

**ORDINANCE AMENDING THE SECTIONS 21, 40, 180, 200, 210, 330, AND 430
OF THE OFFICIAL ZONING ORDINANCE
AND AMENDING SECTIONS 6-12 AND 106-4, AND ADDING SECTION 22-2
OF THE CODE OF ORDINANCES,
OF THE CITY OF RIDGELAND, MISSISSIPPI**

WHEREAS, the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi did lawfully adopt a Zoning Ordinance on February 4, 2014 after proper notice and a public hearing; and

WHEREAS, the administration and enforcement of the Zoning Ordinance since that time has resulted in the need of various clerical and administrative revisions to the Zoning Ordinance and to other, related provisions of the Code of Ordinances that would be beneficial to the continued implementation of the ordinances; and

WHEREAS, development trends of certain uses have resulted in the need to consider appropriate locations and restrictions; and

WHEREAS, because of the lease nature of many of the Restricted Uses (as defined in Article II, Section 21 of the Zoning Ordinance), it is believed that some Nonconformities will be resolved through attrition; no locations for additional Restricted Uses currently exist; and the Mayor and Board of Aldermen have not yet determined which businesses technically caused the nonconformity per the buffer restriction;

NOW THEREFORE BE IT RESOLVED, the Mayor and Board of Aldermen adopt the following sections as amendments to the Official Zoning Ordinance of the City of Ridgeland, Mississippi by amending the following sections:

Section 1

Replace Section 21 DEFINITIONS Restricted Uses: A category of uses that includes pawn shops, tattoo parlors, title loan establishments, check-cashing establishments, businesses purchasing gold or other precious metals as a primary business, businesses selling marijuana as a primary use or secondary use (excluding medical marijuana/CBD oil as defined in MS § 41-29-113), Electronic Smoking Device Retailers, nail salons as a primary business, bail bondsmen, tobacco and beer retailer, tobacco retailer, blood and/or plasma donation center, or any combination thereof.

Add **Electronic Smoking Device Retailer**: A commercial establishment selling Electronic Smoking Devices or related products (such as liquids, flavorings, and accessories for Electronic Smoking Devices) and where the sale and/or display of said devices and related products accounts for more than 30% of gross sales area, or 500 square feet of retail space or greater, or 30% of gross sales receipts.

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Add Electronic Smoking Device: An electronic or battery-operated device that delivers vapor for inhalation. The term includes every variation and type of such devices including electronic cigarettes, electronic cigars, electronic cigarillos, electronic pipes, electronic hookahs or any other similar product.

Section 2

Replace Section 40.03.B.2 with Section 40.03.B.2. Existing Class A Nonconformities. Unless changed by the procedures set forth herein, any Class A Nonconformity existing prior to February 6, 2001 under the zoning ordinance then in effect shall have a Categorical Class A Nonconformity status.

Section 3

Add Section 40.03.B.3. Existing Nonconforming Restricted Uses. The registration deadline for existing nonconforming Restricted Uses shall be extended to February 4, 2019, and the Class C conformity deadline for nonconforming Restricted Uses shall be extended to August 4, 2019. Failure to maintain a current Privilege License, operate in a legal manner, maintain all required permits, and maintain the facility in the manner and means required by the Property Maintenance Code of the City of Ridgeland shall result in immediate termination of the use. If the use/business closes or does not operate for any reason for a period of 30 days or longer, the use shall be terminated immediately. Existing nonconforming Restricted Uses shall also be subject to Section 40.09 Rules for Class B Nonconformities.

Section 4

Replace Section 180.03.E with Section 180.03.E. Breeding, raising, and feeding of grazing livestock (i.e., horses, cattle, sheep, goats, mules, etc.), provided that each such animal herein defined as "grazing livestock" shall be kept on a tract or lot of three (3) acres of land or greater. Barns, pens, corrals, and other buildings or enclosures for the keeping of grazing livestock are permitted accessory uses, provided that such buildings or enclosures (excluding open pastures) are located no closer than 200 feet from any adjoining property lines or street right-of-way line. Barns shall not be used for business offices or for other commercial purposes, retail or non-retail. Drainage from barns, pens, corrals, and other buildings or enclosures shall be contained on-site and shall be prevented from flowing onto downhill properties unless an NPDES permit is issued by the Mississippi Department of Environmental Quality.

Section 5

Replace Section 200.03.E with Section 200.03.E. Breeding, raising, and feeding of grazing livestock (i.e., horses, cattle, sheep, goats, mules, etc.), provided that each such animal herein defined as "grazing livestock" shall be kept on a tract or lot of three (3) acres of land or greater. Barns, pens, corrals, and other buildings or enclosures for the keeping of grazing livestock are permitted accessory uses, provided that such buildings or enclosures (excluding open pastures) are located no closer than 200 feet from any adjoining property lines or street right-of-way line. Barns shall not be used for business offices or for other commercial purposes, retail or non-retail. Drainage from barns, pens, corrals, and other buildings or enclosures shall be contained on-site and shall be prevented from flowing onto downhill properties unless an NPDES permit is issued by the Mississippi Department of Environmental Quality.

Section 6

Add Section 210.03.E. Breeding, raising, and feeding of grazing livestock (i.e., horses, cattle, sheep, goats, mules, etc.), provided that each such animal herein defined as "grazing livestock" shall be kept on a tract or lot of three (3) acres of land or greater. Barns, pens, corrals, and other buildings or enclosures for the keeping of grazing livestock are permitted accessory uses, provided that such buildings or enclosures (excluding open pastures) are located no closer than 200 feet from any adjoining property lines or street right-of-way line. Barns shall not be used for business offices or for other commercial purposes, retail or non-retail. Drainage from barns, pens, corrals, and other buildings or enclosures shall be contained on-site and shall be prevented from flowing onto downhill properties unless an NPDES permit is issued by the Mississippi Department of Environmental Quality.

Section 7

Add Section **330.03 CONDITIONAL USES AND STRUCTURES AS PROVIDED UNDER SECTION 600.9**

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

Renumber Section 330.03 through 330.10 to be 330.04 through 330.11.

Section 8

Add Section 430.03.E. Coin operated Laundromat.

Add Section 430.03.F. Other Conditional Uses listed under the C-2A General Commercial District regulations.

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Section 9

Add the following provisions to the Ridgeland Code of Ordinances:

In Chapter 6 (Alcoholic Beverages), add a new Section 6-12(d) to read as follows: Any nonconformity under this chapter shall also be subject to Section 40 of the Zoning Ordinance (Chapter 126), and shall terminate according to Section 40 of the Zoning Ordinance unless terminated earlier under this chapter.

In Chapter 22 (Businesses), add a new Section 22-2 to read as follows: Any nonconforming use under this chapter shall also be subject to Section 40 of the Zoning Ordinance (Chapter 126), and shall terminate according to Section 40 of the Zoning Ordinance unless terminated earlier under this chapter.

In Chapter 106 (Telecommunications), add a new Section 106-47(5) to read as follows: Any nonconforming wireless communications facility under this chapter shall also be subject to Section 40 of the Zoning Ordinance (Chapter 126), and shall terminate according to Section 40 of the Zoning Ordinance unless terminated earlier under this chapter.

Section 10

The City of Ridgeland, Mississippi, Zoning Ordinance and Code of Ordinances is hereby amended to reflect the foregoing changes from and after thirty (30) days from the date of the adoption by the Board.

SO ORDAINED by the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi at a meeting thereof held on the 3rd day of February, 2015.

The ordinance, having been first reduced to writing, was offered for adoption by Alderman CHUCK GAUTIER and seconded by Alderman D I SMITH and submitted to the Board of Aldermen for passing or rejection on roll call vote with the following results:

- Alderman Ken Heard (Ward 1) voted: AYE
- Alderman Chuck Gautier (Ward 2) voted: AYE
- Alderman Kevin Holder (Ward 3) voted: AYE
- Alderman Brian Ramsey (Ward 4) voted: ABSENT
- Alderman Scott Jones (Ward 5) voted: ABSENT
- Alderman Wesley Hamlin (Ward 6) voted: AYE
- Alderman D. I. Smith (At-large) voted: AYE

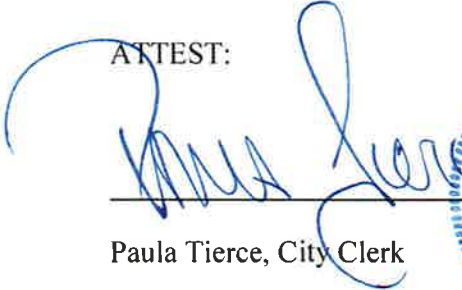
WHEREUPON, the Mayor declared the Motion had carried and the Ordinance adopted this the 3rd day of February, 2015.



Gene F. McGee, Mayor

City of Ridgeland, Mississippi

ATTEST:



Paula Tierce, City Clerk

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