

# CITY OF RICHLAND

## ORDINANCES PASSED

January 5, 2021

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### ORDINANCE 2021 - 1

#### **AN ORDINANCE TO AMEND THE CITY'S ZONING ORDINANCE (ORDINANCE 2014-7, AS AMENDED) TO ADD SECTION 1860 - (PHC) PLANNED HIGHWAY CORRIDOR DISTRICT**

**WHEREAS**, the Mayor and Board of Aldermen ("Governing Body") of the City of Richland, Mississippi ("City") do hereby find, adjudicate and declare as follows:

1. Pursuant to the provisions of Sections 17-1-1 et seq, Mississippi Code Annotated of 1972, as amended, the City is empowered to enact zoning ordinances and amendments thereto and to provide for administration and enforcement thereof.
2. The Governing Body desires to implement an overlay district along Highway 49 so as to encourage, promote and enforce uniform and consistent development within the City that is in the best interests of its citizens and has advertised in the Rankin County News a public hearing regarding adopting and consideration of the same, a copy of the proof of publication of such hearing is attached hereto as Exhibit A.
3. Accordingly, upon conducting the aforementioned public hearing, the Governing Body deems it necessary for the purpose of promoting the uniform development along Highway 49 of the City, to enact this amendment to the Zoning Ordinance, 2014-7, as amended, and does hereby deem the same necessary and convenient for said purposes.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF RICHLAND, MISSISSIPPI:**

**SECTION 1.** The City's Zoning Ordinance, 2014-7, as amended, is hereby revised and amended to add the following section:

#### **SECTION 1860 – (PHC) PLANNED HIGHWAY CORRIDOR DISTRICT**

**1861 - PURPOSE OF DISTRICT:** The general purposes of this section are to protect the integrity of and to provide for a superior environment along the Highway 49 corridor of the City, as stated in the Comprehensive Plan. As a matter of public policy the City aims to redevelop, enhance, and perpetuate those aspects of overlay districts that have aesthetic, architectural, cultural, and/or historical significance. Such development activities will promote and protect the health, safety, prosperity, and general welfare of persons living in the City. The Planned Highway Corridor District (PHC) functions as an overlay district, which imposes a set of requirements in addition to those of the underlying residential, commercial, industrial or other district. Upon change in ownership, all non-conforming buildings and lots shall comply with the requirements of the PHC District within six (6) months.

Specifically, the PHC District guidelines are designed to encourage the following:

- A. To establish and enhance the "gateway" character of the district, thereby increasing aesthetic and visual qualities, as well as, property values of the City;
- B. To prevent the placement of inappropriate land uses along the entranceway corridors;
- C. To promote uniformity, with regard to dimensional regulations (i.e., maximum height, lot area and lot width, density, setbacks, and open space);
- D. To standardize landscaping requirements within the district;

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E. To establish sign regulations to prevent the erection of outdoor advertising that would detract from the aesthetic quality of the entranceway districts, thereby diminishing property values;

F. To establish uniform off-street parking, service area, and access control regulations;

G. To enact exterior lighting regulations that will minimize glare, promote security, and provide vehicular traffic and pedestrian safety; and

H. To promote site plan review standards and procedures that encourages the highest quality of development while preventing unnecessary delays.

1862 - PLANNED HIGHWAY CORRIDOR DISTRICT IS AN OVERLAY DISTRICT:

A. The PHC District shall be established as an "overlay district," superimposed on the existing zoning district, and intended to supplement the regulations of the underlying base district and to provide harmony and compatibility of development over the length of the corridor.

B. The width of the PHC District along Highway 49 is 600 feet on either side of the right-of-way. The PHC District will overly multiple zoning districts and if any portion of a lot/parcel is within the 600 feet perimeter set forth herein, then the entire lot/parcel shall be encompassed within the PHC District, subject to removal or partitioning only by the Mayor and Board of Aldermen under Section 2001 of the Ordinance.

C. In the event a proposed development is not completely covered by the overlay district, then the City reserves the right, in its discretion based on the purposes and intent of this section and in the best interest of the City, to extend the overlay district so that the proposed development is completely covered by the requirements herein.

1863 - PERMITTED LAND USES: Because the PHC District overlays residential, commercial, and industrial zoning districts, the underlying permitted uses of the affected districts shall not be affected by the presence of the overlay.

1864 - SPECIAL EXCEPTIONS AS PROVIDED UNDER SECTION 2004: Only those conditional uses that are specifically permitted in each of the affected underlying districts shall be considered by special exception.

1865 - PROHIBITED PHC DISTRICT LAND USES: To maintain the integrity of this district the following uses are prohibited regardless of the type of district in which they are found. These uses apply only in the portions of each district covered by the overlay.

A. Re-cycling collection point;

B. Junk yards;

C. Palm readers, psychics, fortune tellers and similar businesses;

D. Tattoo Parlor;

E. Massage Parlor;

F. Pawn shops;

G. Title pledge office;

H. Bars not associated with restaurants;

I. Mini-warehouses; and



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### J. Adult entertainment establishments.

1866 - SITE PLAN REQUIRED: The developer/applicant of any use in the PHC District shall submit a site plan to the Planning and Zoning Board in accordance with Section 2006 of this Ordinance.

### 1867 - GENERAL STANDARDS:

A. Loading Areas Screened: Loading areas shall be screened and located on side or rear yards.

C. Access to Property: Access to the property shall be approved by the City Engineer, Planning and Zoning Board, and Mayor and Board of Aldermen.

F. Buffer Standards: When nonresidential uses abut residential uses, the following standards apply:

1. All of the structures for the nonresidential uses shall be set back a minimum of 50 feet from the residential property line and a 25-foot landscaped buffer shall be located between the residential and nonresidential uses; or
2. All of the structures for the nonresidential uses shall have a minimum 25-foot landscaped buffer and a masonry wall or a fence, as approved by the Board of Mayor and Aldermen, located between the residential and nonresidential use.

G. Landscaping Standards: Persons wishing to develop property within the PHC District shall comply with the following landscaping standards:

1. Existing natural landscaping material shall not be disturbed within 25 feet of the property line that adjoins the street right-of-way. This area shall be labeled as open space setback. No structures, fences, walls, or parking are allowed in this setback;
2. Landscaping shall be provided in the open space setback where landscaping has been disturbed and shall be provided surrounding buildings and parking areas at a minimum width of five feet. The intensity of landscaping shall be two plants per 30 square feet of landscaped area. One-half of vegetation shall be at least four-feet high, and one-half shall be one-foot high at the time of planting. Trees shall be a minimum of 10 percent of the total planting. If parking is provided in the front setback, it shall be effectively screened by earth berms or landscaping, which shall be at least four feet above parking lot grade; and
3. In order to preserve natural landscaping on stream banks, an undisturbed setback of 10 feet shall be retained next to the major streams where 100-year floodplains have been recorded.

H. Lighting Standards: Any lighting in the PHC District used to illuminate any off-street parking area shall be energy efficient as approved by the Zoning Administrator and shall be so arranged as to reflect the light away from adjacent residential property. Specifically, lights with no cutoff type luminaire shall be no higher than 10 feet and shall have a minimum illumination, measured at the lot line at ground level, of .20 candlepower. Lights with a cutoff-type luminaire shall be no higher than 20 feet with a maximum illumination, measured at the lot line ground level, of .30 candlepower. Lights with a luminaire of less than 90-degree cutoff shall be no higher than 20 feet, with a maximum illumination, measured at the lot line at ground level, of .50 candlepower. The burden of proof of the candlepower provided shall be upon the developer/applicant.

I. Sign Standards: Signs in the PHC District shall meet the standards in Section 1910 of this Ordinance.

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J. Architectural Standards: In addition to the requirements herein, all commercial, industrial, and multi-family structures and/or buildings in the PHC District shall meet the requirements of the Richland Architectural Review Ordinance, as amended and supplemented from time to time.

K. Required Information for Site Plans: The following data shall be supplied by the developer/applicant in connection with required site plans:

1. Lot lines (property lines).
2. The zoning of adjacent lots.
3. The names of owners of adjacent lots.
4. Rights-of-way of existing and proposed streets, including streets shown on the adopted Thoroughfares Plan.
5. Access ways, curb cuts, driveways and parking (including number of parking spaces to be provided) and loading areas.
6. All existing and proposed easements.
7. On request by the Zoning Administrator, all existing and proposed water and sanitary sewer lines; also, the location of all existing and proposed fire hydrants.
8. On request by the Zoning Administrator, a drainage plan showing all existing and proposed storm drainage facilities. The drainage plan shall indicate adjacent off-site drainage courses and projected storm water flow rates from off-site and on-site sources.
9. On request by the Zoning Administrator, contours at vertical intervals of five (5) feet or less.
10. Floodplain zone designations according to maps prepared by the Federal Emergency Management Agency, Federal Insurance Administration, and any proposed floodway modifications.
11. Landscaped areas and planting screens.
12. Building lines and the location of all structures, existing and proposed.
13. Proposed uses of the land and buildings.
14. Proposed gross lot coverage in square feet (i.e., that portion of a lot occupied by buildings and structures).
15. Location of sign structures and drawings.
16. Any additional data necessary to allow for a thorough evaluation of the proposed use.
17. Drawings or renderings of the general design, style, and architecture of the building or structure.
18. Proposed materials and color schemes to be utilized in the construction of the exterior of buildings and structures.

### 1868 - LAND USES NOT SPECIFICALLY PROHIBITED OR PERMITTED:

Proposed land uses not specifically permitted or prohibited under the provisions of this subsection shall be subject to final determination to be made by the Mayor and Board of Aldermen pursuant to Section 2001 of the Ordinance.

**SECTION 2.** The City's Official Zoning Map shall be revised to reflect and incorporate the new boundaries of the PHC District.

**SECTION 3.** All remaining provisions and sections of the City's Zoning Ordinance 2014-



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7, as amended, shall remain in full force and effect.

**SECTION 4.** This Ordinance shall take effect and be in force as provided for by law.

**SO ORDAINED**, this the 5th day of January, 2021.

\* \* \* \*

The motion to adopt the foregoing Ordinance, having been made by Alderman Burns and having been seconded by Alderman Wynne and no request having been made by any member of the Mayor and Board of Aldermen that said Ordinance be read by the Clerk before vote was taken, said Ordinance was adopted by the vote of the Board of Aldermen, the results being as follows:

Alderman Gus Black	voted: <u>AYE</u>
Alderman Clay Burns	voted: <u>AYE</u>
Alderman Robert Craft	voted: <u>AYE</u>
Alderman Beth Sanford	voted: <u>AYE</u>
Alderman Cathey Wynne	voted: <u>AYE</u>

The motion having received the affirmative vote of all members of the Board of Aldermen present, the Mayor declared the motion so carried and this Ordinance unanimously adopted this the 5th day of January, 2021.



Approved:

Pat Sullivan, MAYOR

ATTEST:

Karen Jackson, CITY CLERK

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## **EXHIBIT A PROOF OF PUBLICATION**