

**ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF OXFORD,  
MISSISSIPPI**

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF OXFORD, MISSISSIPPI AS FOLLOWS:

**SECTION I. That the Land Development Code of the Code of Ordinances, Oxford, Mississippi, is hereby amended to read as follows:**

**Article 2**

**Modify Section 2.6.16.10**

c. Oxford Commons PUD. This Planned Unit Development was first approved as a PUD in 2005 and annexed into the City of Oxford in 2006. Several modifications to the mix of unit types and uses mix have been made over time. The PUD also changed ownership since it was formed and currently has several property owners and remaining undeveloped commercial and residential areas.

i. Additionally, three areas of property adjoin the PUD and are treated as extensions of the Oxford Commons Development although they are not in the PUD boundary. These are the “Heights” subdivision (due south of Tract M), being built as a subdivision of single-family lots; the “Preserve” subdivision (due north of the western end of Tract G), being built as a subdivision of single-family lots; and The Summit, adjacent to the northwest side of the PUD which is planned to be a commercial area.

ii. The last adjustment to the PUD Plan was in April of 2019 when a revision of the PUD Plat was approved which adjusted the allotment between the tracts for commercial footage and number of dwelling units. The underlying zoning for this PUD reflects the stated intent for land uses in the PUD as established in the 2015 approval. This includes no more than 1,462 dwelling units (at various densities), and no more than 1,285,000 square feet of commercial uses on 560 acres. Building design standards will reflect the standards of those zoning districts.

**Article 3**

**Modify Section 3.2.1 Accessory Amenity.**

Accessory Amenities may be located in a front or side yard at the discretion of the Planning Director. See Section 3.11.1(k).

**Modify Section 3.8.6 Recreational Uses, Commercial - Indoor and Outdoor.**

3.8.6.1 Definition: Commercial uses offering recreational options such as (but not limited to) dance halls, exhibit halls (without permanent seating), skating rinks, billiards, arcade games, miniature golf, driving ranges, or bowling.

3.8.6.2 Districts Allowed:

a. Indoor Commercial Recreational Uses are special uses in the AG, SMF, TNB, SCN, and SCO districts.

b. Outdoor Commercial Recreational Uses are special exceptions in the AG, TNB, SCN, and SCO districts.

3.8.6.3 Parking: One space is required for each 100 square feet of gross floor area GFA plus 10 spaces; and (where applicable) 1 space for each 4 seats based on maximum seating capacity; pulse 1 space per four persons at capacity of outdoor facilities.

3.8.6.4 Loading: No use-specific requirement. See Section 4.9 for general requirements. for general requirements.

3.8.6.5 Additional Standards:

a. Indoor recreational uses that create substantial noise must be soundproofed to ensure that no noise is audible beyond the walls of the business. They shall also comply with the City of Oxford Sound Ordinance (Code 1968, Chapter 34, Article III) that regulates amplified music, loudspeakers and other similar sounds.

b. Outdoor recreational uses that create noise and use night lighting must close by 10pm or must be located no less than 3,000 feet from fully residential areas and meet standards of Sec. 5.4.

### **Modify Section 3.8.8 Restaurants.**

3.8.8.1 Definition: A business establishment that provides of prepared food for patrons for consumption on the premises (inside or outside service) or for take-out; which establishment may (or may not) provide alcoholic beverages, beer, and light wine; and live entertainment. Alcoholic beverages (wine, beer, spirits, light wine) may be sold and consumed in conjunction with the food service and shall meet all applicable state and local laws, regulations, and ordinances.

3.8.8.2 Districts Allowed:

a. Restaurants are special uses in the RCN, TNB, SCN, SCO, UCO, UCN, and HUC districts.

b. Restaurants are special exceptions in the in RCN and TNB when drive-in service or drive-window pickup are proposed; and in SMF when proposed as part of a multi-family development.

3.8.8.3 Parking: See Article 4 for general requirements.

a. One space is required for each 100 square feet of patron area.

b. Restaurants with taverns are also required to provide one additional space for each 100 square feet of patron area.

c. Restaurants with drive through (fast food) 10 spaces plus 1 space for each 4 seats of total capacity

3.8.8.4 Loading: No use-specific requirement. See Section 4.9 for general requirements.

3.8.8.5 Additional Standards:

a. shall comply with the City of Oxford Sound Ordinance (Code 1968, Chapter 34, Article III) that regulates amplified music, loudspeakers and other similar sounds

b. Drive-in service or Drive-window pickup facilities are allowed only by Special Exception in the TNB and RCN districts and must have sufficient stacking space to prevent backups onto access roads.

c. Restaurants are allowed only by Special Exception as part of a larger multi-family development in the SMF district.

- d. Service of alcoholic beverages must meet all Mississippi regulations and City ordinances.

**Modify Section 3.8.12 Theaters.**

3.8.12.1 Definition: A facility offering entertainment such as, but not limited to, live music, film, or plays inside a structure designed for such entertainment.

3.8.12.2 Districts Permitted: Theaters are special uses in the TNB, SCN, SCO, UCN, UCO, and HUC districts.

3.8.12.3 Parking: One space is required for each four seats in the main assembly room. See Article 4 for general requirements.

3.8.12.4 Loading: No use-specific requirement. See Section 4.9 for general requirements.

3.8.12.5 Additional Standards:

- a. They shall comply with the City of Oxford Sound Ordinance (Code 1968, Chapter 34, Article III) that regulates amplified music, loudspeakers and other similar sounds
- b. Service of alcohol beverages at a restaurant accessory to a Theater must meet all Mississippi regulations and city ordinances.

**Modify Section 3.11.1 Accessory Uses or Structures (Excluding Dwellings).**

3.11.1.1 Definition: A use of land or a building or portion of such customarily incidental and subordinate to the principle use of the land or building and located on the same lot with such principle use. These shall include freestanding self-serve vending structures and accessory amenities.

3.11.1.2 Districts Permitted: Accessory uses and structures are permitted uses in all districts unless otherwise restricted by type.

3.11.1.3 Parking: No use-specific requirement. See Article 4 for general requirements.

3.11.1.4 Loading: No use-specific requirement. See Article 4 for general requirements.

3.11.1.5 Additional Standards:

a. Accessory uses and structures must be clearly related to and incidental to the permitted principal use or structure on the lot.

b. All accessory use and structures shall require the issuance of a certificate of zoning compliance, and be in compliance with the threshold for site plan review in Section 9.2.2.2.

c. Accessory structures may only be erected behind the front building line of the principal

structure, and not in a front yard; unless otherwise authorized in this Code. An Accessory Structure located in the side yard may be requested by Special Use. Additional standards for granting the Special Use are as follows:

- i. When located in a side yard, it should be located behind the front building line, and shall comply with all other provisions of this code.
- ii. No accessory building may be built within five feet of a property line.

d. No accessory building shall be erected within five feet of any other building, or within five feet of a property line. An accessory structure attached to or directly abutting a structure need only be within five feet of a property line.

e. Structures accessory to residential uses (except for agricultural buildings located in agricultural districts and accessory dwellings) shall have a combined floor area (aggregate of all detached accessory structures) of not more than 33% of the total floor area of the principal structure.

f. 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.

g. All accessory uses and accessory structures shall conform to the applicable requirements of this Code, including all dimensional, use, design and landscaping standards applicable to the primary use and structure; and the specific standards for Accessory structures in Section 5.5.

h. In any residential district, no accessory building shall occupy more than 30 percent of a required rear yard. In no district, shall an accessory building occupy any part of a required front yard or side yard except garages.

i. Freestanding Self-Serve Structures are permitted as accessory uses to adjoining or adjacent uses as attached or freestanding structures.

i. Freestanding Self-Serve Structures shall be permitted as accessory freestanding facilities only when the location does not present a hazard to the motoring public, and they are lighted and located in such a manner as to maximize the safety of the public using the facility.

ii. The site must accommodate safe stacking space for up to three vehicles.

j. Accessory Amenities are defined as structures, features, or facilities that are primarily associated with the use of a building or other structure (such as a firepit or deck); or commonly associated with the entry into or at a central point in a development with no specific use (such as an unmanned “guardhouse”, covered arbor, or fountain), that may or may not require a building permit for installation. Accessory Amenities may be attached to, or abut a structure, but they shall be a minimum of 5’ from the property line, and they may be located in a front or side yard at the discretion of the Planning Director.

## **Article 4**

### **Modify Section 4.9.1.1**

a. In the instance of a phased development, a phased parking plan may be proposed by Special Exception in conjunction with a site plan. A phased parking plan does not exempt future phases of development from compliance with parking minimum and maximum requirements.

## **Article 7**

### **Modify Section 7.2.9.8 Freestanding signs, monument signs and entry signs for multi-structure developments.**

a. Height: Freestanding business or development entry signs may not be taller than six (6) feet high.

- b. Size: The maximum sign area for a freestanding business or development entry sign shall be 40 square feet.
- c. Number of signs. Unless otherwise authorized in Section 7.4, signs are limited to no more than one per lot provided that where a lot has frontage on two public streets and has a minimum frontage of 300 feet on either street and a combined frontage greater than 650 feet, the number of freestanding signs may be increased to two.
- d. Existing freestanding business signs, including pole signs, over six (6) feet tall, may remain until a new business locates on the property.
- e. Multi-structure Development Signs. Subdivisions and developments with multiple structures may display one (1) monument sign not to exceed six (6) feet in height and twenty-four (24) square feet in sign area per primary entrance into the development. In addition, developments containing multi-unit dwellings may display one (1) wall sign on the leasing or management structure not to exceed twenty (20) square feet in sign area.
- f. Ornamental Entry Structures. Entry structures into a multi-structure development that are not signs and are larger than allowed for sign structures may be considered by Special Exception.
- g. Highway Corridor: Freestanding business or development entry signs for property adjacent to a State highway may request a larger sign by special use. Additional standards for granting the Special Use are as follows:
  - i. Requested signage may not be taller than eight (8') feet in height.
  - ii. The maximum sign area shall be forty (40) square feet.

## **Article 7**

### **Modify Section**

10.2.4 Accessory Amenity. A structure, desirable or useful feature or facility commonly primarily associated with the use of a building or other structure (such as a firepit or deck); or commonly associated with the entry into or at a central point in a development with no specific use (such as an unmanned "guardhouse", covered arbor, or fountain), that may or may not require a building permit for installation. (See Sec. 3.2)

10.2.5 Accessory structure: Any structure on the same lot with and customarily incidental and secondary to (but not attached to) the main structure or use, including swimming pools (and pool houses), garden or storage sheds (over 160 square feet), and liquid petroleum gas storage tanks. (See also Structure.)

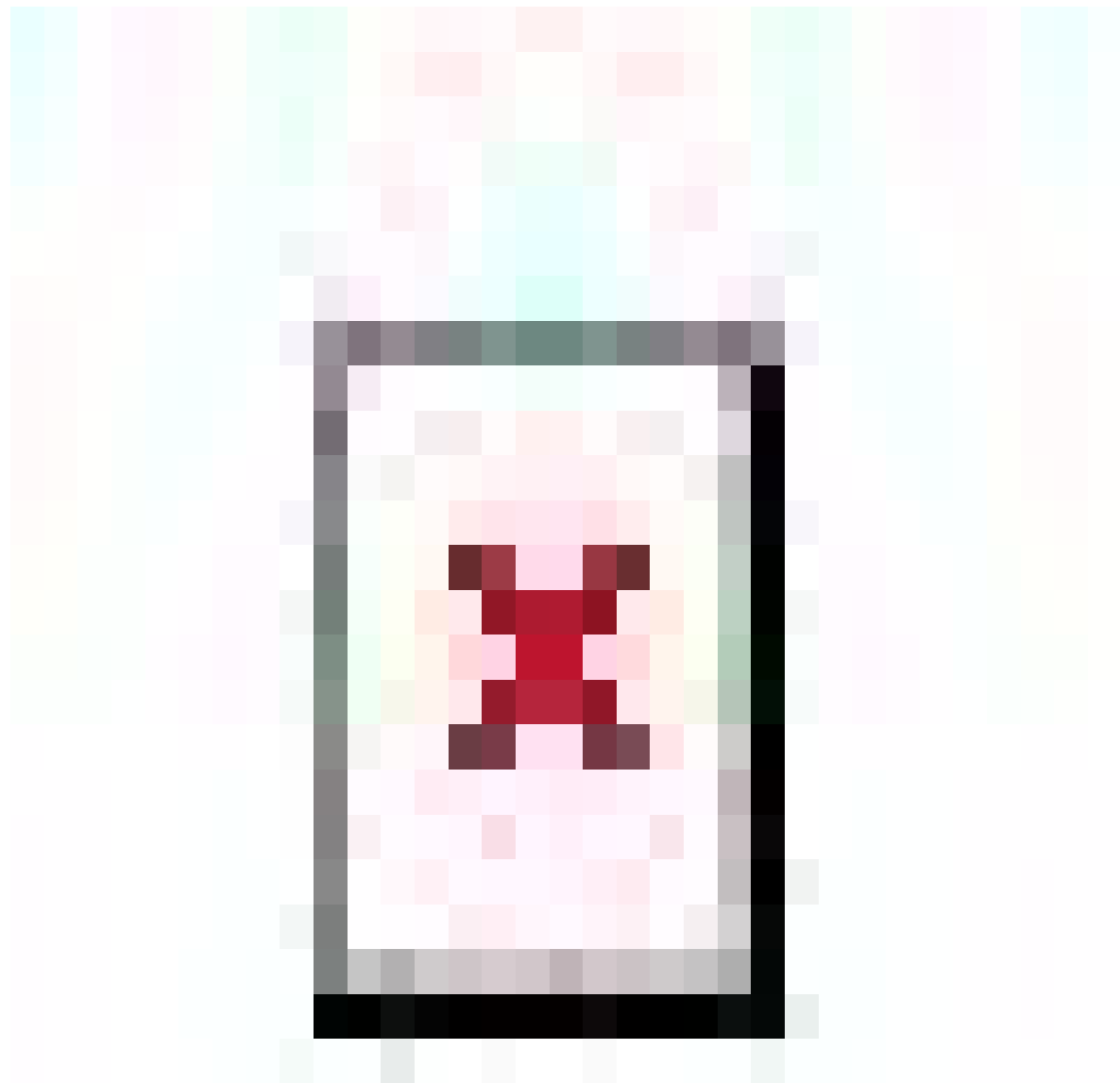
10.2.347 Yard: An open space at grade between a building and the adjoining lot lines.

10.2.348 Yard, front: A yard located in front of the front elevation of a building unoccupied and unobstructed by any portion of a structure from the ground upward and extended across a lot between the side lot lines and being the minimum distance between the front property line and the outside wall of the main building

10.2.349 Yard, rear: A yard extending across the rear of a lot measured between inner side yard lines and being the minimum distance between the rear lot line and the rear of the main building. On interior lots the rear yard shall be at the opposite end of the lot from the front yard.

10.2.350 Yard, side: A yard between the building (from the building foundation line) and the side line of the lot and extending from the front building line to the rear building line and being the minimum distance between a side lot line and the outside wall of the side of the main buildings. On corner lots the side yard shall be at the opposite end of the lot from the front yard.

ADD DIAGRAM TO END OF SECTION 10.



**SECTION II. REPEALING CLAUSE**

All ordinances or parts of ordinances in conflict herein shall be, and the same are hereby repealed.

### **SECTION III. EFFECTIVE DATE**

All ordinances shall take effect and be in force as provided by law.

The above ordinance having being first reduced to writing and read and considered section by section at a public meeting or the governing authorities of the City of Oxford Mississippi on motion of Alderman Bailey, seconded by Alderman Addy, and the roll being called, the same by the following votes:

Alderman Addy	voted AYE
Alderman Huese	voted AYE
Alderman Antonow	voted AYE
Alderman Howell-Atkinson	voted AYE
Alderman Taylor	voted AYE
Alderman Bailey	voted AYE
Alderman Morgan	voted AYE

APPROVED, this day, the 18<sup>TH</sup> of May, 2021.

/s/Robyn Tannehill

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ROBYN TANNEHILL, MAYOR

/s/Ashley Atkinson

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ASHLEY ATKINSON, CITY CLERK