

ARTICLE

2

Development Review & Administrative Bodies

2.1 Board of Aldermen

Without limiting any authority granted to the Board of Aldermen by State law or by other ordinances of the City, the Board of Aldermen shall have the following powers and duties with respect to this Ordinance, to be carried out in accordance with the terms of this Ordinance:

1. to adopt amendments to the text of this Ordinance
2. to adopt amendments to the Official Zoning District Maps, such as to zone or rezone property in a zoning district
3. to adopt amendments to the Comprehensive Plan
4. to approve or deny requests for approval of major preliminary plats, planned unit development (PUD), planned residential development (PRD), conditional permitted uses of variances and site plans, and such additional powers and duties as may be set forth for the Board of Aldermen elsewhere in this Ordinance
5. to have such additional powers and duties as may be set forth for the Board of Aldermen

elsewhere in this Ordinance and other ordinances of the city

2.2 Planning Commission

A. Membership

1. The Mayor shall designate each member of the Board of Aldermen to select a representative from his/her district to serve on the Planning Commission. The Alderman-At-Large shall select a representative from the entire city to serve on said commission. Upon recommendation, the prospective commission members will be approved by the Board of Aldermen.
2. The Planning Commission shall be appointed for a term of office concurrent with the term of office of the City of Wiggins Board of Aldermen.
3. The Planning Commission shall elect a chairperson, vice-chairperson, secretary and such other officers as it may deem necessary and appropriate.
4. The Board of Aldermen, at their discretion, appoint with approval by a majority of the Board and provide compensation for alternate members to serve on the Commission in the absence of

2.2 Planning Commission

- any regular member. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members. Each alternate member, while attending any regular or special meeting of the Commission and serving in the absence of any regular member, shall have and may exercise all the powers and duties of a regular member.
- B. Vacancies
Vacancies occurring for reasons other than the expiration of terms shall be filled by the appointing authority as they occur, for the period of the unexpired term.
- C. Removal
The Board of Aldermen may remove any member of the Planning Commission at any time, either with or without cause.
- D. Compensation
The chairperson and members of the Planning Commission may be compensated for their services as members of said Commission, in such amounts as the Board of Aldermen may determine, and within the limits of Mississippi State Code 1972 Ann. § 17-1-11.
- E. Meetings
1. The Planning Commission shall hold at least one (1) meeting per month. **unless there is no business to come before the Commission in a given month**
 2. Other regular or special meetings or hearings shall be held as the chair or a majority of the members deem necessary to conduct the business of the Planning Commission. All meetings and hearings of the Commission shall be open to the public.
- F. Powers and duties
The Planning Commission shall have the following powers and duties, to be carried out in accordance with the terms of this Ordinance:
1. to review all proposed text amendments, rezonings, variances, master land use plans, conditional permitted uses, proposed major preliminary subdivision plats, and proposed site plans
 2. to make decisions and/or recommendations to the Board of Aldermen for final action thereon in accordance with the terms of this Ordinance
 3. **to approve or deny requests for approval of minor preliminary plats**
 4. to **recommend** approval or denial of construction plans and final plats in accordance with the conditions set forth in this ordinance
 5. to perform studies and surveys of the present conditions and probable future development of the city and its environs, including, but not limited to, studies and surveys of land uses, population, economic base, traffic, parking, and redevelopment needs
 6. to formulate and recommend to the Board of Aldermen the adoption or amendment of a Comprehensive Plan and other plans for the city and its environment for the purpose of achieving the coordinated and harmonious development of the city, in accordance with present and future needs, in order to promote the following:
 - a. efficiency and economy in the development process
 - b. safe and convenient movement of traffic
 - c. safety from fire and other dangers
 - d. adequate light and air
 - e. healthful and convenient distribution of population
 - f. adequate open spaces
 - g. good civic design and arrangement of buildings
 - h. **wise and efficient expenditures of public funds**
 - i. adequate provision for public utilities other matters pertaining to the safety, morals,

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- order, convenience, prosperity and general welfare of the city's citizens
7. to review the terms of this Ordinance from time to time, as it deems appropriate, and to recommend to the Board of Aldermen any changes that the Planning Commission considers necessary to properly regulate the development and use of land, buildings, and structures
 8. to hear and decide appeals from any order, requirement, permit, decision, or determination issued or made by an [Land Code Administrator administrative officer](#) of the city in enforcing any provision of the Ordinance, in accordance with the procedures and standards set forth in Article 3.17, Administrative Appeal
 9. to formulate and adopt the rules of procedure under which it will operate
 10. to keep minutes of its proceedings and discussions and shall keep records of its resolutions, findings, recommendations and other official actions
- G. Inter-agency cooperation
The Planning Commission shall cooperate in all respects with the appropriate city boards, commissions, offices, and employees, including, but not limited to, the Board of Aldermen, the Mayor, the Planning and Building Department and other agencies of the city.
- H. [Staff](#)
[Unless otherwise stated in the provisions of this Land Development Code the Planning and Building Department may assist the Planning Commission as needed.](#)
- 2.3 Planning and Building Department
- A. Establishment
The Planning and Building Department is established to interpret and enforce this Land Development Code, the Building Codes as adopted by the city and the Flood Damage Prevention Ordinance.
- B. Responsibility
Except as otherwise specifically provided, primary responsibility for administering and enforcing the Land Development Code may be assigned to one or more individuals by the Mayor. The person or persons to whom these functions are assigned shall be referred to in this Land Development Code as the Land Code Administrator.
- C. Powers and duties
Under the direction and supervision of the Land Code Administrator, the Planning and Building Department shall have the following powers and duties, to be carried out in accordance with the terms of this Ordinance:
1. to review all applications for development approval for compliance with the terms set forth in this ordinance
 2. to review all applications for conditional permitted uses, text amendment, rezoning, subdivision, site plan, PUD and PRD approval in compliance with the terms of this Ordinance
 3. to provide the Board of Aldermen and the Planning Commission with reports and recommendations regarding matters before those bodies, either as required by this Ordinance or upon the request of the body
 4. to conduct inspections of buildings, structures, and the use and development of land
 5. to issue and revoke building permits and certificates of occupancy, in accordance with Section 3.10 (Building permits) and Section 3.11 (Certificate of occupancy) of this Ordinance, and to make and maintain records thereof
 6. to issue and revoke temporary use permits, in accordance with Section 3.4, Temporary use permit of this Ordinance, and to make and maintain records thereof
 7. to issue and revoke sign permits in accordance with Section 3.7, Sign permits, and to make and maintain records thereof
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2.3 Planning & Building Department

8. to determine and enforce compliance with the terms of this Ordinance and other applicable ordinances and construction codes of the city and the State
9. to determine and enforce compliance with any conditions attached by the Board of Aldermen or the Planning Commission to its approval of a conditional permitted use, variance, subdivision plat, or site plan
10. to enforce compliance with the terms of this Ordinance, in accordance with Article 10, Enforcement
11. to maintain copies of the forms and applications mentioned in this Ordinance and provide them to interested parties upon request.
12. coordinate the preliminary subdivision plat process, which include approval or denial of subdivisions under three (3) lots and which requires Planning Commission acknowledgement
13. to have such additional powers and duties as may be set forth for the Department elsewhere in this Ordinance and other ordinances of the city

2.4 City Engineer

A. Designation

The City Engineer shall be recommended by the Mayor and approved by the Board of Aldermen.

B. Powers and duties

The City Engineer shall have the following powers and duties to be carried out in accordance with the terms of this ordinance:

1. to review all applications for development approval for compliance as required in this Ordinance
2. to provide the Board of Aldermen and the Planning Commission with reports and recommendations regarding matters before those bodies, either as required by this

Ordinance or upon request of the body

3. to conduct inspections of sedimentation and erosion control measures in accordance with the state and local requirements
4. to have such additional powers and duties as may be set forth for the City Engineer elsewhere in this Ordinance and other Ordinances of the city

2.5 Other city departments

All city departments, under the direction and supervision of their respective department supervisors, shall have the following powers and duties, to be carried as required by the terms of this Ordinance:

1. to review and comment on all applications for development approval which are submitted thereto and to advise other agencies and the elected and appointed bodies of the city regarding the impact of any existing or proposed development on the city's infrastructure
2. to calculate the amount of required guarantees for the installation of improvements, and to determine the sufficiency of improvement guarantee funds
3. to prepare and maintain standard engineering design specifications for streets, water, distribution facilities, wastewater disposal facilities, soil erosion and sedimentation control devices, storm drainage facilities, and other improvements
4. to advise other agencies and the elected and appointed bodies of the city regarding the impact of any existing or proposed development on the city's infrastructure
5. to have such additional powers and duties as may be set forth for the Department elsewhere in this Ordinance and other ordinances of the city

2.6 Summary of review authority

See Exhibit 2-1 on page 23.

Exhibit 2-1 Summary of Review Authority

Procedure	City Engineer	City Departments	Planning & Building Department	Planning Commission	Board of Aldermen	Courts
Administrative Appeal					Decision	Appeal
Amendment, Comprehensive Rezoning			Review	Review	Decision	Appeal
Amendment, Text		Review	Review	Review	Decision	Appeal
Amendment, Zoning Map (Rezoning)			Review	Review	Decision	Appeal
Building Permit		Review	Decision		Appeal	
Certificate of Occupancy			Decision		Appeal	
Conditional Use Permit		Review	Review	Review	Decision	Appeal
Final Plat, Major	Review		Decision		Appeal	
Final Plat, Minor	Review		Decision		Appeal	
Floodplain Permit			Decision			
Interpretation, Land Development Code			Decision	Review/ Appeal		
Interpretation, Zoning Map			Decision	Review/ Appeal		
Ordinance Enforcement			Decision			
Planned Residential Development (PRD)	Review	Review	Review	Review	Decision	Appeal
Planned Unit Development (PUD)	Review	Review	Review	Review	Decision	Appeal
Preliminary Plat, Major	Review	Review	Review	Review	Decision	Appeal
Preliminary Plat, Minor	Review	Review	Review	Review	Decision	Appeal
Sign Permit			Decision		Appeal	
Site Plan	Review	Review	Review	Review	Decision	Appeal
Temporary Structure Permit		Review	Decision		Appeal	
Temporary Use Permit		Review	Decision		Appeal	
Variance			Review	Review	Decision	Appeal
Vested Rights			Review	Review	Decision	Appeal