

AN ORDINANCE TO AMEND APPENDIX B, ZONING, ARTICLE IV. ZONING DISTRICT REGULATIONS, SECTION 409. "C-3" CENTRAL BUSINESS DISTRICT, SECTION 409.2 USES PROHIBITED AND SECTION 409.5, PERCENTAGE OF LOT COVERAGE; TO ADD A SECTION TO BE NUMBERED 409.6, YARDS REQUIRED; TO ADD A SECTION TO BE NUMBERED 409.7, VISIBLE EXTERIOR BUILDING COMPONENTS; TO ADD A SECTION TO BE NUMBERED 409.9, PROPERTY REAPPRAISAL AND TAX ABATEMENT PROGRAM; TO AMEND APPENDIX B. ZONING, ARTICLE II, INTERPRETATION AND DEFINITIONS; AND FOR RELATED PURPOSES.

WHEREAS, this Board has the authority to amend the Code of Ordinances of the City of Corinth, Mississippi, in accordance with Section 21-13-1 et seq. of the *Mississippi Code of 1972*, Annotated, as amended; and

WHEREAS it will promote the public health, welfare and safety of the citizens of the City of Corinth, Mississippi to amend Appendix B, Zoning, Article IV. Zoning District Regulations, Section 409, "C-3" Central Business District, 409.2 *Uses prohibited*; ; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF CORINTH, MISSISSIPPI:

SECTION 1. That Appendix B, Zoning, Article IV. Zoning District Regulations, Section 409. "C-3" Central Business District, (409.2) *Uses prohibited*. of the Code of Ordinances of the City of Corinth, Mississippi, is hereby amended to read as follows:

Sec. 409.2 Uses prohibited.

All uses not listed in paragraph (409.1).

(a) Outside storage

Outside storage shall be prohibited on the front yard and side yards and any associated sidewalks and drives. Outside storage is permitted on the rear yard so long as the screening requirements of section 409.7 have been met prior to storage materials being placed on the yard.

(1) Exceptions. Nothing in the section shall prohibit the use of front and side yard sidewalks for short-term sales as long as the public rights of way are not blocked and all items being placed on the yards are removed by business closing every evening.

SECTION 2. That Appendix B, Zoning, Article IV. Zoning District Regulations, Section 409. "C-3" Central Business District, (409.5) *Percentage of lot coverage*, of the Code of Ordinances of the City of Corinth, Mississippi, is hereby amended to read as follows:

(409.5) *Percentage of lot coverage.*

Building, including accessory buildings and structures, may cover up to one hundred (100) per cent of the area of lot.

SECTION 3. That Appendix B, Zoning, Article IV. Zoning District Regulations, Section 409. "C-3" Central Business District (409.6) *Yards required*, of the Code of Ordinances of

the City of Corinth, Mississippi, is hereby amended to read as follows:

(409.6) *Yards required.*

- (1) *Front yard.* No front yard required.
- (2) *Side yard.* No side yard required.
- (3) *Rear yard adjoining an alley.* No rear yards are required.
- (4) *Rear yard adjoining a public right of way.* The rear yard building setback line shall be not less than twenty-five (25) feet. Such spaces shall remain open and unoccupied by any structure.
- (5) *Rear yard adjoining another building.* The rear yard building setback line shall be not less than ten (10) feet. Such spaces shall remain open and unoccupied by any structure.

SECTION 4. That the Code of Ordinances of the City of Corinth, Mississippi, is hereby amended by adding a section to be number (409.7) *Visible Exterior Building Components*, which section shall read as follows:

(409.7) *Visible exterior building components.* Any improvements involving a new building, an existing building undergoing significant changes to the

exterior components covered in this section, an existing building having any new exterior equipment installed, or any building undergoing substantial improvement, shall comply with this section. Owners of these buildings must submit drawings, photos, or other materials, which prove compliance with this section, along with an application for a building permit to the Building Official prior to work beginning.

(a) Building Materials. All visible exterior walls shall be constructed of durable, permanent architectural materials that are compatible with the zoning district and the immediate surroundings, as determined by the Building Official. The front façade and street side facades shall be composed of only natural materials such as brick, stone, or architectural wood, or of synthetic materials made to resemble natural materials such as architectural block, man-made stone, or composite wood materials. Un-faced concrete block, plywood, structural concrete, light metals, vinyl siding and the like shall not be permitted.

(1) Exceptions. Aluminum, glass and other lightweight materials are allowable for use in window, door, and store front assemblies, so long as they blend with the architecture of building and its surroundings.

(b) Fencing. Fencing and screening must be composed of materials that comply with section "(a)" above. Chain link fencing is prohibited.

(c) Exterior Equipment. HVAC units and miscellaneous equipment such as cooling towers, rooftop and ground mounted mechanical and electrical units and other miscellaneous equipment shall either be integrated into the design of the building or screened from view with the approved materials.

SECTION 4. That the Code of Ordinances of the City of Corinth, Mississippi, is hereby amended by adding a section to be number (409.9) *Property reappraisal and tax abatement program*, which section shall read as follows:

(409.9) *Property reappraisal and tax abatement program*

(409.9.1) *Adopted.* In accordance with Section 17-21-5 of the Mississippi Code of 1972,

Annotated, as amended, the city hereby adopts a tax abatement program and reappraisal freeze program in the Central Business District, each application of which is to be administered by the Building Official prior to ratification by the Board of Mayor and Aldermen.

(409.9.2) *Procedure.* The program shall follow the procedure set forth herein:

(1) A property owner must submit an application for a property tax freeze along with a building permit to renovate or construct a building to the Building Official. The application must include plans, photographs and any other materials that support the application.

(2) The Building Official shall review the plan for compliance with the municipal building codes and, if needed, shall request modifications from the property owner.

(3) The Building Official shall review the application for a tax freeze on the basis of its merits for compliance with the zoning guidelines and any requested modifications with the property owner for approval.

(4) Once the application is complete it must be approved by the Central Business District panel prior to ratification of the Board of Mayor and Aldermen. The panel is to be composed of the Building Official and the Chairpersons of the Corinth Preservation Commission and the Planning Commission, or their designees.

(5) The Board of Mayor and Aldermen shall approve or disapprove the property reappraisal freeze. The appraised value of the property is frozen for a period of time not to exceed two (2) years, during which time the renovation project must be completed. The city clerk shall then be notified of the approval of the tax freeze.

(6) The building official shall monitor the construction project for compliance with the municipal building code and with the terms of the application. If the project meets these requirements, a certificate of occupancy shall be granted by the building official upon the completion of the project.

(7) At the completion of the project, the building owner shall submit detailed information on the project's cost to the Building Official,

which shall be used in the determination of tax abatement.

(8) The Central Business District panel shall set the term of the tax abatement and shall submit its recommendation, including the tax parcel number of the subject property, to the Board of Mayor and Aldermen for ratification. The term of the abatement will be reduced by the amount of time that has lapsed since the building permit was issued and begin on the date of ratification.

(9) The city clerk shall be notified of all tax abatements that are granted. The term of the tax abatement shall take effect on the date of ratification by the Board of Mayor and Aldermen, and the property tax freeze shall be extended until the expiration of the term of such abatement.

409.9.3 *Formula used for calculating abatement.*
The program shall follow the formula set out below in calculating tax abatement. The term "building value" in this formula shall represent the value of a property's improvements as shown on the records of the county tax assessor, minus

the value of the land, as shown on the records of the county tax assessor.

(1) The minimum project investment shall be five thousand dollars (\$5,000.00), or ten (10) percent of the building value, whichever is greater.

(2) Improvements to the exteriors of the buildings may be granted a tax abatement of five (5) years in length.

(3) An abatement of six (6) years may be granted for improvements to the exterior of a building occupying a corner lot.

(4) A tax abatement of three years (3) may be granted to projects for the improvements to the interior of a building.

(5) A tax abatement of seven (7) years may be granted for combined exterior and interior improvements, or new construction, if the cost of improvements has exceeded twenty-five thousand dollars (\$25,000.00) of twenty-five (25) percent of the building value, whichever is greater.

(6) The maximum tax abatement period for any building shall not exceed seven (7) years or

the cost of the improvements as shown on the building permit.

(7) All projects receiving tax abatement must reach full compliance with the city building code for the area of the building affected by the project.

(8) This tax abatement shall not be combined with any other local tax abatement program.

SECTION 5. That Appendix B, Zoning, Article II. *Interpretations and Definitions*, of the Code of Ordinances of the City of Corinth, Mississippi, is hereby amended to include the following.

Section 201. Definitions

Substantial improvement means any repair, reconstruction, alteration or improvement to a structure the cost of which equals or exceeds fifty (50) percent of the market value of the structure or the improvements value as recorded on the Alcorn County Tax Records, whichever is less, before the improvement or repair is started. If the structure has been damaged and is being restored, these values should be determined by assessing the condition of the building before the damage occurred.

SECTION 6. Except as herein amended, the zoning ordinances of the City of Corinth adopted previously and the Zoning Map on file with the City Clerk shall remain in full force and effect.

SECTION 7. All Ordinances or parts of ordinances in conflict with the provisions hereof be and the same are hereby repealed.

SECTION 8. A certified copy of this Ordinance shall be published in *The Daily Corinthian*, a newspaper having a general circulation within the City of Corinth, Alcorn County, Mississippi, for the information and guidance of the citizens of said City of Corinth.

SECTION 9. This Ordinance shall take effect and be in force one month after its passage.

The foregoing ordinance, having been first reduced to writing, Alderman F. Joe Vann, Jr. moved that the foregoing ordinance be adopted, Alderman Steve D. Hill seconded the motion, the vote being as follows:

VOTED:

Alderman L. Mike Hopkins	Yea
Alderman F. Joe Vann, Jr.	Yea
Alderman W.H. "Bill" Plaxico	Yea
Alderman A.L. "Chip" Wood	Yea
Alderman Steve D. Hill	Yea
Alderman David G. Roberts	Absent

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the ordinance passed, approved and adopted on this the 19th day of October, 2010.


JERRY W. LATCH, MAYOR

CERTIFY and ATTEST:


VICKIE T. ROACH, CITY CLERK

