

200811

**ORDINANCE AMENDING SECTION 320
OF THE OFFICIAL ZONING ORDINANCE
OF THE CITY OF RIDGELAND, MISSISSIPPI**

WHEREAS, the Zoning Ordinance of the City of Ridgeland, Mississippi, was adopted on February 6, 2001, and became effective on March 22, 2001; and,

WHEREAS, the Mayor and Board of Aldermen set a public hearing to consider amending Section 320 – Old Agency Road Corridor (OARC) of the Zoning Ordinance for the 19th day of August, 2008, at 6:30 o'clock p.m.; and,

WHEREAS, the City Clerk did cause notice of said hearing to be published in the Madison County Journal, a newspaper published in the City of Ridgeland, Madison County, Mississippi, in the manner and for the time required by law; and,

WHEREAS, at the time date and place specified in the notice, the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi did conduct a full and complete hearing and thereafter did recommend that the Zoning Ordinance of the City of Ridgeland, Mississippi be amended as set out hereinafter; and,

WHEREAS, having considered all the facts and discussions made, and after further discussion thereof, Aldermen Ken Heard offered the following Ordinance and moved that it be adopted, to-wit:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Ridgeland, Madison County, Mississippi, as follows, to-wit:

Section I

That the matters and facts stated in the preamble hereof are found to be true and correct.

Section II

SECTION 320 - OLD AGENCY ROAD CORRIDOR (OARC)

320.01 PURPOSE OF THIS DISTRICT:

- A. The Old Agency Road Corridor (OARC) is created to preserve the tree-lined serene character of Old Agency Road. The OARC district is a superimposed district, overlying one or more residential districts.
- B. Old Agency Road is considered a "canopy road" because of its unique natural beauty created by trees that line both sides of the road. The road itself is a historic resource, since it was part of the original Natchez Trace. It is a "Mississippi Landmark" under the *Mississippi Antiquities Act* and is listed on the National Register of Historical Places. The Choctaw Indian Agency site, from which Old Agency Road takes its name, was the second site of that agency, having been located there in 1807 by agent Silas Dinsmor.
- C. It is the intent of this Ordinance that the scenic, historic and low density residential character of this district be preserved by preventing the location of incompatible activities, such as commercial and industrial land uses, within the borders of this zone.
- D. It is also the purpose of this district to alleviate vehicular traffic volumes occurring as the result of the development of new residential subdivisions adjacent to Old Agency Road by prohibiting access to Old Agency Road when other access (except for deed-reserved access) is available to New subdivisions.
- E. Finally, it is the intent of this Ordinance to preserve the trees bordering Old Agency Road and to require the planting of trees where gaps exist along the road.

320.02 LAND USES PERMITTED:

- A. Single-family detached dwellings with only one principal dwelling per lot. All lots, except, those in platted subdivisions shall be on a parcel at least two acres in size.
- B. Accessory uses and structures associated with the use of land for residential purposes.

- C. Public or private recreational or open space facilities, excluding country clubs, which are regulated as public/quasi-public facilities and utilities subject to the provisions of Section 32 of this Ordinance.
- D. Public streets and highways.

320.03 CONDITIONAL USES AND STRUCTURES AS PROVIDED UNDER SECTION 600.09:

- A. Public or quasi-public facilities and utilities in compliance with Section 32 and other regulations of this Ordinance.
- B. Child care facilities.

320.04 DIMENSIONAL, REQUIREMENTS:

- A. **Maximum Building Height:** No structure shall exceed thirty-five feet (35) or two and one-half (2-1 /2) stories in height.
- B. **Required Lot Area, Lot Width, Yards, and Dimensional Requirements for Accessory Buildings:** Same as the underlying residential district, except that lots, not within a platted subdivision, shall be at least two acres in area.

320.05 ACCESS TO OLD AGENCY ROAD FOR NEW RESIDENTIAL, SUBDIVISIONS PROHIBITED WHEN OTHER PUBLIC ACCESS IS AVAILABLE: When access to other public roads (i.e., dedicated to the City of Ridgeland) is available in the OARC, access to Old Agency Road shall be prohibited for residential subdivisions proposed for development. The provisions of this section shall not apply to access reserved by deed. Furthermore, the provisions of this Section shall not apply to private driveways providing direct access to Old Agency Road from individual lots bordering Old Agency Road.

320.06 PRESERVATION AND PLANTING OF TREES ALONG OLD AGENCY ROAD:

- A. Except where a permit is specifically issued by the Board of Aldermen, or in the case of emergency, the cutting or destruction by any means of trees located within the boundaries of the Old Agency Road Landmark

description by any person is prohibited. The cutting of each such tree is a separate violation of this Ordinance.

- B. The developers of any residential subdivision or other use permitted outright or as a special exception and bordering Old Agency Road shall be responsible for planting trees where gaps exist in the tree line of said road. The developer shall plant such trees as determined in site plan review.

320.07 OFF-STREET PARKING REQUIREMENTS: See Section 37 for off-street parking and loading requirements for uses allowed in this district.

320.08 SIGNS: See *Sign Ordinance of the City of Ridgeland, Mississippi*.

Section III

The Map attached hereto as Exhibit "A" is hereby adopted and shows that area which is subject to Section 320 of the City of Ridgeland, Mississippi Zoning Ordinance.

Section IV

The City of Ridgeland, Mississippi, Zoning Ordinance shall be, and the same is hereby amended to reflect the foregoing changes in the text of the Zoning Ordinance from and after thirty (30) days from the date of adoption by this Board.

ORDAINED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi at a meeting thereof held on the 19th day of August, 2008.

The motion for adoption was seconded by Alderman Gerald Steen and the foregoing Ordinance having been first reduced to writing, was considered and

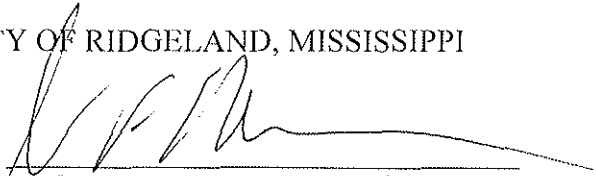
approved section by section and then as a whole and was submitted to the Board of Aldermen for passage or rejection on roll call vote being as follows, to-wit:

Alderman Ken Heard	AYE
Alderman Chuck Gautier	AYE
Alderman Kevin Holder	AYE
Alderman Larry Roberts	ABSENT
Alderman Scott Jones	AYE
Alderman Linda S. Davis	AYE
Alderman Gerald Steen	AYE

Whereupon, the Mayor declared the motion carried and Ordinance adopted.

The foregoing Ordinance is approved this the 19th day of August, 2008.

CITY OF RIDGELAND, MISSISSIPPI

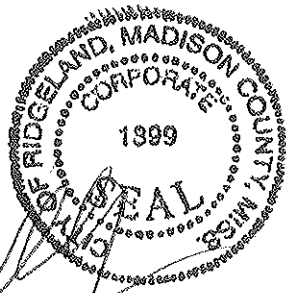
By: 

Gene F. McGee, Mayor of the City of Ridgeland, Mississippi

ATTEST:



DAVID OVERBY, City Clerk



ZONEAMD-SEC320-ORD
8/13/08-MMH