

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI
AMENDING THE TND OVERLAY DISTRICT ORDINANCE OF
THE CITY OF RIDGELAND, MISSISSIPPI, TO INCLUDE CERTAIN LANGUAGE
INCLUDING NEW PERMITTED LAND USES**

WHEREAS, the Township Land Company, LLC (the "Petitioner") did make a request to revise for the fifth time a certain ordinance, Township at Colony Park Traditional Neighborhood Development Overlay District Ordinance, as previously revised four times in 2003, 2006, and 2013, (the "TND Overlay District Ordinance"), of the City of Ridgeland, Mississippi.

WHEREAS, the Mayor and Board of Aldermen scheduled a hearing on said Petition for the 4th day of August, 2015 at 6:00 o'clock p.m.; and,

WHEREAS, the Zoning Board did cause notice of the July 16, 2015, hearing to be published in the Madison County Journal, a newspaper of general circulation published in the City of Ridgeland, Madison County, Mississippi, in the manner and for the time required by law, and the Zoning Administrator did post notice of same upon the affected property in the manner and for the time required by law, as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Petitioners did provide evidence to the Ridgeland Mayor and Board of Alderman that the statutory notice requirements had been met and all requirements under City ordinances had likewise been met; and,

WHEREAS, at the time, date and place specified in the notice, on Aug. 4, 2015, at its regular public meeting established in accordance with the law, the Mayor and Board of Aldermen of the City of Ridgeland did recognize and hear the Petitioners in a public hearing, and at said meeting, the said Mayor and Board of Aldermen received comments and heard evidence presented by the Petitioner and all others who appeared at said meeting / public hearings; and,

WHEREAS, the Petitioner requested that the TND Overlay District Ordinance be revised to

include and insert certain language, including new permitted land uses, as shown on their Petition, attached hereto as Exhibit "B," as well as the drawings attached hereto as Exhibit "C," and,

WHEREAS, at its regular public meeting held on Aug. 18, 2015, the Mayor and Board of Aldermen agreed the matter should be approved, and thereafter voted to recommend that the Petition be approved; and,

WHEREAS, the Mayor and Board of Aldermen are familiar with the property and existing land uses within the City of Ridgeland and in the area of the City where the property is located, and in acting on the Ordinance, have duly considered the matters and facts within their personal knowledge as same affect the land uses requested in the Petition filed herein; and,

WHEREAS, the Mayor and Board of Aldermen hereby finds that it is empowered to grant the request in the Petition and that the granting of the Petition will not adversely affect the public interest; and,

WHEREAS, the matter was presented to the Mayor and Board of Aldermen along with the recommendation of the Community Development Director, and after discussion thereof, Alderman RAMSEY 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 1. That the matters and facts stated in the preamble hereof 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 granting of the request as required by the City of Ridgeland's 2014 Official Zoning Ordinance exist and have been satisfied in regard to the granting of the Petition.

SECTION 3. That the request meets the threshold standards the Zoning Ordinance

ORDINANCE #2015-07

considered by the Mayor and Board in that the request is in accord with all elements of the city's Comprehensive Plan the character of the neighborhood has changed to such an extent as to justify granting the request, and that there is a public need for the new uses.







SECTION 4. That the TND Overlay District Ordinance is revised to include and insert certain language, including new permitted land uses, as shown on their Petition, attached hereto as Exhibit "B" with the exception that references to CST (Central Standard Time) be replaced with "Local Time".

SECTION 5. That the City of Ridgeland's TND Overlay District Ordinance of Aug. 7, 2001, be, and the same is hereby amended to effectuate this change as herein described.

SECTION 6. 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, Madison County, Mississippi at a regular meeting thereof held on the 18th day of Aug., 2015.

The motion for adoption was seconded by Alderman SMITH, and the foregoing Ordinance having been first reduced to writing, was submitted to the Board of Aldermen for passage 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: Aye / 
- Alderman Scott Jones (Ward 5) voted: Aye / 
- Alderman Wesley Hamlin (Ward 6) voted: Aye / 

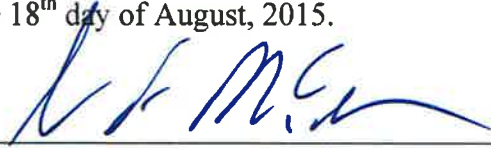
ORDINANCE #2015-07

Alderman D.I. Smith (At large) voted:


Aye / [REDACTED]

WHEREUPON, the Mayor declared the Motion had carried and that the Ordinance was adopted.

The foregoing Ordinance is approved, this the 18th day of August, 2015.



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

ATTEST:


Paula Tierce, City Clerk



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI

MADISON COUNTY

PERSONALLY appeared before me, the undersigned notary
Mississippi, Michael Simmons, Associate Editor and Publisher
JOURNAL, a weekly newspaper of general circulation in Madison
defined and prescribed in Section 13-3-31, of the Mississippi Code
being duly sworn, states that the notice, a true copy of which is
the issues of said newspaper as follows:

NOTICE OF PUBLIC HEARING

NOTICE is hereby given to those parties in interest that there will be a public hearing on Tuesday, August 4, 2015, at 8:00 o'clock P.M. at the City Hall, 304 Highway 51, Ridgeland, MS 39157, for the purpose of determining whether amendments to Section 11 C Section V (A) (29), Section V (A) (30), and Section V (A) (31) of the TMD Overlay District Ordinance shall be granted.

The hearing was set by the Mayor and Board of Aldermen at its first regular July, 2015, meeting on July 7, 2015. CITY OF RIDGELAND
By: Gene E. McGee, Mayor
ATTEST:
By: Paula Tierce, City Clerk
July 10, 2015
Publish: July 16, 2015

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Date July 16, 2015
Vol. 34, No. 29
Date _____, 2015
Vol. _____, No. ____
Date _____, 2015
Vol. _____, No. ____
Date _____, 2015
Vol. _____, No. ____



Signed: Michael Simmons

Associate Editor and Publisher

THE MADISON COUNTY JOURNAL

SWORN TO AND SUBSCRIBED before me the 16 day of July, 2015.

Amy N. Lambert

Notary Public

EXHIBIT "A"

ORDINANCE #2015-07

BEFORE THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI

THE TOWNSHIP LAND COMPANY, LLC

PETITIONER

Petition and Application to Revise
The Township at Colony Park
Traditional Neighborhood Development
Overlay District Ordinance
Adopted as of
August 7, 2001
First Revision June 11, 2003
Second Revision December 20, 2006
Third Revision December 3, 2013
Fourth Revision December 3, 2013

COMES NOW, The Township Land Company, LLC, (hereinafter the "Petitioner") and respectfully petitions the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi, to revise The Township at Colony Park Traditional Neighborhood Development Overlay District Ordinance adopted as of August 7, 2001, First Revised June 11, 2003, Second Revised December 20, 2006, Third Revised December 3, 2013 and Fourth Revised December 3, 2013 (hereinafter the "TND Overlay District Ordinance") as follows:

1. The name of the Petitioner is The Township Land Company, LLC
2. The Petitioner's mailing address is The Township Land Company, LLC, Attention: Clinton G. Herring, Jr., Post Office Box 16436, Jackson, MS 39236.
3. The Petitioner's telephone number is 601-368-9950.
4. The Subject Area is all land being situated in the area defined as "Subject Area" within the TND Overlay District Ordinance and as shown and located on the location map attached to the TND Overlay District Ordinance as Exhibit "B", all as more particularly set forth in Section III of the TND Overlay District Ordinance and as Revised for the annexed area pursuant to the Fourth Revision to the TND Overlay District Ordinance December 3, 2013.

Page 1

ORDINANCE #2015-07 ^{EXHIBIT "B"}

BEFORE THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI

THE TOWNSHIP LAND COMPANY, LLC

PETITIONER

5. Petitioner requests that the TND Overlay District Ordinance be revised to include and insert certain language at the Section(s) and Sub-Section(s) noted immediately below:

- a) At Section II C. insert immediately before "TND Live/Above" and immediately after "TND Condominiums" the following language:

TND LINER FLEX. Contiguous attached or detached building(s) primarily constructed with the intent of providing a liner edge along a street to assist with concealing from view large unattractive areas of surface parking. TND Liner Flex building(s) may be single story or multiple stories. TND Liner Flex building(s) may contain any of the following uses, or a combination thereof: TND Office, TND Retail, TND Live/Work, TND Live/Above, TND Townhouse, enclosed storage, TND Office Condominium, TND Retail Condominium and TND Live/Work Condominium.

- b) At Section V (A) insert at the end of the sub-section (A) the following language:

29) Within the TND Overlay District Subject Area, one (1) nail salon (not exceeding 2500 SF of premises area) as a "primary business" as a Permitted Use without the need for any granting of a special exception or conditional use by the City. The allowance hereof of one (1) nail salon as a "primary business" is not intended to limit

ORDINANCE #2015-07

BEFORE THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI

THE TOWNSHIP LAND COMPANY, LLC

PETITIONER

nail salons in businesses whose "primary business" is not a nail salon (i.e., full service salons or spas, etc.).

- 30) Within the TND Overlay District Subject Area, as a "primary business" and as a Permitted Use without the need for any granting of a special exception or conditional use by the City, one (1) specialty restaurant establishment with an emphasis on the sale of craft beer ("Craft Beer") and/or wine ("Wine") for primarily on premises consumption where the requirement for the percentage of food sales in said specialty establishment is sixty percent (60%), hereinafter a CBW Specialty Restaurant ("CBW Specialty Restaurant"). For the purposes hereof a "CBW Specialty Restaurant as a primary business" is an establishment whose primary business is the sale of beer made in a traditional and/or non-mechanized way by a small brewery ("Craft Beer") and/or Wine. For the purposes of this TND Overlay District Ordinance said establishment shall not be open for business later than 11:00PM CST and no more than forty-nine percent (49%) of the sales of said Craft Beer may be sold for off premises consumption. The allowance hereof of one (1) CBW Specialty Restaurant as a primary

Page 3

ORDINANCE #2015-07

BEFORE THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI

THE TOWNSHIP LAND COMPANY, LLC

PETITIONER

business is not intended to limit Craft Beer and/or Wine sales in businesses whose "primary business" is not a Craft Beer and/or Wine Establishment but are merely businesses that offer Craft Beer and/or Wine but not as their "primary business" (i.e. a restaurant, retail store or other appropriate and allowable Land Uses Permitted in the TND Overlay District).

- 31) Within the TND Overlay District Subject Area one (1) off premises consumption only Craft Beer Establishment (not exceeding 2500 SF of premises area) as a "primary business" as a Permitted Use without the need for any granting of a special exception or conditional use by the City. For the purposes hereof an "off premises consumption only consumption Craft Beer Establishment as a primary business" is an establishment whose primary business is the sale (for off premises consumption only) of beer made in a traditional and/or non-mechanized way by a small brewery. The allowance hereof of one (1) off premises consumption only Craft Beer Establishment as a primary business is not intended to limit beer sales (craft or otherwise) in businesses whose "primary business" is not

ORDINANCE #2015-07

BEFORE THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI

THE TOWNSHIP LAND COMPANY, LLC

PETITIONER

an off premises consumption only Craft Beer Establishment but are merely businesses that offer beer (craft or otherwise) but not as their "primary business" (i.e. a retail store or other appropriate and allowable Land Uses Permitted in the TND Overlay District).

6. Petitioner has shown that the request(s) listed in Section 5. Immediately above is/are consistent with the intent of the TND Overlay District Ordinance and will allow the TND Overlay District Subject Area to be owned, developed, operated and maintained in accordance with the Covenants, Conditions and Restrictions of The Township at Colony Park, including the Architectural Guidelines and will also allow for the continued harmonious and aesthetical use of the TND Overlay District Subject Area.
7. The required filing fee has been paid with the filing of this Petition.

Respectfully submitted,

The Township Land Company, LLC,
a Mississippi limited liability company

By: 

Clinton G. Herring, Jr., Manager

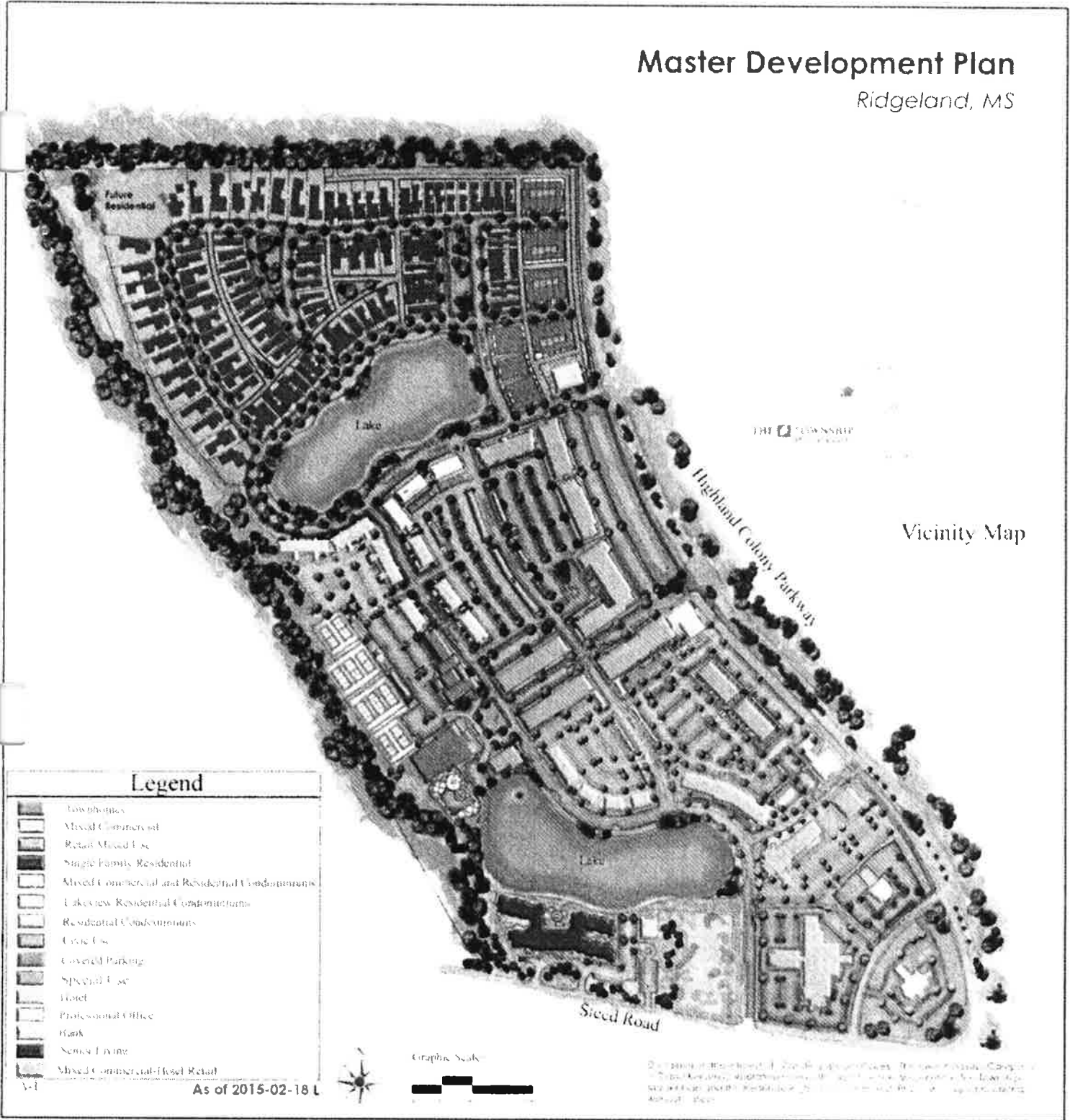
Date: July 30, 2015

Page 5

ORDINANCE #2015-07

THE TOWNSHIP at colony park

Master Development Plan Ridgeland, MS



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PL-1000 Series V981049 Township HCPV61 Rezoning-Overlay District Ordinance Master Development Plan 2015-02-18

ORDINANCE #2015-07

EXHIBIT "C"

THE



TOWNSHIP
at colony park

Master Development Plan

Ridgeland, MS



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Ridgeland Series 1981049 Township HCP\61 Rezoning-Overlay District Ordinance Master Development Plan 2015-02-18 L-Showing Subject Lines

ORDINANCE #2015-07