

## ZONING REGULATIONS

### LAMAR COUNTY, MISSISSIPPI

#### **AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR LAMAR COUNTY, MISSISSIPPI, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH.**

#### PREAMBLE

WHEREAS, the Statutes of the State of Mississippi, Section 17-1-1 to 17-1-27, inclusive, of the **Mississippi Code of 1972**, annotated, as amended, empower the LAMAR COUNTY, Mississippi, to enact a Zoning Ordinance and to provide for its administration, enforcement and amendment; and

WHEREAS, Section 17-1-9 of the **Mississippi Code of 1972**, annotated, as amended, states that “zoning regulations shall be made in accordance with a comprehensive plan, and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements”; and

WHEREAS, the Lamar County Board of Supervisors succeeded in obtaining passage of a local and private bill (House Bill 1661) by the Mississippi Legislature which allowed the County to enact zoning for portions of the unincorporated County; the bill allows the Board of Supervisors to enact zoning regulations for such unincorporated portions of the County “...for the purpose of promoting the health, safety, morals or the general welfare of its citizenry, including, but not limited to, the height, number of stories and size of buildings and other structures, the percentage of a lot that may be occupied, the size of the yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes;” and

WHEREAS, that Bill passed by the Legislature, further states: “In the exercise of the authority granted by this act, all of the provisions of Chapter 1, Title 17, Mississippi Code of 1972, shall be applicable, except that such zoning ordinances, regulations and requirements *need not be made in accordance with a Comprehensive Plan embracing the entire county but may be made in accordance with a plan applicable to any part or portion of the county, including one or more supervisor’s districts or beats, or part or portion thereof, or any other clearly defined geographic area of the county* (emphasis added);” and

WHEREAS, Section 17-1-1 of the **Mississippi Code of 1972**, annotated, as amended, defines the term “comprehensive plan” as “a statement of public policy for the physical development of the-county adopted by resolution of the governing body, consisting of the following elements at a minimum: (1) goals and objectives for the long-range (twenty to twenty-five years) development of the county or municipality-; (2) a land use plan-; (3) a transportation plan-; and (4) a community facilities plan—“; and

WHEREAS, the Board of Supervisors on **December 18, 2008**, adopted by resolution a Comprehensive Plan for Lamar County following public hearings relative to same; and

WHEREAS, based upon the adopted Comprehensive Plan, the Board of Supervisors have divided portions of the County into districts and adopted regulations pertaining to such districts, and have given reasonable consideration among other things, to the character of the districts and their particular suitability for particular uses, with a view to conserving the value of property and encouraging the most appropriate use of land within such districts, and

WHEREAS, the Board of Supervisors have given due public notice of a hearing relating to said zoning ordinance and map and have held a public hearing in accordance with the requirements of Section 17-1-15 of the *Mississippi Code of 1972*, annotated, as amended.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF LAMAR COUNTY, MISSISSIPPI, THAT THIS ORDINANCE SHALL GOVERN THE USE OF ALL LAND *IN CERTAIN PORTIONS OF UNINCORPORATED LAMAR COUNTY, MISSISSIPPI.*