

**ORDINANCE NO. 2004-03**

**AN ORDINANCE OF THE CITY OF STARKVILLE  
AMENDING THE STARKVILLE ZONING ORDINANCE  
BY INCLUDING A TEMPORARY MORATORIUM PROVISION**

**WHEREAS**, the City of Starkville is authorized by Section 17-1-3 of the Mississippi Code of 1972, annotated, to enact and administer a zoning ordinance; and,

**WHEREAS**, the Starkville Mayor and Board of Aldermen find:

- (1) that the City of Starkville is under unprecedented pressure for development of intensive uses of land in the city which may not be in keeping with the proposed comprehensive plan and proposed implementation ordinances; and
- (2) that Starkville has had numerous developments in the last few years that have raised concerns based upon possible adverse traffic, aesthetic and environmental effects as well as the ongoing rapid development of available sites for multiple family use; and
- (3) that the Starkville Zoning Ordinance and implementation ordinances do not now effectively address aesthetic, traffic and environmental issues associated with intense development and in the absence of clear direction by a proposed new comprehensive plan, it is difficult to review and evaluate proposals in a manner that will lead to positive outcomes for the city; and
- (4) these factors make it possible that projects could be reviewed and approved or disapproved in a manner not consistent with Starkville's long-term needs and goals. A temporary moratorium would provide an opportunity for the citizens of Starkville, acting through their elected and appointed officials, to evaluate and consider amendments to the City's Zoning Ordinance, comprehensive plan, implementation ordinances, and to give the city planner time to complete the comprehensive plan and work with the city officials in implementing same.

**WHEREAS**, the Mayor and Board of Aldermen find that adopting a temporary moratorium for multiple-family development in Starkville will create a more stable environment during the moratorium period so that revisions to the comprehensive plan and implementation ordinances can be formulated, considered and adopted in an orderly and thorough manner.

**NOW, THEREFORE**, the City of Starkville hereby ordains that:  
The Starkville Zoning Ordinance is amended by the addition of the following section to Article I as Section L, which shall read as follows:

**Section L. Temporary Moratorium**

- A. The Starkville Planning Staff shall not accept or review any applications for building permits or certificates or occupancy for any use that is declared subject to a temporary moratorium by the Board of Aldermen either on its own initiative or upon recommendation by the Zoning and Planning Commission.
- B. The provisions of this Section shall apply to applications currently pending before the city as of the date of adoption of and resolution for a temporary moratorium as well as applications filed after that date.
- C. The provisions of this section shall be effective as of the date of this Ordinance Amendment. The terms and time duration of a moratorium may be established from time to time by separate resolution of the Board of Aldermen as to any use or subject matter coming under this ordinance that the Board may declare in the public health, safety and need or as otherwise stated in the resolution.
- D. This ordinance shall become effective immediately after approval by the Board of Aldermen due to the imminent health and safety issues inherent in crowded and congested streets and living conditions and other land use needs.

**PUBLICATION**

The Clerk is directed to cause this ordinance to be published one time in the Starkville Daily News.

Upon motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Roy A'. Perkins, at a public meeting of the Mayor and Board of Alderman on November 2, 2004, wherein this ordinance was adopted and the vote was as follows:

Alderman Sumner D. Davis, III	Voted:	YEA
Alderman Frank M. Davis, Sr.	Voted:	Presiding Vice-Mayor
Alderman P. C. McLaurin, Jr.	Voted:	YEA
Alderman Lee Beck	Voted:	YEA
Alderman Virgil Bolin	Voted:	YEA
Alderman Roy A'. Perkins	Voted:	YEA
Alderman Vic Zitta	Voted:	YEA

SO ORDAINED this the 2<sup>nd</sup> day of November, 2004.

Signed \_\_\_\_\_  
Mayor Mack Rutledge