

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI,  
AMENDING THE TEXT OF THE OFFICIAL ZONING ORDINANCE TO  
PROVIDE FOR THE CREATION OF A NEW USE CLASSIFICATION AND  
TO AMEND CERTAIN DEFINITIONS IN THE ZONING ORDINANCE  
AND REPEAL INCONSISTENT PROVISIONS**

**Whereas**, The Mayor and Board of Aldermen adopted the existing Zoning Ordinance on or about February 4, 2014; and,

**Whereas**, amendments to the Zoning Ordinance were adopted on February 3, 2015, and June 2, 2015; and,

**Whereas**, the City of Ridgeland desires to assure all persons entitled to notice receive the same in the time and manner required by law; and,

**Whereas**, notice of this hearing was published in the Madison County Journal on February 25, 2016; and,

**Whereas**, Section 600.10.A of the adopted Zoning Ordinance sets forth procedures for adopting city initiated amendments; and,

**Whereas**, the Mayor and Board of Aldermen set for public hearing an amendment to the Ridgeland Zoning Ordinance on February 16, 2016; and,

**Whereas**, Notice of said hearing was given in the time and manner provided by the City of Ridgeland's Zoning Ordinance and State Law for 6:00 p.m. on April 5, 2016; and,

**Whereas**, a public hearing was conducted on April 5, 2016 for the consideration of a city initiated amendment to Section 21 (Definitions) and Section 410.02.M ; and,

**Whereas**, evidence was heard at said hearing both in support of the proposed amendment and in opposition thereto, including both testimony and presentation of documentation; and,

**Whereas**, based on said evidence and the personal knowledge of the members of the governing authority, the proposed amendment should be adopted; and,

**Whereas**, all procedural requisites for the setting and conduct of this hearing have been met, specifically including required notice; and,

**Whereas**, the testimony and report of Ridgeland's Community Development Director is credible, and the facts set out therein support the finding that this Ordinance should be adopted; and,

**Whereas**, the testimony and report of Chris Watson, AICP is credible, and the facts set out therein support the finding that this Ordinance should be adopted; and,

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**Whereas**, opponents who have expressed opposition to this amendment have presented both oral and documentary evidence in support of their position. The Mayor and Board of Aldermen find that much of the opposition, while sincere, is not supported by credible evidence; and,

**Whereas**, notice of this hearing was given in the time and manner required by the Zoning Ordinance of the City of Ridgeland and by statute; and,

**Whereas**, the opponents have been given Notice and an opportunity to be heard on the issue of whether this text amendment should be adopted; and,

**Whereas**, the proposed amendment is consistent with Ridgeland's Comprehensive Plan; and,

**Whereas**, opponents to this amendment have been heard individually, both personally and through counsel; and,

**Whereas**, present conditions warrant this amendment to the text of the Zoning Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY** the Mayor Board of Aldermen of the City of Ridgeland, Mississippi, as follows:

**SECTION 1.** That the matters and facts stated in the preamble are found, determined, and adjudicated to be true and correct.

**SECTION 2.** That it is hereby found and determined that the conditions precedent to the amendment of the Zoning Ordinance have been satisfied.

**SECTION 3.** The Zoning Ordinance Amendment adopted on June 2, 2015, is hereby repealed.

**SECTION 4.** Replace the Section 21 of the Zoning Ordinance "Service Station" Definition with the following language:

**Service Station:** Any area of land, including the structure thereon, which is used primarily for the retail sale of gasoline, diesel fuel, ethanol, oil, propane, other fuels, and/or the sale or installation of automobile accessories and may also include incidental services such as facilities for lubricating, washing (either automatic or by hand), and cleaning, or otherwise servicing automobiles and light trucks. This term does not include the painting or major repair of vehicles.

**SECTION 5.** Add to Section 21 Definitions of the Zoning Ordinance the following definition:

**Large Master Planned Commercial Development:** Any large commercial development consisting of one (1) or more contiguous parcels that may be individually owned, separately owned, or ground leased tracts or parcels that meets the following criteria, among the group of tracts or parcels: (a) contains at least one building for occupancy for retail/wholesale purposes exceeding 100,000 square feet of heated and cooled space for the indoor display and sale of goods, (b) is a site with a minimum of 15

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contiguous acres, and (c) has access to an Arterial Street. Before any land may be defined as a Large Master Planned Commercial Development, a site plan thereof shall be approved by the Mayor and Board of Aldermen. The Mayor and Board of Aldermen may impose conditions or restrictions as part of the approval. Large Master Planned Commercial Developments may include any of the uses permitted in the underlying Zoning District as well as Service Stations; Banks, branch banks, drive-thru ATM's, and other banking facilities; Food product and carry-out and delivery stores, laundry and dry cleaning pickup stations; Fast Food Restaurant with drive-thru; Fast Casual Restaurant with drive-thru; Pharmacy with a drive-thru; and outdoor display of goods in designated areas approved by the Mayor and Board of Aldermen in one (1) or more locations not exceeding an aggregate of 15,000 square feet.

**SECTION 6.** Add Section 410.02.M to the Zoning Ordinance as follows:

**Large Master Planned Commercial Development** (as defined in Section 21 of this Ordinance).

**SECTION 7.** That the City of Ridgeland Zoning Ordinance of February 4, 2014, and amended on February 3, 2015, and June 2, 2015, be, and the same is hereby amended to effectuate this change in zoning text.

**SECTION 8.** This Ordinance shall be effective thirty (30) days after its passage and after publication of same as required in § 21-13-11 Mississippi Code of 1972.

ORDAINED, ADOPTED, AND APPROVED by the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi at its regular meeting thereof held on the 5<sup>th</sup> day of April, 2016.

Having considered all the facts and discussions made, and after further discussion thereof, Aldermen SCOTT JONES offered this Ordinance and moved that it be adopted.

The motion for adoption was seconded by Alderman CHUCK GAUTIER 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	<u>NAY</u>
Alderman Chuck Gautier	<u>AYE</u>
Alderman Kevin Holder	<u>AYE</u>
Alderman Brian Ramsey	<u>NAY</u>
Alderman Scott Jones	<u>AYE</u>
Alderman Wesley Hamlin	<u>AYE</u>

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Alderman D. I. Smith

NAY

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

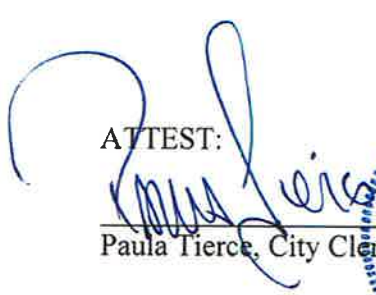
The foregoing Ordinance is approved this the 5<sup>th</sup> day of April, 2016.

CITY OF RIDGELAND, MISSISSIPPI

By:

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

ATTEST:

  
Paula Tierce, City Clerk



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