

ARTICLE I

BASIC PROVISIONS

Section 100.

TITLE

This ordinance shall be known and may be cited as the Revised Zoning Regulations of Tunica County, Mississippi. This ordinance is enacted pursuant to the authority granted to the County by Section 17-1-3 of the Mississippi Code of 1972 and other pertinent statutes.

Section 110.

PURPOSE OF THE REVISED ZONING REGULATIONS

The purpose of the Revised Zoning Regulations shall be to serve the public health, safety, and general welfare of Tunica County and the residents thereof, and to attain the objectives of the adopted Comprehensive Plan. They have been designed to lessen congestion on the streets and roads; to secure safety from fire; panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and to promote conservation of natural resources and flood plain management.

Section 120.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

It is the intent of the Tunica County Board of Supervisors that the Zoning Regulations shall be consistent with the adopted Comprehensive Plan and any amendments thereof and with any supplemental land use and community development policies of Tunica County. It is the intent of the Board of Supervisors that the Zoning Regulations be amended within a reasonable time so as to become or remain consistent with the revised or amended Comprehensive Plan and land use and community development policies.

Additionally, it is the intent of the Board of Supervisors that all amendments to the Zoning Regulations shall maintain and enhance the consistency between the Zoning Regulations and the adopted Comprehensive Plan.

Section 130.

APPLICABILITY

The Revised Zoning Regulations shall apply to all land and water areas of Tunica County, Mississippi. The use of all land and any buildings or structures located upon the land and waters and the construction, reconstruction, alteration, expansion, or relocation of any building or structure upon the land and water shall conform to all regulations applicable to the district in which the land is located as provided within.

No land, building, structure or premises shall be for any purpose or in any manner other than is permitted in the district in which such land, building, structure or premise is located except as provided.

The provisions of these Zoning Regulations shall be applied to all applications for a change in zoning classification from and after the date of the adoption of the Zoning Regulations.

Section 140.

CONFLICTING PROVISIONS

The Zoning Regulations shall be held to be the minimum requirements for promotion of the public health, safety, comfort, convenience and general welfare. It is not the intent of these regulations to interfere with or abrogate or annul any easement, covenant or other agreement between parties. When these regulations impose a greater restriction upon the use of buildings or land, or upon the height ordinances, rules, regulations or by easements, covenants or agreements, the provisions of these regulations shall control.

Section 150.

RELIEF FROM OTHER PROVISIONS

Except as otherwise specifically provided, no provision of the Revised Zoning Regulations shall be construed as relieving any party to whom site plan approval or a permit or variance is issued from any other provision of state or federal law or from any provision, ordinance, rule or regulation requiring a license, franchise, or permit to accomplish, engage in, carry on or maintain a particular business, enterprise, occupation, transaction or use.

Section 160.

SEVERABILITY OF PROVISIONS

Any section, subsection, sentence, clause or phrase of this resolution, if for any reason held to be invalid or unconstitutional such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of these regulations.

Section 170.

SUPERSEDES PRIOR REGULATIONS

Except as provided herein, these Revised Zoning Regulations supersede the Zoning Resolution adopted in 1973, which were revised in 1992, and any amendments thereafter. Nothing in these Revised Zoning Regulations shall be construed as validating or legalizing any land use conducted or building or structure constructed erected, or maintained in violation of any other regulations, and nothing in these Zoning Regulations shall prevent or bar the filing of a complaint or punishment or any act in violation of prior zoning regulations or bar the bringing of any action or compel the discontinuance of any use or the removal of any building or structure constructed, erected, or maintained in violation of the previously adopted Zoning Regulations.

Section 180.

COMPLETION OF DEVELOPMENT PLANS

In order to provide for the completion of development plans begun under the zoning resolution in effect prior to the date of adoption of these Zoning Regulations, the following time allowances shall apply:

- A Any property owner whose proposed development is not subject to site plan review shall have 60 days following the date of adoption of this ordinance to secure a building permit under the Zoning Regulations applicable immediately prior to the passage of the resolution adopting these Revised Zoning Regulations. Construction must begin within twelve months following the receipt of a building permit.

- B. Any property owner whose proposed development is subject to site plan review as required by these regulations shall have one year following the date of adoption of this ordinance to secure site plan approval under the Zoning Regulations applicable immediately prior to the passage of the ordinance adopting these Revised Zoning Regulations and shall also be subject to the conditions of Section 1013 covering lapse of site plan approval.

Section 190.

COMPLETION OF USES AND STRUCTURES

Nothing herein contained shall require any change in the plans, construction or designated use of a building or structure for which a building permit has been issued prior to the date of adoption of these Revised Zoning Regulations or any amendment of these regulations.