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APPENDIX B

DEFINITIONS AND WORDS

All words used in these definitions are subject to the rules for words and phrases in section 202 of Article II [of Appendix I].

ACCESSORY BUILDING OR USE: A subordinate building on the same lot, or a portion of the main building, the use of which is clearly incidental to that of the main building; or a use customarily incidental to the main use of the property.

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 by the area of the larger cross-section of such structure or sign.

AGRICULTURE: The raising or growing of crops only; except that the City Council may, by special order, permit the raising of fowl or livestock, but not swine, in any rural or outlying fringe area within the City of Laurel, providing such use does not constitute a nuisance or health hazard.

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

APARTMENT: A room or a suite of rooms within an apartment house arranged, intended, or designed for a place of residence of a single-family or group of individuals living together as a single housekeeping unit.

APARTMENT HOTEL: An apartment house which furnishes services for the use of its tenants which are ordinarily furnished by hotels, but the privileges of which are not primarily available to the public.

APARTMENT HOUSE OR MULTIPLE-FAMILY 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 and flats, but not including auto or trailer courts or camps, hotels, motels, or resort-type hotels.

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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 the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked 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.

BANNER: Any non-permanent advertising device, usually made of cloth or vinyl, which is suspended from a building or is suspended between two poles. Banners are not considered permanent signs and may not be used in lieu of permanent signs. The use of banners is regulated under Section 602: General Sign Regulations, Subsection 602.01.04.

Source: Ordinance No. 1454-2004, § I, 12-21-04

BASEMENT (CELLAR): A story wholly or partially underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half (½) of its height is above the average grade level, or when it is used for commercial purposes.

BILLBOARD: Any structure or portion thereof, situated on private premises, on which lettered, figured or pictorial matter is displayed for advertising purposes, except the name and occupation of the user of the premises, the nature of the business conducted on the premises or the products primarily sold or manufactured on the premises and having an area of one hundred (100) square feet or more. Any signboard carrying a message excepted in this definition which also carries extraneous advertising of one hundred (100) square feet or more shall be considered a billboard. This definition shall not include any board, sign or surface used to display any official notices issued by a Court or public duty, or bulletin boards used to display announcement of meetings to be held on the premises on which such bulletin boards are located, nor shall it include a real estate sign advertising for sale or rent the property upon which it stands when such sign does not exceed one hundred (100) square feet.

BLOCK: A piece or parcel of land entirely surrounded by public

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highways, streets, streams, railroad rights-of-way, parks, or a combination thereof. There may be more than one (1) numbered block as shown on a plat, falling within a single block as herein defined. In cases where the platting is incomplete or disconnected, the City Engineer shall determine the outline of the block.

BOARD: The Zoning Board of the Planning Commission. *Source: Ordinance No. 1197-1992, Art. V, 11-17-92*

BOARDING HOUSE OR LODGING HOUSE: A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five (5) or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.

BUFFER AREA: An area so planned and/or zoned which acts as a buffer or separation area between two (2) or more uses or structures not compatible due to design, function, use or operation.

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

BUILDING: Any structure having a roof or partial roof supported by columns, posts or walls for the enclosure of persons, animals, equipment or chattels of any kind. A residential building within the meaning of this Ordinance shall include a building enclosed by a continuous wall, regardless of the existence of platted lot lines through the area occupied by such building. A commercial or industrial structure may within the meaning of this Ordinance, consist of separate buildings where party walls or ownership lines exist in such a manner as to indicate the intent that they be separate buildings. A tent shall be defined as a building for the purposes of this Ordinance.

BUILDING ACCESSORY: Any structure erected or constructed including buildings as herein defined, the use of which requires location on the ground or attachment to something located on the ground and which is incidental and customarily appurtenant to a principal use permitted on the zoning lot, but not including fences and walls of less than six (6) feet in height, or bank protection structures regardless of height provided they do not project more than one (1) foot above the surface of the ground on the high side.

BUILDING HEIGHT: The distance measured from the mean elevation of the grade at the front face of the building to the highest point on the roof or parapet of said building.

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BUILDING INSPECTOR: The officer or other designated authority charged with the administration and enforcement of this code, and/or a designee of the Inspection Department. The official is also charged with the responsibility of enforcing the City Building codes and issuance of building permits and the administration and enforcement of the City Zoning Ordinance.

Source: Ordinance No. 1474-2006, 9-5-06

BUILDING PRINCIPAL: A building in which is conducted the primary use of the site on which it is situated. In any residential district any dwelling shall be deemed to be the principal building of the site on which it is located.

CAR WASH: Establishment with facilities for the washing of cars, trucks, and other vehicles, either self-serve or by attendant, including 24-hour coin operated car washes. Minor work such as oil changes may be permitted but major automotive repair is not allowed. A car wash may, however, be operated in conjunction with detail shop, service station or automotive repair shop.

CEMETERY: A tract of land, private or public, licensed with the State of Mississippi, divided into plots for sale for interment of the human dead.

CENTRAL BUSINESS DISTRICT: The area shown and delineated on the Official Zoning Map and generally known as downtown Laurel.

CERTIFICATE OF OCCUPANCY: A permit issued by the Superintendent of Inspection 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 this Ordinance.

CHILD CARE CENTER: Child Care Center means a place which provides shelter and personal care for six (6) or more children for four (4) or more hours of any part of the twenty-four (24) hour day, whether such place be organized or operated for profit or not. The term "*Child Care Center*" indicates day care nurseries, day care centers and any other facility that falls within the scope of the definition set forth herein, regardless of auspices. 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 the Southern Standard Building Code.

CLINICAL, MEDICAL: A building or portion of a building containing the

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offices and associated facilities of one (1) or more practitioners providing medical, dental, psychiatric, osteopathic, chiropractic, physical therapy or similar services for out-patients only, with or without shared or common spaces and equipment. A common area pharmacy or drug dispensary available to persons other than patients being treated therein or making charges separate from bills for professional services of said practitioners shall not be considered as a medical clinic use.

CLUB: Club shall include clubhouse and shall mean a voluntary association of persons organized for cultural, recreational, fraternal, civil, charitable or similar purpose, but shall not include an organization or premises the chief activity of which is a service or activity customarily carried on as a business even though it may be chartered and named for purposes herein defining a club.

COMMISSION: The Planning Commission of the City of Laurel, Mississippi.

CONCEALING FENCE: A fence, wall or other material approved by the Planning Commission which visually prevents (sight obscuring), on a perpetually maintained basis, an area so enclosed from being viewed from without by a maximum of twenty percent (20%) visibility. Any fence, wall or other material, except live shrubbery, shall be painted or colored a uniformly solid color, pastel in nature, or otherwise aesthetically pleasing, which contains no advertising sign or symbol. Any live shrubbery used shall be a hardy species to the area and permanently maintained in a manner which will not create a nuisance. Any lack of maintenance of such concealing fence shall be deemed a violation of this Ordinance and shall be prosecuted as prescribed herein.

Source: Ordinance No. 1312-1998, §I (B), 2-3-98

CONDITIONAL USE: A land use that would not generally be appropriate in a particular zoning district, but which, with certain restrictions or conditions, would, in the judgment of the COMMISSION, promote the public health, safety, morals, or general welfare of the City and would not adversely affect adjacent properties. A permit (building permit or change of use permit) granted by the COMMISSION 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.

Source: Ordinance No. 1591-2012, 8-9-2012

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

COUNCIL: The City Council of the City of Laurel, Mississippi.

COUNTRY CLUB: For the purposes of this Ordinance, country clubs shall include: golf courses, par-3 golf course, swimming pools, tennis clubs, and neighborhood clubhouses any and each of which shall be located on a site of not less than one (1) acre and open only to membership subscribing for the use of all facilities for a term of not less than one (1) year and members' non-paying guests. Sleeping facilities other than quarters for one (1) caretaker or manager and his family shall be prohibited. Clubs operated as restaurants, cocktail lounges, card rooms, beer taverns, bowling alleys, pool and billiard parlors and similar activities normally carried on as a business shall be excluded from the definition of a *Country Club*. Nothing herein shall be construed to limit the method of operation of such facilities enumerated in this definition when owned or operated by a governmental agency.

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

DETACHED SHED, PORTABLE: A prefabricated shed open on at least one side and usually constructed of metal which is purchased for installation on a residentially, commercially or industrially zoned property. Such sheds are commonly used for storage of vehicles but may also be used for other applications such as a patio cover. Placement of such sheds must comply with regulations for front, rear and side yard as contained in the zone in which the structure is to be placed and must be utilized in a manner in compliance with the permitted uses of said zone. In no instance shall such shed be placed in the front yard and/or beyond the front building line of the main structure; this prohibition applies whether the actual placement of the shed is to the front of said main structure or whether it is to the side of said main structure. Such sheds may be placed in front of a porch for used as a covered walkway ONLY if said porch is in the rear yard. Use as a covered walkway is strictly prohibited in the front and side yards. [See definitions "YARD, FRONT", "YARD, REAR" and "YARD, SIDE" for further clarification.] Any variation from the above regulations may be granted only by a variance from the City of Laurel.

Source: Ordinance No. 1544-2009, 9-22-09

DENSITY: The intensity of land use and also the maximum intensity of land use physically possible on a minimum lot observing all yard, height, and lot coverage provisions of the Zoning Ordinance.

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DEVELOPMENT: For purposes of Site Plan Review, development is defined as any new development requiring a permit from the City or any addition to an existing development in excess of twenty-five percent (25%) of the existing structure(s) or parking lot(s).

Source: Ordinance No. 1207-1993, § II, 4-14-93

DIGITAL/LED(LIGHT EMITTING DIODE) SIGNS: Any sign having the capacity to display a message on the face or facing of a sign by manipulation of light projected onto a screen or otherwise produced within the screen. Digital signs include those using LED Technology, Plasma Technology, or any similar

method/technology to produce the same results as LED or Plasma. Placement of such signs is regulated under Section 601.12.12 of the Zoning Ordinance.

Source: Ordinance No. 1565-2010, Appendix B, Definitions, 7-20-2010

DRIVE-IN: May be used as a noun or adjective and shall refer to a business which is designed to serve patrons while they are reposed in vehicles or by means of service windows with the intent that products be consumed in automobiles. This shall not be construed to include places for making deposits from automobiles such as drive-in bank windows, post office drop boxes or laundry or cleaning drop boxes.

DWELLINGS: A building or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings, multi-family dwellings and group dwellings; provided however that the following are not dwellings:

- (a) Hotels, motels, tourist courts and cabins;
- (b) In a building that contains one (1) or more dwelling units or lodging rooms in addition to one (1) or more non-residential uses, the portion of such building that is devoted to such non-residential uses, except when accessory to the residential uses;
- (c) Used for the institutional care of people such as hospitals, rest homes, orphanages, and homes for the aged.

DWELLING, ATTACHED (ROW): A multi-family dwelling in which each

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dwelling unit has a separate outdoor entrance and is either

- (a) joined to one (1) other dwelling unit at one (1) side by one (1) party wall, or
- (b) joined to two (2) other dwelling units by one (1) party wall on each side.

DWELLING, DETACHED: A dwelling that is completely surrounded by open space on the same lot.

DWELLING MOBILE: A vehicle used or so constructed as to permit its being used as a conveyance upon a public street or highway and duly licensable as such, and shall include self-propelled vehicles so designed, constructed, reconstructed, or added to by any means, in such a manner as will permit the occupancy thereof as a dwelling or sleeping place of one (1) or more persons and supported by wheels, jacks, or similar supports. Transportable dwellings not meeting building code requirements for dwellings shall be treated as mobile dwellings. This definition shall include the terms "automobile trailer," "housetrailer", and "mobile home."

DWELLING, MULTI-FAMILY: A building or portion thereof containing three (3) or more dwelling units.

DWELLING, SINGLE-FAMILY: A building containing one (1) dwelling unit only.

DWELLING, TOWNHOUSE: A structure which is one of a series of dwelling units designed for single-family occupancy, which dwelling units are structurally connected or immediately adjacent to each other without side yards between individual dwelling units. Also known as "row houses."

DWELLING, TWO-FAMILY: A building containing two (2) dwelling units only.

DWELLING UNIT: One (1) or more rooms that are (a) located in a dwelling and that are (b) arranged, designed, or used as living quarters for one (1) family only. Each dwelling unit contains one (1) and only one (1), complete set of kitchen facilities, permanently installed. Solely for the purpose of determining compliance with lot area per dwelling unit requirements, each lodging room in a group dwelling shall be considered as one-half (½) a dwelling unit. No lodging room in a group dwelling shall be included as part of a dwelling unit.

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DWELLING, ZERO LOT LINE: A detached single-family dwelling unit which is constructed against the lot line on one (1) side of a lot, provided however, that there shall be no windows, doors, or other openings of any kind on this side. This type of dwelling is also sometimes referred to as a court-garden house or patio house.

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.

ENGINEER - CITY ENGINEER: A person registered as a professional engineer in the State of Mississippi and who is authorized to approve construction design of public works such as streets, roads, bridges, utilities, drainage, etc.

FAMILY: One (1) or more persons related by blood, marriage or adoption living together in one (1) dwelling unit and maintaining a common household, including domestic servants, gratuitous guests, boarders, roomers or lodgers, but not to exceed ten (10) persons when all are not related by blood, marriage, or adoption.

FENCES: See Also *Concealing Fence*. Source: Ordinance No. 1312-1998, §1(B), 2-3-98

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 80 degrees Fahrenheit, is flammable.

FLOOD PLAIN: The relatively flat area or low lands adjoining the channel of a river, stream or watercourse or ocean, lake, or other body of standing water, which has been or may be covered by flood water.

FLOODWAY: The width on either side of a stream, river or drainage course designated by the City Council of the City of Laurel as necessary to provide sufficient channel and capacity to drain storm waters flowing into it in a manner which will prevent extensive flooding or inundation of property located adjacent to the area so designated.

FLOOR AREA: The floor area of a building as used in calculating the gross floor area ratio or as otherwise used in this Ordinance, shall include all areas having headroom of seven (7) feet or more, including basement areas where they are used as a dwelling unit for sleeping accommodations, or other family eating or living purposes, but not including basement floor areas used for utility and storage purposes. Floor area for business and industrial buildings shall include all useable

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floor space above grade and that portion of basements used for the conduct of business or industry, but not including utility areas of said basements. Measurements shall be made at the outside of outside walls. An area may be surfaced with natural earth and still be considered a floor.

FRONTAGE: All the property abutting on one (1) side of a street between two (2) intersecting streets, measured along the street line.

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

GARAGE, MECHANICAL: A facility used for the repair of automobiles, trucks, and similar vehicular powered, hydraulic, or control systems.

GARAGE, PRIVATE: An attached or detached accessory building for the storage of private passenger vehicles or recreational equipment with a capacity of not more than three (3) single stalls per dwelling unit and where no repair facilities are maintained.

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, STORAGE: A building or portion thereof, other than a private garage, used exclusively for parking or storage of self-propelled vehicles, but with no other services provided except facilities for washing.

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 for lubricating, washing, or cleaning.

GUARDED or GATED RESIDENTIAL STREETS: Residential streets approved by the City Council for limited closing under Chapter 23, Section 23-48, *et seq.*, **Laurel Code**. Source: Ordinance No. 1370-2000, § 202; App. B, 6-20-00

GOLF COURSE: Golf course as used herein shall mean standard sized layouts of at least nine (9) holes and shall not include miniature golf course, par-3 golf courses, pitch and putt courses or driving ranges.

GOVERNING AUTHORITY: The City Council of Laurel, Mississippi.

GRADE: The mean elevation of the ground, measured along the wall of a

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building, or a lot line, or the top of a street curb or official grade of a street curb not yet constructed, or an official grade of an alley surface, as appropriate to the context in which the term is used.

GROSS FLOOR AREA RATIO (G.F.A.R.): The floor area of a building divided by the area of the zoning lot as defined herein. (For example a building one-story high covering an entire lot would have a G.F.A.R. of 1.0, whereas a building two-stories high covering an entire lot would have a G.F.A.R. of 2.0, while a building one-story high covering half (½) a lot would have a G.F.A.R. of 0.5). Both principal and accessory buildings shall be considered in calculating gross floor area.

GROUND AREA: Ground area shall be the total geometric area of a lot as defined within its boundaries.

GROUND COVERAGE: The area of a zoning lot occupied by all buildings expressed as a percentage of the gross area of the zoning lot.

GROUP HOME/DWELLING: Any group living arrangements for five (5) or more persons, unrelated to each other by blood or marriage is considered a group home or group dwelling. *Source: Ordinance No. 1211-1993, § 1, 6-22-93*

GROUP HOUSING PROJECT: A group of one (1) family, two (2) family, or multiple dwellings, arranged on land not subdivided into customary streets and lots.

HOBBY: An accessory use carried on by the occupant of the premises in a shop, studio, or other work room, purely for personal enjoyment, amusement, or recreation; provided that the articles produced or constructed in said shop, studio, or work room are not sold either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, or fumes.

HOME OCCUPATION: Any occupation conducted anywhere on the lot or improvements hereon on which a dwelling is located incidental to the main use of the premises as a dwelling place, and is conducted by members of a family residing in the dwelling and in connection with which there is kept no stock in trade nor commodity to be sold upon the premises. No mechanical equipment shall be used which will be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, or fumes. The operation of beauty, culture schools, beauty parlors, day nurseries, or barber shops and the repair of motor vehicles and/or implements powered by gasoline motors shall not be considered home

occupations.

Further guidelines controlling Home Occupations are as follows:

- (a) There shall be no external evidence of the occupation with the exception of one (1) unlighted name plate of not more than one (1) square foot in area attached flat against the building. Advertising displays and advertising devices displayed through a window of the building shall not be permitted.
- (b) The activity shall employ only two (2) members of the immediate family of the resident of the dwelling.
- (c) Said home occupation shall not involve continual visits by the general public except that music lessons may be given to one (1) pupil at a time; dance and art lessons may be given to four (4) pupils at a time; a dressmaker may have two (2) customers at a time; and a professional person may have one (1) client or patient at a time; and a photographer may have one (1) customer at a time.

Source: Ordinance No. 1218-1993, § III, 8-3-93

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

HOSPITAL, SMALL ANIMAL: An institution where sick or injured small animals of less than one hundred fifty (150) pounds are given medical care, and in the course of same are housed overnight, fed, and provided related services. Hospital, Small Animal shall be considered a commercial use.

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

INDUSTRIAL, HEAVY: Those industrial uses which have extensive space requirements and/or generate substantial amounts of noise, vibrations, odors, or possess other characteristics that are detrimental, hazardous, or otherwise offensive and incompatible with other land uses.

INDUSTRY, LIGHT: Those industrial uses which do not generate odors, smoke, fumes, or excessive noises.

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JUNK OR SALVAGE YARD: A place where waste, discarded or salvaged metals, building materials, paper, textiles, used plumbing fixtures, and other used materials are bought, sold, exchanged, stored, baled or cleaned; and places or yards for the storage of salvaged metal, materials and equipment; but not including pawn shops and establishments for the sale, purchase or storage of used cars or trucks in operable condition, boats or trailers in operable condition, salvaged machinery in operable condition, and used furniture and household equipment in useable condition and not including the processing of used, discarded or salvaged materials as part of manufacturing operations.

KENNEL: Any building, lot, or premises on, or in which, four (4) or more dogs, cats, or similar pets (at least eight (8) weeks of age) are kept. Any building, lot, or premises where dogs, cats, or similar pets are housed or accepted for boarding, for which remuneration is received.

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.

LEGAL NON-CONFORMING USE, BUILDING OR YARD: A use, building or yard existing legally at the time of the passage of this Ordinance which does not by reason of design, use, or dimensions conform to the regulations of the district in which it is situated. A use, building or yard established after the passage of this Ordinance which does not conform to regulations of the district in which it is situated shall be considered an illegal non-conforming use.

LOT: A zoning lot unless the context shall clearly indicate a lot of record, in which case a "lot" is a lot of record. (See definition of "Zoning Lot").

LOT OF RECORD: Land designated as a separate and distinct parcel in a subdivision, the plat of which has been recorded in the Office of the Chancery Clerk of Jones County, Mississippi or a parcel of land, the deed to which was recorded in the Office of said Clerk prior to September 25, 1970.

LOT, CORNER: A zoning lot situated at the intersection of two (2) streets, or bounded on two (2) or more adjacent sides by street right-of-way lines or in the case of curbed right-of-way lines, the extension of tangents at the side lot lines does not exceed one hundred thirty-five (135) degrees.

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

and the rear lot line.

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

LOT LINE: A boundary of a zoning lot. Lot line is synonymous with property line.

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 distance between side lot lines measured at the rear of the required front yard on a line parallel with a line tangent to the street right-of-way line.

LOT, THROUGH: A zoning lot having a frontage on two (2) parallel, approximately parallel, diverging, or converging streets, but not including a corner lot as defined herein.

LOT, REVERSE CORNER: A corner zoning lot, the side street line substantially a continuation of the front lot line of the zoning lot to its rear.

LOT, ZONING: See “Zoning Lot”.

MANUFACTURING ESTABLISHMENT: A facility at which goods are made through use of raw materials, machinery, and labor and often employing assembly line techniques.

MINIMUM LOT AREA: The minimum ground space required for a dwelling unit by this Ordinance.

MINOR REPAIR, AUTOMOBILE: The replacement of minor assemblies or parts and tune-up of automobiles, or trucks of less than fifteen thousand (15,000) pounds gross license weight, but not including body and fender work, painting, engine overhaul or similar type of work.

MOBILE HOME: A transportable, single-family dwelling unit suitable for year-round occupancy and containing the same water supply, waste disposal, and electrical conveniences as immobile housing. This definition also includes manufactured homes. *Source: Ordinance No. 1304-1997, §1, 10-7-97*

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MOBILE HOME PARK: A tract of land that is used, designed maintained, or held out for rent to accommodate one (1) or more mobile homes. Mobile homes located in a mobile home park are used only to provide living and sleeping accommodations. A mobile home park does not include an automobile or mobile home sales lot on which unoccupied mobile homes are parked for inspection or sale. The term mobile home shall include mobile dwelling.

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

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 Standard 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 only in the "R-3", "R-4", and "C-1" Districts.

MOTEL: A group of attached or detached living units with individual toilet facilities operated for transient guests' and so constructed that guests automobiles may be parked at or near the living unit.

MODIFYING ZONE: A zone which is dependent upon a primary zone and which is designed to add to the primary zone a specific restriction or liberalization to meet specific locational needs which if accomplished by an additional series of primary zones would make the Ordinance unnecessarily lengthy and complicated.

NON-CONFORMING BUILDING: A building or structure or portion thereof, lawfully existing at the time this Ordinance or an amendment thereto becomes effective, which does not meet the bulk, height, yard, parking, loading or other requirements of this Ordinance or any amendment thereto.

NON-CONFORMING USE: A use which lawfully occupies a building or land at the time of this Ordinance or an amendment thereto becomes effective but

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does not meet the requirements of this Ordinance or any amendment thereto.

OPEN SPACE, COMMON: A parcel or parcels of land not occupied by dwellings or other buildings, which is permanently maintained in a suitable state for the shared use and enjoyment by the owners and/or occupants of individual dwelling units within a particular development.

OVERLAY DISTRICT: A set of supplementary or replacement regulations that is described in the Code text, mapped, and is imposed in addition to those of the underlying district. Developments within the overlay zone must conform to the requirements of both zones or the more restrictive of the two. *Source: Ordinance No. 1292-1997, App. B, 3-18-97*

OUTDOOR ADVERTISING SIGNS AND BILLBOARDS: A sign including the supporting sign structure which directs the attention of the general public to a business, service or activity not usually conducted or a product not usually offered or sold upon the premises where such a sign is located, and such sign or billboard shall be considered a commercial use.

OUTDOOR STORAGE: A depository or place for storing goods related to the establishment on the same premises and not located within a building.

PAR-3 GOLF COURSE: A golf course other than a miniature golf course and other than a golf course defined herein, and having greens similar to a golf course and fairways of not less than fifty (50) yards in length. A par-3 golf course may not be lighted unless so specified as permitted in the text of this Ordinance.

PARKING SPACE: A space located on private or public property sufficient in size to park, in accordance with Article VI of Appendix I, one (1) automobile.

PARKING AREA, PUBLIC: An open area other than a street or alley used for the temporary parking of more than four (4) self-propelled vehicles and available for public use whether free, for compensation, or as an accommodation for clients or customers.

PARKING AREA, SEMI-PUBLIC: An open area other than a street or alley for temporary parking of more than four (4) self-propelled vehicles as an accessory use to semi-public institutions, schools, churches, hospitals and non-commercial clubs.

PERSONNEL SERVICE ESTABLISHMENTS: A business which provides

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personal services directly to customers at the site of the business, or which receives goods from or returns goods to customers which have been treated or processed at that location or another location. This includes, but is not limited to, travel agencies, dry-cleaners, laundries, tailors, hair stylists, cosmeticians, toning or tanning salons, banks, postal stations, package delivery drop-off and pick-up stations, photocopy centers, shoe repair shops, appliance repair shops, interior design studios, dance and martial arts studios, and domestic pet services. This shall not include adult entertainment establishments, such as adult arcades, adult bookstores, adult motels, adult theatres, massage parlors, etc. Also this shall not include automobile service stations.

Source: Ordinance No. 1292-1997, App. B, 3-18-97

PLANNED UNIT DEVELOPMENT (PUD): A land tract in which a multiplicity of land uses may be permitted including single-family residential, multi-family 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.

PLANNING COMMISSION: The “Planning Commission” for the City of Laurel, Mississippi, who directly hears public hearings on zoning matters and makes recommendations to the governing authority for their final consideration.

Source: Ordinance No. 1474-2006, 9-5-06

PREMISES: Land together with structure or structures occupying it.

PRIMARY ZONE: A zoning classification which can stand alone as a classification of a parcel of property.

PRINCIPAL PERMITTED USE: That use of a zoning lot which is among the uses allowed as a matter of right under the zoning classification.

RESIDENTIAL FENCES: See Section 604.01. *Source: Ordinance No. 1312-1998, I (B), 2-3-98*

RIGHT-OF-WAY: The land occupied, including necessary parkway or open space dedicated or designated for the use of a public street or alley.

ROOF AND CANOPY: A canopy is a roof-like structure that is attached to and supported entirely by or from a wall of the main building. A roof for the purposes of this Ordinance is a canopy or covering which is supported by a floor

or ceiling structure of the main building.

ROOMING HOUSE: A dwelling containing one (1) or more lodging rooms that accommodate one (1) or more persons who are not members of the keeper's family; provided however, that the letting of rooms for hire, to the extent permitted by this Ordinance as a home occupation, shall not in itself cause a dwelling to be a rooming house. In a rooming house, lodging or meals are provided for compensation on a weekly or monthly basis. Rooming house includes boarding house.

SCREENING: This term refers to landscaping and/or architectural barriers which block vision.

SERVICE STATION: Any building, structure, or land used primarily for the dispensing, sale or offering for sale at retail of any automotive fuels, oils, accessories or other sundry items normally sold at service stations for the traveling public but not including major repair work such as motor overhaul, body and fender repairs, or spray painting.

SIGN: See Sign Definitions, page 489

SITE PLAN REVIEW COMMITTEE: That Committee, as defined in Section 503.02, which shall have the duty to review certain site plans, all as herein provided for in this Ordinance. *Source: Ordinance No. 1197-1992, Art. V, 11-17-92*

SPECIAL EVENT: An occurrence that is limited to a specified time period including but not limited to concerts, grand openings, sales, revivals and other similar events.

Source: Ordinance No. 1454-2004, § 1, 12-21-04

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 City Council, promote the public health, and safety, of 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, and will be given on a yearly basis only 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.

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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.

STABLE, PUBLIC: A stable other than a private or riding stable.

STABLE, RIDING: A structure in which horses or mules used for pleasure riding or driving are housed, boarded or kept for hire; including a riding track.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

STREET OR ROAD: The entire width between property line of a way or place dedicated or acquired for the purpose of public use for vehicular traffic or access other than an alley,

STREET RIGHT-OF-WAY LINE: The legal property line boundary between the street right-of-way, and the abutting property.

STRUCTURE: Anything constructed or erected with a fixed location on the ground or attached or resting on something having a fixed location on the ground. Moreover the following shall always be considered structures: buildings, walls, fences, signs and billboards.

STRUCTURAL ALTERATIONS: Any change in the structural members of a building, such as walls, columns, beams or girders. Vehicles duly licensed for operation upon public streets or highways shall not be considered structures.

SUBDIVISION: An area of land divided into lots for development by means of an appropriately recorded legal document.

TOWNHOUSE SUBDIVISIONS: The term "*townhouse subdivision*" shall apply to those developments in which it is proposed to partition land into individual lots and construct townhouses which may be individually owned and where the minimum lot sizes shall be as required under "R-3" Residential District of this Ordinance.

TRACT DEVELOPMENT: A tract of land at least five (5) acres in size, designed for residential purposes where dwellings may be grouped or clustered to maximize advantageous development of the site and where, through the proper

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use of common maintained open space, character and density requirements of the residential district in which it is located are satisfied.

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

USE: The purpose or purposes for which land or a building is designed, arranged, or intended, or to which said land or building is occupied, maintained or leased.

USE, ACCESSORY: A use customarily incident to a principal permitted use of building and location on the same zoning lot with such principal use or building.

USE, CONDITIONAL: A use which is not allowed in the zone as a matter of right, but which is permitted upon findings of the Board that under the particular circumstances present, such use is in harmony with the principal permitted uses of the zone. Allowable conditional uses are specifically listed under the district regulations. Uses not so listed shall not be allowed as conditional uses.

USE, SPECIFICALLY EXCLUDED: A use of land or a structure which is excluded from a zone by the operation of other regulations of the zone, but which is specifically enumerated as excluded for purposes of clarity of intent and ease of reference.

VARIANCE: A modification of the literal provisions of this Ordinance which the Board 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.

WALL: See also *Concealing Fence*. Source: Ordinance No. 1312-1998, §I (B), 2-3-98

YARD, FRONT: An open space extending the full width of the zoning lot, between the main building and the front lot line, unoccupied and unobstructed by building or structures in excess of four (4) feet in height except as provided herein, the depth of which shall be measured as the least distance between the front lot line and the front of such main building.

Source: Ordinance No. 1312-1998, §I (B), 2-3-98

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YARD, REAR: An open space extending the full width of the zoning lot, between the main building and the rear lot line, unoccupied and unobstructed by buildings or structures in excess of eight (8) feet in height except as provided herein, the depth of which shall be measured as the least distance between the rear lot line and rear of such main building.

Source: Ordinance No. 1312-1998, §I (B), 2-3-98

YARD, SIDE: An open space extending from the front yard to the rear yard, between the main building and the side lot line, unoccupied and unobstructed by buildings or structures in excess of eight (8) feet in height, except as provided herein, (see *Accessory Building*) the depth of which shall be measured as the least distance between the side lot line and the side of such main building.

Source: Ordinance No. 1312-1998, §I, (B), 2-3-98

ZERO LOT LINE SUBDIVISION: A residential complex consisting of no less than zero lot line lots.

ZONING LOT: A single tract of land, located within a single block, which at the time of filing for a Building Permit or a Certificate of Occupancy, is designated by the owner or developer as a tract to be used, developed, or built upon as a unit, under single or unified ownership or control, and assigned to the particular use, building or structure, for which the Building Permit or Certificate of Occupancy are issued, and including such area of land as may be required by the provisions of this Ordinance for such use, building or structure.

SIGN DEFINITIONS

For the purpose of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by Section 602, **General Sign Regulations** [of Appendix I]:

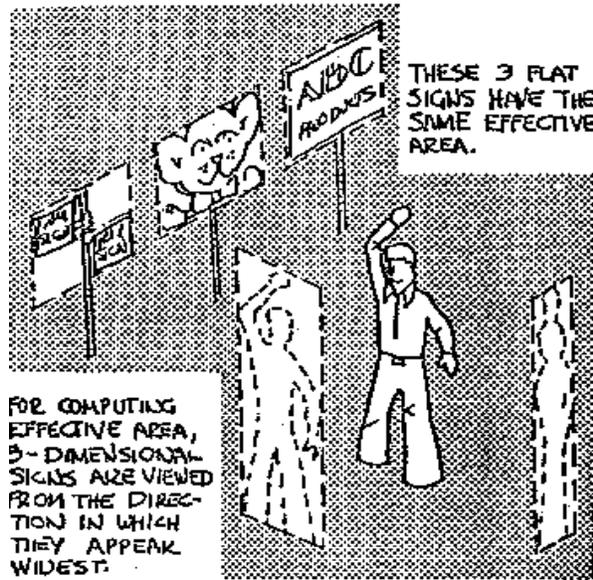
CHARACTER: Any letter of the alphabet or any numeral.

EFFECTIVE AREA: **for detached signs**, means the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contains all extremities of the sign, exclusive of its supports. This rectangle is to be calculated from an orthographic projection of the sign viewed horizontally.

A viewpoint for this projection is to be taken which gives the largest rectangle of that kind, as the viewpoint is rotated horizontally around the sign. If elements of the sign are movable or flexible, as a flag or string of lights, the measurement shall be taken when the elements are fully extended and parallel to the plane of view.

EFFECTIVE AREA: for attached signs, shall mean the sum of the areas of the minimum imaginary rectangles enclosing each word attached to any particular facade.

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A horizontal “orthographic projection” is simply a non-perspective view of an object - a perpendicular projection seen from the ground, like the architect’s evaluation of a building. The “effective area” definition suggests a two-step process for calculating sign area. First, one must choose the point of view from which the sign looks widest. For flat signs, this viewpoint is directly opposite the face. If the sign were a cube in shape, this viewpoint would be opposite a corner. Now the picture of the sign seen from this viewpoint is enclosed within the smallest rectangle which fully contains the sign. The area of that rectangle is the “effective area” of the sign.

FACADE: Any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within forty-five degrees (45°) of one another, they are to be considered as part of a single facade.

HEIGHT: As applied to a sign, shall be measured as the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and a level plane going through the nearest point of the improved public right-of-way, other than an alley.

INTERSECTION: The junctions of the center lines of any two (2) public rights-of-way, other than alleyways.

LUMINANCE: The brightness of a sign or a portion thereof expressed in terms of footlamberts. For the purposes of this definition, luminance shall be determined by the use of an exposure meter calibrated to standards established by the National Bureau of Standards and equipped with a footlambert scale.

OCCUPANCY: The purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

PREMISE: Any lot or unplatted tract, or any combination of contiguous lots or unplatted tracts held under single ownership.

SETBACK: The required distance between any point on private land and the nearest point at the edge of the nearest public right-of-way, other than an alley. Where a public way crosses a railroad right-of-way, the setback distance is to be measured from the public right-of-way line extended across the railroad right-of-way.

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SIGN: Any device, light, figure, picture, letter, word, message, symbol, plaque, or poster visible from outside the premise on which it is located and designed to inform or attract the attention of persons not on that premise, excluding searchlights, flags, streamers, pennants, balloons, and other similar devices. *Source: Ordinance No. 1239-1994, § 1, 6-7-94*

SIGN, ATTACHED/WALL SIGN: Any sign attached to, applied on, or supported by any part of a building (such as a wall, roof, window, canopy, awning, arcade, or marquee) which encloses or covers usable space.

SIGN, BANNER: Any sign non-permanent advertising device, usually made of cloth or vinyl, which is suspended from a building or is suspended between two poles. Banners are not considered permanent signs and may not be used in lieu of permanent signs. The use of banners is regulated under Section 602: General Sign Regulations, Subsection 602.01.04.

SIGN, DETACHED/GROUND MOUNTED SIGN: Any sign connected to the ground which is not an attached sign, inclusive of signs on movable objects.

SIGN, DIRECTIONAL: A non-premise sign whose content is limited exclusively to the identification of specific premise or occupancy located elsewhere, and which tells the location of or route to that premise or occupancy.

SIGN, DIGITAL/LED(LIGHT EMITTING DIODE): Any sign having the capacity to display a message on the face or facing of a sign by manipulation of light projected onto a screen or otherwise produced within the screen. Digital signs include those using LED Technology, Plasma Technology, or any similar method/technology to produce the same results as LED or Plasma. Placement of such signs is regulated under Section 602.12.12 of the Zoning Ordinance.

Source: Ordinance No. 1565-2010, Appendix B, Definitions, 7-20-2010

SIGN, ILLUMINATED: Any sign which is directly lighted by any electrical light source, internal or external. This definition shall not include signs which are illuminated by street lights or other light sources owned by any public agency or light sources which are specifically operated for the purpose of lighting the area in which the sign is located rather than the sign itself.

SIGN, NON-PREMISE: Any sign which is not a premise sign.

SIGN, POLITICAL: Any type of non-premise sign which refers only to the issues or candidates involved in a political election.

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SIGN, PREMISE: Any sign the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, services or activities of or on those premises, or the sale, lease, or construction of those premises.

SIGN, REAL ESTATE: A sign offering property for sale or rent by either an owner or realtor.

SIGN, SHINGLE: A non-internal electric, non-self-illuminating sign of not more than two (2) square feet of surface area which is commonly used for identification by members of a recognized profession.

SIGN, SPECIAL PURPOSE: A sign temporarily supplementing the permanent signs on a premise.

SIGN SUPPORT: Any pole, post, strut, cable, or other structural fixture or framework necessary to hold and secure a sign, providing that said fixture or framework is not imprinted with any picture, symbol or word using characters in excess of one inch (1") in height, nor is internally or decoratively illuminated.

SIGN, TRAILER/PORTABLE: A temporary sign structure for use, with or without, changeable type lettering, illuminated or non-illuminated, with or without wheels, not permanently attached to the ground.

SIGN, VEHICULAR: Any sign on a vehicle moving along the ground or on any vehicle parked temporarily, incidental to its principal use for transportation. This definition shall not include signs which are being transported to a site of permanent erection.

WORD: For the purpose of this Section, one (1) word shall be deemed to be any of the following:

- (a) Any word in any language found in any standard unabridged dictionary or dictionary of slang.
- (b) Any proper noun or any initial.
- (c) Any separate symbol or abbreviation, such as "&", and "\$", "%", and "Inc."
- (d) Any telephone number, street number, or commonly used combination of numerals and/or symbols such as "\$55.00" or

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“50%”.

- (e) Any symbol or logo which is a registered trademark, but which itself contains no word or character.
- (f) Otherwise, each separate character is considered to be a word.

Source: Ordinance No. 1056-1985, 8-6-85

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