

**Proposed Text Amendments
to the West Point, Mississippi
Zoning Ordinance and Subdivision Regulations**

Definitions:

1. **Revise the definition of Utility Substations as follows:**

UTILITY SUBSTATIONS: Water storage tanks; radio, television, and microwave transmission or relay towers; electric battery energy storage systems and associated facilities; electric or gas substations, water or wastewater pumping stations, telephone repeater stations; or similar structures used as an intermediary switching, boosting, distribution, storage, or transfer station of electricity, natural gas, water, wastewater, cable television, or telephone services between the point of generation or treatment and the end user. This shall not include broadcasting studios or satellite dish antennas.

Chapter 8.

2. **Revise Section 8.1.2(1) as follows:**

8.1.2. Allowable Uses In Any Zoning District and Prohibited Uses in All Zones

In addition to the range of uses set forth in this Chapter as a "permitted use," and "conditional use" in each district, the following uses shall be a conditional use in any district.

(1) Public Utility Facilities (but not including ~~power~~ utility substations and sewer pumping stations);

3. **Revise Table 8.1.3 List of Permitted and Conditional Uses By Zoning District as follows:**

Add a new line 106. Utility Substation and renumber the lines following the new line 106. (See attached table on next page)

4. **Revise Section 8.2.3 by adding a new item (6) as follows:**

(6) Utility Substation

5. **Revise Section 8.16.3 by adding a new item (16) as follows:**

(16) Utility Substation

6. **Revise Section 8.17.3 by adding a new item (10) as follows:**

(10) Utility Substation

6. **Revise Sections 8.3.4, 8.4.4, [8.5.4*], 8.6.4, 8.7.4, 8.8.4, 8.9.4, 8.11.4, 8.12.4, 8.13.4, 8.15.4, by adding a new item at the end of the list in each such section as follows:**

(NN) Utility Substation

*Note: Section 8.5.4 (R-1M) does not include Public Utility Facilities in the list of Major Conditional Uses. Subpart 4 of every other zoning district includes Public Utility Facilities. Unclear if this is intentional or an oversight and it should be included in the list of Major Conditional Uses for R-1M in section 8.5.4.

Table 8.1.3
LIST OF PERMITTED AND CONDITIONAL USES
BY ZONING DISTRICT

<u>USES</u>		<u>ZONING DISTRICTS ALLOWED</u>		
		<u>PERMITTED</u>	<u>CONDITIONAL</u>	
			<u>MINOR</u>	<u>MAJOR</u>
94.	Shooting Range, Indoor	C2		PUD
95.	Shooting Range, Outdoor			AO, R1E
96.	Signs	All Districts		
97.	Small Engine Repair		C2, C3	
98.	Swimming Pools	All Districts		
99.	Telecommunication Towers		I1, I2	AO, R1E, C2, C3
100.	Tire Recapping	I1, I2	C3	
101.	Trade Markets & Shows	C3, I1, I2		R1L, C2
102.	Trade School	C3, I1, I2	C2	
103.	Transportation Facility		C2, C3	
104.	Trucking Company	C3, I1, I2		
105.	Truck, Heavy Equipment, Farm Implement, Boats, Motorcycle & Manufactured Home Sales & Service	C2, C3		
106.	<u>Utility Substation</u>		<u>AO, I1, I2</u>	<u>R1E, R1L, R1M, R1S, R2, R3, RO, PUD, C1, C2, C3, CBD, M1, MHP</u>
107.	Vehicle Sales & Rental	C2, C3		
108.	Warehousing & Distribution			
	a. up to 50,000 sq. ft. - non-hazardous materials	C3, I1, I2		
	b. all other	I1, I2		C3
109.	Wholesale & Jobbing			
	a. up to 50,000 sq. ft. - non-hazardous materials	C3, I1, I2		
	b. all other	I1, I2		C3
110.	Woodworking & Cabinet Shops	I1, I2, C3		

Justification for Proposed Text Amendments

The definition of “Utility Substations” is an existing, defined term in the City’s Zoning Ordinance. However, while the term is defined, it is an unused term that is not included as either a permitted or conditional use in any zoning district. The proposed text amendments correct this omission by expressly allowing “Utility Substations” as a conditional use – minor or major, depending on the zone – in each of the zoning districts throughout the City.

In addition, the proposed text amendments update the definition of “Utility Substations” to expressly include electric battery energy storage systems and associated facilities. This update reflects changes in utility infrastructure and energy technology that have occurred since the original adoption of the Zoning Ordinance. Battery energy storage systems are intermediary facilities between generation sources and end users, and they increasingly function as an integral part of the modern electric utility system. These facilities support grid reliability, resilience, and efficiency by providing dispatchable capacity, acting as either a generation source or electrical load, allowing for economically optimized dispatch of less-flexible baseload facilities, and helping to integrate increasing amounts of low-cost but intermittent renewable resources. These functions directly advance the type of public health, safety, and welfare objectives that are traditionally recognized as valid bases for zoning regulation of utility facilities.

Importantly, Utility Substations – including battery energy storage systems – are permitted only by conditional use approval in the proposed amendments. This approach preserves appropriate municipal oversight by requiring case-specific review of factors such as location, scale, buffering, access, safety, and compatibility with surrounding land uses. Allowing these facilities by conditional use, whether minor or major, strikes a reasonable balance between accommodating essential utility infrastructure and protecting adjoining properties and residents through discretionary review and enforceable conditions.

The proposed amendments recognize the growing demand for energy storage and consumption at the national, regional, state, and local levels, while also acknowledging that energy generation facilities are increasingly located in or near the City limits. Allowing Utility Substations and associated energy storage facilities as conditional uses across the City’s zoning districts promotes economic development, enhances grid reliability, and supports the City’s tax base, all of which are consistent with the stated goals of the City’s Comprehensive Plan.