ARTICLE XIX

MAJOR THOROUGHFARES COMMERCIAL DISTRICT (C-4)

SECTION 1900-PURPOSES OF THIS DISTRICT

The purposes of the Major Thoroughfares Commercial (C-4) district are:

A. To protect the integrity of and to provide for a superior environment along the U.S. Highway 98 and Mississippi Highway 589 entrance ways and other major thoroughfares in Lamar County. These are Lamar County's "front doors" and it is important to protect the appearance of this corridor.

B. To prevent the placement of inappropriate land uses along the U.S. Highway 98 and Mississippi Highway 589 corridors and other major thoroughfares.

C. To promote uniformity with regard to dimensional regulations (maximum height, minimum lot widths and lot area, density, setbacks, and open space).

D. To protect property values along the U.S. Highway 98 and Mississippi Highway 589 corridors and other major thoroughfares by promoting compatible architectural design.

SECTION 1901 - LAND USES PERMITTED WITHIN THE CORRIDOR C-4 DISTRICT

The following uses are permitted outright in the C-4 district:

A. Any use permitted outright in the C-1/Limited Commercial and C-2 General Commercial District.

B. Supermarkets, as defined by this Ordinance.

C. Hotels and motels.

D. Bowling alleys, skating rinks, motion picture theaters and similar indoor recreational or entertainment enterprises conducted entirely within fully-enclosed buildings.

E. Mortuaries and funeral homes.

F. Full-service restaurants.

G. Public roads and highways (excluding Federal Interstate highways and scenic parkways, which are regulated as special uses in SU-1 districts.)

H. Any other use which the Board determines to be of the same character and nature as those specifically permitted above, but not to include those uses allowed only as conditional use under Section 1902.

I. Railroads or railroad facilities existing at the effective date of this Ordinance.

J. Convenience stores.

K. Fast food restaurants.

SECTION 1902 - CONDITIONAL USES AND STRUCTURES AS PROVIDED IN SECTION 2805

A. Public or quasi-public facilities and utilities in compliance with Section 402 of this Ordinance.

B. Service stations/ convenience car care establishments.

C. Vehicle sales, rental or lease (both new and used).

D. Vehicle service centers, as defined herein.

E. Yard and garden centers, nurseries and greenhouse operations.

F. Garages/ body shops as defined herein, with indoor storage of all vehicles stored on site.

G. Proposed new railroads or railroad facilities NOT existing at the effective date of this Ordinance**.**

SECTION 1903 - CERTIFICATE OF APPROPRIATENESS REQUIRED

A Certificate of Appropriateness shall be required before any "action" as defined below can be taken within the C-4 District. An "action" shall be defined as any construction, re-construction, relocation, addition to major repair or demolition of a building or structure or construction and location of parking facilities. Major repair is defined as costing in excess of fifty (50) percent of the value of the subject building or structure. A "Certificate of Appropriateness" is a certificate expressing the approval of the Board of Supervisors (or Zoning Administrator in the case of painting/ repainting of an existing structure*)* with regard to any proposed "action" in the C-4 District. "Appropriateness" shall be defined as conformity to the standards established in this Zoning Ordinance or other land development regulations as they now exist or may be amended in the future.

For applications involving a required site plan for a proposed action, the Lamar County Planning Commission, in recommending approval and denial of applications for Certificates of Appropriateness, shall seek to accomplish the purposes of this ordinance. All decisions of the Commission shall be in writing and shall state the findings of the Commission, its recommendations, and the reasons, therefore.

SECTION 1904 - PURPOSES OF A CERTIFICATE OF APPROPRIATENESS

A "Certificate of Appropriateness" is a document issued by the Board of Supervisors approving a proposed "action" (as defined under Section 1903) in the C-4 District. The purposes of the Certificate of Appropriateness are:

1. To preserve the values of existing buildings and structures.
2. To prevent excessive dissimilarity and inappropriateness or poor quality of design in the exterior appearance of structures. Poor quality of design in the exterior

appearance of structures shall include all metal buildings, which are hereby prohibited in the C-4 District, unless covered with brick or other masonry material. However, backs of the building, not facing any roads, may remain open.

3. To prohibit unsightly and unsuitable structures that would be out of harmony or incongruent with the existing visual features within the district.

4. To prevent harm and damage to the C-4 District which will result from 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.

SECTION 1905 - SITE PLAN REQUIRED FOR ANY PROPOSED "ACTION" IN THE C-4 DISTRICT

When any "action" as defined under Section 1903 is proposed anywhere within the C-4 District, the Lamar County Planning Commission shall review site plans for such actions. Site plans shall be prepared in accordance with Sections 2807 through 2810 of this Ordinance and persons responsible for initiating such "actions" shall comply with the procedures specified under Section 1806 of this Ordinance.

SECTION 1906 - PROCEDURES FOR REVIEW OF SITE PLAN

The Lamar County Planning Staff shall review all site plans (provided all required data is submitted by the applicant) at their regular meeting. After reviewing all information relative to the site plan, the Planning Department Staff may recommend issuance of a Certificate of Appropriateness and issuance of a Land Use Permit (see Section 400.01) or recommend denial by the Board of Supervisors. If the Commission determines that the proposed building or structure is excessively dissimilar to other like structures within the district and makes a specific finding that the structure as proposed would provoke one or more of the harmful effects as set forth in 1904, paragraph 4**,** and that such finding is not based upon personal preferences as to taste, then the Commission may recommend that no Certificate of Appropriateness be issued and that an application for a Land Use Permit be denied by the Board of Supervisors If the Commission recommends issuance of a Certificate of Appropriateness and a Land Use Permit, such recommendation shall be contingent upon final review and approval by the Board of Supervisors.

SECTION 1907 - PROCEDURES FOR CONSIDERATION OF APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS

Anyone desiring to perform any "action" (as defined under Section 1903) in the Corridor 98/589 District must submit an application for a Certificate of Appropriateness (on a form provided by the Lamar County Planning Department) to the Zoning Administrator, who shall forward this application to the Lamar County Planning Commission. The Commission shall review the application and either recommend approval, denial, or make recommendations for changes and modifications as it deems necessary in order for the applicant to meet the standards and guidelines for the action to be performed. If the applicant's plans meet the approval of the Commission, the Chairman of the Commission shall sign the Certificate and it shall be forwarded to the Board of Supervisors for review and final approval. Following approval by the Board of Supervisors, the Certificate shall be forwarded to the Zoning Administrator for issuance of a Land Use Permit in accordance with Section 400.01 of this Ordinance.

If the staff should reject the application or recommend changes and modifications not acceptable to the applicant, the applicant may appeal the staff's decision directly to the Board of Supervisors.

It is incumbent upon the applicant for a Certificate of Appropriateness to complete an application and submit the completed application and required site plan in time for review by the Lamar County Planning Staff prior to the meeting of the Board of Supervisors at which he desires a decision by that body. If the proposed action also involves an application for a Variance or Conditional Use (see Section 2804 and 2805, respectively) or an amendment to the Official Zoning Map (see Section 2806), the applicant for a Certificate of Appropriateness is advised that a public hearing is required in accordance with Section 2711 of this Ordinance.

No Land Use Permit shall be issued by the Zoning Administrator without an approved Certificate of Appropriateness.

SECTION 1908 - EXPIRATION OF CERTIFICATES OF APPROPRIATENESS

Certificates of Appropriateness shall expire if the work or change is not commenced within one hundred eighty (180) days from the date the Certificate is granted, or if the work or change is not substantially completed within two (2) years from the date the Certificate is issued, although such permit may be renewed for additional periods.

SECTION 1909 - DIMENSIONAL REQUIREMENTS

1909.01 Maximum Building Height: 70 feet, unless greater height is approved by the Board of Supervisors.

1909.02 Minimum Lot Area:

1. Shopping centers: three (3) acres.

2. Independent commercial uses: 21,780 square feet (½ acre).

1909.03 Minimum Lot Width:

1. Shopping centers: 200 feet.

2. Independent commercial uses: 200 feet (unless access can be arranged between two or more lots having common frontage with less than 200 feet for each lot).

1909.04 Minimum Yards: The minimum yard requirements for all uses permitted in a Corridor 98 District shall be as follows:

1. Front yards: The front yard building setback shall be a minimum of thirty-five (35) feet from any existing or proposed right-of-way line of any street or road. However, the first ten (10) feet of this setback shall be open landscaped area, with no parking permitted in this area.

2. Side or rear yards where NOT abutting a residential district: No side or rear yard required.

3. Rear yards where abutting ANY residential district or residential use twenty-five (25) feet. Side yards where abutting ANY residential district or residential use: Side yards with no parking will be fifteen (15) feet and side yards with parking and/or drives can be fifteen (15) feet with buffering.