development Area District
PUD	Planned Unit Development District

Section 3.2. Official Zoning Map. The Official Zoning Map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance. The Official Zoning Map shall be identified by the signature of the President of the Jackson County Board of Supervisors, attested by the Chancery Clerk, and bear the seal of the County.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided under Article 9.

Regardless of the existence of purported copies of the Official Zoning Map, which from time to time be made or published, the Official Zoning Map which shall be located in the Office of the Chancery Clerk shall be the final authority as the current zoning status of land and water areas, buildings, and other structures in the County.

Section 3.3. Replacement of Official Zoning Map. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Jackson County Board of Supervisors may by resolution adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map. The New Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such corrections shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The New Official Zoning Map shall be identified by the signature of the President of the Jackson County Board of Supervisors, attested by the Chancery Clerk, and bear the seal of Jackson County under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of the Zoning Ordinance of Jackson County, Mississippi." Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendment.

Section 3.4. Rules for Interpretation of District Boundaries. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;
2. Boundaries indicated, as approximately following platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated, as approximately following city limits shall be construed as following such city limits;
4. Where the boundary of a district line follows a railroad right-of-way line to which it is closest, which shall completely include or exclude the railroad easement unless otherwise designated;
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map;
7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections 1 through 6 above, the Planning Commission shall interpret the district boundaries;
8. Where the district boundary line divides a lot which was in single ownership at the time of passage of this ordinance, the Planning Commission may permit the extension of the district line for either portion of the lot not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

Section 3.5. Compliance with the Regulations. The regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind or structure or land, except as hereinafter provided:

1. No building shall be erected, converted, placed, enlarged, reconstructed, or structurally altered, nor shall any building or land be used except for a purpose and in the manner permitted in the district in which the building or land is located.
2. No land required for yards, open spaces, or off-street parking or loading spaces about an existing building or any building hereafter erected or structurally altered shall be considered as required yard of lot area for more than one (1) building.
3. Every building hereafter erected or structurally altered shall be located on an approved lot and in no case shall there be more than one (1) main building on one (1) lot except as otherwise provided in these regulations.
4. No building shall be erected or structurally altered to the extent specifically provided hereinafter except in conformity with the off-street parking and loading regulations of this ordinance.

The provisions of these regulations shall be considered the minimum requirements for the promotion of the public health, safety, morals, comfort and welfare. Where provisions of the regulations of this ordinance impose greater restrictions than those of any statute, other ordinance or regulations, the provisions in the regulations of this ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this ordinance, the provision of such statute, other ordinance or regulation shall be controlling.

Article 4.

GENERAL REGULATIONS.

Section 4.1. Application of Regulations.

Section 4.01.01. Permits Required. Before any person shall commence the construction or erection of a building, parking or placing of a manufactured or modular home, or relocating an existing structure, on any property within unincorporated areas of Jackson County, he/she shall obtain a permit from the Board of Supervisors of Jackson County. Work involving commercial permits must commence within six (6) months of the permit issuance date. The permit shall remain valid for two (2) years from the date of issuance. Residential permits are valid for 180 days. A ninety (90) day extension may be granted if there have been substantial improvements or construction during the initial 180 days. The power pole and service change for the commercial and residential permits is valid for thirty (30) days. Mobile Home Placement Permits are valid for ninety (90) days from the issuance date.

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 4.01.02. Compliance with Zoning Ordinance Required. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformance with all of the regulations specified for the district in which it is located. Furthermore, no person shall use or occupy a building, structure or land within Jackson County for an activity which requires a federal, and/or State of Mississippi license until said license is obtained from the appropriate authorities.

Section 4.01. 03. Permitted Uses Constitute Conforming Uses. Any land use which is permitted as a conditional use in a particular district under the terms of this Ordinance shall not be deemed a nonconforming use in such district, but shall without further action be considered a conforming use.

Section 4.01.04. District Regulations Constitute Minimum Regulations. The regulations established in this Ordinance within each district (Tables 5-3.1 through 5-3.22) shall constitute minimum regulations unless otherwise noted.

Section 4.01.05. Uniformity within Districts. The regulations and provisions established by this Ordinance for each district shall apply uniformly within each district of the same name and shall apply uniformly to each class or type of building, structure, use, or land therein except as otherwise provided.

Section 4.2. Dimensional Controls.

Section 4.02.01. Reduction of Yards and Lots Below Minimum Requirements Prohibited.

No yard or lot of record existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots of record created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

Section 4.02.02. Front Yards on Corner or Double Frontage Lots. On corner lots or double frontage lots ("through lots"), the front yard shall be determined by the main entrance to the building or structure. The side yard shall be the other side fronting on a street or road, and the side yard setback shall be two-thirds (2/3) of the required front yard setback. Rear yards for corner lots shall be the yard opposite the main entrance to the building or structure.

Section 4.02.03. Determination of Setbacks. In measuring a required front yard (i.e. setback), the minimum horizontal distance between the property line and the main structure shall be used.

Section 4.02.04. Lots Not Served by Sanitary Sewer Service. For lots not served by public sanitary sewer or a central sewage disposal system, any individual onsite wastewater disposal system (septic tank or alternate system) proposed for use shall be designed and approved by the Jackson County Utility Authority, the Department of Health, the Department of Environmental Quality, or a professional engineer licensed by the state of Mississippi following the regulations of Jackson County Utility Authority, the Department of Environmental Quality and/or Federal Clean Water Act, where applicable. An existing, previously authorized, individual onsite wastewater disposal system that has been in use within six (6) months from the time of application for a building permit or mobile home placement permit will be considered to be adequate wastewater treatment system. In all instances, individual onsite wastewater disposal systems must be installed and continually operated in compliance with specifications set forth by the Jackson County Utility Authority and/or the Department of Environmental Quality, where applicable.

Section 4.02.05. Visibility at Intersections. On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede the vision of motor vehicle operators between a height of two and one-half (2 1/2) and ten (10) feet above the center line grades of the intersecting streets and within a triangular area bounded by the right-of-way lines for a distance of twenty-five (25) feet from the intersection and a straight line connecting said points twenty-five (25) feet back from the intersection of said right-of-way lines.

Section 4.02.06. Accessory Buildings or Uses. No accessory building or use shall be placed within the required front yard of any main building or use in any district. When the main structure setback is greater than the required front yard setback, then the accessory structure cannot be closer than the elevation of the main structure. However, an accessory building or use may be placed in the required side or rear yard of any main building in any district upon meeting required setbacks. Accessory buildings shall not be constructed prior to main use. A building constructed or intended for use as an accessory building (i.e. storage buildings, private garages, secondary living units, etc.)

shall not be permitted as a primary dwelling. Buildings designed specifically for storage shall not be utilized or converted to occupied space.

Section 4.02.07. Exceptions to Height Regulations. The height regulations contained in the District Regulations of this Ordinance do not apply to poles spires, belfries, cupolas, elevators, antennas, water tanks, ventilation chimneys, masts, towers, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

Section 4.02.08. Roof Overhangs or Appurtenances. Roof overhangs or appurtenances, not on the ground, may project from the outside wall of a residence no more than three (3) feet, and are not considered as part of the setback.

Section 4.3. Public/Quasi-Public Facilities and Utilities. All public and quasi-public facilities and utilities, as defined under Article 2 of this Ordinance, may be located in any district in the County, provided:

- (a) That all applicable requirements of federal, state and county laws shall be met.
- (b) That all such proposed uses shall be subject to the procedures stated under Section 9.12 relative to Special Exceptions (Conditional Uses).

No public or quasi-public facility or utility shall be located in a residential district or in any area where the proposed use would be incompatible with surrounding land uses.

Section 4.4. Dimensional Requirements for Public/Quasi-Public Facilities and Utilities in all Districts. Developers of churches, schools, hospitals, civic organizational buildings, country clubs, and other public/quasi-public facilities or utilities in any district shall comply with the following dimensional requirements:

Section 4.04.01. Maximum Building Height. 35 feet, unless greater height is specifically approved by the Board of Supervisors based upon the required site plan review in the following districts: OP, I-2, I-3, and F Flood Plain.

Churches, schools, hospitals, sanitariums and other public and semi-public buildings may exceed the height limitation of the district if the minimum depth of rear yards and the minimum width of the side yards required in the district are increased one (1) foot for each two (2) feet by which the height of such public or semi-public structure exceeds the prescribed limit.

Section 4.04.02. Minimum Lot Area. Minimum lot areas for all public/quasi-public uses shall be based upon the proposed use, subject to approval of a site plan submitted in accordance with Article 7 of this Ordinance.

Section 4.04.03. Minimum Lot Width. Established based upon proposed use.

Section 4.04.04. Minimum Yards. Minimum yards for public/quasi-public structures shall be the same as for all other structures in individual zoning classifications.

Section 4.5. Home Occupations. Home occupations, as defined under Article 2 of this Ordinance, may be permitted in any district where residential uses are allowed, subject to the

following limitations and such conditions as may be determined by the Board of Supervisors for the protection of the health, safety and welfare of the citizens of Jackson County.

Section 4.05.01. Display and Storage. No storage or display of materials, goods, supplies, or equipment related to the operation of a home occupation shall be visible from the outside of any structure located on the premises.

Section 4.05.02. Maximum Area. Not more than twenty-five percent (25%) 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.

Section 4.05.03. Traffic and Parking Restrictions. No traffic shall be generated by such home occupations in greater volumes than would normally be expected in a residential neighborhood (as determined by the Planning Director or Zoning Administrator), and any need for parking generated by the conduct of such home occupations shall be met off the street and other than in a required yard. Furthermore, an ample amount of such off-street parking shall be provided as determined by the Planning Director at the time of the application for a building permit.

Section 4.05.04. Exterior Lighting. There shall be no exterior lighting which would indicate that the dwelling and/or accessory building is being utilized in whole or in part of any purpose other than residential.

Section 4.05.05. Signs Relating to Home Occupations. See Article 6.

Section 4.05.06. Other Provisions. No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, or odors detectable to the normal senses outside of the dwelling unit or accessory building in which the occupation is conducted. No equipment or process shall be used in any home occupation which creates visual or audible electrical interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

Section 4.05.07. Termination of Home Occupation Permits. Home occupation permits may be terminated by the Planning Commission after due public notice and public hearing thereon.

Section 4.6 - Miscellaneous General Regulations.

Section 4.06.01. Road Street Access Required. Every structure hereafter constructed, moved, or structurally altered shall have direct access to a public (dedicated) street or road or to an approved private street or parking area, and shall be so located as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

Section 4.06.02. Fences, Walls and Hedges. Fences, walls, and hedges in residential districts may be permitted in any required yard or along the edge of any yard provided that no solid fences, walls, or hedges located in front of the front building line shall exceed thirty-six (36) inches in height, and no open mesh fence located in front of the front building line shall exceed forty-eight (48) inches in height and any fence, wall or hedge shall not exceed eight (8) feet in height in side or rear yard.

Section 4.06.03. Parking and Storage of Derelict Vehicles.

- a) Vehicles that are wrecked, dismantled, partially dismantled, inoperable, abandoned or discarded and are not capable of being legally driven upon the roads, streets or highways of Jackson County shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings, nor shall such vehicles be parked on public streets or roads.
- b) Shall include, but not be limited to, a motor vehicle, recreational vehicle, trailer, boat, boat trailer, aircraft or special-purpose vehicle, which is parked or stored in a condition of substantial disrepair and does not have affixed a current motor vehicle license tag.

Section 4.06.04. Materials and Growth Constituting Public Health and/or Safety Hazards Prohibited. No rubbish, salvage materials, junk or hazardous waste materials, including inoperable vehicles and parts and any combustible matter, shall be openly stored, allowed to accumulate or kept in the open, and no weeds or other growth shall be allowed to go uncut within any district when the same shall be determined by the appropriate County Official (the Planning Director or other authorized County employee) or health official to constitute a menace to the public health and/or safety.

Section 4.06.05. Required Enclosure of Garbage Disposal Facilities and Recycle Bins. Upon the effective date of this Ordinance, all garbage disposal facilities (i.e. any container with a capacity of over 40 gallons) located on the site of existing (at the effective date of this Ordinance) or new multiple family residential uses, manufactured home parks, commercial, industrial or public/quasi-public uses shall be enclosed on all four sides by solid fencing or other material in a manner that prevents direct visibility of the garbage cans, dumpster, or recycle bin. Failure to maintain such garbage disposal facilities in a neat and sanitary manner shall constitute a violation of this Ordinance and be subject to the penalties imposed herein. All site plans for multiple family residential, manufactured home parks, commercial, industrial or public/quasi-public uses proposed following the effective date of this Ordinance shall indicate the location of garbage disposal facilities on the site and the type of enclosure (materials, height, etc.) to be installed.

Section 4.06.06. Conduct of Garage Sale at Any Location Other Than a Single-Family Residence Prohibited. Time Limitation on Garage Sales: The conduct or operation of a garage sale, as defined by this Ordinance, at any location other than a single family residence is prohibited. This includes but is not limited to the conduct or operation of a garage sale at a self-storage warehouse or “mini-warehouse”. The conduct or operation of a garage sale for more than six days within a 12-month period is considered a commercial operation and is prohibited.

Section 4.06.07. Street/Road Numbers. All permanent structures hereafter constructed in unincorporated Jackson County shall have street/road numbers posted either on the structure, or at the street/road right-of-way on which such structures front. Such numbers shall be of sufficient size to be clearly legible for identification purposes. Street/road numbers will be assigned when the building permit is issued. Addresses will not be assigned to temporary structures such as travel trailers or recreational vehicles.

Section 4.06.08. Setback Requirements for Ponds. Setback requirements for all ponds shall be a minimum of fifty (50) feet from the right-of-way, and shall be setback a minimum of the structural setback requirements of the district in which they are located.

The setback shall be measured from the exterior wall of the berm or dam or in the event there is no berm or dam, it shall be measured from the exterior edge of the excavated site. Ponds are only allowed by right in the General Agricultural (A-1) Zoning District and the Agricultural-Residential (A-2) Zoning District. Permits may be obtained from the Planning Department and all other state and federal guidelines must be met.

Section 4.06.09. Mailboxes. No mailbox or newspaper delivery box (hereafter referred to as mailbox) or structures/objects will be permitted within the Jackson County right-of-way which interferes with the safety of the traveling public or the function, maintenance, or operation of the roadway system or Jackson County Road Department.

No mailbox shall be located in a place where vehicular access to it is prohibited by law or regulation. Mailboxes shall be located on the right-hand side of the roadway in the direction of the delivery route. The bottom of the box shall be set at an elevation established by the U.S. Postal Service, usually between 42" and 48" above the roadway surface. The roadside face of the box shall be offset from the edge of the traveled way or face of curb, a minimum distance of 8" and shall not exceed 12". Notwithstanding any provision in this ordinance, construction of mailboxes shall conform to the rules and regulations of the U.S. Postal Service.

Upon notification by the Jackson County Planning Department, the owner of the property containing a mailbox or other structure, object or vegetation that is found to violate the requirements of these standards or otherwise obstruct the public right of way shall be considered an unlawful encroachment and shall be subject to removal by the Department. At the discretion of the Jackson County Planning Department and based on an assessment of hazard to the public, the Director or his designee shall give the property owner or other person responsible for the unlawful encroachment not less than 24 hours, nor more than 30 days, written notice to remove or eliminate such encroachment from the right of way. If such encroachment is not removed or eliminated within the time specified in the notice, the Department may remove the encroachment from the right-of-way. No structure, object or vegetation which impedes sight distance from traffic or regulatory signs shall be permitted in the area between the curb and sidewalk, or edge of a roadway or its shoulder and ditch line, or otherwise placed or planted within the right-of-way.

Persons who own or are responsible for the placement of mailboxes or other structures, objects, trees, and other landscaping within the right of way shall be obligated to relocate or remove or eliminate any such item if necessary for performance of right of way maintenance or repairs or reconstruction.

Section 4.06.10. Highway and Thoroughfare Setbacks. The Planning Commission may establish greater setbacks from highways or thoroughfares than the front yard setback requirements of the zoning district in which the highway or thoroughfare is located.

The highways or thoroughfares and the greater setbacks additional to the front yard setback requirements are as follows:

Belle Fountain Road – 15 feet on both sides
Big Point Road – 15 feet on both sides
Cook Road – 15 feet on both sides

Daisy/Vestry Road – 25 feet on both sides
 Gautier/Vancleave Road – 10 feet on each side
 Larue Road – 25 feet on both sides
 Martin Bluff Road – 20 feet on the south side from Vancleave Road to
 Homestead Boulevard, then 10 feet on both sides to terminus
 McClelland Road – 10 feet on both sides
 Ocean Springs/Vancleave Road – 25 feet on both sides
 Old Fort Bayou Road – 30 feet on both sides
 Old River Road – 25 feet on both sides
 Old Spanish Trail – 15 feet on both sides
 Polktown Road – 15 feet on both sides
 Seaman Road – 30 feet on both sides from Bloomfield Road to Old Fort Bayou
 except on parcels of land where Jackson County has already acquired
 additional right-of-way
 State Highway 57 – 12.5 feet on both sides
 Tanner Williams Road – 15 feet on both sides
 Tucker Road – 25 feet on both sides
 Wildwood Road – 25 feet on both sides
 Wilson Springs Road – 15 feet on both sides

All setback requirements are from the terminus of each road, except as noted.

Section 4.06.11. Commercial or Industrial Buffering. Where a commercial or industrial zoning district abuts two street frontages (primary and secondary streets) and the secondary street adjoins a residential zoning district, there shall be a 35 foot buffer and there shall be no egress and ingress from the secondary street. This shall include not only maintained streets but also platted and recorded right-of-ways. This buffer area herein required is in addition to other required setbacks or screening.

Section 4.06.12. Permitting of Temporary Structures. Temporary structures cannot remain on site longer than 180 days. The structure can be removed for twenty-four (24) hours and then be re-permitted. Planning Commission approval is not required for re-permitting.

Temporary permits shall include a plan for removal in the event of a hurricane or flood warning, and must include the following:

- a. Contact information of the owner
- b. Contact information of who is responsible for removal
- c. The time at which it will be removed: ex: 72 hours before landfall
- d. A copy of contract to remove, if necessary
- e. Documentation of where it will be moved in the event of hurricane or flood warning

Article 5.

SCHEDULE OF DISTRICT REGULATIONS.

Section 5.1. ALL DISTRICTS. Except as hereinafter provided, no land and no buildings shall be used except for a purpose permitted in the district in which it is located. No building shall be erected, converted, placed, enlarged, reconstructed, structurally altered or used except for a purpose and in a manner permitted in the district in which the building is located.

All setbacks and other bulk regulations are shown on Table 5-1, Dimensional Standards. All permitted uses and conditional uses in each district are shown on Table 5-2, Uses Permitted in Zoning Districts.

Jackson County Zoning Districts	
Zoning Map Symbol	Name of Zoning District
Low and Medium Density Residential Districts	
A-1	General Agricultural
A-2	Agricultural – Residential (Large Lot Development)
A-3	Agricultural – Residential (Smaller Lot Development)
R-1	Single Family Residential
R-1A	Single Family Residential
R-1B	Single Family Residential
R-2	Two-Family Residential
R-3	Multi-Family Residential
R-4	High-Density Residential
R-5	Residential Estates
Commercial and Office Districts	
C-1	Neighborhood Commercial
C-2	Community Commercial
C-3	Highway Commercial
C-4	Corridor Commercial
OP	Office Park
Industrial Districts	
I-1	Planned Industrial Park
I-2	Light Industrial
I-3	Heavy Industrial
Special Purpose Districts	
F	Flood Plain
PL	Public Lands
GUDA	Gautier Urbanized Development Area
OSUDA	Ocean Springs Urbanized Development Area
PUD	Planned Unit Development

Section 5.01.01. A-1 General Agricultural District. This district is intended to provide an area primarily for agricultural purposes and low density residential development. Because of the rural nature, it is the purpose of this district to encourage and protect such uses from urbanization until such is warranted and the appropriate change in district classification is made. The provisions of these zoning regulations shall not be

exercised so as to charge for a (required) permit with reference to a pole-barn or farm structures used for agricultural purposes in the unincorporated areas of Jackson County. This district does not allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

Section 5.01.02. A-2 Agricultural – Residential District (Large Lot Development).

This district is intended to provide an area for residential development with restricted agricultural endeavors. This zoning district is to encourage large lots, open space and low density of population through Single-Family residential development in an agricultural environment. The provisions of these zoning regulations shall not be exercised so as to charge for a (required) permit with reference to a pole-barn or farm structures used for agricultural purposes in the unincorporated areas of Jackson County. No farm animals or fowl are allowed except on parcels of land one (1) acre or more. This district does not allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

Section 5.01.03. A-3 Agricultural – Residential District (Smaller Lot Development).

The principal use of land is for single-family dwellings and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationships of each element. No farm animals or fowl are allowed in this residential district except on parcels of land of one (1) acre or more. This district also does not allow manufactured homes, mobile homes, or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

Section 5.01.04. R-1 Single-Family Residential District. This is the most restrictive residential district. The principal use of land is for single family dwellings and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationships of each element. No farm animals or fowl are allowed in this residential district except on parcels of land of one (1) acre or more. This district also does not allow modular homes, manufactured homes, mobile homes, or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

Section 5.01.05. R-1A Single-Family Residential District. This is a residential district to provide for high population density. The principle use of land is for single-family dwelling units. No farm animals or fowl are allowed in this residential district except on parcels of land of one (1) acre or more. This district also does not allow modular homes, manufactured homes, mobile homes, or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

Section 5.01.06. R-1B Single-Family Residential District. This is a residential district to provide for compatible affordable housing. The principal use of land is for single-family dwellings and doublewide manufactured homes with related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. No farm animals or fowl are allowed in this residential district except on parcels of land of one (1) acre or more. This district does not allow mobile homes, or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

Section 5.01.07. R-2 Two-Family Residential District. This is a residential district to provide for medium population density. The principal use of land may range from single-family to two-family dwelling units. No farm animals or fowl are allowed in this residential district except on parcels of land of one (1) acre or more. This district also does not allow manufactured homes, mobile homes, or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

Section 5.01.08. R-3 Multi-Family Residential District. This is a residential district to provide for medium and high population density. The principal use of land may range from two-family dwelling units to compact single-family, multi-family and cottage style dwelling units (including garden apartments) at a density of 8 units per gross acre. No farm animals or fowl are allowed in this residential district. This district also does not allow manufactured homes, mobile homes, or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.

Section 5.01.09. R-4 High-Density Residential District. This is a district to provide for high density residential living. No farm animals or fowl are allowed in this residential district. This district does not allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

Section 5.01.10. R-5 Residential Estates District. This district is intended to provide an area for single-family dwellings and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. Because of the rural nature, it is the purpose of this district to encourage and protect such uses from urbanization. These areas are intended to be defined and protected from encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationships of each element. This district also does not allow modular homes, manufactured homes, mobile homes, multi-family dwelling units or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes. No farm animals or fowl are allowed in this residential district except on parcels of land of one (1) acre or more.

Section 5.01.11. C-1 Neighborhood Commercial District. The C-1 Neighborhood Commercial District is intended for neighborhood shopping facilities which provide limited business service and office facilities predominately for the convenience of residents of the area. Agricultural use will be allowed on vacant lands located in this district.

Section 5.01.12. C-2 Community Commercial District. This commercial district is intended for the conduct of personal and business services and retail business of the community. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

Section 5.01.13. C-3 Highway Commercial District. This district is intended predominately for major mixed-use developments of a service nature, which typically have operating and traffic generation characteristics requiring location on major roads and highways. The district will permit combinations of office, service, commercial and business establishments.

Section 5.01.14. C-4 Corridor Commercial District.

This Corridor Commercial District is intended for a diverse range of mixed uses from highway commercial to neighborhood goods and services to multi-family residential. It is the purpose of this district to encourage high quality commercial development, while protecting the integrity of existing residential neighborhoods. Design standards and guideline have been created to ensure that design and development decisions complement one another and contribute to building the place envisioned in the corridor plan.

Section 5.01.15. OP Office Park District. This district is designed to accommodate a high quality office, clinic, hotel, and research complex with convenient highway access and to provide specialized services to the community and the region. It is the intent that within the District there shall be an overall unity of design. This district is normally located adjacent to and is visible from federal or state arterial roads or from county minor arterial roads. The location and design of such uses should be such that it will not detract from the appearance of the area and will result in the maintenance of a balance and workable relationship between undeveloped natural resources, residential neighborhoods and commercial development.

Section 5.01.16. I-1 Planned Industrial Park District. The I-1 zoning district is established to provide for light manufacturing, processing, warehousing, offices, and wholesaling in a Planned Industrial Park District. In a Planned Industrial Park District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed or altered until such use, erection, construction, reconstruction or alteration shall have been specifically authorized by the governing authority, after study and recommendation by the Planning Commission.

Section 5.01.17. I-2 Light Industrial District. This industrial district is intended primarily for production and assembly plants that are conducted so the noise, odor, dust and glare of each operation is properly controlled. Any use specifically listed in I-3 is prohibited in I-2. The uses of property, buildings, or structures in this district must meet the requirement of the applicable Federal, State and Local Agencies relative to Hazardous Waste Material or substances.

Section 5.01.18. I-3 Heavy Industrial District. This district is intended to provide for heavy industrial uses that are intensive in nature and could exert nuisance, environmental or safety factors to abutting use districts or neighboring residential areas. This district is created to assure that any heavy industrial development will be located within this district to protect the health, safety, and general welfare of residents and property owners in the County.

Section 5.01.19. F- Flood Plain District. Land use and control measures in special flood hazard areas. This district is intended to comprise those areas which are subject to periodic or occasional inundation from stream overflows and tide conditions and are therefore usually unsuited for residential, commercial and industrial uses. All lands lying within this district are subject to inundation by the base (or 100 year) flood as defined on the Flood Insurance Rate Maps (DFIRMs) of Jackson County, Mississippi, adopted by the Board of Supervisors in 2009.

Section 5.01.20. PL Public Lands District. The Public Lands District includes lands which are owned by the federal, state, or local government, and are used for purposes which are particularly and peculiarly related to governmental functions, and primarily for recreational purposes. Buildings shall meet local building codes and inspections will be conducted by Jackson County. Any lands in a PL District which are sold or converted to private uses shall be rezoned to a district other than the PL District. The provisions of this district shall not prevent governmental uses in other districts, provided such use is in compliance with all provisions of this code applicable to such other districts.

Section 5.01.21. GUDA – Gautier Urbanized Development Area District. This district is an overlay zoning district the goal of which is to balance the needs within a specific area of Jackson County to guard against development impacts. The purpose and intent of this district is to provide a means of developing the area to improve the quality of the urban environment, reduce the costs of developing and providing public resources and utilities through the coordination with adjacent municipalities. The Urbanized Development Area District is a superimposed designation providing additional development regulations.

Section 5.01.22. OSUDA – Ocean Springs Urbanized Development Area District. This district is an overlay zoning district the goal of which is to balance the needs within a specific area of Jackson County to guard against development impacts. The purpose and intent of this district is to provide a means of developing the area to improve the quality of the urban environment, reduce the costs of developing and providing public resources and utilities through the coordination with adjacent municipalities. The Urbanized Development Area District is a superimposed designation providing additional development regulations.

Section 5.01.22. PUD – Planned Unit Development. The purpose of the Planned Unit Development District is to provide a means for developing open space areas in larger developments, to take advantage of natural features of the landscape in the design, to improve the quality of urban environment and to reduce the costs of developing and providing public resources and utilities. The owners of any tract of land containing at least five (5) acres may submit a plan for the use and development of the entire tract for residential, compatible commercial and related uses as a single and unified project. The basic control development intensity shall be one (1) or more residential districts. The Planned Unit Development shall be a superimposed designation providing a broader

latitude of design to achieve the above stated goals. No farm animals or fowl are allowed in a Planned Unit Development. This district does not allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

Section 5.02. ZONING DISTRICT DIMENSIONAL STANDARDS.

Section 5.02.01. Compliance with these Standards. All developments including subdivisions shall comply with the minimum parcel size and density requirements shown in Table 5-1 for the applicable zoning district (See next page).

Section 5.02.02. Zoning District Site Planning and Building Standards.

- A. Zoning District Standards.** Subdivisions, new land uses and structures, and alterations to existing land uses and structures shall be designed, constructed, and established in compliance with the requirements in the following tables, in addition to the applicable standards (e.g., parking and loading, etc.) in Article 6.
- B. Parking Standards.** See Article 6.
- C. Sign Standards.** See Article 6.

Table 5-1: Dimensional Standards

District	Maximum			Minimum				
	Density-Dwelling Units	Lot Coverage	Building Height ¹	Lot Area	Lot Width ²	Setbacks		
						Front Yard	Side Yard ³	Rear Yard ⁴
Residential								
A-1	1.0/ac	30%	35'	43,560 S.F.	100'	50'	20'	25'
A-2	2.2/ac	30%	35'	20,000 S.F.	100'	35'	20'	25'
A-3	2.9/ac	30%	35'	14,800 S.F.	100'	30'	10'	25'
R-1	4.5/ac	30%	35'	9,600 S.F.	80'	35'	10'	25'
R-1A	6.2/ac	30%	35'	7,000 S.F.	70'	25'	10'	25'
R-1B	4.5/ac	30%	35'	9,600 S.F.	80'	35'	10'	25'
R-2	5.4/ac	30%	35'	8,000 S.F.	70'	25'	10'	25'
R-3	8/ac	N.A.	35'	7,000 S.F.	70'	25'	7'	25'
R-4	8.7/ac	N.A.	35'	5,000 S.F.	50'	25'	7'	10'
R-5	1.0/ac	30%	35'	43,560 S.F.	100'	35'	20'	25'
Commercial/Office								
C-1	N.A.	2,400 S.F. per use	35'	N.A.	100'	40'	15'	25'
C-2	N.A.	75%	35'	N.A.	100'	40'	15'	0'
C-3	N.A.	75%	35'	N.A.	100'	40'	15'	0'
C-4	N.A.	75%	35'	N.A.	100'	10'Min 80'Max	20'	0'
OP	N.A.	70%	TBD	5 acres for park, None for bldgs.	150'	50'	50'	50'
Industrial								
I-1	N.A.	-	-	-	-	-	-	-
I-2	N.A.	-	45'	N.A.	0	40'	0	0
I-3	N.A.	75%	60'	N.A.	0	40'	0	0
Special Purpose								
F	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
PL	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
GUDA	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
OSUDA	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Planned Unit Development	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD

Notes: ¹ This rate applies to measurements from the Base Flood Elevation not from ground elevation. ² Areas on public dedicated streets have reduced restrictions. ³ Separate setbacks apply for corner lots. ⁴ Unattached accessory structures have a reduced setback requirement.

N.A.: Not Applicable

TBD: To Be Determined

Table 5-2: Allowed Uses and Permitted Requirements for Low and Medium Density Residential Zones

Land Use	Permit Required by District											Specific Notes
	A-1	A-2	A-3	R-1	R-1A	R-1B	R-2	R-3	R-4	R-5	PUD	
Residential Uses												
Accessory structure or use	P	P	P	P	P	P	P	P	P	P	P ¹	Located on the same lot
Agriculture use, building, or activity	P	P										
Aquaculture	P	R										
Animal Clinic	R	R								R		
Airport and landing field	R	R										
Art gallery or museum (public)	R	R	R	R	R	R	R	R	R	R		
Bed and Breakfast Inn	R	R	R	R	R	R	R	R	R	R		
Boarding House			R			R	R	R	R			
Borrow Pit	R	R										
Bulletin Board or Sign			R	R	R	R	R	R	R			
Campground	R	R	R						P			
Cemetery	R	R	R				R	R	R	R		
Child care facility	R	R	R	R	R	R	R	R	R			
Church	P	P	R	R	R	R	R	R	P	R		On minimum 3 acre lot
Circus, carnival, fair, side show, racing of motor vehicles or animals, for temporary use only	R	R										
Civic, Cultural or Community Center	R	R	R	R	R	R	R	R	R	R		
Congregate Housing	R	R										
Country Club	R	R	R	R	R	R	R	R	R	R		
Day care center	R	R	R	R	R	R	R	R	R			
Dwellings, Multi-family	R	R						P	P			
Dwelling, Single-Family (detached)	P	P	P	P	P	P	P	P	P	P	P ²	See Below
Dwelling, Townhouse	R	R						P	P			
Dwelling, Two-Family												

Land Use	Permit Required by District											Specific Notes
	A-1	A-2	A-3	R-1	R-1A	R-1B	R-2	R-3	R-4	R-5	PUD	
Residential Uses												
(Duplex)	R	R					P	P	P			
Extractions of dirt, gravel, rock, ore and various products from the earth	R	R										
Fish Camps, for temp occupancy only	R	R										
Flea Market	R	R										
Golf Courses, except miniature course or driving range for commercial purposes	P	R		R	R	R	R	R	R	R		Not including miniature commercial courses or driving range
Group Home for the Handicapped	R	R						R	R			
Home Occupation	P	P	P	P	P	P	P	P	P	P	P	Article 4, Section 4.5
Housing for the elderly	R	R						R	R			
Hunting Lodge	R	R										
Kennel	R	R										
Landfill, but not including the burning of trash outdoors	R	R										
Livestock including farm animals	P	P	P	P	P	P	P			P		In areas of 1 acre or more
Lodge or assembly hall	R	R	R	R	R	R	R	R	R			
Manufactured Home	P					P*			P			*Double wide with requirements
Marinas	R	R							R			
Medical and dental facility	R	R		R	R	R	R	R	R			
Medical Cannabis Cultivation Facility	P											
Mobile Home, but not including Mobile Home Parks	P	R							P			

Land Use	Permit Required by District											Specific Notes
	A-1	A-2	A-3	R-1	R-1A	R-1B	R-2	R-3	R-4	R-5	PUD	
Residential Uses												
Mobile Home Parks									P			Site plan review
Model Home	P	P	P	P	P	P	P	P	P	P	P	
Modular Home	P	P	P			P	P	P	P			
Neighborhood Commercial (C-1)	R	R	R	R	R	R	R	R	R			
Light Industrial (I-2)	R	R										
Pier, boathouse, slip, dock, or wharf	P	P	P*	P*	P*	P*	P*	P*	P*	P*		*As an accessory use
Ponds, for livestock, fish or fowl, when proper permits are obtained and all zoning requirements are met	P	P	P		R					R		
Private Nursery, day school, kindergarten and child care center	R	R	R	R	R	R	R	R	R			
Private Park and Playground	R	R	R	R	R		R	R	R	R	P	
Public Park and Playground	P	P	P	P	P	P	P	P	P	P	P	
Open Space	P	P	P	P	P	P	P	P	P	P	P ³	See Below
Other Similar Uses as determined by the Planning Commission	R	R	R	R	R	R	R	R	R	R	R	
Public Building (including libraries)	R	R	R	R	R	R	R	R	R	R	R	
Public Quasi-Public Utility/Facility	R	R	R	R	R	R	R	R	R	R	R	
Public Roads and Highways	P	P	P	P	P	P	P	P	P	P	P	
Radio and television transmission tower	R	R										
Recreational Facility (Private and Public)	R	R	R	R	R	R	R	R	R	R	P ⁴	See Below
Recreational Vehicle (RV) or Camper Trailer Parks	R	R							P			Minimum of 5 acres

Land Use	Permit Required by District											Specific Notes
	A-1	A-2	A-3	R-1	R-1A	R-1B	R-2	R-3	R-4	R-5	PUD	
Residential Uses												
Rooming and Boarding House			R					R	R			
Secondary Living Unit	P	P	P	P	P	P			P	P	P	
Schools and educational facilities, but not including business or commercial colleges	R	R	R	R	R	R	R	R	R	R	R	
Telecommunications Facilities, meeting specific requirements	R	R										
Telephone exchange, but not to include administrative office, shop or garage	R	R	R	R	R	R	R	R	R			
University or college, not to include business or commercial college	R	R	R	R	R	R	R	R	R	R		
Utility Company storage or maintenance facility	p ⁵	p ⁵										On a minimum ¼ acre lot. See below P ⁵
Utility Facilities, such as distribution lines & transmission lines	p ⁶	p ⁶										On a minimum ¼ acre lot. See below P ⁶
Utility Substation, electric, gas, water, sewerage, telephone	P	P										On a minimum ¼ acre lot. See below p ⁵
Yacht Club									R			

P Permitted Use
R Permitted on Review
- Use not allowed

Notes:

P¹ As defined under Article 5, Table 5-3.21

P² Only 1 main structure per lot

P³ Common open space is approved during the subdivision process

P⁴ Approved as part of the subdivision approval process

P⁵ Need not to be enclosed within a structure, but must provide adequate screening by walls, fences or other screening not less than 6 feet in height in a manner acceptable to the County Building Department

P⁶ Unless elsewhere permitted in the district, such facility shall not include a business office or storage yard

Table 5-2: Allowed Uses and Permitted Requirements for Commercial and Industrial Zones

Land Use ¹	Permit Required by District								Specific Notes
	C-1	C-2	C-3	C-4	OP	I-1*	I-2	I-3	
Business Uses									
Abrasive Manufacture								P	
Accessory Use	P	P	P	P	P		P	P	
Acetylene Gas Manufacture/Storage								P	
Airport and Dusting Service							P	P	
Alcohol Distillation/Storage								P	
Ambulance Service		P	P						
Ammonia, Bleaching, Power and Chlorine Manufacture								P	
Amusement Facilities/Arcades		P	P	P					
Appliance Store	P	P	P	P					
Armory							P	P	
Art Gallery or Museum	P	P	P	P					
Arts and Crafts	P	P	P	P					
Asbestos Products Manufacture								P	
Asphalt Products/Manufacture								P	
ATV Sales		P	P						
Auction House		P	P	P					
Auditorium		P	P	P	P				
Automated Teller Machine	P	P	P	P					
Automobile Car Wash		P	P	P					
Automobile Filling Station		P	P	P ⁵					See Below P ⁵
Automobile Part Sales		P	P	P ⁴					See Below P ⁴
Automobile Repair Shop		P	P	P ⁴			P	P	See Below P ⁴
Automobile and Truck Body Manufacture								P	
Automobile and Truck Dealership		R	P	P					
Automobile and Truck Maintenance Shops and Garages		R	P	P ⁴			P	P	See Below P ⁴
Automobile Body Repair		R	P	P ⁴			P	P	See Below P ⁴

Land Use ¹	Permit Required by District								Specific Notes
	C-1	C-2	C-3	C-4	OP	I-1*	I-2	I-3	
Business Uses									
Automobile Graveyard			R				P	P	
Automobile Storage			R				P	P	
Automobile Wrecking							P	P	
Bakery Retail	P	P	P	P					
Bank		P	P	P					
Barber Shop or Beauty Shop	P	P	P	P					
Battery Manufacture							P	P	
Beverage Manufacture							P	P	
Bicycle and/or Lawnmower Sales and Repair		P	P	P					
Billboard			P						
Blueprinting and Photostatting		P	P						
Boiler and Tank Works								P	
Book Store	P	P	P	P	R				
Bowling Alley		P	P	P					
Brewery								P	
Business Machines Store		P	P	P					
Business College		P	P		P				
Cabinet Shop		P	P						
Cafe	P	P	P	P					
Camper Trailer Park		R	R						
Carting, Express, Crating, hauling and Storage				P			P	P	
Cash Advance		P	P						
Catering Shop	P	P	P						
Caustic Soda Manufacture								P	
Celluloid Manufacture								P	
Check Express		P	P						
Chemicals (Heavy/Industrial) Processing								P	
Child Care Facility	R	P	P	P					
Church	R	P	P	P					
Clinic, Dental or Medical	P	P	P	P					
Clothing Manufacture							P	P	
Clubs or Lodge, private	R	P	P	P					

Land Use ¹	Permit Required by District								Specific Notes
	C-1	C-2	C-3	C-4	OP	I-1*	I-2	I-3	
Business Uses									
Cold Storage Manufacture							P	P	
Computer Repair	P	P	P	P					
Concrete and Concrete Products							P	P	Manufacture
Contractor Storage Yard							P	P	
Convenience Store	P	P	P	P					
Cosmetics (Compounding only)							P	P	
Cotton Compress								P	
Cotton Ginning and Baling								P	
Creamery							P	P	
Delicatessen	P	P	P	P					
Distribution Center				P					
Dog Pound							P	P	
Drug Manufacture							P	P	
Drug Store	P	P	P	P					
Dry Cleaning Establishment		P	P	P			P	P	
Dry Goods Store	P	P	P	P					
Dyestuff Manufacture								P	
Electric Power Generating Station								P	
Electroplating							P	P	
Elevator Maintenance & Service							P	P	
Exterminators		P	P						
Fairgrounds, Baseball Park and Stadium		P	P						
Farming and Truck Gardening							P	P	
Feed Store		P	P						
Fire Station		P	P	P	P				
Flea Market	R	P	P						
Florist	P	P	P	P					
Food Locker Plant		R	P				P	P	
Food Products Manufacture							P	P	
Food Products, Wholesale Storage and Sales							P	P	
Food Store		P	P	P					
Foundry							P	P	

Land Use ¹	Permit Required by District								Specific Notes
	C-1	C-2	C-3	C-4	OP	I-1*	I-2	I-3	
Business Uses									
Freight Depot, Railway and/or Truck							P	P	
Frozen Food Plant							P	P	
Fruit and Produce, Wholesale							P	P	
Funeral Home, Mortuary		R	P						
Fungicides Manufacture								P	
Furniture Restoration							P	P	
Furniture Store, Retail		P	P	P					
Fur Dyeing, Finishing/Storage, No Tanning		P	P						
Garden Supply Store, handling packaged fertilizer and no other types of fertilizer	P	P	P	P					
Glass Manufacture								P	
Grain Drying or Feed Manufacture								P	
Grain Milling, Storage or Elevators								P	
Graphite Manufacture								P	
Grocery Store, retail including gasoline	P	P	P	P					
Gymnasium (Commercial)		P	P						
Hair Products Manufacture/Processing								P	
Hardware Manufacture							P	P	
Hardware Store, Retail	P	P	P	P					
Hatchery							P	P	
Health Club		P	P	P	R				
Heliport							P	P	
Hosiery Mill							P	P	
Hospital		P	P		R				
Hotel, or Motel		P	P	P	P				
Ice Cream Manufacture							P	P	
Ice Manufacture							P	P	
Incinerator								P	
Insulation								P	

Land Use ¹	Permit Required by District								Specific Notes
	C-1	C-2	C-3	C-4	OP	I-1*	I-2	I-3	
Business Uses									
Manufacture/Fabrication									
Interior Decorating Shop	P	P	P	P					
Jet Ski Sales		P	P						
Jewelry Store, including repair of jewelry, watches and clocks	P	P	P	P					
Kennel		P	P						
Laboratory							P	P	
Laboratory, Dental or Medical		P	P		P				
Landfill							P	P	
Landscape Garden Sales	P	P	P	P					Station
Laundry, and/or Dry Cleaning									
Pick Up Station	P	P	P	P					
Laundry, Linen Supply, Diaper Service Station							P	P	Manufacture
Laundromat	P	P	P						
Library or Reading Room	P	P	P	P					
Linoleum Manufacture								P	
Lumber Sales		P	P						
Lumber Yard & Building Materials		P	P				P	P	
Machine Shop							P	P	
Machinery, Tools & Construction Equipment Sales and Service			P ²				P	P	See Below P ²
Mail Order Store		P	P	P	R				
Marine Sales/Service			P ²						See Below P ²
Massage Therapy	P	P	P						
Mattress Manufacture & Rebuilding							P	P	
Medical Cannabis Cultivation Facility						P	P	P	
Medical Cannabis Dispensary	P	P	P	P					
Metal Sharpening							P	P	
Metal Products Fabrication							P	P	
Millinery Manufacture							P	P	
Millwork, Similar Wood Products							P	P	
Mini-Warehouses		P	P						
Mixed Use Development									
Residential/Commercial				P					

Land Use ¹	Permit Required by District								Specific Notes
	C-1	C-2	C-3	C-4	OP	I-1*	I-2	I-3	
Business Uses									
Mobile Food Vendor	P	P	P						
Mobile Home Manufacturing							P	P	
Mobile Home Sales/Service			P ²						See Below P ²
Multi-family Residential		P	P	P					
Novelty and Souvenir Manufacture							P	P	Manufacture
Nursery, Day Care Center or Kindergarten	R	P	P	P					
Nursing Home			P	P					
Offices, Professional and Service	P	P	P	P	P				
Office Equipment and Supplies Manufacture							P	P	
Oil Well Supplies and Machinery							P	P	
Oils and Fats (Animal/Vegetable)								P	
Other Similar Uses	R	P	R				R	R	
Package Liquor Store		P	P	P					Manufacture
Packing and Gasket Manufacture							P	P	
Painting and Decorating Contractor							P	P	
Paints, Pigments, Enamels, Japans, Lacquers, Putty, Varnishes, Whiting and Wood Filler Manufacture/Fabrication								P	
Paper, Pulp, Cellulose, and Rayon								P	
Paper Products Manufacture							P	P	
Paper Supplies, Wholesale							P	P	
Pawn Shop		P	P						
Personal Care Home		P	P	P					
Pipe Storage							P	P	
Plastics Manufacture								P	
Plumbing Shop							P	P	
Potash Works								P	

Land Use ¹	Permit Required by District								Specific Notes
	C-1	C-2	C-3	C-4	OP	I-1*	I-2	I-3	
Business Uses									
Printing, Publishing, and Allied Industries							P	P	
Quick Lube	P	P	P						
Railroad Facilities							P	P	
Recreational Vehicle (RV) Park		R	R						
Restaurant or Lounge		P	P	P	R				
Restaurant Supplies Sales							P	P	
Riding Academy		R	P				P	P	
Roadside Stand	P	P	P						
Rock Crusher								P	
Roofing and Sheet Metal Shop							P	P	
Rooming House or Boarding House		P	P						
Rug Cleaning							P	P	
Sand and Gravel Storage Yard							P	P	
Sandblasting							P	P	
Saw Mill or Planing Mill								P	
Seafood Sales		P	P	P					
Self Service Storage Facility		P	P						
Sewage Disposal Plant								P	
Shipbuilding								P	
Shoe Manufacture							P	P	
Signs, Business (on-premises)	P	P	P	P	P		P	P	
Sign Shop							P	P	
Small Animal Clinic		P	P	P					
Sno-ball Stand (on permanent foundation)	P	P	P						
Soda and washing compound manufacture								P	
Sporting Goods Store, Wholesale			P				P	P	
Stamp Redemption Center		P	P						
Stone cutting								P	
Studio for professional work or teaching of any form of fine arts,									

Land Use ¹	Permit Required by District								Specific Notes
	C-1	C-2	C-3	C-4	OP	I-1*	I-2	I-3	
Business Uses									
photography, music, drama, dance but not including commercial gym	P	P	P	P	R				
Sugars and starches manufacture								P	
Syrup manufacture								P	
Tar distillation or manufacture								P	
Tattoo or body piercing establishment		P	P						
Taxidermist			P				P	P	
Telephone Exchange, but not including admin. offices, shops or garage	P	P	P						
Telecommunications Facilities			P	P			P	P	
Theater	P	P	P	P					
Tire Sales		P	P						
Toy Manufacture							P	P	
Trailer manufacture								P	
Trailer Sales			P ²				P	P	See Below P ²
Transit Vehicle Storage and Servicing							P	P	
Trade School							P	P	
Truck Terminal							P	P	
Upholstery Shop - Automobile and Furniture		P	P						
Used Car Sales		P	P	P ⁶					See Below P ⁶
Utility Company storage or maintenance facility			P ³						On ¼ acre lot See Below P ³
Utility Facilities, such as distribution lines & transmission lines			P ³				P ³		On ¼ acre lot See Below P ³
Utility Substation, electric, gas, water, sewerage, telephone			P ³				P ³		On ¼ acre lot See Below P ³
Variety Store Limited to the sale of items sold by any other use in the district	P	P	P	P					

Land Use ¹		Permit Required by District							Specific Notes
	C-1	C-2	C-3	C-4	OP	I-1*	I-2	I-3	
Business Uses									
Vehicle Wash	P	P	P	P					
Venetian Blind and Metal Awning Fabricating and Cleaning							P	P	
Video Retail Store	P	P	P	P					
Warehouse and Distribution Center							P	P	
Water Distillation							P	P	
Water Storage							P	P	
Water and Sewerage Pumping Station							P	P	
Welding Shop							P	P	
Well Drilling Company							P	P	
Wholesale Trade							P	P	
Wireless Communication Facility			P	P			P	P	
Wood preserving by creosote or other impregnation treatment								P	
YMCA, YWCA and Similar Institutions	P	P	P	P					

P Permitted Use
R Permitted on Review
- Use not allowed

Notes:

* Any industrial use, upon approval of the Planning Commission shall be permitted in a park
1 See glossary section for land use definitions'

P² Provided that no merchandise can be stored in the front yard setback and, in the case of a corner lot, in the side yard setback

P³ Need not to be enclosed within a structure, but must provide adequate screening by walls, fences or other screening not less than 6 feet in height in a manner acceptable to the County Building Department
Unless elsewhere permitted in the district, such facility shall not include a business office or storage yard

P⁴ Only as accessory use with dealership

P⁵ Only as accessory use with another permitted use in this zoning district, or within 300 feet of an intersection of two roads classified as arterials

P⁶ Only when associated with dealership

Table 5-2: Allowed Uses and Permitted Requirements for Special Purpose Zones

Land Use ¹	Permit Required by District		Specific Notes
	F ²	PL ³	
Automobile Sales Lot	R		
Carnivals or Circuses	R		
Docks, Piers and Wharves	R		
Fish Camp	R		
Marina and Boat Rental	R		
Parks and Playgrounds	R		
Railroads, Streets, Bridges, Pipelines	R		
Other uses similar in nature to the above*	R		*See Section 5.3.18

P Permitted Use
R Permitted on Review
- Use not allowed

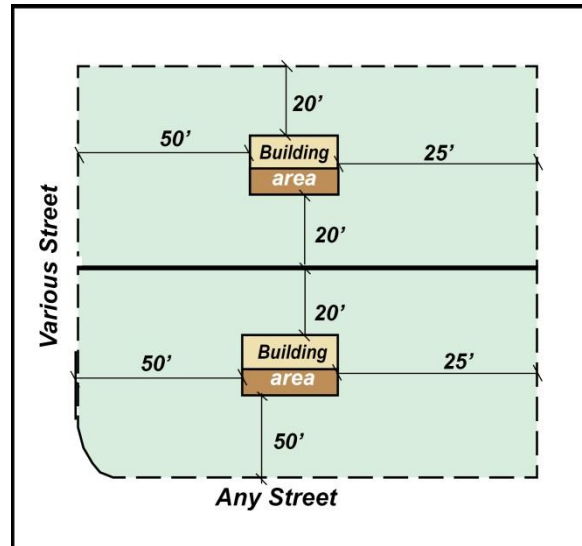
Notes:

- 1 See glossary section for land use definitions'
- 2 No uses are permitted in the F District except those which are allowed upon review and approved for a Use Permit as enumerated in this table
- 3 Uses are those permitted by the controlling government and approved by the County Planning Commission upon presentation at a regular meeting

Table 5-3.1: A-1 General Agricultural District

Development Standards	A-1 District Requirement
A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	50 ft. main house; 60 ft. accessory building
Side – Interior (each)	20 ft. On a corner lot, the side yard abutting a street shall be the same as the required front yard.
Rear	25 ft.
Accessory Structures	Not less than 10 feet on each side and rear of the structure. Building shall not exceed 10% of rear yard.
B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	30%* * Main and Accessory Buildings
C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	1 acre 100 ft. (width) at building setback line
Density	1 dwelling unit/acre
D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground
E. Parking Requirements	The requirements for parking in this district can be found in Section 6.11 Off Street Automobile Vehicle Parking and Loading

F. Building Placement



G. Building Height and Profile

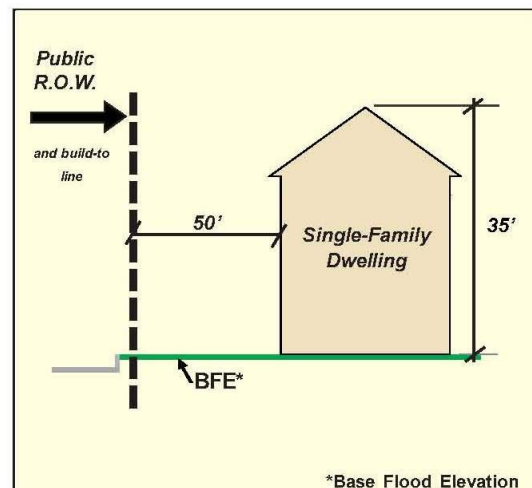


Table 5-3.1: A-1 General Agricultural District (cont.)

H. Additional site development standards:

The provisions of these zoning regulations shall not be exercised so as to charge for a (required) permit with reference to a pole-barn or farm structures used for agricultural purpose in the unincorporated areas of Jackson County.

For lots not served by sanitary sewer service or central sewage disposal system, requirements of Article 4, Section 4.02.04 shall apply.

Accessory buildings or uses shall not be constructed or established on a lot until construction of the principal structure is completed or the principal use is established.

This district does not allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

I. Home Occupation

Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.

J. Uses Permitted

- Dwelling, single-family
- Mobile Home, but not including Mobile Home Parks
- Agriculture use, building or activity
- Accessory structure or use
- Church, on a minimum of three (3) acre lot
- Golf Course, except miniature course or driving range operated for commercial purposes
- Home Occupation, where the use does not exceed 200 sq. ft. of the home area
- Livestock, including farm animals
- Model Home
- Open Space
- Pier or boathouse, slip, dock, or wharf
- Ponds, for livestock, fish or fowl, when proper permits are obtained and all zoning requirements are met
- Public parks and playground
- Public roads and highways
- Aquaculture
- Manufacture Home
- Medical Cannabis Cultivation Facility
- Modular Home
- Secondary Living Unit
- Utilities, on a minimum ¼ acre lot
- Utility Company or maintenance facility, on a minimum ¼ acre (need not be enclosed within a structure, but must provide adequate screening by wall, fences, or other screening not less than 6 feet in height in a manner acceptable to the County Planning Department)
- Utility facilities, such as distribution lines & transmission lines, such facility shall not include a business office or storage yard, on a minimum ¼ acre lot
- Utility substation, electric, gas, water, sewerage, telephone, on minimum ¼ acre lot

K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Animal Clinic
- Airport and landing field
- Art gallery or museum (public)
- Bed and breakfast inn
- Borrow pit
- Campground
- Child Care Facility
- Cemetery
- Circus, carnival, fair, side show, racing of motor vehicles or animals, for temporary use only
- Civic, cultural or community center
- Congregate housing
- Country Club
- Extractions of dirt, gravel, ore and various products from the earth, when the product is removed from the premises
- Day care center
- Dwelling, multi-family
- Dwelling, townhouse
- Dwelling, two-family (duplex)
- Fish camps for temporary occupancy only
- Flea Market
- Group home for the handicapped
- Housing for the elderly
- Hunting Lodge
- Kennel
- Landfill, but not including the burning of trash indoors
- Lodge or assembly hall
- Marinas
- Private park and playground
- Private nursery, day school, kindergarten and child care center
- Public building, including libraries
- Public Quasi-Public utility/facility
- Radio and television transmission tower
- Recreational facility (private and public)
- Recreational Vehicle (RV) Park
- Riding academy or stable
- School and educational facilities, but not including business or commercial college
- Telecommunication facilities, meeting specific requirements
- Telephone exchange, but not to include administrative office, shop or garage
- University or college, not to include business or commercial college
- Neighborhood Commercial (C-1) and Light Industrial (I-2) uses
- Other similar uses as may be determined by the Planning Commission

Table 5-3.2: A-2 Agricultural – Residential District (Large Lot Development)

Development Standards	A-2 District Requirement
-----------------------	--------------------------

A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	35 ft. main house; 60 ft. accessory building
Side – Interior (each)	20 ft. On a corner lot, the side yard abutting a street shall be the same as the front yard.
Rear	25 ft.
Accessory Structures	Not less than 10 feet on each side and rear of the structure. Building shall not exceed 10% of rear yard.

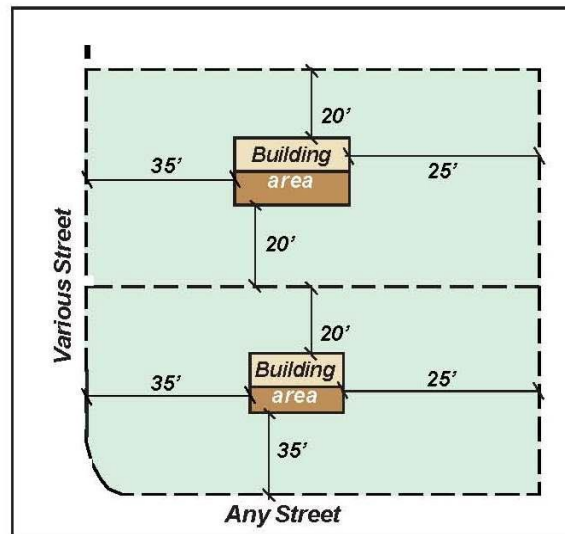
B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	30%* * Main and Accessory Buildings

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	0.5 acre 100 ft. (width) at building setback line
Density	2.2 dwelling units/acre

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

E. Parking Requirements	The requirements for parking in this district can be found in Section 6.11 Off Street Automobile Vehicle Parking and Loading
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F. Building Placement



G. Building Height and Profile

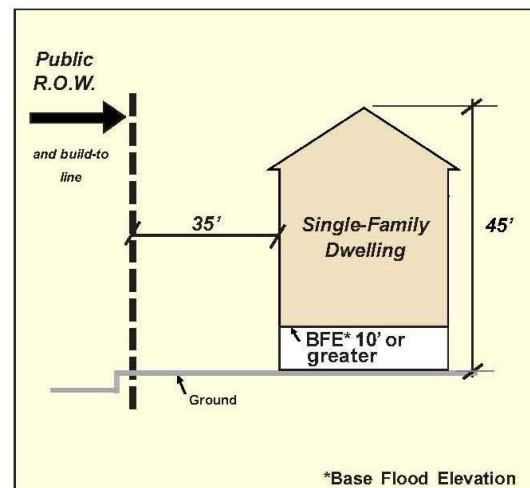


Table 5-3.2: A-2 Agricultural – Residential District (Large Lot Development) (cont.)

H. Additional site development standards

Accessory structure shall not exceed 20% of the rear yard limited by setback requirements or 50% of main structure whichever is less.

The provisions of these zoning regulations shall not be exercised so as to charge for a (required) permit with reference to a pole-barn or farm structures used for agriculture purposes in the unincorporated areas of Jackson County.

For lots not served by sanitary sewer service or central sewage disposal system, requirements of Article 4, Section 4.02.04 shall apply.

This district does not allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

I. Home Occupation

Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.

J. Uses Permitted

- Dwelling, single-family
- Accessory structure or use located on the same lot
- Agricultural use, building, or structure
- Church, on a minimum of three (3) acre lot
- Livestock, including farm animals
- Model Home
- Modular Home
- Home Occupation
- Open Space
- Pier, boathouse, slip, dock, or wharf
- Pole-Barn
- Ponds, for livestock, fish, or fowl, when proper permits are obtained, and all zoning requirements are met
- Public park and playground
- Public roads and highways
- Secondary Living Unit
- Utilities, on a minimum ¼ acre lot
- Utility company or maintenance facility, need not to be enclosed within a structure, but must provide adequate screening (screening no less than 6 feet in height), on a minimum ¼ acre lot
- Utility facilities, such as distribution & transmission lines, unless elsewhere permitted in the district, such facility shall not include a business office or storage yard, on a minimum ¼ acre lot
- Utility substation, electric, gas, water, sewerage, telephone, on a minimum ¼ acre lot

K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Aquaculture
- Animal clinic
- Campground
- Cemetery
- Golf course, except miniature course or driving range operated for commercial purposes
- Mobile home, but not including Mobile Home Park
- Any uses permitted on review in A-1 General Agricultural District, with area and setback regulations of the A-1 District
- Neighborhood Commercial, as shown in the C-1 District, with area and setback regulations of the C-1 District
- Other similar uses as determined by the Planning Commission

Table 5-3.3: A-3 Agricultural - Residential District (Smaller Lot Development)

Development Standards	A-3 District Requirement
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A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	30 ft. main house; 30 ft. accessory building
Side – Interior (each)	10 ft.
Side – Street Side	15 ft. On a corner lot, the side yard abutting a street shall be fifteen feet.
Rear	25 ft.
Accessory Structures	Not less than 5 feet from the rear lot line or 10 feet from a side lot line.

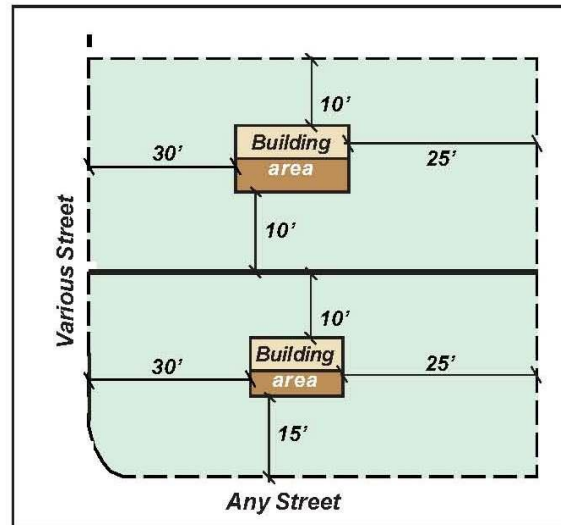
B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	30%* * Main and Accessory Buildings

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	14,800 s.f. 100 ft. (width) at building setback line Corner lots shall have a minimum width of 110 feet.
Density	2.9 dwelling units/acre

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

E. Parking Requirements	The requirements for parking in this district can be found in Section 6.11 Off Street Automobile Vehicle Parking and Loading
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F. Building Placement



G. Building Height and Profile

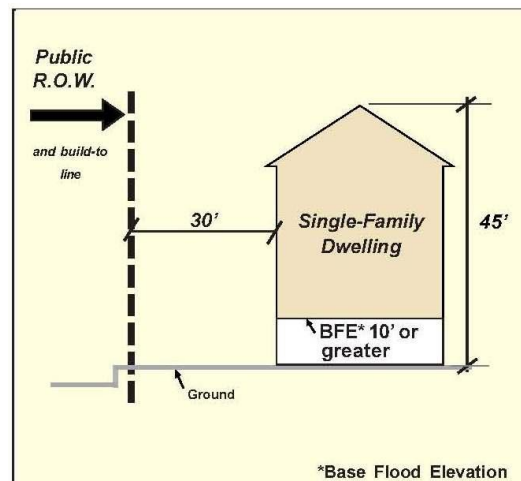


Table 5-3.3: A-3 Agricultural - Residential District (Smaller Lot Development) (cont.)

H. Additional site development standards:

Accessory structure shall not exceed 20% of the rear yard limited by setback requirements or 50% of main structure whichever is less.

This district does not allow manufactured homes, mobile homes or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

All lots within this district must be served by public sanitary sewer or central sewage disposal system.

I. Home Occupation

Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.

J. Uses Permitted

- Accessory structure or use located on the same lot
- Dwelling, Single-Family (detached)
- Home Occupation
- Livestock, including farm animals
- Model Home
- Modular Home
- Open Space
- Pier, boathouse, slip, dock, and wharf, as an accessory structure
- Public park and playground
- Public roads and highways
- Secondary Living Unit

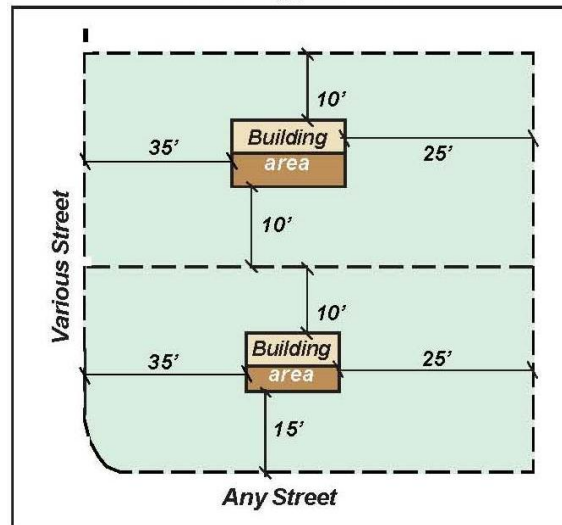
K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Art gallery or museum (public)
- Bed and Breakfast Inn
- Boarding house
- Bulletin Board or sign, not to exceed twelve (12) square feet in an area pertaining to the lease, hire, or sale of property, buildings or structures, which bulletin board or sign shall be removed as soon as the property, building or structure has been leased, hired, or sold
- Campground
- Cemetery
- Child care facility
- Church – three (3) acres or more
- Civic, cultural or community center
- Country club
- Day care center
- Lodge or assembly hall
- Medical or dental facility
- Ponds for livestock, fish or fowl, when proper permits are obtained and all zoning requirements are met
- Private nursery, day school, kindergarten and child care center
- Private park and playground
- Public building (including libraries)
- Public Quasi-Public Utility/Facility
- Recreational Facility (private and public)
- Rooming and Boarding house
- Schools and Educational facilities, but not including business or commercial college
- Telephone exchange, but not to include administrative office, shop, or garage
- University or college, not to include business or commercial college
- Other similar uses as determined by the Planning Commission

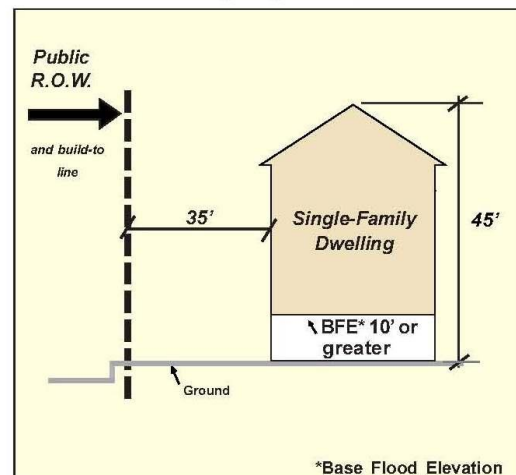
Table 5-3.4: R-1 Single Family Residential District

Development Standards	R-1 District Requirement
A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	35 ft. 35 ft. accessory building
Side – Interior (each)	10 ft.
Side – Street Side	15 ft. on a corner lot abutting a street right-of-way
Rear	25 ft. from the rear main building line
Accessory Structures	Not less than 5 feet of a rear line or 10 feet of a side lot line.
B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	30%* * Main and Accessory Buildings
C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	9,600 s.f. 80 ft. (width) at building setback line 40 ft. (width) on a public dedicated street at the ROW line Corner lots shall have a minimum width of 100 feet.
Density	4.5 dwelling units/acre
D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground
E. Parking Requirements	The requirements for parking in this district can be found in Section 6.11 Off Street Automobile Vehicle Parking and Loading

F. Building Placement



G. Building Height and Profile



This is the most restrictive residential district in Jackson County

Table 5-3.4: R-1 Single Family Residential District (cont.)

H. Additional site development standards:

Accessory structure shall not exceed 20% of the rear yard limited by setback requirements or 50% of main structure whichever is less.

This district does not allow modular homes, manufactured homes, mobile homes or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

For lots not served by sanitary sewer service or central sewage disposal system, requirements of Article 4, Section 4.02.04 shall apply.

I. Home Occupation

Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.

J. Uses Permitted

- Accessory structure or use located on the same lot
- Dwelling, single-family (detached)
- Home Occupation
- Livestock, including farm animals
- Model Home
- Open Space
- Public park and playground
- Public roads and highways
- Private pier, boathouse, slip, dock and wharf, as an accessory use
- Secondary Living Unit

K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Art gallery or museum (public)
- Bed and Breakfast Inn
- Bulletin Board or sign, not to exceed twelve (12) square feet in an area pertaining to the lease, hire, or sale of property, buildings or structures, which bulletin board or sign shall be removed as soon as the property, building or structure has been leased, hired, or sold
- Church – three (3) acres or more
- Civic, cultural or community center
- Country club
- Golf course, not including commercial miniature courses or driving range
- Lodge or assembly hall
- Private nursery, day school, kindergarten and child care center
- Private parks or playgrounds
- Public building, including libraries
- Public Quasi-Public Utility/Facility
- Recreational Facility
- Schools and Educational facilities, but not including business or commercial college
- Telephone exchange, but not to include administrative office, shop, or garage
- University or college, not to include business or commercial college
- Neighborhood Commercial uses, as shown in the C-1 District, and with area and setback regulations of the C-1 District
- Other similar uses as determined by the Planning Commission

Table 5-3.5: R-1A Single Family Residential District

Development Standards	R-1A District Requirement
-----------------------	---------------------------

A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	25 ft. main house 25 ft. accessory building
Side – Interior (each)	10 ft.
Side – Street Side	12 ft. on a corner lot abutting a street right-of-way
Rear	25 ft. from the rear main building line
Accessory Structures	Not less than 5 feet of a rear line or 10 feet of a side lot line.

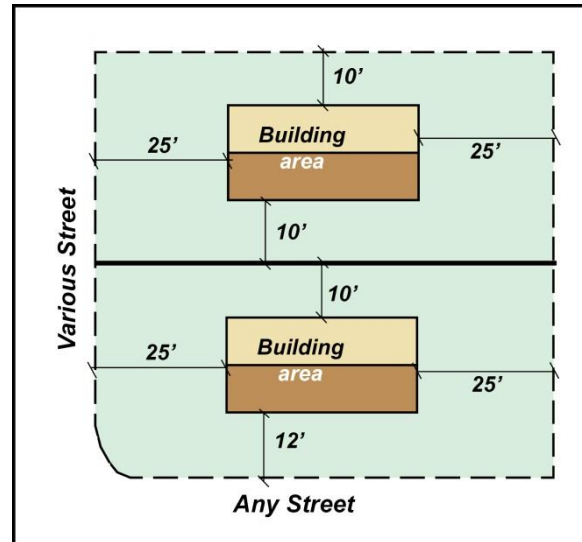
B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	30%* * Main and Accessory Buildings

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	7,000 s.f. 70 ft. (width) at the front building setback line 40 ft. on a public dedicated street at the ROW line 90 ft. at the front building setback on a corner lot
Density	6.2 dwelling units/acre

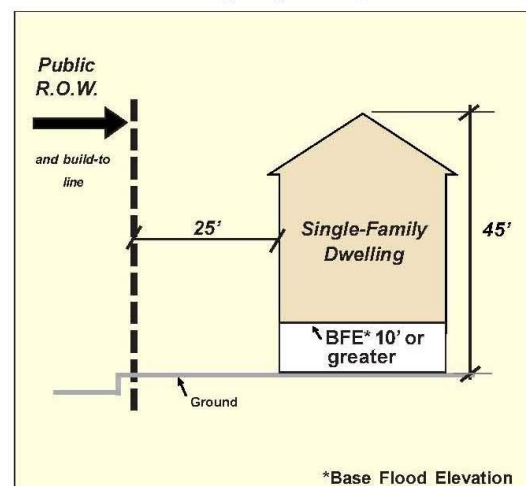
D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

E. Parking Requirements	The requirements for parking in this district can be found in Section 6.11 Off Street Automobile Vehicle Parking and Loading
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F. Building Placement



G. Building Height and Profile



This is one of the high density districts in Jackson County

Table 5-3.5: R-1A Single Family Residential District (cont.)

H. Additional site development standards:

Accessory structure shall not exceed 25% of the rear yard limited by setback requirements or 50% of main structure whichever is less.

This district does not allow modular homes, manufactured homes, mobile homes or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

For lots not served by sanitary sewer service or central sewage disposal system, requirements of Article 4, Section 4.02.04 shall apply.

I. Home Occupation

Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.

J. Uses Permitted

- Accessory structure or use located on the same lot
- Dwelling, single-family (detached)
- Home Occupation
- Livestock, including farm animals
- Model Home
- Open Space
- Pier, boathouse, slip, dock, or wharf
- Public park and playground
- Public Roads and Highways
- Secondary Living Unit
- Any use permitted in an R-1 single-family dwelling district, but subject to the requirements thereof

K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Any uses permitted on review in an R-1 single-family dwelling district, but subject to the requirements thereof
- Other similar uses as determined by the Planning Commission

Table 5-3.6: R-1B Single Family Residential District

Development Standards	R-1B District Requirement
-----------------------	---------------------------

A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	35 ft. 35 ft. accessory building
Side – Interior (each)	10 ft.
Side – Street Side	15 ft. on a corner lot abutting a street right-of-way
Rear	25 ft. from the rear main building line
Accessory Structures	Not less than 5 feet of a rear line or 10 feet of a side lot line.

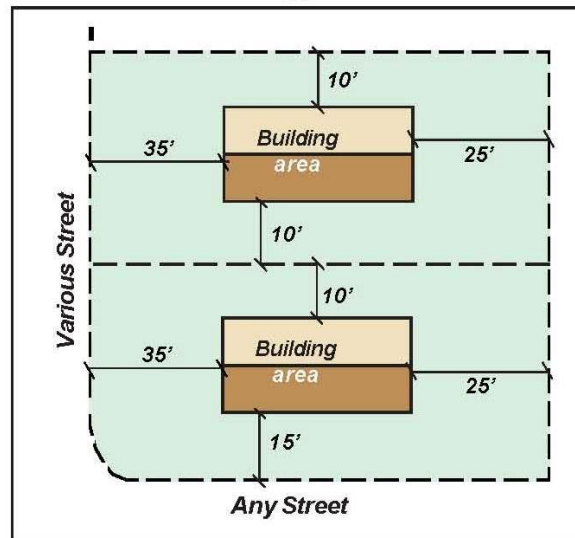
B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	30%* * Main and Accessory Buildings

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	9,600 s.f. 80 ft. (width) at the front building setback line 40 ft. on a public dedicated street Corner lots shall have a minimum width of 100 ft. at the building setback line.
Density	4.5 dwelling units/acre

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

E. Parking Requirements	The requirements for parking in this district can be found in Section 6.11 Off Street Automobile Vehicle Parking and Loading
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F. Building Placement



G. Building Height and Profile

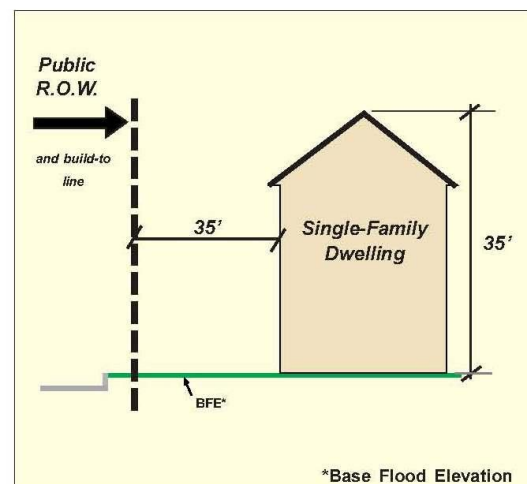


Table 5-3.6: R-1B Single Family Residential District (cont.)

H. Additional site development standards:

Accessory structure shall not exceed 20% of the rear yard limited by setback requirements or 50% of main structure whichever is less.

This district does not allow mobile homes or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

For lots not served by sanitary sewer service or central sewage disposal system, requirements of Article 4, Section 4.02.04 shall apply.

I. Home Occupation

Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.

J. Uses Permitted

- Accessory structure or use located on the same lot
- Double-wide manufactured home with the following requirements:
 1. At least 24 feet in width
 2. Skirted as defined in the definition of Manufactured Home Foundation
 3. Exterior to be horizontal vinyl or wood lap siding
 4. The pitch of the roof shall be at least 3/12
 5. The roof shall be shingles
- Dwelling, single-family
- Home Occupation
- Livestock, including farm animals
- Model Home
- Modular Homes
- Open Space
- Private pier, boathouse, slip, dock and wharf, as an accessory use
- Public park and playground
- Public roads and highways
- Secondary Living Unit

K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Art gallery or museum (public)
- Bed and Breakfast Inn
- Boarding House
- Bulletin Board or sign, not to exceed twelve (12) square feet in an area pertaining to the lease, hire, or sale of property, buildings or structures, which bulletin board or sign shall be removed as soon as the property, building or structure has been leased, hired, or sold
- Church – three (3) acres or more
- Civic, cultural or community center
- Country club
- Day care center
- Golf course, not including commercial miniature courses or driving range
- Lodge or assembly hall
- Private nursery, day school, kindergarten and child care center
- Public building, including libraries
- Schools and Educational facilities, but not including business or commercial college
- Telephone exchange, but not to include administrative office, shop, or garage
- University or college, not to include business or commercial college
- Neighborhood Commercial uses, as shown in the C-1 District, and with area and setback regulations of the C-1 District
- Other similar uses as determined by the Planning Commission

Table 5-3.7: R-2 Two-Family Residential District

Development Standards	R-2 District Requirement
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A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	25 ft. 25 ft. accessory building
Side – Interior (each)	10 ft.
Side – Street Side	12 ft. on a corner lot abutting a street right-of-way
Rear	25 ft. from the rear main building line
Accessory Structures	Not less than 5 feet of a rear line or 10 feet of a side lot line.

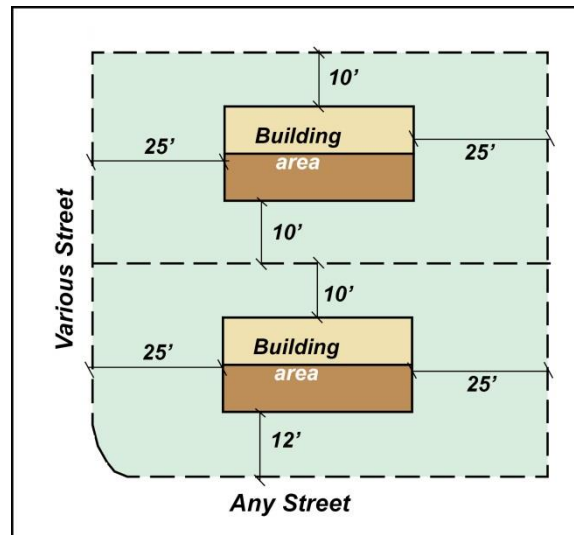
B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	30%* * Main and Accessory Buildings

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	8,000 s.f. Single family 9,600 sq. ft. Two-family 40 ft. on a public dedicated street at the right-of-way line 70 ft. (width) at the front building setback line 90 ft. at the front building setback line on a corner lot
Density	5.4 dwelling units/acre

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

E. Parking Requirements	The requirements for parking in this district can be found in Section 6.11 Automobile and Vehicle Parking and Loading
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F. Building Placement



G. Building Height and Profile

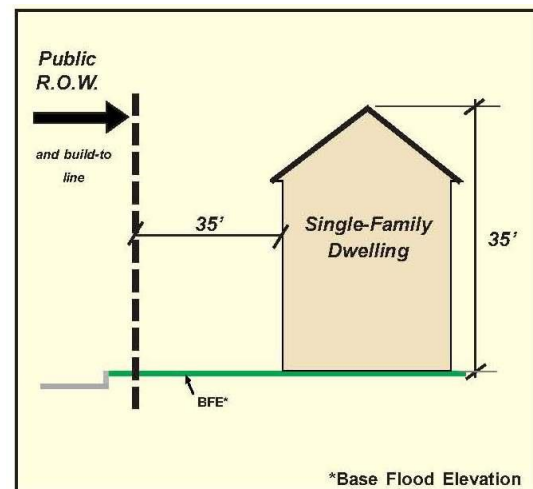


Table 5-3.7: R-2 Two-Family Residential District (cont.)

H. Additional site development standards:

Accessory structure (single family and two-family) shall not exceed 25% of the rear yard limited by setback requirements.

This district does not allow manufactured homes, mobile homes or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

For lots not served by sanitary sewer service or central sewage disposal system, requirements of Article 4, Section 4.02.04 shall apply.

I. Home Occupation

Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.

J. Uses Permitted

- Accessory structure or use located on the same lot
- Dwelling, single family (detached)
- Dwelling, two-family (duplex)
- Home Occupation
- Livestock, including farm animals
- Model Home
- Modular Homes
- Open Space
- Public Park and playground
- Public roads and highways
- Any uses permitted in an R-1 single-family dwelling district, but subject to the requirements thereof

K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Boarding house
- Cemetery
- Any use permitted on review in an R-1 single-family dwelling district, but subject to the requirements thereof.
- Neighborhood Commercial uses, as shown in the C-1 District, with area and setback regulations of the C-1 District
- Other similar uses as determined by the Planning Commission

Table 5-3.8: R-3 Multi-Family Residential District

Development Standards	R-3 District Requirement
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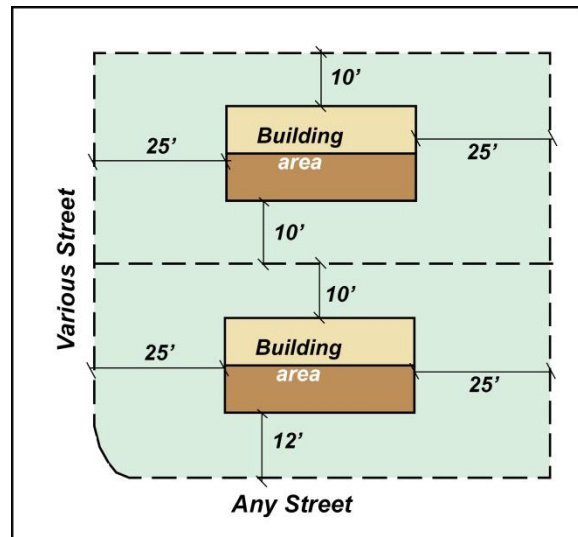
A. Setbacks – Minimum setbacks required, as shown in Figure to the right for single family	
Front	25 ft. two family and MF 25 ft. accessory building
Side – Interior (each)	10 ft. for single family 7 ft. for two-family and multi-family
Side – Street Side	12 ft. on a corner lot abutting a street right-of-way
Rear	25 ft. from the rear main building line
Accessory Structures	Not less than 5 feet of a rear line or 10 feet of a side lot line.

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	Not Applicable

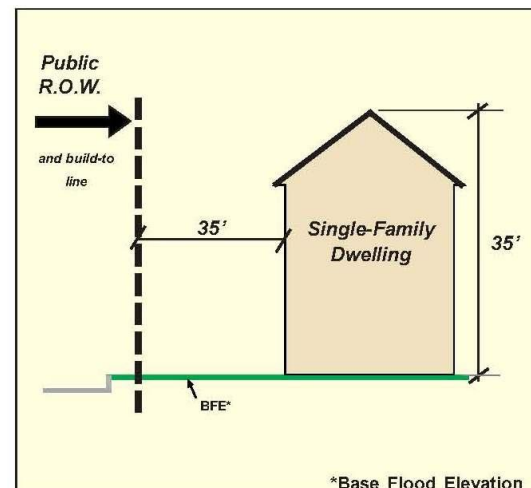
C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	7,000 s.f. single family 9,600 s.f. two-family 9,600 s.f. multi-family for the first two families plus 2,000 s.f. for each additional family unit
Lot Width	40 ft. single family and two-family on public dedicated street at the right-of-way line 70 ft. single family and two-family at the front building setback line 90 ft. on corner lots at the building setback line 80 ft. multi-family at the front building setback line and 90 ft. on corner lots
Density	8 dwelling units/acre

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure:	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

E. Building Placement (Single Family)



F. Building Height and Profile



This is one of the high density districts in Jackson County

Table 5-3.8: R-3 Multi-Family Residential District (cont.)

G. Off-Street Parking	K. Uses Permitted
The requirements for off-street parking in this district can be found in Section 6.11.04.	• Accessory structure or use located on the same lot • Dwelling, Multi-family • Dwelling, Single-family (detached) • Dwelling, Townhouse • Dwelling, Two-family (duplex) • Home Occupation • Model Home • Modular Homes • Open Space • Public park and playground • Public roads and highways • Any use permitted in R-2 two-family dwelling district, except livestock, but subject to the requirements thereof
H. Additional site development standards	
For lots not served by sanitary sewer service or central sewage disposal system, requirements of Article 4, Section 4.02.04 shall apply. This district does not allow manufactured homes, mobile homes or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.	
I. Home Occupation	
Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.	
J. Miscellaneous	L. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)
An additional four (4) feet will be required for the side setbacks for multi-family structures for each story above the first story. When the main structure sits back greater than 25 feet from the front setback line then the accessory structure cannot be closer than the front elevation of the main structure. The parking space requirements may be included in the minimum square feet of the lot area.	• Group Home for the handicapped • Housing for the elderly • Rooming and Boarding House • Any use permitted on review in R-2 two-family dwelling district, but subject to the requirements thereof • Neighborhood Commercial uses, as shown in the C-1 District, with the area and setback regulations of the C-1 District • Other similar uses as determined by the Planning Commission

Table 5-3.9: R-4 High Density Residential District

Development Standards	R-4 District Requirement
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A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	25 ft. single family, two family, and multi-family 10 ft. mobile home park 25 ft. accessory building
Side – Interior (each)	7 ft.
Side – Street Side	12 ft. on a corner lot abutting a street right-of-way
Rear	10 ft. From the rear main building line
Accessory Structures	Not less than 5 feet of a rear line or 7 feet of a side lot line.

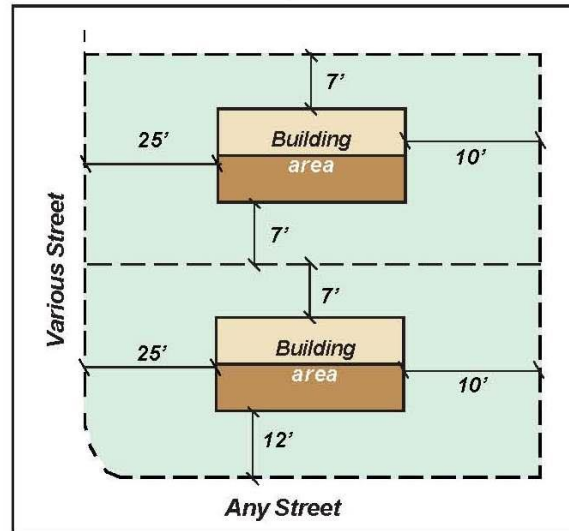
B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	Not Applicable

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	5,000 s.f. single family 2,000 s.f. two family (per unit) multi-family 3,500 s.f. mobile home park
Lot Width	50 ft. single family, two family, and multi-family 35 ft. mobile home park
Density	8.7 dwelling units/acre

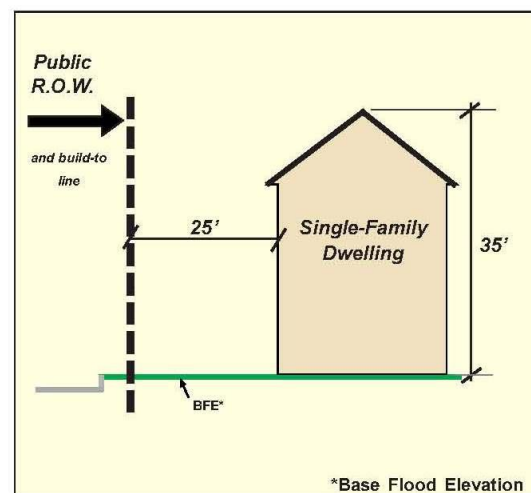
D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

E. Parking	The requirements for parking can be found in Section 6.11 Automobile and Vehicle Parking and Loading
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F. Building Placement



G. Building Height and Profile



This is the highest density zoning district in Jackson County

Table 5-3.9: R-4 High Density Residential District (cont.)

H. Additional site development standards

When the main structure is greater than the 25 feet from the front setback line, then the accessory structure cannot be closer than the front elevation of the main structure.

All lots within this district must be served by sanitary sewer or central sewage disposal system.

This district does not allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.

I. Home Occupation

Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.

J. Special Provisions for Mobile Home Subdivisions

i. Lots:

1. Mobile home lots shall be a minimum of 5,000 square feet in area.
2. Only one (1) mobile home will be permitted per lot.

ii. Setbacks:

Each mobile home shall have a minimum front yard of twenty-five (25) feet and minimum side yard of seven (7) feet and rear yard of ten (10) feet each.

iii. Requirements:

Mobile home subdivisions shall be prepared and submitted as required for other residential development plats and shall be filed in accordance with County Subdivision Regulations.

iv. Mobile Home Subdivision Size:

No mobile home subdivision shall contain less than three (3) acres.

K. Special Provisions for Mobile Home Parks, Camper Trailer Parks, Campground, Recreational Vehicle (RV) Park (as referenced in Section 6.2)

i. Mobile Home Park Density: Not to exceed eight (8) mobile home units per gross acre within the park.

ii. Buffers:

1. Mobile home parks, camper trailer parks, campground and recreational vehicle parks shall be surrounded by a buffer strip at least fifteen (15) feet in depth on the sides and rear and thirty-five (35) feet in depth along the front measured from the street right-of-way line; provided, however that no side or rear buffer is required between adjacent parks. The inside twenty (20) feet of a thirty-five (35) foot front buffer may be used for interior street, roadway or driveway.
2. Buffers shall otherwise be unoccupied except for landscaping, utility facilities, signs, or entrance ornamentation, and except for the inside twenty (20) feet of a fifty (50) foot front buffer which may be used for interior street, roadway or driveway.

iii. Designated Recreation Area:

A minimum of five (5) percent of the gross land area of the park shall be required for recreation area.

iv. Streets:

1. Access: All lots shall abut upon a driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a public street.
2. Construction: All street, roadways and driveways within the park shall be hard surface and meet the minimum construction standards recommended by the consulting engineers of the Planning Department. They shall be lighted at night with electric lamps.

v. Park Size:

Each park shall contain a minimum of three (3) acres.

Table 5-3.9: R-4 High Density Residential District (cont.)

L. Uses Permitted	M. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)
• Accessory structure or use located on the same lot • Camper Trailer Park • Campground • Church, three (3) acres or more • Dwelling, Single-Family (detached) • Dwelling, Townhouse • Dwelling, Two-Family (duplex) • Home Occupation • Manufactured Home • Mobile Home • Mobile Home Park, subject to site plan review • Model Home • Modular Homes • Open Space • Public Park and playground • Public roads and highways • Recreational Vehicle (RV) Park • Secondary Living Unit • Yacht Club • Any uses permitted in R-3 Residential except livestock, but subject to the requirements thereof	• Marinas • Any uses permitted on review in R-3 Multi-Family Residential, with area and setback regulations of the R-3 District • Neighborhood Commercial uses, as shown in the C-1 District, and with area and setback regulations of the C-1 District • Other similar uses as determined by the Planning Commission

Table 5-3.10: R-5 Residential Estates District

Development Standards	R-5 District Requirement
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A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	35 ft. 35 ft. accessory building
Side – Interior (each)	20 ft.
Side – Street Side	25 ft. on a corner lot. The side yard abutting a street shall be 25 ft.
Rear	25 ft. from the rear main building line
Accessory Structures	Not less than 5 feet of a rear line or 7 feet of a side lot line.

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	30%* * Main and Accessory Building

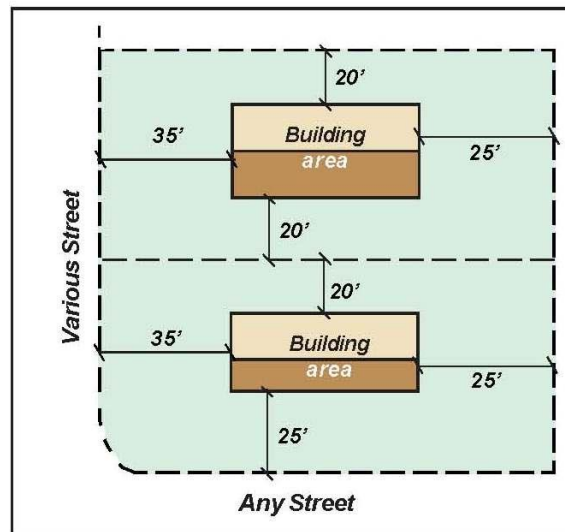
C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	1 acre 100 ft. (width) at the front building setback line
Density	1 dwelling unit / acre

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

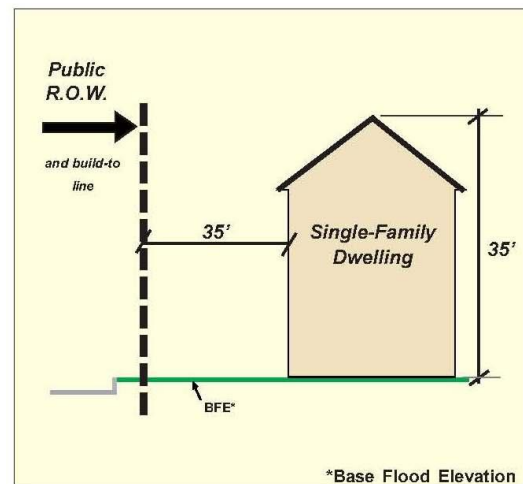
E. Parking	The requirements for parking can be found in Section 6.11 Automobile and Vehicle Parking and Loading
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F. Additional site development standards:	
For lots not served by sanitary sewer service or central sewage disposal system, requirements of Article 4, Section 4.02.04 shall apply. This district does not allow modular homes, manufactured homes, mobile homes or trailers, nor does it allow campers, travel trailers, tents or recreational vehicles to be used for living purposes.	

G. Building Placement



H. Building Height and Profile



I. Home Occupation

Home occupations are pursuant to Article 4, Section 4.5 of these regulations. Signs relating to home occupations are pursuant to Article 6.

This is one of the lowest density zoning districts in Jackson County

Table 5-3.10: R-5 Residential Estates District (cont.)

J. Uses Permitted	K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)
• Accessory structure or use located on the same lot • Dwelling, single-family (detached) • Home Occupation • Livestock, including farm animals • Model Home • Open Space • Pier, boathouse, slip, dock, or wharf, as an accessory use • Public park and playground • Public roads and highways • Secondary Living Unit	• Animal clinic • Art gallery or museum (public) • Bed and Breakfast Inn • Cemetery • Church, three (3) acre lot • Civic, cultural, or community center • Country Club • Golf Course, except miniature course or driving range for commercial purposes • Ponds, for livestock, fish or fowl, when proper permits are obtained and all zoning requirements are met • Private park and playground • Public building (including libraries) • Public Quasi-Public Utility/Facility • Recreational Facility (private and public) • Schools and educational facilities, but not including business or commercial colleges • University or college, not to include business or commercial college • Other similar uses as determined by the Planning Commission

Table 5-3.11: C-1 Neighborhood Commercial District

Development Standards	C-1 District Requirement
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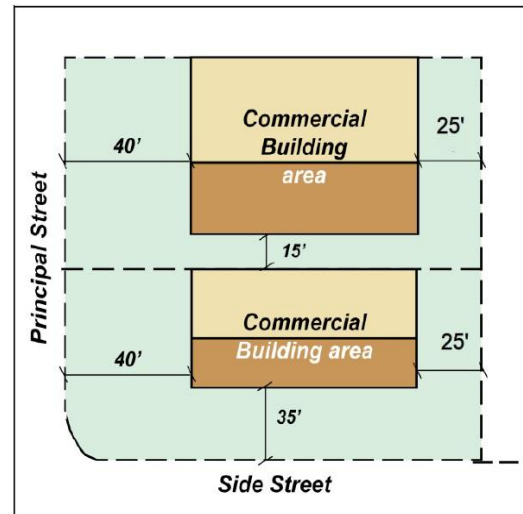
A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	40 ft.
Side – Interior (each)	15 ft. minimum on one side. No side yard required on the other side with no windows or door openings unless there is a minimum 10 ft. side yard setback
Side	35 ft. on a corner lot abutting a street right-of-way 40 ft. where a commercial use abuts a residential district as measured from the side lot line to the nearest building or structures on the side adjacent to the residential district
Rear	25 ft. 35 ft. where a commercial use abuts a residential district
Accessory Structures	20 ft. from any property line

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	2,400 s.f. per use

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	None Required
Minimum Lot Width	100 feet
Density	Not Applicable

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 feet from designated Base Flood Elevation (BFE) 45 feet total height from ground

E. Building Placement



F. Building Height and Profile

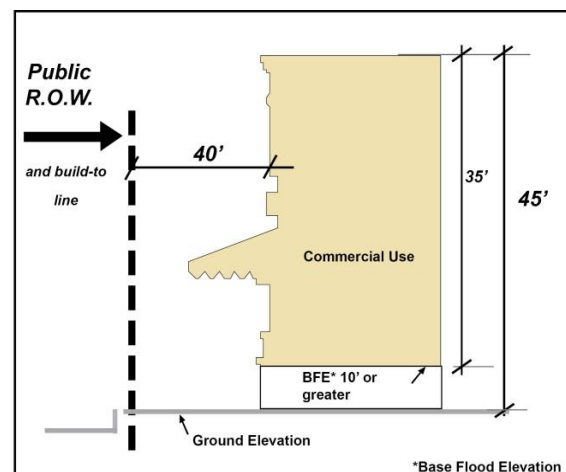


Table 5-3.11: C-1 Neighborhood Commercial District (cont.)

G. Parking Requirement	J. Uses Permitted (cont.)
The requirements for parking can be found in Section 6.11 Automobile and Vehicular Parking and Loading	• Library or reading room • Massage therapy • Medical Cannabis Dispensary • Mobile Food Vendor • Offices, professional and service • Quick lube • Roadside stand • Sign, business (on-premise) • Sno-ball stand (on permanent foundation) • Studio for professional work or teaching of any form of fine arts, photography, music, drama, dance, but not including commercial gymnasium • Telephone exchange but not including administrative offices, shops or garage • Theater • Variety store limited to the sale of items sold by any other use in this district • Vehicle wash • Video rental store • YMCA, YWCA and similar institutions
H. Additional site development standards	
Gasoline, fuel or diesel pumps or accessory buildings shall be setback a minimum distance of 20 feet from any property line and overhangs or canopies for same shall be setback a minimum of 5 feet from any property line. All structures must meet the fire code.	
I. Screening Requirements	
When commercial use abuts a residential district, such space shall be screened from the abutting residential district by walls or by fences or by other screening not less than 6 feet in height in a manner acceptable to the County Planning Department.	
J. Uses Permitted	K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)
• Accessory Use • Arts and Crafts • Appliance Store • Art gallery or museum • Automated teller machine • Bakery retail • Barber shop or beauty shop • Book Store • Café • Catering shop • Clinic, dental or medical • Computer repair • Convenience Store • Delicatessen • Drug store • Dry goods store • Florist • Garden supplies store, handling packaged fertilizer and no other types of fertilizer • Grocery store, retail including the sale of gasoline • Hardware store, retail • Interior decorating shop • Jewelry store, including repairing of jewelry, watches, and clocks • Landscape garden sales • Laundromat • Laundry, and/or dry cleaning pick-up station	• Child care facility • Church • Clubs or lodge, private • Flea market • Nursery, day care center or kindergarten • Other similar uses as determined by the Planning Commission

Table 5-3.12: C-2 Community Commercial District

Development Standards	C-2 District Requirement
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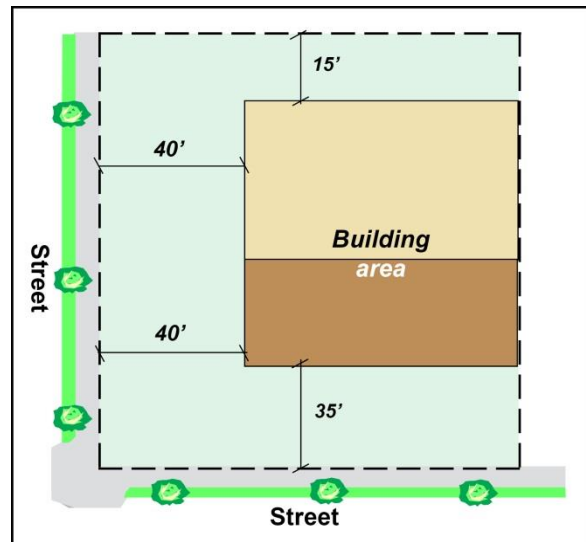
A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	40 ft.
Side – Interior (each)	15 ft. minimum on one side. No side yard required on the other side with no windows or door openings unless there is a minimum 10 ft. side yard setback
Side	35 ft. on a corner lot abutting a street right-of-way 40 ft. where a commercial use abuts a residential district as measured from the side lot line to the nearest building or structures on the side adjacent to the residential district
Rear	0 ft. however, the structure cannot have any windows or door openings unless there is a minimum 10 ft. rear yard setback 35 ft. where a commercial use abuts a residential district
Accessory Structures	20 ft. from any property line

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	75%

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	None Required
Minimum Lot Width	100 feet
Density	Not Applicable

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 feet from designated Base Flood Elevation (BFE) 45 feet total height from ground

E. Building Placement



F. Building Height and Profile

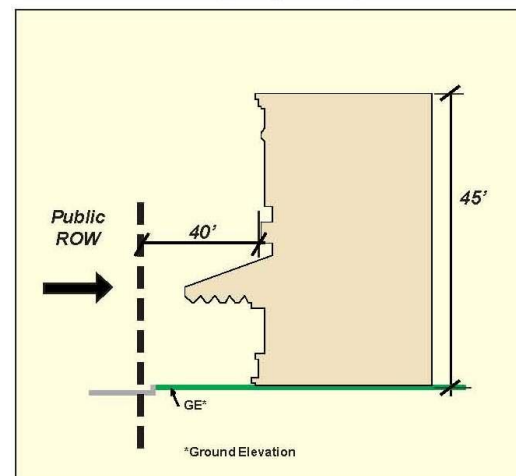


Table 5-3.12: C-2 Community Commercial District (cont.)

G. Parking Requirement	J. Uses Permitted (cont.)
The requirements for parking can be found in Section 6.11 Automobile and Vehicular Parking and Loading.	• Dry cleaning establishment • Dry goods store • Exterminators • Fairgrounds, Baseball Park and stadium • Feed store • Fire station • Food Store • Furniture store, retail • Fur dyeing, finishing and storage; no tanning • Gymnasium (commercial) • Health Club • Hospital • Hotel, motel, tourist home, all or transient occupancy except that not more than one-third (1/3) of the gross floor area may be used for apartments for permanent occupancy • Jet Ski sales • Kennel • Laboratory, dental or medical • Lumber sales where lumber storage is screened from public view • Lumber yard and building materials • Mail order store • Medical Cannabis Dispensary • Mini-Warehouses • Mobile Food Vendor • Multi-Family Residential • Package liquor store • Pawn Shop • Personal care home • Restaurant or lounge • Rooming house and boarding house • Seafood sales • Self-serve storage facility • Small animal clinic • Stamp redemption center • Tattoo and body piercing establishment • Tire Sales • Upholstery shop-automobile or furniture • Used car sales • Wireless communication • Any use permitted in C-1 Neighborhood Commercial District
H. Additional site development standards	
Gasoline, fuel or diesel pumps or accessory buildings shall be setback a minimum distance of 20 feet from any property line and overhangs or canopies for same shall be setback a minimum of 5 feet from any property line. All structures must meet the fire code.	
I. Screening Requirements	
When commercial use abuts a residential district, such space shall be screened from the abutting residential district by walls or by fences or by other screening not less than 6 feet in height in a manner acceptable to the County Planning Department.	
J. Uses Permitted	
• Accessory use • Ambulance service • Amusement facilities/arcade • Appliance Store • ATV Sales • Auction house • Auditorium • Automobile car wash • Automobile filling station, where the primary function is the retail sale of gasoline, accessories, washing, polishing and tune-up • Automobile parts sales • Automobile repair shop • Bank • Bicycle and/or lawnmower sales and repair • Blueprinting and Photostatting • Book store • Bowling Alley • Business machines store • Business College • Cabinet shop • Cash advance • Check Express	

Table 5-3.12: C-2 Community Commercial District (cont.)

K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Automobile and Truck Dealership
- Automobile and truck maintenance shops and garages
- Automobile body repair
- Camper trailer park
- Food locker plant – renting only individual lockers for home customer storage of food; cutting and packaging of meats and game permitted but not including any slaughtering or eviscerating thereof.
- Funeral home, mortuary, or undertaking establishments
- Recreational vehicle (RV) park
- Riding academy
- Other similar uses as determined by the Planning Commission

Table 5-3.13: C-3 Highway Commercial District

Development Standards	C-3 District Requirement
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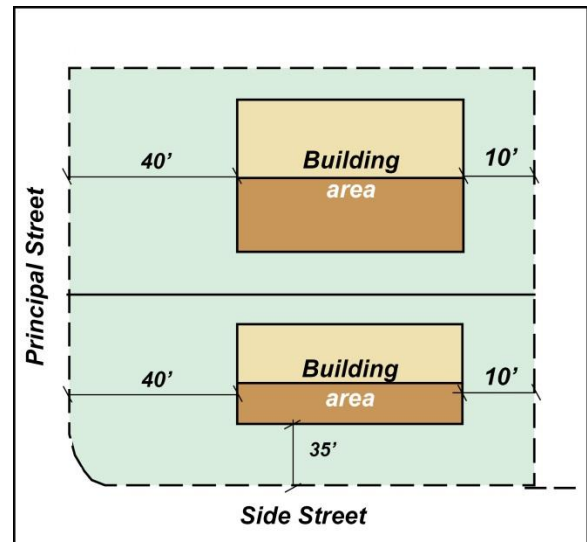
A. Setbacks – Minimum setbacks required, as shown in Figure to the right	
Front	40 ft.
Side – Interior (each)	15 ft. minimum on one side. No side yard required on the other side with no windows or door openings unless there is a minimum of 10 ft. side yard setback. 40 ft. where a commercial use abuts a residential district, as measured from the side lot line to the nearest building or structures on the side adjacent to the residential district
Side	35 ft. on a corner lot abutting a street right-of-way
Rear	0 ft. however the structure cannot have any windows or door openings on the rear unless there is a minimum of 10 ft. rear yard setback 35 ft. where a commercial use abuts a residential district
Accessory Structures	20 ft. from any property line

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	75%

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	None Required
Minimum Lot Width	100 ft.

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

E. Building Placement



F. Building Height and Profile

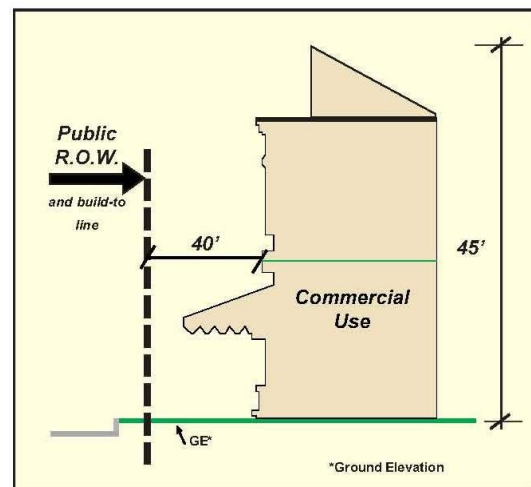


Table 5-3.13: C-3 Highway Commercial District (cont.)

G. Parking Requirement

The requirements for parking can be found in Section 6.11 Automobile and Vehicular Parking and Loading.

H. Additional site development standards:

Gasoline, fuel or diesel pumps or accessory buildings shall be setback a minimum distance of 20 feet from any property line and overhangs or canopies for same shall be setback a minimum of 5 feet from any property line. On premise sign(s) shall not exceed 60' in height.

I. Screening Requirements

When commercial use abuts a residential district, such space shall be screened from the abutting residential district by walls or by fences or by other screening not less than 6 feet in height in a manner acceptable to the County Planning Department.

J. Uses Permitted

- Billboards
- Food plant locker – renting only individual lockers for home customer storage of food; cutting and packaging of meats and game permitted, but not including any slaughtering or eviscerating thereof
- Hospital
- Machinery, tools, and construction equipment sales and service, provided that no merchandise can be stored in the front yard setbacks and in case of a corner lot, in the side yard setback
- Marine sales and service, provided that no merchandise can be stored in the front yard setbacks and in case of a corner lot, in the side yard setback
- Medical Cannabis Dispensary
- Mobile Food Vendor
- Mobile Home sales and service, provided that no merchandise can be stored in the front yard setbacks and in case of a corner lot, in the side yard setback
- Nursing Home
- Sporting goods store, wholesale
- Taxidermist
- Telecommunications facilities, meeting specific requirements
- Trailer sales
- Utilities, on a minimum ¼ acre lot
- Utility Company or maintenance facility, on a minimum ¼ acre lot (need not be enclosed within a structure, but must provide adequate screening by walls, fences, or other screening not less than 6 feet in height in a manner

J. Uses Permitted (cont.)

- acceptable by the County Planning Department
- Utility facilities, such as distribution lines & transmission lines, unless elsewhere permitted in the district, such facility shall not include a business office or storage yard, on a minimum ¼ acre lot
- Utility substation, electric, gas, water, sewerage, telephone, on a minimum 1/4 acre lot
- Any uses permitted in C-2 Community Commercial District
- Any uses permitted on review in a C-2 Community Commercial or C-1 Neighborhood Commercial District, except camper trailer park and recreational vehicle (RV) park

K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Automobile graveyard
- Automobile storage
- Other similar uses as determined by the Planning Commission

Table 5-3.14: C-4 Corridor Commercial District

Development Standards	C-4 District Requirement
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A. Setbacks – Minimum setbacks required, as shown in Figure E.	
Front	10 ft. minimum, 80 ft. maximum ¹
Building Frontage in Front Setback Area	50% minimum
Side (Interior)	0 ft. ²
Side (Corner)	10 ft. minimum, 80 ft. maximum ¹
Side (Abutting Residential District)	20 ft. minimum or 40 ft. minimum ³
Side (Abutting Service Street)	10 ft. minimum
Rear	0 ft. ²
Rear (Abutting Residential District)	35 ft. minimum
Rear (Abutting Service Street)	10 ft. minimum
Accessory Structures (Any Property Line)	20 ft. minimum

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	75%

C. Lot Area – Minimum percentage of lot in this particular zoning district.	
Appropriate Lot Size	None Required
Minimum Lot Width	100 ft.
Minimum Lot Width (Corner Lot on Cook Road)	200 ft.
Density	Not Applicable

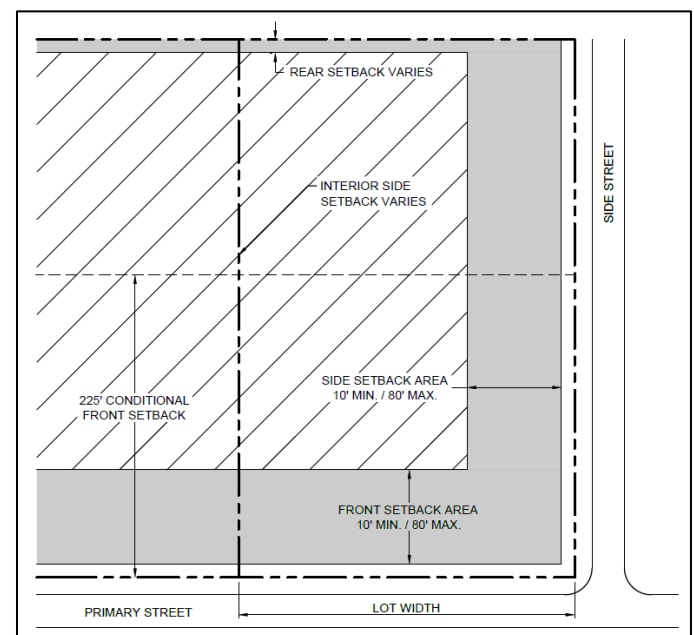
D. Height Limit – Maximum allowable height of structures. See Figure F.	
Main Structure	35 ft. from designated Base Flood Elevation (BFE) 45 ft. total height from ground

Note 1: The maximum front and corner side setbacks apply to buildings located entirely or partially within two hundred-and-twenty-five (225) feet of any public street right-of-way in the Corridor Commercial District. No maximum front or corner side setback applies to buildings located greater than two hundred-and-twenty-five (225) feet from any public street right-of-way in the Corridor Commercial District.

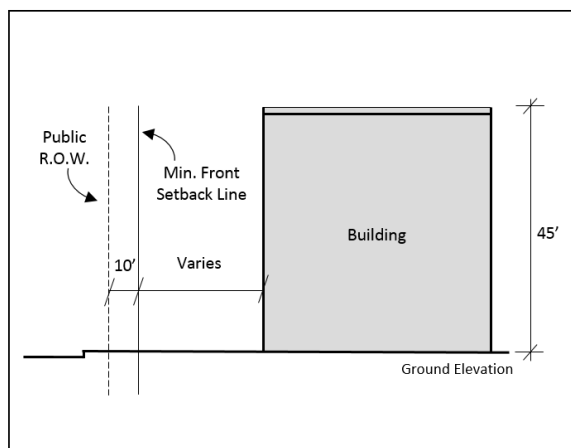
Note 2: The interior side and rear setbacks shall be based on minimum fire separation required by building codes.

Note 3: For a twenty (20) foot side setback abutting a residential district, buffer yard requirements shall be five (5) canopy, three (3) understory, and twenty (20) shrubs per one hundred (100) linear feet.

E. Building Placement



F. Building Height and Profile



G. Parking Requirement

The requirements for parking can be found in Section 6.11 Automobile and Vehicular Parking and Loading. For these land uses, the following minimum requirements shall apply in this zoning district.

Land Use	Minimum Parking Spaces
Medical and Dental Clinics	One (1) space for each 200 square feet of gross floor area.
Retail Sales	One (1) space for each 200 square feet of gross floor area.
Eating Establishments	One (1) space for each 100 square feet of gross floor area.
Office and Professional Buildings	One (1) space for each 300 square feet of gross floor area.

H. Additional Site Development Standards

1. Gasoline, fuel, or diesel pumps shall be set back a minimum distance of twenty (20) feet from any property line, and overhangs or canopies for same shall be set back a minimum of five (5) feet from any property line.

J. Architectural Standards

1. Building fronts shall be built or clad with a high finish material, including, but not limited

to, brick, natural or artificial stone, similarly detailed pre-cast concrete, glass curtain wall systems, metal panels, and hardy board.

2. Primary façade materials shall not change at outside corners and shall wrap the entire building.

3. Plywood, plastics, unfinished concrete block, corrugated sheet metal, applied stone, vinyl siding and Exterior Insulation Finish System (on ground floor) are prohibited as primary cladding materials for buildings.

K. Signs and Outdoor Advertising

The requirements for signs and outdoor advertising can be found in Section 6.16 Signs and Outdoor Advertising. The following standards shall also apply in this zoning district.

1. Business (on-premise) signs are limited to single tenant and multi-tenant ground monument signs. See Table L.

2. Any outdoor advertising sign located within 500 feet of property classified in a residential zoning district shall not be illuminated between the hours of 12:00 am and 6:00 am.

3. Animated, flashing, chasing, running, or sequential signs are prohibited.

4. All portable signs, including parked vehicles with sign expressly for advertising, are prohibited.

L. Ground Sign Standards

Ground Sign Type	Maximum Display Surface	Maximum Height
Monument: Single Tenant	32 sq. ft.	6 ft.
Monument: Multi-Tenant	240 sq. ft.	24 ft.

M. Access Standards

1. Minimum connection and corner clearance spacing for driveways and driveway throat length distances shall comply with the Mississippi Department of Transportation's current Access Management Manual.

2. Joint use driveways serving two or more abutting properties, and cross access corridors allowing vehicular movement between properties without entering the public right-of-way may be required wherever feasible.

3. All principal buildings must have a direct pedestrian connection from the public sidewalks to the building's primary entrance.

4. Sidewalks shall be required on both sides of the primary access drive from the public right-of-way.

5. Parking areas shall be separated from buildings with a sidewalk a minimum of 5 feet in width.

N. Landscape, Screening and Buffering Standards

1. When a commercial use abuts a residential district, such space shall be screened from the abutting residential district by walls or by fences or by other screening not less than 6 feet in height in a manner acceptable to the County Planning Department.

2. A landscape island a minimum of 9 feet in width is required between every 15 contiguous parking spaces.

3. A landscape island a minimum of 9 feet in width is required at each end of every parking aisle.

4. Parking areas with more than 200 spaces shall be divided by a median a minimum of 7 feet in width.

5. Parking areas and driveways shall be separated from the public right-of-way by a perimeter landscape strip a minimum of 10 feet in width.

6. Parking areas and driveways shall be separated from adjacent side lot lines by a perimeter landscape strip a minimum of 5 feet in width.

7. Shade trees with a mature height greater than thirty (30) feet shall be provided in each required landscape island, and provided at intervals of seventy-five (75) feet in any required median except if a sidewalk is provided in the required median.

8. Evergreen shrubs maintained at a maximum height of 3 feet shall be provided in each perimeter landscape strip and screen all parking areas.

O. Permitted Uses

- Accessory use
- Amusement facilities/arcade
- Appliance store
- Art gallery or museum
- Arts and crafts
- Auction house
- Auditorium
- Automated teller machine
- Automobile and truck dealership
- Automobile and truck maintenance shops and garages (only as accessory use with dealership)
- Automobile body repair (only as accessory use with dealership)
- Automobile car wash
- Automobile filling station (only as accessory use with another permitted use in this zoning district, or within 300 feet of an intersection of two roads classified as arterials)
- Automobile parts sales (only as accessory use with dealership)
- Automobile repair shop (only as accessory use with dealership)

O. Permitted Uses (cont.)

- Bakery retail
- Bank
- Barber shop or beauty shop
- Bicycle sales and repair
- Book store
- Bowling Alley
- Business machines store
- Café
- Catering shop
- Child care facility
- Church
- Clinic, dental, or medical
- Clubs or lodge, private
- Computer repair
- Convenience store
- Delicatessen
- Distribution Center
- Drug store
- Dry cleaning establishment
- Dry goods store
- Fire station
- Florist
- Food store
- Furniture store, retail
- Garden supplies store, handling packaged fertilizer and no other types of fertilizer
- Grocery store, retail including the sale of gasoline
- Hardware store, retail
- Health Club
- Hotel or motel
- Interior decorating shop
- Jewelry store, including repairing of jewelry, watches, and clocks
- Landscape garden sales
- Laundry, and/or dry cleaning pick-up station
- Library or reading room
- Mail order store
- Medical Cannabis Dispensary
- Mixed Use Development, Residential/Commercial
- Multi-Family Residential
- Nursery, day care center or kindergarten
- Nursing home
- Offices, professional and service
- Package liquor store
- Personal care home
- Restaurant or lounge
- Seafood sales
- Sign, business (on premise)
- Small animal clinic
- Studio for professional work or teaching of any form of fine arts
- Telecommunications facilities, meeting specific requirements
- Theater
- Used car sales (only when associated with dealership)
- Variety store limited to the sale of items sold by any other use in this district
- Vehicle wash
- Video retail store
- Wireless communication
- YMCA, YWCA and similar institutions

Table 5-3.15: OP Office Park District

Development Standards	OP District Requirement
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A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	50 ft.
Side – Interior (each)	50 ft.
Side - Exterior	50 ft.
Rear	50 ft.
Accessory Structures	Not less than 25 feet from a rear lot line or 15 feet from a side lot line. See additional comments in Section F.

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	70%

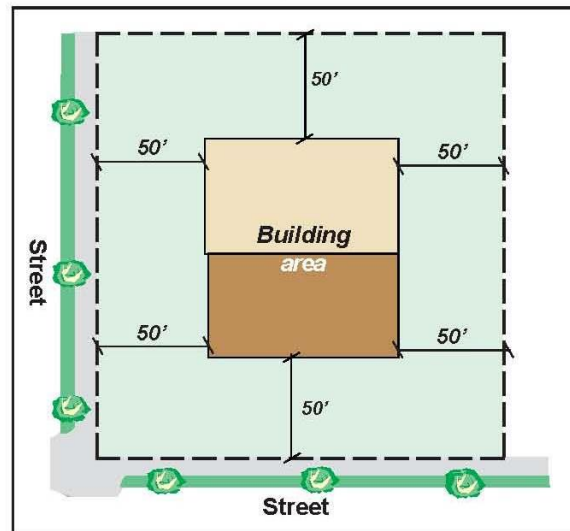
C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	5 acres for park; None for buildings
Minimum Lot Width	150 feet
Density	Not Applicable

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	To be Determined
Accessory Structures	N/A

E. Parking Requirement - The requirements for parking can be found in Section 6.11 Automobile and Vehicular Parking and Loading	
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F. Signs are pursuant to Article 6	
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G. Building Placement



H. Building Height and Profile

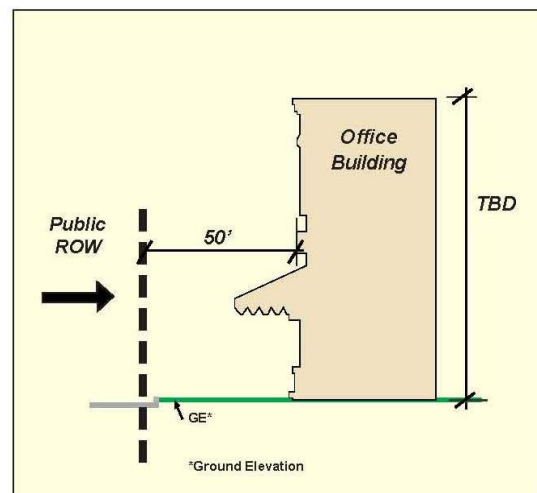


Table 5-3.15: OP Office Park District (cont.)

I. Additional site development standards	K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)
Any accessory use immediately and exclusively accessory to a use permitted on the site, including automobile parking facilities; central heating, air conditioning and maintenance facilities wholly enclosed within a permitted building; utilities, mechanical equipment and/or storage facilities wholly enclosed within a permitted building as necessary for the proper functioning of the permitted use. No Office park project shall consist of less than five (5) acres of contiguous area. Elevator housings or other rooftop mounted mechanical equipment may extend to a height of fifteen (15) feet above the roofline of the structure on which they are located.	• Book Store • Health Club • Hospital • Mail Order Store • Restaurant or lounge • Studio for professional work or teaching of any form in fine arts, photography, music, drama, dance, but not to include commercial gym
J. Uses Permitted	
• Accessory structure or use located on the same lot • Auditorium • Business college • Fire station • Hotel or motel • Laboratory • Laboratory, dental or medical • Offices, professional or service • Sign, business (on-premises)	

Table 5-3.16: I-1 Planned Industrial Park District

Development Standards	I-1 District Requirement
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A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	10 ft.
Side – Interior (each)	0 ft. 50 ft. Adjacent to Residential District
Rear	None except if adjacent to residential district
Accessory Structures	Not less than 7.5 feet from the rear line

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	75%

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	None Required
Density	Not Applicable

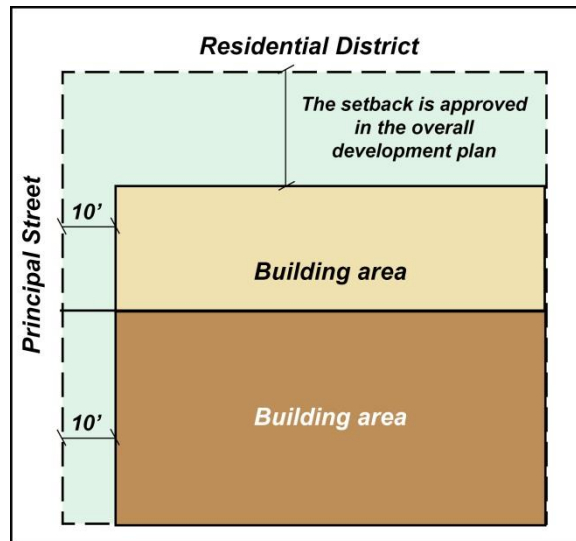
D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	70 ft.

E. Parking Requirement - The requirements for parking can be found in Section 6.11 Automobile and Vehicular Parking and Loading	
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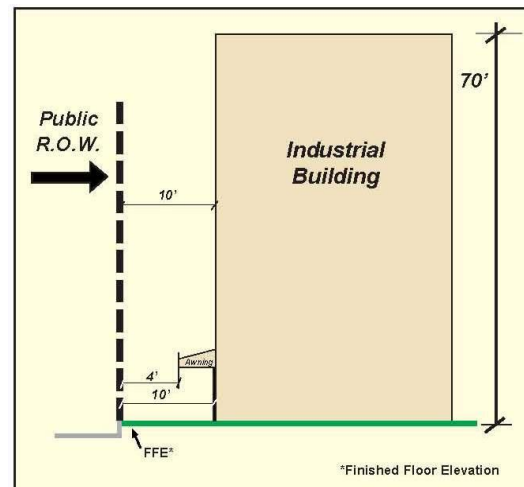
F. Additional site development standards

Where an I-1 District abuts a residential district, a buffer shall be provided by an opaque fence, wall or vegetation, at least 6 feet high. Outside storage associated with the permitted uses is allowed in this district. All awnings attached to a building shall set back at least 4' from the property line and shall be at least 8' above the ground. No pole attached to the awning shall be closer than 10' from property line.

G. Building Placement



H. Building Height and Profile



I. Fence Requirements

Fences may be built to a maximum height of 6 feet in any side or rear yard. Front yard fences may also be constructed at the property line or the right-of-way line. However, no solid fence shall be constructed in the front yard.

Table 5-3.16: I-1 Planned Industrial Park District (continued)

Development Standards	I-1 District Requirement
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J. Uses Permitted:

The owner, or owners, of any contiguous and compact tract of land shall submit to the Planning Commission a petition for the rezoning and subsequent exclusive use and development of all such tract of land as a Planned Industrial Park District. The petition submitted shall be referred to the Planning Commission for study, hearing and report as provided by law.

In a Planned Industrial Park District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed or altered until such use, erection, construction, reconstruction or alteration shall have been specifically authorized by the governing authority, after study and recommendation by the Planning Commission.

Any industrial use, upon approval of the Planning Commission, shall be permitted in a Planned Industrial Park District provided no nuisance will result with regard to excessive:

- 1) Smoke and other particulate matter,
- 2) Noise,
- 3) Odor,
- 4) Fire or explosive hazard,
- 5) Gases,
- 6) Glare or heat,
- 7) Vibration,
- 8) Water pollution,
- 9) Other factors detrimental to the health, safety and welfare of the area,
- 10) Billboard

K. Special Requirements:

The Planning Commission shall satisfy themselves that the conditions listed in Section J are met before recommending approval of any use in a Planned Industrial Park District. Pursuant to this section, the applicant shall be required to furnish:

1. Overall development plan.
2. Data describing all processes and equipment involved in the proposed use.
3. Plans showing location and design of structures, delivery points, loading and storage areas, walls, fences, screen planting, signs, lighting devices, and pedestrian walks.
4. Plans illustrating adequate off-street parking according to standards established by the Planning Commission.
5. Traffic routing system so designed as to minimize nuisance effects due to the generation of traffic to and from the use.
6. Comprehensive landscaping plan.
7. Any other information the Planning Commission may need to adequately consider the effect the proposed uses may have upon the cost of providing adequate services to the area.

The Planning Commission shall further satisfy themselves that the uses proposed for any Planned Industrial Park District shall be compatible with the adjacent and nearby uses of land and is consistent with the intent and purposes of this ordinance, to promote the public health, safety, morals, or general welfare.

Table 5-3.17: I-2 Light Industrial District

Development Standards	I-2 District Requirement
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A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	40 ft.
Side Street Side	0 ft. 60 ft. on side adjacent to the residential district where this district use abuts a residential district
Rear	0 ft. 50 ft. 60 ft. where this district abuts residential
Accessory Structures	Within required building setback

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage:	None Required

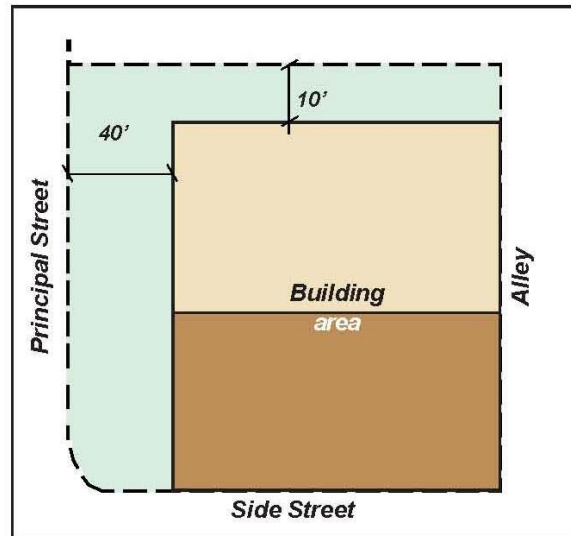
C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size:	None Required
Lot Width:	None Required
Density:	Not Applicable

D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure:	45 ft.

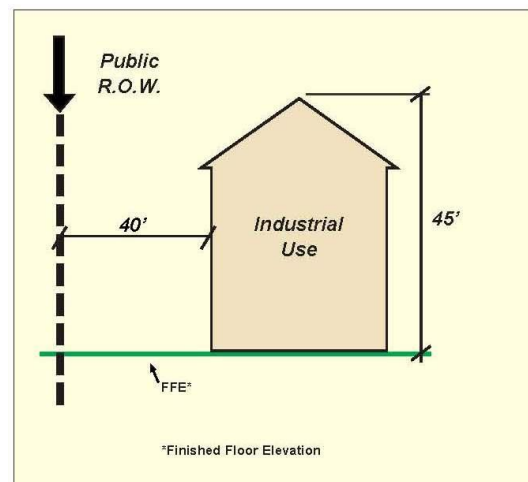
E. Parking Requirement - The requirements for parking can be found in Section 6.11 Automobile and Vehicular Parking and Loading	
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F. Additional site development standards	
Where a building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard or combination thereof.	

G. Building Placement



H. Building Height and Profile



I. Screening Requirements

When industrial district abuts a residential district, such space shall be screened from the abutting residential district by walls or by fences or by other screening not less than eight (8) feet in height, in a manner acceptable to the Planning Department.

Table 5-3.17: I-2 Light Industrial District (cont.)

J. Uses Permitted	J. Uses Permitted (cont.)
The following uses of property, buildings or structures provided they meet the requirements of the applicable Federal, State and Local Agencies relative to Hazardous Waste Material or substances. All uses shall meet the screening and height limitations for open storage and display of merchandise and materials as set forth in Article 6, Section 6.12 of this ordinance: • Accessory use • Airport and dusting service • Armory • Automobile graveyard • Automobile and truck maintenance shops and garages • Automobile and truck laundry, including steam cleaning • Automobile repair shop • Automobile storage • Automobile and truck body repair • Automobile wrecking • Battery manufacture • Beverage manufacture • Carting, express, crating, hauling and storage • Clothing manufacture • Cold storage manufacture • Concrete and concrete products manufacture • Contractor's storage yard for vehicles, equipment, materials and/or supplies • Cosmetics (Compounding only) • Creamery • Dog Pound • Drug manufacture • Dry cleaning • Electroplating • Elevator maintenance and service • Farming and truck gardening • Food locker plant • Food products manufacture • Food products, wholesale storage and sales • Foundry • Freight depot, railway and/or truck • Frozen food plant • Fruit and produce, wholesale • Furniture restoration	• Hardware manufacture • Hatchery • Heliport • Hosiery mill • Ice cream manufacture • Ice Manufacture • Laboratory • Landfill • Laundry, linen supply, diaper service • Lumber yard and building materials • Machine shop • Machinery, tools and construction equipment, sales and service • Mattress manufacture and rebuilding • Medical Cannabis Cultivation Facility • Metal sharpening • Metal products fabrication • Millinery manufacture • Millwork and similar wood products manufacture • Mobile Home manufacturing • Novelty and souvenir manufacture • Office equipment and supplies manufacture • Oil well supplies and machinery • Packing and gasket manufacture • Painting and decorating contractor • Paper products manufacture • Paper supplies, wholesale • Pipe storage • Plumbing shop • Printing, publishing and allied industries • Railroad facilities • Restaurant supplies sales • Riding Academy • Roofing and sheet metal shop • Rug Cleaning • Sand and gravel storage yard • Sandblasting • Shoe manufacture • Signs, Business (on-premise) • Sign shop • Sporting goods store, wholesale • Taxidermist • Telecommunications facilities, meeting specific requirements • Toy manufacture • Trailer sales • Transit vehicle storage and servicing • Trade school

Table 5-3.17: I-2 Light Industrial District (cont.)

J. Uses Permitted (cont.)	K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)
• Truck Terminal • Venetian blind and metal awning fabricating and cleaning • Utility company or maintenance facility, on a minimum ¼ acre lot (need not be enclosed within a structure but must provide adequate screening by walls, fences or other screening not less than 6 feet in height in a manner acceptable to the County Planning Department • Utility Facilities, such as distribution lines & transmission lines, unless elsewhere permitted in the district, such facility shall not include a business office or storage yard • Utility substation, electric, gas, water, sewerage, telephone, on a minimum ¼ acre lot • Warehouse and distribution center • Water distillation • Water storage • Water and sewage pumping station • Welding shop • Well drilling company • Wholesale trade	• Other similar uses as determined by the Planning Commission

Table 5-3.18: I-3 Heavy Industrial District

Development Standards	I-3 District Requirement
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A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	40 ft.
Side Street Side	0 ft. 60 ft. on side adjacent to the residential district where this district use abuts a residential district.
Rear	0 ft. 50 ft. 60 ft. where this district use abuts a residential district
Accessory Structures	Depends on building setback requirements

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	None Required

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	None Required
Lot Width	None Required
Density	Not Applicable

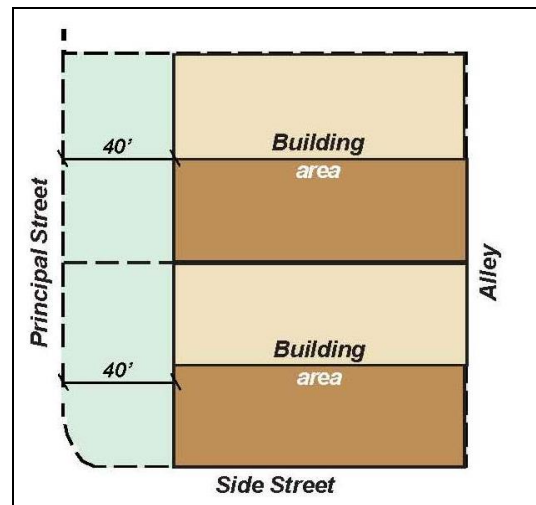
D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	60 ft. 1 story

E. Parking Requirement - The requirements for parking can be found in Section 6.11 Automobile and Vehicular Parking and Loading	
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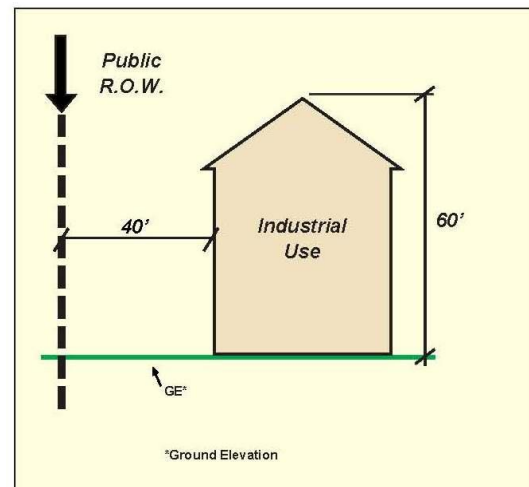
F. Additional site development standards

Where a building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard or combination thereof. Outdoor storage subject to the provisions of Section 6.12

G. Building Placement



H. Building Height and Profile



I. Screening Requirements

When industrial district abuts a residential district, such space shall be screened from the abutting residential district by walls or by fences or by other screening not less than eight (8) feet in height, in a manner acceptable to the Planning Department.

Table 5-3.18: I-3 Heavy Industrial District (cont.)

J. Uses Permitted	J. Uses Permitted (cont.)
The following uses of property, buildings or structures provided they meet the requirements of the applicable Federal, State and Local Agencies relative to Hazardous Waste Material or substances. All uses shall meet the screening and height limitations for open storage and display of merchandise and materials as set forth in Article 6, Section 6.12 of this ordinance: • Any use permitted in I-2 Light Industrial District • Abrasive manufacture • Accessory use • Acetylene gas manufacture and/or storage • Alcohol distillation and/or storage • Ammonia, bleaching power, and chlorine manufacture • Asbestos products manufacture • Asphalt products manufacture • Automobile and truck body manufacture • Boiler and tank works • Brewery • Caustic soda manufacture • Celluloid manufacture • Chemicals (heavy or industrial) manufacture and/or processing • Cotton compress • Cotton ginning and baling • Dyestuff manufacture • Electric power generating station • Fungicides manufacture • Glass manufacture • Grain drying or feed manufacture from refuse, mash or grain • Grain milling, storage and elevators • Graphite manufacture • Hair products manufacture or processing • Incinerator • Insulation manufacture or fabrication • Linoleum manufacture • Medical Cannabis Cultivation Facility • Oils and fats (animal and vegetable) manufacture • Paints, pigments, enamels, japans, lacquers, putty, varnishes, whiting, and wood filler, manufacture or fabrication • Paper pulp, cellulose and rayon manufacture	• Plastics manufacture • Potash works • Rock crusher • Saw mill or planning mill • Sewage disposal plant • Soda and washing compound manufacture • Shipbuilding • Stone cutting • Sugars and starches manufacture • Syrup manufacture • Tar distillation and manufacture • Telecommunications facilities, meeting specific requirements • Trailer manufacture • Wood preserving by creosote or other impregnation treatment K. Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures) • Other similar uses as determined by the Planning Commission

Table 5-3.19: F – Flood Plain District

Development Standards	F – Flood Plain District
No uses are permitted in the Flood Plain District except those which are allowed upon review and approval of a use permit. Upon consideration of the purposes of this section and ordinance as a whole, the Board of Supervisors, after review by the Planning Commission, may attach such conditions to the granting of special use permits as it deems necessary to further the purpose of this section and ordinance as a whole. Among such conditions, without limitation because of specific enumeration, may be included: - Modification of waste disposal and water supply facilities. - Limitations on periods of use and operation. - Impositional controls, sureties and deed restrictions. - Requirements for construction of channel modifications, dikes, levees and other protective measures. - Floodproofing measures such as the following shall be designed consistent with the flood protection elevation for the particular area, flood velocities, durations, rate of rise, hydrostatic and hydrodynamic forces and other factors associated with the base flood. The applicant shall submit plan or document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the base flood factors for the particular area. The following floodproofing measures may be required without limitation because of specific enumeration: - Anchorage to resist flotation and lateral movement. - Installation of watertight doors, bulkheads	and shutters or similar methods of construction. - Reinforcement of walls to resist water pressures. - Use of paints, membranes or mortars to reduce seepage of water through walls. - Addition of mass or weight to structures to resist flotation. - Installation of pumps to lower water level in structures. - Construction of water supply and waste treatment systems so as to prevent the entrance of floodwaters. - Pumping facilities or comparable practices for subsurface drainage systems for buildings or structures to relieve external foundation wall and basement flood pressures. - Construction to resist rupture or collapse caused by water pressure or floating debris. - Installation of valves or controls on sanitary and storm drains which will permit the drains to be closed to prevent backup of sewage and storm waters into the building or structure. Gravity draining of basements may be eliminated by mechanical devices. - Location of all electrical equipment, circuits and installed electrical appliances in a manner which will assure they are not subject to flooding and to provide protection from inundation by the base flood. - Location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety and welfare in a manner which will assure that the facilities are situated at elevations above the base flood protection elevation, or are adequately floodproofed to prevent flotation of storage containers or damage to storage containers which could result in the escape of toxic materials into floodwaters.

Table 5-3.19: F – Flood Plain District (cont.)

Uses Permitted on Review by the Planning Commission (see Article 9, Section 9.3 for Public Hearing Procedures)

- Circuses or carnivals
- Fish camps
- Marinas or boat rentals
- Parks and playgrounds
- Automobile sale lots
- Docks, piers, and wharves
- Railroads, streets, bridges, pipelines
- Other uses similar in nature to the above, which are consistent with the purposes, set out in this section and the intent of this ordinance

Table 5-3.20: GUDA – Gautier Urbanized Development Area District

Development Standards	GUDA District Requirements
A. Urbanized Development Area Review Committee. An Urbanized Development Area Review Committee shall be appointed which shall consist of representatives of the County and City. The review participants are directed to provide written comments on each proposed development or activity which shall be transmitted to the applicant and to the Jackson County Planning Commission for the record of the public hearing. The Planning Commission shall consider the Comments of the Review Committee as a directive in granting approval or denial or conditional approval of a pending application. In the cases of Permitted Uses, where the staff of the Planning Department approve land use activities or permits, the comments of the Committee will become binding to the Planning Department as to issuance of permits. The Urbanized Development Area Review Committee shall consist of the following members: 1. County Planning Director 2. City Engineer 3. City Fire Marshal 4. City Planning Director 5. County Zoning Administrator 6. City Police Chief B. Urbanized Development Area Review Required. Any proposed development shall be reviewed for compliance with the purpose and intent of this section. The provisions of this section shall apply to the following land use activities: In any zoning district Uses Permitted, Uses Permitted on Review, Special Exceptions, and request for changes in zoning and/or divisions of land shall comply with the provisions of this Section as herein stated. Request for changes in zoning within this District shall be reviewed by the Committee for comment to the Jackson County Planning Commission for inclusion in the public hearing. Such comments shall be limited to those appropriate to zone change requests as established by case law. Request for zone changes shall not be subject to Items D and E of this section. C. Exceptions: Any residential single family use, including mobile homes, or duplexes on a single lot shall be exempt from this section. Any commercial development less than three (3)	units or less than 3,000 square feet of building area or less than one (1) acre in lot area shall be exempt from this section. D. The Site Plan. A Site Development Plan shall be prepared by the landowner or person proposing the intended development activity. The plan shall be submitted to the Planning Department and shall include the following: a. Statements of ownership and control of the proposed development. b. Statement describing in detail the character and intended use of the development. c. A dimensioned site plan based on exact survey of the property drawn to scale of sufficient size to show (a) exact location of all buildings and structures, (b) all means of ingress and egress, (c) all screens and buffers, (d) off-street parking and loading areas, (e) refuse collection areas, (f) access to utilities and points of utilities hook-up, and (g) natural features such as streams, lakes or other topographic features. d. Storm drainage and sanitary sewer plans. e. Architectural definitions for buildings in the development; location, sizes and types. f. Plans for recreation facilities, if any, including buildings for such use. g. Such additional data, maps, plans, or statements as may be required for the particular use or activity involved. h. Such additional data as the applicant may believe is pertinent to the site development plan. i. A description and/or plan of erosion and sediment control measures, which will be employed to prevent damaging increases in erosion or in flood height velocities, must be submitted with the Preliminary Plat. 1. If the construction site is 1 to 5 acres, a Stormwater Pollution Prevention Plan must be submitted to the County. 2. If the construction site is greater than 5 acres, a Stormwater Pollution Prevention Plan must be submitted to the County and the Mississippi Department of Environmental Quality. 3. Certification of Post Construction Best Management Practice Perpetual Responsibility and Maintenance must be provided.

Table 5-3.20: GUDA – Gautier Urbanized Development Area District (cont.)

Development Standards	GUDA District Requirements
E. Conditions of Site Plan Approval. The site plan submitted for such development as defined in this section shall provide that the proposed lot sizes, lot coverage, density, setback provisions and other factors are in conformity with the requirements of this chapter and other applicable ordinances and laws. In addition to such general considerations, said plan shall be approved only after a consideration of the following factors: a. Ingress and egress to the property and proposed structure thereon, with particular reference to automotive and pedestrian safety, traffic flow and control, provision of services and servicing for utilities, and access in case of fire or catastrophe. b. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent properties and the consequence of such drainage on overall county capacities. c. Conditions on ownership, control and use generally, and conditions on ownership, control, use, and maintenance of open space or common lands to insure preservation of such lands for their intended purposes. d. All utility connections shall be indicated and shall be in conformity with the standards and requirements for connection to utility companies proposed to serve the property whether said utility companies are public or private. e. Off-street parking and loading areas, with attention to automotive and pedestrian safety, traffic flow and control, access in case of fire and catastrophe, and screening and landscaping. f. Recreation and open spaces, with attention to the location, size, and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties, and relationship to community-wide open spaces and recreation facilities. g. Density and/or purpose of the development, with attention to its relationship to adjacent and nearby properties. h. General site arrangement, amenities, and convenience, with particular reference to	insuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the areas to cause a substantial depreciation of such property values. i. All setbacks, parking areas and accessory structures shall be so landscaped, located and constructed so as not to interfere with the use of the surrounding property. F. Procedure. Each member of the committee shall submit written comments to the County Planning Director within ten (10) days of the hearing date or such date as set forth by the Director. The written comments shall be transmitted to the applicant and the Jackson County Planning Commission at least five (5) days prior to the public hearing. In the case where no public hearing is required, such as with Permitted Uses, the written comments shall be submitted to the Planning Director prior to the issuance of the appropriate permits. In the event written comments are not received ten (10) days prior to the hearing date the Jackson County Planning Commission may proceed with the public hearing as it shall deem appropriate. In the case of Permitted Uses or similar allowed uses, the County Planning Director may select a time for comments to be received from the Committee and after that date he/she may proceed without further action from the Committee. G. Divisions of Land. When a division of land is proposed resulting in the creation of two (2) or more lots either being less than three (3) acres in size such a land division shall be referred to as a subdivision of land. Such a proposed development shall be designed and constructed in accordance with the Jackson County Subdivision Regulations and comply with those provisions of the Gautier Subdivision Regulations in regards to the following: a. Sewer connections and water and sewer distribution systems b. Street and road design and construction including street lights c. Drainage, storm water, and erosion control d. Sidewalks and other pedestrian or nonmotorized ways e. Design of lots, blocks, and easements Preliminary plat approval of the subdivision by the Jackson County Planning Commission shall be granted only after written comment is received from the City Engineer's Office in regards to the items listed in a., b., c., d. above.

Table 5-3.21: OSUDA – Ocean Springs Urbanized Development Area District

Development Standards	OSUDA District Requirements
A. Urbanized Development Area Review Committee. An Urbanized Development Area Review Committee shall be appointed which shall consist of representatives of the County and City. The review participants are directed to provide written comments on each proposed development or activity which shall be transmitted to the applicant and to the Jackson County Planning Commission for the record of the public hearing. The Planning Commission shall consider the Comments of the Review Committee as a directive in granting approval or denial or conditional approval of a pending application. In the cases of Permitted Uses, where the staff of the Planning Department approve land use activities or permits, the comments of the Committee will become binding to the Planning Department as to issuance of permits. The Urbanized Development Area Review Committee shall consist of the following members: 1. County Planning Director 2. City Engineer 3. City Fire Marshal 4. City Planning Director 5. County Zoning Administrator 6. City Police Chief B. Urbanized Development Area Review Required. Any proposed development shall be reviewed for compliance with the purpose and intent of this section. The provisions of this section shall apply to the following land use activities: In any zoning district Uses Permitted, Uses Permitted on Review, Special Exceptions, and request for changes in zoning and/or divisions of land shall comply with the provisions of this Section as herein stated. Request for changes in zoning within this District shall be reviewed by the Committee for comment to the Jackson County Planning Commission for inclusion in the public hearing. Such comments shall be limited to those appropriate to zone change requests as established by case law. Request for zone changes shall not be subject to Items D and E of this Section. C. Exceptions: Any residential single family use, including mobile homes or duplexes on a single lot shall be exempt from this section. Any commercial development less than three (3)	units or less than 3,000 square feet of building area or less than one (1) acre in lot area shall be exempt from this section. D. The Site Plan. A Site Development Plan shall be prepared by the landowner or person proposing the intended development activity. The plan shall be submitted to the Planning Department and shall include the following: a. Statements of ownership and control of the proposed development. b. Statement describing in detail the character and intended use of the development. c. A dimensioned site plan based on exact survey of the property drawn to scale of sufficient size to show (a) exact location of all buildings and structures, (b) all means of ingress and egress, (c) all screens and buffers, (d) off-street parking and loading areas, (e) refuse collection areas, (f) access to utilities and points of utilities hook-up, and (g) natural features such as streams, lakes or other topographic features. d. Storm drainage and sanitary sewer plans. e. Architectural definitions for buildings in the development; location, sizes and types. f. Plans for recreation facilities, if any, including buildings for such use. g. Such additional data, maps, plans, or statements as may be required for the particular use or activity involved. h. Such additional data as: the applicant may believe is pertinent to the site development plan. i. A description and/or plan of erosion and sediment control measures, which will be employed to prevent damaging increases in erosion or in flood height velocities, must be submitted with the Preliminary Plat. 1. If the construction site is 1 to 5 acres, a Stormwater Pollution Prevention Plan must be submitted to the County. 2. If the construction site is greater than 5 acres, a Stormwater Pollution Prevention Plan must be submitted to the County and the Mississippi Department of Environmental Quality. 3. Certification of Post Construction Best Management Practice Perpetual Responsibility and Maintenance must be provided.

Table 5-3.21: OSUDA – Ocean Springs Urbanized Development Area District (cont.)

Development Standards	OSUDA District Requirements
E. Conditions of Site Plan Approval. The site plan submitted for such development as defined in this section shall provide that the proposed lot sizes, lot coverage, density, setback provisions and other factors are in conformity with the requirements of this chapter and other applicable ordinances and laws. In addition to such general considerations, said plan shall be approved only after a consideration of the following factors: a. Ingress and egress to the property and proposed structure thereon, with particular reference to automotive and pedestrian safety, traffic flow and control, provision of services and servicing for utilities, and access in case of fire or catastrophe. b. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent properties and the consequence of such drainage on overall county capacities. c. Conditions on ownership, control and use generally, and conditions on ownership, control, use, and maintenance of open space or common lands to insure preservation of such lands for their intended purposes. d. All utility connections shall be indicated and shall be in conformity with the standards and requirements for connection to utility companies proposed to serve the property whether said utility companies are public or private. e. Off-street parking and loading areas, with attention to automotive and pedestrian safety, traffic flow and control, access in case of fire and catastrophe, and screening and landscaping. f. Recreation and open spaces, with attention to the location, size, and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties, and relationship to community-wide open spaces and recreation facilities. g. Density and/or purpose of the development, with attention to its relationship to adjacent and nearby properties. h. General site arrangement, amenities, and convenience, with particular reference to insuring that appearance and general layout of the proposed development will be	compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause a substantial depreciation of such property values. i. All setbacks, parking areas and accessory structures shall be so landscaped, located and constructed so as not to interfere with the use of the surrounding property. F. Procedure. Each member of the committee shall submit written comments to the County Planning Director within ten (10) days of the hearing date or such date as set forth by the Director. The written comments shall be transmitted to the applicant and the Jackson County Planning Commission at least five (5) days prior to the public hearing. In the case where no public hearing is required, such as with Permitted Uses, the written comments shall be submitted to the Planning Director prior to the issuance of the appropriate permits. In the event written comments are not received ten (10) days prior to the hearing date the Jackson County Planning Commission may proceed with the public hearing as it shall deem appropriate. In the case of Permitted Uses or similar allowed uses, the County Planning Director may select a time for comments to be received from the Committee and after that date he/she may proceed without further action from the Committee. G. Divisions of Land. When a division of land is proposed resulting in the creation of two (2) or more lots either being less than three (3) acres in size such a land division shall be referred to as a subdivision of land. Such a proposed development shall be designed and constructed in accordance with the Jackson County Subdivision Regulations and comply with the Ocean Springs Subdivision Regulations, including Article III thereof, in regards to the following: a. Sewer connections and water and sewer distribution systems b. Street and road design and construction including street lights c. Drainage, storm water, and erosion control d. Sidewalks and other pedestrian or nonmotorized ways e. Design of lots, blocks, and easements Preliminary plat approval of the subdivision by the Jackson County Planning Commission shall be granted only after written comment is received from the City Engineer's Office in regards to the items listed in a., b., c., d. above.

Table 5-3.22: Planned Unit Development (PUD) District

Development Standards	Planned Unit Development District Requirement
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G. Minimum size of any Planned Unit Development shall be five (5) acres.

A. Setbacks – Minimum setbacks required, as shown in Figure to the right.	
Front	Same as the underlying zoning district
Side – Interior (each)	Same as the underlying zoning district
Side - Street Side	Same as the underlying zoning district
Rear	Same as the underlying zoning district
Accessory Structures	Same as the underlying zoning district

B. Lot Coverage – Maximum percentage of lot area that may be covered by structures.	
Maximum Coverage	To Be Determined

C. Lot Area – Minimum size of lot in this particular land use district.	
Appropriate Lot Size	No minimum lot sizes to allow clustering*
Density	Per the underlying zoning district

*This is to allow the house locations on the site to take advantage of the natural features of the property.

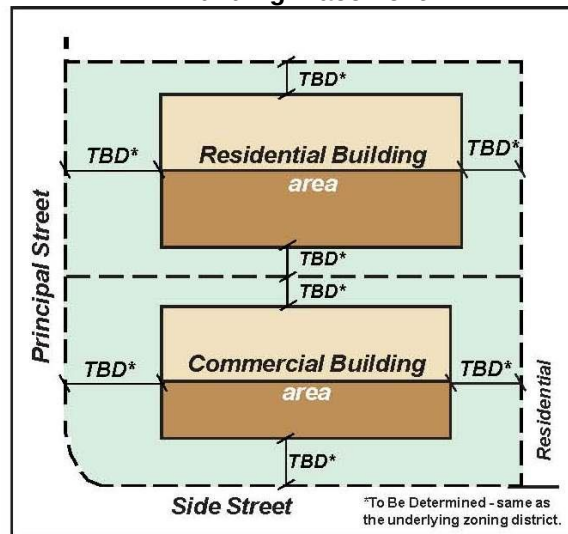
D. Height Limit – Maximum allowable height of structures. See Figure to the right.	
Main Structure	Depends on the zoning district

E. Parking - The requirements for parking, loading and access in a Planned Unit Development can be found in Article 6 of this Ordinance.

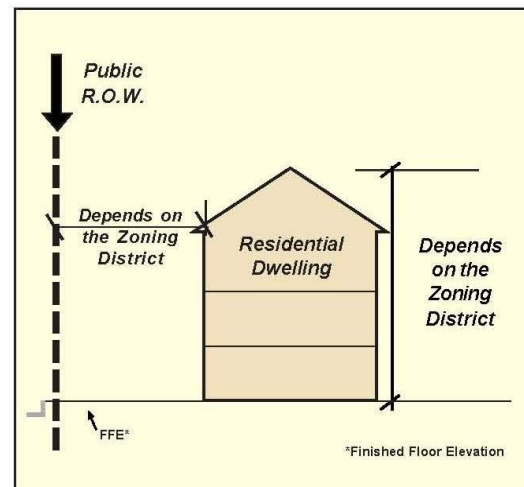
F. Additional site development standards:

The minimum open space area shall be 15% of the gross area (total acreage) of the Planned Unit Development, as shown on the required development plan. Public streets, parking lots (for example, a parking lot for a Planned Unit Development recreational building), and utility easements shall not be considered in meeting the open space requirements of this Section. Additionally, lakes and ponds shall not constitute 100% of the required open space.

H. Building Placement



I. Building Height and Profile



J. Development Density

Commercial uses in any Planned Unit Development shall not constitute over 25 percent (25%) of the land area of such development and land area occupied by residential, commercial, public, and other buildings. Accessory structures shall not exceed 45 percent (45%) of the total land areas of such development. Parking areas for commercial facilities are considered a commercial use of land.

Table 5-3.22: Planned Unit Development (PUD) District (cont.)

K. General Description.

The purpose of the Planned Unit Development district is to provide a means for developing open space areas in larger developments, to take advantage of natural features of the landscape in the design, to improve the quality of urban environment and to reduce the costs of developing and providing public resources and utilities. The owners of any tract of land containing at least five (5) acres may submit a plan for the use and development of the entire tract for residential, compatible commercial, and related uses as a single and unified project. The basic control development intensity shall be one (1) or more residential districts. The Planned Unit Development shall be a superimposed designation providing a broader latitude of design to achieve the above stated goals.

L. Site Plan Required.

A detailed site plan of the proposed Planned Unit Development District shall be submitted to the Site Plan Committee for study and approval; which shall be considered as a recommendation to the County Planning Commission. Final approval shall be made by the Jackson County Board of Supervisors based on the recommendation of the County Planning Commission.

M. Uses Permitted.

Uses permitted by right in the Planned Unit Development District are those normally necessary to make up a total neighborhood community, specifically including the following:

a. Residential Uses: Any use permitted by right in the R-3 (Multi-Family Residential District), with the exception of modular homes. Secondary Living Units are permitted.

b. Commercial Uses: Permitted commercial uses shall be those of retail type and personal service type commercial associated with community shopping centers and high-quality office park type development.

c. Public and Semi-Public Facilities: Community centers, schools, parks and other recreational facilities, churches, clubs, public utilities, libraries and other public buildings and structures required to provide essential public

services and any other use which primarily serves the residents of such a development.

N. Regulations.

a. Residential Lot Size: No minimum lot sizes are established, per se, so that housing can be clustered or otherwise concentrated or arranged in planned locations on the site to take advantage of its natural features.

b. Open Space Reservation: In any Planned Unit Development the amount of land not used by residential buildings, accessory structures, and yards, but required by the residential zoning of the site, shall be reserved collectively in contiguous units accessible to all the building sites in the development as maintained open space for the purpose of providing parks, recreational facilities, ways for pedestrian movement and circulation, and conserving visually pleasing elements of the environment. Prior to the sale of any lot, site, home or other structure a bond of sufficient surety shall be posted with the Jackson County Board of Supervisors for completion of said open space improvements prior to such sale. The open space developed will constitute no less than an equivalent proportional amount to the area being developed in the case of partial development.

c. Development Density: Commercial uses in any Planned Unit Development District shall not constitute over 25 percent (25%) of the land area of such development and land area occupied by residential, commercial, public and other buildings and accessory structures shall not exceed 45 percent (45%) of the total land area of such development. Parking areas for commercial facilities are considered a commercial use of land. Be it further provided that commercial development may not be started until the residential development is at least one-fourth (1/4) complete.

d. Homes Association: As part of the plan proposed for any Planned Unit Development, the developer shall submit a set of covenants running with the land providing for an automatic membership Homes Association, to be an incorporated non-profit organization, operating under recorded land agreements, through which each property owner in the Planned Unit Development is automatically subject to a charge for an appropriate proportionate share of the expenses for maintaining the common property, open space and/or other activities of the

Table 5-3.22: Planned Unit Development (PUD) District (cont.)

Association. Once established, the covenants shall continue and remain in force during the entire existence of the Planned Unit Development. e. Responsibility for Open Space: Nothing in this section of the Ordinance shall be construed as a responsibility of Jackson County, either for maintenance or liability of the following, which shall include, but not limited to: any private open areas, parks, recreational facilities, and a hold harmless clause shall be incorporated in the covenants running with the land to this effect. It shall be provided further, however, that when an owner of a Planned Unit Development desires to dedicate certain land areas to the County for public parks and recreational facilities, and the County approves the nature and location of the such lands, and accepts the dedicated area, the County shall be responsible for the operation and maintenance of these lands and properties. f. Appearance of Public Utility Facilities: Public utility facilities and structures shall be architecturally compatible, or shall be property screened and landscaped in keeping with the character and appearance of the neighborhood, all as approved by the County Planning Commission. g. Board of Supervisors Approval: Planned Unit Development Districts and establishment of zoning therefor must be approved by the Jackson County Board of Supervisors. However, development shall be in accordance with the approved site plan. Any contemplated deviation from the approved plan shall be reviewed by the Site Plan Review Committee and recommendations submitted to the Board of Supervisors for approval. The County Planning Commission has the authority to require reasonable plan changes for the Planned Unit Development as a prerequisite to approval.	
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Table 5-3.23: PL Public Lands District

Development Standards	PL District Requirements
A. Uses Permitted and Uses Permitted on Review by the Planning Commission. The following uses of property, building, or structures: Uses in this district are those uses permitted by the controlling governmental agency, and approved by Jackson County Planning Commission upon presentation at a regular meeting. A public hearing in accordance with Article 9, Section 9.3, may be required by the Jackson County Planning Commission prior to approval. B. Area and Setback Regulations The area and setback regulations in this district are not restricted except that setbacks of structures from other zoning district boundaries shall comply with the yard setbacks of the adjacent zoning district.	

Article 6.

SUPPLEMENTARY REGULATIONS.

Section 6.1. Sale of Alcoholic Beverages.

- a. It shall be unlawful to operate in Jackson County, Mississippi, any place of business for the sale, either at wholesale or retail, of alcoholic beverages within four hundred (400) feet of any church, school or park; but within an area zoned commercial, such minimum distance shall not be less than one hundred (100) feet.
- b. For the purposes of this section, the distance shall be measured as follows:
 - 1) Church - The distance shall be measured by following the shortest route of ordinary pedestrian travel along the business thoroughfare from the main entrance of said business to the main entrance of the church. For the purposes of computing this distance, the same shall be measured between two (2) fixed points on said thoroughfare determined by projecting straight lines at right angles to the thoroughfare from the parts of the buildings nearest to each other.
 - 2) School or park - The distance shall be measured from the actual location of the business to the nearest point of the property line of the school grounds or park, to be measured along the regular traveled thoroughfare in the same manner as set out in one (1) above.
 - 3) There shall be excluded from the restrictions imposed as to location, those businesses which have been operating within Jackson County, Mississippi, prior to the location of a church, school or park within the restricted distance, provided that said establishment can produce evidence that a license has been issued by proper authorities to the business for the sale of alcoholic beverages prior to the location of the church, school or park for each year thereafter.

Section 6.2. Camper Trailer Park, Campground, Recreational Vehicle (RV) Park.

- a. Developer shall furnish a sketch of the layout of camper trailer spaces, tent spaces, driveways, buildings, utilities and recreational area.
- b. Each camper trailer park shall contain a minimum of five (5) acres.
- c. Sewerage facilities, washroom or toilet facilities, and water supply shall comply with the sanitary regulations governing tourist camps, cabin camps, tent camps, trailer camps and similar establishments of the Mississippi State Board of Health, and/or Mississippi Air and Water Pollution Control Commission where applicable.
- d. The Park shall afford proper drainage and same shall be approved by the county engineer.
- e. Parks shall be restricted to towed campers or travel trailers not exceeding thirty-one (31) feet in length, and to self-propelled vehicles not exceeding forty (40) feet in length.

- f. Parks shall be surrounded by an unoccupied open space or buffer strip fifty (50) feet wide on all sides. The inside twenty (20) feet may be used for a driveway.
- g. Lot Sizes -
Minimum lot area - 1,600 square feet
Minimum lot width - 30 feet
- h. Driveways -
 - 1) Minimum - Twenty (20) feet two-way traffic: Twelve (12) feet one-way traffic
 - 2) Maximum Grade - Six percent (6%)
 - 3) Minimum curve radius - fifty (50) feet
 - 4) Surface requirements - Minimum four (4) inch sub-base with clay or gravel surface. Regular and adequate maintenance required to afford circulation of traffic and suitable surface for travel.
 - 5) Adequate turnarounds shall be provided with no dead end streets.
- i. Electrical Requirements -
 - 1) Electrical outlets shall meet the minimum standards of the current adopted edition of the National Electrical Code.
 - 2) Washrooms or toilet facilities shall remain lighted at night.
 - 3) Outdoor lighting is required along pathways to restrooms at a maximum of one hundred (100) feet apart, not exceeding three (3) feet above ground and reflected downward, or as may be approved by the Building Inspector to provide adequate visibility.
- j. Camper trailer parks may contain accessory buildings necessary for the operation of the park such as bathhouses, rest room, laundry rooms, offices, recreation buildings, if approved by the Planning Commission. One (1) single family residence is allowed on site for occupancy by the owner operator only, for each one hundred (100) campsites or portion thereof.
- k. The Planning Commission shall have the right to require any other improvements deemed necessary for proper layout and design, or health, safety, convenience and general welfare of the citizens of Jackson County.
- l. All parks must have an evacuation plan approved by the Jackson County Planning Department.

Section 6.3. Institutional Residential Homes.

- a. Institutional residential homes shall be allowed in residential districts subject to the following conditions:
 - 1) When a site for an institutional residential home has been selected by a sponsoring agency in a residential land use district, the agency shall notify the County Supervisor and Planning Director in writing and include in the notice the specific address of the site, the residential licensing category, the number of residents, and the community support requirements of the program. Such notice shall also contain a statement from the district administrator of the health department indicating the need for and the licensing status of the proposed institutional residential home and specifying how the home meets applicable licensing criteria for the safe care and supervision of clients in the home. The district administrator shall also provide to the County Supervisor the most recently published data compiled that identifies all institutional residential homes in the district in which the proposed site is to be located. The Planning Director shall review the application of the sponsoring agency in accordance with applicable requirements of this code.
 - 2) Pursuant to such review, the Planning Director may:
 - a) Determine that the siting of the institutional residential home is in accordance with applicable requirements and approve the siting. If the siting is approved, the sponsoring agency may establish the home at the site selected.
 - b) Fail to respond within 60 days. If the Planning Director fails to respond within such time, the sponsoring agency may establish the home at the site selected.
 - c) Deny the siting of the home.
 - 3) The Planning Director shall not deny the siting of an institutional residential home unless the Planning Director establishes that the siting of the home at the site selected:
 - a) Does not otherwise conform to existing regulations applicable to other or institutional uses in the area.
 - b) Does not meet applicable licensing criteria established by the Health Department, including requirements that the home be located to assure the safe care and supervision of all clients in the home.
 - c) Would result in such a concentration of institutional residential homes in the area in proximity to the site selected such that the nature and character of the area would be substantially altered. A home that is located within a radius of 1,200 feet of another existing institutional residential home shall be an over concentration of such homes that substantially alters the nature and character of the area.

- 4) All distance requirements shall be measured from the nearest point of the existing home to the nearest point of the proposed home via path of travel.
- b. Upon receipt of the written notice from the sponsoring agency provided for in [subsection] (1) above, the County Supervisor shall notify the Board of County Supervisors of the pending application. The Planning Director shall, within 20 days of the receipt of the application, review the application and provide the board and the applicant with a written decision outlining reasons for the decision. The applicant may appeal the decision of the Planning Director by notifying the County Supervisor within ten days from the date of the Director's decision. Appeals of the decision of the Planning Director Shall be in accordance with Article 9.

Section 6.4. Telecommunication Facilities.

Section 6.04.01. Purpose and Intent. Due to the rapid development of wireless communications technology, the growing demand for wireless communications services among the public and the granting of additional licenses by the Federal Communications Commission (FCC) for the provision of wireless communications services, Jackson County, Mississippi, has received numerous requests for the siting of communication towers in the unincorporated areas of Jackson County and anticipates receiving such requests with increasing frequency in the future. As a consequence, it has become necessary for regulations which specifically address the unique issues created by wireless communications technology. It is the intent of this Section to address those issues in a manner which protects the public health, safety and welfare of the citizens of Jackson County while recognizing the demand of the public for wireless communications services and the limitations placed upon local regulatory authority by the Federal Telecommunications Act of 1996. Among the specific purposes of this Section are to:

1. Protect the public and surrounding property from the consequences of potential tower failures;
2. Minimize the visual impacts of communication towers on residential and other areas of Jackson County through appropriate siting, design and buffering criteria and by encouraging the co-location of new telecommunication facilities on existing structures;
3. Provide an appropriate number of sites for communication towers so that the demand of the public for wireless communications services can be met while the general appearance of Jackson County and the safety of its residents and visitors is protected; and
4. Regulate communication towers in a manner consistent with the intent and provisions of the Jackson County Zoning Ordinance.

Section 6.04.02. Exceptions.

1. Any telecommunications facility (or communication tower) or antenna that is solely operated by an amateur radio operator licensed by the Federal Communications Commission.
2. Antennas placed on alternative support structures which blend architecturally with the alternative support structure and require no additional equipment buildings or support equipment on the existing premises.
3. Antennas placed on telecommunication towers which do not add to the height of the telecommunication tower.

Section 6.04.03. Reserved.

Section 6.04.04. General Requirements.

1. If lighting is required, strobe lighting shall be utilized during daylight hours only and red lighting shall be utilized at night unless another form of lighting is required by the Federal Aviation Administration or any other authority with jurisdiction.
2. All communication towers shall meet all applicable requirements of the Federal Aviation Administration, the Federal Communication Commission, and any other agency of the federal government, with authority to regulate telecommunication facilities. These approvals shall be submitted with the application for a building permit.
3. New communication towers and antennas, as well as modifications to existing towers, including height additions and additions of antennas, shall be designed in accordance with the current adopted Building Code. Construction plans shall be signed and sealed by an engineer currently licensed to practice in the State of Mississippi.
4. No communication tower shall exceed a maximum height of three hundred sixty (360) feet.
5. No commercial signage or advertising shall be placed on communication towers.
6. Communication towers shall be enclosed by security fencing not less than six feet (6') in height.
7. No communication tower shall be approved unless a lease or other contract exists between the tower applicant and a telecommunication service provider for placement of an antenna on the tower upon approval and construction of the tower.
8. Landscape screening shall be placed around the perimeter of the security fence and shall be of a height to obscure the fence.

9. Telecommunication towers located as permitted uses in Heavy Industrial (I-3), Light Industrial (I-2) and Highway Commercial (C-3) Zoning Districts shall meet any additional setback or screening requirements of that district.
10. Telecommunication towers, including their equipment buildings and other supporting equipment shall meet the additional front yard setback requirements as stated in Section 4.06.10.
11. Telecommunication towers, including their equipment building and other supporting equipment shall meet the buffering requirements of Section 4.06.11.
12. Telecommunication towers in no instance shall have a setback less than that required of the specific Zoning District Regulations.
13. In order to encourage co-location of facilities, all new towers shall be designed and built to accommodate at least two (2) carriers.
14. If a tower ceases to operate, in that there are no operational antenna located thereon for a period of one (1) year, then the tower will be deemed to be abandoned. The owner/operator of the abandoned tower shall be given one (1) year after being provided with written notice of the determination of abandonment, to either reactivate or dismantle and remove the tower.
15. Temporary towers associated with a special event may be permitted for a limited period of time by Jackson County as part of the event, not to exceed the time of the special event. Temporary towers necessary to aid in post disaster relief efforts are exempt from these regulations.
16. Prior to approval by the Planning Commission of a permanent telecommunications tower, the applicant must submit written proof to the Planning Commission of attempts to co-locate when there is another telecommunications tower which could provide the coverage sought within the search area.

Section 6.04.05. Permitted Uses. Telecommunication facilities including their equipment buildings and other supporting equipment, shall be permitted uses by right and shall not require a public hearing in the following zoning districts:

1. Light Industrial (I-2) and Heavy Industrial (I-3) Zoning Districts.
2. Highway Commercial (C-3) Zoning Districts.
3. Communication towers being modified or rebuilt to accommodate the co-location of additional antennas provided:
 - a. The modified or rebuilt tower, including the added antenna(s), is no more than twenty feet (20') taller than the original tower;

- b. The modified or rebuilt tower is relocated to a location no more than fifty feet (50') from the original tower and no closer to any off-site residential structure;
- c. The Use Permit or Special Exception approval, if any, for the original tower does not contain a condition prohibiting relocation of or addition to the structure; and
- d. The original tower is removed from the site upon completion of the replacement tower in those cases where the original tower is being rebuilt rather than modified.

Section 6.04.06. Use Permits on Review by the Planning Commission. The telecommunications tower listed immediately below, including their equipment buildings and other supporting equipment, shall be considered as Use Permits and shall have a public hearing, if:

- 1. Any communication tower or antenna that does not meet the requirements of Section 6.04.04.
- 2. General Agricultural (A-1) Zoning Districts, if the tower is a distance of 100% of the height of the tower from any adjoining property line and a distance of 50% of the height of the tower from any public road rights-of-way.
- 3. Any communication tower located in an Agricultural-Residential (A-2) Zoning District, if the tower is a distance of 150% of the height of the tower from any adjoining property line and a distance of 100% of the height of the tower from any public road rights-of-way.
- 4. Any communication tower closer than three (3) miles to any other communication tower.

Section 6.04.07. Special Exceptions. Any telecommunication towers that are listed immediately below shall be heard as a Special Exception and meet the requirements of Section 9.12,

- 1. Any telecommunication towers that are not included in Section 6.04.04, Section 6.04.05, or Section 6.04.06.
- 2. Speculative Towers.

Section 6.04.08. Conflicts. In the event any of these provisions regarding telecommunication facilities are in conflict with federal law, the latter will govern on the point of conflict.

Section 6.5. Mobile Home on a Large Tract of Land. Any tract previously approved for a mobile home placement on a single tract of land three (3) acres or more, shall be void if said tract is subsequently divided into less than three (3) acres, then the mobile home shall be removed from the property within thirty (30) days after the property is divided.

Section 6.6. Excavations. No excavation of land shall be made, except for agricultural purposes, unless approval has been given for a Use Permit after a public hearing. Excavation shall be made in an acceptable manner to the Engineering Consultant and shall be left in a slightly condition when completed.

- a. A plot plan, drawn to scale, showing dimensions of excavation, depth, slopes, distances from other property and entrances and exits shall be submitted.
- b. Excavation shall be dug on a 3 to 1 slope.
- c. Topsoil from pit shall be dressed down on slopes 8 grassed to prevent erosion.
- d. Bottom of pit shall be graded in a generally level contour.
- e. Edge of slope at ground level shall be no closer than thirty-five (35) feet from any property line, nor closer than 300 feet from a public road.
- f. The maximum depth of the excavation shall be determined by the Planning Department Engineer. Upon approval, a permit for an excavation shall be issued for a one (1) year period and shall be reviewed and considered for additional periods of time by the Planning Commission.

Section 6.7. Firework Sales. Provisions in this section shall govern the sales of fireworks and related articles.

- a. Fireworks shall be sold in Commercial Zoning Districts only.
- b. Permanent buildings housing fireworks must conform to the County's current adopted Building Code and Fire Prevention Code and shall meet the building setback requirements of the district in which located.
- c. Portable structures used for the sales of fireworks must be of such design and construction that would not permit entry by the public and can be readily moved without disassembly. It must be able to pass Mississippi Department of transportation (MDOT) inspection.
- d. Portable structures shall not display fireworks within reach of the public.
- e. Portable structures and signs shall not be located on property earlier than ten (10) days before sales period.
- f. Portable structures and signs shall be removed from property within five (5) days from end of sales period.

- g. Persons selling fireworks must conform at all times with Mississippi Code, Title 45, Chapter 13, Article I.
- h. Fireworks shall not be sold or displayed within two hundred (200) feet of gasoline pumps or fuel storage areas.
- i. Fireworks shall not be sold or displayed within one hundred (100) feet of other buildings.
- j. Any building, portable structure or area in which fireworks are sold or displayed must be clean and free of debris. In addition, the grass must be cut and trimmed to its lowest setting on a push type lawn mower, such clearance shall be no less than fifty (50) feet from the building or structure.
- k. There shall be only one (1) on-premise sign not exceeding thirty-two (32) square feet, in addition to one (1) sign attached to the building. Such signs must conform to the Zoning Code.
- l. Placement of signs or parking shall not be permitted on the road right-of-way.
- m. Prior to the commencement or sale of fireworks, an on-site inspection must be conducted by the Building Official and Zoning Officer or their designated representative. The Disaster Services Director and the respective Volunteer Fire Chief will be invited to participate in these inspections as observers.
- n. Sale of fireworks from: Vans, Trucks, Buses, Tents, Mobile Homes, or similar means is prohibited. Fireworks may not be stored in vans, trucks, buses, or trailers on location.
- o. Only one (1) portable structure per location is allowed.
- p. Any person or corporation prior to selling fireworks shall first obtain a permit from the County Inspecting Office. A fee of two hundred dollars (\$200.00) shall be paid at the time of application and a one thousand dollar (\$1,000.00) per location cash bond payable to the Jackson County Board of Supervisors shall be posted to insure removal of the temporary structure. A separate permit will be required for each location and sales period. A state sales tax ID number and county sales license is required in order to obtain a permit.
- q. Any out of state person or corporation shall obtain a permit from the County Inspection Office. A fee of five hundred dollars (\$500.00) shall be paid at the time of application and a two thousand dollar (\$2,000.00) per location cash bond payable to the Jackson County Board of Supervisors shall be posted to insure removal of the temporary structure. A separate permit will be required for each location and sales period. A state sales tax ID number and county sales license is required in order to obtain a permit. Any out of state person or corporation found in violation of this permit will forfeit their bond and will not be allowed a fireworks permit for a minimum of three (3) years.

Section 6.7.01. Snowball Stands.

- a. Snowball stands will be permitted in Commercial Zoning Districts only.
- b. Sales period shall be from April 1 through October 31.
- c. Permits shall be obtained from the County inspecting office.
- d. Structures shall meet building setback requirements of the district in which it is located.
- e. Parking shall not be permitted in the right of way.
- f. On-site inspections shall be conducted by the Building and Zoning Officer or their designated representative.
- g. All other State and Federal guidelines shall be followed.
- h. Only one (1) portable structure per location is allowed.

Section 6.8. Fish Camp.

- a. Developer shall furnish a sketch of the layout of the fish camp fifteen (15) days prior to the regular meeting of the Planning Commission. The layout shall include driveways, parking areas, buildings, utilities, recreation areas, boat stalls and vehicle or camper spaces.
- b. The fish camp shall afford proper drainage and be approved by the County Engineer or Planning Department Engineer.
- c. If the fish camp abuts a residential zoning district, there shall be an unoccupied space or buffer strip fifty (50) feet wide between the fish camp and the residential district. The inside twenty (20) feet may be used for a driveway.
- d. Driveways shall conform to the standards as set out in the Camper Trailer Park Regulations, Section 6.2 of this Article.
- e. For camps not served by public sanitary sewer or central sewerage disposal system, the regulations governing tourist camps, cabin camps, tent camps, trailer camps, and similar establishments of the Mississippi State Board of Health and/or Jackson County Utility Authority shall apply.
- f. Fish camps may contain accessory buildings or uses for service incidental to the fish camps and may include Marina Facilities, and bait and tackle sales, if approved by the Planning Commission.
- g. The Planning Commission shall have the right to require any other improvements deemed necessary for proper layout and design, or health, safety, convenience and general welfare of the citizens of Jackson County.

Section 6.9. Flea Markets.

- a. Applicants for flea markets shall submit a sketch of the layout of buildings, stalls, driveways, walkways, parking spaces and material storage and sales areas.
- b. Any new or used items may be sold if the general intent of the approved use remains conforming. Items generally sold are garden produce, new and used household wares, tools, jewelry, pictures, clothing, pottery, books, antiques and furniture.

- 1) The approved use is for flea market sales and all sales conducted shall stay within the intent of the aforementioned generally accepted items sold at farmers or flea markets. This by no means allows other uses generally conducted in the commercial district in which located such as offices, repairs, restaurants, supply stores, etc.
- c. All structures must conform to current adopted building codes.
- d. Fencing, walls or hedging plans must be approved by the Building Official.
- e. Sewer, water, and sanitary facilities shall be approved by the Jackson County Health Department and the Jackson County Utility Authority.
- f. Adequate drainage shall be provided and shall be approved by the Building Official.
- g. Storage of materials shall be neat and orderly and screened from public view.
- h. No business sales or activities shall be allowed within the minimum required building setback area.
- i. No campers, mobile homes or living quarters are allowed.
- j. Off-street automobile parking and loading regulations as outlined in Article 6, Section 6.11 shall be observed and no parking will be allowed on the street or highway right-of-way.

Section 6.10. Garage and Yard Sales.

1. Limited to two (2) a year.
2. Each sale not to exceed three (3) consecutive days.

Section 6.11. Off-Street Automobile and Vehicle Parking and Loading.

Section 6.11.01. General Intent and Application: It is the intent of these requirements that adequate off-street parking and loading facilities be provided for each use of land within the jurisdiction of this ordinance. These requirements shall be applied in all districts.

Section 6.11.02. Size of Automobile Parking and Storage Space: For the purposes of this section a parking or storage space shall not be less than nine feet by eighteen feet (9' x 18'), excluding all driveways, entrances and exits.

Section 6.11.03. All-Weather Surface Required: The Planning Department will review and approve all proposed parking surfaces.

Section 6.11.04. Off-Street Automobile Parking and Storage: Off-street automobile parking or storage space shall be provided on every lot on which any of the uses stated

in this section are hereafter established. Below are the minimum requirements for the specific use or uses as set forth herein:

1. Single-Family and Two-Family dwellings: Two (2) spaces per dwelling unit (driveways may serve as parking space).
2. Multi-Family dwellings: Two (2) spaces per dwelling unit.
3. Mobile homes: Two (2) spaces.
4. Hotels, motels, tourist homes, tourist courts, and rooming houses: One (1) space for each guest or sleeping room or suite, plus one parking space for each three (3) employees on the largest shift. (Also see eating establishments and taverns.)
5. Private clubs, lodges, fraternities, and sororities: One (1) space for each fifty (50) square feet of total floor area in the auditorium, assembly hall, dining room in such building and one (1) space per sleeping room.
6. Churches: One (1) space for each four (4) seats in the main auditorium.
7. Theaters, auditoriums, stadiums, gymnasiums, convention halls and other places of public assembly: One (1) space for each four (4) seats in the building or structure, based on maximum seating capacity.
8. Elementary schools: Two (2) spaces per classroom, plus one (1) space for each two (2) employees exclusive of teachers.
- 8a. Junior High Schools: Five (5) spaces for each classroom, plus one (1) space per employee.
9. Secondary Schools: Ten (10) spaces per classroom, plus one (1) space per employee.
10. Business Colleges and Trade Schools: One (1) space per two (2) student seats at maximum enrollment.
11. Hospitals: One (1) space for each bed intended for patients, excluding bassinets, and one (1) space for each two (2) employees plus one (1) space for each staff doctor.
12. Sanatoriums, nursing homes, convalescent homes, orphanages: One (1) parking space for each eight (8) beds plus one (1) space for each two (2) employees plus one (1) space for each staff member/doctor.
13. Medical and dental clinics: One (1) space per two hundred and fifty (250) square feet of gross floor area.
14. Funeral homes: One (1) space for each three (3) seats in parlors and chapels.

15. Retail sales stores: One (1) space for each one hundred (100) square feet of retail floor space, or as may be determined by the Planning Department.
16. Drive-in retail business: Minimum of ten (10) spaces.
17. Personal service establishments and repair shops: One (1) space for each two hundred and fifty (250) square feet of gross floor area.
18. Wholesale, general business and warehouses: One (1) space for each two (2) employees based on maximum employment and one (1) space for each vehicle to be stored or stopped simultaneously.
19. Industrial and manufacturing establishments: One (1) space per five hundred (500) square feet of gross floor area or per employee, whichever is greatest, plus one (1) space for each vehicle to be stored or stopped simultaneously or as determined by the Planning Department.
20. Eating establishments: One and one-half (1 -1 /2) spaces for each one hundred (100) square feet of gross floor area, or one (1) space for each four (4) seats, whichever requires the largest number.
21. Dance Halls/Taverns: One (1) parking space for each fifty (50) square feet of gross floor area.
22. Drive-in eating establishments: Minimum of ten (10) spaces, plus one (1) space for each four (4) seats of total capacity.
23. Office and professional buildings: One (1) space for each two hundred and fifty (250) square feet of office space.
24. Filling Stations: Two (2) spaces for each grease rack or similar facility: One (1) space for each gas pump, plus one (1) space for each employee on duty.
25. Bus Terminals: Five (5) spaces for each loading or unloading bay.
26. Auto sales and repair: One (1) space for each employee at maximum employment on a single shift plus two (2) spaces for each three hundred (300) square feet of auto repair or sales space, plus one (1) per three thousand (3,000) square feet of outside sales.
27. Other uses: Parking requirements for uses other than those stated in this section shall be determined by the Planning Department.
28. For every required five (5) parking spaces, there shall be an area equal in size to a parking space to be developed and maintained as a green space. This area is to be comprised of grass, ground cover, trees and shrubs.

Section 6.11.05. Combined Parking Spaces: The required parking spaces for any number of separate uses may be combined in one (1) lot but the required space assigned to one (1) use may not be assigned to another use at the same time except that one-half (1/2) of the parking space required for churches, theaters, or assembly

halls whose peak attendance will be at night or on Sunday may be assigned to a use which will be closed at nights or on Sundays.

Section 6.11.06. Off-Street Loading and Unloading Space: Every building or structure used for business, trade or industry shall provide space as indicated herein for the loading and unloading of vehicles. Such space shall have access to a public street or alley.

1. Retail business: Minimum of one (1) space of three hundred (300) square feet per location and one (1) space of three hundred (300) square feet for each three thousand (3,000) square feet of floor area.
2. Wholesaling and industry: Minimum of one (1) space of five hundred (500) square feet per location or one (1) space of five hundred (500) square feet for each ten thousand (10,000) square feet of floor area, whichever is the greater.
3. Bus and truck terminals: Sufficient space to accommodate the maximum number of buses or trucks to be stored or to be loading or unloading at the terminal at any one time.

Section 6.11.07. Handicapped Spaces Required. Parking spaces for the handicapped shall meet federal Americans with Disabilities Act (ADA) guidelines. Areas designated for handicapped parking shall be marked by signs that meet "Manual of Uniform Traffic Control Devices (MUTCD)" standards. Such signs shall be mounted between fifty-four (54) inches and sixty-six (66) inches in height and shall be mounted on a permanently anchored pole or on exterior wall of the building. The curb and striping shall be blue for easy identification.

Total Parking Spaces in Lot	Minimum Number of Required Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,001 and over	0 plus 1 for each over 100

Section 6.12. Open Storage. The regulations herein set forth shall apply to any open storage of junk or salvage materials, by products, waste products of industrial or commercial establishments and general storage of equipment and materials, solid waste material or rubbish.

Section 6.12.01. General Requirements.

- a. The Board of Supervisors may require the removal of junk or salvage or the screening of a nonconforming establishment in the interest of preserving the health, safety, and welfare of the general public.

- b. The storage area shall be screened from view of the neighbors and the public by fencing or natural terrain of trees or vegetation, a minimum of eight (8) feet in height, and shall be maintained in this manner.
- c. Open storage of trash, junk or rubbish such as abandoned vehicles, or appliances, garbage, debris, building material rubbish or similar items is not permitted on commercial, industrial, residential, or mobile home premises unless approved in compliance with the provisions of this article.
- d. It shall be unlawful to place or abandon any trash or articles upon another's land, or upon any public property or public way, floodway, waterway, drainage ditch or drain.
- e. A 50 foot open area free of storage or structures shall be maintained inside the perimeter of the storage area.
- f. Any such establishment in existence prior to the adoption of these provisions shall not be expanded or enlarged or the number of car bodies or quantity of junk or salvage increased or additional land used unless such expansion is made to conform to these provisions and all the regulations of this ordinance.

Section 6.12.02. Storage of Junk Cars, Junk, or Salvage Materials.

- a. A minimum of three (3) acres of land is required.
- b. Open storage businesses are referred to herein, junk cars or materials shall not be allowed within one-half (1/2) mile of any designated Federal or State Highway or within five hundred (500) feet of any other public road or street.
- c. Stacking of vehicle bodies over one (1) tier in height is not allowed and any junk or salvage material shall not be stacked over six (6) feet in height.
- d. Storage of any immobile vehicles or parts, tires or accessories outside the screened area is prohibited.

Section 6.12.03. Storage of Industrial and Commercial By-Products and Waste Products.

- a. A minimum of twenty (20) acres of land is required.
- b. Open storage of materials created as by-products or waste by industrial and/or commercial activities shall not be piled or stacked over twenty-five (25) feet in height above normal ground elevation.

Section 6.12.04. Storage of Equipment and Materials Such as Contractor Materials and Storage Yards, Industrial Equipment Sales and Storage and Lumber and Building Materials, Sales and Storage.

- a. A minimum of three (3) acres of land is required.

- b. Open storage of these items shall not be piled or stacked over twenty (20) feet in height above normal ground elevation.

Section 6.12.05. Storage of Solid Waste and/or Rubbish.

- a. A minimum of twenty (20) acres of land is required.
- b. Open storage of solid waste and/or rubbish shall not be piled or stacked over twenty-five (25) feet in height above normal ground elevation.

Section 6.12.06. Care of Premises and Property. It shall be unlawful for the owner or occupant of any building, structure, or property to utilize the premises of such property for the open storage of any household appliance, abandoned motor vehicle, furniture, used rubber tires, scrap building materials, trash, garbage, refuse, rubble, debris, dilapidated vehicle, or dilapidated boat. This shall also include any burned, condemned, or dilapidated building, structure or mobile home. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such property clean.

Section 6.13. Outdoor Sales of Goods. There shall be no goods sold or peddled out of trucks, vans, shacks, cars or any object of structure that does not meet building codes or setbacks, except that farm produce or seafood may be sold from vehicles which are mobile in an Agricultural, Commercial or Industrial District, but shall be removed daily after normal working hours.

Section 6.13.1. Mobile Food Vendor.

- a) Vendors locating on private property shall have written permission on file with a permit showing permission from the owner of the property where located, and permission shall include access to public restrooms and parking for customers.
- b) Vending units requiring any outside utility support, such as power or water, are subject to inspection and approval by the Planning and Building Department as a temporary installation. All connections must be completed in a manner which prevents potential harm to operators, customers, or nearby public.
- c) When not in use, vending units may be stored on-site, if on private property and secure. If operated on public property, the unit must be removed when not in use. When not in use, the unit must be stored in a secure, screened area. No more than one unit may be stored on residential property or in a residential zone, and if so stored, must be completely contained within a privacy-fenced area or garage. The location of the vending unit storage must be clearly identified on application for permit/license.
- d) Vending units must not be locked or attached to trees, garbage receptacles, or street furniture.
- e) Vending units may not locate in any area that blocks view of traffic or traffic signals or signs and may not locate within ten (10) feet of any fire hydrant.
- f) Vendors are responsible for collection, removal and disposal of all waste associated with their operation.
- g) Sales may include food, beverage, and branding materials associated with the unit such as T-shirts or decals.

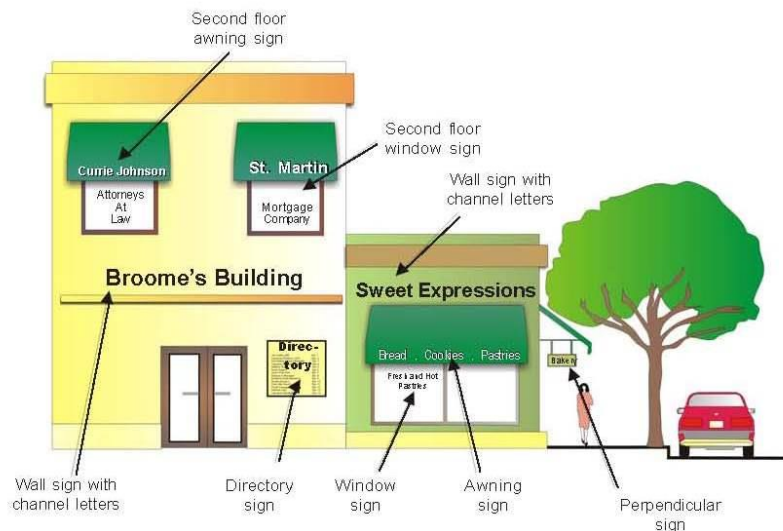
- h) Special events and vendor permits within County Parks are not included. Permission to operate in those situations will be addressed separately as appropriate.

Section 6.14. Parking or Storage of Major Recreational Equipment. Major recreational equipment, including boats, boat trailers, travel trailers, campers or camper trucks, coaches, motorized dwellings or similar equipment shall not be parked or stored in required front yard. Such equipment stored in a side yard shall be screened from view of the neighbors and the public by a concealing fence, a minimum eight (8) feet in height. No such equipment shall be used for living, sleeping, or housekeeping purposes on any lot except in an approved location. Any vehicle or equipment used for parades can only be worked on for the time period of two weeks prior and one week after the event. Any vehicle or equipment used for parades cannot be parked or stored at any time in a residential district.

Section 6.15. Temporary Christmas Tree Sales Lots.

- a. Christmas trees may be sold in Commercial Zoning Districts only.
- b. Any sales structures shall meet the setback of the district in which located.
- c. No parking or sign is permitted on the road right-of-way.
- d. Sales period for temporary Christmas Tree Sales lots shall start no sooner than November 15.
- e. Temporary Christmas Tree Sales lots shall be cleared by the 1st day of January.

Section 6.16. Signs and Outdoor Advertising. The regulations herein set forth shall apply and govern in all zoning districts as hereinafter provided. No sign or outdoor advertising device shall be erected unless it is in compliance with regulations for the district in which it is located as specified in this section. For the purpose of this ordinance, the following sign regulations are established to assure the economy of the county, to protect the public investments in streets and highways, to preserve natural beauty and to protect taxed revenues by promoting the reasonable, orderly and effective display of outdoor advertising.



Section 6.16.01. General Requirements and Limitations.

a. Business (on-premise) Sign Requirements.

- 1) No more than one (1) business sign is allowed on one premise, except an additional business sign will be allowed for corner lots having two (2) street frontages, and an additional business sign will be allowed for a business having a rear customer entrance which fronts a street.
- 2) Business (on-premise) signs advertising the primary nature, activities or products of the business or industry conducted or sold on the premises shall setback a minimum of five (5) feet from the right-of-way line.
- 3) The height limitation of the business sign shall be that of the commercial or industrial zone in which it is located.
- 4) A business sign shall not exceed thirty-two (32) square feet in a Neighborhood commercial zone (C-1); eighty (80) square feet in a Community commercial zone (C-2); two hundred forty (240) square feet in a Highway commercial zone (C-3).
- 5) Shopping Centers or multiple commercial buildings on the same premises are considered as one business in this article, and paragraph 6.16.01.a.1 through 4 shall apply. Each business in the shopping area may be identified on the business sign.

b. Outdoor Advertising Sign (off-premise sign, billboard) Requirements.

- 1) Outdoor advertising signs and business signs of a permanent nature shall be classified as a business use and shall be permitted in commercial districts as specified herein.
- 2) No outdoor advertising sign shall be erected, placed, or hung nearer than twenty (20) feet to the highway, street or road right-of-way upon which display faces. Outdoor advertising signs must also maintain a ten (10) foot setback from any other road right-of-way and a minimum five (5) foot setback from side or rear property line.
- 3) Outdoor advertising signs (off-premise signs) shall not exceed forty-five (45) feet in height measuring from the adjacent road grade to the top of the sign area.
- 4) Outdoor advertising signs shall not exceed three hundred (300) square feet in sign area.
- 5) All outdoor advertising signs (off-premise signs) permitted to be erected under this ordinance shall be erected after the passage of this ordinance a minimum distance of two thousand (2,000) feet from another such outdoor advertising sign in any direction as measured along a line parallel to such road, except back-to-back or v-type sign structures shall be

considered as one sign, and side by side signs must abut each other and combined size not exceed six hundred (600) square feet.

c. Limitations.

- 1) The placing tacking, painting, hanging, or otherwise affixing of any kind of sign, outdoor advertising or poster of a miscellaneous character, visible from the public highways, streets or roads, on the walls of buildings, barns, sheds, trees, fences, utility poles, or any structure except otherwise provided in these regulations is prohibited.
- 2) Signs shall not interfere with driver visibility of any traffic control device or sign, or with the visibility of the street, road, thoroughfare or expressway itself. Such signs shall maintain a setback of twenty-five (25) feet from the intersection of two (2) streets, except if the sign is constructed with the bottom of the sign no lower than nine (9) feet from the ground and mounted on a pole no larger than nine (9) inches in diameter.
- 3) All signs that are illuminated shall be permanently wired to meet the current adopted edition of the National Electrical Code. Special care shall be given to ground fault connections, underground wire, and/or conduit with proper circuit breakers. Connecting wire from sign to permanent outlet shall not exceed four (4) feet.
- 4) Any sign which by reason of size, shape, content, coloring, location or manner of illumination interferes with driver visibility of any traffic control device or sign; or any sign which resembles any traffic control or emergency device or sign which creates any traffic hazard is not allowed.
- 5) Temporary Flag Signs. Each business within a C-1, C-2 and C-3 district shall be allowed up to fifty (50) square feet of temporary flag signs per 100 feet of street frontage, provided each flag is separated by a distance of at least ten (10) feet and does not exceed twenty-five (25) feet in height. All flag signs which become faded or worn shall be removed or replaced immediately. Before any such flag signs are erected, all non-conforming streamers and banners must be removed.
 - a. Temporary flag signs may be displayed for up to thirty (30) days following the start date stated or until the event or activity noted on the sign ceases, whichever shall occur first.
 - b. For each commercial activity, flag signs are allowable for thirty (30) days in duration per quarter for each year; however, no two (2) periods may be consecutive.
- 6) Temporary Placard Signs (also known as yard signs, bandit signs, and road signs, among other names) are small advertising signs that can be placed on a street-facing lawn or elsewhere on a property to advertise a business or product.

- a. Each business within a C-1, C-2 and C-3 district shall be allowed one temporary placard sign per fifty (50) feet along a street. Businesses with more than fifty (50) feet of street frontage may have one (1) temporary placard sign per fifty (50) feet of street frontage, not to exceed two (2) temporary placard signs.
- b. Each temporary placard sign can be no larger than thirty-six (36) square inches in size, and only bear the name, address, and services rendered by the specific permitted use located at the site.
- c. Temporary placard signs shall be set back at least five (5) feet from the street right-of-way and its height cannot exceed two (2) feet above the ground.
- d. For each commercial activity, temporary placard signs are allowable for thirty (30) days in duration per quarter for each year; however, no two (2) periods may be consecutive.
- 7) No two (2) types of temporary signage may be used in the same time frame that another form of temporary signage is being used.

d. Prohibited Signs.

- a. Windblown signs consisting of fluttering, waving, spinning, windblown or inflatable devices, pennants, streamers and propeller discs.
- b. Signs displaying matter that is deemed vulgar, pornographic or otherwise illegal.
- c. Signs used as a fence or any fence used as a sign.
- d. Signs attached to, suspended from or painted on any vehicles which are regularly parked on any street or private property to display, demonstrate, advertise or attract the attention of the public.

Section 6.16.02. Permitted and Exempted Signs.

- a. On-Site signs on the site of any construction work bearing the name of the building, owner, and those furnishing construction or professional services or materials used on such construction work of a temporary nature, not exceeding thirty (30) square feet.
- b. Temporary poster signs erected behind glass windows or temporary signs painted on glass windows.
- c. Any political sign or poster not exceeding sixteen (16) square feet erected on property by the owner thereof or other private property with the property owner's consent and not in any County or State right-of-way or easement, pertaining to a candidacy or issue to be voted upon at any election or referendum, provided such sign or poster shall not be erected more than sixty (60) days prior to such election or referendum and shall be removed within fifteen (15) days after

referendum, or last such election in which the candidate is eligible. Any sign found to be placed in or upon any County or State right-of-way or easement is subject to removal by the County, without notification or liability.

- d. Signs on glass doors or windows not exceeding six (6) square feet of sign area stating name or nature of business, location, and hours of business.
- e. Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotation.
- f. Flags and insignia of any government except when displayed in connection with commercial promotion.
- g. Legal notice or identification, information or directional signs erected or required by governmental bodies.
- h. Integral decorative or architectural features of buildings except letters, trademarks, moving parts or moving lights.
- i. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
- j. On-site signs, advertising property for sale or rent provided such signs in single-family residential districts shall not exceed five (5) square feet.
- k. On-site church directory or bulletin board not exceeding thirty-two (32) square feet, unless church is located in a commercial zoning district, then the square footage of the sign shall be that of the commercial zone in which it is located.
- l. Temporary banners for special events may be placed two (2) weeks prior to the event and must be removed within seven (7) days after event. Banners are to be placed on property by the owner thereof or other private property with the property owner's consent and not in any County or State right-of-way or easement.

Section 6.16.03. Signs in Disrepair or Abandoned. Any outdoor advertising sign, whether permitted to remain as a nonconforming sign structure or an erected advertising sign structure under the terms of this ordinance, which is found to be abandoned, or is not properly maintained and in a state of disrepair, or signs which do not meet all requirements of the building codes, including the issuance of a permit, therefore, shall be removed by the property owner or sign owner within thirty (30) days after written notice to the property owner or lessee is provided by the County. Advertising signs not removed within thirty (30) days are subject to removal by the County, without liability.

Business (on-premise) signs which are not properly maintained and are in a state of disrepair, or which are abandoned, may likewise be removed by the County, without liability, following a thirty (30) day period of notification to the property owner or lessee.

Section 6.16.04. Design and Maintenance. It shall be the owner's responsibility that all signs shall be designed according to generally accepted engineering practices to withstand wind pressures and that loads are distributed to structural supports to avoid over stress, and that all signs are properly anchored to avoid being swept away by wind or water. Also, all signs shall be maintained in good repair and appearance.

Section 6.16.05. Permit Required. It shall be unlawful to erect, enlarge, rebuild or structurally alter any sign without first obtaining proper permit except Permitted and Exempted Signs as in Section 6.16.02.

- a. Permit Fees: Permit fees shall be as adopted and approved by the Board of Supervisors.

Section 6.17. Medical Cannabis and Cannabis Products.

Section 6.17.01. Cannabis Cultivation, Harvesting, Processing, Packaging.

- 1) A cultivation facility is allowed in A-1, I-1, I-2, and I-3 Zoning Districts.
- 2) Cultivation, harvesting, processing and packaging of medical cannabis must occur in a registered, enclosed, locked and secure facility.
- 3) The facility must be licensed to do business in the County.

Section 6.17.02. Medical Cannabis Dispensary.

- 1) Medical Cannabis dispensaries are allowed in commercial zoned districts.
- 2) A dispensary cannot be located within 1,500 feet of another dispensary.
- 3) The main point of entry of a dispensary cannot be located within 1,000 feet of the nearest property line of any school, church or child care facility. A dispensary may receive a waiver to this distance restriction by receiving approval from the school, church, or child care facility, and by applying for a waiver with its respective licensing agency, providing that the main point of entry of the dispensary is not located within five hundred (500) feet of the nearest property line of any school, church or child care facility.
- 4) Hours of operation for the dispensary shall be 8:00 a.m. to 10:00 p.m.
- 5) A dispensary must be licensed to do business in the County.

Article 7.

SITE PLAN REVIEW.

Section 7.1. Purpose. Site Plan Review shall be required, as stated by the provisions of this Ordinance to ensure compliance with County zoning and other ordinances on large scale and other projects, to expedite procedures necessary for the obtaining of building permits, to provide the developer with one (1) central review of his development proposal, to conserve the time and efforts of County employees in the various departments, and to provide for a speedy processing of applications for building permits on large scale and other projects. A Site Plan Review fee shall be charged in accordance with the adopted fee schedule.

Section 7.2. Site Plan Review Committee. A Site Plan Review Committee shall be chaired by the Director of the Jackson County Planning Department which shall consist of one (1) principal representative, and one (1) alternate representative who may represent the principal representative, from each of the following County Departments:

1. Planning Department
 2. Engineering Consultant
 3. Fire Coordinator
 4. District Supervisor
 5. Sheriff Department Traffic Division
 6. Civil Defense
 7. Road Manager
- a. Other representation: In addition, the Board of Supervisors shall appoint one principal representative, and one alternate representative from the telephone, gas, and electric utility companies.
- b. Planning Commission Approval Required: The study and recommendations by the Site Plan Review Committee shall be presented to the County Planning Commission for final approval prior to issuance of building permits.

Should the Director of the Planning Department not receive comments from any of the concerned departments, he/she shall act in their behalf, provided he/she has knowledge of the needs and requirements of that particular department. The developer will be advised of any discrepancies or comments made by any of the concerned departments and may appear at the Planning Commission's public session as part of a previously prepared agenda.

Section 7.3. Site Plan Review Required. A site plan review shall be required for the following.

- a. Any residential development of twenty-five (25) or more dwelling units except single family lots which have already been approved by the Planning Commission.
- b. Any residential, commercial or industrial development having structures in excess of three (3) stories
- c. Any commercial or industrial development encompassing five (5) acres or more.

- d. Any hazardous development and/or use within the I-3 Heavy Industrial District.
- e. Planned Unit Development.
- f. Any commercial or industrial development located within the Flood Plain District.
- g. Other special cases and projects that may be brought to the Committee's attention by the Board of Supervisors, the Director of the Planning Department or the Engineering Consultant. Particularly special cases in the C-I Neighborhood Commercial District which are in such proximity to low density residential shall be reviewed.

Section 7.4. Site Plan Contents. The site development plan required to be submitted under subsection 7.3 above and the requirements of these zoning regulations shall include the following elements.

- a. Statements of ownership and control of the proposed development.
- b. Statement describing in detail the character and intended use of the development.
- c. A dimensioned site plan based on exact survey of the property drawn to scale of sufficient size to show (a) exact location of all buildings and structures, (b) all means of ingress and egress, (c) all screens and buffers, (d) off-street parking and loading areas, (e) refuse collection areas, (f) access to utilities and points of utilities hook-up, and (g) natural features such as streams, lakes or other topographic features.
- d. Storm drainage and sanitary sewer plans.
- e. Architectural definitions for buildings in the development; location, sizes and types.
- f. Plans for recreation facilities, if any, including buildings for such use.
- g. Such additional data, maps, plans, or statements as may be required for the particular use or activity involved.
- h. Such additional data as the applicant may believe is pertinent to the site development plan.
- i. Design professional certification stating that the site development plan is in compliance with all applicable county ordinances except as noted, and standard acceptable practice.

Items c, d, e, and i above shall be prepared by a registered surveyor, engineer, or architect or practicing land planner as may be appropriate to the particular item.

Section 7.5 Conditions and General Considerations on Issuance of Site Plan Approval. The site plan submitted for such development as defined in this section shall provide that the proposed lot sizes, lot coverage, density, setback provisions and other factors are in conformity with the requirements of this chapter and other applicable ordinances and laws. In addition to such general considerations, said plan shall be approved only after a consideration of the following factors:

- a. Ingress and egress to the property and proposed structure thereon, with particular reference to automotive and pedestrian safety, traffic flow and control, provision of services and servicing for utilities, and access in case of fire or catastrophe.
- b. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent properties and the consequence of such drainage on overall county capacities.
- c. Conditions on ownership, control and use generally, and conditions on ownership, control, use and maintenance of open space or common lands to insure preservation of such lands for their intended purposes.
- d. All utility connections shall be indicated and shall be in conformity with the standards and requirements for connection to utility companies proposed to serve the property whether said utility companies are public or private.
- e. Off-street parking and loading areas, with attention to automotive and pedestrian safety, traffic flow and control, access in case of fire and catastrophe, and screening and landscaping.
- f. Recreation and open spaces, with attention to the location, size, and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties, and relationship to community-wide open spaces and recreation facilities.
- g. Density and/or purpose of the development, with attention to its relationship to adjacent and nearby properties.
- h. General site arrangement, amenities, and convenience, with particular reference to insuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause a substantial depreciation of such property values.
- i. All setbacks, parking areas and accessory structures shall be so landscaped, located and constructed so as not to interfere with the use of the surrounding property.

Section 7.6. Procedure. A preliminary site plan, as required in Section 7.3, shall be filed with the Planning Department Staff whose duty it shall be to submit the plan to the Site Plan Review Committee. If rezoning in whole or in part is required, the Site Plan Review Committee shall review the site plan prior to further processing of the zoning application.

Applicants shall have the right to appear before the Site Plan Review Committee.

- a. **Compliance:** The Site Plan Review Committee shall certify to the Zoning Administrator that said site plan does or does not comply with all ordinances of Jackson County, Mississippi. If the site plan does comply and there is no rezoning or special consideration pending, the Planning Department Staff shall forward the approved site plan to the Planning Commission for approval and routing to the Building and Permit Department (or to the Engineering Consultant as applicable) and so notify the Applicant. If a rezoning application is pending, he shall forward such approved site plan to the Planning Commission and the Building and Permit Department or the Engineering

Department as applicable along with a written statement that such action is pending, and so notify the applicant if the site plan does not comply, the Site Plan Review Committee shall so specify in what respect it does not comply in writing to the applicant and to the Zoning Administrator, who shall then require correction and compliance before further processing.

- b. **Time Period for Review:** In all cases, the Site Plan Review Committee shall have up to or a maximum of thirty (30) days from the date of filing to review and recommend either approval or disapproval of any site plan.
- c. **Action of the Committee Binding:** Subject to approval by the Planning Commission and the Board of Supervisors, actions of the Site Plan Review Committee shall be binding on the Building and Permit Department or any other County Department as for as site plan approval for obtaining building permits is concerned. Upon expiration of the thirty (30) day period and failure of the Committee to act, the Planning Director shall immediately forward the application to the Planning Commission for resolution within a maximum of thirty-five (35) days after date of submission by Site Plan Review Committee.
- d. Should the site development plan be approved, this approval shall be valid for three (3) years from the time of approval, providing there have been no changes in the County requirements during that three (3) years. If changes have been made to the county's requirements during the three (3) year period, then a new application shall be necessary. If a zoning change was required, zoning shall revert.

Article 8.

NONCONFORMING BUILDINGS, LOTS AND USES OF LAND.

Section 8.1. Nonconforming Buildings and Structures. A nonconforming building or structure existing at the time of adoption of these regulations may be continued and maintained except as otherwise provided in this section.

Section 8.01.01. Alteration or Enlargement of Buildings and Structures. A nonconforming building or structure shall not be added to or enlarged in any manner unless said building or structure, including additions and enlargements, is made to conform to all of the regulations of the district in which it is located.

Section 8.01.02. Outdoor Advertising and Structures. When any commercial advertising structure or billboard, being an outdoor sign whereby the advertising content is for lease or rent, that is legally in existence either as a conforming sign or a nonconforming sign under Article 6, Section 6.16.05 of this ordinance, as amended, that is required to be removed for public purposes, just compensation shall be paid for the removal thereof according to the terms and conditions as found in the laws of the State of Mississippi controlling outdoor advertising.

Section 8.01.03. Building Vacancy. A nonconforming building, structure or portion thereof, which is or hereafter becomes vacant and remains unoccupied for a continuous period of one (1) year shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.

Section 8.01.04. Change in Use. A nonconforming use of a conforming building or structure (i.e., commercial use in a dwelling, etc.) shall not be expanded or extended into any other portion of such conforming building or structure nor changed except to a conforming use.

Section 8.2. Nonconforming Uses of Land. A nonconforming use of land existing at the time of adoption of these regulations, which has been discontinued for a period of three (3) months may not be extended or renewed.

Section 8.3. Nonconforming Lots of Record. In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance, notwithstanding limitations imposed by other provisions of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.

Article 9.

ADMINISTRATION.

Section 9.1. Building Permit and Certificate of Occupancy Required. It shall be a violation of these regulations for any person to change or permit the change in the use of land or buildings or structures or to erect, alter, move or improve any building or structure until a building permit has been obtained under the following conditions.

Section 9.01.01. Building Permits and Mobile Home Placement Permits. Whenever any structure or building is to be improved in an amount exceeding one thousand dollars (\$1,000.00) or erected, moved, structurally altered, or the use of the land is changed, a building permit shall first be obtained from the Planning Department. The Planning Department Staff shall require every applicant for a building permit to furnish in duplicate the following information; as well as every applicant for a mobile home, modular home or manufactured home placement.

- a. Warranty deed or tax statement indicating ownership or written statement from the owner granting permission to receive a permit.
- b. A plot plan, drawn to scale (minimum 1/4" scale), showing the exact size, shape, and dimensions of the lot to be built upon, the exact size and location on the lot of all existing buildings and structures or building proposed to be repaired, altered, erected or moved, and the size, arrangement, number of parking stalls, movement of vehicles and ingress and egress drives for all off-street parking and loading facilities.
- c. A declaration of the existing and intended use of each existing and proposed building or structure on the lot and the number of families and housekeeping units which each existing building accommodates and which each existing and proposed building is designed to accommodate.
- d. A survey prepared by an engineer or surveyor registered or approved in the State of Mississippi of the boundaries of the lot on which the improvement is proposed to be located. The scale shall be the same size as the plot plan.
- e. For lots not served by public sanitary sewer or a central sewage disposal system, any individual onsite wastewater disposal system (septic tank or alternate system) proposed for use shall be designed and approved by the Jackson County Utility Authority, the Mississippi State Department of Health, the Department of Environmental Quality, or a professional engineer licensed by the State of Mississippi following the regulations of the Jackson County Utility Authority, the Department of Environmental Quality and/or Federal Clean Water Act, where applicable. An existing, previously authorized individual onsite wastewater disposal system that has been in use within six (6) months from the time of application for a building permit or mobile home placement, will be considered to be an adequate wastewater treatment system. In all instances, individual onsite wastewater disposal systems must be installed and continually operated in compliance with specifications set forth by the Jackson County Utility Authority and/or the Department of Environmental Quality, where applicable.

- f. For lots of record platted prior to the adoption of the Jackson County Subdivision Regulations the following is required: either a drainage study must be submitted and approved or each lot to be developed must be inspected and approved by the County Engineer, County Engineer Consultant or County Road Manager prior to permit being issued for any improvements.
- g. The Planning Department Staff shall not issue a building permit, or mobile home, modular home or manufactured home placement permit without the requirements of Section 9.01.01 a-f being complied with.
- h. A Building Permit must be obtained in advance of construction, or erection, or moving, or alteration of any building or structure, or the excavation, clearing, filling or change in use of any land or structures.
- i. Applicants must comply with all applicable codes adopted by the Board of Supervisors.
- j. Applicants must submit foundation plat and details, exterior elevations, and typical wall section(s). Framing details are required by the Jackson County Building Official. Submitted floor plans must include power, lighting and panel board schedules, heat, ventilation and air conditioning plan and plumbing plan.
- k. A Construction Site Runoff Controls Checklist (attached hereto as, Exhibit A) must also be submitted with the Building Permit Application.
- l. A certification regarding post-construction best management practice, which will address the long-term responsibility and control regarding management of stormwater on the property at issue, and its perpetual responsibility and maintenance must be provided in order to obtain Certificate of Occupancy.
- m. Any additional information the Planning Department Staff determines is pertinent to the application.
- n. The Planning Department Staff may issue permits for power poles in designated recreational areas and for temporary recreational vehicles on individual lots, provided the building permits have been issued on the specific lot.
- o. For commercial permits, third party plan reviews will be performed for any permit valued over \$500,000 or if deemed necessary by the Building Official.
- p. All Manufactured or Mobile Homes to be installed in Jackson County must be a Zone II or III.
- q. Applicants building in a VE (Velocity) Flood Zone or Floodway are required to have a licensed contractor to obtain building permits for construction. Homeowners that sign a self-contractor form are allowed to obtain building permits in all other Flood Zones.

Section 9.01.02. Certificate of Occupancy. A permit issued by the Building Official indicating that the use of the building or land in question is in conformity with this Ordinance and current Building Codes adopted by the Board of Supervisors, or that there has been a legal variance therefrom, as provided by the Ordinance.

Section 9.2. Powers and Procedures of the Planning Commission Relative to Certain Actions.

a. The Planning Commission is hereby authorized to take the following actions:

- 1) To permit the extension of a district where the boundary lines of a district divides a lot in single ownership as shown of record.
- 2) To interpret the provisions of these regulations where the street layout actually on the ground varies from the street layout shown on the map which includes several districts.
- 3) To grant variances to the off-street parking requirements set forth in Article 6, Section 6.11 hereof, when criteria of Article 9, Section 9.16(i) are proven.

b. Procedure for Certain Actions Set Out in Section 9.2a above:

The procedure for certain actions identified in Section 9.2.a above is the same procedure as set for public hearing under Article 9, Section 9.3 that the names and addresses of only the property owners adjacent to the subject property will be obtained using the last known name and address shown on the tax rolls of Jackson County, and notice will be sent solely to the adjacent property owners.

Section 9.3. Public Hearing Procedure. Whenever, in this ordinance, reference is made to this section regarding procedures for public hearing and applications for same, the following is required:

a. An application shall be made to the Planning Department and the following shall be furnished by the applicant unless otherwise noted:

- 1) Name and address of applicant, who shall be the owner of the property or have a vested interest in the property, along with written proof of ownership or vested interest.
- 2) The present zoning classification (will be furnished by the Planning Department).
- 3) The proposed zoning classification or use requested.
- 4) A legal description of the property including a current or previous survey, if accurate.
- 5) The names and addresses of all property owners within five hundred (500) feet of the property, using the last known name and address shown on the tax rolls of

Jackson County. The Planning Department Staff shall obtain the names and addresses of those to be notified and send out the notices when all required documents and fees have been submitted.

- 6) A plot plan showing the location and intended use of the site, and the present use of the property and all adjoining properties.
 - 7) Any fees or charges established by the Planning Commission to cover expenses incidental to the application.
 - 8) Any other material that the Planning Commission feels is pertinent to the application.
- b. The Planning Commission shall hold a public hearing within sixty (60) days of the date of filing of the application.
 - c. Notices shall be mailed to all property owners within five hundred (500) feet of the external boundaries of the property at least fifteen (15) days prior to the date of said hearing, and shall show the time, date and place of hearing, the description of the property involved, the reason for the hearing, the date of the notice and the signature of the Planning Director, or his authorized agent.
 - d. At least fifteen (15) day's notice of the time and place of hearing shall be published in a paper of general circulation in Jackson County.
 - e. If the applicant or their representative fails to appear at the public hearing, the Planning Commission may deny the application.
 - f. The Planning Commission shall within thirty (30) days of the final hearing, transmit to the County Board of Supervisors its report, findings, and recommendations.

Section 9.4. Procedure for In-House Staff Review. The procedure for in house staff review of items which may be determined by the Planning Director and/or staff shall be the same procedure set for public hearing under Section 9.3, with the following exceptions: The names and addresses of only the property owners adjacent to the subject property will be obtained using the last known name and address shown on the tax rolls of Jackson County, and notice will be sent solely to the adjacent property owners. In addition, Article 9, Section 9.3, subsection b, d and e do not apply to in house staff review.

Section 9.5. Penalties and Remedies for Violations.

- A. 1) Any person, firm or corporation who shall knowingly and willfully violate the terms, conditions or provisions of this zoning ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be ordered to pay a fine not to exceed five hundred dollars (\$500.00). In case of continuing violations without reasonable effort on the part of a person to correct same, each day the violation continues after a conviction shall be a separate offense and violator shall be fined one hundred dollars (\$100.00) a day until the violation is brought into compliance.

- 2) In addition to the penalties set out herein, any condition caused or permitted to exist in violation of the provisions of this Ordinance shall be deemed a public nuisance and may be abated by the County as provided by law.
 - 3) The County Judge has the authority to order any remedy to bring the violation into compliance in addition to assessing fines.
- B.
- 1) The Planning Department Staff shall insure that this ordinance is enforced.
 - 2) The Zoning Officer(s) are hereby authorized to issue citations and/or sign affidavits when appropriate, to aid in enforcement of this ordinance.

Section 9.6. Amendments. The County Board of Supervisors may, from time to time, on its own motion, or on petition from a property owner, or on recommendation of the Planning Commission, amend the regulations and districts herein established. No change in regulations, restrictions or district boundaries shall become effective until after a public hearing held in relation thereto by the Planning Commission at which parties in interest and citizens shall have an opportunity to be heard. Every such proposed amendment shall be referred to the Planning Commission for report. When an application has been made to the Planning Commission for the rezoning of any area within a district, the applicant shall, as a condition precedent to the holding of a public hearing on such application, fully comply with the procedures set out in Section 9.3 for public hearing procedure.

Section 9.7. Classification of De-Annexed Property. All de-annexations of land from the cities of Jackson County shall be in an R-1 single family residential zone unless otherwise classified by the County Board of Supervisors, for a period of time not to exceed one (1) year from the effective date of the Ordinance de-annexing said property.

Within this one (1) year period of time, the County Board of Supervisors shall instruct the Planning Commission to study and make recommendations concerning the use of land within said de-annexed area to promote the general welfare, and upon receipt of such recommendations the County Board Of Supervisors shall establish the district classification of said property; provided, however, that this shall not be construed as preventing the County Board of Supervisors from establishing the district classification at the time of said de-annexation.

Section 9.8. Invalidity of a Part. In case any portion of these regulations shall be held to be invalid or unconstitutional, the remainder of these regulations shall not thereby be invalid, but shall remain in full force and effect.

Section 9.9. Conflicting Regulations. It is hereby provided that the provisions of these regulations shall not be construed as being in conflict with the provisions of any other regulations of Jackson County, Mississippi. In any case, when the provisions of these regulations and the provisions of their regulations both apply, the provisions of greatest restriction shall govern.

Section 9.10. Emergency Clause. It being immediately necessary for the preservation of the public peace, health and safety an emergency is hereby declared to exist, by reason whereof these regulations shall take and be in full force from and after its passage and approval.

Section 9.11. Fees, Charges and Expenses. The governing authority shall have authority to set fees, charges and expenses incurred by virtue of this Zoning Ordinance as to building inspections, code enforcement, public hearings and notices.

Section 9.12. Special Exceptions.

- a. On application made therefor, the Planning Commission shall have the authority to hear and determine whether special exception should be made to the provisions of this ordinance. Recommendation for a special exception shall not be made to the Board of Supervisors by the Planning Commission unless and until:
 - 1) All procedures and provisions of Section 9.3 for public hearing procedures have been met; and
 - 2) The Planning Commission determines: (a) that a literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located, and that literal interpretation of this ordinance would work an unnecessary hardship upon the applicant; (b) that the requested exception will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or the general welfare; and
 - 3) That the special circumstances are not the result of actions of the applicant; and
 - 4) That the existence of a nonconforming use of the neighboring land, buildings, or structures in the same district or of permitted or nonconforming uses in other districts shall not constitute a reason for the required exception.
- b. The Planning Commission shall be empowered to review and/or rescind existing special exceptions whenever:
 - 1) An additional special exception is being requested for the same property.
 - 2) Just cause is shown for needed review.
- c. Special Exceptions not activated within one (1) year of approval shall be void or if use is stopped for a period of one (1) year, the use may be activated again if approval is obtained through another public hearing.
- d. If a parcel, lot or tract of land previously approved for a Special Exception is subsequently subdivided, the Special Exception shall be void and applicant must apply for re-hearing for a Special Exception before the Jackson County Planning Commission.

Section 9.13. Use Permits.

- a. On application made therefor, the Planning Commission shall have the authority to hear and determine whether a Use Permit should be granted to the applicant. Recommendations for a Use Permit shall not be made to the Board of Supervisors by the Planning Commission unless and until:

- 1) All procedures and provisions of Section 9.3 of this article for public hearing procedures have been met; and
 - 2) The Planning Commission determines that the said use is in harmony with the Principal Permitted Uses of the Zone; and
 - 3) That the special circumstances are not the result of the actions of the applicant; and
 - 4) That the existence of a nonconforming use of the neighboring land, buildings, or structures in the same district or of permitted or nonconforming uses in other districts shall not constitute a reason for the required exception.
- b. The Planning Commission shall be empowered to review and/or rescind existing use permits whenever:
- 1) An additional use permit is being requested for the same property.
 - 2) Just cause is shown for needed review.
- c. Use Permits not activated within one (1) year of approval shall be void or if use is stopped for a period of one (1) year, the use may be activated again if approval is obtained through another public hearing.
- d. If a parcel, lot or tract of land previously approved for a Use Permit is subsequently subdivided, the Use Permit shall be void and applicant must apply for re-hearing for a Use Permit before the Jackson County Planning Commission.

Section 9.14. Variances. The Planning Commission shall have the authority to hear and determine those variances which cannot be heard under this ordinance by In House Staff Review.

Section 9.15. Zone Change.

- a. On application made thereof, the Planning Commission shall have the authority to hear and determine whether a Zone Change should be granted to the applicant. Recommendations for a Zone Change shall not be made to the Board of Supervisors by the Planning Commission unless and until:
- 1) All procedures and provisions of Section 9.3 for public hearing procedures have been met; and
 - 2) That the applicant has proven by clear and convincing evidence that either;
 - a) That there was a mistake in the original zoning; or
 - b) The character of the neighborhood has changed to such an extent to justify rezoning and in addition to either a or b, that a public need exists for rezoning.

Section 9.16. Planning Director and Staff. The Board of Supervisors may employ a Planning Director and other necessary staff to administer and enforce the provisions of this ordinance.

- a. The Planning Director shall accept and review all applications for rezoning, uses permitted on review, special exceptions, home occupations, mobile home parks, variances to the provisions of the ordinance, temporary permits, mobile home placements and other applications herein provided for.
- b. The Planning Director shall issue public notices for public hearings before the Planning Commission as provided for herein on all applications for zoning changes, special exceptions, use permits, variances to mobile home parks, variances to floor elevations to buildings and mobile homes, variances to sign square footage and height, variances for fence height, variances to building and structure heights, variances to lot area and variances in buildings setbacks when the variance requested exceeds thirty (30) percent of the required setback.
- c. The Planning Director, with the aid of the Planning Department staff, shall have authority to determine the granting of temporary permits, and variances to building setbacks not exceeding thirty (30) percent of the required setback. Certain Use Permits in Commercial and Industrial Districts, and home occupation uses in residential, agricultural and mobile home districts when the use requested involves no more than telephone for business calls, and does not involve any increase in neighborhood traffic volumes or any on site activity which would impact neighboring properties and for the enlargement of nonconforming uses when the use of land or building does not exceed thirty (30) percent of the existing nonconforming use. In all cases the issuance of any variance will be based upon the applicant's ability to demonstrate that the situation is among those specified in Article 9, Section 9.16.i.
- d. Upon receipt of an application for change in a zoning district, change in the text of this ordinance, Use Permit or Special Exception, the Planning Director shall issue a public notice and set a public hearing in compliance with public hearing procedures as herein set forth.
- e. Upon receipt of an application for a Variance, Use Permit on Review in Commercial or Industrial Districts, temporary permits, and home occupations, the Planning Director shall give ten (10) days' notice of hearing by a committee of the Planning Department staff to property owners adjacent to that for which the permit is sought, the names of said property owners to be obtained by the Planning Department Staff using last known name and address shown on tax rolls of Jackson County. The Planning Director may grant such permit upon finding that undue hardship would result from the denial of the permit, variance or exception for which applied.
- f. A public hearing before the Planning Commission may be set for any application for appeal, variances, temporary permits, permanent placements of mobile homes, use permits received by the Planning Director or staff.
- g. Temporary Permits for Mobile Homes or Temporary Structures: The Planning Director or his/her designee shall accept applications for temporary permits for mobile homes or temporary structures, and request renewal thereof, and give ten (10) day's notice to property owners adjacent to that for which a temporary permit is sought, within which time said property owners may lodge objection with the Planning Director or staff to the

granting of a temporary permit or request for renewal thereof, the names of said adjacent property owners to be obtained by the Planning Department Staff using the last known names and addresses on the tax rolls of Jackson County. If no objections are lodged to the temporary permit, or renewal thereof, the Planning Director or his/her designee, may grant same upon a finding that undue hardship would result from the denial of such a permit, or that the granting thereof is not inconsistent with the purpose of this ordinance. The Planning Director may refer any application for temporary permit or renewal thereof, to the Jackson County Planning Commission for hearing upon ten (10) days' notice to the adjacent property owners and shall do so if any objection is lodged to the granting of a temporary permit or renewal thereof. Upon a finding that undue hardship would result from the denial of such a permit, and that the granting of the permit would be consistent with the purposes of this ordinance, the Jackson County Planning Commission may grant such application for temporary permit or request for renewal thereof. A temporary permit shall be good for a period not to exceed six (6) months or such lesser period as the Planning Commission or Planning Director deems appropriate and may be renewed for one (1) period not to exceed six (6) months or such lesser period as the Planning Commission or Planning Director deem appropriate.

- h. **Emergency Permits:** In the event any persons are displaced from their residence or business due to a disaster such as hurricane, flood, fire, act of war, or other natural disaster, the Planning Director or his/her designee may allow a temporary permit for a mobile home or temporary structure in any district without notice, after determining that occupants were displaced by the disaster, and are under undue hardship. The temporary permit may be allowed for a period up to one (1) year and may be renewed for one (1) period not to exceed one (1) year.
- i. **Staff Setback Variances:** Where, by reason of exceptional narrowness, shallowness, or shape of a particular property at the time of the original adoption of these regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which is not self-created, which condition is not generally prevalent in the area, the strict application of these regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, the Planning Department Staff is hereby empowered to authorize a setback variance to these regulations as to said property if it would carry out the purpose and intent of these regulations, and the variance does not exceed thirty (30) percent of the required setback.

Section 9.17. Rezoning by Court Order. In the event rezoning is required pursuant to a court order specifically establishing the zoning classification to be applicable to the property which is the subject matter of the suit, the procedural requirements of the zoning ordinance for rezoning property shall not apply. A certified copy of the final court order shall be filed with the Planning Director after all available time for appeal has expired. The Planning Director shall enter the zoning change on the official zoning map and place the certified copy of the court order in the immediate area of the official zoning map and cause the zoning change to be entered in the minutes of the Board of Supervisors.

Section 9.18. Withdrawal of Applications or Appeals.

- 1) A letter withdrawing an application for a public hearing or an appeal shall be submitted no later than seven (7) days prior to the hearing.
- 2) Applicants shall reimburse the Planning Department for expenses incurred by it in the re-notification of property owners about the cancellation of the hearing.
- 3) An applicant cannot resubmit an application for a public hearing within ninety (90) days.
- 4) If a timely withdrawal is made no later than seven (7) days prior to the hearing, the applicant can request a waiver of the ninety (90) day re-submittal period.

Section 9.19. Appeals.

Section 9.19.01. Appeals from a Decision of the Planning Director or Staff. Any person, aggrieved by a decision of the Planning Director or a member of the Planning Department staff, may appeal such decision to the Planning Commission, by filing a notice of appeal with the Planning Director or his/her designee, within seven (7) days after the decision is rendered.

Section 9.19.02. Appeals from a Decision of the Planning Commission:

- a. **Notice of Appeal and Content of Notice.** Any person, aggrieved by a decision of the Planning Commission, may appeal such decision to the Jackson County Board of Supervisors by filing a notice of appeal with the Planning Director or his/her designee within seven (7) days after the decision is rendered. The notice of appeal shall be in writing and contain the following information:
 - 1) the name, address, and telephone number of the party instituting the appeal;
 - 2) the Planning Commission Number of the matter appealed;
 - 3) a brief statement of each particular error which the appellant contends was committed by the Planning Commission. No error will be considered by the Board of Supervisors, which has not been distinctly set out in the notice, unless manifest injustice may occur otherwise.
- b. **Transcript.** Anyone appealing a decision of the Planning Commission shall obtain a copy of the Court Reporter's Transcript of their hearing at their own expense for the purposes of appeal. The appellant must order and pay for the transcript from the court reporter within the same seven (7) day time period for filing the appeal. The appellant shall insure the transcript is filed with the Planning Department upon receipt.
- c. **Failure to Comply.** In the event the requirements of Section 9.19.02(a) and (b) are not complied with, it is grounds for dismissal of the appeal.

- d. **Record on Appeal.** The record of the Planning Commission hearing consists of the court reporter's transcript furnished by the appellant, all exhibits which were put into the record, and original papers filed in the cause with the Planning Department.
- e. **Agreement of Parties to Permit Appeal to be Decided Solely on the Record.** Parties to an appeal from a recommendation of the Planning Commission may unanimously agree to permit the Board of Supervisors to decide the appeal solely on the record from the Planning Commission hearing.
- f. **Board of Supervisors Action - There is No Appeal Timely Filed.** In the event there is no timely filed appeal on a recommendation of the Planning Commission, the Board of Supervisors may adopt the recommendation of the Planning Commission without an additional public hearing.
- g. **Board of Supervisors Action - There is an Appeal Timely Filed.** In the event there is a timely filed appeal on recommendation of the Planning Commission, the Board of Supervisors will set a hearing date for the appeal, and shall decide that matter solely at the appeal hearing, unless the appeal is withdrawn.
- h. **Dismissal of Appeals.** The appellant may dismiss their appeal to the Board of Supervisors by filing a written notice of dismissal with the Planning Director or his/her designee no later than seven (7) days prior to the scheduled hearing.

In the event an appellant disregards or fails to comply with the procedure set out in Section 9.19 of this article hereof, the Planning Director or his/her designee may by motion, request the Board of Supervisors dismiss the appellant's appeal. When appeals are dismissed, the appellant shall reimburse the Planning Department for the costs of notifying property owners about the cancellation of the hearing.

Section 9.19.03. Appeals from a Decision of the Board of Supervisors. Appeals from a decision of the Board of Supervisors are to the Circuit Court and are governed by State Statute.

Article 10.

PLANNING COMMISSION RESPONSIBILITIES.

Section 10.1. The Jackson County Planning Commission. The Jackson County Planning Commission shall hereby be designated the administrative body of these regulations. The Planning Commission, as created and appointed by the Board of Supervisors, and the Planning Director and staff as appointed by the Board of Supervisors, shall have the powers and duties as provided hereinafter set forth.

Section 10.2. Membership. The Jackson County Planning Commission shall be composed of seven (7) members, residents of Jackson County, of which, at least five (5) members shall be residents of the unincorporated area of the county. They shall be appointed by the Board of Supervisors for terms of four (4) years to run concurrently with the terms of the members of the Board of Supervisors.

Section 10.3. Procedure. Meeting of the Planning Commission shall be held at a regular time, day and place each month and at other such times as the Chairman or Commission may determine. The Chairman may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Planning Commission shall keep minutes of its meetings and taped transactions for the duration of the period of appeal. Three (3) members of the Planning Commission may constitute a quorum for transaction of business provided that their recommendations to the Board of Supervisors shall be by a unanimous vote; otherwise, a quorum shall consist of four (4) members. The Planning Commission may adopt necessary rules and regulations to govern the performance of their duties.

Section 10.4. Public Hearings. Where the law requires a public hearing to be held before the Board of Supervisors on any matter in which the Planning Commission is authorized to make recommendations to the Board of Supervisors, such public hearing shall be held thereon before the Planning Commission after notice duly published in the manner and time required by law. The Planning Commission shall have a court reporter take down the proceedings of each Planning Commission hearing.

Section 10.5. Applications. Applications for variances, exceptions or changes to the provisions of those regulations shall be made to the Planning Director at least thirty-five (35) days prior to a regularly scheduled meeting of the Planning Commission in order to be heard at said meeting. The Planning Department shall have the right to refuse to accept a reapplication for the same or a similar variance, exception or change in zoning after an application has been heard and denied, or granted and reversed on appeal, unless there is a substantial change in

- (1) the proposed use or the plans for the use;
- (2) the circumstances or the conditions affecting the property; or
- (3) a combination of those two factors. Any such reapplication shall be accompanied by an affidavit showing the substantial change upon which such reapplication is based.

Section 10.6. Powers. The Planning Commission shall have the following powers to hear and recommend action relative to:

- a. Use Permits for each zoning district as defined as Uses Permitted on Review in that district.
- b. Special Exceptions for each zoning district when the use is not specified in Uses Permitted or Uses Permitted on Review in that district.
- c. Amendments to the Official Zoning Map.
- d. Variances.
- e. Zone Changes.
- f. Plat Approvals.
- g. Other matters delegated by the Board of Supervisors.

Article 11.

STORMWATER RUNOFF, ILLICIT DISCHARGES, AND ILLEGAL CONNECTIONS.

Section 11.1. Policy. No owner of any parcel of land or property, whether with or without a structure thereupon, shall permit the erosion or escape of soil, sand, gravel, or similar material from said parcel onto any adjoining property, public street or into any drainage channel that receives Stormwater Runoff from said parcel in such quantities as to harm said adjoining property, public street, drainage channel or County Drainage System. In the development or use of any site, the owners or occupant shall not construct or conduct any activity so as to cause the discharge of Stormwater in such a manner as to cause erosion or to increase blockage of a channel or the County Drainage System. This includes both pre-construction and post-construction.

Section 11.2. Purpose. Stormwater permits and Stormwater Pollution Prevention Plans (SWPPP) are required as follows:

- 0-.9 Acre of land disturbed: No permit or SWPPP required unless the subject property is part of a larger common plan of development or sale.
- 1-5 Acres of land disturbed: Permit required from the County. A Notice of Intent (NOI) and SWPPP must be submitted to the County Permits Office.
- Above 5 Acres: Permit required from MDEQ. SWPPP must also be submitted to MDEQ.
- All land disturbance activities for commercial construction shall obtain a permit from Jackson County. Permit applications for commercial land disturbance activities less than five acres shall be submitted to the County complete with an NOI and SWPPP.
- For projects greater than 5 acres, the permitted entity is required to submit to the County copies of the approved MDEQ permits.
- Permitted shall provide proof of issuance of other applicable permits from the U.S. Army Corps of Engineers if waters of the United States are to be filled, rerouted, or dammed.

Section 11.3. Construction and/or Industrial Activity. Any person subject to an industrial or construction activity National Pollution Discharge Elimination System (NPDES) Stormwater Discharge Permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the County prior to the allowing of discharges to the County Drainage System. Dumping excess cement and washing out cement trucks are included in this article.

All construction activities regulated through this ordinance including both residential and commercial construction shall include sediment and erosion control measures designed for a 25-year design storm frequency. Structural components (post-construction) of a storm drainage system may be designed on the basis of a lesser storm event providing the calculations demonstrate that the 25-year event can be accommodated through a combination of design features, such as infiltration and storage. Post-Construction storm drainage design shall be completed in accordance with the requirements of the Mississippi Department of Transportation: "Roadway Design Manual", particularly Chapter 7.

A. Standards and Requirements for Erosion/Sediment Control

- (a) Prior to the final approval of the plat of any subdivision, or prior to commencement of construction upon any lot or parcel of land for which a drainage report and construction plan for the installation of stormwater facilities has not been prepared and approved, the owner of the property being subdivided or upon which construction is being commenced shall, at such owners cost, prepare a detailed drainage report and construction plans for the installation of all Stormwater facilities required for such subdivision or lot, including any off-site facilities required to convey Stormwater to existing drains, channels, streams, detention ponds or to other points, all in conformity with the SWPPP on file.
- (b) No final subdivision plat, subdivision construction plan, site plan or building permit shall be approved by the County unless the plans for the proposed development include temporary and permanent erosion and sedimentation control measures such that siltation of downstream drainage ways are minimized.
- (c) The above requirement shall be accomplished through a combination of the following practices:
 - a. installation of structural BMPs before and during construction in order to reduce on-site soil erosion and provide temporary capture of sediment;
 - b. temporary and/or permanent revegetation of bare ground in order to stabilize disturbed soil at the earliest practicable date;
 - c. construction of on-site Stormwater detention facilities by the landowner or developer in a manner such that detention ponds function as temporary sedimentation basins until permanent revegetation of the subject tract is accomplished;
 - d. Control of construction debris, litter and sanitary wastes through appropriate and acceptable means; and
 - e. Other measures which may be necessary to control erosion and sedimentation on a site-by-site basis.

B. Standards and Requirements for Stormwater Detention.

- (a) It is prohibited to place fill material or construct impervious cover or construct or place any other structure on a person's property or perform any excavation or grading in a manner that alters the flow of surface water across said property in a manner that damages any adjacent property.
 - 1. No final subdivision plat, subdivision construction plan, site plan or building permit shall be approved by the County unless it can be demonstrated by the owner or developer of such property that the

proposed development will not result in damage to any adjacent or downstream property. This will be certified by a professional engineer's submittal of sufficient data and calculations.

- (b) The above requirement shall be accomplished through one of the following means:
 - 1. Design and construction of an on-site Stormwater detention facility, or facilities, by the owner or developer that limits the peak stormwater runoff from the proposed development to the existing peak stormwater runoff from the subject tract.
 - 2. Construction of, or participation in the construction of, off-site drainage improvements, such as storm inlets, storm sewers, culverts, channel modifications, land filling, and/or other drainage facilities such that the peak stormwater runoff for fully-developed watershed conditions from the watershed area in which the proposed development is located will be sufficiently and safely passed without flooding of adjacent and downstream property and roadways.
 - 3. Design and construction of the development utilizing engineering data and calculations using limited impervious cover, infiltration of runoff from impervious cover via flow through pervious areas, and/or grass-lined swales or channels such that these measures result in a minimal increase in peak stormwater runoff from the development. A thorough review of the downstream drainage facilities shall be performed to verify that any increase in the peak stormwater runoff does not adversely affect existing structures or properties.
 - 4. All on-site Stormwater detention facilities shall be designed to adequately and safely pass all stormwater inflow, including on-site runoff and runoff from upstream and adjacent properties that have natural and/or existing overland flow toward and onto the subject tract. The on-site Stormwater detention facilities should not impound Stormwater onto or cause backwater to inundate any upstream or adjacent properties in excess of existing conditions.

C. Illicit Discharges

- (a) It shall be unlawful for any person to allow discharges to the County Drainage System that are not composed entirely of Stormwater Runoff, or to contribute to increased nonpoint source pollution and degradation of receiving waters.
- (b) It shall be unlawful for any person to throw, deposit, empty, drain, discharge, or to permit to be thrown, deposited, emptied, drained or discharged into any creek, or upon its margins, slopes, banks, or stormwater drainage system within the County any garbage, rubbish,

refuse, hair, ashes, cinders, fruit, vegetables, paper, rags, any animal carcass or waste, sewerage, excrement, urine, liquid, or semi-liquid waste from any industry, or any noxious substance or liquid.

(c) No Person shall, or allow others under its control to, throw, drain, or otherwise discharge or cause to be discharged into the County Drainage System or watercourses any Pollutants or waters containing any Pollutants that cause or contribute to a violation of applicable water quality standards, other than Stormwater. The commencement, conduct or continuance of any Illicit Discharge to the County Drainage System is prohibited except as follows:

1. discharges specified in writing by the County as being necessary to protect public health and safety;
2. water line flushing performed by the County or the regional utility authority;
3. landscape irrigation or lawn watering, diverted stream flows, rising ground water, groundwater infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (less than one PPM chlorine), firefighting activities, and any other water source not containing Pollutants; and
4. dye testing is an allowable discharge, but requires a verbal notification to the County prior to the time of the test.

This prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the County Drainage System.

D. Illegal Connections

The construction, connection, use, maintenance or continued existence of any illegal connection to the County Drainage System is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. The construction, use, maintenance or continued existence of illicit connections to the storm drainage system is prohibited.

- (a) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the County Drainage System, or allows such a connection to continue.
- (b) Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the County.
- (c) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the County Drainage System, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the County requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to County Drainage System, sanitary sewer system or other discharge point is identified. Results of these investigations are to be documented and provided to the County.

Section 11.4. Monitoring of Discharges/Access and Inspecting Properties and Facilities

A. Applicability

This section applies to all properties that create stormwater discharges associated with the use of the property.

1. Access to Properties and Facilities

- (a) The County Administrator or designee shall be permitted to enter and inspect properties and facilities subject to regulation under this ordinance at reasonable times and as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force, which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the County.
- (b) Property owners and facility operators shall allow the County Administrator or designee access to all parts of the premises for the purposes of inspection, sampling, photographing, videotaping, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by State and Federal law.
- (c) The County Administrator or designee shall have the right to set up on any permitted property such devices as are necessary in

the opinion of the County Administrator or designee to conduct monitoring and/or sampling of the facility's Stormwater discharge.

- (d) The County Administrator or designee has the right to require a discharger to install monitoring equipment as necessary, and perform monitoring and make the monitoring data available to the County Administrator or designee. The sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure Stormwater flow and quality shall be calibrated to ensure their accuracy.
 - (e) Any temporary or permanent obstruction that does not allow safe and easy access to the property to be inspected and/or sampled shall be promptly removed by the owner at the written or oral request of the County Administrator or designee and shall not be replaced. The costs of clearing such access shall be borne by the owner.
 - (f) Unreasonable delays in allowing the County Administrator or designee access to a permitted property is a violation of a Stormwater discharge permit and of this ordinance. A person who is the owner of property with a NPDES permit to discharge Stormwater associated with industrial activity commits an offense if the person denies the County Administrator or designee reasonable access to the permitted property for the purpose of conducting any activity authorized or required by this ordinance.
2. If the County Administrator or designee has been refused access to any part of the premises from which Stormwater is discharged, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment, and welfare of the community, then the County Administrator may seek issuance of an administrative warrant from the County Court.

Section 11.5. Requirement to Prevent, Control, and Reduce Storm Water Pollution by the Use of Best Management Practices (BMPs).

The Board of Supervisors will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of Stormwater, the County Drainage System, or waters of the U.S. The owners or operators of commercial or industrial establishments shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the County Drainage System through the use of these structural and non-structural BMPs. Further, any person responsible for a parcel, which is, or may be, the source of an Illicit Discharge, may be required to implement, at said person's expense, additional structural and non-structural BMP's to prevent the further discharge of Pollutants to the County Drainage System. Compliance with

all terms and conditions of a valid NPDES permit authorizing the discharge of Stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMP's shall be part of a Stormwater Pollution Prevention Plan (SWPPP) as necessary for compliance with requirements of the NPDES permit.

Section 11.6. Watercourse or Easement Protection

Any person owning property through which a Watercourse passes, or such person's lessee, shall keep and maintain that part of the Watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the Watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a Watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the Watercourse.

Section 11.7. Notification of Spills.

In the event of a release of Hazardous Materials, emergency response agencies and/or other appropriate agencies shall be immediately notified. Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity, or operation, or responsible for emergency response for a facility, activity, or operation has information of any known or suspected release of Pollutants or non-Stormwater materials from that facility or operations which are resulting or may result in Illicit Discharges or Pollutants discharging into Stormwater, the County Drainage System, State waters, or waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of a discharge.

In the event of recognition of such a release of Hazardous Materials said person shall immediately notify the County Administrator or designee and emergency response agencies of the occurrence, either in person, by phone, or facsimile no later than 24 hours after discovery of the occurrence. In the event of a release of non-hazardous materials, said person shall notify the County Administrator or designee in person or by phone or facsimile no later than 5:00 P.M. the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the County Administrator or designee within three business days of the telephonic notice.

If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill. Failure to provide notification of a release as provided above is a violation of this ordinance.

Section 11.8. Violations.

1. General

A. The notice shall contain:

- (1) the name and address of the alleged violator;
- (2) the address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
- (3) a statement specifying the nature of the violation;
- (4) a description of the remedial measures necessary to restore compliance with this ordinance and time schedule for the completion of such remedial action;
- (5) a statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and
- (6) a statement that the determination of violation may be appealed to the Board of Supervisors by filing a written notice of appeal with the County Administrator, within fifteen (15) days of service of notice of violation.

B. Such notice may require:

- (1) the performance of monitoring, analyses, and reporting;
- (2) the elimination of illicit connections or discharges;
- (3) that violating discharges, practices, or operations shall cease and desist. Depending on severity of the violations, offending person(s) may be given as little as 24 hours to clean up sediments, pollutants, etc., and an additional 24 hours to put stormwater controls in place, otherwise, a stop-work order may be issued;
- (4) the abatement or remediation of Stormwater pollution or contamination hazards and the restoration of any affected property;
- (5) payment of a fine and any costs to cover administrative, remediation, and/or abatement expenses; and
- (6) the implementation of source control, pollution prevention practices, or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the County or a contractor and the expense thereof shall be charged to the violator.

2. Violations Enforcement.

In the event a violation constitutes an immediate danger to public health or public safety, the County Administrator or designee is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. After abatement of the violation, the owner of the property shall be notified of the cost of abatement, including administrative costs. The property owner may file an appeal within 15 days of the receipt of such notice. If the amount due is not paid within a timely manner as determined by the decision of the appropriate authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Section 11.9. Penalties and Prosecutions.

1. General

A. Civil

In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the County Administrator shall deem appropriate, after the County has taken one or more of the actions described above, the County may seek any legal or equitable remedy available under the law. The County may recover all attorneys' fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

B. Criminal

Violations of this ordinance shall be deemed a misdemeanor. The County may issue a citation to the alleged violator requiring such person to appear before the County Court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment in the County jail for 90 days, or both.

C. Injunction

If a person has violated or continues to violate the provisions of this ordinance, the County may petition for an injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

D. Alternative Action

In addition to any other remedy, the County may impose upon a violator alternative compensatory action, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, or similar action.

2. Remedies Not Exclusive

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the County to seek cumulative remedies.

3. Violations Deemed a Public Nuisance

In addition to the enforcement processes and penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, and welfare, and environment, is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief provided by law.

4. Suspension of Access to Storm Drainage System(s)

A. Suspension Due to Illicit Discharges in Emergency Situations

The County may, without prior notice, suspend discharge access to a person when such suspension is necessary to stop an actual or threatened discharge, which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the County may take such steps as deemed necessary to prevent or minimize damage to the County Drainage System or waters of the United States, or to minimize danger to persons.

B. Suspension Due to Detection of Illicit Discharge

1. A person discharging to the County Drainage System in violation of this ordinance may have access thereto terminated if such termination would abate or reduce an Illicit Discharge. The County Administrator will notify a violator of the proposed termination of its County Drainage System access. The violator may petition the County Administrator for are consideration and hearing.
2. A person commits an offense if the person reinstates access to premises terminated pursuant to this Section, without the prior approval of the County.

Section 11.10. Appeals.

Any person receiving a notice of violation may appeal the determination within 15 days of issuance of notice to the County Administrator. The notice of appeal must be filed with the County Administrator. A hearing on the appeal shall be set by the Board of Supervisors with at least ten (10) day's notice to the violator.

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an unsuccessful appeal, then representatives of the County may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. If entry refused the County Administrator may need administrative warrant in County Court authorizing such access.

Section 11.11. Certificate of Occupancy.

A description and/or plan of erosion and sediment control measures, which will be employed to prevent damaging increases in erosion or in flood height velocities, must be submitted with the Preliminary Plat.

- a. If the construction site is one (1) to five (5) acres, a Stormwater Pollution Prevention Plan must be submitted to the County.
- b. If the construction site is greater than five (5) acres, a Stormwater Pollution Prevention Plan must be submitted to the County and the Mississippi Department of Environmental Quality.
- c. Certification of post construction best management practice perpetual responsibility and maintenance must be provided. A certificate of occupancy shall be obtained from the County Inspection Officer certifying that all the provisions of these regulations and current Building Codes adopted by the Board of Supervisors are complied with.

Exhibit “A”.

CONSTRUCTION SITE RUNOFF CONTROLS CHECKLIST.

This checklist is to be filled out before construction begins for all developments which anticipate land disturbance during construction. The checklist shall accompany the Building Permit Application. The purpose of the checklist is to monitor compliance with the Jackson County Zoning Ordinance, Stormwater Regulations of the Jackson County Utility Authority and the Stormwater Regulations of the Mississippi Department of Environmental Quality.

1. What is the land area disturbed by the construction of this project? _____ acres
2. Is the land area greater than one (1) acre? ☐ yes ☐ no
3. Has compliance with the requirements of the Jackson County Utility Authority, the Mississippi Department of Environmental Quality and the United States Environmental Protection Agency been attained?
_____ yes _____ no

4. Check below the best management practices that will be used in the completion of this project.

☐	Land Grading
☐	Permanent Diversions
☐	Preservation of Natural Vegetation
☐	Construction Entrances
☐	Check Dams
☐	Filter Berms
☐	Grass Lined Channels
☐	Chemical Stabilization
☐	Mulching
☐	Permanent Seeding
☐	Sodding
☐	Soil Roughening Dams
☐	Geotextiles
☐	Soil Retention
☐	Spill Prevention and Control Plans

☐	Vegetated Buffer
☐	Construction Sequencing
☐	Temporary Diversion Dikes
☐	Wind and Sand Fences
☐	Brush Barriers
☐	Silt Fence
☐	Storm Drain Inlet Protection
☐	Site Waste Management
☐	Vehicle Washing and Maintenance
☐	Sediment Basins and Rock
☐	Sediment Filters/Chambers
☐	Sediment Trap
☐	Temporary Slope Drain

For additional Information about best management practices and compliance with stormwater provisions of Federal, State, and Local regulations, contact the Jackson County Utility Authority or the Mississippi Department of Environmental Quality.