

ORDINANCE NUMBER 2006-9

**AN ORDINANCE AMENDING AND UPDATING THE STARKVILLE ZONING
ORDINANCE INCLUDING ALL PRIOR AMENDMENTS OF THE STARKVILLE
ZONING ORDINANCE FOR THE PURPOSE OF ESTABLISHING A PLANNED
OFFICE ZONING DISTRICT
IN THE CITY OF STARKVILLE, OKTIBBEHA COUNTY, MISSISSIPPI**

WHEREAS, the Planning & Zoning Board of the City of Starkville has held a public hearing on, and made a recommendation that the 'Planned Office Zoning District' be included in the Starkville Zoning Ordinance and all amendments thereto; and that it would be in the public good and the interest of land use regulations and development for the common good; and

WHEREAS, the Mayor and Board of Aldermen reviewed and recommended same; and sustained recommendations of the Planning & Zoning Board for the general health and welfare of the City of Starkville.

WHEREAS, the Mayor and Board of Aldermen believe there is a need to monitor growth and development in the City of Starkville; and believe that it is in the best interest of the City of Starkville to adopt a zoning district entitled, 'Planned Office District', as the adoption of such zoning district will foster growth and development consistent with the City's extended plan;

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Starkville, that the following constitutes the 'Planned Office District';

A. Purpose. The purpose of the Planned Office (P-O) District is to permit offices and low impact/intensity industry including research companies and associated administrative, executive, professional, and limited commercial retail and personal service uses in a high quality, campus-like setting, according to a unified plan, rather than on a lot-by-lot basis. The uses and standard in this district are intended to promote flexibility and innovation in site design and enhance the environmental quality and attractiveness of office/research parks in the community, and assure the compatibility of the office park with adjacent land uses.

B. Permitted Uses. A planned office/light industrial park, occupied by any combination of the following uses:

Offices, but not single use developments which can be located in other zoning classifications

Light industry including Research companies

Hotels/conference centers

Public buildings

Radio or TV studios, including communication towers, subject to FCC regulations

Utility structures providing services within the park, including telephone switching centers, electric transmission lines, gas piping, water pumping stations, and other necessary structures

Any of the following accessory uses within building in a planned office park, and primarily intended to serve employees and visitors of the park:

Cafeterias or Commercial retail establishments, not exceeding 5,000 square

feet Banks or similar financial institutions Day Care Centers, subject to the following additional standards:

The property is located on a collector street, major road, minor street or private drive that serves only nonresidential uses or zoning districts, or on a minor street within 100 feet of an intersecting major street

Screening of the play and parking areas from adjacent properties may be required.

The maximum number of children to be accommodated on a site shall be specified

The following minimum areas shall be provided per child: 30 square feet of indoor play area, exclusive of restrooms, hallways, kitchen or office space; 30 square feet of indoor rest area; and 50 square feet of usable outdoor play area

State and local health, education, and/or fire regulations may reduce but shall not increase the number of students permitted to be enrolled

Living quarters for custodian, caretaker or watchman

Personal service establishments, including health and fitness centers, primarily intended to serve occupants or business and research uses allowed in the P-O District

Restaurants, but not drive-in restaurants.

Flex space developments.

C. Development Standards - All development proposed within the Planned Office District shall comply with the following specific standards:

Minimum yard requirements - Except for allowable accessory uses no building or structure shall be located within the following minimum yards:

Minimum front yard abutting driveway right-of-way 40 feet

Minimum front yard abutting driveway or internal street: 25 feet

Minimum side and rear yard abutting property zoned or used for residential purpose: 100 feet

Minimum side and rear yard abutting property zoned or used for nonresidential purpose: 25 feet

Minimum frontage on public right-of-way for P-O District: 200 feet

Height

Except as provided in Subsection b of this Section: 45 feet

The maximum height limitations in Subsection a of this Section shall not apply to heating and ventilation equipment, communication towers or utility structures, except that no structure exceeding 45 feet shall be located within 200 feet of any property zoned or used for residential purposes.

Maximum floor area ratio (FAR): The total FAR of all buildings within a P-O District shall not exceed: 0.50 [FAR is calculated by dividing the total floor space square footage by the total lot square footage. For example: a two story structure with 2,000 square feet of floor space on each

floor located on a 10,000 square foot lot would have a FAR of 0.40 (4,000/10,000)]

Common open space requirements

A minimum of 20 percent of the gross land area within a P-O District shall be set aside as common open space to provide for the recreational needs of employees and visitors of the office park.

"Gross land area" shall not include parking areas, driveways, or other impervious surfaces that are not usable for the activities described in Subsection C.9.c.

Required open space shall be usable for active recreational activities, such as walking, jogging, golf or tennis, or passive recreation uses, such as sitting, scenic viewing or lunch breaks. Open space areas shall be attractively landscaped and may contain water features, park benches, gardens, planting strips, trails, tennis courts or other recreational or landscaping amenities.

10. Ownership and maintenance of common elements

a. Common elements, such as undedicated streets or drives, recreational and parking facilities, open space and sanitary and storm sewers, shall be either:

i. maintained by the owners of the planned business park, pursuant to a maintenance agreement approved by the City Attorney;

ii. conveyed to and maintained by a common owner or property owners association, pursuant to covenants or a maintenance agreement approved by the City Attorney; or

iii. conveyed to a public body if such public body agrees to accept conveyance and to maintain the open space and any buildings, structures or improvements located within it.

b. If common elements are to be maintained by a property owners association, the developer shall establish restrictive covenants for the entire project area. The restrictive covenants must be submitted to the City to demonstrate compliance with these district regulations, but will not be reviewed as to form, legality or methods of enforcement. Those covenants must, at a minimum:

i. Create a property owners association;

ii. Provide for the maintenance of individual sites, common open spaces and private streets;

iii. Provide for minimum development and operational standards for each site which require adherence to local ordinances and establish uniform landscaping, signage, site design, parking and loading standards. The covenants may include additional restrictions or requirements at the discretion of the developer.

Location of parking areas. Off-street parking areas shall be conveniently accessible to users within a P-O District. Parking areas are strongly discouraged within front yards or setbacks adjacent to major streets.

Outdoor Storage areas may be permitted as an accessory use on an individual lot with a P-O District, provided that such storage is completely screened from adjoining uses within and outside the District as well as from public rights-of-way. The screening must be effective at the time it is installed, even if plant materials are used for all or part of the screening. Access through

the screening for vehicles is permitted, but is limited to one 30 foot wide location per street frontage. No outside storage areas shall be permitted within any required setback or yard. In no event may the amount of land devoted to outside storage exceed 10 percent of an individual lot area.

Screening requirements: Refuse containers, dumpsters, rooftop and outdoor HVAC equipment shall be screened with vegetation, fencing or berms so they are not visible from any street or adjacent property. Buildings or structures abutting a residential zone or use shall also be appropriately screened via perimeter landscaping, as provided in the Design Ordinance.

Landscaping requirements

Street trees. Street trees shall be planted along all public and private streets within and adjoining any P-O District.

Perimeter landscaping. Planting strips shall be provided along lot lines abutting any property zoned or used for single family residential purposes.

Parking lot landscaping shall be in accordance with the Landscaping Standards Ordinance.

Lighting requirements shall be in accordance with Design Standards Ordinance.

Burial of utility lines: All utility lines such as electric, telephone, cable television, or other similar lines must be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the District. However, distribution lines which service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

Access and traffic considerations.

P-O Districts shall be accessible from the existing or proposed street network in the vicinity. At least one distinctive main gateway entrance to the District shall be provided. Access to the District shall be designed to discourage outside through traffic

Curb cuts providing access to major streets shall be spaced a minimum of 400 feet from any other curb cut

Traffic generated by occupants and users from the District shall not exceed traffic capacity standards established for the adjacent road network. A traffic impact study may be required to determine whether road improvements will be required

k. Circulation system requirements: Separate circulation systems shall be provided for pedestrians, automobiles and delivery trucks.

Pedestrian circulation. Sidewalks shall be provided along any roadways that are served by bus or vanpool service, and between buildings or to parking areas or transit stops. The pedestrian circulation system and its related walkways shall be separated, whenever feasible, from the vehicular street system in order to protect the public safety and provide safe and convenient pedestrian routes. Except where topography makes it impracticable, sidewalks shall be appropriately designed, graded, constructed and surfaced to be readily usable by individuals in wheelchairs.

Automobile circulation. The street circulation system shall be internally oriented

Delivery truck circulation. Truck traffic and its related circulation system shall be separated, whenever feasible from automobile and pedestrian circulation system. Separate delivery entrances and circulation routes shall be clearly identified with appropriate signage.

Emergency vehicles. The street circulation system shall be designed to ensure easy access for and maneuvering of emergency vehicles

l. Sign Regulations

The general sign regulations of the Sign Ordinance shall apply in P-O Districts, in addition to the following special standards.

All signs within the P-O District shall be either wall signs or ground signs, not exceeding 6 feet in height and landscaped with at least two evergreen shrubs for each sign face.

Maximum number: 1 ground sign at each entrance to the District, 1 wall sign or ground sign for individual uses within the District, and any number of signs needed to provide directions, identity parking areas or aid in the safe and efficient traffic circulation within the District.

Maximum gross surface area of entrance sign: (48) square feet. Individual 2x4

The following sign types shall be prohibited within a P-O District: permanent off-premise signs, pole signs, portable signs, roof signs, flashing signs, banners, streamers and other attention-getting devices

A uniform sign plan shall be submitted and approved for each P-O District. The uniform sign plan shall specify consistent sizes, materials and colors of signs to be used throughout the property, or shall establish a hierarchy of different types of signs, consistent for all signs in each category. The design, colors and materials used for signs shall be compatible with the buildings which the signs serve

m. Architectural design guidelines

Buildings within a P-O District should conform to a uniform architectural style

Metal "shed" type warehouse buildings are prohibited. Exteriors of natural materials, such as concrete, brick, granite, or wood, are more compatible with the purposes and character of the P-O District

The entrance or entrances to a District should receive special emphasis in design and construction. It should set the tone for the development within and should create an identity for the project at the project street frontage. Special attention should be paid to signage, landscaping, street configuration, future transit potential and traffic circulation. At a minimum, a divided street entrance must be used at the principal entrance to the site.

D. Off-street parking requirements: See article VIII for off-street parking and loading requirements for residential and other uses allowed in P-O Districts.

Sign requirements. See Sign Regulations Ordinance for requirements for the P-O District.

Wireless Telecommunications Tower requirements. See Wireless Telecommunications Towers Ordinance for requirements for the P-O District.

Design and Landscape Standards. See Design Standards Ordinance and Landscape Standards Ordinance for requirements for the P-O District.

Subdivision Regulations. See City of Starkville Subdivision Regulations for requirements for subdividing land in the P-O District.

General Provisions. See Article VI, General Provisions, for regulations regarding corner visibility in residential and business districts, location of accessory structures on residential lots, future street rights-of-way, exceptions to height regulations, regulations applying to all districts, requirements for public and semi-public buildings and structures; requirements for manufactured homes, conditional uses, variances, flood plain development, home occupations, and planned building groups in the P-O District

The P-O District shall be established only upon application, after public hearing as specified in the amendatory procedures of Article IV, Section B., and shall require an approved Development Plan according to the procedures of Article IX.

K. Repeal, Severability, Conflict and Effective Date.

Repeal. Those ordinances enacted by the Mayor and board of Aldermen of the City of Starkville, Mississippi, being adopted and enforced prior to the effective date of this ordinance be, and the same are hereby repealed.

Severability. 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 severable from all other portions.

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

Effective Date. This ordinance shall take effect and be in force from and after its passage in the manner provided by law on and after the **3rd** day of **November 2006**.

L. Publication. The City Clerk is instructed to publish this ordinance one (1) time in the Starkville Daily News and to obtain proof of publication thereof.

UPON MOTION of **Alderman P.C. McLaurin, Jr.**, duly seconded by **Alderman Richard Corey** the aforesaid Ordinance was put to a roll call vote with the Aldermen voting as follows:

Sumner Davis	Voted: YEA
Jim Mills	Voted: YEA
P.C. 'Mac' McLaurin	Voted: YEA
Richard Corey	Voted: YEA
Matt Cox	Voted: YEA
Roy A.' Perkins	Voted: YEA
Janette Self	Voted: YEA

ORDAINED AND ADOPTED this the **3rd** day of **October, A.D., 2006** at the Regularly Called Meeting of the Mayor and Board of Aldermen of the City of Starkville, Mississippi.

/s/ Robert D. Camp
DAN CAMP, Mayor
City of Starkville, Mississippi

/s/ Markeeta Outlaw
MARKEETA OUTLAW, Clerk
City of Starkville, Mississippi