

## **CHAPTER 6. DESIGN AND DEVELOPMENT STANDARDS**

### **6.1 Purpose and Relationship to Comprehensive Plan**

The City of Tupelo adopted a comprehensive plan in 2008 that promotes a different development pattern than currently exists in much of the city, one that is more compact and walkable. This Code is written to specifically address design goals of the Comprehensive Plan. Those goals include higher density, mixing of uses, and the encouragement of infill and redevelopment. All of these goals require careful design and a flexible approach. The Code offers a number of flexibility provisions through which defined standards for building size, location on sites, architecture and site improvements can be adjustable according to the context of the development and owner needs. These mechanisms include the adoption of five mixed use zoning districts (Chapters 4 and 5) in which developers will be able to choose between walkable and conventional development standards. The code allows more uses by right in most zoning districts, and more density of development in many districts. A development review checklist (Section 12.4) is used to incentivize good design and to evaluate variance requests in terms of the project context. Providing these flexibility options requires that the code offer guidance on how much flexibility is appropriate in different situations. The descriptive material about each zoning district in Chapters 4 and 5 provides insight as to the Comprehensive Plan's intent for each district. This chapter will focus on the relationship of the individual development to its context and its own functional requirements. While a code with an emphasis on flexibility is more complex to administer, attention to detail in the design and review of new development should ensure that new developments can be integrated appropriately into existing neighborhoods or commercial areas.

### **6.2 General Provisions**

#### **6.2.1 Applicability**

This chapter applies to any application for development approval, except as otherwise provided. The chapter provides design standards for residential development and for walkable and conventional mixed-use and nonresidential development. These standards include site design, which includes the visual quality of the property in relation to its context, and the design of buildings themselves. The chapter also provides standards for site infrastructure.

#### **6.2.2 Administrative Exceptions**

- (1) To facilitate flexibility in design while maintaining the safety, health, and welfare of the public, the Director of Development Services may grant administrative exceptions to the following technical design requirements found in the following sections of this chapter:
  - (a) Open Space Standards, 6.6;
  - (b) Stormwater management , 6.7;
  - (c) Street design and transportation, 6.8;
  - (d) Utilities, 6.9.
- (2) No administrative exception shall be granted unless:

- (a) The Director of Development Services certifies that the proposed exception does not conflict with the goals and policies of the comprehensive plan; and
- (b) The applicant demonstrates, through documentation and/or studies based on generally accepted engineering principles, that the proposed exception would not pose a threat to health and safety.

### **6.2.3 Variances**

Where an administrative exception is not granted, or where an administrative exception is not permitted (as in the case of street connectivity, maximum parking requirements, and other items not enumerated in this section), the applicant may seek a variance pursuant to Section 13.16 of this code.

### **6.2.4 Construction Standards**

All construction shall conform to City of Tupelo Design Standards and Construction Specifications manual to the extent consistent with this chapter.

### **6.2.5 Sampling and Testing**

Sampling and testing of materials, and laboratory inspection of materials and processes, shall be performed at the expense of the developer. Firms providing construction materials testing services must have an established in-house laboratory whose tests meet the standards of the American Society for Testing and Materials requirements.

### **6.2.6 Americans With Disabilities Act**

- (1) Infrastructure construction and improvements of facilities shall comply with the Americans with Disabilities Act (ADA) of 1990. Applicants shall consult both the Title III *Technical Assistance Manual* and the Title II *Technical Assistance Manual*.
- (2) Multifamily housing and condominium development shall comply with § 804(f)(5)(C) of the Fair Housing Act of 1988 and the implementing regulations codified at 24 C.F.R. 100.205. Applicants shall consult the *Fair Housing Accessibility Guidelines*.

### **6.2.7 Operation and Maintenance**

All improvements required by this chapter shall be operated and maintained by either dedication to the City of Tupelo, by a Homeowners Association as described in this section, or by the property owner.

**6.2.7.1** The instruments creating the dedication, homeowners' association (HOA), condominium association, easement, transfer, or improvement district shall be attached to the application for subdivision plat approval.

- (1) **Dedication of Land**

Dedication of the improvement to the City of Tupelo satisfies the requirements of this section as follows:

- (a) Dedication shall take the form of a fee simple ownership.
- (b) The City of Tupelo may accept the improvement if such land is accessible to the residents of the City of Tupelo;
- (c) There is no cost of acquisition other than any costs incidental to the transfer of ownership, such as title insurance.
- (d) The improvement conforms to the applicable standards of this chapter.

**(2) Homeowner’s Association**

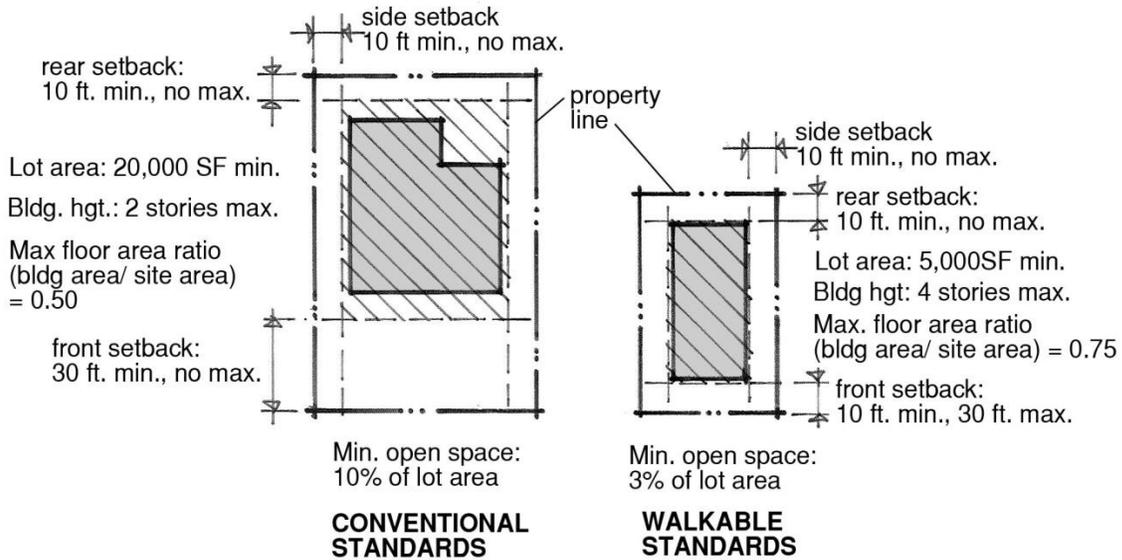
- (a) Improvements that are owned in common by all owners of lots or units in a subdivision or condominium are required by this chapter to be operated and maintained by an HOA established in the covenants, conditions, and restrictions (CC&Rs) adopted as a condition of development approval.
- (b) The CC&Rs shall provide that, in the event that the association fails to maintain the improvements according to the standards of this chapter, the City of Tupelo may, following reasonable notice and demand that deficiency of operation or maintenance be corrected, enter the land area to repair, operate, or maintain the improvement.
- (c) The cost of such maintenance shall be the responsibility of the HOA, which shall be required by the CC&Rs to levy an assessment to be charged to all owners.

**6.3 Development Design Standards**

**6.3.1 Purpose and Relationship to Comprehensive Plan**

The City of Tupelo 2025 Comprehensive Plan includes a number of goals for better design, with the intent that future growth of the city be more attractive, more accessible, and more economically productive. This division provides for lots, blocks, buildings, and structures that provide a pedestrian scale, offer alternative paths for vehicular traffic, and accommodate on-street parking. Standards are provided to ensure that lots have adequate access and conform to the zoning provisions of the Development Code. The City of Tupelo finds and determines that long blocks lined with homes and other buildings reduce street connectivity and impair the efficiency of public and safety services while increasing distances between residences and nonresidential destinations or public gathering places. Exceptions to these standards are made for nonurban districts and zoning districts that require greater flexibility in order to encourage environmental protection or economic development.

**6.3.2 Pedestrian Scale and Conventional Standards Distinguished**



For the purposes of implementing the goals and objectives in the land use plan, the City of Tupelo has adopted two types of development standards, one intended to provide for a walkable, pedestrian-friendly environment and one to accommodate conventional development pattern focused on access by automobiles. The basic development standards of the Mixed Use Downtown, Mixed Use Residential, and Medium Density Residential zoning districts are pedestrian scale. The basic development standards of the Industrial, Regional Commercial, Low Density Residential, and Agriculture/Open Space zoning districts are conventional. In the other zoning districts, both sets of standards are provided. Developers may choose to apply either pattern, with a few exceptions as follows:

- (1) The traditional housing development option requires the use of pedestrian scale standards.
- (2) On sites adjacent to and facing the same street as a property developed to pedestrian scale setback standards, the developing site must also use pedestrian scale standards.
- (3) No development shall mix the two (2) sets of standards.

### 6.3.3 Conservation Subdivisions

#### 6.3.3.1 Purpose

To encourage innovation in residential subdivision design, conservation subdivisions shall be permitted providing for more efficient layout of lots, streets, and utilities, for the preservation of open space and recreation areas, and for the protection of unique site features and scenic vistas. Conservation subdivisions shall permit reductions in lot area in exchange for equal amounts of open space on a one-to-one basis, subject to the following standards:

- (a) **Minimum Site Area:** The minimum acreage required for a Conservation Subdivision shall be four (4) acres.

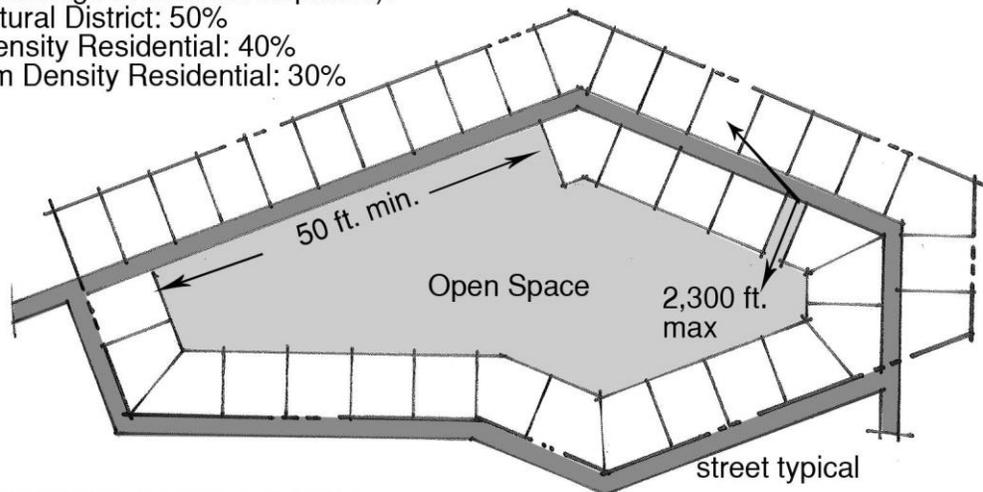
- (b) **Lot Size:** No minimum or maximum lot size or width standard shall apply within the Conservation Subdivision.
- (c) **Maximum Density:** The maximum density shall not exceed the maximum density permitted in the base district.
- (d) **Housing Types:** A variety of housing types shall be permitted in a Conservation Subdivision as follows: detached dwelling, traditional dwelling, zero (0) lot line/semi-attached dwelling.
- (e) **Stormwater Management:** Street drainage may be provided by swales rather than curb and gutter. Low impact management facilities are encouraged and street geometry may be modified to accommodate such alternative designs.
- (f) **Open Space:** The subdivision shall include minimum designated common open space as follows:

- i. **Agricultural/Open Space District:** 50% of total area
- ii. **Low Density Residential District:** 40% of total area
- iii. **Medium Density Residential District:** 30% of total area

(1) **Accessibility:** A minimum of fifty percent (50%) of lots shall directly abut a protected open space. Pedestrian access by sidewalk or trail shall be provided from all other lots to open space area. A minimum of ninety-five percent (95%) of the lots shall be within a two thousand-six hundred (2,600) foot walking distance of accessible, usable open space.

Lots with direct frontage: min. 50%

Open space minimums  
(as percentage of total development):  
Agricultural District: 50%  
Low Density Residential: 40%  
Medium Density Residential: 30%



**CONSERVATION SUBDIVISIONS**

- (2) **Protection:** Open space in a conservation subdivision shall be designated and protected in accordance with Section 6.6, Open Space.
- (3) **Perimeter Treatment:** Property on the edge of conservation subdivisions shall either:
  - (a) Be set aside in open space that includes a Type C or higher type buffer , as set forth in Chapter 9, Landscaping and Buffering; or
  - (b) Be platted in lots that conform to the conventional single-family detached house requirements for the district; or
  - (c) Be platted in lots no less than seventy-five percent (75%) of the average size of the nearest adjacent residential-zoned lots.

### **6.3.4 Traditional Housing Development**

In any zoning district where single family dwellings are allowed by right or compatibility, a subdivision may be developed as a traditional housing development subject to the following standards:

- (1) **Lots:** The minimum lot size allowed in the zoning district may be reduced by up to two thousand (2,000) square feet.
- (2) **Building Design:** Residential units must meet the building design standards in Section 6.4 below.
- (3) **Setbacks:** Residential units must be developed using the minimum front setbacks of the zoning district.
- (4) **Access:** All residential units must have rear alley access. No front driveway access is permitted.
- (5) **Street:** Local streets may be the minimum twenty (20) foot width.

### **6.3.5 Lots**

#### **(1) Buildings to Be on a Lot**

Every building shall be located on a lot. In residential zoning districts, no more than one (1) principal building is permitted on a lot unless otherwise provided in the applicable zoning district regulations.

#### **(2) Compliance with Zoning District Regulations**

The size, width, depth, shape, and orientation of lots shall comply with the applicable zoning district regulations as provided in Chapter 4 of this code, except as provided in

Section 6.10, Infill, and except where modified through the development plan process provided in Section 12.9, or the variance process as provided in Section 12.16.

The minimum lot area requirements set forth in Chapter 4 shall not include land permanently or normally inundated by water and / or other regulated waterways, such as creeks, wetlands or flood ways.

If the zoning district designation for a single lot is split into two (2) or more general use or overlay zoning districts, then the portions of the lot in each general use or overlay zoning district shall meet all requirements of that specific district.

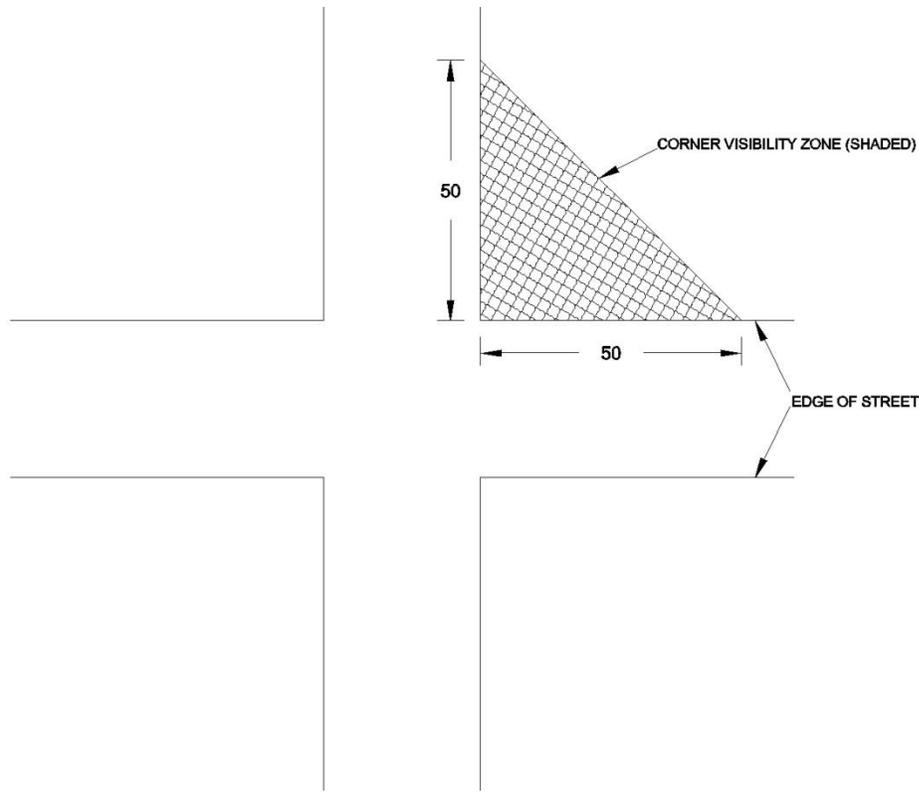
- (3) Lots intended for new detached dwellings adjacent to existing lots intended for detached dwellings shall be no less than seventy-five percent (75%) of the average area of existing contiguous lots.
- (4) All lots shall front on a public or private street and shall have a minimum frontage width as indicated in the zoning district regulations. On irregularly shaped lots, a minimum street frontage of fifteen (15) feet is required.
- (5) An “irregularly shaped lot” includes any lot located on a cul-de-sac or abutting a curved section of a roadway with a centerline radius of less than two-hundred (200) feet.
- (6) Residential lots shall not front on a collector street, arterial street, or parkway.

#### **6.3.6. Setbacks and Required Yards**

- (1) **Front and Side Setbacks:** Front and side setbacks adjacent to streets shall be shown on all plats as required by Chapter 4, Zoning Districts, of this Code. A sub-divider may elect to impose greater setbacks through restrictive covenants. The City of Tupelo shall only enforce the setbacks required by Chapter 4. Where housing types or side setbacks are mixed on the same block face and adjacent to one another, the larger of the two (2) adjoining side yards shall be required for both units.
- (2) **Side Yard Building Line:** The building line for an existing residence having a side yard of three (3) or more feet may be maintained on any addition to the residence, but in no instance shall the side yard be less than three (3) feet.
- (3) **Yards Adjacent to Rights-of-Way and Easements:** On lots that abut a railroad right-of-way, or a utility/drainage right-of-way or easement that is not part of a platted lot, one-half of such right-of-way or easement, up to a maximum of fifteen (15) feet, may be considered as part of the minimum required rear or side yard.
- (4) **Variation in Front Yard:** In any block in which seventy percent (70) percent of the lots have front yards that are less than required by the existing zoning regulations, construction on any remaining vacant lots is permitted to the average yard of the existing improved lots

- (5) **Rear Yards on Irregular Lots:** For lots fronting on cul-de-sacs or other curved sections of roadways, and other irregularly shaped lots, a rear yard of fifteen (15) feet is permitted based on the mean horizontal distance of the principal structure from the rear lot line, provided that no part of the structure is closer than ten (10) feet to the lot line. The mean horizontal distance shall be calculated by adding the distance from the closest point of the structure to the rear property line, to the distance from the rear corner of the structure that is farthest from the rear property line, and dividing by two (2).
- (6) **Dwelling on Small Lot:** A platted lot within a residential district that contains less than the minimum area for the district may be used for a single-family dwelling, provided that the lot is held in separate and different ownership from any immediately abutting lot, has a minimum area of three thousand-five hundred (3,500) square feet, and has a minimum street frontage of twenty (20) feet.
- (7) **Corner Lots:** Corner lots shall have two (2) front setbacks and two (2) side setbacks.
- (a) The Director of Development Services may waive this requirement and determine the front yard to be on the street front that is in line with the prevailing pattern of front yards on the street in order to be consistent with the established pattern of the street.
- (8) **Double Frontage Lots:** Double frontage or through lots are prohibited except in commercial or industrial districts.
- (9) **Flag lots:** Flag lots shall not be allowed except through the variance process provided in Section 12.16.
- (10) **Encroachments:** The buildings or structures on a lot shall not be located in whole or in part in a required yard, except as follows:
- (a) Sills, cornices, and similar ornamental features projecting from the principal building may encroach up to eighteen (18) inches into any required yard or building restriction line shown on the subdivision plat for the property;
- (b) Bay windows, covered porches, balconies, and similar features projecting from the principal building may encroach up to three (3) feet into any required yard or building restriction line shown on the subdivision plat for the property;
- (c) Decks, uncovered porches, patios, terraces, and similar features, may encroach into required yard or building restriction line shown on the subdivision plat for the property, but no closer than five (5) feet to the property line;
- (d) Accessory buildings and structures may encroach into the required yard or building restriction line shown on the subdivision plat for the property, but no closer than five (5) feet to the rear lot line or side lot lines. An accessory building or structure shall be located in the rear yard or side yard only. An accessory building or structure shall be located at least fifteen (15) feet from the principal building; otherwise, it shall conform to the yard setback requirements of the principal building.

- (11) **Corner Visibility:** On a corner lot in any zoning district except MUD, and excepting properties developed to walkable standards in mixed use districts, nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of two and one-half (2½) and ten (10) feet above the center line grades of the intersected streets in the area bounded by the street lines of such corner lots and a line adjoining points along said street lines fifty (50) feet from the point of the intersection.



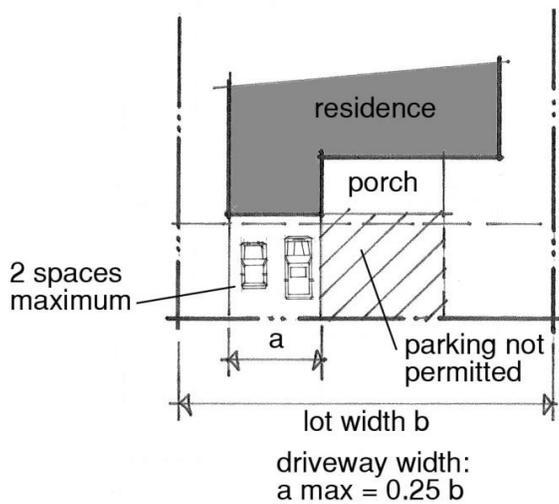
### 6.3.7 Vehicle and Pedestrian Areas for Single-Family, Duplex, Triplex, and Quadraplex Lots

#### 6.3.7.1 Purpose and Applicability

- (1) Restrictions on driveway areas are designed to avoid the domination of front yards by large expanses of impervious surfaces, which deaden the streetscape and discourage pedestrian activity. Reducing the width of driveways can reduce total site imperviousness.
- (2) This section applies to any subdivision plat, site plan, or development approval authorizing a single-family, duplex, triplex, or quadraplex structure.

#### 6.3.7.2 Standards

- (1) If the site is served by an alley, access for motor vehicles must be from the alley and not from a street frontage.
- (2) No more than two (2) parking spaces may be located in the front setback.
- (3) Parking may be provided in the rear yard, and access may be provided through alleys where the front yard is insufficient to accommodate a driveway.
- (4) New vehicle areas may not be located between the building's porch or porches and an adjacent street.
- (5) Driveways and other impervious surfaces shall not comprise more than twenty-five percent (25 %) of the front yard area or the street frontage width.
  - (a) In order to reduce run-off and increase stormwater travel times, alternative materials for driveway surfaces, such as pervious pavers or gravel, may be approved by the Director of Development Services in any watershed or drainage basin overlay district, or in neighborhood blocks where driveways composed of such materials are found on a majority of developed lots.
  - (b) On lots of four thousand (4,000) square feet or less, the limitation of driveway area and frontage may be waived by the Director of Development Services.



### DRIVEWAYS

### 6.3.8 Blocks

- (1) **Lots to Be Contiguous:** Lots shall be arranged in a contiguous pattern within blocks or abutting a cul-de-sac. For minor subdivisions, all lots shall be contiguous, and any new lots subdivided from a tract that has been previously subdivided shall adjoin the existing lots.
- (2) **Block Width:** Blocks to the interior of the subdivision shall have sufficient width to provide for two (2) tiers of lots. One tier of required block width is permitted in blocks adjacent to collector or arterial streets or waterways. Not more than two (2) tiers of lots shall be provided for any block.
- (3) **Block Length:** Maximum block length in the Agriculture/Open Space zoning district shall be one thousand-five hundred (1,500) feet. Maximum block length in the Low Density Residential zoning district shall be one thousand (1,000) feet. Maximum block length of residential subdivisions in all other districts shall not exceed seven hundred-fifty (750) feet.

## **6.4 Building Design Standards**

### **6.4.1 Purpose and Findings**

The purpose of these regulations is to provide specific criteria to implement the architectural and neighborhood design elements of the Tupelo 2025 Comprehensive Plan. These criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing design principles, which can result in creative solutions that will develop a satisfactory visual appearance within the City of Tupelo; preserve taxable values; and promote the public health, safety, and general welfare.

- (1) These standards:
  - (a) Provide a physical and visual connection between the living area of the residence and the street;
  - (b) Enhance public safety by allowing people to survey their neighborhood from inside their residences, places of work, or shopping areas;
  - (c) Provide a more pleasant pedestrian environment by preventing large expanses of blank façades along streets;
  - (d) Ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage;
  - (e) Prevent garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
  - (f) Provide for a more pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk;
  - (g) Supplement the zoning regulations applied to site-built, modular, and manufactured homes, with additional standards and procedures that will promote a satisfactory living

environment for residents of single-family homes and that will permit a mix of homes and other types of housing within the City of Tupelo;

- (h) Permit greater diversity in the types of housing communities;
- (i) Ensure that new single-family dwellings are compatible with other forms of housing; and;
- (j) Ensure the provision of single-family housing opportunities for persons or families of low or moderate income by providing for design standards that ensure compatibility among various types of housing units as an alternative to exclusionary zoning.

### **6.4.2 Height**

Building height shall conform to the requirements of the applicable zoning district regulations (Chapter 4, Zoning Districts).

#### **(1) Measurement**

Building height shall be measured according to the definition of building height in Chapter 2, and as provided in the International Building Code.

#### **(2) Exceptions**

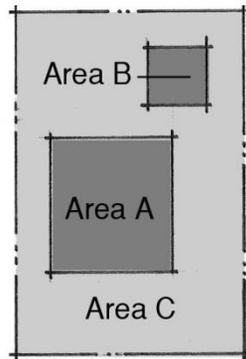
- (a) Height limit shall not apply to belfries, chimneys, church roof structures not intended for human occupancy, church spires, cupolas, domes, monuments, water towers, flag poles, or similar structures, provided:
- (b) The structure does not interfere with Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace;
- (c) The structure does not extend more than twenty-five (25) feet above the maximum permitted building height, except as allowed herein;
- (d) The structure does not exceed a maximum height of one hundred (100) feet above grade;
- (e) The structure is not constructed for the purpose of providing additional floor area in the building; and
- (f) The structure complies with the screening requirements for mechanical equipment and appurtenances in Section 9.6.
- (g) In the MUCC, MUAC, MUD, MUE, RC, and I districts, additional height up to a maximum of two (2) additional stories may be allowed if, in addition to any setback necessary to accommodate the yard requirements set forth in Part B., the building or structure is set back an additional twenty (20) feet from the front and rear property lines

for each additional story, except that where a building or structure in a non-residential zoning district is located within one hundred (100) feet of the boundary of a residential zoning district, the height of the building or structure shall not exceed three (3) stories. A Type A Landscaped buffer shall be provided between any structure qualifying for additional height under the provisions of this section and any adjoining lower intensity zoning district.

### 6.4.3 Single-Family Residential Dwellings

Unless otherwise specified in this ordinance, this section applies only to housing proposed as a traditional housing development.

- (1) **Size Limitations:** No single-family dwelling unit, duplex, or triplex shall exceed eight thousand (8,000) square feet in size, nor exceed a floor area ratio (FAR) of .60. The total area of all dwellings and accessory structures shall not exceed a FAR of .75.



Area A max = 8,000 SF  
Area A = or < 0.60 Area C  
Areas A + B = or < 0.75 Area C

#### SIZE LIMITATIONS

- (2) **Main Entrance:** Location of main entrance: The main entrance of each primary structure must face the street. On corner lots, the main entrance may face either of the streets or be oriented to the corner. With buildings that have more than one (1) main entrance, only one (1) entrance must meet this requirement. A building must include a front porch, or stoop at all main entrances that face a street. The porch, pergola/arbor, or stoop shall adjoin the main entrance and the main entrance shall be accessible from the porch.
- (3) **Porches:** Porches shall be covered by a solid roof. The roof shall not be located more than twelve (12) feet above the floor of the porch. If the roof of a required porch is developed as a deck or balcony, it may be flat.
  - (a) The porch shall be at least forty-eight (48) square feet and a minimum of eight (8) feet wide. If the main entrance is for more than one (1) dwelling unit, the covered area

provided by the porch must be at least sixty-three (63) square feet and a minimum of nine (9) feet wide.

- (b) **Openings Between Porch Floor and Ground:** Openings of more than one (1) foot between the porch floor and the ground must be covered with a solid material or lattice.
- (4) **Covered Balconies:** The covered area provided by the balcony must be at least forty-eight (48) square feet, a minimum of eight (8) feet wide, and no more than fifteen (15) feet above grade. The covered balcony must be accessible from the interior living space of the house.
- (5) **Garages - Generally:** Garages shall either be detached, set back at least ten (10) feet behind the front façade, or facing the side or rear lot line.
  - (a) **Detached Garages:** These standards encourage detached garages as an alternative to front-loaded attached garages. Detached garages are permitted in any zoning district. Detached garages shall be located in the rear yard. The footprint for the garage structure shall not exceed twenty-four by twenty-four (24 by 24) feet. The garage walls shall not exceed fifteen (15) feet in height or the height of the principal structure, whichever is less.
  - (b) A detached garage that is nonconforming due to its location in a setback may be rebuilt on its existing foundation if it was originally constructed legally. An addition may be made to these types of garages if the addition complies with the standards of this section or if the combined size of the existing foundation and any additions are no larger than twelve (12) feet wide by eighteen (18) feet deep. The garage walls shall not exceed ten (10) feet in height.
  - (c) Detached garages accessed from the rear are required in traditional housing developments.
  - (d) **Garages on Corner Lots:** Garages on corner lots may face the side street if set back the same distance as the primary building façade on the street side.
  - (e) **Maximum Length and Size:** The length of that portion of a garage wall facing the street shall not exceed forty percent (40) percent of the length of the street-facing building façade.

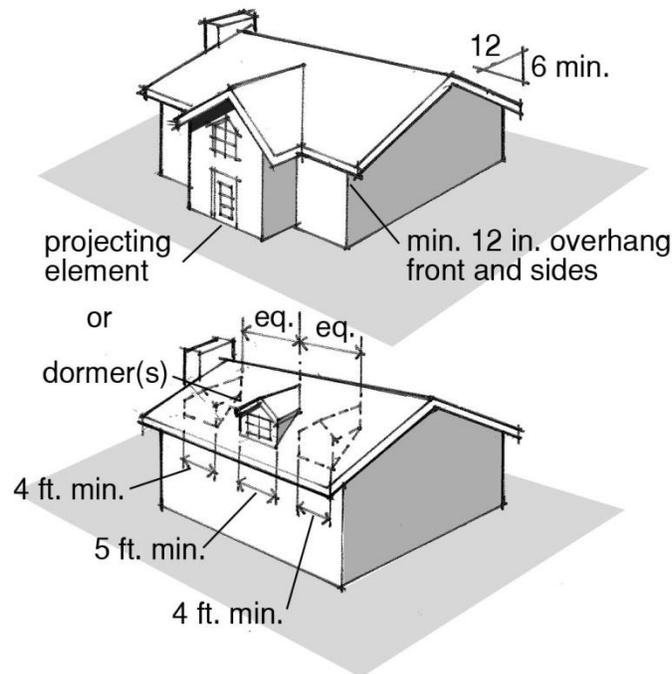
## (6) **Roofs**

- (a) **Slope:** Principal structures must have a roof that is sloped, with a pitch that is no flatter than six (6) units of vertical run to twelve (12) units of horizontal rise.
- (b) **Architectural Features:** The roof of a principal structure shall include at least one (1) of the following architectural details:
  - (i) At least one (1) dormer facing the street. If only one dormer is included, it shall be at least five (5) feet wide and shall be centered horizontally between each end of

the front elevation. If more than one (1) dormer is provided, a dormer at least four (4) feet wide must be provided on each side of the front elevation; or

(ii) A gable end, or gabled end of a roof projection, facing the street.

(c) **Roof Eaves:** Roof eaves must project from the building wall at least twelve (12) inches, measured horizontally, on at least the front and side elevations.



### ARCHITECTURAL FEATURES

(7) **Foundation:** The ground level of the first floor, including the lowest elevation of any point of the front façade, shall be elevated at least three (3) feet from the horizontal surface of the street or sidewalk. Plain concrete block or plain concrete may be used as foundation material if the foundation material is not visible by more than three (3) feet above the finished grade level adjacent to the foundation wall.

(8) **Exterior Finish Materials:** Concrete block, plain concrete, corrugated metal, plywood, and sheet pressboard are not allowed as exterior finish material. Composite boards manufactured from wood or other products, such as hardboard or hardiplank, may be used when the board product is less than six (6) inches wide.

(a) Where wood products are used for siding, the siding must be shingles or horizontal siding and not shakes.

(b) Where horizontal siding is used, it must be shiplap or clapboard siding composed of boards with a reveal of three to six (3 to 6) inches, or vinyl or aluminum siding that is

in a clapboard or shiplap pattern where the boards in the pattern are six (6) inches or less in width.

- (9) **Windows and Entryways:** At least fifteen percent (15) percent of the area of a street-facing façade must include windows or main entryways. Street-facing windows shall comply with the following requirements:
- (a) Each window must be square or vertical—at least as tall as it is wide; or
  - (b) A horizontal window opening may be created by grouping two (2) or more vertical windows.

#### 6.4.4 Duplexes, Triplexes, and Quadraplexes

- (1) Duplexes, triplexes, and quadraplexes shall include at least two (2) of the following architectural elements:
  - (a) **Dormers; Front Porches; Bay Windows; and Balconies:** Duplexes or triplexes may provide a covered balcony on the same façade as the main entrance instead of a front porch.
  - (b) Windows shall have a vertical-to-horizontal ratio of at least 1.5:1 and less than 3:1, which are recessed into the face of the building and broken up with smaller panes of glass.
- (2) **Roofs:** The roof of each attached unit must be distinct from the other through either separation of roof pitches or direction, or other variation in roof design.

#### 6.4.5 Manufactured Homes:

Manufactured homes shall conform to the requirements for Single-Family Residential Dwellings of this chapter and to the following standards and criteria:

- (1) **Zoning Standards:** Any manufactured home on an individual lot shall conform to the same building setback standards, side and rear yard requirements, standards for enclosures, access, vehicle parking, and square-footage standards and requirements that would be applicable to a conventional, single-family residential dwelling on the same lot.
- (2) **Foundation:** The dwelling shall be attached to a permanent foundation system in compliance with the International Building Code as adopted by the City of Tupelo; and the following requirements:
- (3) All wheels, hitches, axles, transporting lights, and removable towing apparatus shall be permanently removed prior to installation of the dwelling unit;
- (4) The foundation shall be excavated and shall have continuous skirting or backfill leaving no uncovered open areas excepting vents and crawl spaces. The foundation shall either not be located above grade or shall include masonry skirting; and

- (5) All manufactured homes shall be anchored to the ground by means of anchors attached both to the frame and with straps extending over the top and completely surrounding the sides and roof, consistent with building code requirements. In addition, test data giving certified results of pull tests in soils representative of the area in which the anchors are to be used shall be submitted to the Director of Development Services. Minimum load in direct pull shall be five thousand-four hundred (5,400) pounds. Anchors shall be marked so that, after installation, the identification is in plain view for inspection.
- (6) **Orientation:** Manufactured homes that are narrower than sixteen (16) feet in width shall be oriented on the lot so that the long axis is parallel to the street.

**6.4.6. Multi-Unit Dwellings:** Unless otherwise specified in this ordinance, this section applies to any townhouse or attached dwelling where located on a lot exceeding ten thousand (10,000) square feet:

- (1) For purposes of computing the number of dwelling units to determine applicability of the standards of this section, the number of existing or proposed dwelling units within any tract of land plus all existing or proposed multifamily dwellings on any adjacent property under common ownership shall be counted.
- (2) **Entryways:** For developments of forty (40) or more dwelling units, a divided ingress-egress driveway with a landscaped median for all entrances from public streets shall be provided. Median design shall conform to the standards in Section 6.8 Street Design and Transportation of this chapter.
- (3) **Common Open Space:** Common open space areas shall be required in accordance with Section 6.6 Open Space of this chapter.
  - (a) The Director of Development Services may waive up to fifty percent (50%) of the open space requirement if all units within the development are located within one thousand (1,000) feet of a public park as measured along a public sidewalk. The open space requirements of this section shall not apply to multifamily residential developments that are second floor units above first-floor commercial development, or to any residential developments in the Mixed Use Downtown zoning district.
  - (b) Open space provided pursuant to this requirement shall be accessible to all residents of the development and shall measure at least thirty (30) feet across its narrowest dimension.
- (4) **Pedestrian Facilities:** Sidewalks shall be constructed within the interior of the development to link residential buildings with other destinations, such as, but not limited to, parking, adjoining streets, mailboxes, trash disposal, adjoining sidewalks or greenways, and on-site amenities, such as recreation areas. These interior sidewalks shall be constructed in accordance with the standards for sidewalks in Section 6.8 Street Design and Transportation of this chapter.

- (a) Sidewalks shall be provided adjacent to all public streets that provide access to the development.

(5) **Building Design:** Building design for multifamily buildings shall:

- (a) Provide interesting and aesthetically attractive multifamily developments;
- (b) Avoid monotonous, “barracks”-style buildings;
- (c) Ensure that multifamily buildings have a multifaceted exterior form in which articulated façades are combined with window and door placements as well as other detailing; and
- (d) Create an interesting and attractive architectural design.
- (e) These standards limit flat walls with minimal features.

(6) **Standards:** The following standards shall apply to building design:

- (a) Buildings shall not exceed one hundred twenty (120) feet in length;
- (b) Façades greater than fifty (50) feet in length, measured horizontally, shall incorporate wall plane changes of at least two (2) feet. Ground-floor façades that face public streets shall have arcades, windows, entry areas, awnings, or other such features for at least sixty percent (60%) of their horizontal length;
  - (a) Buildings facing streets shall provide a minimum of four (4) of the following design features: Dormer windows, recessed entrance, covered porch or balcony, pillars or pilasters, box or bay windows, eaves with exposed rafters and a minimum of twelve (12) inch projection, or a parapet wall with articulated design rather than simple rectilinear form;
  - (b) Building facades shall include brick, stone, or fibrous cement siding for a minimum of seventy-five (75%) percent of the net façade area;
  - (c) Buildings shall be arranged so that they are aligned parallel to a sidewalk or around common open space, such as courtyards, greens, squares, or plazas; and Entryways shall face a street, sidewalk, or common area. Buildings shall not face the rear of other buildings on the same lot or parcel.

- (7) **Utilities:** All utility lines shall be located underground. Outdoor area lighting shall be provided for security. Such lighting shall be shielded to direct light downward and not into dwelling units on, or adjacent to, the multifamily site. Lighting shall be provided to illuminate the intersections of primary interior driveways and building entryways.

#### 6.4.7 Commercial Buildings

- (1) **Purpose:** These standards are designed to:
  - (a) Promote a quality, urban streetscape;
  - (b) Promote a pedestrian-friendly environment;
  - (c) Establish a variety of mixed uses in the core of the community;
  - (d) Provide an orderly development pattern;
  - (e) Maintain a supply of developable land while preserving the compact development;
  - (f) Improve traffic circulation and promote alternatives to automobile travel;
  - (g) Provide housing opportunities within walking distances of employment, service, and retail opportunities;
  - (h) Maintain an overall design theme;
  - (i) Preserve a human scale for new buildings;
  - (j) Provide economic development opportunities through clean industry, office, and commercial uses; and
  - (k) Provide for the daily needs and services of the community.
  - (l) These standards are not intended to restrict imagination, innovation, or variety.
- (2) **Applicability:** Unless otherwise specified in this chapter, this section applies to any commercial building or structure of five thousand (5,000) square feet or more gross floor area. Subsections 7, 8, and 9 shall not apply to commercial buildings or structures of five thousand (5,000) square feet or more gross floor area, located on property developed or to be developed to conventional standards as provided in Chapter 4 and Section 6.3.2. of this code.
- (3) **Flexibility:** The standards in this section are intended to be applied with flexibility, allowing substitution of materials or construction methods, as long as the modification does not materially detract from the “Flexibility Options” section in Chapter Four provisions for the zoning district.
- (4) **Pedestrian Facilities:** Continuous internal pedestrian walkways shall be provided to connect off-street parking areas with primary building entrances. At least one (1) internal pedestrian walkway with a minimum width of five (5) feet shall be provided from the on-site pedestrian network to the public sidewalk. In the case of corner lots, a connection shall be made to the sidewalk of both streets. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of surface materials such as pavers, bricks or scored or stamped concrete or asphalt to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- (5) **Building Structure:** Base, middle, and cap: Buildings exceeding two (2) stories shall incorporate a base, a middle, and a cap described as follows:

- (a) The base shall include an entryway with transparent windows as set forth in the ground-floor design standards of this chapter, and a molding or reveal placed between the first and second stories or over the second story.
  - (b) The molding or reveal shall have a depth of at least two (2) inches and a height of at least four (4) inches;
  - (c) The middle may include windows and/or balconies; and
  - (d) The cap shall include the area from the top floor to the roof of the building, and shall include a cornice or a roof overhang.
- (6) **Exterior Materials:** The materials used on building facades shall include a percentage of masonry equal to the highest percentage of masonry on any building in the immediate context area consisting of the same property, adjacent properties, and other properties facing the same street segment, except that:
- (a) Where none of the lots in the immediate context area are developed, the following exterior materials may be used: brick, stone, cementitious stucco, integrally colored unit masonry, split face block or similar designer block, with up to twenty-five percent (25%) of a façade consisting of exterior insulating finish system materials; and
  - (b) In redevelopment areas or industrial zoning districts where no existing buildings have more than fifty percent (50%) masonry on building façades facing a street, new buildings shall provide a minimum of fifty percent (50%) masonry on the building façade(s) facing a street.
- (7) **Ground-Floor Design**
- (a) All buildings subject to this section shall have their principal entrance opening to a street, square, plaza, or sidewalk. The principal entrance shall not open onto a parking lot.
  - (b) Pedestrian access from the public sidewalk, street right-of-way, or driveway to the principal structure shall be provided through an improved surface.
  - (c) The ground floor of the entryway shall align with the sidewalk elevation. Sunken terraces or stairways to a basement shall not constitute entryways for purposes of this section.
  - (d) It is not the intent of this section to preclude the use of below-grade entryways, provided, however, that such entryways shall not constitute a principal entryway and shall not be used to satisfy the distancing requirements of the Windows and Entryways section of this chapter.

(8) **Street Wall:** Where a maximum front setback has been established, the front building wall or courtyard shall adjoin the sidewalk. The side setback shall be a minimum of zero (0) feet and a maximum of ten (10) feet.

(9) **Windows and Entryways**

- (a) Windows above the ground floor shall have a minimum ratio of height to width of 2:1.
- (b) The ground floors of all buildings shall be designed to encourage and to complement pedestrian scale activity by the use of windows and doors arranged so that the uses are visible from and/or accessible to the street on at least fifty percent (50%) of the length of the first (1<sup>st</sup>) floor street frontage.
- (c) Where windows are used, they shall be transparent.
- (d) Solid walls shall not exceed twenty (20) feet in length.
- (e) All street-level retail uses with sidewalk frontage shall be furnished with an individual entrance and direct access to the sidewalk in addition to any other access that may be provided. This standard shall not apply to any lot with a street frontage of less than twenty-four (24) feet.
- (f) Doors shall be recessed into the face of the building to provide a sense of entry and to add variety to the streetscape. An entryway shall not be less than five percent (5%) of the wall area of the façade or ten percent (10%) of the length of the façade. In all cases the entry way shall not be less than twenty (20%) square feet.
- (g) The maximum setback requirements may be waived by the Director of Development Services for an area not to exceed ninety percent (90%) percent of the frontage in order to accommodate courtyards.
- (h) Canopies, awnings, and similar appurtenances may be constructed at the entrance to any building, subject to the criteria established in the International Building Codes.

(10) **Mechanical Equipment**

Mechanical equipment, electrical meter and service components, and similar utility devices, whether ground level, wall mounted, or roof mounted, shall be screened from view at the front property line. Solid waste containers shall be screened from view from all directions.

(11) **Screening**

- (a) Exterior screening materials shall be the same as the predominant exterior materials of the principal building, except that solid waste containers shall be enclosed with a solid masonry wall and opaque gate.
- (b) In cases where the front property line is higher than the roof line of the subject building, no screening shall be required for a line of sight exceeding five (5) feet six (6) inches above the finished elevation of the property at the front property line.

## **6.4.8 Exterior Lighting**

**6.4.8.1 Purpose:** All exterior lighting shall be designed and installed to maintain adequate, safe illumination levels in public areas and on private lands, using durable light fixtures and minimal mounting heights that minimize objectionable off-site glare, including upward glare (light pollution).

**6.4.8.2 Application:** Unless exempted, the provisions of this section shall apply to residential, non-residential, and mixed use development.

- (1) **Public Light Poles:** For the purposes of this section, public light poles and fixtures shall refer to lighting intended to illuminate rights of way or streets, and private lighting fixtures shall refer to lighting intended to illuminate private parking areas and access drives.
- (2) **Exemptions:** Lighting and fixtures identified as historic by the Department of Development Services, or approved as part of a Certificate of Appropriateness issued by the Historic Preservation Commission, shall be exempt from the standards of this section.
- (3) **General Standards for Exterior Lighting:** A lighting plan shall be submitted as part of any major or basic site plan, subdivision preliminary plat, or development plan.
- (4) **Illumination Direction:** Lighting shall:
  - (a) Be arranged to minimize glare and reflection on adjacent land;
  - (b) Be aimed or directed to preclude light projection beyond immediate objects intended to be illuminated;
  - (c) Not distribute light onto surrounding lands beyond an angle of thirty-five (35) degrees from a vertical plane;
  - (d) Use low-wattage architectural lighting for upwardly-directed lighting intended to illuminate structures or landscape elements.
- (5) **Equipment and Location:** Public lighting poles or light standards shall be of a type approved by the Tupelo Water and Light Department. The final installation location and quantity of all street lights shall be determined by Tupelo Water and Light Department.

- (6) **Private Lighting Poles:** Private lighting poles may be located within landscaped areas or planting islands, but in no instance shall poles be located in a manner that conflicts with required landscape elements such as canopy trees.
- (7) **Ground-Oriented, Pedestrian-Scaled Lighting** shall be considered as an alternative to pole-mounted fixtures along pedestrian walkways.
- (8) **Exterior Lighting:** No exterior lighting shall have any blinking, flashing or fluttering lights or other illuminating device that has a changing light intensity, brightness, or color.
- (9) **Maximum Lighting Height:** In mixed use zoning districts where walkable development standards are applied, and in residential and mixed use developments in all districts, public and private lighting fixtures shall not exceed sixteen (16) feet in height, measured from finished grade to the highest part of the fixture or pole assembly.
  - (a) The height and style of public lighting fixtures in all other locations shall be exempt from the standards of this subsection.
  - (b) Private lighting fixtures in all other locations shall not exceed twenty-five (25) feet in height, measured from finished grade to the highest part of the fixture or pole assembly, except that fixtures within fifty (50) feet of residential dwelling units or land with active approval for residential development shall not exceed sixteen (16) feet in height.
- (10) **Lighting Fixtures:** Within residential and mixed use development where walkable development standards are applied, exterior lighting shall be of a pedestrian scale with a historic or ornamental fixture. Shoe box or cobra head style fixtures shall be prohibited.
- (11) **Shielding:** No interior light source shall be positioned, aimed, or configured so as to result in the light source being visible from land occupied by existing residential development.
- (12) **Wall Mounted Lights, Floodlights, and Spotlights:** Wall mounted lights or other decorative lighting fixtures may be used provided that the source of illumination is not visible from adjacent land and provided that the maximum illumination levels comply with the above standards.
- (13) **Floodlights and Spotlights** shall be selected, located, aimed and shielded so that direct illumination is focused exclusively on an architectural element of a building or other site feature and away from adjoining lands or right of way.
- (14) **Lighting Levels:** All lighting shall have the intensities and uniformity ratio consistent with the *Lighting Handbook* of the Illuminations Engineering Society of North America (IESNA) and shall be designed and located so that the illumination measured in foot-candles at the finished grade shall comply with the following standards.
  - (a) Minimum light level in parking lots: 0.2
  - (b) Maximum illumination at property line: 1.0

- (c) Maximum illumination at right of way: 1.0 for residential uses, 2.0 for non-residential uses.

### **6.4.8.3 Exemptions for Security Plan**

Government facilities, parks, public safety facilities or other uses that may warrant illumination levels higher than the maximum permitted may submit to the Development Services Department a Site Security Plan requesting external lighting that deviates from the standards of this section. The Director of Development Services may approve the Site Security Plan, with or without conditions, on finding that the deviation from the standards are necessary for protection of the public and will not have a significant adverse effect on neighboring lands.

**6.4.8.4 Outdoor Sports Fields and Performance Areas:** In addition to the above light level standards, fixtures used in lighting outdoor sports or performance areas shall be equipped with a glare control package and aimed so that their beams are directed and fall within the primary playing or performance area.

**6.4.8.5 Sign Lighting:** Lighting fixtures illuminating signs shall comply with the standards of this subsection, and such fixtures shall be aimed and shielded so that direct illumination is focused exclusively on the sign face.

## **6.5 Transitional Features**

(1) Transitional features are architectural elements or site aspects used to provide a transition between certain land uses which may conflict with each other. They are an alternative to conventional landscape buffers. The intent of these standards is to limit the excessive consumption of land in vegetated buffers and to provide more connectivity between uses where it is appropriate. The Department of Development Services, the Planning Committee, or the City Council may require the use of a landscaped buffer in lieu of or in addition to a transitional feature where such buffer is necessary to reduce potential adverse impacts between incompatible uses, or where a transitional feature is not feasible. Table 9.9.1. displays the situations in which transitional features are required or encouraged.

(2) In areas where a transition between different uses or building types is needed, one (1) or more of the following approaches shall be used:

- (a) Use setbacks that are within twenty-five percent (25%) of the average setbacks for existing uses on the same block provided that no new use is closer to the right of way than any existing use;
- (b) Ensure the façade width and height of structures on opposing sides of a street are consistent with each other such that neither façade exceeds the other's dimensions by more than twenty-five (25%) percent;

- (c) Graduate building height and mass in the form of building step-backs or other techniques so that structures with a higher intensity have a comparable scale with adjacent structures housing lower intensity uses;
- (d) Use similarly sized and patterned architectural features such as windows, doors, awnings, arcades, pilasters, wall offsets, building materials and other building articulations present on the lower intensity or existing use;
- (e) Locate off-street parking and service areas to the rear of structures, adjacent to similar site features on adjacent sites;
- (f) Avoid abrupt changes in roof form by using similar roof types, slopes, or arrangements on the developing site;
- (g) Orient primary building facades directly across from opposing primary facades regardless of use type; and
- (h) When dealing with multi-building developments, establish a continuum of use intensity where uses of moderate intensity are sited between high-intensity uses and lower intensity uses.

## **6.6 Open Space**

### **6.6.1 Purpose**

Open space adds to the visual character and uniqueness of each development and allows for recreational and aesthetic enjoyment by the residents. In the Agriculture/Open Space zoning district, open space is provided by land in agricultural use or floodplains. In the residential zoning districts, improved open space provides centrally located community gathering spots, and play spaces that are integral to the livability of the neighborhoods, while the preservation of natural areas ensures habitat. In the Mixed Use districts, a limited quantity of open space is required as relief from the intensity of the built environment. Except for Ownership and Management of Open Space, the requirements of this section do not apply to conservation subdivisions under Sec. 6.3.3, Conservation Subdivision.

### **6.6.2 Required Open Space**

Open space shall be required in all proposed uses of land which require development approval by the Planning Committee and/or City Council, in all districts except Agriculture/Open Space, Mixed Use Downtown, Regional Commercial and Industrial. The amount of open space shall be determined by applying the percentage shown in the development standards in Chapter 4, Zoning Districts, and Table 4.16, General Development Standards, to the total area of the property to be developed.

### **6.6.3 Use of Required Open Space**

Required open space may consist of any of the following, up to the maximum percent credit shown.

- (1) Naturally vegetated areas, including wooded areas, riparian buffers, floodways, and steep slopes: one hundred percent (100%)
- (2) Areas developed for active or passive recreational uses, including walking tracks, bike paths or trails, greenways, picnic areas, benches, shelters, play areas, common greens, plazas and courtyards: one hundred percent (100%)
- (3) Tree replacement areas, required buffer areas, required landscape areas: seventy-five percent (75%)
- (4) Stormwater detention or management areas: fifty percent (50%)

**6.6.4 Open Space Calculation:** Streets, driveways, vehicular use areas and required yard spaces provided for residences may not be counted toward the open space requirement.

**6.6.5 Ownership/Dedication:** Land set aside as open space in residential developments shall be held in common ownership or dedicated to the public rather than platted as part of individual private lots.

**6.6.6 Minimum Dimension:** Within the Mixed Use Downtown, Mixed Use Commercial Corridor, Mixed Use Residential, and Mixed Use Activity Center zoning districts, a horizontal dimension of at least ten (10) feet shall be the minimum required to be considered open space.

Within all other zoning districts, a horizontal dimension of at least twenty-five (25) feet shall be the minimum required to be considered open space.

**6.6.7 Useable Open Space Design General:** Useable open space shall constitute at least one-third (1/3) of the required open space, except in the Agriculture/Open Space district, where no useable open space shall be required. Areas designated as useable open space, other than walking paths and bicycle trails, shall have at least one (1) side with street frontage of at least fifty (50) feet in length, and shall be accessible by sidewalks.

**6.6.7.1** For developments proposing residential uses within the Mixed Use Commercial Corridor, Mixed Use Residential, and Mixed Use Activity Center zoning districts, useable open space shall be located so that ninety-five percent (95%) of the residential units in the subdivision or development are within a One thousand-three hundred (1,300) foot walking distance of an accessible, useable open space.

**6.6.7.2** For developments proposing residential uses within all other zoning districts, useable open space shall be located so that ninety-five (95%) of the residential units in the subdivision or development are within a two thousand (2,600) foot walking distance of an accessible, usable open space.

**6.6.8. Ownership and Management of Open Space:** Prior to approval of a final plat, a program for continued maintenance of all open space areas shall be submitted. The submission shall include agreements, contracts, deed restrictions, sureties, or other legal instruments acceptable to the City, as appropriate, to guarantee the provision and continued maintenance of such common areas and facilities.

**6.6.8.1** The open space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:

- (1) A permanent conservation easement in favor of either:
- (2) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements (the organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions). If the entity accepting the easement is not the City, then a third party right of enforcement favoring the City shall be included in the easement; or
- (3) A governmental entity with an interest in pursuing goals compatible with the purposes of this section acceptable to the City.
- (4) A permanent restrictive covenant for conservation purposes in favor of a governmental entity.
- (5) An equivalent legal tool that provides permanent protection, if approved by the City.
- (6) Dedication of the land to an established homeowner's association (with legal standing in the property) that accepts permanent maintenance responsibility.

**6.6.8.2** The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions contained in this Article, as well as any further restrictions the applicant chooses to place on the use of the open space.

**6.6.8.3** Open space that has been dedicated to an established homeowner's association may be transferred with a permanent conservation easement to a land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements pursuant to this section, if approved by the appropriate governing body.

## **6.7 Stormwater Management**

### **6.7.1. Purpose and Intent**

The purpose of this section is to provide adequate measures for the retention, detention, and distribution of stormwater in a manner that minimizes the possibility of adverse impacts on both water quantity and water quality during development and on adjoining properties during and after development.

### **6.7.2 Applicability**

This section applies to any application for subdivision plat, site plan, or development approval except as otherwise provided in this chapter. A stormwater report shall be provided as set forth in the City of Tupelo Design Standards and Construction Specifications for Streets, Storm Water, Sanitary Sewer and Water Distribution.

### **6.7.3 System Criteria**

**6.7.3.1 Design Conditions:** Stormwater management facilities shall normally be designed for proposed development. Three (3) development conditions shall be analyzed for each development as follows:

- (1) **Existing Conditions:** Current development conditions in the watershed and on site. Use as the baseline analysis for determining the impact of development.
- (2) **Proposed Conditions:** Existing conditions with the proposed development added. Use to determine if the increased run-off from the proposed development results in an adverse impact to other properties.
- (3) **Ultimate Conditions:** Ultimate development conditions within the watershed used to design the drainage facilities. Ultimate development conditions may be used in lieu of proposed conditions to determine if the increased runoff from the ultimate watershed development results in an adverse impact to other properties, or for projects located within designated watershed protection districts, at the discretion of the City Engineer.

### **6.7.4.2 Design Storm Event**

All drainage facilities shall be designed for a twenty-five (25) year storm. Facilities that are to convey drainage along the flooding source of a designated Special Flood Hazard Areas (SFHA) or one hundred (100) year floodplain as defined on the Flood Insurance Rate Maps (FIRM) must be designed using the one hundred (100) year (one percent (1%) chance) flood event.

### **6.7.4.3 Responsibility to Accept Stormwater**

The owner or developer of property to be developed is responsible for the conveyance of all stormwater flowing through the property. This responsibility includes stormwater flowing onto the property by any other developed property as well as the drainage naturally flowing through the property by reason of topography. Future upstream development shall be accounted for by assuming ultimate development when sizing drainage systems as specified in this section.

### **6.7.4.4 Level of Service for New Development/Redevelopment**

Peak stormwater run-off rates from all new development and redevelopment projects (due to zoning or re-platting) shall be less than or equal to the peak run-off rates from the site's predevelopment or existing conditions for the twenty-five (25) and one hundred (100) year design storm events. Special consideration may be given to developments that discharge runoff directly to major drainage ways such as creeks and streams, provided the increased runoff will not adversely impact the stream in question or adjoining properties.

#### **6.7.4.5 Low Impact Stormwater Management Design**

Use of low impact stormwater management, integrated management practices, and design features that are consistent with the practices described in *Low-Impact Development Design Strategies: An Integrated Design Approach* and *Low-Impact Development Hydrologic Analysis*, which are incorporated by reference and are referred to as the "LID Manuals", are encouraged by reference in the Plan Goals and Design Options Checklist, Section 12.4.6.

**6.7.4.6** Where applicable, compliance with the National Pollution Discharge Elimination System (NPDES) permit process is required.

### **6.8 Street Design and Transportation**

**6.8.1 Purpose:** These regulations are designed to:

- (1) Ensure that the design of streets conforms to the recommendations of the comprehensive plan;
- (2) Provide for the safety for both vehicular and pedestrian traffic;
- (3) Provide for livable residential and commercial environments;
- (4) Provide economy of land use, construction, and maintenance; and
- (5) Provide safe and efficient access to property.

#### **6.8.2 Intent**

Unlike the situation in traditional subdivision regulations, one intent of this section is to permit narrower street widths while requiring greater connectivity in order to more efficiently disperse traffic, to protect pedestrians from high vehicular speeds, and to enhance the streetscape. The City of Tupelo further finds and determines that street layout and design can have a very significant influence on the total imperviousness and hydrology of a site. Alternative road layout can result in significantly reducing imperviousness, reducing stormwater run-off, protecting water quality, and providing cost savings for developers and home buyers.

**6.8.3 Applicability:** This section applies to:

- (1) Any application for subdivision plat approval; and

- (2) Any application for site plan or development plan approval if no subdivision plat is required.

### 6.8.4 Classification

Classification of an existing or proposed street not already identified on the major street plan, for the purpose of determining the appropriate design of a roadway or development, or for the purpose of determining the appropriateness of a location for a proposed use, shall be done by the City Engineer. Pursuant to the major street plan, the following classification system, as described in Table 6.8, is adopted. Additional information on street classification and standards is provided in Appendix A, City of Tupelo Design Standards and Construction Specifications for Streets, Stormwater, Water Distribution, and Sanitary Sewer.

Type of Street	ROW Width, Ft. (min)	Pavement Width, Ft. (min)	Design Speed, mph	*Sidewalks Req'd	Curb & Gutter Req'd
Arterial	50-80	24	55	Yes	Yes
Major Collector	50-80	24	45	Yes	Yes
Minor Collector	50	22	45	Yes	Yes
Local	40	20	30	Yes	Yes
Alley	15	10	n/a	No	No

\*See exceptions to sidewalk requirements in section 6.8.7.2.

#### 6.8.4.1 Arterials

Arterials may be classified as either principal or minor, but for purposes of this manual and within the context of the City of Tupelo, no such separate distinction will be made. Arterials are defined as corridors generating the highest traffic volumes with the longest trip desires and are commonly referred to as major thoroughfares. The arterial system generally will consist of multiple lanes of traffic, will serve the major centers of activity and will be the primary routes entering and leaving the urban area as well as providing routes for intra-area travel, such as between business districts and outlying residential areas. Gloster Street, Main Street and McCullough Boulevard are examples of arterials within the City of Tupelo. For design considerations of this manual all arterials within the City of Tupelo will be assumed to carry five percent (5%) heavy truck traffic.

#### 6.8.4.2 Collectors

The collector system provides land service access and traffic circulation within business districts, residential neighborhoods and industrial areas. A collector gathers traffic from within specific land use zones and distributes it to the arterial system. Collectors within the City of Tupelo may be classified as either major or minor. Major collectors function as primary routes between land use zones and tie directly into the arterial system. They will carry high volumes of traffic (ADT > 2,000) both commercial and residential. Green Street, Thomas Street and West Jackson Street

are examples of major collectors within the City of Tupelo. For design purposes of this manual all major collectors within the City of Tupelo will be assumed to carry two percent (2%) heavy truck traffic unless the designer is directed to accommodate a higher or lower percentage by the city engineer. Minor collectors generally serve outlying residential and smaller confined business districts. They will distribute traffic between neighborhoods and major collectors carrying less volume (ADT < 2,000) than a major collector. They may or may not tie into the arterial system. Butler Road, Lakeshire Drive and Wilson Street are examples of minor collectors within the City of Tupelo. Heavy truck traffic will be considered negligible on minor collectors unless special consideration is ordered by the city engineer.

#### **6.8.4.3 Local Streets**

Local streets comprise all facilities that cannot be categorized into one of the other two classifications. These include mainly residential streets within distinct neighborhoods and subdivisions. They function to distribute traffic to the collector system and beyond and will often carry very low traffic volumes (ADT < 400). Except for industrial districts, local streets will be assumed to carry no truck traffic. In newly developed subdivisions local streets shall be designed so that blocks do not exceed one thousand-five hundred (1,500) feet in the Agriculture/Open Space zoning district, one thousand (1,000) feet in length in the low-density residential zoning district, or seven hundred-fifty (750) feet in other residential zones unless severe topographic constraints or other unusual features make an excessive length necessary. Connections between streets shall be created in such a way that they do not encourage the use of such streets by substantial through traffic. A local street open at only one (1) end should have a cul-de-sac turn around at the closed end. Such dead end streets should be kept to minimum length as possible and in no instance should a dead end street exceed six hundred (600) feet in length.

#### **6.8.4.4 Alleys**

Alleys are small, low volume streets that provide access to the side or rear of individual parcels of land in medium to high density residential and commercial areas. They are categorized separately from local streets in that they are intended, in many cases, to serve only a few individual parcels. In commercial districts they may be used primarily for loading and unloading of goods and other materials. In residential districts they may serve as few as two (2) or (3) three separate homes and provide a safer alternative to on street parking on the primary local and collector routes. Alleys are generally intended for one way traffic only. Alleys for rear vehicle access are required in traditional housing developments. Dead end alleys may be permissible in certain situations and where allowed should be equipped with a turn around. Minimum design criteria for turnarounds are shown on Figure 1.D of the Appendix. Because of their intended use the geometric criteria for their design will be somewhat less intrusive than that of a local street and is illustrated in Figure 1.D of the Appendix.

**6.8.4.5 Factors to be Considered:** In determining the classification of a street, factors to be considered include the following existing or proposed features:

- (1) Facility geometrics, including the number and width of traffic lanes, turning lanes, and parking lanes;

- (2) Access conditions, including any restrictions on access, the spacing of private accesses, and average lot frontages;
- (3) Traffic characteristics, including average daily traffic, percentage of trucks, average operating speed, percentage of turning movements, origin-destination characteristics of the traffic, and peak-hour characteristics of traffic; and
- (4) Adjacent land uses.

**6.8.4.6 Geometric Design:** Interior streets within the subdivision or development parcel shall conform to the standards described in Table 6.8. and the City of Tupelo Design Standards and Construction Specifications Manual.

### **6.8.5 Street Names and Signage**

**6.8.5.1** Names of new streets shall not duplicate the names of existing streets unless the new street continues or aligns with an existing street. All new street names shall be submitted to and approved by the U.S. Postal Service and Lee County E911 office.

**6.8.5.2 Street Name Signs:** Street name signs shall be installed at all intersections within and abutting the subdivision. Such signs shall be manufactured and installed by the subdivider in accordance with specifications of, and subject to plan reviews and inspections by, the Director of Public Works. Street name signs shall not be accepted by the City of Tupelo until the street has been accepted for maintenance by the City of Tupelo, unless approved by the Director of Development Services in order to provide mail service.

**6.8.5.3 Warning and Regulatory Traffic Signs:** Within the City of Tupelo limits, warning and regulatory traffic signs shall be installed within and abutting the subdivision in accordance with the Manual of Uniform Traffic Control Devices.

**6.8.5.4 Street Lights:** Street lights shall be provided in all subdivisions within the City of Tupelo. Street lights shall conform to the City of Tupelo Design Standards and Construction Specifications manual.

### **6.8.6 Private Streets**

**6.8.6.1 Applicability:** Private streets are permitted within commercial or residential subdivisions in any district.

**6.8.6.2 Private Street Geometric Design:** The design standards and construction specifications of private streets shall be the same as for public streets.

**6.8.6.3 Certification:** Upon completion of construction, the Director of Development Services shall be provided with a written certification signed by a professional engineer, certifying that the private streets and sidewalks were designed and installed as required by this section.

**6.8.6.4 Maintenance:** Private streets and sidewalks shall be owned and maintained by a Home Owners Association (HOA), a community association, or other legal entity established for this purpose.

**6.8.6.5 Gated Subdivision Streets:** Gates may be placed on private streets only.

**6.8.6.6 Pavement Management:** The applicant shall include with the HOA documents a forecast and schedule of street maintenance costs prepared by a professional engineer. A maintenance account with seed money shall be established by the developer to enable the HOA to meet the maintenance schedule until the HOA is self-sufficient. Any HOA requesting that the City of Tupelo acquire their private streets shall produce documentation that the maintenance schedule set forth in the HOA's original pavement management plan as part of the HOA documents has been followed.

**6.8.6.7 Fire Lanes:** The HOA documents shall require the HOAs to identify and enforce a no-parking restriction in fire lanes throughout the community.

**6.8.6.8 Master Key Security System:** A master key security system shall be provided on all gates. The security system shall include the following:

- (1) A gate override in case of power failure; and
- (2) A master key provided to the fire department, the school district, and the police department.

## **6.8.7 Sidewalks**

**6.8.7.1 Applicability:** Sidewalks are required on both sides of all internal streets and the subdivision side of all adjacent or perimeter streets, except as specified below. Reverse frontage lots shall have sidewalks provided on both street frontages.

**6.8.7.2 Sidewalk Exceptions:** The planning commission may waive all or part of the sidewalk requirements in the following situations:

- (1) When the Director of Development Services determines that the sidewalks will interfere with or disrupt drainage;
- (3) The Director of Development Services determines that public construction that requires sidewalk replacement will take place on the street within three (3) years; and
- (4) In single (1) or two (2) family residential subdivisions with a density less than one (1) dwelling unit per acre.

### **6.8.7.3 Payment in Lieu of Sidewalk Construction**

The requirement of sidewalks on any proposed development where no sidewalks are existing to connect with may be met by a payment in lieu of twenty-five dollars (\$25) per linear foot of right of way frontage, at the applicant's option. The city of Tupelo shall apply all such payments in

lieu to construction of sidewalks in areas of the city where the existing sidewalk system can be extended or completed.

**6.8.7.4. Location:** The field inspector may approve changes in the sidewalk location for a maximum linear distance of two hundred (200) feet without amending the street plan or utility layout provided if the plans are annotated with a note stating that intent. During the plat review process, reviewing agencies may designate areas where prior approval of the agency is necessary for any alteration to the sidewalk location. No other changes are permitted without the approval of all agencies that approved the original utility layout.

**6.8.7.5. Continuity:** Sidewalks shall align vertically and horizontally with abutting sidewalks. Sidewalks shall not be installed in such a manner that they conflict with or are obstructed by power lines, telephone poles, fire hydrants, traffic/street signs, mailboxes, trees, buildings, barriers, light poles, or any other structure. The grades of sidewalks shall be such that changes of grades greater than ten (10%) percent are not encountered within blocks. When there is an existing or anticipated obstruction, the sidewalk shall be installed around the object and shall provide the required sidewalk width. When utility layouts are required as part of a plat, the location and extent of sidewalks within the subdivision shall be shown on the utility layout and shall be subject to the approval of the Director of Development Services and the utility agencies.

### **6.8.8 Access and Driveways**

**6.8.8.1 Applicability:** This section applies to all driveways. A lot that is recorded in the Lee County tax roll as of the effective date of this section, and which does not have sufficient frontage to meet the driveway approach spacing requirements in this section, is allowed one (1) driveway approach.

**6.8.8.2 Single Family Residential Subdivision:** Lots occupied by single-family dwelling units shall not front on a collector or arterial streets except as provided below. Access points that permit vehicular access lots subject to this subsection are prohibited.

(1) **Exceptions:** The subsection above does not apply if:

- (a) The lot is at least one (1) acre in size; and
- (b) The lot includes a permanent vehicular turnaround to prevent backing onto the collector or arterial street. This restriction shall be noted on the plat.
- (c) If conditions are such that vehicular access to such lots cannot be provided other than from the collector or arterial street, the Director of Development Services may permit the creation of a marginal access street or easement to serve two (2) or more lots. The marginal access street or easement shall be designed to permit entry to the thoroughfare without requiring a motorist to execute a backing maneuver. Marginal access streets or easements shall be included on the subdivision plat.

**6.8.8.3 Nonresidential, Multifamily, or Mixed-Use Developments:** Lots that are not used for single-family or duplex dwellings, are permitted vehicular access from a collector or higher-order

street subject to this section. The number of access points shall not exceed one (1) for every two hundred (200) feet of frontage. Developments that are intended to be subdivided into multiple parcels, with or without multiple business owners, will be viewed as a single development/business enterprise and will be subject to the requirements of this section as such. Individual parcels within such developments shall not be permitted access unless the access point meets the requirements of this section.

**6.8.8.4 Cross Access:** All lots in commercial or mixed-use zoning districts that front an arterial or collector street shall provide an access connection to abutting parking areas that is at least twenty-two (22) feet in width. The applicant may grant a common access easement across the lot or recorded deed covenant providing common access across the lot with adjacent lot or lots as a traffic mitigation measure in support of a traffic special use permit as provided in Section 12.6. Where adjacent land is vacant, a stub for future cross access shall be provided.

**6.8.8.5 Location of Access Points:** The location of access points shall be based on the following criteria:

- (1) The access point shall not conflict with vehicle turning movements; and
- (2) The access point shall be located at least one hundred twenty five (125) feet from an intersection. On collector or higher-order streets in a commercial zoning district, the driveway approaches shall be separated by a distance of at least ninety percent (90) of the frontage length, or one hundred-twenty-five (125) feet, whichever distance is less.
- (3) Exceptions may be approved if the property would otherwise be landlocked. If an exception is approved, the access will be right-in/right-out only and may not be allowed closer than fifty feet from the near edge of the intersecting street.

**6.8.8.6 Alignment:** Access points shall align with opposing driveway approaches, if any, or shall be offset by at least one hundred-twenty-five (150) feet. The Director of Development Services may waive this requirement if the applicant provides a cross access as provided above.

**6.8.8.7. Width:** Non-residential driveways shall be a minimum fifteen feet in width and a maximum of thirty-five feet in width, except where access is controlled by the Mississippi Department of Transportation, and except where the City Engineer approves a width up to fifty feet for sites requiring truck access.

Residential driveways shall not exceed twenty five percent (25%) of the street frontage width. More than one driveway entrance may be used as long as the total width is not exceeded.

**6.8.8.8 Appeals:** Appeals of staff decisions regarding access may be appealed to a review board consisting of the City Engineer, Director of Development Services, Director of Public Works, Fire Chief, and Director of Water and Light, or their designees.

## 6.9 Utilities

**6.9.1 Utilities:** This section provides for design and construction policies and standards for utility and transportation infrastructure, capital improvements projects, public facilities, and development projects that reinforce neighborhood centers and provide diverse, pedestrian-friendly neighborhoods. It encourages utility and telephone line locations to be in the rear of property, underground, or otherwise give aesthetic and economic consideration to alternative locations.

**6.9.2 Applicability:** This section applies to all persons, and political subdivisions of the state, designing or installing or causing to be designed or installed the following:

- (1) Sanitary sewers;
- (2) Storm sewers;
- (3) Water transmission or distribution lines;
- (4) Electric power lines, including those that provide incentive to and encourage the use of solar and other renewable energy sources;
- (5) Telephone lines; Natural gas lines;
- (6) Cable television lines; and
- (7) Rain water capture systems.

**6.9.3 Easements:** Easements shall be provided for the utilities set forth above. Easement widths shall comply with the City of Tupelo Design Standards and Construction Specifications manual.

**6.9.4 Central Water and Sewer Required:** The proposed development shall connect to the City of Tupelo Water and Sewer System, except as provided in Private Water System a water supply and distribution system is not required for subdivisions that meet all of the following conditions:

- (1) The subdivision is located outside the service area included within the City of Tupelo Water and Sewer Master Plan;
- (2) Each lot has a minimum size of two (2) acres;
- (3) A potable groundwater supply that meets the Mississippi or Lee County Health Department drinking water standards underlies each lot, and such water is available in sufficient quantity to furnish the domestic water needs of the improvements to be constructed on the individual lots within the subdivision; and
- (4) The plat of the subdivision is annotated with the following note: *I certify to the best of my knowledge that at the time of planning committee approval, a potable groundwater supply that meets the current standards as established by the Mississippi or Lee County Health Department for drinking water underlies each lot, and such water is of sufficient quantity*

*to supply the domestic needs of the improvements to be constructed on the individual lots within the subdivision. Each individual property owner is responsible for the construction of an individual water well that is in compliance with the rules and regulations of the Mississippi or Lee County Health Department. Professional Engineer Sworn and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_ [YEAR]. Notary Public*

**6.9.5 Private Wastewater System:** Connection to a central sanitary sewer system is not required for a subdivision that complies with the following conditions:

- (1) The subdivision is located outside the service area included within the City of Tupelo Water and Sewer Master Plan;
- (2) Connection to a central sanitary sewer system will require unreasonable expenditure when compared with other methods of sewage disposal. Such cost estimates shall be prepared by a professional engineer and shall be approved by the Public Works Director; and
- (3) The Mississippi or Lee County Health Department approves the onsite sewage disposal system.

## **6.9.6 Easements**

### **6.9.6.1 Generally**

**6.9.6.2** Easements are permitted for a specific purpose when requested by a particular utility. Such specific use easements shall be a part of a lot or lots unless designated to be converted into a public street right-of-way. Easements may be designated to be converted into a public street right-of-way on a subsequent plat without vacating and re-platting. Such easement shall be annotated with the following note: *Easement to expire upon incorporation into a platted public street right-of-way.*

**6.9.6.3 Use of Easements:** If the owner of the property upon which a utility easement is located desires to use it for lawn purposes, fencing across the easement is permitted if gates along the side lot lines are provided. The gates shall be sixteen (16) feet wide (two (2) eight (8) foot gates) and shall be capable of being opened and closed at all times. The gates shall remain unlocked at all times. The property owner is responsible for the maintenance of the unused easement area even though it may be located beyond the rear fence of the property.

**6.9.6.4 Maintenance:** The property owner shall maintain the utility easement. The property owner shall keep the area clear of any structure, debris, vegetation, trees, shrubs, or landscaping, except that lawn grass that is regularly mowed is permitted.

**6.9.6.5 Connection of Easements:** Where utility easements are not straight within each block, or if they do not connect on a straight course with the utility easements of abutting blocks, an additional easement shall be provided for the placing of guy wires on lot division lines in order to support poles set on curving or deviating rights-of-way or alleys.

**6.9.6.6 Structures Within Easements:** No portion of a structure shall be placed within an easement, except for fences, as provided in Section 7.5, Fences and Walls, of this Code.

**6.9.6.7 Overhang Easements:** Alleys shall include overhang easements for electric and telephone lines of at least four (4) feet on each side of the alley strip with a minimum height of eighteen (18) feet.

**6.9.6.8 Developments Outside City of Tupelo:** Developments outside the corporate limits of the City of Tupelo may be served with City sewer and/or water service provided that:

- (1) The developer of the project executes a development agreement with the City of Tupelo which includes a request that the City annex the property, and;
- (2) The project meets all City of Tupelo infrastructure specifications and physical development standards, based on submittal of construction plans for city review, approval, inspection and acceptance.

## **6.10 Infill Development**

**6.10.1 Applicability:** This section shall apply to any residential or non-residential development located on a site of two (2) acres or less that is surrounded on all sides by existing development of the same general type. Development of parcels in compliance with the standards of this section shall not be required to obtain variance under the provisions of Section 12.16. Infill development on sites greater than two acres shall be reviewed under the provisions of Sections 12.4.2 and 12.4.3.

**6.10.2 Lot Width:** The minimum width of a lot shall be the smaller of the average width of adjacent lots fronting on the same block; or the average of the widths of all other lots fronting on the same block.

### **6.10.3 Setbacks**

**6.10.3.1** The minimum front setback shall be the average front setback of the two (2) adjoining parcels, if both parcels are developed and share the same zoning district as the parcel proposed for development; or

**6.10.3.2** The average front setback of all developed parcels in the same block face and the same zoning district as the parcel proposed for development, if either of the adjoining parcels is not developed.

**6.10.3.3** Side setbacks shall not be less than the side setback of adjoining developed property.

**6.10.4 Landscaping:** Infill development shall continue the pattern of street trees that has been established on parcels within one hundred-fifty (150) feet of the parcel to be developed.

**6.10.5 Buildings:** The context area for standards in this section shall consist of the same property, adjacent properties, and other properties facing the same street segment.

- (1) New construction shall not exceed the average building width for existing structures in the context area by more than twenty-five percent (25%), unless a building articulation of at

least six (6) feet in depth at a point that matches the average building width in the context area is provided.

(2) The maximum height of new buildings shall not exceed the lesser of the following:

- (a) The maximum height permitted by the zoning district; or
- (b) Twenty-five percent (25%) above the height of any adjacent structure, except for those portions of the new or modified structure that lie more than twenty-five (25) feet from the existing adjacent structure.

**6.10.6 Vehicular Access:** The placement, orientation and access of garages and parking areas shall match the prevailing characteristics of similar structures in the context area.

**6.10.7 Post Disaster Infill:** In the event of a natural or man-made disaster in which a substantial portion of existing structures are destroyed or substantially damaged, the City Council may, on the recommendation of the Director of Development Services, designate districts in which new development or reconstruction:

- (1) May maintain the prevailing development standards prior to the disaster;
- (2) Shall maintain the prevailing development standards prior to the disaster; or
- (3) Shall meet the current development standards of the applicable zoning district(s).