

REGULAR MEETING DATED FEBRUARY 6, 2001ORDER TO AUTHORIZE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Councilmember Guy, seconded by Councilmember Roberson, to authorize the issuance of the following manual checks:

Theresa Milar	General	\$690.00
MS State Tax Commission	Utility	NTE \$8,000.00
City of Picayune, General	Utility	NTE \$52,000.00
Mardi Gras Imports	General	NTE \$1,200.00
Billy McQueen	Utility	\$131.35
Glenn Gibson	Utility	\$131.35

The following roll call vote was taken:

VOTING YEA: Mayor Spiers, Councilmembers Roberson, Guy and McQueen

VOTING NAY: None

ABSENT AND NOT VOTING: Councilmembers Bates and Thorman

The motion was declared carried.

ORDER TO ACCEPT MINUTES OF THE PLANNING COMMISSION

Motion was made by Councilmember Roberson, seconded by Councilmember Guy, to accept the minutes of the Planning Commission dated December 12, 2000. The following roll call vote was taken:

VOTING YEA: Mayor Spiers, Councilmembers Roberson, Guy and McQueen

VOTING NAY: None

ABSENT AND NOT VOTING: Councilmembers Bates and Thorman

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MINUTES OF THE PLANNING COMMISSION

Motion was made by Councilmember Roberson, seconded by Councilmember McQueen, to acknowledge receipt of the minutes of the Planning Commission dated January 18, 2001 and January 25, 2001. The following roll call vote was taken:

VOTING YEA: Mayor Spiers, Councilmembers Roberson, Guy and McQueen

VOTING NAY: None

ABSENT AND NOT VOTING: Councilmembers Bates and Thorman

The motion was declared carried.

CONSIDER AMENDMENT TO LANDSCAPING REQUIREMENTS IN THE ZONING ORDINANCE

The Zoning Administrator presented the following ordinance related to proposed changes in the landscaping requirements contained in the current zoning ordinance. She stated that the Planning Commission held a public hearing on the proposed changes.

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ORDINANCE NO. 751

AN ORDINANCE AMENDING ORDINANCE NO. 694, SECTION 105.8 – LANDSCAPING REQUIREMENTS

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

Section 1. That Section 105.8, Landscaping Requirements shall be amended as follows:

Section 105.8 The purpose of landscaping requirements is to aid in heat abatement, noise reduction, and visual enhancement. Also, to provide visual buffering, enhance the city beautification, conserve energy and increase greenspace.

Applicability of Article.

- (a) Except otherwise stated here, this shall apply to all land in the city limits.
- (b) A common development including more than one lot shall be treated as one lot for the purpose of this article. Phases, split ownership, or construction in stages requiring multiple building permits shall not prevent it from being a common development. Each phase shall comply with this article's requirements.
- (c) This article does not apply to the C-2 Downtown District.

Existing Developments

Any development existing before adoption of this article shall comply under any of the following circumstances.

- (a) A change in the vehicular use or requiring a 25 (25%) percent increase in the number of parking spaces.
- (b) Reconstruction or renovation in excess of 50 percent (50%) of the replacement cost of the structure.
- (c) An increase in the floor area of a structure exceeding 25 percent (25%) of the original floor area.

Plan Approval

No lot included under this article shall be cleared of suitable landscape materials until the plans are approved through site review. Prior to permit issuance, three copies of a plot plan shall be submitted to and approved by the building division of community development and the beautification department. The plot plan shall be drawn to scale, including dimensions and distances, and shall clearly delineate the existing and proposed parking spaces or other vehicular use areas, access ways, driveways, sprinklers or water outlet locations, the location, size and description of all other landscape materials and location and size of buildings, if any, and shall designate, by name and location, the landscape material to be installed, or if existing, to be used in accordance with this article. No permit shall be issued unless plot plan complies with the provisions of this article. Landscape requirements must be completed within ninety (90) days of completion of project.

Installation and Maintenance Standards

All landscape materials required shall be good nursery stock, and shall be installed in a sound workmanlike manner and according to good planting procedures. All landscaping shall be adapted to this climate, and shall be maintained in accord with the following provisions:

- (a) All landscape materials shall present a neat, healthy, clean appearance at all times.
- (b) All landscaping soil shall be generally free from weeds and free from refuse and debris at all times.
- (c) Landscaping elements such as walls and fences shall be repaired or replaced as needed to present a neat appearance.
- (d) Any dead plant material shall be removed and replaced within sixty (60) days.
- (e) Any replacement material must meet size and other characteristics of newly planted materials.
- (f) Maintenance is the responsibility of the owner, agent and lessee, jointly or separately.

Vehicular Use Areas – Interior Landscaped Areas

Landscaped areas in the interior of a vehicular use area shall be provided when the vehicular use area is over 5,000 square feet in size. The following conditions shall apply to the interior landscaped areas:

- (a) The total of all interior landscaped areas shall occupy at least ten (10%) percent of the vehicular use area, but in no case shall required parking spaces be reduced.
- (b) Such landscaped areas shall be located to divide the expanse of paving. Unused space resulting from the design or layout of the parking spaces that is over 24 square feet in size shall be landscaped. In no case shall more than twenty (20) parking spaces be created without the inclusion of one landscaped island for each twenty (20) contiguous parking spaces created.
- (c) The planting of one tree shall be required for every twenty (20) interior parking spaces. All trees shall be planted in an area no less than a three-foot square (nine

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square feet total permeable area), except that additional permeable area may be required to ensure adequate growth.

- (d) Multistoried or covered parking shall be exempted from interior landscaping.

Vehicular Use Areas – Perimeter Landscaping

Not less than a 3-foot landscaped buffer, free from vehicular encroachments, shall be installed around the perimeter of all vehicular use areas. The planting of one tree shall be required for every 35 lineal feet, or fraction thereof, within the perimeter landscaped area. The remainder of the perimeter landscaped area may include shrubs, groundcovers, grasses, flowers, vines, hedges and inorganic features such as planters, stone brick, and aggregate forms, provided that the combination of grass and aggregate forms shall not predominate within the perimeter landscaped area.

Vehicular Use Area – Landscaping Adjacent to Public Right-Of-Way

On the site of a building or open lot use providing an off street parking or other vehicular use area, where such area will not be entirely screened visually by an intervening building or structure from any abutting right-of-way, excluding dedicated alleys, there shall be provided landscaping between such areas for right-of-ways as follows:

- (a) Not less than a five-foot landscaped buffer, free from any vehicular encroachments, located between the abutting right-of-way and the off street parking area or other vehicular use area which is exposed to an abutting right-of-way shall be landscaped. Such landscaping is to include one tree planted in accordance with the provisions of this article for each 35 lineal feet or fraction thereof. Such trees shall be located between the abutting right-of-way and off street parking area or other vehicular use area and shall be planted in a planting area of at least 25 square feet with a dimension of at least five feet. The remainder of the landscape adjacent to public rights-of-way may include shrubs, groundcovers, grasses, flowers, vines, hedges and inorganic features such as planters, stone, brick, and aggregate forms, provided that the combination of grass and aggregate forms shall not predominate within the perimeter landscaped area.
- (b) All property other than the required landscaped strip lying between the right-of-way and the offset parking area or other vehicular use area shall be landscaped with at least grass or other groundcover.
- (c) Necessary access ways from the public right-of-way through all such landscaping shall be permitted to service the parking or other vehicular use areas, and such access ways may be subtracted from the lineal dimensions used to determine the number of trees required. Landscaping, except required grass or groundcover, shall not be located closer than three feet to the edge of any access way pavement.

Building Landscaping

All buildings within developments shall be suitably landscaped, with particular attention being paid to landscaping of any facades opposing public right-of-way. Adjacent to all facades opposing public rights-of-way, a minimum of a five foot landscaped area shall be required. Automobile parking which projects not more than two feet into such landscaped area shall be permitted.

Screening of Vehicular Use Areas Abutting Residential Districts

When a vehicular use area abuts a residential district, a six-foot high opaque screen is required along the entire abutting edge. The screen may consist of a masonry wall, wooden fence, earth berm, opaque hedge, or any combination thereof.

Limitation on Total Area of Required Landscaping.

No development will be required to provide total landscaped area in excess of ten percent (10%) of total site area. Total landscaped areas include landscaped areas required under all the sections contained in this article. In cases where the strict application of this article requires the developer to provide total landscaped area in excess of ten percent (10%), it shall be the duty of the community development department to grant variation of the requirements in such a manner to limit the total required landscape area to ten percent (10%) of the total lot area and maintain the intent of this article.

Credit for Existing Trees

Credit shall be provided for existing trees in accordance with the following:

- (a) An existing tree may be included as a part of the tree planting requirements of this article if it meets the minimum standards of this article.
- (b) If any preserved tree dies within five years of construction, one tree shall be replaced for each tree credited against such preserved tree that dies.
- (c) For each tree to be credited, a planting area or open ground space of at least nine square feet shall be required. The required planting area or open ground space may be increased in accordance with the diameter of the credited tree. No vehicular encroachment shall be permitted within the planting area or open ground space.
- (d) Planting or open ground areas shall be located so that the trunk of the preserved tree is as close to the center of the open ground area as possible, and in no case shall the trunk be closer to the boundary of such area than one third of the maximum dimension of the designated open ground area.

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- (c) All trees to be credited shall have constructed around them an adequate barrier to preclude damage during the construction phase. No excavation or grading shall occur around a tree to be credited, which shall result in damage or destruction of the credited tree.

Section 2. Severability, Conflict and Effective Date.

Should any section, clause, paragraph, provision or part of this ordinance for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely separable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provisions of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this ordinance, the provisions of this ordinance shall take precedence.

This ordinance shall become effective after 30 days from its passage and upon completion of the requirements specified in Section 21-13-11, Mississippi Code of 1972, as amended.

Motion was made by Councilmember Roberson, seconded by Councilmember McQueen, to adopt the foregoing ordinance as presented. The following roll call vote was taken:

VOTING YEA: Mayor Spiers, Councilmembers Roberson, Guy and McQueen

VOTING NAY: None

ABSENT AND NOT VOTING: Councilmembers Bates and Thorman

The motion was declared carried and the ordinance adopted.

CONSIDER AMENDMENT TO BUFFER REQUIREMENTS IN THE ZONING ORDINANCE

The Zoning Administrator presented an ordinance related to proposed changes in the buffer requirements contained in the current zoning ordinance. She stated that the Planning Commission held a public hearing on the proposed changes. Motion was made by Councilmember Roberson, seconded by Councilmember McQueen to table action on this issue. The following roll call vote was taken:

VOTING YEA: Mayor Spiers, Councilmembers Roberson, Guy and McQueen

VOTING NAY: None

ABSENT AND NOT VOTING: Councilmembers Bates and Thorman

The motion was declared carried.

CONSIDER REQUEST FOR REZONING

The following ordinance was presented for consideration related to rezoning property located on Williams Avenue:

ORDINANCE NO. 752**AN ORDINANCE TO REZONE THE FOLLOWING DESCRIBED PROPERTY FROM R-2, TWO FAMILY RESIDENTIAL DISTRICT, TO OP, OFFICE PROFESSIONAL DISTRICT**

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

Section 1. That the following R-2, Two Family Residential District, described property shall be rezoned to OP, Office Professional: