

## AMENDED ZONING ORDINANCE

(Massengill--Highway 45 North)

**WHEREAS** authority was granted unto the City of Saltillo, Mississippi pursuant to and in accordance with §17-1-1, et. seq., of the Mississippi Code Annotated (1972, as amended), to provide and allow for the adoption, amendment and revision of a zoning ordinance and zoning map covering all properties, buildings, structures and uses located and situated within the said municipal limits;

**WHEREAS** said zoning ordinance and zoning map were previously passed and adopted by the City of Saltillo and have been amended and revised, as necessary, in accordance with state law;

**WHEREAS** the Vice Mayor, in the absence of the Mayor, and Board of Aldermen have considered a proposed amendment to the official zoning ordinance and zoning map of the City of Saltillo wherein land parcel numbers 0530-05-002-00 and 0530-05-008-00, located near Highway 45 North, would be re-zoned from that of R-1 Residential to R-3 Residential and C-2 Commercial to R-3 Residential, respectively. As such, the Board of Aldermen duly noticed a public hearing, in accordance with the city zoning ordinance and state law, which took place on February 19, 2019 at 5:30 PM at Saltillo City Hall, at which time no objection to the requested changes was heard or received;

**WHEREAS** the Vice Mayor and Board of Aldermen have maturely considered the issues aforesaid and have found and determined by clear and convincing evidence that the proposed amendments meet the changing needs of the surrounding community; are in the overall best interest of the city and its citizens; are permissible according to the official zoning ordinance of the city, including Sections 4.1.1 through 4.1.6 and/or similarly adopted provisions; and are otherwise permissible pursuant to state law;

**NOW, THEREFORE, BE IT ORDAINED** by the Vice Mayor and Board of Aldermen of the City of Saltillo, Mississippi as follows:

1. The prefatory statements contained above and the statements contained in the Minutes for the public hearing of February 19, 2019 and for the regular meeting of the Board of Aldermen of March 5, 2019, taken as specific findings of fact and conclusions of the Board of Aldermen, are incorporated herein by reference.
2. The current zoning ordinance and official zoning map of the City of Saltillo, including all duly passed amendments and revisions thereto, are incorporated herein by reference.
3. The current zoning ordinance and official zoning map of the City of Saltillo, Mississippi, as duly amended and revised, which is fully incorporated herein by reference as if copied or reproduced herein in its entirety, shall remain the same and otherwise in full force and effect, except for the specific changes or amendments thereto which are specifically contained herein below.
4. Upon request of the owners, Otis Ray Massengill and Massengill and Turner, LLC, land parcel number 0530-05-002-00, PPIN 002438, approximately 121.7 acres located near Highway 45 North, is hereby re-zoned from R-1 Residential to R-3 Residential and a portion of land parcel number 0530-05-008-00, PPIN 002445, as will be indicated on




the official zoning map, located near Highway 45 North, is hereby re-zoned from C-2 Commercial to R-3 Residential and the official zoning map of the City of Saltillo shall be amended in conformity herewith, with all else remaining the same as stated above.


5. Severability. Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision, or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely severable from all other portions.
6. Conflict. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Saltillo, Mississippi, existing on the effective date of the ordinance, the provisions of this ordinance shall take precedence.
7. Effective Date. This Ordinance shall be official upon publication and after the passage of one (1) month from the date hereof.
8. Publication & Recording. The City Clerk is instructed to publish the substance of this ordinance one (1) time in the Northeast Mississippi Daily Journal, pursuant to and in accordance with Mississippi Code Section 21-17-19 (1972, as amended), and to obtain proof of publication thereof and record this ordinance in the city ordinance book. Said ordinance shall also be posted at the Saltillo, Mississippi City Hall and in at least one (1) other public place in a conspicuous manner and shall otherwise be available for review, upon request, along with a copy of the original zoning ordinance and the official zoning map of the City of Saltillo, Mississippi.
9. Adoption and Certification.

**UPON MOTION** of Alderman Grantham, duly seconded by Alderman Driskill, the aforesaid ordinance was put to a vote with Aldermen voting as follows:

|                   |                                   |
|-------------------|-----------------------------------|
| Donald Cullum:    | Absent                            |
| Copey Grantham:   | YEA                               |
| Craig Sanders:    | YEA                               |
| Malcomb Driskill: | YEA                               |
| Terry Glidewell:  | (Served as non-voting Vice Mayor) |

**ORDAINED AND ADOPTED** this the 5th day of March, 2019, at the Regular Meeting of the Vice Mayor and Board of Aldermen of the City of Saltillo, Mississippi.

  
Terry Glidewell, Vice Mayor  
City of Saltillo, Mississippi

  
Mary Parker, City Clerk  
City of Saltillo, Mississippi  
(SEAL)

NOTE: This ordinance was approved and adopted by the Vice Mayor and Board of Alderman at their Regular Meeting on March 5, 2019 and appears in Minute Book 41 at Pages 19.