

**ORDINANCE NO. _____ 2018
CITY OF PASCAGOULA, MISSISSIPPI**

AN ORDINANCE TO AMEND ORDINANCE NO. 1-2011 (UNIFIED DEVELOPMENT ORDINANCE) TO CHANGE THE ZONING OF CERTAIN PARCEL OF LAND LYING GENERALLY IN THE AREA OF SHORTCUT ROAD, MACPHELAH ROAD, AND ANDREW AVENUE FROM NEIGHBORHOOD COMMERCIAL (NC) DISTRICT TO COMMUNITY COMMERCIAL (CC) DISTRICT.

WHEREAS, the petitioner, City of Pascagoula, proposes to have the zoning of the land described below changed from Neighborhood Commercial (NC) to Community Commercial (CC); and

WHEREAS, a public hearing on the proposal was held by the Pascagoula Planning Board on the 14th day of February, 2018, after due notice thereof, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, after hearing the matter, the Planning Board recommended to the City Council that the application to change the zoning be approved; and

WHEREAS, a second public hearing on the proposal was held by the City Council on the 20th day of February, 2018, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, we find that the zoning change is supported by the evidence adduced at the hearing, is reasonable, and is in the public interest; and

WHEREAS, we further find that the character of the neighborhood wherein the property is located has changed substantially over the years, that the area is no longer consistent with the neighborhood commercial district and the uses within the area are more consistent with the proposed community commercial district, and that a public need requires a change in the zoning designation to create an area more compatible with the surrounding commercial and public properties and uses; and

WHEREAS, we further find that the change in zoning will extend the existing and adjacent boundary of a community commercial district to the east to include the subject property; and

WHEREAS, we further find that the change in zoning will not create non-conforming uses within the area described herein:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA, MISSISSIPPI :

SECTION 1: Ordinance 1-2011 (Unified Development Ordinance) is hereby amended to change the zoning of the following described land from Neighborhood Commercial (NC) to Community Commercial (CC):

The property is located in the City of Pascagoula, Jackson County, Mississippi, and is more particularly described as follows to wit:

A tract of land situated in Section 1, Township 8 South, Range 6 West, Pascagoula, Jackson County, Mississippi and more particularly described as follows: Commencing at the Northeast corner of Section 1; thence South 0 degrees 04 minutes 51 seconds East 626.4 feet; thence South 89 degrees 37 minutes 17 seconds West to and along the south right-of-way of Andrew Avenue 316.6 feet to a painted spot and to the Point of Beginning; thence South 89 degrees 37 minutes 17 seconds west along the south right-of-way of Andrew Avenue 106.40 feet to a set ½ rebar; thence South 3 degrees 28 minutes 31 seconds East along the east line of that property described in Deed Book 1549, page 163.318.00 feet to a set pk nail on the north right-of-way of Short Cut Road; thence North 64 degrees 19 minutes 55 seconds East along the north right-of-way of Short Cut Road 101.10 feet to a found ½ rebar; thence North 0 degrees 50 minutes 09 seconds West along the east line of that property described in Deed Book 1695, page 348, 274.36 feet to the Point of Beginning.

SECTION 2. The zoning map adopted by and incorporated in Ordinance 1-2011 (Unified Development Ordinance) shall be revised to show this change.

SECTION 3. This ordinance shall become effective as provided by law.

SECTION 4. This ordinance shall not be codified.