

PROPOSED CHANGES TO ZONING ORDINANCE

ARTICLE
Or Section

- (c) Definitions, page 11, Facilities and Utilities, Public/Quasi-Public
Modify to read: Water pumping stations, sewage treatment plants, sanitary landfills and the like. NOTE: Public recreation and open space facilities are a land use permitted outright in ANY district, and such facilities are not subject to the regulations of Section 402 as special exceptions.
- (k) Definitions, page 12, add the following new section:
All governmental buildings (including municipal buildings and those buildings erected by County, State or Federal Governments) are hereby exempt from this ordinance subject to any restrictions or limitations deemed necessary by the Madison County Board of Supervisors
- 201 Page 23, **Site Plan Review**, correct reference to Sections 2207 through 2210 to : 2607 – 2610.
- 1102 Correct reference from 2504 to 2605 (2504 is sign regulations, not conditional use criteria.)
- 1103.01 Since Sect. 1100 covers development of 2 to 4-family townhouses, the (NOTE) phrase makes no sense, because if townhouses are to be built in a vacant parcel, a zone change would be required if not R-4 already. **Delete the NOTE.**
- 1800 Second paragraph, second sentence: Insert the word “be” so that it reads “..may not be appropriate for ...”
- 1902 Add the following Conditional uses to the list given:
L. Check cashing Business
M. Payday loan Business
N. Car title loan Business/Cash for Titles or similar
O. Pawn shop
P. Tattoo and/or Body Piercing Parlor
Q. Vaporizer stores and smoke lounges, or similar businesses where cigarettes/vaporizers are sold or used. Electronic cigarette or electronic vaping device is defined as any electronically, battery or mechanically powered device that uses an atomizer or similar device allowing users to inhale nicotine vapor, or any other vapor, to simulate the smoking of tobacco, cigarette, pipes or cigars. An electronic vaping device includes personal vaporizers, electronic cigarettes, electronic pipes, electronic cigars and any other type of electronic nicotine or vapor delivery system or any part thereof.
R. Palm Reading or Fortune Telling business
S. Sports betting/wagering/gaming establishments or businesses whether operated independently of other business purpose or jointly. This includes the sale of raffle tickets, gaming tickets and lottery chances.
- 2602.01.C Insert the word ‘Planning’ before the word “Commission”.

2606.02 Change title of this Para. to : Site Plan or Development Plan Required . (This is required before zoning change.) Two sections referred to are in error, should be changed to 2608 and 2609 respectively, which reference site plans.

2606.05 Change to A. Public Hearing Required: In accordance with...

Add the following: B. Notification to Adjacent Property Owners: The Zoning Administrator shall furnish a form letter for use by all applicants for rezoning in notifying all property owners within 160 feet in all directions (excluding the rights-of-way of streets or highways) from the lot lines of any parcel or parcels of land proposed for rezoning that such action is being proposed. The applicant for the rezoning shall furnish to the Zoning Administrator, with the completed application, the names and addresses of all persons owning land within this 160-foot distance from the subject property.

The applicant for rezoning shall also be responsible for mailing, by certified mail (return receipt requested), the form letters (containing the date, time, location and purpose of the public hearing) to all such property owners. All letters to the property owners shall be mailed at least thirty (30) days prior to the public hearing. The applicant shall then provide to the Zoning Administrator the return receipts for the certified letters and the Zoning Administrator shall attach these return receipts to the application.

2606.07 Change to: Three-Fifths Vote of Board of Supervisors Necessary to Approve Rezoning Under Certain Circumstances: In case of a protest against a proposed rezoning signed by the owners of twenty percent (20%) or more, either of the area of the lots included in such proposed change, or of those immediately adjacent to the rear thereof, extending one hundred sixty (160) feet therefrom or of those directly opposite thereto, extending one hundred sixty (160) feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fifths (3/5) of the members of the Board of Supervisors who are not otherwise required by law or ethical considerations to recuse themselves.

2606.12 Add new paragraph:

Rezoning with restrictions attached:

If a parcel is approved for rezoning by the Board of Supervisors with certain restrictions or conditions attached as a basis for approval, the approval for the rezoning shall not take effect until said restrictions or conditions have been filed in the Madison County Land Records, and a certified copy of said filing has been provided to the Board of Supervisors by the petitioner, and attached to their minutes. Any such restrictions or conditions shall forever run with and bind the property. Such restrictions shall also be noted upon the site development plan and any subsequent plan for the property, if any.

2608.03 Fourth paragraph references 2207.1 in error, should read 2607.01

2608.06 Section referenced as 2208.07 should be changed to 2608.07

TITLE SHEET Change to add : REVISIONS ADOPTED _____ 2017

ARTICLE XXVII

SECTION 2707 ADOPTION CLAUSE, change to read;

Revisions to the original Ordinance of 2013, Adopted this, the _____ day of _____, 2017 at the regular meeting of the Board of Supervisors of Madison County, Mississippi . Revisions shall be incorporated in a re-print of the 2013 Ordinance at a later date, and titled “REVISED AND ADOPTED _____ 2017”

ATTEST:

President of the Board of Supervisors

Chancery Clerk

I, the under signed, _____, Chancery Clerk of the Madison County, Mississippi, do hereby certify that the above and foregoing is a true copy of Revisions to an Ordinance adopted by the Board of Supervisors of the Madison County, Mississippi, at its meeting held on the same day as above, and the same appears in the Minute Book 2017.

Given under my hand and official seal, this day the ____ day of _____, 2017

Chancery Clerk
Madison County, Mississippi

(SEAL)