

PROPOSED TEXT AMENDMENTS FOR THE CITY OF JACKSON, MS ZONING ORDINANCE

Plain Text = Existing Text

Underline = New Text

1 = Renumbering

~~Strikethrough~~ = Deleted Text

- That Article II, Section 202 of the Zoning Ordinance of Jackson, Mississippi, is hereby amended to read as follows:

202.99(c) Microbrewery—Small Craft Brewery: A small scale brewery that primarily produces up to five (5,000) thousand barrels beer annually for wholesale distribution. This use type is subject to other regulations in relevant state statutes. **This use may also have a tap room, restaurant, live entertainment, or retail space for on-site consumption subject to the MS laws and regulations for beer and light wines.**

202.99(d) Distillery: **A licensed manufacturing establishment which produces distilled spirits. This use may offer tastings, may provide on-site sale and consumption of the products, and may serve food. This use type is subject to other regulations in relevant state statutes.**

202.15 Bar (See also Nightclub): An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises. This includes establishments with three (3) or more pool tables where alcoholic beverages are served. **A commercial establishment having as its principal use the serving of alcoholic beverages or liquor for consumption on the premises and providing entertainment for its patrons. Food may be served as an accessory use.**

202.142 Restaurant, Fast Food **Drive Thru:** An establishment whose principle business is the sale of foods, frozen desserts, or beverages in edible containers or in paper, plastic, or other disposable containers for consumption either on or off the premises. The foods, frozen desserts, or beverages may be served directly to the customer in the restaurant building or in a motor vehicle either by a carhop or by other means which eliminate the need for the customer to exit the motor vehicle.

202.142 (a): Restaurant, Fast-Food, ~~Type B:~~ An establishment whose principal business is the sale of foods, frozen desserts, or beverages in edible containers or in paper, plastic, or other disposable containers for consumption either on or off the premises. No drive-through windows are permitted.

202.143 Restaurant, General: ~~An establishment engaged in the preparation and retail sale of food and beverages, including sale of alcoholic beverages. Customers are served their foods, frozen desserts, or beverages by a restaurant employee at the same table or counter at which said items are consumed; however, food may be prepared for carry-out sale to walk-in customers. A general restaurant may include live entertainment. Typical uses include restaurants, dance halls, discotheques, lounges, and other businesses that combine both a food and beverage operation~~

with entertainment (i.e. dance floor or pool table). **An establishment that is engaged in the preparation and retail sale of food and beverages and includes the sale and on premises consumption of alcoholic beverages and entertainment as accessory uses.**

202.144 Restaurant, Neighborhood: An establishment engaged in the preparation and retail sale of food and beverages, including alcoholic beverages ~~containing not more than four percent (4%) alcohol by weight.~~ Customers are served their foods, frozen desserts, or beverages by a restaurant employee at the same table or counter at which said items; however, food may be prepared for carry-out sale to walk-in customers. Typical uses include restaurants, delicatessens, donut and coffee shops, and other establishments that sell food but do not provide entertainment in any form.

~~202.145 Restaurant, Neighborhood Shopping Center: An establishment which is part of a neighborhood shopping center and is engaged in the preparation and retail sale of food and beverages, including alcoholic beverages. Customers are served their foods, frozen desserts, or beverages by a restaurant employee at the same table or counter at which said items are consumed; however, food may be prepared for carry-out sale to walk-in customers. Typical uses include restaurants, delicatessens, donut and coffee shops, cafeteria-type operations and other establishments that sell food.~~

202.145(a) Restaurant, Overlay District: An establishment located in an adopted overlay district, which is housed in an existing structure, engaged in the preparation and retail sale of food and beverages, including sale of alcoholic beverages. Customers are served their foods, beverages, and desserts by a restaurant employee at the same table or counter at which said items are consumed; however, food may be prepared for carry-out sale to walk-in customers. Drive through service is prohibited. Typical uses include restaurants, delicatessens, donut and coffee shops, and other establishments that sell food. Live entertainment, on a limited basis, may be performed solely within the building; however, dance halls, discotheques, and pool halls are specifically prohibited.

~~202.145(b) (a) Retail Stand: An accessory use which offers merchandise, food, snacks, beverages, or food preparation out of a structure no greater than 300 square feet. (Section 30-172 of the Jackson, MS Code of Ordinances). Regulations for retail stands are not applicable to the purchase or sale of agricultural products (Section 30-173 of the Jackson MS Code of Ordinances).~~

202.145(e) (b) Retail Store: a business that engages in the sale of general merchandise to the general public for direct use or consumption, but not including the sale to another business for resale purposes. The sale of any consumer product is allowed in a retail store, unless a determination is made by the Zoning Administrator that the use is similar to a separately listed use within this Section.

202. 177 (a) Vendor Park. A site that shall contain more than one vendor on a regular basis as the principal use of the land. This shall include any person that exhibits, displays, sells or offers for sale any food, beverages, goods, wares or merchandise from an approved conveyance at a fixed location. This definition does not include a door-to-door peddlers, solicitors, retail stands or garage stands.

- **A conveyance includes a privately owned vending structure, vending trailer, mobile food vehicle, or any other device designed for the purpose of displaying, exhibiting, carrying, transporting, storing, selling or offering for sale any food, beverages, goods, wares or merchandise.**

□ **That Article VII, Section 707.02-A for Uses Permitted in the C-2 (Limited) Commercial District as Use Permits is hereby amended to read as follows:**

1. Any and all Use Permits provided in the C-1 and C-1A Restricted Commercial Districts
2. Restaurant, Fast-Food.
 - A. When the restaurant adjoins residentially zoned property, all exterior lighting shall be directed away from adjacent residential properties;
 - B. The location for the point of taking food orders shall be buffered from and so located so as to minimize the intrusion upon adjacent properties.
3. Veterinarian clinic when no storage pens or runs are located outdoors.
4. Automotive service and repair establishments, but excluding major repair work such as motor overhaul, body and fender repairs, spray painting, tire retreading, or other activities which may generate excessive noise or odors which may be incompatible with the character of the district when:
 - A. Conducted within a completely enclosed building;
 - B. There is no outdoor storage of automobiles, discarded parts, tires or similar materials.
5. Re-cycling collection point when:
 - A. The collection point occupies no more than five hundred (500) square feet;
 - B. Has no processing equipment;
 - C. Recycling containers are made of durable material and are covered and secured from unauthorized entry;
 - D. Located two-hundred fifty (250) feet from any residentially zoned property.
6. Nightclubs and bars.
7. Service stations.
8. Car wash.
9. Restaurant, General.
10. Liquor Stores, where part of a neighborhood shopping center.
11. Community Recreational Center, where part of a neighborhood shopping center
12. Tobacco Paraphernalia Retail Business
13. Hospitals
14. **Vendor Park**

□ **That Article VII, Section 702.04.2 for Regulations in the C-2 (Limited) Commercial District is hereby amended to read as follows:**

1. Minimum lot area - not regulated.
2. Minimum lot width - not regulated.
3. Minimum front yard depth - twenty-five (25) feet from street right-of-way line.
4. Minimum side yard width - None, except where it adjoins residentially or mixed use zoned property; the side yard requirement shall be increased to twenty-five (25) feet, provided further, that the side yard shall be increased by one (1) foot for each five (5) feet of building height over forty-five (45) feet. On a corner lot, the minimum side yard depth on the street side shall be twenty-five (25) feet.
5. Minimum rear yard depth - fifteen (15) feet except where it adjoins residentially or mixed use zoned property, the rear yard requirement shall be increased to twenty-five (25) feet; provided further, that the rear yard shall be increased by one (1) foot for each five (5) feet of building height over forty-five (45) feet.
6. Maximum height - seventy-five (75) feet.
7. Maximum lot coverage - not regulated.
8. No exterior storage shall be permitted.
9. The leading edge of canopies shall be a minimum of five (5) feet from any street right-of-way line.
10. Petroleum dispensing facilities shall be a minimum of twenty (20) feet from any street right-of-way line.
11. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; do not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes. Subsequent owners of a liquor store at this location must apply for and receive a new Use Permit.
12. No pawnshop, ~~secondhand store~~ or tobacco paraphernalia retail business shall be constructed or altered to permit business to be transacted via a drive-through or a walk-up window
13. Use Permits for a tobacco paraphernalia retail business shall be issued to the owner of the store. The Use Permit will not run with the land and the subsequent owners of a tobacco paraphernalia retail business at this location must apply for and receive a new Use Permit. The Use Permit shall be renewed annually. Tobacco paraphernalia that is kept, displayed, sold, or delivered, must be stored or kept in a designated part of the business premises that is not open to view or have immediate access from the general public.

14. All outdoor food preparation shall be conducted at the side or rear of the building. All outdoor cooking apparatuses must be located at the side or rear of the building and in completely enclosed structures when not in use.

15. Use Permits for a vendor park shall be issued to the owner of the vendor park and renewed annually. The Use Permit will not run with the land and the subsequent owners of a vendor park at the location must apply for and receive a new Use Permit.

□ That Article VII Section 702.05.01 for Uses Permitted in the C-3 (General) District as is hereby amended to read as follows:

1. All uses permitted in the C-2 Limited Commercial District
2. Apartments, when located in renovated, non-residential structures, which exceed 5,000 square feet, in accordance with 701 (9.) of the Zoning Ordinance.
3. Automotive service and repair establishments
4. Automotive and Truck Rental Business
5. Automobile Sales
6. Bowling centers
7. Car Wash
8. Health Club/Fitness Center
9. Hotels, Inns and Motels
10. Ice and roller skating rinks
11. Mini-warehouses
12. Brewpubs
13. Nightclubs and Bars
14. Nurseries/Yard and Garden Centers
15. Parking Garages
16. Produce Stand
17. Restaurants, drive-in and fast food
18. Restaurants, General
19. Retail Stand
20. Second Hand Stores
21. Service Stations
22. Transient Vendors, when located completely indoors, as in shopping centers, hotels, or motels. Outdoor display of merchandise is prohibited.
23. Veterinarian Clinics and Kennels
24. Wholesale Outlet Stores
25. **Vendor Park**

□ That Article VII, Section 702.05.2 for Regulations in the C-3 (General) Commercial District is hereby amended to read as follows:

1. Minimum lot area - none.
2. Minimum lot width - none.
3. Minimum front yard depth - fifteen (15) feet from street right-of-way line.
4. Minimum side yard width - none, except where it adjoins residentially or mixed use zoned property, the side yard requirement shall be increased to twenty-five (25) feet; and provided further, that the side yard shall be increased by one (1) foot for each five

- (5) feet of building height over forty-five (45) feet. On corner lots, the minimum side yard depth on the street side shall be fifteen (15) feet.
5. Minimum rear yard depth - none, except where it adjoins residentially or mixed use zoned property, the rear yard requirement shall be increased to twenty-five (25) feet; and provided further, that the rear yard shall be increased by one (1) foot for each five (5) feet of building height over forty-five (45) feet.
 6. Maximum height - one hundred-fifty (150) feet.
 7. Maximum lot coverage - not regulated.
 8. Exterior storage - Exterior storage by a retail establishment is permitted only for items which by their nature are typically used outdoors in an unprotected environment. To protect the integrity of adjacent properties, the Zoning Administrator may require that exterior storage areas be completely screened from the street and from adjacent properties by a six (6) foot high wood or masonry fence or by natural plants or trees of equal minimum height so planted as to provide maximum opacity.
 9. No bingo parlor, pawnshop, title pledge office, or secondhand store shall be located within two hundred fifty (250) feet of any other such use, or located within five hundred (500) feet of any residentially or mixed use zoned property, church, school, park, playground or public library.
 10. No pawnshop or secondhand store or tobacco paraphernalia retail business shall be constructed or altered to permit business to be transacted via a drive-through or a walk-up window.
 11. The leading edge of canopies shall be a minimum of ten (10) feet from any street right-of-way line.
 12. Petroleum dispensing facilities shall be a minimum of twenty (20) feet from any street right-of-way line.
 13. Multi-family uses shall be governed by the minimum requirements for the multifamily units as found in R-4 Multifamily Districts as stated in 501(9).
 14. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; do not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes. Subsequent owners of a liquor store at this location must apply for and receive a new Use Permit.
 15. All outdoor food preparation shall be conducted at the side or rear of the building. All outdoor cooking apparatuses must be located at the side or rear of the building and in completely enclosed structures when not in use.
 16. No person shall control, operate, conduct or manage any tattoo parlor or body piercing business, without first obtaining approval from the MS State Department of Health in accordance with the regulations governing the registration of individuals performing body piercings and tattooing. Evidence of such approval shall be provided to and kept on file by the City of Jackson Zoning Division.
 17. Use Permits for a tobacco paraphernalia retail business shall be issued to the owner of the store. The Use Permit will not run with the land and the subsequent owners of a tobacco paraphernalia retail business at this location must apply for and receive a new Use Permit. The Use Permit shall be renewed annually. Tobacco paraphernalia that is kept, displayed, sold, or delivered, must be stored or kept in a designated part of the business premises that is not open to view or have immediate access from the

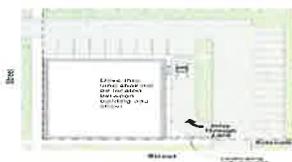
general public.

18. Use Permits for automobile sales – used are issued to the owner of the used car business rather than to the owner of the land. The Use Permit will not run with the land and the subsequent owners of an automobile sales – used business at this location must apply for and receive a new Use Permit. The Use Permit shall be renewed annually with supporting documentation from the MS State Tax Commission. The Use Permit will be cancelled upon the cancellation of any of the requirements from the MS State Tax Commission.

19. Use Permits for a vendor park shall be issued to the owner of the vendor park and renewed annually. The Use Permit will not run with the land and the subsequent owners of a vendor park at the location must apply for and receive a new Use Permit.

□ **That Article VII –A Section 702.01-A for Uses Permitted in the NMU-1 Neighborhood Mixed-Use District, Pedestrian Oriented as commercial uses is hereby amended to read as follows:**

1. Art or photo studio or galleries
2. Offices, up to two-thousand five-hundred (2,500) square feet of floor area
3. Restaurants (Neighborhood) or Restaurants (Neighborhood Shopping Center), including accessory outdoor seating area, provided that the outdoor seating area only operates between 6:00am and 11:00pm.
4. Retail stores, up to three thousand (3,000) square feet of floor area
5. Personal and commercial services, up to three thousand (3,000) square feet of floor area
6. Bars, taverns, cocktail lounges or microbreweries, including accessory outdoor seating area, provided that the outdoor seating area only is operating between 6:00am and 11:00pm.
7. Home occupations, provided that the home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
8. Mobile Food Vendor (In accordance with the City of Jackson Mobile Food Vending Ordinance)
9. Restaurant, Fast Food
 - A. The drive-through lane shall not be located in the area between a building and a public street (*See the figure below*).
 - B. The drive-through lane shall be screened from the public street by landscaping or a low decorative wall to a minimum height of 42 inches and a maximum height of 48 inches. If a low screen wall is installed, the construction material shall match the first floor exterior color and materials used on the primary building or provide a comparable level of quality.



10. Commercial Banks, Savings Institutions and Credit Union including those with drive-through facilities

11. Vendor Park with the hours of operation between 7:00 am – 11:00 p.m.

That Article VII –A Section 702.05-A for Additional Regulations in NMU-1 Neighborhood Mixed-Use District, Pedestrian Oriented uses is hereby amended to read as follows:

1. All buildings shall have the primary entrance visible and accessible from the street
2. Wherever possible, buildings should utilize shared driveways and access roads.
3. No more than one vehicular access point twelve (12) feet or less in width per lot shall be provided from the primary street for single-family and two-family houses.
4. Driveways from the primary street for other than single and two-family homes shall be no more than twenty (20) feet wide, unless the driveway is shared among two separate principal buildings, in which case the width may be increased to the minimum width required by the Site Plan Review Committee.
5. A minimum of seventy-five (75) feet must be provided between each driveway on the same side of the street for all buildings except for residential dwellings.
6. All off-street parking lots shall be located in the rear or side yard of any building for all multifamily and non-residential uses. Side yard parking lots shall account for no more than fifty (50) percent of required parking and shall be screened from the street by a combination of landscaping and a wall or fence that is a minimum of three feet in height.
7. In commercial and mixed-use structures, windows, doors, display windows arcades shall comprise 70% of the total area for street-facing facades on the first floor.
8. All new construction in NMU-1 District shall require Site Plan Review as outlined in this Ordinance.
9. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; they do not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes. Subsequent owners of the liquor store at this location must apply for and receive a new Use Permit.
10. All off-street parking lots shall adhere to required landscaping buffering, and shall include wrought iron fencing no higher than four (4) feet along the front property line.
11. Automobile parking on surface parking lots located adjacent to non-residential uses shall be located at least five (5) feet from any public street or any adjoining property line. The only access permitted across this setback area shall be sidewalks, bikeways, trails, and drives.
12. Parking garages shall be required to have non-parking commercial uses on the street level except for those parking garages that are completely surrounded by other buildings.
13. Sidewalks shall be required for all new development and infill development. Sidewalk width and design shall adhere to existing sidewalks or to any proposed developments and is subject to approval by the Site Plan Review Committee.
14. No person shall control, operate, conduct or manage any tattoo parlor or body piercing business, without first obtaining approval from the MS State Department of Health in accordance with the regulations governing the registration of individuals performing body piercings and tattooing. Evidence of such approval shall be provided to and kept on file by the City of Jackson Zoning Division.

15. All developments in NMU-1 exceeding 10 acres shall be subject to the following requirements.

- A. The submission of a Master Development Plan prior to any subdivision approval or issuance of a building permit.**
- B. The Master Development Plan shall adhere to the Subdivision Ordinance Requirements Applicable to the Traditional Neighborhood Development.**
- C. The Master Development Plan shall adhere to the following Zoning Ordinance Traditional Neighborhood Standards as detailed in:**
 - a. Section 709.02-B Open Space Requirements;**
 - b. Section 710 Pedestrian, Bicycle and Transit Circulation & Access Standards;**
and
 - c. Section 711 Architectural & Urban Design Standards**
- D. The Master Development Plan Approval Process shall require:**
 - a. Pre-Application Conference(s)**
 - b. Master Development Plan and Site Plan Review Application submitted (Site Plan Review Committee)**
 - c. Revision of Site Plan Review (if needed)**
 - d. Preliminary Plat and Construction Plans Approval (Subdivision Review Engineer)**
 - e. Final Plat Approval and Dedication of Streets (City Council)**

□ That Article VII –A Section 705.05-A for Additional Regulations in CMU-1 Community Mixed-Use District, Pedestrian Oriented uses is hereby amended to read as follows:

1. All buildings shall have the primary entrance visible and accessible from the street.
2. Wherever possible, buildings should utilize shared driveways and access roads.
3. No more than one vehicular access point twelve (12) feet or less in width per lot shall be provided from the primary street for single-family and two-family houses.
4. Driveways from the primary street for other than single and two-family homes shall be no more than twenty (20) feet wide, unless the driveway is shared among two separate principal buildings, in which case the width may be increased to the minimum width required by the Site Plan Review Committee.
5. A minimum of seventy-five (75) feet must be provided between each driveway on the same side of the street for all buildings except for residential dwellings.
6. All off-street parking lots shall be located in the rear or side yard of any building for all multifamily and non-residential uses. Side yard parking lots shall account for no more than fifty (50) percent of required parking and shall be screened from the street by a combination of landscaping and a wall or fence that is a minimum of three feet in height.
7. In commercial and mixed-use structures, windows, doors, display windows arcades shall comprise 70% of the total area for street-facing facades on the first floor.
8. All new construction in CMU-1 District shall require Site Plan Review as outlined in this Ordinance.
9. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; they do not run with the land but will allow the store to remain at a

- specific location until such time as the ownership of the liquor store changes. Subsequent owners of the liquor store at this location must apply for and receive a new Use Permit.
10. All off-street parking lots shall adhere to required landscaping buffering, and shall include wrought iron fencing no higher than four (4) feet along the front property line.
 11. Automobile parking on surface parking lots located adjacent to non-residential uses shall be located at least five (5) feet from any public street or any adjoining property line. The only access permitted across this setback area shall be sidewalks, bikeways, trails, and drives.
 12. Parking garages shall be required to have non-parking commercial uses on the street level except for those parking garages that are completely surrounded by other buildings.
 13. Sidewalks shall be required for all new development and infill development. Sidewalk width and design shall adhere to existing
 14. Sidewalks or to any proposed developments and is subject to approval by the Site Plan Review Committee.
 15. No person shall control, operate, conduct or manage any tattoo parlor or body piercing business, without first obtaining approval from the MS State Department of Health in accordance with the regulations governing the registration of individuals performing body piercings and tattooing. Evidence of such approval shall be provided to and kept on file by the City of Jackson Zoning Division.
 16. **All developments in CMU-1 exceeding 10 acres shall be subject to the following requirements.**
 - E. **The submission of a Master Development Plan prior to any subdivision approval or issuance of a building permit.**
 - F. **The Master Development Plan shall adhere to the Subdivision Ordinance Requirements Applicable to the Traditional Neighborhood Development.**
 - G. **The Master Development Plan shall adhere to the following Zoning Ordinance Traditional Neighborhood Standards as detailed in:**
 - a. **Section 709.02-B Open Space Requirements;**
 - b. **Section 710 Pedestrian, Bicycle and Transit Circulation & Access Standards;**
and
 - c. **Section 711 Architectural & Urban Design Standards**
 - H. **The Master Development Plan Approval Process shall require:**
 - a. **Pre-Application Conference(s)**
 - b. **Master Development Plan and Site Plan Review Application submitted (Site Plan Review Committee)**
 - c. **Revision of Site Plan Review (if needed)**
 - d. **Preliminary Plat and Construction Plans Approval (Subdivision Review Engineer)**
 - e. **Final Plat Approval and Dedication of Streets (City Council)**

□ **That Article VII- A, Section 706.10-B for Uses Permitted in the C80-MU is hereby amended to read as follows:**

1. All uses allowed outright in C80-C1 subdistrict, subject to other requirements of this Ordinance.
2. Single-family dwellings.
3. Two-family dwellings.
4. Multifamily dwellings.
5. Dwellings in mixed use buildings.
6. All uses allowed outright in C80-C2 subdistrict
7. Bowling Centers
8. Theaters
9. Shopping Centers
10. Health Clubs/Fitness Centers
11. Ice & Roller Skating Rinks
12. Colleges
13. Brewpub
14. Restaurants, drive in and fast food
15. Restaurant, General
16. Specialty Retail
17. Hotels
18. Mobile Food Vendor (In accordance with the City of Jackson Mobile Food Vending Ordinance)
- 19. Vendor Park**

□ **That Article VII- A, Section 707.02-A for Uses Permitted in the C-4 Central Business District as Use Permits is hereby amended to read as follows:**

1. Commercial Communication Towers
2. Residential Uses including single-family detached and zero-lot line detached units
3. Live/Work Units
4. Parking Garages
5. Warehouse and Distribution Facilities
6. Bail Bonding Businesses
7. Service Stations
8. Drive-in facilities for banks and restaurants
9. Commercial Car Washes
10. Motels
11. Liquor Stores
12. Gaming Casinos
13. Surface Parking Lots as principal use except on E. Capitol St. and that portion of W. Capitol Street on the east side of Gallatin St
- 14. Small Craft Brewery**
- 15. Distillery**

- **That Article VII- A, Section 707.07-A for Additional Regulations in the C-4 Central Business District is hereby amended to read as follows:**
1. See Article XII for Landscaping and Buffering Requirements
 2. Lighting for parking lots and streetscapes and street furniture shall adhere to the City of Jackson Urban Design Plan. (*BRW, Inc. Hammer Siler George Associates, December, 1992.*)
 3. Signs shall adhere to the standards of the City of Jackson Sign Ordinance.
 4. No barbed wire, razor wire, chain link fence or similar elements shall be visible from any public plaza, ground level or sidewalk level outdoor dining area or public right-of-way.
 5. No exterior storage, including vehicle storage associated with a retail establishment, shall be permitted.
 6. Skyways and other types of visual obstructions are prohibited over East Capital and West Capital on the East side of Gallatin St; Congress St., President Street from Court St. to Fortification St. and State Street from Court to Mississippi St.
 7. No buildings shall be permitted between I-55 and the Capital Dome which exceed the elevation of the Capitol Dome Base.
 8. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; the Use Permit does not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes. Subsequent owners of a liquor store at this location must apply for and receive a new Use Permit.
 9. **Use Permits for a small craft brewery are issued to the owner of the small craft brewery rather than to the owner of the land. The Use Permit will not run with the land and the subsequent owners of a small craft brewery at this location must apply for and receive a new Use Permit. The Use Permit shall be renewed annually with supporting documentation from the MS Department of Revenue. The Use Permit will be cancelled upon the cancellation of any of the requirements from the MS Department of Revenue.**
 10. **Use Permits for a distillery are issued to the owner of the distillery rather than to the owner of the land. The Use Permit will not run with the land and the subsequent owners of a distillery at this location must apply for and receive a new Use Permit. The Use Permit shall be renewed annually with supporting documentation from the MS Department of Revenue. The Use Permit will be cancelled upon the cancellation of any of the requirements from the MS Department of Revenue.**

- **That Article VII- A, Section 706.02-A for uses permitted as Use Permits in the UTC (Urban Town Center) District is hereby amended to read as follows:**

1. Body Piercing Business
2. Commercial Day Care Centers
3. Drive-through windows for banks, dry cleaners, drug stores and coffee shops
4. Liquor Stores
5. Parking Garages, subject to restrictions in 706.04-A
6. Accessory Parking Lots, subject to restrictions in 706.04-A

7. Tattoo Parlors
8. **Small Craft Brewery**

□ **That Article VII- A, Section 706.04-A for Additional Regulations in the UTC (Urban Town Center) District is hereby amended to read as follows:**

1. All buildings shall have the primary entrance visible and accessible from the street, courtyard or plaza.
2. No more than one vehicular access point twelve (12) feet or less in width per lot shall be provided from the primary street for single-family. Shared driveways are encouraged.
3. Driveways from the primary street for other than single family homes shall be no more than twenty-four (24) feet wide, unless the driveway is shared among two separate principal buildings, in which case the width may be increased to the minimum width required by the Site Plan Review Committee. Shared access points are encouraged.
4. A minimum of seventy-five (75) feet must be provided between each driveway on the same side of the street for all buildings except for residential dwellings.
5. All off-street parking lots shall be located in the rear or side yard of any building for all multifamily and non-residential uses. Side yard parking lots shall account for no more than fifty (50) percent of required parking and shall be screened from the street by a combination of landscaping and a wall or fence that is a minimum of three feet in height.
6. In commercial and mixed-use structures, windows, doors, display windows arcades shall comprise 70% of the total area for street-facing facades on the first floor.
7. Drive-through windows are prohibited except for banks, dry cleaners, drug stores **and coffee shops.**
8. Parking Garages shall be required to have non-parking commercial uses on the street level except for those parking garages that are completely surrounded by other buildings.
9. All off-street parking lots shall adhere to required landscaping buffering, and shall include a wrought iron fence no higher than four (4) feet along the front r. o. w line.
10. All new construction in an UTC District shall require Site Plan Review as outlined in this Ordinance.
11. Use Permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; they do not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes. Subsequent owners of the liquor store at this location must apply for and receive a new Use Permit.
12. No person shall control, operate, conduct or manage any tattoo parlor or body piercing business, without first obtaining approval from the MS State Department of Health in accordance with the regulations governing the registration of individuals performing body piercings and tattooing. Evidence of such approval shall be provided to and kept on file by the City of Jackson Zoning Division.
13. **Use Permits for a small craft brewery are issued to the owner of the small craft brewery rather than to the owner of the land. The Use Permit will not run with**

the land and the subsequent owners of a small craft brewery at this location must apply for and receive a new Use Permit. The Use Permit shall be renewed annually with supporting documentation from the MS Department of Revenue. The Use Permit will be cancelled upon the cancellation of any of the requirements from the MS Department of Revenue.

□ That Article VIII, Section 802.01.1(a) Uses Permitted in the I-1 (Light) Industrial District as Use Permits is hereby amended to read as follows:

1. Adult and Child Care Center/Commercial, as an accessory use.
2. Animal Shelters
3. Commercial Communication Towers
4. Microbrewery
5. Wrecker Services
6. **Distillery**

□ That Article VIII, Section 802.01.1 Uses Permitted in the I-2 (Heavy) Industrial District is hereby amended to read as follows:

1. Any use permitted in I-1 Light Industrial District, except adult arcades, adult bookstores, adult cabarets, adult entertainment establishments, adult motels, or adult motion picture theaters
2. Animal Shelters
3. Microbrewery
4. Recycling plants
5. Heavy manufacturing and processing plants, provided however, that these plants are not dangerous to other industrial uses by virtue of explosion and fire hazards, and have not been declared a nuisance in any court of record
6. Mining, quarrying, and other extractive industries
7. Heavy industrial uses that possess a hazard potential, but not necessary in support of other industrial activities, may be permitted, following review of site plan to ensure that maximum measures were taken to protect other industries that may be located in the area and land uses adjacent to the industrial district. Such determination shall be made by the Site Plan Review Committee, assisted by other departments and agencies of the City as required.
8. Wrecker Services, auto recovery storage lots, and junk yards.
9. Commercial Communication Towers
10. **Distillery**

□ That Article XII, Section 1203-A for items requiring a Site Plan is hereby amended to read as follows:

1. Adult entertainment establishments
2. All Uses requiring a Use Permit
3. All development to be located within C-4, Central Business District; Old Capitol Green, OCG; UV, Urban Village District; UTC, Urban Town Center District; NMU-1, Neighborhood Mixed Use, Pedestrian Oriented; CMU-1, Community Mixed Use, Pedestrian Oriented; High Street Overlay District; Fondren/North State St. Overlay

District; and Zoo/West Capital Street Overlay District.

4. Banks with drive-through windows

5. Brewpub

6. Convenience Type Grocery Stores

7. Dairying and animal husbandry on sites of not less than one (1) acre

8. Demolitions and redevelopment within C-1A Districts

9. Developments of five (5) acres or more

10. Distillery

11. Fast food restaurants with drive-through windows

12. Modular Commercial Buildings

13. Multi-family development including condominiums

14. Other special cases and projects that may be brought to the Committee's attention by the City Council, the Planning Director, Zoning Administrator, or Planning Board

15. Nightclubs

16. Planned Unit Developments

17. Private Kennels

18. Private Stables

19. Produce Stands

20. Public utilities facilities and structures required to provide essential public services

21. Residential subdivisions or re-subdivisions of property

22. Restaurants

23. Commercial Communications Towers

24. Small Craft Brewery

25. Service Stations

26. Retail Stand

27. Structures in excess of forty-five (45) feet in height

28. Substantial remodeling or additions that:

a) affect existing off-street parking;

b) change the land use of the building(s) involved; or

c) increase the square footage of existing non-residential structures fifteen (15) percent or more.

29. Any "action" as defined under 706.11-B within the Corridor 80 (C80) District.

30. Vendor Park

That the relevant Articles and Sections of the City of Jackson Zoning Ordinance are hereby amended to reflect the replacement and /or deletion of the terms:

a) Microbrewery with the term Small Craft Brewery;

b) Restaurant Fast Food with Restaurant Drive Thru;

c) Restaurant Fast Food - Type B with Restaurant Fast Food; and the

d) Deletion of Restaurant, Neighborhood Shopping Center

PROPOSED MOTION (S)

To accept the recommendation of the Ordinance Review Committee to adopt the proposed amended language to the City of Jackson's Official Zoning Ordinance.

ALTERNATE MOTION(S)

To deny the recommendation of the Ordinance Review Committee to adopt the proposed amended language to the City of Jackson’s Official Zoning Ordinance.

BOARD ACTION:

Motioned by: _____ Seconded by: _____

Approval: _____ Denial: _____

	Yes		No		Abstain
Brister					
McKie					
Booker					
Mitchell					
Jackson					
Robinson					
Norwood					
Dotson					
Welchlin					
Keeler					
Ammons					
Myers					
Welch					