

**RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF PASCAGOULA,
MISSISSIPPI GRANTING A SPECIAL USE PERMIT FOR A WIRELESS
COMMUNICATION TOWER AND VARIANCE OF THE SETBACK REQUIREMENTS
FOR A FREE-STANDING MONOPOLE TOWER AT 2317 CANTY STREET**

WHEREAS, pursuant to Table 4.2.B.2. of the City of Pascagoula’s Unified Development Ordinance, the “wireless communications tower, freestanding” use type is only allowed in the Light Industrial (LI) District with a Special Use Permit; and

WHEREAS, Section 4.3.C.8.a.iv(E)(2) the City’s Unified Development Ordinance provides that, “[i]n nonresidential districts, wireless communications towers shall be set back from abutting property lines the distance equal to or exceeding the one-half the tower height or 50 feet, whichever is greater”; and

WHEREAS, an application was submitted by American Tower by Brian Sullivan of Craton Communications, Inc. to install a freestanding wireless communication tower at 2317 Canty Street, bearing Parcel ID No. 40405038.025, which is located within a Light Industrial (LI) District; and

WHEREAS, the applicant requires a Special Use Permit, as wireless communication towers in a Light Industrial (LI) District require a Special Use Permit; and

WHEREAS, the applicant is further seeking a 25-foot Variance from the setback requirements established by Section 4.3.C.8.a.iv(E)(2); and

WHEREAS, on August 10, 2022, the Planning Board conducted a duly-noticed Public Hearing to consider the application and input from interested parties; and

WHEREAS, the City Planner provided a report and presentation related to the Special Use Permit for a new monopole wireless communication tower, as well as the request for a 25-foot Variance of the applicable setback requirements; and

WHEREAS, the City Planner recommended approval of the Special User Permit and Variance based on his findings and the application’s consistency with the City’s Unified Development Ordinance; and

WHEREAS, the City of Pascagoula’s Planning Board considered the recommendation of the City Planner and, upon conclusion of the Public Hearing, unanimously voted to recommend approval of the Special Use Permit and Variance to the City Council; and

WHEREAS, on August 16, 2022, a second duly-noticed Public Hearing was held before the Mayor and City Council, at which time the City Planner provided a report and interested parties were allowed to comment; and

WHEREAS, the proposed Special Use Permit meets all the review standards contained in Section 2.5.C.e.i. of the City's Unified Development Ordinance, including, but not limited to, that the proposed special use complies with applicable zoning district standards, is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands; avoids significant adverse impacts; and is configured and designed to minimize impacts on adjacent lands; and

WHEREAS, the proposed Variance meets all the review standards contained in Section 2.5.L.3.e.i(A) of the City's Unified Development Ordinance, including, but not limited to, that the Variance is in harmony with the general purpose and intent of the Unified Development Ordinance and preserves its spirit; the Variance would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare; and the Variance would not confer on the applicant any special privilege denied by this Ordinance to other lands or structures without a demonstration of hardship.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

SECTION 1: The Mayor and City Council of the City of Pascagoula hereby adopt the forgoing recitals as their findings.

SECTION 2: The Mayor and City Council of the City of Pascagoula approve the request for a Special Use Permit to allow construction of a wireless communications tower at 2317 Canty Street (Parcel ID No. 40405038.025).

SECTION 3: The Mayor and City Council of the City of Pascagoula approve the request for a 25-foot Variance to allow construction of a wireless communications tower at 2317 Canty Street (Parcel ID No. 40405038.025).

SECTION 4: The approvals provided herein are subject to and conditioned upon compliance with the City's Unified Development Ordinance, as it may be amended from time to time, including, but not limited to, requirements related to separation from other towers, collocation, buffer and screening, and security fencing.

SECTION 5: That this Resolution and all reports and documents considered with this application be spread upon the minutes of the City Council.

SECTION 6: That within ninety (90) days of the adoption of this Resolution, the applicant shall cause the same to be recorded in the Land Records of Jackson County, Mississippi, failing such the Special Use Permit and Variance granted herein shall terminate at the end of said ninety (90) day period.

The motion to approve the foregoing resolution was made by _____ and seconded by _____, and the following vote was recorded:

Mayor Willis	_____
Councilman Hyde	_____
Councilman Fornett	_____
Councilman Walker	_____
Councilman Parker	_____
Councilman Blythe	_____
Councilman Gatchell	_____

RESOLVED, this the _____ day of _____, 2022

ATTEST:

City Clerk

CITY COUNCIL

By: _____
Mayor