

Chapter 8

DEVELOPMENT REVIEW PROCEDURE

Section 13-t-1. Purpose and Findings of Fact The Mayor and Board of Aldermen find that a Development Review process supports the implementation of the Building Codes, Zoning Ordinance, Sign Ordinance, Subdivision Ordinance and Development Ordinance of The City of Ridgeland. The Mayor and Board further find that the quality of residential, commercial, industrial and public/quasi public uses has a substantial impact or visual appeal, environmental soundness, economic stability, and property values of the City. This ordinance is not intended to restrict imagination, innovation or variety, but rather to focus on design principals which can result in creative imaginative solutions for the project and quality design for the City. It is, therefore, the purpose of this ordinance to:

- A. Recognize the interdependence of land values and aesthetics and provide a method by which the City may implement this interdependence to its benefits.
- B. Encourage the orderly and harmonious appearance of structures and property within the City along with associated facilities such as, but not limited to signs, landscaping, parking areas, and streets.
- C. Maintain the public health, safety and general welfare, and property throughout the City.
- D. Assist private and public developments to be more cognizant of public concerns for the aesthetics of developments.
- E. Reasonably ensure that new developments, including residential, commercial, industrial, and public/quasi public developments, do not have and adverse aesthetic health, safety or architecturally related impact upon, existing adjoining properties, or the City in general.
- F. Ensure that the proposed development complies with all other provisions of the Zoning Ordinance and the comprehensive land use plan.

Source: Ordinance adopted on May 15, 1991.

Section 13-S-2. Applicability. In order to safeguard and enhance the appearance and quality of development of the City of Ridgeland, Development Review approval shall be required prior to the issuance of any building permit for single-family subdivision developments; multi-family developments; mobile-home parks; commercial or industrial establishments, and public/quasi-public uses, including exterior additions, alterations and redevelopment thereof.

Source: Ordinance adopted on May 15. 1991.

Section 13-8-3. Plans to Be Submitted. In addition to meeting all of the other requirements of the Zoning Ordinance, any applicant for a building permit for the establishment of single-family subdivision developments; multifamily developments; the establishment of commercial; industrial; public/quasi- public uses; including additions, alterations exterior and development thereof shall submit the following plans and drawings to the building official for review:

- A. A site plan, drawn to scale, showing the proposed location of structures and other improvements including, where appropriate, driveways, pedestrian walks, off-street parking areas, landscaped areas, fences, and walls. The site plan shall indicate the locations of off-street parking areas including entrances and exits and the direction of traffic flow into and out of off-street parking areas.
- B. A conceptual landscape plan, drawn to scale, showing the locations of existing trees proposed to be removed or retained on the site, the location and design of landscape areas and the varieties and sizes of plant materials to be planted therein, and other landscape features as may be necessary to illustrate the landscape concept.
- C. Architectural drawings shall conform to the Building Codes of the City of Ridgeland and other pertinent Ordinances of the City of Ridgeland.
- D. Signs shall conform to the City of Ridgeland sign Ordinance.
- E. Conceptual grading and drainage plans shall conform to the Subdivision Ordinance of the City of Ridgeland.
- F. Such other data as may be required by the Building Official or City Engineer to ensure that the purposes of this Section are satisfied.

Source: Ordinance adoption May 15. 1991.

Section 13-8-4. Review and Evaluation. The Building Official and City Engineer shall review and evaluate development plans submitted to them in accordance with the following guidelines:

A. Scope. The Building Official and City Engineer shall review standards and criteria set forth in all pertinent Ordinances.

B. Modifications Required for Approval of the Development Plan. The Building Official and City Engineer may specify modifications, changes, and additions to the development plan in their recommendations or requirements for its approval. Such recommendations may be suggested by the Building Official and City Engineer to eliminate or mitigate significant adverse environmental effects disclosed by any environmental impact report or modifications, changes and additions that are necessary to meet the purpose of this Chapter.

C. Improvement Required for Approval of the Development Plan. The Building Official and City Engineer shall insure that all development plans provide for on and off site improvements which may be required to implement the purpose of the Zoning Ordinance, the Land Use Thoroughfares Plan and other pertinent Ordinances of the City of Ridgeland.

Source: Ordinance adopted May 15, 1991.

Section 13-8-5. Action By The Mayor and Board of Aldermen. At the first Board meeting after the date that the application is deemed complete by the Building Official and City Engineer, the Mayor and Board of Aldermen shall approve, conditionally approve, or disapprove the application, or shall request the applicant to revise said applications. Failure of the Mayor and Board to act within thirty (30) days shall be deemed approval of the application unless the applicant shall consent to an extension of time.

Source: Ordinance adapted May 15, 1991.

Section 13-8*6. Conditions. Development Reviews may be approved or modified subject to the performance of such conditions, including the provision of required improvements as the Mayor and Board shall deem to be reasonable and necessary, or advisable under the circumstances, so that the objectives of the Zoning Ordinance, Land Use Thoroughfares Plan and Subdivision Regulations shall be achieved. Such conditions shall be imposed and enforced as follows:

A. Security May Be Required to Ensure Performances. In order to ensure the performance of conditions imposed concurrent with the granting or modification of a development plan, the applicant may be required to furnish security in the form of money or Surety Bond in the amount fixed by the authority granting or modifying the development plan. Such security shall be furnished as required by local Ordinance.

B. Provision of Required Improvements. Whenever a Development Review approval is granted or modified subject to the condition that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the appropriate City authority, the applicant shall execute an agreement with the appropriate City authority pursuant to local Ordinances to make such improvements prior to the time or events specified in the Development Review approval.

C. Condition Declared Void. Whenever there becomes final any Judgment of a Court of competent jurisdiction declaring one (1) or more of the conditions of a Development Review approval to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one (1) or more of such conditions, said Development Review approval shall cease to be valid and all rights or privileges granted thereby shall lapse.

D. Violation of Condition. Whenever a Development Review is approved or modified by the approving authority subject to a condition or conditions, use or enjoyment of the Development Review approval in violation of or without violation of the Zoning Ordinance and said Development Review approval may be revoked or modified.

Source: Ordinance adopted on May 15, 1991.

Section 13-8-7. Revocation or Modification of Development Review Approval for Cause. A Development Review approval may be revoked or modified by the approving authority for cause as provided by the provisions of this Section. For purposes of this Section, the modification of a Development Review approval may include the modification of the terms of the Development Review approval itself or the waiver, alteration, or imposition of new conditions.

A. Grounds for Revocation or Modification. A Development Review approval may be revoked or modified by the approving authority pursuant to the provisions of this Section upon a

finding of any one (1) or more of the following grounds:

1. That such Development Review approval was obtained or extended by fraud.
2. That one (1) or more of the conditions upon which such Development Review approval was granted have been violated.
3. That the use for which the Development Review approval was granted is so conducted as to be detrimental to the public health or safety, or as to be nuisance.
4. That construction on the subject property is not in conformance with the Development Review approval or other applicable requirements.

B. Notification. The Building Official shall notify the owner of the property of his action in the same manner as specified in the Building Code for revocation of a building permit, or by written notice to the owner of the subject property as shown on the latest Assessment Roll or as indicated by later information available to the Building Official.

C. Appeal. Revocation or modification of a Development Review approval may be appealed.

Source: Ordinance adopted on May 15, 1991

Section 13-8-8. Automatic Revocation of Development Review Approval. If a Development Review is approved or modified subject to one (1) or more conditions, such Development Review approval shall cease to be valid, and all rights or privileges granted thereby shall lapse, notwithstanding any other provisions of the Zoning Ordinance to the contrary. Whenever there becomes final any Judgments of a Court of competent jurisdiction declaring one (1) or more of such conditions said Development Review approval shall also cease to be valid.

Source: Ordinance adopted on May 15, 1991.

Section 13-8-9. Expiration of Approval. Any approval of a Development Review shall expire within six (6) months of such approval except where construction or use of the property in reliance on such Development Review approval has commenced prior to its expiration. If construction and use of the property in reliance on a Development Review approval has not commenced within a six (6) month period, said period may be tended by the Mayor and Board of Aldermen for a period not exceeding six (6) months for each application up to a maximum of two (2) years from the date of original approval.

Source: Ordinance adopted on May 15, 1991.

Section 13-8-10. Penalties. Violation of this Ordinance shall be a misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000.00) and/or imprisonment for not more than ninety (90) days.

Source: Ordinance adopted on May 15, 1991.