

## SECTION 12

### B-5 HIGHWAY BUSINESS DISTRICT

#### A. GENERAL DESCRIPTION

This highway business district is established to provide areas in which the principal use of land is devoted to commercial establishments which cater specifically to the needs of motor vehicle oriented trade. The intent of this district is to provide appropriate space and sufficient depth from the street to satisfy the needs of modern commercial development where access is entirely dependent on motor vehicle trade; and to encourage the development of these locations with such uses and in such a manner as to minimize traffic hazards and interference with other uses.

#### B. USES PERMITTED

The following uses shall be permitted in the B-5 Highway Business District:

1. Any use permitted in a B-4 General Business District.
2. Souvenir shop, roadside stand, and curio shops.
3. Garden center, greenhouse, and nursery.
4. Mobile home sales and service.
5. Prefabricated and shell house sales.
6. Auction house.
7. Recreational uses, such as: amusement parks, bowling alleys, roller skating rinks, archery ranges, miniature golf courses, golf driving ranges, and other similar recreational uses.
8. Signs as regulated in Title 14 of the Official Code of the City of Jackson.
- \*9. Open storage and display of merchandise provided that:
  - 1) Sufficient information is given to determine where the storage and display will be performed;
  - 2) Sufficient information is given to determine that parking and traffic flow will not be adversely affected by the location of open storage and display; and
  - 3) Sufficient information is given to determine that yard requirements, setbacks and other zoning requirements are being complied with.

\*Approved: 8/1/01

10. Limited bulk plant gasoline facilities, provided the following conditions are met:
  - a. All bulk liquids are stored in underground tanks.
  - b. The handling of bulk liquids must be in conjunction with a gasoline service station, utilizing the same storage tanks.
  - c. Vehicles used in the redistribution of bulk gasoline shall not exceed a capacity of one thousand five hundred (1,500) gallons.
  - d. The use must be approved by the Jackson Fire Prevention Bureau and be in accordance with all provisions of the Fire Prevention Code as adopted. In granting approval the Fire Prevention Bureau may impose additional restrictions that may be needed in the interest of the public welfare.

11. Residential Dwellings

- a. New construction shall comply with the area regulations set forth in the RG-3 (General Residential) District.
- b. Conversion of existing building shall be permitted after a review and a public hearing by the Board of Zoning Appeals. The Board, in it's review, shall consider such things as parking, condition of buildings, compatibility of proposed conversion with surrounding development, access to structure, fire protection, utilities, and number of units appropriate for the site.

\*12. Group Day Care Homes and Child Care Centers as herein defined and regulated in Article VI, Section 10.

13. Other uses similar in character to those enumerated above and which in the opinion of the Board of Zoning Appeals will not be injurious to the District.

\*Revised: 10/10/89

C. USES PERMITTED AS SPECIAL EXCEPTIONS

Following public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit, as special exceptions:

- \*\*\*\*\*1. Any use permitted as a special exception use in the B-4 (General Business) District.
  - 2. Light manufacturing and processing plants.
  - \*\*3. Mini-warehouses as regulated in Article VI, Section 21.
  - \*\*\*4. Wholesale and distribution establishments involving over 5,000 square feet of storage of wares to be wholesaled or distributed.
  - \*\*\*5. Automobile and Equipment Part Recycling Operations as defined and regulated in Article VI, Section 22.
  - \*\*\*\*6. Adult entertainment and recreation establishments as regulated in Article VI, Section 24.
- \*\*\*\*\*7. Commercial Mobile Communications Services (CMCS), as regulated by Article VI, Section 26.

D. PROHIBITED USES AND STRUCTURES

The following uses are prohibited in the B-5 (Highway Business) District:

- 1. Dwelling units except as provided under “Uses Permitted”.
- 2. Manufacturing uses except as provided under “Uses Permitted on Review”.

\*\*Revised: 8/23/85

\*\*\*Revised: 8/6/96

\*\*\*\*Revised: 12/3/96

\*\*\*\*\*Revised: 1/5/99

\*\*\*\*\*Revised: 3/4/99

3. Junk yards and salvage yards.
4. Bulk storage of flammable materials, except as provided under “Uses Permitted”.
5. All uses and structures of a nature that in the opinion of the Board of Zoning Appeals would be injurious to the district.

#### E. AREA REGULATIONS

The following requirements shall apply to all uses permitted in this district:

##### 1. Lot Area

- a. For those areas served by a sanitary sewer system, there shall be a minimum lot area of not less than ten thousand (10,000) square feet.
- b. For those areas not served by a sanitary sewer system, the lot area requirements shall be determined by the planning commission based on recommendations by the Health Department, but in no case less than ten thousand (10,000) square feet.

##### 2. Front Yard

All buildings shall be set back from the street right-of-way lines not less than fifty (50) feet. However, if a building or buildings on an adjoining lot or lots provide front yards less than fifty (50) feet in depth, a front yard equal to the average of adjoining front yards may be provided, but in no case shall a front yard be less than twenty-five (25) feet, except with the approval of the Board of Zoning Appeals.

##### 3. Side Yard

The width of any side yard which abuts a residential district, shall be not less than twenty-five (25) feet. In all other cases each side yard shall be not less than twelve (12) feet.

##### 4. Rear Yard

Each lot shall have a rear yard of not less than ten (10) feet; where a commercial building is serviced from the rear there shall be a rear yard not less than thirty (30) feet, the depth of a rear yard which abuts a residential district shall be not less than thirty (30) feet.

5. Lot Width

Each lot shall have a width at the front building line of not less than seventy-five (75) feet.

6. Maximum Lot Coverage

The maximum lot area which may be covered by any principal and accessory building shall not exceed forty percent (40%).

F. HEIGHT REGULATIONS

No building shall exceed ten (10) stories except as provided in Article VI, Section 6 and subject to the following conditions:

1. The maximum height of a structure at the building line shall be two (2) times the distance the structure sets back from the side and rear property lines, not to exceed ten (10) stories.

2. A light plane shall be established as follows:

a. The plane will extend from the maximum height at the building lines in a forty-five (45) degree angle to intersect a horizontal line drawn at the maximum allowed height of ten (10) stories and parallel with the base ground elevation.

b. No part of the structure shall extend beyond the established light plane except as provided in Article VI, Section 6.

G. OFF STREET PARKING

As regulated in Article VI, Section 14.

\*H. LANDSCAPING REQUIREMENTS

As regulated in Article VI, Section 23.

\*Approved: 12/3/96

**\*I. CIVIC MASTER PLAN SUBAREAS/REDEVELOPMENT AREAS DESIGN REVIEW**

All new construction, and any major additions, renovations, restorations, or modifications to the exterior of existing structures, other than normal maintenance, shall be subject to the review and approval of the Planning Commission prior to any permit being issued. Said proposals to the Planning Commission shall be consistent with the procedures and design specifications set forth in the “East Jackson and Downtown Core Urban Areas Design Guidelines”.

**END OF ARTICLE V, SECTION 12 B-5.**

\*Approved: 8/4/09 & 9/1/15