

Town of Taylor

Planning and Development Code

Taylor, Mississippi

Adopted as Ordinance Number 2019-1
By the Board of Aldermen
May 7, 2019
Effective June 7, 2019

As Amended:
2022: February 1, March 1, November 1
2023: September 5
2024: January 2, February 6, April 2, May 7
2025: May 6, June 3, August 5
2026: April 7, 2026

TABLE OF CONTENTS

1 TITLE AND PURPOSES	1
1.1 Title:	1
1.2 Purposes:	1
1.3 Scope of Planning and Development Regulations	2
2 DEFINITIONS	5
2.1 Guidelines	5
2.2 Definitions of Terms	5
3 ZONING DISTRICTS	25
3.1 Establishment of Zoning Districts	25
3.2 Zoning Map	25
3.3 Replacement of Official Zoning Map	25
3.4 Rules for Interpretation of Zoning District Boundaries	26
4 GENERAL PROVISIONS	27
4.1 Application of Regulations	27
4.2 Lot of Record	27
4.3 Front Yard Exception	27
4.4 Nonconforming Lots, Structures and Uses of Land and Structures	27
4.5 Miscellaneous	29
4.6 Rules Governing Uses	29
4.7 Uses Permitted - Table of Permitted Uses	30
5 SUPPLEMENTARY DISTRICT REGULATIONS	39
5.1 Manufactured Homes	39
5.2 Health Care Clinics	39
5.3 Home Offices	39
5.4 Junk Yards and Salvage Yards	40
5.5 Mini-Warehouses	40
5.6 Bed and Breakfast Homes and Inns	40
5.7 Outside music and Special Events	41
5.8 Public Utility Sites	42
5.9 Cell phone towers and Telecommunications Facilities	42
5.10. Subdivision of more than two lots.	43
5.11. Gated Entry to a Residential Subdivision	44
5.12. Secondary Dwelling	44
5.13. Parking Space Requirements	46
6 ADDITIONAL ZONING DISTRICT REGULATIONS	47
6.1 "A" Agricultural District	47
6.2. "R20" Residential District	47
6.3 "VC" Village Center Commercial District	48
6.4 "GC" General Commercial District	49
6.5 "VOD" Village Overlay District (Planned Unit Development District)	49

7 SIGNS AND OUTDOOR AVERTISING	51
7.1 Sign Definitions	51
7.2 Sign Requirements for Permanent Signs by Zone	52
7.3 Illumination	52
7.4 Exempt Signs	53
7.5 Prohibited Signs	53
7.6 Inspection, Removal and Safety	53
7.7 Permits	54
7.8 Nonconforming Signs	54
7.9 Violation and Enforcement	54
8 MINIMUM REQUIRED DEVELOPMENT IMPROVEMENTS	56
8.1 General Clearing, Burning, and Grading	56
8.2 Erosion and Sediment Control	56
9 IMPROVEMENTS IN SUBDIVISIONS	58
9.1 General Subdivision Improvement Requirements	58
9.2 Monuments	58
9.3 Streets	59
9.4 Water System	61
9.5 Sanitary Sewer System	61
9.6 Storm Water Drainage	61
9.7 Approval of Construction Plans	62
9.8 Portable Restroom Facilities	63
10 DESIGN STANDARDS FOR SUBDIVISIONS	64
10.1 Street and Roadways	64
10.2 Easements	66
10.3 Blocks	66
10.4 Alleys	67
10.5 Lots	67
11 APPROVAL PROCESS FOR SUBDIVISIONS	68
11.1 Pre-Application Review	68
11.2 Preliminary Plat Application Procedure	69
11.3 Final Plat Approval Procedure	71
11.4 Final Plat Recording Procedure	74
11.5 Acceptance of Road	75
11.6 Appeal Procedure	76
11.7. Exceptions to Subdivisions	76
11.8. Revisions to Recorded Subdivisions	77
12 SITE PLAN APPROVAL PROCESS	78
12.1 Actions Requiring Site Plan Approval	78
12.2 Site Plan Approval Process	78
12.3 Site Plan Submittal Standards	78
12.4 Preliminary Site Plan Review	79
12.5 Final Site Plan Review	80
12.6 Appeal Procedure	82

13 DESIGN STANDARDS	84
13.1 Purpose	84
13.2 Actions Requiring Development Plan Approval	84
13.3 Exemptions	84
13.4 Approval Process and Appeals	87
13.5 Design Standards	87
13.6 Landscaping	87
14 RESERVED	89
15 RESERVED	89
16 RESERVED	89
17 ADMINISTRATION AND ENFORCEMENT	90
17.1 Planning Commission Composition, and Terms	90
18 POWERS AND DUTIES OF THE PLANNING COMMISSION	90
18.1 Planning Commission	90
18.2 Uses Permitted on Appeal	90
18.3 Variances	91
18.4 Decisions of the Planning Commission in relation to Administrative Official	91
18.5 Appeals of Planning Commission Decisions	91
19 RESERVED	92
20 ENFORCEMENT AND PENALTIES	94
20.1 Complaints Regarding Violations	94
20.2 Civil and Criminal penalties	94
20.3 Stop Work Order	94
21 ADMINISTRATIVE OFFICIAL	96
22 BUILDING CODES	98
22.1 Building Permits Required	98
22.2 Hearings, Appeals, Notice	99
23 POWERS AND DUTIES OF THE BOARD OF APPEALS	100
23.1 Board of Appeals Created	100
23.2 Interpretation Intent and Appeals	100
23.3 Composition	100
23.4 Rules	100
23.5 Administration	100
23.6 Board Action	101
24 FLOOD DAMAGE PREVENTION ORDINANCE	101
24.1 Flood Damage Prevention Ordinance Standards	101

25 AMENDMENTS TO ORDINANCE	102
25.1 Amendment Procedure	102
25.2 Public Hearing Required	102
25.3 Posting	104
25.4 Effect of Protest to Amendment	104
25.5 Applications for Amendments	104
26 MISCELLANEOUS	106
26.1 Appropriations	106
26.2 Interpretation	106
26.3 Separability Clause	106
26.4 Schedule of Fees, Charges, and Expenses	106
26.5 Repealing Clause	106
26.6 Effective Date	106
26.7 Non Restrictive Clause	107
26.8 Reserved	107
26.9 Title to Property Acquired	107
27 ZONING MAP	108
28 PLEIN AIR VILLAGE OVERLAY DISTRICT MASTER PLAN	109
28.1 Plein Air Master Plan Map	109A
28.2. Plein Air Master Plan Uses List	109B
28.3. Plein Air Overly District Case #05-429	109C
28.4. Plein Air Signs and Outdoor Advertising	109G
APPENDIX	
A-1 APPROVAL PROCESS FOR MANUFACTURED HOUSING DEVELOPMENTS	A-1
A-2 APPROVAL PROCESS FOR RECREATIONAL VEHICLE DEVELOPMENTS	A-2
A-3 COVENANTS FOR ASSESSMENTS AND MAINTENANCE	A-3
A-4 GENERAL PROVISIONS FOR COVENANTS	A-4
A-5. APPROVED PLANT LIST	A-5

• ORDINANCE NUMBER 2019-1

An ordinance establishing: comprehensive zoning regulations; development regulations for subdivisions, apartment complexes, rental complexes, manufactured home complexes, recreational vehicle complexes and commercial complexes; and design standards for all types of such development for the Town of Taylor, Mississippi and providing for the administration, enforcement, and amendment thereof, and for the repeal of all ordinances in conflict herewith and replacement of the Town of Taylor Ordinance 2016-1:

WHEREAS, the Statutes of the State of Mississippi empower the Town to enact a zoning ordinance, subdivision controls, and historic preservation regulations and to provide for administration, enforcement, and amendment, all based on a comprehensive development plan; and

WHEREAS, the Mayor and Board of Aldermen deem it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the Town to adopt a comprehensive development plan and to enact implementation measures such as this ordinance; and

WHEREAS, the Mayor and Board of Aldermen have divided the Town into districts and have prepared regulations pertaining to such districts designed to lessen congestion in the streets, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Mayor and Board of Aldermen have given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town; and

WHEREAS, the Mayor and Board of Aldermen have given due public notice of hearings relating to zoning districts, regulations, and restrictions, and have held such public hearings in accordance with the law.

THEREFORE, be it ordained by the Mayor and Board of Aldermen of the Town of Taylor, Mississippi:

THAT this Planning and Development Ordinance for Taylor, Mississippi, contained on the following one-hundred fifteen (115) pages, shall be known and referred to as the "Town of Taylor Planning and Development Code" and may be cited as such; and

UPON THE MOTION of Alderman Lyn Roberts, duly seconded by Alderman Ellen Meacham, the aforementioned ordinance was put to a vote with the voting as follows:

ALDERMAN	VOTE
Tim Bridges	Absent;
Courtney Covington	Yes;
Ellen Meacham	Yes;
Jimmy Willingham	Yes;
Lynn Roberts	Yes.

ORDAINED AND ADOPTED, this the 7th day of May, 2019 to take effect and be in force on and after the 7th day of J , 2019.

James E. Hamilton, Mayor
(SEAL)



Clady Conrad, Town Clerk

1 TITLE AND PURPOSES

1.1 Title:

- 1.1.1 This ordinance shall be known as the "Town of Taylor Planning and Development Code". The map herein referred to which is identified by the title "Zoning Map of Taylor, Mississippi, and all explanatory matters thereon are hereby adopted and made a part of this ordinance.

1.2 Purposes:

- 1.2.1 This ordinance shall serve the purpose of planning and regulating property use, historic preservation, and property subdivision and design each of which is further defined as follows:
- 1.2.2 Property Use - The zoning regulations and districts, as herein set forth, have been made in accordance with a comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, floods along natural water courses, panic and other dangers, to provide adequate light and air to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. They have been made with reasonable consideration, among other things, as *to the character of each district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the Town.
- 1.2.3 Preservation - The Town hereby recognizes that the Town of Taylor is known for its concentrated collection of vernacular houses, as well as groupings of historic public, commercial, and residential - buildings. Taylor's unique qualities have proven increasingly attractive to residents, business interests, and tourists. As a matter of public policy, the Town aims to preserve, enhance, and perpetuate those aspects of the Town having historical, cultural, architectural, and archaeological merit. Such historic activities will promote and protect the health, safety, prosperity, education, and general welfare of the people living in and visiting Taylor. More specifically, this zoning and historic preservation ordinance is designed to achieve the following goals:
- 1.2.3.1 Protect, enhance and perpetuate resources which represent distinctive and significant elements of the Town's historical, cultural, social, economic, political, archaeological, and architectural identity;
- 1.2.3.2 Insure the harmonious, orderly, and efficient growth and development of the Town;
- 1.2.3.3 Strengthen civic pride and cultural stability through neighborhood conservation;
- 1.2.3.4 Stabilize the economy of the Town through the continued use, preservation, and revitalization of its resources;
- 1.2.3.5 Protect and enhance the Town's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- 1.2.3.6 Promote the use of resources for the education, pleasure, and welfare of the people of the Town of Taylor;
- 1.2.3.7 Provide a review process for the preservation and appropriate development of the Town's resources.

- 1.2.4 Subdivision of Property - In order to provide for the continuation of the traditional development pattern of the community, coordination of street layout with other existing or planned streets or with other features, to provide for requirements of preliminary and final plats and/or site plans, and for minimum standards of physical improvements in new developments; for adequate open spaces for traffic, utilities, firefighting apparatus, recreation, light and air, and for distribution of population and traffic all of which are to improve the health, safety, and general welfare of the community.

1.3 Scope of Planning and Development Code Regulations

- 1.3.1 It shall be unlawful for any person being the owner, agent, or person having control of any land within the Town Limits of the Town of Taylor, Mississippi to create a subdivision as defined herein, or to cause to develop subdivisions; condominiums; rental complexes; apartment complexes; or office, commercial, retail, or industrial complexes as defined herein in such manner as to create a connection to an existing public right-of-way without having followed the procedures established in these regulations.
- 1.3.2 The conversion of existing apartments to condominiums or individually owned properties requires the approval of the Town of Taylor Planning Commission and Board of Aldermen and the existing development shall be brought into compliance with these standards before individual units may be sold. This provision applies whether or not the units are owner occupied.
- 1.3.3 Construction shall not commence for proposed development improvements including grading, drainage, streets, utilities, or any other improvements until Site Plan approval is granted by the Town of Taylor Planning Commission or Preliminary Plat approval is granted by the Town of Taylor Planning Commission and the Town of Taylor Board of Aldermen and recorded in the official minutes of each. (However if any person desires to grade and clear vegetation or trees without a site plan then a temporary permit may be issued by the Town Planner based upon a review of and approval of an erosion control plan and an existing vegetation and tree plan that shows retention of vegetation/trees along boundary lines, road frontage, creeks/rivers and major drainage ways, perimeter of retention shall be a minimum of 15 feet and within the retention area trees with diameter of 15 inches will be retained.)
- 1.3.4 No lots or units shall be sold or rented until compliance with these regulations has been achieved and Final Plat approval granted by the Town of Taylor Planning Commission and the Town of Taylor Board of Aldermen and recorded in the minutes of each and the plat has been lawfully recorded by the Chancery Clerk.
- 1.3.5 The Town of Taylor Board of Aldermen will withhold approval of improvements, of any nature whatsoever, including the acceptance and maintenance of streets or roads, until approval of the subdivision development has been recommended by the Town of Taylor Planning Commission, approved by the Town of Taylor Board of Aldermen and any required documents have been properly signed and lawfully recorded in the Chancery Clerk's office. Streets or roads must pass final inspection by the Town Engineer and approval must be given by the Town of Taylor Board of Aldermen for the town to accept and maintain streets or roads.
- 1.3.6 No building permit or address shall be issued for any parcel or plat of land created by Site Plan or subdivision after the effective date of, and not in substantial conformity with, the provisions of this Ordinance and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with this Ordinance.
- 1.3.7 All residential developments shall provide declarations, restrictions, and covenants that set forth the Developer's legally binding commitments concerning the type of development to be built and include provisions for maintenance of common areas during construction of the development and after the development is completed. These documents shall set forth how the Developer conveys the responsibility for common areas to individual homeowners and prescribe the financial means for supporting future upkeep of all areas of collective benefit. The document creating and establishing such covenants and a homeowners association shall include the minimum provisions set forth in this Ordinance.

- 1.3.8 It is not the intent of this ordinance to prohibit or in any way disadvantage individuals who wish to will or deed property to family members. Accordingly, any conveyance, by deed or will, of three or more lots within a single tract of land, each conveyance being between individuals within the first, second or third degree of relation (i.e. grantees who are related to the grantor/owner within the first, second or third degree, including children [and their descendants], spouse, brother and sister [and their descendants], father and mother, grandparent, and uncle and aunt) and with the intent that the grantees will develop each parcel for the exclusive use as the grantees homestead, is excepted from the definition of "subdivision." Development of any such parcel shall not "land lock" the remaining portion of the parcel and shall provide an easement to a public road right-of-way not less than 50 feet wide.

Intentionally Left Blank

2 DEFINITIONS

2.1 Guidelines:

- 2.1.1 Certain words and phrases used in this ordinance are defined for the purpose thereof as follows: Words used in the present tense include the future; the singular number includes the plural, and the plural includes the singular; the word "person" includes a firm, partnership, association, corporation, estate or trust, or any other group or combination acting as a unit as well as an individual; the word "shall" is mandatory and not directory.
- 2.1.2 Any questions or disputes concerning the definition of terms which are not specifically listed below shall be resolved based on the definitions contained in the publication "The Planner's Dictionary".

2.2 Definitions of Terms:

- 2.2.1 **Accessory Use or Structure:** A use or structure subordinate the principal use of a building or use on the same lot and serving a purpose customarily incidental to the use of the principal building or use;
- 2.2.2 **Advertising Structure:** A sign directing attention to a business, product, profession, service, or activity which is not necessarily sold or conducted on the premises;
- 2.2.3 **Agriculture:** 'The cultivating of the soil and raising and harvesting of the products of the soil, including nurseries, horticulture, forestry, and the raising of livestock and poultry;
- 2.2.4 **Alley:** Any public or private way set aside for public travel, less than twenty—eight (28) feet in width;
- 2.2.5 **Alteration:** Any change in the exterior appearance or materials of a landmark or a structure within a historic district or on a landmark site;
- 2.2.6 **Alterations, Structural:** Any change in the supporting members of a building, such as walls, floors, columns, beam, or girders;
- 2.2.7 **Apartment:** A dwelling unit located in a an attached dwelling or multiple family structure intended for occupancy by one family only, either rented or leased to the occupants;
- 2.2.8 **Apartment Complex:** A structure of three (3) or more attached units consisting of non-owner occupied residential units on a parcel of land as such to require the construction of improvements such as streets, roads and utilities that will connect with existing streets, roads, and utilities. (See RENTAL COMPLEX)
- 2.2.9 **Applicant:** The owner of record of a resource; the lessee thereof with the approval of the owner of record in notarized form; or a person holding a "bona fide" contract to purchase a resource;
- 2.2.10 **Appurtenance:** An accessory to a building, structure, object, or site, including, but not limited to, landscaping features, walls, fences, light fixtures, steps, paving, sidewalks, shutters, awnings, solar panels, satellite dishes, and signs;
- 2.2.11 **Arterial Street/Highway:** An arterial road or arterial thoroughfare is a high-capacity urban road. The primary function of an arterial road is to deliver traffic from collector roads between urban centers at the highest level of service possible, see "Street";

- 2.2.12 **Assisted Living:** Assisted refers to a type of physical assistance rather than monetary assistance. In assisted living facilities, residents live independently in apartment or condominium style accommodation, and may be assisted by the provision of meals, housekeeping, security and social programs. Additional planned care, such as bathing, dressing and assistance with medication may also be provided;
- 2.2.13 **Automobile and Metal Salvage:** A commercial venture which collects automobile parts and vehicles or other metal and/or recyclable materials and refuse items for salvage and/or sale, including junkyards.;
- 2.2.14 **Bar:** A structure or part of a structure used primarily for the sale or dispensing of liquor by the drink;
- 2.2.15 **Basement:** A story wholly or partially underground. For the purpose of height regulation, a basement shall be counted as a story when more than one-half of its height is above the average grade level;
- 2.2.16 **Bed and Breakfast Service:** See "Inn";
- 2.2.17 **Boarding House (Lodging or Rooming House):** A building other than a hotel or motel, where, for compensation and by prearrangement for definite periods, meals and/or lodging are provided for three or more but not exceeding twelve persons (other than family members) on a weekly or monthly basis;
- 2.2.18 **Bond:** Guarantee which secures installation of improvements in the event a Developer defaults on required improvements. An acceptable bond shall include any one of the following: a surety bond from a company licensed to do business in the State of Mississippi; a cashier's check, assignment of certificates of deposit, or an irrevocable letter of credit from a bank licensed to do business in the State of Mississippi, as determined by the Board or Aldermen;
- 2.2.19 **Buffer Area:** An area so planned which acts as a buffer or separation area between two or more uses or structures not compatible due to design, function, use or operation;
- 2.2.20 **Buffer Yard/Strip:** A strip of land, identified on a site plan or by the zoning ordinance, which acts to separate two or more incompatible uses and/or districts. Normally, the area is landscaped and kept in open space use and is maintained by the property owner;
- 2.2.21 **Buildable Area, Maximum:** That portion of a lot remaining after required yards have been provided;
- 2.2.22 **Building:** Any structure constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto, and including; tents, lunch wagons, dining cars, trailers, billboards, signs, and similar structures, whether stationary or movable;
- 2.2.22.1 **Building, Principal:** A building on which is conducted the principal use of the lot on which it is situated. In any residence district any dwelling shall be deemed to be the principal building on the lot on which it is situated;
- 2.2.22.2 **Building, Accessory:** A subordinate building, the use of which is incidental to that of a principal building on the same lot;
- 2.2.22.3 **Building, Height of:** The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the ridge for gable, hip or gambrel roofs;
- 2.2.22.4 **Building Line:** A line shown on the plat beyond which structure must be set back from the street or road right-of-way line upon which the property abuts;
- 2.2.22.5 **Building Official:** The individual designated by the Governing Authority to administer and enforce the specified duties of this Zoning Ordinance;
- 2.2.22.6 **Building Permit:** A permit issued by the Administrative Official authorizing the construction or alteration

- 2.2.22.7 **Building, Portable:** Any building that is portable in nature, without any wheels, and built on a chassis or frame designed and constructed to be used without a permanent foundation;
- 2.2.22.8 **Building Setback Line:** See "Setback Line";
- 2.2.22.9 **Building, Structural Alteration of:** Any change or rearrangement in the supporting members, including walls, beams, columns, or girders of a building;
- 2.2.23 **Business:** An operation, enterprise or entity offering services and/or products for sale or for the exchange of consideration as a means of livelihood or gain;
- 2.2.24 **Canopy:** A roof-like structure which is not enclosed by walls on all sides and may or may not project from a building;
- 2.2.25 **Carport:** A roofed structure providing space for the parking or storage of motor vehicles and shall be open on at least two sides;
- 2.2.26 **Cemetery:** Property used for the interring of the dead.
- 2.2.27 **Certificate of appropriateness:** An official signed and dated governmental document issued by either a local Planning Commission or a governing authority to permit specific work in a historic district or at a landmark site or landmark which has been reviewed and approved;
- 2.2.28 **Certificate of Occupancy:** A certificate issued by the Town official designated by the Town of Taylor Board of Aldermen to ensure that new or altered buildings or structures are in conformance with the provisions of all pertinent Town Ordinances and any other Federal, State, and County laws (such as water, sewer, and other necessary infrastructure is in place) and to have a record on the point;
- 2.2.29 **Certified Local Government (CLG):** A federal program authorized by the National Historic Preservation Act 16 U.S.C. 470 et seq. that provides for the participation of local governments in a federal/state/local government preservation partnership. The federal law directs the State Historic Preservation Officer of Mississippi and the Secretary of the Interior to certify local governments to participate in this partnership. Specific Mississippi requirements for the program are published in "State of Mississippi, Procedures for the Certified Local Government Program.";
- 2.2.30 **Change of Use:** An alteration or change from a previous use of land, buildings, or structures to another use of land, buildings, or structures;
- 2.2.31 **Child Care Facility:** A place which provides shelter and personal care for six (6) or more children who are not related to the operator, whether such place be organized or operated for profit or not;
- 2.2.32 **Church:** See Place of Worship.
- 2.2.33 **Clinic:** A facility for diagnosis and treatment of medical, chiropractic, dental or psychological outpatients, provided that patients are not kept overnight, and which may be used by one or a group of medical or dental practitioners. These shall be regulated as a commercial use;
- 2.2.34 **Clustered Development:** A development pattern for residential subdivisions that permits a reduction in lot area, provided there is no increase in the number of lots permitted under a conventional subdivision and the resultant land area is devoted to open space, allowing for greater flexibility of development;
- 2.2.35 **Collector Street:** See **Street, Collector.**

- 2.2.36 **Commercial:** Of or pertaining to a trade or commerce in general;
- 2.2.36.1 **Commercial Complex:** The development of a parcel of land proposing the construction of any structure consisting of non-dwelling units for business, retail, office, professional services, and/or industrial uses on a parcel of land as such to require the construction of improvements such as streets, roads and utilities that will connect with existing streets, roads and utilities;
- 2.2.36.2 **Commercial Feedlot:** A confined area or structure, pen, or corral, used to fatten livestock prior to final shipment;
- 2.2.36.3 **Commercial Poultry Farm:** Breed, raising, and feeding of chickens, ducks, turkeys, geese, or other fowl of 100 or more for sale of eggs, meat, feathers, or other commercial uses;
- 2.2.36.4 **Commercial Structure:** Multi-unit apartments and condominiums, retail buildings, office buildings, manufacturing facilities. Agricultural buildings and private residences within this standard, are not considered to be commercial structures.
- 2.2.36.5 **Commercial Subdivision:** The proposed subdivision of land into 3 or more parcels or lots for the intent of commercial activities and must follow the regulations for a Commercial Complex in this Ordinance;
- 2.2.37 **Community Facilities Plan:** One of the elements of a Comprehensive Plan. Section 17-1-1 of the **Mississippi Code of 1972**, Annotated, As Amended, defines the term as follows: “a community facilities plan (serves as) a basis for a capital improvements program including, but not limited to, the following: housing; schools; parks and recreation; public buildings and facilities; and utilities and drainage.”;
- 2.2.38 **Compatibility:** The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. Some elements affecting compatibility include: residential density; pedestrian or vehicular traffic generated; volume of goods handled; architectural cohesiveness; and such environmental effects such as noise, vibration, glare, air pollution, light pollution, or radiation;
- 2.2.39 **Comprehensive Plan:** In accordance with Section 17-1-1 of the **Mississippi Code of 1972**, Annotated, As Amended, “comprehensive plan” shall be defined as “a statement of public policy for the physical development of the entire municipality—adopted by resolution of the governing body, consisting of the following elements at a minimum: (i) Goals and Objectives---; (ii) a Land Use Plan---; (iii) a Transportation Plan---; and (iv) a Community Facilities Plan;
- 2.2.40 **Conditional:** Granted or made contingent upon satisfying certain declared provisions set forth in this ordinance;
- 2.2.41 **Conditional Use (Special Exception):** A land use which would not generally be appropriate in a particular zoning district, but which, with certain restrictions or conditions, would in the judgment of the Board of Aldermen promote the public health, safety, morals, or general welfare of the Town and would not adversely affect adjacent properties. A permit granted by the Board of Aldermen for the initiation of a conditional use (with the necessary restrictions included) will not change the zoning of the property involved and will allow such use to continue as long as the specific use granted by the conditional use remains the same. Also referred to as a “Special Exception”;
- 2.2.42 **Condominium:** A condominium is that form of ownership of property under which units of improvements are subject to ownership by different owners and there is appurtenant to each unit as part thereof an undivided share of all real estate and designated common improvements;
- 2.2.42.1 **Condominium Unit:** means the elements of a condominium which are not owned in common with the owners of other condominiums in the project;

- 2.2.42.2 Condominium Project: means the entire parcel of real property divided, or to be divided into condominiums, including all structures therein;
- 2.2.43 **Conforming Use:** Any lawful use of a building or lot which complies with the provisions of this Zoning Ordinance;
- 2.2.44 Construction: Work performed on a Physical Site or on a Structure.
 - 2.2.44.1 Construction on a Physical Site, unless otherwise specified herein, shall mean any change in the physical condition of any area within a proposed project site from the original condition that was depicted in the Site Plan or Preliminary Plat;
 - 2.2.44.2 Construction on a Structure is neither alteration nor demolition. Essentially, it is the erection of a new structure which did not previously exist, even if such a structure is partially joined to an existing structure.
- 2.2.45 **Convalescent Home (Rest Home or Nursing Home):** Those health facilities where persons are housed and furnished with meals and continuing nursing services for a fee;
- 2.2.46 **Convenience Store:** A store of not more than 3,000 square feet of retail sales area, not counting storage, which deals in grocery items of a convenience nature. Also, commonly referred to as a “drive-in” grocery store;
- 2.2.47 **Country Club:** A land area and buildings containing recreational facilities, clubhouse and the usual accessory uses, open only to members and their guests for a membership fee;
- 2.2.48 **Country Store:** A Neighborhood type retail service establishment or general store of not more than 2,000 square feet;
- 2.2.49 **Coverage:** That part of a lot covered by buildings;
- 2.2.49.1 **Craft Markets:** See Farm Markets.
- 2.2.50 Cul-De-Sac: A permanent dead-end street, cove, or court culminated by a turnaround;
- 2.2.51 Daycare Center: See Child Care Facility;
- 2.2.52 Demolition: The intentional removal of a structure within a local historic district or on a landmark site or which has been designated as a landmark;
 - 2.2.52.1 Demolition by neglect: Substantial deterioration of a historic structure that results from improper maintenance or a lack of maintenance;
- 2.2.53 **Density:** The intensity of land use and also the maximum intensity of use of a minimum lot or land area physically possible observing all yard, height, and lot or land area coverage provisions of this Ordinance, **inclusive of any publicly dedicated rights-of-way;**
- 2.2.54 Design review guidelines: As adopted by the local Planning Commission, shall be in a written form designed to inform local property owners about historical architectural styles prevalent in a community and to recommend preferred treatments and discourage treatments that would compromise the architectural integrity of structures in a historic district or on a landmark site or individually designated as landmarks;

- 2.2.55 **Developer:** Any person, individual, firm, partnership, association, corporation, trust, or any other group or combination acting as a unit, who undertakes the subdivision and development of land as defined herein. Developer may include owner or builder even though the persons and their interest may vary at different project stages. Developer shall also include any successor in interest to the original Developer as to the ownership of the Development roads, common areas and unsold lots prior to the completion of the roads and common areas in accordance with the applicable specifications. Note: Wherever the term Developer appears herein, the Developer's legally appointed agent may be substituted. See also Subdivider;
- 2.2.56 **Development:** The improvement of a parcel of land to construct single or multiple structures for the purposes of dwelling, retailing, manufacturing, business, or professional services, which may or may not require the construction of streets and utilities to connect with an existing public street and utilities;
- 2.2.57 **Dimensional Variance:** The authority to depart from the literal application of the zoning ordinance because of a practical difficulty resulting from the physical characteristics of the land, also see "Variance";
- 2.2.58 **Disabled Persons:** Individuals suffering from a permanent condition resulting from a mental or physical impairment that leaves such persons unable to perform "major life functions." (From: Accommodating Disabilities: Business Management Guide, published by the Commerce Clearing House, Inc., 1992; this publication deals with the requirements of the Americans with Disabilities Act);
- 2.2.59 **Driveway:** A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure;
- 2.2.60 **Driveway Approach:** As approved by the Town, a constructed area or improvement between the roadway of a public street and private property intended to provide access for vehicles from the roadway of a public street;
- 2.2.61 **Dwelling:** Any building designed or used as the residence of one or more persons, but not including a tent, cabin, trailer or trailer coach, pickup camper, mobile home, tree house, or a room in a hotel or motel;
- 2.2.61.1 **Dwelling, Attached:** A building comprised of attached or semi-attached dwelling units designed for or used for residential purposes by two to four families or housekeeping units (duplex, triplex, or fourplex);
- 2.2.61.2 **Dwelling, Multifamily:** A building or portion thereof comprised of fully attached dwelling units designed for or used for more than four families or housekeeping units;
- 2.2.61.3 **Dwelling, Secondary:** Any structure, freestanding or attached to a dwelling or portion of a dwelling, used for residential purposes beyond the first such structure on a lot.
- 2.2.61.4 **Dwelling, Single-family:** A building designed for or used for residential purposes by one family or housekeeping unit;
- 2.2.61.5 **Dwelling Unit:** One room or rooms connected together, constituting a separate, independent housekeeping establishment containing independent cooking and sleeping facilities;
- 2.2.61.6 **Dwelling, Zero Lot Line:** A detached single-family dwelling on a separate lot with open space setbacks on three sides. In order to be considered a true "zero lot line dwelling" the dwelling must rest directly against a lot line on one side of the lot; otherwise, it shall be considered a patio home;
- 2.2.62 **Easement:** A right distinct from the ownership of the land permitting the crossing of private property with facilities such as sewer lines, water lines, streets, power, and telephone lines;
- 2.2.63 **Engineer:** is registered as a Professional Engineer in the State of Mississippi by the State Board of Registration for Professional Engineers and Land Surveyors;

- 2.2.63.1 **Developer's Engineer:** The Engineer hired by the Developer to lay out the subdivision plat and design improvements;
- 2.2.63.2 **Town Engineer:** The Engineer appointed by the Board of Aldermen to act as Consultant to the Board of Aldermen and to the Town of Taylor Planning Commission;
- 2.2.64 **Event Venue:** See Wedding/Meeting/Event Venue;
- 2.2.65 **Exterior Features:** Exterior features or resources shall include, but not be limited to, the color, kind, and texture of the building material and the type and style of all windows, doors, and appurtenances;
- 2.2.66 **Factory-Built Dwelling or Home:** A dwelling unit manufactured in part or whole within a factory to include Manufactured Home, Mobile Home, Modular Home, Panelized Home, and Pre-Cut Home;
- 2.2.67 **Family:** A person living alone, or two or more persons living together as a single housekeeping unit, in a dwelling unit, as distinguished from a group occupying a boarding House, lodging house, dormitory, motel, or hotel;
- 2.2.68 **Farm:** An area which is used for the growing of the usual farm products such as vegetables, fruit, trees, hay, cotton, and grain, and their storage on the area, as well as the raising thereon of the usual farm poultry and farm animals, such as horses, mules, cattle, sheep, goats, and swine, and including dairy farms. The term "farming" includes the operating of such an area for one or more of the above uses with the necessary accessory uses for treating or storing the produce provided, however, that the operation of such accessory uses shall be secondary to that of the normal farming activities, and provided further that farming does not include the extraction of minerals, the feeding of collected garbage or offal to swine or other animals or intensive livestock raising, such as commercial feed lots, large batteries of rabbit hutches, or poultry lots or coops;
 - 2.2.68.1 **Farm Building or Structure:** Any building or structure upon a farm having no dwelling facilities and constituting a necessary accessory building or structure for treating, processing, storing, and assembling of farm produce or products associated with farm production, and/or the storage and maintenance of tools and/or implements involved in normal farming activities conducted on the farm;
 - 2.2.68.2 **Farm Markets and Craft Markets.** A market or booth for the sale of farm raised produce or hand crafted products, usually located in an open air structure, usually with limited days of operation.
- 2.2.69 **Flea Market:** Market held in an open area or structure where groups of individual sellers offer goods for sale to the public;
- 2.2.70 **Floor Area:** The sum of the gross horizontal area of all floors of a building, excluding all porches, balconies, garages or carports, measured from the interior face of the exterior walls, or from the centerline of a wall separating two buildings;
- 2.2.71 **Food Truck (or Mobile Vendor):** A vehicle equipped with facilities for cooking and selling food or from which food is sold. The vehicle shall remain on wheels at all times;
- 2.2.72 **Frontage:** Property on one side of a street measured along the line of the street, or in the case of a corner lot or "through lot," the property on each street measured along the lines of both streets;
- 2.2.73 **Fuel Sales:** See Gasoline Service Station.
 - 2.2.73.1 **Funeral Home (or Mortuary):** A building used for the preparation of deceased human bodies for burial or cremation and and ceremonies connected therewith before burial or cremation;

- 2.2.74 **Future Land Use Plan:** See “Land Use Plan”;
- 2.2.75 **Garage (Private):** The term “garage” shall mean a private garage, which is a portion of a main building enclosed on at least three sides or accessory building enclosed on at least three sides (i.e., detached from the main building) and used primarily for the storage of privately owned automobiles.
- 2.2.76 **Garage, Mechanical (Repair Shop):** A building or portion thereof, other than a private or storage garage, designed or used for servicing, repairing, equipping of motor-driven vehicles and the storage of such vehicles; also include selling, renting, or leasing of motor-driven vehicles in conjunction with repair work.
- 2.2.77 **Garage, Storage:** A building or portion thereof, other than a private garage, used exclusively for the parking or storage of motor-driven vehicles, with no other facilities provided except facilities for washing. Also referred to as a parking garage;
- 2.2.78 **Gasoline Service Station:** Any area of land, including the structures thereon, that is primarily used for the retail sale of gasoline, diesel fuel, oil or automobile accessories and incidental services including facilities for lubricating, washing (either automatic or by hand) and cleaning, or otherwise servicing automobiles and light trucks. This term does not include the painting or major repair of vehicles;
- 2.2.79 **Goals and Objectives:** One of the elements of a Comprehensive Plan. Section 17-1-1 (c)(ii) of the **Mississippi Code of 1972**, Annotated, As Amended, defines the term as follows: “goals and objectives (are a list of policies, adopted by the governing authorities) for the long-range (twenty to twenty-five years) development of the county or municipality. Required goals and objectives shall address, at a minimum, residential, commercial, and industrial development; parks, open space and recreation, street or road improvements, public schools and community facilities”;
- 2.2.80 **Governing Authority / Governing Body:** The Mayor and Board of Aldermen of the Town;
- 2.2.81 **Grade or Grade Level:** The finished elevation of land after completion of site preparations for construction;
- 2.2.82 **Gross Floor Area:** The sum of the gross horizontal areas of the several floors of a structure, including interior balconies; all horizontal measurements to be made between the exterior faces of walls, including the walls of roofed porches having more than two walls;
- 2.2.83 **High Volume Traffic Generation:** All uses in the Table of Permitted Uses classification other than low-volume traffic generation.
- 2.2.84 **Historic district:** A group of two (2) or more tax parcels and their structures, and may be an entire neighborhood of structures linked by historical association or historical development. It is not necessary that all structures within a historic district share the same primary architectural style or be from the same primary historical period. A historic district may also include both commercial and residential structures, and may include structures covered by two (2) or more zoning classifications. A historic district may include both contributing and non-contributing structures. A historic district is designated by the commission and approved by the Town through an ordinance.
- 2.2.85 **Historic landmark:** A structure of exceptional individual significance, and its historically associated land, which typically could not be included within a local historic district or other appropriate setting. A historic landmark is designated by the commission and approved by the Town through an ordinance;
- 2.2.86 **Home Occupation:** Any activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit or an accessory building;

- 2.2.87 **Home Office:** An office activity conducted in a dwelling unit.
- 2.2.88 **Homeowners Association:** A non-profit organization (corporate or otherwise) operating under recorded land agreements through which each property owner is automatically subject to a charge for a proportionate share of expenses for maintaining common open space, other activities and facilities;
- 2.2.88.1 **Horticultural Sales with Outdoor Display.** A market or booth for the sale of horticultural products, usually located in an open air structure, usually with limited days of operation.
- 2.2.89 **Hospital:** A public or quasi-public institution where sick or injured persons are given medical care and in the course of same are housed overnight, fed and provided nursing and related services;
- 2.2.90 **Hospital, Veterinary:** A facility where sick or injured animals are given medical or surgical care and, in the course of same, may be housed overnight, fed, and provided related services;
- 2.2.91 **Hotel or Motel:** A building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which at least a portion of the rooms are directly accessible from a public or private right-of-way, from a parking lot for a space or from the exterior of the building. As such, it is open to the public in contradiction to a boarding house or apartment;
- 2.2.92 **Improvement:** Additions to or new construction on landmarks or landmark sites, including, but not limited to, buildings, structures, objects, landscape features, and manufactured units, like mobile homes, carports, and storage buildings.
- 2.2.93 **Independent Living:** Residents of independent living facilities are totally independent. However, limited services may be provided on an as-needed basis;
- 2.2.94 **Industry, Heavy:** Those industrial uses which are not fully enclosed and/or which generate substantial amounts of noise, vibration, odors or possess other objectionable characteristics;
- 2.2.95 **Industry, Light (Limited):** Those industrial uses including manufacturing activities conducted wholly within completely enclosed buildings (except for the temporary storage within adequately screened or buffered areas of articles, materials, or other matter to be processed, assembled or otherwise changed) and other industrial-related activities which do not generate objectionable odors, smoke, fumes, vibration, or excessive noise;
- 2.2.96 **Industry, "Wet-Type":** Those heavy industrial uses which require the discharge of by-products or processed waste water through the sewer system;
- 2.2.97 **Inn (or "Bed and Breakfast Inn"):** An establishment operated in conjunction with a private dwelling where lodging is available or lodging and food are available for up to twenty (20) persons for compensation;
- 2.2.98 **Junk Yard:** A place where waste, discarded, or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled. No such uses are allowed in Taylor. This includes auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawn shop and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations. This use is not allowed in Taylor.

- 2.2.99 **Kennel:** A facility other than a residence, where four or more dogs or cats, or a combination thereof, are boarded, whether by the owners of the animals or other persons, with or without compensation. A kennel shall be considered a commercial use;
- 2.2.100 **Landmark site:** A location where a primary architectural or historical resource formerly stood or a significant historic event took place or an important archeological resource remains. For the purposes of this ordinance, a landmark site encompasses prehistoric or historic sites on unimproved or improved land. A historic landmark is designated by the commission and approved by the Town through an ordinance;
- 2.2.101 **Landscape:** Any improvement or vegetation including, but not limited to: Shrubbery, trees, plantings, outbuildings, walls, courtyards, fences, swimming pools, planters, gates, street furniture, exterior lighting, and site improvements, including but not limited to, subsurface alterations, site grading, fill deposition, and paving;
- 2.2.102 **Land Use Plan:** One of the elements of a Comprehensive Plan, usually developed concurrently with the Transportation/ Transportation Plan. Section 17-1-1 (c)(ii) of the **Mississippi Code of 1972**, Annotated, As Amended, defines the term as follows: "a land use plan designates in map or policy form the proposed general distribution and extent of the use of land for residences, commerce, industry, recreation, and open space, public/ quasi-public facilities and lands. Background information shall be provided concerning the specific meaning of land use categories depicted in the plan in terms of the following: residential densities; intensity of commercial uses; industrial and public/quasi-public uses; and any other information needed to adequately define the meaning of such land use codes. Projections of population and economic growth for the area encompassed by the plan may be the basis for quantitative recommendations for each land use category.";
- 2.2.103 **Liquor Store:** A store that sells alcoholic beverages for consumption elsewhere;
- 2.2.104 **Livestock:** Those animals which are normally considered as farm animals, such as cattle, goats, sheep, horses, ponies, mules, emus, llamas, swine, chickens, turkeys, ducks, geese, and other similar animals;
- 2.2.105 **Loft-Style Apartment:** A dwelling unit located in an upper story of a business or commercial building such as an upper story converted to quarters for living;
- 2.2.106 **Lot:** A piece, parcel, plot or tract of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings or utilized for a principal use and uses accessory thereto, together with such open spaces as required by this ordinance, and having frontage on a public street;
- 2.2.106.1 **Lot of Record:** A lot or parcel of land which is part of a subdivision recorded in the Chancery Clerks office or a parcel described by metes and bounds, the description of which has been so legally recorded at the time of the adoption of this ordinance;
- 2.2.106.2 **Lot Area:** The computed area contained within the lot lines;
- 2.2.106.3 **Lot, Corner:** A lot at the juncture of and fronting on two or more intersecting streets;
- 2.2.106.4 **Lot Depth:** The mean horizontal distance between the front and the rear lot lines;
- 2.2.106.5 **Lot, Double Frontage:** A lot which runs through a block from street to street (i.e., has frontage on more than one street); double frontage lots are also called "through lots";
- 2.2.106.6 **Lot Frontage:** The front of a lot shall be construed to be that dimension of a lot abutting on a street. For the purpose of determining yard requirements on corner lots or double frontage lots, all sides of such lots abutting on public streets shall be considered lot frontage, and yards shall be provided as indicated in this Ordinance;

- 2.2.106.7 **Lot, Interior:** A lot other than a corner lot;
- 2.2.106.8 **Lot Lines:** The boundary dividing a given lot from the street, an alley, or adjacent lots;
- 2.2.106.9 **Lot Line, Front:** In the case of an interior lot, the property boundary line separating said lot from the street. In the case of a corner lot or double frontage lot, the line separating said lot from the street on which the building will face, as determined from the application for a building permit;
- 2.2.106.10 **Lot Line, Rear:** The property boundary line opposite and most distant from the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and farthest from the front lot line;
- 2.2.106.11 **Lot Line, Side:** Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line;
- 2.2.106.12 **Lot Width:** The width of the lot measured at the required building setback line;
- 2.2.107 **Low-volume Traffic Generation:** Uses such as furniture stores, carpet stores, major appliance stores, etc. that sell items that are large and bulky, that need a relatively large amount of storage or display area for each unit offered for sale, and that therefore generate less customer traffic per square foot of floor space than store selling smaller items;
- 2.2.108 **Manufactured Home:** These are homes built entirely in a factory under a Federal building code administered by the U.S. Department of Housing and Urban Development (HUD). The Federal Manufactured Home Construction and Safety Standards (commonly known as the HUD Code) went into effect June 15, 1976. Manufactured homes may be single or multi-section and are transported to a site and installed. Such homes shall be considered Factory Built Homes for the purpose of this Ordinance;
- 2.2.109 **Reserved**
- 2.2.110 **Manufactured Home Developments:** (also known as Complexes) – A parcel of land either (1) under a single ownership to be used to locate three or more manufactured homes for lease or rental as residential dwellings or (2) subdivided into three or more lots for sale with the intent to locate manufactured and modular homes. Manufactured Housing Developments will comply with the development standards set forth in the regulations governing Manufactured Home Complexes, will comply with the density and other design requirements particularly applicable to manufactured housing developments set forth in this Ordinance’
- 2.2.111 **Manufactured Home Park:** A site or parcel of land under single management that has been planned and improved for the rental or lease of lots for one or more manufactured homes and the provision of services for manufactured homes for transient and/or non-transient use;
- 2.2.112 **Reserved**
- 2.2.113 **Manufactured Home Space or Lot:** A plot of ground within a manufactured home subdivision designed for and designated as (on an approved site plan) the location of one manufactured home, and which has water, sewer and electricity at the space. **Manufactured Home Stand or “Pad”:** The paved runners or paved parking area in each manufactured home space upon which the manufactured home is placed, together with the paved patio and paved off-street vehicular parking area;
- 2.2.114 **Manufacturing:** The transformation of materials, including partially finished goods or chemicals, into products in a mechanical way. Art and artisan crafts, created with inspiration, originality and individual care, are not, for the purposes of this ordinance, considered manufacturing;

- 2.2.115 **Manufacturing Use:** A facility at which goods are made from secondary materials (previously prepared or refined materials) or raw materials (unrefined materials) through the use of machinery and labor and often employing assembly line techniques. No such uses are allowed in Taylor.
- 2.2.116 **Meeting Venue:** See Wedding/Meeting/Event Venue;
- 2.2.117 **Mobile Home:** A detached residential dwelling unit designed for transportation before or after complete assembly or fabrication on streets or highways on its own wheels or on a flatbed or other trailer, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities and the like and manufactured prior to June 14, 1976;
- 2.2.118 **Modular Home:** Factory assembled movable dwelling, other than a single-wide or double-wide manufactured home, designed and constructed by components to be transported by flatbed truck, built with a pitched, shingled roof, intended for permanent occupancy, with the necessary service connection for required utilities. Dwelling shall be certified by its manufacturer as being constructed in accordance with nationally recognized building code such as the International Building Code;
- 2.2.119 **Mortuary:** See “Funeral Home”;
- 2.2.120 **Motel or Tourist Court:** A building, or group of buildings, comprising individual sleeping or living units of transient guests, not containing individual cooking or kitchen facilities;
- 2.2.121 **Multiple Family Dwelling:** See “Dwelling, Multiple Family”;
- 2.2.122 **Multi-Level Care:** Multi-level care refers to many types of care. These can be intermediate, extended, dementia, Alzheimer, palliative, recovery and respite. This is often referred to as Residential Care;
- 2.2.123 **National Historic Landmark:** A district, site, building, structure, and/or object that has been formally designated as a National Historic Landmark by the Secretary of the Interior and possesses exceptional value or quality in illustrating or interpreting the heritage of the United States in history, architecture, archaeology, engineering, and culture and that possesses a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association. National Historic Landmarks are automatically listed in the National Register of Historic Places;
- 2.2.124 **National Register of Historic Places:** A federal list of cultural resources worthy of preservation, authorized under the National Historic Preservation Act of 1966 as part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect the nation's historic and archaeological resources. The National Register Program is administered by the Commission, by the State Historic Preservation Office, and by the National Park Service under the Department of the Interior. Significant federal benefits may accrue to owners of properties listed or determined eligible for listing in the National Register;
- 2.2.125 **Nonconforming Use, Structure, or Lot:** A lot, building, structure or use of building or structure or premises, legally existing at the time of adoption of this ordinance or any amendment hereto which does not conform to the regulations prescribed by this ordinance;
- 2.2.126 **Nonconformities:** Any land, lot, building, structure or parts thereof existing prior to the enactment of this Ordinance, which subsequent to the enactment of this Ordinance or amendment thereto, does not conform with the use regulations and/or dimensional regulations of the district in which it is situated, and/or does not comply with any other requirements herein. (See Section 2001 of this Ordinance for definitions of the various types of nonconformities, including (1) nonconforming undeveloped lots of record,” (2) nonconforming structures, and (3) nonconforming uses);
- 2.2.127 **Nursery, Child Care:** See “Child Care Facility”;

- 2.2.128 **Nursery, Horticultural:** Commercial uses in which flowers and plants are stored and/or cultivated for retail sale and related products are offered for retail sale;
- 2.2.129 **Nursing Homes:** See “Convalescent Home”;
- 2.2.130 **Object:** A material thing of functional, cultural, historical, or scientific value that may be, by nature or design, movable, yet related to a specific setting or environment;
- 2.2.131 **Office:** A room, group of rooms or building in which commercial activities primarily involving the provision of services rather than the sale of commodities are conducted;
- 2.2.132 **Office Park:** A development on a tract of land, either subdivided or on a single large lot, containing a number of separate office buildings, supporting uses and open space designed, planned, constructed and managed on an integrated and coordinated basis;
- 2.2.133 **Open Space or “Common Open Space”:** A parcel or parcels of land not occupied by dwellings or residential structures, accessory structures and yards, which may consist of jogging trails, tennis courts, a golf course, swimming pool, parks, playgrounds, associated recreational buildings and other such uses as approved by the Board of Aldermen, and which is permanently maintained in a suitable state for the shared enjoyment by the owners and/or occupants of individual dwelling units or residential structures within a particular development (such as a clustered development, conventional residential subdivision, an apartment complex, or a Planned Unit Development);
- 2.2.134 **Ordinary Repair or Maintenance:** Work done to prevent deterioration of a resource or any part thereof by returning the resource as nearly as practical to its condition prior to such deterioration, decay, or damage;
- 2.2.135 **Owner of Record:** The owner of a parcel of land, improved or unimproved, reflected on the Town tax roll and in county deed records;
- 2.2.136 **Outdoor Advertising Device:** A visible, immobile structure including displays, lights, devices, figures, messages, plaques, posters, billboards, or other things designed, intended, or used to advertise or inform;
- 2.2.137 **Panelized Homes:** These are factory-built homes in which panels - a whole wall with windows, doors, wiring and outside siding - are transported to the site and assembled. The homes must meet state or local building codes where they are sited. Such homes shall be considered Factory Built Homes for the purpose of this Ordinance;
- 2.2.138 **Parcel:** A contiguous quantity of land recorded as property owned by an individual or entity, often synonymous with lot;
- 2.2.139 **Parking Space:** The area required for parking one automobile, which in this ordinance is held to be nine (9) feet wide and twenty (20) feet long, either within a structure or in the open exclusive of driveways or access drives;
- 2.2.140 **Period of greatest historic significance for a landmark:** The time period during which the landmark had been essentially completed but not yet altered. It is also the period during which the style of architecture of the landmark was commonplace or typical. If a landmark also achieved historical importance in part because of designed landscape features, the period of greatest historic significance includes the time period during which such landscape features were maintained;
- 2.2.140.1 **Penal and Correctional Facilities.** A public facility for the incarceration of those convicted of crimes. This use is not allowed in Taylor.

2.2.140.2 Place of Worship: A building used principally for religious worship, but the term shall not include or Mean an undertaker's chapel, funeral building, religious educational institution or parochial school or day care center;

2.2.141 Planned Unit Development (PUD): An area of a minimum contiguous size, as specified by this Ordinance, to be planned and developed as a single entity containing one or more residential clusters and in which land not used for residential structures or yards but required by the basic zoning of the site shall be reserved collectively in contiguous units accessible to all building sites in the development as open space for the purpose of providing recreational facilities and pedestrian circulation.

Residential family dwellings, commercial development or public/quasi-public facilities or utilities may only be permitted in a Planned Unit Development if a Development Plan is submitted and appropriate rezoning (or a Conditional Use for public/quasi-public uses) is approved by the Board of Aldermen;

2.2.142 Planner: An individual appointed by the Board of Aldermen to administer the requirements of this Ordinance;

2.2.143 Preservation Commission: The Taylor Preservation Commission, is a local Commission established to advise the local government on matters relating to historic preservation, including the designation of historic districts, landmarks and landmark sites, and which may be empowered to review applications for permits for alteration, construction, demolition, relocation or subdivision for structures in historic districts or on landmark sites or designated as landmarks;

2.2.144 Planning Commission: The Town of Taylor Planning Commission, appointed by the Board of Aldermen;

2.2.145 Planting Screen: Densely planted vegetation used to visually shield or obscure abutting or nearby structures or uses from other uses or structures;

2.2.146 Plans: All drawings, including cross sections, profiles with working details and specifications, which the Developer prepares to show the type, character, extent, and details of the improvements required under this ordinance;

2.2.147 Plat: A map or drawings showing the lot and street arrangements or other features or details of the area being subdivided and is further defined as follows:

2.2.147.1 Plat, Preliminary: A plat conforming to the requirements in this Ordinance for preliminary approval;

2.2.147.2 Plat, Final: A plat conforming to the requirements in this Ordinance for final approval and recording in the Office of the Chancery Clerk;

2.2.148 Portable Building: See "Building, Portable";

2.2.149 Portable Storage Unit: A structure to be used, or intended to be used, for the private noncommercial, nonindustrial storage uses by the property owner prior to the construction of a residence on the property;

2.2.150 Pre-Cut Homes: This is the name for factory-built housing in which building materials are factory-cut to design specifications, transported to the site and assembled. Pre-cut homes include kit, log and dome homes. These homes must meet local, state or regional building codes. Such homes shall be considered Factory Built Homes for the purpose of this Ordinance;

2.2.151 Principal Structure or Use: The main building(s) or dominant use(s) of a lot;

2.2.152 Private Road: A facility primarily used for vehicular access to more than one lot owned and maintained by a private entity;

- 2.2.153 **Property Line:** The legal boundary line separating buildings or tracts in different ownership;
- 2.2.154 **Public Road:** A publicly traveled road on the official maintenance plan of the State, County, or Town.
- 2.2.155 **Recreation Cabin:** A structure that is utilized for recreational activity only and not used as a home or residence for any period of time and not utilized for any commercial purposes, including rental;
- 2.2.156 **Recreational Vehicle Park:** An area of land upon which two or more occupied travel trailer coaches or mobile homes are placed to be occupied;
- 2.2.157 **Relocation:** The moving of a structure to a new location on its tax parcel or the relocation of such a structure to a new tax parcel;
- 2.2.158 **Rental Complex:** Multiple structures (three or more) consisting of non-owner occupied residential units, to include mobile homes, on a parcel of land as such to require the construction of improvements such as streets, roads, and utilities that will connect to existing streets, roads, and utilities. (See Apartment Complex.);
- 2.2.159 **Residential Care:** Residential Care refers to both multi-level Care and/or Professional Nursing Care (24 hour care);
- 2.2.160 **Resource:** Parcels located within historic districts, individual landmarks, and landmark sites, regardless of whether such sites are presently improved or unimproved. Resources can be separate buildings, districts, structures, sites, and objects and related groups thereof;
- 2.2.161 **Rest Home:** See "Convalescent Home";
- 2.2.162 **Restaurant:** A commercial establishment where food and beverages are prepared, served and consumed primarily within the principal building, but not including "drive-in restaurants" as defined herein. Restaurants may offer some "carry-out" services where food and beverages are consumed off the premises. This definition is not intended to exclude restaurants which provide food and beverages to customers at "drive-through windows," where customers in motor vehicles merely pick up food and beverages at such windows and consume same usually off the premises;
- 2.2.163 **Restaurant, Drive-In:** A commercial establishment where food and beverages are prepared and where all or a significant portion of the consumption takes place outside of the building, often in a motor vehicle parked for "curb-service" (with two-way speakers) on the site;
- 2.2.164 **Re-Subdivision:** The subsequent change of boundaries of any part of all of any block or blocks of a previously platted subdivision, addition, lot or tract;
- 2.2.165 **Right-Of-Way:** The entire strip of land lying between property lines bordering a street or alley;
- 2.2.166 **Roadside Stand:** A temporary structure with a floor area of not more than 400 square feet, enclosed, or partially enclosed, and so designed and constructed that the structure is easily portable;
- 2.2.167 **Salvage, Scrap, and Junk Yard:** See "Junk Yard";
- 2.2.168 **School:** School means any public or private entity organized for the purpose of providing education as required by Mississippi law for persons of compulsory school age or any such entity organized for the purpose of providing other educational services based on a stated curriculum for persons not of compulsory school age. A home school, day care center or day care home shall not be considered a school;

- 2.2.169 **Screening:** The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms or other features. Sometimes used in conjunction with a buffer yard.
- 2.2.170 **Reserved.**
- 2.2.171 **Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings:** A federal document stating standards and guidelines for the appropriate rehabilitation and preservation of historic buildings;
- 2.2.172 **Service Station:** See "Gasoline Service Station";
- 2.2.173 **Setback Line or Building Setback Line:** A line delineating the minimum allowable distance between the street right-of-way and the front of a structure within which no building or other structure shall be placed. The minimum distance is prescribed by this Ordinance. The building setback line is parallel to or concentric with the street right-of-way line;
- 2.2.174 **Shall:** is to be interpreted in the mandatory sense;
- 2.2.175 **Shopping Center:** A group, consisting of three or more commercial establishments, planned, developed and managed as a unit, with adequate off-street parking facilities provided on the property and related in its location, size, and type of stores to the trade area or neighborhood which the unit serves;
- 2.2.176 **Short Term Rental Property:** Any residential property used or available for rental to any person(s) on a day to day, weekend, weekly or monthly basis, but not property rented for 180 consecutive nights or more. Manufactured homes, RV's or travel trailers cannot serve as short term rental;
- 2.2.177 **Side Street:** See Street, Side.
- 2.2.178 **Sign:** For the purpose of this ordinance signs are defined as Outdoor Advertising Devices;
- 2.2.179 **Site:** The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing buildings, or objects;
- 2.2.180 **Site Plan:** A drawing indicating the location of existing and proposed buildings or other structures, and, where required by this Ordinance, landscaping and planting screens and points of access/egress and driveways on a single lot. A "site plan" differs from a "subdivision plat" in that a subdivision plat reflects certain required information for three or more lots;
- 2.2.181 **Site Plan Review:** The process specified under the Town of Taylor Land Development Standards and Regulations in which site plans for certain proposed developments and/or site plans (when required by the Zoning Administrator in coordination with other Town officials) accompanying applications for dimensional variance, conditional use, and rezoning are reviewed by Town officials, the Planning/Zoning Commission and the Board of Aldermen for conformance with this Ordinance and other applicable laws and codes, and to determine what other special restrictions (if any) need to be applied if the site plan and application are approved by the Board of Aldermen;
- 2.2.182 **Special Exception:** A special exception is a use that would not be appropriate generally or without zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would not detract from public health, safety, comfort, convenience, or general welfare. Such uses may be permitted in such zoning district as special exceptions if specific provision for such special exception is made in such zoning district. Taylor uses the PA or PAS designation for this type of use.;
- 2.2.183 **Specialty Shop:** A store that specializes in a particular line of merchandise, such as baked goods, candy, clothing, hardware, clothing, antiques, bicycles, etc;

- 2.2.184 **Spot Zoning:** The improper zoning or rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses. While such spot zoning may not be illegal per se, it is generally regarded as an improper practice;
- 2.2.185 **Start of Construction:** This is the first placement or construction of a structure such as the paving of a slab, placement of footings or land preparation such as excavation, filling, and pad work;
- 2.2.186 **State Historic Preservation Office:** The Historic Preservation Division of the Mississippi Department of Archives and History;
- 2.2.187 **State Historic Preservation officer:** The director of the Mississippi Department of Archives and History;
- 2.2.188 **Story:** The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it;
- 2.2.189 **Street:** Any public or private way for vehicular traffic, whether designated a street, highway, thoroughfare, parkway, throughway, road, roadway, avenue, boulevard, land, place or however otherwise designated;
- 2.2.189.1 **Street, Collector:** A collector street is a low-to-moderate-capacity street which serves to move traffic from local streets to arterial roads. Unlike arterials, collector streets are designed to provide access to residential properties, also see "Street";
- 2.2.189.2 **Street, Side.** A street bordering the side of a lot and intersecting the street on which a structure on the lot faces, as determined by the Zoning Administrator; in the case of buildings (as opposed to other types of "structures"), the street which the building faces shall be determined by the principal entrance to the building;
- 2.2.190 **Street Right-of-Way Line:** The legal property boundary line delineating the street right-of-way and the abutting property;
- 2.2.191 **Strip Development:** Commercial development, usually one store deep, that fronts on a major street;
- 2.2.192 **Structure:** Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground. A man-made object and typically will be visible because of portions which exist above grade. Structures built during the historic period, 1700 forward, may in some instances not be visible above grade if they are cellars, cisterns, icehouses or similar objects which by their nature are intended to be built into the ground. A structure includes both interior components and visible exterior surfaces, as well as attached elements such as signs and related features such as walks, walls, fences and other nearby secondary structures or landmark features. The term "structure" is not intended to include driveways, patios, parking lots, or utilities (i.e., utility lines running to a structure);
- 2.2.193 **Sub districts:** Discrete areas within a larger historic district within which separate design guidelines are appropriate and that may be created to recognize different zoning classifications or historic development patterns which have caused adjacent historic areas to develop at different times;
- 2.2.194 **Reserved;**

2.2.195 Subdivision:

2.2.195.1 **General:** Any change in the boundaries of a single tax parcel, whether the change results in expansion or reduction or boundary relocation;

2.2.195.2 **Specific to this Ordinance:** The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or other means of transfer of ownership, for building a structure or development by means of an appropriately recorded legal document. Subdivisions must be approved following the subdivision standards of the Taylor Planning and Development Code, unless they are excepted as noted in Chapter 11, Section 11.7;

2.2.195.3 **Subdivision Lot:** A distinct parcel of land depicted in a subdivision plat;

2.2.196 **Subsidized Care:** Subsidized and funded are interchangeable terms. This usually refers to beds, rooms, or suites that are partially paid for by the government;

2.2.197 **Subsistence Animal Farming:** The breeding, raising, and feeding of livestock including horses, cattle, sheep, goats, mules, hogs, etc. for one's personal use;

2.2.198 **Subsistence Poultry Farming:** The breeding, raising, and feeding of chickens, ducks, turkeys, geese, or other fowl for one's personal use

2.2.199 **Substantial deterioration:** Structural degradation of such a nature that water penetration into a historic structure can no longer be prevented, or structural degradation that causes stress or strain on structural members when supports collapse or warp, evidence of which includes defective roofing materials, broken window coverings and visible interior decay;

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

2.2.201 **Surface Mining or Mining:** Extraction of minerals, including dirt, soil, sand, gravel or other materials from the ground or water or from waste or stock piles or from pits or banks or natural occurrences by methods including but not limited to, strip, drift, open pit, contour or auger mining, dredging, placering, quarrying and leaching and activities related thereto, which will alter the surface;

2.2.202 **Survey of resources:** The documentation, by historical research or a photographic record, of structures of historical interest within a specified area or jurisdiction or of existing structures within a proposed historic district;

2.2.203 **Temporary Turn Around:** A temporary dead-end street, cove, or court culminated by an all-weather surface turn around intended to be extended in the future. The temporary turn around shall be terminated by the Owner once the subdivision main road is extended. If the main road is not extended by a future phase within 1 year of the final acceptance of the adjoining phase, the Owner shall construct a permanent cul-de-sac (turn around) on right-of-way dedicated to the Town of Taylor. If the temporary turn around is not abandoned, the Board of Aldermen reserves the right to construct a permanent turn around with funds from the Owner's maintenance bond;

2.2.204 **Reserved.**

2.2.205 **Reserved.**

2.2.206 **Through Lot:** See "Lot, Double Frontage;"

2.2.207 **Tourist Court:** See Motel;

2.2.208 **Town:** The Town of Taylor, Mississippi, or, when appropriate to the context, its duly authorized representative, board, or commission;

2.2.209 **Townhouse:** A single-family dwelling constructed in a series or group of attached units with property lines separating each unit;

2.2.213 **Transportation Plan:** One of the elements of a Comprehensive Plan. Section 17-1-1 (c) (ii) of the **Mississippi Code of 1972**, Annotated, As Amended. (iii) A transportation plan depicting in map form the proposed functional classifications for all existing and proposed streets, roads and highways for the area encompassed by the land use plan and for the same time period as that covered by the land use plan. Functional classifications shall consist of arterial, collector and local streets, roads and highways, and these classifications shall be defined on the plan as to minimum right-of-way and surface width requirements; these requirements shall be based upon traffic projections. All other forms of transportation pertinent to the local jurisdiction shall be addressed as appropriate. The transportation plan shall be a basis for a capital improvements program;

2.2.211 **Travel Trailer:** A portable or mobile living unit used for temporary human occupancy away from the place or residence of the occupants. No such equipment shall be used for living, sleeping, or housekeeping purposes for more than 90 days within a period of one year when parked in a residentially zoned area or in any other location not approved for such use. All such equipment shall be fully licensed and ready for highway use. For the purposes of this Ordinance, such transient trailers shall be considered a vehicle and not a structure. The term transient trailer" or "travel trailer" shall include pick-up truck campers," "motor homes," "camping trailers" and "recreational vehicles." See: "Recreational Vehicle";

2.2.212 **Travel Trailer Park:** A commercial operation where space and service accommodations for transient trailers are provided for a fee on an overnight or daily basis;

2.2.214 **Truck Stop:** Any area of land, including the structures thereon, that is used for the servicing of heavy trucks (i.e., tractor-trailer combinations designed for transporting large cargoes), and which may offer food and beverages in addition to lodging;

2.2.215 **Unauthorized demolition:** The deliberate demolition of a historic structure without prior review and approval by a local Planning Commission or a governing authority to which such a commission has made a recommendation;

2.2.216 **Undeveloped Lot:** A vacant lot or parcel of land;

2.2.217 **Unreasonable economic hardship:** The definition under constitutional standards used to determine whether a "taking" exists;

2.2.218 **Use:** The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" shall not be deemed to include any nonconforming use;

2.2.219 **Vacation Rental Property:** See Short Term Rental Property;

2.2.220 **Variance:** 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 and not the result of the actions of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship. However, financial hardship shall not be considered justification for granting a variance. The criteria for issuance of a variance are listed under Section 18.3 of this Ordinance. [continued.]

As used in this Ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces. Establishment or expansion of a use not permitted shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining district;

2.2.221 **Vehicle:** Any device for carrying passengers, goods, or equipment, usually moving on wheels. This definition does not include manufactured homes, which are considered structures for the purposes of this ordinance;

2.2.222 **Venue (Wedding/Meeting/Event):** See Wedding/ Meeting/Event Venue;

2.2.223 **Veterinary Hospital:** See "Hospital, Veterinary";

2.2.224 **Wedding/Meeting/Event Venue:** A location that is for rent to host a wedding, wedding reception, meetings or other events. For the purpose of this ordinance these types of locations would require VOD zoning. See section 6.4 of the ordinance for clarification;

2.2.225 **Weekend Rental Property:** See Short Term Rental Property;

2.2.226 **Wild Animals:** Reptiles and any animal which by its nature is wild and untamed;

2.2.227 **Yard (or "Minimum Yard" or "Setback"):** The required open space between any main building or portion thereof and the adjoining lot lines, which shall remain unoccupied and unobstructed by any portion of a structure, except as otherwise specifically provided herein. In measuring a lot for the purpose of determining the minimum front, side or rear yard, the shortest horizontal distance between the lot line and the nearest vertical structure shall be used;

2.2.227.1 **Yard, Front:** The required unoccupied and unobstructed space on the same lot with a main building, extending the full width of the lot, and situated between the front property line and the nearest vertical portion of the main building;

2.2.227.2 **Yard, Rear:** The required unoccupied and unobstructed space on the same lot with a main building, situated between the rear property line and the nearest vertical portion of the main building, and extending the full width of the lot;

2.2.227.3 **Yard, Side:** The required unoccupied and unobstructed space on the same lot with a main building, situated between the side property line and the nearest vertical portion of the main building;

2.2.228 **Zoning Administrator:** The official charged by the Board of Aldermen with the administration and enforcement of this Zoning Ordinance, or their duly authorized representative.

3 ZONING DISTRICTS

3.1 Establishment of Zoning Districts

- 3.1.1 In order to classify, regulate, and restrict the use and location of buildings designed for specified uses, to regulate and determine the area of yards, courts, and other open spaces surrounding buildings, and to regulate and limit the density of population, the Town is hereby divided into the following zoning districts. The use and area regulations are uniform in each zoning district and said districts shall be known as:

A - Agricultural District;

R20 - Residential District;

VC -Village Center Commercial District;

GC - General Commercial District;

VOD - Village Overlay District.

3.2 Zoning Map

- 3.2.1 The boundaries of these zoning districts are hereby established as shown on a map entitled "Official Zoning Map of Taylor, Mississippi". Said Zoning Map and references and other matters shown thereon shall be and are hereby made a part of this ordinance.
- 3.2.2 The, Official Zoning Map shall be identified by the signature of the Mayor, date signed, attested by the Town Clerk, and bear the seal of the Town under the following words: "This is to certify that this is the Official Zoning Map for the Town of Taylor, Mississippi, established by the current Official Zoning Ordinance, adopted by the Mayor and Board of Aldermen"
- 3.2.3 If, in accordance with the provision of this ordinance and Mississippi State Statutes, changes are made in the zoning district boundaries or other matters, portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map after the amendment has been approved by the Governing Body together with an entry on the Official Zoning Map. Said entry shall indicate the location of the nature and description of the change, together with a record of the official action.
- 3.2.4 No changes shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change by any person shall be considered a violation of this ordinance.
- 3.2.5 Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the Town Clerk shall be the final authority as to the current zoning status of land, buildings, and other structures in the Town.

3.3 Replacement of Official Zoning Map

- 3.3.1 In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and actions, the Governing Body may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the Town Clerk, and bear the seal of the Town under the following words: "This is to certify that this Official Zoning Map (Date) supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of the Official Zoning Ordinance for Taylor, Mississippi."

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

3.4.1. Except where referenced and noted on the Official Zoning Map by a designated line and/or dimensions, the District boundary lines are intended to follow property lines, lot lines, or center lines of streets, alleys, streams, or railroads as they existed at the time of the passage of this ordinance, or the extension of such lines. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map;

3.4.2. The Administrative Official shall interpret the boundary lines which are on the Zoning Map. When the Administrative Official's interpretation is disputed, the boundary lines shall be determined by the Mayor and Board of Aldermen on recommendation by the Planning Commission.;

3.4.3. Any territory hereafter annexed to the Town shall be in the Agricultural District unless the Governing Body rezones it to another Zoning classification at the time of annexation.

4 GENERAL PROVISIONS

4.1. Application of Regulations

- 4.1.1 The regulations established by this ordinance within each zoning district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided.
- 4.1.2 No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the zoning district in which it is located.
- 4.1.3 No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

4.2. Lot of Record

- 4.2.1 Where the owner of a parcel of official record at the time of the adoption of this ordinance, does not own sufficient land to enable him to conform to the yard or other requirements of this ordinance, said lot shall be deemed a lot of record and considered an approved lot. Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as is possible.

4.3. Front Yard Exception

- 4.3.1 The front yard requirements of this ordinance for dwellings shall not apply to any lot where the average depth of existing front yards on developed lots, located within one hundred (100) feet on developed lots, located on each side of such lot and within the same block and zoning district and fronting on the same street of such lot, is less than the minimum required front yard depth. In such case, the depth of the front yard on such lot may be less than the required front yard, but not less than the average of the existing front yard depth on the developed lots. In residential districts, however, the front yards shall in no case be less than twenty (20) feet in depth.

4.4. Nonconforming Lots, Structures and Uses of Land and Structures

- 4.4.1 Intent - Within the districts established by this ordinance or amendments that may later be adopted, there exist lots, structures and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendment. It is the intent of this ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.
- 4.4.2 Nonconforming lots of record - All existing lots of record, which at the time of adoption or amendment of this ordinance, became nonconforming lots in regard to lot area or width, and which are under single ownership and not of continuous frontage with other lots under the same ownership, may be used for any permitted use in the district in which they are located.

The owner of such a lot shall apply to the Planning Commission for a variance to the district regulations, and every effort shall be made by him to comply with the district regulations. Such variance to the district regulations shall not allow any use of the property other than permitted uses within the district. If two or more lots or combinations of lots or portions of lots with continuous frontage and under single ownership are of record at the time of adoption or amendment of this ordinance, and if all or part of the lots do not meet the requirements established for lot area or lot width, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance. No portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width or lot area requirements established by this ordinance, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this ordinance.

- 4.4.3 Nonconforming Structures - Except as hereinafter specified, any lawful structure existing at the time of the effective date of this ordinance, or on the effective date of any amendment hereto by which the structure becomes nonconforming, may be continued although such structure does not conform to the provisions of this ordinance.
- 4.4.3.1 Enlargement - Except when required to do so by law or ordinance, no nonconforming structure or structures shall be enlarged, extended, reconstructed, or structurally altered in a way which increases its nonconformity, but any such structure may be altered to decrease its nonconformity.
- 4.4.3.2 Relocation - Should a nonconforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- 4.4.3.3 Nonconforming Uses of Land and Structures - Except as hereinafter specified, any lawful use existing at the time of the effective date of this ordinance, or on the effective date of any amendment hereto by which the use becomes nonconforming, may be continued although such use does not conform to the provisions of this ordinance.
- 4.4.3.4 Termination - Any one of the following acts or conditions shall terminate immediately the right to operate a non-conforming use:
- 4.4.3.4.1 Changing to a conforming use.
- 4.4.3.4.2 Abandonment or Discontinuance of use for a period of 90 days.
- 4.4.3.4.3 Damage or Destruction of the structure or structures in which the use is operated by any cause whatsoever when the cost of repairing such damage or destruction exceeds 50 per cent of the replacement cost of such structure or structures as of the date of such damage or destruction of the structure or structures in which the use is operated.
- 4.4.4 Repair and Maintenance - On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, to an extent not exceeding 10 percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be, provided that the cubic content existing when it became nonconforming shall not be increased.

- 4.4.5 Change to other Nonconforming Use - If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may as a special exception be changed to another nonconforming use provided that the Planning Commission, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Planning Commission may require appropriate conditions and safeguards in accord with the provisions of this ordinance.

4.5. Miscellaneous

- 4.5.1 Fences, Walls, Hedges: Notwithstanding other provisions of this ordinance, fences, wall, and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall, or hedge along the sides or front edge of any front yard shall be over four feet in height within ten feet of the front property line.
- 4.5.2 Accessory Dwellings: No accessory building shall be erected in any required front or side yard, and no separate accessory building shall be erected within five feet of any other building.
- 4.5.3 Erection of More than One Principal Structure on a Lot: In any district, more than one structure housing a permitted principal use may be permitted on a single lot, provided that yard and other requirements of this ordinance shall be met for each structure as though it were on an individual lot.
- 4.5.4 Exceptions to Height Regulations: The height limitations contained in the Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, silos, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.
- 4.5.5 Structures to Have Access: Every building hereafter erected or moved shall be on a lot adjacent to a public street or road and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.
- 4.5.6 Parking and Storage of Certain Vehicles. Automotive vehicles or trailers of any kind or type without current license plates or current inspection or that are in an inoperable condition, shall not be parked or stored in any R-20 or VC district other than in side and rear yards.
- 4.5.7 Corner Lot Yards. In the Agricultural and R-20 districts, the minimum side yard setback line on any street not having lots fronting upon it shall be fifteen (15) feet from the right-of-way or pavement line. Where there is more than one lot on the same block the side yard of a corner lot shall conform to the front yard setback requirements of such street.
- 4.5.8 Recreation Cabins: Structures that are used solely by an individual or family for recreation use may be excluded from building code and permit requirements. In order to be excluded from these requirements a sworn affidavit must be filed with the Building Code Official indicating the structure will be used solely for recreation.

4.6. Rules Governing Uses

4.6.1. Use Categories. In each district no use other than the types specified as "permitted" [P] or "permitted on appeal" [PA], or "permitted on appeal with additional standards" [PAS] shall be allowed.

- a. Uses specified as "permitted" (P) shall be permitted upon application to the Administrative Official, although they must follow all applicable standard requirements of this ordinance.
- b. Uses specified as "permitted on appeal" (PA) are special exceptions. These uses must be approved by the Board of Aldermen after consideration of a recommendation from the Planning Commission. No permit shall be issued for such uses unless and until approved by the Board of Aldermen. Such uses are subject to the requirements of this ordinance and such conditions as may be required by the Mayor and Board of Aldermen to preserve and protect the character of the district.
- c. Uses specified as "permitted on appeal with additional standards" (PAS) are also special exceptions and must follow the approval process described above. These uses must also meet designated additional standards noted in Chapter 5 in order to be considered for approval.

4.6.2. Review Standards.

- a. Supplemental standards are provided for some uses in Chapter 5.
- b. Site plan approval shall be required for all commercial and multi-family development and for all zoning amendment applications as governed in Chapter 12.
- c. Design Review is Required for most uses or change of use as described in Chapter 13.

4.7 Uses Permitted - Table of Permitted Uses

The Table of Permissible Uses should be read in close conjunction with the definitions of terms in Chapter 2, "Definitions" and the other interpretive provisions in this subsection. Where uses are **not** indicated as either P, PA, or PAS, the use is **excluded** from the Town of Taylor and **may not be established**.

Table of Permitted Uses					
Uses	Zone				
	A	R-20	VC	VOD	GC
1.0 Residential					
1.1 Single-family, Detached, One Dwelling per Lot					
1.110 Site built	P	P	P	*	
1.112 Modular structures	PA			*	
1.113 Manufactured Home [See 5.1]	PAS			*	
1.114 Mobile home					
1.115 Manufactured Home Parks				*	
1.116. Subdivision of more than two lots. [See 5.10]	PAS	PAS	PAS	*	
1.2 Single-family, Detached, More than One Dwelling per Lot with required lot area and set backs					
1.21 Site Built Two Dwellings per Lot	PA	PA		*	
1.22 Manufactured Home [See 5.1]	PAS			*	
1.3 Two Family Residences					
1.31 Two Family Conversion	PA	PA		*	
1.32 Secondary Dwelling [See 5.12]	PAS	PAS		*	
1.33 Duplex, New Construction	PA	PA		*	
1.4 Miscellaneous residential situations					
1.41 Home Offices [See 5.3]	PS	PS	PAS	*	
1.42 Bed and Breakfast Homes [See 5.6]	PAS	PAS	PAS	*	
1.43 Bed and Breakfast Inn [See 5.6]	PAS		PAS	*	
1.44 Recreation Cabin	P				
1.45 Home Occupation [See 5.14]	PAS				

Table of Permitted Uses					
Uses	Zone				
	A	R-20	VC	VOD	GC
2.0 Commercial Uses, Sales and Rental of Goods, Merchandise and Equipment					
2.1 Convenience Store				*	P
2.2 Country Store	PA		PA	*	P
2.3. Motor Vehicle Sales and Service					
2.3.1. Motor Vehicle Sales or Rental				*	P
2.3.2. Motor Vehicle Repair & Maintenance				*	P
2.3.3. Gas Sales					
2.3.3.1. Service Station				*	PA
2.3.3.2. Gas Sales Accessory to Country Store			PA	*	PA
2.3.4. Car Wash				*	PA
2.4. Restaurants, Bars, Nightclubs, and Event Spaces					
2.4.1. No live or recorded entertainment, no alcoholic beverages served			P	*	P
2.4.2. Live or recorded entertainment or alcoholic beverages served			PA	*	PA
2.4.3. Restaurants, Drive-Through			PA	*	PA
2.4.4. Event Venue				*	
2.5. Dry Cleaners, Laundromat				*	P
2.6. Other High Volume Traffic Generation Commercial Uses					
2.6.1. High volume uses inside only			PA	*	P
2.6.2. High volume uses with outside storage or display				*	PA
2.7. Other Low Volume Traffic Generation Commercial Uses					
2.7.1. Low volume uses inside only			P	*	P
2.7.2. Low volume uses with outside storage or display			PA	*	PA

Table of Permitted Uses					
USES	A	R-20	VC	VOD	GC
3.0 Office, Clerical, Research, and Services not related to goods					
3.1. Professional offices serving clients on Premises	PA		P	*	P
3.2. Offices without client traffic	P		P	*	P
3.3. Banks			P	*	P
3.3.1. Banks with drive-in Windows			PA	*	PA
4.0 Reserved					
5.0 Educational, Cultural, Religious, Philanthropic, Social and Fraternal Uses					
5.1 Schools					
5.11 Elementary and Secondary (including associated grounds, athletic, and other facilities)	P	P		*	P
5.12 Trade or Vocational Schools	P			*	
5.2 Places of Worship	P	P	P	*	
5.3 Libraries, Museums, art galleries, and similar uses (including associated non-profit educational and instructional activity)					
5.31 In a converted residence with less than 3500 square feet of gfa	PA	PA	P	*	
5.32 Within any other permissible structure	PA	PA	P	*	P
5.4 Social, fraternal clubs and lodges, union halls, and similar uses			PA	*	PA
5.5 Studios (Art, Craft, Music, Dance)					
5.51 High volume traffic generation	PA		PA	*	PA
5.52 Low volume traffic generation	P		P	*	P

Table of Permitted Uses					
Uses	Zone				
	A	R-20	VC	VOD	GC
6.0 Recreation and Amusement					
6.1 Inside Operations					
6.11 Inside Recreation and Amusement Uses				*	PA
6.12 Reserved					
6.13 Coliseums, Stadiums, and all other similar facilities seating more than 1000 people				*	
6.2 Inside or Outside Operations					
6.21 Privately owned outdoor recreational facilities such as golf and country clubs, swimming, or tennis clubs, etc., independent of a residential development	PA			*	
6.22 Privately owned outdoor recreational facilities such as golf and country clubs, swimming, or tennis clubs, etc., in conjunction with a residential development	PA			*	
6.23 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses	PA			*	
6.24 Horseback riding stables independent of a residential development	P			*	
7.0 Service and Care Uses, Health Care, Institutional, Residence or Care Facilities					
7.1 Health Care Clinics. [See 5.2.]			PAS	*	PAS
7.2 Nursing care institutions, intermediate care institutions, handicapped or Infirm institution, child care institutions				*	PA
7.3 Family Day Care Home	PA	PA		*	P
7.4. Day Care Center	PA			*	P
7.5 Veterinarians	P		P	*	P
7.6 Kennel for Animal Care (minimum 10 acres)	P			*	

Table of Permitted Uses					
Uses	Zone				
	A	R-20	VC	VOD	GC
7.7 Cemetery	PA				PA
7.8 Funeral Home					PA
8.0. Reserved					
9.0. Reserved					
10. Storage and Parking					
10.1 Parking lots. [See 5.13]					
10.1.1. Parking lot related to any on-site use			PS	*	PS
10.1.2. Parking lot related to an offsite use			PA	*	PA
10.2 Storage of goods not related to on site use or sale				*	
10.21 Inside enclosed structure			PA	*	P
10.22 Inside or outside enclosed structure				*	
10.23 Mini-Warehouses [See 5.5]				*	PS
11.0. Reserved					
12.0. Reserved					
13.0 Emergency Services					
13.1 Police Stations	P	P	P		P
13.2 Fire Stations	P	P	P	*	P
13.3 Ambulance and Rescue	P	P	P	*	P
13.4 Civil Defense Operations	P	P	P	*	P
14.0 Agriculture, Forestry and Mining					
14.1 Agriculture Operations and Farming					
14.12 Excluding Livestock	P	P		*	
14.13 Including livestock	P	PA	PA	*	

14.2 Forestry Operations including pulp yards	P			*	
14.3 Mining, including on-site sales of products				*	
Table of Uses					
Uses	Zones				
	A	R-20	VC	VOD	GC
15.0 Miscellaneous Public and Semi-Public Facilities					
15.1 Post Office	P		P	*	P
15.2 Airport	PA			*	
15.3 Sanitary Landfill					
15.4 Military reserve, National Guard Centers				*	
16.0. Reserved					
17.0 Utility Facilities [See 5.8]	PAS				
18.0 Towers, Antennas and Related Structures [See 5.9]					
18.1 Towers and antennas 50 feet tall or less	PAS			*	PAS
18.2 Tower and antennas more than 50 feet tall	PAS			*	PAS
19.0 Open Air Markets and Horticultural Sales					
19.1 Farm and craft markets, flea markets, produce markets	P		P	*	
19.2 Horticultural sales with outdoor display	P			*	
20.0 Reserved					
21.0 Reserved					
22.0 Reserved					
23.0 Temporary Structures Used In Connection With The Construction Of A Permanent Building	P	P	P	*	P

24.0 Reserved					
Table of Permitted Uses					
Uses	Zone				
	A	R-20	VC	VOD	GC
25.0 Commercial Greenhouse Operations					
25.1 No “on site” sales (minimum of 5 acres)	P			*	
25.2 On site sales permitted	P			*	
26.0 Special Events [See 5.7]	PAS	PAS	PAS	*	PAS
27.0 Gated Entry for Residential Subdivision of More than Three Lots [See 5.11]	PAS	PAS			
* Master Plan required delineating uses and complying with the submission requirements of the district As used in this table: “P” shall stand for a Permitted Use, allowed if it meets all applicable standards of this ordinance, approved by the Town Planner and Town Building inspector; “A” shall stand for Use Permitted on Appeal, an appeal to the Planning Commission per the standards of Sec. 18.2); “S” shall stand for Supplemental Regulations as found in Chapter 5 of this Ordinance. These indicators may or may not be used in combination. Uses not categorized (indicated by a blank space), or not listed, shall not be permitted within the Town of Taylor. The “*” indicated for the VOD district indicates that the district requires conformance with the Master Plan adopted with the district that specifies all uses allowed. Also, any proposed commercial, multiple-family residential, industrial, or institutional building must comply with the Design Standards of Chapter 29 of this Code and the Site Plan requirements.					

Intentionally Left Blank

5 SUPPLEMENTARY DISTRICT REGULATIONS

The following standards apply to land uses and proposed land uses requiring site plans, and are incorporated as supplemental standards to applicable sections of this ordinance.

5.1 Manufactured Homes

A manufactured home, when permitted by right or granted as a special exception must meet the following requirements:

- 5.1.1 The minimum roof pitch shall be 4/12;
- 5.1.2 Roofs shall be finished with composition asphalt shingles or standing seam metal material;
- 5.1.3 Siding shall be masonry, clapboard, or simulated clapboard in design. All siding must run horizontally or vertically in a board and batten style. In no case shall metal or metallic materials be used as primary siding. Aluminum siding may be used when covering primary siding but its design must be as stated in this item;
- 5.1.4 Structures shall be permanently sited and attached to ground with either: slab; block; or conventional foundation;
- 5.1.5 There shall be a minimum overhang of 6 inches at all eaves;
- 5.1.6 Front porches shall be covered with the same roof design as stated above.

5.2 Health Care Clinics.

Clinics shall not exceed 3,000sf in the VC district and 10,000 sf in the GC district.

5.3 Home Offices

Home Offices, where permitted in the Town of Taylor, shall conform to the following standards:

- 5.3.1 The use of the dwelling unit for the home office shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
- 5.3.2 There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home office other than one sign, not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the principal building;
- 5.3.3 No traffic shall be generated by such home office in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off street and other than in a required front yard;
- 5.3.4 No equipment or process shall be used in such home office which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises;
- 5.3.5 No wholesale or retail establishment shall be permitted unless it is conducted entirely by mail or telephone and does not involve the receipt, sale, shipment, delivery or storage of merchandise on or from the premises;

5.3.6 There shall be no storage outside a principal building or accessory structure of equipment or materials used in the home occupation;

5.3.7 The home office shall be conducted entirely within the principal residential building;

5.4. Home Occupations:

Home Occupations, where permitted in the Town of Taylor, shall conform to the following standards:

5.4.1. The use of the dwelling or accessory structure to be used for the Home Occupation shall be clearly incidental and subordinate to its use for residential purposes by the occupants. The size of the portion of the dwelling used for the Home Occupation, or the size of the accessory structure to be used for the Home Occupation, shall not be more than 25 percent (25%) of the floor area of the primary dwelling on the property.

5.4.2. If conducted in the home, there shall be no change in the outside appearance of the building or premises. And there shall be no visible evidence of the conduct of the home occupation other than one sign, not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the dwelling or accessory structure.

5.4.3. No traffic or parking shall be generated by a home occupation in greater volumes than would normally be expected in a primarily residential area. Any parking required for operation of the home occupation may not be located in the front yard of the property. The applicant must state the anticipated amount of traffic from the business and will be held to that level of use.

5.4.4. No equipment or process shall be used for a home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the property. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference with any radio or television receivers off the property, or causes fluctuations in line voltage off the property.

5.4.5. The Town of Taylor shall have full authority to determine if any proposed home occupation use proposed is appropriate at the location proposed and appropriate for the character of the zoning district where it is to be located.

5.5. Mini-Warehouses

Mini-Warehouses, where permitted in the Town of Taylor shall conform to the following standards:

5.5.1 Site must contain a minimum of two acres but no more than five;

5.5.2 The minimum distance between buildings shall 20 feet;

5.5.3 One parking space for every 10 units;

5.5.4 All drive, parking and circulation areas shall be paved;

5.5.5 A minimum six foot high fence shall be erected, the composition of which shall be approved by the Town;

5.5.6 Only dead storage shall be allowed. No transfer storage is permitted;

5.5.7 Elevations of the buildings proposed to be constructed shall not exceed maximum height of the zoning district where site is located.

5.6. Bed and Breakfast Homes and Inns

Bed and Breakfast Homes, where permitted in the Town of Taylor, shall conform to the following standards:

- 5.6.1 "Bed and Breakfast": The term "Bed and Breakfast" shall mean an owner-occupied dwelling in which a room or rooms are rented on a nightly basis only, and only where the only meal served is the breakfast meal to the guests only. Same must be the primary residence of the owners. In the event the property is owned by two or more persons, then at least one must live on the property regardless of his or her percent of ownership;
- 5.6.2 "Bed and Breakfast Inn": The term Bed and Breakfast Inn shall mean a structure in which rooms are rented on a nightly basis and where meals may or may not be served.;
- 5.6.3 "Person" means an individual;
- 5.6.4 Guest activities of the patrons and guests of any Bed and Breakfast shall be limited to the entertainment and uses of the property that would likely be extended to visiting friends or relatives of the owner and which use would not unduly disturb neighboring residents. Specifically excluded from said use is the rented or paid use of the property, or any portion thereof for banquets, parties, reunions, etc;
- 5.6.5 The minimum lot size for any Bed and Breakfast shall be scaled as follows; 1 room shall require 1/4 acre, two or more rooms shall require 1/2 acre. Maximum number of rooms which any Bed and Breakfast may have available for rent shall be three (3); The Maximum number of rooms for a Bed a Breakfast Inn shall be 10;
- 5.6.7 The maximum stay for any guest shall be limited to eight (8) consecutive days. The owner or proprietor shall maintain a guest register complete with the name of the guest, date and time of arrival as well as departure. Said register shall at all times be available for review and inspection Each Bed and Breakfast and Bed and Breakfast Inn must provide off street parking with a minimum of 1.3 spaces per guest room in addition to any normal or required parking for the dwelling. Parking shall be allowed only in the side and rear yards and must be buffeted from adjoining properties by some natural buffer;
- 5.6.8 Exterior signs on the premises may be no larger than two (2) square feet, may not be illuminated, and shall be either attached to the front of the dwelling or as approved by the site plan submitted to the Town of Taylor. Variances for the size limit shall not be allowed under any circumstances;
- 5.6.9 Failure to abide by the terms of the permit granted on appeal by the Town shall be cause for revocation of said permit. Failure to commence business within six (6) months of the issuance of a permit to operate shall be cause for termination of same. Notice of said termination shall consist of notice in writing by U.S. certified mail to the permit holder at the street address of the Bed and Breakfast. Failure of the establishment at any time to pass inspection by the Mississippi Department of Public Health or the Town Fire Marshall shall require immediate cessation of operations by the establishment until such time as full compliance may be had.

5.7. Outside music and Special Events

Outside music and special events, where permitted in the Town of Taylor, shall conform to the following standards:

- 5.7.1 Musical, Dance, or Events, Outdoor Dramatic, and Other Artistic Programs: All applications and permits for special uses for outdoor dances, outdoor music, outdoor drama, and similar outdoor amusements must comply with the following requirements:
 - 5.7.1.1 A site plan showing dimensions of the property, location and size of stages, location and dimensions of dance area, proposed seating arrangement, location and dimensions of parking areas. Site plan must indicate the access to the street. Parking shall be provided at one space per three participants unless reduced by the Mayor and Board of Aldermen;
 - 5.7.1.2 A lighting plan describing the exterior lighting plan, location of exterior lights, wattage, direction of illumination, and methods of shielding from adjacent property. If night activities are proposed. All lighting must be shielded from adjacent property;
 - 5.7.1.3 Information concerning the type and manner of amplification of sound, type of activity to take place on the site and the audible range of the music and sound from their amplification;
 - 5.7.1.4 Maximum capacity of the facility;
 - 5.7.1.5 Frequency and hours of operation for the event and facilities proposed;
 - 5.7.1.6 All law enforcement and public services which may be required for the event.
- 5.7.2 The permit will be issued for such length as deemed appropriate but for a period not to exceed twelve months.

5.8 Public Utility Sites

Public Utility Sites, where permitted in the Town of Taylor, shall conform to the following standards:

- 5.8.1 Every public utility site, including but not limited to transformer stations, transmission lines, towers, telephone exchanges, and service or storage yards, shall be required to have a suitable buffer area around the perimeter of the site so as to screen the site from view from adjoining properties and adjacent streets, roads and easements;
- 5.8.2 A site plan for each utility site shall be approved by the Board of Aldermen before issuance of a building permit for the same and before any improvements to the site have taken place;
- 5.8.3 Either a six foot high opaque fence, continuous dense plant material designed to grow at least feet high by six feet wide within a three year period, or other suitable buffer materials as may be approved by the Board of Aldermen.

5.9 Cell phone towers and Telecommunications Facilities

Cell phone towers and Telecommunications Facilities, where permitted in the Town of Taylor, shall conform to the following standards:

- 5.9.1 Co-location – placement on an existing structure is required unless the applicant can clearly demonstrate with substantial, clear and convincing evidence that that all co-location opportunities have been exhausted;
- 5.9.2 Insurance – A minimum of one million dollars general liability insurance with a letter from the insurer attesting to this fact shall be required. The same letter shall acknowledge that the insurer shall notify the Town thirty days prior to cancelation of this insurance;
- 5.9.3 Support Structure Type – Only camouflaged or stealth or monopole support structures shall be used. Structures involving the use of guy wires for either internal or external bracing support, or lattice type structures, or any other type of support structure shall be permitted;
- 5.9.4 Structure Height – The maximum tower structure height allowed is ninety-nine (99) feet;
- 5.9.5 Color – Unless otherwise specified, all facilities shall be painted a flat grey color;
- 5.9.6 Visibility – The base of the support structure to a minimum height of six feet shall not be visible from any public right-of-way or area of public congregation, and must be hidden from view either by natural vegetation or by vegetative screening. All equipment necessary for the functional operation of the facility shall be located inside the screening whether a lawfully pre-existing structure, or in an equipment housing structure. The colors and external characteristics of the equipment housing structure shall be harmonious with and blend with the natural features, buildings, and structures surrounding it;
- 5.9.7 Access Drives- Roads and drives used to gain access from public right of way to the equipment housing structures shall be designed to minimize, as much as possible, viewing of the equipment housing structures by the public;
- 5.9.8 Size – Equipment housing structures shall be the minimum size necessary to accommodate the closed storage of all ground based equipment and necessary materials for the primary occupant's technical needs and for the technical need of all potential tenants. Depiction of the minimum size necessary to accomplish these technical objectives shall be included in the engineer's site plan details;

- 5.9.9 Fencing and screening – The accessory building and its fencing shall be surrounded by a planted vegetative screen as described below or by a minimum of fifteen feet existing natural vegetation. Whether natural or planted, the vegetative buffer shall have the effect of fully obscuring the structure and its fencing from public view. All planted buffers shall be at least five feet tall at planting and shall be designed to reach at least eight feet within two years and shall be an evergreen, salt resistant planting material. Continued maintenance and replacement of the vegetative buffer shall be required for the permitted life of the structure. A security fence shall be installed along the full perimeter of the support structure and shall be no less than five feet and more than eight feet high. The fencing shall incorporate designs for structure security and for making all possible efforts to minimize public exposure to radio frequency radiation. Any and all accessories and all materials relating to the use of the structure shall be installed within the building unless technically impracticable. All road or drive, gate, fence, and vegetative screening details shall be noted on the site plan;
- 5.9.10 Signage – No advertising signs are permitted on the support structure, fence, building or at any location on the site with the exception of one sign that is attached to the gate and one sign that is attached to the gate-face of the building for the purposes of safety and information. These two signs shall clearly identify the dangers and shall provide the names of emergency contact persons and their phone numbers. All signs shall comply the Town of Taylor Preservation and Development Code.
- 5.9.11 Outdoor Storage – Storage of any equipment or materials on the accessory building site or support structure site is prohibited;
- 5.9.12 Noise Producing Equipment – Noise producing equipment shall be insulated to minimize to the maximum practicable extent any increase in noise above ambient levels as measures at the property line;
- 5.9.13 Electrical Connection – Electrical connections and land phone lines to and from the accessory building shall be installed underground.

5.10. Subdivision in the Agricultural Zone, R-20 Zone, and Village Center Zone.

5.10.1. Residential Subdivisions - Any residential subdivision proposed with more than two lots within the stated zoning districts must be approved by the Planning Commission under the provisions of Section 18.2 for Uses Permitted on Appeal, before a Preliminary Plat can be considered.

5.10.1.1. The appeal will consider how the proposed design and layout of the subdivision will be in harmony with the description of the intent or purpose for the listed zones related to residential development.

5.10.1.2. Review of proposed subdivisions of more than two lots will consider the following:

a. The stated purpose of the Agricultural Zone for residential development is to create a “rural residential living environment” in this lower density zoning district. Residential subdivisions should be designed to follow a rural design template, considering the lay of the land and existing vegetation, rather than a suburban or urban pattern template.

b. The R20 Zone (*Limited, Low Density Residential District*) is “*designed to accommodate site built single-family detached residential uses at low densities in areas where appropriate urban services and facilities are provided or where the extension of such services will be physically or economically facilitated.*” (Sec. 6.1.2).

Proposed residential subdivisions should be located in areas where the required urban services and facilities are located or easily accessible. Subdivisions should be designed to reflect a small town or village design template.

c. The Village Center commercial district is designed to accommodate neighborhood scale commercial activity (Sec. 6.2) , but some residential uses are allowed. Proposed residential subdivisions should be designed to achieve a low density rural village scale and design template.

5.10.2. Large Lot Subdivisions in the Agricultural Zoning District. Subdivision regulations will not apply to the creation of lots of 10 acres or larger in the Agricultural Zoning District that will have frontage on an existing public road or an approved existing private road. Every two years from the date of the deed of the last parcel sold, two (2) more parcels may be subdivided, provided that the lots have direct access to a public road or an approved existing private road. If a new public or private road is to be built the Subdivision Regulations must be followed.

5.11. Gated Entry to a Residential Subdivision

5.11.1. No residential subdivision of more than three lots may install a gated entry unless approved by the Planning Commission under the provisions of Section 18.2 for Uses Permitted on Appeal. Gated subdivisions on private roads are discouraged in Taylor, but not banned. Gated entries are not allowed on public roads.

5.11.2. Gates should operate so that they do not obstruct sidewalks or roads.

5.11.3. Gates shall include emergency hardware to ensure emergency access to the satisfaction of fire, sheriff, and road maintenance personnel. Two instances reported to the town within a 12 month period of inaccessible gates by fire, sheriff, or road maintenance will result in revocation of the permission to have a gated entry.

5.11.4. Protective covenants shall be established and recorded for the gated development that shall identify, and always keep in effect, a legal entity responsible for maintaining the gates in working order. Such covenants must be presented to the Town before the gate can be erected.

5.11.5. Should the owners of the community wish to remove the gated entry and change from private to public roads, no change can be considered until and unless the roads are brought to current town standards by the property owner association.

5.12. Secondary Dwelling.

Where allowed in the Town of Taylor, secondary dwellings shall conform to the following standards:

5.12.1. The secondary dwelling shall be required to meet all front, side, and rear setbacks for the applicable zoning district.

5.12.2. A lot proposed for a secondary dwelling must be a minimum of 40,000 square feet.

5.12.3. The applicant must state the intended purpose of the secondary dwelling. Should the applicant wish to modify the intended purpose of the secondary dwelling in the future, a new appeal must be approved.

5.12.4. If the applicant wishes to use a secondary dwelling for rental, or as a permanent dwelling for a family member; all required parking for the secondary dwelling must be provided on the lot meeting all ordinance standards for residential parking.

5.12.5. Should the applicant wish to have short term rental use in the secondary dwelling, no signage may be posted on the property indicating such a use.

5.12.6. Should the applicant plan to have a short term rental use in the secondary dwelling, parking for visitors and guests must be provided on the property, not on the street.

5.12.7. The Planning Commission shall have discretionary authority as to the suitability of any lot proposed for a secondary dwelling.

5.13. Parking Space Requirements.

5.13.1. All Residential Dwellings - At least 1 off-street space per bedroom

5.13.2. Bed and Breakfast Homes - See use standards at 5.6.7.

5.13.3. Bed and Breakfast Inn - See use standards at 5.6.7.

5.13.4. Recreational Cabin - At least 1 off-street space per bedroom

Continued:

5.13.5. Convenience stores - 1 space per 300 sf sales area, maximum 1 per 250 sf

5.13.6. All other uses - 1 space per 300 sf customer area, maximum 1 per 250 sf

5.13.7. Country Store - 1 space per 300 sf sales area, maximum 1 per 250 sf

5.13.8. Open Air Farm and Craft Markets, Flea Markets – Minimum 5 parking spaces, maximum 10 parking spaces.

5.13.9. Restaurants, Bars, Nightclubs - 1 space per 100 sf seated area, max 1 per 75 sf

5.13.10. Event Space - 1 per 2 persons at 80% rated capacity

5.13.11. All other Uses with Outside Sales - maximum 15 spaces

5.13.12. Professional Offices with on-site Clients – 1 space per 300 sf

5.13.13. Professional Offices without on-site clients - 1 per 500 sf

5.13.14. Home Office – See use Special Standards in 5.3.

5.13.15. Banks - 1 per 300 interior sf + if drive-in window, off-street stacking area for at least 5 vehicles

5.13.16. Kennel – No standard parking requirement.

5.13.17. Elementary Schools – Parking and Stacking Plan Required with Site Plan

5.13.18. Trade or Vocational Schools – Parking and Stacking Plan Required with Site Plan

5.13.19. Places of Worship - 1 per 4 seats in primary assembly room plus parking plan required with site plan.

5.13.20. Public Institutions - Parking and Stacking Plan Required with Site Plan

5.13.21. Cemetery - Access Streets must be wide enough for verge parking.

5.13.22. Private Clubs - Parking and Stacking Plan Required with Site Plan

5.13.23. Studios (Art, Craft, Music, Dance) - 1 per 300sf + 1 per employee

5.13.24. Outdoor Recreational Facilities - Parking Plan Required with Site Plan

5.13.25. Horseback Riding Stables – No standard parking requirement.

5.13.26. Health Care Clinics (less than 10,000 sf) - 1 per 300 sf interior space

5.13.27. Nursing Care Institutions – 1 per employee and 1 per 3 resident beds.

5.13.28. Child or Infirm Care Institutions – 1 per employee and 1 per 3 resident beds.

5.13.29. Veterinarian – Parking: 1 space per 300 sf in facility

5.13.30. Family Day Care Home - Stacking area for 5 cars off-street + 1 space per non-resident employee

5.13.31. Day Care Center - 1 space per employee + 3 guest spaces per 15 children, Plan for providing off-street stacking required.

5.13.32. Motor Vehicle Sales – 1 space per employee and no more than 10 client spaces.

5.13.33. Motor Vehicle Service Uses – 1 space per employee and no more than 5 client spaces. No storage of inoperable vehicles in front of business.

5.13.34. Gas Sales – No standard parking requirement.

5.13.35. Car Wash – No standard parking requirement.

5.13.36. Mini-warehouses – See use standards in 5.5.

5.13.37. Public Facilities (Post Office, Airport, Police Stations, Fire Stations, etc.) – Parking Plan Required with Site Plan.

6 ADDITIONAL ZONING DISTRICT REGULATIONS

6.1 “A” Agricultural District.

6.1.1 **“A” District Purpose.** The purpose of the agricultural district is to provide for agricultural activities in a rural residential living environment for Taylor and to prevent premature suburban development in areas inadequately served by public facilities. More generally, the agricultural district is designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare.

6.1.2. Permitted Uses - See Section 4.7 Table of Permitted uses.

6.1.3. Uses Permitted on Appeal- See Section 4.7 Table of Permitted uses.

6.1.4. Yard and Bulk Requirements

Minimum Lot Size	1 Acre
Minimum Lot Width at the Building Line	100 feet
Maximum Height	45 feet
Front Yard Setback	50 feet
Side Yard Setback	15 feet per side
Rear Yard Setback	25 feet
Maximum Floor Area Ratio	25%

6.2. “R-20” Low Density Residential District.

6.2.1. “R-20” District Intent. The R-20 Limited, Low Density Residential District is designed to accommodate site built single family detached residential uses at low densities in areas where appropriate urban services and facilities are provided or where the extension of such services will be physically or economically facilitated. More generally, the agricultural district is designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare.

6.2.2. Permitted Uses - See Section 4.7 Table of Permitted uses.

6.2.3. Uses Permitted on Appeal - See Section 4.7 Table of Permitted uses.

6.2.4. Yard and Bulk Requirements

Minimum Lot Size	20,000 Square Feet
Minimum Lot Width at the Building Line	70 Feet
Maximum Height	45 feet
Front Yard Setback	30 Feet
Side Yard Setback	7 feet per side
Rear Yard Setback	30 feet
Maximum Floor Area Ratio	40%
Minimum Floor Area Ratio	12%

6.3. “VC” Village Center Commercial District

The commercial districts established in this ordinance are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. The VC Commercial District is designed to accommodate neighborhood scale commercial activity.

6.3.1. Permitted Uses - See Section 4.7 **Table of Permitted uses.**

6.3.2. Uses Permitted on Appeal - See Section 4.7 **Table of Permitted uses.**

6.3.3. Yard and Bulk Requirements

A. For Commercial or other Nonresidential Uses

Minimum Lot Size	None
Maximum Building Size	3,000 square feet
Minimum Lot Width at the Building Line	None
Maximum Height	35 feet
Front Yard Build to Line	20 Feet
Side Yard Setback	None
Rear Yard Setback	20 feet

B. For Residential Uses

Minimum Lot Size	20,000 square feet
Minimum Lot Width at the Building Line	70 feet
Maximum Height	35 feet
Front Yard Setback	20 Feet
Side Yard Setback	7 feet
Rear Yard Setback	20 feet
Maximum Floor Area Ratio	40%
Minimum Floor Area Ratio	12%

6.3.4. Building Requirement. Commercial building shall comply with the Design Standards for the Town of Taylor found in Chapter 29.

6.3.5. Site Plan Required. Commercial Development shall comply with the Site Plan standards of Sec. 5.2 in Chapter 5.

6.3.6. A request to rezone land to V-C Neighborhood Commercial District shall be accompanied by a site plan conforming to the Site Plan Standards of this Ordinance.

6.4. “GC” General Commercial District

The commercial districts established in this ordinance are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. The General Commercial District is designed to accommodate community scale commercial activity.

6.4.1. Permitted Uses - See Section 4.7 Table of Permitted uses.

6.4.2. Uses Permitted on Appeal - See Section 4.7 Table of Permitted uses.

6.4.3. Yard and Bulk Requirements

Minimum Lot Size	None
Minimum Lot Width at the Building Line	None
Maximum Height	35 feet
Front Yard Setback	20 Feet
Side Yard Setback	None
Rear Yard Setback	20 feet
Maximum Floor Area Ratio	25%

6.4.4. Site Plan Required. Commercial development shall comply with the Site Plan standards of Sec. 5.2 in Chapter 5.

6.4.5. A request to rezone land to General Commercial District shall be accompanied by a site plan conforming to the Site Plan Standards of this Ordinance.

6.4.6. Building Requirements - Commercial building shall comply with the Design Standards for the Town of Taylor found in Chapter 29.

6.5. “VOD” Village Overlay District (Planned Unit Development District)

The purpose of the Village Overlay District (VOD) is to provide for the development of planned total communities that provide a full range of residential types as well as certain commercial, office or light industrial uses designed to serve the inhabitants of the districts consistent with the General Development Plan.

6.5.1. Development shall be a tract of land at least 4 acres in area, under single, corporation, firm, partnership or association ownership, planned and developed as an integrated unit, in a single development operation or a programmed series of development operations and according to an approved Preliminary Site Plan.

6.5.2. Preliminary Site Plan Required - The VOD shall be established only upon application, after public hearing as specified in the amendatory procedures of this Ordinance and shall require an approved Preliminary Site Plan which, when zoning is granted, will govern the development of the land and all development plans thereof.

6.5.3. Minimum District Area - The minimum area for a VOD shall be 4 acres.

6.5.4. Permitted Uses - A list of permitted uses within each proposed VOD must be submitted with the application for establishment of the VOD and the preliminary site plan and must be approved by the Planning Commission and Governing Authority upon application by the owner of the property.

6.5.5. Procedures. An application for rezoning to VOD shall be accompanied by a Preliminary Site Plan and text presenting the following information:

- 6.5.5.1. Proposed land uses and population densities;
 - 6.5.5.2. Proposed primary circulation pattern;
 - 6.5.5.3. Proposed parks and playgrounds;
 - 6.5.5.4. Delineation of the units or phases to be constructed together with a proposed timetable;
 - 6.5.5.5. Proposed means of dedication of common open space areas and organizational arrangements for the ownership, maintenance and preservation of common open space;
 - 6.5.5.6. Relation to the Town General Development Plan, land uses in the surrounding area and to the general plan of the VOD.
- 6.5.6. Rezoning procedures shall be in accordance with this ordinance. Following the initial rezoning procedure, the proposed development shall follow all applicable procedures and requirements governing the subdivision of land. No building permit shall be issued until a final plat of the proposed development, or portion thereof, is approved, filed and recorded. No building designed or intended to be used, in whole or in part, for commercial purposes shall be constructed prior to the construction of less than 25% of the dwelling units proposed in the plan, or construction of 100 dwelling units, whichever is smaller. If construction of the "VOD" District is not started within two years of the date of approval, the Mayor and Board of Aldermen may consider rezoning the site to its previous classification.
- 6.5.7. The applicant, by showing good cause why he cannot adhere to the proposed timetable described in 6.4.6.4 may seek an extension of not more than one (1) year at a time. A request for extension shall be submitted in writing to the Planning Commission.
- 6.5.8. Review Standards: The site plan must provide for and conform entirely to the following standards and requirements:
- 6.5.8.1. In order to encourage ingenuity, imagination, and high quality design, regulations on residential areas will not specify minimum lot area per dwelling unit but will limit density from 4 to 8 dwellings per acre;
 - 6.5.8.2. Street widths and improvements, thereof, as well as off street parking facilities must conform to Town standards;
 - 6.5.8.3. Provisions for water supply, sanitary sewers, storm water drainage, and connections shall be made to the satisfaction and requirements of the Town of Taylor and the appropriate State authority;
 - 6.5.8.4. All improvements are to be installed and maintained by the developer unless other arrangements approved by the Town are made;
 - 6.5.8.5. The Town may require other special improvements as they are required if they are deemed reasonable and essential, and may require that appropriate deed restrictions to be filed enforceable by the Town for 20 years;
 - 6.5.8.6. A minimum total area of 10% of the gross residential area shall be set aside as parks and playgrounds. Of this 10%, a maximum of one half may be covered with water. A maximum of 5% of the area designated to be parks and playgrounds may be covered with structures to be used in the recreational use of the area. Parks and playgrounds must be suitably improved for their intended use but parks and playgrounds containing natural features clearly worthy of preservation may be left unimproved;
 - 6.5.8.7. The developer shall also submit sketches of the plat for the entire project showing the relationship of uses, street patterns, open space and the general character of the proposed development, including a schematic drawing illustrating a typical segment of the development.

7 SIGNS AND OUTDOOR ADVERTISING

7.1 Sign Definitions:

- 7.1.1 **SIGN:** Any identification, description, illustration, or device illuminated or non-illuminated which is affixed to or represented directly or indirectly upon a building, structure, or land, and which directs attention to a product, service, place, activity, person, institution, or business. Signs erected by an authorized public agency for the purpose of directing traffic or providing information are not affected by these regulations, National and state flags, when properly displayed, are not considered a sign under these regulations.
- 7.1.2 **SIGN AREA:** The total area of the space to be used for advertising purposes, including the spaces between open type letters and figures, the background structure, or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign. A double faced sign shall be allowed the total area of a single faced sign on each face.
- 7.1.3 **ADVERTISING DEVICE:** Banners affixed on poles, wires or ropes, and streamers, wind operated devices, flashing lights, and other similar devices.
- 7.1.4 **BENCH SIGN:** A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.
- 7.1.5 **DIRECTORY SIGN:** Any sign on which the names and locations of occupants or the use of the building is given. This shall include office buildings and church directories.
- 7.1.6 **GROUND SIGN:** Any sign erected, constructed, or maintained for the purpose of displaying outdoor advertising by means of posters, pictures, pictorial and reading matter when such sign is supported by two or more uprights, posts, or braces affixed in the ground and not attached to any part of a building.
- 7.1.7 **MARQUEE SIGN:** Any sign affixed to a marquee over the entrance to a building and supported from the building,
- 7.1.8 **MONUMENT SIGN:** Any letter, word, model sign, device or representation used in the nature of an advertisement or announcement not attached to a building and which is permanently mounted or affixed directly to the ground.
- 7.1.9 **PORTABLE SIGN:** A sign, usually of a temporary nature, but not permanently affixed to the ground or to a building or structure.
- 7.1.10 **POST SIGN:** Any letter, word, model sign, device or representation used in the nature of an advertisement or announcement not attached to a building and which is supported by a single stationary pole or post.
- 7.1.11 **PROJECTING SIGN:** A sign which is attached to and projects more than 12 inches from the face of a wall of a building.
- 7.1.12 **ROOF SIGN:** Any sign erected, constructed, or maintained upon the roof of any building or any wall sign which extends more than 36 inches above the roof line or parapet wall of a building.
- 7.1.13 **TEMPORARY SIGN:** Ground signs advertising future use or development of property with a sign area per face not exceeding one hundred (100) square feet, not remaining more than six months on the property on which it is located and not more than one sign per parcel of land and located not closer than one (1) foot from the right-of-way.
- 7.1.14 **TRAFFIC DIRECTIONAL SIGN:** Any sign which aids the flow of traffic.

- 7.1.15 WALL SIGN: Any sign or poster on any surface or plane that may be affixed to the front, side or rear wall of any building. Any sign on a window which exceeds more than twenty (20) percent of the window area is considered a wall sign.

7.2 Sign Requirements for Permanent Signs by Zone

- 7.2.1 Only permanently located signs described herein will be permitted in each particular district, except for public signs and Town, State and Federal historic markers. In the chart below P means permitted, PA means permitted on appeal, - means not permitted.

Table of Permitted On Site Signs By District					
District	A (Non-single family uses only)	R-20 (Non-single family uses only)	VC Village Center Commercial	GC General Commercial	VOD Village Overlay*
Type Sign					
Wall	PA	PA	P	P	P
Monument	PA	PA	PA	PA	PA
Maximum Sign Size and Number					
Monument	One sign with a maximum total sign area of fifty (50) square feet, or one (1) square foot for each lineal foot of building street frontage, whichever results in the smaller sign area.				
Wall Sign	A maximum of three signs with a maximum total area of fifty (50) square feet, or one (1) square foot for each lineal foot of building wall or lease space on which the sign is erected, whichever results in the smaller sign area.				
*Unless otherwise approved in a Village Overlay Master Plan.					

7.3 Illumination

- 7.3.1 Except for the provision of 7.4.7 signs shall be illuminated by indirect, external light source.
- 7.3.2 Signs shall not have blinking, flashing or other illuminating devices which change light intensity, brightness or color.
- 7.3.3 Beacon lights are not permitted.
- 7.3.4 The light for or from any illuminated sign shall be so shaded, shielded or directed that the light intensity will not be objectionable to surrounding areas.
- 7.3.5 Neither direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.

7.4 Exempt Signs

The following signs are exempted from the provision of the SIGNS AND OUTDOOR ADVERTISING regulations:

- 7.4.1 Public Signs erected by, or on order of a public officer in the performance of a public duty;
- 7.4.2 Historic markers;
- 7.4.3 Name plates mounted on buildings or mail boxes not exceeding one square foot in size;
- 7.4.4 Traffic and directional signs not exceeding four square feet and mounted within 24 inches of the ground;
- 7.4.5 Advertising for sale or lease of real estate provided no such sign is greater than sixteen square feet in size;
- 7.4.6 Lighted signs affixed to windows, but not exceeding 20 percent of the window area;
- 7.4.7 Temporary signs not exceeding 4 square feet.

7.5 Prohibited Signs

The following types of signs are prohibited under the SIGNS AND OUTDOOR ADVERTISING regulations:

- 7.5.1 Portable signs are prohibited;
- 7.5.2 Signs or devices which by color, location, or design resemble or conflict with traffic control signs or devices are prohibited;
- 7.5.3 Signs attached to, suspended from or painted on any vehicle which is regularly parked on any street or private property to display, demonstrate, advertise or attract the attention of the public;
- 7.5.4 Signs which contain pulsating lights or strobe lights;
- 7.5.5 Subdivision entrance signs, constructed land marks, or other monumentation of subdivision entrances is prohibited;
- 7.5.6 Off-premises signs are prohibited;
- 7.5.7 Signs that contain obscene, suggestive, or offensive words or words and pictures, which would be inconsistent with a family oriented community;
- 7.5.8 Any sign located in such a way as to intentionally deny adjoining property owner visual accesses to an existing sign;
- 7.5.9 The subject matter of all advertising signs shall be limited to advertising businesses or services located in the Town.

7.6 Inspection, Removal and Safety

- 7.6.1 All signs may be inspected periodically by the Building Official for compliance with the **SIGNS AND OUTDOOR ADVERTISING** regulations.
- 7.6.2 All signs and components there of shall be kept in good repair and in safe, neat, clean, and attractive condition.
- 7.6.3 The Building Official shall give written notice for the removal of any permanent sign erected or maintained in violation of this Ordinance. Upon failure to comply with this notice, the Building Official shall take legal action to enforce compliance with this ordinance. The Building Official may remove a sign immediately and without notice if the sign presents an immediate threat to the safety of the public. Any sign removal shall be at the expense of the property owner.

7.7 Permits

All permanent signs permitted under the regulations of this Chapter, except those signs exempted in Sec. 7.4 above, shall require a permit which shall be obtained prior to erection of the sign.

- a. The sign permit form is located on the Town of Taylor website. The form must be filled out and submitted to the Town Clerk with all appropriate supporting information, and payment of the sign permit review fee. The sign permit review fee is listed on the Town of Taylor website.
- b. The applicant must submit the form and pay the required sign permit review fee before the permit can be considered.
- c. The Town Clerk will inform the Town Planner when the permit form has been submitted, and the permit fee paid. The Town Planner will then review the permit request and determine whether the request can be approved or if additional information is required.
- d. When the Town Planner has determined that the permit can be approved, the Town Planner will inform the Town Clerk and the applicant for the sign.

7.8 Nonconforming Signs

In instances where a sign is nonconforming to any of the requirements of this ordinance, such sign and any supporting structure other than a building may be allowed although such sign does not conform to the provisions hereof. No such nonconforming sign may be enlarged or altered in any way which increases its nonconformity. No sign which has been damaged 50 percent or more of its fair market value shall be restored except in conformity with the regulations of this ordinance.

7.9 Violation and Enforcement

If, within ten (10) days of the date of notice of violation, the party fails to bring the sign into compliance with this ordinance, fails to remove the sign or fails to provide to the Town any evidence of the party's good faith effort to do either, then the party shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of one hundred dollars (\$100.00) per day, per violation, retroactive to the date of mailing of the violation notice and any or all of the following:

- 7.9.1 Abatement - In case any sign is erected, constructed, reconstructed, altered, repaired, converted or continued in violation of this ordinance, the Town, or any person who would be damaged by such violation, in addition to other remedies, may institute an action for injunction or mandamus, or other appropriate action or proceeding to prevent or abate such violations;
- 7.9.2 Impoundment of Signs- The Town shall have the authority to remove and impound any sign, without further notice, where such sign is not in compliance with this ordinance, and:
- 7.9.2.1 After ten (10) days of the mailing of notification of a violation, the owner has failed to remove the sign

or bring it into compliance with this ordinance, or has failed to provide the Town with the evidence of a good faith effort to make such removal or compliance, or (ii) The sign is placed within any street, state road or highway right-of-way or other right-of-way, or attached to trees, fence posts, telephone and/or utility poles, and other than natural features;

- 7.9.2.2 The Town shall impound such signs for a period of ten (10) days. The owner of a sign impounded may recover it upon payment of fifty dollars (\$50.00) for each sign, prior to the expiration of the ten-day impoundment period. In the event a sign is not claimed within ten (10) days of its impoundment, the Town shall have the authority to dispose of such sign;
- 7.9.2.3 In the event a violating sign requires special resources for its removal and impoundment, the Town, or independent contractor secured by the Town, shall remove the sign and the resulting charges shall be assessed to the owner and/or lessee.

8 MINIMUM REQUIRED DEVELOPMENT IMPROVEMENTS

8.1 GENERAL CLEARING, BURNING, AND GRADING

- 8.1.1 General grading, typical sections and centerline gradients shall be in accordance with construction plans, profiles and cross sections designed by the Developer's Engineer and approved by the Board of Aldermen.
- 8.1.2 Areas to be graded by cutting or filling shall be rough graded to within one-tenth (0.1) of a foot of the accepted elevation after necessary allowance has been made for the thickness of topsoil, paved areas, and other installations.
- 8.1.3 Final cross sections and profiles of streets and other installations shall conform to grades reviewed by the Town Engineer as shown on the construction drawings provided for Preliminary Plat/Site Approval. Elevations shall be based on mean sea level.
- 8.1.4 All timber, logs, trees, brush, vegetable matter, and other rubbish shall be removed, or otherwise disposed of in accordance with the rules and regulations of the Mississippi Department of Environmental Quality (MDEQ) so as to leave areas that have been disturbed with a neat, clean and finished appearance. Burying on site will not be permitted.
- 8.1.5 Burning will be permitted only with an approved permit from the Town of Taylor in accordance with the Town Burning Ordinance.

8.2 EROSION AND SEDIMENT CONTROL

- 8.2.1 No work shall begin on any development until a Storm Water Permit has been obtained from the Mississippi Department of Environmental Quality (MDEQ), if applicable for the size of the development. Installation of the above improvements shall be done in such a manner as to provide for the most effective control of erosion and sediment. Each plat shall be accompanied by an erosion and sediment control plan and the Storm Water Permit which shall be submitted to the Town of Taylor Planning Commission before approval is granted for preliminary plat. Practical combinations of the following technical principles shall be used:
 - 8.2.1.1 The smallest practical area of land shall be exposed at any one time during development;
 - 8.2.1.2 When land is exposed during development, the exposure shall be kept to the shortest practical period of time;
 - 8.2.1.3 Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development;
 - 8.2.1.4 Sediment basins (debris basins, de-silting basins, or silt traps) shall be installed and maintained to remove sediment from runoff waters from land undergoing development;
 - 8.2.1.5 Provisions shall be made to effectively accommodate the runoff caused by changed soil conditions during and after development;
 - 8.2.1.6 Permanent final vegetation and structures shall be installed as soon as practical in the development. All erosion control required such as seeding, sodding, mulching, excelsior blanket, paved ditch, and fertilizer shall conform to the applicable sections and subsections of the most current edition of the Mississippi Standard Specifications for Road and Bridge Construction, Sections 212, 214, 215, 226, 227, and 229. All substantial grass growth on the shoulders, foreslopes and backslopes shall be established before final acceptance of the subdivision improvements. The maximum slope allowed on all foreslopes and backslopes shall not be greater than a 3:1 slope;
 - 8.2.1.7 The development plan shall be fitted to the topography and soils as to create the least erosion potential;

8.2.1.8 Whenever feasible, natural vegetation shall be retained and protected.

8.2.2 Once the erosion control measures are in place, the developer, or the developer's contractor, shall call the Town Engineer, or his representative, for a field inspection to verify the erosion control measures as proposed under the Storm Water Permit are in place. If the measures are determined to be in compliance, then and only then may the developer or the developer's contractor begin clearing and/or the earthwork operations. After the project has begun, the Town Engineer or his representative will perform periodic inspections to check to make sure the erosion control measures are in place and functioning. If it is determined that the erosion control is not functioning properly, the Town Engineer may require that all construction operations cease until the corrections are made. Compliance with this provision shall in no way relieve the developer, or the developer's contractor, from any requirement of the MDEQ Storm Water Permit or the MDEQ rules, regulations and procedures pertaining to erosion and sediment.

8.3. Restoration Bond for Clearing, Burning, Grading, Erosion Control, or Sediment Control Permits.

8.3.1. The improvements specified in permits authorized in 8.1 and 8.2 must be approved by the Board of Aldermen at a public meeting, in consultation with the Town Engineer. All such improvements shall be made in a manner satisfactory to the Town Engineer and within a period of time specified by the Board of Aldermen.

To provide protection for the Town, the Board of Aldermen shall require the posting of a bond or letter of credit as security to ensure the completion of the work agreed upon in the approved permit or the restoration of the site to a stable condition. Such security will be a condition of approval of the permit and no work may begin on the site until it is provided to the Town.

8.3.2. The amount of the security shall be based on the cost estimated to be required to complete the permitted work, based upon a construction cost estimate provided by the Developer's Engineer with concurrence from the Town Engineer. The amount required for the bond may vary from 5 percent (5%) to 100 percent (100%) of the estimated cost for the work, at the discretion of the Mayor and Board of Aldermen based on the following criteria:

- The amount of disturbance estimated from the planned work
- The size of the property
- The potential for erosion from the planned disturbance
- The amount of time estimated for completion of the work
- Prior experience with the developer (history of compliance)

Once the permit has been issued and the amount of the restoration bond set by the Board of Aldermen, the bond must be delivered to the Town before any work on the site can begin.

8.3.3. No such bond shall be accepted unless it is enforceable to or payable to the Town of Taylor in a sum equal to the amount specified in the agreement, and in a form approved by the Attorney for the Board of Aldermen. The surety on the bond shall provide written acknowledgement that the bond shall not be cancelable unless and until the Town provides written notification to the holder of the surety that the infrastructure improvement(s) to which the bond is applied have been satisfactorily completed.

The Developer may alternatively provide an irrevocable letter of credit (LOC) in lieu of a bond. In that event, the requirements of Section 11.3.10.2.2, 11.3.10.2.3, and 11.3.10.2.4 pertaining to the use of a letter of credit for security for infrastructure improvements.

9 IMPROVEMENTS IN SUBDIVISIONS

9.1 GENERAL SUBDIVISION IMPROVEMENT REQUIREMENTS

- 9.1.1 In consideration of the acceptance by the Town and assumption of the responsibility for maintaining the dedicated streets constructed therein, the Owner or Owners of the subdivision shall cause to be constructed, at no expense to the Town, the improvements specified herein according to the specification set forth hereinafter.
- 9.1.2 All services for utilities shall be constructed and placed in such a manner as will obviate the necessity for disturbing the street pavement and drainage structures when connections are made.
- 9.1.3 Upon completion of construction of any such utilities or improvements, one set of "Record Drawings" of completed work, dated, sealed, signed, and certified by the engineer and surveyor representing the Developer, shall be filed with the Chancery Clerk of Lafayette County showing all features as actually installed, including materials, size, location, depth, or elevation, numbers, ends of lines, connections, service connections, valves, storm sewer drains, inlets, and all other pertinent information.
- 9.1.4 The Developer shall provide and install all required traffic signs and posts prior to opening the new road to public traffic and prior to the occupancy of any structures built in the development and prior to final plat approval. These signs will consist of all the regulatory hazard and warning signs as required by the Town Engineer including the road naming signs as required by the E-911 Coordinator. All signs shall conform to the most current procedures, specifications and requirements as established by the Office of State Aid Road Construction and as specified in the most current edition of the Mississippi Standard Specification for State Aid Road and Bridge Construction, and the federal Highway Administration's Manual on Uniform Traffic Control Devices.

9.2 MONUMENTS

- 9.2.1 Monuments shall be placed at all corners or changes of alignment along the perimeter boundary of the Subdivision, including the perimeter boundary of each construction phase. Curves lying along the perimeter(s) shall be monumented at the beginning and ending of each curve and at points on the curve at intervals of no more than one hundred (100) feet. These monuments shall consist of a four (4) inch concrete post not less than twenty-four (24) inches in length reinforced with a single one-half ($\frac{1}{2}$) inch steel rod in the center extending not less than one-fourth ($\frac{1}{4}$) inch above the top of the concrete.
- 9.2.2 Iron pin markers shall be placed at all lot corners, changes in alignment in lot boundaries and street right-of-way, including beginning and ending points of curves. All monumentation shall comply with Rule 21.0 Minimum Standards for Land Surveying.
- 9.2.3 All monuments or markers shall be set with the top thereof flush with finish grade. Where necessary to prevent disturbance, the monument shall be sunk underground and referenced to permanent landmarks.

9.3 STREETS

9.3.1 A typical cross section for all subdivision streets shall conform to the minimum standards as follows:

Table of Street Widths

ROADWAY CLASSIFICATION	SHOULDER WIDTH ROAD DITCH (EDGE TO EDGE)	PAVEMENT WIDTH ROAD DITCH (EDGE TO EDGE)	PAVEMENT WIDTH CURB & GUTTER (BACK TO BACK)
Arterial Roadway	36 Feet	24 Feet	34 Feet
Collector	34 Feet	22 Feet	30 Feet
Private Local	28 Feet	18 20 Feet	24 Feet
Local	30 Feet	20 Feet	26 Feet
Cul-de-sac (Turnaround Section)	90 Feet	80 Feet	84 Feet
Alley	24 Feet	18 Feet	22 Feet

Transverse grade two percent (2%) minimum
Longitudinal grade ten percent (10%) maximum

9.3.2 All subdivision roads shall be constructed with approved sub grade, sub base, and base and pavement structure. Design and construction of all roads shall meet Town requirements contained herein and the most current edition of the Mississippi Standard Specifications for State Aid Road and Bridge Construction and must be reviewed for approval by the Town Engineer. Pavement structure including sub base and base design shall be as follows:

9.3.2.1 The minimum pavement structure for subdivision streets shall consist of specified materials of the thickness required to meet the design structure number as calculated for the estimated average daily traffic count (ADT), current axle loading and percent trucks for the particular subdivision development conforming to the most current procedures for structure thickness as established by the Office of State Aid Road Construction and as specified in the most current edition of the Mississippi Standard Specifications for State Aid Road and Bridge Construction. Material and construction requirements shall conform to all applicable sections and subsections of the above specifications.

9.3.2.2 All materials for subbase and base construction shall meet the requirements of the Mississippi Standard Specifications for State Aid Road and Bridge Construction. Approved base materials consist of Hot Bituminous Base Course, Granular Material or Granular Material with lime-fly ash stabilization or soil-cement stabilization base on a laboratory mix design.

9.3.2.3 The Town of Taylor reserves the right to inspect and test sub-base and base material in place for compliance with these specifications. The Town shall require proof rolling to be witnessed by the designated representative of The Town of Taylor of the entire roadway subgrade, sub-base and base prior to processing the next construction lift until the surface hot mix pavement is placed.

- 9.3.2.4 The minimum wearing surface shall be *three (3)* inches of Hot Bituminous Asphalt Pavement conforming to the most current edition of the Mississippi Standard Specifications for State Aid Road and Bridge Construction, Section 403. The material and construction requirements shall conform to all applicable sections and subsections for surface course hot bituminous mix mixed in a central plant and placed hot, all according to the above mentioned specifications. One and one-half (1 ½) inches of surface course shall be installed upon approval of the base material by the Town Engineer. The remaining one and one-half (1 ½) inches of surface course shall be installed no later than 2 years after the filing of the final plat, unless the Board of Aldermen in its discretion, agrees to extend the time for completion of the required improvements an additional one year period. Prior to the installation of final surface course, the initial surface course shall be inspected by the Town Engineer and any defects in the surface course, base and/or subgrade shall be corrected by the subdivider.

9.4 WATER SYSTEM

- 9.4.1 The water system for all subdivisions shall be submitted first to the Water Association, City or private supplier for approval; following approval by the local supplier, construction plans and specifications shall be submitted to the Mississippi Department of Health, Environmental Engineering Division for review and approval. The distribution and fire protection system shall be designed to furnish domestic water supply and fire protection to every lot in accordance with accepted design criteria.
- 9.4.2 In the event that the proposed subdivision is near or adjacent to an existing municipal water system, every effort shall be made by the Developer to connect the water system of the proposed subdivision with that of the municipality. If the proposed subdivision abuts any municipality or if the subdivision is to be connected to a municipal system, the water system within the subdivision shall conform to the specifications required by that municipality as if the subdivision were within the corporate limits of such municipality.
- 9.4.3 If a water system serving the entire subdivision is constructed within subdivision, this system shall meet the minimum requirements of these regulations.
- 9.4.4 Water mains shall not be located underneath the pavement, but shall be located a minimum of 5 feet from the edge of the pavement in street right-of-way or utility easements, and shall be a minimum 8-inch pipe. Water service pipes passing under the pavement shall be sleeved.
- 9.4.5 The installation of the water system, including fire hydrants, shall be subject to approval of the Governing Authority/Utility Owner, Department of Public Health and the Board of Aldermen.
- 9.4.6 Six (6) inch fire hydrants having two (2) two and one-half (2½) inch nozzles and not having a pumped nozzle shall be installed in all subdivisions having public water supply. The hydrants shall be located not more than five hundred (500) feet as measured along a dedicated street from all lots in the subdivision. An eight (8) inch or larger water line will serve all fire hydrants.

9.5. SANITARY SEWER SYSTEM

9.5.1 Provision for Sewage Treatment on Buildable Lots.

- a. All subdivisions shall provide either individual septic systems on each lot, or a centralized sewage collection and treatment facility, which shall conform to all applicable state and local laws, regulations and procedures.
- b. Any individual building lot must provide an approved septic system.
- c. No building certificate of occupancy shall be issued for any lot until proof that such a system has been approved is provided.

9.5.2 Sewage Treatment and Collection Facilities:

- a. If a treatment and collection facility is to be provided for a subdivision, it shall be designed in accordance with rules, regulations, guidelines and standards of the Mississippi State Health Department and/or Mississippi Department of Environmental Quality. When such subdivision is filed for record in the Office of the Chancery Clerk, it must indicate approval of the facility by one of those agencies.
- b. All such systems must also install and maintain an emergency power backup system in the event of a loss of power, as specified in Section 9.5.5 herein.

9.5.3 Individual Septic Systems:

- a. If individual septic systems are to be provided, Developer shall submit a letter from the Lafayette County or Mississippi State Health Department indicating approval of individual septic systems on a lot by lot basis.
- b. After installation of such treatment systems on individual lots, a final inspection must be made by the Lafayette County or Mississippi State Health Department, and certification provided to the Town of Taylor before the Final Plat can be filed.

9.5.4 Minimum lot size: In order to comply with environmental requirements for sewage treatment, building lots must meet the minimum lot size required for the zoning district in which they are located, but be no smaller than indicated below:

Proposed Development with:	Minimum Lot Size:
Individual wells and Septic Systems	30,000 sq. ft.
Community/Public Water and Septic System	21,000 sq. ft.
Community/Public Sewer and Well	12,000 sq. ft.
Community/Public Water and Public Sewer	10,000 sq. ft.

NOTE: Additional acreage may be required by the Lafayette County or Mississippi State Health Department to accommodate sewage disposal.

9.5.5 Emergency Backup Power with Automatic Transfer Switch for Sewage Treatment Systems and Collection Facilities within the Town of Taylor.

- a. Applicability. This section shall apply to sewage treatment systems and collection facilities located within the Town of Taylor, including but not limited to municipal, privately owned, or non-municipal treatment plants, lift stations, and pumping facilities, whether existing as of the effective date of

this Ordinance or constructed thereafter. This section shall not, however, apply to individual business or residential septic systems.

- b. **Emergency Backup Power Requirement.** All sewage treatment systems subject to this Ordinance shall be equipped with and maintain an approved emergency backup power source with an automatic transfer switch (ATS) capable of operating all essential components of the sewage treatment and conveyance system during loss of primary electrical service.
- c. **Minimum Standards.** The emergency backup power system shall, at a minimum:
 - i. Be permanently installed and equipped with an automatic transfer switch (ATS) that initiates power transfer upon loss of primary electrical service without the need for manual intervention;
 - ii. Be of sufficient capacity to operate all essential equipment necessary to maintain treatment and conveyance functions under peak design flow conditions;
 - iii. Provide on-site fuel storage or equivalent provisions sufficient to sustain continuous operation for a minimum of seventy-two (72) hours;
 - iv. Be maintained in operable condition at all times and tested on a regular schedule in accordance with manufacturer recommendations;
 - v. Be accessible for inspection by the Town of Taylor or its designated representative; and
 - vi. Portable generators, temporary connections, or manual transfer methods shall not comply with this Ordinance, except where specifically approved in writing by the Town as an interim measure during the compliance period for existing systems.
- d. **Compliance Deadlines.**
 - i. **Existing Systems.** Owners and operators of sewage treatment systems in operation as of the effective date of this Ordinance shall have twenty-four (24) months from the effective date to fully comply with the requirements herein.
 - ii. **New Systems.** No building permit, certificate of occupancy, subdivision approval, site plan approval, or final development approval shall be issued for any development served by a sewage treatment system subject to this Ordinance unless compliance with this Ordinance is demonstrated prior to approval.
- e. **Documentation and Certification.** Owners and operators shall provide documentation to the Town demonstrating compliance with this Ordinance, including specifications of backup power equipment, ATS installation details, capacity calculations, and maintenance/testing plans. The Town may require certification by a licensed engineer that the emergency power system is adequate for the facility served.
- f. **Enforcement.** Failure to comply with this Ordinance shall constitute a violation subject to enforcement in accordance with the Town's code of ordinances. The Town may withhold or revoke permits, approvals, or certificates of occupancy, and may pursue any lawful remedies available to ensure compliance.
- g. **Coordination with State Agencies.** Nothing in this Ordinance shall be construed to conflict with or supersede the permitting authority of the Mississippi Department of Environmental Quality (MDEQ) or the Mississippi State Department of Health (MSDH). Compliance with this Ordinance shall be in addition to any state or federal requirements.

(Section 9.5.5, Approved by Taylor Board of Aldermen, April 7, 2026)

9.6 STORM WATER DRAINAGE

- 9.6.1 Materials and construction shall conform to Mississippi Standard Specifications for State Aid Road and Bridge Construction, latest edition.
- 9.6.2 Drainage structures shall be sized using the rational formula and calculated by a licensed engineer of the State of Mississippi. All drainage structures shall be sized for a minimum 25-year flood frequency with areas prone to flooding sized for 50/100-year flood frequency.
- 9.6.3 Reinforced concrete headwalls or flared end sections shall be provided on all roadways cross drains and on all other pipe twenty-four (24) inches and larger. The minimum diameter for storm drainpipe shall be fifteen (15) inches for side drainpipes and eighteen (18) inches for cross drainpipes. Pipe length shall be adequate to provide a 3:1 slope from the finish shoulder of the road to the top of the pipe, but no less than four (4) feet beyond the edge of the gravel shoulder or of sufficient-length to provide 3:1 fore-slope to the bottom of the ditch, whichever is greater. Storm drainpipe may be corrugated metal, high-density polyethylene or reinforced concrete pipe.
- 9.6.4 Corrugated metal pipe shall be coated with approved coating with paved or coated smooth invert. The minimum wall thickness shall be sixteen (16) gauge metal. Reinforced concrete pipe shall be a minimum of Class III reinforced concrete. All storm drainpipes shall conform to the most current edition of the Mississippi Standard Specification for State Aid Road and Bridge Construction, Section 708.
- 9.6.5 All driveway culverts shall have a minimum pipe length of thirty (30) feet with a minimum diameter of fifteen (15) inches. All lots shall be provided with at least one (1) driveway for egress and ingress with an approved drainage structure if necessary. Such drainage structure shall be installed by the property owner; shall be a minimum of twenty (20) feet in length; and shall include installation of all fill and base material required for such drainage structure. The Subdivider's engineer shall indicate on the preliminary and final plats the size of each drainage structure required for each lot.
- 9.6.6 The Developer must show on the Final Plat the elevation and diameter required for the culvert at each lot in the subdivision. The Builder or Developer placing the culvert must provide a surveyor's certificate to the Town of Taylor Planning Department showing that the installed culvert meets the Developer's culvert plan as shown on the subdivision plat.
- 9.6.7 The Developer must develop and build a storm water management system certified by a professional engineer such that once the improvements and lots are developed, the rate of storm water run off leaving the development does not exceed the rate of storm water run off prior to development. The minimum run-off coefficients used to calculate the pre-construction and post-construction shall be industry standard coefficients based on the existing terrain and the proposed improvements and submitted for review by the Town Engineer.
- 9.6.8 Developers, and subsequent builders and homeowners of a subdivision or development shall not be allowed to put obstructions in drainage ditches or right-of-way so as to adversely affect the flow of water downstream. Altering such drainage ditches so that it affects property owners adjacent or downstream will be a violation of these regulations and violators shall be fined in accordance with this Ordinance.

9.7 APPROVAL OF CONSTRUCTION PLANS

- 9.7.1 The improvements specified herein shall be designated by and constructed under the observation of a Registered Professional Engineer retained by the Developer.
- 9.7.2 In order to obtain approval for the construction of improvements in subdivision, the Developer shall submit construction plans, showing the types of improvements contemplated. The construction plans, at a minimum, shall consist of:

- 9.7.2.1 A cover sheet, index sheet, and quantity sheet;
 - 9.7.2.2 Typical sections detailing roadway base and pavement structure;
 - 9.7.2.3 Intersection details including paving, drainage plan and all details;
 - 9.7.2.4 Erosion control plan;
 - 9.7.2.5 Striping and sign plan;
 - 9.7.2.6 Plan-profile sheets; and
 - 9.7.2.7 Standard details.
- 9.7.3 Detail plans for water and sanitary sewer systems may be submitted with the roadway and drainage plans, or may be submitted separately. Plan and profile sheets for streets and gravity sewers should be drawn to a horizontal scale of one (1) inch equals fifty (50) feet and a vertical scale of one (1) inch equals five (5) feet and shall be based on U.S. Government mean sea level datum. Plans and specifications for the proposed water and sanitary sewer system shall be accompanied by written certification from the Mississippi Department of Health and the Mississippi Department of Environmental Quality that the proposed system and treatment facilities are in conformance with all applicable laws and regulations.
- 9.7.4 If the Town Engineer shall find the Preliminary Plat and supporting documents to be in accordance with applicable policies and standards of the Town, he shall authorize construction. If a bond is required, the Town Engineer shall review and approve cost estimates provided by the Developer's Engineer.
- 9.7.5 All improvements must be inspected during the course of construction by the Developer's Engineer. The Town Engineer may, at his discretion, review the Developer's Engineer's written reports during the period of construction.
- 9.7.6 The Developer's Engineer shall ensure quality-assurance during each phase of construction. The Developer's Engineer shall provide proof of meeting specifications on street construction sub-grade, sub-base, base, and surface paving standards to the designated Town official.

9.8 PORTABLE RESTROOM FACILITIES

The contractor must have portable restroom facilities available at the jobsite for all phases of construction

10 DESIGN STANDARDS FOR SUBDIVISIONS

10.1 STREETS AND ROADWAYS

- 10.1.1 The Planning Commission shall review the street system for the proposed development and shall classify all proposed streets in one of the following categories:

Arterial Roadway: A major artery connecting existing public roads and extending as a through street through the subdivision;

- 10.1.1.1 Collector: Streets that carry traffic from local streets to arterial roadways or existing State Aid routes and highways, including the principal entrance streets of the subdivision;

- 10.1.1.2 Local: A street having a primary function of providing service and access to abutting land and not designated for high volumes of traffic but having sufficient width to serve occasional parking and traffic flow.

- 10.1.2 Street Type: All Developments, including subdivisions of more than three (3) lots, units or structures per acre including all phases, when providing new streets, shall require curb and gutter streets and comply with all appropriate state classifications and regulations.

Streetlights: All such subdivisions or developments must also provide streetlights on any new streets or extensions of existing streets. Streetlights should generally be spaced three (3) times the height of the proposed light pole; but the Town Engineer may recommend a wider distance depending on the type of road, type of streetlight to be used, anticipated traffic volume, or anticipated level of pedestrian activity.

- 10.1.3 Minimum street rights-of-way widths and building setbacks shall be as follows:

STREET CLASSIFICATION	TYPICAL SECTION TYPE	MINIMUM RIGHT-OF-WAY WIDTH	MINIMUM BUILDING SETBACK FROM ROW
Arterial	Road Ditch	80 Feet	40 Feet
Arterial	Curb & Gutter	80 Feet	30 Feet
Collector	Road Ditch	60 Feet	35 Feet
Collector	Curb & Gutter	60 Feet	30 Feet
Local	Road Ditch	50 Feet	30 Feet
Local	Curb & Gutter	50 Feet	25 Feet
Cul-de-Sac	All	100 Feet	35 Feet

- 10.1.4 In the event that the subdivision is being platted along an existing public road, the Board of Aldermen may require the dedication of additional right-of-way in order that the right-of-way of the existing road may be increased to the standards as specified in this ordinance. The dedication of additional right-of-way shall be limited only to the side of the road that the proposed development abuts, and then only to the extent that one-half (½) of the right-of-way needed to bring the total right-of-way to the specified standard shall be dedicated. In the event that a development abuts both sides of an existing road or highway, then the total additional right-of-way necessary to bring such road or highway to the specified standard shall be so dedicated. Where a subdivision borders on and/or connects to an existing narrow road not meeting the design standards of the Town, the Developer shall be required to improve and dedicate at its expense those areas for widening and/or realigning that road.

- 10.1.5 The arrangement of streets in a development shall either: (a) provide for the continuation of existing principal streets in surrounding areas; or (b) conform to a plan for the neighborhood as a whole that has been devised to meet an unusual situation such as topography or other conditions that make continuation of existing streets impractical. Such a neighborhood plan shall be prepared by the Developer and shall be submitted for approval to the Planning Commission. For emergency situations, all developments with more than thirty-three (33) lots shall have more than one (1) location of ingress and egress from an existing collector road.
- 10.1.6 Roads shall be laid out appropriately to the topography and shall be designed wherever possible to enhance lot appearance. All streets shall be arranged so as to obtain as many building sites as possible at, or above, the grades of streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided.
- 10.1.7 When tangent street lines deflect from each other at any point by more than three (3) degrees, they shall be connected by a curve with a radius sufficient to insure an adequate sight distance, or of such radii as determined for special cases. Minimum sight distance for streets shall be as follows:

STREET TYPE	MINIMUM SIGHT DISTANCE (FEET)
Arterial Roadway	600 Feet
Collector	300 Feet
Local	200 Feet

- 10.1.8 No trees or shrubs will be permitted to be planted in the right of way in a manner that interferes with maintenance, proper drainage, or obstructs vision required for public safety.
- 10.1.9 Street jogs with centerline offsets of less than one hundred fifty (150 feet) shall be avoided.
- 10.1.10 A tangent of at least one hundred (100) feet shall be introduced between reverse curves on collector streets. Horizontal curves on collector streets shall have a minimum of a two hundred fifty (250) feet radius computed from the centerline. Horizontal curves on local streets shall have minimum of one hundred (100) foot radius computed from the centerline.
- 10.1.11 Streets shall be laid out so as to intersect as closely as possible at right angles, and no street shall intersect any other street at less than seventy-five (75) degrees.
- 10.1.12 Property lines at street intersections shall be rounded with a radius of fifteen (15) feet or of a greater radius when the Board of Aldermen deems it necessary. Comparable cutoffs or chords may be required in place of rounded comers. A comparable chord shall be considered a chord or line connecting the points of tangency of the radius it is replacing.
- 10.1.13 Streets shall be striped along the shoulder unless the road is of curb and gutter construction.
- 10.1.14 Half streets shall be prohibited, except in such cases where there exists a half street contiguous thereto. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted with such tract.
- 10.1.15 Dead-end streets will be accepted under phased construction only based on an overall development plan. Temporary turnaround shall be provided for all dead-end streets that extend more than one lot in length. Temporary turnarounds shall have a minimum all weather surface of eighty (80) feet in diameter and three (3) feet gravel shoulders.

- 10.1.16 Cul-de-sac streets may be provided if proper access is given to all lots from a dedicated street or roadway. All cul-de-sac streets shall terminate in a dedicated right-of-way space having a minimum radius of fifty (50) feet, or other satisfactory arrangement for turning vehicles. Cul-de-sac streets shall not extend more than twelve hundred (1200) feet from a through local street, collector street, arterial roadway or highway. Roads coming off a highway or public road will not be considered to be a cul-de-sac if it is the primary ingress/egress to the development.
- 10.1.17 All proposed street names shall avoid duplication of other street names in Lafayette County unless the proposed street is obviously intended as an extension of another existing or proposed street, in which case the streets shall bear the same name. The applicant shall consult the Lafayette County E-911 Coordinator prior to planning to prevent duplication.
- 10.1.18 All lots shall have at least one (1) driveway connected to a public road (existing or proposed as part of the development) for ingress and egress. An exception to this requirement to connect to a public right-of-way is allowed if the Planning Commission and the Board of Aldermen approve as part of overall master plan of development private roads per Paragraph 9.1.19. If a drainage structure is required, it must be placed and approved per Paragraph 8.6.6.
- 10.1.19 Private Roads are permitted provided they meet the following conditions:
- 10.1.19.1 The roads are built to the same standards as public roads as contained in this standard;
- 10.1.19.2 The perpetual maintenance is the responsibility of the lot owners and homeowners association, as properly documented in the Subdivision Covenants, runs with the land; and
- 10.1.19.3 Signs are posted at the entrance to the subdivision with private roads stating "BEGIN PRIVATE MAINTENANCE."
- 10.1.20 Gated subdivisions are permitted provided that the roads are private, and that the Developer obtains a Gated Community Permit.

10.2 EASEMENTS

- 10.2.1 A drainage and/or utility easement, dedicated to the Town, shall extend across the front of all subdivision lots and shall have a width of no less than ten (10) feet. All side lot lines shall have a drainage/utility easement extending five (5) feet on both sides of the lot line. Easements across rear lot lines may be included if deemed necessary by the Developer.
- 10.2.2 Where easements intersect or sharp changes in alignment are necessary, corners shall be cut off sufficiently to permit equipment access as determined by the Town Engineer.
- 10.2.3 No buildings shall be permitted in easements.
- 10.2.4 Any overhanging limbs, shrubbery, or vegetation of any kind may be removed from within the limits of easements at the sole discretion of the utilities installed or to be installed in or above the easements.

10.3 BLOCKS

- 10.3.1 The lengths, widths, and shapes of blocks shall be determined with due regard to:
- 10.3.1.1 Provision of adequate building sites suitable to the special needs of the type of use contemplated;
- 10.3.1.2 Needs for convenient access, circulation, control, and safety of street traffic;
- 10.3.1.3 Limitation and opportunities of topography;
- 10.3.1.4 Utilities;
- 10.3.1.5 Drainage requirements.

10.4 ALLEYS

- 10.4.1 All alleys shall have a pavement surface and structure thickness adequate to accommodate proposed traffic.
- 10.4.2 The width of an alley in commercial and/or industrial areas shall be a minimum of eighteen (18) feet.
- 10.4.3 Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.
- 10.4.4 Dead-end alleys shall be avoided where possible, but if permitted, shall provide a turnaround having an outside roadway diameter of at least ninety (90) feet and a right-of-way diameter of at least one hundred (100) feet. The Planning Commission may require a larger turnaround when it is deemed necessary to provide adequate turnaround space.

10.5 LOTS

- 10.5.1 All subdivisions shall be surveyed and laid out in such a manner that each and every lot intended for sale shall front a public thoroughfare or private road.
- 10.5.2 Lots shall have minimum setbacks of 5 feet on each side, 15 feet in the rear, 30 feet in the front for open ditches and 25 feet in the front with curb and gutter.

11 APPROVAL PROCESS FOR SUBDIVISIONS

11.1 Pre-Application Review

- 11.1.1 The Pre-Application Review step is required for a subdivision proposed to have more than two lots in the Agricultural Zone, R20 Zone, and Village Center Zone. The process for such a review is found in Section 11.1.7 below. In all other instances this step is optional, but strongly recommended. If the Developer elects to appear for a Pre-Application Review, the Developer applicant shall file with the Town Planning Office his declaration and application (Appendices 1A and 1) for development approval. The request to be placed on the Planning Commission agenda shall be filed no later than the first Monday of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first Monday falls on a holiday, the filing deadline is extended to the next business day.

The applicant shall submit to the Planning Commission through the Town Planning Office a conceptual drawing, or sketch plat, showing the boundaries of the proposed development, its relationship to surrounding properties, natural features on the site and surrounding area, and the proposed streets and lot pattern, and the proposed types of land uses planned. The sketch must also include topography. The conceptual drawing shall illustrate the entire proposed development and illustrate all phases of the development. The applicant must state his intentions regarding development or improvement of private or public roads. The purpose of this step is to provide the Developer the opportunity to consult early and informally with the Planning Staff and Planning Commission before preparation of a site plan or preliminary plat and to make the Planning staff and the applicant aware of potential problems involving the proposed development. After review by the Planning Staff, the applicant must meet with the Planning Commission to discuss in detail the proposal.

- 11.1.2 Within two weeks of receiving application for site plan approval, the Town Planning Department will place a conspicuous sign in a clearly visible spot on or near the property to be developed that will declare the nature of the planned development and the date and time upon which the Developer will appear before the Planning Commission.
- 11.1.3 The condition of the public road system in the vicinity of the proposed subdivision will be subject to review by the Town Engineer. The review may require a site inspection by the Town Engineer, the Developer, and the Developer's agent. The Developer may be required to grant additional right-of-way and/or improve existing public roads connecting to or serving the proposed subdivision. Any such improvements shall be negotiated with the Town Engineer, and the Board of Aldermen prior to the Preliminary Plat approval conference with the Planning Commission.
- 11.1.4 The Developer shall consult with other agencies having an interest in the development--County Health Department, County Solid Waste Department, environmental regulatory agencies, and all utility providers--to determine the availability of services and compliance with regulations of those agencies.
- 11.1.5 The Developer shall provide the names and addresses of all owners of all adjacent property to the Town planning department. The developer shall notify those property owners by certified mail, dated no later than 10 days prior to the meeting, of the date of the Developer's appearance before the Planning Commission. Proof of notification shall be furnished to The Town of Taylor.
- 11.1.6 Prior to the approval of the preliminary plat, the Developer and the financial institution providing financing for the general improvements within the Development shall enter into a Development Agreement with the Town providing that the financial institution will be subject to any applicable bonds, letters of credit or other posted security, agree to provide all necessary financing for the completion of the Development improvements in accordance with the applicable Town specifications, including road improvements and related infrastructure.

11.1.7. Before a subdivision in the Agricultural Zone, R20 Zone, or Village Center Zone proposed to have more than two lots can proceed to Preliminary Plat, it must be approved by the Planning Commission to proceed under the standards of **Section 18.2** for “Uses Permitted on Appeal”, as required under **Section 4.7** for residential uses in the Agricultural Zone, R20 Zone, or Village Center Zone, and under the specific standards for such subdivisions in **Section 5.10** in Chapter 5 Supplementary District Regulations.

11.2 Preliminary Plat Application Review Procedure

11.2.1 After the pre-application review has been completed, the application and the application fee for Preliminary Plat approval of subdivision must be filed no later than the first Monday of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first Monday falls on a holiday, the filing deadline is extended to the next business day.

11.2.2 If the Developer applicant elects to skip the Pre-Application Review step, then all applicable provisions of that step must still be satisfied.

11.2.3 The Developer shall submit the following to the Planning Department:

11.2.3.1 Application form and Filing fee;

11.2.3.2 A site plan following the requirements of Chapter 5, Sec. 5.2.

11.2.3.3 Twelve (12) copies of the preliminary plat, drawn to scale of 100 feet to the inch;

11.2.3.4 Two (2) copies of construction plans (see Appendix 4) and technical specification;

11.2.3.5 Completed preliminary plat approval checklist form and supporting documents;

11.2.3.6 Any variance requests, in written form only;

11.2.3.7 The developer shall conduct a traffic impact study and provide a report to the Planning Department for a Subdivision having more than 20 lots;

11.2.3.8 The Professional Surveyor or Engineer who prepared the subdivision plat or who represents the firm must be present at the Planning Commission Meeting.

11.2.4 Preliminary plats shall be at a sufficient scale to allow the entire development (including all phases) to be shown on a “D” size plot (24” x 36”). Minimum data required for the preliminary plat and any accompanying documents should include the following:

11.2.4.1 Boundary lines: Bearings and distances along perimeter boundary and lot lines and mathematical closure of survey;

11.2.4.2 Proposed lot lines, lot numbers, and lot layout for the subdivision;

11.2.4.3 Easements: Location, bearings and distances if not parallel with lot lines, width, and purpose;

11.2.4.4 Streets: Location of all existing and proposed streets, alleys or access easements with dimensions, right-of-way widths and street names within the proposed subdivision and the names of adjoining street names or numbers;

11.2.4.5 Vicinity map at a minimum scale of one (1) inch equals one thousand (1,000) feet showing location of the site for the proposed subdivision;

11.2.4.6 Minimum building setback lines;

- 11.2.4.7 Proposed use of all land in the subdivision including any reserved areas for parks, playgrounds or other public usage and the acreage;
- 11.2.4.8 Watercourses and marshes shall be shown with notation regarding Corps of Engineers jurisdictional determination under Section 404 of the Clean Water Act;
- 11.2.4.9 Existing houses and other significant features shall also be shown;
- 11.2.4.10 Flood level information showing contours for "100 Year Frequency Flood Elevations" and "Floodways" if any part of the proposed subdivision lies within a flood plain. Plat must contain a statement that 100 year flood frequency contour is not involved with development. Information on Plat will adhere to the Town of Taylor Flood Damage Prevention Ordinance;
- 11.2.4.11 Title under which proposed subdivision is to be recorded, with names and addresses of owners, notation stating acreage, graphic scale, north arrow (true north), mean sea level (msl) datum, benchmarks, and date of survey;
- 11.2.4.12 The Developer's Engineer shall delineate any wetlands, as defined by the U.S. Corps of Engineers that are within the platted area and if so, the Developer will ensure that the development complies with all appropriate state or federal regulations pertaining thereto;
- 11.2.4.13 Proposed utilities: Line sizes, approximate invert elevations (where approximate), and cross sections of principal drainage ditches;
- 11.2.4.14 Construction plans and technical specifications for required improvements prepared in accordance with "Design Standards" and "Minimum Required Improvements" shall be considered a part of the Preliminary Plat;
- 11.2.4.15 The names of all adjoining subdivisions and the names of recorded owners of adjoining parcels;
- 11.2.4.16 Conformity with "Minimum Standards," as promulgated by the Mississippi State Board of Registration for Professional Engineers and Land Surveyors;
- 11.2.4.17 Engineer and Surveyor certifications.
- 11.2.5 During the Planning Commission regular meeting, the Planning Commission will review the required formal documents and any other material submitted for conformity to these regulations, and negotiate with the Developer changes deemed advisable and the kind and extent of improvements to be made in the proposed development. After such review and negotiation, the Planning Commission, by a vote of the quorum present, shall express their approval or disapproval of the proposed development. If approved, the minutes shall record the approval and any conditions of such approval. If disapproved, the minutes shall record the disapproval and the reasons therefore.
- 11.2.6 Whenever the Planning Commission grants Preliminary Plat Approval, the Town Planner will submit a request for approval of the same at the next regular meeting of the Board of Aldermen.
- 11.2.7 The action of the Planning Commission and any conditions thereof shall be noted in the official minutes of the Planning Commission and on copies of the Preliminary Plat. Two (2) copies of the plat shall be returned to the Developer and six (6) copies retained by the Planning Commission for distribution.
- 11.2.8 Preliminary approval of the development does not constitute any final approval, nor shall any documents (such as preliminary plat, site plan, or master document) be recorded in the Lafayette County Chancery Clerk's office. No lots or units shall be sold or recorded until Final Plat approval by the Board of Aldermen has been granted and any conditions thereof have been satisfied. (Continued on next page).

Preliminary approval of the development by the Planning Commission shall constitute authorization for the Developer to proceed with construction of the proposed improvements subject to inspection by the Town Engineer and/or other designated representative of the Town or agencies which have a lawful interest in the development. All construction shall be done in conformance with the approved formal documents.

- 11.2.9 Preliminary approvals granted by the Planning Commission and the Board of Aldermen are valid for two (2) years from the date of approval by the Board of Aldermen. If construction of the proposed improvements is not completed and final approval requested within that time, the Developer must resubmit to the Planning Commission for preliminary approval or request in writing an extension of the preliminary approval. Extensions may be granted for a period not to exceed six (6) months and no more than two extensions will be granted per development.

11.3 Final Plat Approval

- 11.3.1 After Preliminary Plat approval has been granted, twelve (12) copies of the proposed final plat must be filed no later than the first Monday of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first Monday falls on a holiday, the filing deadline is extended to the next business day.
- 11.3.2 All documents and covenants submitted for final approval shall conform substantially to the documents given Preliminary Plat approval. If desired by the Developer, the proposed Final Plat may constitute only that portion ("phase") of the approved Preliminary Plat, which he proposes to record and develop at the time, provided that such portion conforms to all requirements of these regulations.
- 11.3.3 The Developer shall also submit for review declarations, restrictions, and covenants that set forth the Developer's legally binding commitments concerning the type of development to be built and include provisions for maintenance of common areas during construction of the development by the Developer and, after the development is completed, by an owners association. It shall also set forth how the Developer conveys the responsibility for common areas and prescribe the financial means for supporting future upkeep of all areas of collective benefit. Such provisions shall be in conformity to the provisions set forth in Appendix 9, hereto.
- 11.3.4 It shall be the duty of the Planning Commission to examine the Final Plat to be certain that it conforms to existing streets, drainage and utility systems and that all conditions set forth on the preliminary plat have been satisfied, including any conditions established by the Planning Commission. After review and approval of the Final Plat by the Planning Commission, the Plat shall be forwarded to the Board of Aldermen with a recommendation for approval.
- 11.3.5 The Final Plat may be on several sheets accompanied by an index sheet showing the entire subdivision. The Final Plat shall be prepared at a scale of one (1) inch equals one hundred (100) feet and shall show the following:
- 11.3.5.1 Primary control points, or descriptions and "ties" to such control points to which all dimensions, angles, bearings, and similar data on the plat shall be referred;
- 11.3.5.2 Monuments, tract boundary lines, right-of-way lines of streets and easements and property lines of residential lots and other sites. Sufficient data to determine readily and reproduce on the ground any line on the map, including accurate dimensions, bearings, deflection angles and radii, acres, and central angles of all curves;
- 11.3.5.3 All data shown on the approved Preliminary Plat;
- 11.3.5.4 Location and description of boundary monuments;

- 11.3.5.5 Title, graphic scale, north arrow (true north) and date;
- 11.3.5.6 Declarations, restrictions, and covenants as required in this Ordinance;
- 11.3.5.7 When covenants are not recorded on the final plat, the recording information showing book and page number(s) for Protective Covenants shall be shown on the Final Plat;
- 11.3.5.8 If private roads are used in a subdivision a statement must be included on the final plat that states "All roads in this subdivision are private and will be maintained by the lot and homeowners of this subdivision. If at any time these roads are requested to be Town roads they must be brought up to the Town standards that are in place at the time of the request and paid for by the Owner. The roads would be inspected and if approved by Town Engineer and Road Manager, then the request would be sent to the Town Board of Aldermen for approval. This statement must also be included in all deeds for the sale of lots in the subdivision.
- 11.3.6 In accordance with these regulations, the following Engineer's and Surveyor's Certificates shall be affixed to, sealed and attested to by the person or persons responsible for the design and surveying on the Final Plats:

Engineer's Certificate

It is hereby certified that this plat is true and correct, is in conformance with the design requirements of the Subdivision regulations and specific conditions imposed on this development, and takes into account all applicable federal, state and local laws and regulations.

By: _____(Seal)(Date)

Mississippi Certificate No. _____

Surveyor's Certificate

I hereby certify that this is a true copy of the plat was approved by the Board of Aldermen in session on _____.(Date)

By: _____(Seal)(Date)

Mississippi Certificate No. _____

- 11.3.7 Road Acceptance by the Town. The acceptance of the final plat by the Town of Taylor Board of Aldermen does not constitute acceptance of the roads depicted on this plat for road maintenance purposes. Acceptance of the platted roads for maintenance purposes is a matter of separate Board of Aldermen action as set forth in this Ordinance.
- 11.3.8 The Final Plat shall also provide for signatures of the Mayor of the Town of Taylor, the Chairman of the Town Planning Commission, and the Chancery Clerk (attest).
- 11.3.9 Final approval shall not be granted by the Planning Commission or the Board of Aldermen until the Developer has made full provisions for sewer service under the requirements of this standard. Where applicable, the Developer shall place the required declaration on the Final Plat or shall complete construction of the sanitary sewer system and provide the Town Planning Department with a copy of a permit to operate from DEQ, or provide a letter certifying that a certified utility is providing sewer service.

11.3.10 Final approval of a subdivision plat shall not be granted by the Planning Commission or the Board of Aldermen until the Developer has done one (1) of the following:

11.3.10.1 Completed construction of all improvements (excluding sewer) as approved on the Preliminary Plat and if completed, provided a maintenance bond to cover normal wear and tear on the improvements and assure satisfactory condition of the required improvements at time of acceptance, or

11.3.10.2 Posted a bond to ensure installation of all required improvements, complying with the following procedures and conditions:

11.3.10.2.1 The Developer shall sign an agreement with the Board of Aldermen agreeing to install or provide the required improvements and shall file a bond with the Board of Aldermen in the amount of 1.15 times the cost of improvements as described below. The costs of improvements will be based upon a construction cost estimate provided by the Developer's Engineer with concurrence from the Town Engineer. The agreement and bond shall be sufficient to secure the construction of the required improvements listed in this Ordinance and approved on the Final Plat in a satisfactory manner and within a period specified by the Board of Aldermen, such period not to exceed two years, unless the Board of Aldermen, in its discretion, agrees to extend the time for completion of the required improvements an additional one year period. No such bond shall be accepted unless it is enforceable by or payable to The Town of Taylor in a sum at least equal to the amount specified in the agreement and in a form with surety and conditions approved by the Attorney for the Board of Aldermen. The surety on the bond shall provide written acknowledgement that the bond shall not be cancelable unless and until the Town provides written notification to the surety that the infrastructure improvements to which the bond applies have been satisfactorily completed. When the Developer's Engineer does not estimate the cost of improvements, the Town Engineer shall determine the amount of the bond.

11.3.10.2.2 The Developer may provide an irrevocable letter of credit (LOC) in lieu of a bond. In that event, the Developer shall make adequate arrangements to maintain the LOC until such time the Town Engineer determines the infrastructure improvements have been satisfactorily completed within two years.

11.3.10.2.3 In the event the LOC contains a date of expiration, the Developer shall provide a written and timely report to the Planning Commission on the status of all infrastructure improvements on or before ninety (90) days prior to the expiration of the LOC.

11.3.10.2.4 If, in the opinion of the Town Engineer, the Developer fails within said time period, to provide either: a). a renewal LOC or b). reasonable assurances that the infrastructure improvements will be timely and satisfactorily completed, the Town Engineer will recommend that the Town take all steps to call the LOC and require the payment of the funds secured by the LOC to the Town which shall deposit the funds in an account as security for the satisfactory completion of all improvements by the developer.

11.3.10.3 All subdivision road improvements shall be completed with the final lift (for a minimum total thickness of three [3] inches of hot mix asphalt) within two years from the recording of the approved Final Plat.

11.3.10.4 All road bond amounts approved by the Town Engineer shall automatically increase by five percent (5%) each year at time of renewal, beginning with the first bond renewal.

11.3.10.5 Developers shall submit a plan for a construction vehicle entrance to be used for all construction vehicle ingress in order that adjoining roads will not be damaged and/or the developer shall be required to post bond for potential damages to existing roads. In new subdivisions, where access to proposed lots is through an existing subdivision and where a new street or road is also proposed which connects the subdivision to an existing the Town road or state highway, the Developer shall utilize the new street or road connecting to the Town road or state highway for all construction vehicles during the period of construction of all improvements within the subdivision. The Developer shall install and maintain signs at the connection point of any new street or road within the subdivision to existing streets or roads within any adjoining subdivision. Such signs shall read **“ALL CONSTRUCTION VEHICLES MUST USE CONSTRUCTION ENTRANCE”**. A sign shall also be installed and maintained at the connection point of the subdivision with such the Town road or state highway which reads **“CONSTRUCTION ENTRANCE”**. At the time of sale of any lot, the Developer shall notify the purchaser that all construction vehicles shall use the construction entrance for construction of any building within the subdivision. The Developer shall continue to maintain such signs and notify purchasers of the construction vehicle requirement until such time as 90% of the lots within the new subdivision are sold. Failure to comply shall result in suspension of building permits to the violator, or the developer or the lot owner, and/or the requirement of additional road bonds on existing streets, roads, etc. other than construction of the new subdivision roads.

11.3.11 Street names and traffic signs to be installed prior to Final Plat Approval and verified by The Town Planner or The Town Engineer by signed statement.

11.3.12 Prior to Final Plat approval and submission of any required bond, no lots shall be conveyed by the Developer and no building or related permits shall be issued.

11.4 Final Plat Recording Procedure:

11.4.1 Following the granting of final approval by the Planning Commission and the Board of Aldermen, the Developer shall submit to the Town Planning Office an original copy of the approved Final Plat containing all of the necessary signature blocks, certificates, and seals, along with any agreements, covenants, and bonds and an attorney's certificate of title certifying title to the land subdivided valid as of the hour and day of recording. Original copies shall be drafted or reproduced on a stable base 4 ml. double matte drafting film. A digital copy shall be provided to the Town Planning department in a format approved by the Town Planner.

11.4.2 The Town Planning Staff will collect the signatures of the Chairman of the Planning Commission and the President of the Board of Aldermen.

11.4.3 The Plat shall not be recorded until the Chancery Clerk has ascertained that all requirements above have been met, all fees pertaining to the application and filing process have been paid, and the Chancery Clerk attests approval together and records the date of the Final Plat approval by order of the Board of Aldermen.

11.4.4 The Planning Department shall retain eight (8) prints. Six (6) of these prints shall be distributed with one (1) print each to the County Health. Department, Lafayette County Ambulance Service, County Fire Department, Tax Assessor, Sheriff Department; and County Maintenance Department. Two (2) copies shall be retained by the planning Department.

11.3.7 Road Acceptance by the Town. The acceptance of the final plat by the Town of Taylor Board of Aldermen does not constitute acceptance of the roads depicted on this plat for road maintenance purposes. Acceptance of the platted roads for maintenance purposes is a matter of separate Board of Aldermen action as set forth in this Ordinance.

11.3.8 The Final Plat shall also provide for signatures of the Mayor of the Town of Taylor, the Chairman of the Town Planning Commission, and the Chancery Clerk (attest).

- 11.3.9 Final approval shall not be granted by the Planning Commission or the Board of Aldermen until the Developer has made full provisions for sewer service under the requirements of this standard. Where applicable, the Developer shall place the required declaration on the Final Plat or shall complete construction of the sanitary sewer system and provide the Town Planning Department with a copy of a permit to operate from DEQ, or provide a letter certifying that a certified utility is providing sewer service.

11.5 Acceptance of Roads

11.5.1 Dedication and Acceptance Standards.

11.5.1.1. Dedication Threshold. Unless exempted by The Town of Taylor, all roads intended to be public roads in a subdivision (or within each plat of a phased subdivision) shall be submitted for acceptance when construction is complete (as determined by the Town of Taylor Board of Aldermen) on 75% of the subdivision or phase plat. Such construction shall include (but is not limited to) roads, sidewalks, buildings, driveways, and residences.

No new phases of a phased subdivision shall be considered for approval until all existing fully paved roads in the subdivision are either submitted for acceptance, covered by a maintenance bond, or exempted by The Town of Taylor from a maintenance bond requirement. A phased plan for acceptance of roads shall be required for any phased subdivision granted exemption.

11.5.1.2. Maintenance Bond Required. All construction of roads and related infrastructure shall be guaranteed for a period of one (1) year after acceptance by The Town of Taylor, subject to normal wear and tear. A maintenance bond shall be required in order to assure the satisfactory condition of the required improvements. The maintenance bond shall continue to be in effect for a minimum of one (1) year after the date of acceptance of the subdivision roads. The Town may require additional one (1) year maintenance bond if The Town of Taylor deems the additional year necessary.

- 11.5.2 For a phased subdivision where the Developer does not provide a construction entrance for subsequent phases, the Town may require that the maintenance bond continue to be in effect for one year beyond completion of 75% of said lots in subsequent phases. The Town may also require that the amount of the maintenance bond be increased based upon the recommendation of the Town Engineer.
- 11.5.3 When all of the required improvements have been constructed, including traffic safety and E911 signs, the Developer shall contact the Town Engineer for a final inspection and shall provide in writing certification from the Developer's Engineer that the final improvements have been installed according to Town specifications. The Town Engineer shall inspect the subdivision roads and make a written report, a copy of which is to be provided to the Developer and the Board of Aldermen.
- 11.5.4 Upon the recommendation of the Town Engineer for road acceptance, the Town Planner will present a request to accept the roads to the Board of Aldermen. Once the Board of Aldermen votes to accept the roads and the acceptance is recorded in the official minutes of the Board of Aldermen, the Town will become responsible for maintenance.
- 11.5.5 The maintenance bond will be released by order of the Board of Aldermen when the subdivision receives an approved final inspection report from the Town Engineer, on the designated road inspection. The Board of Aldermen on recommendation of the Town Engineer may reduce liability on the bond as work progresses and after acceptance, the Board of Aldermen may reduce the bond to such amount as the Town Engineer and/or Road Manager deems sufficient to guarantee performance of the warranty. The amount of the maintenance bond will be based on 20% of the cost of the work bonded and will be bonded for 1 year (continued on next page).

This maintenance bond/letter of credit is to insure against major problems that could result in significant cost to The Town of Taylor for repairs. The bond/letter of credit is not for minor repairs such as potholes, but major problems that could result from failure of underground pipe, inlets, large asphalt failures due to poor workmanship of product failure. The maintenance bond may be called upon by the Board of Aldermen if it is determined by the Town Engineer that the repairs are considered significant or the total dollar aggregate for "minor" road repairs exceeds One Thousand Dollars (\$1,000) for the one year period.

11.6 Appeal Procedure.

If the Planning Commission does not approve a preliminary or final plat, the Developer may appeal to the Board of Aldermen. The Developer shall submit a written request for appeal to the Town of Taylor Planning department no more than ten (10) working days after the adverse decision. The written request shall clearly explain the reason for the appeal and provide sufficient documentation to allow the Board of Aldermen to fully consider the merit of the appeal.

11.7. Exceptions to Subdivision Standards.

11.7.1. Whenever a tract to be subdivided is of such unusual size or shape; or in the interest of the preservation of existing trees or other natural beauty; or such tract is surrounded by such development or unusual conditions that the strict application of the requirements contained in this ordinance would result in real difficulties or substantial hardship or injustice; the Governing Authority, after report by the Planning Commission, may vary or modify such requirements so that the subdivider may develop his or her property in a reasonable manner; but also so that the public welfare and interests of the Town and the general intent and spirit of this ordinance are protected.

11.7.2. **Minor Subdivision Changes.** In certain instances, noted below, where no new buildable lots are to be created, authorization for subdivision modifications may be granted by the Town Planner and Town Engineer (as applicable). In all instances noted, a letter requesting the modification which describes the proposed change must be submitted to the Town Clerk for review by the Town Planner and Town Engineer, who will determine if the minor subdivision process would be allowable.

11.7.2.1. **Reduction in Lot Size.** A proposed division of land which reduces the size of an existing undeveloped lot will need authorization to ensure that the lot will still meet the lot size requirement of the applicable zoning district.

A division of land that reduces the size of an existing developed lot will need authorization to ensure that the lot will still meet size requirements for the use in the applicable zoning district. If not, it may require approval of a new or revised site plan.

11.7.2.2. **Minor Addition to Lot Size.** Adding additional land to an existing lot will need authorization to ensure that it does not create a lot large enough to be eligible for further subdivision in the applicable zoning district. If the land from which the expansion is taken is an already platted lot, a new subdivision creating two new lots will be required following the formal subdivision approval process.

11.7.2.3. **Lot Combination or Land Exchange.** A sale or exchange that combines parcels of land between one or more owners of adjoining properties will need authorization to ensure that additional lots are not created, and that the resulting parcels are not less than the minimum sizes required by the zoning regulations. This provision does not apply to land exchanges in existing subdivisions or any other action that would by default create a subdivision of developable lots.

11.7.3. **Large Lots in the Agricultural District.** See Chapter 5, Section 5.10 for exception standards for creating large residential lots in the Agricultural Zoning District.

11.8. Revisions to Recorded Subdivision Plats.

11.8.1. Errors. The Developer may correct errors on recorded subdivision plats by making a written request to the Board of Aldermen to have such correction made. The Board may direct that the correction is made directly on the existing recorded plat, or they may direct that a complete new plat be filed as in **Revision of Plats** below.

11.8.2. Revision of Plats. The Town of Taylor Board of Aldermen on the recommendation of the Planning Commission and on such terms and conditions as it imposes may authorize revision of recorded plat combining lots, changing lot lines or calls, correcting errors and other revisions on application by the owners of the lots being changed.

The corrected plat shall be filed as a separate revision of the subdivision to include a notation attached to the originally recorded plat showing revisions made and location of corrected plat; and a title certificate may be required on the corrected plat.

11.8.3. Vacation of Plats.

11.8.3.1. Any recorded plat or portion thereof may be vacated by the Developer at any time before the sale of any lot therein, by a written request to the Planning Commission with a copy of such plat attached. Such written request shall be approved by the Planning Commission and the Board of Aldermen and recorded in the Office of the Chancery Clerk. The Board of Aldermen may reject such request which destroys any public rights in any of its public uses, improvements or streets. The recorded vacation of plat shall destroy the effect of the recorded plat and shall divest all public rights in streets, public grounds and all dedications provided in such plat;

11.8.3.2. When lots have been sold, the recorded plat may be vacated in the manner described in Paragraph A, provided all the owners of lots in such plat join in the execution of such written request. A title certificate shall be included with the written request to the Planning Commission, along with a copy of the recorded plat.

12 SITE PLAN APPROVAL PROCESS

12.1. Actions Requiring Site Plan Approval. Site Plan review shall be required for all new or substantial modifications to commercial development proposals, multi-family development proposals (including condominiums, apartments, and rental complexes), mobile home development, motels, hotels, Recreational Vehicle developments, proposed changes in zoning districts, and in subdivisions proposed in applicable districts. Site Plan review shall also be required for the construction, alteration, or expansion of any parking area for vehicles, commercial uses, multi-family residences, or institutional uses.

12.2. Site Plan Approval Process. All site plans are to be approved by the Planning Commission, with the advice of the Town Building Official, the Town Planner, and any consultants hired by the Town to review the site and building plans.

12.3. Site Plan Submittal Standards. A site plan shall be submitted, drawn to a scale of not less than two hundred (200) feet to the inch and shall include the information listed below:

12.3.1. Property boundary lines and dimensions, topography and location map;

12.3.2. Natural conditions including the general location and extent of tree cover; location and extent of water courses, marshes and flood plains on or within 100 feet of the subject property; existing natural drainage patterns and soil conditions;

12.3.3. A general grading and landscape plan including the location of major existing trees and vegetation that is to be retained;

12.3.4. The general location and maximum number of lots or sites to be developed or occupied by buildings;

12.3.5. Arrangement and size of buildings and the general use of the property;

12.3.6. Areas to be developed for parking, unloading, drives, walkways, or other circulation improvements;

12.3.7. The proposed circulation movements of delivery and passenger vehicles and pedestrians on the property, and to and from existing streets;

12.3.8. The approximate location of points of ingress and egress and access streets, where required;

12.3.9. The general location and maximum amount of area to be devoted to common open space and to be conveyed, dedicated, or reserved for parks, playgrounds, public buildings, and other common use areas;

12.3.10. General locations and types of utilities and easements including storm drainage as well as general details of all surfaced areas;

12.3.11. The approximate location and general description of type of landscaping, planting or fencing and other treatment to provide buffers to surrounding property;

12.3.12. A tabulation of the maximum floor area to be constructed and the proposed maximum floor area ratio;

12.3.13. A general traffic analysis, estimating the traffic volumes and movements to and from the completed project from the boundary streets;

12.3.14. A written statement describing the relationship of the proposed planned project to the comprehensive plan and how the proposed project is to be designed, arranged and operated to minimize adverse impacts on neighboring properties;

12.3.15. A preliminary time schedule for completion of the entire project. If the proposed development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating: (a) the approximate date when construction is expected to begin; (b) the order in which the phases of the project will be built; and (c) the minimum area and the approximate location of common open space and public improvements to be required at each stage;

12.3.16. A statement of financial responsibility describing what bond, credit, escrow or other assurance the applicant proposed in order to ensure the proper completion of the planned district within the proposed time schedule and required open space and improvements; and

12.3.17. A statement describing the proposed means of assuring the continued maintenance of common open space or other common elements and governing the use and continued protection of the planned project.

12.4. Preliminary Site Plan Review

12.4.1 The Developer applicant shall file with the Town Planning Office his declaration and application for development approval. The request to be placed on the Planning Commission agenda shall be filed no later than the first Monday of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first Monday falls on a holiday, the filing deadline is extended to the next business day. The applicant shall submit to the Planning Commission through the Town Planning Office a conceptual drawing, or sketch plat, showing the boundaries of the proposed development, its relationship to surrounding properties, natural features on the site and surrounding area, and the proposed street and lot pattern, and the proposed types of land uses planned. The sketch may also include topography. The conceptual drawing shall illustrate the entire proposed development and illustrate all phases of the development. The applicant must state his intentions regarding development or improvement of private or public roads.

12.4.2. Within two weeks of receiving application for site plan approval, the Town Planning Department will place a conspicuous sign in a clearly visible spot on or near the property to be developed that will declare the nature of the planned development and the date and time upon which the Developer will appear before the Planning Commission.

12.4.3. The applicant shall also provide information concerning property maintenance responsibilities through restrictions, covenants, condominium association, etc. The purpose of this step is to provide the Developer the opportunity to consult early and informally with the Planning Staff and Planning Commission before preparation of a Final Site Plan and to make the Planning Staff and the Developer aware of potential problems involving the proposed development. After review by the planning staff, the Developer must meet with the Planning Commission to discuss in detail the proposal.

12.4.4. The Developer shall conduct a traffic impact study and provide a report to the Planning Department for residential developments having more than 20 units.

12.4.5. The Developer shall consult with other agencies having an interest in the development such as the County Health Department, environmental regulatory agencies, county fire department, and all utility providers to determine the availability of services and compliance with regulations of those agencies.

12.4.6. Setback and landscape buffer will be 30 feet to all adjoining property owners and within this 30 foot setback and buffer existing trees will be retained or new trees will be planted along the perimeter and shown on the site plan, a six foot high fence may be installed where screening is necessary. Required screening will be designed to achieve an opacity sufficiently commensurate with the density of the vegetation which existed prior to site development or in order to enhance compatibility with surrounding uses. The front, side and rear setback to the building will be 30 feet which can be penetrated by drives; and parking may be allowed in the setback 10 feet from the property line.

12.5. Final Site Plan Review

12.5.1. After the Preliminary Site Plan review process has been completed, applications for Final Site Plan Review for condominiums, apartments, or commercial complexes must be filed no later than the first Monday of the month to be heard at the next regularly scheduled meeting of the Planning Commission. If the first Monday falls on a holiday, the filing deadline is extended to the next business day.

12.5.2. If the Developer applicant decides to combine Preliminary and Final Site Plan Review, then all applicable provisions the Preliminary Review must still be satisfied.

12.5.3. The Developer shall submit the following to the Planning Department:

12.5.3.1. Application form;

12.5.3.2. Filing fee and the fees established for Construction Inspection fees (erosion control compliance);

12.5.3.3. Seven (7) copies of the Project Site Plan, drawn to scale of 100 feet to the inch;

12.5.3.4. Two (2) copies of construction plans and technical specifications;

12.5.3.5. Completed site plan approval checklist form and all supporting documents;

12.5.3.6. Any variance requests, in written form only.

12.5.4. All apartment complexes and motel/hotel or condominium complexes with three (3) or more attached units shall have hard-wired smoke alarms and sprinkler systems in each unit and all units shall be separated from each other by a one-hour rated fire wall.

12.5.5. For the purpose of road construction applicable commercial developments shall be classified as a subdivision of land. Therefore, the Developer shall construct all proposed streets, driveways and parking lots for customer service according to the applicable design and construction requirements contained within this Ordinance regardless of whether the streets are to be private or public. If the Developer intends for the streets to be public, then dedication of appropriate right-of-way and/or easement will be required.

12.5.6. The Planning Commission will utilize the following criteria in considering proposed Site Plans:

12.5.6.1. The completed Site Plan Approval checklist and all supporting documentation shall be provided no later than the required deadline;

12.5.6.2. Ingress/Egress considerations: Vehicle and pedestrian safety design, traffic flow and control, utility servicing, emergency access. Off-street parking spaces shall have unobstructed access to a public street or driveway and all driveways shall be of sufficient width to permit easy movement of vehicles into and out of such parking spaces. There should be ample parking spaces per number of bedrooms for developed housing units, a minimum of 1 space per bedroom;

12.5.6.3. Drainage considerations: The development shall not adversely affect neighboring properties or public storm drainage systems, should use sound engineering and ecological practices, and should mitigate flooding and erosion. The development should avoid generating odor and air pollutants at the development site. The development shall comply with the design standards in this Ordinance;

12.5.6.4. Ownership and maintenance of common areas: Provisions must be made for control and maintenance of common properties and open spaces as proposed in development plans. Such provisions shall be in conformity to the provisions set forth in the Subdivision Covenants, hereto;

12.5.6.5. Utilities: The provision of service utilities, whether public or private, must be illustrated and proper for the size of development, and meet required health and safety standards. This includes provision for all solid waste removal.

12.5.7. Site Plan documents and other requirements for approval on CONDOMINIUM, APARTMENT, RENTAL, COMMERCIAL, OFFICE, RETAIL, and INDUSTRIAL complexes and developments shall include the following as a minimum:

12.5.7.1. Graphic survey plot of the development boundary indicating the bearings and distances along the perimeter and the mathematical closure of the survey;

12.5.7.2. Proposed rights-of-way to be dedicated to The Town of Taylor;

12.5.7.3. Proposed easements (with location indicated by bearing and distances if not parallel to boundary lines) indicating width and purpose;

12.5.7.4 Proposed structure locations with number of units per structure for assignment of E-911 addresses;

12.5.7.5. Vicinity map at a minimum scale of one (1) inch equals one thousand (1,000) feet showing the location of the proposed development and names of adjoining street/roads;

12.5.7.6. Location of points of ingress/egress that connect to existing public right-of-way with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and provision of adequate parking for residents and guests;

12.5.7.7. Adjacent property boundaries with existing structures and any significant features located in relation to the development boundary;

12.5.7.8. Watercourses and marshes shall be indicated with notation regarding Corps of Engineers jurisdictional determination under Section 404 of the Clean Water Act;

12.5.7.9. The Developer's Engineer shall delineate any wetlands as defined by the U.S. Corps of Engineers that are within the platted area, and if so, the Developer will ensure that the development complies with all appropriate state or federal regulations pertaining thereto;

12.5.7.10. Flood level information showing contours for the "100 Year Frequency Flood Elevations" and "Floodways" if any part of the proposed development lies within either. Site Plan must contain a statement that the 100-Year Flood Frequency Contour does not lie within the development boundary if not graphically indicated;

12.5.7.11. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent properties;

12.5.7.12. Location of existing and proposed utilities for the development along with the connection location with the utility provider;

12.5.7.13. Letters of agreement to provide service from the appropriate utility provider(s);

12.5.7.14. Title of the proposed development, graphic scale, and north arrow;

12.5.7.15. Declarations, restrictions, and covenants that set forth the Developer's legally binding commitments concerning the type of development to be built and include provisions for maintenance of common areas during construction of the development by the Developer and after the development is completed by an owners' association. It shall set forth how the Developer conveys the responsibility for common areas and prescribe the financial means for supporting future upkeep of all areas of collective benefit;

12.5.7.16. The Developer shall be responsible for cleaning up all construction related material on a daily basis at the project site and shall not permit waste materials, dirt and debris to be placed or remain in a public right-of-way. Violators of this requirement shall be prosecuted for placing obstruction on a public right- of-way and shall be required to pay for the costs of removal of such material if removed by the Town;

12.5.7.17. Vegetation and tree retention plan-Existing vegetation and trees should be shown on an aerial photo map(available from Lafayette County or Computer maps)Vegetation and trees to be retained along boundary lines, road frontage, creeks, rivers and major drainage ways should be so marked on aerial photo map. Vegetation and trees shall be retained where feasible;

12.5.7.18. Setback and landscape buffer will be 30 feet to all adjoining property owners and within this 30 foot setback and buffer existing trees will be retained or new trees will be planted along the perimeter and shown on the site plan, a six foot high fence may be installed where screening is necessary. Required screening will be designed to achieve an opacity sufficiently commensurate with the density of the vegetation which existed prior to site development or in order to enhance compatibility with surrounding uses. The front, side and rear setback to the building will be 30 feet which can be penetrated by drives; and parking may be allowed in the setback 10 feet from the property line;

12.5.7.19. Paving on Site Plan – The right-of-way that provides the ingress and egress must be paved to the property line and if the property has a positive slope of 5% to the road or highway an additional 20 feet of the drive must be paved;

12.5.7.20. A Landscape plan must be provided for all site plans showing vegetation and open spaces, a minimum of 20% of site must be vegetated open space. Buffer area in the setback to adjoining property owners must have a detailed landscape plan and provide screening. The Landscaping Plan shall include as a minimum the following:

12.5.7.20.1. Planting areas drawn to a scale and plants clearly located and labeled. A plant list shall include the following:

- a. Common name of all trees and shrubs to be used;
- b. Size to be planted (gallon size);
- c. Quantity of each to be planted;
- d. Location, name and size of all existing trees and shrubs that are to be incorporated as part of the landscape plan.

12.5.7.20.2. Irrigation facilities are encouraged to maintain plant materials at all times. Use of automatic watering systems is encouraged to facilitate maintenance. Hose bibs shall be located within serviceable proximity to every planter where fixed and/or automatic water systems are not employed;

12.5.7.20.3. A continuous maintenance program shall be provided by the developer for the landscape areas. The plan shall include repair or replacement as needed for the life of the development;

12.5.7.20.4. All approved landscaping shall be installed or financial assurance provided to the Town in an amount sufficient to fund the total cost of the required landscaping.

12.6. Appeal Procedure.. If the Planning Commission does not approve a site plan, the Developer may appeal to the Board of Aldermen. The Developer shall submit a written request for appeal to the Town of Taylor Planning department no more than ten (10) working days after the adverse decision. The written request shall clearly explain the reason for the appeal and provide sufficient documentation to allow the Board of Aldermen to fully consider the merit of the appeal.

13 DESIGN STANDARDS

13.1. Purpose: It is the intent of the Town of Taylor Mississippi Design Standards is to promote a more pro-active growth and development strategy for the purpose of maintaining the long-term economic vitality of the community, as well as its quality of life. Compliance with these standards is required in order to secure a building permit for any commercial, multiple-family residential, industrial or institutional buildings within the Town Limits of Taylor, Mississippi. The Town of Taylor strongly encourages interesting, articulated, and high quality structures. Long or continuous wall planes should be avoided. Buildings should exhibit detail and elements appropriate for pedestrian view.

13.2. Actions Requiring Development Plan Design Approval.

The following development actions require the submission of a development plan for design review under the terms of these standards:

13.2.1. All new construction, additions, change in exterior appearance, exterior alteration, or change in use for either land, buildings, or buildings and land in combination for all categories of commercial, multiple- family, institutional and industrial uses;

13.2.2. The construction, reconstructions, alteration, or expansion of a parking area for automobiles, trucks, trailers, recreational vehicles, mobile homes, manufactured homes or other vehicles, whether for customer parking, sales, or temporary or long-term storage; and

13.3.3. Fences, signs, landscaping requirements, and curb cuts not otherwise reviewable in this Ordinance.

13.3.4. **Off-Site Improvements.** Where off-site roadway or utility improvements are required as a result of the proposed development (due to impact), those improvements shall be the responsibility of the applicant, and shall be constructed or installed prior to any final inspection or the issuance of an occupancy permit.

13.3. Exemptions. The following are exempt from these guidelines:

13.3.1. Single-family residences and all accessory structures appurtenant thereto;

13.3.2. All permits for plumbing, heating, air conditioning, elevators, fire alarms and extinguishing equipment, and all other mechanical and electrical equipment when such work is entirely within the interior of a building, or when located outside of the building, but buried beneath the surface of the earth;

13.3.3. All permits for interior alterations, repairs or renovation; and

13.3.4. All permits for demolition or wrecking.

13.4. Approval Process.

13.4.1. The Planning Commission is hereby established as the Site and Design Review Committee. All development plans requiring design approval, as established above, are to be approved by the Planning Commission, with the advice of the Town Building Official, the Town Planner, and any consultants hired by the Town to review the site and building plans. With such advice, the Planning Commission may act upon submission under these Design Standards.

13.4.2. Appeals of Decisions. Any person or persons aggrieved by any decision of the Planning Commission may appeal such decision as described in Sec. 18.5.

13.5. Design Standards.

13.5.1. Lighting.

13.5.1.1. Illumination shall be appropriate to site activities and site location. The minimum amount of illumination necessary for safety should be used. Exterior lighting of the building and site is to be designed so that light is not directed off the site and the light source is fully shielded from direct off-site viewing.

13.5.1.2. Exterior light sources may not be exposed and must be shielded from view, down cast and parallel with the ground. All luminaries (the complete lighting unit, consisting of the light source and all necessary mechanical, electrical and decorative parts) shall be "cut-off type" luminaries with elements such as shields, reflectors, or refractor panels which direct and cut off the emitted light at an angle of ninety degrees or less.

13.5.1.3. No exterior lighting fixture of any kind shall be so placed or directed such that the direct or reflected light therefrom shall interfere with the operation of automotive vehicles on any adjacent street.

13.5.1.4. No exterior light shall have any blinking, flashing, or fluttering light, or other illuminating device which has a changing light intensity or brightness of color.

13.5.1.5. Exterior lighting is to be architecturally integrated with the building style, materials, and colors.

13.5.1.6. Lighting fixtures, whether mounted upon a building or independently upon a light standard, shall not exceed twenty-five feet (25') in height.

13.5.1.7. Use of low, bollard-type lighting and landscape accent lighting is encouraged.

13.5.1.8. Raised light pole bases are to be attractively designed and detailed to be compatible with the overall project. Bases must be in a neutral color.

13.5.1.9. Building mounted artificial light sources are to be shielded from public view, except for low intensity decorative lighting not exceeding forty-five (45) watts per bulb.

13.5.1.10. All exterior lighting must be listed by the developer on site plans, including a detailed lighting plan that includes the type, number, brightness, and type of cutoff/shielding for all fixtures.

13.5.2. Utilities. All on-site utilities shall be installed underground. Surface transformer switching pads shall be located and screened to be unobtrusive.

13.5.3. Screening.

13.5.3.1. All exterior trash and storage areas, loading docks and ramps, and service areas are to be screened from view in a manner that is compatible with the building and site design. Screening materials should be the same as the primary building materials. The location of such services should be sited with limited visibility to public view and/or adjacent properties. Trash dumpsters and trash receptacle areas are to be screened on three sides and gated.

13.5.3.2. Garbage collection areas shall be located at the rear of buildings. The following criteria shall also apply:

13.5.3.2.1 Dumpster enclosures shall be located on a concrete pad, of such size as recommended by the disposal company;

13.5.3.2.2. The approach to the dumpster area shall be sufficient to support the weight and continual use of the garbage collection vehicle;

13.5.3.2.3. The screening on all enclosed dumpsters shall be a minimum of two (2) feet taller than the dumpster;

13.5.3.2.4. For compaction units, a floor drain shall be provided which ties to the sanitary sewer (of the project);

13.5.3.2.5. If the dumpster enclosure is not of sufficient size to accommodate all refuse materials to be recycled, such as grease barrels for restaurants and used oil barrels for automotive uses, a separate enclosed pad of the same specification as the dumpster enclosure must be provided;

13.5.3.2.6. The use of chain-link fences with slats as a screening device for garbage collection areas is strictly prohibited.

13.5.3.3. Mechanical, communications, and service equipment, including satellite dishes and vent pipes, are to be totally screened from public view by parapets or walls. All building mounted equipment is to be screened by parapets or walls from ALL public views.

13.5.3.4. Setbacks for dumpster enclosures are the same as for any other structure in the zone in which the enclosure is located.

13.5.4. Sidewalks. Where the subject property does not already provide a public sidewalk, a five (5) foot wide sidewalk shall be constructed along the entire street frontage of the property. The sidewalk shall be constructed to align with existing sidewalks on adjacent properties. Where sidewalks are not yet present on adjacent properties, the sidewalk shall be constructed at least five (5) feet back from the curb to allow for green space and street trees. In the instance of a corner lot, the sidewalk will be constructed along both street frontages, with handicap access ramps constructed at the street corner.

13.5.5. Crosswalks. Crosswalks shall be provided both internally and externally to the development. Public

crosswalks shall be striped in conformance with the latest edition of the Manual on Uniform Traffic Control Devices. Private crosswalks, internal to the site, shall be delineated by materials of a different color and texture from the surrounding parking lot (brick, cobblestone, etc. preferred) or by white, reflectorized pavement striping.

13.5.6. Street Signs and Traffic Control Devices. When, as the result of the proposed project, street signs, traffic signals, or traffic regulatory signs are required, the applicant shall be responsible for the installation of such devices and signs, the design of which shall be integrated into the overall site design.

13.5.7. Retaining Walls.

13.5.7.1 The height and length of retaining walls should be minimized with appropriate landscaping. Retaining walls should be designed to incorporate elements of other architectural features or natural features of the project.

13.5.7.2. Materials utilized for the retaining walls should match the primary building material. Plantable walls allowing for growth of vegetation are encouraged.

13.5.8. Signs. All signs are to be architecturally integrated and complement their surroundings in terms of size, shape, color, texture and lighting. Signs are to complement the overall design of the building and are not to be designed to be in visual competition with other signs in the area. Signs must adhere to the Sign Regulations in Section 7 of this Ordinance.

13.5.9. Materials and Colors.

13.5.9.1. Materials should have good architectural character, be durable, and be selected for their compatibility with adjoining buildings and properties. Natural, traditional building materials are encouraged. Highly reflective and/or synthetic materials are discouraged.

13.5.9.2. Exterior materials should be selected based on their durability and appropriateness for their intended function. Special attention should be given to the durability of materials used around the ground floor of the building. Preferred building materials include stone, brick, cement board, cementuous stucco, and wood. The materials selected should require minimal maintenance. Their color should be integral to the material and not painted on (except in the case of wood). No more than three (3) painted or applied colors may be used on the exterior of any building. Colors of the predominate exterior surface material should be subdued, with natural tones and neutral colors predominating.

13.5.9.3. Exterior Insulating Finishing (EFIS) and concrete masonry should not be the predominant building material. EIFS should be used as a way to accentuate an architectural element and should be limited to areas not subject to damage or abuse (lower parts of buildings). Concrete masonry should be limited to split face or burnished units. Painted, flat-faced concrete masonry units are prohibited.

13.5.9.4. Architectural consistency of colors, materials and detailing is to be provided

between all building elevations. False or decorative façade treatments, where one or more unrelated materials are placed upon the building are prohibited. Large parapet walls should reflect the function behind them and should not be freestanding. All elevations need not look alike; however, a sense of overall architectural continuity is strongly encouraged.

13.5.9.5. Inconsistent adornment and frequent changes in material should be avoided.

13.5.9.6. All buildings should be designed to be compatible with the character of the community.

13.5.9.7. The maximum unbroken facades plane shall be fifty (50) feet for multiple-family residential uses, and sixty (60) feet for commercial and office uses. The wall of any such building shall be interrupted through the use of projections or recesses, portals, courtyards, plazas or other appropriate architectural conventions. The design of offsetting wall plane projections or recesses shall have a minimum depth of two (2) feet. h. No flat-faced cement block or metal surfaces shall be visible upon the exterior of any building.

13.5.9.8. Where pitched roofs are utilized, the primary roof form shall be on a slope of no less than 6/12. Porches shall be on a slope of not less than 3/12. Pitched roofs shall be shingled with wood textured composition shingles or architectural shingles. Roof design should be appropriate for the architectural style of the building. Enameled standing seam metal, flat tiles of concrete or clay, and copper metal, and galvanized tin roofs are permitted. All surfaces are permitted when the roof is concealed from public view by parapets (flat, built up or pitched roofs). The use of plastic, fiberglass, other metal, or glass, visible to public view, is strictly prohibited. The use of bright, high intensity colors is strictly prohibited.

13.5.9.9. The treatment of doors and windows shall be uniform throughout the building design, with the exception of designated fire doors located on the rear of the building.

13.5.9.10. Parapet facades may be used when of unified construction with the primary surface of the wall and of the same material and color. The parapet shall be design such that the reverse side of all elements shall not be visible to public view. False mansards are prohibited. Canopies are permissible provided they are an integrated part of the overall building design, are not used to create the impression of a false mansard, and are not used as a location or support for wall-mounted signage (painted signs on canopies are permitted).

13.6. Landscaping

Landscaping is used in parking areas to reduce heat radiated from paving, improve auto circulation and safety, and to screen parked automobiles from public view.

13.6.1. A consistent landscape treatment along public streets enhances the appearance of the public domain, and provides an attractive, unified setting for variations among individual developments. Landscaped areas should dominate the frontage of any site where entries are the only interruption. Although the type and nature of the landscaping between individual properties may vary, the design and depth of landscape areas shall be consistent as they transition from one property to another.

13.6.2. A minimum of one (1) large deciduous shade tree for every thirty-five (35) feet of lineal street frontage or portion thereof shall be planted upon the subject property within the area five (5) feet behind the street ROW line up to said street ROW line. The size of the trees at planting is to be 3½" caliper as measured six (6) inches above the ground.

13.6.3. Trees planted for the purpose of complying with the perimeter landscaping requirements shall not be double counted for compliance with the interior landscaping requirements.

13.6.4. **Ground cover.** Areas adjacent to streets and pedestrian walkways, as well as interior landscaped areas, shall be treated with grass, mulch or other types of vegetative ground cover.

13.6.5. **Irrigation.** In order to present a healthy, neat and orderly appearance, landscaped areas shall be provided with adequate irrigation for the maintenance of grass, shrubs, and trees by utilizing a sprinkler system or hose bibs.

13.6.6. Whenever possible, healthy existing trees should be maintained, as they are an amenity that increases the value of property and requires many years to replace. All existing trees eight (8) inches or larger or significant tree canopy, must be identified on the site plan.

13.6.7. The trees, shrubs, and other landscaping materials depicted upon the approved Development Plan shall be considered as elements of the project. The applicant and his successors, assign(s), and/or subsequent owners and their agents shall be responsible for the continued maintenance of all landscaping materials. Plant material which exhibits evidence of insects, disease or damage shall be appropriately treated. Dead plants shall be removed and replaced within thirty (30) days following notification by the Town.

13.6.8. All landscaping shall be in accordance with the Approved Plants List found in the Appendix.

14. RESERVED

15. RESERVED

16. RESERVED

17. ADMINISTRATION AND ENFORCEMENT

17.1 Planning Commission Composition, and Terms

- 17.1.1 By virtue of Mississippi Code Annotated 1972, Sec. 17-1-1 as amended, the Town is authorized to establish a Planning Commission to preserve, promote, and develop the Town's historical resources and to advise the Town on the designation of historic districts, landmarks, and landmark sites and perform such other functions as may be provided by law.
- 17.1.2 All members of the commission are appointed by the Town and shall serve at the will and pleasure of the Town Mayor and Board of Aldermen. The commission shall consist of 6 members who reside in the Town of Taylor. All members of the commission shall serve for terms established by the Town and shall be eligible for reappointment. All commission members shall have a demonstrated knowledge of or interest, competence, or expertise in planning and historic preservation.

18. POWERS AND DUTIES OF THE PLANNING COMMISSION

18.1 Planning Commission Established

In order to achieve the Goals of the Taylor General Development Plan the planning commission shall have the following powers and duties:

- 18.1.1 Funding - The commission, subject to the requirements of the Town, is authorized to apply for, receive, hold and spend funds from private and public sources, in addition to appropriations made by the Town for the purpose for carrying out the provisions of this ordinance;
- 18.1.2 Staff - The commission is authorized to employ such staff or contract with technical experts or other persons as may be required for the performance of its duties and to obtain the equipment, supplies, and other materials necessary for its effective operation;
- 18.1.3 Right of Entry - The commission is authorized, solely in the performance of its official duties and only at reasonable times, to enter upon private land for the examination or survey thereof. No member, employee, or agent of the commission shall enter any private dwelling or structure without the express consent of the owner of record or occupant thereof;
- 18.1.4 Appeals - The Planning Commission shall hear and decide appeals where it is alleged there is error in any order, requirements, decision, or determination made by the administrative official in the enforcement of this ordinance;

18.2 Planning Commission Rules of Procedure. To fulfill the purposes of this ordinance and carry out the provisions contained therein:

18.2.1. The Planning Commission shall adopt rules necessary, to the conduct of its affairs, and in keeping with the provisions of this ordinance. Meetings shall be held by the call of the Chairman and such other times as the Board of Aldermen may determine. The Chairman, or in his absence the Vice-Chairman, may administer oaths and compel the attendance of witnesses;

18.2.2. The commission annually shall elect from its membership a chairman and vice-chairman. It shall select a secretary from its membership or its staff. If neither the chairman nor the vice-chairman attends a particular meeting, the remaining members shall select an acting chairman from the members in attendance at such meeting;

18.2.3. The commission shall develop and adopt rules of procedure which shall govern the conduct of its business, subject to the approval of the Town. Such rules of procedure shall be a matter of public record;

18.2.4. The commission shall develop design review guidelines for determining appropriateness as generally set forth in this ordinance. Such criteria shall insofar as possible be consistent with local, state, and federal guidelines and regulations, including, but not limited to, building safety and fire codes and the Secretary of the Interior's Standards For Rehabilitation;

18.2.5. The commission shall keep minutes and records of all meetings and proceedings including voting records, attendance, resolutions, findings, determinations, and decisions. All such material shall be a matter of public record;

18.2.6. The commission shall establish its own regular meeting time; however, the first meeting shall be held within thirty (30) days of the establishment of the commission by the local government and regular meetings shall be scheduled at least once every three (3) months. The chairman or any two (2) members may call a special meeting to consider an urgent matter.

18.3 Uses Permitted on Appeal

The Planning Commission shall hear and decide only such uses permitted on appeal as the Planning Commission is specifically authorized to pass on by the terms of this ordinance; shall decide such questions as involved in determining whether uses permitted on appeal with such conditions and safeguards as are appropriate under this ordinance; or shall deny uses permitted on appeals when not in harmony with the purpose and intent of this ordinance.

18.3.1. A written application for a use permitted on appeal indicating the section reference of this ordinance under which the uses permitted on appeal is sought and stating the grounds on which it is requested shall be submitted to the Planning Commission at least fifteen days in advance of the hearing at which the application is to be considered.

18.3.2. Every action authorized hereunder shall not be personal to the applicant thereof but shall run with the land so long as the conditions under which the exception was granted continue.

18.3.3. In granting any uses permitted on appeal the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the uses permitted on appeal is granted, shall be deemed a violation of this ordinance. The Planning Commission shall prescribe a time limit within which the action for which the uses permitted on appeal is required shall be begun or completed or both. Failure to begin or complete, or both, such action within the time limit set shall void those uses permitted on appeal.

18.4 Variances. The Planning Commission shall have the power to authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A variance from the terms of this ordinance shall not be granted by the Planning Commission unless and until they find that all the following facts and conditions exist:

18.4.1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved;

18.4.2. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance;

18.4.3. That the special conditions and circumstances do not result from the actions of the applicant;

18.4.4. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare;

18.4.5. In granting any variance, the Planning Commission may prescribe appropriate, conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance;

18.4.6. Under no circumstances shall the Planning Commission grant a variance to allow a use not permissible under the terms of this ordinance in the zoning district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said zoning district nor shall any lot be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of this ordinance are not maintained.

18.5 Decisions of the Planning Commission in relation to Administrative Official

18.5.1. In exercising their powers, the Planning Commission may, so long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify -the order, requirement, decision, or determination being appealed.

18.5.1. It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Administrative Official, and that such questions shall be presented to the Planning Commission only on appeal from the decision of the Administrative Official, and that recourse from the decisions of the Planning Commission shall be to the Governing Body, and that recourse from the decisions of the Governing Body shall be to the courts as provided by law.

18.6. Appeals of Planning Commission Decisions. Any person or persons aggrieved by any decision of the Planning Commission may appeal such decision to the Mayor and Board of Aldermen by filing a "Notice of Appeal" in writing within ten (10) days of the date of the final action of the Planning Commission. The Mayor and Board of Aldermen may affirm, reverse, remand, or modify the decision of the Planning Commission as they deem appropriate.

19 Reserved

Intentionally Left Blank

20 ENFORCEMENT AND PENALTIES

20.1 Complaints Regarding Violations;

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Administrative Official. The Administrative Official shall record properly such complaint, promptly investigate, and take action thereon as provided by this ordinance.

20.2 Civil and Criminal penalties

20.2.1 The following Civil Penalties may be imposed upon those persons, firms, or corporations found to have violated requirements or prohibitions contained within this ordinance:

20.2.1.1 Any person who constructs, alters, relocates, or demolishes any resource in violation of this ordinance shall be required to restore the resource to its appearance or setting prior to the violation. Any action to enforce this provision shall be brought by the Town of Taylor. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty;

20.2.1.2 If a historic landmark or landmark site of statewide or national significance is demolished without review and approval by a local Planning Commission, no permit for any construction on the parcel from which the landmark or landmark site has been removed may be issued for a period of up to twenty-four (24) months;

20.2.1.3 If demolition of a resource occurs without a certificate of appropriateness, then the license of the company, individual, principal owner, or its or his successor in interest performing such demolition shall be revoked for a period of five (5) years.

20.2.2 The following Criminal Penalty may be imposed upon those persons, firms, or corporations found to have violated requirements or prohibitions contained within this ordinance:

20.2.2.1. Any persons, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor, and each shall be deemed guilty of a separate violation for each day during which any violation hereof is committed. Upon conviction, each violation shall be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00). Each day that a violation continues to exist shall constitute a separate offense.

20.3 Stop Work Order

Any Town of Taylor Planning staff person may issue a Stop Work Order for obvious and flagrant violations of provisions and requirements of this ordinance. All construction or installation activities must cease at the site until the stop work order is lifted and vacated by the Town of Taylor Planning staff person who issued the Stop Work Order, the Planning Commission by unanimous vote, or a court with appropriate jurisdiction.

Intentionally Left Blank

21 ADMINISTRATIVE OFFICIAL

- 21.1.1 An Administrative Official designated by the Governing Body shall administer and enforce this ordinance. The Administrative Official may be provided with the assistance of such other persons as the Governing Body may direct.
- 21.1.2 If the Administrative Official shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violations and ordering the action necessary to correct it.
- 21.1.3 The official shall order:
 - 21.1.3.1 Discontinuance of illegal use of land, buildings, or structures;
 - 21.1.3.2 Removal of illegal buildings or structures or of additions, alterations, or structural changes thereto;
 - 21.1.3.3 Discontinuance of any illegal work being done; or
 - 21.1.3.4 Shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of its provisions.

Intentionally Left Blank

22 BUILDING CODES

22.1 Building Permits Required

- 22.1.1. **Conformity with Ordinance Required** No building in the Town of Taylor shall be constructed, enlarged, reconstructed, or materially altered without first obtaining a building permit, and no building permit shall be issued unless within strict conformance with the provisions of this ordinance unless exempted in Sec. 22.1.3. below.
- 22.1.2. **Structures Subject to Building Code Inspection.** All structures constructed subject to the Town of Taylor Planning and Development Code Ordinance regulations shall conform to and be subject to inspection under the Residential Building Code as adopted by the Town of Taylor Board of Aldermen unless otherwise exempted as noted below.
- 22.1.3. **Exemptions from Building Codes.**
- 22.1.3.1. Agricultural buildings and accessory buildings that are less than 200 square feet in size shall be exempt from conformance to building codes but must conform to all setbacks.
- 22.1.3.2. Fences are exempt from conformance to building codes but must conform to all setbacks.
- 22.1.4. **Regulations for Building Code Conformance.**
- 22.1.4.1. Before the building permit can be issued and before building slab or conventional foundation is installed, the following must be done:
- 22.1.4.1.1. Setback lines must be staked by the developer/lot owner's engineer or surveyor for front, side, and rear yards;
- 22.1.4.1.2. Right of way and property lines must be clearly identified.
- 22.1.4.2. Once setbacks are staked, the Town of Taylor Planning Office must be given significant notice and perform an inspection prior to slabs, foundation, etc, being installed.
- 22.1.4.3. The Planning Office Representative will leave an inspection report at the building site. The developer can then apply for a building permit. Failure to obtain an inspection could result in a citation or disciplinary action.
- 22.1.4.4. Building Permits for any structures except those exempted by this Ordinance shall be issued only to Residential Contractors or Commercial Contractors licensed by the State of Mississippi and listed on the roster of the Mississippi Board of Contractors. (Note; Residential structures with three or more family units require a Commercial Contractor License.)
- 22.1.4.5. Building Permit for single family residential structure outside of a subdivision or development or complex can be issued to the owner if said structure is to be occupied by the owner.
- 22.1.4.6. Plumbing and electrical subcontractors listed on the building permit application by the general contractor shall be licensed by any jurisdiction in the State of Mississippi.
- 22.1.4.7. Application Information – Applications for building permits shall be accompanied by:
- 22.1.4.7.1. Plans in duplicate, drawn to scale, show the actual dimensions and shape of the lot to be built upon;
- 22.1.4.7.2. The exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration; [cont.]

- 22.1.4.7.3.** The application shall include such other information as lawfully may be required by the Administrative Official.
- 22.1.4.7.4.** One copy of the plans shall be returned to the applicant by the Administrative Official, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy.
- 22.1.4.7.5.** The second copy of the plans, similarly marked, shall be retained by the Administrative Official.
- 22.1.4.8.** Copy of Building Permit Work Card must be displayed in front yard with structures street numbers displayed to be visible from the road.
- 22.1.4.9.** Period of Permit – If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, said permit shall expire and be canceled by the Administrative Official, and written notice thereof shall be given to the persons affected, together with notice that work as described in the canceled permit shall not proceed unless and until a new building permit has been obtained.
- 22.1.4.10.** Conformity with Application – Permits issued on the basis of plans and applications approved by the Administrative Official authorize only the use, arrangement, and construction set forth in such approved plans and applications, and any other use, arrangement, or construction at variance with that authorized shall be deemed violation of this ordinance.
- 22.1.4.11.** Certificate of Occupancy:
 - 22.1.4.11.1.** No land or building or part thereof hereafter erected or altered in its use or structure shall be used until the Building Inspector shall have issued a certificate of occupancy stating that such land, building, or part thereof, and the proposed uses thereof are found to be in conformity with the provisions of this ordinance. Within three days after notification that a building or premises, or part thereof, is ready for occupancy for use, it shall be the duty of the Building Inspector to make a final inspection thereof and to issue a certificate of occupancy if the land, building or part thereof and the proposed use thereof are found to conform with the provisions of this ordinance.
 - 22.1.4.11.2.** Or, if such certificate refused, to state in writing the cause of the refusal.
- 22.1.4.12.** Records: A complete record of such applications, sketches, and plans shall be maintained in the office of the Building Inspector.

22.2 Hearings, Appeals, Notice

- 22.2.1** Appeals to the Board of Appeals concerning interpretation or administration of this ordinance may be taken by any persons aggrieved or by any officer or bureau of the Governing Body of the Town affected by any decision of the Administrative Official. Such appeals shall be taken within a reasonable time, not to exceed 60 days or such lesser period as may be provided by the rules of the Board of Appeals and specifying the grounds thereof. The Administrative Official shall forthwith transmit to the Planning Commission all papers constituting the record upon which the action appealed from was taken.
- 22.2.2** The Board of Appeals shall fix a reasonable time for the hearing of appeal, give due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

23 Powers and Duties of the Board of Appeals

23.1. Board of Appeals Created. The Board of Appeals shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of The Town of Taylor Planning and Development Code (Town Planner or Town Engineer), the adopted Building Codes (Town Building Official), or the Floodplain Ordinance (Floodplain Administrator).

23.2. Interpretation Intent and Appeals. All questions of interpretation and enforcement of the Planning and Development Code, the Building Codes, or the Floodplain Ordinance shall be first presented to the appropriate administrative official, and such questions shall be presented to the Board of Appeals only on appeal from the decision of the proper administrative official. Appeals from decisions of the Board of Appeals shall be made to the Board of Aldermen by filing a "Notice of Appeal" in writing within ten (10) days of the final decision of the Board of Appeals. Appeals from the decisions of the Board of Aldermen shall be made to a court of competent jurisdiction as provided by Mississippi law.

23.3. Composition. The Board of Appeals shall be the same as the Town of Taylor Planning Commission, The Board of Appeals may receive assistance from anyone qualified by experience or training to consider matters pertaining to zoning and subdivision codes, building construction, or floodplain ordinance standards, as pertinent.

23.4. Rules. The Board shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of the Taylor Planning and Development Code, Building Codes, and Floodplain Ordinance.

a. **Setting Date of Appeal.** After a proper appeal submittal is received, the Town Clerk shall set the date of hearing at the next regular or specially called meeting of the planning commission with proper notice.

b. **Notice of Hearing.** At least one week prior to the meeting, notice shall be provided in writing to the appellant, to any relevant Town staff, and to the public on the Town's website.

c. **Stay of Proceedings.** An appeal stays all proceedings in furtherance of the action appealed from, unless the named Administrative Official certifies to the Board of Appeals after the appeal is filed, that by reason of the facts stated in the certificate of appeal, a stay would, in the opinion of the Administrative Official, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted on due cause by the Board of Appeals.

d. **Hearing Witnesses.** The chairman, or in the chairman's absence the vice-chairman, may administer oaths and compel the attendance of witnesses.

e. **Minutes.** The Town Clerk shall record minutes of all proceedings of the Board of Appeals, showing the vote of each member upon each question, or if absent or failure to vote indicating such fact. The Board of Appeals shall approve such minutes, authorizing records of its official actions, all of which shall be a public record and be filed by the Town Clerk in the Town Hall.

23.5. Administration.

a. **Authority to Appeal.** An appeal of a decision or interpretation made by the Building Official, Town Planner, or Floodplain Administrator regarding the Planning and Development Code, Building Code, or Floodplain Ordinance may be filed by the permit holder, contractor, property owner, or any person(s) aggrieved; or by any officer or bureau of the governing body of the town affected by any decision of the appropriate administrative officials. At the appeal hearing, any party may appeal in person, by agent, or by attorney.

b. Appeals of decisions or interpretations of the Planning and Development Code, Building Codes, and Floodplain Ordinance may be filed for up to ten (10) days after the decision or interpretation is rendered.

c. Appeals shall be filed with the Town Clerk. Upon receipt of a request for an appeal, the Town Clerk shall provide notice to the administrative official whose decision is being appealed.

The named administrative official shall prepare a report to provide to the Board of Appeals on the action being questioned; and the Town Clerk shall transmit to the Board of Appeals for their consideration said report and all papers constituting the record upon which the action appealed from was taken.

23.6. Board Action. The Board of Appeals may, so long as such action is in conformity with the terms of the applicable ordinance; reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have powers of the administrative official from whom the appeal is taken.

a. **Limitations on authority.** An application for appeal shall be based on a claim that the true intent of the pertinent code and the rules legally adopted have not been correctly interpreted, or the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. The Board shall not have the authority to waive requirements of the code being appealed.

b. The concurring vote of a majority of members of the Board of Appeals present and voting shall be necessary to reverse any order, requirement, decision, or determination of the Administrative Official; or to decide in favor of the applicant on any matter upon which it is required decide.

c. The Board of Appeals may decide the matter at the appeal hearing, or may further consider the information provided at the appeal hearing; but must render a decision within thirty (30) days following the date of hearing.

24 COMPLIANCE WITH FLOOD DAMAGE PREVENTION ORDINANCE

24.1 Flood Damage Prevention Ordinance Standards - All proposed development in Taylor must comply with the flood damage prevention standards located in the Floodplain Ordinance for Taylor located on the Town of Taylor website along with the Taylor Floodplain Maps. Any proposing to build in a flood prone area must submit a request using the permit form also located on the Town of Taylor website, and pay the required review fee.

25 AMENDMENTS

25.1 Amendment Procedure

- 25.1.1 The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or repealed, provided however that no such action may be taken until after a public hearing; in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard; in accordance with the procedure set forth herein.
- 25.1.2 An amendment to this ordinance may be initiated by the Planning Commission or Governing Body on its own motion, or, in the manner and pursuant to the procedure hereinafter set forth, may be initiated by any person, firm, or corporation filing an application therefore with the Town.
- 25.1.3 Any proposed amendments, supplements, change, modification, or repeal shall be first submitted to the Planning Commission for its recommendations and report and the Planning Commission shall hold a public hearing thereon.
- 25.1.4 The Planning Commission shall make its recommendation on such request for any amendment, supplement, change, modification, or repeal to the Governing Authority, and the Governing Authority shall proceed to hold a public hearing in relation thereto after giving 15 days notice of the hearing in an official newspaper specifying the time and place for said hearing. If no local newspaper exists, notice shall be posted in at least three (3) public places within the Town.
- 25.1.5 The Governing Authority may refer the application back to the Planning Commission for additional study before final decision; however no notice other than for the first public hearing need be given.

25.2 Public Hearing Required

- 25.2.1 No Amendment to this ordinance shall become effective until after a public hearing in relation thereto at which hearing parties in interest and citizens shall have an opportunity to be heard. Notice of the time, place and purpose of such hearing shall be published at least once in an official newspaper or a paper of general circulation in the community at least fifteen (15) days prior to the hearing. If no local newspaper exists, notice shall be posted in at least three (3) public places within the Town. Said notice shall read as follows:

NOTICE

Pursuant to the order of the Town of Taylor, Mississippi, notice is hereby given to all persons interested or in any way affected thereby that (Name of Applicant) has filed an application with the undersigned to rezone the following described property from [District] to [District].

(Description of property)

Said application will be heard by the [Planning Commission/Mayor and Board of Aldermen] of Taylor, Mississippi, at the Town Hall, at (time), (date), at which time all parties interested in or affected thereby will be heard, after which a decision will be rendered by the Governing Body. Any objection thereto may be made by any person owning property within 160 feet of said area exclusive of streets, and if made in writing must be filed with the undersigned before said time if a hearing thereon or consideration thereof is desired, or any party interested may appear in person or by counsel on said date.

This the day of 2___ /s/ Administrative Official

25.3 Posting

Any area for which an individual application for a change in zoning classification is being considered shall be posted for at least fifteen (15) days prior to the hearing, and the costs of such posting shall be borne by the applicant. Such posting shall be by means of a sign or signs erected in conspicuous locations on the property. The sign shall read, in letters legible from the nearest street, as follows:

PUBLIC NOTICE

This property is being considered for REZONING to [Zone]*. For additional information call (Telephone Number). (*Zoning classification to be indicated by the word residential, commercial, industrial, or other, followed by the alphabetical and numerical definition. Description of the property may be in the form of a map containing sufficient data to accurately locate the property.)

25.4 Effect of Protest to Amendment

- 25.4.1 When a proposed amendment affects the zoning classification of property, and in case a protest against such change is signed by the owners of 20 per cent or more either of the area of the lots included in such proposed change, or of those immediately adjacent to the rear thereof, extending one hundred sixty (160) feet therefrom, or of those directly opposite thereto, extending one hundred sixty (160) feet from the street frontage of such opposite lots, then such amendments shall not become effective except by the favorable vote of three-fifths of all the members of the Mayor and Board of Aldermen who are not require to recuse themselves.

25.5 Applications for Amendments

- 25.5.1 Any person, firm, corporation or political subdivision may apply for an amendment to this ordinance.
- 25.5.2 All applications for amendments to this ordinance shall be filed with the Town of Taylor Board of Aldermen.
- 25.5.3 Without in any way limiting the right to file additional material, no application for amendment to this ordinance will be considered unless it contains:
- 25.5.3.1 The applicant's name, address and interest in the application, and the name, address and interest of every person, firm, corporation or political subdivision represented by the applicant interested in the application;
- 25.5.3.2 The description of the proposed amendment;
- 25.5.3.3 A plat showing the land area which would be affected by the proposed amendment, the present zoning classification of the area and of all abutting properties, all public and private rights-of-way and easements bounding and intersecting the designated area and, abutting properties.
- 25.5.4 An applicant for amendment of the Zoning District Map shall have the responsibility to demonstrate the appropriateness of the change shall include the following:
- 25.5.4.1 How the proposed amendment would conform to the Comprehensive Plan;
- 25.5.4.2 Why the existing zone district classification of the property in question is inappropriate or improper;

25.5.4.3 What major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map reasonably necessary to the promotion of the public health, safety or general welfare as follows:

25.5.4.3.1 List such changes;

25.5.4.3.2 Describe how said changes were not anticipated by the Comprehensive Plan;

25.5.4.3.3 Describe how said changes altered the basic character of the area;

25.5.4.3.4 Describe how said changes make the proposed amendment to the Zoning District Map appropriate.

Intentionally Left Blank

26 MISCELLANEOUS

26.1 Appropriations

The Town is authorized to make appropriations to the commission necessary for the expenses of the operation of the commission and may make additional amounts available as necessary for the acquisition, restoration, preservation, operation, and management of properties.

26.2 Interpretation

In interpreting and applying this ordinance, its provisions shall be held to be the minimum requirements necessary for the promotion of public safety, health, convenience, comfort, and general welfare. It is not intended by this ordinance to interfere with, or abrogate, or annul any easements, covenants, or other agreements between parties unless they violate this ordinance. When two specific provisions of this ordinance conflict, or a provision of this ordinance conflicts with any other code, statute, law, ordinance or regulation, the more restrictive section shall apply.

26.3 Separability Clause

The requirements and provisions of this ordinance are separable. If any article, section, paragraph, sentence, or portion thereof, be declared by any court of competent jurisdiction to be void, invalid, or inoperative, the decision of the court shall not affect the validity or applicability of the ordinance as a whole or of any part thereof other than the part held void, invalid, or otherwise inoperative.

26.4 Schedule of Fees, Charges, and Expenses

The Governing Body shall establish a schedule of fees, charges, and expenses, and a collection procedure, for building permits, appeals, and other matters pertaining to this ordinance. The schedule of fees shall be posted in the office of the Administrative Official. No permit, certificate, uses permitted on appeal, or variance shall be issued unless or until such Costs, charges, fees, or expenses have been paid in full, nor shall any action be taken on proceedings before the Planning Commission unless or until preliminary charges and fees have been paid in full.

26.5 Repealing Clause

In cases of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Taylor, the most restrictive shall in all cases apply. All ordinances and parts of ordinances in conflict herewith are hereby repealed. Likewise, all ordinances and part of ordinances in conflict with the Mississippi Antiquities Act (39-7-1 et. seq. of the Mississippi Code of 1972, as amended in 1983) are hereby repealed.

26.6 Effective Date

This ordinance shall become effective one month after its passage.

26.7 Non Restrictive Clause

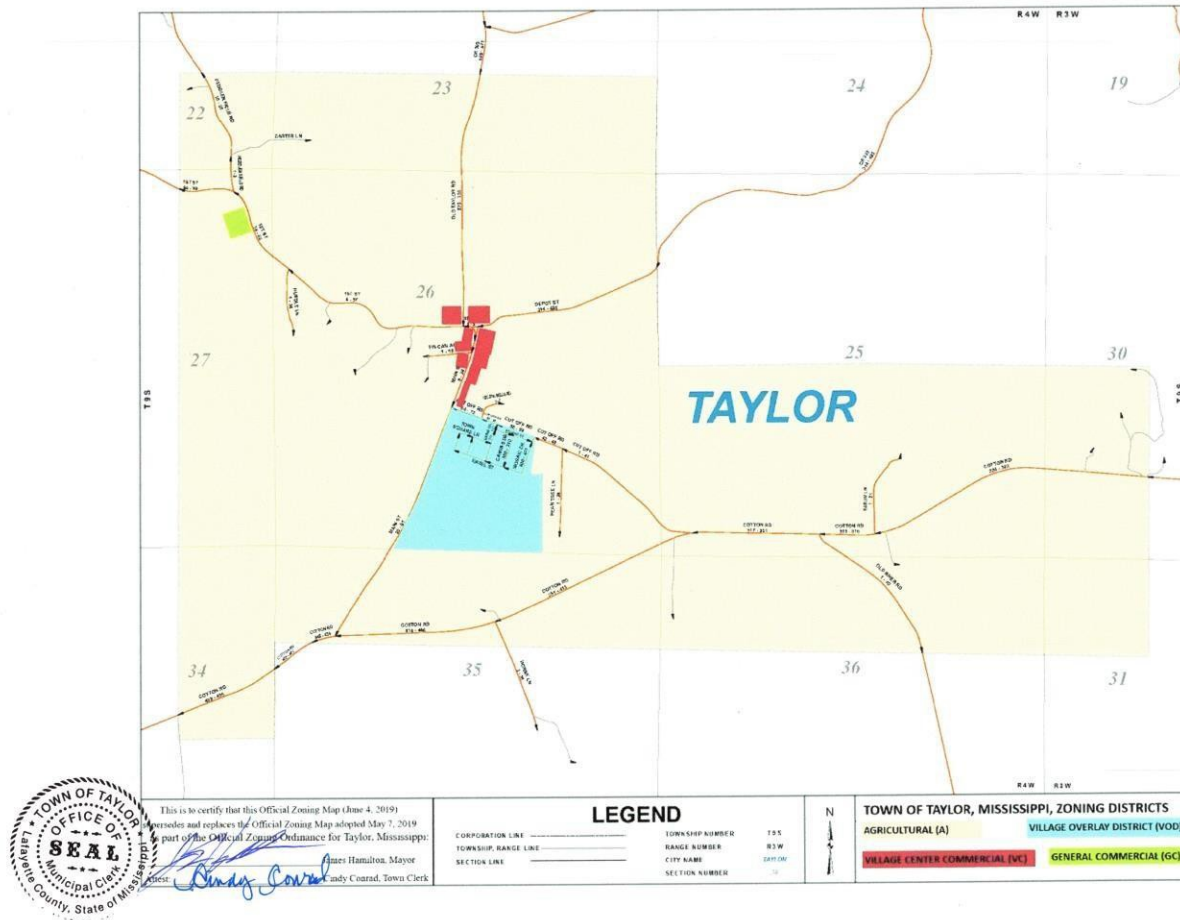
Nothing in this ordinance shall be construed to prevent the regulation or acquisition of property, improved or unimproved, by the State of Mississippi or any of its political subdivisions, agencies, or instrumentalities or by the United States of America or any of its political subdivisions, agencies, or instrumentalities. Furthermore, the Town of Taylor hereby acknowledges that the Mississippi State Antiquities (39-7-1 et. seq. of the Mississippi Code of 1972, as amended in 1983), provides for the sensitive treatment of publicly owned property, improved or unimproved, shown to possess certain architectural, historical, or archaeological significance, which are designed by the Board of Trustees of the Mississippi Department of Archives and History as Mississippi Landmarks. Whenever the Town proposes to rehabilitate, alter, or enlarge a Mississippi Landmark (or proposes similar actions which would affect a Mississippi Landmark), the Town shall submit its plans to the Mississippi Department of Archives and History for review and compliance.

26.8 Reserved.

26.9 Title to Property Acquired

All property acquired by funds appropriated by the Town shall be acquired in the name of the Town unless otherwise provided by the Town. So long as owned by the Town, properties may be maintained by or under the supervision and control of the Town. However, all property acquired by the commission from funds other than those appropriated by the Town may be acquired and held in the name of the commission, the Town, or both. Whenever the commission shall hold title to properties in its own name, such properties shall be administered in accordance with this and other Town ordinances.

27 ZONING MAP



Intentionally Left Blank

28 PLEIN AIR VILLAGE OVERLAY DISTRICT MASTER PLAN:

The following documents constitute the “Master Plan” accepted by the Town of Taylor Board of Aldermen at their regular monthly meeting on March 21, 2006 and spread upon their minutes for the Plein Air Village Overlay District, a planned unit development which existed prior to the adoption of the Taylor Preservation and Development Code

1.1 Plein Air Master Plan Map:



1.2 Plein Air Master Plan Uses List:

Plein Air Master Plan Use List

Uses shall correspond with designated use areas on the Master Plan with the following exceptions:

Commercial District

Permitted Uses

Farm and Craft Markets and community Yard Sales but Flea Markets (items purchased for resale whether new or used) are prohibited
Allow outside display of merchandise held for immediate sale, but no outside storage or open air warehousing of inventories or equipment.

Prohibited Uses

Manufacturing
Gas stations are prohibited
Mobile Home Parks are prohibited
Bowling Alley, Skating Rink, or Pool Hall with high traffic.
Nursing Home
Motor Vehicle sales, rental, repair or maintenance
Car Wash
Laundromat

Other Districts

Schools and church may be located outside of our commercial district in accordance with the Master Plan.
Day care Center
Health Club/Spa

1.3 Plein Air Village Overlay District Case #05-429 Items of Agreement by the Developer:

THE FOLLOWING LIST AMENDED AS FOLLOWS BY THE TAYLOR BOARD OF ALDERMEN MAY 7, 2024:

#14. Buildings in the Commercial Area shall be limited to three stories and no more than 37 feet in height. Buildings shall be made of brick, stucco, stamped concrete, wood, or wood substitute. EIFS may be used in certain limited applications. Pre-fabricated metal buildings will be prohibited.

As approved by Board of Aldermen
March 21, 2006

Case #05-429

The preliminary plat and variances submitted by Main Street Taylor LLC (the "Applicant") for a mixed use development (the "Project") as Case #05-429 are APPROVED by the Board of Aldermen subject to the following conditions:

1. This approval is based on a review of the Applicant's preliminary plat (the "Plat") and construction drawings (the "Drawings") only; the Applicant will follow the procedure for submission and approval of its final plat under the subdivision regulations adopted by the Village of Taylor within the time allowed under those regulations.
2. With regard to the areas identified on the Plat as green space, including the tract with the waste water treatment facility, the Applicant will either (a) protect the area from clearing or grading during construction, or (b) landscape the area during or at the completion of construction in a manner consistent with the remainder of the development. Attached as Exhibit A is a "Tree Save Area" diagram that reflects areas of the Project which currently have significant masses of trees. Applicant intends to leave as many trees as possible in these areas, with the understanding that some pruning, thinning and overall landscaping will be necessary as part of the Project development.
3. Applicant will plant a row of trees across the south border of the Project site and maintain them until the Project is visually separated.
4. Applicant agrees not to name or refer to the site as "Main Street Taylor".
5. Attached as Exhibit B is a letter from Applicant's engineer that describes the proposed timing of construction for the underground retention system, the amount of the storm water pollution prevention system to be installed with each phase, and temporary prevention measures during construction for each phase.
6. All utility lines throughout the Project (including residential, commercial, and other areas) will be buried.
7. Sidewalks will be installed throughout the Project where shown on the Drawings.
8. Curb and gutter will be installed as shown on the Drawings.
9. Street lamps in the Project will be fitted with an appropriate hood or cover to reduce light pollution.
10. Applicant will build commercial buildings only in the commercial area as shown on the Plat., with the possible exception of the school, the work out facility, and the chapel. Applicant will leave the center of the "square" green, as shown on the Plat and Drawings, and commits to leaving all of the other common space green, as per the same Plat and Drawings.

11. Applicant will not construct any gas stations in the Project.
12. Applicant will not construct any multi-family dwellings or apartment complexes in the Project.
13. Applicant will provide 1 parking space per 300 hundred square feet of commercial space surrounding the town square area.
14. Buildings in the commercial area shall be limited to two stories made of brick, stucco, stamped concrete, wood or wood substitute. EIFS may be used in certain limited applications. Pre-fabricated metal buildings will be prohibited.
15. All residential buildings will be of a Southern Vernacular style and made of wood, wood substitute, brick stamped concrete or stucco. EIFS may be used in certain limited applications. Each driveway for each house will be suitable for the parking of at least two cars.
16. During construction, Applicant warrants that it will instruct all commercial trucks to enter the site using C.R. 328 and C.R. 3065 unless Applicant advises the Village of Taylor in advance that it is not possible to make a delivery using those roads..
17. Applicant agrees to match the Village of Taylor's contribution (up to \$2,500) for a long-range traffic study in the future.
18. Garbage and other waste disposal for the Project shall be serviced by county waste management or by private contractor.
19. The Applicant shall be responsible for maintaining all common areas in the Project (including, but not limited to, maintenance of all grounds, lighting, clean-up, and, if not dedicated to Lafayette County, the streets and alleyways) until this responsibility is turned over to the mandatory homeowners' association.
20. Applicant agrees to comply with the Lafayette County Building Codes as they may be modified from time to time.
21. Prior to final plat approval, the Applicant shall have recorded covenants applicable to the Project as a whole that:

Incorporate the requirements in Sections 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 19 and in this Section 21 of this conditional approval of Applicant's preliminary plat and requested variances for the Project as restrictive covenants applicable to the Project (collectively, the "Required Conditions/Covenants").

Provide that the Required Conditions/Covenants cannot be modified, altered or waived by the Applicant, by any subsequent developer or purchaser of all or any portion of the Project, or by the Applicant, any architectural control committee or architectural review board, or any percentage of the owners of lots or homes in the Project.

Establish a mandatory homeowners' association with responsibility for maintaining all common areas in the Project (including, but not limited to, maintenance of all grounds, lighting, clean-up, and, if not dedicated to Lafayette County, the streets and alleyways) and with the right to make assessments, file liens, and take other enforcement actions in connection with maintenance of the common areas and compliance with the covenants by owners of individual lots or homes, with the exceptions of matters in the Commercial Area or elsewhere in the Project that the covenants expressly describe as being the responsibility of the Applicant.

Require advance approval of any additions, modifications, or renovations to an existing home or any additional construction on lots with an existing home in the Project from the an architectural review board to be established under the covenants (to be controlled by Applicant until sale of a substantial percentage of home lots, then by the Board of the mandatory homeowners' association).

Require any additions, modifications, or renovations to buildings in the Commercial Area to be consistent with the recorded covenants.

Require the homeowners to pay a common area maintenance assessment.

Provide that maintenance of the Commercial Area shall remain the responsibility of the Applicant, unless turned over to the homeowners' association or some similar association comprised of the owners of the commercial lots and/or businesses, which association shall assume all responsibilities of the Applicant.

Prohibit the parking of any cars in front yards and on the street except for limited visitor parking.

Prohibit the parking of any boats, trailers, or recreational vehicles in front or side yards or on the front street or alley areas.

Prohibit mobile homes.

Address garbage disposal issues consistent with Applicant's proposed method of waste removal service for the Project.

Prohibit detached structures and outdoor storage unless approved by the architectural control committee.

Includes an optional enforcement mechanism for the Village of Taylor to use lien and assessment rights to maintain the common areas and common facilities in the Project if the Applicant, any developer or purchaser of any portion of the Project, or the homeowners' association fails to use its lien and assessment rights to maintain the common areas and common facilities in the Project.

22. Attached as Exhibit C is a copy of the data sheet (including noise level) for the unit being considered by the Applicant for the sewage treatment plant. The sewage treatment unit installed at the Project will operate in a way that is equal to or better than the unit described in Exhibit C in terms of the impact on neighbors, including noise and odor levels.

23. [Intentionally deleted.]

24. This conditional approval of the Applicant's preliminary plat and requested variances for the Project shall become ineffective, null, and void, if the Applicant (or any developer or purchase of any portion of the Project) fails to comply with any of the conditions set forth herein within 30 days after being given written notice of noncompliance (including a specific explanation of the noncompliance) by the Village of Taylor. As the final plat for each phase is approved, this paragraph shall no longer apply to that phase.

25. A clear reference to the covenants and to the conditions of approval for the preliminary and final plat shall be placed on the final plat when submitted to the Chancery Clerk for filing.

26. A report by Douglas Shields, the engineer retained by the Village of Taylor has confirmed that (a) the siltation measures shown in the Drawings during the construction phase will need to be modified to show silt fence and other measures based on grading, clearing and construction in phases since, under applicable laws and regulations, the site cannot be cleared in a single phase; (b) using conservative assumptions and calculations or the less conservative calculations of the Applicant's engineers, the increased runoff from the site before and after construction could cause damage to "channel LC" and flooding off site in the area explained in the report (a problem which the Applicant's engineers propose to address by installing an underground retention chamber below the chapel parking lot, which is still being designed); and (c) "channel LC" narrows offsite and is also the proposed discharge for the Applicant's sewage treatment plant. No clearing, grading, or construction will occur for this Project until the Applicant has either submitted revised Drawings dealing with the issues in (a), (b), and (c) above that the Village's engineer has confirmed resolve those issues satisfactorily or a final plat for this Project including such revised Drawings is approved by the Village of Taylor. Any response by the engineer shall be given within 14 days of his receipt of the plans. A failure to respond within 14 days shall be deemed approval.

SECTION 2 - Addendum to the PLEIN AIR MASTER PLAN for SIGNS AND OUTDOOR ADVERTISING:

This addendum to the Plein Air Master plan, approved by the Board of Aldermen August 7, 2012, shall regulate the usage of signs within the Village Overlay District known as the Plein Air neighborhood.

2.1 DEFINITIONS:

- 2.1.1 SIGN: Any identification, description, illustration, or device illuminated or non-illuminated which is affixed to or represented directly or indirectly upon a building, structure, or land, and which directs attention to a product, service, place, activity, person, institution, or business. National and state flags, when properly displayed, are not considered a sign under these regulations.
- 2.1.2 SIGN AREA: The total area of the space to be used for advertising purposes, including the spaces between open-type letters and figures and the background structure, or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign. A double-faced sign shall be allowed the total area of a single faced sign on each face.
- 2.1.3 ADVERTISING DEVICE: Banners affixed on poles, wires or ropes, and streamers, wind operated devices, flashing lights, and other similar devices.
- 2.1.4 BENCH SIGN: A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.
- 2.1.5 DIRECTORY SIGN: Any sign on which the names and locations of occupants or the use of the building is given. This shall include, but not be limited to, office buildings and church directories.
- 2.1.6 GROUND SIGN: Any sign erected, constructed, or maintained for the purpose of displaying outdoor advertising when such sign is supported by two or more uprights or posts affixed in the ground and not attached to any part of a building.
- 2.1.7 MARQUEE SIGN: Any sign affixed to a marquee over the entrance to a building and supported from the building.
- 2.1.8 MONUMENT SIGN: Any letter, word, model sign, device or representation used in the nature of an advertisement or announcement, not attached to a building, and which is permanently mounted or affixed directly to the ground.
- 2.1.9 PORTABLE SIGN: A sign, usually of a temporary nature, but not permanently affixed to the ground or to a building or structure.
- 2.1.10 POST SIGN: Any sign erected, constructed, or maintained for the purpose of displaying outdoor advertising when such sign is supported by a single stationary upright or post affixed in the ground and not attached to any part of a building.
- 2.1.11 PROJECTING SIGN: A sign which is attached to and projects more than 12 inches from the face of a wall of a building.
- 2.1.12 ROOF SIGN: Any sign erected, constructed, or maintained upon the roof of any building or any wall sign which extends more than 36 inches above the roof line or parapet wall of a building.
- 2.1.13 TEMPORARY SIGN: Ground signs advertising future use or development of property.
- 2.1.14 TRAFFIC DIRECTIONAL SIGN: Any sign which aids the flow of traffic.
- 2.1.15 VEHICULAR SIGN: A sign which is attached to or painted on a vehicle.
- 2.1.16 WALL SIGN: Any sign or poster on any surface or plane that may be affixed to the front, side or rear wall of any building. Any sign on a window, which exceeds more than twenty (20) percent of the window area, is considered a wall sign.

2.2 SIGN REQUIREMENTS:

- 2.2.1 Advertising devices, as defined in 2.2.3: See prohibited signs.
- 2.2.2 Bench signs, as defined in 2.1.4: See prohibited signs.
- 2.2.3 Directory signs, as defined in 2.1.5, shall be allowed and shall be wall-mounted.
- 2.2.4 Ground signs, as defined in 2.1.6, shall be allowed.
- 2.2.5 Marquee signs, as defined in 2.1.7, shall only be allowed for theaters. Marquee signs may be illuminated by an internal light source, so long as light source does not change light intensity, brightness or color, and is shaded, shielded or directed so that the light intensity will not be objectionable to surrounding areas.
- 2.2.6 Monument signs, as defined in 2.1.8, shall be allowed.
- 2.2.7 Portable signs, as defined in 2.1.9: See prohibited signs.
- 2.2.8 Post signs, as defined in 2.1.10, shall be allowed.
- 2.2.9 Projecting signs, as defined in 2.1.11, shall be allowed.
- 2.2.10 Roof signs, as defined in 2.1.12: See prohibited signs.

- 2.2.11 Temporary signs, as defined in 2.1.13, shall be allowed, but shall not remain more than six months on the property on which it is located and shall not be located closer than five (5) feet from the right-of-way. No more than one temporary sign per parcel of land shall be allowed.
- 2.2.12 Traffic directional signs, as defined in 2.1.14: See exempt signs.
- 2.2.13 Vehicular signs, as defined in 2.1.15, shall be allowed and shall have a maximum total sign area of four (4) square feet.
- 2.2.14 Wall signs, as defined in 2.1.16, shall be allowed, but shall not project more than twelve inches from the face of the building.

- 2.1.1 **Illumination** - Unless otherwise noted, signs shall be illuminated by an indirect, external light source. Signs shall not have blinking, flashing or other illuminating devices which change light intensity, brightness or color (See prohibited signs). Beacon lights are not permitted. The light for or from any illuminated sign shall be so shaded, shielded or directed that the light intensity will not be objectionable to surrounding areas. Illumination shall not create a traffic hazard to operators of motor vehicles on public thoroughfares.
- 2.1.2 **Content** - Signs shall only advertise products, services, places, activities, people, institutions, or businesses located within the Plein Air neighborhood.
- 2.1.3 **Design** - All sign design and materials shall be in keeping with Plein Air Design Standards, enforceable by the controlling entity of the Plein Air neighborhood (Owner or Plein Air Owners' Association).
- 2.1.4 **Maintenance** - All signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition.
- 2.1.5 **Size** - The maximum total sign area of all signs for a single business shall be fifty (50) square feet, or one (1) square foot for each lineal foot of building wall or lease space on which the sign is erected, whichever results in the smaller sign area.
- 2.1.6 **Number** - The total number of all signs shall not exceed four (4) signs for a single business.

2.2 EXEMPT SIGNS:

The following signs are exempted from the provisions of this Addendum:

- 2.2.1 Public Signs erected by, or on order of, a public officer in the performance of a public duty.
- 2.2.2 Historic markers.
- 2.2.3 Traffic and directional signs not exceeding four square feet.
- 2.2.4 Advertising for sale or lease of real estate provided no such sign is greater than sixteen square feet in size.
- 2.2.5 Signs such as yard/garage sale signs and directional signs for events provided no such sign is greater than four (4) square feet in size and does not remain in place for more than one week.
- 2.2.6 Political signs not exceeding four (4) square feet in size.

2.3 PROHIBITED SIGNS:

The following types of signs are prohibited by this Addendum:

- 2.3.1 Signs or devices which by color, location, or design resemble or conflict with traffic control signs or devices are prohibited.
- 2.3.2 Signs which contain neon, pulsating lights or strobe lights.
- 2.3.3 Signs which contain obscene, suggestive, or offensive words, or words and pictures, which would be inconsistent with a family-oriented community.
- 2.3.4 Any sign located in such a way as to intentionally deny an adjoining property owner visual access to existing signs.
- 2.3.5 Advertising devices, as defined in 2.1.3, are prohibited.
- 2.3.6 Bench signs, as defined in 2.1.4, are prohibited.
- 2.3.7 Portable signs, as defined in 2.1.9, are prohibited.
- 2.3.8 Roof signs, as defined in 2.1.12, are prohibited.

2.4 Inspection, Removal and Safety

- 2.4.1 All signs may be inspected periodically by the Building Official for compliance with the SIGNS AND OUTDOOR ADVERTISING regulations.
- 2.4.2 All signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition.

2.4.3 The Building Official shall give written notice for the removal of any permanent sign erected or maintained in violation of this Ordinance. Upon failure to comply with this notice, the Building Official shall take legal action to enforce compliance with this ordinance. The Building Official may remove a sign immediately and without notice if the sign presents an immediate threat to the safety of the public. Any sign removal shall be at the expense of the property owner.

2.5 **Permits** - All signs permitted under this Addendum and approved by the controlling entity of the Plein Air neighborhood (Owner or Plein Air Homeowners' Association), except those signs exempt in Section 1.3 of this Addendum, shall require a permit. Said permit shall be obtained from the Town of Taylor prior to erection of the sign.

2.6 **Nonconforming Signs**

In instances where a sign is nonconforming to any of the requirements of this ordinance, such sign and any supporting structure other than a building may be allowed although such sign does not conform to the provisions hereof. No such nonconforming sign may be enlarged or altered in any way which increases its nonconformity. No sign which has been damaged 50 percent or more of its fair market value shall be restored except in conformity with the regulations of this ordinance.

2.7 **Violation and Enforcement** - If, within ten (10) days of the date of notice of violation, the party fails to bring the sign into compliance with this ordinance, fails to remove the sign or fails to provide to the Town any evidence of the party's good faith effort to do either, then the party shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of one hundred dollars (\$100.00) per day, per violation, retroactive to the date of mailing of the violation notice and any or all of the following:

2.7.1 **Abatement** - In case any sign is erected, constructed, reconstructed, altered, repaired, converted or continued in violation of this ordinance, the Town, or any person who would be damaged by such violation, in addition to other remedies, may institute an action for injunction or mandamus, or other appropriate action or proceeding to prevent or abate such violations;

2.7.2 **Impoundment of Signs**- The Town shall have the authority to remove and impound any sign, without further notice, where such sign is not in compliance with this ordinance, and:

2.7.3 After ten (10) days of the mailing of notification of a violation, the owner has failed to remove the sign or bring it into compliance with this ordinance, or has failed to provide the Town with the evidence of a good faith effort to make such removal or compliance, or (ii) The sign is placed within any street, state road or highway right-of-way or other right-of-way, or attached to trees, fence posts, telephone and/or utility poles, and other than natural features;

2.7.4 The Town shall impound such signs for a period of ten (10) days. The owner of a sign impounded may recover it upon payment of fifty dollars (\$50.00) for each sign, prior to the expiration of the ten-day impoundment period. In the event a sign is not claimed within ten (10) days of its impoundment, the Town shall have the authority to dispose of such sign;

2.7.5 In the event a violating sign requires special resources for its removal and impoundment, the Town, or independent contractor secured by the Town, shall remove the sign and the resulting charges shall be assessed to the owner and/or lessee.

END OF SECTION 28 PLEIN AIR VILLAGE OVERLAY DISTRICT MASTER PLAN

Intentionally Left Blank

APPENDIX

A-1. APPROVAL PROCESS FOR MANUFACTURED HOUSING DEVELOPMENTS

Manufactured Housing Developments shall conform to the following minimum standards; however, the Review Authority may impose other and more restrictive requirements.

A-1-1. GENERAL REQUIREMENTS

A-1-1-2. **Minimum Lot Size:** Manufactured Housing Development shall have a lot size for each units as follows:

Proposed Development with:	Minimum Lot Size:
Individual Wells and Septic System	30,000 sq. ft.
Community/Public Water and Septic System	21,000 sq. ft.
Community/Public Sewer and Well	12,000 sq. ft.
Community/Public Water and Public Sewer	10,000 sq. ft.

Note: Additional acreage may be required by the Lafayette County or Mississippi State Health Department to accommodate sewage disposal.

A-1-1-3. **Coverage:** The manufactured home and accessory structures shall not cover more than sixty-five (65) percent of the space area.

A-1-1-4. **Setbacks:** Minimum yard setbacks for individual spaces shall be five (5) feet on all sides, except for any side or rear yard abutting the project property line, in which case the minimum yard setback shall be ten (10) feet.

A-1-1-4.1 Projection into yard: the following structures may be erected or project into any required yard setback:

A-1-1-4.1a. Eaves, stairways and awnings not to exceed one (1) foot;

A—1-1-4.1b. Landscape elements including trees, shrubs, and other plants, except hedges, provided that such landscape feature does not hinder the movement of the manufactured home in or out of its space;

A-1-1-4.1c. Manufactures home tongue or hitch;

A-1-1-4.1d. Necessary appurtenances for utility services;

A-1-1-5. **Skirts:** Spaces beneath manufactured homes shall be enclosed with architecturally harmonizing skirts or by a combination of skirts, decks and grading with ventilation and access in accordance with Mississippi State law.

A-1-1-6. **Height;**

A-1-6.1. Manufactured Homes: Twenty (20) feet; or

A-1-6.2. Accessory use structures: Two (2) story or thirty (30) feet maximum, whichever is less.

A-1-1-7. **Parking**

A-1-1-7.1. Occupant Spaces: Two parking spaces per dwelling unit, which may be tandem spaces.

A-1-1-7.2. Visitor Spaces: One parking space for each four (4) manufactured homes.

A-1-1-8. Setback and Landscape Buffer.

Setback and landscape buffer will be 30 feet to all adjoining property owners and within this 30 foot setback and buffer existing trees will be retained or new trees will be planted along perimeter and shown on the site plan, a six foot high fence may be installed where screening is necessary. Required screening will be designed to achieve an opacity sufficiently commensurate with the density of the vegetation which existed prior to site development or in order to enhance compatibility with surrounding uses. The front, side and rear setback to the building will be 30 feet which can be penetrated by drives; and parking may be allowed in the setback 10 feet from the property line.

A-1-1-9. Recreation Area

A-1-1-9.1. Fifteen (15) percent of total park area or seven hundred (700) square feet per space, whichever is less shall be devoted to recreational areas and facilities, excluding any buffer requirements. Use of such facilities shall be limited to park residents. All recreational areas and facilities shall be completed prior to park occupancy; except as approved by the Planning Commission in a phasing program;

A-1-1-9.2. No recreation area shall be less than three thousand (3,000) square feet in area and total recreation area for any park shall not be less than six thousand (6,000) square feet in area;

A-1-1-9.3. For parks with children, a total of a minimum twelve hundred (1,200) square feet in area equipped with play apparatus shall be provided for each twenty-five (25) spaces and shall be credited to the area required for Recreation Area above;

A-1-1-9.4. All recreation areas shall be landscaped or planted in lawn and included in the landscape plan.

A-1-1-10. Access:

A-1-1-10.1 All streets shall be designed in accordance with "Design Standards for Subdivisions" in this Ordinance;

A-1-1-10.2. Street signs shall be provided for all public streets;

A-1-1-10.3. Circulation: All manufactured home park developments shall complement adjoining, existing or contemplated vehicle circulation patterns. All manufactured home park developments may be required to dedicate land adjoining public roads to the Town for road widening purposes. Improvements of the same to Town standards may be required by the Planning Commission to offset the burden placed on the public by the generation of new traffic.

A-1-1-11. Utilities.

All utility distribution facilities shall comply with the requirements of this Ordinance and shall make the necessary arrangements with each of the serving utilities for the installation of such facilities. Water and sewer distribution facilities shall be installed in conformance with applicable utility specifications. All manufactured home spaces must be served with water, sewer, and electricity, and comply with Local, County, State and Federal Requirements.

A-1-1-12. Trash Storage:

A centralized refuse and trash storage pad made of 6" concrete shall be provided and be readily accessible to all manufactured home spaces and County Waste management vehicles. Trash storage areas shall be concealed from any public and private street and enclosed by a six (6) foot solid wall of fence. Dumpster Pad requirements are at the Town Planner's office.

A-1-1-13. Landscaping: The Landscaping Plan shall include as a minimum the following:

A-11-13.1. Planting areas drawn to scale and plants clearly located and labeled. A plant list shall include the following:

- A-1-1-13.1a. Common name of trees and shrubs to be used;
- A-1-1-13.1b. Size to be planted (gallon size);
- A-1-1-13.1c. Quantity of each to be planted;
- A-1-1-13.1d. Location, name, and size of all existing trees and shrubs that are to be incorporated as part of the landscape plan.

A-1-1-13.2. Irrigation facilities are encouraged to maintain plant materials at all times. Use of automatic watering systems is encouraged to facilitate maintenance. Hose bibs shall be located within serviceable proximity to every planter where fixed and/or automatic water systems are not employed.

A-1-1-13.3. A continuous maintenance program shall be provided by the developer for the landscaped areas. The plan shall include repair or replacement as needed for the life of the development.

A-1-1-13.4. All approved landscaping shall be installed or financial assurance provided to the Town in an amount sufficient to fund the total cost of the required landscaping.

A-12. General Provisions:

The owner or operator of the Manufactured housing Developments shall be responsible for maintaining compliance with all Town, County State and any other pertinent laws and regulations pertaining to the use, operation, and maintenance of such Manufactured Housing Developments. Nothing contained in this Section shall be construed to abrogate, void or minimize such other pertinent laws and regulations.

A-1-3. Application Requirements

A site plan shall be submitted with the permit application, which shall comply with all requirements of this Ordinance including:

- A-1.3.1. A title as selected by the park developer;
- A-1-3.2. Name and address of the legal owner of the property, park developer, and civil engineer or licensed land surveyor or person who prepared the map;
- A-1-3.3. Topographic contours showing accurately the existing terrain within the park and a minimum of one hundred (100) feet on all sides;
- A-1-3.4. Approximate finished grade contours of all proposed roads, existing drainage channels, culverts, overhead and underground utility lines, wells and springs, major structures, irrigation ditches, utility poles and other improvements in their correct location;
- A-1-3.5. Minimum mapping requirements:
 - A-1.3.5a. Shall be drawn to an engineer's scale of one (1) inch equals fifty (50) feet or larger;
 - A-1-3.5b. Contours may be omitted when the lines fall closer than ten (10) contours per inch, provided that all contours at the bottom and top of slope changes are shown. In no event shall the heavy contours be omitted;
 - A-1-3.5c. On comparatively level terrain where contours are more than one hundred (100) feet apart, the contours may be omitted and spot elevations substituted. Additional spot elevations shall be shown at intervals along the center of dikes, roads, and ditches at summits, depressions, saddles or at other existing permanent installations;
 - A-1-3.5d. When the map contains more than one (1) sheet, the sheets shall be indexed to show the relative position of each sheet.
 - A-1-3.5e. The site plan shall also show all requirements of the Commercial Site Plan Check List.

A-2. RECREATIONAL VEHICLE DEVELOPMENTS

Recreational Vehicle Developments (RV Developments) shall conform to the following minimum standards: A site development plan must be prepared and submitted in accordance with Site Plan Requirements of this Ordinance.

A-2-1. Location and Fencing

An opaque fence at least eight (8) feet in height or continuous dense plant material as approved by the Planning Commission must be placed on the property line to buffer the RV Development from view. The buffer shall be installed on both sides and at the rear of the property.

A-2-2. Size and Density

Each RV Development must have a minimum size of two (2) acres, with a maximum of five (5) acres. The maximum site density for RV Developments shall be twenty (20) sites per acre. Only one (1) recreational vehicle is permitted per recreational vehicle site.

A-2-3. Size of Individual Sites: Pad Requirements and Landscaping

A-2-3-1. Each recreational vehicle site within the RV Development shall have a minimum area of one thousand nine hundred fifty (1,905) square feet and shall be at least thirty (3) feet wide and sixty-five (65) feet in depth. The sites shall be designed as pull-through for ease of entering and leaving the site. A roadway is therefore required to the front and rear. In addition, the space shall be clearly marked identifying the space number;

A-2-3.2. The left 1/3 (10 x 65) of the site or driver's side must be planted with grass and other landscaping; the middle (10 x 65) must be paved with cement and the remaining 1/3 or passenger side can be paved with either cement, asphalt, crushed rock or similar material. The middle portion is to be used for the parking of the recreational vehicle with the paved area on the right used as a parking or patio area.

A-2-4. Street Access; Street Lighting

A-2-4-1. Each recreational vehicle site within the RV Development shall have access to an internal private roadway, which shall have access to a public street. The entrance of the internal roadway shall have a pavement width of at least thirty (30) feet with an adequate curb radius. The major thoroughfare shall have a pavement width (concrete or asphalt) of twenty-four (24) feet in accordance with Town standards. The roadway may be fifteen (15) feet if the RV Development is designed for one-way roads. Each emergency access lane shall have a clear unobstructed width of twenty-four (24) feet; fifteen (15) feet if one-way and shall have a turning area and radii with a minimum of sixty (60) feet to permit free movement of emergency vehicles. Dead-end streets are not allowed. The internal streets off the major thoroughfare may be constructed with crushed rock materials or similar material with the objective to prohibit dust.;

A-2-4-2. Metal signs shall be placed along the emergency access lane, by the owner or agent of the RV Development stating that parking is prohibited. The sign type, size, height and location shall be approved by the Town;

A-2-4-3. Adequate street lighting for the RV Development shall be approved by the Town.

A-2-5. Required Facilities

Each RV development must have an office for the manager of the RV Development, and a bathroom and shower facilities. All facilities used by residents must be well lit inside and out during the night hours. All facilities must meet applicable codes.

A-2-6. Soil and Ground Cover.

Exposed ground surfaces in all parts of the RV Developments shall be paved, covered with stone, rock, or other similar solid material, or protected with vegetative cover that is capable of preventing soil erosion and eliminating dust. Note: All pavement shall be kept in good repair.

A-2.7. Prohibited Placement of Recreational Vehicle. The placement of a recreational vehicle for occupancy longer than sixty (60) consecutive days shall not be permitted.

A-2-8. Drainage and Road Construction. All construction shall be in accordance with the Subdivision Standards of this Ordinance. The ground surface in all parts of the RV Development shall be graded and designed to drain all storm water, surface water in a safe, efficient manner. Drainage analysis shall be performed by a licensed professional engineer and easements for the conveyance of surface water off-site shall be obtained, if necessary. Drainage calculation shall be submitted.

A-2-9. Water Supply. Each site within an RV Development shall be provided with a connection to a public water supply if available. If public water supply is not available then a permit from the Mississippi Department of Health shall be obtained to install a well, and distribution system of adequate size and capacity to serve the RV Development. The Town must approve all proposed water facility plans prior to construction. The water distribution system shall be installed in accordance with the public water association and Mississippi State Health Department requirements.

A-2-10. Wastewater Facilities. Each site shall have an approved wastewater system as approved by the Lafayette County or Mississippi State Health or Mississippi State Department of Environmental Quality.

A-2-11. Sanitary Facilities:

Each RV Development shall provide the following sanitary facilities as required by Mississippi Code Annotated, Section 41-67-3 or as listed below:

A-2-11.1. A minimum of 1 toilet, 1 lavatory, and 1 shower for each sex shall be provided for each 15 unsewered campsites up to the first 30 such campsites. For each additional thirty unsewered sites or less, an additional toilet, lavatory, and shower shall be provided for each sex;

A-2-11-2. A minimum of 1 toilet, 1 lavatory and 1 shower for each sex shall be provided for each 50 sewerer campsites;

A-2-11-3. One (1) washbasin shall be provided within the toilet room for every two (2) toilets or fraction thereof (a minimum of one (1) is required);

A-2-11-4. One (1) shower shall be provided for each sex for each twenty (20) sites or fraction thereof (minimum of one (1) is required for each sex) for the first one hundred and twenty (120) sites, and one (1) per forty (40) sites thereafter;

A-2-11-5. All toilets and shower facilities shall be placed in properly constructed buildings and located not more than five hundred (500) feet from any recreational vehicle site;

A-2-11-6. Buildings shall be well lit at all times, day or night, well ventilated with screened openings, and constructed of moisture proof material to permit rapid and satisfactory cleaning, scouring and washing;

A-2-11-7. The floors shall be of concrete or other impervious material, elevated not less than four (4) inches above grade, and each room shall be provided with floor drains;

A-2-11-8. A slop sink or basin with water supply shall be in each restroom (male and female) and at least one (1) in the laundry facility, and shall be constructed in accordance with design, size and materials approved by the building official.

A-2-11-9. Toilet and bathing facilities shall be in separate rooms or partitioned apart in any manner as to provide privacy and promote cleanliness. Each toilet provided in a community toilet house shall be partitioned apart from any other toilet in the same room. The floor surface around the commode shall not drain into the shower floor.

A-2-11-10. Toilet floors and walls shall be of impervious material, painted white or a light color, and kept clean at all times. If a shower stall is of some impervious material other than tile, cement or plaster, it shall be white or some light color and kept clean at all times. The floor of any bathroom, other than the shower stall, shall be of some impervious material, and the walls of the bathroom, other than the shower stall, shall be papered with canvas and wallpaper, or an equivalent washable surface kept clean at all times.

A-2-12. Storage, Collection and Disposal of Refuse and Garbage

A-2-12-1. Each RV Development shall be provided with safe and adequate facilities for the collection and removal of waste and garbage.

A-2-12-2. Storage, collection, and handling shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, or fire hazards.

A-2-12-3. Every site shall be located within two hundred (200) feet of a refuse facility measured along the RV Development internal roadway.

A-2-12-4. Trash dumpsters shall be screened on three (3) sides.

A-2-12-5. Dumpster pad requirements are available at the Town of Taylor Planning office.

A-2-13. Accessory Structures

The individual sites within the RV Development are not allowed to have accessory structures as defined herein.

A-2-14. Control of Insects, Rodents, and other Pests

The RV Development owner or manager shall be responsible for maintaining the entire area of the development free of dry brush, leaves, limbs and weeds.

A-2-15. Fire Safety Standards; Fire Hydrants

A-2-15-1. Open fires shall be allowed only in a manner and within a container approved by the Lafayette County Fire Chief/Coordinator.

A-2-15-2. Fire hydrants must be installed in accordance with the standards of the Lafayette County Fire Department.

A-3 Covenants for Assessments and Maintenance

A-3-1. Creation of the Lien and Personal Obligation of Assessments.

Developer, for each Lot owned by it within the Properties, hereby covenants and agrees, and each purchaser of any Lot by acceptance of a deed therefore, whether or not it shall be so expressed in any such deed or other conveyance, shall be deemed to covenant and agree, to pay to the association: (1) annual maintenance assessments or charges for purposes set forth in Section 2, such assessments to be fixed, established and collected from time to time as hereinafter provided. The annual maintenance, together with such interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on the land and shall be a continuing lien upon each Lot against which each such assessment is made. Each such assessment together with such interest thereon and cost of collection thereof as hereinafter provided, shall also be the continuing personal obligation of the person who was the Owner of such property at the time when the assessment fell due.

A-3.2. Purpose of Assessments. The assessments levied by the Association shall be used exclusively for the purpose of promoting the health, safety and welfare of the residents of the Properties, and in particular for the supervision, maintenance and improvement of the Common Area; and for paying the cost of labor, equipment (including the expense of leasing any equipment) and materials required for the management and supervision of the Common Area, including but in no way limited to the following:

A-3-2-1. The amount of all operating expenses for operating the Common Areas, Common Facilities (including private roads, if any, within the development) and furnishing the services furnished to or in connection with the Common Areas and Common Facilities, including charges by the Association for any services furnished by it; and

A-3-2-2. the cost of necessary management and administration of the Common Areas and Common Facilities, including fees paid to any managing agents; and

A-3-2-3. the amount of all taxes and assessments levied against the Common Areas and Common Facilities; and

A-3-2-4. the cost of fire extended coverage and liability insurance on the Common Areas and Common Facilities

A-3-2-5. the cost of such other insurance as the Association may place in force with respect to the Common Areas and Common Facilities; the cost of insurance for the Association and its directors and officers; and the cost of garbage and trash collection to the extent provided by the Association, and of utilities and other services which may be provided by the Association, whether for the Common Areas and Common Facilities or for the Lots, or both; and

A-3-2-6. the cost of maintaining, replacing, repairing and landscaping the Common Areas and Common Facilities (including, without limitation, the cost of maintaining, replacing and repairing the sidewalks, streets), and open areas in the Property, and the cost of such equipment as the Board of Directors shall determine to be necessary and proper in connection therewith; and A-3-2-7. the cost of funding all reserves established by the Association, including, when appropriate, a general operating reserve and a reserve for replacement.

A-3-3. Annual Assessment.

The annual assessment shall be set by the Board of Directors each year according to the budget adopted by the Board of Directors.

A-3-4. Special Assessments.

Special Assessments for Fire Protection and Work Performed by Declarant or the Association:

the Association is hereby authorized to assess each Lot upon which a dwelling has been placed or constructed with an equal to the per Lot charge made by the City of Oxford or Lafayette County for fire protection, in the event an agreement for fire protection is hereafter made by and between the Association and the City of Oxford or Lafayette County.

A-3-5. Date of Commencement of Assessments:

Due Dates. The annual assessments provided for herein shall commence as to all Lots, except Lots owned by Declarant, on the first day of the month following the conveyance of the Lot to the Owner. Assessments on Lots owned by Developers shall commence as provided in Section 12 hereof. The first annual assessment shall be prorated according to the number of months remaining in the calendar year. The due dates shall be established by the Board of Directors.

A-3-6. Duties of the Board of Directors with Respect to Assessments

A-3-6-1. The Board of Directors of the Association shall fix the date of commencement and the amount of the assessment against each Lot for each assessment period at least thirty (30) days in advance of such date or period, and shall, at that time, prepare a roster of the Lots and assessments applicable thereto which shall be kept in the office of the Association.

A-3-6-2. Written notice of the assessment shall thereupon be delivered or mailed to every owner subject thereto

A-3-6-3. Board of Directors shall, upon demand at any time, furnish to any Owner liable for said assessment, a certificate in writing signed by an officer of the Association, setting forth whether said assessment has been paid. Said certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid. A reasonable charge may be made by the Board of Directors for the issuance of such certificates.

A-3-7. Effect of Non-Payment of Assessment: The Personal Obligation of the Owner; the Lien; Remedies of Association

A-3-7-1. If any assessment or any part thereof is not paid on the date(s) when due, then the unpaid amount of such assessment shall, together with such interest thereon and cost of collection thereof as hereinafter provided, become a continuing lien on the Lot of the non-paying Owner, which lien shall be binding upon such Lot and the Owner thereof, his heirs, executors, devisees, personal representatives and assigns. The Association shall have the right to reject partial payments of an assessment and demand the full payment thereof. The obligation of the then existing Owner to pay such assessment, however, shall remain his personal obligation and shall not be extinguished by transfer of title. The lien for unpaid assessments shall be unaffected by any sale or assignment of a Lot and shall continue in full force and effect. No Owner may waive or otherwise escape liability for the assessment provided herein by abandonment of his Lot.

A-3-7-2. The Association shall give written notification to the holder(s) of the mortgage on the Lot of the non-paying Owner of such Owner's default in paying any assessment when such default has not been cured within sixty (60) days, if such mortgagee has requested same.

A-3-7-3. If any assessment or part thereof is not paid within thirty (30) days after the due date, the unpaid amount of such assessment shall bear interest from the date of delinquency at the maximum interest rate per annum which can be charged to individuals and the Association may, at its election, bring an action at law against the Owner personally obligated to pay the same in order to enforce payment and/or to foreclose the lien against the Property subject thereof after giving Notice to the holder of any Recorded First Mortgage. There shall be added to the amount of such assessment the costs of preparing and filing the complaint in such action and in the event a judgment is obtained, such judgment shall include interest on the assessment as above provided and attorney's fee to be fixed by the court, together with the costs of the action and/or all costs of foreclosure, including a reasonable attorney's fee.

A-3-8. Reserves for Replacements.

The Association shall establish and maintain a reserve fund for replacements of the Common Areas and Common Facilities, and shall allocate and pay to such reserve fund whatever amount may be designated from time to time by the Board of Directors. Amounts paid into such fund shall be conclusively deemed to be a common expense of the Association, and all such amounts may be deposited in any banking institution, the accounts of which are guaranteed by the FDIC, or, in the discretion of the Board of Directors, may be invested in obligations of, or obligations fully guaranteed as to principal by, the United States of America. The reserve for replacements is for the purpose of providing funds for replacement of the Common Areas and Common Facilities, for major repairs to any sidewalks, parking areas, streets, and roadways on the Common Area, for equipment replacement, and for start-up expenses and operating contingencies of a non-recurring nature relating to the Common Areas and Common Facilities. The Association may establish such other reserves for such other purposes as the Board of Directors may from time to time consider to be necessary or appropriate. The proportional interest of each Member in any such reserves shall be considered an appurtenance to his Lot, and shall not be withdrawn, assigned or transferred separately from or otherwise than as an appurtenance to the Lot to which it appertains, and shall be deemed to be transferred with such Lot.

A-3-9. Subordination of the Lien to Mortgages.

The lien of the assessments provided herein shall be subordinate to the lien of any Recorded First Mortgage. Sale or transfer of any Lot shall not affect the assessment lien. However, the sale or transfer of any Lot pursuant to mortgage foreclosure or any proceeding in lieu thereof, shall extinguish the lien of such assessments as to payments which became due prior to such sale or transfer. No sale or transfer shall relieve such Lot from liability for any assessments thereafter becoming due or from the lien thereof.

A-3-10. Exempt Property.

The following Property subject to this Declaration shall be exempt from the assessments, charge and lien created therein:

A-3-10-1. All properties dedicated and accepted by the local public authority and devoted to public use.

A-3-10-2. All areas unplatted or reserved by the Declarant on the recorded plat of the property.

A-2-10-3. The Common Area and Common Facilities.

A-3-11. Assessments Are Not Dues.

No portion of the annual maintenance or assessments provided in or permitted herein are intended to be, or shall be construed to be, dues for membership in the Association.

A-3-12. Assessment of Developers and Builders.

Any Lot owned by a Developer or Builder shall not be subject to Assessment by the Association until sixty (60)

Days after construction of any Dwelling on such Lot or, if earlier, one hundred eighty (180) days after the date a deed for such Lot is delivered to the Developer or Builder.

A-4 GENERAL PROVISIONS FOR COVENANTS

A-4-1. Duration. The Covenants, Conditions and Restrictions of this Declaration shall run with and bind the land subject to this Declaration, and shall inure to the benefit of and be enforceable by the Owners of any land subject to this Declaration, their respective legal representatives, heirs, successors, and assigns, for a term of thirty- five (35) years from the date this Declaration is recorded in the Office of the Chancery Clerk of Lafayette County, Oxford, Mississippi, after which time said covenants shall be automatically extended for the successive periods of ten (10) years unless an instrument signed by a majority of the Owners has been recorded in the Deed Records, in said Chancery Clerk's Office agreeing to abolish the said Covenants, Conditions and Restrictions in whole or a substantial portion thereof; provided, however, that no such agreements to abolish shall be effective unless made and recorded one (1) year in advance of the effective date of such abolishment.

A-4-2. Enforcement of Declaration.

A-4-2-1. Compliance. If any provision of this Declaration is breached or violated or threatened to be breached or violated by any Owner or other Person, then each of the other Owners, the Declarant and/or the Association, jointly and severally, shall have the right, but not the obligation, to proceed at law or in equity to compel a compliance with, or to prevent the threatened violation or breach of, the provisions of this Declaration. The failure by any Person for any period of time to enforce any provision of this Declaration shall not be or be deemed a waiver of the right to enforce or otherwise bar or affect the enforcement of any and all provisions of this Declaration at any time, including any future time.

A-4-2-2. Enforcement. This Declaration shall be enforced by any proceeding at law or in equity (i) against any Person who breaches or violates or threatens to breach or violate any provision of this Declaration, (ii) to recover damages for any such breach or violation, (iii) to collect any amounts payable by any Owner to the Association under this Declaration, including Assessments, attorney's fees, costs of collection, late charges, overhead charges or other amounts incurred by the Association to perform or discharge any obligation or duty of any Owner under this Declaration or otherwise specified in this Declaration, and (iv) to enforce any lien created by this Declaration. This is hereby created and declared to be a conclusive presumption that any actual or threatened violation or breach of this Declaration cannot be adequately remedied by an action at law exclusively for recovery of monetary damages. The Declarant, the Association and each Owner by acceptance of a deed or other conveyance document to a Lot waives and agrees not to assert any claim or defense that injunctive relief or other equitable relief is not an appropriate remedy.

A-5. Approved Plant List.

A-5-1. Large Maturing Trees

A-5-1.1. Deciduous Trees

White Ash (*Fraxinus Americana*) Resistant to heat and drought, growth rate medium, height range 50' to 80', do not plant in heavy clay soil.

Bald Cypress (*Taxodium Diichum*)* Growth rate fast, height range 5' to 80', produces small leaves that do not need raking.

River Birch (*Betula Nigra*)* Subject to drought problems, may be multi-stem, growth rate fast, height range 40' to 70'.

Lacebark Elm (*Ulmus Parvifolia*) Resistant to Dutch Elm disease, growth rate medium, height range 40' to 50'.

Ginko (*Ginko Biloba*)* Pest free, tolerates pollution, drought resistant, growth rate slow, height range 50' to 60'.

Laurel Oak (*Quercus Laurifolia*) Growth rate medium to fast, height range 60' to 80', "Darlington" variety recommended.

Sawtooth Oak (*Quercus Acutissima*) Holds its leaves during winter, drops lots of acorns, toughest of the oaks, growth rate medium to fast, height range 35' to 70'.

Shumard Oak (*Quercus Shumardii*)* Growth rate medium to fast, height range 40' to 80'.

Southern Red Oak (*Quercus Falcata*)* Natural to area, growth rate medium to fast, height range 70' to 80'.

Water Oak (*Quercus Nigra*) Prefers well-drained clay, fertile moist soil, growth rate medium to fast, height range 70' to 80'.

White Oak (*Quercus Alba*) Very long lived, growth rate slow, height range 70' to 80'.

Willow Oak (*Quercus Phellos*) Very common tree in this area, withstands urban conditions, growth rate fast, height range 70' to 80'.

Japanese Pagoda May develop cankers which can girdle limbs, growth rate fast, (*Japonica Sophora*) height range 70' to 80'.

London Planetree Withstands harsh urban conditions, growth rate fast, height (*Plantanus Acerfolia*)* range 60' to 100'.

Tupelo Black Gum (*Nyssa Aquatica*) Resistant to disease, urban tree, long life, growth rate medium, height range 50' to 70'.

Tulip Poplar (*Kiriodendrun Tulipifera*) Needs lots of space, good soils, growth rate fast, height range 60' to 90'.

Japanese Zeikova (*Zeikova Serrata*) Form of elm resistant to Dutch Elm disease, growth rate fast, height range 50' to 80'.

A-5-1.2. Evergreen Trees.

Leyland Cypress Maintains good shape, excellent screening, growth rate (Cupressocyparis Leylandii) medium, height range 60' to 70'.

Canadian Hemlock (Taug Canadensis) Requires partial shade and good soils, growth rate fast, height range 40' to 70'.

Southern Magnolia Drops large leaves, growth rate medium to fast, height range (Magnolia Grandiflora) 50' to 80'.

Austrian Pine (Pinus Nigra) Tolerates urban conditions, growth rate medium, height 50' to 60'.

Loblolly Pine (Pinus Taeda) Susceptible to pine beetles if not kept healthy, growth rate fast, height range 40' to 60'.

Virginia Pine (Pinus Virgnana) Susceptible to pine beetles if not kept healthy, growth rate medium, height range 15' to 40'.

A-5-2. Medium to Small Maturing Trees

A-5-2.1. Flowering

Kwanzan Cherry (Prunus Serrulata) Good soils preferred, growth rate slow, height 20' to 25'.

Yoshino Cherry (Prunus Yedoensis) Good soils preferred, growth rate medium, height 20' to 25'.

Crabapple (Malus Spp.) Recommended varieties: "Snowdrift"; Zumi"; and "Centurion", growth rate medium to fast, height range 15' to 25'.

Crapemyrtle (Lagerstroemia Indica)* Must be maintained in tree form, growth rate medium, height range 15' to 45'.

Flowering Dogwood (Cornus Florida)* Needs partial shade and good soils, growth rate medium to fast, height range 20' to 25'.

Kousa Dogwood (Cornus Kousa)* More hardy tree than Flowering Dogwood, growth rate slow to medium, height range 15' to 30'.

Hawthorne ((Crataegus Viridis) Prone to insect problems, growth rate slow to medium, height range 20' to 25'.

Saucer Magnolia Growth rate medium, height range 20' to 30'. (Magnolia Souciageana).

Aristocrat Pear (Pyrus Calleryana) Very tolerant, best limb structure, growth rate fast, height range 30' to 40'.

Capital pear (Pyrus Calleryana) Very tolerant, most columnar, growth rate fast, height 30' to 40'.

Redspire Pear (Pyrus Calleryana) Very tolerant, more narrow than the "Bradford", growth rate fast, height range 30' to 40'.

Purpleleaf Plum (Prunus cerasifera) Remains purple, produces fruit, growth rate medium to fast, height range 15' to 30'.

A.5.2.2. Non-Flowering

Carolina Cherry Laurel Good soils preferred, growth medium, height range 20' to 30'. (Prunus Caroliniana)

Foster Holly #2 (Ilex x Attenuata) Multiple uses, growth rate medium to fast, height 15' to 20'.

Savannah Holly (Ilex x Attenuata) Multiple uses, growth rate fast, height range 20' to 30'.

American Hornbeam Pest free, tolerates urban conditions, growth rate slow, height (Carpinus Caroliniana) range 20' to 30'.

European Hornbeam Pest free, tolerates urban conditions, growth rate slow, height (Carpinus betulus) RANGE 20' TO 30'.