

ORDINANCE NO. 599

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI ADOPTING OF A NEW OFFICIAL COMPREHENSIVE ZONING MAP, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, having made due investigation therefore, do now find, determine adjudicate and declare as follows:

(A) The Official Zoning Map of the City of Long Beach has been heretofore adopted by the Mayor and Board of Aldermen of the City of Long Beach to reflect the zoning classification of all property within the City of Long Beach as it was at the time of adoption of said Official Zoning Map.

(B) Upon petition of citizens or upon motion and action of the City, the Mayor and Board of Aldermen of the City of Long Beach have from time to time granted changes in the zoning classification of one or more parcels or properties within the City of Long Beach, recognizing changed circumstances, mistake or such lawful basis for the said changes as shown at the time of the action, and as a result of such occasional revisions to the zoning classification of parcels the official zoning map should be amended to reflect such occasional changes in zoning classifications of property or properties adopted by action of the Mayor and Board of Aldermen of the City of Long Beach.

(C) Periodically it is necessary and proper and in the best interests of the City to incorporate and reflect all such changes in zoning of parcels granted by the City into the official zoning map of the City, and also to consider at such time the possible rezoning of parcels throughout the city to reflect changes in circumstances and public need to accommodate and encourage the orderly growth of the City as well as the protection of property owners within the City, the last such updated comprehensive official zoning map being adopted in October of 2002, over ten years ago.

(D) Also affecting the zoning of property within the City of Long Beach, and after exhaustive consideration, efforts, hearings and discussion, the Mayor and Board of Aldermen are this date adopting a Comprehensive Unified Land Use Ordinance replacing Ordinance Number 344, which was supported by the existing Official Zoning Map of the City of Long Beach, and thus adoption of a new official comprehensive zoning map of the City is both timely and necessary.

(D) That the Planning and Zoning Commission of the City of Long Beach has taken up the process of adoption of a new official zoning map to incorporate all previous changes adopted by the Mayor and Board of Aldermen, and also to consider changes to said zoning map to reflect changes in circumstances and area, public need, mistake, and other lawful reasons to rezone areas or properties within the City of Long Beach.

(E) The Planning and Zoning Commission of the City of Long Beach has reviewed a proposed comprehensive zoning map and changes thereto at a regular meeting, duly considered same, and after public hearing, input, and thorough consideration as to all relevant factors required and available under law, and has adopted same and recommended approval thereof by the Mayor and Board of Aldermen as reflected in the official minutes of said meeting.

(F) That pursuant to legal notice published and given for the time and in the manner provided by law, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, did meet at 5:00 o'clock p.m. on Tuesday, the 19th day of February, 2013 at the City Hall in said City at the time, place and date fixed in said legal notice, and did on such date conduct a public hearing at which hearing all parties interested in or opposed to adoption of the new proposed comprehensive map were given an opportunity to be heard and allowed to make oral and/or written comment to such proposed changes and the proposed comprehensive map, which proposed changes to the map were then and there on file and had been on file during the period of said

notice in the office of the City Clerk at the City Hall in said City, available for public inspection and examination by any and all parties interested in or opposed to the proposed changes to the map, all as more particularly hereinafter set forth in this ordinance.

(G) That, as a result of the aforesaid public hearing and after consideration by the Mayor and Board of Aldermen of the testimony and evidence presented, and after due deliberation by the Mayor and Board of Aldermen, the Mayor and Board of Aldermen did then find, and do now find, determine, adjudicate and declare that the character of neighborhoods within the City have changed substantially since adoption of the existing Official Zoning Map, such that the rezoning of particular areas as reflected by the new comprehensive zoning map adopted hereby is needed and is clearly justified; that public need exists for changing the zoning of certain districts to reflect the changing character of the various neighborhoods of the City as well as to provide for and foster orderly development and growth of the City in accordance with a comprehensive plan.

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

Section 1. That the Mayor and Board of Aldermen having considered the comments and testimony at the said hearing, all of the documentary evidence submitted into evidence and their own knowledge and familiarity of the City of Long Beach hereby find and adjudicate as follows:

(a) That the clear and convincing evidence established that the City is in need of changing the comprehensive zoning map, and further, such action is fully supported by the opinion of the Long Beach Planning Commission;

(b) That the clear and convincing evidence establishes the public need for the said amendment;

(c) The changes will not be detrimental to present and potential uses but will

have a beneficial effect, which could not be achieved without the map changes.

(d) The proposed change is in conformance with the general intent of the Comprehensive Master Plan of the City.

Section 2. That the Zoning Ordinances of the City of Long Beach and the official Zoning Map created and enacted thereby should be and hereby are amended to define, include, approve and designate the new official Comprehensive Zoning Map of the City of Long Beach attached hereto, and that hereafter, the same be adopted and published as the official Comprehensive Zoning Map of the City of Long Beach.

Section 3. This Ordinance of the Mayor and Board of Aldermen of the City of Long Beach shall be deemed effective in the manner and time prescribed by law.

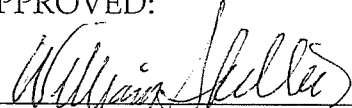
The City Clerk is hereby ordered to publish this Ordinance in the manner and time required by law.

Alderman Lishen made motion to approve the Ordinance creating a new official zoning map with legal descriptions. Alderman Ponthieux seconded the motion and the question being put to a roll call vote the result was as follows:

Alderman Bernie Parker	voted Aye
Alderman Gary Ponthieux	voted Aye
Alderman Kaye Couvillon	voted Absent, Not Voting
Alderman Carolyn Anderson	voted Aye
Alderman Leonard Carrubba	voted Aye
Alderman Mark Lishen	voted Aye
Alderman Ronnie Hammons, Jr.	voted Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 599 adopted and approved this, the 5th day of March, 2013.

APPROVED:


 WILLIAM SKELLIE, JR., MAYOR

ATTEST:


 REBECCA E. SCHRUFF, CITY CLERK

CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, the undersigned, Rebecca E. Schruuff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #599 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 5th day of March, 2013, as the same appears of record in Ordinance Book #599, pages ~~256-261~~ inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 6th day of March 2013.



Rebecca E. Schruuff, City Clerk

(SEAL)

COMPREHENSIVE ZONING MAP

ADOPTED 03.05.12

EFFECTIVE 04.12.13

(INSERT MAP HERE)

