APPENDIX I

ZONING ORDINANCE

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ARTICLE I. TITLE AND PURPOSE

SECTION 101.01. AUTHORITY.

The provisions of this Ordinance are adopted pursuant to the authority set forth in the Mississippi Code §§17-1-3 to 17-1-21 (1972) of the General Laws of the State of Mississippi.

The Mississippi Code 1972, §§ 17-1-3 to 17-1-37; 21-1-27; 21-13-7; 21-19-63; 41-25-13; 43-35-105; 49-23-1 to 49-23-29; 49-25-1 to 49-25-23 and 75-49-1, further empowers the City to enact provisions for other functions related to this Ordinance such as: planning, airport zoning regulations, a local planning commission, control of outdoor advertising along highways, control of junkyards, mobile home construction standards and sanitary regulations, building setback lines, adoption of official plans, extension or contraction of corporate boundaries, methods for adopting codes, subdivision of land and regulation thereof, among other matters. (See Appendix A).

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1474-2006, 9-5-06

SECTION 101.02. TITLE.

This Ordinance shall be known as the Official Zoning Ordinance of Laurel, Mississippi, and may be so cited, and further referenced elsewhere as “Zoning Ordinance” and herein as “the Ordinance” or “this Ordinance”; shall imply the same wording as the full title.

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

SECTION 101.03. INTERPRETATION.

In interpreting and applying this Ordinance, its provisions shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not the intent of this Ordinance to interfere with, abrogate or annul any Ordinance, rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this Ordinance, or which shall be adopted or issued pursuant to law relating to the use of building or premises, and likewise not in conflict with this Ordinance to interfere with, abrogate, or annul any easement, covenant, or other agreement between parties except wherein this Ordinance imposes a greater restriction, this Ordinance shall control.

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

SECTION 101.04. CONFLICT.

All Ordinances or parts of Ordinances in conflict herewith are repealed, but nothing contained herein shall prevent the prosecution of any person or the bringing of a civil action to enjoin any person for the prior violation of any Ordinance or part of any Ordinance hereby repealed.

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

SECTION 101.05. SEVERABILITY AND VALIDITY.

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portion of this Ordinance, which shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable. The Council declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

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

ARTICLE II. DEFINITIONS AND WORDS

SECTION 201. RULE FOR WORDS AND PHRASES.

For the purpose of this Ordinance, certain words and terms used herein shall be defined and interpreted as follows:

All words used in the present tense include the future tense. All words in the plural number include the singular number, and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "*shall*" is mandatory and not directory. The word "*used*" shall be deemed also to include "*designed, intended* or *arranged to be used*." The word "*building*" includes the word "*structure*."

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

SECTION 202. DEFINITIONS.

See Appendix B for actual definitions.

ARTICLE III. DISTRICTS

SECTION 301. ZONING DISTRICTS.

In order to regulate and restrict the location of trades and industries and the location of buildings erected, reconstructed, altered or enlarged for specified uses, to regulate and limit the height and bulk of buildings hereafter erected, reconstructed, altered or enlarged; to regulate and determine the area of yards and other open spaces and to regulate and limit the density of population, the City of Laurel is hereby divided into districts of which there shall be nineteen (19) as follows:

A-1 General Agricultural District
R-1 Low Density Residential District
R-2 Medium Density Residential District
R-3 High Density Restricted Residential District
R-4 High Density Residential District
C-1 Restricted Commercial District
C-2 General Commercial District
C-3 Heavy Commercial District
C-4 Downtown Central Business District
I-1 Restricted Industrial District

I-2 Light Industrial District
I-3 Heavy Industrial District
F-1 Flood Plain District
PUD Planned Unit Development
C-1A Professional Office District
C-1B Medical/Professional Commercial District
Laurel Central Historic District
Leontyne Price Blvd Overlay District
Tri-Park Overlay District
Sawmill Overlay District
Downtown Overlay District

The order of classification shall be as enumerated above with the F-1 Flood Plain District being the most restrictive and the I-3 Heavy Industrial District the least restrictive classification.

The districts aforesaid and the boundaries of such districts are shown upon the map designated as the "*Official Zoning Map*" and said maps and all the notations, references and other information shown thereon are hereby made a part of this Ordinance as if the matters and information set forth by said map were all fully described herein.

Except as hereinafter provided:

First. No building shall be erected, reconstructed, altered or enlarged nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located.

Second. No building shall be erected, reconstructed, altered or enlarged to exceed the height or bulk limit herein established for the district in which such building is located.

Nothing in this Ordinance shall interfere with limitation on height of structures included in Airport Zoning Regulations.

Third. No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this Ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established.

No building permit shall be issued by the City for the construction or placing of, and no person shall construct or place any dwelling, structure, or edifice, designed or usable as a dwelling place, on any lot, tract, or parcel of land unless the lot, tract or parcel of land upon which each such structure is to be located, or is located, has been defined, delineated, or described by a map or plat filed for record in the Deed Records of the County; provided, that this Ordinance shall not prohibit the issuance of a building permit for the construction or placing of any single structure, designed or usable as a dwelling, located on any tract of land set apart, delineated or defined by a metes and bounds description and recorded in the Deed Records of the County as of September 25, 1970, when the only structure (which with its permitted appurtenances) is located or, to be located thereon, faces or fronts upon a legally established public street.

No building permit shall be issued by the City for the erection or placing of any dwelling on a lot, the width or street frontage of which has been decreased from the width or street frontage as originally platted or as re-platted and recorded in the Deed Records of the

County, nor shall a building permit be issued for the erection or placing of any dwelling on the rear yard of any corner lot situated in Districts R-1, R-2, R-3, or R-4.

A building permit may be issued by the City through its proper agent for the construction or placing of a dwelling on a lot or tract of land composed of portions of two (2) or more lots as recorded in the Deed Records of the County, only when such resulting lot or tract has a street frontage of not less than the street frontage of any lot in the same block provided that such frontage meets the requirements of the City Subdivision Ordinance.

Fourth. No yard or other open space provided about any building for the purpose of complying with the provisions of these regulations shall be considered as providing a yard or open space for any other building; provided further that no yard or open space on an adjoining property shall be considered as providing a yard or open space on a lot whereon a building is to be erected.

Fifth. Every building hereafter erected shall be located on a lot as herein defined and in no case shall there be more than one (1) building with accessory building on one (1) lot, except as hereinafter provided. (See Section 803)

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1292-1997, §I, 3-18-97

ARTICLE IV. SPECIFIC DISTRICT REGULATIONS

SECTION 401. A-1 GENERAL AGRICULTURAL DISTRICT.

401.01. General Description.

This district shall provide an area for agricultural and horticultural uses. The rural nature and low density of population in this district requires only that uses essential to agriculture and horticulture have a reasonable setback of buildings from dedicated streets and/or highways. 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 in accordance with the provisions of this Ordinance.

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

401.02. Uses Permitted.

The following uses of property, buildings, or structures:

401.02.01 Cultivation of field and truck crops, orchards, and vineyards.

401.02.02 Pasturing and grazing (not including stockyards or feed lots).

401.02.03 Dairies, poultry, small animals and livestock.

401.02.04 Greenhouses, nurseries and landscape gardening.

401.02.05 Barns, silos, sheds, warehouses and cooling houses for storage, grading, packing and processing of farm produce raised on the premises. Commercial slaughtering or processing of animals is prohibited.

401.02.06 One (1) family detached dwellings, and their customary accessory uses. (Subject to Section 401.05)

401.02.07 Public parks and recreation areas.

401.02.08 Mobile Home Park in accordance with Article IV, Section 405.06 of this Ordinance.

401.02.09 Raising fish for wholesale and for pay fishing lakes.

Source: Ordinance No. 1197-1992, § I, Art. IV, 401.02.09

401.02.10 Cemeteries - Subject to public hearing by the Zoning Board and permitting by the City Council.

Source: Ordinance No. 1197-1992, § I, Art.IV, 401.02.10
Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1440-2004, 7-8-04

401.02.11 Medical Cannabis Cultivation Facility, in which minimum site size shall be three (3) acres

401.02.12 Medical Cannabis Processing Facility (permitted by Conditional Use)

401.02.13 Medical Cannabis Testing Facility (permitted by Conditional Use)

401.02.14 Medical Cannabis Transportation Entity (permitted by Conditional Use)

401.02.15 Medical Cannabis Disposal Entity (permitted by Conditional Use)

401.02.16 Medical Cannabis Research Facility (permitted by Conditional Use)

401.02.17 Medical Cannabis Research Facility on College or University Property (permitted by right)

Source: Ordinance No. 1723-2022; 6-21-22;

401.03. Area and Setback Regulations.

Yards. (See Appendix C)

Front: setback a minimum of twenty-five (25) feet.

Rear: setback a minimum of twenty-five (25) feet.

Side: setback a minimum of ten (10) feet, provided that any permitted pen or building in which livestock is kept shall be located not less than one hundred (100) feet from any lot line.

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

401.04. Lot Area.

Each one-family dwelling in the A-1 District, together with its accessory building, hereafter erected, shall be located on a parcel having an area of not less than three (3) acres which tract shall have access to a dedicated public street or highway. However, nothing in this Ordinance shall prevent the erection of one (1) one-family dwelling, or the use of the land for agricultural purposes on any tract of three (3) acres or less, which was in existence on the date of passage of this Ordinance, provided that all buildings erected on such lots shall meet all of the other requirements of this or any other applicable Ordinances.

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

401.05. Height Regulations.

No building shall exceed forty-five (45) feet in height and accessory buildings shall not be more than two (2) stories.

Silos, barns and like farm buildings are hereby exempt from these height restrictions with the provision that their height be limited to the distance from the structure to the nearest property line less twenty (20) feet, but with the provision that no structure be more than one hundred twenty (120) feet in height.

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

SECTION 402. R-1 LOW DENSITY RESIDENTIAL DISTRICT.

402.01. General Description.

This is the most restrictive residential district. The principal use of land is for single-family dwellings and with special permission 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.

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

402.02. Uses Permitted.

In the "R-1" Low Density Residential District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this Ordinance, except for one (1) or more of the following uses:

402.02.01 Detached single dwellings, but not including mobile homes, or modular houses.

402.02.02 Detached accessory buildings, not exceeding two (2) stories in height, including one (1) private garage, private stable or servants' quarters, when located not less than sixty (60) feet from the front lot line, nor less than the distance required for the main building from any side of lot line; provided that if the accessory building is located within the "required" rear yard, no clearance from a side line will be required. The area of accessory buildings shall not exceed fifty percent (50%) of the area in the main building. The stable shall provide for not more than one (1) horse or mule for each twenty thousand (20,000) square feet of lot area. Servants' quarters shall be occupied only by servants employed on the premises. The area of servants' quarters shall not exceed fifty percent (50%) of the area permitted for all accessory buildings on the premises. An accessory building may be constructed as a part of the main building, in which case the regulations controlling the main building shall apply.

402.02.03 Churches and related accessory buildings, provided they are a permanent structure and fronting a major artery or connecting route with required off-street parking spaces separated from property lines by a five (5) foot concealing fence. Also subject to approval of outdoor lighting arrangements.

402.02.04 Schools, kindergartens, elementary and secondary.

402.02.05 Museums, libraries parks, playgrounds or community centers and cemeteries owned and operated by the City.

402.02.06 Golf courses, except miniature courses, driving tees and other similar activities operated for commercial purpose.

402.02.07 Farm, truck gardens, orchards or nurseries on a minimum of a three (3) acre tract, for the growing of plants, shrubs and trees, provided no retail or wholesale business sales offices are maintained on the premiums, and provided that no obnoxious fertilizer is stored upon the premises, and no obnoxious soil or fertilizer processing is conducted thereon.

402.02.08 Uses customarily incident to any of the above uses when situated in the same dwelling, when not involving the conduct of a business or industry, but including home occupation, as hereinafter defined. The furnishing of board or lodging for not more than four (4) persons in a dwelling occupied as a private residence shall be considered an accessory use, provided no window or other display or sign is used to advertise such use.

402.02.09 Hobby shops, as an accessory use.

402.02.10 One (1) non-illuminated sign advertising the sale or rent of the land or buildings upon which it is located. Such sign shall not exceed sixteen (16) square feet in area and shall be located at a point not closer than two and one-half feet (2½') from the street right-of-way line. The sign may remain in place until no longer needed provided it is kept in a non-deteriorating condition.

402.02.11 Bed and Breakfast facilities, subject to provisions contained in Section 402.04.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1200-1993, § II, 402.02.11, 1-19-93

402.02.12 Establishment of a tour of historic homes and structures contained in Section 402.05.

Source: Ordinance No. 1331-1999, §I, A, 1, 1-5-99

402.03. Area, Height and Setback Regulations.

In the "R-1" Single-Family District, the height of buildings, the minimum dimension of lots and yards, and the minimum lot area per family shall be as follows: (For additional district provisions, see Article V.)

402.03.01 Front Yard: There shall be a front yard of not less than twenty-five (25) feet.

402.03.02 Side Yard: On interior lots of fifty (50) feet or less in width, there shall be a side yard on each side of a building of not less than five (5) feet in width. For lots of more than fifty (50) feet in width, either of the side yards may be five (5) feet, and the sum of the side yards shall be twenty percent (20%) of the lot width, but need not exceed twenty (20) feet in total side yard width. (See Appendix C.)

On corner lots the side yard regulation shall be the same as for interior lots except in the case of reversed frontage where the corner lot rears on the side of a lot facing the other intersecting street, in which case, there shall

be a side yard on the corner lot of not less than fifty percent (50%) of the front yard required on the lot abutting the rear of the corner lot or separated only by an alley. No accessory buildings on a said corner lot shall project beyond the front yard line of the lots in the rear, nor shall a building be erected, reconstructed, altered or enlarged, closer than five (5) feet to the line of the abutting lot to the rear.

402.03.03 Rear Yard: There shall be a rear yard having a depth of not less than twenty-five (25) feet, however, any existing structure may be added onto with the existing setback provided it is not closer than five feet to the property line.

402.03.04 Height: No building hereafter erected reconstructed, altered or enlarged, shall exceed forty-five (45) feet.

402.03.05 Width of Lot: The minimum width of a lot at the building line shall be fifty (50) feet, provided that where a lot of record and in separate ownership at the time or the passage of this Ordinance, has less width than herein required this regulation shall not prohibit the erection of a single-family dwelling. Lots fronting on cul-de-sacs shall be at least thirty-five (35) feet in width at street frontage and shall have a width of at least fifty (50) feet at the front building line. There shall not be more than six (6) lots facing on a cul-de-sac.

402.03.06 Lot Area Per Family: In the "R-1" Low Density Residential District every building hereafter erected, reconstructed, altered or enlarged shall provide a lot area of not less than seven thousand five hundred (7,500) square feet per family; provided, however, that where a lot has less area than herein required and was of record and in separate ownership on the effective date of this Ordinance said lot may be occupied by not more than one (1) family.

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

402.04. Special Provisions for Bed and Breakfast Facilities.

402.04.01 *Bed and Breakfast* facilities shall be allowed in residential structures occupied as a primary residence by the proprietor. R-3 and R-4 zoning districts need not require occupancy as a primary residence by the proprietor.

Source: Ordinance No. 1331-1999, §I, A, 2a., 1-5-99

402.04.02 An application for a privilege license to operate a *Bed and Breakfast* facility must be obtained before availability to the public. Before the privilege license can be issued or renewed, the applicant must meet the International Fire Code, 2018 Edition, as amended, or most recent edition adopted, Health Department regulations, parking requirements, any other pertinent City regulations or Codes or any provisions for *Bed and Breakfast* facilities that may be established by the City Council from time-to-time to protect the health, welfare and safety of the citizens of the City

of Laurel. All listed requirements must be on file with the City Clerk and attached to the privilege license.

Source: Ordinance No. 1331-1999, §I, A, 2b., 1-5-99; Ordinance No. 1455-2005, § IX 1-4-05, Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1633-2016, 3-22-2016; Ordinance No. 1705-2021, § VIII, 3-16-21

402.04.03 Deleted.

Source: Ordinance No. 1331-1999, §I, A, 2c., 1-5-99

402.04.04 *Bed and Breakfast* facilities shall be limited to the serving of one (1) meal, that meal being breakfast, also known as continental breakfast or complete breakfast meal. All commercial cooking must meet Health Department requirements and the International Fire Code, 2018 Edition, as amended, or most recent edition adopted.

Source: Ordinance No. 1331-1999, §I, A, 2d., 1-5-99; Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1705-2021, § VIII, 3-16-21

402.04.05 No cooking facilities shall be allowed in the guest rooms of *Bed and Breakfast* facilities.

402.04.06 The exterior appearance of a structure utilized as a *Bed and Breakfast* shall not be modified from its existing character, other than for safety of the structure. Any exterior changes or modifications to the appearance of the structure located in the designated Historic District must receive a Certificate of Appropriateness by the Historic Preservation Commission. These changes shall include signs, fences, and additional parking facilities.

Source: Ordinance No. 1331-1999, §I, A, 2e., 1-5-99

402.04.07 Any interior modification proposed shall be described in the application for a privilege license, as an attachment, or in any subsequent application for a Building Permit.

402.04.08 Only one (1) *Bed and Breakfast* facility shall be allowed in any one (1) residential block in R-1 and R-2 zoning districts. More than one (1), but not more than three (3), facilities may be allowed in R-3 and R-4 zoning districts, unless a Conditional Use Permit is granted, based on demonstrated need.

Source: Ordinance No. 133-1999, §I, A, 2f, 1-5-99

402.04.09 One (1) small, unlighted sign, not to exceed two (2) feet by three and one-half (3½) feet in size shall be allowed. The sign should be attached flat against the front wall of the structure. Signage in R-3 and R-4 zoning districts may be regulated in placement and in size according to specifications listed in Subsection 602.11.02 of the Zoning Ordinance.

Source: Ordinance No. 1331-1999, §I, A, 2g, 1-5-99

402.04.10 Parking should be either in a driveway, on an all-weather surface in the rear, or at the curb. Adequate parking spaces for the proprietor and scheduled guests of the Bed and Breakfast shall not adversely affect adjacent properties.

Source: Ordinance No. 1331-1999, §I, A, 2h, 1-5-99

402.04.11 Each guest bedroom must have a minimum of one hundred forty (140) square feet, excluding bath facilities.

402.04.12 There shall be a maximum of two (2) guest rooms in a *Bed and Breakfast* located in an R-1 or R-2 Zoning District, except that up to three (3) or four (4) guest rooms may be permitted as a Conditional Use by the Zoning Board; with the provision that adequate off-street parking must be provided for guests as a condition. In an R-3 or R-4 Zoning District, a *Bed and Breakfast* shall have a maximum of six (6) guest rooms.

Source: Ordinance No. 1331-1999, §I, A, 2i, 1-5-99

402.04.13 Additional buildings shall not be built for utilization as *Bed and Breakfast* facilities.

402.04.14 At least one (1) bathroom shall be available for every two (2) guest rooms. This rule shall apply to the guest rooms in the main house and separately to any guest rooms in a dependency.

402.04.15 There shall be no prohibition against remodeling to create more bathrooms to meet the requirements in Section 404.04.14.

Source: Ordinance No. 1200-1993, § II, 1-19-93

402.04.16 No commercial activity, such as teas, receptions, luncheons, dinners, showers, weddings, and other parties or gatherings, shall be conducted in R-1 or R-2 zoning districts. A commercial activity may be permitted and granted in R-3 and R-4 zoning districts as a condition use permit by the Zoning Board based on demonstrated need, with the provisions that there will not be any adverse impact to the zoning district and adequate off-street parking must be provided for guests. The owner/proprietor shall be responsible for maintaining the provisions thereof.

Source: Ordinance No. 1331-1999, §I, A, 2j, 1-5-99

402.04.17 No owner of a Bed and Breakfast facility shall refuse to provide or deny lodging to any person on the basis of sex, race, color, religion, creed or national origin. Failure to meet this provision may result in revocation of the owner's privilege license.

Source: Ordinance No. 1331-1999, §I, A, 2k, 1-5-99

402.05.1. Special Provisions for the Establishment of a Tour of Historic Homes And Structures Within the City of Laurel.

402.05.01 A tour of significant historic homes and structures shall be allowed in residential structures occupied as a primary residence by the proprietor or by a non-profit organization.

Source: Ordinance No. 1331-1999, §I, B, 1-5-99

402.05.02 An application for a privilege license to operate a tour of historic homes and structures must be obtained before availability to the public. Before the privilege license can be issued or renewed, the applicant must meet the International Fire Code, 2018 Edition, as amended, or most recent edition adopted, and any other pertinent City regulations or codes or any provisions for a tour of historic homes and structures that may be established by the City Council from time to time to protect the health, welfare and safety of all tourists and the citizens of the City of Laurel

Source: Ordinance No. 1331-1999, §I, B, 1-5-99; Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1633-2016, 3-22-2016; Ordinance No. 1705-2021, § VIII, 3-16-21

402.05.03 One small, unlighted sign, not to exceed two (2) feet by three and one-half (3½) feet in size shall be allowed. The sign shall be either attached flat against the front wall of the structure or ground-mounted no more than one (1) foot off the ground at the rear of the front yard.

Source: Ordinance No. 1331-1999, §I, B, 1-5-99

402.05.04 Parking shall be either in a driveway, on an all-weather surface in the rear, or at the curb.

Source: Ordinance No. 1331-1999, §I, B, 1-5-99

402.05.05 No owner or proprietor of a historic home or structure shall refuse to provide or deny a tour of the facility to any person on the basis of sex, race, color, religion, creed or national origin. Failure to meet this provision may result in revocation of the owner's privilege license.

Source: Ordinance No. 1331-1999, §I, B, 1-5-99

SECTION 403. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

403.01. General Description.

This district is to provide for medium density residential uses and structures in moderately spacious surroundings. The purpose of this district may also be fulfilled by the use of the zero-lot line concept, as described herein which permits the construction of detached single-family dwellings on lots without a side yard requirement on one (1) side of the lot.

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

403.02. Uses Permitted.

403.02.01 Any uses permitted in the R-1 Low Density Residential District.

403.02.02 Two-family or duplex dwellings.

403.02.03 Zero lot line dwellings.

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

403.03. Area, Height and Setback Regulations.

In the "R-2" Medium Density Residential District, the height of buildings, the minimum dimension of lots and yards, and the minimum lot area per family shall be as follows:

403.03.01 Front Yard: For both duplex and zero lot line, there shall be a front yard of not less than twenty-five (25) feet.

403.03.02 Side Yard: Duplex on interior lots - there shall be a side yard on each side of a building having a width of not less than ten (10) feet.

On corner lots, same as "R-1".

Zero lot line - In zero lot line lots there shall be no minimum on one (1) side and ten (10) feet on the opposite side. However, in no case shall a zero-lot line dwelling be built closer than ten (10) feet to the lot line of a lot which is zoned as R-1, Residential. On corner lot, same as "R-1".

403.03.03 Rear Yard: Both duplex and zero lot line - There shall be a rear yard having a depth of not less than twenty-five (25) feet.

403.03.04 Height: Both duplex and zero lot line - No building hereafter erected, reconstructed, altered or enlarged, shall exceed forty-five (45) feet.

403.03.05 Width of Lot: Duplex - The minimum width of a lot at the building line shall be sixty (60) feet, provided that where a lot of record and in separate ownership at the time of the passage of this Ordinance, has less width than herein required, this regulation shall not prohibit the erection of a single-family dwelling.

Zero lot line - The minimum lot width shall be forty (40) feet.

403.03.06 Lot Area Per Family: Duplex and zero lot line - In the R-2 Medium Density Residential District every building hereafter erected, reconstructed, altered, or enlarged, shall provide a lot area of not less than three thousand (3,000) square feet per family; provided, however, that where a lot has less area than herein required and was of record and in separate ownership on the effective date of this Ordinance said lot may be occupied by not more than one (1) family.

403.03.07 Regulations for Zero Lot Line Dwellings which are a part of a Tract Development (See Section 404.04.)

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

SECTION 404. R-3 HIGH DENSITY RESIDENTIAL - RESTRICTED.

404.01. General Description.

This is a residential district to provide for medium and high population density residential uses and structures in areas with adequate community facilities, public utilities and other public services. The use of this district is appropriate as a transitional or buffer zone between low density residential districts and commercial districts, industrial districts or major transportation arteries, or other uses that are not compatible with a low-density residential environment.

Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.

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

404.02. Uses Permitted.

404.02.01 Any use permitted in R-2 Medium Density Residential District, but subject to the requirements thereof.

404.02.02 Three-family dwellings.

404.02.03 Four-family dwellings.

404.02.04 Townhouses.

404.02.05 Multi-family dwellings.

404.02.06 Offices for medical or paramedical practice or clinics for human care, when use does not exceed three thousand (3000) square feet.

404.02.07 Professional offices and studios, when limited to three thousand (3000) square feet. For each, including executive, law, engineering, architectural, planning, administrative writing, clerical, stenographic, drafting, real estate and insurance uses; provided there be no retail sales, exterior displays, exterior storage of goods and materials, warehousing or indoor storage of goods and materials beyond that normally incidental to the above permitted occupations; and, provided no more than ten (10) people be employed in any establishment on any one (1) lot.

Source: Ordinance No. 1118-1988, § II, 404.02.07, 6-7-88

404.02.08 Kindergarten, child care center.

404.02.09 Accessory buildings: Same as District "R-2".

404.02.10 Uses customarily incident to any of the above uses: Same as District "R-2".

404.02.11 Customary signs: Residential (Same as District R-1). Professional Offices, Multi-Family Complex, Religious Institutions - (See 602.11.02, General Sign Regulations - Amend. #8).

404.02.12 Group Homes/Dwellings.

404.02.13 Conditional Use. When the proposed usage is acceptable but the square footage of the building exceeds that allowed by the Ordinance, those instances will be considered on an individual basis.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1221-1993, § I, 404.02.11, 10-19-93; Ordinance No. 1275-1996, § I, 404.02.13, 4-16-96

404.03. Area, Height and Setback Regulations.

404.03.01 Front Yard: Same as "R-2".

404.03.02 Side Yard: Same as "R-2" including regulations for corner lots rearing on lots having a reversed frontage.

404.03.03 Rear Yard: Same as "R-2".

404.03.04 Height: Same as District "R-2".

404.03.05 Width of Lot: Except townhouse and zero lot line - The minimum width of a lot shall be eighty (80) feet, provided that where a lot of record and in separate ownership at the time of the passage of this Ordinance, has less width than herein required, this regulation shall not prohibit the erection of a single-family dwelling.

Zero Lot Line - same as R-2; Townhouse twenty-four (24) feet minimum, multi-family - one hundred (100) feet minimum.

404.03.06 Lot Area Per Family: Except townhouses same as District R-2; townhouses twenty-four hundred (2400) square feet.

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

404.04. Regulations for Townhouses and Zero Lot Line Dwellings Which are a Part of a Tract Development.

(1) Minimum size of tract - four (4) acres and possessing maintained common open space.

(2) Maximum density - ten (10) dwelling units per gross acre.

(3) Minimum lot area - fourteen hundred (1,400) square feet for townhouses and twenty-four hundred (2,400) square feet for zero lot line dwellings.

(4) Minimum lot depth - twenty (20) feet for townhouses and thirty (30) feet for zero lot line dwellings.

(5) Minimum front setback - ten (10) feet from street right-of-way line regardless of whether this front setback is part of an individual lot or part of the common open space.

(6) Minimum side setback - none for townhouses except that on corner lots the minimum side setback of the corner side of townhouses and zero lot line lots or dwellings shall be ten (10) feet from the street right-of-way line. In zero lot line lots there shall be no minimum on one (1) side and ten (10) feet on the opposite side.

(7) Minimum rear yard depth - none except that there shall be a minimum clearance of twenty (20) feet between buildings except as otherwise provided for by subsection (11) herein.

(8) Maximum height - forty-five (45) feet.

(9) Maximum lot coverage - seventy-five percent (75%) of the lot area.

(10) A maximum of eight (8) living units shall be allowed in each row of townhouses. When an end unit of a row of townhouses does not side on a street, an open space or court of at least twenty (20) feet in width shall be provided between it and the adjacent row of townhouses. However, where two (2) rows of townhouses which together contain less than eight (8) living units are immediately adjacent to each other, this open space between the ends of the two (2) buildings may be reduced to a minimum of fifteen (15) feet.

(11) Where townhouse lots and dwelling units are designed to face upon an open space or common access court rather than upon a street, this open court shall be a minimum of forty (40) feet in width and said court shall not include vehicular drives or parking areas.

(12) Townhouses shall be constructed up to the side lot lines without side yards and no windows, doors or other openings shall be installed in any common wall between units. However, where a two-story adjoins a single-story townhouse, windows may be installed in the second story wall of the two-story townhouse.

(13) Zero lot line dwellings shall be constructed against the lot line on one side of a lot and no windows, doors, or other openings shall be permitted on this side. Where adjacent zero lot line dwellings are not constructed against a common lot line, the builder or developer must provide for a perpetual wall maintenance easement of five (5) feet in width along the adjacent lot and parallel with such wall.

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

404.05. Area, Height and Setback Regulations.

404.05.01 Front Yard: Same as "R-2". (These regulations shall govern except as indicated earlier in Section 404.04.)

404.05.02 Side Yard: Two family - Same as "R-2"; Multi-Family - Same as "R-2"; however, an additional two (2) feet for each side yard shall be required for each story above the first story.

404.05.03 Rear Yard: Same as "R-2".

404.05.04 Height: Same as "R-2".

404.05.05 Width of Lot: The minimum width of a lot for three (3) or more families shall be one hundred (100) feet, provided that where a lot of record and in separate ownership at the time of the passage of this Ordinance, has less width than herein required, this regulation shall not prohibit the erection of a single-family dwelling.

404.05.06 Lot Area: Two-family - Same as "R-2"; Multi-family - A minimum of one thousand two hundred and fifty (1,250) square feet per family.

404.05.07 Height Regulations: Two-family - Same as "R-2"; Multi-family - Three (3) stories or forty-five (45) feet.

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

SECTION 405. R-4 HIGH DENSITY RESIDENTIAL.

405.01. General Description.

This is a residential district to provide for high density residential uses and structures in areas with adequate community facilities, public utilities and other public services. The use of this district is appropriate as a transitional or buffer zone between lower density residential districts and commercial districts, industrial districts or major transportation arteries, or other uses that are not compatible with a lower density residential environment.

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

Mobile/Manufactured Homes (including factory manufactured movable homes as defined by the Mississippi Code) are allowed in this district *only in mobile/manufactured subdivisions and/or mobile/manufactured* parks so as to allow for the provision of adequate and economic housing. However, the regulations of said homes contained herein are necessary to preserve and protect the values of the surrounding property and residences and to protect the health, safety, comfort and general welfare of the citizens.

Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.

Source: Ordinance No. 1311-1998, §I (D), 2-17-98; Ordinance No. 1410-2002, § I, 7-16-02

405.02. Uses Permitted.

405.02.01 Any use permitted in "R-3" High Density Residential Restricted District, but subject to the requirements thereof.

405.02.02 Multiple-family dwelling.

405.02.03 Rooming houses and boarding houses not catering to overnight travelers.

405.02.04 Mobile home subdivisions provided each lot offered for sale shall contain a minimum of five thousand (5,000) square feet. Mobile home subdivisions shall contain a minimum of twenty (20) lots. (Subject to provisions in Section 405.05).

405.02.05 Mobile home parks (when constructed in accordance with the latest Mobile Home Manufacturers Association recommended development procedures and subject to provisions contained in Section 405.06).

405.02.06 Convalescent Home (Rest Home or Nursing Home) when located on two (2) or more acres.

405.02.07 Hospitals for human care except those primarily for the treatment of mental disorders, charitable institutions, and sanitariums when located on three (3) or more acres.

405.02.08 Any activity which is customarily considered as being accessory to a hospital, clinic, school, college, or university.

405.02.09 Private clubs, fraternities, sororities and lodges, excluding those the chief activity of which is a service customarily carried on as a business.

405.02.10 Institutions operated or sponsored by chartered educational, religious or philanthropic organizations but excluding institutions of a correctional nature and trade schools.

405.02.11 Group Homes/Dwellings.

405.02.12 Mobile/Manufactured Homes on either a Mobile Home Subdivision Lot or a Mobile Home Park Lot (see Sections 405.02.04 and 405.02.05)

405.02.13 RESERVED.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1221-1993, § II, 405.02.12, 10-19-93; Ordinance No. 1311-1998, §I (B), 2-17-98; Ordinance No. 1410-2002,§ I, 7-16-02

405.03. Area, Height and Setback Regulations.

Yards -

405.03.01 Front: Multi-Family - Same as "R-2". Mobile Home - Same as "R-2". All other - Same as "R-2".

405.03.02 Rear: Multi-Family - Same as "R-2". Mobile Home - There shall be a rear yard of not less than ten (10) feet. All other - Same as "R-2".

405.03.03 Side: Multi-Family, Hospitals, private clubs, Convalescent Home - Same as "R-2"; however, an additional four (4) feet for each side yard shall be required for each story above the third story. Mobile Home - A minimum of ten (10) feet on each side.

405.03.04 Lot Width:

Multi-Family - A minimum of one hundred (100) feet at the building setback line.

Mobile Home - A minimum of fifty (50) feet at the building setback line.

All others - A minimum of two hundred (200) feet at building setback line.

405.03.05 Lot Area:

Multi-Family - A minimum of one thousand (1,000) square feet per family.

Mobile/Manufactured home - A minimum of five thousand (5,000) square feet.

Others as indicated in text.

Source: Ordinance No. 1311-1998, §I (B), 2-1798

405.03.06 Height Regulations.

Two-Family - Same as “R-2".

Multi-Family, hospitals, convalescent home, private club - Five (5) stories or sixty (60) feet, subject to yard requirements shown in subsection 405.03.03.

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

405.03.07 RESERVED.

Source: Ordinance No. 1311-1998, §I (B), 2-17-98; Ordinance No. 1410-2002, § I, 7-16-02

405.04. RESERVED.

Source: Ordinance No. 1197-1992, Art. IV, 405.04, 11-17-92; Ordinance No. 1311-1998, §I(C), 2-17-98; Ordinance 1410-2002, § I, 7-16-02

405.05. Special Provisions for Mobile Home Subdivisions.

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

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

405.05.03 Mobile home subdivisions shall be prepared and submitted as required for other residential development plats and shall be filed in accordance with City regulations.

405.05.04 Buffers shall be unoccupied except for landscaping, utility facilities, signs, or entrance ornamentation.

405.05.05 All mobile home lots shall abut upon a paved street of not less than twenty-four (24) feet in width.

405.05.06 All streets and utilities within the subdivision shall meet the Subdivision Regulations of the City.

405.05.07 No mobile home subdivision shall contain less than twenty (20) lots.

405.05.08 Mobile home lots shall be provided with permanent weatherproof runners with tie down hooks indicated in Section 405.04.01.

405.05.09 Mobile home lots shall provide a minimum of a sixty-four (64) square foot storage building, properly constructed and painted.

405.05.10 Mobile home lots shall provide for at least one (1) off-street parking space.

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

405.06. Special Provisions for Mobile Home Parks.

405.06.01 No mobile home park shall be permitted unless and until a detailed site plan setting out dimensions and locations of all elements required under this Section of this Ordinance has been submitted to the Planning Commission for review and recommendation, and approval by the City Planning Commission.

405.06.02 Mobile home parks shall not exceed a density of eight (8) mobile home units per gross acre within the mobile home park.

405.06.03 Mobile home parks shall provide a buffer strip at least fifteen (15) feet in depth along all lot lines including side and rear. Buffers shall be unoccupied except for landscaping, drainage or utility facilities, sign or entrance ornamentation.

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

405.06.05 All mobile home lots shall abut upon a hard-surfaced all-weather driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a public street.

405.06.06 All streets, roadways, and driveways within the park shall be paved with an all-weather surface of asphalt or concrete and shall meet generally accepted construction standards. They shall be appropriately lighted at night; however, lighting shall be shielded so that it will not light adjacent residential property.

405.06.07 No mobile home park shall contain less than twenty (20) stands.

405.06.08 Each mobile home stand shall be provided with tie downs described in Section 405.04.01 and parking area and utilities as recommended by the Mobile Home Manufacturers Association and the City.

405.06.09 There shall be no identification or advertising sign other than one (1) unanimated identification sign not to exceed thirty-two (32) square feet. Sign may be indirectly illuminated.

405.06.10 *Lot area and yard requirements*: Minimum mobile home space within park - three thousand (3,000) square feet - minimum space width thirty-two (32) feet, minimum side yard - ten (10) foot front yard - twenty-five (25) feet from public street - rear yard - ten (10) feet (buffer strip will not be utilized as part of a required yard).

405.06.11 *Service Building*: If a service building is provided for containing mechanical laundry equipment, washers, dryers, and vending machines, the office shall be of permanent construction and be exclusively for use of residents of the park with no illuminated signs.

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

405.07. Special Provisions for Non-Conforming Placement of Existing Mobile/Manufactured Homes:

Any non-conforming placement of a mobile/manufactured home in existence on the date of enactment of this ordinance (Ordinance No. #1410-2002, July 16, 2002) shall be considered a non-conforming mobile/manufactured home and shall be subject to the following conditions:

1. Where a legally allowed non-conforming home now exists, it will be considered a legally, non-conforming use unless it is discontinued or abandoned. Discontinuance or abandonment shall be defined in accordance to Section 701.05 of the Zoning Ordinance, Laurel Code.

2. All presently approved special exceptions for the placement of mobile/manufactured homes shall still be considered on an annual basis up to and only for a five (5) year period.

3. If any legally non-conforming mobile/manufactured home is removed or destroyed, then a new home shall not be placed in its location.

4. Upon failure to comply within the time specified in item #2, the Building Inspector is hereby required to cause removal as provided by law and any expense incident thereto shall be paid by the owner and/or lessee of said dwelling.

Source: Ordinance No. 1410-2002, § I, 7-16-02

SECTION 406. C-1 RESTRICTED COMMERCIAL DISTRICT.

406.01. General Description.

The purpose of this commercial district is to provide retail stores and personal services for the convenience of the people in adjacent residential areas.

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

406.02. Uses Permitted.

The following uses of property, buildings, or structures, for specified stores, shops or business shall be retail/service establishments exclusively, selling merchandise and conducted wholly within an enclosed building. Each store, shop, or business shall not exceed two thousand (2000) square feet of floor area. It is further provided that all waste material shall be kept within a sight obscuring enclosure. No drive-in or curb service shall be permitted.

406.02.01 Any uses permitted in the “R-2", “R-3" and “R-4" Residential Districts, and group dwellings, but subject to the requirements thereof.

Source: Ordinance No. 1245-1994, § I, 406.02.01, 10-4-94

406.02.02 Auto parking areas for passenger cars only.

406.02.03 Caterer or wedding service; bakery shop, employing not more than five (5)

persons, custom selling all production at retail on the premises or as retail custom order for delivery.

Source: Ordinance No. 1134-1988, § I, 406.02.03,10-4-88

406.02.04 Barber and Beauty Shops (subject to applicable health codes); tanning beds; swimming pool supplies.

Source: Ordinance No. 1201-1993, § I, 406.02.04, 1-19-93

406.02.05 Book or stationery stores, or newsstands.

406.02.06 Candy, ice cream store including manufacture, if all production is sold at retail on the premises or as retail custom orders for delivery.

406.02.07 Coin operated laundry and dry-cleaning pick-up stations.

406.02.08 Butcher shop/meat market, drug store, film processing, grocery store, swimming pool supplies.

Source: Ordinance No. 1064-1985, §1, 406,02.08, 12-3-85; Ordinance No. 1430-2003,§ I, 5-20-03

406.02.09 RESERVED.

Source: Ordinance No. 1134-1988, § I, 406.02.09, 10-4-88; Ordinance No. 1430-2003,§ I, 5-20-03

406.02.10 Offices (limited to four thousand (4000) square feet).

406.02.10.01 Medical or paramedical practice or clinics for human care.

406.02.10.02 Legal, engineering, real estate, insurance.

406.02.10.03 Professional offices and studios including executive, administrative writing, clerical, stenographic, graphic arts, and interior design.

406.02.11 Specialty shop for the conduct of a retail business as limited herein:

406.02.11.01 Florist, furniture, fabric, appliances, apparel, jewelry, antique shops, optical goods, art gallery, frame shop and video tape sales and rentals.

Source: Ordinance No. 1134-1988, § I, 406.02.11.01, 10-4-88

406.02.11.02 Custom dressmaking, millinery, tailoring, shoe repairing, repairing of household utility articles or similar trade, interior decorating shops.

Source: Ordinance No. 1134-1988, § I, 406.02.11.02, 10-4-88

406.02.11.03 Gift and card shop.

406.02.11.04 Photographer's studio.

406.02.11.05 Shop for the repair of electrical and radio equipment and other similar commodities.

406.02.11.06 Delicatessen shops, restaurants, tea rooms, cafeterias or cafes, with no serving of alcoholic beverages.

406.02.12 Other light retail and service establishment which may be determined by the Planning Commission to be similar to the above principal permitted uses and which are in harmony with the purpose of this zone, but not including those uses which are not mentioned in this zone but are specifically enumerated in another zone.

Source: Ordinance No. 1197-1992, Art. IV, 406.02.12, 11-17-92

406.02.13 Accessory buildings and uses customarily incident to any of the above uses including air conditioners, ice and refrigerating plants purely incidental to the main activity permitted on the premises. No accessory use shall be construed to permit the keeping of articles or materials in the open or outside the building.

406.02.14 Day care facilities (child or adult).

Source: Ordinance No. 1194A-1992, § I, 4-6.02.14, 8-8-92

406.02.15 Psychic readings, palm readings, and/or fortune telling.

406.02.16 Conditional Use. The following use may be permitted upon review and after approval by the Planning Commission in a public hearing. Mobile/Manufactured units transportable on wheels for commercial use which are not constructed as dwelling units but may be used as office units, retail and/or other typical uses. Placement of these units shall meet minimum building code requirements and propriety in accordance to the district.

Source: Ordinance No. 1241-1994, § I, 406.02.15, 7-5-94; Ordinance No. 1410-2002,§ I, 7-16-02

406.03. Area, Height and Setback Regulations.

406.03.01 Front Yard: Same as "R-2".

406.03.02 Side Yard: Same as "R-2", except where adjoined by other commercial there shall be no side yard required.

406.03.03 Rear Yard: Same as "R-2" except when permitted closer by virtue of intense landscaping and/or decorative screening as permitted by Section 603 Landscaping/screening. (Section 603 not adopted)

406.03.04 Lot width: A minimum of one hundred (100) feet at the building setback line.

406.03.05 Height: Same as "R-2" District.

406.03.06 Lot area per family: Every building hereafter erected, reconstructed, altered or enlarged for dwelling purposes shall provide a lot area of not less than three thousand (3000) square feet per family. There is no

minimum for commercial.

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

SECTION 407. C-2 GENERAL COMMERCIAL DISTRICT.

407.01. General Description.

This commercial district is intended for the conduct of personal and business services and retail business of the community. Traffic generated by these uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

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

407.02. Uses Permitted.

The following uses of property, buildings or structures:

407.02.01 Any use permitted in the C-1, Restricted Commercial District, without limit to the square feet of floor area in shops, except as noted.

Source: Ordinance No. 1244-1994, § I, 407.02.01, 10-4-94

407.02.02 Ambulance service and/or patient transfer service, privately operated and not affiliated with a hospital.

Source: Ordinance No. 1218-1993, § I, 407.02.02, 8-3-93

407.02.03 Antique shops.

407.02.04 Auditoriums, theaters, moving picture shows, having a seating capacity for not more than one thousand five hundred (1,500) people.

407.02.05 Automobile, motorcycle, boat or trailer sales, or sales or rental areas, provided vehicles are in good operating condition. Minor service which does not cause a nuisance may be permitted; automotive electrical repairs.

Source: Ordinance No. 1201-1993, § II, 407.02.05, 1-19-93

407.02.06 Bakeries, provided that the floor area does not exceed three thousand (3,000) square feet.

407.02.07 Banks/savings and loans and other financial institutions.

407.02.08 Baths, spas, sauna/steam, and similar massage and health treatments.

407.02.09 Bicycles and bicycle repair shops.

407.02.10 Bird stores, pet shops, taxidermist shops or aquarium.

407.02.11 Blueprinting or photostating.

407.02.12 Business colleges, or private schools operated as a commercial enterprise.

407.02.13 RESERVED.

407.02.14 Christmas tree sales.

407.02.15 Cleaning, dyeing, and pressing works; laundry and washaterias, provided that the floor area does not exceed three thousand (3,000) square feet for separate or combined uses. (Subject to International Fire Code, 2018 Edition, as amended, or most recent edition adopted.)

Source: Ordinance No. 1455-2005, Sec. IX, 1-4-05; Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1633-2016, 3-22-2016; Ordinance No. 1705-2021, § VIII, 3-16-21

407.02.16 Convenience Store.

Source: Ordinance No. 1134-1988, § II, 407.02.16, 10-4-88; Ordinance No. 1430-2003,§ I, 5-20-03

407.02.17 Dancing schools.

407.02.18 RESERVED.

407.02.19 Department stores.

407.02.20 Drive-in or thru businesses including a four (4) bay car wash and self-service coin operated car washes with no attendants which are open for 24 hour service; and including refreshment stands, cafes, restaurants, food stores and similar activities, but not including businesses selling alcoholic beverages for consumption on the premises. Further provided that any such establishment shall provide adequate off-street storage space for all cars of patrons; that there be a sturdy close woven or solid fence on all but the front side; that no music or loudspeaker system shall be installed that may be heard at neighboring residential properties and that no lighting shall shine on neighboring properties used for residential purposes. Single pole sign of twelve (12) square feet, with eight foot (8') clearance, free standing, shall be allowed if its illumination is non-flashing and does not contain a rotating, oscillating, or revolving beam or beacon of light and may be installed at the property line. All other signs shall be flat wall signs within twelve inches (12") of the face of the building; or on the roof within the height limit and illumination shall be non-flashing, and shall not contain a rotating, oscillating, or revolving beam or beacon of light.

Source: Ordinance No. 1431-2003, § I (B), 8-5-03; Ordinance No. 1640-2016, 7-4-2016

407.02.21 Dry goods and notions stores.

407.02.22 Electrical and gas appliance and supply sales, electrical and gas repair and installation services when limited to small shops, the principal business of which is a neighborhood service.

407.02.23 Detail shops, filling stations, gasoline service stations, gasoline, oil, washing, greasing, and accessories which do not conduct major automotive repairs, body and fender work, or automobile painting,

provided all used and waste materials are kept within a solid enclosure so that contents are not visible from the street or other properties, and provided no stock of goods is displayed out of doors with the exception of lubricants and additives for frequent sale, and provided no lighting is constructed to shine on neighboring properties used for residential purposes. Two (2) brand identification signs shall be allowed if their only illumination is non-flashing and shall not contain a rotating, oscillating or revolving beam or beacon of light. They may be installed at the property line.

Source: Ordinance No. 1276-1996, § I, 407.02.23, 4-16-96

407.02.24 Frozen food lockers for individual or family use, not including the processing of food except cutting or wrapping.

407.02.25 Garages, storage only.

407.02.26 Hardware, paint and wall paper stores.

407.02.27 Interior decorating shop.

407.02.28 Household and office furniture, furnishings and appliances.

407.02.29 Ice storage houses having not more than seven and one-half (7½) tons capacity.

407.02.30 Liquor/package stores.

Source: Ordinance No. 1134-1988, § II, 407.02.30, 10-4-88; Ordinance No. 1430-2003, § I, 5-20-03

407.02.31 Mail order stores.

407.02.32 Miniature golf courses, and driving tees.

407.02.33 Mortuaries, funeral homes, undertakers and crematoriums.

Source: Ordinance No. 1694-2020, § II, 407.02.33, 3-17-2020

407.02.34 Motel and/or Hotel

407.02.35 Museums.

407.02.36 Newspaper Publication.

407.02.37 Nursery yards or buildings for retail sales, provided that all incidental equipment and supplies including fertilizer and empty containers are kept within a building.

407.02.38 Piano stores, musical instruments and supplies.

407.02.39 Plumbing and heating appliances and supply sales, and plumbing and heating repairs and installation services, when limited to small shops, the principal business of which is a neighborhood service.

407.02.40 Printing shop - small job printing shops provided floor area does not exceed two thousand (2,000) square feet.

407.02.41 Recreational or amusement classification when conducted wholly inside an enclosed building.

407.02.42 Restaurants, tea rooms, cafeterias or cafes, whose primary service is the providing of prepared food for patrons for consumption on the premises or for take-out. Beverages containing alcohol may also be sold and consumed within the confined of the structure in conjunction with the food service.

Source: Ordinance No. 1110-1988, § I, 407.02.42, 1-5-88

407.02.43 Retail stores, businesses or shops for custom work or the manufacture of articles to be sold at retail on the premises, excluding coal and wood yards, provided that in such manufacture the total mechanical power shall not exceed ten (10) horse power for the operation of any one machine provided that the space occupied by the manufacturing use permitted herein shall not exceed fifty percent (50%) of the total floor area of the entire building or the equivalent of the ground floor area thereof, and provided further that such manufacturing use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes.

407.02.44 Stamp Redemption Centers.

407.02.45 Reserved.

Source: Ordinance No. 1134-1988, § II, 407.02.45, 10-4-88

407.02.46 Variety stores.

407.02.47 Accessory buildings and uses customarily incident to any of the above uses, including air conditioning and/or ice refrigerating plants which are purely incidental to a main activity on the premises. No accessory use shall be construed to permit the keeping of articles or material in the open or on the outside of the building unless said keeping has been approved by a Conditional Use granted by the City of Laurel.

407.02.48 Pawn shops.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1201-1993, § II, 407.02.48, 1-19-93

407.02.49 Medical Cannabis Cultivation Facility (permitted by Conditional Use)

407.02.50 Medical Cannabis Processing Facility (permitted by Conditional Use)

407.02.51 Medical Cannabis Testing Facility (permitted by Conditional Use)

407.02.52 Medical Cannabis Dispensary (permitted by Conditional Use; must be 1500 feet away from another dispensary.

407.02.53 Medical Cannabis Transportation Entity (permitted by Conditional Use)

407.02.54 Medical Cannabis Disposal Entity (permitted by Conditional Use)

407.02.55 Medical Cannabis Research Facility (permitted by Conditional Use)

407.02.56 Medical Cannabis Research Facility on College or University Property (permitted by right)

Source: Ordinance No. 1723-2022, 6-21-22

407.03. Area, Height and Setback Regulations.

407.03.01 Front Yard: Same as "R-2", with the provision that off-street parking and permitted signs may be placed in the required front yard.

Source: Ordinance No. 1194A-1992, § II, 407.03.01, 8-8-92

407.03.02 Side Yard: Same as "R-2" except when the "C-2" property is adjacent to residentially zoned property and a larger side yard is required by the Site Plan Review Committee for Site Plan approval under the provisions of Section 503. Otherwise, when commercial property abuts other commercial property, no side yard is required.

Source: Ordinance No. 1242-1994, § I, 407.03.02, 9-20-94

407.03.03 Rear Yard: Same as "R-2" except when permitted closer by virtue of a Site Plan approved by the Site Plan Review Committee under the provisions of Section 503.

Source: Ordinance No. 1194A-1992, § II, 407.03.03, 8-8-92

407.03.04 Lot Width: No minimum required.

407.03.05 Height: No building hereafter erected, reconstructed, altered, or enlarged shall exceed six (6) stories nor shall it exceed seventy-five (75) feet.

407.03.06 Lot Area: No minimum required.

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

407.04.01 Building supply and materials sales and storage yards, provided yard is enclosed by a concealing fence not less than six (6) feet in height. outside storage will be allowed within fenced area.

407.04.02 Electrical, mechanical (HVAC), gas and plumbing supplies and appliances, repair and installation services, provided yard is enclosed by a fence not less than six (6) feet in height, which may or may not be required by the Commission to be site obscuring. Outside storage will be allowed within fenced area.

407.04.03 Moving and U-Haul services, provided yard is enclosed by a concealing fence not less than six (6) feet in height, which may or may not be required by the Commission to be site obscuring. Outside storage will be allowed within fenced area.

Source: Ordinance No. 1591-2012, 8-7-2012

SECTION 408. C-3 HEAVY COMMERCIAL DISTRICT

Source: Ordinance 1292-1997, §I, Art. IV, 3-18-97

408.01. General Description.

The purpose of this district is to provide for the preservation and perpetuation of retail and commercial enterprise in the Central Business District and to provide areas for the development of retail type and personal service type commercial, community and regional shopping centers of integrated design and high-density development of commercial businesses in certain areas adjacent to major transportation arteries or thoroughfares within the City. Permitted uses are the same as in "C-2" - The only real difference being intensity of use; parking requirements and yard requirements in the "CBD" delineated area.

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

408.02. Uses Permitted.

408.02.01 Any uses permitted in the "C-2" General Commercial District.

408.02.02 Amusement enterprises, including taverns, night clubs, bowling alleys, billiards or pool halls, dance halls, shooting galleries, skating rinks, and similar commercial recreation activities if conducted wholly within a completely enclosed building. All subject to appropriate regulating Ordinances.

408.02.03 Artificial limb manufacture.

408.02.04 Auditoriums, theatres, moving picture houses.

408.02.05 Automobile, motorcycle, and trailer sales, or sales or rental areas.

408.02.06 Building supply and materials sales and storage yards provided that yard is enclosed by a concealing fence not less than six (6) feet in height.

408.02.07 Bus Stations.

408.02.08 Small animal hospital and veterinary clinics. Kennels.

408.02.09 Drive-in businesses, including refreshment stands, cafes, restaurants, food stores, and similar activities for the sale of alcoholic beverages on the premises.

408.02.10 Engraving, steel, copper and photo.

408.02.11 Express offices.

408.02.12 Feed stores, no processing or milling.

408.02.13 Garages, public, for repairs or storage facilities for automobiles when such facilities are maintained within a building.

408.02.14 Heating supplies and appliances.

408.02.15 Laboratories - industrial testing.

408.02.16 Leather and leather goods shops.

408.02.17 Lens grinding for optical goods.

408.02.18 Paint and body shop for passenger vehicles when all work is performed within an enclosed building.

Source: Ordinance No. 1134-1988, § III, 408.02.18, 10-4-88; Ordinance No. 1522-2008. §(B)

408.02.19 Mirror plating and glass cutting.

408.02.20 Oil Field Service Companies if business is conducted wholly within an enclosed building and provided no repairs are made on the yard and no outdoor storage of materials is kept on the site.

408.02.21 Printing and bookbinding.

408.02.22 Rubber stamp manufacture.

408.02.23 Wholesale sales offices or sample rooms of not more than four thousand (4,000) square feet of gross floor area.

408.02.24 Any other commercial use, except that kind of use that is not in harmony with the general use and purpose of the district by reason of fire hazard, noise, dust, smoke, odor, and has been declared a nuisance in any Court of record; and that the premises be regularly inspected for safety and cleanliness; however, nothing contained herein shall be construed to prohibit the warehousing or storage by retail establishments of items incidental to the retail operations conducted on said premises. Any uses which are enumerated in the I-2 and I-3 Industrial Districts are excluded from this district.

Source: Ordinance No. 1070-1986, §1, 408.02.24, 5-6-86

408.02.25 Accessory buildings and uses customarily incidental to the above. No accessory use shall be construed to permit the keeping of articles or material in the open or outside the building.

408.02.26 Conditional Uses allowed upon review: Mini-Warehouses.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1118-1988, § V, 408.02.26, 7-7-88; Ordinance No. 1522-2008, §(A)

408.02.27 Self-serve coin operated car washes with no attendants with are open for 24-hour service.

Source: Ordinance No. 1431-2003, § I, 8-5-03

408.02.28 Mobile/manufactured units transportable on wheels for commercial use which are not constructed as dwelling units but may be used as office units, retail and/or other typical uses. Placement of these units shall meet minimum building code requirements and propriety in accordance to the district.

Source: Ordinance No. 1431-2003,, § I, 8-5-03

408.02.29 Medical Cannabis Cultivation Facility (permitted by Conditional Use)

408.02.30 Medical Cannabis Processing Facility (permitted by Conditional Use)

408.02.31 Medical Cannabis Testing Facility (permitted by Conditional Use)

408.02.32 Medical Cannabis Dispensary (permitted by right; must be 1500 feet away from another dispensary.

408.02.33 Medical Cannabis Transportation Entity (permitted by Conditional Use)

408.02.34 Medical Cannabis Disposal Entity (permitted by Conditional Use)

408.02.35 Medical Cannabis Research Facility (permitted by Conditional Use)

408.02.36 Medical Cannabis Research Facility on College or University Property (permitted by right)

Source: Ordinance No. 1723-2022, 6-21-22

408.03. Area, Height and Setback Regulations (Other Than C-3 District Within the C.B.D. Delineated District).

408.03.01 Front Yard: Where all the frontage on one (1) side of the street between two (2) intersecting streets is located in a "C-3" District, a fifteen (15) foot front yard shall be required. Where the frontage on the side of the street between two (2) intersecting streets is located partly in a C-3 District and partly in a residential district, or a C-1 or C-2 District, the front yard requirements of the residential district or the C-1 or C-2 Districts shall apply to the C-3 District. Off-street parking and permitted signs may be placed in the required front yard.

Source: Ordinance No. 1194A-1992, § III, 408.03.01, 8-4-92

408.03.02 Side Yard: Where a lot abuts upon the side of a lot zoned for dwelling purposes, size of the side yard shall be established by the Site Plan Review Committee during the Site Plan Review Process as set out in Section 503. Otherwise, no side yard for a commercial building shall be required, but, if provided, it shall be not less than three (3) feet. On corner lots with lots having reversed frontage at the rear, the side yard requirement shall be the same as District R-1.

Source: Ordinance No. 1194A-1992, § III, 408.03.02 8-4-92

408.03.03 Rear Yard: Same as "R-2", which is twenty-five (25) feet to ten (10) feet, except when permitted closer by virtue of a Site Plan approved by the Site Plan Review Committee, or when required to be larger by provisions of the International Building Code, 2018 Edition, as amended, or most recent edition adopted, or the International Fire Code, 2018 Edition, as amended, or most recent edition adopted.

Source: Ordinance No. 1238-1994, § I, 408.03.03, 6-7-94; Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1633-2016, 3-22-2016 Ordinance No. 1633-2016, 3-22-2016; Ordinance No. 1705-2021, 3-16-21

408.03.04 Height: "Same as C-2". (Height regulations in C-2 are: No building hereinafter erected, reconstructed, altered or enlarged shall exceed six (6) stories nor shall it exceed seventy-five (75) feet.)

Source: Ordinance No. 1431-2003, Sec. I, 8-5-03

408.03.05 Width of Lot: No minimum required.

408.03.06 Lot Area: No minimum required.

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

408.04. Deleted.

Source: Ordinance No. 1292-1997, §I, Art. IV, 3-18-97

408.05. Deleted.

Source: Ordinance No. 1292-1997, §I, Art. IV, 3-18-97

SECTION 409. I-1 RESTRICTED INDUSTRIAL DISTRICT.

409.01. General Description.

The purpose of this district is to provide for the preservation and perpetuation of industrial, warehousing and light manufacturing industries which do not have large space requirements and provided no nuisance will result with regard to excessive:

Smoke and other particulate matter
Noise
Odor
Fire or explosive hazard
Gases, fumes
Glare or heat
Vibration
Water Pollution
Other factors detrimental to the health, safety, and welfare of the area
The industrial development in this district shall be in an enclosed building related to major transportation arteries or thoroughfares within the City and shall not contain more than four thousand (4,000) square feet in a single operation.

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

409.02. Permitted Uses.

409.02.01 Bakeries and other establishments manufacturing prepared foods and miscellaneous food products.

409.02.02 Building material storage yards/lumber yards provided that yard is enclosed by a concealing fence not less than six (6) feet in height.

409.02.03 Candy, canning, or preserving factories (less than 4,000 square feet).

409.02.04 Carpet and rug cleaning.

409.02.05 Dry cleaning and pressing works, dyeing, laundry, and washateria.

409.02.06 Electrical repair shops and motor armature rewinding shops.

409.02.07 Laboratory/experimental testing.

409.02.08 Machine shops, provided power not to exceed ten (10) horsepower is employed in the operation of any one (1) machine.

409.02.09 Manufacture of: Products from aluminum, brass, copper, bronze, steel, tin or other metals and from bone, leather, paper, rubber, shell, wire or wood of any kind other than those enumerated under Districts I-2 or I-3 provided power not to exceed ten (10) horsepower is employed in the operation of any one machine, and not including foundries.

409.02.10 Manufacture of: Artificial flowers, artificial limbs, ornaments, awnings, tents, and bags, cleaning or polishing preparations, brooms or brushes, buttons and novelties, canvas products, clothing, suits, coats, or dresses for wholesale trade; food products, syrups, fruit juices, extracts, drugs or medicine, classified under Districts I-2 or I-3; furniture, gas or electric fixtures, ice cream, mattresses or their renovation, peanut and pecan products, radio and television sets, provided power not in excess of ten (10) horsepower is employed in the operation of any one (1) machine.

409.02.11 Meat processing (no slaughtering).

409.02.12 Monument or marble works, finishing and carving only.

409.02.13 Pattern shops.

409.02.14 Printing, lithographing, bookbinding, newspapers and publishing.

409.02.15 Spray painting or paint mixing.

409.02.16 Storage in bulk and/or warehouse for commodities and materials

enumerated in districts C-1 Restricted Commercial and C-3 Heavy Commercial.

409.02.17 Veterinary hospitals (small animals) when not less than one hundred (100) feet from a residential district.

409.02.18 Wholesale sales offices, manufacturer's representatives or sample rooms.

409.02.19 Any similar uses not included in Districts I-2 or I-3.

409.02.20 Mini-Warehouses.

409.02.21 Accessory buildings and uses customarily incidental to the above. No accessory use shall be construed to permit the keeping of articles or material in the open or outside the building.

409.02.22 Ambulance service and/or patient transfer service, privately operated and not affiliated with a hospital.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1218-1993, § II, 409.02.22, 8-3-93

409.02.23 Medical Cannabis Cultivation Facility (permitted by Conditional Use)

409.02.24 Medical Cannabis Processing Facility (permitted by Conditional Use)

409.02.25 Medical Cannabis Testing Facility (permitted by Conditional Use)

409.02.26 Medical Cannabis Dispensary (permitted by right; must be 1500 feet away from another dispensary.

409.02.27 Medical Cannabis Transportation Entity (permitted by Conditional Use)

409.02.28 Medical Cannabis Disposal Entity (permitted by Conditional Use)

409.02.29 Medical Cannabis Research Facility (permitted by Conditional Use)

409.02.30 Medical Cannabis Research Facility on College or University Property (permitted by right)

Source: Ordinance No. 1723-2022, 6-21-22

409.03. Area, Height, and Setback Regulations.

409.03.01 Front Yard: Where all the frontage on one (1) side of the street between two (2) intersecting streets is located in a "C-3 or I-1" District, no front yard shall be required. Where the frontage on one (1) side of the street between two (2) intersecting streets is

located partly in a dwelling district, or a C-1 or a C-2 District, the front yard requirements of the Dwelling District and the C-1 Districts shall apply to the I-1 District.

409.03.02 Side Yard: Ten (10) feet, or where a lot abuts upon the side of a lot zoned for dwelling purposes there shall be a side yard of not less than twenty-five (25) feet, except when permitted closer by virtue of intense landscaping and/or decorative screening as permitted by Section 603 Landscaping/screening.

409.03.03 Rear Yard: Same as R-2 except when permitted closer by virtue of intense landscaping and/or decorative screening as permitted by Section 603 Landscaping/screening.

409.03.04 Height: No building shall exceed three (3) stories or thirty-five (35) feet in height.

409.03.05 Width of Lot: No minimum required.

409.03.06 Lot Area: No minimum required.

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

SECTION 410. I-2 LIGHT INDUSTRIAL DISTRICT.

410.01. General Description.

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.

The principal uses permitted in an I-2 Light Industrial District shall be limited in general to the assembly, packaging or processing of previously prepared goods and materials. Additional permitted uses include the storage of goods and materials; the receiving, sorting, and/or distribution of goods and materials; fabricating shops; retail and wholesale activities requiring extensive storage or warehousing; and other uses specifically listed below. Whenever possible, or as otherwise required, such uses shall be conducted within an enclosure or building.

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

410.02. Uses Permitted.

410.02.01 Any uses permitted in the I-1 Restricted Industrial District, without the limiting area imposed for square feet or floor area in buildings.

410.02.02 Amusement or baseball parks.

410.02.03 Assaying (other than gold or silver).

410.02.04 Bakeries - wholesale.

410.02.05 Body and fender work for automobiles and house trailers.

410.02.06 Bottling works, soft drinks.

410.02.07 Brick and pottery manufacturing.

410.02.08 Lumber Yards.

410.02.09 Carnivals.

410.02.10 Central station light or power plants.

410.02.11 Cereal mills.

410.02.12 Coffee roasting.

410.02.13 Cold Storage plants.

410.02.14 Cooperage works.

410.02.15 Contractors' plants or storage yard provided that yard is enclosed by a concealing fence not less than six (6) feet in height.

410.02.16 Creameries.

410.02.17 Electro plating.

410.02.18 Galvanizing, small utensils, etc.

410.02.19 Ice plants or storage houses.

410.02.20 Monument or marble works, finishing and carving only.

410.02.21 Oil Field Service Companies.

410.02.22 Optics manufacturing.

410.02.23 Pattern shops.

410.02.24 Public garages.

410.02.25 Sheet metal shops using sheet metal of sixteen (16) gauge or thinner.

410.02.26 Welding shops.

410.02.27 Wholesale establishment and storage.

410.02.28 Any similar uses not included in the I-3 Heavy Industrial District which are not noxious or offensive because of odors, smoke, dust, noise, fumes or vibrations.

410.02.29 Accessory buildings and uses customarily incidental to the above.

410.02.30 Adult entertainment establishments as regulated by Section 605:

Regulating the Location and Operation of Adult Entertainment Establishments.

Source: Ordinance No. 1443-2004, § I, 8-3-04

410.02.31 Facilities for the handling and warehousing of recyclable materials as a Conditional Use, requiring Site Plan approval. Such operations must be obscured from any street or from any adjacent property in another zone by a sturdy, sight obscuring fence in good repair.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1237-1994, § I, 410.02.31, 5-17-94

410.02.32 Medical Cannabis Cultivation Facility (permitted by Conditional Use)

410.02.33 Medical Cannabis Processing Facility (permitted by Conditional Use)

410.02.34 Medical Cannabis Testing Facility (permitted by Conditional Use)

410.02.35 Medical Cannabis Dispensary (permitted by right; must be 1500 feet away from another dispensary.

410.02.36 Medical Cannabis Transportation Entity (permitted by Conditional Use)

410.02.37 Medical Cannabis Disposal Entity (permitted by Conditional Use)

410.02.38 Medical Cannabis Research Facility (permitted by Conditional Use)

410.02.39 Medical Cannabis Research Facility on College or University Property (permitted by right)

Source: Ordinance No. 1723-2022, § 6-21-22

410.03. Area, Height and Setback Regulations.

410.03.01 Front Yard: Same as I-1.

410.03.02 Side Yard: Same as I-1.

410.03.03 Rear Yard: Same as I-1.

410.03.04 Height: No building shall exceed six (6) stories or seventy-five (75) feet in height.

410.03.05 Width of Lot: No minimum required.

410.03.06 Lot Area: No minimum required.

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

SECTION 411. I-3 HEAVY INDUSTRIAL DISTRICT.

411.01. General Description.

The purpose of this District is to provide areas for development of heavy industrial uses that have extensive space requirements and/or generate substantial amounts of noise, vibrations, odors or possess other characteristics that may be detrimental, hazardous, or otherwise offensive and incompatible with other land uses.

This District provides for the widest range of industrial operations permitted in the City. It is the zone for location of those industries which have not reached a technical stage in processing which renders them free of nuisance factors or where economics precludes construction and operation in a nuisance free manner.

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

411.02. Uses Permitted.

411.02.01 Any uses permitted in the I-2 Light Industrial District.

411.02.02 Acetylene gas storage.

411.02.03 Assaying.

411.02.04 Arsenals.

411.02.05 Asphalt and cement batching and mixing plants.

411.02.06 Bag cleaning.

411.02.07 Cotton gins, baling or compresses.

411.02.08 Cotton oil mills.

411.02.09 Clay, shale, or glass products.

411.02.10 Dog pounds.

411.02.11 Egg cracking and processing.

411.02.12 Enameling.

411.02.13 Fish smoking and curing.

411.02.14 Forge plants.

411.02.15 Galvanizing, sheet and structural shapes.

411.02.16 Iron, steel, brass, copper, or aluminum foundries or fabrication plants.

411.02.17 Junk yards, auto parts, salvage, auto wrecking yards, facilities for handling and warehousing of recyclable materials and facilities of the handling, transfer or disposition of solid waste materials when such operations are obscured from any street or from any adjacent property in another zone by

a sturdy, sight obscuring fence in good repair, and under the condition that any burning operations be carried on in an enclosed structure provided with such super-heating devices designed to assure complete combustion as may be approved by the Building Inspector (Inspection Department).

Source: Ordinance No. 1237-1994, § II, 411.02.17, 5-17-94

411.02.18 Machine shops.

411.02.19 Manufacture of: Acetylene and/or oxygen, gas, alcohol, adding machines, airplanes, automobiles, trucks, and tractors, including assembly plants; bearings-ball and roller, cans, steel tanks and drums, candles and celluloid, cash registers, cutlery, disinfectants, dextrine, dyestuff, electrical machinery, farm machinery, exterminators and insect poison, emery cloth and sand paper, glucose, matches, nuts, bolts or screws, oilcloth or linoleum, oiled or rubber goods, paint, oil shellac, turpentine or varnish, pyroxyline, sauerkraut, starch, tools, typewriters, and vinegar.

411.02.20 Petroleum products as follows:

(1) Any use related to the petroleum industry provided that the performance standards set forth in this zone are complied with and any adopted Fire Code and Health Codes are followed.

(2) The storage above ground of liquid petroleum products or chemicals of a flammable or noxious nature, when not more than one hundred fifty thousand (150,000) gallons are stored on a tract of less than an acre in size or when not more than twenty-five thousand (25,000) gallons are stored in one (1) tank.

(3) The storage of flammable or noxious gases above or below ground, when not in excess of five million (5,000,000) cubic feet on any one (1) tract or lot of less than one (1) acre or two million (2,000,000) cubic feet in any one (1) tank.

411.02.21 Planning mills.

411.02.22 Potash works.

411.02.23 Railroad roundhouses or car repair shops.

411.02.24 Salt works.

411.02.25 Soap manufacture.

411.02.26 Rubber or gutta-percha manufacture or treatment.

411.02.27 Soda and compound manufacture.

411.02.28 Stamping, dyeing, shearing or punching of metals.

411.02.29 Stone yards, building stone; cutting, sawing and storage.

411.02.30 Tallow, grease or lard manufacture.

411.02.31 Tar distillation or manufacture.

411.02.32 Tobacco (chewing) manufacture or treatment.

411.02.33 Truck terminals containing in excess of four (4) loading or transfer bays.

411.02.34 Wool pulling or scouring.

411.02.35 Welding shops.

411.02.36 Yeast plants.

411.02.37 And in general those uses not listed above which are not ordinarily excessively noxious or offensive because of odor, smoke, dust, noise, fumes, or vibrations.

411.02.38 Any other uses not now or hereafter prohibited by Ordinance of the City, except that no building or occupancy permit shall be issued for the following uses unless and until the location of such use shall have been approved by the Planning Commission and ratified by the City Council, after a report by the Department of Public Works and the Fire and Health Departments:

(1) Acid manufacture.
(2) Ammonia, bleaching powder or chlorine manufacture.
(3) Asphalt manufacture or refining.
(4) Blast furnaces.
(5) Boiler works.
(6) Brick, tile or terra cotta manufacture.
(7) Cement, lime, gypsum or plaster of paris manufacture.
(8) Coke ovens.
(9) Creosote treatment or manufacture.
(10) Distillation of bones, coal or wood.
(11) Explosives, manufacture or storage in conformance of applicable Ordinances.
(12) Fat rendering.
(13) Fertilizer manufacture.
(14) Garbage, offal or dead animals, reducing or dumping.
(15) Gas (natural or artificial) manufacture or processing.
(16) Glue manufacture.
(17) Iron and steel fabrications plants where riveting method is used provided that such plants are not within five hundred (500) feet of a more restrictive district.
(18) Lamp black manufacture.
(19) Magnesium casting, machining or fabrication.
(20) Manufacture or re-claiming of rubber or manufacture of heavy rubber products.
(21) Ore reduction.
(22) Packing plants including slaughtering of animals and processing of by-

products.

(23) Paper or pulp manufacture.
(24) Petroleum products, refining or wholesale storage of petroleum in excess of limits provided in Section 411.02.20 above.
(25) Rock crushers or stone quarries.
(26) Rolling mills.
(27) Smelting or reclamation (by reduction) of tin, copper, lead, zinc or iron ores.
(28) Stock yards, feeding pens or slaughtering of animals.
(29) Storage, salvaging, sorting, processing or baling of rags, iron, scrap paper or junk.
(30) Tanneries, curing or storage of raw hides or skins.
(31) Tar or asphalt roofing or water-proofing manufacture.
(32) Yards for the sale, transfer and temporary holding of livestock.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1197-1992, Art. IV, 411.02.38, 11-17-92

411.03. Area, Height, and Setback Regulations.

411.03.01 Front Yard: Same as I-1.

411.03.02 Side Yard: Same as I-1.

411.03.03 Rear Yard: Same as I-1.

411.03.04 Height: No building shall exceed ten (10) stories or one hundred twenty (120) feet in height.

411.03.05 Width of Lot: No minimum required.

411.03.06 Lot Area: No minimum required.

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

SECTION 412. C-1A PROFESSIONAL OFFICE DISTRICT

412.01. General Description.

The purpose of this commercial district is to provide areas for professional offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, medical and dental offices, as well as suburban locations near residential neighborhoods.

412.02. Uses Permitted.

412.02.01 Accessory structure located on same lot
412.02.02 Churches and related accessory buildings
412.02.03 Clinic, Medical
412.02.04 Libraries, museums, art galleries, and reading rooms; no retail products
412.02.05 Offices, professional and service (non-professional), medical, and governmental, but not including body shops, garages, or other repair shops

412.02.06 Sign, See Section 602, General Sign Regulations
412.02.07 Studio for professional work or teaching of any form of fine arts, photograph, music, drama, dance, gymnastics, but not including commercial gymnasiums
412.02.08 Utilities
412.02.09 C-1A uses with a gross floor area equal to or less than twelve thousand five hundred (12,500) square feet
412.02.10 And other similar uses
412.02.11 "Reserved"
412.02.12 "Reserved"
412.02.13 "Reserved"

412.03. Conditional Uses.

The following uses may be permitted upon review:

412.03.01 Parking/Parking Lot, see Section 601, Off-Street Automobile and Vehicles parking and loading not permitted in front setback, permitted in side and rear setback only.
412.03.02 "Reserved"
412.03.03 "Reserved"

412.04. Area, Height, and Setback Regulations.

412.04.01 Front Yard:

Setback minimum of twenty-five (25) feet or equal to an average of the adjacent lot setbacks.

412.04.02 Side Yard:

A. On interior lots there shall be a side yard on each side of a building having a width of not less than ten (10) feet.

B. On corner lots the side yard regulation shall be ten (10) feet except in the case of reversed frontage where the corner lot rears on the side of a lot facing the other intersecting street, in which case there shall be a side yard on the corner lot of not less than fifty (50) percent of the front yard required on the lot abutting the rear of the corner lot or lot separated only by an alley. No accessory building on said corner lot shall project beyond the front yard line of the lots in the rear, nor shall any building be erected, reconstructed, altered or enlarged, closer than five (5) feet to the line of the abutting lot to the rear.

C. Zero Lot Line: There shall be no minimum on one side and ten (10) feet on the opposite side except that a corner lots the minimum side yard of the corner side shall be ten (10) feet, and shall not include vehicular drives, streets, or parking areas. Zero lot line dwellings shall be constructed against the lot line on one side of a lot. No overhang, windows, doors, or other openings shall be permitted on this side and a two (2) hour fire wall shall be

constructed. Where adjacent zero lot line dwellings are not constructed against a common lot line, the building or developer must provide for a perpetual wall maintenance easement of five (5) feet in width along the adjacent lot and parallel with such wall. However, in no case shall a parallel zero lot line dwelling be building closer than ten (10) feet to the lot line of a lot which is zoned A-1 or R-1, R-2, or R-3 Residential District.

412.04.03 Rear Yard:
Setback a minimum of twenty-five (25) feet measured from the rear main building line.

412.04.04 Unattached accessory structures may not be located within five (5) feet of a rear lot line, to five (5) feet of a side lot line, and shall not be located closer than sixty (60) feet to the front of lot line.

412.04.05 Roof overhangs or appurtenances not at grade may project from outside walls of structure no more than three (3) feet in the required setback, and are not considered as a part of the setback.

412.04.06 Outside air conditioning units or similar installations shall be from the rear and/or side setback a minimum of five (5) feet from any property line.

412.04.07 An accessory building or structure that is not part of the main structure shall be located within the building area of the lot.

412.04.08 Width of Lot:
A minimum of fifty (50) feet.

412.04.09 Lot Area:
A minimum of four thousand (4,000) square feet.

412.04.10 Shall be served by public sanitary sewer.

412.04.11 Lot Coverage:
A maximum of sixty (60) percent of the lot may be covered by impervious surfaces.

412.04.12 Height Regulations:
No building shall exceed thirty-five (35) feet in height.

412.04.13 Driveways:
No driveway in the C-1A District shall be greater in width than twenty (20) feet, and no property shall be provided with more than two (2) driveways.

412.04.14 Buildable Area:
A maximum of twelve thousand five hundred (12,500) square feet of floor area per lot.

Source: Ordinance No. 1292-1997, §I, 3-18-97

SECTION 413. C-1B MEDICAL/PROFESSIONAL COMMERCIAL DISTRICT

413.01.General Description.

The purpose of this commercial district is to provide areas for medical/professional and business offices and some related commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, medical and dental offices, as well as suburban locations near residential neighborhoods.

413.02.Uses Permitted.

413.02.01	Accessory structure located on same lot
413.02.02	Churches and related accessory buildings
413.02.03	Clinic, Medical
413.02.04	General offices, including but not limited to, professional, service, business, or organizational, but not including body shops, garages, or other repair shops
413.02.05	Libraries, museums, art galleries, and reading rooms; no retail products
413.02.06	Parking/Parking Lot, see Section 601, Off-Street Automobile and Vehicles parking and loading not permitted in front setback, permitted in side and rear setback only
413.02.07	Personal Service Establishments, such as, but not limited to Drug Stores, Beauty Supplies, Financial Institutions, Florists (See Appendix B)
413.02.08	Sign, See Section 602, General Sign Regulations
413.02.09	Studio for professional work or teaching of any form of fine arts, photography, music, drama, dance, gymnastics, but not including commercial gymnasiums
413.02.10	Tearoom, not including restaurants, drive-ins or restaurants specializing in take-out foods
413.02.11	Utilities
413.02.12	C-1B uses with a gross floor area equal to or less than twelve thousand five hundred (12,500) square feet
413.02.13	And other similar uses
413.02.14	“Reserved”
413.02.15	“Reserved”
413.02.16	“Reserved”

413.03.Conditional Uses.

The following uses may be permitted upon review:

413.03.01	C-1B uses with a gross floor area greater than twelve thousand five hundred (12,500) square feet
413.03.02	Catering services
413.03.03	Child and/or Adult Care Center
413.03.04	Multi-Family Dwelling
413.03.05	“Reserved”

413.03.06 "Reserved"
413.03.07 "Reserved"

413.04.Area, Height, and Setback Regulations.

413.04.01 Front Yard:
Setback a minimum of twenty-five (25) feet or equal to an average of the adjacent lot setbacks.

413.04.02 Side Yard:

A. On interior lots there shall be a side yard on each side of a building having a width of not less than ten (10) feet.

B. On corner lots the side yard regulation shall be ten (10) feet except in the case of reversed frontage where the corner lot rears on the side of a lot facing the other intersecting street, in which case there shall be a side yard on the corner lot of not less than fifty (50) percent of the front yard required on the lot abutting the rear of the corner lot or lot separated only an alley. No accessory building on said corner lot shall project beyond the front yard line of the lots in the rear, nor shall any building be erected, reconstructed, altered or enlarged, closer than five (5) feet to the line of the abutting lot to the rear.

C. Zero Lot Line: There shall be no minimum on one side and ten (10) feet on the opposite side except that on corner lots the minimum side yard of the corner side shall be ten (10) feet, and shall not include vehicular drives, streets, or parking areas. Zero lot line dwellings shall be constructed against the lot line on one side of a lot. No overhang, windows, doors, or other openings shall be permitted on this side and a two (2) hour fire wall shall be constructed. Where adjacent zero lot line dwellings are not constructed against a common lot line, the building or developer must provide for a perpetual wall maintenance easement of five (5) feet in width along the adjacent lot and parallel with such wall. However, in no case shall a parallel zero lot line dwelling be built closer than ten (10) feet to the lot line of a lot which is zoned A-1 or R-1, R-2, or R-3 Residential District.

413.04.03 Rear Yard:
Setback a minimum of twenty-five (25) feet measured from the rear main building line.

413.04.04 Unattached accessory structures may not be located within five (5) feet of a rear lot line, to five (5) feet of a side lot line, and shall not be located closer than sixty (60) feet to the front lot line.

413.04.05 Roof overhangs or appurtenances not at grade may project from outside walls of structure no more than three (3) feet in the required setback, and are not considered as part of the setback.

413.04.06 Outside air conditioning units or similar installations shall be from the rear

and/or side setback a minimum of five (5) feet from any property line.

413.04.07 An accessory building or structure that is not part of the main structure shall be located within the building area of the lot.

413.04.08 Width of Lot:
A minimum of fifty (50) feet.

413.04.09 Lot Area:
A minimum of four thousand (4,000) square feet.

413.04.10 Shall be served by public sanitary sewer.

413.04.11 Lot Coverage:
A maximum of sixty (60) percent of the lot may be covered by impervious surfaces.

413.04.12 Height Regulations:
No building shall exceed thirty-five (35) feet in height.

413.04.13 Driveways:
No driveway in the C-1B District shall be greater in width than twenty (20) feet, and no property shall be provided with more than two (2) driveways.

413.04.13.1 Buildable Area:
A maximum of twelve thousand five hundred (12,500) square feet of floor area per lot.

Source: Ordinance No. 1292-1997, §I, 3-18-97

SECTION 414. C-4 CENTRAL BUSINESS DISTRICT

Section 414.01. General Description.

The purpose of this designation is intended for the conduct of personal business services and retail trade normally found in the Central Business District.

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

Section 414.02. Uses Permitted.

414.02.01 Accessory Use
414.02.02 Antique Store
414.02.03 Art Gallery
414.02.04 Art Supply Store
414.02.05 Bakery
414.02.06 Banks
414.02.07 Bed & Breakfast
414.02.08 Book Store
414.02.09 Camera & Photographic Supplies Store
414.02.10 Candy, Nut, Confectionery & Popcorn Sales

414.02.11 Catalog or Mail Order House, Without Showroom
414.02.12 Ceramics Shop
414.02.13 Church or Religious Facility
414.02.14 Clinic, Medical
414.02.15 Clothing & Accessory Store
414.02.16 Delicatessen
414.02.17 Dinner Theater
414.02.18 Drug Store
414.02.19 Dwelling, Single Family, above first floor
414.02.20 Dwelling, Two-Family, above first floor
414.02.21 Dwelling, Multi-Family, above first floor
414.02.22 Fire Station
414.02.23 Florists
414.02.24 Furniture Store
414.02.25 Gift or Greeting Card Shop
414.02.26 Governmental Agencies
414.02.27 Hobby Supply Store
414.02.28 Home Occupation
414.02.29 Hotel
414.02.30 Ice Cream or Frozen Yogurt Shop
414.02.31 Jewelry Store
414.02.32 Leather or Luggage Store
414.02.33 Motion Picture Theater – Indoor
414.02.34 Museum
414.02.35 News Stand
414.02.36 Novelty or Souvenir Shop
414.02.37 Offices, Professional (such as legal, engineering, real estate, insurance)
414.02.38 Park and/or Playground, Public
414.02.39 Police Department or Precinct, Highway Patrol, Sheriff's Office
414.02.40 Publishing
414.02.41 Photographic Studio, Portrait
414.02.42 Restaurant: may include carry-out service; but may not include automobile drive-thru window or curb-service
414.02.43 Shoe Store
414.02.44 Specialty Food Store; such as health food, vitamins, & coffee
414.02.45 Stained Glass Shop
414.02.46 Stationery Store
414.02.47 Tailor Shop
414.02.48 Tobacco Shop
414.02.49 Toy Store
414.02.50 Travel Agency
414.02.51 Utilities
414.02.52 Personal Service Establishments (See Appendix B, Definitions and Words)
414.02.53 Bar, Nightclub, Lounge, or Tavern, which will permit such activities as the serving of alcohol, live music, dancing, disc jockey (DJ), karaoke and similar activities but will not permit adult entertainment [see Section 605 of the City of Laurel Zoning Ordinance] will be allowed as a permitted use when located in the leisure district which is described as beginning at the intersection of 5th Street and 6th Avenue and running easterly along 5th Street/Sawmill Road to the intersection of Spec Wilson Boulevard, thence running southwesterly along Spec Wilson Boulevard to the intersection of

Carroll Gartin Boulevard, thence running northwesterly along Carroll Gartin Boulevard to the intersection of Leontyne Price Boulevard, thence running northerly along Leontyne Price Boulevard/6th Avenue to the Point of Beginning

Source: *Ordinance No. 1670-2017, 10-17-2017; Ordinance No. 1292-1997, §I, 3-18-97*

414.02.54 "Reserved"
414.02.55 Medical Cannabis Establishments are prohibited in the C-4 District

Source: Ordinance No. 1723-2022, §I, 6-21-22

414.03.Conditional Uses.

The following uses may be permitted upon review:

414.03.01 Conditional Use required for Bar, Nightclub, Lounge, or Tavern not located in the leisure district (see 414.02.53)

Source: *Ordinance No. 1670-2017, 10-17-2017*

414.03.02 Wholesale distribution building with no outside storage of commodities and no inflammables or hazardous materials.
414.03.03 "Reserved"
414.03.04 "Reserved"

Source: Ordinance No. 1292-1997, §I, 30-18-97

Section 414.04. Area, Height and Setback Regulations.

414.04.01 There shall be no minimum setbacks, lot widths or lot areas in the downtown Central Business District.

414.04.02 There shall be no parking requirements for structures located in the downtown Central Business District. Building height shall be limited to five (5) stories or sixty (60) feet unless otherwise approved by the Planning Commission, based on building setback.

414.04.03 All regulations of the International Fire Code, 2018 Edition, as amended, or most recent edition adopted, shall be complied with in every case.

Source: Ordinance No. 1474-2006, 9-5-06;Ordinance No. 1633-2016, 3-22-2016; Ordinance No. 1705-2021, § VIII, 3-16-21

414.04.04 Parking facilities for commercial uses located in the downtown Central Business District and Central Business District Neighborhood shall be asphalted or concreted. No gravel surfaces shall be permitted.

Source: Ordinance No. 1292-1997, §I, 3-18-97; Ordinance No. 1410-2002, § I, 7-16-02

Section 415. Short Term Rental Ordinance

415.01 General Description

This ordinance is to provide for a balance of economic opportunities

and growth, sustainable housing developments and preservation of the neighborhoods of the City of Laurel. Short-term rentals are defined as a room or housing unit that is rented to a person or group for a fee for a duration of time, not to exceed thirty consecutive (30) nights. Short term rentals shall be allowed in residential and commercials zoning districts by special use permit.

415.02 Definitions

- *Adjacent property owner*- A Property which adjoins the Subject property in any way to the north, south, east, and west. In the case that a street, right-of-way, or alley adjoins the property in question, the adjacent property is one which, by extending the property lines across the street, right-of-way or alley would adjoin the property in any way.

- *Applicant*- the owner or a person acting as a representative on the owner's behalf.

- *Guest*- means any person or persons renting and occupying a dwelling unit.

- *Local Property Manager*- person who is located within Jones County who will respond to questions or concerns twenty-four (24) hours a day. The name, address and phone number(s) of the local property manager shall be posted prominently inside the short-term lodging rental unit.

- *Owner*- any person who, alone or with others, has title or interest in any building, property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building, dwelling unit, or portion thereof.

- *Privilege license*- a license that allows an individual or company to conduct business.

- *Short-Term Rental Unit*- a room or housing unit that is rented to a person or group for a fee for a duration of time, not to exceed thirty consecutive (30) nights

- *Special Use Permit*- a permit which allows a property or parcel of land to be used in a manner that deviates from generally accepted activities within a specific area or zone.

- *Zoning Ordinance*- an established set of rules that governs how properties, structures and land can be used in a specific area.

415.03 Uses Permitted : A short-term rental is only permitted by obtaining a special use permit. Short-term rental establishments shall only be allowed in residential (R-1, R-2, R-3 and R-4) and commercial (C-1, C-2, C-3 and C-4) zoning districts and are subject to all

applicable building codes, zoning restrictions, overlay districts and any other regulations and shall comply with such codes and regulations. Homeowner Associations (HOA) may have covenants that prohibit short-term rentals, even if permitted by city zoning, in which case, the HOA shall govern. With the exception of R-1, multiple units are allowed in a structure in the approved residential and commercial zones.

- In R-1 areas: only one (1) short-term rental unit per single-family structure shall be permitted. Short-term rental units shall be limited to two (2) units per lot, when there is an existing structure or outbuilding separate from the primary, single-family structure, [i.e., one (1) per structure]. This restriction is placed in order to control and maintain the density, traffic flow and integrity of residential neighborhoods. A special exception regarding this particular requirement, in so far as it pertains to the existing structure or outbuilding separate from the primary single-family structure, may be requested and addressed by the Planning Commission with final approval by the City Council.

- It is unlawful to conduct or operate a short-term rental without prior obtaining a special use permit. Listing a property for short-term rental prior to receiving an approved permit from the City of Laurel Inspection Department shall result in a one (1) year suspension of permit eligibility.

415.04 *Obtaining A Permit*:
The short-term rental process requires the submission of a completed application, in accordance with the following criteria, which may be obtained from the Inspection Department. Each application shall be reviewed by the Planning Commission, with the aid of the Inspection Department, on its own merit. The Planning Commission shall conduct a public hearing regarding said permit prior to approving the permit. The applicant shall be provided written notification of the date, time and place of the public hearing. The Planning Commission has broad discretion when considering permit applications. Upon final approval from the Planning Commission, a permit shall be issued by the Inspection Department. Please note that a preliminary inspection must be performed and deemed satisfactory, prior to final approval of the permit.

415.04.01 The Inspection Department will promptly provide notification by mail to any adjacent property owners that the proposed property is being considered for use as a short-term rental. Said notification shall provide the date, time and place of the public hearing during which the Planning Commission will consider the application for the proposed property and at which time and place adjacent property owners may appear and be heard.

415.04.02 Application shall contain such information including, but not limited to, the property location/address of the short-term rental establishment; the number of sleeping areas contained therein; the maximum number

of persons the property proposes to accommodate; the name, address and telephone number of the local property manager; a copy of the rental agreement; proposed parking plan; the rules of the rental property; a plan for trash management related to curbside pickup; and any and all signatures of all owners of record of the subject property.

415.04.03 While the City does not require proof of insurance, it shall be the duty of the applicant to ensure that homeowner's fire, hazard, and liability insurance coverage does not exclude short-term rentals from coverage.

415.04.04 The application shall include a statement from the applicant affirming compliance with all applicable zoning requirements, building codes, deed restrictions and/or covenants, including any HOA bylaws.

415.04.05 Proof of payments of all applicable taxes, fees and other charges, including taxes approved by Senate Bill 2155 (2022) shall be provided with the application.

415.04.06 The application shall include execution of a written statement acknowledging that a violation of the ordinances of the City of Laurel, as it relates to short-term rentals, may result in a one (1) year suspension or revocation of an existing permit.

415.04.07 At the time of the filing of the application with the Inspection Department: A nonrefundable permit fee of three hundred fifty dollars ($350.00) per unit shall be paid by applicant.

415.04.08 Approval of short-term rental permit does not legalize any nonpermitted use or structure. Short-term rental units are not to be used to distribute retail products or personal services to invitees for marketing or similar purposes. The outdoor display of goods and merchandise for sale is prohibited.

415.04.09 Short-term rental permits are not transferable. Upon sale or at time of transfer of the property, any permit issued pursuant to the terms set forth herein, shall automatically expire. Any new owner(s) or transferee(s) shall be required to apply for a new permit, in accordance with this ordinance.

415.04.10 Any structure or unit that is deed restricted for affordable housing shall not be eligible for a short-term rental permit.

415.04.11 Each separate unit or listing shall require an individual permit, regardless if multiple listings are located at the same address or location or owned by the same owner. Documentation and/or proof of permit issuance shall be included in the listing on all short-term rental postings.

415.04.12 Each short-term rental permit shall expire one (1) year from the date of issuance.

415.05 *Taxes, License and Registration*

415.05.01 A local privilege license is required to be obtained by the applicant from the City Clerk's office.

415.05.02 Registration of state tax is required.

415.05.03 Any and all other tax requirements.

415.05.04 Short Term Rentals, as defined in this ordinance, shall be charged the commercial rate for water, sewer, and garbage fees.

415.06 *Short-Term Rental Code Requirements*

415.06.01 Short-Term Rental Establishments shall meet and comply with any and all applicable building and property maintenance codes, as adopted by the City of Laurel.

415.07 *Denial or Revocation of a Special Use Permit Conditions for denial or revocation of a permit to operate a short-term rental unit shall include, but not be limited to, the following:*

415.07.01 Failure by the applicant to conform to the criteria set forth herein for the current or previous year.

415.07.02 Guests and/or users of the property were issued citations for violating the noise ordinance or disturbing the peace during the previous or current year.

415.07.03 Any other reasonable or rational factors as determined by the Planning Commission.

415.07.04 The Inspection Department is authorized to revoke or deny permits. The permitted owner shall be provided with a written notice of the reason(s) the permit is subject to revocation. The applicant shall be allowed thirty (30) days from the date written notice is issued to correct the defective conditions. If the condition is not corrected within thirty (30) days to the satisfaction of the Inspection Department, the permit shall be revoked by a revocation order of the Inspection Department. Upon receipt of the revocation order by the owner or property manager, the unit shall cease operation as a short-term rental.

415.07.05 The owner may appeal any denial of a permit application or order revoking the permit application or application renewal. The owner's appeal must be in writing and filed with the Inspection Department within ten (10) days of entry of the applicable order. The revocation shall remain in full effect for the duration of the appeal. The appeal should be presented to the Mayor and City Council at the next scheduled meeting, following the filing of the appeal. The owner shall be provided notice of the meeting for the opportunity to be

heard. The City may appoint a hearing officer to preside over any such appeal.

415.08 *Renewal of Short-term Rental Permit*

415.08.01 Short-term rental permit may be renewed through the Inspection Department for the fee as cited in 415.04.07

415.08.02 The permit renewal process shall consist of staff review of City records, complaints and any other issues pertaining to the property under consideration. Filed complaints that are in violation of any zoning codes, building codes, property maintenance and other applicable laws or regulations will be considered as part of the renewal process. A violation of applicable local, state and federal laws or regulations may be cause for the denial of a permit renewal.

415.09 *Complaints*

415.09.01 A concerned party should contact the Inspection Department regarding complaints and violations of this Ordinance that cannot otherwise be resolved through contact with the local property manager and/or property owner. If the issue is related to the public safety and/or noise violations, the Police Department shall be contacted. The Police Department shall be provided with an updated list of all contact persons for short-term rentals by the Inspection Department. Verified complaints concerning noncompliance with the terms of this Ordinance may be considered in determining whether or not a permit should be revoked.

415.10 *Violations*

415.10.01 Any person or user who allows such use of a residential property in violation of this Ordinance shall be guilty of a misdemeanor.

415.10.02 For purposes of prosecution of violations of this chapter, each day that any violation occurs is deemed to constitute a separate violation. Those found guilty of such violation shall, upon conviction, be fined for each violation, not to exceed an amount of one thousand dollars ($1,000.00) for the first offense within a calendar year; not to exceed an amount of two thousand dollars ($2,000.00) for the second offense within a calendar year; and not to exceed more than five thousand dollars ($5,000.00) for other offenses within a calendar year, in addition to all court related fees.

415.11 *Constitutionality*

415.11.01 Should any portion, provision or section of this Ordinance be held void, unconstitutional or invalid, the remaining portion of the

Ordinance shall remain in full effect.

415.12 *Conflicts*

415.12.01 It is hereby provided that the provisions of these regulations shall not be construed as being in conflict with the provisions of any of the laws or regulations of the City of Laurel, Mississippi. In any case where the provisions in these laws or regulations and provisions of the other regulations both apply, the provisions of this Ordinance shall govern for the purpose of short-term rentals of residential dwellings.

Source: Ordinance No. 1725-2022, 8-16-22; Ordinance No. 1738-2022; §415.04.05, 10-18-22; Ordinance No. 1775-2025, §415.05.04,8-19-2025

ARTICLE V. ADDITIONAL DISTRICT PROVISIONS

The purpose and intent of the additional District provisions in companion with the specific District regulations is to permit the City Council the flexibility to establish and/or superimpose over existing District regulations, special conditions to provide additional restrictions when necessary to carry out the protective intent of this Ordinance. The same conditions may apply whereby restrictions can be modified to be more flexible when specific conditions are met to provide the intended protection to citizens and property. Nothing in this Section should be interpreted or construed which would weaken or void the full intent and purpose of this Ordinance.

The additional Districts shall be:

Section 501 F-1 Flood Plain District
Section 502 PUD Planned Unit Development
Section 503 Site Plan Review
Section 504 Laurel Central Historic District
Section 505 Leontyne Price Overlay District
Section 506 Tri-Park Overlay District
Section 507 Sawmill Overlay District
Section 508 Downtown Overlay District

and each is more fully described as follows:

Source: Ordinance No. 1292-1997, §I, Art. V, 3-18-97; Ordinance No. 1451-2004, 12-21-04

SECTION 501. F-1 FLOOD PLAIN DISTRICT.

There are certain areas of Laurel, Mississippi, that are subject to periodic flooding by the Tallahala and Tallahoma Creeks and their tributaries with attendant damage to residential and other properties. In meeting requirements of the National Flood Insurance Program, the City Council has declared it to be the intent of the City to comply with land use and management criteria set forth by the National Flood Insurance Act of 1968, as amended. In the interests of public safety, health and general welfare, the City has caused to be prepared an Ordinance establishing a "*General Flood Plain District*" for the City of Laurel and regulating the use of land and structures therein. Upon approval and formal adoption by the City, provisions of the Flood Plain Regulations shall be applied to all Districts of this Zoning Ordinance located within

the limits of the superimposed F-I Flood Plain District.

There shall be no construction of any type permitted in the designated floodway except underground construction such as utilities as approved by the City.

Before any Building Permit or Certificate of Occupancy is granted, the applicant shall submit a Site Plan to the Site Plan Review Committee for review and approval.

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

501.01. Permitted Uses.

501.01.01 When the use meets all flood proofing and flood protection requirements imposed by the City, as well as the requirements of the Specific District Regulations in which it is located, the use may be permitted. An engineering report shall be required which clearly indicates that the proposed construction will have no detrimental effect on the level of water surface (less than 0.5') upstream from the proposed construction. Any floor elevation shall be a minimum of one (1.0) foot above the latest official National Flood Insurance Map for Laurel and/or Jones County.

501.01.02 The following types of uses are recommended in the F-1 Flood Plain District so long as it does not cause a nuisance to adjacent properties in a less restricted district.

(a) The growing of agricultural crops and nursery stock, and gardening.

(b) The keeping of agricultural livestock (no feed lots).

(c) Public recreation.

(d) Golf course.

(e) Fish camp.

(f) Billboards, provided such structure does not restrict or impede the flow of water in the drainage channel.

(g) Parking areas.

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

SECTION 502. PUD - PLANNED UNIT DEVELOPMENT DISTRICT.

502.01. General Description.

The purpose of this District is to provide a means for developing open space areas in larger development, to take advantage of natural features of the landscape in this design, to improve the quality of the 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 or more of the residential districts. The Planned Unit Development shall be a superimposed designation providing a broader latitude of design to achieve the above stated goals.

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

502.02. 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 City Planning Commission. Final approval shall be made by the City Council based on the recommendation of the Planning Commission.

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

502.03. 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:

502.03.01 Residential Uses: Any use permitted by right in the R-4 Multi-Family Residential District.

502.03.02 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.

502.03.03 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.

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

502.04. Regulations.

502.04.01 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.

502.04.02 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 City Council 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.

502.04.03 Development Density: Commercial uses in any Planned Unit Development District shall not constitute over twenty-five 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 forty-five 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 (¼) complete.

502.04.04 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 Association. Once established the covenants shall continue and remain in force during the entire existence of the Planned Unit Development.

502.04.05 Responsibility for Open Space. Nothing in this section of the Ordinance shall be construed as a responsibility of the City of Laurel, either for maintenance or liability of the following, which shall include but not be 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 City for public parks and recreational facilities, and the City approves the nature and location of such lands, and accepts the dedicated areas, the City shall be responsible for the operation and maintenance of these lands and properties.

502.04.06 Appearance of Public Utility Facilities: Public utility facilities and structures shall be architecturally compatible, or shall be properly screened and landscaped in keeping with the character and appearance of the neighborhood, all as approved by the City Planning Commission.

502.04.07 City Council Approval: Planned Unit Development District and establishment of zoning therefor must be approved by the City Council. 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 City Council for approval. The City Planning Commission has the authority to require reasonable plan changes for the Planned Unit Development as a prerequisite to approval.

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

SECTION 503. SITE PLAN REVIEW.

503.01. Purpose of Site Plan Review.

Site Plan Review shall be required, as stated by the provisions of this Ordinance, to ensure compliance with City Zoning and other Ordinances on large scale and other projects, to promote and encourage the commercial progress within the City of Laurel, 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 City 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. (See Section 901.02.)

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

503.02. Creation of Site Plan Review Committee.

The Mayor shall appoint a Site Plan Review Committee to be chaired by the Building Inspector and/or the Inspection Department's designee which shall consist of one (1) principal representative from each of the following City Departments:

(1) Engineering Department.
(2) Public Works Department.
(3) Fire Department.
(4) Water Department.
(5) Inspection Department.
(6) Police Department.
(7) Parks Department.
(8) ADA Coordinator.

503.02.01 Other Representation: In addition, other representation may include a representative from the Laurel Municipal School District, Jones County Health Department and from the telephone, gas, and electric utility companies.

Source: Ordinance No. 1197-1992, Art. V, 503.02.01, 11-17-92

503.02.02 The developer will be advised of the final decision of the Site Plan Review Committee and/or the Inspection Department and may appeal such decision to the City Council.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1197-1992, Art. V, 503.02.02, 11-17-92

503.03. Site Plan Review Required.

A Site Plan Review shall be required for the following:

503.03.01 Any residential development of ten (10) or more dwelling units except single-family lots which have already been approved by the Planning Commission.

503.03.02 Any residential, commercial or industrial development having structures in excess of three (3) stories.

Source: Ordinance No. 1227-1994, § I, 503.03.02,1-18-94; Ordinance No. 1430-2003, § I, 5-20-03

503.03.03 Any commercial or industrial development adjacent to property zoned R-1, R-2. R-3 and R-4.

503.03.04 Any residential, commercial or industrial development encompassing three (3) acres or more, except single-family lots which have already been approved by the Planning Commission.

Source: Ordinance No. 1227-1994, § I, 503.03.04, 1-18-94; Ordinance No. 1430-2003, § I, 5-20-03

503.03.05 Any hazardous development and/or use within the I-3 Heavy Industrial District.

503.03.06 Planned Unit Development District.

503.03.07 Any residential, commercial or industrial development located within the F-1 Flood Plain District.

Source: Ordinance No. 1227-1994, § I, 503.03.07, 1-18-94

503.03.08 Any commercial or industrial development within two hundred (200) feet of a street intersection.

Source: Ordinance No. 1227-1994, § I, 503.03.08, 1-18-94

503.03.09 Any R-3 or R-4 development located adjacent to R-1 or R-2-zoned properties when said development is not single-family or two-family housing.

503.03.10 Any change in the use of "land".

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1201-1993, § III, 503.03.09, 1-19-93

503.04. Contents.

The Site Development Plan required to be submitted under subsection 503.03 above and the requirements of these Zoning Regulations shall include the following elements:

503.04.01 Statements of ownership and control of the proposed development.

503.04.02 Statement describing in detail the character and intended use of the development.

503.04.03 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.

503.04.04 Storm drainage and sanitary sewer plans.

503.04.05 Architectural definitions for buildings in the development; location. sizes and types.

503.04.06 Plans for recreation facilities, if any, including buildings for such use.

503.04.07 Such additional data, maps, plans, or statements as may be required for the particular use or activity involved.

503.04.08 Such additional data as the applicant may believe is pertinent to the Site Development Plan.

503.04.09 Design professional certification stating that the Site Development Plan is in compliance with all applicable City Ordinances except as noted, and standard acceptable practice.

Items 503.04.03, 503.04.04, 503.04.05 and 503.04.09 above shall be prepared by a registered surveyor, engineer, or architect or practicing land planner as may be appropriate to the particular item.

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

503.05. 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:

503.05.01 Ingress and egress to the property and proposed structures 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.

503.05.02 Manner of drainage on the property, with reference to the effect of provisions for drainage on adjacent properties and the consequence of such drainage on overall City capacities.

503.05.03 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.

503.05.04 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.

503.05.05 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.

503.05.06 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.

503.05.07 Density and/or purpose of the development, with attention to its relationship to adjacent and nearby properties.

503.05.08 General site arrangement, amenities, and convenience, with particular reference to ensuring that appearance and general lay-out 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.

503.05.09 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.

503.05.10 Buffer Zones - Whenever the proposed development is to be on land zoned for commercial or industrial use and is adjacent to any property zoned residential or when the proposed development is on land zoned R-3 or R-4 and is adjacent to property zoned R-1 or R-2, unless the development is single-family residential (other than a mobile home park or subdivision), a buffer between the properties shall be provided as follows:

(1) Landscape. Plans shall be submitted to show how a buffer strip averaging twenty (20) feet in width will be landscaped and maintained. This area shall have as a minimum grass or ground cover. A greater density of landscaping may be required to reduce site, noise, and pedestrian intrusion into residential areas. Earthen berms landscaped with shrubs may be permitted to achieve this requirement.

(2) Wall or fence. A six (6) foot masonry wall or a fence of approved wood of natural decay resistance may be built in place of ten (10) feet of the twenty (20) foot buffer strip as outlined in subparagraph 10(a) above.

(3) Landscaping and wall or fence. The Site Plan Review Committee and the Inspection Department may require a masonry wall or fence and the twenty (20) foot buffer strip (as outlined in paragraph (1) above) if, in their opinion, it is necessary to protect the residential zone due to an intense use of the property by commercial or industrial occupancies or by the very nature of the proposed development.

(4) When a development is so small in scope that the buffer would present a hardship, the Site Plan Review Committee and the Inspection Department may require only a wall or fence as described in (2) above without any additional buffer, or may waive

the buffer requirement.

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

503.06. Procedure.

A Site Plan, as provided in Sections 503.04 and 503.05 above, shall be filed with the Building Inspector and/or the Inspection Department's designee whose duty it shall be to submit the Plan to the Site Plan Review Committee. Applicants shall have the right to appear before the Site Plan Review Committee.

Source: Ordinance No. 1114-1988, § I, 503.06, 3-24-88; Ordinance No. 1474-2006, 9-5-06

503.06.01 Compliance: The Site Plan Review Committee shall certify to the Building Inspector and/or the Inspection Department's designee that said Site Plan does or does not comply with all Ordinances of the City of Laurel, Mississippi. If the Site Plan does comply, the Building Inspector and/or the Inspection Department's designee shall forward the approved Site Plan to the Inspection Department and so notify the applicant in writing. If the Site Plan does not comply, the Site Plan Review Committee shall so specify in what respects it does not comply in writing to the applicant and the Building Inspector and/or the Inspection Department's designee, who shall then require correction and compliance before further processing.

Source: Ordinance No. 1114-1988, § I, 503.06.01, 3-24-88; Ordinance No. 1474-2006, 9-5-06

503.06.02 Time Period for Review: In all cases, the Site Plan Review Committee shall have up to or a maximum of fifteen (15) days from the date of filing to review and recommend either approval or disapproval of any Site Plan.

503.06.03 Action of the Committee Binding: Subject to approval by the Site Plan Review Committee and the Mayor, actions of the Site Plan Review Committee shall be binding on the Inspection Department or any other City Department as far as the Site Plan approval for obtaining Building Permits is concerned.

Source: Ordinance No. 1197-1992, Art. V, 503.06.03, 11-17-92

503.06.04 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 City's requirements during that three (3) years. If changes have been made to the City's requirements during the three (3) year period, then a new application shall be necessary. And if a zoning change was required - zoning shall revert.

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

SECTION 504. LAUREL CENTRAL HISTORIC DISTRICT

Source: See Ordinance No. 1021-1984 for creating a Historic Preservation Commission; See Ordinance No. 1038-1985; See Ordinance No. 1038-19185 establishing the boundaries of the Historic Preservation District; Ordinance No. 1292-1997, §I, 3-18-97; Ordinance No. 1474-2006, 9-5-06

SECTION 505. LEONTYNE PRICE OVERLAY DISTRICT

505.01. Purpose and Intent.

505.01.01 Findings:

The purpose of this overlay district is to encourage regional commercial development along Leontyne Price Boulevard from Interstate 59 to Mason Street. This area is intended to entice interstate travelers to exit at Leontyne Price Blvd. and enjoy the City of Laurel. Development style will feature warehouse buildings set apart from neighborhoods large setbacks from the road with parking in the front, rear or shared between adjacent uses as described in the Laurel Mississippi, 2035 Comprehensive Plan. Industrial uses and outdoor storage are contrary to the intent of this district. Buildings in this district are expected to be diverse in size, shape and orientation of property. This District replaces the former Jefferson District most of which was absorbed into the expanded r-o-w of Interstate 59.

505.01.02 Purpose and Intent:
The provisions of this part are based on the following findings:

1. This area is underdeveloped with outdated building stock and is ripe for regional commercial redevelopment.

2. Establishing the Leontyne Price Overlay gives Laurel the opportunity to establish the district as an attractive, commercial entrance corridor into the city.

505.01.03 Since the reconfiguration of the exit ramp of Interstate 59 and Beacon St, now Leontyne Price Blvd., the overlay area has the potential to grow into a significant regional commercial district. This district to be the most intense commercial district, with customers arriving from the interstate. Additionally, this district is the entrance gateway for visitors arriving into Laurel from Interstate 59, it is necessary that the area become more attractive and inviting for as they cross this district into the Sawmill Overlay District then into the Downtown Laurel Overlay District.

Source: Ordinance No. 1292-1997, §I, 3-18-97; Ordinance No. 1692-2020, 1-21-20

505.02. Uses Permitted.

505.02.01 Accessory Use

505.02.02 Merchant Department Stores

505.02.03 Specialty Apparel Stores

505.02.04 Restaurants

505.02.05 Home Furnishings

505.02.06 Lumber

505.02.07 Garden Supplies

505.02.07 Antiques/Collectables

505.02.08 Sporting Goods

505.02.09 Electronics

505.02.10 Equipment Rentals

505.02.11 Vehicles Sales and Service

505.02.12 Interstate Fuel Station

505.02.14 Hotels

505.02.15 Regional Scale Commercial

505.03 Standards Conflict

The provisions contained in this part are in addition to, and supplemental to all other provisions in Article IV. In case of conflicts between the standards of the underlying base district, other requirements of Article IV or other rules, regulations, covenants and agreements, the provisions of the Leontyne Price Overlay District shall prevail.

505.03.01 Location and Applicability

The provisions of this part, the Leontyne Price Overlay District, shall apply to all commercially zoned land, whether publicly or privately held, located within the boundaries of the overlay district.

505.04 Open Display and Storage Restricted

There shall be no outside display of products except for plant nurseries and temporary outdoor sales. All display of this nature will be within seventy-five (75) feet of the exterior wall of the building of the store sponsoring the open display, and in no case closer than forty (40) feet to any public right-of-way. Notwithstanding the foregoing, there may be two (2) outdoor sales per year not to exceed thirty (30) days each, with a minimum of thirty (30) days in between. Such outdoor sale shall be at least forty (40) feet from any public right-of-way. Additionally, permanent outside display shall be permitted provided such display is located within a permanently defined sales area attached to the side or rear of the principal building and provided such area does not exceed twenty (20) percent of the enclosed floor area of the principal building. There shall be no outside storage unless fully screened by a fence constructed of cedar, cypress or an approved equivalent and provided such storage is in the rear or side yards. The Open Display and Storage restrictions do not apply to the retail display of vehicles.

505.05 Building Code Standards

(1) All building and structures, whether intended to be temporary or permanent, shall be of a permanent nature conforming to all requirements of the construction codes adopted by the City. The use of trucks, trailers, manufactured homes, portable buildings, tents, awnings, sheds and the like for storage and/or sales is prohibited, except that tents and portable buildings may be used for two

(2) Outdoor sales per year as specified in Section 505.04 above and provided said tents and portable buildings conform to the requirements of the City's construction codes and are compatible with buildings in the area. Nothing in this section is to prohibit the storage

of products in truck trailers up to five (5) days while waiting to be unloaded into the store, provided said trailers are parked in the rear of the building where possible, otherwise, to the side of the building.

505.06. Building Design Standards.

505.06.01 Plans Submittal

Building design plans submitted for review and approval as specified below shall be sealed by an architect registered in the State of Mississippi.

505.06.02 Review and Approval

The Building Inspector and/or the Inspection Department's designee and the Site Plan Review Committee shall evaluate the design of all structures and exterior renovations in terms of the degree to which they meet the intent of this Article as specified in Section 505.01 and the degree to which they contribute to the preservation and enhancement of the character, integrity and attractiveness of the Leontyne Price Blvd. Overlay District. Said evaluation shall also take into account the degree to which the proposal would maintain a sense of human scale and architectural transition and would be appropriate to the site, taking into account the safety, convenience, and amenity of the surrounding areas.

505.06.03 Specific Standards

The review of all site and building design plans shall be based on the following standards:

A. New Structures, additions and renovations shall be designed to be compatible with existing structures in terms of architectural design exterior building materials, colors and arrangement of buildings and other features.

B. At least seventy-five percent (75%) of the non-glass wall surface facing Leontyne Price Blvd and Interstate 59, or other major arterials, shall be clad with brick, wood, stone, split face block, drivit, stucco or a complimentary siding material, except to the extent prohibited by applicable building codes. Building materials with a cost equal to or greater than the materials listed above may be substituted provided the cost is documented.

C. Exterior improvements, such as fences, utilities, outdoor furniture and displays shall be compatible with the mass and scale of such improvements elsewhere in the adjacent area.

D. All buildings shall have no more than two hundred (200) continuous feet of wall plane with the same setback fronting along a street. If the building is wider than two hundred (200) feet, then the setback of the wall planes from the street must vary by at least two (2) feet. Canopies, porches, covered walkways and similar architectural features will be approved for shopping centers in lieu of the required offset provided said features cover a minimum of thirty-five percent (35%) of the length of the shopping center.

E. The main entrances to all buildings shall face the street which fronts the lot; however, corner lots may choose either street as the one which fronts the entrance.

505.07. Zoning Standards.

505.07.01 Plans Submittal

Where Buildings exist on adjacent lots, the Site Plan Review Committee may require that a proposed building match one or the other of the adjacent setbacks and heights rather than the provisions of this code. 505.08.02 The restoration or rehabilitation of an existing building shall not require the provision of parking in addition to that which is existing. (Meaning, pre-restoration parking must equal post restoration/rehabilitation parking.)

505.07.02 Review and Approval

The Building Inspector and/or the Inspection Department's designee and the Site Plan Review Committee shall evaluate the design of all structures and exterior renovations in terms of the degree to which they meet the intent of this Article as specified in Section 505.01 and the degree to which they contribute to the preservation and enhancement of the character, integrity and attractiveness of the Jefferson Street area. Said evaluation shall also take into account the degree to which the proposal would maintain a sense of human scale and architectural transition and would be appropriate to the site, taking into account the safety, convenience, and amenity of the surrounding areas.

Source: Ordinance No. 1292-1997, §I, 3-18-97

505.07.03 Specific Standards

The review of all site and building design plans shall be based on the following standards:

A. New Structures, additions and renovations shall be designed to be compatible with existing structures in terms of architectural design exterior building materials, colors and arrangement of buildings and other features.

B. At least seventy-five percent (75%) of the non-glass wall surface facing Jefferson Street and Interstate 59, or other major arterials, shall be clad with brick, wood, stone, split face block, drivit, stucco or a complimentary siding material, except to the extent prohibited by applicable building codes. Building materials with a cost equal to or greater than the materials listed above may be substituted provided the cost is documented.

C. Exterior improvements, such as fences, utilities, outdoor furniture and displays shall be compatible with the mass and scale of such

improvements elsewhere in the adjacent area.

D. All buildings shall have no more than two hundred (200) continuous feet of wall plane with the same setback fronting along a street. If the building is wider than two hundred (200) feet, then the setback of the wall planes from the street must vary by at least two (2) feet. Canopies, porches, covered walkways and similar architectural features will be approved for shopping centers in lieu of the required offset provided said features cover a minimum of thirty-five percent (35%) of the length of the shopping center.

E. The main entrances to all buildings shall face the street which fronts the lot; however, corner lots may choose either street as the one which fronts the entrance.

Source: Ordinance No. 1292-1997, §I, 3-18-97

505.07.04 Modifications to Standards

Where necessary to accommodate individuality and creativity in site design, or where conformance with the strict requirements of this Part are not feasible on a particular property, the Building Inspector and/or the Inspection Department's designee and/or Site Plan Review Committee, whichever is responsible for approving the plan, may modify the requirements of this Part in reviewing and approving a site plan, provided that the features which the applicant proposes are equivalent in effectiveness given stated purposes of this Part.

Source: Ordinance No. 1292-1997, §I, 3-18-97; Ordinance No. 1474-2006, 9-5-06

505.08. Site Plan and Building Design Review.

505.08.01 Site Plan and Building Design Review

For all new buildings to be constructed and for all additions to existing buildings, the size of which is twenty-five percent (25%) or greater of the size of the existing building, and for all renovations, the cost of which is twenty-five percent (25%) or greater of the value of the building prior to renovation and for any change in use from residential to commercial, all parking and drives shall be bordered by standard curb and gutter. Site Plan and Building Design Review and Building Design Standards contained in Section 505.06 above shall apply and the approval shall be secured prior to any building permit being issued.

505.08.02 Curb and Gutter Required

For all new buildings to be constructed and for all additions to existing buildings, the size of which is twenty-five percent (25%) or greater of the size of the existing building, for all renovations, the cost of which is twenty-five percent (25%) or greater of the value of the building prior to renovation and for any change in use from residential to commercial, all parking and drives shall be bordered by standard curb and gutter.

Source: Ordinance No. 1292-1997, §I, 3-18-97

505.09. Sign Standards.

505.09.01 Ground Signs

Ground signs as specified in Article VI, Section 602 are permitted provided they are affixed to the ground in a permanent manner and provided there is a minimum of twenty-five (25) square feet of landscaping around the base of the sign. Ground signs exclusively serving sites of less than three (3) acres shall not exceed seventy-five (75) square feet in size nor exceed the height of adjacent building or twenty-five (25) feet, whichever is less. Setback of all ground signs in the Leontyne Price Blvd. Overlay District shall be a minimum of ten (10) feet from the property lines. Billboards are prohibited.

505.09.02 Attached Signs

The total surface area of an attached sign shall not exceed, in square feet, one times the linear feet that is the horizontal length of the wall to which the sign is attached. The surface area shall be measured as specified in Article VI, Section 602. An additional one square feet of surface shall be allowed for each foot which the building on which the sign is to be located is set back beyond the front yard requirements as specified by this Ordinance. Notwithstanding these provisions, a maximum of two (2) square feet for each linear foot that is the horizontal length of the wall on which the sign is to be attached shall be permitted. For multi-tenant buildings, the total area as specified above shall be distributed among each business therein according to the linear feet frontage occupied by each business. Internally lit box signs are discouraged.

Source: Ordinance No. 1292-1997, §I, 3-18-97

Section 505.10. Parking Lot/Access Driveways.

505.10.01 Number of Driveways

The number of driveways connecting to Jefferson Street shall be kept to a minimum. Not more than one (1) driveway shall be allowed per site, for each street on which the site has frontage. A one-way pair shall be considered one (1) driveway. On Leontyne Price Blvd., driveways shall be shared to the extent possible. Specifically, two (2) adjoining businesses shall share a common drive.

505.10.02 Distance from Intersection

Driveways shall be a minimum of fifty (50) feet from any street intersection.

505.10.03 Separation of Driveways

On sites with greater than two hundred (200) feet of frontage, a second driveway may be allowed. On sites with a greater than five hundred (500) feet of frontage, a third driveway may be allowed. On sites with greater than eight hundred (800) feet of frontage, a fourth driveway may be allowed. All such driveways shall be a minimum of two hundred (200) feet apart.

SECTION 506. TRI-PARK OVERLAY DISTRICT.

506.01 Purpose and Intent.

506.01.01 Findings: The provisions of this Part are based on the findings that the City of Laurel, through the Laurel Planning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view for conserving the value of buildings and encouraging the most appropriate use of land.

506.01.02 The purpose and intent of the Tri-Park Overlay District are defined as the following:

1. Maintain and increase the values of the properties located within said district;
2. Make the district a better, cleaner, safer, and more beautiful area in which to live;
3. Protect and promote the visual quality of the area;
4. Preserve the character and style of the overlay district neighborhood;
5. Prevent the development of property that would be out of character with the predominant style in the area and which would adversely affect the property values or hurt the potential for continued and prolonged prosperity of the area; and,
6. Promote the more efficient enforcement of city laws and/or codes pertaining to the same.

Source: Ordinance No. 1451-2004, 12-21-04

506.02 Location and Applicability.

506.02.01 Location: The following property is hereby designated as the Tri-Park Overlay District and is described in the back of this section for reference purposes (see complete Ordinance No. 1451-2004, 12-21-2004). The boundaries are known as from N. 10th Ave. to Front Street and from W. 5th St. to W. 13th St. which includes Daphne Park, Euclid Park and Gardiner Park.

506.02.02 Applicability: This district has been studied and has been reviewed by all applicable laws and/or codes and has been determined that the following outlined laws and/or codes will provide a stronger means of enforcing

property maintenance and zoning requirements and will concentrate the city's code enforcement resources in areas of greatest need.

Source: Ordinance No. Ordinance No. 1451-2004, 12-21-04

506.03 Specific Codes.

The following specific codes will provide a stronger means of enforcing property maintenance and zoning requirements and will concentrate the city's code enforcement resources in areas of greatest needs in this designated neighborhood.

506.03.01 *Abandoned and Junked Vehicles.*

A. Abandoned vehicles on public property: Any abandoned vehicle left unattended or forsaken upon any public street or other public property within the Tri-Park Overlay District for a period longer than twenty-four (24) hours constitute a public nuisance.
B. Junked vehicles on private property: A junked vehicle is a vehicle which either does not have a current license plate and does not have a current safety inspection sticker or which cannot be driven legally on the streets of Laurel. Any junked vehicle, which is visible from the street and is left upon any private property within the Tri-Park Overlay District for a period longer than ten (10) days constitutes a public nuisance.

506.03.02 *Clotheslines.*
Clotheslines, clothing, or other household fabrics may not be placed, hung, dried, or aired so that they are visible from a public street.

506.03.03 *Fences.*
Fence height is regulated depending on where the fence is located on the property. No fence shall exceed eight (8) feet in height on the side or rear of the property. No fence shall exceed four (4) feet in height on the front of the property from the building line and shall be visually opened to the structure.

506.03.04 *Portable Metal Carports and/or Sheds.*
The Tri-Park Overlay District shall not permit the placement of portable metal carports and/or sheds in the front and side yards of all Residential properties.

506.03.05 *Garage Conversions.*
The sole function of a garage is to house vehicles. Garages cannot be used as living quarters as they create a safety hazard to the occupant and the neighborhood. No garage may be converted or partitioned for providing additional habitable space unless approved by the City Inspection Department.

506.03.06 *Garbage.*
Uncollected and unwrapped garbage has visual and health impacts. To keep the Tri-Park Overlay District clean, garbage must not be allowed to accumulate in such a way as to create a fire, health, or other safety hazard. Trash shall be placed in garbage cans with tight fitting lids, plastic garbage

bags or cardboard boxes. Leaves, yard clippings, pine straw, tree branches, shrubbery, cardboard boxes and brush shall be piled neatly at the garbage collection site. Discarded furniture, appliances with doors removed, water heaters, mattresses, bed springs, and other large objects shall be kept in a place not visible from the street until arrangements have been made with the city. The garbage site shall be either in the alley or front street whichever the city determines. Property owners or occupants are responsible for maintaining the garbage collection area in a clean and neat manner. A household shall not be allowed to have more than three (3) thirty (30) gallon containers of garbage per pick up day.

506.03.07 *Home or Building Exteriors.*

The property owner and/or tenant shall be responsible for the following: repair of broken windows; repair of ripped or torn screens; repair and replacement, if necessary, of exterior doors; elimination of aluminum foil from windows; maintaining the exterior wood surfaces to prevent the peeling of paint; treatment of wood destroying insects or rodent infestation; and treatment and repair of dry rot.

506.03.08 *Interior Furniture Located Outside.*

No one can keep any upholstered furniture not manufactured for outdoor use, including stuffed chairs, stuffed couches, mattresses and recliners in any front yard, side yard, rear yard, or any other area visible from the street.

506.03.09 Landscape.

The homeowner shall be responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from overgrown vegetation, refuse or debris. Minimum landscape standards are as follows:

a. Overgrown vegetation is characterized as thick weeds and grasses and shall not exceed six (6) inches in height. Overgrown trees, vines, shrubs may also be classified as overgrown vegetation. Overgrown vegetation is unsightly and can be a health hazard since rodents, snakes, and other pests are attracted to these areas. In the event that trees, shrubs, or other landscaped materials should die, such materials shall be removed and/or replaced within thirty (30) days.
b. Fifty (50) percent of the front yard must be landscaped with grass. Fifteen (15) percent of the front yard may then consist of shrubs, flowers, and bedding plants that may also include decorative landscaping materials. A maximum of thirty-five (35) percent of the front yard may be used for parking.
c. All landscaping must be maintained with regard to the mowing of grass, raking of leaves, and maintenance of landscape beds in the property.
d. All landscaping must be maintained to insure its continued growth.
e. Owners or occupants of lots in the City within this district abutting on any sidewalk shall not permit weeds, grass or any kind of vegetative growth to grow over and cover the sidewalk, whether paved or unpaved, on which lots may abut, whether lots or property are occupied or not, and it shall be the duty of every owner of property and occupants thereof to keep all sidewalks on which their property

abuts free from weeds, grass or vegetative growth.

f. All residential properties shall be brought into compliance with the terms of this part (Section 3, Paragraph 3) within six (6) months.

506.03.10 *Littering.*

No person shall litter in the Tri-Park Overlay District. Property owners and/or occupants shall have the responsibility to pick-up litter on their property. Property owners and/or occupants shall have the responsibility to pick-up litter in the streets of their properties.

506.03.11 *Noise.*

This section is intended to allow residents the quiet enjoyment of their homes. No person shall recklessly engage in or be responsible for loud or unruly conduct, which disrupts another person in his or her home.

a. Loud Music: Music shall not be played loud enough to heard more than fifty (50) feet away.
b. Loud Cars: Car radios and/or stereos shall not be played loud enough to heard more than fifty (50) feet away.
c. Barking Dogs: Barking dogs shall not be allowed to disturb the neighbors by incessant barking.
d. Yelling and Shouting: Yelling, shouting, hooting, whistling, singing, or blowing horns on the public streets or at any time or place is not allowed.

506.03.12 *Parking.*

Motor vehicles must be parked on an all-weathered surface such as black top, brick, concrete, or gravel. Only runners made of an all-weathered surface shall be used for driveways and parking spaces located in the front yard. No vehicle shall be parked on the lawn, the yard, or the sidewalk. No motor home, trailer, water-craft, mobile home or aircraft, operable or inoperable, may be parked on front yard, side yard, or on the treet for longer than three (3) days.

The Tri-Park Overlay District shall now prohibit the parking of advertised, commercial vehicles parked on city streets in the described boundaries during the weekday hours from 5 o'clock p.m. to 5 o'clock a.m. and on the weekends. This includes logging trucks, agricultural product trucks, and any other obviously commercial vehicle whether or not a company name appears on the vehicle. These types of commercial vehicles shall be parked in commercial zones or parked in residential driveways, carports or garages. No vehicle shall be parked on the lawn, the yard, or the sidewalk. Parking of emergency or "on-call" vehicles on the city streets may be considered and allowed on a case to case basis provided there is no possible way the vehicle can be parked off-street, but this allowance is not taken to allow such parking when the vehicle is not "on-call" nor does it allow parking that causes a traffic obstruction.

Source: Ordinance No. 1550-2009, Sec. 506.03.12, 12-08-09

506.03.13 Animal Control.

Dogs must be leashed at all times while outside a secured area. No dog may be permitted to run at large. Dog owners are responsible for picking

up their own pet's feces and disposing of them properly in a trash receptacle. Any and all damages caused by a pet are the responsibility of the pet owner. Incessant barking or other excessive or persistent noise is not permitted. Dogs must not be left outside unattended except within the confines of a proper fence or an invisible fence that has been installed. No chained dogs shall be permitted. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any of said property, except that dogs, cats, or other household pets may be kept provided they are not kept, bred or maintained for any commercial purposes. These requirements shall be brought into compliance within six (6) months.

506.03.14 *Residential Occupancy.*

Each home shall have at least one hundred fifty (150) square feet of floor space for the first occupant and at least a hundred (100) square feet of floor space for each additional occupant. Every room occupied for sleeping purposes shall have at least seventy (70) square feet for one occupant and every room occupied for sleeping purposes by more than one occupant must have at least fifty (50) square feet of floor space for each occupant. No basement or cellar space shall be used as livable space unless it meets certain city building requirements.

506.03.15 *Garage Sales.*

No one shall hold more than two (2) garage sales a year. A garage or home sale cannot last more than four (4) days. A garage sale must be conducted in a home, garage, yard, accessory building, or driveway.

506.04 Enforcement Provisions.

The enforcement provisions for these specific codes will be addressed and determined in accordance to Ordinance No. 1287-1997m with all applicable existing amendments, known as an Environmental Court Ordinance, which will allow certain ordinances and sections of the Laurel Code of Ordinances for the City of Laurel to be enforced by said municipal court after issuance of a municipal offense ticket.

Source: Ordinance No. 1451-2004, 12-21-04

507 SAWMILL OVERLAY DISTRICT

507.01 General Description.

The purpose of this overlay district is to protect the viability of the existing Sawmill Mall and complement Laurel's Downtown specialty retail offerings. It is a transition district between the interstate retail development of the Leontyne Price District to the Southwest and Laurel's Workplace, dining and specialty retail found Downtown. Expected Uses for this planning area are similar to Downtown Laurel with lot lines being broadened to allow wide sidewalks in front of buildings that can be used for outdoor eating and amenities. This area is centered on the Sawmill Square Mall and transitions to 16th Avenue on the West side, Downtown to the North, and towards Interstate 59 to the East via Central Avenue and Leontyne Price Blvd. to the South. Building front setback lines in new development or redevelopment should not exceed 20 feet, bringing buildings closer to the road with limited or no parking in the front. Out

parcel development at the Sawmill Square Mall is encouraged to face either Sawmill Rd., Leontyne Price Blvd or Mason St. This will make this district appear more vibrant by filling in gaps in the built environment and more attractive to tourists entering Laurel from the Interstate via Leontyne Price Blvd. Buildings in this district are expected to be less diverse in size, shape and orientation from the Leontyne Price Overlay District but more diverse but complementary to the existing built environment in Downtown Laurel.

507.02 Purpose and Intent

507.02.01 Findings:

A. The provisions of this part are based on the following findings:

1. This area is underdeveloped with outdated building stock and is ripe for Neighborhood Center commercial redevelopment.

2. Establishing the Sawmill Overlay District gives Laurel the opportunity to reestablish the district as a historic, revitalized, retail hub for Jones County and the region.

B. Since the reconfiguration of the exit ramp of Interstate 59 and Beacon St, now Leontyne Price Blvd., the Sawmill Overlay District has the chance to continue the commercial corridor beginning at Leontyne Price Blvd. at I-59 and direct visitors to Sawmill Square Mall and Downtown.

507.03 Uses Permitted.

507.03.01 Accessory Use

507.03.02 Merchant Department Stores

507.03.03 Specialty Apparel Stores

507.03.04 Restaurants

507.03.05 Home Furnishings

507.03.06 Banking

507.03.07 Groceries

507.03.07 Office

507.03.08 Sporting Goods

507.03.09 Electronics

507.03.10 Pharmacy

507.03.11 Fitness Centers

507.03.12 Office Supplies

507.03.14 Pet Stores

507.03.15 Neighborhood Scale Commercial

507.04 Standards Conflict

The provisions contained in this part are in addition to, and supplemental to all other provisions in Article IV. In case of conflicts between the standards of the underlying base district, other requirements of Article IV or other rules, regulations, covenants and agreements, the provisions of the Sawmill Overlay District shall prevail except parcels and buildings listed in the Historic District. In that case, Historic District relegations prevail.

507.04.01 Location and Applicability

The provisions of this part, the Sawmill Overlay District, shall apply to all commercially zoned land, whether publicly or privately held, located within the boundaries of the overlay district.

507.05 Open Display and Storage

There shall be no outside display of products except for plant nurseries and temporary outdoor sales. All display of this nature will be within seventy-five (75) feet of the exterior wall of the building of the store sponsoring the open display, and in no case closer than forty (40) feet to any public right-of-way. Notwithstanding the foregoing, there may be two (2) outdoor sales per year not to exceed thirty (30) days each, with a minimum of thirty (30) days in between. Such outdoor sale shall be at least forty (40) feet from any public right-of-way. Additionally, permanent outside display shall be permitted provided such display is located within a permanently defined sales area attached to the side or rear of the principal building and provided such area does not exceed twenty (20) percent of the enclosed floor area of the principal building. There shall be no outside storage unless fully screened by a fence constructed of cedar, cypress or an approved equivalent and provided such storage is in the rear or side yards.

507.06 Building Code Standards

All building and structures, whether intended to be temporary or permanent, shall be of a permanent nature conforming to all requirements of the construction codes adopted by the City. The use of trucks, trailers, manufactured homes, portable buildings, tents, awnings, sheds and the like for storage and/or sales is prohibited, except that tents and portable buildings may be used for two (2) outdoor sales per year as specified in Section 507.05 above and provided said tents and portable buildings conform to the requirements of the City's construction codes and are compatible with buildings in the area. Nothing in this section is to prohibit the storage of products in truck trailers up to five (5) days while waiting to be unloaded into the store, provided said trailers are parked in the rear of the building where possible, otherwise, to the side of the building.

507.07 Building Design Standards

507.07.01 Plans Submittal

Building design plans submitted for review and approval as specified below shall be sealed by an architect registered in the State of Mississippi.

507.07.02 Review and Approval

The Building Inspector and/or the Inspection Department's designee and the Site Plan Review Committee shall evaluate the design of all structures and exterior renovations in terms of the degree to which they meet the intent of this Article as specified in Section 507.01 and the degree to which they contribute to the preservation and enhancement of the character, integrity and attractiveness of the

Sawmill area. Said evaluation shall also take into account the degree to which the proposal would maintain a sense of human scale and architectural transition and would be appropriate to the site, taking into account the safety, convenience, and amenity of the surrounding areas.

507.07.03 Specific Standards

The review of all site and building design plans shall be based on the following standards:

A. New Structures, additions and renovations shall be designed to be compatible with existing structures in terms of architectural design exterior building materials, colors and arrangement of buildings and other features.

B. At least seventy-five percent (75%) of the non-glass wall surface facing streets in the Sawmill Overlay District, shall be clad with brick, wood, stone, split face block, drivit, stucco or a complimentary siding material, except to the extent prohibited by applicable building codes. Building materials with a cost equal to or greater than the materials listed above may be substituted provided the cost is documented.

C. The Facades on Retail Frontages shall be detailed as storefronts and glazed with clear glass no less than 70% of the sidewalk-level story.

D. Flat roofs shall be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment to the satisfaction of the Site Plan Review Committee.

E. Exterior improvements, such as fences, utilities, outdoor furniture and displays shall be compatible with the mass and scale of such improvements elsewhere in the adjacent area.

F. All buildings shall have no more than two hundred (200) continuous feet of wall plane with the same setback fronting along a street. If the building is wider than two hundred (200) feet, then the setback of the wall planes from the street must vary by at least two (2) feet. Canopies, porches, covered walkways and similar architectural features will be approved for shopping centers in lieu of the required offset provided said features cover a minimum of thirty-five percent (35%) of the length of the shopping center.

G. The main entrances to all buildings shall face the street which fronts the lot; however, corner lots may choose either street as the one which fronts the entrance.

507.07.04 Modifications to Standards

Where necessary to accommodate individuality and creativity in site design, or where conformance with the strict requirements of this Part are not feasible on a particular property, the Building Inspector and/or the Inspection Department’s designee and/or Site Plan Review Committee, whichever is responsible for approving the plan, may modify the requirements of this Part in reviewing and approving a site plan, provided that the features which the applicant proposes are equivalent in effectiveness given stated purposes of this Part.

507.08 Zoning Standards

507.08.01	Lot width	18ft min
	Lot Coverage	70% maximum
	Building Disposition	Edge Yard, Side Yard and Rear Yard are allowed
	Setbacks	Front Yard, 0ft min- 20ft max
		Side yard, 0ft min-8ft max (except for side yard parking lots). Note: Building side yard and rear yard setbacks must meet building codes and fire codes for fire separation standards from both property lines and adjoining structures.
		Rear yard, 3ft min-30ft max (except for rear yard parking lots).

507.08.02

Where Buildings exist on adjacent lots, the Site Plan Review Committee may require that a proposed building match one or the other of the adjacent setbacks and heights rather than the provisions of this code.

507.09.03 The restoration or rehabilitation of an existing building shall not require the provision of parking in addition to that which is existing. (Meaning, pre-restoration parking must equal post restoration/rehabilitation parking.)

507.10 Site Plan and Building Design Review

507.10.01 Site Plan and Building Design Review

For all new buildings to be constructed and for all additions to existing buildings, the size of which is twenty-five percent (25%) or greater of the size of the existing building, and for all renovations, the cost of which is twenty-five percent (25%) or greater of the value of the building prior to renovation. Site Plan and Building Design Review and Building Design Standards contained in Section 507.07 above shall apply and the approval shall be secured prior to any building permit being issued.

507.10.02 Curb and Gutter Required

For all new buildings to be constructed and for all additions to existing buildings, the size of which is twenty-five percent (25%) or greater of the size of the existing building, for all renovations, the cost of which is twenty-five percent (25%) or greater of the value of the building prior to renovation and for any change in use from residential to commercial, all parking and drives shall be bordered by standard curb and gutter.

507.11 Sign Standards

507.11.01 Ground Signs

Ground signs as specified in Article VI, Section 602 are permitted provided they are affixed to the ground in a permanent manner and provided there

is a minimum of twenty-five (25) square feet of landscaping around the base of the sign. Ground signs exclusively serving sites of less than three (3) acres shall not exceed seventy-five (75) square feet in size nor exceed the height of adjacent building or twenty-five (25) feet, whichever is less. Setback of all ground signs in the Sawmill Overlay District shall be a minimum of ten (10) feet from the property lines. Billboards are prohibited.

507.11.02 Attached Signs

The total surface area of an attached sign shall not exceed, in square feet, one times the linear feet that is the horizontal length of the wall to which the sign is attached. The surface area shall be measured as specified in Article VI, Section 602. An additional one square feet of surface shall be allowed for each foot which the building on which the sign is to be located is set back beyond the front yard requirements as specified by this Ordinance. Notwithstanding these provisions, a maximum of two (2) square feet for each linear foot that is the horizontal length of the wall on which the sign is to be attached shall be permitted. For multi-tenant buildings, the total area as specified above shall be distributed among each business therein according to the linear feet frontage occupied by each business. Internally lit box signs are discouraged.

507.12 Parking Lot/Access Driveways

507.12.01 Number of Driveways

The number of driveways connecting to streets in Sawmill Overlay District shall be kept to a minimum. Not more than one (1) driveway shall be allowed per site, for each street on which the site has frontage. A one-way pair shall be considered one (1) driveway. On Street within the Sawmill District, driveways shall be shared to the extent possible. Specifically, two (2) adjoining businesses shall share a common drive.

507.12.02 Distance from Intersection

Driveways shall be a minimum of fifty (50) feet from any street intersection.

507.12.03 Separation of Driveways

Sites with greater than two hundred (200) feet of frontage, a second driveway may be allowed. On sites with a greater than five hundred (500) feet of frontage, a third driveway may be allowed. On sites with greater than eight hundred (800) feet of frontage, a fourth driveway may be allowed. All such driveways shall be a minimum of two hundred (200) feet apart.

508 DOWNTOWN OVERLAY DISTRICT

508.01 General Description**.**

This planning area represents the historical and cultural core of the City of Laurel. It is bound by Central Avenue, Carroll Gartin Boulevard, Choctaw Street, 5th Avenue, 7th Street, Spec Wilson and runs on either side of Maple Street by the Depot. Development should be compact and pedestrian oriented. Infill development should be medium to high density mixed use, entertainment, Civic and cultural buildings. Attached buildings are the desired building form which creates a continuous street wall. Building types include Stoops, Shopfronts, Galleries and Arcades.

508.02 Purpose and Intent

508.02.01 Findings:

The provisions of this part are based on the following findings:

1. This area is recognized as a successful and attractive Main Street style downtown that needs tighter development regulations to help preserve the character of the district which makes it distinctive and desirable.

2. Establishing the Downtown Overlay District gives Laurel the opportunity to reestablish the district as the historic and cultural core of the City of Laurel and County Seat for Jones County.

508.03 Uses Permitted**.**

508.03.01 Accessory Use

508.03.02 Service (e.g., spa, salon, etc.)

508.03.03 Specialty Apparel Stores

508.03.04 Restaurants

508.03.05 Home Furnishings

508.03.06 Banking

508.03.07 Government Offices

508.03.07 Office

508.03.08 Art/Culture

508.03.09 Mixed Use Retail

508.03.10 Pharmacy

508.03.11 Recording Studio

508.04 Standards Conflict

The provisions contained in this part are in addition to, and supplemental to all other provisions in Article IV. In case of conflicts between the standards of the underlying base district, other requirements of Article IV or other rules, regulations, covenants and agreements, the provisions of the Downtown Overlay District shall prevail except parcels and buildings listed in the Historic District. In that case, Historic District relegations prevail.

508.04.01 Location and Applicability

The provisions of this part, the Downtown Overlay District, shall apply to all commercially zoned land, whether publicly or privately held, located within the boundaries of the overlay district.

508.05 Open Display and Storage

There shall be no outside display of products except for plant nurseries and temporary outdoor sales. All display of this nature will be within seventy-five

(75) feet of the exterior wall of the building of the store sponsoring the open display, and in no case closer than forty (40) feet to any public right-of-way. Notwithstanding the foregoing, there may be two (2) outdoor sales per year not to exceed thirty (30) days each, with a minimum of thirty (30) days in between. Such outdoor sale shall be at least forty (40) feet from any public right-of-way. Additionally, permanent outside display shall be permitted provided such display is located within a permanently defined sales area attached to the side or rear of the principal building and provided such area does not exceed twenty (20) percent of the enclosed floor area of the principal building. There shall be no outside storage unless fully screened by a fence constructed of cedar, cypress or an approved equivalent and provided such storage is in the rear or side yards.

508.06 Building Code Standards

All building and structures, whether intended to be temporary or permanent, shall be of a permanent nature conforming to all requirements of the construction codes adopted by the City. The use of trucks, trailers, manufactured homes, portable buildings, tents, awnings, sheds and the like for storage and/or sales is prohibited, except that tents and portable buildings may be used for two (2) outdoor sales per year as specified in Section 509.05 above and provided said tents and portable buildings conform to the requirements of the City's construction codes and are compatible with buildings in the area. Nothing in this section is to prohibit the storage of products in truck trailers up to five (5) days while waiting to be unloaded into the store, provided said trailers are parked in the rear of the building where possible, otherwise, to the side of the building.

508.07 Building Design Standards

508.07.01 Plans Submittal

Building design plans submitted for review and approval as specified below shall be sealed by an architect registered in the State of Mississippi.

508.07.02 Review and Approval

The Building Inspector and/or the Inspection Department's designee and the Site Plan Review Committee shall evaluate the design of all structures and exterior renovations in terms of the degree to which they meet the intent of this Article as specified in Section 508.01 and the degree to which they contribute to the preservation and enhancement of the character, integrity and attractiveness of the Downtown Overlay District. Said evaluation shall also take into account the degree to which the proposal would maintain a sense of human scale and architectural transition and would be appropriate to the site, taking into account the safety, convenience, and amenity of the surrounding areas.

508.07.03 Specific Standards

The review of all site and building design plans shall be based on the following standards:

A. New Structures, additions and renovations shall be designed to be compatible with existing structures in terms of architectural design exterior building materials, colors and arrangement of buildings and other features.

B. At least seventy-five percent (75%) of the non-glass wall surface facing Jefferson Street and Interstate 59, or other major arterials, shall be clad with brick, wood, stone, split face block, drivit, stucco or a complimentary siding material, except to the extent prohibited by applicable building codes. Building materials with a cost equal to or greater than the materials listed above may be substituted provided the cost is documented.

C. The Facades on Retail Frontages shall be detailed as storefronts and glazed with clear glass no less than 70% of the sidewalk-level story.

D. Flat roofs shall be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment to the satisfaction of the Site Plan Review Committee.

E. Exterior improvements, such as fences, utilities, outdoor furniture and displays shall be compatible with the mass and scale of such improvements elsewhere in the adjacent area.

F. All buildings shall have no more than two hundred (200) continuous feet of wall plane with the same setback fronting along a street. If the building is wider than two hundred (200) feet, then the setback of the wall planes from the street must vary by at least two (2) feet. Canopies, porches, covered walkways and similar architectural features will be approved for shopping centers in lieu of the required offset provided said features cover a minimum of thirty-five percent (35%) of the length of the shopping center.

G. The main entrances to all buildings shall face the street which fronts the lot; however, corner lots may choose either street as the one which fronts the entrance.

508.07.04 Modifications to Standards

Where necessary to accommodate individuality and creativity in site design, or where conformance with the strict requirements of this Part are not feasible on a particular property, the Building Inspector and/or the Inspection Department's designee and/or Site Plan Review Committee, whichever is responsible for approving the plan, may modify the requirements of this Part in reviewing and approving a site plan, provided that the features which the applicant proposes are equivalent in effectiveness given stated purposes of this Part.

508.07.05 The Facades on Retail Frontages shall be detailed as storefronts and glazed with clear glass no less than 70% of the sidewalk-level story.

508.07.06 Flat roofs shall be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment to the satisfaction of the Site Plan Review Committee.

508.07.07 Private frontage types shall be one of the following, Stoops, Shopfronts, Galleries and Arcades (see illustrations).

508.07.08 Awnings, Galleries, Arcades, Balconies may cover sidewalks except where a city light pole is installed, in that case, the sidewalk covering must maintain a one foot clearance.

508.07.09 The exterior finish material on all facades shall be limited to brick, wood siding, cementitious siding and/or stucco.

508.07.10 Doors and windows that operate as sliders are prohibited along frontages.

508.08 Zoning Standards

508.08.01

Lot width	18ft min
Lot Coverage	80% maximum
Building Disposition	Side Yard and Rear Yard are allowed
Setbacks	Front Yard, 0ft min- 20ft max
	Side yard, 0ft min-8ft max (except for side yard parking lots). Note: Building side yard and rear yard setbacks must meet building codes and fire codes for fire separation standards from both property lines and adjoining structures.
	Rear yard, 3ft min-30ft max (except for rear yard parking lots).

508.08.02 Where Buildings exist on adjacent lots, the Site Plan Review Committee may require that a proposed building match one or the other of the adjacent setbacks and heights rather than the provisions of this code.

508.08.03 The restoration or rehabilitation of an existing building shall not require the provision of parking in addition to that which is existing. (Meaning, pre-restoration parking must equal post restoration/rehabilitation parking.)

508.09 Site Plan and Building Design Review

508.09.01 Site Plan and Building Design Review

For all new buildings to be constructed and for all additions to existing buildings, the size of which is twenty-five percent (25%) or greater of the size of the existing building, and for all renovations, the cost of which is twenty-five percent (25%) or greater of the value of the building prior to renovation. Site Plan and Building Design Review and Building Design Standards contained in Section 508.07 above shall apply and the approval shall be secured prior to any building permit being issued.

508.09.02 Curb and Gutter Required

For all new buildings to be constructed and for all additions to existing buildings, the size of which is twenty-five percent (25%) or greater of the size of the existing building, for all renovations, the cost of which is twenty-five percent (25%) or greater of the value of the building prior to renovation and for any

change in use from residential to commercial, all parking and drives shall be bordered by standard curb and gutter.

508.10. Sign Standards

508.10.01 Ground Signs

Ground signs as specified in Article VI, Section 602 are permitted provided they are affixed to the ground in a permanent manner and provided there is a minimum of twenty-five (25) square feet of landscaping around the base of the sign. Ground signs exclusively serving sites of less than three (3) acres shall not exceed seventy-five (75) square feet in size nor exceed the height of adjacent building or twenty-five (25) feet, whichever is less. Setback of all ground signs in the Downtown Overlay District shall be a minimum of ten (10) feet from the property lines. Billboards are prohibited.

508.10.02 Attached Signs

The total surface area of an attached sign shall not exceed, in square feet, one times the linear feet that is the horizontal length of the wall to which the sign is attached. The surface area shall be measured as specified in Article VI, Section 602. An additional one square feet of surface shall be allowed for each foot which the building on which the sign is to be located is set back beyond the front yard requirements as specified by this Ordinance. Notwithstanding these provisions, a maximum of two (2) square feet for each linear foot that is the horizontal length of the wall on which the sign is to be attached shall be permitted. For multi-tenant buildings, the total area as specified above shall be distributed among each business therein according to the linear feet frontage occupied by each business. Internally lit box signs are discouraged.

508.10.03 One address number no more than 6 inches measured vertically shall be attached to the building in proximity to the principal entrance or at the mailbox.

508.10.04 Projected signs, not to exceed 6 square feet for each separate business entrance, may be attached perpendicular to the façade.

508.10.05 A single external sign band may be applied to the façade of each building, provided that such sign does not exceed 3 feet in height by any length.

508.10.06 Signage may be externally lit, except that signage within shop front glazing may be neon lit.

508.11 Parking Lot/Access Driveways

508.11.01 Number of Driveways

The number of driveways connecting to streets in Downtown Overlay District shall be kept to a minimum. Not more than one (1) driveway shall be allowed per site, for each street on which the site has frontage. A one-way pair shall be considered one (1) driveway. On streets within Downtown Overlay

District, driveways shall be shared to the extent possible. Specifically, two (2) adjoining businesses shall share a common drive.

508.11.02 Distance from Intersection

Driveways shall be a minimum of fifty (50) feet from any street intersection.

508.11.03 Separation of Driveways

On sites with greater than two hundred (200) feet of frontage, a second driveway may be allowed. On sites with a greater than five hundred (500) feet of frontage, a third driveway may be allowed. On sites with greater than eight hundred (800) feet of frontage, a fourth driveway may be allowed. All such driveways shall be a minimum of two hundred (200) feet apart.

The following definitions are to be added to Appendix B Definitions and Words

Definitions:

Arcade: A Private Frontage conventional for Retail use wherein the Façade is a colonnade supporting habitable space that overlaps the Sidewalk, while the Façade at the Sidewalk level remains at the frontage line.

Block Face: the aggregate of all the building facades on one side of a block. The Block Face provides the context for establishing architectural harmony.

Edgeyard Building: a building that occupies the center of its lot with setbacks on all sides.

Gallery: A Private Frontage conventional for Retail use wherein the Façade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the sidewalk.

Neighborhood Scale Commercial: A retail, mixed use and or office building with no more than 12,000 gross square feet serving a single tenant or as part as a multi-tenant commercial center with no more than 30,000 square feet with no single building being more than 12,000 square feet and individual uses are in harmony with the other permitted uses in this district.

Rearyard Building: a building that occupies the full frontage line, leaving the rear of the lot as the sole yard. This is a more urban type, as the continuous façade spatially defines the public thoroughfare. For its residential function this type yields a row house. For its commercial function, the rear yard can accommodate substantial parking.

Regional Scale Commercial: A retail, Mixed use and or office building serving a single tenant or as part of a multi-tenant commercial center that is intended to serve a regional customer base and the individual uses are in harmony with the other permitted uses in this district.

Sideyard Building: a building that occupies one side of the lot with a setback on the other side.

Streetscape: the urban element that establishes the major part of the public realm, The streetscape is comprised of thoroughfares (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards fences, awnings, etc.) and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.) Shopfront: A Private Frontage conventional for Retail use, with substantial glazing and an awning, wherein the Façade is aligned close to the Frontage Line with the building entrance at the Sidewalk grade.

509 DOWNTOWN SOCIAL DISTRICT

SECTION 1. Creation and designation of Leisure and Recreation District.

(a) In response to a request by the Laurel Main Street Association, the City requested inclusion in the legislation enacted by the State that allowed certain cities to have a Leisure and Recreation District. The State subsequently added the City of Laurel to that legislation, whereupon the Laurel Main Street Association requested that the City adopt a Leisure and Recreation District for the Downtown area.

(b) Pursuant to the authority granted in Section 1 of Senate Bill 2612, 2017 Regular Session of the Mississippi Legislature, there is hereby created a "Leisure and Recreation District (District)", within the corporate limits of the City of Laurel.

(c) The previously mentioned District shall be known as the "Downtown Social District" and shall be further defined by a line running as follows:

> Beginning at the intersection of 5th Street and 6th Avenue and running Easterly along 5th Street/Sawmill Road to the Intersection of Spec Wilson Boulevard, thence running Southwesterly along Spec Wilson Boulevard to the intersection of Carroll Gartin Boulevard, thence running Northwesterly along Carroll Gartin Boulevard to the 400 Block of Short 7th Avenue, then running Northerly along the 400 Block of Short 7th Avenue to the intersection of Sawmill Road, then running Easterly along Sawmill Road to the intersection of 6th Avenue, thence running Northerly along 6th Avenue to the Point of Beginning.

(d) The newly created District is geographically represented by the map, a copy of which is attached hereto as Exhibit A

(e) Any on premises retail alcoholic beverage permittee (hereinafter "permittee") located within the above described District shall comply with all laws, rules and regulations, which govern its license type, except that a patron, guest or member of the licensee may remove an open container of alcoholic beverage and wine from the licensed premises and may possess and consume the alcoholic beverage and wine outside of a licensed premises anywhere within the boundaries of the District subject to the following regulations"

(1) A person may not enter a licensed premises with an alcoholic beverage, whether acquired at that licensed premises, or elsewhere.

(2) A permittee located in the District shall allow alcoholic beverages to be removed from the licensed premises only in a paper or plastic cup, not larger than 16 fluid ounces in size, and no such alcoholic shall be removed from the licensed premises in a can, bottle, glass container or other container, except as otherwise allowed by law.

(3) No permittee shall allow a patron, guest or member to exit its licensed premises with more than one open container of alcoholic beverages, and it shall be unlawful for any person to exit such licensed premises with more than one open container of alcoholic beverages.

(4) Permittees located in the District shall post, at all points of egress from the licensed Premises, a map of the boundaries of the District in which it is located. This map shall be provided, either in electronic or paper form, to the permittees by the City upon request of the permittees. The map is available upon request.

(5) Nothing in this ordinance shall be construed to require a permittee located in the District to allow its patrons to remove alcoholic beverages or wine, in open containers, from the licensed premises.
(6) Enforcement of the boundaries of the District shall be the responsibility of the Laurel Police Department. In addition, the Police and Fire Departments shall provide public safety services within the District in the same manner as provided in the remainder of the City
(7) For purposes of this ordinance, the term "alcoholic beverages" shall mean any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine and beer, as defined in Section 67-3-3, of the Mississippi Code of 1972 and shall also include native wines.
(8) All ordinances or any parts thereof in conflict with this ordinance are hereby declared to be inapplicable within the geographic boundaries of the District.

Source: Ordinance No. 1660-2017, 6-20-17;

ARTICLE VI. SPECIAL REGULATIONS

SECTION 601. OFF-STREET AUTOMOBILE AND VEHICLE PARKING AND LOADING.

601.01. 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 except the C-4 Central Business District.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1292-1997, §I, Art. VI, 3-18-97

601.02. Size of Automobile Parking and Storage Space.

For the purpose of this Section a parking or automobile storage space shall be computed on the basis of one hundred eighty (180) square feet per space plus area required for access lanes and driveways. Such required parking or storage spaces shall mean off the right-of-way of a street or place, however may occupy portions of required open space or yard requirements when such is approved by the Planning Commission.

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

601.03. All-Weather Surface Required.

Parking facilities for residential, commercial and industrial uses shall have an all-weather surface, be properly drained to prevent ponding and shall be maintained free of trash and rubbish.

Any parking area containing over ten (10) vehicles shall provide storm water run-off data

to the Planning Commission for its consideration and approval of the Engineering Department.

Parking facilities for all commercial uses shall be asphalted or concreted. No gravel surfaces shall be permitted.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1410-2002, Sec. I, 7-16-02; Ordinance No. 1431-2003, § I, 8-5-03

601.04. 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. Where space is not available on the lot, space shall be provided within three hundred (300) feet of such uses and such space shall have vehicular access to a street or alley and shall be equal in area to at least the minimum requirements for the specific use or uses as set forth herein:

USE	REQUIRED PARKING SPACE
Single-family dwellings:	2 parking spaces for each dwelling unit
Multi-family dwellings:	2 parking spaces for each dwelling unit
Mobile homes:	2 parking spaces for each dwelling unit
Hotels, motels, tourist homes, tourist courts, and rooming houses:	1 parking space for each guest or sleeping room or suite, plus 1 parking space for each 3 employees on the largest shift.
Private clubs, lodges, fraternities and sororities:	1 parking space for each 50 square feet of total floor area in the auditorium, assembly hall, dining room in such building and 1 space per sleeping room.
Theaters, auditoriums, stadiums, gymnasiums, convention halls and and other places of public assembly:	1 parking space for each 4 seats in the building or structure, based on maximum seating capacity.
Day Care Centers (Children):	1 parking space for each four (4) children receiving care at the center based on the maximum number of children approved on the license granted by the Health Department.

Source: Ordinance No. 1240-1994, § I, 601.04, 7-5-94

Elementary Schools:	1½ parking spaces for each classroom.
Junior High Schools:	5 parking spaces for each classroom.
Secondary Schools:	10 parking spaces for each classroom.

Business colleges and Trade schools:	1 parking space for each 2 student seats at maximum enrollment.
Hospitals:	1 parking space for each 2 beds intended for patients, excluding bassinets, and 1 space for each 3 employees plus 1 space for each staff doctor.
Sanatoriums, nursing homes, convalescent homes, orphanages:	1 parking space for each 8 beds plus 1 space for each 2 employees or staff members.
Dental Clinic:	2 parking spaces for each examining room, plus 1 space for each 3 employees and 1 space for each doctor.
Medical Clinic:	1 parking space for each 100 square feet of gross floor area plus 1 space for each 3 employees and 1 space for each doctor.
Funeral Homes:	1 parking space for each 3 seats in parlors and chapels.
Business and Commercial Uses:	
Type A: 1. Retail sales/ Department stores	1 parking space for each 200 s.f. of retail floor space food stores, plus 1 parking space for each 3 employees on largest shift.
2. Personal Services establishments barber and, beauty shops dry cleaning, shoe repair.	1 parking space for each 100 s.f. of retail floor space plus 1 parking space for each 3 employees on the largest shift

Source: Ordinance No. 1201-1993, § IV, 601.04, 1-19-92

Type B: Office and professional buildings excluding medical/dental clinics or offices.	1 parking space for each 200 s.f. of office space,
Entertainment including skating rinks, dance halls, exhibit halls without permanent seating arrangements.	1 parking space for each 200 s.f. of gross floor space.
Type C: Financial - institutions:	1 parking space for each 300 s.f. of gross floor area.
Type D: Furniture &	1 parking space for each 500 s.f. of gross sales or shop area.

appliance stores, antique shops, repair shops, kennels and animal hospitals:	
Drive-In retail business convenience type grocery:	Minimum of 5 parking spaces, plus 1 space for each 300 s.f. of retail floor area.
Wholesale, general business and warehouses:	1 parking space for each 2 employees based on maximum employment and 1 space for each vehicle to be stored or stopped simultaneously
Industrial and Manufacturing establishments:	1 parking space for each 400 s.f. of gross floor area or per 4 employees, on largest shift, whichever is least, plus 1 space for each vehicle to be stored or stopped simultaneously or as determined by the Planning Commission.
Eating establishments and taverns:	1½ parking spaces for each 100 s.f. of gross floor area.
Drive-in eating establishments:	Minimum of 10 parking spaces, plus 1 space for each 4 seats of total capacity.
Automobile Service:	2 parking spaces for each grease rack or similar facility; 1 parking space for each gas pump, plus 1 space for each employee on duty.
Bus terminals:	5 parking spaces for each loading or unloading bay.
Auto sales and repair:	1 parking space for each employee at maximum employment on a single shift; 2 spaces for each 300 s.f. of auto repair or sales space.
Other uses:	Parking requirements for uses other than those stated in this Section shall be determined by the Planning Commission.

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

601.05. Combined Parking.

The required parking space 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 (½) 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.

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

601.06. 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 five hundred (500) square feet per location plus 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.

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

601.07. Storage or Use of Major Recreational Equipment.

For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailer, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any lot in a residential district in a front yard or on-street, provided, however, that such equipment may be parked anywhere on residential premises for not to exceed twenty-four (24) hours during loading or unloading. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any way location not approved for such use, unless the owner has obtained a permit for such use from the Inspection Department, except when the owner is from out-of-town and is visiting a Laurel resident, in which case no permit shall be required for the first three (3) days of the visit. Such permit shall be for a period of a maximum of thirty (30) days, renewable once. No more than one (1) such permit, plus (1) renewal, shall be issued for any one (1) address during any twelve (12) month period.

Source: Ordinance No. 1201-1993, § IV, 601.07, 1-19-93

SECTION 602. GENERAL SIGN REGULATIONS.

602.01. General Description.

The purpose of this Section is to establish general requirements which regulate the type, location, height and size of specific signs and outdoor displays as they relate to the *Zoning Ordinance of the City of Laurel, Mississippi*.

The following signs and/or sign regulations are allowable and shall apply as described, in addition to any other more specific sign standards of the City of Laurel.

602.01.01 A permit application is required when any owner, authorized agent, or contractor desires to construct, enlarge, alter, repair, move, or change a sign on a building or location on the premise and said person shall first

make application to the Inspection Department and obtain the required permit for the work. EXCEPTION: Permits shall not be required for regular maintenance to an existing sign, such as cleaning and repainting, or to replace a face with the same identical contents.

602.01.02 Therefore, a permit is required for all sign installation including permanent ground, wall, marquee, canopy, roof and trailer/portable signs, except for those signs two (2) square feet or less in size and designed for identification purposes only.

602.01.03 The permit fee for a sign valued at Five Hundred Dollars ($500.00) or less shall be one-half (½) of the minimum fee for a building permit. The permit fee for all other signs shall be based on the building permit fee schedule. However, a sign permit shall become null and void if (1) the work for which the permit was issued has not been completed within a period of six (6) months after the date of the permit; (2) the sign varies in any respect from the approved design or location. A new sign application with fee is required in the event of any nullification.

602.01.04 No permit is required for advertising banners; however, the use of advertising banners is limited as follows:

(1) Banners are allowed for special events, as defined by the Zoning Ordinance. Banners are not considered permanent signs and may not be used indefinitely or in lieu of permanent signs.
(2) Advertising banners may only remain in place during a specified special event and must be removed at the conclusion of that event. No banner may remain on site for more than thirty (30) days at a time. The use of banners is limited to two (2) banners per site.
(3) Banners must be kept in good repair and must not be allowed to become damaged or dilapidated. Any banner that is not in good repair must be replaced immediately. If a banner becomes damaged prior to the conclusion of the special event, another banner may be installed but no additional time is granted for the replacement banner. No banner can be located on any property without the prior consent of the property owner. No banner or advertising material may be placed on any tree, bush, shrubbery, utility pole, traffic sign, fence or street marker on public right-of-way.

Source: Ordinance No. 1118-1988, § VII, 602.01, 6-7-88; Ordinance No. 1292-1997, §I, Art. VI, 3-18-97; Ordinance No. 1353-1999, §I, A, 602.01, 10-19-99; Ordinance No. 1454-2004, § I, 12-21-04

602.02. Commercial Signs Within Fifty (50) Feet of Residentially Zoned Properties.

Signs located within fifty (50) feet of R-1 or R-2 Residential Districts shall not exceed fifteen (15) feet in height, thirty (30) square feet in area, and one hundred (100) footlamberts in luminance to be directed away from said residential area, or shall adhere to the commercial district regulations, whichever is more restrictive.

Source: Ordinance No. 1056-1986, 8-6-85

602.03. Trailer/Portable Signs.

Trailer and/or portable signs are permitted in certain zoning districts of the City as designated in this Ordinance and shall conform to the following:

602.03.01 Trailer/portable signs shall not be permitted in a Residential District or Commercial C-1, C-1A, C-1B and C-4 Districts, except that a religious institution may place a temporary trailer/portable sign on its premises after securing a permit and provided said sign conforms to the provisions of this Ordinance. The use of such temporary sign may not exceed thirty (30) days and not more than two (2) separate occasions during a twelve (12) month period.

602.03.02 A permit, which must be renewed annually, is required before the placing of any trailer/portable sign and the permit number shall be painted on or otherwise affixed to the sign. The permit fee for a trailer/portable sign shall be one-half (½) the minimum fee for a Building Permit as established by the City Council at the time of application for said permit. Both the owner of the sign and the person installing the sign are responsible for the permit. If any sign is placed without an approved permit or placed in an illegal location or is abandoned, the City shall give notice to the apparent owner of the sign to correct such violation. If the violation is not corrected by the specified time, the City shall remove the sign and hold it until the fine and/or moving fee are paid.

602.03.03 Trailer/portable signs shall be allowed only when in compliance with all applicable provisions of the National Electrical Code (latest adopted edition) and in addition shall meet all the following requirements:

The internal wiring of an outdoor sign that is portable or mobile and is readily accessible shall be supplied from, and protected by, ground-fault circuit-interrupters identified for use with portable electric signs, thereby providing protection for personnel. The required ground-fault circuit-interrupter shall be permitted on or within the sign as an integral part of the attachment plug or the supply plug connected to the sign. Conductive supports of a sign covered by this Section shall be considered part of the sign.

The electrical supply cord shall not exceed eight (8) feet in length and, in no instance, shall any exposed supply cord be placed across any pedestrian walkway, such as a sidewalk, or any vehicular driveway.

602.03.04 No sign shall be located so as to interfere with driver visibility of the streets, roads or thoroughfares or the visibility of any traffic control device or sign. Any sign maintaining less than seven (7) feet of vertical clearance between the sign display surface and the ground shall be set back at least twenty (20) feet from the intersection right-of-way line of two (2) streets. See diagram below.

In addition, when the location is not at an intersection, all trailer/portable signs shall be set back ten (10) feet from the curb, or, in the absence of a curb, fifteen (15) feet from the edge of the street pavement; however, in no event is the sign to be placed on public property or right-of-way. The Superintendent of Inspection shall have the power to order the removal or relocation of any sign found to interfere with driver visibility.

602.03.05 Signs shall either be so designed or anchored to the ground in such a manner as to prevent them from being blown over in a sixty (60) mile per hour windstorm, as per the Standard Building Code.

602.03.06 No sign shall contain any exposed lightbulb which emits white light or contain any flashing, chasing, pulsating or oscillating lights. All exposed bulbs shall be color coated and shall not exceed sixty (60) watt bulbs.

602.03.07 No sign shall be placed on public right-of-way or on other public property without written consent from the owner. No off-premise sign shall be permitted without written consent of the property owner.

602.03.08 Only one (1) trailer/portable sign shall be allowed per business and the square footage of a trailer/portable sign shall be considered as part of the square footage for ground mounted signs as per other Sections of this Ordinance; however, in the event there is more than one (1) business on one (1) premise, an additional trailer/portable sign shall be allowed for each four hundred (400) linear feet of street frontage in excess of the first four hundred (400) linear feet of street frontage, with each trailer/portable sign to be spaced at least four hundred (400) feet apart. This limitation applies regardless of the number of businesses per premise.

602.03.09 No trailer/portable sign shall exceed thirty-two (32) square feet in area.

602.03.10 All trailer/portable signs now in use shall be brought into conformance with the provisions of 602.03.01, 602.03.02, 602.03.04, 602.03.05, 602.03.06, 602.03.07, 602.03.08 and 602.03.09 within ninety (90) days from the date on which this Ordinance goes into effect. All trailer/portable signs now in use shall be brought into conformance with the provisions of 602.03.03 within six (6) months from the date on which this Ordinance goes into effect.

Source: Ordinance No. 1118-1988, § VIII, 602.03, 6-7-88

602.04. Signs or Sign Conditions Not Permitted.

Following is a list of those signs and/or sign conditions which are not permitted within the City of Laurel, Mississippi

602.04.01 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. Any sign which resembles any traffic control or emergency device or sign which creates any traffic hazard is not allowed.

602.04.02 Any sign not permanently attached to the ground or to a building, such as

"A" Frame or Sandwich Board, Sidewalk and Curb Signs.

602.04.03 Any sign which:

a. Bears or contains statements, words or pictures of an obscene, pornographic, immoral character, or which contains advertising matter which is untruthful;

b. Emits audible sound, odor or visible matter.

602.04.04 Any sign with flashing, chasing, pulsating, and/or oscillating lights.

602.04.05 Any sign or any type of advertising material including political signs, written on or affixed upon any tree, bush, shrubbery, utility pole, traffic sign, fence or street marker on public right-of-way.

Source: Ordinance No. 1348-1999, §I, 8-17-99

602.04.06 Any sign placed on, in or over any private property without the written consent of the property owner; nor shall any sign be placed on, in, or over any public property including public right-of-way without the written consent of the public authority having jurisdiction over the property.

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

602.05. On-Premise Sign Regulations.

For the purpose of this Ordinance all uses that may be made of land within the City of Laurel shall be considered to be contained in one (1) of these ten (10) categories. These categories group the zoning classifications as established in the cited Zoning Ordinance. Particular uses included in each category shall be as defined herein. Sign standards for uses not specifically mentioned shall be the same as for the most similar use noted. The seven (7) major categories of land use in the City of Laurel are as follows:

602.05.01 Lower Density One-Family and Two-Family Residential Uses (R-1, R-2).

602.05.02 Medium-Higher Density Multi-Family and Mobile Home Residential Uses (R-3 and R-4).

602.05.03 Restricted Commercial Use (C-1).

602.05.04 General Commercial Use (C-2).

602.05.05 Heavy Commercial Use (C-3).

602.05.06 Reserved.

602.05.07 Industrial Uses (I-1 through I-3).

602.05.08 Professional Office Use (C-1A).

602.05.09 Medical/Professional Commercial Use (C-1B).

602.05.10 Central Business District Use (C-4).

Each use is allowed a maximum of one (1) ground-mounted and one (1) building-mounted sign per street frontage, except for wall signs for commercial and industrial uses which shall not be limited in number, but shall not exceed the total allowable area. Height, area and location are to be regulated as set forth for the particular use category.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1292-1997, §I, Art. VI, 3-18-97

602.06. Principal Land Uses Determined.

In a complex of various uses such as an office building or shopping center, the use of the property to be used in determining the sign standards to be complied with shall be the "principal use." In such complexes the principal use shall be allowed one (1) ground-mounted sign and one (1) building-mounted sign per street frontage, and each separate use located within the complex shall be allowed one (1) building-mounted wall sign per street frontage. The combined total sign area for individual businesses within a premises or complex shall not exceed the total allowed wall and ground-mounted sign area permitted in this Ordinance.

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

602.07. Criteria in Determining Area.

Premises fronting on more than one (1) public right-of-way shall not combine permissible sign area of one (1) frontage with that of another frontage, except that premises fronting on corner streets may combine permissible sign area on one (1) frontage if it does not exceed the maximum allowable sign area of that zoning classification.

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

602.08. Criteria in Determining Setback.

Signs shall be so constructed so as to permit adequate driver visibility of any traffic control device or sign, and of the street, road, thoroughfare or expressway. Ground-mounted signs maintaining less than seven (7) feet of vertical clearance between the sign display surface and the ground shall be set back at least twenty (20) feet from the intersecting right-of-way line of two (2) streets. In addition, all ground-mounted signs shall comply with the setback provisions for on-premise and off-premise signs, as stated in this Article.

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

602.09. Rotating Signs.

One (1) rotating ground-mounted sign is permissible only on a corner lot and only when it replaces or substitutes for the two (2) ground-mounted signs allowable per corner lot street frontage, subject to the restrictions on rotating signs as stated within the zoning categories of this Article. Rotating signs shall not rotate at a rate of more than six (6) revolutions per minute.

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

602.10. Projecting, Marquee and Under the Canopy Signs.

Projecting, marquee and under the canopy signs shall be at least eight (8) feet at their lowest levels above the street or ground level, and shall not project over a sidewalk or other public property nor project by more than five (5) feet beyond the building line. The criteria for

sign area of each sign type is as follows:

602.10.01 Projecting Sign: Formula for area is as follows: forty (40) square feet plus one (1) square foot for each one (1) foot of building height, not to exceed eighty (80) square feet in area.

602.10.02 Marquee Signs: The sign area of marquee signs shall be included within the maximum area for wall signs and said total shall not exceed the designated area of the respective zoning classifications, as stated in this Article.

602.10.03 Under the Canopy Sign: The sign area of canopy signs shall not exceed twenty (20) square feet.

The provisions for sign area shall apply to each side of the sign. No projecting, marquee or canopy sign shall project within two (2) feet of the street curb.

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

602.11. Sign Regulations for Residential Uses.

The purpose of this Section is to regulate the location, height, area and permitted uses of on-premise signs in conjunction with residential land uses located generally within the Residential Zoning Districts as established in the Zoning Ordinance.

602.11.01 **Lower Density Residential Uses (R-1, R-2)**: No commercial advertising shall be allowed; only signs denoting the name and address of occupants are allowed. Temporary and permanent subdivision signs are allowed, not to exceed thirty-two (32) square feet.

(A) **Ground-Mounted Signs** - Allowed:

1. Area - Maximum area stall not exceed two (2) square feet, except that for a religious institution maximum area shall not exceed thirty-two (32) square feet.

2. Height - Maximum mounting height not to exceed eight (8) feet.

(B) **Building-Mounted Signs**:

1. Wall Signs - Allowed:

a. Area - Maximum area shall not exceed two (2) square feet, except for a religious institution maximum area shall not exceed sixteen (16) square feet.

b. Height - May be located on a facade of the building (including wing walls and other architectural elements) but not higher than the eave line or rafter line of the wall on which located, whichever is higher.

2. Projecting Signs - Not permitted.

3. Roof Signs - Not permitted.

4. Marquee Signs - Not permitted.

5. Canopy Signs - Not permitted.

(C) **Temporary Trailer Signs** - Not permitted.

(D) **Illuminated Signs** - May be externally illuminated but not greater than fifty (50) footlamberts of luminance.

(E) **Animated Signs** - Not permitted.

(F) **Rotating Signs** - Not permitted.

(G) **Political Signs** - Allowed.

1. Unlimited yard signs for political candidates not to exceed three hundred (300) square inches in size, which are exempt from the requirement of a permit.

2. One (1) ground-mounted political sign, not to exceed sixteen (16) square feet in size, on a vacant lot with a street frontage of fifty (50) linear feet or more or on a developed lot with a street frontage in excess of one hundred (100) linear feet for a period of two (2) months before a primary or general election. Such signs must be removed within five (5) days for unsuccessful candidates in a primary election and within five (5) days following a general election.

(H) **Rummage/Garage/Yard Sale Signs** - Ground-mounted signs, not to exceed eleven (11) inches by seventeen (17) inches in size, giving directions to the location of such a sale. Such signs cannot be located on public property, including right-of-way, parks, etc., and must be removed within forty-eight (48) hours after the end of the sale. Such signs are exempt from the requirement of a permit.

Source: Ordinance No. 1221-1993, § III , 602.11,01 G. & H., 10-19-93

602.11.02 **Medium-High Density Residential Uses (R-3, R-4)**: No commercial advertising is allowed; only signs denoting the name and address of the complex or religious institution or name and address of the occupants are allowed. Signs of the complex shall be of permanent construction and shall not exceed thirty-two (32) square feet.

(A) **Ground-Mounted Signs** - Allowed:

1. Area - Maximum area shall not exceed thirty-two (32) square feet for sign of apartment complex or religious institution. Maximum area shall not exceed sixteen (16) square feet for day care centers, medical/professional offices, hospitals and nursing homes; except

that maximum areas for hospitals and nursing homes may be increased through a Conditional Use Permit.

2. Height - Maximum mounting height not to exceed eight (8) feet, except when a greater height is allowed in a Conditional Use permit for a hospital or nursing home.

Source: Ordinance No. 1207-1993, § I, 602.11.02, 1. & 2., 4-14-93

(B) **Building-Mounted Signs**:

1. Wall Signs - Allowed, excluding billboards:

a. Area - Wall signs denoting the name and address of the complex area allowed to a maximum area of five percent (5%) of the facade area on which the signs are mounted. Each dwelling unit of the complex is allowed one (1) wall-mounted sign not to exceed two (2) square feet in area. A religious institution is allowed one (1) wall-mounted sign not to exceed thirty-two (32) square feet in area.

b. Height - Wall signs may be located on a facade of the building (including wing walls and other architectural elements) but not higher than the eave or rafter line of the wall on which located, whichever is higher.

2. Projecting Signs - Not permitted.

3. Roof Signs - Not permitted.

4. Canopy Signs - Not permitted.

(C) **Trailer/Portable Signs** - Not permitted.

(D) **Illuminated Signs** - Sign may be illuminated by steady indirect lighting which does not exceed one hundred (100) footlamberts of luminance and which does not reflect on adjacent buildings.

Source: Ordinance No. 1118-1988, § X, 602.11.02 (D), 6-7-88

(E) **Animated Signs** - Not permitted.

(F) **Rotating Signs** - Not permitted.

(G) **Political Signs** - Allowed.

1. Unlimited yard signs for political candidates, not to exceed three (300) square inches in size, which are exempt from the requirement of a permit.

2. One (1) ground-mounted political sign, not to exceed sixteen (16) square feet in size, on a vacant lot with a street frontage of fifty

(50) linear feet or more or on a developed lot with a street frontage in excess of one hundred (100) linear feet for a period of two (2) months before a primary or general election. Such signs must be removed within five (5) days for unsuccessful candidates in a primary election and within five (5) days following a general election.

(H) **Rummage/Garage/Yard Sale Signs** - Ground-mounted signs, not to exceed eleven (11) inches by seventeen (17) inches in size, giving directions to the location of such a sale. Such signs cannot be located on public property, including right-of-way, parks, etc., and must be removed within forty-eight (48) hours after the end of the sale. Such signs are exempt from the requirement of a permit.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1221-1993, § III, 602.11.02, G. & H., 10-19-93

602.12. Regulations for Commercial Land Use.

The purpose of this Section is to regulate the location, height, area and permitted uses of on-premise signs in conjunction with commercial uses located generally within the Commercial Zoning Districts as established in the City Zoning Ordinance.

602.12.01 **C-1 Restricted Commercial District**:

(A) **Ground-Mounted Signs**: Only one (1) sign permitted per premise.

1. Billboards – Allowed. However, billboard signs located on continuous sides of a street and/or highway including and along an adjoining street or highway shall be spaced no less than five hundred feet (500) apart. The measurement of spacing shall commence at the intersection of state primary highways and interstate highway systems.

Source: Ordinance No. 1353-1999, §I, B, 602.12, 10-19-99

2. Other Ground-Mounted Signs - Allowed:

a. Non-attached post or pole-mounted shingle signs not to exceed thirty-two (32) square feet in area.

b. Height - Maximum allowable height shall be twelve (12) feet.

c. Setback - Minimum allowable setback from property line shall be nine (9) feet.

(B) **Building-Mounted Signs**:

1. Wall Signs - Allowed, excluding billboards:

a. Area - Wall signs are allowed to a maximum of ten percent (10%) of the facade area on which the signs are mounted.

b. Height - Wall signs may be located on a facade of the building (including wing walls of other architectural elements) but not higher than the eave or rafter line of the wall on which it is located, whichever is higher.

2. Projecting Signs - Not permitted.

3. Roof Signs - Not permitted.

4. Marquee Signs - Allowed, maximum included in wall sign area.

5. Canopy Signs - Allowed.

(C) **Trailer/Portable Signs** - Not permitted.

(D) **Illuminated Signs** - Allowed, if externally illuminated, but shall not exceed one hundred fifty (150) footlamberts of luminance.

(E) **Animated Signs** - Not permitted.

(F) **Rotating Signs** - Not permitted.

(G) **Political Signs** - Allowed.

1. Beginning two (2) months before a primary or general election, one (1) additional political sign will be permitted per premise, but must meet the criteria in 602.12.01.(A)2.a. and b.

2. All political signs must be removed within five (5) days for unsuccessful candidates in a primary election and within five (5) days following a general election.

(H) **Rummage/Garage/Yard Sale Signs** - Ground-mounted signs, not to exceed eleven (11) inches by seventeen (17) inches in size, giving directions to the location of such a sale. Such signs cannot be located on a public property, including right-of-way, parks, etc., and must be removed within forty-eight (48) hours after the end of the sale. Such signs are exempt from the requirement of a permit.

Source: Ordinance No. 1221-1993, § III, 602.12.01, G. & H., 10-19-93

(I) **Special Purpose Signs** - One (1) Special Purpose Sign, not to exceed fifty (50) square feet in area, is allowed per premise, with the permit for same to be renewable annually at a fee of one-half (½) of the minimum building permit fee. Such sign must meet any Height and Setback regulations specified above.

Source: Ordinance No. 1229-1994, § I, 602.12.01, I, 2-22-94

602.12.02 **C-2 General Commercial District**:

(A) **Ground-Mounted Signs**: A maximum of two (2) signs permitted per premise.

1. Billboards - Allowed.

2. Other Ground-Mounted Signs - Allowed.

   a. Area - Formula to determine area is as follows: One hundred twenty (120) square feet + (2) square feet for each ten (10) linear feet of street frontage, not to exceed three hundred (300) square feet.

   b. Height - Maximum allowable height shall be forty-five (45) feet.

   c. Setback -

      (1) Ground-mounted signs with at least seven (7) feet of vertical clearance between the sign display surface and ground will not be required to setback; however, sign must be on property line and in no event shall any portion of the sign extend over the property line onto public property

      (2) Ground-mounted signs with less than seven (7) feet of vertical clearance must setback nine (9) feet from the right-of-way.

      (3) Trailer/portable signs with less than seven (7) feet of vertical clearance must setback nine (9) feet from the right-of-way.

(B) **Building-Mounted Signs**:

1. Wall Signs - Allowed:

   a. Area - Wall signs are allowed to a maximum area of fifteen percent (15%) of the facade area of the buildings on which the signs are mounted.

   b. Height - Wall signs may be located on a facade of the building (including on walls and other architectural elements) but not higher than the eave or rafter line of the wall on which located, whichever is higher.

2. Projecting Signs - Allowed. See Section 602.10.

3. Roof Signs - Allowed, area included in wall sign maximum.

4. Marquee Signs - Allowed, area included in wall signs maximum.

5. Canopy Sign - Allowed.

(C) **Trailer/portable Signs** - Allowed. See Section 602.03.

(D) **Illuminated Signs** - May be externally or internally illuminated and shall not exceed two hundred (200) footlamberts of luminance.

(E) **Animated Signs** - Class A and B types allowed.

(F) **Rotating Signs** - Allowed.

(G) **Political Signs** - Allowed.

1. Beginning two (2) months before a primary or general election, two (2) additional political signs will be permitted per premise, but must meet the criteria in 602.12.02.(A)2.a. and b. above.

2. All political signs must be removed within five (5) days for unsuccessful candidates in a primary election and within five (5) days following a general election.

(H) **Rummage/Garage/Yard Sale Signs** - Ground-mounted signs, not to exceed eleven (11) inches by seventeen (17) inches in size, giving directions to the location of such a sale. Such signs cannot be located on public property, including right-of-way, parks, etc., and must be removed within forty-eight (48) hours after the end of the sale. Such signs are exempt from the requirement of a permit.

Source: Ordinance No. 1221-1993, § III, 602.12.02, G. & H., 10-19-93

(I) **Special Purpose Signs** - One (1) Special Purpose Sign, not to exceed fifty (50) square feet in area, is allowed per premise, with the permit for same to be renewable annually at a fee of one-half (½) of the minimum building permit fee. Such sign must meet any Height and Setback regulations specified in 602.12.02.A.2c.

Source: Ordinance No. 1229-1994, § I, 602.12.02, I., 2-22-94; Ordinance No. 1353-1999, §I, B, 2, I, 10-19-99

602.12.03 **C-3 Heavy Commercial District**:

(A) **Ground-Mounted Signs**: A maximum of two (2) signs permitted per premise.

1. Billboards – Allowed. However, billboard signs located on continuous sides of a street and/or highway including and along an adjoining street or highway shall be spaced no less than five hundred feet (500) apart. The measurement of spacing shall commence at the intersection of state primary highways and interstate highway systems.

Source: Ordinance No. 1118-1988, § XII, 602.12.03 (A), 6-7-88; Ordinance No. 1353-1999, §I, B, 3, 1, 10-19-99

2. Other Ground-Mounted Signs - Allowed:

a. Area - Formula to determine area is as follows: two hundred forty (240) square feet plus two (2) square feet for each ten (10) linear feet of street frontage, not to exceed three hundred sixty (360) square feet.

b. Height - Maximum allowable height shall be forty-five (45) feet.

c. Setback -

(1) Ground-mounted signs with at least seven (7) feet of vertical clearance between the sign display surface and the ground will not be required to setback however, sign must be on property line and in no event shall any portion of the sign extend over the property line onto public property.

(2) Ground-mounted signs with less than seven (7) feet of vertical clearance must setback at least nine (9) feet from the right-of-way.

(3) Trailer/portable signs with less than seven (7) feet of vertical clearance must setback at least nine (9) feet from the right-of-way.

(B) **Building-Mounted Signs**:

1. Wall Signs - Allowed:

a. Area - Wall signs are allowed to a maximum area of fifteen percent (15%) of the facade area of the building on which the signs are mounted. Professional offices shall be allowed one (1) twelve (12) square foot sign per building when affixed flat against the building.

Source: Ordinance No. 1118-1988, § IX, 602.12.03 (B) 1. a., 6-7-88

b. Height - Wall signs may be located on a facade of the building (including wing walls and other architectural elements) but not higher than the eave or rafter line of the wall on which located, whichever is higher.

2. Projecting Signs - Allowed. See Section 602.10.

3. Roof Signs - Allowed, area included in maximum for wall signs.

4. Marquee Signs - Allowed, area included in maximum for wall signs.

5. Canopy Signs - Allowed.

(C) **Temporary Trailer Signs** - Allowed. See Section 602-03.

(D) **Illuminated Signs** - Any sign projecting over a public right-of-way shall be internally illuminated. Other signs may be externally or internally illuminated. Such signs shall not exceed three hundred (300) footlamberts of luminance.

(E) **Animated Signs** - Class A and B types only. Class C Animated Signs allowed upon approval of a Conditional Exception.

(F) **Rotating Signs** - Allowed on corner lot only.

(G) **Political Signs** - Allowed.

1. Beginning two (2) months before a primary or general election, two (2) additional political signs shall be permitted per premise, but must meet the criteria in 602.12.03.(A)2.a. and b. above.

2. All political signs must be removed within five (5) days for unsuccessful candidates in a primary election and within five (5) days following a general election.

(H) **Rummage/Garage/Yard Sale Signs** - Ground-mounted signs, not to exceed eleven (11) inches by seventeen (17) inches in size, giving directions to the location of such a sale. Such signs cannot be located on public property, including right-of-way, parks, etc., and must be removed within forty-eight (48) hours after the end of the sale. Such signs are exempt from the requirement of a permit.

Source: Ordinance No. 1221-1993, § III, 602.12.03, G. & H., 10-19-93

(I) **Special Purpose Signs** - One (1) Special Purpose Sign, not to exceed fifty (50) square feet in area, is allowed per premise, with the permit for same to be renewable annually at a fee of one-half (½) of the minimum building permit fee. Such sign must meet any Height and Setback regulations specified above.

Source: Ordinance No. 1229-1994, § I, 602.12.03, I., 2-22-94

602.12.04 Reserved.

Source: Ordinance No. 1292-1997, §I, Art. VI, 3-18-97

602.12.05 **Regulations for Industrial Land Uses**: The sign regulations for industrial land uses located generally within I-1, I-2 and I-3 Industrial Zoning District as established in the Zoning Ordinance shall conform to those standards permitted within the C-3 Heavy Commercial District.

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

602.12.06 **C-1A Professional Office District**

(A) **Ground-Mounted Signs**

1. Number of free-standing signs:

a. One (1) free standing sign per lot.
b. If a development is located on a corner lot that has at least one hundred fifty (150) feet of frontage on each of the two (2) intersecting public streets, then the development may have not more than one (1) free standing sign along each side of the development bordered by such streets.
c. If a development is located on a lot that is bordered by two (2) public streets that do not intersect at the lot's boundaries (double frontage lot), then the development may have not more than one (1) free standing sign on each side of the development bordered by such streets.

2. Message area shall not exceed thirty-two (32) square feet.

3. Height shall not exceed ten (10) feet.

4. Depth shall not exceed eighteen (18) inches, no text or message shall be permitted on the depth area.

5. Width shall not exceed eight (8) feet.

6. Front setback shall be a minimum of ten (10) feet.

7. Side setbacks shall be a minimum of fifteen (15) feet.

8. Rear setbacks shall be a minimum of twenty-five (25) feet.

9. Illumination of signs shall be one (1) of the following:
a. From an internal or energizing source; or
b. From an external fixed-beam light fixture that is concealed by the ground landscaping and sign standard.

Source: Ordinance No. 1292-1997, §I, Art. VI, 3-18-97

(B) **Building-Mounted Signs**

1. Wall Signs: One (1) allowed per structure
a. Area: Wall signs are allowed, not to exceed sixteen (16) square feet.
b. Message area shall be a maximum of ten (10) percent of the single wall area.

2. If a development is located on a corner lot that has a least one hundred fifty (150) feet of frontage on each of the two (2) intersecting public streets, then the development may have not more than one (1) building mounted sign on each side of the development bordered by such streets.

3. If a development is located on a lot that is bordered by two

(2) public streets that do not intersect at the lot's boundaries (double frontage lot), then the development may have not more than one (1) building mounted sign on each side of the development bordered by such streets.

4. If a development has more than one (1) dwelling unit, each dwelling of the development is allowed one (1) wall-mounted sign not to exceed four (4) square feet in the area.

5. Height shall not exceed the top wall line of the building.

6. Depth: No sign attached to a building shall be more than twelve (12) inches from the building wall.

7. Projecting signs – Not Allowed.

8. Roof signs – Not Allowed.

9. Marquee signs – Not Allowed.

10. Canopy signs – Not Allowed.

(C) **Trailer/Portable Signs – Not Allowed.**

(D) **Animated Signs – Not Allowed.**

(E) **Rotating Signs – Not Allowed.**

(F) **Political Signs – Not Allowed.**

(G) **Rummage/Garage/Yard Sale Signs – Not Allowed.**

(H) **Special Purpose Signs – Not Allowed.**

(I) **Other Prohibited Signs**

1. No commercial off-premise advertising signs shall be allowed.
2. No non-commercial off-premise advertising signs shall be allowed.

Source: Ordinance No. 1292-1997, §I, Art. VI, 3-18-97

602.12.07 **C-1B Medical/Professional Commercial District**

(A) **Ground-Mounted Signs**

1. Number of free-standing signs:
   a. One (1) free standing sign per lot.
   b. If a development is located on a corner lot that has at least one hundred fifty (150) feet of frontage on each of the two (2) intersecting public streets, then the development may have not more than one (1) free standing sign along each side of the

development bordered by such streets.

c. If a development is located on a lot that is bordered by two (2) public streets that do not intersect at the lot's boundaries (double frontage lot), then the development may have not more than one (1) free standing sign on each side of the development bordered by such streets.

2. Message area shall not exceed thirty-two (32) square feet.

3. Height shall not exceed ten (10) feet.

4. Depth shall not exceed eighteen (18) inches, not text or message shall be permitted on the depth area.

5. Width shall not exceed eight (8) feet.

6. Front setback shall be a minimum of ten (10) feet.

7. Side setbacks shall be a minimum of fifteen (15) feet.

8. Rear setbacks shall be a minimum of twenty-five (25) feet.

9. Illumination of signs shall be one 91) of the following:
   a. From an internal or energizing source; or
   b. From an external fixed-beam light fixture that is concealed by the ground landscaping and sign standard.

(B) **Building-Mounted Signs.**

1. Wall Signs: One allowed per structure.

   a. Area: Wall signs are allowed, not to exceed sixteen (16) square feet.

   b. Message area shall be a maximum of ten (10) percent of the single wall area.

2. If a development is located on a corner lot that has at least one hundred fifty (150) feet of frontage on each of the two (2) intersecting public streets, then the development may have not more than one (1) building mounted sign along each side of the development bordered by such streets.

3. If a development is located on a lot that is bordered by two (2) public streets that do not intersect at the lot's boundaries (double frontage lot), then the development may have not more than one (1) building mounted sign on each side of the development bordered by such streets.

4. If a development has more than one (1) dwelling unit, each

dwelling unit of the development is allowed one (1) wall-mounted sign not to exceed four (4) square feet in area.

5. Height shall not exceed the top wall line of the building.

6. Depth: No sign attached to a building shall be more than twelve (12) inches from the building wall.

7. Projecting signs – Not Allowed.

8. Roof signs – Not Allowed.

9. Marquee signs – Not Allowed.

10. Canopy signs – Not Allowed.

(C) **Trailer/Portable Signs** – Not Allowed.

(D) **Animated Signs** – Not Allowed.

(E) **Rotating Signs**- Not Allowed.

(F) **Political Signs** – as amended by Ordinance No. 1261-1995.

(G) **Rummage/Garage/Yard Sale Signs** – Not Allowed.

(H) **Special Purpose Signs** – Not Allowed.

(I) **Other Prohibited Signs:**

1. No commercial off-premise advertising signs shall be allowed.

2. No non-commercial off-premise advertising signs shall be allowed.

Source: Ordinance No. 1292-1997, §I, Art. VI, 3-18-97

602.12.07 C-4 Central Business District

(A) **Ground-Mounted Signs**:

1. Number of free-standing signs:

a. One (1) free standing sign per lot.

b. If a development is located on a corner lot that has at least one hundred fifty (150) feet of frontage on each of the two (2) intersecting public streets, then the development may have not more than one (1) free standing sign along each side of the development bordered by such streets.

c. If a development is located on a lot that is bordered by two (2) public streets that do not intersect at the lot's boundaries (double frontage lot), then the development may have not more than one (1) free standing sign on each side of the development bordered by such street.

2. Message area shall not exceed thirty-two (32) square feet.

3. Height shall not exceed ten (10) feet.

4. Depth shall not exceed eighteen (18) inches, no text or message shall be permitted on the depth area.

5. Width shall not exceed eight (8) feet.

6. Front setback shall be a minimum of ten (10) feet.

7. Side setbacks shall be a minimum of fifteen (15) feet.

8. Rear setbacks shall be a minimum of twenty-five (25) feet.

9. Illumination of signs shall be one (1) of the following:

a. From an internal or energizing source; or

b. From an external fixed-beam light fixture that is concealed by the ground landscaping and sign standard.

10. Trailer/Portable signs and/or "blackboard" signs cannot be converted to permanent signs within the Central Business District and/or the Central Business District Neighborhood.

11. Neon signs or signs which by their design and/or coloring simulate or mimic neon signs are not allowed within the Central Business District and/or the Central Business District Neighborhood.

Source: Ordinance No. 1459-2005, § I, 6-21-05

(B) **Building-Mounted Signs**:

1. Wall Signs: Two (2) wall signs are allowed per structure. Message area shall be a maximum of ten (10) percent of the single wall area not to exceed one hundred (100) square feet (including window area).

2. If a development is located on a corner lot that has at least one hundred fifty (150) feet of frontage on each of the two (2) intersecting public streets, then the development may have not more than one (1) building mounted sign along each side of the development bordered by such streets.

3. If a development is located on a lot that is bordered by two (2)

public streets that do not intersect at the lot's boundaries (double frontage lot), then the development may have not more than one (1) building mounted sign on each side of the development bordered by such streets.

4. If a development has more than one (1) dwelling unit, each dwelling unit of the development is allowed one (1) wall-mounted sign not to exceed four (4) square feet in area.

5. Height shall not exceed the top wall line of the building.

6. Depth: No sign shall project more than twelve (12) inches from the building wall.

7. Projecting signs – Not Allowed.

8. Roof signs – Not Allowed.

9. Marquee signs – Allowed, maximum included in wall sign area.

10. Canopy signs – Allowed, not to exceed eight (8) square feet.

11. Illuminated signs – Allowed for buildings which cannot have a ground mounted sign. When illuminated, the method shall be one (1) of the following:

    a. From an internal or energizing source, or,

    b. From an external fixed-beam light fixture that is concealed by the ground landscaping or sign standard.

(C) **Trailer/Portable Signs** – Not Allowed.

(D) **Animated Signs** – Not Allowed.

(E) **Rotating Signs** – Not Allowed.

(F) **Political Signs** – as amended by Ordinance No. 1261-1995.

(G) **Rummage/Garage/Yard Sale Signs** – Not Allowed.

(H) **Special Purpose Signs** – Not Allowed.

(I) **Other Prohibited Signs**

1. No commercial off-premise advertising signs shall be allowed.

2. No non-commercial off-premise advertising signs shall be allowed.

3. No exposed neon tubes.

Source: Ordinance No. 1292-1997, §I, Art. VI, 3-18-97

602.12.08 Interstate Outdoor Advertising Devices

1. Billboard signs are allowed if property is adjacent to any Interstate Highway System. No sign shall be placed on public right-of-way or on other public property without written consent from the owner. No off-premise sign shall be permitted without written consent of the property owner.

2. Spacing of these billboard signs shall be regulated as defined in Chapter 23, "Outdoor Advertising", of the MS State Law 49-23-1 to 49-23-33.

3. Permissible height for any billboard in the City limits on interstate frontage shall be sixty (60) feet.

Source: Ordinance No. 1353-1999, §I, B, 4, 602.12.09.1-3, 10-19-99

602.12.09 Removal, Alteration or Maintenance of Signs

1. All signs which are no longer functional or are abandoned shall be removed, or relocated, at the owner's expense, in compliance within the provisions of this Ordinance after receiving proper notice from the Inspection Department and given thirty (30) days to comply with regulations following dysfunction of any sign.

2. All outdoor advertising signs and sign structures shall be kept in repair and in proper state of preservation.

3. Weeds and grass shall be kept cut in front of, behind, underneath, and around the base of the ground signs for a perimeter distance of ten (10) feet, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near such a sign.

Source: Ordinance No. 1353-1999, §I, B, 4, 602.12.10.1-3, 10-19-99

602.12.11 Non-Conforming Signs

Any non-conforming sign in existence on the date of enactment of this Ordinance shall be considered a non-conforming sign and shall be subject to the following conditions:

1. Where a legally allowed non-conforming structure, lot, or use exists, new signs shall conform to the district in which the property is located.

2. The following signs are to be removed or made to conform to this Ordinance within ninety (90) days: (a) non-conforming signs made of paper, cloth, or other non-durable material; (b) all temporary signs other than those permitted herein.

3. If any non-conforming sign is removed or destroyed, then the replacement sign shall be in conformity with the requirements of this Ordinance.

4. Where a material alteration occurs, which necessitates the altering of a sign in any

manner, the altered or changed sign shall be in conformance with the requirements of this Ordinance.

5. Upon failure to comply within the time specified, the Building Inspector and/or the Inspection Department's designee is hereby required to cause removal as provided by law of such sign and any expense incident thereto shall be paid by the owner, agent, or lessee of said sign or of the property upon which the sign is located.

6. Existence of any non-conforming sign on the premises will prohibit issuance of further sign permits while non-conforming use exists.

Source: Ordinance No. 1353-1999, §I, B, 602.12.11.1-6, 10-19-99; Ordinance No. 1474-2006, 9-5-06

602-12-12 DIGITAL SIGNS

A. DEFINITION

A digital sign is 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. This type of sign will be referred to throughout this section as a "digital sign."

B. APPROVAL /PERMITTING

Placement of digital signs is regulated by this section. Approval and permitting of digital signs will be by the City of Laurel Inspection Department and will require Mississippi Department of Transportation (MDOT) approval on sites on any roadway within the City limits over which MDOT retains primary jurisdiction. All permits for digital signs are subject to a review by the City of Laurel as to location in order to preserve the public health, safety and welfare of the community.

Source: Ordinance No. 1565-2010, 7-27-2010 remembered; Ordinance No. 1577-2011, 6/7/2011; Ordinance No., 1587-2012, 2-21-2012; Ordinance No. 1666-2017, 9-5-2017

C. PLACEMENT AND SIZE

Placement of digital signs is allowed in C-2, C-3, I-1, I-2 or I-3 zones and is considered an "Interstate Outdoor Advertising Device" when adjacent to a highway right of way. Signs may be no larger than 360 square feet and no taller than 40 feet within the City's corridors and no taller than 60 feet when located on Interstate frontage. Sign orientation: Digital signs shall be oriented away from residentially zoned districts and toward nonresidential districts.

Digital billboards may not be located closer than 1000 feet from any other billboard. On-premise digital signs or digital signs other than those classified as a billboard may not be located closer than 250 feet from any other digital sign located on the same side of the street.

Framing/housing of digital signs may be no larger than 360 square feet and no taller than 40 feet within the City's corridors or no taller than 60 feet when located on Interstate frontage.

Source: Ordinance No. 1565-2010, 7-6-2010 remembered; Ordinance No. 1666-2017, 9-5-2017

D. SPECIFIC REGULATIONS

1. The display change time shall not exceed (1) second with duration of each display being no less than (8) seconds. Digital signs shall contain a default design that will freeze the display in one static position if a malfunction occurs. The owner of every permitted Digital sign will provide the City of Laurel and/or MDOT (where applicable) with an on-call contact person and phone number in regard to each permitted digital sign. The contact person must have the authority and ability to make immediate modifications to the displays and lighting levels when the need arises.

2. Displays shall not create excessive brightness or glare. Such displays shall contain static messages only. Movement is not allowed. Movement in this context is defined as the appearance or illusion of movement, either text or images, on any part of the sign including but not limited to the structure, design, or pictorial segment of the sign. This includes movement of any illumination or flashing, scintillating or varying of light intensity.

3. The digital sign must have capability to adjust its intensity in response to ambient lighting conditions. Signs shall not be erected or maintained unless effectively shielded so as to prevent beams or rays of direct or reflected light from being directed at any portion of the street or roadway. They shall not have such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle. Should the governing authority and/or MDOT (where applicable) determine that the sign or any display or effect of the sign causes glare or in any way impairs the vision of the driver of any motor vehicle or that the display otherwise interferes with the operation of a motor vehicle, then upon request the owner of the sign shall immediately reduce lighting intensity of the sign to an acceptable level. "Immediately" in this context shall mean that the owner shall promptly and diligently begin and complete modifications as soon as he/she is advised of the problem. Should the malfunction pose a hazard to the safety of the traveling public, the sign shall be turned off upon arrival by the owner or its maintenance personnel until such repairs can be made. Failure to reduce lighting intensity on request shall be cause for revocation of the permit.

4. The maximum brightness for digital signs shall not exceed an illumination of 5,000 NITS (candelas [the basic unit of luminous intensity] per square meter) during daylight hours nor 1,000 NITS (candelas per square meter) during the period from sunset to sunrise, as measured from a sign face at maximum brightness. Each digital sign shall have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower one for the period of time from sunset to sunrise. Each sign must appropriately, automatically, and individually adjust display brightness to conform with applicable brightness specifications as ambient light levels change at each such sign location due to sunrise, sunset, prevailing weather conditions, or otherwise.

5. No conventional sign structure can be converted to a digital sign unless the site is located in a C-2, C-3, I-1, I-2, or I-3 site which has been approved by the City for digital sign placement. Nonconforming, grandfathered, or illegal sign structures may not be retro-fitted with a digital sign.

6. Conversion to a digital sign will require approval and issuance of a permit. No retro-fitted digital sign may be placed on permitted, conforming structures without first being approved in advance by the City of Laurel and MDOT (where applicable).

E. CONFLICTS

Any conflicts with this section shall be handled in the manner found under ARTICLE VIII ADMINISTRATION, Section 803.04 APPEAL

Source: Ordinance 1565-2010, 7/20/2010

602.13 Signage Regulations for Gateways and Corridors.

The purpose and intent of this section to the general sign regulations are to regulate the placement of general signs and billboards in the City of Laurel, Mississippi along the Central Avenue corridor from Maple Street to Cooks Avenue and on W. Fifth Street from Thirteenth Avenue to Sixteenth Avenue which are located in the Central Business District and being situated in the Central Business District Neighborhood of the Comprehensive Plan for the City of Laurel.

Source: Ordinance No. 1551-2009, §602.13, 12-22-09

602.13.1 Definitions.

Animated Sign: Any sign which includes action or motion, either electronic, mechanical or optical.

Awning Sign: A sign that is either attached to, affixed to, painted or printed on an awning.

Banner Sign: Any sign non-permanent advertising devise, usually made of cloth or vinyl, which is suspended from a building or is suspended between two poles. Banners shall not be 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.

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 100 square feet or more. Any signboard carrying a message except in this definition which also carries extraneous advertising of 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 an announcement of meetings to be held on the premises on which such bulletin boards are located, not shall it include a real estate sign advertising for sale or rent the property upon which it stand when such sign does not exceed 100 square feet.

Canopy Sign: A sign mounted on a permanently roofed shelter covering a sidewalk, driveway, awning, portions of a roof or other similar area, which is wholly or partially supported by the building and may be partially supported by columns, poles, or braces extending from the ground.

Construction Sign: A temporary sign identifying the architects, engineers, contractors, and other persons involved in a construction project as well as the project itself.

Corridor/Gateway: A main strip of passageway, entrance or exit, used for public transportation.

Directional Signs or Symbols: Any sign which serves the sole purpose to designate the location or direction of a place or area.

Flag: Any official flag of any city, state, organization or military unit within the United States as well as the flags of the United State of America.

Ground-Mounted Sign: Any detached sign connected to the ground which is not an attached sing, inclusive of signs on movable objects and erected on a free-standing frame, mast or pole, which is not attached to any building.

Hanging Sign: A sign which hangs from and under awnings, canopies, marquees or other structures. Hanging signs are similar to, but typically smaller than, projecting signs.

Marquee Sign: Usually a glass or metal canopy sign over an entrance of a structure advertising a specific usage.

Monument Sign: A freestanding sign with a base affixed to the ground, where the length of the base is at least two-thirds (2/3) the horizontal length of the monument.

Multi-tenant Sign: A building sign which has the name and address of the building along with the names and tenants and/or individual professional offices.

Off-site Sign: A sign which advertises an activity, business, product or service not conducted on the premises on which the sign is located.

Temporary Sign: A sign placed on a premise for advertisement, announcement or notice of a specific event which is to be removed within 5 days of the conclusion of that event.

Portable Sign: Any sign not permanently attached to the ground or a building and which is designed or constructed to be moved on a trailer, wheeled carriage or other non-motorized mobile structure. A portable sign which has its wheels removed shall still be considered a portable sign.

Projecting Sign: A sign that is attached to a building in a perpendicular manner and which extends more than twelve (12) inches from the wall surface.

Real Estate Sign: Any sign pertaining to the sale, lease, or rental of real property (land and buildings).

Roof Sign: Any sign or outdoor advertising device attached to the roof of a building.

Rotating/Revolving Sign: Any sign revolving or spinning in the action or process of rotating on or as if an axis or center. A rotating/revolving sign, specifically that of a striped barber pole, is allowed only in conjunction with a barber shop.

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.

Special Purpose Sign: A sign temporarily supplementing the permanent signs on a premise.

Window Sign: Any sign that is applied to the glassed area of a building or located such that the message, symbol, insignia, visual representation, logo, or other materials which communicate information can be read from off the property.

Source: Ordinance No. 1551-2009; §602.13.1, 12-22-09; Ordinance No. 1684-2018; §602.13.1, 06-19-18

602.13.2 Location

All signs considered for the purpose of these regulations and placements are on lots zoned in R-3, High Density Residential-Restricted; C-1, Restricted Commercial District; C-2, General Commercial District; C-3, Heavy Commercial District; C-4, Central Business District; I-2, Light Industrial District; and located only in the following areas:

1. W. Fifth Street from Thirteenth Avenue to Sixteenth Avenue aka Hwy 15 N to terminus of city's zoning jurisdiction;
2. Sawmill Road from North Thirteenth Avenue to North Sixth Avenue to terminus of city's zoning jurisdiction;
3. Central Avenue from North Sixth Avenue to Magnolia Street;
4. Central Avenue from Magnolia Street to Maple Street; and,
5. Central Avenue from Maple Street to Cooks Avenue to terminus of city's zoning jurisdiction.

Source: Ordinance No. 1551-2009; §602.13.2, 12-22-09

602.13.3 Signage

The following additional sign standards shall apply to the aforementioned areas:

A. Ground-Mounted Signs

1. Size and Number: Either one ground sign or one projecting sign is permitted per business property. The maximum size of a ground sign is thirty-two (32) square feet. The maximum height of a ground sign is eight (8) feet as measured from the ground at the base of the sign structure to the uppermost portion of the sign.
2. Placement: Ground signs may be placed no closer than fifteen (15) feet to any edge of curb or street right-of-way, and no closer than five (5) feet to any side or rear property line.
3. Setbacks: Front setback shall be a minimum of fifteen (15) feet; side setbacks shall be a minimum of fifteen (15) feet; rear setbacks shall be

a minimum of twenty-five (25) feet.

4. Lighting: Internally-illuminated signs are permitted. Electronic message signs are permitted, subject to special conditions which make them more compatible with the character of an historic downtown and less intrusive to the neighboring residential areas.
   a. Full color displays are prohibited. Only amber or white Lights are permitted.
   b. Moving video images are not permitted.
   c. Blinking, flashing and scintillating messages are not permitted.
   d. Electronic message signs may not be greater than forty percent (40%) of the total size of the ground sign.
   e. Only one (1), two-sided electronic message sign is permitted per commercial development.
5. Materials: Sign materials and finishes should be compatible to the style of the building and the appearance of other site features. Signs should be professionally constructed using high quality materials such as metal, stone, masonry, or wood. If sign foam or other synthetic material is used, the finish should have the appearance of wood.
6. Appearance: Care should be taken in designing a sign which enhances the appearance of the site. Sign messages should be simple and easy to read. Signs should be constructed of new materials. Salvaged material may only be used if the design, construction and graphic quality of the finished sign product is indistinguishable from signs constructed of new materials.
7. Trailer/Portable signs are not allowed.
8. Trailer/Portable signs and/or Blackboard signs shall not be converted to permanent signs.
9. ***Billboards*** shall not be allowed in the gateway/corridor district and/or Central Business District Neighborhood.
10. Other prohibited signs:
    a. No commercial off-premise advertising signs shall be allowed.
    b. No non-commercial off-premise advertising signs shall be allowed.

B. Building-Mounted Signs

1. Size and number: The maximum sign area is equal to one square foot per linear foot of the length of the wall to which it is attached. More than one wall sign is permitted, provided the total area of all signs does not exceed the maximum sign area. Height shall not exceed the top wall line of the building.
2. Placement: Wall signs may be placed no more than twelve (12) inches from the edge of the building wall.
3. Lighting: Internally-illuminated signs are not permitted. Signs may be illuminated using spotlights placed above or below the sign. Said spotlights shall be directed toward the sign in such a way as to illuminate only the wall sign.
4. Roof signs are not allowed.
5. Marquee signs are allowed with maximum included in wall sign area.
6. Canopy signs are allowed but not to exceed eight (8) square feet.
7. Animated signs are not allowed.
8. Rotating signs are not allowed.

9. Rummage/Garage/Yard Sale signs are not allowed.
10. Special Purpose signs are not allowed.
11. Materials: Wall signs should be professionally painted on a building façade or professionally constructed using high-quality materials such as metal or wood. Glass, acrylic or fiberglass panels are also permitted. If sign foam or other synthetic material is used, the finish should have the appearance of wood.
12. Appearance: Care should be taken in designing sign which references the building style and enhances the appearance of the site. Wall signs shall be designed to be compatible with the building in scale, proportion, form, and color. Wall signs shall be mounted in locations that respect the design of a building, including the location and arrangement of bays and openings (doors and windows). Wall signs should not cover window openings or architectural/ornamental features.

C. Hanging Signs

1. Size and number: The maximum size of a hanging sign is four (4) square feet. Either one hanging sign or one projecting sign is permitted for each business/storefront.
2. Placement: Hanging signs shall be placed no lower than eight (8) feet above the sidewalk. Hanging signs are typically oriented to pedestrian customers, though with proper placement, they can also be highly visible to motorists.
3. Lighting: Internally-illuminated signs are not permitted. Signs may be illuminated using spotlights placed above or below the sign. Said spotlights shall be directed toward the sign in such a way as to illuminate only the hanging sign.
4. Materials: Sign materials and finishes should be compatible to the style of the building. Hanging signs should be professionally constructed using high-quality materials such as metal, stone, or wood. If sign foam or other synthetic material is used, the finish should have the appearance of wood/natural materials.
5. Appearance: Care should be taken in using forms and colors which reference the building style or the nature of the business and enhance the appearance of the site. Signs which use geometric shapes, natural forms and simple graphic elements are interesting to look at and easy to read.

D. Projecting Signs

1. Size and number: The maximum size of a projecting sign is six (6) square feet. Either one projecting sign or one hanging sign is permitted for each business/storefront. Either one ground sign or one projecting sign is permitted per business property.
2. Placement: Projecting signs shall be securely mounted on the building façade no lower than eight (8) feet above the sidewalk. The top of a projecting sign shall be no higher than twenty (20) feet above the sidewalk and/or shall not extend above the top of the building façade. Projecting signs may be placed over public sidewalks but shall not be placed over a street right-of-way or alley. Projecting signs shall be

place in locations that are highly visible to pedestrians and motorists.

3. Lighting: Internally-illuminated signs are not permitted. Signs may be illuminated using spotlights placed above or below the sign. Said spotlights shall be directed toward the sign in such a way as to illuminate only the projecting sign.
4. Materials: Sign materials and finished should be compatible to the style of the building. Signs should be professionally constructed using high-quality materials such as metal, stone or wood. If sign form or other synthetic material is used, the finish should have the appearance of wood/natural materials.
5. Appearance: Care should be taken in using forms or colors which reference the building style or the nature of the business and enhance the appearance of the site. Signs which use geometric shapes, natural forms and simple graphic elements are interesting to look at and easy to read.

E. Awnings and Window Signs

1. Size and Number: Lettering, logos and symbols are permitted to cover up to forty percent (40%) of the sloped portion of the awning and valance portion of the awning. One awning sign is permitted for each business/storefront. Awnings shall conform to the size and shape of the window or door they are above. Overly large awnings and awnings with unusual shapes designed for the purpose of providing additional sign area are not permitted. No more than twenty percent (20%) of any window, including display windows, may contain a window sign or signs. No more than two (2) window signs may appear on any single window, and no more than four (4) window signs may appear on any single business/storefront. Open/closed placards, Chamber of Commerce memberships and credit card emblems should not be included in this calculation.
2. Placement: The uppermost part of an awning shall not be located more than two (2) feet above a window or door. Window signs may be placed in any location on a window.
3. Lighting: Back-lit awnings, which are internally-illuminated awnings made with translucent fabric with graphics or copy applied to the surface of the awning, are not permitted. Internally illuminated signs are not permitted to be used as window signs. Awning signs may be illuminated using spotlights placed above the awning and directed in such a manner as to illuminate only the awning sign. Neon signs are permitted to be used as window signs. One (1) neon window sign is permitted per business or storefront. In the case of corner businesses, one (1) neon window sign is permitted for each side fronting on a public street.
4. Materials: The lettering, logos and symbols contained in both awning and window signs shall be applied to or printed on the awning or window.

F. Multi-Tenant Buildings

Signs on multi-tenant buildings shall use uniform design elements such as

color, lettering style, and placement. New signs proposed for existing multi-tenant buildings shall provide a compatible appearance with the existing signage of other tenants. Signage should be planned to create a unified building appearance.

Individual tenant signs shall be mounted to the main sign and not hang from said sign. All tenant signs shall be identical in color and design. All letters shall be uniform in size and color for all tenant's name, with the background a uniform dark color. If more than one (1) sign is used as in the case of a site with two (2) frontages, both signs shall be uniform in color and design.

1. Twenty-five percent (25%) of the sign shall be used to identify the name of the business and/or the address of the building.
2. The remaining seventy-five percent (75%) shall be used to list the names of the tenants and/or businesses within the building.

G. Multi-Story Buildings

Wall signs and projecting signs are permitted on the building's first and second stories. Ground floor tenants should place signs at the storefront level.

Source: Ordinance No. 1551-2009, §602.13.3, 12-22-09

602.13.4 Permit Required

A. A permit application is required when any owner, authorized agent, or contractor desires to construct, enlarge, alter, repair, move, or change a sign on a building or location on the premise and said person shall first make application to the Inspection Department and obtain the required permit to work. EXCEPTION: Permits shall not be required for regular maintenance to an existing sign, such as cleaning and repainting, or to replace a face with the same identical contents.
B. A permit is required for all sign installation including permanent ground, wall, marquee, canopy, roof and trailer/portable signs, except for those signs two (2) square feet or less in size and designed for identification purposed only.
C. The permit fee for all signs shall be based on the building permit schedule. A sign permit shall become null and void if (1) the work for which the permit was issued has not been completed within a period of six (6) months after the date of the permit; of (2) if the sign varied in any respect from the approved design or location. A new sign application with fee is required in the event of any nullification.
D. Signs not requiring permits:
The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this section and/or the general sign regulations.
    (1) Construction signs.
    (2) Directional/information signs of two (2) square feet or less.
    (3) Individual political signs.
    (4) Public signs or notices or any sign relating to an emergency.
    (5) Real estate signs.
    (6) Residence signs or street address numbers, not exceeding four (4) square feet in size.

(7) Flags.

Source: Ordinance No. 1551-2009, §602.13.4, 12-22-09

602.13.5 Maintenance

A. All signs which are no longer functional or are abandoned shall be removed, or relocated, at the owner's expense, in compliance within the provisions of this Section after receiving proper notice of the Inspection Department and given thirty (30) days to comply with regulations following the disfunction of any sign.
B. All outdoor advertising sings and sign structures shall be kept in repair and in proper state of preservation.
C. Weeds and grass shall be kept cut in front of, behind, underneath, and around the base of the ground signs for a perimeter distance of ten (10) feet, and no rubbish of debris that would constitute a fire or health hazard shall be permitted under or near such a sign.
D. All signs shall be constructed in accordance with the requirements of the City of Laurel, the International Building Code, 2018 Edition, with amendments and the National Electrical Code, 2014 Edition.
E. No sign shall be suspended by nonrigid attachments that will allow the sign to swing in a wind. All free-standing signs shall have self-supporting structures erected on or permanently attached to concrete foundations. And all portable signs on display shall be braced or secured to prevent motion. Solid signs, and skeleton signs other than attached signs, shall be design to withstand a wind load according to the International Building Code, 2018 Edition, with amendments for our region.

Source: Ordinance No. 1551-2009, §602.13.5, 12-22-09; Ordinance No. 1633, 3-22-2016; Ordinance No. 1637-2016; Ordinance No. 1705-2021, §I, 3-16-21
4-5-2016

602.13.6 Non-Conforming Signs

Any non-conforming sign in existence on the date of enactment of this Section (Ordinance No. 1551-2009) shall be considered a non-conforming sign and shall be subject to the following conditions:

A. Where a legally allowed non-conforming structure, lot, or use exists, new signs shall conform to the district in which the property is located.
B. The following signs are to be removed or made to conform to this Section within ninety (90) days:
    1. non-conforming signs made of paper, cloth, or other non-durable material;
    2. all temporary signs other than those permitted herein; and,
    3. all existing billboards that are non-functional, or with expired lease agreements, or lease agreements that will expire within twelve (12) months at the passage of this ordinance.
C. If any non-conforming sign is removed or destroyed, then the replacement sign shall be in conformity with the requirements of this Section.
D. Where a material alteration occurs which necessitates the altering of a sign in any manner, the altered or changed sign shall be in conformance with the requirements of this Section.

E. Upon failure to comply with the time specified, the Building Inspector or designated inspector from the Inspection Department is hereby required to cause removal as provided by law of such sign and any expense incident thereto shall be paid by the owner, agent or lessee of said sign or of the property upon which the sign is located.
F. Existence of any non-conforming sign on the premises will prohibit issuance of further sign permits while non-conforming use exists.

Source: Ordinance No. 1551-2009, §602.13.6, 12-22-09

SECTION 603. REGULATING COMMERCIAL USE OF ANTENNAS AND TOWERS.

603.01. Findings, Purpose and Intent.

The City of Laurel expressly finds that in order to protect the safety and welfare of its citizens, to protect adjacent property owners from damage by excessively tall, bulky or heavy antennas and towers mounted on insufficiently designed or constructed towers or masts and to insure the aesthetic value of the City is protected, it is necessary to regulate antennas and towers to be constructed in the City.

The purpose of these regulations are to facilitate the rapid expansion of the wireless telecommunications industry through the use of reasonable and nondiscriminatory policies designed to encourage growth and competition for the benefit of the citizens of the City of Laurel, but at the same time to protect the public against any adverse impact upon the City's aesthetic resources, avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements, maximize the use of existing and approved towers and buildings through co-location, and protect the public health, safety, and welfare.

Source: Ordinance No. 1301-1997, Art. VI, §603,9-2-97

603.02. Definitions.

(A) Amateur Radio Operator – A person who owns and operates an amateur radio and has a current federal license and has an antenna on his property that is under 70 feet in height, which is used exclusively by said operator for personal, non-commercial use or as a receive-only antenna.

(B) Antenna – Any structure or device used for the purpose of collecting or radiating (receiving or transmitting) electromagnetic waves, including, but not limited to, directional antennas, such as panels, microwave dishes, satellite dishes, and omni-directional antennas, such as whip antennas.

(C) Co-Location – The placement of any new antenna or tower on any existing structure or tower within the City so as to make maximum use of said existing structure.

(D) Commercial Wireless Telecommunication Services – Licensed commercial wireless telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging and similar

services that are marketed to the general public.

(E) FAA – Federal Aviation Administration.

(F) FCC – Federal Communication Commission.

(G) Governing Authority – Shall mean the City Council of the City of Laurel.

(H) Grandfathered Towers and Antennas – Any tower or antenna existing on the effective date of this Article shall not be required to meet the requirements of this Article, other than the requirements of the Standard Building Code or the regulations of FAA. Any such towers or antennas that fail to meet requirements of this Article shall be referred to as "legal non-conforming" or "grandfathered" towers or antennas.

(I) Height of Towers – The height of towers shall be determined by measuring the vertical distance from the tower's point of contact with the ground or rooftop (whichever is greater) to the highest point of the tower, including all antennas or other attachments (as well as planned attachments). When towers or antennas are mounted upon existing structures, the combined height of the structure and tower must meet the height restrictions of this Article.

(J) International Building Code, 2018 Edition - That Code which regulates construction in the City of Laurel, as currently existing or as may hereafter be amended.

SOURCE: Ordinance No. 1633-2016. 3-22-2016; Ordinance No. 1705-2021, §I, 3-16-21

(K) Person – Any natural person, or partnership of two (2) or more persons having a joint or common interest, corporation, partnership, limited partnership, limited liability company, or other entity or form of entity, including an association of persons or entities.

(L) Protected Areas – Any property within the City that meets all of the following requirements:

1. The property is zoned and designated either R-1 (Low Density Residential), R-2 (Medium Density Residential), R-3 (High Density Residential-Restricted), R-4 (High Density Residential), C-1 (Restricted Commercial), or C-1A (Professional Office); or
2. The property is used or subdivided for use as one of the aforesaid zoning designations; or
3. The property is located in the Historic District.
4. The property is zoned C-4 (Central Business District) and other property located in the Comprehensive Development Plan, known as Neighborhood #7 – Central Business District Neighborhood.

Source: Ordinance No. 1317-1998, §I, 6-16-98

(M) Public Utility – Persons, corporations, or governments supplying gas, electric, transportation, water, sewer, or land line telephone service to the general public. For the purpose of this Ordinance, commercial wireless telecommunication services shall not be considered public utility uses, and

are defined separately.

(N) Satellite Dish – The term Satellite Dish shall be an inclusive term and shall mean any antenna designed to receive direct broadcast satellite service, including direct-to-home satellite services, video programming services via multipoint distribution services, including multichannel multipoint distribution services, instruction television fixed services, local multipoint distribution services or television broadcast signals, via direct or orbital satellite signals.

(O) Tower – Any ground or roof mounted pole, spire, mast, structure, or combination thereof taller than 12 feet, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-2-97; Ordinance No. 1474-2006; 9-5-06

603.03. APPLICABILITY AND PROHIBITED ACTIVITY.

603.03.01 Prohibited Activity:

(A) It shall be unlawful for any person to erect, construct in place, place or erect, replace, repair, or operate any tower within a Protected Area. See Definition K. *Source: Ordinance No. 1317-1998, §I, 6-16-98*

(B) It shall be unlawful for any person to erect, construct in place, place or erect, replace, repair, or operate any tower without a permit from the City of Laurel in any other area of a zoning designation that is not a Protected Area. See Definition K.

Source: Ordinance No. 1317-1998, §I, 6-16-98

(C) It shall be unlawful for any person to erect, construct in place, place or erect, replace, repair, or operate any tower that does not meet the height and other specifications of this Section.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-2-97

603.03.02 District Height and Space Limitations: The requirements set forth shall govern the location, installation and maintenance of towers that exceed twelve (12) feet in height above the ground's surface.

(A) Buildings and structures other than towers will be regulated according to the yard requirements set forth in each designated zoning district. The height limitations applicable to buildings and structures shall not apply to towers and antennas.

(B) In all Protected Areas (See Definition K) the maximum height of any tower, including all antennas and other attachments, shall be thirty (30) feet.

Source: Ordinance No. 1317-1998, §I, 6-16-98

(C) In all other areas, the maximum height of any tower, including all antennas and other attachments, shall not exceed a maximum height of one hundred fifty (150) feet.

(D) All towers shall be set back from all other property a distance of the height of the tower and all attached antennas plus ten percent (10%), unless the tower is a monopole construction with a collapsible design, in which event the setback requirements shall be the radius of the collapsed zone around the base plus five percent (5%).

(E) Tower locations may not be closer than one-quarter (¼) of a mile in any direction to another, except that the Inspection Department may grant a variance to this where two (2) separate providers need coverage in one area.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-2-97

603.03.03 Exemptions: This Article shall apply to all Satellite Dishes and other forms of Antennas and Towers located within the City of Laurel, except that the following shall be exempt from the requirements of this Article.

(A) Any Satellite Dish as defined herein that is mounted at a height no greater than twelve (12) feet above grade (this measurement includes both the height of the mast or tower to which the antenna is attached as well as the height of the structure upon which it is mounted, such as a house, if applicable) that is designed to receive direct broadcast satellite service, including direct-to-home satellite service, that is one meter or less in diameter; or that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional fixed services, and that is one meter or less in diameter or diagonal measurement.

(B) Any antenna that is designed to receive a television broadcast signals that is mounted at a height no greater than thirty-six (36) feet from the ground for the personal use of the resident.

(C) Any existing Amateur Radio Antenna or Tower, or the installation of any such Tower or Antenna that is under seventy (70) feet in height and location in the rear yard of a residence in a Protected Area and is owned and operated by an Amateur Radio Operator.

(D) Any Grandfathered Towers and Antennas as defined herein. If one of these towers is replaced, added to or upgraded, the same shall be approved in advance by the Inspection Department.

(E) Any City property, regardless of where the same is located.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-2-97

603.03.04 Violations: Any person who shall violate any of the provisions of this

Article shall be subject to fines and penalties stated herein. In addition to said fines and penalties, the City may seek injunctive relief to prohibit such violations or other legal remedies to enforce this Article.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-2-92

603.04. PERMIT APPLICATION, FEES, PROCESSING AND APPEALS.

603.04.01 Permit: It shall be unlawful for any person to erect, construct in place, place or erect, replace, or repair any tower without first making application to the Inspection Department and securing a permit therefor as provided herein and in compliance with the International Building Code, 2018 Edition, as amended, or most recent edition adopted.

Source: Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1633-2016, 3-22-2016; Ordinance No. 1705-2021, §I, 3-16-21

603.04.02 Preliminary Site Approval: A person may seek preliminary approval of a site by the Inspection Department prior to completing the detailed application and paying the fees required below. The request to the Inspection Department must be in writing, which address shall require as a minimum the name, address, and telephone number of the person requesting a permit, the street address of the site, the name of the owner of the site, the proposed height of the tower and type of tower and uses of tower. The preliminary approval or disapproval of the site by the Inspection Department will not be determinative as to whether or not applicant is ultimately granted a permit to construct and operate a tower on said site.

603.04.03 Fees: The application shall be accompanied by a non-refundable fee of Five Hundred Dollars ($500.00). Such fee shall be payable by a certified check, postal order or money order to the City of Laurel. Said fees may be periodically revised by the City Council as it deems necessary.

603.04.04 Application: Any application to the City of Laurel for a permit to erect, construct and place, replace or repair any tower (including personal wireless service facilities) in the City of Laurel shall contain the following minimum information:

(A) The names, address and telephone number of the person requesting the permit. The person named shall be a primary contact who has authority to act on behalf of the person or entity requesting the permit.

(B) A site plan which shall include the following:

1. street address and legal description of site;

2. property boundary lines and dimensions, available utilities, location of easements, roadways, rail lines and public rights-of-ways crossing adjacent to the subject property;

3. the proposed height, dimensions and arrangements of buildings and uses on the site;

4. the type and location of landscaping proposed for the site;

5. the locations of points of ingress and egress to and from the site; and

6. location of any significant regrading of the site and alteration of any significant topographical or physical features, including water courses.

(C) The names and addresses of all adjoining land-owners on all sides of the site, including those across any street.

(D) A report from a qualified and licensed professional engineer which describes the following items as they relate to the various requirements of this Section.

1. the tower height and design, including a cross section and elevation;

2. a report demonstrating the tower's compliance with structural and electrical needs required by the City of Laurel International Building Code, 2018 Edition, as amended, or most recent edition adopted;

Source: Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1633-2016, 3-22-2016; Ordinance No. 1705-2021, §I, 3-16-21

3. the height above grade for all potential mounting positions for co-located antennas and the minimum separation distances between antennas;

4. the towers' capacity, including the number and type of antennas that it can accommodate;

5. the co-location requirements in subsection 603.08;

6. an outline of the steps the applicant will take to avoid interference with established public safety telecommunications;

7. the type, wattage and other lighting specifications to be used on the site and the tower;

8. a description of the method of securing the site and the tower from vandals, curiosity seekers and unauthorized personnel; and

9. the stamp, registration number and signature of the engineer preparing the report.

(E) Written authorization from the site owner allowing the application and the installation of said tower.

(F) Proof that the proposed tower complies with regulations administered by the FAA as it affects towers in said location.

(G) A letter of intent by the owner, for himself and successors, agreeing to allow the shared use of the tower by third parties upon agreement to reasonable terms and conditions for such use.

(H) Any additional information that the City Council and Inspection Department may from time to time require.

603.04.05 Processing: Each application shall be processed within a reasonable period of time after the application has been filed. A permit or denial of permit shall be issued by the Inspection Department no later than thirty (30) days after the date on which the application was filed. The Inspection Department may extend the time period for considering said application beyond the allowed time in increments not to exceed thirty (30) days at a time if the Inspection Department finds that due to the nature and scope of the application additional time is required. The reasons for the additional time shall be provided to the applicant in writing. The Inspection Department may request in writing additional information from applicant, which request will suspend the time for granting or denying a permit.

603.04.06 Notice: Applicant must furnish proof that all adjoining landowners have been given written notice of his application. Inspection Department must give at least fifteen (15) days public notice by publication in the local newspaper that it is considering said application.

603.04.07 Objections: Any citizen may file objections to an application in writing with the Inspection Department. Said objections will be considered by the Inspection Department in passing on said application.

603.04.08 Permit Approval: If the Inspection Department decides to grant the permit, it will give applicant a written notice to proceed with its site plan and tower construction. Applicant will furnish a schedule of dates for completing each phase of the project and will give Inspection Department notice of the completion of each. Inspection Department will have forty-eight (48) hours to inspect each completion. Failure to inspect within said time will authorize applicant to proceed to the next phase. Inspection Department may stop the project by giving written notice of deficiencies. Inspection Department's failure to inspect or find deficiencies does not place any liability on the City of Laurel nor does it relieve applicant of all liability for any accident arising out of said construction or said tower. Upon completion of all construction and after final inspection, Inspection Department will issue applicant a permit.

603.04.09 Permit Denial: If the application for a permit is denied then the denial shall be in writing setting forth each specific reason for the denial. Said reasons shall be placed in applicant's file in the records of the Inspection Department. The Inspection Department shall mail said reasons to

applicant by certified U. S. Mail, return receipt requested. A denial will be supported by substantial evidence.

603.04.10 Appeals: Applicant may appeal a decision of the Inspection Department to the Planning Commission within ten (10) days after receipt of a written denial. Notice of appeal must be in writing and filed with the Inspection Department. The Planning Commission may hear said appeal after fifteen (15) days' public notice of the subject matter, time, date and place of the hearing to consider said appeal. An appeal from any decision of the Planning Commission shall be to the City Council as authorized by other articles of this Ordinance.

Source: Ordinance No. 1301-1997, Article IV, §603, 9-4-97; Ordinance No. 1474-2006, 9-5-06

603.05. TOWERS; PERFORMANCE STANDARDS AND OTHER REQUIREMENTS.

603.05.01 Tower Construction Requirements. All towers erected, constructed, or located within the City, and all wiring therefor, shall comply with the requirements set forth in the International Building Codes, 2018 Edition, as amended, or most recent editions adopted.

Source: Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1633-2016, 3-22-2016; Ordinance No. 1705-2021, §I, 3-16-21

603.05.02 Tower and Antenna Design Requirements:

(A) Towers and antennas shall be designed to blend into the surrounding environment, to the extent possible, unless the FAA or other federal or state authorities require otherwise or that the goal of the co-location would be better served by an alternate design. The use of color and camouflaging architectural treatment is encouraged and may be required in some area abutting residential areas or other areas of the city. The Inspection Department may, on a case-by-case basis, require specific colors or other kind of camouflage, such as landscaping, to insure that the aesthetic results compliment the surrounding area. The use of guyed wires is prohibited.

(B) Towers shall be of a monopole design unless the zoning authority determines that an alternative design would better blend in to the surrounding environment.

603.05.03 Tower Lighting:

(A) Towers shall not be illuminated through the use of artificial lights such as strobe lights or other lighting devices unless specifically required by the FAA or other state and federal government agencies. Light fixtures may be attached if it is part of the design incorporated into the tower structure to be used for the illumination of athletic fields, parking lots, streets or other similar areas. Lighting of the accessory buildings for basic security purposes is permissible but may not result in unnecessary glare on adjacent properties in residentially zoned areas.

(B) Should lighting be required by state or federal law the lighting they shall be placed on the tower and designed in such a way as to minimize the glare on adjacent residential properties. White strobe lights may not be used unless required.

603.05.04 Signs and Advertising: Towers shall not display signs or advertisements for commercial or non-commercial purposes, unless such signs are for the purpose of providing warning or specific equipment information.

603.05.05 Accessory Utility Buildings and Screening: All utility buildings and structures accessory to a tower shall be architecturally designed to blend in with the surrounding environment and shall meet the minimum setback requirements of the underlying zoning districts. Ground mounted equipment shall be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and compliments the architectural character of the surrounding neighborhood. The Inspection Department may require additional screening or otherwise require design modifications to insure that the attractiveness and the aesthetic quality of the area is not adversely impacted.

603.05.06 Abandoned or Unused Towers: All abandoned, unused or obsolete towers and accompanying accessory facilities shall be removed by the property owner within twelve (12) months of cessation of use. In the event that a tower and its associated facilities are not removed within twelve (12) months of cessation of operations at a site, the tower and associated facilities may be removed by the City and the costs of removal assessed against the property.

603.05.07 Proof of Non-Interference: Each application for construction of a wireless telecommunication facility shall include either a preliminary or a certified statement that the construction tower, including reception and transmission functions, will not interfere with the radio, television and public safety communications devices or other services enjoyed by adjacent residential and nonresidential properties. In the event only a preliminary statement is submitted with the application a final certified statement of non-interference will be provided and approved prior to issuance of a building permit. The certificate shall be certified by a licensed engineer.

603.05.08 Radio Frequency Emissions: Each application must show that any antenna placed on the tower meets state and federal regulations pertaining to non-ionizing radiation and other health hazards related to such facilities. If new or more restrictive standards are adopted then the antenna shall be made to comply or continued operation may be restricted.

Source: Ordinance 1301-1997, Article VI, §603, 9-4-97

603.06. SPECIAL USE PERMITS (VARIANCE).

603.06.01 General: if an applicant desires to build a tower or other antenna that exceeds the height, setback or other requirements herein, or if the

applicant wishes to place a tower in a protected area (See Definition K), the applicant may apply for a special use permit or variance, provided the applicant can meet the other requirements of this Article. The following provisions shall govern the issuance of special use permits (variance).

Source: Ordinance No. 1317-1998, §I, 6-16-98

(A) The applicant shall present sufficient evidence to support his need for a special use permit and the particular requirements from which he requests relief.

(B) A variance or a special use permit shall be required for the construction, placement and operation of any tower or other antenna where either the site or the structure does not meet the requirements of this Article.

(C) The Inspection Department shall consider each request for a variance on a case-by-case basis.

(D) In granting a special use permit (variance), the Inspection Department may impose zoning conditions to the extent the Inspection Department concludes such conditions are necessary to buffer or otherwise minimize any adverse effect of the proposed tower on adjoining properties.

603.06.02 Factors Considered in Granting Special Use Permits (Variances): The Inspection Department shall consider the following factors in determining whether to issue a special use permit (variance), although the Inspection Department may waive or reduce the burden on the applicant of one or more of the criteria, if, in the sole discretion of the Inspection Department, the goals of this Article are better served thereby:

(A) Height of the proposed towers or antenna;

(B) Proximity of the tower to residential structures and residential district boundaries;

(C) Technical or engineering requirements limiting placement of the tower in other areas in order to provide coverage to a specific area;

(D) Nature of uses on adjacent and nearby properties;

(E) Surrounding topography, tree coverage and foliage;

(F) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness; and,

(G) Availability of suitable existing towers and other structures.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-4-97

603.07. INDEMNITY.

The owner of the tower and all communications service providers must file with the Inspection Department proof of either liability insurance or financial ability to respond to

claims up to $1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the City.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-4-97

603.08. CO-LOCATION REQUIREMENTS WITH EXISTING TOWERS OR OTHER STRUCTURES.

603.08.01 All persons applying to erect, construct, or locate a tower or antenna within the City shall also consider the following requirements and either include them in their application or show cause why they cannot be included on that particular tower or site.

603.08.02 Any proposed tower shall be designed, structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least two (2) additional users if the tower is over one hundred (100) feet in height or for at least one (1) additional user if over sixty (60) feet in height. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights. The applicant shall not unreasonably deny the right for other providers to co-locate in the future.

603.08.03 No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Inspection Department that no existing tower or other structure can accommodate the applicant's proposed antenna within a one mile search radius (one-half mile for towers under 120 feet in height, one quarter mile for towers under 80 feet in height) of the proposed tower. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:

(A) No existing tower is located within the geographic area required to meet applicant's engineering requirements.

(B) Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.

(C) Existing towers or structures do not have sufficient structural capacity to support applicant's proposed antenna and related equipment and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.

(D) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

(E) The fees or costs required to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower construction are presumed unreasonable.

(F) Property owners or owners of existing towers or structures are unwilling

to accommodate reasonably the applicant's needs.

(G) The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-4-97

603.09. PENALTY.

Any person who violates, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Article, shall on conviction be fined no more than Three Hundred Dollars ($300.00) for each offense, or be imprisoned for ninety (90) days, or both such fine and imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense. In addition to the above penalty, the City may obtain an injunction for the purpose of enforcing the terms of this Article.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-4-97

603.10. SEVERABILITY.

In the event any section, clause, or provision of this Article shall be declared by the Courts to be invalid, the same shall not affect the validity of this Article as a whole or any part thereof, other than the part so declared to be invalid.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-4-97

603.11. REPEAL OF CONFLICTING ARTICLES OR ORDINANCES.

All Ordinances or parts of Ordinances in conflict with this Article be and the same are hereby repealed.

Source: Ordinance No. 13010-1997, Art. VI, §603, 9-4-97

603.12. EFFECT DATE.

This Ordinance shall take effect and be in force thirty (30) days after its passage.

Source: Ordinance No. 1301-1997, Art. VI, §603, 9-4-97

604. RESIDENTIAL FENCES AND WALLS.

604.01. Fences and Walls

Fences and walls in residential districts may be permitted in any required yard or along the edge of any yard provided that no fence or wall which is also a concealing fence and located in front of any front building line shall exceed four (4) feet in height and shall not exceed eight (8) feet in height on the side or rear yards. In a reverse frontage lot situation, the fence or wall which is also a screen located in the side yard abutting the rear of the lot shall not exceed six (6) feet in height. The lawful location and maintenance of fences and walls existing at the time of the passage of this Section may be continued, although such use does not conform with the provisions hereof, provided however, that no structural alterations may be made therein and the same my not be replaced without conforming to this Section.

604.02. Building Permit Required

Fences, walls, and other boundary structures require a building permit according to this ordinance and the International Building Code, 2018 Edition, as amended, or most recent edition adopted, and any future editions and all commercial installers of these structures will be required to have a City Privilege License.

Source: Ordinance No. 1312-1998, §I (A), 2-3-98; Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1633-2016, 3-22-2016; Ordinance No. 1705-2021, §I, 3-16-21

605. REGULATING THE LOCATION AND OPERATION OF ADULT ENTERTAINMENT ESTABLISHMENTS.

605.01.Purposes and Intent.

It is the purpose of this Ordinance to regulate sexually oriented businesses and related activities to promote the health, safety, morals, and general welfare of the citizens of the City of Laurel, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of sexually oriented businesses within the City. The provisions of this Ordinance have neither the purpose nor the effect of imposing a limitation or restriction on the content of any communicative material, including sexually oriented materials. Similarly, it is not the intent nor effect of this Ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this Ordinance to condone or legitimize the distribution of obscene materials.

The Mayor and Council find that such regulation would protect the health, safety, and welfare of the residents of the City of Laurel, Mississippi.

Source: Ordinance No. 1324-1998, Article VI, §605, 9-8-98

605.02.Definitions.

(A) ADULT ARCADE means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas".

(B) ADULT BOOKSTORE or ADULT VIDEO STORE means a commercial establishment which, as one of its principal business purposes, offers for sale or rental any form of consideration, any one or more of the following:

1. books, magazines, periodicals, or other printed matter, or photographs, films, motion picture, video cassettes or video reproductions, slides, or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or

2. instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities".

A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as ADULT BOOKSTORE or ADULT VIDEO STORE. Such other business purposes will not serve to exempt such commercial establishments from being categorized as an ADULT BOOKSTORE or ADULT VIDEO STOE, so long as it offers for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas". A principal business purpose need not be a primary use of an establishment, so long as it is a significant use. A significant use includes, but is not limited to, the following:

25% of commercial inventory; or
25% of gross sale; or
25% of commercial floor space

(C) ADULT CABARET means a nightclub, bar, restaurant, or similar commercial establishment which regularly features:

1. persons who appear in a state of semi-nudity; or
2. live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
3. films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas; or
4. person who engage in lewd, lascivious or erotic dancing or performances that are intended for the sexual interests or titillation of an audience or customers.

(D) ADULT MOTEL means a hotel, motel or similar commercial establishment which:

1. offers accommodation to the public for any form of consideration and provides patrols with closed-circuit television transmission, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; and
2. offers a sleeping room for rent a period of time that is less than twenty-four (24) hours; or
3. allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than twenty-four (24) hours.

(E) ADULT MOTION PICTURE THEATER means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

(F) ADULT THEATER means a theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances.

(G) DIRECTOR means the Building Inspector and/or the Inspection Department's designee and such employee(s) of the Inspection Department as she/he may designate to perform the duties of the "Director" under this Ordinance.

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

(H) ESCORT means a person who, for consideration, agrees or offers to act as a companion, guide or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

(I) ESCORT AGENCY means a person or business association who furnishes offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip or other consideration.

(J) ESTABLISHMENT means and includes any of the following:

1. the opening or commencement of any sexually oriented business as a new business;
2. the conversion of any existing business, whether or not a sexually oriented business, to any sexually oriented business;
3. the additions of any sexually oriented business to any other existing sexually oriented business; or
4. the relocation of any sexually oriented business.

(K) LICENSED DAY-CARE CENTER means a facility licensed by the State of Mississippi, whether situated within the City or not, that provides care, training, education, custody, treatment or supervision of more than twelve (12) children under fourteen (14) years of age, where such children are not related by blood, marriage or adoption to the owner or operator of the facility, for less than twenty-four (24) hours a day, regardless of whether or not the facility is operated for a profit or charges for the services it offers.

(L) PERMITTEE AND/OR LICENSEE means a person in whose name a permit and/or license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license.

(M) NUDITY or a STATE OF NUDITY means the appearance of a human bare buttock, anus, male genitals, female genitals, or female breast, without a fully opaque complete covering of the breast below a point immediately above the top of areola, or human male genitals, in a discernibly turgid state, even if completely and opaquely covered.

(N) PERSON means an individual, proprietorship, partnership, corporation, association, or other legal entity.

(O) SEMI-NUDE means a state of dress in which clothing covers no more than the human bare buttocks, anus, male genitals, female genitals, or female breast without a fully opaque complete covering of the breast below a point immediately above the top of the areola, or human male genitals, in a discernibly turgid state, even if completed or opaquely covered.

(P) SEXUAL ENCOUNTER CENTER means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:

1. physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
2. activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nudity.

(Q) SEXUALLY ORIENTED BUSINESS means an adult arcade, adult bookstore, or adult video store, adult cabaret, adult motel, adult motion picture theatre, adult theater, escort agency, nude model studio, or sexual encounter center.

(R) SPECIFIED ANATOMICAL AREAS means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

(S) SPECIFIED SEXUAL ACTIVITIES means and includes any of the following:

1. the fondling of other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
2. sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
3. masturbation, actual or simulated; or
4. excretory functions as part of, or in connection with any of the above activities set forth in (A) through (C) above.

(T) SUBSTANTIAL ENLARGEMENT of a sexually oriented business means the increase in floor areas occupied by the business by more than twenty-five percent (25%), as the floor areas exist on date of passage.

(U) TRANSFER OF OWNERSHIP OR CONTROL of a sexually oriented business means and includes any of the following:

1. the sale, lease or sub-lease of the business;
2. the transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
3. the establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

605.03. Classification.

Sexually oriented businesses are classified as follows:

(A) adult arcades;
(B) adult bookstores or adult video stores;
(C) adult cabarets;
(D) adult motels;
(E) adult motion pictures theatres;
(F) adult theatres;
(G) escort agencies;

(H) nude model studios; or
(I) sexual encounters center

605.04. Permit and/or License Required.

605.04.01 It shall be unlawful for a person to operate a sexually oriented business without a valid permit and/or license issued by the Director.

605.04.02 An application for a permit and/or license must be made on a form provided by the City of Laurel. The application must be accompanied by a sketch or a diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches (6").

605.04.03 The applicant must pay a permit and/or license fee. The fee must be paid either in cash or by cashier's check or money order made payable to the City of Laurel.

605.04.04 The applicant must be qualified according to the provisions of this Ordinance, and the premises must be inspected and found to be in compliance with the law by the health department, fire department, building inspector and zoning official.

605.04.05 If a person who wishes to operate a sexually oriented business is an individual, he must sign the application for a permit and/or license as applicant. If a person who wishes to operate a sexually oriented business is other than an individual, each individual who has a ten percent (10%) or greater interest in the business must sign the application for a permit and/or license as applicant. If a corporation is listed as owner of a sexually oriented business, or as the entity which wishes to operate such a business, each individual having ten percent (10%) or greater interest in the corporation must sign the application for a permit and/or license as applicant.

605.04.06 The fact that a person possesses other types of state or city permits and/or licenses does not exempt him from the requirement of obtaining a sexually oriented business permit and/or license.

605.04.07 Application for a permit, whether original or renewal, must be made to the Director by the intended operator of the enterprise. Applications must be submitted by hand delivery to the office of the Director or the Director's designee during regular working hours. Application forms shall be supplied by the Director. The intended operator shall be required to give the following information on the application form:

(A) the name, street address (and mailing address, if different), and Mississippi driver's license number of the intended operator;
(B) the name and street address (and mailing address, if different) of the owner(s);
(C) the name under which the establishment is to be operated and a

general description of the services provided;

(D) the telephone number of the establishment;

(E) the address and legal description of the tract of land on which the establishment is to be located;

(F) if the establishment is in operation, the date on which the owner(s) acquired the establishment for which the permit is sought, and the date on which the establishment began operations as sexually oriented business at the location for which the permit is sought; and

(G) if the establishment is not in operation, the expected start-up date (which shall be expressed in number of days from the date of issuance of the permit). If the expected start-up date is to be more than ten (10) days following the date of issuance of the permit, then a detailed explanation of the construction, repair or remodeling work or other cause of the expected delay and a statement of the owner's time schedule and plan for accomplishing the same.

605.04.08 The application shall be accompanied by the following:

(A) payment of the application fee in full;

(B) if the establishment is a Mississippi corporation, a certified copy of the Articles of Incorporation, together with all amendments thereto;

(C) if the establishment is a foreign corporation, a certified copy of the Certificate of Authority to Transact Business in the State of Mississippi together with all amendments thereto;

(D) if the establishment is a limited partnership formed under the laws of Mississippi, a certified copy of the Certificate of Limited partnership, together with all amendments, thereto;

(E) if the establishment is a foreign limited partnership, a certified copy of the Certificate of Limited Partnership and the qualification documents, together with all amendments, thereto;

(F) proof of the current fee ownership of the tract of land on which the establishment is to be situated, in the form of a copy of the recorded deed;

(G) if the persons identified as the fee owner(s) of the tract of land in item (F) are not also the owners of the establishment, then the lease, purchase contract, purchase option contract, lease option contract or other document(s) evidencing the legally enforceable right of the owners of the establishment to have or obtain the use and possession of the tract or portion thereof that is to be used for the establishment for the purpose of the operation of the establishment;

(H) any of items (B) through (G) above, shall not be required for a renewal application, provided the applicant states that the documents previously furnished the Director with the original application, or previous renewals thereof, remain correct and current.

605.04.09 The application shall contain a statement under oath that:

(A) the applicant has personal knowledge of the information contained in the application and that the information contained therein and furnished therewith is true and correct; and
(B) the applicant has read the provisions of this Article.

605.04.10 A separate application and permit shall be required for each sexually oriented business, regardless of the owner.

605.05. Fees.

The annual fee for a sexually oriented business permit and/or license is Five Hundred Dollars ($500.00). This fee is to be used to pay for the cost of administration and enforcement of this Ordinance.

605.06. Issuance of Permit and/or License.

605.06.01 The Director shall approve the issuance of a permit and/or license to an applicant within thirty (30) days after receipt of an application, unless he finds one or more of the following to be true:

(A) an applicant is under twenty-one (21) years of age;
(B) an applicant is a convicted felon;
(C) an applicant or applicant's spouse is overdue in his payment to the City of taxes, fines or penalties assessed against him, or imposed upon him;
(D) an applicant has failed to provide information reasonably necessary for issuance of the permit and/or license or has falsely answered a question or request for information on the application form;
(E) an applicant is residing with a person who has been denied a permit and/or license by the City to operate a sexually oriented business within the preceding twelve (12) months, or residing with a person whose license to operate a sexually oriented business has been revoked within the preceding twelve (12) months;
(F) the premises to be used for the sexually oriented business have not been approved by the health department, fire department, building inspector and zoning official, as to be in compliance with applicable laws and Ordinances.
(G) the permit and/or license fee required by this Ordinance has not been paid;
(H) an application of the proposed establishment is in violation of, or is not in compliance with, any of the provisions of this Ordinance.

605.06.02 The permit and/or license, if granted, shall state on its face, the name of the person or persons to whom it is granted, the expiration date, and the address of the sexually oriented business. The permit and/or license shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time.

605.06.03 The Health Department, Fire Department, and Building Inspector shall complete their certification that the premises is in compliance or not in compliance within thirty (30) days of receipt of the application by the Director. The certification shall be promptly presented to the Director.

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

605.06.04 In the event that the Director determines that an applicant is not eligible for a permit, the applicant shall be given notice in writing of the reasons for the denial within forty-five (45) days of the receipt of its application by the Director. The applicant may request in writing, that such period be extended for an additional period of not more than ten (10) days at any time before the notice is issued in order to make modifications necessary to comply with this Ordinance.

605.06.05 An applicant may appeal the decision of the Director, regarding denial to City Council by filing a written notice of appeal with the City Clerk within ten (10) days after the applicant is given notice of the Director's decision. The notice of appeal shall be accompanied by a memorandum or other writing setting out fully the grounds for such appeal and all arguments in support thereof. The Director may submit a memorandum in response to the memorandum filed by the applicant on appeal to City Council. After reviewing such memoranda, as well as the Director's written decision, if any, and exhibits submitted to the Director, the City Council shall vote to either uphold or overrule the Director's decision. Such vote shall be taken within thirty (30) calendar days after the date on which the City Clerk receives the notice of appeal. However, all parties shall be required to comply with the Director's decision during the pendency of the appeal.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.07. Inspection.

An applicant, or permittee, and/or licensee shall permit representatives of the Police Department, Health Department, Fire Department, Inspection Department, or other City or State departments or agencies to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the laws, at any time it is occupied or open for business.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98; Ordinance No. 1474-2006, 9-5-06

605.08. Expiration of Permit and/or License.

605.08.01 Each permit and/or license shall expire one (1) year from the date of issuance and may be renewed only by making application as provided in Section 605.04. application for renewal should be made at least thirty (30) days before the expiration date, and when made less than thirty (30) days before the expiration date, the expiration of the permit and/or license will not be affected.

605.08.02 When the Director denies renewal of a license, the applicant shall not be issued a permit and/or license for one (1) year from the date of denial. If, subsequent to denial, the Director finds that the basis of denial of the renewal permit and/or license, has been corrected or abated, the applicant may be granted a permit and/or license, if at least ninety (90) days have elapsed since the date denial became final.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.09. Suspension.

The Director shall suspend a permit and/or license for a period not to exceed thirty (30) days, if he determines that permittee and/or licensee, or an employee of a permittee and/or licensee has:

(A) violated or is not in compliance with any section of this Ordinance;
(B) become impaired or intoxicated through the use of alcoholic beverages, while on the sexually oriented business premises;
(C) refused to allow an inspection of the sexually oriented business premises as authorized by this Ordinance;
(D) knowingly permitted gambling by any person on the sexually oriented business premises; or
(E) been charged with a felony.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.10. Revocation.

605.10.01 The Director shall revoke a permit and/or license, if a cause of suspension in Section 605.09 occurs and the permit and/or license has been suspended within the proceeding twelve (12) months.

605.10.02 The Director shall also revoke a permit and/or license if he determines that:

(A) a permittee and/or licensee gave false or misleading information in the material submitted during the application process;
(B) a permittee and/or licensee or an employee has knowingly allowed possession, use or sale of controlled substances on the premises;
(C) a permittee and/or licensee or an employee has knowingly allowed prostitution on the premises;
(D) a permittee and/or licensee or an employee knowingly operated the sexually oriented business during a period of time when the permittee's and/or licensee's permit and/or license was suspended.
(E) a permittee and/or licensee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or other sexual conduct to occur in or on the permitted and/or licensed premises;
(F) a permittee and/or licensee is delinquent in payment to the City, County, or State for any taxes or fees assessed;
(G) the owner or operator of the permitted establishment knowingly allowed a person under twenty-one (21) years of age to enter an establishment; or
(H) that there was a change of owner or operator for which a transfer application was not timely filed; or
(I) convicted of a felony.

605.10.03 When the Director revokes a permit and/or license, the revocation shall continue for one 91) year, and the permittee and/or licensee shall not be issued a sexually oriented permit and/or license for one (1) year from the date revocation became effective. If, subsequent to revocation, the

Director finds that the basis for the revocation has been corrected or abated, the applicant may be granted a permit and/or license, if at least ninety (90) days have elapsed since the date the revocation became effective.

605.10.04 After denial of an application by the Director and City Council, or denial of a renewal of an application, or suspension or revocation of a permit and/or license by the Director, the applicant or licensee or permittee may seek prompt judicial review of such administrative action in any court of competent jurisdiction.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.11. Transfer of Permit and/or License.

A permittee and/or licensee shall not transfer his permit and/or license to another, nor shall a permittee and/or licensee operate a sexually oriented business under the authority of a permit and/or license at any place other than the address designated in the application.

Source: Ordinance No. 1324-1988, Art. VI, §605, 9-8-98

605.12. Location Restrictions.

Sexually oriented businesses shall be permitted in Section I-2, Light Industrial District only, provided that:

(A) The sexually oriented business may not be operated within one thousand (1,000) feet of:
1. a church, synagogue or regular place of religious worship;
2. a public or private elementary or secondary school;
3. a boundary of any residential district;
4. a public park, playground, or any other public recreation/sports facility;
5. a licensed day-care center;
6. a nursing, convalescent, retirement, or assisted care facility; or
7. another sexually oriented business.

(B) A sexually oriented business may not be operated in the same building, structure, or portion thereof, containing another sexually oriented business.

(C) For the purpose of this Ordinance, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, synagogue, regular place of worship, or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot, or licensed day care center.

(D) For purposes of Subsection (C) of this section, the distance between any two (2) sexually oriented business uses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.

(E) A sexually oriented business must be conducted in a building with a minimum of three thousand (3,000) square feet.

(F) A sexually oriented business must have a parking lot providing at least one (1) parking space for every one hundred (100) square feet of building space, in addition to providing handicapped parking as prescribed by § 1104 (Table 1104.3) of Standard Building Code, 1994 Edition and thereafter as amended.

(G) A sexually oriented business must provide outside lighting for the parking lot, with a minimum luminescence of 5-7 foot candle (average maintained).

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.13. Non-Conforming Uses.

605.13.01 Any business lawfully operating on the effective date of this Ordinance that is in violation of the locational or structural configuration requirements of this Ordinance shall be deemed a non-conforming use. The non-conforming use will be permitted to continue for a period not to exceed two (2) years, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. Such non-conforming uses shall not be increased, enlarged, extended, or altered, except that the use may be changed to a conforming use. If two (2) or more sexually oriented businesses are within one thousand (1,000) fee of one another, and otherwise in a permissible location, the sexually oriented business which was first established and continually operated at a particular location is the conforming use and the later-established business(es) is non-conforming.

605.13.02 A sexually oriented business lawfully operating as a conforming use is not rendered a non-conforming use by the location, subsequent to the grant or renewal of the sexually oriented business permit and/or license, of a church, synagogue, or regular place of religious worship, public or private elementary or secondary school, licensed day-care center, public park or residential district within one thousand (1,000) feet of the sexually oriented business. This provision applies only to the renewal of a valid permit and/or license, and does not apply when an application for a permit and/or license is submitted after a permit and/or license has expired or has been revoked.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.14. Regulations Pertaining to the Sale of Alcohol or Alcoholic Beverages.

No alcohol, beer, wine or other like drinks may be allowed on or inside the premises of any adult arcade, adult bookstore, or adult video store, adult cabaret, adult motel, adult motion picture theatre, adult theater, sexual encounter center, or any other sexually oriented business.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.15. Exterior Portions of Sexually Oriented Businesses.

605.15.01 It shall be unlawful for an owner or operator of a sexually oriented business to allow the merchandise or activities of the establishment to be visible from a point outside the establishment.

605.15.02 It shall be unlawful for the owner or operator of a sexually oriented

business to allow the exterior portion of the sexually oriented business to have flashing lights, or any words, letting, photographs, silhouettes, drawings, or pictorial representations of any manner except to the extent permitted by the provisions of this Ordinance.

605.15.03 It shall be unlawful for the owner or operator of a sexually oriented business to allow exterior portions of the establishment to be painted any color other than a single achromatic color. This provision shall not apply to a sexually oriented business, if the following conditions are met:

(A) the establishment is part of a commercial multi-unit center; and
(B) the exterior portions of each individual unit in the commercial multi-unit center, including the exterior portions of the business, are painted the same color as one another or are painted in such a way so as to be a component of the overall architectural style or pattern of the commercial multi-unit center.

605.15.04 Nothing in this section shall be construed to require the painting of an otherwise unpainted exterior portion of a sexually oriented business.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.16. Signage.

605.16.01 Notwithstanding any other City Ordinance Code, or regulation to the contrary, it shall be unlawful for the owner or operator of any sexually oriented business or any other person to erect, construct, or maintain any sign for the sexually oriented business, other than the one (1) primary sign, and one (1) secondary sign, as provided herein.

605.16.02 Primary signs shall have no more than two (2) display surfaces. Each such display surface shall:

(A) not contain any flashing lights;
(B) be a flat plane, rectangular in shape;
(C) not exceed seventy-five (75) square feet in area; and
(D) not exceed ten (10) feet in height or ten (10) feet in length.

605.16.03 Primary signs shall contain no photographs, silhouettes, drawings, or pictorial representations in any manner, and may contain only the name of the enterprise.

605.16.04 Each letter forming a word on a primary sign shall be of solid color. The background behind such letters on the display surface of a primary sign shall be of a uniform and solid color.

605.16.05 Secondary signs shall have only one (1) display surface. Such display surface shall:

(A) be a flat plane, rectangular in shape;
(B) not exceed twenty (20) square feet in area;
(C) not exceed five (5) feet in height and four (4) feet in width; and

(D) be affixed or attached to any wall or door of the enterprise.

605.16.06 The provisions of item (A) of Subsection 605.16.02 and Subsections 605.16.03 and 605.16.04 shall also apply to secondary signs.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.17. Persons Younger than Twenty-One (21) Prohibited from Entry; Attendant Required.

605.17.01 It shall be unlawful to allow a person who is younger than twenty-one (21) years of age to enter or be on the premises of a sexually oriented business at any time that the sexually oriented business is open for business.

605.17.02 It shall be the duty of the operator of each sexually oriented business to ensure that an attendant and/or clerk is stationed at each public entrance to the sexually oriented business at all times during such sexually oriented business' regular business hours. It shall be the duty of the attendant and/or clerk to prohibit any person under the age of twenty-one (21) years from entering the sexually oriented business. It shall be presumed that an attendant and/or clerk knew a person was under the age of twenty-one (21) years of age unless such attendant and/or clerk asked for and was furnished:

(A) a valid operator's, commercial operator's or chauffeur's driver's licenses; or
(B) a valid personal identification certificate issued by the State of Mississippi reflecting that such person is twenty-one (21) years of age or older.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.18. Additional Regulations for Adult Motels.

605.18.01 Evidence that a sleeping room in a hotel, motel, or a similar commercial establishment has been rented and vacated two (2) or more times in a period of time that is less than ten (10) hours, creates a rebuttable presumption that the establishment is an adult motel as that term is defined in this section.

605.18.02 It is unlawful if a person, as the person in control of a sleeping room in a hotel, motel, or similar commercial establishment that does not have a sexually oriented permit and/or license, rents, or sub rents a sleeping room to a person, and within ten (10) hours from the time the room is rented, he rents or sub rents the same sleeping room again.

605.18.03 For purposes of Subsection 605.18.02 of this section, the terms "rent" or "sub rent" mean the act of permitting a room to be occupied for any form of consideration.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.19. Regulations Pertaining to Exhibition of Sexually Explicit Films or Videos.

605.19.01 A person who operates or causes to be operated a sexually oriented business, other than adult motel, which exhibits on the premises a viewing room of less than one hundred fifty (150) square feet of floor space, a film, video cassettes, or other video reproduction which depicts specified activities or specified anatomical areas, shall comply with the following requirements:

(A) Upon application for a sexually oriented permit and/or license, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more manager's stations and the location of all overhead lighting fixtures, and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed thirty-two (32) square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six inches (6"). The Director may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.

(B) The application shall be sworn to be true and correct by the applicant.

(C) No alteration in the configuration or location of a manager's station may be made without the prior approval of the Director or his designee.

(D) It is the duty of the owners and operator of the premises to ensure that at least one employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.

(E) The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises have two (2) or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one of the manager's stations. The view required in this subsection must be by direct line of sight from the manager's station.

(F) It shall be the duty of the owners and operator, and it shall also be the duty of any agents and employees present in the premises, to ensure that the view area specified in Subsection (E) remains unobstructed by any doors, walls, merchandise, display racks, or other materials, at all times, to ensure that no patron is permitted

access to any area of the premises which has been designated as an area in which patrons will not be permitted in the application filed, pursuant to Subsection (A) of this section.

(G) No viewing room may be occupied by more than one (1) person at any time.

(H) The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access, at an illumination of not less than one (1.0) foot-candle, as measured at the floor level.

(I) It shall be the duty of the owners and operator, and it shall also be the duty of any agents and employees present in the premises, to ensure that the illumination described above is maintained at all times that any patron is present in the businesses.

Source: Ordinance 1324-1998, Art. VI, §605, 9-8-98

605.20. Regulations Pertaining to Specific Sexually Oriented Businesses.

605.20.01 No physical contact is permitted between live performers and any customer/patron during any live performance at a sexually oriented business providing live entertainment.

605.20.02 Performers at a sexually oriented business providing live entertainment, must maintain a distance from any customer/patron not less than four (4) feet while in the act of performing.

605.20.03 All sexually oriented businesses, excluding Adult Motels, may only be operated from 11:00 a.m. until 12:00 p.m., Monday through Saturday.

605.20.04 Live performers at sexually oriented businesses providing live entertainment, are required to maintain cover of their genitals.

605.20.05 Any employee, other than a live performer, of any sexually oriented business must be at least twenty-one (21) years of age at the time she/he is hired. Any live performer employed at a sexually oriented business providing live entertainment must be at least twenty-one (21) years of age at the time she/he is hired.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.21. Notices.

605.21.01 Any notice required or permitted to be given by the Director or any other City, office, division, department or other agency under this Ordinance to any applicant, operator or owner of an establishment may be given either by personal delivery or by certified United States mail, postage prepaid, return receipt requested, addressed to the most recent address as specified in the application for the permit, or transfer application which has been received by the Director, or any notice of address change which has been received by the Director. Notices mailed as above shall be deemed given upon their deposit in the United States mail. In the event that any notice given by mail is returned by the postal service, the Director or his designee

shall cause to be posted at the principal entrance to the establishment.

605.21.02 Any notice required or permitted to be given to the Director by any person under this Ordinance shall not be deemed given until and unless it is received in the office of the Director.

605.21.03 It shall be the duty of each owner who is designated on the permit application and each operator to furnish notice to the Director in writing of any change of residence or mailing address.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.22. Injunction.

A person who operated or causes to be operated a sexually oriented business without a valid permit and/or license or otherwise violates this Ordinance is subject to a suit for injunction as well as prosecution from criminal violations.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.23. Separability.

If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Source: Ordinance No. 1324-1998, Art. VI §605, 9-8-98

605.24. Conflicting Ordinances Repealed.

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

605.25. Effect of Ordinance.

This Ordinance shall be in force and effect thirty (30) days after passage.

Source: Ordinance No. 1324-1998, Art. VI, §605, 9-8-98

SECTION 606. LANDSCAPING REGULATIONS

606.01. General Description.

The purpose and intent of the City of Laurel Landscaping Regulations is to recapture and maintain many of the environmental features and amenities of the City for present and future generations. Adherence to these regulations will improve the appearance of off-street vehicular use areas and other development parcels within the City through the installation and maintenance of landscaping for screening and aesthetic effects, thereby serving to protect and preserve the appearance, character, value and safety of the total urban area and nearby properties. It is intended that these provisions shall constitute minimum requirements. Creative designs are encouraged, and may be augmented from time- to-time by ordinances adopted by the City

Council.

606.02. Applicable Areas.

606.02.01 All developments, including parking lots, other than R-1-- Low Density and R-2 -- Medium Density Residential, shall maintain a landscaped strip over that area being thirty (30) percent of the lineal frontage along one street of the subject parcel and being equal in depth to 50% of the required front yard for the subject zoning district. This required landscape area shall be maintained with grass or other landscape materials as described it Section 606.04 below, and maybe installed as described above or the equivalent square footage of this area may be located in one or more clusters at any other place in front of the front building line of the principal structure. This requirement shall be in addition to that landscaping required under Sections 606.06.01, 606 07, and 606.08 for vehicular use areas, as indicated below

606.02.02 All vehicular use areas, except those located on, under, or within buildings and except those serving single residences or two-family residential uses on lots of less than forty-eight (48) feet in width, shall conform to the minimum landscaping requirements hereinafter provided. However, single and/or multi-family residential buildings joined together by common walls, where individual garages and driveways for each dwelling unit are provided, shall be excluded from the minimum landscaping requirements hereinafter provided.

606.02.03 Vehicular Use Areas shalt include all areas used for parking, circulation and/or display of any and all types of vehicles, hoses, or heavy construction equipment, or other machinery capable of movement over streets and highways, whether self-propelled or not, and all areas upon which such vehicles traverse as a function of the primary uses of the related structures or properties.

This section shall include, but is not limited to, activities of a drive-in nature, such as service stations, convenience stores, banks, restaurants, multiple dwellings, and the like. The requirements set forth herein shall also apply to improvements or additions to existing vehicular use areas, but shall not apply to vehicular use areas in existence at the time of adoption of this Ordinance. For the purpose of this Ordinance, improvements shall include the installation of asphalt paving and/or concrete over any previously unimproved vehicular use area. Additions shall include any increase equal to twenty-five percent (25%) of the required parking for said use or size of existing vehicular use area. Additions equal to fifty percent (50%) of the total area of vehicular use shall require that the remaining fifty percent (50%) be brought up to standard both in terms of paving and landscaping.

Source: Ordinance No. 1356-1999, 11-16-99

606.03. Grounds Permit and Site Plan Reviewed Required.

Prior to any development or expansion of any vehicular use area, Application shall be made to the Building Inspector and/or the Inspection Department's designee in conjunction with the Site Plan Review Committee for site plan review and the issuance of a grounds permit. A grounds permit shall be issued upon approval by the appropriate City departments after a finding

that the provisions of this Section have been complied with and properly shown on an approved site plan.

606.03.01 Landscaping Plan: The developer shall submit to the Building Inspector and/or the Inspection Department's designee such information as may be deemed necessary, including three (3) copies of a combination site plan/landscaping plan/planting plan. Said plan shall hereinafter be referred to as the "Landscaping Plan" and shall be required to be submitted for all proposed Vehicular Use Area and buffer strips and screening required elsewhere in this Ordinance. When the Vehicular Area is adjacent to, or developed a connection with a proposed new structure, the Landscaping Plan shall be submitted at the time of the submittal of construction plans for the proposed structure.

606.03.02 Required Information to be shown on Plans
The Landscaping Plan shall indicate the following:

- Owner: name, address, telephone number
- Designer: name, address, telephone number
- Scale of plans (Min 1" = 30')
- Arrow indicating north
- All dimensions and property lines
- Delineation of existing and proposed parking
- Access aisles, driveways, sidewalks, curbs
- Any vehicular use controls (signs, strips, fire lanes, other special areas)
- Location of curb cuts on adjacent property and rights-of-way
- Location of median opening on abutting street
- Lighting
- Irrigation systems
- Planting areas: quantity, spacing, size, species
- Decorative or screen walls heights and type of construction
- Existing and proposed trees: quantity, spacing, size, species
- Wheel stops
- Screening or buffering, if required.

606.03.03 Fees: Review of Landscape plans shall be considered as a site plan review and shall be subject to such fees as are currently in effect at time of submission. A Public Works fee may also be required if installation of driveways is involved.

606.03.04 Certification of Compliance: Upon completion of improvements, an Inspection Officer shall inspect the Vehicular Use Area for compliance with the approved plan and other requirements of this Section. Certification of compliance must be indicated on the Building Permit by the Inspection Officer before a certificate of occupancy can be issued for any related structure. When occupancy of a related building is desired, prior to completion of the Vehicular Use Area, a temporary certificate of occupancy may be issued if a financial guarantee, acceptable in form to the City and adequate to assure completion of the requirements of this Ordinance, is provided.

Certification that the landscape plan has been prepared by one of the following is required: a registered landscape architect, professional engineer, landscape designers, full- time builder designer, and that it satisfies all purposes, objectives and requirements of this Section.

Source: Ordinance No. 1356-1999, 11-16-99; Ordinance No. 1474-2006, 9-5-06

606.04. Landscaping Standards.

All required landscaping shall consist of any of the following or combination thereof: materials such as, but not limited to, grass, ground covers, shrubs, vines, hedges, or trees. In addition, non-living durable materials may be used to complement, but not to be credited as landscaping. These materials include, but are not limited to wood chips, wood structures walls, or fences, but excluding paving, sand, rocks and pebbles. Plant materials used in conformance with provisions of this Ordinance shall conform to the standards recommended by the American Standard for Nursery Stock at revised in 1990.

606.04.01 Trees shall be a species recognized by the State of Mississippi Division of Forestry, as being acceptable for this area. Trees shall be of a species achieving at maturity, an average spread of crown of greater than fifteen (15) feet and having trunk(s) which can be maintained with a minimum of six (6) feet of clean wood trunk elevation. Trees basing an average mature spread of crown less than fifteen (15) feet may be substituted by grouping same so as to create the equivalent of a fifteen (15) foot crown spread. Tree species shall have a minimum of one and one half to two (1½ to 2) to two (2) inch caliper measured at the diameter at breast height and shall be a minimum of six to eight (6-8) feet in overall height at the time of planting. Trees of a species whose roots are known to cause damage to public roadways, sewers, or other public works shall not be allowed unless the tree root system is completely contained within a barrier for which a minimum interior surface dimension shall be ten (10) feet square with a depth of five (5) feet.

606.04.02 Shrubs and Hedges: Shrubs shall be a minimum of one (1) foot in height at the time of planting. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, visual screen within a maximum of one (1) year after time of planting.

606.04.03 Vines: Vines shall be a minimum at thirty (30) inches in height at the time of planting and maybe used in conjunction with fences, screens or walls to meet physical barrier requirements as specified.

606.04.04 Ground Covers: Ground covers used in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within three (3) months after planting.

606.04.05 Lawn Grass: Grass areas shall be planted and grown as permanent lawns. Grass may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion and providing that. In areas where other than solid sod or grass seed is used, nurse-grass seed shall be sown for immediate effect and protection until coverage is

achieved.

606.04.06 Tree Protection During Construction: It shall be unlawful for any person in the construction of any structures or other improvements to place solvents, material, construction machinery, or temporary soil deposits within ten (10) feet of any protected tree trunk having twenty-four inch (24") or greater DBH (Diameter at Breast Height).

Before development, land clearing, filling or any land alteration, a permit will he required; the developer shall be required to erect suitable protective barriers and this protection, where required, shall remain until permanent barriers have been erected. Also, during construction, no attachments or wires shall be attached to any of said trees so protected.

Except for sidewalks, driveways, and streets, no person shall pave with concrete, asphalt or other impervious material within ten inches (10") per inch of DBH of any remaining Public Tree. The Parks Superintendent shall have the discretion to waive this requirement.

Source: Ordinance No. 1356-1999, 11-16-99

606.05. Installation and Maintenance.

All landscaping shall be installed in a sound workmanship-like manner and according to accepted good planting procedures with the quality of plant material as herein described. All elements of landscaping exclusive of plant material, except hedges, shall be installed so as to meet all other applicable Ordinances and Code requirements. Landscaped areas shall require protection from encroachment. (Encroachment is defined as any protrusion of a vehicle outside of a parking space, display area or accessway into a landscaped area).

The owner shall he responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall he kept free from weeds, refuse and debris.

All landscaped areas shall be provided with an irrigation system or available water supply with at least one hose connection within one hundred (100) feet of all plant material to be maintained in the event that trees shrubs or other landscaped materials should die, such materials shall be replaced within thirty (30) days. Failure of the owner of the property to maintain the premises in good condition, as set forth above, shall make him liable for the penalties as set forth in Section 606.13 of this Ordinance.

Source: Ordinance No. 1356-1999, 11-16-99

606.06. Landscaping Adjacent to Public Right-of-Way.

Wherever a Vehicular Use Area will not be entirety screened visually from any abutting right-of-way by screening located on the lot being landscaped there shall he provided landscaping between such Vehicular Use Area and such right-of-way as follows (No landscaping is required adjacent to a dedicated alley):

606.06.01 Landscape Strip – Buffer Strip: A strip of land averaging at least twenty (20) feet in depth, located between the abutting right-of-way and the Vehicular Use Area which is exposed to an abutting right-of-way or

between commercial and/or industrial zoned land and land zoned for R-1, R-2, R-3, and R-4 shall be landscaped. A site plan for said landscaping shall be submitted to the Site Plan Review Committee. The Committee shall determine the type of buffer from sections 606.06.01, 606.06.02 and 606.06.03.

(1) Landscape. Plans shall be submitted to show how this twenty (20) foot buffer strips will be landscaped and maintained. This area shall have a minimum grass or ground cover. A greater density of landscaping may be required to reduce sight noise and pedestrian intrusion into residential areas. Earthen berms landscaped with shrubs may be permitted to achieve this requirement.

(2) Wall or Fence. A six (6) foot masonry wall or a fence of approved material may be built in place of ten (10) feet of the twenty (20) foot buffer strip as outlined in paragraph (1) above.

606.06.02 Grass and Ground Cover. All property, other than the required landscaped strip, lying between the street and the Vehicular Use Area, shall be landscaped with at least grass or other ground cover.

606.06.03 Accessways. Necessary accessways from the public right-of-way through all such landscaping shall be permitted to service the Vehicular Use Area.

Source: Ordinance No. 1356-1999, 11-16-99

606.07. Perimeter Landscaping Relating to Abutting Properties.

Wherever a commercial, industrial or public Vehicular Use Area will not be entirely screened visually from abutting residential property by an intervening building, structure or wall which is located on the lot being landscaped, the portion of such Vehicular Use Area not so screened shall be provided with a landscape/buffer strip as specified in 606.06.01.

In addition, one (1) appropriate species of tree shall be provided for each fifty (50) lineal feet of such landscaped barrier or fractional part thereof as applicable. Such trees shall be located between the common lot line and the Vehicular Use Area. Each tree shall be planted in at least twenty-five (25) square feet of planting area with a minimum dimension of at least five (5) feet. Each planting area shall be landscaped with grass, ground cover or other landscape materials, excluding paving or sand, in addition to the required tree(s).

606.07.01 Exceptions to Required Perimeter Landscaping: The provisions of this shall not be applicable in the following situations:

A. When a property line abuts a dedicated alley.

B. Where a proposed parking area or other Vehicular Use Area directly direr sly abuts an existing hedge, wall or other durable landscape barrier on an abutting property, said existing barrier may be used to satisfy the landscape barrier requirements of this Section, providing that said existing barrier meets all applicable standards of this Ordinance and protection against vehicular encroachment is provided for same.

Source: Ordinance No. 1356-1999, 11-16-99

606.08. Interior Landscaping Requirements.

An area or combination of areas, equal to a minimum of five percent (5%) of the total square footage of the Vehicular Use Area, shall be devoted to interior landscaping. Any landscaping provided in excess of that provided by this article may be counted as part of the interior-landscaping requirement. When the Vehicular Use Area is adjacent to a structure or structures on the same parcel of land, and landscaping on said parcel, which serves to beautify the Vehicular Use Area, it may be counted toward meeting the interior landscaping requirement.

Such landscaped areas shall be located in such a manner as to divide and break up the monotony of paving or to prevent and discourage cross taxiing.

These areas shall be distributed appropriately through the lot and be subject to site plan review. The following interior landscaping elements (606.08.01 and 606.08. 02) shall be required as part of the interior landscaping requirements.

606.08.01 Terminal Islands: Contiguous rows of forty (40) or more parking spaces shall be terminated on both ends by landscaped islands which measure an average of not less than five (5) feet in width and extend the entire length of the parking space. At least one (1) tree, or grouping, as per the Landscaping Standards Section shall be planted on said island.

606.08.02 Interior Island: Interior landscaped islands which measure an average of not less than five (5) feet in width and extend the length of a parking space shall be placed within rows of contiguous parking spaces so that there is at least one interior island for every six thousand (6,000) sq. ft. of parking area, or portion thereof, within the lot. These islands shall be placed at intervals of not less than (8), nor more than twenty-four (24) spaces. At least one (1) tree, or grouping, as per the landscaping Standards Section, shall be planted on every interior island interior islands need not be placed directly opposite each other when abutting parking rows.

EXAMPLE OF INTERIOR LANDSCAPE

606.08.03 Exceptional to Required Interior Landscaping: In Vehicular Use Areas where the strict application of Section 606.08 will seriously limit the function of said area, the required landscaping may be located near the perimeter of the paved area, including such perimeters which may be adjacent to a building on the site. Such required interior landscaping which is relocated as herein provided shall be in addition to the perimeter landscaping requirements.

Source: Ordinance No. 1356-1999, 11-16-99

606.09. Protection from Vehicular Encroachment.

Parking spaces shall be designed through the use of wheel stops, raised concrete curbing, or otherwise, to prevent the encroachment of vehicles upon or into landscaped areas.

EXAMPLE OF PROTECTION FROM VEHICULAR ENCROACHMENT

Source: Ordinance No. 1356-1999, 11-16-99

606.10. Visibility at Intersections.

606.10.01 Public Row

On a corner lot in any district, nothing shall be erected, placed, or allowed to grow in such a manner as to materially impair or block vision between a height of two and one-half (2 ½) and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines thirty (30) feet from the point of intersection

EXAMPLE OF REQUIRED VISIBILITY TRIANGLE AT INTERSECTION

Source: Ordinance No. 1356-1999, 11-16-99

606.11. Intersection of Private Drive and Public ROW.

When an accessway intersects a public right-of-way, or when the subject property abuts the intersection of two (2) or more public rights-of-way, all landscaping within the triangular areas graphically described above shall provide unobstructed cross visibility at all levels, except that ground cover will be permitted.

Source: Ordinance No. 1356-1999, 11-16-99

606.12. **Credit for Existing Plant Material.**

If the owner(s) can demonstrate that healthy plant material exists on a site prior to its development for the purposes of off-street parking, or other Vehicular Use Areas, the application of the above landscape standards may be adjusted to allow credit for such plant material if such an adjustment is in keeping with and will preserve the intent of this Ordinance.

Source: Ordinance No. 1356-1999, 11-16-99

606.13. Civil Penalty.

Notwithstanding any other provisions of the Ordinance, any person, firm or corporation violating or failing to comply with the provisions of this Ordinance, shall be subject to a civil fine, to be assessed by the City's Municipal Court Judge, not to exceed One Thousand Dollars ($1,000.00) per violation. In lieu of the foregoing, the Municipal Court Judge may require mitigation actions or the damages shall be earmarked for the use of the City Parks Department for its official duties. Each violation, including each unpermitted removal or mutilation of a Public Tree, is a separate and distinct civil offense.

Source : Ordinance No. 1356-1999, 11-16-99

ARTICLE VII. NON-CONFORMING USES

SECTION 701. NON-CONFORMING USES.

701.01 The lawful use of a "building" existing at the time of the passage of this Ordinance may be continued, although such use does not conform with the provisions hereof, and such use may be extended throughout the building provided no structural alterations, except those required by law or Ordinance, are made therein. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or more restricted classification. If such non-conforming building is removed, every future use of such premises shall be in conformity with the provisions of this Ordinance.

701.02 Repairs and alterations may be made to a legal nonconforming building, provided that no structural alterations shall be made except those required by law or Ordinance, unless the building is changed to a conforming use; and provided that no additional dwelling units shall be added where the non-conforming use results from there being more dwelling units on the lot than is permissible in the district in which the building is located. The Zoning Board shall have the authority after hearing to grant extension to non-conforming buildings not to exceed twenty-five percent (25%) of the ground area of the same in case of evident hardship, subject to the yard

restrictions herein provided.

Source: Ordinance No. 1197-1992, Art. V, 701.02, 11-17-92

701.03 The lawful use of "land" existing at the time of the passage of this Ordinance, although such does not conform to the provisions hereof, may be continued, but if such non-conforming use is discontinued, any future use of said premises shall be in conformity with the provisions of this Ordinance. Provided, however, that where "land" is situated in any district other than a Heavy Industrial District, which is now used for a use permitted only in a Heavy Industrial District, and is not an accessory to the use of the main building located on the same lot or grounds, such non-conforming use of "land" shall be discontinued and all material completely removed by its owner not later than three (3) years from the date of the passage of the Ordinance.

701.04 A legal non-conforming use if changed to conforming use may not thereafter be changed back to a non-conforming use. A legal non-conforming use if changed to a more restricted non-conforming use may not thereafter be changed unless to an equal or to a more restricted use.

701.05 A legal non-conforming use, when discontinued or abandoned, shall not be resumed. Discontinuance or abandonment shall be defined as follows:

701.05.01 When land used for a legal non-conforming use shall cease to be used in a bonafide manner for one (1) calendar month.

701.05.02 When a building designed or arranged for a non-conforming use shall cease to be used in a bona fide manner as a legal non-conforming use for a continuous period of twelve (12) consecutive calendar months.

701.05.03 When a building designed or arranged for a conforming use shall cease to be used in a bonafide manner as a legal non-conforming use for a period of six (6) consecutive calendar months. Upon evidence of hardship, the Zoning Board shall have the power to extend the above time limits not to exceed six (6) months. A Certificate of Occupancy shall be issued for all legal non-conforming uses.

Source: Ordinance No. 1197-1992, Art. V, 701.05.03, 11-17-92

701.06 Nothing in this Ordinance shall be taken to prevent the restoration of a building destroyed to the extent of not more than fifty percent (50%) of its fair market value by fire, explosion or other casualty, or act of God, or the public enemy, nor the continued occupancy or use of such building or part thereof which existed at the time of such partial destruction.

701.07 Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has been heretofore issued, and plans for which are on file with the Building Inspector and/or the Inspection Department’s designee at the time of the passage of this Ordinance, and the construction of which in either case shall have been started and diligently prosecuted within six (6)

months of the date of such permit, and the ground story framework of which, including the second tier of beams, shall have been completed within such time, and which entire building shall be completed, according to such plans as filed, within two (2) years from the date of the passage of this Ordinance.

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

701.08 The lawful location and maintenance of commercial signs and billboards existing at the time of the passage shall comply and shall be clearly defined in Subsection 602.12.11 of Section 602, General Sign Regulations.

Source: Ordinance No. 1353-1999, §I, E, 701.08, 10-19-99

701.09 The foregoing provisions of Article VII shall also apply to uses, yards, or buildings made non-conforming by subsequent amendments to Zoning Regulations.

701.10 Fences, walls and foliage which constitute a hazard by virtue of impairing sight distances at a curve or intersection shall be made conforming within one (1) calendar year.

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

ARTICLE VIII. ADMINISTRATION AND ENFORCEMENT

SECTION 801. PURPOSE AND INTENT.

It is the purpose and intent of this Article to set forth the duties, powers and limitations of officials, departments, committees and other groups which are or may be concerned with the administration and enforcement of this Ordinance.

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

801.01. Administration of Office Duties.

There is hereby established the Office of the Building Inspector and/or the Inspection Department's designee, who shall be designated by the City Administration, within the auspices and staff appointed by the City Council, who will administer and enforce provisions of this Ordinance, and whose duties shall include though not be limited to:

Source: Ordinance No. 1197-1992, Art. V, 801.01, 11-17-92; Ordinance No. 1462-2005, 8-2-05; Ordinance No. 1470-2006, 5-16-06; Ordinance No. 1474-2006, 9-5-06

801.01.01 Conduct such inspections of buildings, structures, and use of land as are necessary to determine compliance with the terms of this Zoning Ordinance. This duty shall include complete coordination with the City Administration, as well as other City officials, to correct any violations found to exist.

801.01.02 Supervise the maintenance of the Official Zoning Map in good and useful

condition and properly recording on the Map all of the amendments to the Ordinance that change boundaries of the Zoning District.

801.01.03 Maintain permanent and current records of documents and proceedings under this Zoning Ordinance.

801.01.04 Provide and maintain a continuing program of education and public information on zoning matters.

801.01.05 Receive, file, and transmit to the Planning Commission or the City Council of the City Administration all appeals and all applications for variances, amendments and special permits and other matters on which the Planning Commission or City Council are authorized to act under the provisions of this Zoning Ordinance.

Source: Ordinance No. 1197-1992, Art. V, 801.01.05, 11-17-92

801.01.06 Issuance of zoning applications and other forms.

801.01.07 Providing public information relating to zoning matters.

801.01.08 Registration and maintenance of records and maps on non-conforming uses, structures, and undeveloped lots.

801.01.09 May appear before the Planning Commission to furnish recommendations helpful to this groups in reaching decisions.

Source: Ordinance No. 1197-1992, Art. V, 801.01.09, 11-17-92

801.01.10 Define words or phrases of this Ordinance which are not found under Article II, Definitions and Words.

801.01.11 Among other activities, keep the City Administration and the City Council advised as to zoning and zoning-related matters.

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

801.02. Administrative Interpretation of Ordinance.

In the event there is a question concerning the general intent or meaning of any provision of this Ordinance text, or the positioning of district boundaries, or of district designation, or other matters relating to the Official Zoning Map, the Building Inspector and/or the Inspection Department's designee shall have the right to make such administrative decisions and interpretations.

801.02.01 Limitations: Administrative interpretation shall in no manner be construed as permitting or granting an exception or variance to the provisions of this Zoning Ordinance.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1462-2005, 8-2-05; Ordinance No. 1470-2006, 5-16-06; Ordinance No. 1474-2006, 9-5-06

801.03. Enforcement.

It shall be the duty of the Building Inspector and/or the Inspection Department's designee to enforce the provisions of this Ordinance and enforce such rules, regulations and decisions as shall be adopted hereunder. 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.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1462-2005, 8-2-05; Ordinance No. 1470-2006, 5-16-06; Ordinance No. 1474-2006, 9-5-06

801.04. Building Permits.

Whenever any structure or building is to be improved in an amount exceeding One Thousand Dollars ($1,000) or erected, moved, or structurally altered, a "Building Permit" shall be obtained from the Inspection Department. The Building Inspector and/or the Inspection Department's designee may require every applicant for a Building Permit to furnish the following information:

Source: Ordinance No. 1474-2006, 9-5-06; Ordinance No. 1554-2010, 5-4-2010

801.04.01 A plot plan, drawn to 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.

801.04.02 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.

801.04.03 Additional information relating to the proposed improvement needed to determine compliance with these regulations.

801.04.04 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.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1462-2005, 8-2-05; Ordinance No. 1470-2006, 5-16-06

SECTION 802. CERTIFICATE OF OCCUPANCY.

No vacant land shall be occupied or used, except for agricultural uses, and no building hereafter erected, reconstructed, altered, or enlarged, shall be occupied or used until a Certificate of Occupancy shall have been issued by the Building Inspector and/or the Inspection Department's designee.

Certificate of Occupancy for a Building: Certificate of Occupancy for a new building or the alteration of an existing building shall be applied for coincident with the application for a Building Permit and said Certificate shall be issued within three (3) days after the request for same shall have been made in writing to the Building Inspector and/or the Inspection Department's designee after the erection, reconstruction, alteration or enlargement of such

building or part thereof shall have been completed in conformity with provisions of these regulations. Pending the issuance of a regular Certificate of Occupancy, a temporary Certificate of Occupancy may be issued by the Building Inspector and/or the Inspection Department's designee for a period not exceeding six (6) months during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary Certificate shall not be construed as in any way altering the respective rights, duties or obligations of the owners or of the City relating to the use or occupancy of the premises or any other matter covered by this Ordinance, and such temporary Certificate shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants. Request for Certificate of Occupancy for any change in the use of a building shall be made in writing at least ten (10) days in advance of such change and shall be issued within three (3) days after such request if the new use is in conformity with the provision of these regulations.

Certificate of Occupancy For Land: Certificate of Occupancy for use of vacant land or the change in the character of the use of land as herein provided, shall be applied for before any such land shall be occupied or used and a Certificate of Occupancy shall be issued within three (3) days after the application has been made, provided such use is in conformity with the provisions of these regulations.

Certificate of Occupancy For A Legal Non-Conforming Use: Certificate of Occupancy shall be required for all legal non-conforming uses. Application for Certificate of Occupancy for such non-conforming uses shall be filed within twelve (12) months from the effective date of this Ordinance, accompanied by affidavits of proof that such non-conforming uses were not established in violation of this Ordinance, or any previous Zoning Ordinance.

Certificate of Occupancy shall state that the building or proposed use of a building or land, complies with all the building and health laws and Ordinances and with the provisions of these regulations. A record of all Certificates shall be kept on file in the office of the Superintendent of Inspection and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building affected. (No fee shall be charged for a Certificate of Occupancy.)

No permit for excavation for any building shall be issued before application has been made for Certificate of Occupancy.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1474-2006, 9-5-06

SECTION 803. Planning Commission.

Source: Ordinance No. 1197-1992, Art. V, 803, 11-17-92

803.01. Establishment of the Planning Commission to Hear All Zoning Matters.

All zoning public hearings and other zoning matters are to be attended and heard by the Planning Commission which was re-organized by Ordinance No. 1340-1999, adopted June 8, 1999. The commission shall consist of at least sixteen (16) members representing the following: (a) at least one (1) representative from each Council Ward; (b) four (4) at-large members representing divergent professions and segments of the City; and, (c) five (5) ex-officio members, one member representing each of the following entities – Jones County Economic Development, Laurel Downtown Association, Laurel City School District, Jones County Board of Supervisors, and Laurel Historic Preservation Commission.

These members shall be selected primarily on their ability and willingness to strive for the overall betterment of Laurel. Each member will be nominated by the Mayor and confirmed by the City Council to serve in an advisory capacity without pay. Whenever any of the voting members shall have missed more than three (3) unexcused meetings within a calendar year being either the commission meeting or the zoning public hearings, said member shall be automatically terminated from the commission.

The terms "Commission" and "Board" are used interchangeably throughout this ordinance to refer to the Planning Commission

Source: Ordinance No. 1197-1992, Art. V, 803.01, 11-17-92; Ordinance No. 1340-1999, 6-8-99; Ordinance No. 1591-2012, 8-7-2012

803.02. Meetings.

Meetings of the Board shall be held on a monthly basis between the hours of 8:00 a.m. and 5:00 p.m., with the exception of public hearing which shall be coordinated and scheduled between the chairperson and Building Inspector and/or the Inspection Department's designee. Work sessions of the Board shall also be conducted during the regular office hours. The chairperson, or in his/her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

Source: Ordinance No. 1056-1985, 8-6-85; Ordinance No. 1474-2006, 9-5-06

803.03. Record.

The Board shall keep Minutes of all meetings, containing the substance of testimony and detailed findings and showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, all of which shall be immediately filed in the office of the Board and shall be public record. The concurring vote of a majority of the Planning Commission shall be necessary to reverse any order, requirements, decision or determination of the Building Inspector and/or the Inspection Department's designee or to decide in favor of the applicant on any matter upon which the Commission is required to pass under this Ordinance or to allow any variance to the strict interpretation of this Ordinance. Any approval or rejected request given by the Planning Commission must be brought before the City Council for final approval at the next scheduled Council meeting. No order or finding of the Commission shall become effective until the eighth day following the posting of a copy of such ruling or finding, duly attested by the Building Inspector and/or the Inspection Department's designee, upon a public bulletin board in the City Hall and transmittal of duplicate copies to the City Clerk.

Source: Ordinance No. 1197-1992, Art. V, 803.03, 11-17-92; Ordinance No. 1340-1999, 6-8-99; Ordinance No. 1462-2005, 8-2-05; Ordinance No. 1470-2006, 5-16-06; Ordinance No. 1474-2006, 9-5-06

803.04. Appeal.

Any person or entity aggrieved by any decision of the Planning Commission or the Inspection Department shall have the right to appeal to the City Council within thirty (30) days from the date of the decision but not thereafter. The appeal shall in due course be heard de novo by the City Council which shall render such decision it deems appropriate. The appeal shall be in writing and may include any matters or arguments in support of the appeal. The appeal shall be filed with the Secretary of the Planning Commission if the appeal is from a decision of the Planning Commission or shall be filed with the Administrative Assistant of the Inspection Department if the appeal is from a decision of the Inspection Department. The Planning

Commission or the Inspection Department may but is not required to respond to the appeal providing such information it deems appropriate. A hearing on the appeal shall be scheduled by the Planning Commission or the Inspection Department and heard by the City Council as soon as practical but not later than thirty (30) days from the date the appeal is filed. At the hearing all interested parties may present such evidence, both oral and documentary, that it deems appropriate or the parties may rely on the matters contained in the appeal and response documents. The decision of the City Council shall be rendered at the hearing or as soon thereafter as practical but not later than five (5) days thereafter and shall be the final decision of the City Council.

Source: Ordinance No. 1197-1992, 11-17-92; Ordinance No. 1340-1999, 6-8-99. Ordinance No. 1554-2010, 4-20-10

803.05. Jurisdiction.

The Board shall have the following duties and responsibilities:

803.05.01 To conduct the public hearings on and to make written recommendations to the City Council on any proposed amendments to this Zoning Ordinance. This does not preclude the City Council having the right to conduct a public hearing for amending said Ordinance.

803.05.02 To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Ordinance.

803.05.03 To conduct the public hearings on and to make decisions on any requested variance from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship and so that the spirit of the Ordinance shall be observed and substantial justice done.

803.05.04 To conduct the public hearings on and to make recommendations to the City Council on applications for Conditional Use Permits. Such recommendations shall include requisite findings as required by this Ordinance.

803.05.05 To conduct a public hearing and to make rulings for the advice of the Building Inspector and/or the Inspection Department's designee in cases where uses are found to exist which are not specifically mentioned in this Ordinance, and to specify the zones in which such new uses may properly fall, until such time as such uses shall be specifically treated by amendment to this Ordinance. It is the intention of the Council in adopting this Ordinance that all uses of land, performance standards and requirements as to the placement and sizes of buildings specifically treated in this Ordinance are so designated to conform with a Comprehensive Plan within the meaning of the Mississippi Code as amended, and any changes in the application of this Ordinance which would have the effect of changing any zoning classification of any parcel of property, other than through application of specific provisions of this Ordinance, are deemed to be a legislative determination and to fall within the province of the Council.

803.05.06[*] Such other duties and responsibilities as are specifically enumerated in other

[*]**Editor's Note** --- Ordinance No. 1197-1992, Art. V, § 803, adopted November 17, 1992, was misnumbered. There are two (2)

Articles of this Ordinance.

803.05.07 There are no listed exceptions which the Board or the City Council are empowered to make.

Source: Ordinance No. 1197-1992, Art. V, 803.05 (803.05.01 --- 803.05.07), 11-17-92; Ordinance No. 1462-2005, 8-2-05; Ordinance No. 1470-2006, 5-16-06

803.06. Finding, Variances.

The Board's written recommendation to the City Council on all variances shall include its findings in the following determinations:

803.06.01 That the requested variance falls within the jurisdiction of the Board.

Source: Ordinance No. 1197-1992, Art. V, 803.06.01, 11-17-92

803.06.02 That required notice has been given.

803.06.03 That the property cannot reasonably be used in conformity with the provisions of this Ordinance.

803.06.04 That the difficulty complained of was not the result of a willful act of the petitioner or other person maintaining an interest in the property, or their immediate predecessors in interest.

803.06.05 That the difficulty complained of is unique to the property in question and is not common to all property similarly situated.

803.06.06 That balancing the interest of the City in preserving the Comprehensive Plan or the interest of nearby properties against the interest of the petitioner in using his property as proposed to be used, the granting of the variance is required by considerations of justice and equity.

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

803.07. Conditional Uses – System, Purposes, Findings and Applications

The Commission is empowered to hear and decide whether or not proposed Conditional Uses authorized under this Ordinance should be granted after receiving recommendations from the Superintendent of Inspection, based on his review of each Conditional Use application. All Conditional Uses specified in this Ordinance as now existing or as may be hereafter added, shall be subject to the Commission's review, findings and recommendations as outlined in this Ordinance

Source: Ordinance No. 1591-2012, 8-7-2012

803.07.01 System to Examine Conditional Use Applications

A. In addition to zoning procedures and requirements relating generally to issuance

number "803.05.05". This editor took the liberty of correcting the same in Appendix I, Zoning Ordinance.

of building permits and certificates of occupancy/zoning compliance, a Conditional Use system is hereby established. It is intended that this system shall assure special examination, review, and findings by the Commission and appropriate agents, agencies or bodies in connection with proposed actions particularly specified in this Ordinance.

B. Conditional Use procedures and standards as set forth herein are intended to apply in relation to use, occupancy, location, construction, design, character, scale, manner of operation, or necessity for making complex or unusual determinations, and to assure consideration of the particular circumstances of each case and the establishment of such conditions and safeguards as are reasonably necessary for protection of the public interest generally, of adjacent properties, of the neighborhood, and of the jurisdiction as a whole.

C. For the purposes of this Ordinance, the term "requirements" refers to the restrictions which apply to all uses in a district, whether permitted as of right or only through a Conditional Use. They apply automatically to all uses in a zone. "Standards" are the guidelines for use by administrators in making decisions such as for rezoning or variances. They involve the application of stated criteria to given situations. "Conditions" are additional restrictions beyond the stated standards, applied to a particular use, which might govern, for example, hours of operation or the location of exits and entrances or the type of screening. A violation of the conditions is a violation of the Ordinance. The above distinctions help to define the way discretion is to be exercised in making the provisions of this Ordinance flexible to meet the needs of different situations in particular locations.

D. The Commission will consider the specific recommendations of the Superintendent of Inspection considering conditions for said Conditional Use

E A public hearing (after required notice under this Ordinance) shall be held. At said hearing, any party may appear in person or by agent or attorney. The Commission must make their decision within a reasonable time thereafter, not to exceed 30 days.

F. After receiving recommendations from the Superintendent of Inspection and before granting any special permit the Commission must make written findings that it is empowered under specified sections of this Ordinance to grant the Conditional Use and that the granting of the Conditional Use will not adversely affect the public interest.

G. In the event that opposing interests cannot be resolved, the Commission shall find that balancing the interest of the City in preserving the Comprehensive Plan or the interests of nearby properties against the interest of the petitioner in using his property as proposed to be used, the granting of the Conditional Use Permit is required by considerations of justice and equity.

H. After completing their reviews, the Commission will forward the application and their recommendations to the City Council

I. If the Conditional Use application is denied, the applicant shall receive written notice of the specific grounds for the denial.

Source: Ordinance No. 1197-1992, Art. V, 803.07.01, 11-17-92; Ordinance 1591-2012, 8-7-2012;

803.07.02 Purposes of Conditional Use

A. The development and implementation of this Zoning Ordinance is based upon the division of the community into districts within which the use of land and buildings and the bulk and location and structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses which because of their unique characteristics or nature require special and intensive review to determine whether they should be permitted in a specific location/district.

B. These Conditional Uses also require review based upon standards and the application of special conditions and safeguards if permission is granted in such locations. Conditional Use procedures and standards as provided herein are intended to assure that such review is made and that appropriate conditions and safeguards are attached. Conditional Use procedures and standards shall be applied. Conditional Uses may be granted only in cases specified in this Ordinance.

C. Conditions may be required for specified uses which must satisfy standards in addition to those generally applicable in a zoning district to eliminate or minimize the potentially harmful characteristics or impact of such Conditional Uses on the character of the zoning district in which they will be located.

D. No conditions shall be imposed on the Conditional Use that will result in these standards making it unreasonably difficult to develop said Conditional Use.

Source: Ordinance No. 1591-2012, 8-7-2012

803.07.03 Findings Required

The Commission shall make all of the following findings before recommending that a Conditional Use be allowed:

A. The Conditional Use is in conformity with the City's Comprehensive Plan and in conformity with the purpose, intent and applicable standards of this Ordinance

B. The proposed Conditional Use is allowed by this Ordinance in the zoning district in which the property in question is located.

C. The proposed Conditional Use complies with all applicable regulations in the zoning district in which the property in question is located

D. The proposed use complies with all special regulations established by this Ordinance for such Conditional Use.

E. The establishment and maintenance of the Conditional Use is not detrimental to the public health, safety, or general welfare and that the

Conditional Use with specific limitations and design features as may have been required will further the aims of the Comprehensive Plan and will not be unduly detrimental to nearby properties.

F. The Conditional Use as located, designed, maintained, and operated will be compatible with the existing or intended character of that zoning district.

G. The Conditional Use does not depreciate property values.

H. The Conditional Use is not hazardous, detrimental or disturbing to present surrounding land uses due to noise, glare, smoke, dust, odor, fumes, water pollution, erosion, vibration, general unsightliness, electrical interference, or other nuisance.

Source: Ordinance No. 1197-1992, Art. V, 803.07.06, 11-17-92; Ordinance No. 1591-2012, 8-7-2012

803.08. Notice.

The Board shall give sufficient notice as required by law.

Source: Ordinance No. 1197-1992, Art. V, 803.08, 11-17-92

803.09. Fees.

The City Council shall establish a Schedule of Fees for Re-Zoning, Variances, Conditional Use, Special Exception, and Site Plan Review. The Schedule of these fees shall be posted in the office of the Building Inspector and/or the Inspection Department's designee and the City Clerk. The City Council may from time-to-time adjust these fees to meet changed conditions.

Source: Ordinance No. 1197-1992, Art. V, 803.09, 11-17-92; Ordinance No. 1462-2005, 8-2-05; Ordinance No. 1470-2006, 5-16-06; Ordinance No. 1474-2006, 9-5-06

803.10. Termination of Variance.

Where property is in use under the terms of a variance and such use ceases or in the case of a structure such structure ceases to exist, then the variance shall terminate unless the terms of the variance specify otherwise.

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

ARTICLE IX. AMENDMENTS

SECTION 901. AMENDMENTS.

The Council may from time-to-time, on its own motion, or on petition from a property owner, or the City Administration, amend the regulations and districts herein established.

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

901.01. Public Notice.

No change in regulations, restrictions, or district boundaries shall become effective until after a public hearing held in relation thereto by the City Administration and Planning Commission, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in an official paper or paper of general circulation in such municipality or County.

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

901.02. Schedule Established and Collection.

The City Council may establish a schedule of fees, charges, and expenses and a collection procedure for Certificates of Zoning Compliance, and other matters pertaining to this Ordinance. The Schedule of Fees, Charges and Expenses shall be posted in the office of the Superintendent of Inspection, who shall be responsible for their collection. The schedule may be altered or amended only by the Mayor or City Council. Until all applicable fees, charges, and expenses have been paid in full, no action will be taken on any application or appeal. Review of the fees required shall apply to Site Plan Review in addition to rezoning applications.

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

ARTICLE X. ANNEXATION

SECTION 1001. CLASSIFICATION OF NEWLY ANNEXED PROPERTY.

All annexation of land to the City shall be in an R-1 residential zone unless otherwise classified by the Council, for a period of time not to exceed one (1) year from the effective date of the Ordinance annexing said property.

Within this one (1) year period of time, the Mayor shall instruct the Planning Commission to study and make recommendations concerning the use of land within said annexed area to promote the general welfare and upon receipt of such recommendations the City Council shall establish the district classification of said property; provided, however, that this shall not be construed as preventing said City Council from establishing the district classification at the time of said annexation.

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

ARTICLE XI. PENALTIES

SECTION 1101. VIOLATIONS AND PENALTIES.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure, or land, is used in violation of this Ordinance, the City, in addition to other remedies, may institute any appropriate action or proceedings, to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

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 therefor shall be sentenced to pay a fine of not to exceed One Hundred Dollars ($100.00); and in case of continuing violations without reasonable effort on the part of the defendant to correct the same, each day the violation continues thereafter shall be a separate offense.

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

ARTICLE XII. OFFICIAL ZONING MAP

The Official Zoning Map of the City of Laurel shall be the Atlas map consisting of twenty-seven (27) sheets plus an index sheet showing the zoning districts now on file in the Building Inspection Department. This map shall be adopted by reference as part of this Ordinance.

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

ARTICLE XIII. PASSAGE OF ORDINANCE

For the immediate and temporary preservation of the public peace, health, safety and welfare of the people, as an emergency measure, this Ordinance shall become effective from and after passage:

(1) To change and substitute “Mayor and City Council”, for “Mayor and Commissioners” which, under the recent change of City government, creates confusion;

(2) The internal structure and outline of the previous Zoning Ordinance was confusing and misleading;

(3) To publish the Official Zoning Map which is an integral part of the Ordinance but which has not been previously published; and the immediate adoption of this Ordinance will promote the public health and welfare for the public good of all the people of the City.

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

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