

BE IT REMEMBERED that a Regular Zoning Meeting of the City Council of Jackson, Mississippi was convened in the Council Chambers in City Hall at 2:30 p.m. on November 16, 2015, being the third Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Melvin Priester, Jr.; President, Ward 2; Tyrone Hendrix, Vice-President, Ward 6; Ashby Foote, Ward 1 and De'Keither Stamps, Ward 4. Kristi Moore, City Clerk; Gail Green, Deputy City Clerk; Angela Harris, Deputy City Clerk; Ester Ainsworth, Zoning Administrator; Biqi Zhao, Deputy Director of City Planning; Ramina Aghili, Interim Senior Planner and Azande Williams, Deputy City Attorney.

Absent: Kenneth I. Stokes, Ward 3; Charles Tillman, Ward 5 and Margaret Barrett-Simon, Ward 7.

The meeting was called to order by **President Melvin Priester, Jr.**

President Priester recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3916, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Priester requested that the Clerk read said Order:

ORDER GRANTING FONDREN YANA ENHANCEMENT GROUP, INC. A CONDITIONAL USE PERMIT FOR AN ACCESSORY OFF-STREET PARKING LOT WITHIN AN R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT FOR THE PROPERTY LOCATED AT PARCEL #52-10 ON NORTHVIEW DR., CASE NO. 3916.

WHEREAS, Fondren YANA Enhancement Group, Inc. has filed a petition for a Use Permit for an accessory off-street parking lot within an R-4 (Limited Multi-family) Residential District in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, Jackson City Planning Board, after holding the required public hearing on, October 28, 2015, has recommended approval of the said petition with a condition; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, November 16, 2015 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on October 8, 2015 and October 22, 2015 that a hearing would be held by the Jackson City Planning Board on October 28, 2015 all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of a Conditional Use Permit within the existing R-4 (Limited Multi-family) Residential District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the proposed use will not be detrimental to the continued use, value, or development of properties in the vicinity; will not adversely affect vehicular or pedestrian traffic in the vicinity; will be able to be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools; and will not be hazardous, detrimental, or disturbing to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances and that the request for a Use Permit within the existing R-4 (Limited Multi-family) Residential District of the City of Jackson for an accessory off-street parking lot be granted with the condition that the Use Permit be renewed on an annual basis; and

NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

SECTION 1. That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

LOTS 16 AND 17 OF THE DECELLE SUBDIVISION, ACCORDING TO A MAP OR PLAT THEREOF ON FILE IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY AT JACKSON, MISSISSIPPI, IN PLAT BOOK 1 AT PAGE 91 THEREOF, REFERENCE TO WHICH IS HEREBY MADE AS A PART OF THIS DESCRIPTION, LESS AND EXCEPT, HOWEVER, THAT PART OF SAID LOT 16 WHICH CONSTITUTES A PART OF NORTHVIEW DRIVE AS NOW LAID OUT AND USED, AND LESS AND EXCEPT THAT PART OF THE NORTHERN END OF SAID LOTS 16 AND 17 SOLD BY MISS MAY JOHNSON AND MISS MAGGIE JOHNSON ON MARCH 23, 1961 TO MRS. EVELYN R. FRYE BY WARRANTY DEED RECORDED IN DEED BOOK 1276 AT PAGE 587 IN THE OFFICE OF SAID CHANCERY CLERK AT JACKSON, MISSISSIPPI, REFERENCE TO WHICH IS HEREBY MADE IN AID HEREOF.

be and is hereby modified so as to approve a Conditional Use Permit for the property located at Parcel #52-10 on Northview Dr. to allow for an accessory off-street parking lot in the R-4 (Limited Multi-family) Residential District, however that before a Use Permit is issued for any structure to be erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

President Priester recognized **Chip Triplett**, a representative of Fondren YANA Enhancement Group, Inc., who addressed the Council and argued in favor to allow a Use permit for an accessory off-street parking lot within a R-4 (Limited Multi-family) Residential District property located at Parcel #52-10 on Hartfield Dr.

There was no opposition from the public.

Council Stamps moved adoption; **Council Member Foote** seconded.

Yeas- Foote, Hendrix, Priester and Stamps.
Nays- None.
Absent- Barrett-Simon, Stokes and Tillman.

President Priester recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3917, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Priester requested that the Clerk read said Order:

ORDER GRANTING BANCORPSOUTH BANK A VARIANCE TO ALLOW FOR MORE THAN 50% OF THE REQUIRED PARKING TO BE LOCATED ALONG THE SIDE YARDS IN AN UTC (URBAN TOWN CENTER) MIXED-USE DISTRICT FOR PROPERTY LOCATED AT 2600 & 2710 NORTH STATE ST., CASE NO. 3917.

WHEREAS, BancorpSouth Bank has filed a petition for a Variance to allow for more than 50% of the required parking to be located along the side yards in an UTC (Urban Town Center) Mixed-Use District in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, Jackson City Planning Board, after holding the required public hearing on October 28, 2015, has recommended approval of the said petition; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, November 16, 2015 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on October 8, 2015 and October 22, 2015 that a hearing would be and had been held by the Jackson City Planning Board, as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned Variance to allow for more than 50% of the required parking to be located along the side yards within the existing UTC (Urban Town Center) Mixed-Use District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district and that special conditions and circumstances exist that do not result from actions of the applicant within the existing UTC (Urban Town Center) Mixed-Use District of the City of Jackson be granted; and

NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

SECTION 1. That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

2710 N. State St.

Beginning at a point on the East line of North State Street a distance of 77.8 feet Northerly from the intersection on the East line of North State Street with the West line of Canton Avenue as both streets were laid out and occupied by the City of Jackson, Mississippi, in September 1939, said point of beginning also being the Northwest corner of that certain tract of land conveyed by D.F. Fondren and E.D. Greaves to H.D. Miller by deed dated April 30, 1937, recorded in Record Book Number 299 at page 208; run thence Northwesterly along the East line of North State Street a distance of 111.1 feet; then turning to the right through an angle of 88 degrees 46 minutes run easterly for a distance of 100 feet; thence run Southeasterly and perpendicular to the West line of Canton Avenue for a distance of 105.5 feet, more or less, to the West line of Canton Avenue; thence Southerly along the West line of Canton Avenue a distance of 95 feet, more or less, to the Southeast corner of the above referred to "Miller Tract"; run thence Northerly along the line of said Miller Tract a distance of 30.5 feet to a stake; run thence in a Southwesterly direction along the line of the Miller Tract a distance of 90 feet to the point of beginning; LESS AND EXCEPT:

There is excepted from this conveyance and the warranty thereof, the alley-way rights deeded to H.D. Miller by deed from D.F. Fondren and E.D. Greaves dated April 30, 1937, recorded in Record Book 299 at page 208 thereof, recorded in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi wherein H.D. Miller was deeded an easement over a strip of ground 12 feet wide adjoining the Miller property running back from North State Street along the entire boundary line of the said Miller property for egress and ingress.

2600 N. State St.

INDEXING INSTRUCTIONS: Lying in the Northwest Quarter of the Southwest Quarter of Section 26, Township 6 North, Range 1 East, Hinds County, Mississippi, and containing 0.10 acre (4357.11 square feet), more or less.

Commencing at a mag nail (set) and the P.O.B. recognized as being at the intersection of the West Right-of-Way of Old Canton Road and East Right-of-Way of North State Street, and being defined by Mississippi State Plane Coordinate System West Zone NAD 83, N1030232.14' and E2345387.65', using a combined scale factor of 0.99995 and a convergence angle of +00 degrees 05 minutes 04 seconds at the commencing point; thence run along East Right-of-Way of North State Street North 36 degrees 46 minutes 41 seconds West for a distance of 79.39 feet to a 1/2" rebar (found); thence leaving said Right-of-Way run North 51 degrees 32 minutes 27" East for a distance of 74.86 feet to a 1/2" capped rebar (set); thence run South 75 degrees 23 minutes 50 seconds East for a distance of 25.36 feet to a chisel mark (set) on the West Right-Of-Way of Old Canton Road; thence run along said Right-of-Way South 18 degrees 57 minutes 07 seconds West for a distance of 109.70 feet to the P.O.B.

be and is hereby granted a Variance to allow for more than 50% of the required parking to be located along the side yards in an UTC (Urban Town Center) Mixed-Use District however that before a Variance is granted and a Building Permit is issued for any structure to be erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

President Priester recognized **Joseph Moss**, Mid MS Division President for BancorpSouth, who addressed the Council and argued in favor of a Variance to allow for more than 50% of the required parking being located along the side yards in an UTC (Urban Town Center) Mixed-Use District.

There was no opposition from the public.

Council Member Hendrix moved adoption; **Council Member Stamps** seconded.

Yeas- Foote, Hendrix, Priester and Stamps.

Nays- None.

Absent- Barrett-Simon, Stokes and Tillman.

President Priester recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3918, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Priester requested that the Clerk read said Order:

ORDER GRANTING SANDRA BOYD A CONDITIONAL USE PERMIT TO OPERATE A NIGHT CLUB/BAR WITHIN THE C80-C2 (LIMITED) COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT 1700 UNIVERSITY BLVD, SUITE 9, CASE NO. 3918.

WHEREAS, Sandra Boyd has filed a petition for a Use Permit to operate a night club/bar within the C80-C2 (Limited) Commercial District in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, Jackson City Planning Board, after holding the required public hearing on, October 28, 2015, has recommended approval of the said petition with conditions; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, November 16, 2015 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on October 8, 2015 and October 22, 2015 that a hearing would be held by the Jackson City Planning Board on October 28, 2015 all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of a Conditional Use Permit within the existing C80-C2 (Limited) Commercial District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the proposed use will not adversely affect vehicular or pedestrian traffic in the vicinity; will be able to be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools; and that the request for a Use Permit for a night club/bar be granted within the existing C80-C2 (Limited) Commercial District of the City of Jackson with the conditions that the Use Permit be granted on an annual basis; be granted to the current owners or operators of the night club/bar; and any subsequent owner(s) or operators of a night club/bar at this location must apply for and receive a new Use Permit; and

NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

SECTION 1. That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

A CERTAIN PARCEL OF LAND, together with all the buildings and improvements thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 9, T5N-R1E, City of Jackson, Hinds County, Mississippi, and being more particularly described as follows:

Begin at an existing 1/2" iron pin marking the Southwest corner of the Southeast 1/4. of the Southwest 1/4 of said Section 9, T5N-R1E; said point also being on the North right-of-way line of Linde Air Road (as now laid out and improved); from said POINT OF BEGINNING, run thence North 89 degrees 31 minutes 18 seconds West along the line between Sections 9 and 16 and along said North right-of-way line of Linde Air Road for a distance of 236.37 feet to the Point of Curvature of a 11.6164 degree curve bearing to the right having a central angle of 44 degrees 29 minutes 01 seconds and a radius of 494.08 feet; run thence along said North right-of-way line of Linde Air Road and along the arc of said curve an arc length of 383.60 feet to a set W' iron pin marking the Point of Tangency of said curve; said curve having a chord bearing of North 69 degrees 50 minutes 26 seconds West and a chord distance of 374.03 feet; run thence North 48 degrees 23 minutes 39 seconds West along said North right-of-way of Linde Air Road for a distance of 152.02 feet to a set 1/2" iron pin on the East right-of-way line of Terry Road- Old U.S. Highway 51 (as now laid out and improved); leaving said North right-of-way line of Linde Air Road, run thence North 41 degrees 02 minutes 04 seconds East along said East right-of-way line of Terry Road for a distance of 659.56 feet to a set 1/2" iron pin on the South line of the Van T. Orton property as described in deed recorded in Deed Book 4980 at Page 787, on file and of record in the office of the Chancery Clerk of Hinds County at Jackson Mississippi; leaving said East right-of-way line of Terry Road, run thence South 82 degrees 42 minutes 20 seconds East along the South line of said Orton property for a distance of 360.00 feet to a set 1/2" iron pin; leaving said South line of the Orton property, run thence South 07 degrees 24 minutes 47 seconds West along the West line of the Joseph W. Hayles property as described in deed recorded in Deed Book 5111 at Page 758, on file and of record in the aforesaid Chancery Clerk's office for a distance of 689.38 feet to the POINT OF BEGINNING, containing 9.069 acres, more or less.

be and is hereby modified so as to approve a Conditional Use Permit for the property located at 1700 University Blvd, Suite 9 to operate a night club/bar in the C80-C2 (Limited) Commercial District, however that before a Use Permit is issued for any structure to be erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

President Priester recognized **Sandra Boyd**, Applicant, who addressed the Council and argued in favor of a Use Permit to operate a night club/bar within a C80-C2 (Limited) Commercial District for the property located at 1700 University Blvd, Suite 9.

There was no opposition from the public.

Council Member Priester moved adoption; **Council Member Foote** seconded.

- Yeas- Foote, Priester and Stamps.
- Nays- Hendrix.
- Absent- Barrett-Simon, Stokes and Tillman.

ORDINANCE APPROVING AMENDMENTS TO THE TEXT OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF JACKSON AS ADOPTED ON MAY 29, 1974 AND SUBSEQUENTLY AMENDED IN ORDER TO PROVIDE FOR AND ESTABLISH MORE EFFECTIVE ZONING REGULATIONS FOR THE CITY OF JACKSON LAND USES.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MS:

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

202.171 (a) Tobacco Paraphernalia means all equipment and materials designed for the smoking, preparation, storing or consumption of tobacco product. This includes but is not limited to hookahs, water pipes, pipes, cigarette rolling machines, and holders of smoking materials of all types.

202.171 (b) Tobacco Product means any product made or derived from tobacco that is intended for human consumption, including any component part, or accessory of a tobacco product. This includes any substance containing tobacco leaf, including but not limited to cigarettes, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, nicotine gels and nicotine dissolvable or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body, but does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

202.171 (c) Tobacco Paraphernalia Retail Business means any business location where tobacco paraphernalia are sold, without regard to the quantity of tobacco paraphernalia involved.

202.171(d) Tower (See Also Antenna): A structure that is intended for transmitting or receiving television, radio, microwave, or telephone communications.

202.176 (a) Used Car Sales “shall mean a business dealing in used vehicles which buys and sells or exchanges motor vehicles. These business shall be limited to a maximum of twenty three (23) vehicles (Same as limited motor vehicle dealer” or “limited dealer” as defined and regulated in Miss. Code Ann. § 27-19-303-C (k) (2015.) This use does not include those persons who are licensed by the State of MS as a wholesale motor vehicle dealer. Miss. Code Ann. § 27-19-303-C (l) (2015.)

202.176 (b) Variance: A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in unnecessary, undue hardship. As used in this Ordinance, a variance is authorized only for height, area and size of structure or size of yards, separation of uses, open spaces, and off-street parking spaces; establishment or expansion of a use not permitted shall not be allowed by variance.

202.179(a) Wholesale Dealer: A wholesale dealer shall mean any business engaged in the selling or exchanging of used motor vehicles strictly on a wholesale basis with no inventory being maintained which is granted a wholesale license at the discretion of the Commissioner of Revenue of the Department of Revenue. (Same as wholesale motor vehicle dealer or “wholesale dealer” as defined and regulated in Miss. Code Ann. § 27-19-303-C (l) (2015.)

202.179(b) Wholesale Outlet Store: A building used or intended to be used for the bulk storage and sale of quantities of non-hazardous goods, commodities, wares, merchandise, or materials for resale or business use where the general public has no access. Associated activities such as re-packaging, assembling of components and similar activities are also permitted as part of the wholesale outlet use, provided that such activities are clearly accessory to the principal use. This definition is not applicable to those uses where the general public has access, either freely, by membership or by some other form of control. Such uses shall be considered a retail store within the meaning of this Ordinance.

That Article VII, Section 702.02.1 of the Zoning Ordinance of Jackson, Mississippi for Uses Permitted in the C-1 (Restricted) Commercial District as Use Permits is hereby amended to read as follows:

1. Any type of professional occupation as defined in this Ordinance and any other office type activity in which there is kept no stock in trade or merchandise for sale and which offers only a service to the general public.
2. Hospitals, research institutes, convalescent homes, and assisted living facilities on sites of not less than three (3) acres.

3. Auxiliary and related retail uses located entirely within buildings where the predominant use is office, hospital, research institute and/or convalescent home.
4. Personal care facilities and group homes for the handicapped which exceed thirteen (13) residents on sites of not less than three (3) acres.
5. Wholesale Dealer

(C-1A) RESTRICTED COMMERCIAL DISTRICT

That Article VII, Section 702.03.2 of the Zoning Ordinance of Jackson, Mississippi for Uses Permitted in the C-1A (Restricted) Commercial District as Use Permits is hereby amended to read as follows:

1. Commercial banks, saving institutions, and credit unions.
2. Adult and child care centers/Commercial.
3. Restaurants, Neighborhood
4. Wholesale Dealer

(C-3) GENERAL COMMERCIAL DISTRICT

That Article VII Section 702.05.1-(A) of the Zoning Ordinance of Jackson, Mississippi for Uses Permitted in the C-3 (General) Commercial District as Use Permits is hereby amended to read as follows:

702.05.1(a) Uses Which May be Permitted as Use Permits: The following Use Permits are permitted provided they are established in accordance with the procedures and provisions of this Ordinance:

1. Any and all Use Permits provided in the C-2 (Limited) Commercial District.
2. Apartments (new construction)
3. Amusement Arcades
4. Amusement parks
5. Amusement Rides
6. Automobile and truck wrecker and recovery businesses, when all vehicles are stored in a completely enclosed building.
7. Bail Bonding Business
8. Billboards
9. Bingo Parlors
10. Body Piercing Business
11. Boarding Houses
12. Check Cashing Business
13. Commercial Communication Towers
14. Convenience Type Grocery Store with Fast Food
15. Emergency Shelter/Mission
16. Golf Driving Ranges and Pitch-n-putt
17. Gun Shops
18. Liquor Stores
19. Mobile/Manufactured Home Sales
20. Pawn Shops
21. Recycling Center
22. Recycling Collection Points
23. Single-room occupancy hotels (SRO)
24. Tattoo Parlor
25. Title Pledge Office - Any such uses lawfully operating prior to March 11, 1998, shall be treated as non-conforming uses under this Ordinance, and shall be subject to the requirements of Article XIII
26. Tobacco Paraphernalia Retail Business
27. Used Car Sales

That Article VII, Section 702.05.02 of the Zoning Ordinance of Jackson, MS for regulations in the C-3 (General) Commercial District is hereby amended to read as follows:

702.05.02 Regulations:

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 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 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 zoned property, church, school, park, playground or public library.
10. **No tobacco paraphernalia retail business shall be located within two hundred fifty hundred (250) feet of any other such use, or located within one thousand hundred (1000) feet of any residentially zoned property, church, school, park, playground or public library.**
11. 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.
12. The leading edge of canopies shall be a minimum of ten (10) feet from any street right-of-way line.
13. Petroleum dispensing facilities shall be a minimum of twenty (20) feet from any street right-of-way line.
14. 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).
15. 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.
16. Use Permits for a Convenience Type Grocery Store with Fast Food shall be issued to either to the lessee of the fast food portion of the store or to the owner of the store. The Use Permit will not run with the land and the subsequent owners of a convenience type fast food store 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 Department of Health indicating the status of the food service. The Use Permit will be cancelled upon the cancellation of the food permit from the MS State Department of Health. All outdoor food preparation shall be conducted at the rear of the building. All outdoor cooking apparatuses must be located at the rear of the building and in completely enclosed structures when not in use.
17. 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.
18. **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.**

That Article VII-A Section 706.02-A of the Zoning Ordinance of Jackson, MS for uses permitted as Use Permits in the Urban Town Center Mixed Use District is hereby amended to read as follows:

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

That Article VII-A Section 706.13.5-B of the Zoning Ordinance of Jackson, MS for regulations in the Corridor 80 (C80) District for general design guidelines are hereby amended to read as follows:

Attached signs shall be located above the building entrance, storefront opening, or at other locations that are compatible with the architectural features of the building. All lots abutting designated arterial or collector streets shall use monument or ground signs, except that commercial uses within 660 feet of ~~the~~ Interstates 20 and 220 rights-of-way. There shall be ~~permitted~~ one pole sign per premises. These pole signs where permitted shall have a maximum height of ~~80~~50 feet.

A landscaped base area shall be provided for monument or ground signs appropriate to the mass and height of the sign. All areas within 5 feet of the base of any sign shall be landscaped. The landscaped area may include trees, shrubs, flowering perennials, ornamental tall grass, fountains, water features, decorative stonework, planters, sculpture, decorative paving, turf grass, loose stone, and mulch.

That Article VII-A Section 706.14.4-B of the Zoning Ordinance of Jackson, MS for regulations in the Corridor 80 (C80) District for general design guidelines for industrial uses is hereby amended to read as follows:

Attached signs shall be integrated into the design of the building elevation. All new industrial development lots abutting the designated highways shall use monument or ground signs, except that industrial development directly adjacent to or within 660 feet of ~~the~~ Interstates ~~80~~ 20 or 220 rights-of-way shall be permitted one pole sign per premises. These pole signs where permitted shall have a maximum height of ~~80~~ 50 feet. Lots not abutting the designated highway are allowed pole signs as regulated by the City of Jackson's Sign Ordinance.

That Article VIII, Section 802.02.1 of the Zoning Ordinance of Jackson, Mississippi for uses permitted in the Light Industrial District is hereby amended to read as follows:

1. Light manufacturing industries
2. Uses as permitted in Commercial "C" Districts, including trade and driving schools but excluding public, private, and parochial, elementary, and secondary schools, hospitals, convalescent homes and all residential uses and retail stands which are listed separately in the relevant commercial zoning districts.
3. Truck terminals, warehouses, and storage buildings
4. Wholesale and supply houses, including building material suppliers requiring outdoor storage
5. Bulk storage and wholesale dispensing of products and materials with the exception of those products and materials that by their nature are considered explosive or otherwise hazardous to other industrial uses as determined by the Zoning Administrator
6. Recycling centers
7. Correctional facilities
8. Adult arcades, adult bookstores, adult cabarets, adult entertainment establishments, adult motels, and adult motion picture theaters
9. Amusement parks
10. Bingo parlors
11. Body Piercing Business
12. Emergency shelter/mission
13. Golf driving ranges and pitch-n-putt
14. Liquor Stores
15. Pawn shops

16. Retail Stand
17. Single-room occupancy hotels (SRO)
18. Title Pledge Office - Any such uses lawfully operating prior to March 11, 1998, shall be treated as non-conforming uses under this Ordinance, and shall be subject to the requirements of Article XIII-A of this Ordinance, entitled "Non-conforming Use of Lands and/or Structures."
19. **Tobacco Paraphernalia Retail Business**
20. **Used car Sales**
21. Used tire sales
22. Billboards
23. Bail Bonding business
24. Mobile/Manufactured Home Sales
25. Tattoo Parlors
26. Transient Vendors – Sales from vehicles will be allowed only in the absence of a permanent building. Outdoor display of goods is permitted.

That Article VIII, Section 802.02.2 of the Zoning Ordinance of Jackson, Mississippi for regulations in the Light Industrial District is hereby amended to read as follows:

802.01.2 Regulations:

1. Regulations shall be the same as in the C-3 General Commercial District.
2. 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.
3. No correctional facility, adult arcade, adult bookstore, adult cabaret, adult entertainment establishment, adult motel, or adult motion picture theater, animal shelter, or microbrewery **or tobacco paraphernalia retail business** as defined in this Ordinance, shall be located within two hundred fifty (250) feet of any other such use, or located within one thousand (1,000) feet of any residentially zoned property, church, school, park, playground, or public library. No separation is required for adult entertainment establishments under a common roof with single proprietorship and a single entrance.
4. No bingo parlor, pawnshop, 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 zoned property, church, school, park, playground, or public library.
5. 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.
6. Outdoor storage shall be at the sides or rear of the site, and shall be totally encircled or screened by a fence, planting, or other suitable visual barrier.
7. Commercial Communication Towers: See 1104-A

Council Member Priester moved adoption; **Council Member Hendrix** seconded.

Council Member Priester moved, seconded by **Council Member Hendrix** to amend the Text Amendments to incorporate revisions requested by Council members and submitted by the Zoning Administration. The motion prevailed by the following vote:

Yeas- Foote, Hendrix, Priester and Stamps.

Nays- None.

Absent- Barrett-Simon, Stokes and Tillman.

AMENDED ORDINANCE APPROVING AMENDMENTS TO THE TEXT OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF JACKSON AS ADOPTED ON MAY 29, 1974 AND SUBSEQUENTLY AMENDED IN ORDER TO PROVIDE FOR AND ESTABLISH MORE EFFECTIVE ZONING REGULATIONS FOR THE CITY OF JACKSON LAND USES.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MS:

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

202. 14 (d) Automobile Sales: A franchised retail automobile dealership that is primarily housed in a structure and characterized by the principle use of the site being the marketing and display of new and/or used automobiles, whether by sale, rental, trade in or lease. A supporting use may include an on-site facility for the repair of automobiles previously sold, rented or leased by the dealership. No abandoned vehicles shall be stored on the premises.

202. 14 (e) Automobile Sales "Used": A retail business which sells operable, used automobiles that meet the requirements of the State of MS (MS Title 27-19) upon display in the open for sale or trade. Secondary supporting uses may include the service of automobiles previously sold or traded as defined under "Garage Mechanical". No "Junkyard" activities may occur on-site and no abandoned vehicles shall be stored on the premises. This use does not include those persons who are licensed by the State of MS as a wholesale motor vehicle dealer.

202.171 (a) Tobacco Paraphernalia means all equipment and materials designed for the smoking, preparation, storing or consumption of tobacco product. This includes but is not limited to hookahs, water pipes, pipes, cigarette rolling machines, and holders of smoking materials of all types.

202.171 (b) Tobacco Product means any product made or derived from tobacco that is intended for human consumption, including any component part, or accessory of a tobacco product. This includes any substance containing tobacco leaf, including but not limited to cigarettes, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, nicotine gels and nicotine dissolvable or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body, but does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

202.171 (c) Tobacco Paraphernalia Retail Business means any business location where tobacco paraphernalia are sold, without regard to the quantity of tobacco paraphernalia involved.

202.171(d) Tower (See Also Antenna): A structure that is intended for transmitting or receiving television, radio, microwave, or telephone communications.

202.179(a) Wholesale Dealer: A wholesale dealer shall mean any business engaged in the selling or exchanging of used motor vehicles strictly on a wholesale basis with no inventory being maintained which is granted a wholesale license at the discretion of the Commissioner of Revenue of the Department of Revenue. (Same as wholesale motor vehicle dealer or "wholesale dealer" as defined and regulated in Miss. Code Ann. § 27-19-303-C (l) (2015.)

202.179(b) Wholesale Outlet Store: A building used or intended to be used for the bulk storage and sale of quantities of non-hazardous goods, commodities, wares, merchandise, or materials for resale or business use where the general public has no access. Associated activities such as re-packaging, assembling of components and similar activities are also permitted as part of the wholesale outlet use, provided that such activities are clearly accessory to the principal use. This definition is not applicable to those uses where the general public has access, either freely, by membership or by some other form of control. Such uses shall be considered a retail store within the meaning of this Ordinance.

That Article VII, Section 702.02.1 of the Zoning Ordinance of Jackson, Mississippi for Uses Permitted in the C-1 (Restricted) Commercial District as Use Permits is hereby amended to read as follows:

1. Any type of professional occupation as defined in this Ordinance and any other office type activity in which there is kept no stock in trade or merchandise for sale and which offers only a service to the general public.
2. Hospitals, research institutes, convalescent homes, and assisted living facilities on sites of not less than three (3) acres.
3. Auxiliary and related retail uses located entirely within buildings where the predominant use is office, hospital, research institute and/or convalescent home.
4. Personal care facilities and group homes for the handicapped which exceed thirteen (13) residents on sites of not less than three (3) acres.
5. **Wholesale Dealer**

(C-1A) RESTRICTED COMMERCIAL DISTRICT

That Article VII, Section 702.03.2 of the Zoning Ordinance of Jackson, Mississippi for Uses Permitted in the C-1A (Restricted) Commercial District as Use Permits is hereby amended to read as follows:

1. Commercial banks, saving institutions, and credit unions.
2. Adult and child care centers/Commercial.
3. Restaurants, Neighborhood
4. **Wholesale Dealer**

That Article VII Section 702.04.1–(A) of the Zoning Ordinance of Jackson, Mississippi for Uses Permitted in the C-2 (Limited) Commercial District as Use Permits is hereby amended to read as follows:

702.04.1(a) Uses Which May be Permitted as Use Permits: The following Use Permits are permitted provided they are established in accordance with the procedures and provisions of this Ordinance:

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**

That Article VII, Section 702.04.02 of the Zoning Ordinance of Jackson, MS for regulations in the C-2 (Limited) Commercial District is hereby amended to read as follows:

702.04.2 Regulations:

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 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 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.**

(C-3) GENERAL COMMERCIAL DISTRICT

That Article VII Section 702.05.1 of the Zoning Ordinance of Jackson, Mississippi for Uses Permitted in the C-3 (General) Commercial District is hereby amended to read as follows:

702.05.01 Uses Permitted:

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. Community Recreational Center
9. Health Club/Fitness Center
10. Hotels, Inns and Motels
11. Ice and roller skating Rinks
12. Mini-warehouses
13. Brewpubs
14. Nightclubs and Bars
15. Nurseries/Yard and Garden Centers
16. Parking Garages

17. Produce Stand
18. Restaurants, drive-in and fast food
19. Restaurants, General
20. Retail Stand
21. Second Hand Stores
22. Service Stations
23. Transient Vendors, when located completely indoors, as in shopping centers, hotels, or motels. Outdoor display of merchandise is prohibited.
24. Veterinarian Clinics and Kennels
25. Wholesale Outlet Stores

That Article VII Section 702.05.1–(A) of the Zoning Ordinance of Jackson, Mississippi for Uses Permitted in the C-3 (General) Commercial District as Use Permits is hereby amended to read as follows:

702.05.1(a) Uses Which May be Permitted as Use Permits: The following Use Permits are permitted provided they are established in accordance with the procedures and provisions of this Ordinance:

1. Any and all Use Permits provided in the C-2 (Limited) Commercial District
2. Apartments (new construction)
3. Amusement Arcades
4. Amusement Parks
5. Amusement Rides
6. Automobile and truck wrecker and recovery businesses, when all vehicles are stored in a completely enclosed building
7. Bail Bonding Business
8. Billboards
9. Bingo Parlors
10. Body Piercing Business
11. Boarding Houses
12. Check Cashing Business
13. Commercial Communication Towers
14. Convenience Type Grocery Store with Fast Food
15. Emergency Shelter/Mission
16. Golf Driving Ranges and Pitch-n-putt
17. Gun Shops
18. Liquor Stores
19. Mobile/Manufactured Home Sales
20. Pawn Shops
21. Recycling Center
22. Recycling Collection Points
23. Single-room occupancy hotels (SRO)
24. Tattoo Parlor
25. Title Pledge Office - Any such uses lawfully operating prior to March 11, 1998, shall be treated as non-conforming uses under this Ordinance, and shall be subject to the requirements of Article XIII
26. **Tobacco Paraphernalia Retail Business**
27. **Automobile Sales "Used"**
 - A. The minimum lot size is twenty-two thousand (22,000) square feet
 - B. All service doors, buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses shall be screened by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, in addition to any required landscape buffer yard.
 - C. Inoperable vehicles, outdoor storage and automobile repair activities shall be located to the rear or side yard and shall not be visible from any public right-of-way.

That Article VII, Section 702.05.02 of the Zoning Ordinance of Jackson, MS for regulations in the C-3 (General) Commercial District is hereby amended to read as follows:

702.05.02 Regulations:

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 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 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 zoned property, church, school, park, playground or public library.
10. 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.
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. Use Permits for a Convenience Type Grocery Store with Fast Food shall be issued to either to the lessee of the fast food portion of the store or to the owner of the store. The Use Permit will not run with the land and the subsequent owners of a convenience type fast food store 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 Department of Health indicating the status of the food service. The Use Permit will be cancelled upon the cancellation of the food permit from the MS State Department of Health. All outdoor food preparation shall be conducted at the rear of the building. All outdoor cooking apparatuses must be located at the 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 a 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.

That Article VII-A Section 706.02-A of the Zoning Ordinance of Jackson, MS for uses permitted as Use Permits in the Urban Town Center Mixed Use District is hereby amended to read as follows:

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

That Article VII-A Section 706.13.5-B of the Zoning Ordinance of Jackson, MS for regulations in the Corridor 80 (C80) District for general design guidelines are hereby amended to read as follows:

1. Attached signs shall be located above the building entrance, storefront opening, or at other locations that are compatible with the architectural features of the building.
2. All lots abutting designated arterial or collector streets shall use monument or ground signs, except that commercial uses within 660 feet of Interstates 20 and 220 rights-of-way. **There** shall be one pole sign per premises. These pole signs where permitted shall have a maximum height of 50 feet.
3. A landscaped base area shall be provided for monument or ground signs appropriate to the mass and height of the sign. All areas within 5 feet of the base of any sign shall be landscaped. The landscaped area may include trees, shrubs, flowering perennials, ornamental tall grass, fountains, water features, decorative stonework, planters, sculpture, decorative paving, turf grass, loose stone, and mulch.

That Article VII-A Section 706.14.4-B of the Zoning Ordinance of Jackson, MS for regulations in the Corridor 80 (C80) District for general design guidelines for industrial uses is hereby amended to read as follows:

Attached signs shall be integrated into the design of the building elevation.

All new industrial development lots abutting the designated highways shall use monument or ground signs, except that industrial development directly adjacent to or within 660 feet of Interstates 20 or 220 rights-of-way shall be permitted one pole sign per premises. These pole signs where permitted shall have a maximum height of 50 feet. Lots not abutting the designated highway are allowed pole signs as regulated by the City of Jackson’s Sign Ordinance.

That Article VIII, Section 802.02.1 of the Zoning Ordinance of Jackson, Mississippi for uses permitted in the Light Industrial District is hereby amended to read as follows:

1. Light manufacturing industries
2. Uses as permitted in Commercial "C" Districts, including trade and driving schools but excluding public, private, and parochial, elementary, and secondary schools, hospitals, convalescent homes and all residential uses and retail stands which are listed separately in the relevant commercial zoning districts.
3. Truck terminals, warehouses, and storage buildings
4. Wholesale and supply houses, including building material suppliers requiring outdoor storage
5. Bulk storage and wholesale dispensing of products and materials with the exception of those products and materials that by their nature are considered explosive or otherwise hazardous to other industrial uses as determined by the Zoning Administrator
6. Recycling centers
7. Correctional facilities

8. Adult arcades, adult bookstores, adult cabarets, adult entertainment establishments, adult motels, and adult motion picture theaters
9. Amusement parks
10. Bingo parlors
11. Body Piercing Business
12. Emergency shelter/mission
13. Golf driving ranges and pitch-n-putt
14. Liquor Stores
15. Pawn shops
16. Retail Stand
17. Single-room occupancy hotels (SRO)
18. Title Pledge Office - Any such uses lawfully operating prior to March 11, 1998, shall be treated as non-conforming uses under this Ordinance, and shall be subject to the requirements of Article XIII-A of this Ordinance, entitled "Non-conforming Use of Lands and/or Structures."
19. **Tobacco Paraphernalia Retail Business**
20. **Automobile Sales "Used"**
21. Used tire sales
22. Billboard
23. Bail Bonding business
24. Mobile/Manufactured Home Sales
25. Tattoo Parlors
26. Transient Vendors – Sales from vehicles will be allowed only in the absence of a permanent building. Outdoor display of goods is permitted.

That Article VIII, Section 802.02.2 of the Zoning Ordinance of Jackson, Mississippi for regulations in the Light Industrial District is hereby amended to read as follows:

802.01.2 Regulations:

1. Regulations shall be the same as in the C-3 General Commercial District.
2. 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.
3. No correctional facility, adult arcade, adult bookstore, adult cabaret, adult entertainment establishment, adult motel, or adult motion picture theater, animal shelter, or microbrewery as defined in this Ordinance, shall be located within two hundred fifty (250) feet of any other such use, or located within one thousand (1,000) feet of any residentially zoned property, church, school, park, playground, or public library. No separation is required for adult entertainment establishments under a common roof with single proprietorship and a single entrance.
4. No bingo parlor, pawnshop, 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 zoned property, church, school, park, playground, or public library.
5. 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.
6. Outdoor storage shall be at the sides or rear of the site, and shall be totally encircled or screened by a fence, planting, or other suitable visual barrier.
7. Commercial Communication Towers: See 1104-A

Thereafter, **President Priester** called for a vote on Text Amendments as amended:

Yeas- Foote, Hendrix, Priester and Stamps.
Nays- None.
Absent- Barrett-Simon, Stokes and Tillman.

Esther Ainsworth noted for the record: Cancelled Special Exceptions:

- SE 1636 – Lillie Robinson – 3554 Rita Dr.
- SE 2704 – Mary L. Clay – 2684 Maddox Rd.
- SE 2844 – John R. Jones/Dr. Samuel Jones, Jr. – 232 Moss Ave.
- SE 3695 – Dr. Elijah Arrington, III – 4562 N. State St.
- SE 3819 – Doris Devine – 5576 Queen Mary Ln.
- SE 3876 – Hubbard T. Saunders – 1449 Douglas Dr.

Council Member Priester moved, seconded by **Council Member Hendrix** to remove SE 1636-Lillie Robinson from the Cancelled Special Exceptions and add to the Special Exception Renewals for November 2015. The motion prevailed by the following vote:

Yeas- Foote, Hendrix, Priester and Stamps.
Nays- None.
Absent- Barrett-Simon, Stokes and Tillman.

Cancelled Special Exceptions as amended:

- SE 2704 – Mary L. Clay – 2684 Maddox Rd.
- SE 2844 – John R. Jones/Dr. Samuel Jones, Jr. – 232 Moss Ave.
- SE 3695 – Dr. Elijah Arrington, III – 4562 N. State St.
- SE 3819 – Doris Devine – 5576 Queen Mary Ln.
- SE 3876 – Hubbard T. Saunders – 1449 Douglas Dr.

No action required.

President Priester requested the Clerk to read the following:

ORDER GRANTING EXTENSION OF SPECIAL EXCEPTIONS AND USE PERMITS FOR ONE YEAR.

Coming for consideration are requests for the approval of the following for certification of renewal for one year and after the anniversary date of approval for Use Permit or Special Exceptions as follows:

<u>CASE NO.</u>	<u>NAME</u>	<u>LOCATION</u>	<u>USE</u>	<u>DATED</u>
SE – 1859 Ward 3	Bessie Tyler & Leroy Tyler	1915 Oakland Ave. Jackson, MS 39213	One-Chair Beauty Salon	11/07/1979
SE – 2981 Ward 3	New Evergreen M.B. Church	401 Jennings Street Jackson, MS 39203	Church on Less Than 1 Acre	11/03/1993
SE – 3788 Ward 4	Artemesia Thompson	471 Roland St. Jackson, MS 39209	Residential Child Care Center	11/14/2011
SE – 3789 Ward 3	Neighborhood Christian Center	430 Ash St. Jackson, MS 39203	Tutoring Services	11/14/2011
SE – 3877 Ward 1	Kodi D. Hobbs	5016 Old Canton Rd. Jackson, MS 39211	Professional Insurance Office	11/17/2014
SE – 3878 Ward 4	Denise Eley	5495 Robinson Rd. Jackson, MS 39204	Commercial Adult Day Care	11/17/2014

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, NOVEMBER 16, 2015, 2:30 P.M.

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SE 1636	Lillie Robinson	3554 Rita Dr. Jackson, MS 39213	Day Care Center	11/30/1977
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IT IS HEREBY ORDERED by the Council of the City of Jackson that the said Use Permits and/or Special Exceptions be and the same are hereby extended for another year from and after the anniversary date granting said permits.

Council Member Stamps moved adoption; **Council Member Hendrix** seconded.

Yeas- Foote, Hendrix, Priester and Stamps.
Nays- None.
Absent- Barrett-Simon, Stokes and Tillman.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council Meeting to be held at 6:00 p.m. on Tuesday, November 17, 2015: at 3:50 p.m., the Council stood adjourned.

ATTEST:

Keith Moore
CITY CLERK

APPROVED:

[Signature], 11.24.15
MAYOR DATE
