

CHAPTER 23
APPENDIX A. BUILDING ORDINANCES

SITE PLAN ORDINANCE

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ARTICLE I GENERAL PROVISIONS

SECTION 101 - Title - This ordinance shall be known as “**The Site Plan Ordinance of the City of Florence, Mississippi**” and may be so cited.

SECTION 102 - Purpose - The purpose of this ordinance is to establish a Site Plan Review Requirement vesting authority and responsibility for implementation thereof. The purpose of such review is to promote the health, general welfare and safety of the City of Florence; to insure that structures are built or re-modeled in accordance with the provisions of this Ordinance and the International Building Code, 2006 Edition, as promulgated by the International Code Council, its successors and assigns; to insure that ordinances are enforced in a nondiscriminatory manner; to conserve the value of existing buildings and structures; to encourage the most appropriate use of land throughout the City of Florence; to promote planned and ordered growth; to prevent excessive dissimilarity and inappropriateness or poor quality of design in the exterior appearance of structures; to prohibit unsightly and unsuitable structures that would be out of harmony or incongruent with existing visual features within the district; and to prevent harm and damage to the City of Florence which will result in the absence of such review and manifest itself by:

- (A) Lower property values;
- (B) Decreased economic growth; or
- (C) Diminished future opportunities for land use and development.

ARTICLE II DEFINITIONS

SECTION 201 - Definitions - For the purpose of this ordinance certain words, phrases, and terms used herein shall be interpreted as stated below. Any word, phrase, or term not defined herein is to be defined by the Zoning Administrator, the interpretation being based upon its common and ordinary usage.

- (A) **Architectural Review Committee** - A committee consisting of the Public Works Director, Assistant Public Works Director, Building Inspector of the City, Fire Chief or his Assistant, or designee, Police Chief, or designee, Zoning Administrator, and other persons as designated by the Mayor and the Board of Aldermen.
- (B) **Elevations** - A scale drawing of the sides, front, and rear of a proposed or existing structure or building.
- (C) **Planning and Zoning Commission** - The existing commission already appointed to deal with city planning and public hearings.
- (D) **Zoning Administrator** - The Zoning Administrator interprets the Zoning Ordinances of the City and acts as the coordinator of applications for site plan review, subdivision development, applications for variances, special exceptions, re-zoning and like applications.

ARTICLE III SITE PLAN REVIEW

SECTION 301 - Requirement - Site Plan Review shall be required for all uses or structures. However, at the discretion of the Zoning Administrator and/or Mayor and Board of Aldermen, this requirement may be waived for conventional single family dwellings as allowed in the R-1, R-1-E, R-1-T, R-2, and R-3 districts. Site Plan Review shall not be required for prefabricated accessory buildings of 225 square feet or less at a single family dwelling. (ORD.305)

SECTION 302 - Building Permit - The Building Inspector, or his designee, shall advise all applicants for building permits if the proposed use requires the preparation and submission of a Site Plan Review and the official approval of that Plan prior to the issuance of the permit. If a Site Plan Review is required the applicant shall be directed to contact the Zoning Administrator.

SECTION 303 - Preliminary Conference - Prior to filing an application for conditional approval of a Site Plan, the applicant shall meet and consult informally with the Zoning Administrator. The Zoning Administrator will advise if the request of the applicant appears to be a prudent request. The Zoning Administrator shall supply the applicant with the application form. This meeting will give the applicant an opportunity to secure guidance as to what will probably be required, to possibly minimize expense in making a

detailed Site Plan Review.

ARTICLE IV SITE PLAN REVIEW SPECIFICATIONS

SECTION 401 - Site plans and applications shall comply with all applicable requirements of the **Subdivision Regulations of the City of Florence, Mississippi.**

SECTION 402 - The following data shall be submitted by the applicant to the Zoning Administrator as part of the required completed application and site plan or plans.

- (A) Plat or Survey by Mississippi licensed surveyor or engineer, drawn to scale, (1 inch = 200 feet minimum), showing the following:
- (1) All property lines, easements and set-backs, and highway easements and right-of-ways, reflecting surveyor pins as located on the property.
 - (2) All distances from property lines to proposed and/or existing building or structure.
 - (3) Site drainage by use of topographic contour lines and grade elevations;
 - (4) Parking and driveway locations;
 - (5) Location and size of sign;
 - (6) Proposed and existing, (if any) water, sewer, gas and electric service line locations;
 - (7) Dumpster site and privacy screening;
 - (8) Exterior lighting; and
 - (9) Flood Zone information/delineation. (ORD.305)
- (B) Area (in square feet) of parcel;
- (C) Proposed gross lot coverage in square feet (i.e. that portion of a lot occupied by all buildings and structures);
- (D) Number and type of dwelling or other units (existing and proposed);
- (E) Number of existing and proposed parking spaces (where applicable to the proposed use);
- (F) Percentage and amount of pre and post impervious area, in square feet, and storm water runoff computations, together with a scale drawing, (1 inch = 200 feet minimum), showing existing and final grade contours on one (1) foot intervals, Based on National Geodetic Vertical Datum (NGVD)
- (G) Elevations of the front, rear and sides of the proposed buildings and or structures, indicating general design, style and architecture;
- (H) Proposed materials, color schemes, and finishes to be utilized in the construction of the exterior of buildings and structures **MUST** be shown by notation or by use of accepted architectural symbols on the proposed elevations;
- (I) Proposed landscaping, (If applicable attach copies of landscape plan drawn to scale (1 inch = 200 feet minimum), indicating proposed landscaping as required by the Commercial Landscape Requirements Ordinance);
- (J) Attach a legal description of the subject premises;

(K) An architectural rendering, visual aids and samples of materials to be used may be submitted and may be required by the Zoning Administrator and/or Architectural Review Committee; and

(L) The applicant may submit such additional material in writing, and graphically, as he desires to allow for a thorough evaluation of the proposed use.

SECTION 403 - No site plan shall be required where no change is proposed in any external dimensions or the re-location of all existing buildings and/or structures.

SECTION 404 - The Zoning Administrator may from time to time, waive such other of the above requirements as he/she may deem proper in the determination of any particular application.

ARTICLE V SITE PLAN REVIEW PROCEDURES

SECTION 501 - Submittal Requirements - Five (5) copies of the Application, Site Plan, and required data as indicated in Section 402 shall be prepared and submitted to the Zoning Administrator, (Five (5) additional copies may be required at the discretion of the Zoning Administrator). The Site Plan Review shall not be processed until all the required data is provided as prescribed in this Ordinance.

SECTION 502 - Review - The application and all required data as prescribed in Section 402 of this Ordinance shall be reviewed by the Architectural Review Committee. The purpose of this review is to ascertain whether or not the applicant=s proposed building or structure conforms with the provisions of this Ordinance and all Ordinances of the City, the International Building Code, 2006 Edition, as promulgated by the International Code Council, its successors and assigns and other applicable laws, and will maintain harmony and continuity with similar existing uses within the District and considering other like structures within five hundred (500) feet of the proposed structure as measured from each lot line of the proposed structure excluding streets, alleys and other public rights of way. The Zoning Administrator will notify the applicant within fourteen (14) days of any deficiencies in the application, or at his/her discretion shall recommend the application to the Board of Aldermen or the Planning and Zoning Commission for consideration at their next respective meeting.

SECTION 503 - Approval - The Mayor and Board of Aldermen may approve or deny, in whole or in part, the Application and Site Plan, then or after having taken same under advisement may remand to the Planning and Zoning Commission for further investigation or recommendation. If the application and Site Plan are submitted to the Planning and Zoning Commission, they shall review and make recommendations to the Mayor and Board of Aldermen. Approval by the Mayor and Board of Aldermen shall constitute final approval and authority for the applicant to proceed with the proposed development

project, subject to the issuance of a building permit, which is mandatory.

SECTION 504 - Denial - If the Architectural Review Committee and /or the Planning and Zoning Commission determines such proposed structure is incongruent, inharmonious and /or is not in compliance with this or other ordinances of the City and/or makes a specific finding in writing that the proposed structure would cause or provoke:

- (A) Lower property values;
- (B) Decreased economic growth;
- (C) Diminished opportunities for land use and development; or
- (D) Will discourage harmony and continuity with other structures within the district;

The building permit application shall be denied. If the application for the permit is denied following review of the application, Site Plan and supporting data by the Architectural Review Committee, The Planning and Zoning Commission or the Mayor and Board of Aldermen, the Zoning Administrator shall immediately return one copy of the application and Site Plan to the applicant with notations and recommendations thereon. The applicant then has the right to amend his application, Site Plan, and/or supporting data and resubmit them to the Zoning Administrator. The Zoning Administrator shall submit the amended application, Site Plan, and supporting data to the Architectural Review Committee for their reconsideration and review, as prescribed in Section 502.

SECTION 505 - Appeals - Any applicant aggrieved by or where it is alleged that there is an error in any order, requirement, decision, or determination as directly related to zoning and/or building compliance by the Zoning Administrator or the Architectural Review Committee may appeal to the Mayor and Board of Aldermen. Such appeals shall be taken within a reasonable time, not to exceed ten (10) days, by filing with the Zoning Administrator a notice of appeal specifying the grounds thereof. Appeals from decisions made by the Mayor and Board of Aldermen shall be taken within a reasonable time, not to exceed ten (10) days, by filing with the City Clerk a notice of appeal specifying the grounds thereof, said appeal to be heard by the Circuit Court of Rankin County, Mississippi.

ARTICLE VI IMPLEMENTATION

SECTION 601 - The Architectural Review Committee and/or the Planning and Zoning Commission shall duly function to carry out the purposes of this Ordinance as far as review and preparation of recommendations to the Mayor and Board of Aldermen regarding required applications and Site Plan Reviews. No member of the Architectural Review Committee or the Planning and Zoning Commission shall participate in the review of any application and Site Plan Review nor vote on any matter before the Committee or the Commission in which he or she has a personal financial interest, direct or indirect.

ARTICLE VII VIOLATIONS

SECTION 701 - Purpose - The purpose of this section is to provide the enforcement of this ordinance pursuant to the provisions of the City of Florence Code of Ordinances.

SECTION 701 - Enforcement - The City of Florence Police Chief, Fire Marshal/Chief, Zoning Administrator or their designee are directed to enforce all of the provisions of this Ordinance in the following manner:

- (A) **Violation** - In the event of a violation that the owner refuses to correct, the following action is to be taken:
- (1) Enforcement official or his/her designee shall complete a “Violation Form” containing all information of the violation, including address of Owner, (if known), description of the violation, city ordinance violated with copy attached, along with copies of any photographs or other evidence of the violation.
 - (2) Violation form shall be delivered to the Chief of Police Department with a request for Citation to be issued against the violator.
 - (3) Chief of Police or his designee shall execute the Citation by personally serving said Citation on the violator, requiring appearance of violator at a time and date certain of the Florence City Municipal Court, which has jurisdiction over all violations of the City ordinances as found in 21-23-7(1), *Mississippi Code of 1972*, as annotated.
 - (4) Appeals from decisions made by the Municipal Court shall be taken within a reasonable time, not to exceed ten (10) days, by filing with the City Clerk a notice of appeal specifying the grounds thereof, said appeal to be heard by the Circuit Court of Rankin County, Mississippi.

ARTICLE VIII PENALTIES

SECTION 801 - Violation of this Ordinance may result in a fine of up to one-thousand dollars (\$1,000.00) and/or imprisonment not exceeding ninety (90) days, or both, in accordance with Section 21-13-1. *Mississippi Code of 1972*, as annotated.