

**ORDINANCE NO. _____ 2021
CITY OF PASCAGOULA, MISSISSIPPI**

AN ORDINANCE TO AMEND ORDINANCE NO. 1-2011 (UNIFIED DEVELOPMENT ORDINANCE) TO CHANGE THE ZONING OF A CERTAIN PARCEL OF LAND LYING GENERALLY AT THE NORTH EAST CORNER OF INGALLS AVENUE AND BELAIR STREET FROM SINGLE FAMILY RESIDENTIAL (SFR8) TO NEIGHBORHOOD COMMERCIAL (NC) DISTRICT AND A SPECIAL USE PERMIT FOR A RETAIL BUSINESS WITH AN AREA MORE THAN 10,000 SQUARE FEET

WHEREAS, the petitioner and property owner, by Jacob Franz, propose to have the zoning of the parcel described below changed from Single Family Residential (SFR8) to Neighborhood Commercial (NC); and

WHEREAS, a public hearing on the proposal was held by the Pascagoula Planning Board on the 13th day of January 2021, 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 19th day of January 2021, 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 properties are located has changed substantially over the years caused mainly by the construction of the 16,000 retail-commercial building located at the subject site, that the properties within the area are primarily non-residential in character and the area is no longer consistent with the single family residential district, and that a public need requires a change in the zoning designation to reduce the code violations at the site to include blight, vagrancy and debris, to create more jobs, and to provide additional services to the surrounding residents; and

WHEREAS, we further find that the change in zoning will not create non-conforming uses and help to reduce the potential of a nonconforming use at the site 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 Single Family Residential (SFR8) to Neighborhood Commercial (NC) District:

The property is located in the City of Pascagoula, Jackson County, Mississippi, and is more particularly described as follows to wit:
2511 Ingalls Avenue (40407008.000)

Beginning at the intersection of the east margin of Belair Avenue and the north margin of Ingalls Avenue; thence north 240 along the east margin of Belair Avenue; thence run east along the north property line 453 feet; thence run south 240 feet to a point on the north margin of Ingalls Avenue; thence run west 453 feet to the Point of Beginning. (131 Map 861.12-04) Deed book 1512-217.

SECTION 2.

The action includes a special use permit granted for a large retail business located at the subject site, with conditions as follows: lighting shall not project onto adjacent residential properties, noise generated by deliveries or dumpster collection shall be kept to a minimum and deliveries shall not be received after 5:00 p.m. or before 7:00 a.m., delivery vehicles shall not enter into Belair Street at any point North of the location of the proposed use, commercial landscaping requirements shall be met as described within the current Unified Development Ordinance, and an 8-10 feet high wooden privacy fence, as determined by City Planner, shall be installed and maintained along the north property line.

SECTION 3.

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

SECTION 4. This ordinance shall become effective as provided by law.

SECTION 5. This ordinance shall not be codified.

The motion to approve the foregoing ordinance was introduced for adoption by Councilman _____ and seconded by Councilman _____, and the following vote was recorded:

Mayor Demetropoulos _____

Councilman Jones _____

Councilman Fornett _____

Councilman Burrow _____

Councilman Parker _____

Councilman Tipton _____

Councilwoman Colmer _____

Ordained, this the _____ day of _____, 2021.

ATTEST:

CITY COUNCIL

City Clerk

Mayor