

ORDINANCE AMENDING SECTIONS 40.03.B.3 AND 180.05 AND 200.05 AND 600.14.F.8(E) OF THE ZONING ORDINANCE 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 Mayor and Board of Aldermen of the City of Ridgeland, Mississippi subsequently adopted Zoning Ordinance Amendments on February 3, 2015, June 2, 2015, April 5, 2016, October 18, 2016, September 19, 2017, January 16, 2018, and April 3, 2018 after proper notice and public hearings; 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; and

WHEREAS, the Mayor and Board of Aldermen have expressed a desire to improve safety around pools in R-E and R-EA Zoning Districts and directed the Community Development Director to bring for an Ordinance for consideration; and

WHEREAS, the Mayor and Board of Aldermen have a desire to protect and enhance the primary transportation gateways and corridors into, out of, and through the City of Ridgeland; and

NOW THEREFORE BE IT RESOLVED, the Mayor and Board of Aldermen find that the Preamble of this amendment is true and correct and adopt the following sections as amendments to the Official Zoning Ordinance of the City of Ridgeland, Mississippi by amending the following sections:

SECTION 1

Amend Section 40.03.B.3. **Existing Nonconforming Restricted Uses.** The registration deadline for existing nonconforming Restricted Uses shall be extended to February 4, 2022, and the Class C conformity deadline for nonconforming Restricted Uses shall be extended to August 4, 2022. 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 2

Replace Section 180.05 with **SWIMMING POOLS**: Swimming pools shall be located behind the front line of the house and there shall be a minimum of ten feet between all property lines or recorded easements and the rim of the swimming pool. All swimming pools shall be enclosed by a structure or fencing a minimum of six (6) feet in height.

SECTION 3

Replace Section 200.05 with **SWIMMING POOLS**: Swimming pools shall be located behind the front line of the house and there shall be a minimum of ten feet between all property lines or recorded easements and the rim of the swimming pool. All swimming pools shall be enclosed by a structure or fencing a minimum of six (6) feet in height.

SECTION 4

Add Section 600.14.F.8(e). No Convenience Grocery Store shall be located within 2,000 linear feet from any other Convenience Grocery Store. Distances shall be measured in a single straight line from front door to front door.

SECTION 5

That this Ordinance take effect and be in force one (1) month from and after passage as provided by law.

The foregoing Ordinance having been reduced to writing, the same was introduced by Alderman Kevin Holder, seconded by Alderman D. I. Smith was adopted by the following vote, to-wit:

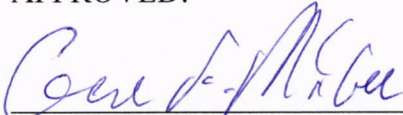
Alderman Ken Heard (Ward 1) voted:	<u>AYE</u>
Alderman Chuck Gautier (Ward 2) voted:	<u>ABSENT</u>
Alderman Kevin Holder (Ward 3) voted:	<u>AYE</u>
Alderman Brian Ramsey (Ward 4) voted:	<u>ABSENT</u>
Alderman Bill Lee (Ward 5) voted:	<u>AYE</u>

Alderman Wesley Hamlin (Ward 6) voted: AYE

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

The Mayor thereby declared the motion carried and the Ordinance adopted, this the 5th day of March, 2019.

APPROVED:



GENE F. MCGEE, MAYOR

ATTEST:



PAULA TIERCE, CITY CLERK

Published: 3/14/2019

