PANOLA COUNTY, MISSISSIPPI
LAND USE DISTRICT ORDINANCE

Prepared by: Panola County Land Development Commission

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APPROVED BY B.O.S.

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1. ARTICLE I – TITLE AND PURPOSE

a. Title - This ordinance shall be known as the "Panola County Land Use District Ordinance" and may be so cited.

b. Purpose - The purpose of this ordinance is to:

1. Serve the public health, safety, and general welfare of Panola County.
2. Classify property in a manner that reflects its suitability for specific uses.
3. Promote stable, attractive development within the county.
4. Promote the economic development of the county.
5. Conserve the value of land as a sound investment.
6. Encourage compatibility of adjacent land uses.
7. Protect environmentally sensitive areas.
8. Further the goals and policies of Progress Panola. Growth & Development.

c. Interpretation

In interpreting and applying the provisions of this ordinance, the said provisions shall be held to be the minimum requirements for promotion of public health, safety, and general welfare, and where this ordinance imposes greater restrictions than are required by other ordinances or statutes, the provisions of this ordinance shall govern, and where other ordinances or statutes impose greater restrictions than this ordinance, they shall govern.

d. General Repealing Clause

All ordinances or parts of ordinances which are in conflict with or inconsistent with this ordinance are herewith repealed.

e. Severability Clause

If, for any reason, should any section of the provisions of this ordinance be declared by the courts to be unconstitutional or invalid such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

f. Definitions of Words and Phrases

i. Rules for Words and Phrases

For the purpose of these land use regulations, certain words or terms used herein shall be interpreted as follows:

1) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2) The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3) The word "shall" is mandatory, the word "may" is permissive.
4) The words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied".
5) The word "structure" includes the word "building" as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground.
6) The word "land" includes "marsh" or "swamp".

ii. Definitions

(1) Accessory Use or Structure: A use or structure of a nature customary, incidental, and subordinate to the principal use and structure and, unless otherwise provided, on the same premises or on an identical lot in same ownership.

(2) Administrative Official: The person or persons appointed or designated by the Board of Supervisors, upon recommendation of the Land Development Commission, to administer this ordinance whether their title be Building Official.

(3) Adult Entertainment: Means adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, and adult theater. (Definitions may be added for each of the listed items).

(4) Alteration or Altered: Any change in the size, shape, occupancy, character, location, or use of a building or structure.

(5) Board of Supervisors: The Panola County Board of Supervisors.

(6) Board of Land Use District Adjustment: The Panola County Land Development Commission shall act in this capacity and shall have all the powers and duties enumerated in Article 5, Administration and Enforcement.

(7) Buffer Area: An area set aside to remain open and vacant and to be planted and landscaped to reduce the blighting effect of commercial or industrial uses adjacent to residential districts.

(8) Building: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property. The foundation shall also be considered an integral part of the building or structure.

(9) Building Area of a Lot: That portion of a lot bounded by the front setback line and the required side and rear building setbacks upon which a structure may be placed.

(10) Buildable Width: Width of the building site or lot remaining after the required yards have been provided.

(11) Building Code: Any or all of the building or construction codes, as amended, which have been adopted by the Board of Supervisors.

(12) Building Height: The vertical distance measured from the average ground elevation to the highest point of the roof.

(13) Building Permit: A permit issued by the administrative official for the construction or alteration of any building or structure.

(14) Building Setback Line: The setback line from the street or road right-of-way established by this ordinance beyond which a building shall not extend.

(15) Land Commission**:** The Panola County Land Development Commission as appointed by the Board of Supervisors.

(16) Coverage: The percentage of the lot area which is occupied by any building, structure, or part thereof.

(17) Conforming Use: Any lawful use of a building, structure, or premises which complies with the provisions of this ordinance.

(18) District, Land Use: A portion of the county within which specific regulations apply pursuant to the provisions of this ordinance.

(19) Dwelling: A building, or portion thereof, designed and used exclusively for residential occupancy, but not including a tent, seasonal quarters, mobile home, or a room in a hotel, motel, or boarding house.

(20) Dwelling, One Family: A detached building designed, arranged, used for, or occupied exclusively by one family.

(21) Dwelling, Two Family: A detached building designed, arranged, used for, or occupied exclusively by two (2) families living independently of each other.

(22) Dwelling, Multiple Family: A building or portion thereof used or designated as a residence for three (3) or more families as separate housekeeping units, including apartments and apartment hotels.

(23) Easement: A right distinct from the ownership of the land permitting the crossing of private property with facilities such as sewer, water, gas, power, or telephone, or gaining access to other property or utilities.

(24) Family: An individual or two or more persons related by blood, marriage, or adoption, maintaining a common household in a dwelling unit.

(25) Home Occupation: An occupation conducted entirely in a dwelling unit provided that:

a) The use is customarily and traditionally considered by residents of the county to be a home occupation.

b) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes and shall under no circumstances change the residential character thereof.

c) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one (1) square foot in area, non-illuminated, mounted flat against the wall of the principal building.

d) No home occupation shall be conducted in any accessory building.

e) No home occupation shall occupy more than fifty (50) percent of the first-floor area of the residence.

f) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

g) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.

(26) Junk Yard, Salvage Yard, or Open Storage**:** A lot, parcel of land, or structures or part thereof, used primarily for the collection, storage, and sale of waste paper, rags, furs, hides, scrap metal, or discarded material, or for the collecting, dismantling, storage, or salvaging of machinery or vehicles not in running condition, or for the sale of parts thereof.

(27) Loading Space, Off-Street**:** Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

(28) Lot: A piece, parcel, or tract of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings or utilized for a principal use and uses accessory thereto, together with such open spaces as required by this ordinance, and having frontage on a public street.

(29) Lot Area: The computed area contained within the lot lines.

(30) Lot Depth: The mean horizontal distance between the front and rear lot lines.

(31) Lot Frontage: The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots

and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards in this section.

(32) Lot Lines**:** The property lines bounding the lot:

a) **Lot Line, Front:** The property line separating the lot from the street right-of-way.

b) **Lot Line, Rear:** The lot line opposite and most distant from the front lot line.

c) **Lot Line, Side:** Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

(33) Lot of Record: A lot which is a part of a subdivision or survey, the map of which has been recorded in the office of the Chancery Clerk of Panola County.

(34) Manufactured Home: A structure defined by, and constructed in accordance with, the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, and manufactured after June 14, 1976.

(35) Mobile Home: A structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended. It is a structure that is transportable in one or more sections, that, in traveling mode, is eight (8) body feet or more in width and thirty-two (32) body feet or more in length, or when erected on site, is two hundred fifty-six (256) or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation when connected to the required utilities, and includes any plumbing, heating, air conditioning, and electrical systems contained therein.

(36) Modular Home: A factory assembled movable dwelling designed and constructed to be transported by another vehicle, built with a pitched, shingled roof, and underpinned with masonry materials, for permanent occupancy with the necessary service connection for required, sometimes referred to as double wide. The minimum size of such dwellings shall not be less than 960 feet in heated area and a minimum of 24' wide.

(37) Mobile Home Parks**:** Any lot, parcel or premises, subdivided, designed, maintained, intended or used for the purpose of supplying a location or accommodation for mobile homes; or any lot, parcel or premises on which is parked, standing or located two or more mobile homes for a longer period than

twenty-four (24) hours or on which one or more mobile homes are connected to either electrical lines or water or sewer pipes. For the purpose of this ordinance any lot or premises used for the wholesale or retail sale of mobile homes shall not be included within this definition.

(38) Motel: A building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which at least a portion of the rooms are directly accessible from a public or private right-of-way, from a parking lot or space or from the exterior of the as such. It is open to the public in contradistinction to a boarding house or apartment.

(39) Nonconforming Use: The use of a building or lot which does not comply with the provision of this ordinance.

(40) Nursery: Any portion of a building or lot used for the cultivation, growing of shrubs, plants and/or trees for the purpose of sale.

(41) Nursery School: A building used exclusively or in part for the daytime care and education of pre-school children, and including all accessory buildings and play area.

(42) Office Building: A building designed for and used as offices for professional, commercial, industrial, religious, public or semi-public persons or organization, providing no tangible product is sold on the premises.

(43) Parking Space, Off-Street: For the purpose of this ordinance, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides; together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated to no parking or maneuvering incidental to parking shall be on any public street.

(44) Land Development Commission**:** The duly appointed commission appointed by the Panola County Board of Supervisors.

(45) Premises**:** Land together with structure or structures occupying same.

(46) Public Building**:** A building owned or used exclusively by the city, county, state or federal government.

(47) Public Utility**:** Any person, firm, corporation, municipal department, or board duly authorized to furnish such public services as electricity, gas, water, sewer, telephones, telegraphy, transportation, or other services to its subscribers or customers.

(48) Semi-Public Building**:** Any building whose principal purpose is for religious, educational or charitable usage.

(49) Sign (Outdoor Advertising): Any means of identification, description, display or illustration affixed onto some structure of its own or onto some other structure and advertising an object, product, person, place, activity, institution or business.

(50) Special Exception: A special exception, as used in this ordinance, is granted by the Land Development Commission and is limited to those special exceptions specifically set forth in this ordinance. A special exception is a use that would not be appropriate generally or restriction throughout the land use district but which, if controlled as to number, area, location or relation to neighborhood, would promote the public safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

(51) Variance**:** A variance is a relaxation of the terms of the ordinance by the Land Development Commission where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, areas, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the land use district or uses in an adjoining district.

(52) Vegetable or Fruit Stand**:** A temporary structure with a floor area of not more than 400 square feet, unenclosed or partially enclosed, and so designed and constructed to be easily portable, whose exclusive use is for the temporary sale of fresh vegetables and/or fruits.

(53) Yard: The open space at grade between a building and the adjoining lot lines:

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

b) Yard, Rear: A yard extending across the rear of a lot measured between inner side yard lines and being the minimum distance between the rear lot lines and the rear of the main building. On

both corner lots and interior lots the rear yard will in all cases be at the opposite end of lot from front yard.

c) Yard, Side: A yard between the building and the side lines of the lot unoccupied and unobstructed by any portion of a structure from the ground upward and extending from the front building line to the rear lot line and being the minimum distance between a side lot line and the outside wall of the main building.

(54) Land Development Administrator: The official or officials designated by the Board of Supervisors of Panola County to administer this Ordinance (see also "Administrative Official").

(55) Wastewater Specialist: The practice of soil principles, flow rates, system design for Individual Onsite Wastewater Disposal Systems (appointed by B.O.S.).

2. ARTICLE II — LAND USE DISTRICTS AND MAP

a. Land Use Districts

Panola County is hereby divided into "Land Use Districts", of which there are six, known as:

1. **A-Agriculture District**
2. **R-1 — Low Density Residential District**
3. **C-1 — Commercial District**
4. **I — Industrial District**
5. **Planned Unit Development District**
6. **Flood Plain District**

b. Land Use District Map (actual map attached to the front of ordinance)

1. The Land Use Districts set forth are delineated on a map entitled "Official Land Use District Map of Panola County, Mississippi". The Land Use District map is hereby adopted by reference and declared to be a part of this ordinance.
2. The Official Land Use District Map shall be signed by the President of the Board of Supervisors and attested to by the Chancery Clerk. The Official Land Use District Map shall be kept up-to-date as amendments are made to the Map and shall be kept in the office of the Chancery Clerk. This Map shall be the final authority as to the current Land Use District status of land and water areas in the county. (Map attached to the front of this ordinance)

c. Rules for Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Land Use District Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, alleys or railroad tracks shall be construed to follow the center lines of streets, highways or alleys, or the center lines of main railroad tracts or rights-of-way.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following section lines shall be construed as following such section lines.
4. Boundaries indicated as following the center lines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines.
5. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 4 above shall be so construed. Distances not specifically indicated on the Official Land Use District Map shall be determined by the scale of the Map.
6. Where physical or cultural features existing on the ground are at a variance with those shown on the Official Land Use District Map, or in other circumstances not covered by subsections 1 through 5 above, the Land Development Commission shall interpret the district boundaries.

d. Uses Permitted in All Districts

1. Any use or facility necessary for the operation of any political subdivision of local, state, or federal government, including public and private utilities. Locations for electrical transformers, gas regulator stations, sewage treatment facilities and similar uses shall be approved by the Land Development Commission and the Board of Supervisors prior to installation.
2. Public and Semi-Public uses are permitted in all districts; provided, however, that the locations for such facilities are approved by the Land Development Commission prior to construction. Such facilities shall include, but not be limited to, public and private schools, churches, public parks and playgrounds.
3. Agricultural uses shall be permitted in all districts except where more than one dwelling per acre is permitted. There is generally insufficient land available for intensive agricultural activities where more than one dwelling per acre is permitted.
4. Temporary vegetable and fruit stands.

3. ARTICLE III — DISTRICT REGULATIONS

a. A-Agriculture District

i. Permitted Uses:

(1) Single family.
(2) Manufactured Homes.
(3) All forms of agriculture and forestry.
(4) Public or private school and churches.
(5) Nurseries and greenhouses.
(6) Home occupations as defined in Article I, Section f, Paragraph 25.
(7) Hunting Clubs.
(8) Parks and playgrounds, public or private.
(9) Kennels, provided the structure or pens for housing animals are at least 250 feet from any adjacent property line.
(10) Stables and/or riding academies

ii. Uses permitted by Special Exception:

1) **Extraction of minerals**: Extraction of coal, sand, gravel, oil or gas provided a reclamation plan is submitted and approved by the Land Development Commission and a bond provided to cover costs of reclamation of the site if not done by the property owner.
2) **Airports:** Airports or landing strips.
3) **Day Care Facilities:** Day Care Facilities under the following conditions:

i. Facilities should not front along arterial roadways unless:

1) On site outdoor play spaces are suitably screened or segregated from such roadways.
2) The site offers suitable access that will not impede arterial roadway traffic; and, off-street pick-up and drop-off areas are provided.

b. Facilities should not be situated upon sites which may be adversely affected by major roadways, railway lines, fire halls, noxious uses, sloughs and other poorly drained areas, air pollution exposure areas or similar hazards.

c. Daycare Center Development Standards.

1) One paved parking space plus one additional parking space per ten children enrolled in the facility is required. Furthermore, one off-street loading space may be required. Required parking spaces may be located in a required front yard.

d. licensing**:** A license from the State of Mississippi shall be required for day care facilities.

4) Hot mix and asphalt facilities.
5) Cemeteries.
6) Commercial retail business defined as any type of venture for profit, monetary or otherwise, not specifically addressed herein, which requires any type of contribution, monetary or otherwise, for entry either as a vendor, participant, or spectator or customer shall be considered for the purpose of this Ordinance a commercial retail business.
7) Communications towers greater than 180 feet in height. **(Ordinance Page 38)**
8) Mortuaries or funeral homes.
9) Mobile home parks meeting the requirements of Mobile Home Park Development Standards contained in the Panola County Land Development Standards.
10) Sanitary landfills but not including the burning of trash or refuse.
11) Veterinary Clinic with boarding kennels.
12) Country Clubs: Country Clubs and/or golf courses.
13) Solar Energy Farms. **(Solar Ordinance on page 35)**

b. R-1 Residential District

i. Permitted Uses:

1) Single Family dwellings
2) Home occupations as set forth in Article I, Section f, Paragraph (25)

ii. Uses Permitted by Special Exception:

1) multi-family dwellings
2) Public and private schools and churches.
3) Any public or semi-public building.
4) Professional offices of an engineer, architect, attorney, doctor, dentist, or similar profession or occupation.
5) Hospital and similar uses.

6) Any similar uses after review and approval by the Land Development Commission.

iii. Lot area, lot width, building setback, lot coverage and building height requirements shall be as set forth in Article III, Section f.

iv. Parking and off-street loading areas shall be provided as set forth in Article IV, Section b.

v. Permitted Signs. All those allowed in the A and R-1 Districts

C. C-1 Commercial District

i. Permitted Uses:

1) Retail establishment such as grocery, furniture, appliance, apparel, hardware, liquor, jewelry, drug stores and similar uses.
2) Service establishments such as barber and beauty shops, shoe repair and similar uses.
3) Wholesale and warehouse activities.
4) Financial Institutions.
5) Nurseries and greenhouses.
6) Mortuaries and funeral homes.
7) Other similar commercial uses as permitted by the Land Development Commission

ii. Uses Permitted by Special Exception:

1) Single Family Dwellings.

iii. Lot area, lot width, building setback, lot coverage and building height requirements shall be as set forth in Article III, Section f.
iv. Parking and off-street loading areas shall be provided as set forth in Article IV, Section b.
v. Permitted Signs. All those allowed in the A and R-1 Districts.

(1) The maximum aggregate of all signs shall be one (1) square foot of sign area for each foot of building width of the front wall of the building.

(2) Additionally, one (1) sign, not exceeding six (6) square feet in area, may be erected to identify secondary to a building from an alley or automobile parking lot.

d. I - Industrial District.

i. A. Permitted Uses:

1. Any industrial or manufacturing or processing establishment not otherwise prohibited in the following section under use limitations.

2. Accessory used and structures customary and incidental to any permitted use.

ii. Uses Permitted by Special Exceptions:

1. Junk or Salvage Yard.

2. Adult Entertainment

iii. Use Limitations

(1) No uses permitted in this district shall be dangerous or offensive or detrimental to the present or intended character of the Industrial District or vicinity or constitute a nuisance due to the emission of dust, gas, smoke, noise, fumes, glare, odor, vibration, fire hazard or otherwise.

iv. Lot area, lot width, building setback, lot coverage and building height requirements shall be as set forth in Article III, Section f.

v. Parking and loading areas shall be provided as set forth in Article IV, Section b.

vi. Permitted Signs. The maximum aggregate rate for all signs shall be three (3) square feet for each foot of width of the front wall of the building.

vii. Outdoor Advertising Signs: Outdoor advertising of a permanent nature shall be classified as a business use and shall be permitted only in the C-1 (Commercial) and Industrial Land Use

District. Such signs shall not exceed five hundred (500) square feet in area in the Commercial District and seven hundred (700) square feet in area in the Industrial District (excluding structural supports and apron).

e. <u>The "PUD" Planned Unit Development District</u>

The purpose of the Planned Unit Development District is to provide for the development of planned total communities that provide a full range of residential types as well as certain commercial office or light industrial uses designed to serve the inhabitants of the districts consistent with the General Development Plan. For purpose of this ordinance a Planned Unit Development;

f. Development: shall be 4 tracts of land at least 4 acres in area under single corporation, firm, partnership or association ownership, planned and developed as an integrated unit, in a single development, operation or a programmed series of development operations and according to an approved Preliminary Site Plan.

g. Preliminary Site Plan Required - The "PUD" District shall be established only upon application, after public hearing as specified in the amendatory procedures of this ordinance and shall require an approved Preliminary Site Plan which when reclassification is granted will govern the development of the land and all development plans thereof.

h. Minimum District Area - The minimum area for a PUD District shall be 4 acres.

I. Permitted Uses - A list of permitted uses within each Planned Unit Development must be submitted with the application for establishment Office District and the preliminary site plan and must be approved by the Land Development Commission and Governing Authority, upon application by the owner of the property.

j. Procedures - An application for reclassification to a PUD District shall be accompanied by a Preliminary Site Plan and text presenting the following information:

1) Proposed land uses and population densities.
2) Proposed primary circulation pattern.
3) Proposed parks and playgrounds.
4) Delineation of the units or phases to be constructed together with a proposed timetable.
5) Proposed means of dedication of common open space areas and organizational arrangements for the ownership, maintenance and preservation of common open space.

6) Relation to the County General Development Plan, land uses in the surrounding area and to the general plan of the PUD.

Reclassification procedures shall be in accordance with the procedures set forth in this Ordinance. Following the initial reclassification procedure, the proposed development shall follow all applicable procedures and requirements governing the subdivision of land. No permit shall be issued until a final plat of the proposed development or portion thereof, is approved, filed and recorded. No building designed to be used in whole or in part, for commercial purposes shall be constructed prior to the construction of more than 25% of the dwelling units proposed in the plan, or construction of 100 dwelling units, whichever is smaller. If construction of the "PUD" District is not started within two years of the date of approval, the Board of Supervisors may consider reclassifying the site to its previous classification.

The applicant, by showing good cause why he cannot adhere to the proposed timetable described in e., may seek an extension of not more than one (1) year at a time. A request for extension shall be submitted in writing to the Planning Commission.

k. Review Standards: The site plan must provide for and conform entirely to the following standards and requirements:

1) In order to encourage ingenuity, imagination, and high-quality design, regulations on residential areas will not specify minimum lot area per dwelling unit but will limit density in residential areas to 5 families per acre in single family dwellings or 20 families per acre in multifamily dwellings. This will allow clustering of dwellings to provide maximum open space.

2) Street widths and improvements thereof, as well as off-street parking facilities, must conform to county standards or in lieu of such standards, to requirements established by the Governing Authority.

3) Provisions for water supply, sanitary sewers, storm water drainage, and connections shall be made to the satisfaction and requirement of the Governing Authority and the appropriate State authority.

4) All improvements are to be installed and maintained by the developer unless other arrangements are approved by the Governing Authority.

5) The Governing Authority may require other special improvements if they are required if they are deemed reasonable and essential, and may require that appropriate deed restrictions be filed, enforceable by the Governing Authority for 20 years.

6) A minimum total area of 10% of the gross residential area shall be set aside as open spaces, parks and playgrounds. Of this 10%, a maximum of one half may be covered with water. A maximum of 5% of the area designated to be parks and playgrounds may be covered with structures to be used in the recreational use of

the area. Parks and playgrounds must be suitably improved for its intended use but parks and playgrounds containing natural features clearly worthy of preservation may be left unimproved.

7) . The developer shall also submit sketches of the plat for the entire project showing the relationship of uses, street pattern, open space and the general character of the proposed development, including a schematic drawing illustrating a typical segment of the development.

Flood Plain District

The purpose of this district is to permit certain non-intensive uses in areas which are subject to periodic flooding and to protect such areas from other types of development except where adequate assurance is given that the development will be protected from flooding. The Panola County Flood Plain Management Prevention Ordinance shall apply to the properties located in this district. The regulations hereinafter set forth in this section shall apply to the properties located in the district. District boundaries will be delineated by the Administrator of the Federal Flood Insurance Program on Flood Hazard Boundary Maps along the water surface elevations for the 100-year flood which will be used to determine to what level structures will be elevated or flood proofed. The Flood Control District shall overlay other districts on land located in the flood plains as shown on the Land Use District Map which is a part of this ordinance. Such regulations qualify or supplement, as the case may be, the regulations of each and every Land Use District herein established.

m. Chart of Regulations

Land Use District	Min. lot size	Min. width	Front Yard Setback (6)	Min. Side Yard Each Side	Min. Rear Yard	Max. % of Lot Coverage	Max. Height Limit Feet	Max. Height Limit Stories
A - Agricultural	1 Acre	150 ft.	50 ft.	15 ft.	20 ft.	25%	n/r	40
R-1 Residential (1)	12,000 sq. ft.	80 ft.	35 ft.	10 ft.	25 ft.	35%	n/r	3
C-1 Commercial (2)(3)	n/r	n/r	n/r	n/r	25 ft.	50%	40	3
I - Industrial	2 acres	200 ft.	n/r	n/r	n/r	n/r	n/r	n/r
Flood Plain (4) Overlay District								

Footnotes N/R - No Requirements **(1)** = Public water and sewer are required. **(2)** = It is the intent of this ordinance that lots of sufficient size be used for any business or service to provide adequate off-street parking and loading space in addition to the space required for other normal operations of the business or service. **(3)** = When abutting any residential district, a side yard of at least twenty-five (25) feet shall be provided. **(4)** = Any structure or any use allowed in the Flood Plain District shall be required to meet all of the dimensional requirements of the underlying district. **(6)** = On any undedicated road or street, all structures must be set back at least one hundred (100) feet from the centerline of the existing roadway.

IV ARTICLE IV - GENERAL PROVISIONS

a. **Non-Conforming Uses** - Any use or structure existing at the time of enactment of or subsequent amendment to this ordinance, but not in conformity with its provisions, may be continued subject to the following limitations. Any use or structure which does not conform to the provisions of this ordinance shall not be:

1. Changed to another non-conforming use.
2. Re-established after discontinuance for a period of one hundred and twenty (120) days.
3. Extended except in conformity with ordinance.
4. Rebuilt, altered or repaired after damage exceeding sixty percent (60%) of its fair market value immediately prior to damage.

b. Off-Street Automobile Storage or Storage Space Requirements

Off-street automobile parking or storage space shall be provided on every lot on which any of the uses stated in this section are hereafter established. Where space is not available on the lot, space shall be provided within 500 feet of such uses and such space shall have vehicular access to a street or alley and shall be equal to at least the minimum requirements for the specific use or uses as set forth herein:

(1) Single-family and two-family dwellings: Two (2) spaces for each dwelling unit.
(2) Multi-family dwellings: One and one-half spaces for each unit.
(3) Manufactured homes: Two (2) spaces per lot.
(4) Hotels and motels: One (1) space for each room or unit plus one (1) additional space for each three (3) employees.
(5) Schools: One (1) parking space for each four (4) seats in the main assembly room plus one (1) space for each classroom.
(6) Churches, Community Buildings, Auditoriums, and Places of Public Assembly: One (1) space for each four (4) seats in the main assembly area (based on 18" seat on bench) or in the case of general-purpose rooms without fixed seats, there shall be one (1) space for each thirty-five (35) square feet of floor area.
(7) Clinics or Professional Offices: One (1) space for each professional plus one (1) space for each two (2) seats in the reception room, or one (1) space for each fifty-five (55) square feet of floor space in such an area, whichever is the greater.
(8) Restaurant or Other Eating Place: One (1) space for each three (3) seats plus one (1) space for each two (2) employees, or one (1) space for each fifty (50) square feet of floor space in such area, whichever is greater.

(9) Office and Office Buildings: One (1) space for each two hundred (200) square feet of floor area.
(10) Bowling Alleys: Five (5) spaces for each alley.
(11) Industrial Uses: One (1) space for each one and one-half (1-1/2) employees.
(12) Planned Shopping Center: Area devoted to parking and access shall not be less than three (3) times the floor area proposed; and within this parking area there shall be a minimum of eight (8) parking spaces per one thousand (1000) square feet of floor area.
(13) Retail Sales Store: One (1) space for each two hundred (200) square feet of retail floor space.
(14) Hospital, Sanatorium or Nursing Home: One (1) parking space for each six (6) beds plus one (1) space for each staff or visiting doctor plus one (1) space for each four (4) employees.
(15) Private Club or Lodge: One (1) space for each seven (7) members.
(16) Food Stores and Markets: One (1) space for each two hundred (200) square feet of floor area.
(17) Wholesale Uses and Storage Buildings, Warehouses, Lumber or Fuels Business, Truck Terminals and Similar Uses: One (1) space for each one and one-half (1-1/2) employees.
(18) Any Use Not Otherwise Specified: One (1) space for each one hundred eighty (180) square feet of floor space.
(19) Whenever two (2) or more uses shall be made of the same property, the parking requirements for each shall apply.
(20) Whenever a structure or use may qualify under two (2) or more classifications, the one with the larger requirements shall govern.

1. **Existing Parking** - Any building which meets the parking requirements of this ordinance on the effective date thereof or any subsequent shall continue to comply fully with all requirements thereof. Any existing building which partially meets the requirements of this ordinance on the effective date thereof or at any subsequent time shall thereafter continue to comply as nearly with these requirements as the highest degree of compliance reached.

2. **General** - No off-street parking required for a building or structure shall during its life be occupied by or counted as off-street parking for another building or structure, but may be counted as yard space.

3. **Parking Space** - An off-street space, enclosed or unenclosed, containing not less than two hundred (200) square feet of area exclusive of driveway appurtenant thereto, permanently reserved for the temporary storage of one motor vehicle and connected without obstruction to a street or alley shall be counted as an off-street parking area or space.

4. **Design** - No parking space shall be so designed as to require the vehicle parked therein to back onto a public street, with the exception of single and two-family residences. All non-single-family parking areas shall be surfaced with either asphalt, concrete, crushed limestone, or double bituminous surface treatment.

c. **Off-Street Loading and Unloading -** Every building or structure used for business, trade or industry shall provide space as indicated herein for the loading or unloading of vehicles. Such space shall have access to a public street or alley.

1. **Retail business**: Minimum of one (1) space of five hundred (500) square feet per location plus one (1) additional space of five hundred (500) square feet for each five thousand (5,000) square feet of floor area.

2. **Wholesaling and industry:** Minimum of one (1) space of five hundred (500) square feet per location or one (1) space of five hundred (500) square feet per fifteen thousand (15,000) square feet of floor area, whichever is the greater.

3. **Bus and truck terminals:** Sufficient space to accommodate the maximum number of buses or trucks to be stored or to be loading or unloading at any one time.

d. **Corner Visibility** - No fence, wall, shrubbery, sign, marquee, or other obstruction to vision between the heights of two and one-half (2-1/2) feet and ten (10) feet above street level shall be permitted within twenty (20) feet of the intersection of the right-of-way lines of two streets or railroads or of a street and a railroad right-of-way line. Accessory structures within twenty-five (25) feet of the rear lot lines of a corner lot shall be set back the minimum front yard depth required on the side street.

e. **Fumes, Dust, Fire and Explosion Hazard or Nuisance** - The Board of Land Use District Adjustment may require the conduct of any use, conforming or nonconforming, which results in unreasonable noise, smoke, gas, vibration, fumes, dust, fires or explosion hazard or nuisance to surrounding property to be modified or changed to abate such hazard to health, comfort, and convenience. The Board of Land Use District Adjustment may direct the Administrator to issue an abatement order, but such order may be directed only after a public hearing by the said Board, notice of which shall be sent by registered mail to the owners and/or operators of the property on which the use is conducted in addition to due notice of advisement in a newspaper of general circulation. A hearing to consider issuance of an abatement order shall be held by the Board of Land Use District Adjustment either upon petition signed by any person affected by the hazard or nuisance or upon the initiative of the Board. An abatement order shall be directed by the Board of Land Use District Adjustment only upon reasonable evidence of

hazard or nuisance and such order shall specify the date by which the hazard or nuisance shall be abated.

f. Land to be Used Only for Stated Purpose - No land shall be used except for a purpose permitted in the district in which it is located.

g. Moving of Structures - No structure shall be erected, converted, enlarged, moved or structurally altered, nor shall any structure be used, except for a use permitted in the district in which it is located.

h. Open Space - No open space or lot area required for a building or structure shall during its life be occupied or counted as open space for any other building or structure. No dwelling unit shall be erected on a lot which does not abut or have access to at least one road or street. Where the dedicated road or street right-of-way is less than 50 feet, or where the right-of-way cannot be determined, the depth of the front yard shall be measured starting at a point 25 feet from the center line of the street easement or apparent easement.

i. Lots of Record - Where the owner of a lot of official record at the time of adoption of this resolution does not own sufficient adjacent land to enable him to conform to the yard and other requirements of this resolution, one building and its accessory structures may be built, provided the yard space and other requirements conform as closely as possible in the opinion of the Board of Land Use District Adjustment to the land use regulations contained in Article IV.

j. Signs and Outdoor Advertisements-In the areas other than residential developments where front yard or setback requirements are required, outdoor advertising structures may be placed within such front yard or setback areas of a place of business subject to the following terms and conditions:

1. Said structure must be used primarily for the purpose of identifying the place of business at that location.
2. No such structure shall be placed between four feet and ten feet above street level.
3. No such structure shall be placed at intersections, driveways, or locations which would obstruct the view of intersecting traffic.
4. Billboards and outdoor advertising adjacent to primary highway system shall be subject to the applicable provisions of the Mississippi Code of 1972, as amended and recompiled.
5. No such structure exceeding in size fifty (50) square feet, exclusive of necessary structural support, shall be placed within ten (10) feet of the front lot line or street right-of-way.

k. Location of Utilities - Any use or facility necessary for the operation of any political subdivision of local, state, or federal government, including public and private utilities, shall be permitted in all Land Use districts. Electrical transformer stations, gas regulation systems, sewage and water treatment plants, pumping stations, standpipes for public water supply, water and storm drainage systems, sewerage systems, electrical power lines, gas pipe lines, and similar uses may be located in any zone, providing however, that the location of such facility shall be subject to review by the Board of Supervisors and the Land Development Commission.

l. Public Facility and Uses - All public buildings and uses may be located in any zone provided, however, the location of such buildings and uses shall be subject to review by the Land Development Commission as a special exception.

m. Structures to have Access - Every building hereafter erected or moved shall be on a lot adjacent to a public street or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

n. Disabled Vehicles - No more than seven disabled automotive vehicles may be stored on any parcel unless in a completely enclosed building. A disabled vehicle is one without a current license plate or not in normal operating condition. Of these seven, no more than three may be viewed from the public right of way and must be undergoing active repair. Remaining vehicles shall be stored in rear yards and obscured from public view by landscaping or fencing.

o. Exception of Height Limitations - The height limitations contained in the Schedule for District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, silos, grain elevators, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

p. Connection to Public Utilities - No utilities shall make any permanent or temporary connections to any structure in Panola County, unless the person requesting the connection has a permit issued by Panola County and an Individual On-Site Wastewater Disposal System approved by the Panola County Wastewater Specialist (if needed) to the structure being served with said utilities.

q. Fences Along County Roads - No fence may be constructed along any country road unless said fence is set back at least twenty-five (25) feet from the center line of said road or to the road right-of-way whichever is greater.

r. Utility Connections shall be Reported to the Tax Assessor - All utility companies shall notify the Tax Assessor and the Land Use Administrator of each and every utility connection they make in Panola County.

s. Signs in All Districts - The following signs shall be permitted and sign regulations shall apply in all districts:

1. Directional signs not exceeding two (2) square feet may be erected provided they are not within the right-of-way of any street.
2. Bulletin boards not over twelve (12) square feet in area for public, charitable, or religious institutions shall be allowed when located on the premises of said institution.
3. Temporary signs advertising property for sale, rent, lease or trade provided such signs shall not be wider than three (3) feet.
4. Signs not over twelve (12) square feet in area denoting architect, contractor, or engineer shall be allowed when placed upon construction sites during actual construction.
5. Signs of public service companies indicating danger and aids to service or safety.
6. No signs or other outdoor advertising device shall be erected or maintained which constitutes a nuisance by reason of light, glare, animation or flashing in any Land Use District.

t. Underpinning of Manufactured Homes - All manufactured homes shall be underpinned in an attractive and workmanlike manner.

u. Sale of Existing Home and Manufactured Home - It shall be the responsibility of the seller to furnish the purchaser, at the time of closing, a Certificate of approval of the Septic System from the Panola County Wastewater Specialist.

ARTICLE V - ADMINISTRATION AND ENFORCEMENT

a. Enforcement Officer - The provisions of this ordinance shall be administered and enforced by an Administrative Official appointed by the Board of Supervisors. This official shall have the right to enter upon any premises at any reasonable time prior to the issuance of a building permit for the purpose of making inspection of buildings or premises necessary in carrying out his duties in the enforcement of this ordinance.

b. Building Permits - It shall be unlawful to commence the excavation for or the construction of any building for the purposes stated herein, until the Administrative Official has issued for such work a building permit including a statement that the plans, specifications and intended use of such structure in all respects conform with the provisions of this ordinance. Application for a building permit shall be made to the Administrative Official on forms provided for that purpose. Any building permit issued shall become invalid unless the work authorized by it shall have been commenced within six (6) months of its date of issue, or if the work authorized by it is suspended or abandoned for a period of one (1) year. However, in accordance

with Mississippi Code Section 19-5-9 the erection, maintenance, repair, or extension of farm buildings or structures shall be exempt from the provisions of this ordinance unless restroom facilities are included in construction.

c. Approval of Plans - The Administrative Official may require every applicant for a building permit to furnish a plot plan showing the following information:

1. The actual shape, proportion and dimensions of the lot to be built upon.
2. The shape, size and location of all buildings or other structures to be erected, altered or moved or any buildings or other structures already on the lot, and the arrangement and number of parking stalls, ingress egress drives and off-street loading facilities.
3. The existing and intended use of all buildings or other structures.
4. The setback and side lines of buildings on adjoining lots and such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this ordinance are being observed.

d. Amendments

1. The Supervisors may from time to time, on their own motion or on petition by the owner or agent of a property owner, after public notice and hearing, amend, supplement, change, modify or repeal the boundaries or regulations herein or subsequently established.

2. At least fifteen (15) days' notice of the time and place of public hearing on such amendment shall be published in an official paper of general circulation in Panola County. Any party or parties wishing to protest an amendment shall file a written request with the Land Development Commission at least five (5) days before the public hearing on the proposed amendment. In case of protest against a proposed amendment signed by the owners of twenty (20) percent or more of the area of the lots included in the proposed change, or those immediately adjacent in the rear thereof or those directly opposite thereto; such amendment shall not become effective except by the favorable vote of two-thirds of all the members of the Board of Supervisors.

3. District Reclassification hearings - Notice shall be provided to the general public by posting a sign on the subject site 15 days prior to the first public hearing. The applicant shall maintain the sign until a final decision is rendered by the Panola County Board of Supervisors. Signs shall be a minimum of 4' by 8' constructed of laminated plywood or MDO board. The front, back, and edges shall be painted with two coats of red acrylic exterior enamel. White lettering shall be used in the following manner:

Panola County (3in Letters)
Public Notice (3in Letters)
District Reclassification Hearing (4in Letters)
Panola County Court House – Sardis/Batesville (1in Letters)
Land Development Commission Meeting: Time and Date (2in Letters)
Request; ____Acres from _____to_____ (2 in Letters)
Applicant: Name (2 in Letters)
Land Development Commission Meeting: Time and Date (2in Letters)
Case file is available in the Land Development Commission Office located at 245 Eureka St. Batesville, MS. 662-563-6313 (2in Letters)

Signs must be located on each road front and face the road no more than 20 feet from the pavement. Signs shall be attached with 6 screws to two 4in x 8ft wooden posts. Failure to adhere to these standards will result in application delay of approval.

iv. **Special Exception and Variance hearings** - Notice shall be provided to the general public by posting a sign on the subject site 15 days prior to the first public hearing. The applicant shall maintain the sign until a final decision is rendered by the Panola County Land Commission. The exact sign necessary to be posted on the subject site shall be determined and provided by the Panola County Land Development Office.

E. Land Development Commission

1. The Land Development Commission shall meet the call of the Chairman at such times as are necessary to act upon any matters to come before them**.**
2. The Land Development Commission shall adopt and publish its own rules of procedure and keep minutes of its proceedings, showing the vote of each member upon each question, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of the Chancery Clerk and shall be a public record.
3. Appeals - An appeal may be taken to the Land Development Commission by any person aggrieved, or by an official of the county affected by any decision of the Administrative Official. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the Land Development Commission a notice of appeal specifying the grounds thereof. The Administrative Official shall transmit forthwith to the Land Development Commission all papers constituting the record upon which the action appealed was taken.
4. Hearing - The Land Development Commission shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent, or by attorney.
5. **Powers of Land Development Commission** - The Land Development Commission shall have the following powers and duties:

(1) To hear and decide where it is alleged that there is error in any order, requirement, decision, or determination made by the Administrative Official in the enforcement of this ordinance or of any ordinance adopted pursuant thereto.

(2) To hear and decide special exceptions to the terms of this ordinance upon which such board is required to pass. In hearing such applications, the Commission shall investigate all aspects of the application giving particular regard as to whether such building or use will:

- **A.** Substantially increase traffic hazards or congestion
- **B.** Substantially increase fire hazards
- **C.** Adversely affect the character of the neighborhood
- **D**. Adversely affect the general welfare of the county
- **E.** Overtax public utilities or facilities.
  F. Be in conflict with the goals of Progress Panola General Development
    - **(3)** To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of

the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done. In hearing such application, the applicant shall demonstrate the following:

A. That special circumstances exist that are peculiar to the land structure or building involved which are not applicable to other lands.
B. That the literal interpretation of the provisions of this ordinance will deprive the application of rights commonly enjoyed by other properties in the same district.
C. That the special conditions and circumstances do not result from the actions of the applicant.
D. And that the granting of the variance will not confer no special privileges on the applicant.

(4) In exercising the above-mentioned powers, the Land Development Commission may, in conformance with the provisions of this article, reverse, or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may take such order, requirement, determination, as ought to be made, and to that end, shall have all powers of the officer from whom the appeal is taken.

F. Appeals to the Board of Supervisors - Any party aggrieved by any final action, decision, ruling, judgment, or order of the Land Development Commission may appeal to the Panola County Board of Supervisors within ten calendar days of such decision. Such appeal shall be made in writing and submitted to the Land Development Administrator by 5:00 p.m. on the tenth (10th) day from the date of the decision being appealed from. The date the decision was rendered shall not count in the ten (10) day calculation. The Land Development Commission Administrator shall notify the Panola County Board of Supervisors on such appeal and the appeal shall be scheduled for hearing at the regular monthly meeting of the Board of Supervisors, which occurs on the second Monday of each month, following the filing of the appeal within the time as provided herein.

G. Fees to be Established - The Board of Supervisors shall establish a schedule of fees for building permits and any other expenses of administering and enforcing this ordinance.

H. Penalties - Any person, firm, entity or corporation who violates any of the terms of provision of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars ($100.00). Each violation and each day of failure to comply with the provisions of these Ordinances shall constitute a separate violation. **Penalties for Manufactured Home listed on page 31**

VI Article VI

Manufactured Homes

Manufactured Homes, where permitted in Panola County, Mississippi, shall conform to the following standards:

A. Manufactured Homes shall be established on a pier foundation in accordance with the adopted residential building code of Panola County, Mississippi, or in the absence of such code, in accordance with Regulation MH5, as amended and promulgated by the Mississippi Department of Insurance, Division of the State Fire Marshal.

B. Manufactured Homes shall be provided water and sewer connections in accordance with the adopted plumbing code of Panola County, Mississippi, or in the absence of such code, in accordance with Regulation MH5, as amended and promulgated by the Mississippi Department of Insurance, Division of the State Fire Marshal.

C. Manufactured Home electrical systems and connections shall conform to the adopted electrical code of Panola County, Mississippi, or, in the absence of such code, in accordance with Regulation MH5, as amended and promulgated by the Mississippi Department of Insurance, Division of the State Fire Marshal.

D. Manufactured Homes shall be provided a landing and hand rails with the minimum dimensions of three (3) feet by three (3) feet at all entrances.

E. Manufactured Homes shall not be used for accessory storage purposes.

F. Manufactured Homes, whether new or previously occupied, shall be transported and installed only by duly licensed entities as approved and issued by the Mississippi Department of Insurance, Division of the State Fire Marshal unless unit is owned and occupied by the transporter before and after relocation, and it's not transported on a public road.

G. The permit and inspection fees shall apply to manufactured homes: (listed fee schedule on page 34)

H. **Permit Requirement Prior to Commencement:** No person, firm, corporation, contractor, or homeowner shall commence any physical site preparation, excavation, pouring of concrete piers, footings, or runners, or placement of anchors and structural supports for a manufactured or modular home within Panola County without first securing a valid permit from the Land Development Office.

I. **Mandatory Foundation Inspection:** No manufactured or modular home shall be set, anchored, or connected to utilities until the poured foundation piers and footings have been inspected and approved by the Building Official or designated enforcement officer.

J. **Penalties for Violations: (**Board Order Dated Oct 5, 2026)

 Unauthorized Pier Pouring: Any person or entity that pours concrete piers or footings for a manufactured home prior to the issuance of the required permit shall be subject to a fine of $1,000.00.

 Setting Without Inspection or Permit: Any person or entity that sets, places, or anchors a manufactured home without obtaining the required permit, or without completing the mandatory foundation inspections, shall be subject to a separate fine of $1,000.00.

- **K. Escalating Repeat Offenses:** Pursuant to the amendment adopted by the Board of Supervisors on November 2, 2026, any contractor, installer, dealer, or entity with recurring violations shall be assessed according to the following cumulative schedule per offense:
- **First Offense $1,000.00**
- **Second Offense $2,500.00**
- **Third Offense $3,500.00**

Upon receipt of full payment, the violation for that site shall be cleared and the necessary permits and inspections shall be issued, but the violation shall remain counted for purposes of determining whether a later violation is a second or third violation under this section. All fines assessed under this section shall be paid in full before any final inspection or utility clearance is authorized for the site.

L. Remedial Order for Uninspected Foundations: In addition to any fines assessed under Subsection (J), if a manufactured home is set upon uninspected or unpermitted piers, the Building Official may order the home to be completely removed or unseated from the piers at the sole expense of the homeowner, installer, or mobile home company. This removal is required to allow for proper engineering verification, depth checking, and

structural inspection of the foundational piers. No subsequent permit or approval shall be granted until the structure is removed, the foundation is fully inspected and brought into compliance, or certified by a licensed professional engineer.

M. Cumulative Infractions: Each violation of this section constitutes a separate offense, and each day a violation continues may be deemed a separate offense subject to additional enforcement actions, stop-work orders, or the withholding of permanent utility connections.

VII Article VII Recreational Vehicles (RVs)

Recreational Vehicles for hunting, fishing, weekend and temporary use (less than 156 days used in one calendar year) shall be permitted by Panola County. Recreational vehicles when permitted in Panola County, Mississippi, shall conform to the following standards:

A. Applicant shall be the property owner.
B. RV shall be established on minimum lot size, Article III(m)
C. RV shall have an Individual On-Site Wastewater Disposal System approved by the Panola County Wastewater Specialist
D. RV shall not be used for rental property.
E. RV shall not be used for accessory storage purposes.

Master Fee Schedule for Panola County Land Development Office Approved by the Board of Supervisors 10/05/2026

Residential Construction	**$0.30 / sq. ft. ($250 min)**
Commercial Construction	**$0.40 / sq. ft.**
Manufactured / Modular Homes	**$0.30 per sq. ft.**
Tiny Houses (minimum size 500 sq ft / minimum fee $250.00)	**$0.30 / sq. ft.**
RV's and Campers	**$150.00 each**
Name Change / Transfer	**$25.00**
Shop Buildings & Accessory Structures	**$0.15 / sq. ft.**
Residential Subcontractors	**$75.00 each (Elect, Plumb, HVAC)**
Communication Towers	**$3,500.00 flat fee**
Solar Farms	**$3,500.00 flat fee**
Reclassifications	**$750.00 flat fee**
Special Exceptions & Variances	**$100.00 flat fee**
Subdivision (Major)	**$100.00 + $3.00 per lot**
Subdivision (Minor)	**$25.00 per lot**
Existing Sewer Inspection	**$125.00**
Manufactured Home Violations (Unpermitted pier pouring) with subsequent repeat offenses escalating to $2,500.00 and $3,500.00	**$ 1,000.00 fine**
Manufactured Home Violations (Setting without permit) with subsequent repeat offenses escalating to $2,500.00 and $3,500.00	**$ 1,000.00 fine**
Reinspection Fees	**$200.00**

AN ORDINANCE AMENDING THE COUNTY ZONING ORDINANCE TO PROVIDE COMPREHENSIVE GUIDELINES FOR THE SAFE AND ORDERLY DEVELOPMENT OF SOLAR ENERGY IN PANOLA COUNTY AND THE REGULATION THEREOF.

WHEREAS it is in the best interest of Panola County to facilitate the siting, construction, installation, and decommissioning of solar energy systems (SESs) in Panola County in a manner that encourages local economic development and protects the health, safety, and welfare of the citizens of Panola County, and at the same time mitigates any adverse impacts to wildlife, agricultural lands, forests, and other natural landscapes; and

WHEREAS the intent of Panola County is to increase energy security and diversify the energy portfolio, to promote the use of Mississippi-based energy resources, to decrease the cost of energy, to bolster local economic development and employment prospects, to increase consumers' choices in energy consumption, to encourage the use of a renewable energy resource, and to reduce pollution; and

WHEREAS the intent of Panola County is not to compromise or contradict the health, safety, or environmental requirements contained in other federal, state, and local laws, nor is it to create heightened standards for the siting, construction, installation, and decommissioning of SESs that would discriminate against SESs relative to other similar commercial, industrial, or utility projects within Panola County;

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of Panola County as follows:

Article I, Title and Purpose SF, Panola County, Mississippi Land Use District Ordinance be and same is hereby amended by adding to it the following definitions:

Solar Energy System ("SES") means a device or structural design feature that provides for the collection of solar energy for electricity generation, consumption, or transmission or for thermal application. For purposes of this section, SES refers only to (1) photovoltaic SESs that convert solar energy directly into electricity through a semiconductor device, or (2) solar thermal systems that use collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling. SES includes all components of the electricity generating facility (inverters, transformers, switchgear, substations, communications infrastructure, and other ancillary or related equipment), but does not include transmission lines or generation tie lines connecting the SES to a utility-owned substation.

Ground Mounted Solar Energy System ("GSES") means an SES that is structurally mounted to the ground and does not qualify as an Integrated Solar Energy System (ISES). For purpose of this section, any solar canopy that does not qualify as an ISES shall be considered a GSES, regardless of where it is mounted.

Article III, District Regulations, be and is hereby amended to include the following designation and classification and the permitted use:

Solar Energy Systems may only be permitted in Zoning Districts A, Agriculture Districts.

No SES shall be constructed, modified, or operated in the County, except pursuant to this provision of the Zoning Ordinance. All SES developments must be consistent with all applicable state and federal laws and regulations and shall obtain all necessary state and federal permits as well as approved and permitted by the Panola County Land Development Commission.

In addition to all other applicable regulations under the Zoning Ordinance, the following regulations apply to GSES:

- **A. Fencing.** A GSES located in Panola County shall have safe and suitable fencing completely surrounding the project area. Said fencing shall be constructed in a manner which shall be approved by the Office of the Panola County Land Development and the Panola County Land Commission. Any fencing located within the corporate limits of the City of Batesville shall be constructed in accordance with all regulations implemented by the City of Batesville.
- **B. Setback.** A GSES shall be set back from all property lines at least thirty (30) feet, unless a lesser setback is approved by the Panola County Land Development Commission as a variance.
- **C. Signage.** A SES shall display signs stating the risks that may result from contact with a SES, identifying the owner of the SES and providing emergency contact information. All signs shall comply with the requirements of the Panola County Land Development Commission for displaying any advertisement or sign.
- **D. Decommissioning.** Unless otherwise approved by the Panola County Land Development Commission, decommissioning of a GSES shall begin no later than twelve (12) months after a GSES has permanently ceased to generate electricity, and the owner or operator of the GSES shall return the property to its condition prior to the installation of the GSES or to some other condition reasonably appropriate for the designated land use within twenty-four (24) months after a GSES has permanently ceased to generate electricity. Notwithstanding anything to the contrary, a GSES will not be considered to have permanently ceased to generate electricity unless it has failed to diligently pursue the production of, or restoration of the GSES's ability to produce, electricity for at least six (6) consecutive months. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. The plan shall include provisions for removal of all structures, foundations, electrical equipment and internal or perimeter

access roads, restoration of soil and vegetation, and a plan ensuring financial resources will be available to fully decommission the site.

- **E. Glare.** Documentation of coordination with the FAA shall be provided with the site plan review if required by applicable law.
- **F. Lighting.** Exterior lighting within the GSES shall be the minimum necessary for security and should be designed to minimize the impact to landowners, including the use of light hoods, low glare fixtures and directing the lights at the ground.
- **G. Warnings.** A SES shall display signs stating the risk that may result from contact with a SES, identifying the owner of the SES and providing emergency contact information. All signs shall comply with the requirements of the Panola County Land Use District Ordinance for displaying any advertisement or sign.

APPROVED AND ADOPTED October 3rd 2022
AMENDED June 09, 2025
AMENDED FEES October 05, 2026 ($3500.00)

PANOLA COUNTY RADIO AND COMMUNICATION TOWER REGULATIONS

All communication towers which are not co-located on existing facilities, or exceed 180 feet in height may be approved by the Panola County Land Development Commission under the following guidelines.

1. Application filed with the Panola County Land Development Office with signature of applicant and property owner.
2. Site plan, developed by certified engineer or surveyor.
3. Vicinity map showing the location of the proposed site within the county.
4. Evidence from the applicant that all alternatives to tower construction have been exhausted. This evidence must include, but not limited to the following:
    a. A study showing any towers within ½ mile radius to the site.
    b. A detailed statement as to why existing towers are not usable.
    c. An illustration of the applicant's existing towers in the area.
    d. A detailed statement as to how new tower construction will expand coverage in Panola County.
5. Setbacks from property lines shall be a minimum of 50 feet.
6. Fencing: At least 6 feet high security fence (chain link is acceptable) surrounding tower and all service equipment including guy-wire anchoring. All fencing shall be setback a minimum of 10 feet from all service equipment including guy-wire anchoring.
7. Lighting and other safety features as required by FAA (Federal Aviation Administration)
8. Abandonment and Removal: Any tower that is not operated for a continuous period of six months shall be considered abandoned and the owner of such tower shall remove it within 90 days after receiving notice from Panola County. If the tower is not removed within that 90-day period, the governing body may order the tower removed, If the tower owner cannot be located or is no longer in business, the requirements of this section shall be the responsibility of the land owner on whose property the wireless communication tower is located.
9. Signed statement from tower owner and property owner acknowledging abandonment and removal of the tower not operated for a continuous period of six months.
10. Commencement of Work: No site preparation until after application is approved by the Panola County Land Development Commission.
11. Disclaimer of Liability: Panola County shall not at any time be liable for injury or damage occurring to any person or property from any cause whatsoever arising out of the construction, maintenance, repair, use, operation, condition or dismantling of a tower/wireless communication system.