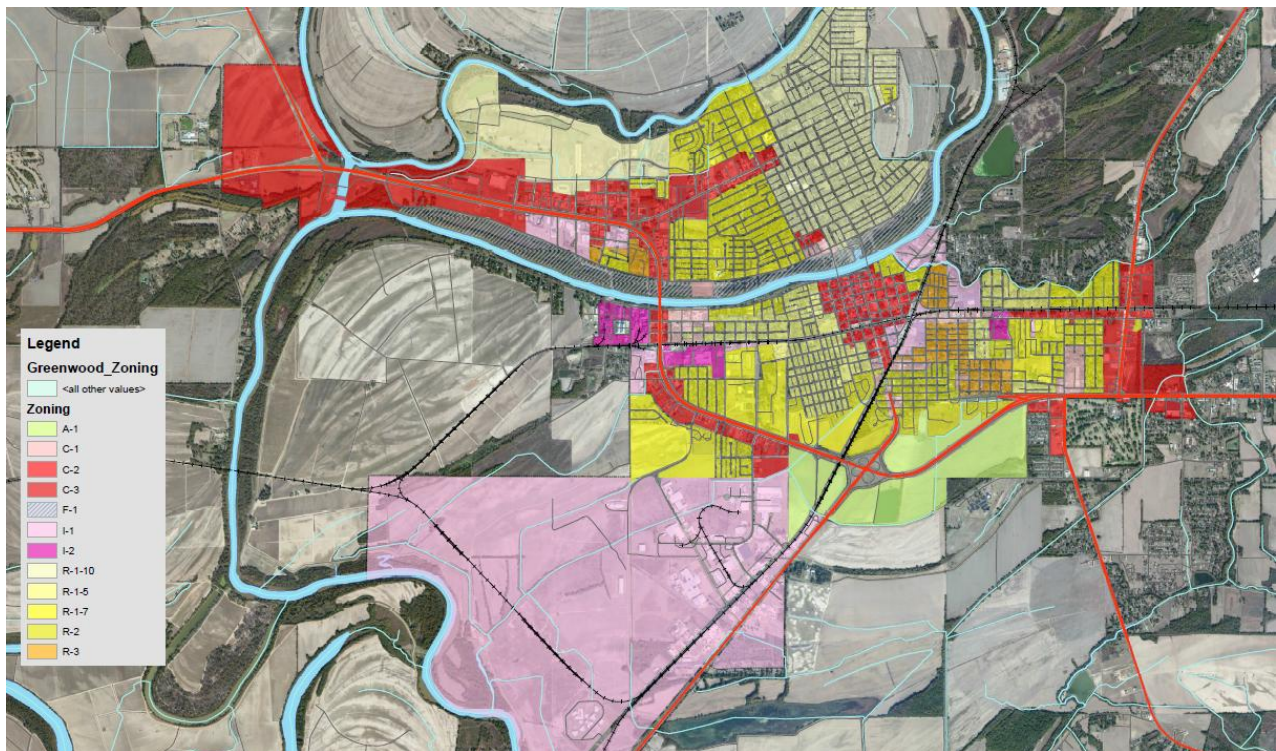


# Greenwood, Mississippi

## Zoning and Development Code

Comprehensively Amended and Revised – November, 2014



## Study Draft V.5 – Review and Comment

Planning Commission Review Completed 11-07-14

Recommended by Planning Commission 11-20-14



## Contents

ARTICLE I. TITLE AND PURPOSE.....	1
Section 1. Authority .....	1
Section 2. Title .....	1
Section 3. Interpretation .....	1
Section 4. Compliance Required.....	1
Section 5. Severability.....	2
ARTICLE II. DISTRICTS.....	3
Section 1. Zoning Districts .....	3
Section 2. Rules for Interpretation of District Boundaries.....	3
Section 3. Conditions Applying To All Districts.....	4
ARTICLE III. STANDARD DISTRICTS.....	5
Section 1 – A-1 General Agricultural District.....	5
Section 2 – R-1-10 Single Family Residential District.....	6
Section 3 – R-1-7 Single Family Residential District.....	7
Section 4 – R-1-5 Single Family Residential District.....	8
Section 5 – R-2 Multi-Family District .....	9
Section 6 – R-3 Multi-Family District .....	10
Section 7 – C-1 Neighborhood Commercial District .....	11
Section 8 – C-2 Community Commercial District.....	12
Section 9 – C-3 Highway Commercial .....	13
Section 10 – C-4 Service Commercial.....	14
Section 11 – I-1 Light Industrial .....	15
Section 12 – I-2 Heavy Industrial .....	16
ARTICLE IV. SPECIAL DISTRICTS .....	17
Section 1. PAMU (Park Avenue Form Based Mixed Use District) .....	17
Section 2. PUD (Planned Unit Development District) .....	32
Section 3. F-1 Flood Plain District .....	34
Section 4. H-1 Commercial Historic Overlay District.....	35
Section 4. H-2 Residential Historic Overlay District .....	36
Section 5. I-3 Greenwood Leflore Industrial Park District (GLIP).....	37
ARTICLE V. DEVELOPMENT CONDITIONS AND STANDARDS.....	38

Section 1. Table of Uses .....	38
Section 2. Standards of Design .....	46
Section 3. Use Standards.....	65
ARTICLE VI. SIGNS AND OUTDOOR ADVERTISING.....	74
Section 1. Sign Requirements for Signs Located Outside Historic Districts .....	74
Section 2. Sign Requirements for Signs Located Within Historic Districts .....	78
ARTICLE VII. NONCONFORMING BUILDINGS, STRUCTURES AND USES.....	82
Section 1. Nonconforming Buildings And Structures .....	82
Section 2. Nonconforming Uses of Land .....	82
Section 3. Status Exception for Neighborhood Embedded Commercial Activity .....	82
ARTICLE VIII. PLANNING COMMISSION .....	84
Section 1. Planning Commission Created; membership .....	84
Section 2. Planning Commission Officers; budget.....	84
Section 3. Planning Commission Powers and Duties.....	85
Section 4. Decisions and Appeals .....	88
ARTICLE IX. HISTORIC PRESERVATION COMMISSION.....	89
Section 1. Establishment; purpose; composition. ....	89
Section 2. Procedure for designation of historic preservation districts and archaeological, historical, cultural and architectural landmark and landmark sites. ....	90
Section 3 Historic preservation commission; issuance of certificates of appropriateness. ...	93
ARTICLE X. ADMINISTRATION .....	100
Section 1. Building Permit and Certificate of Occupancy Required .....	100
Section 2. Violations and Penalties .....	101
Section 3. Amendments .....	101
Section 4. Zoning Variances and Exceptions .....	102
Section 5. Classification of Newly Annexed Property .....	102
Section 6. Conflicting Restrictions .....	102
Section 7. Emergency Clause.....	102
ARTICLE XI. DEFINITIONS AND RULES OF APPLICATION .....	103
Section 1. Rules for Words and Phrases .....	103
Section 2. Definitions .....	103

## **CITY OF GREENWOOD MISSISSIPPI ZONING AND DEVELOPMENT CODE**

AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR ALL PURPOSES, THE HEIGHT, NUMBER OF STORIES, SIZE AND OTHER CHARACTERISTICS OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION; AND FOR SAID PURPOSES TO DIVIDE THE MUNICIPALITY INTO DISTRICTS OF SUCH NUMBER, SHAPE, AND AREA AS MAY BE DEEMED BEST SUITED TO CARRY OUT THESE REGULATIONS; TO PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS AND TO PROVIDE FOR ITS ENFORCEMENT; AND TO ADOPT THE OFFICIAL ZONING MAP; AND TO REPEAL ALL CONFLICTING ORDINANCES.

WHEREAS, on December 13, 1972, at a regular called meeting of the City Council of the City of Greenwood, Leflore County, Mississippi, an Order was adopted authorizing the calling of a meeting of parties in interest and citizens, giving them an opportunity to be heard on the question of the passage of a revised Zoning Ordinance, dividing the municipality into districts and creating regulations, restrictions, and establishing boundaries thereof; and WHEREAS, notice of said meeting was published in The Greenwood Commonwealth on December 18, 1972, setting forth a comprehensive plan of zoning and proposed adoption of an Official Zoning Map, at a hearing to be held on January 3, 1973, said publication being for the time and manner provided by law, being more than fifteen days prior to said date of hearing; and

WHEREAS, on January 3, 1973, persons did appear and a hearing was held and amendments were made, and an Official Zoning Map and Ordinance were duly adopted, in accordance with the laws of the State of Mississippi; and That the Ordinance adopted by the City of Greenwood on August 14, 1954, recorded in Minute Book 40, page 574, was repealed; and

WHEREAS, the City of Greenwood administered the 1973 Zoning Ordinance as from time to time amended in accordance with its purposes and commissioned the development of a new Comprehensive Plan in the year 2010 which established new goals and objectives for Greenwood which could not be achieved under the 1973 Zoning Ordinance; and

WHEREAS, the City of Greenwood has comprehensively revised and amended the Zoning Ordinance of 1973 to reflect the 2010 Greenwood Comprehensive Plan and retitled it the Greenwood Zoning and Development Code, accordingly the following Greenwood Zoning and Development Code is adopted as the official zoning ordinance of the City of Greenwood, Mississippi.

## ARTICLE I. TITLE AND PURPOSE

### Section 1. Authority

The provisions of this Ordinance are adopted pursuant to the authority set forth in Section 17-1 and following of the Mississippi Code of 1973 as amended. Reference is also made to Section 3593, Mississippi Code of 1942, as amended, and to Section 3374-123.5 of said code.

### Section 2. Title

This Ordinance shall be known as the Official Zoning and Development Code of Greenwood, Mississippi and may be so cited.

### Section 3. Interpretation

In interpreting and applying this Ordinance, its provisions shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, and general welfare.

### Section 4. Compliance Required

Except as hereinafter provided:

1. No building shall be erected, reconstructed, altered or enlarged nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located.
2. No building shall be erected, reconstructed, altered or enlarged to exceed the height or bulk limit herein established for the district in which such building is located.
3. No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this Ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established.
4. No building permit shall be issued by the city for the construction or placing of, and no person shall construct or place any dwelling, structure, or edifice, designed or usable as a dwelling place, on any lot, tract, or parcel of land unless the lot, tract or parcel of land upon which each such structure is to be located, or is located, has been defined, delineated, or described by a map or plat filed for record in the deed record of the county; provided, that this Ordinance shall not prohibit the issuance of a building permit for the construction or placing of any single structure, designed or usable as a dwelling, located on any tract of land set apart, delineated or defined by a metes and bounds description and recorded in the deed records of the county as of January 3, 1973, when the only structure (with its permitted appurtenances) is located, or to be located thereon, faces or fronts upon a legally established public thoroughfare.
5. No building permit shall be issued by the city for the erection or placing of any dwelling on a lot, the width or street frontage of which has been decreased from the width or street frontage as originally platted or as replatted and recorded in the deed records of the county, nor shall a building permit be issued for the erection or placing of any dwelling on the rear yard of any corner lot situated in a residential district.
6. A building permit may be issued by the city through its proper agent for the construction or placing of a dwelling on a lot or tract of land composed of portions of two or more lots as recorded in the deed records of the county, only when such resulting lot or tract has a street frontage of not less than the street frontage of any lot in the same block provided that such frontage meets the requirements of the City Subdivision Ordinance.

## ARTICLE I. TITLE AND PURPOSE

7. Every dwelling hereafter erected shall be located on a lot as herein defined and in no case shall there be more than one (1) dwelling structure on one (1) lot, except as allowed by the Zoning Ordinance or permitted by the Planning Commission.
8. No yard or other open space provided above any building for the purpose of complying with the provisions of these regulations shall be considered as providing a yard or open space for any other building; provided further that no yard or open space on an adjoining property shall be considered as providing a yard or open space on a lot whereon a building is to be erected.
9. Every dwelling hereafter erected shall be located on a lot and in no case shall there be more than one single family dwelling structure on one lot.

### **Section 5. Severability**

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

## ARTICLE II. DISTRICTS

### Section 1. Zoning Districts

In order to regulate and restrict the location of trades and industries and the location of buildings erected, reconstructed, altered or enlarged for specified uses, to regulate and limit the height and bulk of buildings hereafter erected, reconstructed, altered or enlarged; to regulate and determine the area of yards and other open spaces and to regulate and limit the density of population, the City of Greenwood is hereby divided into districts, of which there shall be 17 as follows:

Standard Districts	Special Districts
A-1 General Agricultural District	PAMU (Park Avenue Form Based Mixed Use District)
<b>Residential Districts</b>	PUD (Planned Unit Development District)
R-1-10 Single-Family Residential District	H-1 Commercial Historic District
R-1-7 Single-Family Residential District	H-2 Residential Historic District
R-1-5 Two-Family Residential District	F-1 Flood Plain District
R-2 Multifamily Residential District	I-3 Greenwood Leflore Industrial Park District
R-3 Multifamily Residential District	
<b>Commercial</b>	
C-1 Neighborhood Commercial District	
C-2 Community Commercial District (Central Business District)	
C-3 Highway Commercial District	
C-4 Service Commercial District (may add performance criteria to this)	
<b>Industrial</b>	
I-1 Light Industrial District	
I-2 Heavy Industrial District	

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

### Section 2. Rules for Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
- Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
- Boundaries indicated as approximately following city limits shall be construed as following such city limits;
- Where the boundary of a district line follows a railroad right-of-way, such boundary shall be deemed to be located on the right-of-way line to which it is closest, which shall completely include or exclude the railroad easement unless otherwise designated;

## ARTICLE II. DISTRICTS ESTABLISHED

5. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map;
7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections 1 through 6 above, the Planning Commission shall interpret the district boundaries;
8. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, the Planning Commission may permit the extension of the regulations for either portion of the lot not to exceed 100 feet beyond the district line into the remaining portion of the lot.

### Section 3. Conditions Applying To All Districts

1. Conditions of A More Restricted District - Whenever the specific district regulations pertaining to one district permit the uses of a more restrictive district, such uses shall be subject to the conditions as set forth in the regulations of the more restrictive district unless otherwise specified.
2. Open Space - No open space or lot area required for a building or structure shall be occupied by, or counted as open space for any other building or structure:
  - a. In any residential district the front yard minimum setback of any lot unoccupied as of the effective date of this Ordinance shall be equal in depth to the average depth of the front yards of the nearest adjacent occupied lots.
  - b. Where the dedicated street right-of-way is less than fifty (50) feet, the depth of the front yard shall be measured starting at a point twenty-five (25) feet from the center line of the street right-of-way.
  - c. No dwelling unit shall be erected on a lot which does not abut or have reasonable access to a public street a minimum of 15 feet in width and not more than 50 feet in length.






113

**ARTICLE III. STANDARD DISTRICTS**


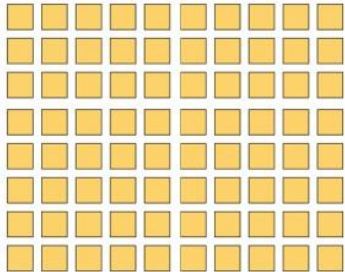

114

**Section 1 – A-1 General Agricultural District**


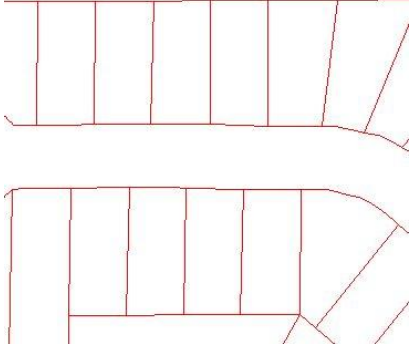
Purpose		Typical Building Type
This district shall provide an area for agricultural and horticultural uses. The rural nature and low density of population in this district requires only that uses essential to agriculture and horticulture have a reasonable setback of buildings from dedicated streets and/or highways. It is the purpose of this district to encourage and protect such uses from urbanization until such is warranted and the appropriate change in district classification is made.		
Principal Intensity and Dimensional Standards		Typical Lot Pattern
Minimum Lot Area (min)	3 acres	
Lot Area Per DU (min)	3 acres <sup>1</sup>	
Lot Width (min)	100'	
Building Coverage (% of lot area, max)	n/a	
Gross Ground Floor Area(max)	n/a	
Height (ft) (max)	35' <sup>2</sup>	
Front Yard Depth(min, max)	25', n/a	
Side Yard Depth(min) <sup>2</sup>	10' <sup>3</sup>	
Rear Yard Depth(min)	25'	
<b>Notes:</b>		
<ol style="list-style-type: none"> <li>Each one-family dwelling in the A-1 District, together with its accessory buildings, hereafter erected, shall be located on a parcel having an area of not less than three (3) acres which tract shall have access to a dedicated public street or highway. However, nothing in this Ordinance shall prevent the erection of one (1) one-family dwelling, or the use of the land for agricultural purposes on any tract of three (3) acres or less, which was in existence on the date of passage of this Ordinance, provided that all buildings erected on such lots shall meet all of the other requirements of this or any other applicable ordinances.</li> <li>Agricultural buildings are exempt from this regulation.</li> <li>Any permitted pen or building in which livestock is kept shall be located not less than one hundred (100) feet from any lot line.</li> </ol>		
<b>Typical Development Configuration</b>		
		

# ARTICLE III. STANDARD DISTRICTS ESTABLISHED


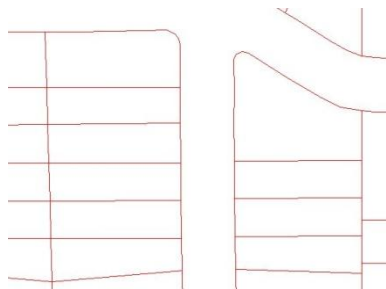
## Section 2 – R-1-10 Single Family Residential District

Purpose		Typical Building Type
<p>This is the most restrictive residential district. The principal use of land is for single-family and two-family dwellings and with special permission, multifamily dwellings, related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationships of each element.</p>		
Principal Intensity and Dimensional Standards (sf = Single Family; tf = two family; mf = multi-family)		Typical Lot Pattern
Lot Area (min, square feet)	10,000 (sf) 7,500 (tf) 4,500 (mf)	
Lot Area Per DU (min)	n/a	
Lot Width (min) ft.	100' (sf, tf) 300' (mf)	
Building Coverage (% of lot area max)	70%	
Gross Ground Floor Area (max)	n/a	
Height (ft) (max)	35'	
Front Yard Depth (min, max)	25', n/a	
Side Yard Depth (min)	5' <sup>1</sup>	
Rear Yard Depth (min)	25 percent of lot depth	
Notes:		
<div><div>4.</div><div>For lots of more than fifty (50) feet in width, either of the side yards may be five (5) feet, and the sum of the side yards shall be twenty (20) percent of the lot width, but need not exceed twenty (20) feet in width.</div></div> <div><div>5.</div><div>On corner lots the side yard requirement shall be the same as for interior lots except in the case of reversed frontage where the corner lot rear on the side of a lot facing the other intersecting street, in which case, there shall be a side yard on the corner lot of not less than fifty (50) percent of the front yard required on the lot abutting the rear of the corner lot or separated only by an alley.</div></div> <div><div>6.</div><div>No accessory building on said corner lot shall project beyond the front yard line of the lots in the rear, nor shall a building be erected, reconstructed, altered or enlarged, closer than five (5) feet to the line of the abutting lot to the rear.</div></div>		
Typical Development Configuration		
		

# ARTICLE III. STANDARD DISTRICTS ESTABLISHED


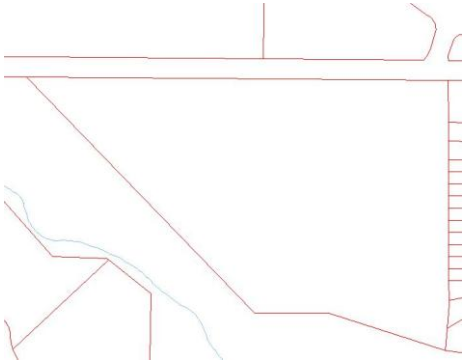
Section 3 – R-1-7 Single Family Residential District			
Purpose		Typical Building Type	
The principal use of land is for single-family dwellings, two-family dwellings, and with special permission, multifamily dwellings.			
Principal Intensity and Dimensional Standards (sf = Single Family; tf = two family; mf = multi-family)		Typical Lot Pattern	
Lot Area (min, square feet)	7,500 (sf) 6,000 (tf) 3,500 (mf)		
Lot Area Per DU (min)	n/a		
Lot Width (min) ft.	70' (sf) 90' (tf) 200' (mf)		
Building Coverage (% of lot area, max)	70%		
Gross Ground Floor Area (max)	n/a		
Height (max)	35		
Front Yard Depth (min, max)	25', n/a		
Side Yard Depth (min)	5' <sup>1</sup> 5'/ Sum of 20 <sup>1</sup>		
Rear Yard Depth (min)	25 percent of lot depth		
Notes:			
<div><div></div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div></div>			

# ARTICLE III. STANDARD DISTRICTS ESTABLISHED

Section 4 – R-1-5 Single Family Residential District		
Purpose		Typical Building Type
<p>This is a residential district to provide for medium population density. The principal use of land is for single-family dwellings, two-family dwellings and, with special permission, multifamily dwellings.</p>		
Principal Intensity and Dimensional Standards (sf = Single Family; tf = two family; mf = multi-family)		Typical Lot Pattern
Lot Area (min, square feet)	5,000 (sf) 3,750 (tf) 3,000 (mf)	
Lot Area Per DU (min)	n/a	
Lot Width (min) ft.	50' (sf) 75' (tf) 150' (mf)	
Building Coverage (% of lot area, max)	70%	
Gross Ground Floor Area (min)	n/a	
Height (max)	35'	
Front Yard Depth (min, max)	25', n/a	
Side Yard Depth (min)	5' <sup>1</sup> 5' / Sum of 20' <sup>1</sup>	
Rear Yard Depth (min)	25 percent of lot depth	
Notes:		
<ol style="list-style-type: none"><li>Where a lot has less area or width than herein required and was a lot of record and in separate ownership at the time of the passage of this Ordinance said lot may be occupied by not more than one family, provided all yard requirements detailed herein are observed.</li><li>Special sub-area for professional offices such as medical, dental, paramedical, attorneys, accountants, physicians, medical equipment supply sales and rentals, insurance agencies, engineers and architects, is located within an area bounded on the South by the C &amp; G Railroad, on the North by River Road, on the East by the C-2, Community Commercial District and on the West by the C-1, Neighborhood Commercial District. These uses will be considered special exceptions in the sub-district.</li></ol>		


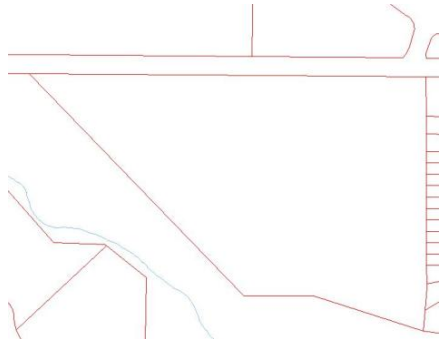
# ARTICLE III. STANDARD DISTRICTS ESTABLISHED

## Section 5 – R-2 Multi-Family District


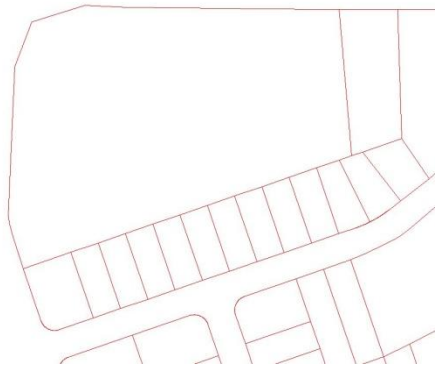

Purpose		Typical Building Type
<p>This is a residential district to provide for medium to moderately high population density. The principal use of land may range from two-family dwelling units to multifamily and garden apartment uses. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.</p>		
Principal Intensity and Dimensional Standards (sf = Single Family; tf = two family; mf = multi-family)		Typical Lot Pattern
Lot Area (min, square feet)	5,000 (sf) 3,750 (tf) 2,500 (mf)	
Lot Area Per DU (min)	n/a	
Lot Width (min)	50' (sf) 75' (tf) 100' (mf)	
Building Coverage (% of lot area, max)	60%	
Gross Ground Floor Area (min)	n/a	
Height (max)	35' <sup>1</sup> (sf,tf) 3 stories or 45' (mf)	
Front Yard Depth (min, max)	25' <sup>2</sup> , n/a	
Side Yard Depth (min)	5' <sup>1</sup> / Sum of 20'	
Rear Yard Depth (min)	25 percent of lot depth	
Notes:		
1. An additional two feet for each side yard shall be required for each story above the first story. 2. The primary frontage of the lot shall be on a collector, major, or arterial street. 3. The actual pool area of an outdoor swimming pool will not be considered impervious area.		




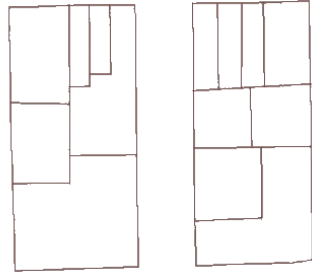

# ARTICLE III. STANDARD DISTRICTS ESTABLISHED

Section 6 – R-3 Multi-Family District		
Purpose		Typical Building Type
<p>This is a residential district to provide for high population density. The principal use of land may range from two-family dwelling units to manufactured home and multifamily uses. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.</p>		
Principal Intensity and Dimensional Standards (sf = Single Family; tf = two family; mf = multi-family)		Typical Lot Pattern
Lot Area (min, square feet)	3,750 (tf) 1,000 (mf) 4,000 (manufactured home)	
Lot Area Per DU (min)	n/a	
Lot Width (min)	75' (tf) 100' (mf) 50' (manufactured home)	
Building Coverage (% of lot area, max)	60%	
Gross Ground Floor Area (min)	n/a	
Height (min)	35' <sup>1</sup> (sf) 10 stories or 120' (mf)	
Front Yard Depth (min, max)	25', n/a	
Side Yard Depth (min)	5' 5' Sum of 20' <sup>1</sup> 7.5' (manufactured home)	
Rear Yard Depth (min)	25 % of lot depth or 10' (manufactured home)	
Notes:		
<ol style="list-style-type: none"><li>1. An additional two feet for each side yard shall be required for each story above the first story.</li><li>2. The primary frontage of the lot shall be on a collector, major, or arterial street.</li><li>3. The actual pool area of an outdoor swimming pool will not be considered impervious area.</li></ol>		

# ARTICLE III. STANDARD DISTRICTS ESTABLISHED


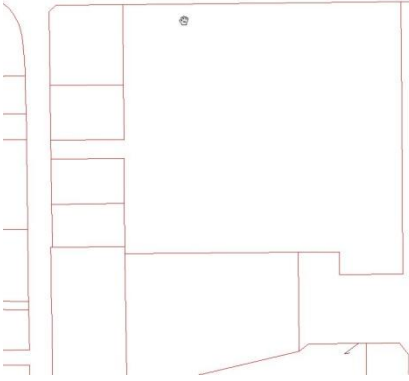

Section 7 – C-1 Neighborhood Commercial District		
Purpose		Typical Building Type
<p>The purpose of this commercial district is to provide retail stores and personal services for the convenience of the people in adjacent residential areas.</p>		
Principal Intensity and Dimensional Standards		Typical Lot Pattern
Lot Area (min)	none	
Lot Area Per Bldg. (min, square feet)	n/a	
Lot Width (min)	40'	
Building Coverage (% of lot area, max)	50%	
Gross Ground Floor Area (min, max)	0', 3000'	
Height (min)	35'	
Front Yard Depth (min, max)	25', 50'	
Side Yard Depth (min)	0' <sup>1</sup>	
Rear Yard Depth (min)	0' <sup>2</sup>	
Notes:		
<ol style="list-style-type: none"> <li>1. No side yards are required except in instances where a commercial use abuts a residential district, in which case a minimum side yard of twenty-five (25) feet shall be provided, as measured from the side lot line to the nearest building or structure on the side adjacent to the residential district. Such space shall be screened from the abutting residential district by concealment walls or by concealing fences or by other concealing not less than six (6) feet in height. The existence of an easement between the subject commercial property and the residential district shall not nullify the requirements of the twenty-five (25) foot side yard or the concealing fences, walls, or other concealing screening not less than six feet in height.</li> <li>2. No rear yard shall be required except in instances where a commercial use abuts a residential district, in which case a rear yard of not less than thirty-five (35) feet shall be provided. Such space will be screened from the abutting residential district by concealing walls or by concealing fences or by other concealing screening not less than eight (8) feet in height. The existence of an easement between the subject commercial property and a residential district shall not nullify the requirements of a thirty-five (35) foot rear yard and concealing fences or other concealing screening not less than eight (8) feet in height.</li> </ol>		
Typical Development Configuration		
		

# ARTICLE III. STANDARD DISTRICTS ESTABLISHED


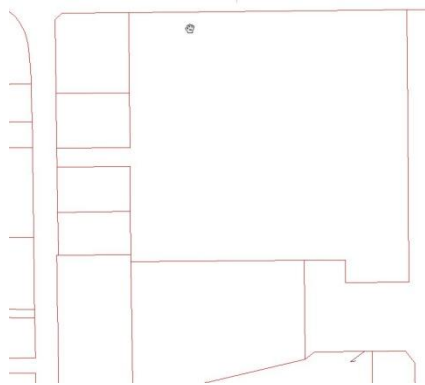

Section 8 – C-2 Community Commercial District		
Purpose		Typical Building Type
<p>This commercial district is intended for the conduct of personal and business services and retail business of the community. Traffic generated by these uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.</p>		
Principal Intensity and Dimensional Standards		Typical Lot Pattern
Lot Area (min, square feet)	none	
Lot Area Per Bldg. (min)	n/a	
Lot Width (min)	0'	
Building Coverage (% of lot area, max)	50%	
Gross Ground Floor Area (min, max)	None	
Height (max)	None	
Front Yard Depth (min, max)	0', 5'	
Side Yard Depth (min)	0'	
Rear Yard Depth (min)	0'	
Notes:		
<div><div>1.</div><div>No front yard shall be required except where the frontage on one side of a street between two intersecting streets is partly in the C-2 Community Commercial District and partly in a residential district, the front yard regulations of the residential district shall apply.</div></div> <div><div>2.</div><div>No side yards are required except in instances where a commercial use abuts a residential district, in which case a minimum side yard of twenty-five (25) feet shall be provided, as measured from the side lot line to the nearest building or structure on the side adjacent to the residential district. Such space shall be screened from the abutting residential district by concealing walls or by concealing fences or by other concealing not less than six (6) feet in height. The existence of an easement between the subject commercial property and the residential district shall not nullify the requirements of the twenty-five (25) foot side yard or the concealing fences, walls, or other concealing screening not less than six (6) feet in height.</div></div> <div><div>3.</div><div>No rear yard shall be required except in instances where a commercial use abuts a residential district, in which case a rear yard of not less than thirty-five (35) feet shall be provided. Such space will be screened from the abutting residential district by concealing walls or by concealing fences or by other concealing screening not less than eight (8) feet in height. The existence of an easement between the subject commercial property and a residential district shall not nullify the requirements of a thirty-five (35) foot rear yard and concealing fences or other concealing screening not less than eight feet in height.</div></div>		
Typical Development Configuration		
		




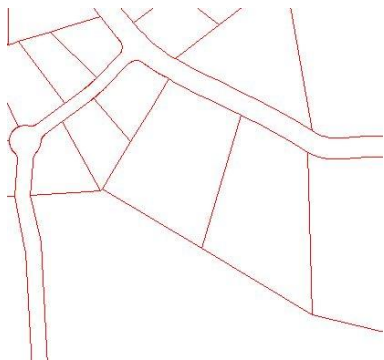

# ARTICLE III. STANDARD DISTRICTS ESTABLISHED

Section 9 – C-3 Highway Commercial		
Purpose		Typical Building Type
This commercial district is intended for the conduct of personal and business services for the motoring public.		
Principal Intensity and Dimensional Standards		Typical Lot Pattern
Lot Area (min, square feet)	None	
Lot Area Per Bldg. (min)	n/a	
Lot Width (min)	0	
Building Coverage (% of lot area, max)	40%	
Gross Ground Floor Area (min, max)	None	
Height (max)	45'	
Front Yard Depth (min, max)	25', 50'	
Side Yard Depth (min)	0' <sup>1</sup>	
Rear Yard Depth (min)	0' <sup>2</sup>	
Notes:		
<ol style="list-style-type: none"> <li>1. No side yards are required except in instances where a commercial use abuts a residential district, in which case a minimum side yard of twenty-five (25) feet shall be provided, as measured from the side lot line to the nearest building or structure on the side adjacent to the residential district. Such space shall be screened from the abutting residential district by concealing walls or by concealing fences or by other concealing not less than six (6) feet in height. The existence of an easement between the subject commercial property and the residential district shall not nullify the requirements of the twenty-five (25) foot side yard or the concealing fences, walls, or other concealing screening not less than six feet in height.</li> <li>2. No rear yard shall be required except in instances where a commercial use abuts a residential district, in which case a rear yard of not less than thirty-five (35) feet shall be provided. Such space will be screened from the abutting residential district by concealing walls or by concealing fences or by other concealing screening not less than eight (8) feet in height. The existence of an easement between the subject commercial property and a residential district shall not nullify the requirements of a thirty-five (35) foot rear yard and concealing fences or other concealing screening not less than eight (8) feet in height.</li> </ol>		
Typical Development Configuration		
		

# ARTICLE III. STANDARD DISTRICTS ESTABLISHED


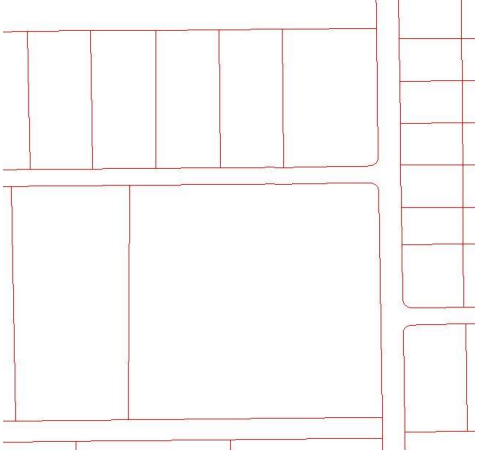

Section 10 – C-4 Service Commercial		
Purpose		Typical Building Type
<p>This commercial district is intended for the conduct of both consumer and business to business services. The commercial activity in the district is often characterized by outdoor storage, heavy equipment sales, distribution activity and similar large scale commercial activity.</p>		
Principal Intensity and Dimensional Standards		Typical Lot Pattern
Lot Area (min, square feet)	None	
Lot Area Per Bldg. (min)	n/a	
Lot Width (min)	0'	
Building Coverage (% of lot area, max)	40%	
Gross Ground Floor Area (min, max)	None	
Height (max)	45'	
Front Yard Depth (min, max)	25', 50'	
Side Yard Depth (min)	0'	
Rear Yard Depth (min)	0' <sup>1</sup>	
Notes:		
<ol style="list-style-type: none"><li>1. No side yards are required except in instances where a commercial use abuts a residential district, in which case a minimum side yard of twenty-five (25) feet shall be provided, as measured from the side lot line to the nearest building or structure on the side adjacent to the residential district. Such space shall be screened from the abutting residential district by concealing walls or by concealing fences or by other concealing structure/screening not less than six (6) feet in height. The existence of an easement between the subject commercial property and the residential district shall not nullify the requirements of the twenty-five (25) foot side yard or the concealing fences, walls, or other concealing screening not less than six (6) feet in height.</li><li>2. No rear yard shall be required except in instances where a commercial use abuts a residential district, in which case a rear yard of not less than thirty-five (35) feet shall be provided. Such space will be screened from the abutting residential district by concealing walls or by concealing fences or by other concealing screening not less than eight (8) feet in height. The existence of an easement between the subject commercial property and a residential district shall not nullify the requirements of a thirty-five (35) foot rear yard and concealing fences or other concealing screening not less than eight (8) feet in height.</li></ol>		
Typical Development Configuration		
		

# ARTICLE III. STANDARD DISTRICTS ESTABLISHED

Section 11 – I-1 Light Industrial		
Purpose		Typical Building Type
This industrial district is intended primarily for production and assembly plants that are conducted so the noise, odor, dust, and glare of each operation is properly controlled, warehouse and distribution facilities, and corporate headquarters, and financial operation/data processing centers.		
Principal Intensity and Dimensional Standards		Typical Lot Pattern
Lot Area (min, square feet)	None	
Lot Area Per Bldg. (min)	n/a	
Lot Width (min)	0'	
Building Coverage (% of lot area, max)	40%	
Gross Ground Floor Area (min, max)	None	
Height (max)	45'	
Front Yard Depth (min, max)	40', n/a	
Side Yard Depth (min)	1	
Rear Yard Depth (min)	2	
Notes:		
<div><div>1.</div><div>The side yard building setback line on each side of the lot shall be not less than twenty-five (25) feet as measured from the side lot line to the nearest building or structure except in instances where this district use abuts a residential district, in which case a minimum side yard of sixty (60) feet shall be provided on the side adjacent to the residential district, such space shall be screened from the abutting residential district by concealing walls or by concealing fences, or by other concealing screening not less than six (6) feet in height.</div></div> <div><div>2.</div><div>Where a building is to be serviced from the rear, there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than fifty (50) feet except in instances where this district use abuts a residential district, such space shall be screened from the abutting residential district by concealing walls or by concealing fences, or by other concealing screening not less than six (6) feet in height.</div></div>		
Typical Development Configuration		
		



# ARTICLE III. STANDARD DISTRICTS ESTABLISHED

Section 12 – I-2 Heavy Industrial		
Purpose		Typical Building Type
This industrial district is intended to provide for heavy industrial uses.		
Principal Intensity and Dimensional Standards		Typical Lot Pattern
Lot Area (min, square feet)	None	
Lot Area Per Bldg. (min)	n/a	
Lot Width (min)	0'	
Building Coverage (% of lot area, max)	40%	
Gross Ground Floor Area (min, max)	None	
Height (max)	None, 45'	
Front Yard Depth (min, max)	40', n/a	
Side Yard Depth (min)	1	
Rear Yard Depth (min)	25' <sup>2</sup>	
Notes:		
<ol style="list-style-type: none"> <li>1. The side yard building setback line on each side of the lot shall be not less than twenty-five (25) feet as measured from the side lot line to the nearest building or structure except in instances where this district use abuts a residential district, in which case a minimum side yard of one hundred (100) feet shall be provided on the side adjacent to the residential district, such space shall be screened from the abutting residential district by concealing walls or by concealing fences, or by other concealing screening not less than six (6) feet in height.</li> <li>2. In instances where this district use abuts a residential district a rear yard of not less than one hundred (100) feet shall be provided, as measured from the rear lot line to the nearest building or structure. Such space shall be screened from the abutting residential district by concealing walls or by concealing fences or by other concealing screening not less than six (6) feet in height.</li> </ol>		
Typical Development Configuration		
		

**ARTICLE IV. SPECIAL DISTRICTS****Section 1. PAMU (Park Avenue Form Based Mixed Use District)**

1. Purpose of the Park Avenue Form Based Mixed Use District
  - a. The purpose and intent of the Park Avenue Form Based Mixed Use District is to provide commercial, office, institutional and selected industrial uses complemented by a variety of housing type incorporated both horizontally and vertically in the district.
2. General Development Principles
  - a. Promote a pedestrian-oriented urban form. In contrast to conventional zoning standards that place a primary emphasis on the regulation of land uses, form based mixed-use development standards and guidelines focus on promoting a walkable, urban form of development, consistent with Greenwood's historic urban core. The focus on form promotes buildings that conform to tested urban design principles.
  - b. Require excellence in the design of the public realm and of buildings that front public spaces. The most successful and memorable urban environments are those in which walking down the street is appealing. Streets, plazas, parks, and other public spaces should be comfortable and inviting, and buildings fronting those spaces should be active and visually interesting at the pedestrian level.
  - c. Encourage creativity, architectural diversity, and exceptional design. Mixed-use is intended to promote high quality design, and the development review process for mixed-use projects is intended to promote flexibility. Standards and guidelines, as well as the development review process, are intended to support creativity and exceptional design while discouraging uniformity.
3. Organization of the Park Avenue Form Based Mixed Use District
  - a. The Park Avenue Form Based Mixed Use District is set forth in an organizational pattern distinct from the standard districts in the previous sections. The district's provisions are organized under the following headings:
    - i. District regulating plan
    - ii. Permitted building types and locations
    - iii. Building placement and lot standards by building type
    - iv. Land use
    - v. Site standards
4. Park Avenue Form Based Mixed Use District Regulating Plan
  - a. The Park Avenue Form Based Mixed Use District (PAMU) is illustrated on the following map. The district consists of that portion of Greenwood surrounding Park Avenue as indicated on the map below. The district forms a commercial center surrounded on the north, south and east by residential neighborhoods and on the west by additional commercial development. The district is divided into two sub districts designated as PAMU1 and PAMU2 and illustrated on the following map:



5. Building Types and Location

- a. Permitted building types defined - While other districts in this ordinance do not define building types, the form based district requires that building types be defined to achieve

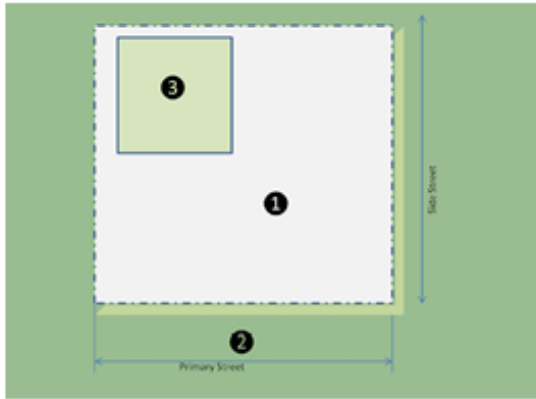


# ARTICLE IV. SPECIAL DISTRICTS

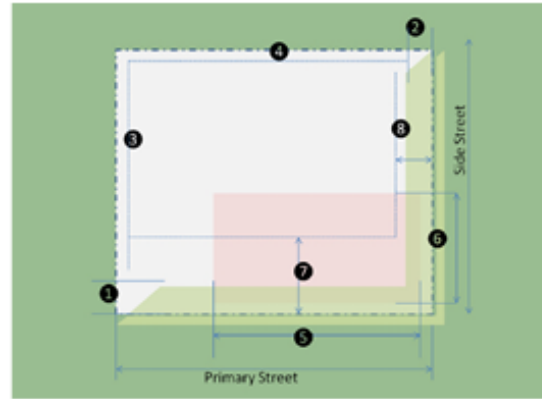
165 its purposes of the district. Building types are hereby established and defined in the  
166 following table along with their permitted locations.

Building Types	Description	Location	
		PAMU1	PAMU2
<b>Mixed Use Building</b> 	A building type intended for ground floor commercial uses with upper-story residential or offices uses. Windows are provided on the ground floor to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing and are spaced at regular intervals along the street edge.	Yes	Yes
<b>Single-Story Shop Front</b> 	A building type intended primarily for small format single-story retail. Buildings are close to the street. Storefront windows are provided to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing.	Yes	Yes
<b>Large Format Retail</b> 	A building type intended primarily for large format single-story retail. Store may be set back from the street with parking in front. Primary entrances are street facing.	No	Yes
<b>Civic Building</b> 	A building type containing community or public uses that serve the surrounding community. Civic buildings are usually sited adjoining or surrounded by civic spaces or they provide a visual landmark by being placed at the axial termination of a street	Yes	Yes
<b>Town House</b> 	A building type consisting of three or more attached structures. Each structure shares a common side wall. Each structure may contain up two principal dwelling units which may be stacked vertically. Each unit has its own external street facing entrance.	Yes	Yes
<b>Live-Work Building</b> 	A building type consisting of three or more attached structures sharing a common side wall. Each may contain up two principal dwelling units which may be stacked vertically. Each has its own external street facing entrance. This type is identical to the Town House except may contain a commercial/office and a residential component.	Yes	No

## 6. Building Placement and Lot Standards

**A. Mixed Use Building****1. Lot****Lot Dimensions**

①	Lot Area (min)	5000 s.f.
②	Lot Width (min)	50'
<b>Lot Parameters</b>		
③	% of outdoor amenity space (min)	20%

**2. Placement****Building Setbacks**

①	Primary Street (max/min)	5'/10'
②	Side Street (max/min)	5'/15'
③	Common Lot Line (min)	0' or 5'
④	Common Lot Line, abutting protected district (min)	15'
⑤	Alley (min)	5'

**Build-to Zone (BTZ)**

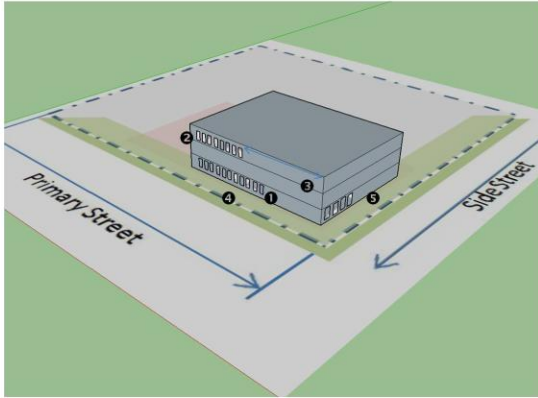
⑥	Building in primary street BTZ (min % of lot width)	70%
⑦	Building in side street BTZ (min % of lot width)	35%

**Parking Setbacks**

⑧	Primary Street (max/min)	30'
⑨	Side Street (min)	10'

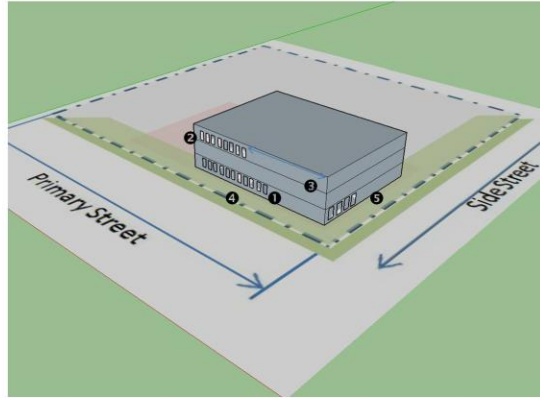


### 3. Height and Mass



Building Height		
①	Building Height (max)	4 stories/ 50'
Reduced height may be required when abutting a protected district		
②	Building Height (min)	2 Stories
Story Height		
③	Ground floor elevation(min/max)	0'/2'
④	Ground story height floor to ceiling	13'
⑤	Upper story height floor to ceiling	9'
Building Mass		
⑥	Upper-story street facing wall length without offset (max)	100'
⑦	Upper-story street-facing wall offset (min)	4'
⑧	Upper-story street-facing wall offset length (min)	8'
⑨	Building length, street facing façade (max)	175'

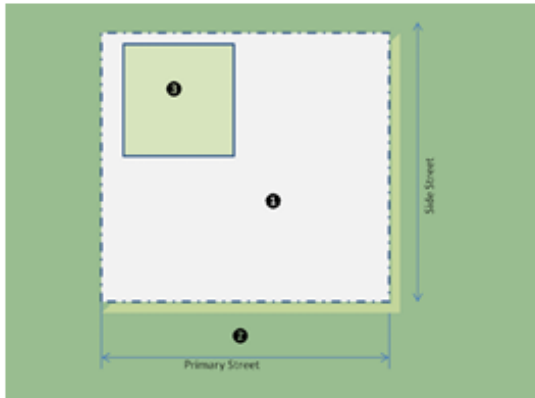
### 4. Activation



Transparency		
①	Ground story, primary/side (min)	60%/30%
②	Upper story street facing faced	20%
③	Blank wall area primary/side street (max)	30'/40'
Pedestrian Access		
④	Entrance Facing Primary Street	Required
⑤	Entrance spacing along primary street (max)	75'
Permitted Building Elements		
Porch		No
Stoop		No
Balcony		Yes
Gallery		Yes
Awning/Canopy		Yes
Forecourt		Yes

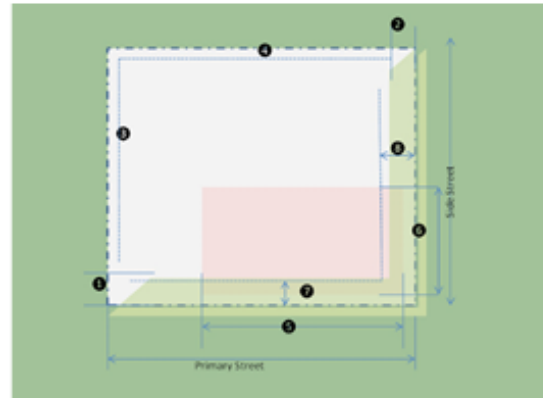
## B. Single Story Shop Front

### 1. Lot



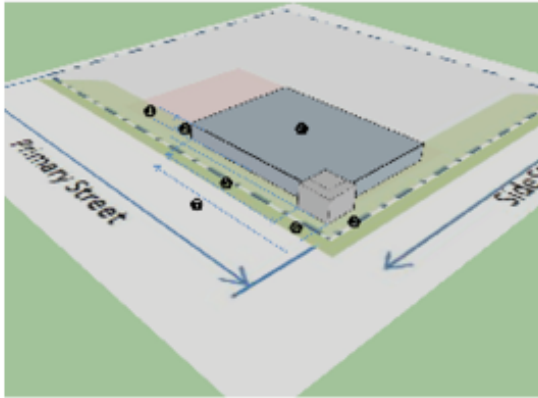
Lot Dimensions		
1	Lot Area (min)	5000 s.f.
2	Lot Width (min)	50'
Lot Parameters		
3	% of outdoor amenity space (min)	20%

### 2. Placement



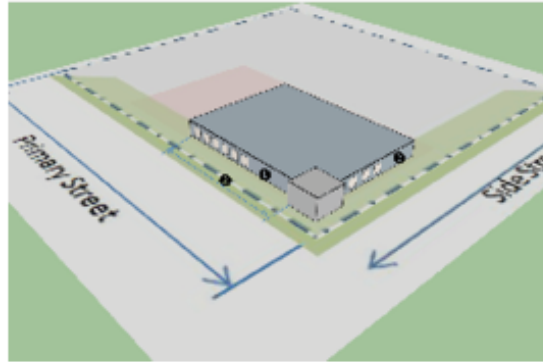
Building Setbacks		
1	Primary Street (max/min)	5'/20'
2	Side Street (max/min)	5'/20'
3	Common Lot Line (min)	0' or 5'
4	Common Lot Line, abutting protected district (min)	15'
5	Alley (min)	5'
Build-to Zone (BTZ)		
6	Building in primary street BTZ (min % of lot width)	70%
7	Building in side street BTZ (min % of lot width)	35%
Parking Setbacks		
8	Primary Street (max/min)	10'
9	Side Street (min)	10'

### 3. Height and Mass



Building Height		
❶	Building Height (max)	1 story/ 30'
Story Height		
❷	Ground floor elevation(min/max)	0'/2'
❸	Ground story height floor to ceiling	13'
Building Mass		
❹	Building footprint (max)	20,000 SF
❺	Street facing wall length without offset (max)	100'
❻	Street-facing wall offset (min)	4'
❼	Building length, street facing façade (max)	175'

### 4. Activation



Transparency		
❶	Ground story, primary/side (min)	50%/25%
Building over 20,000 SF exception		30%/15%
❷	Blank wall area street facing facade	40'
Building over 20,000 SF exception		50%
Pedestrian Access		
❸	Entrance Facing Primary Street	Required
❹	Entrance spacing along primary street (max)	100'
Permitted Building Elements		
Porch		No
Stoop		No
Balcony		No
Gallery		Yes
Awning/canopy		Yes
Forecourt		Yes

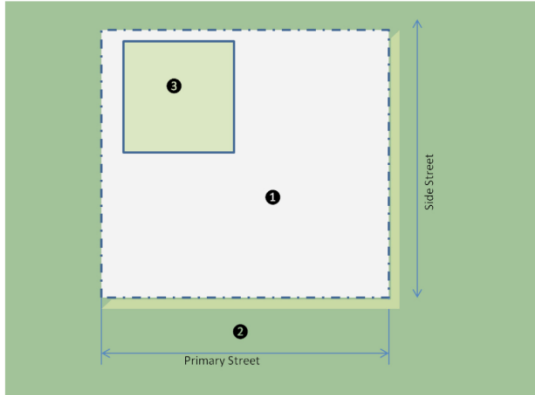
171

172

173

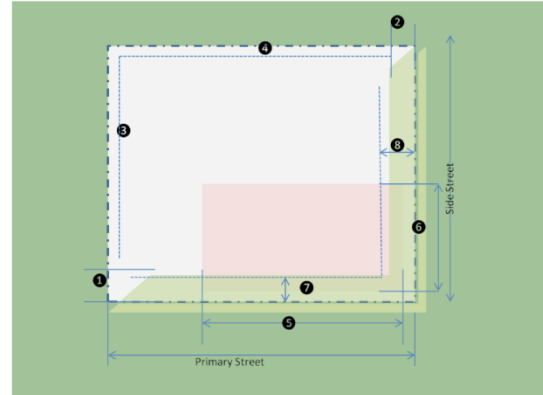
## B. Large Format Retail

### 1. Lot



Lot Dimensions		
❶	Lot Area (min)	40,000 s.f.
❷	Lot Width (min)	100'
Lot Parameters		
❸	% of outdoor amenity space (min)	20%

### 2. Placement



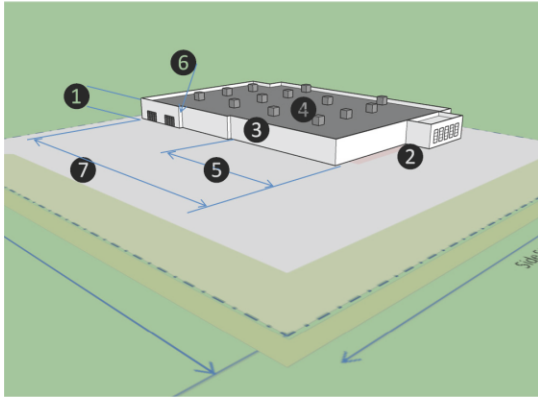
Building Setbacks		
❶	Primary Street (max/min)	300'/50'
❷	Side Street (max/min)	100'/30'
❸	Common Lot Line (min)	0' or 14'
❹	Common Lot Line, abutting protected district (min)	40'
❺	Alley (min)	5'
Build-to Zone (BTZ)		
❻	Building in primary street BTZ (min % of lot width)	50%
❼	Building in side street BTZ (min % of lot width)	35%
Parking Setbacks		
❽	Primary Street (max/min)	20'
❾	Side Street (min)	20'

174

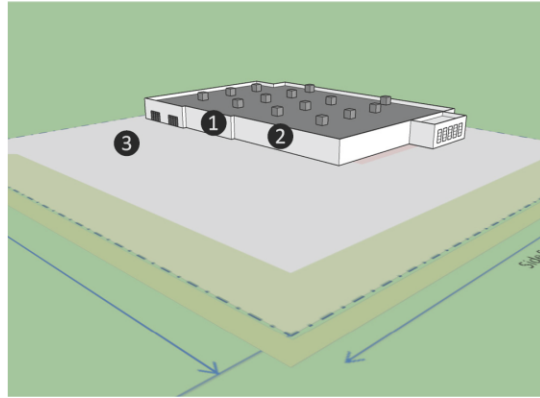
175

176

### 3. Height and Mass



### 4. Activation

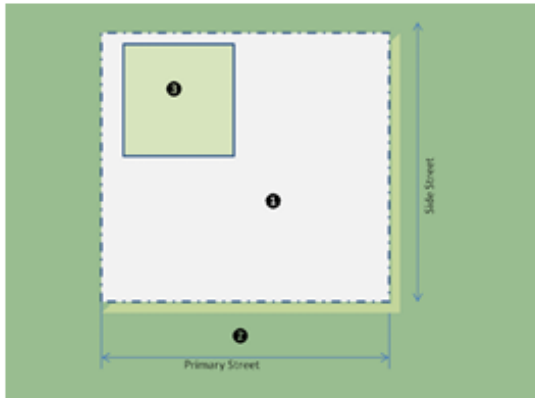


Building Height		
①	Building Height (max)	1 story/ 30'
Story Height		
②	Ground floor elevation(min/ max)	0'/2'
③	Ground story height floor to ceiling	13'
Building Mass		
④	Building footprint (max)	200,000 sf
⑤	Street facing wall length without offset (max)	100'
⑥	Street-facing wall offset (min)	4'
⑦	Building length, street facing façade (max)	175'

Transparency		
①	Ground story, primary/side (min)	30%/15%
②	Blank wall area street facing facade	50%
Pedestrian Access		
④	Entrance Facing Primary Street	Required
⑤	Entrance spacing along primary street (max)	200'
Permitted Building Elements		
Porch		No
Stoop		No
Balcony		No
Gallery		No
Awning/canopy		Yes
Forecourt		Yes

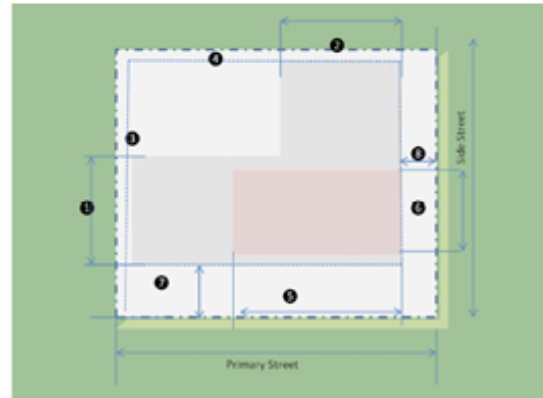
## C. Civic Building

### 1. Lot

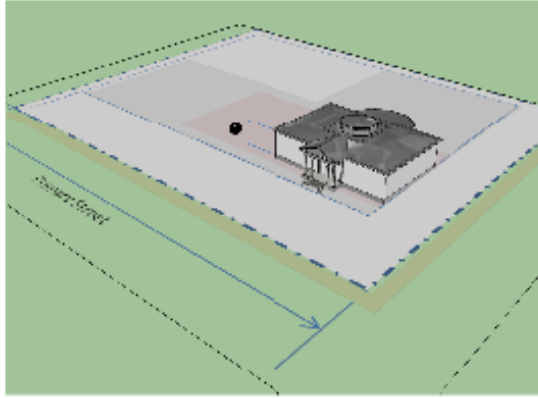


Lot Dimensions		
1	Lot Area (min)	5000 s.f.
2	Lot Width (min)	50'
Lot Parameters		
3	% of outdoor amenity space (min)	20%

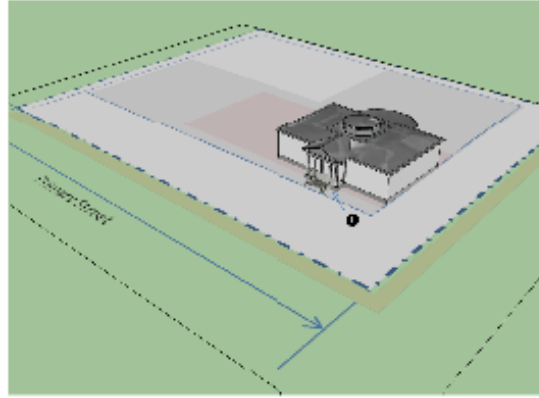
### 2. Placement



Building Setbacks		
1	Primary Street (max/min)	10'/50'
2	Side Street (max/min)	10'/50'
3	Side interior (min)	5'
4	Side interior, abutting protected district (min)	15'
5	Rear (min)	5'
6	Rear, abutting a protected district (min)	15'
7	Alley (min)	
Build-to Zone (BTZ)		
8	Building in primary street BTZ (min % of lot width)	40%
9	Building in side street BTZ (min % of lot width)	20%
Parking Setbacks		
10	Primary Street (max/min)	10'
11	Side Street (min)	10'

**3. Height and Mass****Building Height**

<b>1</b>	Building Height (max)	3 stories/ 40'
Reduced height may be required when abutting a protected district		

**4. Activation****Pedestrian Access**

<b>1</b>	Entrance Facing Primary Street	Required
----------	--------------------------------	----------

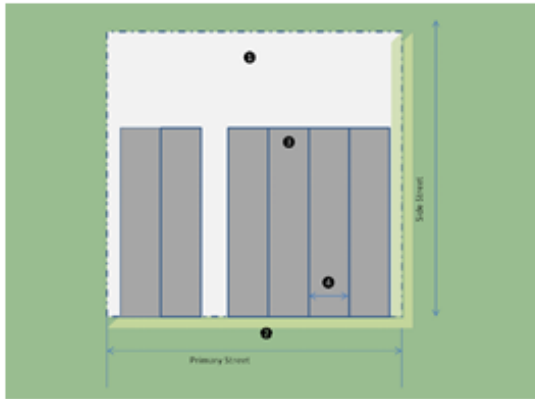
**Permitted Building Elements**

Porch	Yes
Stoop	Yes
Balcony	Yes
Gallery	Yes
Awning/Canopy	Yes
Forecourt	Yes

181

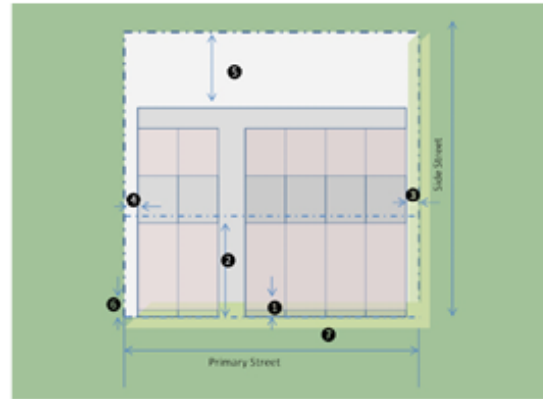
## D. Town House or Live Work Building

### 1. Lot



Lot Dimensions		
1	Site Area (min)	10,000 s.f.
2	Site Width (min)	100'
Lot Parameters		
3	Lot area (min)	1300 sf
4	Unit width (min/max)	20'/30'

### 2. Placement

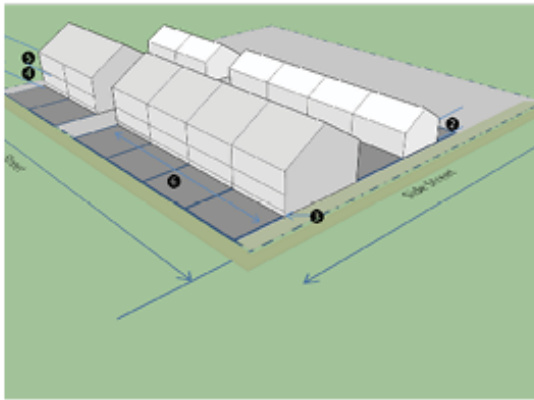
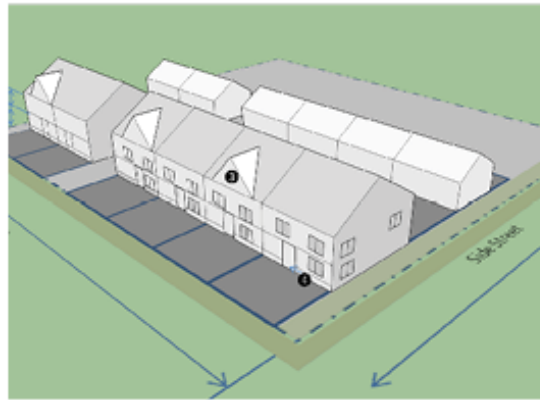


Building Setbacks		
1	Primary Street (max/min)	5'/15'
2	Primary street accessory structure (min)	40'
3	Side street (min)	10'
4	Side interior, end unit only (min)	5'
5	Common Lot Line, abutting protected district (min)	15'
6	Rear (min)	20'
7	Alley (min)	5'
Build-to Zone (BTZ)		
8	Building in primary street BTZ (min % of lot width)	70%
Parking Setbacks		
9	On-site parking not allowed between the building & the street. Rear loaded vehicular access required.	

182  
183



184

**3. Height and Mass****4. Activation****Building Height**

①	Building Height (max)	3 stories/ 40'
②	Accessory structure	25'

**Story Height**

③	Ground floor elevation(min/max)	2'/4'
④	Ground story height floor to ceiling	9'
⑤	Upper story height floor to ceiling	9'

**Building Mass**

⑥	Number of units permitted in any one row (max)	10
---	--	----

**Transparency**

①	Ground story, primary/side (min)	20%
②	Upper story street facing faced (min)	20%
③	Blank wall area primary/side street (max)	35'

**Pedestrian Access**

④	Entrance facing primary street (each ground floor unit)	Required
---	---	----------

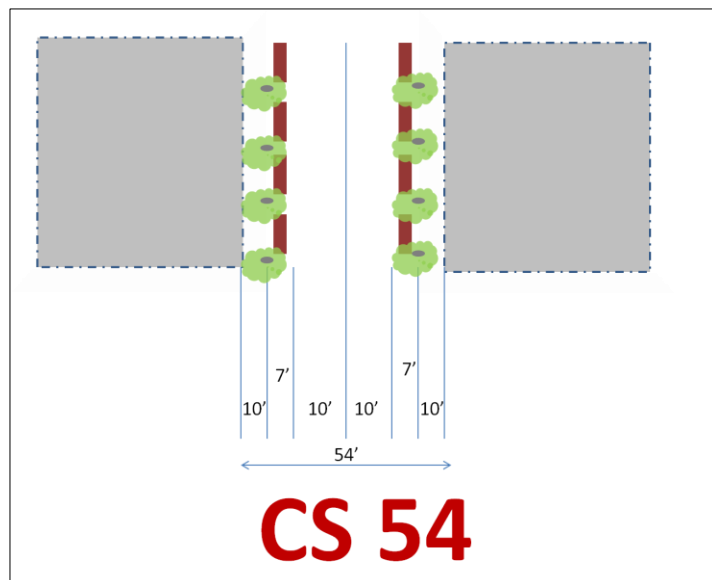
**Permitted Building Elements**

Porch	No
Stoop	No
Balcony	Yes
Gallery	Yes
Awning/Canopy	Yes
Forecourt	Yes

185

## ARTICLE IV. SPECIAL DISTRICTS

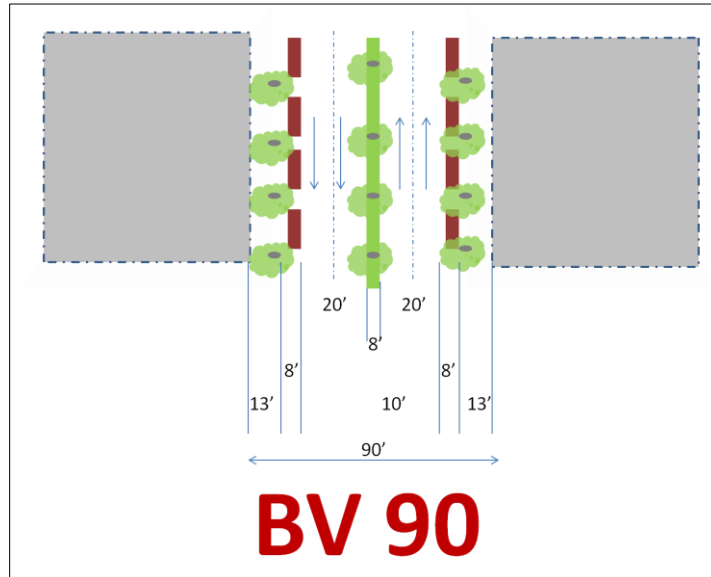
- 186 7. Building and Land Use – Building and land use for the PAMU District is indicated on the Table of  
187 Uses in Article V, Section 1.
- 188 8. Site Standards
- 189 a. Parking – Parking shall adhere to the parking space requirements of the associated use  
190 and be designed according to the parking lot design standards.
- 191 b. Landscaping and Screening – Landscaping and screening shall conform to the landscape  
192 design standards in the Table of Design Standards.
- 193 c. Common Sign Plan - A common sign plan must be filed with the Building Official for all  
194 sites occupied by more than one tenant. After the filing of a common sign plan, all  
195 tenant signs must meet the requirements of the common sign plan. The applicant must  
196 indicate the standards of consistency of all signs on the subject property with regard to:
- 197 i. Colors
- 198 ii. Letter/graphics style
- 199 iii. Location of each sign
- 200 iv. Materials used in sign construction; and
- 201 v. Maximum dimensions and proportion.
- 202 d. Signs shall conform to the overall dimensional and placement requirements of Article  
203 VII.
- 204 9. Streets
- 205 a. There are two street types in the PAMU District. These street types are to be  
206 constructed in the areas indicated on the PAMU District Map.
- 207
- 208 b. CS54 - Commercial Street 54' Right of Way
- 209



ARTICLE IV. SPECIAL DISTRICTS

214  
215

c. BV90 - Boulevard 90' Right of Way




216  
217

## Section 2. PUD (Planned Unit Development District)

1. The purpose of the Planned Unit Development District 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 Greenwood Comprehensive Plan.
2. Development shall be a tract of land at least one (1) acre 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.
3. Preliminary Site Plan Required - The "PUD" District 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.
4. Minimum District Area - The minimum area for a PUD District shall be one (1) acre.
5. Permitted Uses - A list of permitted uses within each Planned Unit Development must be submitted with the application for establishment of the District and the preliminary site plan and must be approved by the Planning Commission and City Council upon application by the owner of the property.
6. Procedures – An application for rezoning to Planned Unit Development District shall be accompanied by a Preliminary Site Plan and text presenting the following information:
  - a. Proposed land uses and population densities;
  - b. Proposed primary circulation pattern;
  - c. Proposed parks and playgrounds;
  - d. Delineation of the units or phases to be constructed together with a proposed timetable;
  - e. Proposed means of dedication of common open space areas and organizational arrangements for the ownership, maintenance and preservation of common open space;
  - f. Relation to the Greenwood Comprehensive Plan, land uses in the surrounding area and to the general plan of the proposed planned unit development; and
  - g. A development schedule and phase plan for the proposed planned unit development.
7. Rezoning procedures shall be in accordance with Article IX of 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 is not started within two years of the date of approval, the Mayor and City Council may consider rezoning the site to its previous classification.

#### ARTICLE IV. SPECIAL DISTRICTS

8. The applicant, by showing good cause why he cannot adhere to the proposed timetable described 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.
9. Review Standards: The site plan must provide for and conform entirely to the following standards and requirements:
  - a. 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 four (4) to eight (8) dwellings per acre.
  - b. Street widths and improvements, thereof, as well as off street parking facilities must conform to City standards or show a design superior to City standards.
  - c. Provisions for water supply, sanitary sewers, storm water drainage, and connections shall be made to the satisfaction and requirements of the City of Greenwood and the appropriate State authority.
  - d. All improvements are to be installed and maintained by the developer unless other arrangements approved by the City are made.
  - e. The City 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 City for twenty (20) years.
  - f. A minimum total area of 15% 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 its intended use but parks and playgrounds containing natural features clearly worthy of preservation may be left unimproved.
  - g. 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.
10. Failure to perform - From time to time the zoning administrator may review and/or make a report to the Planning Commission and City Council on the status of a particular PUD. If the zoning administrator finds that the development has not commenced within one (1) year after original approval, the zoning administrator may recommend that the City Council extend the time or revoke approval in accordance with rezoning procedures.

Section 3. F-1 Flood Plain District	
Purpose	Typical Building Type
<p>This district is intended to comprise those areas which are subject to periodic or occasional inundation from stream overflows and, therefore, are usually unsuited for residential, commercial, and industrial uses.</p>	
Principal Intensity and Dimensional Standards	
<p>This district is an overlay district and the intensity and dimensional standards are governed by the underling standard district.</p> <p><b>See Chapter 9.1 of the Greenwood Code of Ordinances for specific procedures and conditions of development in the F-1 Flood Plain Overlay Zone.</b></p>	
Notes:	
<p>All development in a designated flood plain is subject to the provisions of the Greenwood Flood Damage Management Prevention Ordinance.</p> <p>The use of property and buildings or structures in the F-1 Flood Plain District shall be limited to the following:</p> <ul style="list-style-type: none"><li>(1) The growing of agricultural crops and nursery stock, and gardening.</li><li>(2) Public recreation.</li><li>(3) Golf course.</li><li>(4) Parking.</li></ul> <p>Conditional uses, which may be permitted after planning commission review and recommendation to and approval by the City Council. Other uses similar to the above-stated uses as may be determined by the Planning Commission.</p>	

292

293

## Section 4. H-1 Commercial Historic Overlay District

### Purpose

The Commercial Historic Overlay District is created for the purpose of promoting the general health, safety and welfare of Greenwood by preserving those areas or structures that have been designated as having historic, architectural, or cultural significance. Development rules within such districts are intended to protect against deterioration and destruction, to encourage design which will lead to their continuance, conservation, and improvement in a manner appropriate to the preservation of the cultural, social, economic, political, architectural, or archaeological heritage of Greenwood, to prevent creation of environmental influences adverse to such purposes, and to assure that new structures within such districts will be in keeping with the character to be preserved and enhanced.

### Principal Intensity and Dimensional Standards

This district is an overlay district and the intensity and dimensional standards are governed by the underlying standard zoning district provisions.

**See Article IX for procedures and conditions of development in the H-1 Commercial/Historic Overlay District.**

### Notes:

Residential occupancy in either single-family or multifamily dwellings in existing buildings located in those portions of the district is allowed within the boundaries of the Central Commercial and Railroad Historic District, Cotton Row Historic District and the Williams Landing Historic District. A dwelling unit shall contain no less than eight hundred fifty (850) square feet of floor area and each unit shall consist of a living/sleeping area, kitchen, bath and storage facility. Residential occupancy and use shall be compatible with occupancy and use permitted within an R-1-5 Residential District.

294


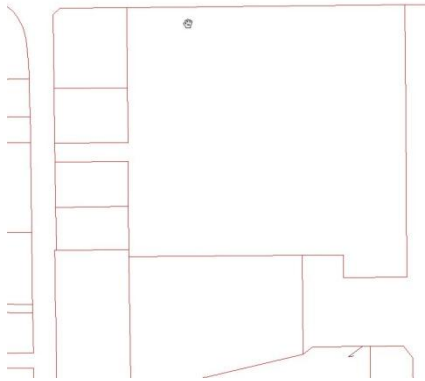

295

<b>Section 4. H-2 Residential Historic Overlay District</b>	
<b>Purpose</b>	
The Residential Historic Overlay District is created for the purpose of promoting the general health, safety and welfare of Greenwood by preserving those areas or structures that have been designated as having historic, architectural, or cultural significance. Development rules within such districts are intended to protect against deterioration and destruction, to encourage design which will lead to their continuance, conservation, and improvement in a manner appropriate to the preservation of the cultural, social, economic, political, architectural, or archaeological heritage of Greenwood, to prevent creation of environmental influences adverse to such purposes, and to assure that new structures within such districts will be in keeping with the character to be preserved and enhanced.	
<b>Principal Intensity and Dimensional Standards</b>	
This district is illustrated on the zoning map for reference purposes and there are no overlay provisions for the district. The intensity and dimensional standards are entirely governed by the underlying standard zoning district provisions.	<b>Article IX does not apply to the H-2 Historic Residential Overlay District.</b>
<b>Notes:</b>	
None	



# ARTICLE IV. SPECIAL DISTRICTS

## Section 5. I-3 Greenwood Leflore Industrial Park District (GLIP)

Purpose		Typical Building Type
The purpose of the GLIP District is to provide a well designed, attractive space for light industrial office, manufacturing, warehousing, research, distribution, corporate headquarters, and financial operation/data processing centers.		
Principal Intensity and Dimensional Standards		Typical Lot Pattern
Lot Area (min)	None	
Lot Area Per Bldg. (min)	n/a	
Lot Width (min)	0'	
Building Coverage (% of lot area, max)	40%	
Gross Ground Floor Area (min, max)	None	
Height (max)	45'	
Front Yard Depth (min, max)	40', n/a	
Side Yard Depth (min)	1	
Rear Yard Depth (min)	2	
<b>Notes:</b> See Use standards for additional provisions		
Typical Development Configuration		
		

297

298

## ARTICLE V. DEVELOPMENT CONDITIONS AND STANDARDS

## Section 1. Table of Uses

Property Use			Zone																	Use Standard	Parking Ratio
			A-1	R1-10	R1-7	R-1-5	R-2	R-3	C-1	C-2	C-3	C-4	PUD	MU	I-1	I-2	I-3	FL	H-1		
			P = Permitted P = Conditional																		
1	Agricultural	Cultivation of field and truck crops, orchards, and vineyards	P	P	P	P	P	P					P					*	-	-	
2		Pasturing and grazing	P	P	P	P	P	P					P					*	-	-	
3		Dairies, poultry, small animals and livestock	P	P	P	P	P	P					P					*	-	-	
4		Greenhouses, nurseries and landscape gardening	P	P	P	P	P	P					P					*	-	-	
5		Barns, silos, sheds, grading, packing and processing of farm produce produced on the premises other than commercial slaughtering or processing of animals	P	P	P	P	P	P				P						*	-	-	
6	Residential	Dwelling, single-family.	P	P	P	P	P	P					P					*	-	2/du	
7		Dwelling, two-family.	P	P	P	P	P	P					P					*	-	2/du	
8		Dwelling, multifamily	P	P	P	P	P	P					P					*	-	2/du	
10		Mobile homes																	-	-	
11		Manufactured Homes	P	P	P	P	P	P					P					*	Y	2/du	
12		Manufactured home parks	P	P	P	P	P	P					P					*	Y	2/du	
13		Rooming and boarding house.	P	P	P	P	P	P					P					*			
14		Bed and breakfast residence with commercial meeting privileges	P	P	P	P	P	P					P					*	Y		
15		Bed and breakfast residence	P	P	P	P	P	P					P					*			
16		Hotels								P	P	P		P					*		1/rm + 1/3 emp.
17	Motels									P	P	P						*			

ARTICLE V. DEVELOPMENT CONDITIONS AND STANDARDS

Property Use																		Zone																		Use Standard	Parking Ratio
Institutions, Parks, Open Space																		A-1	R1-10	R1-7	R1-5	R2	R-3	C-1	C-2	C-3	C-4	PUD	MU	I-1	I-2	I-3	FL	H-1			
1 8	Places of Assembly																	?	?	?	?	?	?						?				*		1/5 seats or 1 per 15 square feet of worship space		
1 9	Cemeteries																	?	?	?	?	?	?						?				*				
2 0	Park and playground																	?	?	?	?	?	?	?	?	?	?		?				*				
2 1	Golf course, not including commercial miniature courses or driving range																	?	?	?	?	?	?						?				*				
2 2	Art gallery or museum (public)																	?	?	?	?	?	?	?	?	?		?				*					
2 4	Telephone exchange, but not to include administrative office, shop, or garage																	?	?	?	?	?	?						?				*				
2 5	School, public or private, offering general educational courses																	?	?	?	?	?	?						?				*		Elem 1.5/clsr m Secnd 10/clsr m		
2 6	Private nursery, day school, kindergarten, and childcare center																	?	?	?	?	?	?						?				*				
2 7	Private clubs, fraternities, sororities and lodges, excluding those the chief activity of which is a service customarily carried on as a business																	?	?	?	?	?	?						?				*		1/ 50 sf in main rm + 1/sleep rm		
2 8	College or university, not to include business or commercial college.																	?	?	?	?	?	?						?				*		1/2 student s		
2 9	Library (public)																	?	?	?	?	?	?	?	?			?				*					
3 0	Public use, including utilities																	?	?	?	?	?	?						?				*				
3 1	Hospitals and clinics in confines of the structure of the hospital																							?	?	?	?	?	?					*		1/2 beds+ 1/3 emp+1/ doc	
	Riding academy																								?	?	?	?					*				
3 2	Open-air sports																								?	?	?	?					*				

ARTICLE V. DEVELOPMENT CONDITIONS AND STANDARDS

Property Use																		Zone										Use Standard	Parking Ratio
3 3		Train stations, bus depots and travel agencies																*											
3 4		Mortuary (funeral home)																*		1/ 3 seats									
Offices			A-1	R1-10	R1-7	R-1-5	R-2	R-3	C-1	C-2	C-3	C-4	PUD	MU	I-1	I-2	I-3	FL	H-1										
3 5	Offices	Professional offices such medical, dental, paramedical, attorneys, accountants, physicians, medical equipment supply sales and rentals, insurance agencies, engineers, real estate and architects																*		1/100 sf + 1/2 emp									
3 6		Bank																*		1/300 sf									
3 7		Small animal clinic																*		1/300 sf									
3 8		Laboratory, dental or medical																*		1/300 sf									
3 9		Medical and paramedical facility.																*		1/300 sf									
4 0		Commercial kennels, when enclosed																*		1/300 sf									
Retail			A-1	R1-10	R1-7	R-1-5	R-2	R-3	C-1	C-2	C-3	C-4	PUD	MU	I-1	I-2	I-3	FL	H-1										
4 1	Retail	Bakery																*		1/250 sf									
4 2		Barbershop, beauty parlor, massage or similar personal service shop																*		1/400 sf									
4 3		Beauty shop																*		1/250 sf									
4 4		Bicycle sales and repair																*		1/250 sf									
4 5		Department store																*		1/250 sf									
4 6		Drugstores																*		1/250 sf									
4 7		Grocery stores																*		1/150 sf									
4 8		Liquor stores																*		1/250 sf									
5 0		Coin-operated laundry and dry cleaning establishments																*		1/250 sf									
5 1		Restaurants, excluding drive thru																*		1/250 sf									
5 2		Restaurants, with drive thru																*											
		Micro-brewery																											
5 3		Custom dressmaking, millinery, tailoring, shoe repairing, repairing of household utility articles or similar trade																*		1/250 sf									
5 4	Photographer's studio																*		1/250 sf										
5 5	Dry or steam cleaning shop or plant																*		1/250 sf										
5 6		Shop for the repair of plumbing, radio and electric equipment, shoes, furniture and similar personal or household commodities															*		1/250 sf										

ARTICLE V. DEVELOPMENT CONDITIONS AND STANDARDS

Property Use																	Zone										Use Standard	Parking Ratio
5 7		Retail stores, businesses or shops for custom work or the manufacture of articles be sold at retail on site provided that the manufacturing portion shall not exceed 50% of the total floor area of the building and is not noxious or offensive through vibration, noise, odor, dust, smoke or fumes																	*		1/250 sf							
5 8		Printing shop, including sale of office supplies and equipment																	*		1/250 sf							
5 9		Newspaper publication																	*		1/250 sf							
6 0		Sign painting shop																	*		1/250 sf							
6 1		Copy shop																	*		1/250 sf							
6 2		Interior decorating shop																	*		1/250 sf							
6 3		Catering establishments																	*		1/250 sf							
6 4		Hardware or appliance stores																	*		1/250 sf							
6 5		Variety stories including discount stores																	*		1/250 sf							
6 6		Paint and hobby store, including sale of carpets, wall covering and similar household items																	*		1/250 sf							
6 7		Florists, provided no greenhouses are maintained on the premises																	*		1/250 sf							
6 8		Automotive parts and equipment sales.																	*		1/250 sf							
6 9		Mail-order stores																	*		1/250 sf							
7 0		Service stations																	*		1/250 sf							
7 1		Lounge																	*		1/250 sf							
Entertainment and Amusement				A-1	R1-10	R1-7	R-1-5	R-2	R-3	C-1	C-2	C-3	C-4	PUD	MU	I-1	I-2	I-3	FL	H-1								
7 2		Theaters, auditoriums																		*		1/ 4 seats						
7 3		Recreation or amusement when conducted wholly inside an enclosed building																		*		1/250 sf						
7 4 .1		Adult Entertainment																			Y							
Sale w/ Outdoor Display, Repair Services				A-1	R1-10	R1-7	R-1-5	R-2	R-3	C-1	C-2	C-3	C-4	PUD	MU	I-1	I-2	I-3	FL	H-1								
7 4	Display, Repair	New and used car dealership and mobile home sales agencies.																		*		?						
7 5		New and used machinery sales and service																		*		?						
7 7		Automobile graveyards																		*								
7 8		Marble and granite works sales																		*								

ARTICLE V. DEVELOPMENT CONDITIONS AND STANDARDS

Property Use															Zone										Use Standard	Parking Ratio
7 9		Yard and garden center including nursery and greenhouses															*									
8 0		Welding shops															*									
8 1		Storage yards for commercial vehicles and trucks and truck terminals provided that the storage yards are enclosed by a concealing fence not less than eight feet in height															*									
8 2		Upholstery repair															*									
8 3		Food storage locker and ice manufacturing plant															*									
8 4		Wholesale establishments and storage															*		1/ 4 emp + 1/vehicl e stored							
8 5		Lumber and building supplies sales and carpenter shop															*									
8 6		Service yard for public utilities															*									
8 7		Drive-in theaters and places of amusement such as circus or carnival															*									
Accessory and Miscellaneous Uses			A-1	R1-10	R1-7	R-1-5	R-2	R-3	C-1	C-2	C-3	C-4	PUD	MU	I-1	I-2	I-3	FL	H-1							
8 8	Accessory and Miscellaneous Uses	Accessory building located on same lot.																*	Yes							
8 9		Radio station, private or public, that serves the public as a link between the City of Greenwood and Leflore County and the public during a disaster period and that is equipped with a fallout shelter facility that allows the station to operate continuously during a disaster period.																*								
9 0		Telecommunications towers																*	Yes							
9 1		Wireless transmission facilities and antenna’s greater than 50’ in height																*	Yes	n/a						
9 3	Industrial	Industrial	A-1	R1-10	R1-7	R-1-5	R-2	R-3	C-1	C-2	C-3	C-4	PUD	MU	I-1	I-2	I-3	FL	H-1							
9 4		Bottling Plant																*		.75						



ARTICLE V. DEVELOPMENT CONDITIONS AND STANDARDS

Property Use																	Zone	Use Standard	Parking Ratio
																		/empl	
9 5		Dairy Products Plant												?	?	?	*		.75 /empl
9 6		Lumber Yards												?	?	?	*		.75 /empl
9 7		Garment factory												?	?	?	*		.75 /empl
9 8		Airports and Landing fields for aircraft												?	?	?	*		.75 /empl
9 9		Light industrial office, manufacturing, warehousing, research, distribution, corporate headquarters. Light industrial manufacturing includes but is not limited to facilities for the manufacture of parts or accessories for heavy-duty equipment, automobile, trucks or other motor vehicles; furniture and home decorative accessories; small appliances; electrical hand tools and saw blades; agricultural sprayers and aeration equipment; duct work for heating and air units; and commercial and residential kitchen appliances and accessories. (move to definitions)												?	?	?	*		.75 /empl
1 0 0		Railroad Facility												?	?	?	*		.75 /empl
1 0 1		Steam Power Plant												?	?	?	*		.75 /empl
1 0 2		Experimental Laboratory												?	?	?	*		.75 /empl
1 0 3		Furniture Manufacturing												?	?	?	*		.75 /empl
1 0 4		Appliance Manufacturing												?	?	?	*		.75 /empl
1 0 5		Carpet and rug cleaning												?	?	?	*		.75 /empl
1 0 6		Electroplating												?	?	?	*		.75 /empl
1 0 7		Galvanizing, small utensils, etc.												?	?	?	*		.75 /empl
1 0 8		Ice plants or storage houses.												?	?	?	*		.75 /empl

ARTICLE V. DEVELOPMENT CONDITIONS AND STANDARDS

Property Use																	Zone	Use Standard	Parking Ratio
1 0 9	Meat processing (no slaughtering).																		.75 /empl
1 1 0	Gasoline distribution center or bulk plant.																		.75 /empl
1 1 1	Contractor's establishments and storage yards.																		.75 /empl
1 1 2	Warehouse and distribution facilities of less than 50,000 square feet gla per tenant																		.75 /empl
1 1 3	Warehouse and distribution facilities of greater than 50,000 square feet gla per tenant																		.75 /empl
1 1 4	Corporate headquarters.																		.75 /empl
1 1 5	Financial operation/data processing centers.																		.75 /empl
1 1 6	Manufacturing parts or accessories for heavy-duty equipment, automobiles, trucks or other motor vehicles.																		.75 /empl
1 1 7	Open storage yards																		.75 /empl
1 1 8	Other uses similar to the above-stated uses as may be determined by the Planning Commission																		1/250 sf



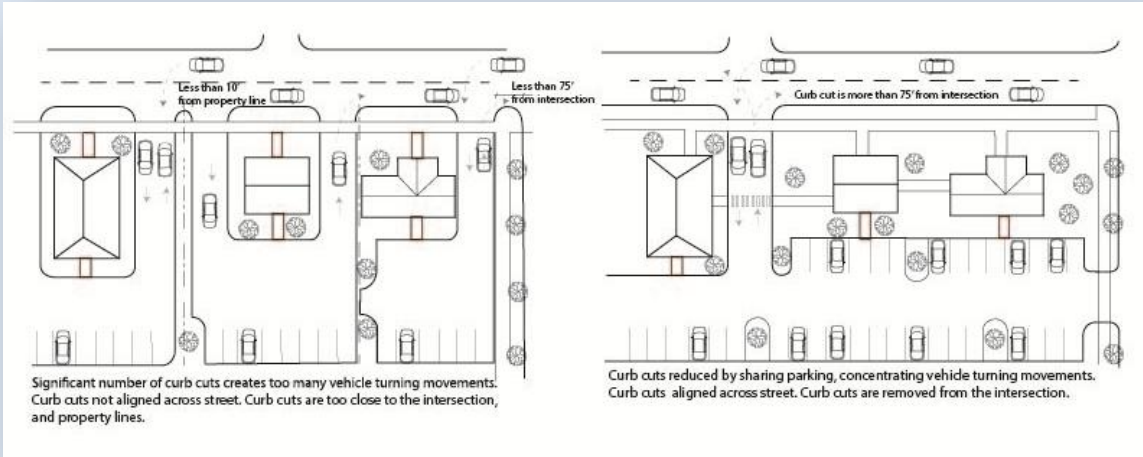
**Section 2. Standards of Design**

1. Purpose. In order to fully implement the goals of the Greenwood Comprehensive Plan, supplementary development standards are required to insure that new development, renovation, and reconstruction are designed, sized, and sited to achieve functionally efficient, economically productive, pedestrian friendly, aesthetically pleasing development which contributes to the stability, vitality and long term livability of the City. Such standards are also required to promote sound environmental stewardship, public safety, efficient delivery of public services, and transportation choice.
2. Applicability
  - a. Generally. The following development standards shall be applied by zoning district according to the development standards tables with the following exceptions:
    - i. Routine maintenance related to plumbing, mechanical, or electrical systems of buildings and sites.
    - ii. All plumbing, mechanical and electrical equipment when such work is entirely within the interior of a building.
    - iii. Construction or alteration necessary for the compliance with a lawful order of the City, Fire Department, Police Department, or Public Works Department related to the immediate public health or safety.
    - iv. Any interior alterations, repairs, or renovations which do not change the principal use of the structure.
    - v. Demolition or wrecking, repair, construction, reconstruction, alteration, rehabilitation, moving, demolition, or change in use for either land or buildings within any historic district approved by the Historic Preservation Commission.
  - b. Relation to Special Districts. Standards shall also apply in all special districts unless otherwise specified in the district's specific provisions.
  - c. Organizational Principles of the Design Standards. The development standards are organized in the following table. The symbol "■" means that the standard is required and compliance shall be determined by the Department of Urban Development. The symbol "✕" means that the standard is not required. Standards are divided into the follow major building and construction elements.
    - Parking and Traffic Circulation
    - Pedestrian Circulation
    - Site Lighting and Building Illumination
    - Building Form and Materials
    - Accessory Uses and Equipment
    - Landscaping

ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

STANDARD		District													
Required = ■ Not Required = X		A-1	R-1-10	R1-7	R-1-5	R-2	R-3	C-1	C-2	C-3	C-4	PAMU	I-1	I-2	I-3
1	PARKING AND TRAFFIC CIRCULATION.														
2	GENERALLY														
	Adequate parking shall be provided according to the requirements listed in the Table of Uses.	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Parking spaces shall measure 9' x 20'	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Parking shall have an all-weather surface, be properly drained and maintained with a level	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Spaces may shared among uses at the discretion of the planning director upon consideration of spaces required and times used	■	■	■	■	■	■	■	■	■	■	■	■	■	■
3	CURB CUTS.														
	Curb cuts shall be located no closer than 75 feet from the intersection of two streets as measured from the end of the radius nearest the proposed cut. Where the width of the site is less than 75 feet, the curb cut shall be placed the as far as possible from the street intersection.	X	X	X	X	X	X	■	■	■	■	.	■	X	X
	Curb cuts, except where shared, shall be located a minimum of 10 feet from a parcel or lot line.	X	X	X	X	■	■	■	■	■	■	■	■	■	■
	Curb cuts shall be located directly opposite one another or separated by a minimum of 150 fifty feet.	X	X	X	X	X	X	■	■	X	■	■	■	■	■

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

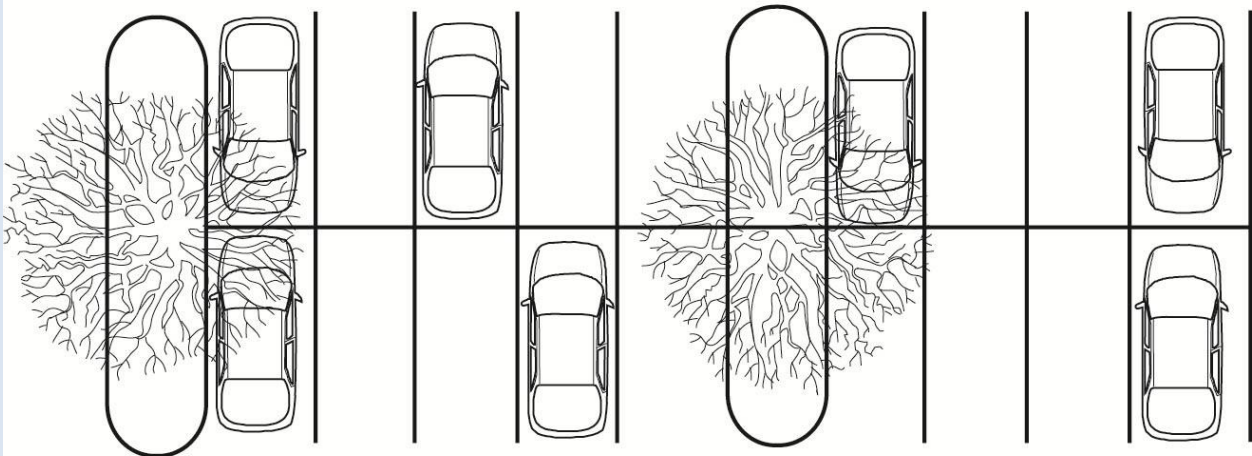
	Curb cuts shall be limited to one for every 300 feet of street frontage. Parcels with less than 300 feet of frontage shall be limited to one curb cut per street frontage.	x	x	x	x	x	x	■	■	x	■	?	■	■	■
	 <p>Significant number of curb cuts creates too many vehicle turning movements. Curb cuts not aligned across street. Curb cuts are too close to the intersection, and property lines.</p> <p>Curb cuts reduced by sharing parking, concentrating vehicle turning movements. Curb cuts aligned across street. Curb cuts are removed from the intersection.</p>														
<b>4</b>	<b>PARKING LOT AND DRIVEWAY ENTRANCES.</b>														
	Entrances and exits to the site shall be so located such that parking spaces and traffic aisles do not conflict with entering and exiting traffic.	x	x	x	x	x	■	■	■	■	■	■	■	■	■
	One-way driveway entrances curb cuts shall be a minimum of 12 feet and a maximum 14 feet wide.	x	x	x	x	x	■	■	■	■	■	■	■	■	■
	Two-way driveway entrances shall be a maximum of 24 feet wide.	x	x	x	x	x	■	■	■	■	■	■	x	x	x
	Three-way driveway entrances shall be a maximum of 36 feet wide.	x	x	x	x	x	■	■	■	■	■	■	x	x	■
	Shared driveways are encouraged.	■	■	■	■	■	■	■	■	■	■	■	x	x	■
<b>5</b>	<b>INTERIOR DESIGN OF PARKING LOTS.</b>														
	Vehicular and pedestrian cross access shall be provided to all	x	x	x	x	x	x	■	■	x	■	■	■	■	■



# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	adjacent commercial properties.														
	The number of required spaces shall conform to parking space requirements in this Section.	■	■	■	■	■	■	■	■	×	■	■	■	■	■
	No parking or loading areas may be designed to allow vehicles to back directly onto an adjacent public street.	×	×	×	×	×	×	■	■	×	■	■	■	■	■
	Parking spaces shall be delineated by white pavement striping unless otherwise required by ADA. Reflective striping is encouraged.	×	×	×	×	×	■	■	■	■	■	■	■	×	×
	Non-residential uses shall provide emergency vehicle access in accordance with the Fire Code Reference fire code section.	×	×	×	×	×	×	■	■	■	■	■	■	■	■
	Fire lanes shall be a minimum of 14 feet in width or as specified in the applicable fire code.	×	×	×	×	×	×	■	■	×	■	■	■	■	■
	Rear access to buildings shall comply with the adopted fire code.	×	×	×	×	×	■	■	■	×	■	■	■	■	■
	All parking areas and loading areas shall be provided with a permanent cement curb designed to permit low impact stormwater treatment as approved by the City Engineer. All landscaped areas that may be encroached upon by a motor vehicle shall be protected by a cement wheel stop appropriately anchored to the pavement, and set a minimum of two feet	×	×	×	×	×	■	■	■	■	■	■	■	■	■

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	back from the edge of pavement to restrict the destruction of landscape materials by vehicles.														
	A landscaped island not less than eight feet wide and 20 feet in length, measured from back of curb, shall be installed for each 100 lineal feet of parking area and shall cap ends of parking rows. Islands shall be landscaped in accordance with the landscape standards of this ordinance.	x	x	x	x	x	■	■	■	■	■	■	■	■	■
	Loading docks, overhead doors, and truck parking shall be positioned, or screened in such a way as to not be visible from the public street.	x	x	x	x	x	■	■	■	■	■	■	■	■	■
	Parking Lot Landscaping														
															
	One tree per 10 parking spaces														
6	PEDESTRIAN CIRCULATION.														
7	CIRCULATION EXTERNAL TO A SITE.														

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

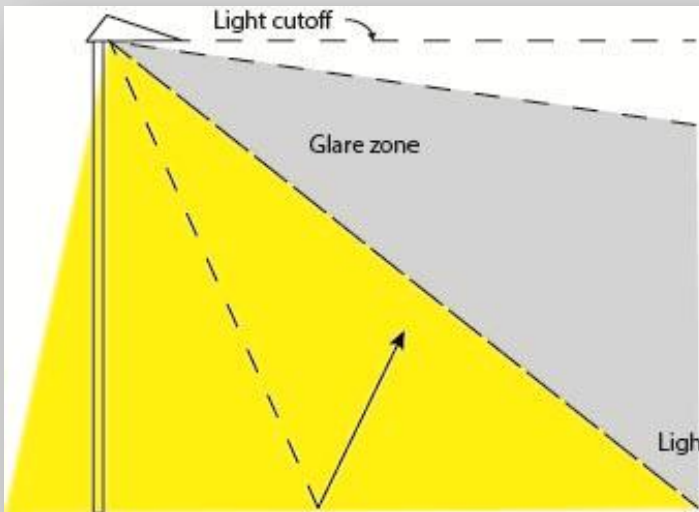
Sidewalks shall be provided along all public streets on the entire frontage of a development site and align with existing sidewalks on adjacent properties including both frontages on corner lots. Minimum sidewalk width is five feet. Additional width may be required as determined by Site and Design Review.	x	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Sidewalks shall be ADA compliant. Handicapped access ramps shall be constructed at street corners.	x	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Where sidewalks are not yet present on adjacent sites, sidewalks shall be constructed at least five feet behind the curb to allow for landscaping and street trees. If sidewalks are present on adjacent properties, the new sidewalk shall connect to the existing sidewalk.	x	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Sidewalks shall not be required to cross driveways as long as the driveway provides an ADA compliant connection between the sidewalk ends.	x	x	■	■	■	■	■	■	■	■	■	■	■	■	■
Sidewalks shall be composed of broom finished, colored, or exposed aggregate concrete or brick. Asphalt sidewalks are prohibited.	x	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Crosswalks shall be provided to connect external pedestrian circulation systems to a site and safely	x	■	■	■	■	■	■	■	■	■	■	■	■	■	■

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	convey pedestrians to the site destination.														
	Crosswalks shall be striped in conformance with the latest edition of the <i>Manual on Uniform Traffic Control Devices</i> .	x	■	■	■	■	■	■	■	■	■	■	■	■	■
8	<b>INTERNAL CIRCULATION.</b>														
	7.6.2.1 Internal pedestrian circulation shall be provided to create interconnected walkways safely conveying pedestrians from adjacent streets and parking areas to the site destination.	x	x	x	x	x	■	■	■	■	■	■	■	■	■
	7.6.2.2 Material may include brick, pavers, tile, stone, washed aggregate concrete, or stamped concrete. The use of asphalt, cinderblock, and gravel is prohibited.	x	x	x	x	x	■	■	■	■	■	■	■	■	■
	7.6.2.3 Crosswalks shall be designated by white pavement striping or materials of a different color and texture from the surrounding surface but conforming to the overall color scheme of the development.	x	x	x	x	x	■	■	■	■	■	■	■	■	■
9	<b>SITE LIGHTING AND BUILDING ILLUMINATION.</b>														
10	<b>LIGHTING AND ILLUMINATION GENERALLY.</b>														
	Streets, driveways, parking lots, walks and service areas shall be adequately illuminated as evenly as possible, not exceeding an average of .3 foot-candles diminishing to zero at a site's boundary. Lighting intensity shall be demonstrated by means of a site	x	x	x	x	x	x	■	■	■	■	■	■	■	■

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	lighting plan illustrating compliance.															
	Site lighting shall not extend beyond site boundaries. Luminaries shall be shielded, shaded, or directed to prevent light from being cast on adjacent property.	x	x	x	x	x	■	■	■	x	■	■	■	■	■	■
	No exterior lighting fixture shall be placed or directed so as to interfere with the operation of vehicles.	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	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.	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Lighting fixtures shall be compatible in style with the architecture of their associated buildings and shall otherwise comply with any officially adopted streetscape plan.	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■



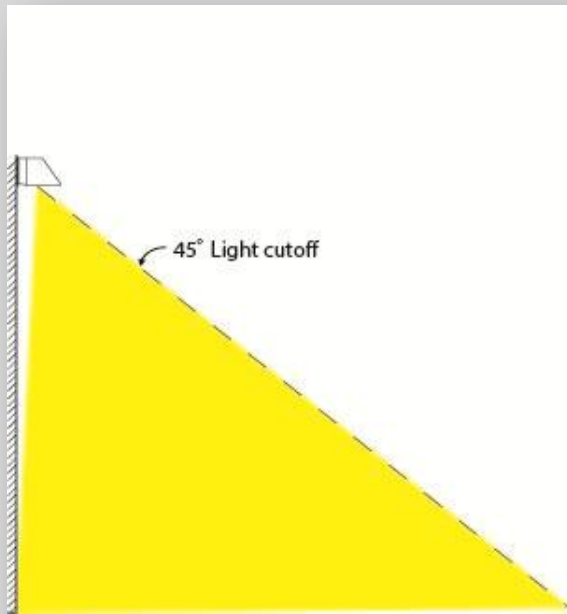
**Good Lighting**

- Directs light down and to the sides as needed; light control.
- Reduces glare; more even illumination.
- Does not trespass onto neighboring property.
- Helps preserve the dark night sky.
- Cost Efficient.

**Bad Lighting**

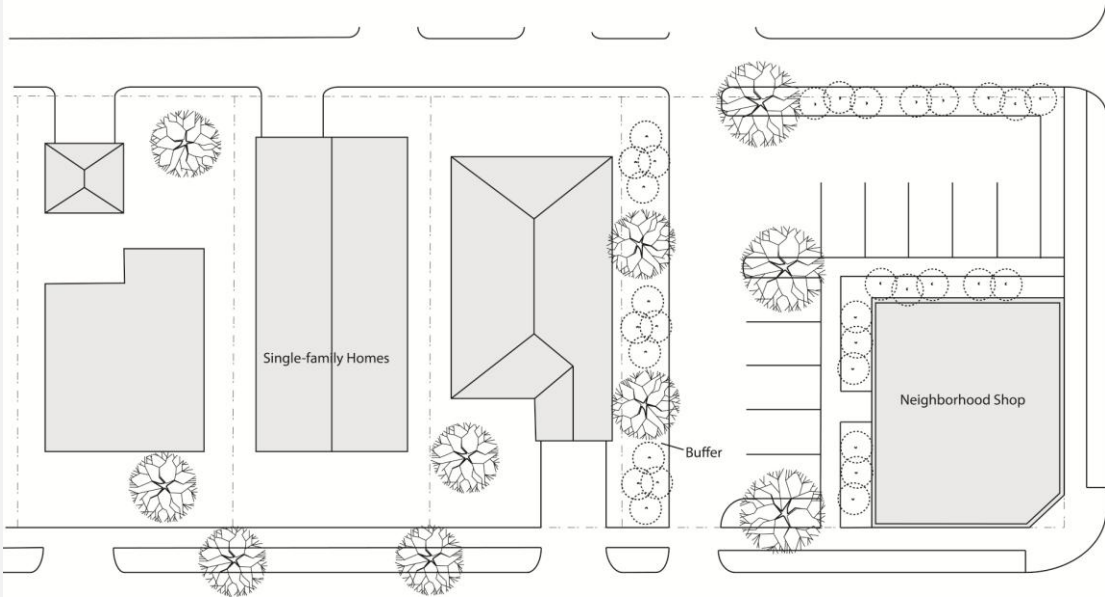
- Contributes to skyglow with upward direction of light, reducing enjoyment of the night sky.
- Causes glare, light trespass, and harsh illumination.
- Wastes Energy

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

11	LUMINARIES.														
	Pole mounted luminaries shall be full cut-off with shields, reflectors, or refractor panels to direct and cut-off emitted light at 90 degrees or less.	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Building mounted luminaries shall be full cut-off using shields, reflectors, or refractor panels to direct and cut-off the emitted light at a 45 degrees or less except for low intensity decorative lighting not exceeding 45 watts per bulb (incandescent equivalent).	×	×	×	×	×	■	■	■	■	■	■	■	■	■
	<div></div>														
12	MOUNTING.														
	Poles in commercial and multiple-family developments, whether mounted upon a building or independently upon a light standard, shall not exceed 20 feet in height.	×	×	×	×	×	■	■	■	×	■	■	×	×	×




# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

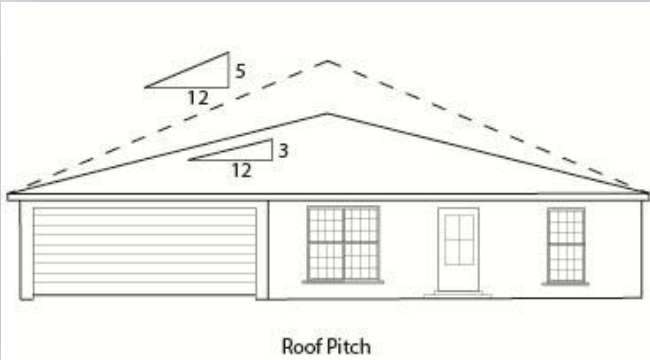
	Lighting fixtures within industrial developments shall not exceed 25 feet in height, except in those instances where the subject property adjoins any residentially zoned property, in which case, poles may not extend above the roof line of the associated building.	x	x	x	x	x	x	x	x	x	x	■	■	■	■
13	<b>BUILDING FORM AND MATERIALS.</b>														
14	<b>FORM.</b>														
	When adjoining a residential zone, structures shall be compatible with the character of single-family residential structures. Compatibility shall be determined by comparing the consistency of existing and proposed design elements, colors, materials, height, bulk and landscaping.	x	x	x	x	x	x	■	■	x	■	■	x	x	■
															
	Building facades shall be oriented parallel to the streets they	x	x	x	x	x	x	■	■	■	■	■	x	x	■


# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	face. Main entrances shall be visible as a means of creating continuous streetscapes.														
	Multiple buildings on a site should be clustered to create plaza or pedestrian mall areas. Where this cannot be achieved buildings shall be connected by means of pedestrian walkways defined by separate paving textures and accented by landscape areas.	x	x	x	x	x	x	■	■	x	■	■	x	x	■
	False or stage-set facades are prohibited. Materials and colors used on the street face shall continue to the sides and rear of the building where visible from a street right-of-way or adjacent residence.	x	x	x	x	x	x	■	■	■	■	■	x	x	■
	<b>False facades prohibited</b>														
	The maximum, unbroken facade plane shall be 60 feet. The facade plane shall be interrupted by projections, recesses, portals, courtyards, plazas, or other appropriate architectural design. Facade plane breaks shall have a minimum depth of	x	x	x	x	x	x	■	■	■	■	■	x	x	■

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	six inches per foot.															
	<p>Poorly designed faced vs. good design</p> 															
	No flat-faced cement block or metal surfaces shall be visible upon the exterior of any building as a primary surface material or mansard.	x	x	x	x	x	x	■	■	■	■	■	x	x	■	
	Pitched roofs shall, as a primary roof form, have a slope not less than 5/12. Porches shall be sloped not less than 3/12.	x	x	x	x	x	x	■	■	■	■	■	x	x	■	
	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 designed such that the reverse side of all elements shall not be visible to public view. False mansards are prohibited.	x	x	x	x	x	x	■	■	■	■	■	x	x	■	
	Parapets shall extend above the highest level of any roof mounted building equipment.	x	x	x	x	x	x	■	■	■	■	■	x	x	■	

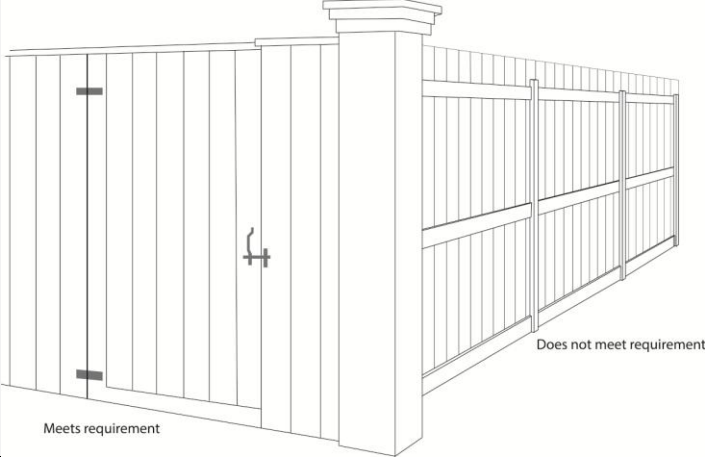


15	MATERIALS.														
	Building materials shall suit the architectural style of a building and be consistent or complementary throughout. Exterior surface materials shall be selected from among the following: brick, cementitious stucco, stone, vertical board and batten, wood or cementations siding and approved architectural concrete masonry unit. Dryvit or EFIS may only be used in banding, decorator strips, cornice lines and wall capping.	x	x	x	x	x	x	■	■	■	■	■	x	x	■
															
	Good use of materials														

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	Roof design shall be appropriate to the architectural style of a building. Where exposed to public view, roof material shall be selected from enameled standing seam metal, concrete or clay tiles, copper metal, or wood textured (architectural grade) or composition asphalt shingles. The use of plastic, fiberglass, other metal, or glass visible to public view is prohibited.	x	x	x	x	x	x	■	■	■	■	■	x	x	■
<b>16</b>	<b>DESIGN DETAIL.</b>														
	Wall surfaces shall be composed of at least 75% a single material and color. With the exception of decorator accents, colors shall be subtle, neutral, or earth tone or relate to appropriate historic building colors found within the City.	x	x	x	x	x	■	■	■	■	■	■	x	x	■
	Walls that can be seen from an arterial or collector street shall be treated as a building façade.	x	x	x	x	x	■	■	■	■	■	■	x	x	■
	No less than 50% of the horizontal distance of any building front shall be designed with arcades, windows, entrances, awnings, or similar features.	x	x	x	x	x	■	■	■	■	■	■	x	x	■
	Retail facades shall be glazed with clear glass no less than 30% of the first story, or 70% in the C-2 District. Other uses may provide the authentic appearance of such transparency.	x	x	x	x	x	x	■	■	■	■	■	x	x	■

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	Building shall be retail exclusively and not more than 3000 sf.	x	x	x	x	x	x	2	x	x	x	x	x	x	x
17	<b>ACCESSORY USES AND EQUIPMENT.</b>														
18	<b>FENCES</b>														
	Fences and walls shall be constructed such that the “finished” part of the fence or wall is located toward and facing the exterior of the property.	■	■	■	■	■	■	■	■	■	■	■	■	■	■
															
	Barbed wire, woven wire or electrical fencing may be used in agricultural applications only.	■	x	x	x	x	x	x	x	x	x	■	x	x	x
	Fences and walls within a development shall be of compatible design and materials.	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Fences or walls topped with or containing metal spikes, broken glass, razor wire or similar material are prohibited.	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Uncoated chain link and other wire material fences shall not be permitted in a front setback except in the case of athletic or play surfaces.	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Chain link fencing shall be green or black vinyl coated.	x	x	x	x	x	■	■	■	■	■	■	■	■	■



# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	The maximum height of fences and walls shall be four feet above grade when located in a front yard. Otherwise the maximum height of a fence is eight feet.	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
<b>19</b>																
	Retaining walls less than three feet tall may be constructed of treated timbers, split-faced concrete block, flat-faced concrete block, or poured-in-place concrete with either a flat or decorative face.	×	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Retaining walls three feet or more in height shall only be constructed of split-faced concrete block or poured-in place concrete with a decorative face.	×	■	■	■	■	■	■	■	■	■	■	■	■	■	■
<b>20</b>	<b>OUTSIDE STORAGE AND WASTE.</b>															
	Berms, landscaping, walls and buildings, or a combination thereof, shall be used to screen outside storage areas. The use of wooden fences or chain-link fences with slats as a screening device for garbage collection areas is prohibited.	×	×	×	×	×	■	■	■	■	■	■	■	×	■	■
	Trash containers and waste oil and grease containers must be visually screened on all sides. Combinations of berming, landscaping, walls, fences and buildings shall be used to screen containers and enclosures.	×	×	×	×	×	■	■	■	■	■	■	■	■	■	■
	Wash down areas shall be tied into the sanitary sewer in accordance with city	×	×	×	×	×	■	■	■	■	■	■	■	■	■	■

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	specifications.														
	Outside storage areas and waste containers shall be located to the side or rear of principal structures and be constructed with water wash down facilities.	x	x	x	x	x	■	■	■	■	■	■	■	■	■
	Outside storage areas and waste containers shall be sited to avoid conflict with vehicular and pedestrian movement.	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	All activities related to non-residential material management, including deliveries and removal, and non-residential waste removal shall be conducted fully onsite and shall not involve the use of public streets for vehicle parking or maneuvering.	x	x	x	x	x	■	■	■	■	■	■	■	■	■
21	<b>LANDSCAPING.</b>														
22	<b>INTERIOR SITE LANDSCAPING.</b>														
	There shall be a minimum of 20 square feet of interior landscaped area provided within each parking lot for each parking space provided exclusive of landscape islands.	x	x	x	x	x	■	■	■	x	■	■	x	x	■
	Parking lot islands shall contain a minimum of one large, deciduous shade tree per island. Parking islands directly abutting buildings shall substitute shrub plantings.	x	x	x	x	x	■	■	■	x	■	■	x	x	■
	Landscaped areas shall be covered with grass or other types of live or organic ground cover.	x	x	x	x	x	■	■	■	■	■	■	x	x	■

# ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

	Planting shall be established prior to building occupancy.														
<b>23</b>	<b>PERIMETER SITE LANDSCAPING.</b>														
	A green space at least six feet in width shall be provided parallel to the street.	x	x	x	x	x	x	■	■	x	■	■	■	■	x
	A green strip 10 feet in width shall be planted with at least one large, deciduous tree per 35 feet lineal frontage.	x	x	x	x	x	x	■	■	x	■	■	■	■	■
	Landscaping shall comply with the Plant Standards, Installation and Maintenance in this section.	■	■	■	■	■	■	■	■	x	■	■	■	■	■

341

342

## 3. Encroachment Exceptions

343

- a. All buildings and structures must be located at or behind the required setbacks except as listed below. Unless specifically stated no building or structure can extend into a required easement or public right-of-way.

344

345

346

## b. Building Features

347

- i. Porches, stoops, balconies, galleries and awnings/canopies can extend into a required setback as stated in the PAMU District.

348

349

- ii. Chimneys or flues may encroach up to four (4) feet, provided that such extension is at least two (2) feet from the vertical plane of any lot line.

350

351

- iii. Building eaves, roof overhangs and light shelves may encroach up to four (4) feet, provided that such extension is at least two (2) feet from the vertical plane of any lot line.

352

353

354

- iv. Bay windows, and vestibules that are less than ten (10) feet wide may encroach up to four (4) feet, provided that such extension is at least two (2) feet from the vertical plane of any lot line.

355

356

357

- v. Unenclosed fire escapes or stairways may encroach up to four (4) feet into a required side or rear setback, provided that such extension is at least five (5) feet from the vertical plane of any lot line.

358

359

360

- vi. Unenclosed patios, decks or terraces not exceeding thirty (30) inches in height may encroach up to four (4) feet into a required side setback, or up to eight (8) feet into a required rear setback, provided that such extension is at least three (3) feet from the vertical plane of any lot line.

361

362

363

364

- vii. Outdoor seating and dining areas may extend into a primary or side street setback.

365

## ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

- viii. Cornices, belt courses, sills, buttresses or other similar architectural features may encroach up to two (2) feet.
- ix. Handicap ramps may encroach to the extent necessary to perform their proper function.
- x. Structures below and covered by the ground may encroach into a required setback.

### c. Mechanical Equipment and Utility Lines

- i. Mechanical equipment associated with residential uses, such as HVAC units and security lighting, may encroach into a required rear or side setback, provided that such extension is at least three (3) feet from the vertical plane of any lot line.
- ii. Solar panels, wind turbines and rainwater collection or harvesting systems less than ten (10) feet in height may encroach into a required rear or side setback, provided that such extension is at least five (5) feet from the vertical plane of any lot line.
- iii. Minor structures accessory to utilities (such as hydrants, manholes, and transformers and other cabinet structures) may encroach into a required rear or side setback.

### d. Height Encroachments. Any height encroachment not specifically listed is expressly prohibited except where the Department of Community Development determines that the encroachment is similar to a permitted encroachment listed below.

- i. The maximum height limits of the district do not apply to spires, belfries, cupolas, domes not intended for human occupancy; monuments, water tanks, water towers or other similar structures which, by design or function, must exceed the established height limits.
- ii. The following accessory structures may exceed the established height limit of the district provided they do not exceed the maximum height by more than six (6) feet:
  - 1. Chimney, flue or vent stack;
  - 2. Deck, patio, shade structure;
  - 3. Flagpole;
  - 4. Garden, landscaping;
  - 5. Parapet wall (limited to a height of 4 feet);
  - 6. Solar panels, wind turbines and rainwater collection or harvesting systems.
- iii. The following accessory structures may exceed the established height limits provided they do not exceed the maximum building height by more than 10 feet, do not occupy more than 25% of the roof area, and are set back at least 10 feet from the edge of the roof:
  - 1. Amateur communications tower;
  - 2. Cooling tower;

- 407 3. Elevator penthouse or bulkhead;
- 408 4. Greenhouse;
- 409 5. Mechanical equipment;
- 410 6. Skylights;
- 411 7. Elevator or stairway access to roof.

### 412 **Section 3. Use Standards**

- 413 1. Certain uses, as noted in the Table of Uses as permitted with conditions or requiring Planning
- 414 Commission approval must meet additional conditions. These uses along with their applicable
- 415 conditions are listed below and include:
  - 416 a. Home Occupations
  - 417 b. Live Work Units
  - 418 c. Telecommunication Standards
  - 419 d. Manufactured Home Standards
  - 420 e. Outdoor storage
  - 421 f. Accessory uses, building and structures
  - 422 g. Greenwood Leflore Industrial Park
  - 423 h. Lounges and bars
  - 424 i. Adult entertainment
  - 425 j. Motor vehicle sales, rental and repair
  - 426 k. Car washes
  - 427 l. Parking lot sales
- 428 3. Home Occupation
  - 429 a. Home occupations shall not be carried out in more than twenty (20) per cent of the
  - 430 total dwelling building area.
  - 431 b. There shall be no external evidence of the use except for the allowance of one
  - 432 unanimated, non-illuminated sign not to exceed one square foot in area mounted flush
  - 433 against the main building.
  - 434 c. No goods or merchandise shall be sold or offered for sale on the premises.
- 435 4. Live Work Unit Standards
  - 436 a. The commercial component of live/work units are intended for use by the following
  - 437 occupations: accountants, architects, artists and artisans, attorneys, computer software
  - 438 and multimedia related professionals, consultants, engineers, fashion, graphic, interior
  - 439 and other designers, hair stylists, home-based office workers, insurance, real estate and
  - 440 travel agents, one-on-one instructors, photographers, and similar occupations,
  - 441 b. The residential and the commercial space must be occupied by the same tenant, and no
  - 442 portion of the live/work unit may be rented or sold separately,
  - 443 c. Residential areas are permitted above the commercial component, to the side or in back
  - 444 of the business component, provided that there is internal access between the
  - 445 residential and commercial space,
  - 446 d. The commercial component as designated on the floor plan approved through the
  - 447 special development permit shall remain commercial and cannot be converted to
  - 448 residential use,

## ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

- e. The residential component as designated on the floor plan approved through the special development permit shall remain residential and cannot be converted to commercial use,
  - f. The commercial component shall be restricted to the unit and shall not be conducted in the yard, garage or any accessory structure,
  - g. The commercial component shall not detract from, or otherwise be a nuisance to, the residential character or appearance of the dwelling units,
  - h. Signage intended to promote on-site commercial uses shall be restricted to two square foot signs permanently affixed to door or wall of the business component,
  - i. Signage shall be developed in accordance with a master sign plan for the overall development site,
  - j. The total number of occupations at one address is not limited, except the cumulative impact of all such commercial uses shall not exceed the limits set forth in this section for a live/work unit,
  - k. The external access for the commercial component shall be oriented to the street and should have at least one external entrance/exit separate from the living space. The entrance to the business component shall be located on the ground level. Access to the commercial component of each live/work unit shall be clearly separate from the common walkways or entrances to the other residential units within the development, or other residential units in adjacent developments,
  - l. The commercial use shall not generate vehicular traffic, in excess of normal residential traffic, which will interfere with residential traffic circulation or shall not cause more than three vehicles including vehicles used by customers, vendors, or delivery services to visit the premises per day,
  - m. No more than one employee (excluding residents of the dwelling unit) shall work or report to work on the premises, and the employment of any persons who do not reside in the live/work unit shall comply with all applicable building code requirements,
  - n. The commercial use shall not generate external noise, odor, glare, vibration or electrical interference detectable to the normal sensory perception by adjacent neighbors,
  - o. No explosive, toxic, combustible or flammable materials in excess of what would be allowed incidental to normal residential use shall be stored or used on the premises.
  - p. Prohibited Commercial Uses in Live/Work Units.
    - i. The retail sale of food and/or beverages with customers arriving on-site. This does not include online (internet) sales, mail order, or off-site catering preparation,
    - ii. Entertainment, drinking, and public eating establishments;
    - iii. Veterinary services, including grooming and boarding, and the breeding or care of animals for hire or for sale,
    - iv. Businesses that involves the use of prescription drugs,
    - v. Adult-oriented businesses, astrology palmistry, massage, head shops, and similar uses,
    - vi. Sales, repair or maintenance of vehicles, including automobiles, boats, motorcycles, aircraft, trucks, or recreational vehicles,
    - vii. Trade or Private Schools. This excludes private instruction of up to two students at any one time (e.g., music lessons, tutoring)
5. Telecommunication Standards

## ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

- a. The purpose of this section is to establish general guidelines for the siting of telecommunication towers and antennas. The goals of this section are to:
  - i. require the location of towers in non-residential areas and minimize the total number of towers throughout the community;
  - ii. enhance the ability of the providers of telecommunication services to provide such services to the community quickly, effectively and efficiently;
  - iii. encourage strongly the joint use of new and existing tower sites;
  - iv. encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;
  - v. encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas.
- b. Each applicant for approval of a telecommunications tower shall provide to the Zoning Administrator a current map, or update of an existing map on file, showing locations of applicant's antenna and towers, other existing towers, and applicant's proposed towers located within a one-mile radius of the City and such other information as the Zoning Administrator may require to determine that there are no towers, no alternative tower structures or other practical alternatives which will meet the coverage objectives of the applicant without the construction of a new telecommunications tower.
- c. Telecommunications Towers Special Use Criteria.
  - i. Communication companies shall locate telecommunication antenna on or in Alternative Tower Structures or on existing towers. Where such structures are not available, co-location of facilities is encouraged. When a new tower is proposed to be sited, a determination of whether the location will provide a minimal level of coverage vs. optimal coverage shall be taken into consideration. The following criteria shall be used in the approval of the siting of new towers:
  - ii. Towers shall not exceed 100 feet in height.
  - iii. Evidence that the applicant has investigated the possibilities for locating the proposed facilities on an Alternative Tower Structure or existing tower shall be submitted.
  - iv. Sound engineering evidence demonstrating that location of the tower at the proposed site is necessary and in the interest of public safety or is a practical necessity shall be submitted.
  - v. Evidence that the communications tower is structurally designed to support the maximum number of foreseeable users technically and economically practicable shall be submitted. A report from a structural engineer registered in the State of Mississippi showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards shall be submitted. The application shall include a statement that the owner of the proposed tower is willing to permit other user(s) to attach communication facilities, on a commercially reasonable basis, which do not interfere with the primary purpose of the tower.



## ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

- 537                   The tower owner may require that such other users agree to negotiate  
538                   regarding reasonable compensation to the owner.
- 539                   vi. A site plan shall be submitted showing the location of the proposed tower and  
540                   all proposed improvements and providing a location for at least one equipment  
541                   building in addition to that proposed for use by the applicant. Priority for co-  
542                   location on the proposed tower shall be given to antennas that will serve a  
543                   public safety need for the community.
- 544                   vii. No outside storage shall be allowed on any telecommunication tower site.
- 545                   viii. The telecommunications tower shall meet all applicable Federal Aviation  
546                   Administration (FAA) standards and shall not restrict or interfere with air traffic  
547                   or air travel from or to any existing or proposed airport.
- 548                   ix. The color of the tower shall be neutral and no lighting shall be allowed, except  
549                   to the extent required by Federal law, so as to minimize its visual impact.
- 550                   x. No commercial advertising shall be allowed on the tower or its related facilities.
- 551                   xi. The applicant shall propose such setbacks from all adjacent property lines  
552                   consistent with the design of the tower as are necessary for the safe operation  
553                   and maintenance of the tower.
- 554                   xii. Special design considerations, such as requiring landscaping, designing facilities  
555                   to appear as natural features found in the immediate area, such as trees, or  
556                   requiring a monopole tower structure may be required when approving  
557                   telecommunication towers.
- 558                   d. Substantial Evidence Required For Denial. The Telecommunications Act of 1996  
559                   requires that a denial of a permit be supported by substantial evidence contained in a  
560                   written record. Any denial of an application for a telecommunications tower shall be  
561                   supported by substantial evidence and written findings shall be made of the reasons  
562                   therefore.
- 563                   e. Exemptions. Notwithstanding any other provision of this Ordinance, telecommunication  
564                   towers located on property of the City of Greenwood or any other governmental entity  
565                   are exempt from the requirements of this Ordinance.
- 566                   f. Removal of Towers No Longer In Service.
- 567                         i. Notice shall be provided to the Zoning Administrator within thirty (30) days after  
568                         tower ceases to be used. All abandoned, unused or obsolete towers, and  
569                         accompanying accessory facilities, shall be removed by the property owner  
570                         within twelve (12) months of cessation of operations at a site.
- 571                         ii. The City Clerk is instructed to publish this amendment to the Zoning Ordinances  
572                         of the City of Greenwood one time in the Greenwood Commonwealth. This  
573                         Ordinance is to become effective after publication and one month from the date  
574                         hereof.
- 575                   6. Manufactured Home Standards
- 576                         a. Special provisions required for manufactured homes on separate lots.
- 577                                 i. Manufactured homes shall be set on permanent weatherproof runners with  
578                                 appropriate tiedown hooks.

## ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

- ii. Manufactured Mobile homes shall be connected to all utilities in the same manner as a permanent residence so that all connections are sanitary, safe, and do not create a nuisance.
    - iii. Manufactured Mobile homes shall be equipped with foundation skirt of brick material and permanent steps fastened to the ground.
    - iv. Manufactured homes newly sited on a lot shall have been manufactured not more than 10 years from the current year.
  - b. Special provisions for manufactured home parks.
    - i. The Commission must approve the manufactured home park plan before any work can be started on the park. Before a permit shall be issued for the construction of a manufactured home park, the owner-developer or their authorized agent shall present a proposed layout and design for the park to the Planning Commission for its review. The plan shall be drawn at a scale of 1" = 100' or less and shall provide sufficient detail to show the proposed development including manufactured home unit location and arrangement, access, utilities, signing, etc. The following items will be observed in formulating any manufactured home park.
    - ii. Manufactured home parks shall contain a minimum of four thousand (4,000) square feet per unit.
    - iii. Manufactured home parks shall provide a buffer strip at least fifteen (15) feet in depth along all lot lines including side and rear.
    - iv. Buffers shall be unoccupied except for landscaping, utility facilities, sign or entrance ornamentation.
    - v. A minimum of ten (10) per cent of the gross land area of the manufactured home park shall be required for recreation area.
    - vi. All manufactured home lots shall abut upon an all-weather driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a public street.
    - vii. All streets, roadways, and driveways within the park shall be approved by the Greenwood Public Works Director. Roadway and yard areas shall be appropriately lighted at night.
    - viii. Each manufactured home stand shall be provided with permanent all-weather runners, patio, parking area and utilities as approved by the Department of Community Development.
    - ix. Every manufactured home stand shall provide a storage structure of at least one 100 cubic feet. However, such structure shall not exceed 300 cubic feet.
    - x. Manufactured homes newly sited on a lot shall have been manufactured not more than 10 years from the current year as evidenced by bill of sale or other acceptable proof.
- 7. Outdoor Storage Standards
  - a. Open storage yards used as a part of any of the above enumerated uses shall observe the following restrictions:

## ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

- i. Materials shall not be stored in the required front yard.
  - ii. When a storage yard abuts a residential or commercial district, such storage yard shall be screened from the abutting property by concealing walls, or by concealing fences, or by other concealing screening not less than six feet in height.
- 8. Accessory Uses, buildings and structures
  - a. In no event shall “accessory use” or “accessory structure” be construed to authorize a use or structure not otherwise permitted in the district in which the principal use is located.
  - b. Accessory uses and structures that are clearly related to and incidental to the permitted principal use or structure on the lot are permitted in all districts.
  - c. Accessory Residential Structures
    - i. Structures accessory to residential uses (except for agricultural buildings located in agricultural districts) shall have a combined floor area of not more than 33% of the principle structures, shall not exceed one story in height, and shall be located at least 60 feet from the front lot line, nor less than the distance required for the main building from any side lot line;
    - ii. If the accessory building is located within the rear yard, no clearance from a side lot line will be required.
  - d. Height of accessory structures shall not exceed the height of the primary structure occupying the lot.
  - e. Accessory Residential Parking
    - i. No vehicle shall be parked or stored in a front or side yard of a residential lot whereupon a vehicle accommodation space has been or could be constructed. Driveways shall be constructed of usable and durable surface and shall not exceed the maximum curb cut width set forth. Parking may occur in a front yard, side yard, or rear yard for the purpose of unloading a vehicle, washing a vehicle or some other similar, temporary purpose. The vehicle, however, must be removed from the front yard, side yard, or rear yard once the purpose for temporarily parking the vehicle is accomplished.
    - ii. All vehicles must maintain current license plates and inspection stickers. Unlicensed vehicles or vehicles with expired inspection stickers shall not be stored or parked on any lot zoned for residential use, unless in completely enclosed buildings.
    - iii. Only one vehicle with a capacity of one ton or greater is allowed on a residential lot and only if parked in the rear yard area or parked within an enclosed building.
    - iv. Vehicles with a capacity greater than one ton and used for commercial, industrial, farm, or construction purposes are prohibited on residential lots and on street or highway rights-of-way, except when actively involved in pick-up or delivery to the residence.

## ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

- 662 v. Cars or pick-up trucks (with or without signs) which are properly licensed,  
663 inspected, and used for commercial purposes may be parked anywhere on a  
664 residential lot designed, constructed and approved for vehicle parking.
- 665 9. Parking Lot Retail Commercial Activities
- 666 a. Parking Lot retail Commercial Activities shall be limited to:
- 667 i. Food sales where food is prepared on site,  
668 ii. Sales of Mississippi produced vegetables, meat and fish,  
669 iii. Sales of Leflore County produced crafts, and  
670 iv. The sale of goods associated with the primary business which is served by the  
671 parking lot.
- 672 b. Such activities may occur in the C-2, C-3 or PAMU District.
- 673 c. Where such sales are related to the primary business which is served by the lot,  
674 merchandise shall be located with 10 feet of the building housing the primary business.
- 675 d. All such parking lot commercial activities shall cease and merchandise shall be removed  
676 between the hours of 10 p.m. and 7 a.m.
- 677 10. I – 3 - Greenwood Leflore Industrial Park Standards
- 678 a. Development within the Greenwood Leflore Industrial Park shall adhere to the following  
679 standards:
- 680 i. Fire and Explosion Hazards. All activities shall be carried out only in structures  
681 which conform to the standards of the National Board of Fire Underwriters  
682 concerning the plant operation and storage of explosive raw materials, fuels,  
683 liquids and finished products.
- 684 ii. Radioactivity. All activities located within the industrial park shall comply with  
685 the Code of Federal Regulations, "Standards for Protection Against Radiation".
- 686 iii. Smoke, Fumes, Gases, Dust, Odors. There shall be no excessive emission of any  
687 smoke, fumes, gas, dust or odors. These and any other atmospheric pollutant  
688 which is detectable to the human senses at the boundaries of the lot occupied  
689 by such use are prohibited. In any case, the limit of such emission of air  
690 pollutants shall be subject to the approval or acceptance by the Mississippi Air  
691 and Water Pollution Control Commission.
- 692 iv. Vibration. There shall be no vibration which is discernible to the human sense of  
693 feeling beyond the immediate site on which such use is conducted.
- 694 v. Liquid or Solid Wastes. The discharge of untreated industrial wastes into a  
695 stream or open or closed drain is prohibited. All methods of sewage and  
696 industrial waste treatment and disposal shall be approved by the Leflore County  
697 and Mississippi State Health Departments and the Mississippi Air and Water  
698 Pollution Control Commission. More specifically, all sanitary waste must be  
699 discharged into the sanitary sewer system. The volume, quality and strength of  
700 all liquid waste shall be discharged into the sewer in strict accordance with the  
701 regulations of the City of Greenwood.
- 702 vi. Site Drainage. No driveways, walks, parking areas, et cetera, may be constructed  
703 across any drainage ditch, channel, or swale without providing adequate  
704 culverts or waterway openings for natural drainage. Such culverts or structures  
705 shall provide the minimum waterway opening and shall be at the proper  
706 gradient. No rain and storm water run-off or such drainage as roof water, street

## ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

pavement, and surface water caused by natural precipitation or ground water from footing or foundation drains or other subsurface water drainage shall at any time be discharged into or permitted to flow into the sanitary sewer system.

### 11. Lounges and Bars

- a. Music, loud speakers, and similar noise devices shall not be permitted outdoors. Noise emanating from the club shall not exceed ambient noise levels in the surrounding area at a distance of more than 100 feet from any point of the property containing the club.
- b. A parking plan shall be required designating appropriate capacity and location of patron parking.

### 12. Adult Entertainment

- a. No adult establishment shall be located within 1,000 feet (determined by a straight line and not street distance) of the closest boundary line of any residential zoning district, or of any point on the closest property line of any church, school, day care, public park, residence or playground as measured by a horizontal straight line distance from the closest point on the closest boundary line of the property occupied by the adult establishment.
- b. No adult establishment shall be located within 1,000 feet (determined by a straight line and not street distance) of any other adult establishment as measured by a horizontal, straight line distance from the closest point on the closest boundary line of the property occupied by each.
- c. No more than one adult establishment may be located within the same structure.
- d. No printed material, slide, video, photograph, written text, live show, or other visual presentation shall be visible to the public or an adjacent property or use, nor shall any live or recorded voices, music, or sounds be heard from outside the walls of the establishment.

### 13. Motor Vehicle Repair, Maintenance, Rental and Sales.

- a. A lot containing a vehicle repair or maintenance use shall be located at least 200 feet from any lot containing a legal, conforming residential use or residentially zoned lot.
- b. No repair of vehicles may occur in a front yard.
- c. Motor vehicle sales, lease, and rental lots shall front on a major or minor arterial.
- d. Display of Vehicles for Sale or Lease.
  - i. Vehicles for sale or lease may be displayed in the established front yard provided that no vehicle shall be displayed within fifteen feet of the street right-of-way.
  - ii. All new display areas shall be paved.
- e. Outdoor Storage.
  - i. A motor vehicle repair, service, body or paint shop which has wrecked, partially dismantled, or inoperative vehicles located on-site shall store these vehicles in an enclosed building or in a separate motor vehicle storage yard completely screened from view and meeting the requirements thereof. .
  - ii. Storage areas are exempt from the interior landscaping requirements for parking lots. However, the perimeter landscaping requirements of parking lots shall apply to such storage areas

## ARTICLE V – DEVELOPMENT CONDITIONS AND STANDARDS

- 750                   iii. Storage areas may only be located behind the principal building and/or its  
751                   accessory buildings, and shall not be placed within 100 feet of any property line  
752                   that abuts a thoroughfare or local public street
- 753       14. Car washes, Automatic and Full Service.
- 754           a. All exterior walls and accessory washing areas shall be constructed so that they match  
755           the principal structure in design and materials.
- 756           b. The outdoor service area of a car wash shall be placed and screened in accordance with  
757           the standards for on-site parking.
- 758           c. Car washes, vacuums, and similar service devices shall be a minimum of 50 feet from  
759           the nearest portion of an adjacent residential zoning district or lot containing a legal,  
760           conforming residential use for facilities that do not include an automatic dryer. Where  
761           automatic dryers are installed, separation shall be 500 feet from the nearest lot line of  
762           an adjacent residential zoning district or lot containing a legal, conforming residential  
763           use.
- 764           d. Car washes accessory to a principal use shall be located in the side or rear yard only.
- 765           e. Car washes shall only drain into an approved sewer facility
- 766           f. Hours of operation shall be no earlier than 8:00 a.m. and no later than 11:00 p.m.


**ARTICLE VI. SIGNS AND OUTDOOR ADVERTISING****Section 1. Sign Requirements for Signs Located Outside Historic Districts****1. Purpose**

a. The purpose of this section shall be to delineate the type, placement, and physical dimensions of signs allowed within the city; to enhance the economy of the city; to promote the aesthetic values of the City of Greenwood by elimination of visual blight; to preserve the quality of life in the community; to promote both renovation and proper maintenance of signs; and to guarantee equal treatment through accurate record keeping and consistent enforcement.

b. Signs are permitted as hereinafter regulated, provided that no sign shall be permitted which is not an accessory to the business conducted on the property.

**2. Sign Types, Sizes and Location Requirements Established Outside Historic Districts (See Section 9 c of this Article for signs within historic districts)**

a. The following sign types are established and permitted in the City of Greenwood under the conditions of this section:

Sign Type	Example
Wall Sign	
Free Standing Sign	
Billboards	



# ARTICLE VI SIGNS AND OUTDOOR ADVERTISING

## b. Signs Permitted by District

Signs Permitted by District																		
Sign Type	A-1	R1-10	R1-7	R-1-5	R-2	R-3	C-1	C-2	C-3	C-4	PUD	MU	I-1	I-2	GLI	FL	H-1	H-2
							■	■	■	■	■	■	■	■	■		■	■
							■	■	■	■	■	■	■	■	■			
									■	■	■	■					■	■

## c. Sign Dimensions

Table of Sign Dimensions					
Sign Type	Sign Surface Area	Maximum Sign Surface Area	Sign Height	Number of Signs	Special Conditions
Wall Signs <sup>2</sup>	(Reserved)	(Reserved)	5' above roofline	(Reserved)	Attached to building
Free-standing <sup>2</sup> Or Name Plate Sign	9 sf <sup>1</sup>	(Reserved)	(Reserved)	(Reserved)	5' setback from property line
Notes	1. In the event there is more than one (1) tenant in the business building, each tenant is entitled to one (1) name plate sign attached to the free-standing sign provided. However, each such name plate sign shall be of uniform dimensions and lettering, and no name plate sign shall exceed nine (9) square feet in area. 2. No sign shall be lighted by means of flashing or intermittent illumination. No sign shall be painted by means of "air brush" or be painted in loud, obnoxious colors. There shall be no sign erected which will obstruct vision.				

## 3. Prohibited signs - The following types of signs are prohibited under this article

### a. Portable signs.

## 4. Special provisions

- Development signs shall be limited to no more than one per street frontage and each sign shall be no larger than thirty-two (32) square feet in sign area. All information about contractors, financial institutions, architects, developers, etc. shall be displayed on the sign.

## ARTICLE VI SIGNS AND OUTDOOR ADVERTISING

- 797 No other signs shall be allowed during construction except real estate signs. Development  
798 signs shall be allowed to be erected without a permit.
- 799 b. Real estate signs shall be limited to no more than one per street frontage. In agricultural,  
800 commercial, and industrial districts, the sign area of one face shall not exceed twenty (20)  
801 square feet. In no case shall the total sign area of all signs on the property exceed forty (40)  
802 square feet. In residential districts, the sign area of one face shall not exceed eight (8)  
803 square feet. In no case shall the total sign area of all signs on the residential property exceed  
804 sixteen (16) square feet. Signs shall be located at least one (1) foot from the right-of-way.  
805 Real estate signs shall be allowed to be erected without a permit.
- 806 c. Temporary business signs shall be limited to no more than two per business and each sign  
807 shall be no larger than twenty-five (25) square feet in sign area. They shall be properly  
808 secured to the wall of the business and shall be maintained in a neat and orderly manner.  
809 Temporary business signs shall be allowed to be erected without a permit.
- 810 d. Window signs shall be maintained in a neat and orderly manner and shall be allowed to be  
811 erected without a permit.
- 812 e. Upon receipt of a sign permit for the construction or alteration of a new or existing business  
813 sign, a property owner may place one (1) portable sign on his or her property for up to  
814 fourteen (14) days from the date of the sign permit issuance.
- 815 f. No political sign may be placed on any public right-of-way or on public property
- 816 g. Political signs shall be allowed to be erected without a permit.
- 817 h. Public signs and flags, including all city, state, and federal signs, the official flag of the United  
818 States of America, the official flag of the State of Mississippi, and flags representing other  
819 governmental or civic entities, events and/or causes are not considered a sign under these  
820 regulations.
- 821 i. Signs erected by an authorized public agency for the purposes of directing traffic or  
822 providing information are not affected by these regulations.
- 823 5. Abandoned signs
- 824 a. A sign shall be removed by the owner or lessee of the premises upon which the sign is  
825 located when the business which it advertises is no longer conducted on the premises; or  
826 the sign does not display a well maintained message for a consecutive 90-day period; or the  
827 owner of the sign cannot be located at the Owner's last address as reflected on the records  
828 of the Leflore County Tax Assessor; or the sign is no longer fully supported by the structure  
829 designed to support the sign, for a consecutive 90-day period.
- 830 b. If the owner or lessee fails to remove it, the code enforcement officer shall give the owner  
831 thirty (30) days written notice to remove it. Upon failure to comply with this notice, the  
832 code enforcement officer or their duly authorized representative may remove the sign at  
833 cost to the owner.
- 834 c. Where a successor to a defunct business agrees to maintain the sign or signs as provided in  
835 this Article, this removal requirement shall not apply.
- 836 6. Permits
- 837 a. Sign permit.

## ARTICLE VI SIGNS AND OUTDOOR ADVERTISING

- i. Before commencing the construction, alteration, erection, addition to, or moving of any business sign or part thereof located within a non-residential zone, except the signs exempted by this guideline, a sign permit shall be obtained from the city inspection division, as outlined in Section 5-13 of this Code.
  - ii. Whenever applicable, sign permit applications for any sign encroaching the air space of city property, public right(s)-of-way or easement(s) shall be accompanied by a properly executed encroachment agreement that has been executed by the owner and the city.
- b. Sign permit applications
  - i. The city inspection division officer shall not issue a sign permit unless the plans, specifications, and intended use of such sign conforms in all respects to the applicable provisions of this guideline.
  - ii. When requested by the city inspection division officer, applications for sign permits shall include a drawing to scale of the proposed sign and all existing signs maintained on the premises and visible from the right-of-way, a drawing of the lot plan or building facade indicating the proposed location of the sign, and specifications for its construction, lighting, motion and wiring, if any. The application for a sign permit shall be accompanied by other such information as the city inspection division may require enabling the office to act upon such application.
  - iii. The city inspection division shall issue a permit for the erection, alteration, or relocation of a sign within seven (7) calendar days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.
  - iv. When a permit is denied by the city inspection division, a written notice shall be given to the applicant along with a statement of the reason(s) for denial. The officer may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.
- 7. Administration and penalties.
  - a. The city code enforcement officer is directed to administer and enforce all of the provisions of this Article.
  - b. Any person aggrieved by any interpretation or order of the code enforcement officer may appeal to the planning commission. The code enforcement officer shall take no further action on the matter pending the planning commission's decision, except for unsafe signs which present an immediate and serious danger to the public as provided in this Article.
  - c. Where work for which a sign permit is required is started or proceeded with prior to obtaining said permit, the fees set out in Section 5-13 of this Code shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.
  - d. Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine

## ARTICLE VI SIGNS AND OUTDOOR ADVERTISING

not exceeding five hundred dollars (\$500.00), or imprisonment for a term not exceeding ninety (90) days, and the cost of prosecution, or by both fine and imprisonment by the municipal judge. Each day's continuance of a violation shall be considered a separate offense and punishable as such.

### 8. Inspection, Removal, and Safety.

- a. All signs may be inspected periodically by the code enforcement officer for compliance with this Article.
- b. All signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition.
- c. The code enforcement officer shall give written notice for the removal of any sign erected or maintained in violation of this Article. Upon failure to comply with this notice, the code enforcement officer shall take legal action to enforce compliance with this ordinance. The code enforcement officer 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.

## Section 2. Sign Requirements for Signs Located Within Historic Districts

### 1. *Signs prohibited.*

- a. It shall be unlawful for any person to erect, repair, alter, relocate or maintain within the historic districts of the city any of the following sign types:
  - i. Flashing, neon or animated signs;
  - ii. Off-premises signs;
  - iii. Outdoor advertising signs; or
  - iv. Portable signs.
- b. The erection, construction, location and/or use of any sign within the historic districts is prohibited as follows:
  - i. No sign shall contain statements, words or pictures which display sexual anatomical areas or sexual activities of any animal, or which contain words which are classified as "vulgar" or "vulgar slang" in the New College Edition of the American Heritage Dictionary of the English Language.
  - ii. No sign shall be permitted on, or protrude into any public right of way, street or passageway except as provided for specifically herein\
  - iii. Except for signs installed by or with the approval of the appropriate government agency, no sign shall be attached to, hung or painted on any curb stone, hydrant, lamp post, barricade, temporary walk, telephone pole, utility pole, tree or on a fixture of a fire alarm or police call system within any public right-of-way, street or passageway.
  - iv. No sign shall be permitted that would obstruct the line of sight, or the triangular sight distance, of motorists or pedestrians at intersections, driveways, or any public right-of-way, street or passageway.

## ARTICLE VI SIGNS AND OUTDOOR ADVERTISING

- v. No sign shall be permitted whereby its location, nature, or type constitutes a hazard to the safe and efficient operation of vehicles upon any public right-of-way, street or passageway.
  - vi. No sign shall be permitted that would obstruct or resemble traffic signs or symbols, or that would tend to be confused with the flashing light of an emergency vehicle.
  - vii. No sign shall be permitted that prevents free ingress and/or egress from any door, window or fire escape.
  - viii. No sign shall be permitted which contains or utilizes revolving or rotating beams of light or stroboscopes. Flashing signs shall not be permitted except for time and temperature signs.
  - ix. No detached sign shall be located closer than ten (10) feet from any power or utility transmission line.
  - x. No sign shall be placed on a vehicle or trailer which is parked for the primary purpose of displaying said sign. This does not apply to specially permitted portable signs, or to signs or lettering on busses, taxis or vehicles operating during the normal course of business.
2. *Signs permitted in historic districts.* The following signs are permitted within the historic districts:
- a. Any principal building may install sandwich boards to a maximum sign area of six (6) square feet per side. The chief of code enforcement or his or her designee shall assist with the placement of the sandwich boards.
  - b. Incidental signs not to exceed six (6) square feet in aggregate sign area per occupancy.
  - c. One wall sign or window sign for each frontage not to exceed twenty (20) per cent of the total area of the wall to which it is attached, and also not to exceed twenty-five (25) square feet in sign area. On-premises wall signs must not extend above/below the roof line of or the second floor level.
  - d. One construction sign for each street frontage of a construction project, not to exceed ten (10) square feet in sign area in single-family residential zoning districts or thirty-five (35) square feet in sign area in all other zoning districts. Such signs may be erected ten (10) days prior to beginning of construction and shall be removed within thirty (30) days following completion of construction.
  - e. Two (2) non-illuminated real estate signs per lot or premises, not to exceed ten (10) square feet in sign area in single-family residential zoning districts or thirty-five (35) square feet in sign area in all other zoning districts. Such signs must be removed thirty (30) days following sale, rental, or leasing of lot or premises.
  - f. Non-illuminated political signs, not to individually exceed six (6) square feet in sign area. Such signs shall be removed within thirty (30) days following the applicable election or referendum. Political signs may be placed only on private property with the permission of the property owner.
  - g. Two (2) freestanding directional or information sign(s) per premises, not to individually exceed three (3) square feet in sign area or thirty (30) inches in height.
  - h. All signs required to be posted by law, or erected by governmental agencies shall be permitted.
  - i. External illumination, if used, shall not be blinking, fluctuating, or moving. Light rays shall shine only upon the sign or upon the property lines in any direction, except by indirect reflection.
  - j. All awning, marquee and under-canopy signs shall have a minimum clearance of nine (9) feet over any pedestrian area.

## ARTICLE VI SIGNS AND OUTDOOR ADVERTISING

- k. Where a principal building has frontage on more than one street or pedestrian walkway that provides public access, or where a principal building has at least thirty-three (33) linear feet of frontage adjacent to an off-street parking area, one wall sign for each frontage shall be permitted as specified above.

3. Abandoned signs.

- a. Any on-premises sign and/or sign support relating to any business or other use shall be removed by the owner of the sign and/or property within sixty (60) days after such business has been vacated or terminated.

4. Administration and penalties.

a. *Sign permits.*

- i. Before commencing the construction, alteration, erection, addition to, or moving of any sign or part thereof, except the signs exempted by this guideline, a sign permit shall be obtained from the city inspection division.
- ii. Whenever applicable, sign permit applications for any sign encroaching the air space of city property, public right(s)-of-way or easement(s) shall be accompanied by a properly executed encroachment agreement that has been executed by the owner and the city.
- iii. Each candidate for political office, or his or her local representative in the case of statewide or national offices, shall apply for a general permit for all personal campaign signs, indicating that the candidate is aware of all city regulations concerning political signs, that all supporters receiving said signs will be advised of these regulations and encouraged to follow them, and that said signs shall be removed as required by these regulations.

b. *Sign permits applications.*

- i. The city inspection division officer shall not issue a sign permit unless the plans, specifications and intended use of such sign conforms in all respects to the applicable provisions of this guideline.
- ii. All applications for sign permits shall include a drawing to scale of proposed sign and all existing signs maintained on the premises and visible from the right-of-way, a drawing of the lot plan or building facade indicating the proposed location of the sign, and specifications for its construction, lighting, motion and wiring, if any. The application for a sign permit shall be accompanied by other such information as the city inspection division may require to enable the office to act upon such application.
- iii. The city inspection division shall issue a permit for the erection, alteration, or relocation of a sign within seven (7) calendar days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.
- iv. When a permit is denied by the city inspection division, a written notice shall be given to the applicant along with a statement of the reason(s) for denial. The officer may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

c. Nonconforming on-premises signs.

- v. *Determination of nonconformity.*
- vi. Existing signs which do not conform to the specific provisions of this guideline may be eligible for the designation "nonconforming" provided that:

## ARTICLE VI SIGNS AND OUTDOOR ADVERTISING

- 1013                   vii. The inspection division determines that such signs are properly maintained and do  
1014                   not in any way endanger the public.
- 1015                   viii. The sign was covered by a valid permit or variance or complied with all applicable  
1016                   laws on the date of adoption of this guideline.
- 1017           d. *Loss of nonconforming status.*
- 1018                   ix. A nonconforming sign may lose this designation if:
- 1019                   x. The sign is relocated or replaced.
- 1020                   xi. The structure of the sign is altered in any way except towards compliance with this  
1021                   guideline. This does not refer to change of copy or normal maintenance.
- 1022                   xii. The business location is vacant for one year or more.
- 1023           e. *Maintenance and repair of nonconforming signs.*
- 1024                   a. The nonconforming sign is subject to all requirements of this guideline regarding  
1025                   safety, maintenance, and repair. However, if the sign suffers more than fifty (50) per  
1026                   cent appraised damage or deterioration, it must be brought into conformance with  
1027                   this guideline or removed.
- 1028   5. Penalties for violation of sign ordinance.
- 1029           f. Any person, firm or corporation violating any of the provisions of this chapter shall be  
1030           deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine  
1031           not exceeding three hundred dollars (\$300.00), or imprisonment for a term not exceeding  
1032           ninety (90) days, and the cost of prosecution, or by both fine and imprisonment by the  
1033           municipal judge. Each day's continuance of a violation shall be considered a separate  
1034           offense and punishable as such.



**ARTICLE VII. NONCONFORMING BUILDINGS, STRUCTURES AND USES**

**Section 1. Nonconforming Buildings And Structures**

A nonconforming building or structure existing at the time of adoption of these regulations may be continued and maintained except as otherwise provided in this section.

1. Additions or enlargements of buildings and structures - A nonconforming building or structure shall not be added to or enlarged in any manner unless said building or structure, including additions and enlargements, is made to conform to all of the regulations of the district in which it is located.
2. Outdoor advertising signs and structures - Any advertising sign, billboard, commercial advertising structure, or statuary, which is lawfully existing and maintained at the time these regulations became effective, which does not conform with the provisions hereof shall not be structurally altered and shall be completely removed from the premises not later than one years from the effective date of these regulations.
3. Building vacancy - nonconforming building or structure which is not used for the nonconforming use for a continuous period of six months shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.
4. Change in use - A nonconforming use of a building or structure shall not be expanded or extended into any other portion of such building or structure nor changed except to a conforming use.

**Section 2. Nonconforming Uses of Land**

A nonconforming use of land, existing at the time of adoption of these regulations, which has been discontinued for a period of six (6) months may not be extended or renewed.

**Section 3. Status Exception for Neighborhood Embedded Commercial Activity**

The purpose of this exception is to allow for the continuance or reestablishment of indoor neighborhood retail uses where such uses have been made non-conforming through neighborhood rezoning.

- a. Where indoor neighborhood retail activity has occurred and current zoning precludes such activity, such use shall be permitted to be reestablished provided the following site characteristics are met:
  - i. The site is surrounded on all sides by a category of residential zoning
  - ii. The site can be shown to have been used continuously for commercial purposes for a period of 12 months or more since 1973. Acceptable methods of establishing commercial activity shall include utility bills, tax records, business licenses, telephone listings, advertisements in dated publications, building permits, insurance policies, leases or dated aerial photos.
  - iii. The site lies at the intersection of two streets
- b. Such use, upon reestablishment, shall observe the following conditions:

## ARTICLE VII NONCONFORMING BUILDINGS, STRUCTURES NAD LAND

- 1072                    i. Only those permitted uses in the C-1 Commercial Zone may be established.
- 1073                    ii. The building or parking facilities for such activity may not be enlarged or
- 1074                         otherwise altered. Any alterations of building or parking facilities shall require a
- 1075                         rezoning application to be filed and approved by the City of Greenwood.
- 1076                    iii. The City of Greenwood, at its option, may rezone the site as C-1 Neighborhood
- 1077                         Commercial.

**ARTICLE VIII. PLANNING COMMISSION****Section 1. Planning Commission Created; membership**

1. There is hereby created and established under the provisions of Chapter 197 of the General Laws of Mississippi of 1956, a Planning Commission to be known as the "Greenwood Planning Commission." Said commission shall consist of twelve (12) members. Five (5) of the commissioners shall be appointed at large by the mayor and confirmed by an affirmative vote of a majority of the city council present and voting at any meeting. Seven (7) of the commissioners shall be appointed to represent the city's seven (7) wards, with the appointment of each ward representative to be made by the councilmember of said ward, then approved by an affirmative vote of a majority of the city council present and voting at any meeting. The members of said commission shall be appointed for terms of three (3) years, and serve in an advisory capacity without pay. The members thereof shall be eligible to succeed themselves. Members absent for three (3) consecutive meetings, without good cause, shall be removed. The commission shall submit written justification, to the mayor, for removal of a member and request that the vacancy be filled at the earliest opportunity.
2. In addition to the foregoing, there are also appointed as ex-officio members of the Planning Commission, the members of the Board of Supervisors of the county; the building official of the city; the manager of Greenwood Utilities; and a representative of the Greenwood-Leflore County Industrial Board.

**Section 2. Planning Commission Officers; budget**

1. A chairman, vice-chairman and secretary shall be elected annually, at the January meeting, by the members of the commission from its membership. The commission shall meet monthly, except December, on the fourth Thursday and on such other occasions as it may deem necessary for the accomplishment of the purposes for which the commission is created, and at the time set by the commission.
2. The secretary shall set agenda items with the building official of the city no later than the Friday preceding its scheduled meeting. Five members of the commission present at any meeting shall be required to declare a quorum present.
3. The commission shall establish its own rules of procedure, subdividing itself into such committees as it may deem proper, and select such other officers, coordinating committee, and establish within its members such other committees as will best promote the work of the commission, and accomplish the purpose for which it is created.
4. On or before the first day of August each year, it shall prepare, recommend and present a budget covering expenditures required for its operation in the next ensuing fiscal year. The commission shall also prepare, recommend and present to the city council, from time to time, such other and further recommendations as it may deem proper in the carrying on of its planning activities in the city. All meetings of the commission shall be open to the public, but deliberation and official action may be undertaken in executive session. Commission minutes

shall be presented to the mayor and city council, within three (3) work days following the meetings, for review, file and referral to the city council for final action as required.

### Section 3. Planning Commission Powers and Duties

In order to further the welfare of the people of this community by helping to create an increasingly better, a more healthful, convenient, efficient and attractive city environment, and to coordinate and bring planning into a high degree of harmony in accordance with a carefully thought out, comprehensive, long range plan for the development of the city, the members of the Planning Commission shall have the following powers and duties:

1. To create a comprehensive plan for the physical development of the municipality, including, but not necessarily limited to, the following:
  - a. The development of a street system, including major street plans, parkways and boulevards, express highways, sidewalks, bikeways, greenways, traffic flow, control and safety, truck routes, bike routes, viaducts, underpasses and bridges, parking (on and off street), and illumination;
  - b. Transportation and transit, including railroads, bus lines, truck lines, air lines, terminal facilities and taxicabs;
  - c. Housing, including the extent and treatment of substandard buildings and blighted areas, and the development of neighborhood districts;
  - d. Parks and recreation, including the development of new parks, neighborhood playgrounds, play fields and parks, community centers, clubhouses and recreational programs (in collaboration with the advisory park commission);
  - e. Public schools, including (in collaboration with existing school authorities) the expansion of facilities, the location and erection of new schools with particular reference to accessibility, utilities and traffic problems, and the general development of the public school systems;
  - f. Cultural and public buildings, including cultural institutions; federal, state, and county buildings, city buildings, such as auditorium, libraries (in collaboration with the library board), art and music center, fire stations, police buildings, city hall and facilities required for the operation of city government;
  - g. Long range water supply and water storage;
  - h. Sewage and solid waste disposal;
  - i. Sewer system, expansion and development and flood control, surface water and river;
  - j. Expansion of corporate boundaries of the city, as related to feasibility, service to be rendered, and economic and fiscal factors;
  - k. Finance, including orderly fiscal control of both short and long range development in the light of the present financial structure of the city;
  - l. Zoning problems, including revision of zoning maps and ordinances, coordination of zoning ordinances with building codes and sanitary codes, changes and use permits, and any other phase of the zoning requirements of the city;

## ARTICLE IX. PLANNING COMMISSION

- 1155           m. Proposed regulations governing the subdivision of land, giving consideration to the  
1156           requirements of streets and utilities, both inside and outside the city.
- 1157       2. To hear and decide appeals by any person aggrieved or by any department, board or  
1158       commission of the city affected by any alleged error made by the building official. All appeals  
1159       must be made in writing within ten (10) days from the date of written notice of the decision  
1160       delivered to or sent by registered mail to the aggrieved party. Appeals shall be made by filing,  
1161       with the building official and with the Planning Commission, a notice of appeal specifying the  
1162       grounds thereof. The building official shall forthwith transmit to the Planning Commission all the  
1163       papers constituting the record upon which the action appealed from was taken.
- 1164       3. To authorize upon appeal in special cases such variance from the terms of this ordinance as will  
1165       not be contrary to the public interest where, owing to special conditions, a literal enforcement  
1166       of the provisions of this ordinance would result in unnecessary hardship. A variance from the  
1167       terms of this ordinance shall not be granted by the Planning Commission unless and until:
- 1168           a. A written application for a variance is submitted demonstrating:
- 1169               i. That special conditions and circumstances exist which are peculiar to the land,  
1170               structure, or building involved and which are applicable to other lands,  
1171               structures, or buildings in the same district.
- 1172               ii. That literal interpretation of the provisions of this ordinance would deprive the  
1173               applicant of rights commonly enjoyed by other properties in the same district  
1174               under the terms of this ordinance
- 1175               iii. That special conditions and circumstances do not result from the actions of the  
1176               applicant.
- 1177               iv. That granting the variance requested will not confer on the applicant any  
1178               special privilege that is denied by this ordinance to other lands, structures, or  
1179               buildings in the same district.
- 1180           b. A public hearing shall be held after giving at least fifteen (15) days' notice of the time  
1181           and place of such hearing in an official newspaper or paper of general circulation in  
1182           Greenwood and Leflore County specifying the time and place for said hearing.
- 1183           c. The Planning Commission shall make findings that the requirements above have been  
1184           met by the applicant for a variance; that the variance is the minimum variance that will  
1185           make possible the reasonable use of the land, building, or structure; and that the  
1186           variance will be in harmony with the general purpose and intent of this and other  
1187           ordinances. In granting a variance, the Planning Commission may prescribe appropriate  
1188           conditions and safeguards in conformity with this ordinance. Violation of such  
1189           conditions and safeguards, when made a part of the terms under which the variance is  
1190           granted, shall be deemed a violation of this ordinance and punishable by penalty  
1191           authorized under state law.
- 1192       4. To grant a conditional use permit for the uses enumerated as conditional uses in any zoning  
1193       district listed in the Table of Uses. The Planning Commission shall impose appropriate conditions  
1194       and safeguards including a specified period of time for the use to protect the comprehensive  
1195       plan and conserve and protect property and property values in the neighborhood. A conditional  
1196       use shall not be granted by the Planning Commission unless and until:

## ARTICLE IX. PLANNING COMMISSION

- i. A written application is submitted.
  - ii. A public hearing shall be held after giving at least fifteen (15) days' notice of the time and place of such hearing in an official newspaper or paper of general circulation in Greenwood and Leflore County specifying the time and place for said hearing.
  - iii. An investigation is made as to whether such conditional use will:
    1. Substantially increase traffic hazards or congestion.
    2. Substantially increase fire hazards.
    3. Adversely affect the character of the neighborhood.
    4. Adversely affect the general welfare of the city.
    5. Overtax public utilities or community facilities.
    6. Be in conflict with the comprehensive plan.
  - iv. If the findings by the Planning Commission relative to the above subjects are that the city would benefit from the proposed use and the surrounding area would not be adversely affected, then such permits shall be granted. Any proposed conditional use shall otherwise comply with all the regulations set forth in this ordinance for the district in which such use is located.
5. To hear and decide the following exceptions to this ordinance after public hearing as provided for in paragraph (3)b. above:
  - a. To permit the extension of a district not to exceed fifty (50) feet where the boundary lines of a district divides a lot in single ownership as shown of record.
  - b. To interpret the provisions of this ordinance in such a way as to carry out the intent and purpose of the plan where the street layout on the ground varies from the street layout as shown on the zoning district map.
  - c. To vary the parking regulations by not more than 50 percent where it is conclusively shown that the specific use of a building would make unnecessary the parking spaces otherwise required by this ordinance. In the C-2 Community Commercial district, parking regulations may be varied more than 50 percent where extreme and unusual hardship is shown.
6. To amend, supplement, change, modify, or repeal by ordinance the text or map of the Zoning Ordinance in accordance with the provisions of this ordinance.
7. To approve all subdivision plans and site plans for Planned Unit Developments.
8. Any other matters which may be submitted from time to time by the City Council, or Mayor and any other matters which in the judgment of the commission will bring about a more orderly development of the city, working in close cooperation with state and county governments, collaborating with existing city boards and commissions, and with the Chamber of Commerce, Industrial Board and other planning agencies of the city, county and state, and working in close coordination with the duly constituted school authorities of the Greenwood Municipal Separate School District for the accomplishment of the purposes set forth in the preamble hereof.

**Section 4. Decisions and Appeals**

1. With the exception of amendments to the Zoning Ordinance, which must be approved by the City Council, decisions of the Planning Commission shall become effective unless appealed to the City Council or reviewed by the City Council within fifteen (15) days of the decision. In the event of an appeal to or review by the City Council, the City Council may affirm, reverse, remand or modify the decision as may be proper. An appeal from any action, decision, ruling, judgment or order of the City Council may be taken by any person or persons, jointly or severally, or any taxpayer, or any officer, department, board or bureau of Greenwood to the Chancery Court of Leflore County and by filing notice of appeal with the Chancery Clerk within twenty (20) days from the filing of the decision of the City Council which notice shall specify the grounds of such appeal. Any person aggrieved at any final decision of the Chancery Court may appeal there from to the Supreme Court of Mississippi within the time and in the manner prescribed by Section 1195 of the Mississippi Code of 1942, as amended.
2. Appeals may be made to the Planning Commission by any person aggrieved or by any department, board or commission of the city affected by any alleged error made by the building official. All appeals must be made in writing within ten (10) days from the date of written notice of the decision delivered to or sent by registered mail to the aggrieved party. Appeals shall be made by filing with the building official and with the Planning Commission, a notice of appeal specifying the grounds thereof. The building official shall forthwith transmit to the Planning Commission all the papers constituting the record upon which the action appealed from was taken. Decisions of the planning commission shall become effective unless appealed to the City Council or reviewed by the City Council within fifteen (15) days of the decision. In the event of an appeal to or review by the city council, the city council may affirm, reverse, remand or modify the decision as may be proper.
3. An appeal from any action, decision, ruling, judgment or order of the City Council may be taken by any person or persons, jointly or severally, or any taxpayer, or any officer, department, board or bureau of Greenwood to the Chancery Court of Leflore County and by filing notice of appeal with the Chancery Clerk within twenty (20) days from the filing of the decision of the city council which notice shall specify the grounds of such appeal. Any person aggrieved at any final decision of the Chancery Court may appeal therefrom to the Supreme Court of Mississippi within the time and in the manner prescribed by Section 1195 of the Mississippi Code of 1942, as amended.



**ARTICLE IX. HISTORIC PRESERVATION COMMISSION****Section 1. Establishment; purpose; composition.**

1. *Statement of purpose.* It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of properties of cultural, architectural, archaeological or historical merit is a public necessity and is required in the interest of the health, prosperity and welfare of the people. Therefore, pursuant to the Mississippi Local Government Historic Preservation Act of 1978 (Chapter 472, Laws of Mississippi, 1978), this section intends to:
  - a. Effect and accomplish the protection, enhancement and perpetuation of landmarks, landmark sites and historic districts which represent distinctive elements of the city's cultural, social, economic, political and architectural history;
  - b. Safeguard the city's historic, aesthetic and cultural heritage, as embodied and reflected in such landmarks, landmark sites and historic districts;
  - c. Foster civic pride in the accomplishments of the past;
  - d. Ensure the harmonious, orderly and efficient growth and development of the city;
  - e. Stabilize the economy of the city through the continued use and revitalization of its landmarks, landmark sites and historic districts;
  - f. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
  - g. Promote the use of landmarks, landmark sites and historic districts for the education, pleasure and welfare of the people of the city.
2. *Composition and terms.* By virtue of Section 39-13-5, et seq., Mississippi Code of 1972, as amended, the city has been authorized to establish a historic preservation commission to preserve, promote and develop the historical resources of the city and to advise the board as to the designation of historic districts, landmarks and landmark sites and to perform such other functions as may be provided by law.
  - a. All members of the commission are appointed by the board, and shall serve at the will and pleasure of the board. The commission shall consist of not less than nine (9) members of the city.
  - b. All members of the commission shall serve for terms not to exceed five (5) years, and shall be eligible for reappointment.
  - c. In the event that any member is absent from more than two (2) consecutive meetings of the commission or any three (3) regular meetings during a calendar year, such member shall be requested to resign by the board on the recommendation of the chairman.
  - d. All commission members shall have a demonstrated interest, competence, knowledge or expertise in historic preservation. To the extent available in the community, the board shall appoint professional members from the primary historic preservation related disciplines of architecture, history, architectural history or archaeology or from secondary historic preservation related disciplines as urban planning, American studies, American Civilization, cultural geography, cultural anthropology, interior design, law and related fields.

**Section 2. Procedure for designation of historic preservation districts and archaeological, historical, cultural and architectural landmark and landmark sites.**

**1. Rules of procedure.**

- a. The commission annually shall elect from its membership a chairman, vice chairman and secretary. 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. A quorum shall consist of one more than half the number of the commission.
- b. The commission shall develop and adopt rules of procedure which shall govern the conduct of its business, subject to the approval of the board. Such rules of procedure shall be a matter of public record.
- c. The commission, prior to exercising its powers of review, further shall develop, adopt and publish criteria for determining the appropriateness of alteration, reconstruction, restoration, rehabilitation, demolition, or removal of any landmark, landmark site, or building or structure within a historic district. Such criteria shall 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." Portfolios of illustrations, color charts, descriptions and other material illustrating and interpreting its criteria shall be made available to the general public.
- d. 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.
- e. The commission shall establish its own regular meeting time; however, the first meeting shall be held within thirty (30) days of the appointment of a full commission and regular meetings shall be scheduled at least once every three (3) months. The meeting place of said commission shall be the council chamber of the City Hall, or such other place as a meeting may be adjourned to if a need to do so arises. The chairman or any two (2) members may call a special meeting by giving written notice to every other member of the commission stating the date and time of such meeting either by hand delivery thereof at least five (5) days before the meeting date or by mailing such notice to each member, posted at least eight (8) days before the meeting.

2. *Appropriations.* The city is authorized to make appropriations to the commission necessary for the expenses of the operation of the commission, and may make additional amounts necessary for the acquisition, restoration, preservation, operation and management of historic property.

3. *Title to property acquired.* All lands, buildings, structures, sites, areas or objects acquired by funds appropriated by the city shall be acquired in the name of the city unless otherwise provided by the city. So long as owned by the city, historic properties may be maintained by or under the supervision and control of the city. However, all lands, buildings or structures acquired by the commission from funds other than those appropriated by the city may be acquired and held in the name of the commission, the city or both.

4. *Non-restrictive clause.* Nothing in this section shall be construed to prevent the regulation or acquisition of historic buildings, structures, sites, areas or objects owned by the State of Mississippi or any of its political subdivisions, agencies or instrumentalities.

- a. Furthermore, the Mississippi State Antiquities Act (Section 39-7-1 et seq. of the Mississippi Code of 1972, as amended) provides for the sensitive treatment of publicly owned buildings shown to possess certain architectural, historical, or archaeological

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 1356 significance, and so designated by the board of trustees of the Mississippi Department  
1357 of Archives and History as Mississippi Landmarks.
- 1358 b. Whenever a Mississippi Landmark is proposed for rehabilitation, alteration,  
1359 enlargement, etc., the governing board (city council, board of supervisors, etc.) shall  
1360 submit their plans to the Mississippi Department of Archives and History (the  
1361 "department") for review and compliance. If the department perceives the plans to be  
1362 detrimental to the Mississippi Landmark, the governing body will work with the  
1363 department to bring the project into agreement with the Secretary's Standards. In this  
1364 manner, local governing boards that have, designated publicly owned properties as  
1365 landmarks, or within a historic district may be assured that these Mississippi Landmarks  
1366 will be maintained in a manner compatible with the Secretary's Standards, which is used  
1367 as a rehabilitative guideline for all designated historic districts and landmarks.
- 1368 5. *Powers of the commission.* In order to preserve, promote, and develop the historic resources of  
1369 the city and to accomplish the purposes set forth in the Mississippi Local Government Historic  
1370 Preservation Act of 1978 and in this section:
- 1371 a. The commission shall conduct or cause to be conducted a study and survey of  
1372 architectural, archaeological, cultural and historic resources within the city, if such study  
1373 has not already been conducted.
- 1374 b. The commission shall recommend to the board the adoption of ordinances designating  
1375 landmarks, landmark sites and historic districts;
- 1376 c. The commission shall review applications proposing erection, alterations, restoration,  
1377 demolition or moving of any landmark or building located on a landmark site or within  
1378 an historic district so designated by the board and shall issue or deny certificates of  
1379 appropriateness accordingly.
- 1380 d. The commission shall not consider interior arrangements or use.
- 1381 e. The commission shall promulgate and publish such standards and rules of procedure as  
1382 are necessary to carry out the provisions of this section.
- 1383 f. The commission is authorized to apply for, receive, hold and spend funds from private  
1384 and public sources, in addition to appropriations made by the city for the purpose of  
1385 carrying out provisions of this section.
- 1386 g. The commission is authorized to employ such staff or contract with technical experts or  
1387 other persons as may be required for the performance of its duties, and to obtain the  
1388 equipment, supplies and other materials necessary for its effective operations.
- 1389 h. Solely in performance of its official duties and only at reasonable times, the commission  
1390 is authorized to enter upon private land for examination or survey thereof. No member,  
1391 employee or agent of commission shall enter any private building or structure without  
1392 the express consent of the owner of record or occupant thereof.
- 1393 6. *Designation of landmarks; landmark sites and historic districts.* The city may establish by  
1394 ordinance landmarks, landmark sites, and historical districts within the area of its jurisdiction.  
1395 Such landmarks, landmark sites or historical districts shall be designated following the criteria  
1396 adopted by the local governing board and/or the commission and no landmarks, landmark sites  
1397 or historical districts shall be designated until the following requirements have been met:
- 1398 a. The commission shall initiate a thorough investigation of the historic, architectural,  
1399 archaeological and cultural significance of the buildings, structures, features, sites  
1400 surroundings of such districts, landmarks and landmark sites. The findings shall be  
1401 collected in a cohesive printed format made a matter of public record, and made  
1402 available for public inspection.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- b. After investigation, if the commission shall decide to recommend the designation of a historic district or landmark or landmark site it shall prepare or cause to be prepared a proposed ordinance to make such designation.
- c. The commission's recommendations to the city for designation of a historic district shall be accompanied by complete documentation, including, but not limited to:
- i. A concise description of the extant historic resources in the district, offering a description of building types and architectural styles represented;
  - ii. A concise statement of the district's historical significance;
  - iii. Boundary description and justification;
  - iv. An inventory of all the buildings, with each building evaluated for its significance to the district;
  - v. A map showing all historic resources in the district; and
  - vi. Photographs of typical streetscapes in the districts as well as of major types of contributing and non-contributing buildings.
- d. No historic district or districts shall be designated until the Mississippi Department of Archives and History, acting through such agent or employee as may be designated by its director, shall have made analysis of and recommendations concerning, the proposed district boundaries. Failure of the department to submit its analysis and recommendations to the city within sixty (60) days after a written request for such analysis has been mailed to it shall relieve the city of any responsibility for awaiting such analysis; and the city may at any time thereafter take any necessary action to adopt or amend its ordinance.
- e. If a proposed ordinance is to designate a landmark or landmark site, it may be presented to the city with a recommendation that it be adopted without submission to the Mississippi Department of Archives and History.
- f. A public hearing will be had, after notice, specifying the boundaries of any proposed historic district and the location of proposed landmarks and landmark sites. Said notice shall be published once a week for at least three (3) consecutive weeks in at least one newspaper published in the city. If a newspaper is not published in the city then the notice shall be published in a paper in the county. The first publication of such resolution shall be made not less than twenty-one (21) days prior to the date fixed in such resolution for the public hearing and the last publication shall be made not more than seven (7) days prior to such date. Furthermore, a copy of said notice shall be mailed by first class, postage prepaid, to every property owner, as shown on the city tax assessment rolls, whose property is proposed to be included within a historic district or to be designated a landmark or landmark site. This notice shall be mailed to the addresses shown for said property owners on said city tax assessment rolls and shall be mailed at least fifteen (15) days before said hearing. A failure to receive a mailed notice shall not invalidate the actions of the city taken as a result of said hearing.
- g. Within sixty (60) calendar days after the public hearing held in connection herewith, the city shall adopt the ordinance as proposed, reject it entirely or adopt the ordinance with modifications wherein any modifications shall only be to reduce the scope of the ordinance as published.
- h. Furthermore, the commission shall notify, as soon as is reasonably possible, appropriate state, county and municipal agencies of the official designation of all landmarks, landmark sites and historic districts. An updated list and map shall be maintained by such agencies and made available to the public.

**Section 3 Historic preservation commission; issuance of certificates of appropriateness.**

1. *Certificates of appropriateness.* In order to promote the general welfare through the preservation and protection of historic resources, no exterior feature of any landmark, landmark site or building or structure within a historic district (including, but not limited to, walls, fences, light fixtures, steps, pavement, trees or other appurtenant features) or any above ground utility structure or any type of outdoor advertising sign, shall be erected, altered, reconstructed, restored or rehabilitated, moved, cut or demolished within any such historic district or on any such landmark site or as to any landmark until after an application for a certificate of appropriateness of such work has been submitted to and reviewed by the commission and approved by the city. Therefore,
  - a. The commission shall serve as a review body with the power to review and recommend to the city whether applications for certificates of appropriateness should be granted or denied, and, if granted, what conditions, if any, should be provided in such certificate. The city may impose conditions not recommended by the commission.
  - b. In making determinations, evaluations and decisions under this article, the commission and city shall seek to accomplish the purposes of this article; in particular, to preserve and protect the architectural and historic integrity and character of any landmark site, landmark or historic district.
  - c. A certificate of appropriateness shall not be required for ordinary maintenance or repair of any landmark, or building or structure upon a landmark site or within a historic district which does not involve a change in design, material, color or other appearance thereof.
  - d. All decisions of the commission shall be in writing and shall state the findings of the commission, its recommendations and the reasons thereof.
  - e. The commission shall not recommend disapproval of any plans without giving its recommendations for changes to be made before such plans can be reconsidered. These recommendations may be in general terms, and compliance therewith shall not ipso facto qualify such plans for approval—only for reconsideration by the commission.
2. *Disqualification of members by conflict of interests.* Because the city may possess few residents with experience in the individual fields of history, architecture, architectural history, archaeology, urban planning, law or real estate, and in order not to impair such residents from practicing their trade for hire, members of the commission are allowed to contract their services to an applicant for a certificate of appropriateness, and when doing so, must disqualify themselves for the commission for that application. In such cases the city shall, upon the request of the chairman of the commission or the vice chairman in his stead, appoint a substitute member who is qualified in the same field as the disqualified member, and who will serve for that particular case only.
  - a. If no qualified resident of the city is able to substitute for the disqualified member, the city may appoint, in this case only, a qualified substitute who is a resident of Mississippi but not a resident of the city.
  - b. If any member of the commission must be disqualified due to a conflict of interest more than twice in one year, the chairman or the vice chairman in his stead, shall encourage the member to resign his commission seat. Failing this resignation, and if the commission member continues to enter into conflicts of interest with the commission, the chairman or the vice chairman of the commission shall encourage the city to replace the member.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 1497 c. Likewise, any member of the commission who has an interest in the property in  
1498 question or in property within three hundred (300) feet of the site in question, or who is  
1499 employed with a firm that has been hired to aid the applicant in any matter whatsoever,  
1500 or who has any proprietary, tenancy or personal interest in any case to be considered by  
1501 the commission shall be disqualified from participating in the consideration of any  
1502 request for a permit. In such cases, a qualified substitute shall be appointed as provided  
1503 above.
- 1504 3. *Criteria for issuance of certificates of appropriateness.* Pursuant to the Secretary of the Interior's  
1505 Standards for Rehabilitation, the commission and the city shall use the following criteria in  
1506 granting or denying certificates of appropriateness:
- 1507 a. *General factors:*
- 1508 i. General appearance of the land, building or improvement under consideration;
  - 1509 ii. Structural condition of existing building or structure;
  - 1510 iii. Structural composition of existing building or structure or improvement and  
1511 proposed alteration;
  - 1512 iv. Architectural design of existing building or structure or improvement and  
1513 proposed alteration;
  - 1514 v. Size of existing land parcel, building or structure or improvement and proposed  
1515 alteration;
  - 1516 vi. Historical significance of existing land, building, structure or improvement;
  - 1517 vii. Economic use of existing land, building, structure or improvement;
  - 1518 viii. Relative cost of proposed project and alternatives;
  - 1519 ix. The owner's legitimate right to earn a reasonable return from his investment in  
1520 the site, building or structure; and
  - 1521 x. The relationship of the above factors to, and their effect upon, the immediate  
1522 surroundings and, if within a historic district, upon the district as a whole and its  
1523 architectural and historical character and integrity.
- 1524 b. *New construction (additions to existing resources and infill construction on vacant  
1525 properties):*
- 1526 i. The following aspects of new construction shall be visually compatible with the  
1527 buildings and environment with which the new construction is visually related,  
1528 viz, the height, the gross volume, the proportion between width and height of  
1529 the facade(s), the proportions and relationship between doors and windows,  
1530 the rhythm of solids to voids created by openings in the facade, and materials  
1531 used in the facade, the texture inherent in the facade, the colors, pattern and  
1532 trim used in the facade, and the design of the roof.
  - 1533 ii. Existing rhythm created by existing building masses and spaces between them  
1534 should be preserved.
  - 1535 iii. The landscape plan should be sensitive to the individual building and its  
1536 occupant, and needs and should be visually compatible with the buildings and  
1537 environment with which it is visually related.
  - 1538 iv. A new street facade should blend directionally with other buildings with which it  
1539 is visually related—which is to say, when adjacent buildings have a dominant  
1540 horizontal or vertical expression, that expression should be carried over in the  
1541 new facade.
  - 1542 v. New construction must be compatible with the original construction of the  
1543 historic resources, and should be distinguishable from the original construction  
1544 and should enhance the architectural characteristic of the historic district.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- vi. No single architectural style shall be imposed.
- vii. The quality and excellence in design should be major determinants.
- c. *Exterior alteration:*
  - i. All exterior alterations to a building or structure should be compatible with the building itself and other buildings with which it is related, as is provided in B-1 above and in applying these standards, and original design of the building or structure must be considered.
  - ii. Exterior alterations shall not affect the architectural character or historic quality of the building.
- d. *Signs.*
  - i. The scale and design of any sign should be compatible with the building and environment with which it is related.
  - ii. The materials, style, size, color and patterns used in any sign should be compatible with the buildings and environment with which it is related.
- e. *Demolition.* In considering an application for the demolition of a landmark or a resource within a historic district the following shall be considered:
  - i. The individual historical or architectural significance of the resource.
  - ii. The importance or contribution of the resource to the aesthetics of the district.
  - iii. The difficulty or impossibility of reproducing such a resource because of its texture, design, material or detail.
  - iv. The proposed replacement structure and the future utilization of the site.
- f. *Reconstruction.* The reconstruction of a building destroyed by fire, storm or other act of God shall be governed by the provisions of the zoning ordinance except that the commission shall regulate the exterior design of such buildings in accordance with the criteria set forth in subsection for new construction above.
- g. *Denial of application.* An application for a certificate of appropriateness shall only be denied upon a determination that the proposed changes or project would:
  - i. Result in such disharmony of scale, materials, massing, spacing and/or style between the proposed project and its immediate surroundings and the historic district, landmark or landmark site as a whole so as to undermine the architectural integrity and character of the historic district, or landmark site or landmark and inhibit the accomplishment of the purposes of this article; or
  - ii. Result in such a change in the architectural design or character of an existing building or improvement so as to undermine the architectural integrity or character of a historic district as a whole and inhibit the accomplishment of the purposes of this article; or
  - iii. Result in the loss of or irreparable harm to an existing building or improvement of architectural or historical significance. A certificate of appropriateness should not be denied if that denial would jeopardize the owner's legitimate right to earn a reasonable return from his investment in the landmark, landmark site or resource located within the historic district. Reasonable return from investments shall be decided and agreed upon by the owner and the commission.
- h. *Stay of demolition.* If an application for a certificate of appropriateness is for the demolition of a resource within a historic district or a landmark or landmark site, action upon such application shall be stayed for a period of one hundred eighty (180) days, during which time the commission and the applicant shall undertake meetings and continuing discussions for the purpose of finding a method to save such property.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

During such period, the applicant and the commission shall cooperate in attempting to avoid demolition of the property. At the end of said one hundred eighty-day period, the commission shall meet again to discuss the application and if no mutually agreeable method of saving the property bearing a reasonable prospect of eventual success is underway, or if no formal application for funds from any governmental unit or nonprofit organization to preserve the property is pending, the commission shall notify the city, and the building official, upon written notice of the city, may, but is not required to, issue a permit for demolition without a certificate of appropriateness having been issued.

i. *Demolition by neglect.*

i. Any building or structure which is a landmark and all buildings or structures within a historic district shall be preserved by the owner or such other person or persons who may have the legal custody or control thereof against decay and deterioration and free from unreasonable structural defects. The owner or other person having legal custody and control thereof shall repair such building or structure if it is found to have one or more of the following defects:

1. The deterioration of a building(s) to the extent that it creates or permits a hazardous or unsafe condition as determined by the building official.
2. The deterioration, as determined by the building official, of a building(s) characterized by one or more of the following:
  - a. Those buildings which have parts thereof which are so attached that they may fall and injure persons or property;
  - b. Deteriorated or inadequate foundation;
  - c. Defective or deteriorated floor supports or floor supports insufficient to carry imposed loads with safety;
  - d. Members of walls or other vertical supports that split, lean, list or buckle due to defective material or deterioration;
  - e. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
  - f. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split or buckle due to defective material or deterioration;
  - g. Members of ceilings, roofs, ceiling and roofs supports, or other horizontal members that are insufficient to carry imposed loads with safety;
  - h. Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration, or
  - i. Any fault, defect or condition in the building which renders the same structurally unsafe or not properly watertight.

ii. If the commission makes a preliminary determination that a building or structure which is a landmark or is located within a historic district is being demolished by neglect it shall direct the building official to notify the owner or owners of record of this preliminary determination, stating the reasons therefor, and shall give the record owner or owners thirty (30) days from the date of mailing such notice or the posting thereof on the property whichever comes later, to commence work to correct the specific defects as determined by the commission. Said notice shall be given as follows:



## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

1. By certified mail, restricted delivery, mailed to the last known address or the record owner or owners as listed on the county or city tax rolls; or
  2. If the above mailing procedure is not successful, notice shall be posted in a conspicuous, protected place on the resource involved.
- iii. If the owner or owners fail to commence work within the time allotted as evidenced by a building permit, the commission shall notify the owner or owners in the manner provided above to appear at a public hearing before the commission at a date, time and place to be specified in said notice, which shall be mailed or posted at least thirty (30) days before said hearing. For the purpose of insuring lawful notice, a hearing may be continued to a new date and time. The commission shall receive evidence on the issue of whether the subject resource should be repaired and the owner or owners may present evidence in rebuttal thereto. If, after such hearing, the commission shall determine that the resource is being demolished by neglect, it may direct the building official to bring misdemeanor charges against the owner or owners if the necessary repairs are not completed within sixty (60) days of the determination by the commission that the subject building or structure is being demolished by neglect.
- j. *Public safety exclusion.* None of the provisions of this section shall be construed to prevent any measure of construction, alteration or demolition necessary to correct or abate the unsafe or dangerous condition of any resource, other feature or part thereof, where such condition has been declared unsafe or dangerous by the building official or the fire department and where the proposed measures have been declared necessary, by such authorities, to correct the said condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this section. In the event any structure or other feature shall be damaged by fire or other calamity, or by act of God or by the public enemy, to such an extent that in the opinion of the aforesaid authorities it cannot reasonably be repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.
  - k. *Minimum maintenance requirements.* In order to insure the protective maintenance of landmarks, landmark sites and resources in the historic district, each building, whether a landmark or within the historic district shall be maintained to meet the requirements of the minimum housing code and the building code.
  - l. *Procedures for issuance of certificates of appropriateness.* Anyone desiring to take action requiring a certificate of appropriateness concerning a landmark, landmark site or resource within a historic district for which a permit, variance or other authorization from either the building official or the city is required, shall make application therefor in the form and manner required by the applicable code section or ordinance. Any such application shall also be considered an application for a certificate of appropriateness and shall include such additional information as may be required by the commission. After receipt of any such application, the building official shall be assured that the application is proper and complete. No building permit shall be issued by the building official which affects a resource in a historic district or a landmark or a landmark site without a certificate of appropriateness. Thereafter, such application shall be reviewed in accordance with the following procedure:

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- i. When any such application is filed, the building official shall immediately notify the chairman, or vice chairman if the chairman is unavailable, of the application having been filed.
- ii. The chairman or vice chairman shall set a time and date, which shall be not later than fifteen (15) days after the filing of the application, for a hearing by the commission, and the building official shall be so informed.
- iii. The applicant shall, upon request, have the right to a preliminary conference with a member of the commission or of the commission staff for the purpose of making any changes or adjustments to the application which might be more consistent with the commission's standards.
- iv. Not later than eight (8) days before the date set for the said hearing, the building official shall mail notice thereof to the applicant at the address in the application and to all members of the commission which shall serve as a call for a special meeting unless the hearing is set for a regularly scheduled meeting.
- v. Notice of the time and place of said hearing shall be given by publication in a newspaper having general circulation in the city at least fifteen (15) days before such hearing and by posting such notice on the bulletin board in the lobby of City Hall. For each application for Certificate of Appropriateness to the Historic Preservation Commission a fee to pay the cost of legal publication in the amount of twenty dollars (\$20.00) shall be paid to the City Clerk by the person or persons requesting such Certificate of Appropriateness.
- vi. At such hearing, the applicant for a certificate of appropriateness shall have the right to present any relevant evidence in support of the application. Likewise, the governing body shall have the right to present any additional relevant evidence in support of the application.
- vii. The commission shall have the right to make such recommendations for changes and modifications as it may deem necessary in order to enable the applicant to meet the requirements of the commission.
- viii. Within not more than twenty-one (21) days after the hearing on an application, the commission shall act upon it, either approving, denying or deferring action until the next meeting of the commission, giving consideration to the factors set forth in subsection (c) hereof. Evidence of approval of the application shall be by certificate of appropriateness issued by the commission, and whatever its decision, notice in writing shall be given to the applicant and the building official. The commission shall keep a record of its actions under this section.
- ix. After the hearing the commission shall submit the minutes of the meeting, which shall contain the commission's recommendation as to whether a certificate of appropriateness should be granted or not, to the city.
- x. If the applicant objects to the commission's decision, and desires a hearing before the city, he shall file a written request therefore with the city clerk not more than ten (10) days after the commission decides upon its recommendation. No action by the city shall be taken on the matter within the said ten-day period.
- xi. If a request for a hearing before the city is timely filed, the city clerk shall, not later than the day after such request is filed, mail a notice to the applicant of a hearing date, time and place which shall be the first meeting of the city to be held more than eight (8) days after the filing of the request for hearing by the

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- applicant. However, the applicant may request, in writing, to be heard at the next meeting of the city council and may therein waive the above notice.
- xii. If the applicant does not request a hearing by the city, the city shall, without unreasonable delay, make its decision based upon the minutes of the commission including any exhibits filed with said commission. At his own expense, an applicant may have prepared a verbatim record of the hearing before the commission. If a verbatim record is made of the hearing before the commission and no request for a hearing before the city is filed, the city shall make its decision from such record and the minutes of the commission.
- xiii. Upon approval thereof by the city, the building official shall issue a certificate of appropriateness. The issuance of a certificate of appropriateness shall not relieve an applicant for a building permit, special use permit, variance or other authorization from compliance with any other requirement or provision of the laws of the city concerning zoning, construction, repair or demolition unless such is in conflict with this article or action taken hereunder. If so, this article or action taken hereunder shall control.
- xiv. If no permit, variance, or other authorization from either the building official or the city is otherwise required and a certificate of appropriateness is required by this article then the applicant therefore shall file an application with the building official. Thereafter the application shall be processed in the manner provided above. The application shall describe what the applicant proposed to do, how it is to be done, and such other information as the commission or building official may require.
- xv. *Appeals.* The applicant who desires to appeal a decision by the city shall file an appeal in the manner provided by law to the circuit court of the county in which the city is located within thirty (30) days after the determination of the issue by the city.
4. *Enforcement and penalties.* The performance of an act prohibited by either this article or by the commission or the city, as the case may be, acting under the provisions of this article, or the failure to perform an act required either by this article or the commission or the city, as the case may be, is hereby declared to be unlawful and shall constitute a misdemeanor. The city may also enforce the provisions of this article by seeking an injunction or other legal or equitable relief, as it deems appropriate.
5. *Severability.* The requirements and provisions of this section are severable. 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 this section as a whole or of any part thereof other than the part held void, invalid, or otherwise inoperative.
6. *Conflicting ordinances.* All ordinances and parts of ordinances in conflict herein are hereby repealed.
7. *Conflict with the Mississippi Antiquities Act.* Likewise, all ordinances and parts of ordinances in conflict with Mississippi Antiquities Act (39-7-1 et seq. of the Mississippi Code of 1972, as amended) are hereby repealed.

**ARTICLE X. ADMINISTRATION****Section 1. Building Permit and Certificate of Occupancy Required**

These regulations shall be enforced by an inspecting officer appointed by the City Council. In considering all appeals from rulings made under these regulations, the Planning Commission shall, in making its findings on any specific case, determine the effect of the proposed change upon the supply of light and air to adjacent property, upon the congestion in the public streets, upon the public safety from fire and other hazards, upon the established property values within the surrounding area, and upon other factors relating to the public health, safety, comfort, morals and general welfare of the people of Greenwood, Mississippi. Every ruling made upon any appeal to the Planning Commission shall be accompanied by a written finding of fact based upon the testimony received at the hearing afforded by the Planning Commission and shall specify the reason for granting or denying the appeal.

1. Building permits

- a. Whenever any structure or building is to be improved in an amount exceeding one hundred dollars (\$100.00) or erected, moved, or structurally altered, a building permit shall be obtained from the inspecting office. The building official may require every applicant for a building permit to furnish the following information:
  - i. A plot plan, drawn to scale, showing the exact size, shape, and dimensions of the lot to be built upon, the exact size and location on the lot of all existing buildings and structures or building proposed to be repaired, altered, erected or moved, and the size, arrangement, number of parking stalls, movement of vehicles and ingress and egress drives for all off-street parking and loading facilities.
  - ii. A declaration of the existing and intended use of each existing and proposed building or structure on the lot and the number of families and housekeeping units which each existing building accommodates and which each existing and proposed building is designed to accommodate.
  - iii. Additional information relating to the proposed improvement needed to determine compliance with these regulations.

2. Certificate of occupancy

- a. No vacant land shall be occupied or used, except for agricultural uses, and no building hereafter erected, reconstructed, altered, or enlarged, shall be occupied or used until a certificate of occupancy shall have been issued by the inspecting officer.
  - i. *Certificate of occupancy for a building:* Certificate of occupancy for a new building or the alteration of an existing building shall be applied for coincident with the application for a building permit and said certificate shall be issued within three (3) days after the request for same shall have been made to the inspecting officer after the erection, reconstruction, alteration, or enlargement of such building or part thereof shall have been completed in conformity with the building permit issued. Pending the issuance of a regular certificate of occupancy, a temporary certificate of occupancy may be issued by the inspecting officer for a period not exceeding six (6) months during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary certificate shall not be construed as in any way altering the respective rights, duties or obligations of the owners or of the city relating to the use or occupancy of the premises or any other matter covered by this Ordinance, and such temporary certificate shall not be issued

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

except under such restrictions and provisions as will adequately insure the safety of the occupants. Request for certificate of occupancy for any change in the use of a building shall be made in writing at least ten (10) days in advance of such change and shall be issued within three (3) days after such request if the new use is in conformity with the provisions of these regulations.

- ii. *Certificate of occupancy for land*: Certificate of occupancy for use of vacant land or the change in the character of the use of land as herein provided, shall be applied for before any such land shall be occupied or used and a certificate of occupancy shall be issued within three (3) days after the application has been made, provided such use is in conformity with the provisions of these regulations.
- iii. *Certificate of occupancy for a legal nonconforming use*: Certificate of occupancy shall be required for all legal nonconforming uses. Application for certificate of occupancy for such nonconforming uses shall be filed within twelve (12) months from the effective date of adequate notification by the City of Greenwood of such nonconforming use accompanied by affidavits of proof that such nonconforming uses were not established in violation of this Ordinance, or any previous zoning ordinance.
- b. The certificate of occupancy shall state that the building or proposed use of a building or land, complies with this Ordinance. A record of all certificates shall be kept on file in the office of the inspecting officer, and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building affected. (No fee shall be charged for a certificate of occupancy.)
- c. No permit for excavation for any building shall be issued before application has been made for a certificate of occupancy.

### Section 2. Violations and Penalties

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure, or land, is used in violation of this Ordinance, the city, in addition to other remedies, may institute any appropriate action or proceedings, to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

Any person, firm or corporation who shall knowingly and willfully violate the terms, conditions or provisions of this Zoning Ordinance shall be guilty of a misdemeanor and upon conviction there for shall be sentenced to pay a fine of not to exceed one hundred dollars (\$100.00). Each day the violation continues thereafter shall be a separate offense.

### Section 3. Amendments

The City Council may, from time to time, on its own motion, or on petition from a property owner, or on recommendation of the Planning Commission, amend the regulations and districts herein established. Every such proposed amendment shall be referred to the Planning Commission for recommendation of action thereon to the City Council. No change in regulations, restrictions or district boundaries shall become effective until after a public hearing held in relation thereto before the City Council, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in an official

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

paper or paper of general circulation in Greenwood, Mississippi and Leflore County. The action of the City Council shall be final subject to appeal as herein provided. For each petition for amendment to the zoning regulations a fee to pay the cost of legal publication in the amount of twenty dollars (\$20.00) shall be paid to the City Clerk by persons requesting such change.

An applicant for amendment of the Zoning Ordinance shall have the responsibility to demonstrate the appropriateness of the change and shall include the following:

- a. How the proposed amendment would conform to the comprehensive plan.
- b. Why the existing zone district classification of the property in question is inappropriate or improper.
- c. That 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 Ordinance appropriate.

No change in regulations, restrictions or district boundaries shall become effective until after a public hearing held in relation thereto before the City Council, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in an official paper or paper of general circulation in Greenwood, Mississippi and Leflore County. The action of the City Council shall be final subject to appeal as herein provided. For each petition for amendment to the zoning regulations a fee in the amount of one-hundred dollars (\$100.00) shall be paid to the City Clerk by persons requesting such change.

### **Section 4. Zoning Variances and Exceptions**

Before the Planning Commission may take up an issue or request for an exception or variance to existing zoning regulations, a public hearing *must* be held in relation thereto before the said Planning Commission at which hearing parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in an official paper or paper of general circulation in Greenwood and Leflore County. For each petition for variance or exception to existing zoning regulations, a fee to pay the cost of legal publication in the amount of twenty dollars (\$20.00) shall be paid to the City Clerk by persons requesting such change.

### **Section 5. Classification of Newly Annexed Property**

All annexation of land to the city shall be in an R-1 residential zone unless otherwise classified by the City Council by amendment to this Ordinance. It shall be the policy of the City Council to declare their intentions relative to the classification of the property to be annexed prior to annexation.

### **Section 6. Conflicting Restrictions**

When the provisions of this Ordinance and the provisions of other ordinances both apply, the provisions of the greatest restriction shall govern.

### **Section 7. Emergency Clause**

It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof these regulations shall take effect and be in full force from and after its passage and approval.

**ARTICLE XI. DEFINITIONS AND RULES OF APPLICATION****Section 1. Rules for Words and Phrases**

For the purpose of this Ordinance certain terms and words are herewith defined as follows:

Words used in the present tense include the future; words in the singular number include the plural, except when preceded by a word known in English grammar as an article which denotes the singular; the word "building" includes the word "structure;" the word "shall" is mandatory, and not directory. See additional definitions specifically related to Historic Preservation in Article IX.

**Section 2. Definitions**

1. *Abandoned Sign*:
  - (a) Any sign or sign support that advertises a business that is no longer conducted on the premises; or
  - (b) Any sign that does not display a well maintained message for a consecutive 90-day period; or
  - (c) Any sign the owner of which cannot be located at Owner's last address as reflected on the records of the County Tax Assessor; or
  - (d) Any sign no longer fully supported by the structure designed to support the sign for a consecutive 90-day period; or;
  - (e) A sign and/or sign support which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity and/or for which no legal owner can be found.
2. *Above roof sign*: A sign which is displayed above the roof line.
3. *Accessory building or use*: A subordinate building on the same lot, or a portion of the main building, the use of which is clearly incidental to that of the main building; or a use customarily incidental to the main use of the property.
4. *Advertising sign or structure*: Any sign, device, or structure of any character whatsoever, including statuary, placed for outdoor advertising purposes on the premises. The area of an advertising structure or sign shall be determined by the area of the largest cross section of such structure or sign.
5. *Alley*: A minor right-of-way in public use which gives a secondary means of access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.
6. *Alteration*: Refers to any change or modification to an existing sign, but shall not include routine maintenance, painting or change of copy of an existing sign.
7. *Apartment house or multiple-family dwelling*: Any single detached dwelling unit designed for and occupied by three or more families living independently of each other as separate housekeeping units, including apartment houses, apartment hotels, and flats, but not including auto or trailer courts or camps, hotels, motels, or resort-type hotels.
8. *Alternative Tower Structures* - shall mean man-made trees, clock towers, bell steeples, light poles and other monopoles and similar alternative design mounting structures that are compatible with the natural setting and surrounding structures, and camouflages or conceals the presence of antennas and/or towers. This term also includes any antenna or antenna array attached to the alternative tower structure.
9. *Alteration* means any change because of construction, repair, maintenance or other means to a landmark site or to a building located within a historic district or designated as a landmark.
10. *Animated sign*. Any sign which uses movement or change of lighting to depict action or to create a special effect or scene (compare flashing sign).

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 1957 11. *Applicant* means the record owner of a landmark, landmark site or building or buildings within a  
1958 historic district or the lessee thereof with the approval notarized of the owner of record, or a person  
1959 holding a "bona fide" contract to purchase same who makes application for a certificate of  
1960 appropriateness under this section.
- 1961 12. *Architectural detail*. An architectural detail is any projection, relief, change or material, window or  
1962 door opening of any building.
- 1963 13. *Attached sign*. Any sign attached to, applied on, or supported by any part of a building (such as a  
1964 wall, roof, window, canopy, awning, arcade, or marquee) which encloses or covers usable space.
- 1965 14. *Automobile junk area or graveyard*: An area other than a street or alley used for the dismantling or  
1966 wrecking of used automobiles or the storage, sale, or dumping of dismantled or wrecked  
1967 automobiles or their parts.
- 1968 15. *Awning*. Refers to a temporary hood or cover which projects from the wall of a building and of a  
1969 type which can be retracted, folded or collapsed against the face of a supporting building.
- 1970 16. *Awning sign or canopy sign*. A sign attached or applied to canopy, awning, or other roof-like  
1971 structure.
- 1972 17. *Basement*: A story below the first story as hereinafter defined. See Story.
- 1973 18. *Banner*. A suspended sign made of a flexible material such as canvas, sailcloth, plastic or  
1974 waterproof paper.
- 1975 19. *Bed and breakfast residence facility*: An owner-occupied or resident manager run bed and  
1976 breakfast establishment wherein units are rented to transient guests on an overnight basis and  
1977 wherein breakfast is the only meal served to these guests.
- 1978 20. *Bed and breakfast residence facility with commercial meeting privileges*: A bed and breakfast  
1979 residence where commercial meetings such as weddings, banquets, luncheons, meetings, parties,  
1980 fund raisings, or other gatherings for compensation are permitted on site.
- 1981 21. *Billboard*: An outdoor advertising structure which advertises a business, industry, establishment,  
1982 use, product, or service not necessarily found on the premises.
- 1983 22. *Block*: A piece or parcel of land entirely surrounded by public highways or streets, other than  
1984 alleys. In cases where the platting is incomplete or disconnected, the City Engineer shall determine  
1985 the outline of the block.
- 1986 23. *Boardinghouse or lodging house*: A building other than a hotel, occupied as a single housekeeping  
1987 unit, where lodging or meals are provided for five (5) or more persons for compensation, pursuant  
1988 to previous arrangements, but not for the public or transients.
- 1989 24. *Buffer area*: An area which acts as a separation area between two (2) more non-compatible  
1990 districts.
- 1991 25. *Building official*: A person designated by the City Council who is responsible for issuing building  
1992 permits, certificates of occupancy, and inspections pursuant thereto.
- 1993 26. *Buildable width*: Width of the building site left after the required yards have been provided.
- 1994 27. *Building* means any building or other structure built for shelter or enclosure of persons, animals or  
1995 chattels, including fences, signs, paving and boundary walls, and any part of any such building or  
1996 structure when subdivided by division walls or party walls extending to or above the roof and  
1997 without openings in such separate walls. The term "building" shall be construed as if followed by  
1998 the words "or any part thereof."
- 1999 28. *Building, alteration of*. Any change or rearrangement in the supporting members (such as bearing  
2000 walls, beams, columns, or girders) of a building, any addition to a building or movement of a  
2001 building from one location to another.
- 2002 29. *Building facade*. The face or faces of a building oriented in the same direction, or within a forty-five  
2003 (45) degree angle of the same direction, or including roof and wall.



## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 2004 30. *Building, front line of.* A line intersecting the foremost portion of a building and parallel and/or  
2005 concentric to the street line.
- 2006 31. *Building height.* The vertical distance measured from the average elevation of the finished grade  
2007 along the front of the building to the highest point of the roof surface.
- 2008 32. *Building line or setback line:* The distance required by this Ordinance to be maintained between a  
2009 given lot line, easement, or right-of-way line and any structure—front, rear, or side as specified.
- 2010 33. *Building, main.* A building in which is conducted the principal use of the lot on which it is situated.
- 2011 34. *Building site.* A single parcel of land occupied or intended to be occupied by a building or structure,  
2012 and appropriate accessory buildings or uses.
- 2013 35. *Build-to Zone.* The build-to zone is the area on the lot where a certain percentage of the front  
2014 building facade must be located, measured as a minimum and maximum setback range from the  
2015 edge of the right-of-way.
- 2016 (a) The required percentage specifies the amount of the front building facade that must be  
2017 located in the build-to zone, measured based on the width of the building divided by the  
2018 width of the lot.
- 2019 (b) On a corner lot, a building facade must be placed within the build-to zone for the first 30  
2020 feet along the street extending from the block corner, measured from the intersection of  
2021 the two right-of-way lines.
- 2022 36. *Canopy.* A permanently attached roof structure projecting from and supported by a building, when  
2023 such covered structure extends beyond the building, building line or property line. The term canopy  
2024 shall include theater marquee.
- 2025 37. *Certificate of appropriateness* means a document evidencing the approval of the commission for  
2026 work proposed by an applicant.
- 2027 38. *Changeable copy sign.* Refers to any sign which is characterized by changeable characters of  
2028 symbols, regardless of method of attachment.
- 2029 39. *Character.* Any letter of the alphabet or any numeral.
- 2030 40. *City Council.* The Mayor and Commissioners of the City of Greenwood, Mississippi.
- 2031 41. *Clearance (of a sign).* The smallest vertical distance between the grade of the adjacent street,  
2032 sidewalk, or street curb and the lowest point of any sign, including framework and embellishments,  
2033 extending over that grade.
- 2034 42. *Commission* means the historic preservation commission created under this section, pursuant to  
2035 Section 39-13-5, et seq., Mississippi Code of 1972, as amended.
- 2036 43. *Conditional Use.* A use for property permitted by the zoning ordinances but which must be  
2037 requested by the property owner and approved by the Planning Commission.
- 2038 (a) No conditional use may be considered by the planning commission until after a public  
2039 hearing is held in relation thereto before the commission, at which hearing, parties in  
2040 interest and citizens shall have an opportunity to be heard. At least fifteen (15) days notice  
2041 of the time and place of such hearing shall be published in an official paper or papers of  
2042 general circulation in Greenwood, Leflore County, Mississippi. The action of the Planning  
2043 Commission shall be final subject to appeal or review as provided for in Section 16-4. Each  
2044 property owner requesting a conditional use permit shall file a petition therefor with the  
2045 city building official and an administrative fee shall be paid to the city clerk by the property  
2046 owner requesting the conditional use permit.
- 2047 (b) No conditional use shall become effective until reviewed and approved by the city council.  
2048 The action of the city council shall be final subject to appeal as provided by law. Each  
2049 property owner requesting a special use exception shall file a petition there for with the city  
2050 building official and a fee to cover the cost of legal publication in the amount of twenty

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- dollars (\$20.00) shall be paid to the city clerk by the property owner requesting the special use exception.
44. *Concealing fence.* A fence, wall, live shrubbery or other material approved by the Planning Commission which visually prevents, on a perpetually maintained basis, an area so enclosed, from being viewed from without. Any fence, wall, or other material, except live shrubbery, shall be painted or colored, or otherwise aesthetically pleasing, which contains no advertising sign or symbol. Any live shrubbery used shall be a hearty species to the area and permanently maintained in a manner which will not create a nuisance. Any lack of maintenance of such concealing fence shall be deemed a violation of this Ordinance and shall be prosecuted as prescribed herein.
45. *Conforming use.* Any lawful use of a building or lot which complies with the provisions of this Ordinance. *Construction sign.* A sign identifying a contractor or contractor's work on a development under construction, or materials being used in a development under construction.
46. *Coverage.* The percentage of the lot area covered by the building area. *Construction* means the erection of any on-site improvement to a landmark or to a building or any parcel of ground located within a historic district or on a landmark site, whether the site is presently improved or unimproved, or hereafter becomes unimproved by "demolition," "demolition by neglect" or as a result of destruction of an improvement located thereon by fire, windstorm or other casualty, or otherwise.
47. *Day nursery.* A place where six (6) or more nonrelated children are left for care a part of the twenty-four (24) hours of the day.
48. *Demolition* means the complete or constructive removal of a building on any site.
49. *Demolition by neglect* means neglect in the maintenance of any building or structure which is a historic landmark or which is within a historic district which results in deterioration.
50. *Detached sign.* A sign supported by one or more upright poles, columns or braces permanently anchored or secured in or upon the ground surface and not attached to any building or structure; or any sign, whether it is on a trailer, wheels or otherwise, which is not permanently anchored or permanently attached to the ground or building.
51. *Department store.* A large retail establishment selling various types of merchandise and service and organized by departments.
52. *District.* Any zoning district established by this Ordinance.
53. *Directional sign (on-premises).* A sign or guide to direct pedestrian or vehicular traffic on the premises (i.e., OUT, ENTRANCE, and EXIT).
54. *Double-faced sign.* A sign that has two (2) faces.
55. *Dwelling.* Any building, or portion thereof, which is designed or used as living quarters for one or more families.
56. *Dwelling, single-family.* A dwelling designed to be exclusively occupied by one family.
57. *Dwelling, two-family.* A dwelling designed to be occupied by two families living independently of each other.
58. *Dwelling, multiple-family.* A dwelling designed for occupancy for three or more families living independently of each other.
59. *Dwelling unit.* A room or group of rooms occupied or intended to be occupied as separate living quarters.
60. *Easement.* A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 2095 61. *Earthworks* means any subsurface remains of historical, archaeological or architectural importance  
2096 or any unusual ground formations of archaeological significance.
- 2097 62. *Electric sign*. Any sign containing electric wiring. This does not include signs illuminated by an  
2098 external source of light.
- 2099 63. *Enclose*. To be completely within a building or fence. The occupancy of which, or storage of  
2100 material, things, or objects shall not create a nuisance to adjoining property by reason of vibration,  
2101 noise, odor, dust, smoke, or fumes.
- 2102 64. *Engineer; City Engineer*. A person registered as a professional engineer in the State of Mississippi  
2103 and who is authorized to approve construction design of public works such as streets, roads,  
2104 bridges, etc.
- 2105 65. *Exterior features* means the architectural style, general design and general arrangement of the  
2106 exterior of a building or other structure, including the color, the kind and texture of the building  
2107 material and the type and style of all windows, doors, light fixtures, signs and other appurtenant  
2108 fixtures and natural features such as live trees.
- 2109 (a) In the case of outdoor advertising signs, "exterior features" shall be construed to mean the  
2110 style, material, size, color and location of all such signs.
- 2111 (b) Live trees larger than six (6) inches in diameter at a point five (5) feet above the ground shall  
2112 be considered as exterior features.
- 2113 66. *Family*. One or more persons related by blood or marriage, including adopted children, occupying  
2114 premises and living as a single nonprofit housekeeping unit.
- 2115 67. *Facade*. The entire building front including the parapet.
- 2116 68. *Flags*. Refers to devices generally made of flexible materials such as cloth, paper or plastic, and  
2117 displayed on a flagpole.
- 2118 69. *Flashing sign*. An illuminated sign of direct or indirect lighting on which the artificial light flashes on  
2119 and of in regular or irregular sequences.
- 2120 70. *Freestanding sign*. A sign permanently supported upon the ground by poles or braces and not  
2121 attached to any building.
- 2122 71. *Floor area*: The square feet of floor space within the outside line of walls and including the total of  
2123 all space on all floors of a building used for dwelling purposes.
- 2124 72. *Frontage*. The length of the property line of any one lot of record or unified site serving as a right of  
2125 way line.
- 2126 73. *Frontage wall face*. The building facade, excluding parapet, fascia, soffit, mansard (roof type), and  
2127 roof, which faces a frontage of the premises.
- 2128 74. *Garage apartment*: A dwelling unit erected above a private garage.
- 2129 75. *Garage, private*. An accessory building or a part of a main building used for storage purposes for  
2130 one or more automobiles.
- 2131 76. *Garage, public*. Any building other than a private garage, available to the public for the care,  
2132 servicing, repair, or equipping of automobiles or where such vehicles are parked or stored for  
2133 remuneration, hire, or sale.
- 2134 77. *Garage, storage*. A building or portion thereof, other than a private garage, used exclusively for  
2135 parking or storage of self-propelled vehicles, but with no other services provided except facilities  
2136 for washing.
- 2137 78. *Gasoline, service or filling station*. Any area of land, including structures thereon, that is used for  
2138 the retail sale of gasoline or oil fuels, and installation of other minor automobile accessories, and  
2139 which may or may not include facilities for lubricating, washing, or cleaning.
- 2140 79. *Governing authority*. The Mayor and Commissioners of Greenwood, Mississippi.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 2141 80. *Government sign*. Any temporary or permanent sign erected and maintained by the city, county,  
2142 state or federal government for traffic direction or for designation of or direction to any school,  
2143 hospital, historical site or public service, property or facility.
- 2144 81. *Grocery or supermarket*. A retail establishment selling supplies for the table such as spices, canned  
2145 and frozen goods, fresh produce and meats and other household articles.
- 2146 82. *Group housing project*. A group of one-family, two-family, or multiple dwellings, arranged on land  
2147 not subdivided into customary streets and lots.
- 2148 83. *Height*. As applied to a sign, height shall be measured as the vertical distance between the highest  
2149 part of the sign or its supporting structure, whichever is higher, and a level plane going through the  
2150 nearest point of the improved public right-of-way at the ground level curb line.
- 2151 84. *Historic district* means an area designated by the commission and approved by the city through an  
2152 ordinance which contains a geographically definable area, urban or rural, possessing a significant  
2153 concentration, linkage or continuity of sites, buildings, structures or objects united by past events or  
2154 aesthetically by plan or physical development, and which meet at least one of the following criteria:
- 2155 a. Exemplifies or reflects the broad cultural, political, economic or social history of the  
2156 nation, state, county or city; or
- 2157 b. Is identified with historic personages or with important events in national, state or local  
2158 history; or
- 2159 c. Embodies distinguishing characteristics of an architectural type or is a specimen  
2160 inherently valuable for the study of a period, style, method of construction or use of  
2161 indigenous materials or craftsmanship; or
- 2162 d. The historic districts of the City of Greenwood covered by this chapter are: the Cotton  
2163 Row Historic District, the Central Commercial and Railroad Historic District, the Williams  
2164 Landing Eastern—Downtown Residential Historic District, the River Road and Western  
2165 Downtown Residential Historic District, and the Grand Boulevard Historic District.
- 2166 2. *Historic resources* as recognized by the National Register of Historic Places, historic resources consist  
2167 of separate and aggregate buildings, districts, structures, sites and objects, and are defined below:
- 2168 a. *Building* means a structure created to shelter any form of human activity, such as a  
2169 house, barn, church, hotel or similar structure. Buildings may refer to a historically  
2170 related complex such as a courthouse and jail or a house and barn.
- 2171 b. *District* means a geographically definable area, urban or rural, possessing a significant  
2172 concentration, linkage, or continuity of sites, buildings, structures, or objects united by  
2173 past events or aesthetically by plan or physical development.
- 2174 c. *Structure* means a work made up of interdependent and interrelated parts in a definite  
2175 pattern of organization. Constructed by man, it is often an engineering project large in  
2176 scale. Examples: bridges, lighthouses, water towers.
- 2177 d. *Object* means a material thing of functional, aesthetic, cultural, historical or scientific  
2178 value that may be, by nature or design, movable yet related to a specific setting or  
2179 environment. Examples: steamboats, dredges.
- 2180 e. *Site* means the location of a significant event, a prehistoric or historic occupation or  
2181 activity, or a building or structure, whether standing, ruined, or vanished, where the  
2182 location itself maintains historical or archaeological value regardless of the value of any  
2183 existing structures. Examples: battlefields, Indian mounds.
- 2184 f. For the intents and purposes of this section the definition of a National Register district  
2185 corresponds as a "historic district"; buildings, structures or objects correspond as a  
2186 "landmark," and the definition of a National Register site corresponds as a "landmark  
2187 site."

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- g. Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.
85. *Hobby*. An accessory use carried on by the occupant of the premises in a shop, studio, or other workroom, purely for personal enjoyment, amusement, or recreation; provided that the articles produced or constructed in said shop, studio, or workroom are not sold either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes.
86. *Home occupation*. Any occupation which is customarily incidental to the main use of the premises as a dwelling place, and is conducted by a member of a family residing in the dwelling and in connection with which there is kept no stock in trade nor commodity to be sold upon the premises provided that no person is employed other than a member of the immediate family residing on the premises; providing further that no mechanical equipment shall be used which will be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, or fumes. The operation of beauty culture schools, beauty parlors, day nurseries, or barbershops, shall not be considered home occupations.
87. *Hotel or motel*. A building containing sleeping rooms occupied, intended or designed to be occupied, as the more or less temporary abiding place of persons who are lodged with or without meals for compensation.
88. *Junk*. The term "junk" is defined to mean and shall include scrap iron, scrap tin, scrap brass, scrap copper, scrap lead, or scrap zinc and all other scrap metals and their alloys, and bonds, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old cotton, or used machinery, used tools, used appliances, used fixtures, used utensils, used boxes or crates, used pipe or pipe fittings, used automobile or airplane tires, and other manufactured goods that are so worn, deteriorated, or obsolete as to make them unusable in their existing condition; subject to being dismantled for junk.
89. *Illegal sign*. A sign which does not meet the requirements of this guideline and which has not received "nonconforming status."
90. *Illuminated sign*. A sign with artificial light source incorporated internally or externally for the purpose of illuminating the sign.
91. *Incidental sign*. A single face or double-faced non-illuminated professional or announcement sign attached wholly to a building, window or door containing information relative to emergencies, store hours, credit cards honored and other similar accessory information.
92. *Kennel*. Any building, lot, or premises on, or in which, four (4) or more dogs, cats, or similar pets (at least eight weeks of age) are kept, or any building, lot, or premises where dogs, cats or similar pets are housed or accepted for boarding, for which remuneration is received.
93. *Landmark* means an improved parcel of ground with a building, structure and/or object designated by the commission and approved by the city through an ordinance which possesses particular historic, architectural, or cultural significance by meeting at least one of the following criteria:
- Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or city; or
  - Is identified with historic personages or with important events in national, state or local history; or
  - Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship; or
  - Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.
2. *Landmark site* means an unimproved or improved parcel of ground designated by the commission and approved by the city through an ordinance, which possesses particular historic, architectural or archaeological significance by meeting at least one of the following criteria:

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 2236 a. Exemplifies or reflects the broad cultural, political, economic or social history of the  
2237 nation, region, state, county or city; or  
2238 b. Is identified with historic personages or with important events in national, regional,  
2239 state or local history; or  
2240 c. Embodies distinguishing characteristics of an architectural type or is a specimen  
2241 inherently valuable for the study of a period, style, method of construction or use of  
2242 indigenous materials or craftsmanship; or  
2243 d. Has yielded, or may be likely to yield, information important in prehistory or history.  
2244 e. "Landmark sites" differ from "landmarks" in that the physical location, not the building  
2245 or structure, possesses primary significance. Although some of the criteria for "landmark  
2246 sites" parallels the criteria for "landmarks," "landmark sites" which are accompanied by  
2247 buildings or structures which do or do not possess significance related to the site, may  
2248 appear eligible as "landmarks" but must be classified as "landmark sites." For the  
2249 purposes of this section, therefore, "landmark sites" encompasses prehistoric or historic  
2250 sites on unimproved or improved parcels of land.
- 2251 94. *Logo*. A business symbol or trademark.
- 2252 95. *Lot*: Any plot of land occupied or capable of being occupied for any use as defined in this  
2253 Ordinance.
- 2254 (a) *Lot, corner*: A lot located at the intersection of and abutting on two (2) or more streets.  
2255 (b) *Lot depth*: The average horizontal distance between the front lot line and the rear lot line.  
2256 (c) *Lot, double frontage*: A lot, other than a corner lot, which has frontage on more than one  
2257 street.  
2258 (d) *Lot, interior*: A lot other than a corner lot.  
2259 (e) *Lot, area*: The total area included within the front, side and rear lot lines.  
2260 (f) *Lot, frontage*: That dimension of a lot or portion of a lot abutting on a street.  
2261 (g) *Lot lines*: The lines bounding a lot as defined herein.  
2262 (h) *Lot width*: Shall mean the average lot width taken by measuring the front lot line and the  
2263 rear lot line, adding these dimensions together and dividing by 2.  
2264 (i) *Lot of record*: A lot, the plat of which has been recorded in the office of the Chancery Clerk  
2265 of Leflore County.
- 2266 96. *Maintenance*. For the purpose of this guideline, the cleaning, painting, repair, or replacement of  
2267 defective parts of a sign in a manner that does not alter the basic copy, design or structure of the  
2268 sign.
- 2269 97. *Manufactured Home* : A structure defined by, and constructed in accordance with, the National  
2270 Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 USCS 5401  
2271 et seq.), and manufactured after June 14, 1976.
- 2272 98. *Marquee sign*. See definition for "awning sign" or "canopy sign."
- 2273 99. *Menu board*. A permanently mounted structure displaying the bill of fare of a restaurant.
- 2274 100. *Multi-unit sign*. A freestanding sign which contains three (3) or more identification signs for multi-  
2275
- 2276 101. *Medical and dental facilities*:
- 2277 (a) *Convalescent, rest, or nursing home*: A health facility where persons are housed and  
2278 furnished with medical and/or nursing care.  
2279 (b) *Medical or paramedical offices*: A facility for the examination and treatment of patients.  
2280 (c) *Hospital*: An institution providing comprehensive health services.  
2281 (d) *Public health center*: A facility primarily utilized by a health unit for the provisions of public  
health services.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

102. *Medical Planned Unit Development*. Situated within an area bounded on the South by the C & G Railroad, on the North by River Road, on the East by the C-2, Community Commercial District (Central Business District), and on the West by the C-1, Neighborhood Commercial District.
103. *Mobile home (corrected for definition as manufactured home and prohibits mobile homes)*: A transportable, single-family dwelling unit suitable for year-round occupancy and containing the same water supply, waste disposal, and electrical conveniences as immobile housing.
104. *Mobile home park*: A contiguous parcel of land which has been planned and improved for the placement of mobile homes for non-transient use.
105. *Multi-unit sign*. A freestanding sign which contains three (3) or more identification signs for multi-occupancy premises, such as a shopping center.
106. *Mobile home stand or pad*: The area for locating a single mobile home unit.
107. *Menu board*. A permanently mounted structure displaying the bill of fare of a restaurant.
108. *New and used car dealership and mobile home sales agency*. Any business which offers for sale to the public new or used automobiles, trucks, mobile homes, camping trailers, or similar products, and any lot or area which is used to display automobiles, trucks, mobile homes, camping trailers, or similar products for sale to the public.
109. *Neon sign*. A neon sign is any sign with characters made of exposed neon tubing. This definition does not include illuminated signs whose interior source of light is made of neon tubing or signs that are backlighted with neon tubing.
110. *Nonconforming use, building or yard*: A use, building or yard existing or under construction legally at the time of the passage of this Ordinance which does not by reason of design, use, or dimensions conform to the regulations of the district in which it is situated. A use, building or yard established after the passage of this Ordinance, which does not conform to regulations of the district in which it is situated shall be considered an illegal nonconforming use.
111. *Nonconforming sign*. Any sign which was lawfully erected in compliance with applicable code provisions and maintained prior to the effective date of this guideline, and which fails to conform to all applicable standards and restrictions of this guideline.
112. *Occupancy*. The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.
113. *Off-premises sign*. A sign that directs attention to a business commodity, service, or establishment conducted, sold or offered at a location other than the premises on which the sign is erected.
114. *On-premises sign*. A sign that directs attention to a business commodity, service, or establishment conducted, sold or offered on the premises on which the sign is erected.
115. *Ordinary repairs or maintenance* means work done to prevent deterioration of a building or any part thereof by restoring the building as nearly as practicable to its condition prior to such deterioration, decay or damage.
116. *Outdoor advertising sign*. A poster panel or painted bulletin off-premises sign, commonly referred to as a billboard.
117. *Owner of record* means the owner of a historic resource reflected on the current county or city tax roll.
118. *Parapet*. That portion of a building wall that extends above the roof line.
119. *Parking space*: A space located on private or public property sufficient in size to store one (1) automobile.
120. *Parking area, public*. An open area other than a street or alley used for the temporary parking of more than four (4) self-propelled vehicles and available for public use whether free, for compensation, or as an accommodation for clients or customers.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 2328 121. *Parking area, semipublic.* An open area other than a street or alley used for temporary parking of  
2329 more than four (4) self-propelled vehicles as an accessory use to semipublic institutions, schools,  
2330 churches, hospitals, and noncommercial clubs.
- 2331 122. *Pen.* A small area fenced and used to confine small animals or other livestock.
- 2332 123. *Pennant.* A tapered or dovetailed banner or flag or a string of small tapered banners or flags.
- 2333 124. *Planning commission.* The Greenwood Planning Commission.
- 2334 125. *Political sign.* A sign that advertises a candidate or issue to be voted on a definite election day.
- 2335 126. *Portable or moveable sign.* A sign that is not permanently attached to the ground, a structure, or a  
2336 building and that can easily be moved from one location to another and/or used for a temporary  
2337 purpose.
- 2338 127. *Premises.* Any lot or unplatted tract, or any combination of contiguous lots or unplatted tracts  
2339 held under single ownership.
- 2340 128. *Principal building.* The primary or main building.
- 2341 129. *Projecting sign.* A sign end-mounted or otherwise attached to an exterior wall of a building or  
2342 structure and which projects out from the wall.
- 2343 130. *Protective sign.* A sign less than one hundred (100) square inches in area and with letters less  
2344 than four (4) inches in height, which is commonly associated with safeguarding the permitted  
2345 uses of the occupancy. Examples include "BAD DOG", "NO TRESPASSING", and "NO SOLICITORS."
- 2346 131. *Public interest sign.* A sign that displays information pertinent to the safety or legal  
2347 responsibilities of the general public such as "WARNING" and "NO TRESPASSING."
- 2348 132. *Premises.* Land together with structure or structures occupying it.
- 2349 133. *Primary and Side Street* - Where only one street abuts a lot, that street is considered a primary  
2350 street. A multiple street frontage lot must designate at least one primary street. A lot may have  
2351 more than one primary street. The Planning Official will determine which streets are primary  
2352 streets based on:
- 2353 (a) The street or streets with the highest classification;
- 2354 (b) The established orientation of the block;
- 2355 (c) The streets or streets abutting the longest face of the block;
- 2356 (d) The street or streets parallel to an alley within the block; and
- 2357 (e) The street that the lot takes its address from.
- 2358 134. *Professional offices.* Medical, dental, paramedical, attorneys, accountants, physicians, medical  
2359 equipment supply sales and rentals, insurance agencies, engineers and architects
- 2360 135. *Revolving sign.* A sign, which revolves three hundred sixty (360) degrees.
- 2361 136. *Right-of-way:* The land occupied, including necessary parkway or open space dedicated or  
2362 designated for the use, by a railroad for its tracks; the public or private strip over which a street  
2363 or alley is built; or the strip over which electric power or other utilities pass.
- 2364 137. *Roof line.* The edge of the roof or the top of the parapet, whichever forms the top line of the  
2365 building silhouette in the instance of several roof levels, the roof or parapet shall be the one  
2366 belonging to that portion of the building on whose wall the sign is located.
- 2367 138. *Roof line sign.* A sign erected or maintained in whole or in part upon or over the roof or parapet  
2368 of a building.
- 2369 139. *Sandwich board.* A temporary "A" frame or easel sign listing specials or the menu of the  
2370 establishment.
- 2371 140. *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic*  
2372 *Buildings* (abbreviated as "Secretary's Standards") means a federal document delineating ten (10)  
2373 standards and numerous guidelines for the sensitive rehabilitation and preservation of historic



## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

buildings. The Secretary's Standards shall be used as the guideline for judging all applications for a certificate of appropriateness.

141. *Side Street*: See Primary Street Definition.

142. *Sign*. Any device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, good or service, activity, place, person, institution, or business. Signs shall be further defined as follows:

(a) Business sign. Any sign or advertising display larger than one hundred and eighty-seven (187) square inches in sign area used for the promotion of a business, service, product, or special business event, and designed or intended to be visible outdoors.

(b) Development sign. Any sign advertising future use or development of property.

(c) Political sign. Any temporary sign announcing or supporting political candidates or issues in conjunction with any national, state or local election.

(d) Portable sign. Any sign or advertising display constructed on a frame or trailer with wheels which may or may not be detached, including but not limited to portable reader boards.

(e) Real estate sign. Any sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.

(f) Sign area. The total area of the space to be used for advertising purposes, including the spaces between open-type letters and figures including 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.

(g) Temporary business sign. Any sign or advertising display larger than one hundred and eighty-seven (187) square inches in sign area, constructed of cardboard, cloth, canvas, fabric, plastic, plywood or other light material, used for the temporary promotion of a business, service, product, or special business event, and designed or intended to be visible outdoors and displayed for a short period of time, not including window signs.

143. *Sign area*. The square footage of the face/faces of a sign.

144. *Sign skirt*. A sign skirt is a decorative covering of the post(s) or pole(s) which supports a freestanding sign to which the sign skirt is attached shall not be counted toward the sign area requirements of this guideline.

145. *Sign support*. Any pole, post, strut, cable, or other structural fixture or framework necessary to hold and secure a sign.

146. *Single face sign*. A sign, only one side of which is visible.

147. *Snipe sign*. A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes or fences or to other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which the sign is located.

148. *Special purpose sign*. A temporary sign to announce sales, new products, openings or close outs and other special events.

149. *Stable, private*. An accessory building for the keeping of horses, or mules owned by the occupants of the premises and not kept for remuneration, hire, or sale.

150. *Stable, public*. A stable other than a private or riding stable.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 2416 151. *Stable, riding.* A structure in which horses or mules used for pleasure riding or driving are  
2417 housed, boarded or kept for hire; including a riding track.
- 2418 152. *Story.* That part of a building included between the surface of one floor and the surface of the  
2419 floor next above, or if there be no floor above, that part of the building which is above the  
2420 surface of the highest floor thereof. A top story attic is a half story when the main line of the  
2421 eaves is not above the middle of the interior height of such story. The first story is the highest  
2422 story having its interior floor surface not more than four (4) feet above the curb level, or the  
2423 average elevation of the finished grade along the front of the building were it set back from the  
2424 street.
- 2425 153. *Street.* Any public or private right-of-way which affords the principal means of access to abutting  
2426 property.
- 2427 154. *Street line.* Public right-of-way line of a street.
- 2428 155. *Structure.* Anything constructed or erected, which requires location on the ground, or attached  
2429 to something having a location on the ground; including but not limited to advertising signs,  
2430 billboards, and poster panels; but exclusive of customary fences or boundary or retaining walls,  
2431 sidewalks, and curbs.
- 2432 156. *Structural alterations.* Any change in the supporting members of a building, such as bearing  
2433 walls, columns, beams, or girders, or any substantial change in the roof or in the exterior walls.
- 2434 157. *Street and sidewalk furnishings.* For the purpose of this chapter, street and sidewalk furnishings  
2435 refer to benches, advertising kiosks, lamps, pavilions, bus and cab shelters, trash receptacles,  
2436 planting boxes and other similar fixtures commonly permitted in pedestrian walkways and  
2437 passageways.
- 2438 158. *Subdivision or neighborhood identification sign.* A sign containing the name of the subdivision or  
2439 neighborhood in which it is located.
- 2440 159. *Symbol.* Something that stands for, represents or otherwise suggests something else by reason of  
2441 relationship, association, convention or resemblance placed or erected for public view as a sign  
2442 or as part of a sign.
- 2443 160. *Time and/or temperature sign.* A sign containing numerals which may alternately be displayed to  
2444 show the time and/or temperature. A time and/or temperature sign shall not be considered a  
2445 flashing or animated sign.
- 2446 161. *Trailer park.* An area containing one or more structures designed or intended to be used as  
2447 temporary living facilities for two (2) or more families, and intended primarily for automobile  
2448 transients, or providing proper space and facilities for two (2) more auto trailers of mobile  
2449 dwelling unit character.
- 2450 162. *Unobstructed open space.* An area of land upon which no structure may be erected.
- 2451 163. *Used automobile junk area.* (See Automobile junk area or graveyard.)
- 2452 164. *Under-canopy sign or under-awning sign:* A sign attached to hang below a canopy, awning or  
2453 other roof-like structure.
- 2454 165. *Variance:* A modification from the provisions of this Ordinance by the Zoning Planning  
2455 Commission in cases when enforcement of its provisions would result in unnecessary hardship.
- 2456 166. *Wall.* The exterior of the vertical face or facade of a building for the purpose of determining the  
2457 allowable area of a wall sign for a multi-occupancy building. The wall shall be determined to be  
2458 the portion of the vertical face or facade of the building which would be delineated by the  
2459 imaginary extension of the interior walls, defining the unit of occupancy through to the exterior  
2460 of the vertical face or facade.
- 2461 167. *Wall sign.* A wall sign is a sign which is attached flat to a wall or facade of a building and which  
2462 projects no more than six (6) inches from the wall.

## ARTICLE XI. DEFINITIONS AND RULES OF INTERPRETATION

- 2463 168. *Wind device.* Any flag, banner, balloon, pennant, streamer or similar device that moves freely in  
2464 the wind. All wind devices are considered to be signs and are regulated and classified as attached  
2465 or detached by the same regulations as other signs.
- 2466 169. *Window sign.* Any sign that is applied or attached to the exterior or interior of a window or  
2467 located in such a manner within a building that it can be seen from the exterior of the structure  
2468 through a window.
- 2469 170. *Yard.* An open space other than a court, on the same lot with a building, unoccupied and  
2470 unobstructed from the ground upward, except as otherwise provided herein. In measuring to  
2471 determine the width of a side yard, the depth of a front yard or the depth of a rear yard, the least  
2472 horizontal distance between the lot line and the main building shall be used.
- 2473 (a) *Yard, front:* A yard across the full width of a lot extending from the front line of the main  
2474 building to the front street line of the lot.
- 2475 (b) *Yard, rear:* A yard extending across the rear of a lot measured between inner side yard lines  
2476 and being the minimum distance between the rear lot line and the rear of the main building.  
2477 On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of  
2478 the lot from the front yard.
- 2479 (c) *Yard, side:* A yard between the building and the side line of the lot unoccupied and  
2480 unobstructed by any portion of a structure from the ground upward and extending from the  
2481 front building line to the rear lot line.