

CITY OF TUPELO

DEPARTMENT OF DEVELOPMENT SERVICES

STAFF ANALYSIS | October 2026

TA26-04 | Ch. 11 ABANDONED COMMERCIAL OCCUPANCY

Application Type	Development Code Text Amendment
Code Section	Chapter 11 - Proposed Section 11.10
Meeting Date	November 3, 2026
Subject	Administrative Determination of Abandoned Commercial Occupancy and Reoccupancy

PROPOSED AMENDMENT SUMMARY

Chapter 11: ADD Section 11.10 - Administrative Determination of Abandoned Commercial Occupancy

Establish a process for determining when a previously approved commercial occupancy has been abandoned and for reviewing any subsequent reoccupancy under applicable City codes.

STAFF ANALYSIS

The proposed amendment addresses commercial buildings and tenant spaces that have remained vacant, deteriorated, or otherwise ceased operating under a previously approved occupancy. It authorizes the Department of Development Services to review documented conditions and make a written determination of abandonment. Vacancy exceeding 180 consecutive days creates a rebuttable presumption, not an automatic finding.

The process includes investigation, written notice to the owner, at least 30 days to respond, a documented determination, and appeal rights. Following a final determination, future occupancy must be reviewed under the codes then in effect, including applicable existing-building provisions. Abandonment alone does not require full new-construction compliance or automatically authorize condemnation or demolition. The amendment provides a consistent process to address safety concerns while preserving property-owner safeguards.

STAFF RECOMMENDATION

Staff recommends APPROVAL of TA26-04, adding Section 11.10 to Chapter 11 of the Development Code as proposed.