



Planning Commission
1018 Porter Avenue
Ocean Springs, MS 39564

Monday, April 17, 2023 @ 5:00 PM

1. Call Meeting to Order

2. Approval of Minutes

3. Old Business

4. New Business

- a. An amendment to the Unified Development Code for the City of Ocean Springs, Mississippi; Amending the following sections and chapters: Chapter 2 (PROCESS), Sections 2.24 (CONCEPT PLAN), 2.25 (PRELIMINARY DEVELOPMENT PLAN), 2.26 (FINAL DEVELOPMENT PLAN) and 2.27 (SITE PLANS) to establish processes, requirements and criteria for Planned Unit Developments.
- b. An amendment to the Unified Development Code for the city of Ocean Springs, Mississippi; amending the following chapter: Chapter 3 (ZONING DISTRICTS, BUILDING TYPES AND USES) to establish an R-6, Waterfront Residential Zoning District, and to amend other miscellaneous sections as necessary to incorporate the R-6 zoning district.

5. General Public Comment

6. Commissioner's Forum

7. Adjourn

CITY OF OCEAN SPRINGS
COMMUNITY DEVELOPMENT AND PLANNING
POST OFFICE BOX 1800
OCEAN SPRINGS, MS 39566-1800
228-875-4415

PLANNING COMMISSION REPORT
- PUBLIC HEARING -

PUBLIC HEARING DATE: April 17, 2023

APPLICANT(S): City of Ocean Springs Community Development and Planning Department

REQUEST: An Amendment to the Unified Development Code (UDC) for the City of Ocean Springs, Mississippi amending the following sections and chapters: Chapter 2, Sections 2.24. through 2.27 to incorporate regulations on Planned Unit Developments.

DESCRIPTION OF PROPOSED AMENDMENT:

- The UDC was initially adopted by the Board of Aldermen on March 26, 2019, and re-adopted on December 7, 2021. As part of the implementation of the code, the Planning Department staff reviews the regulations and processes of the UDC for inconsistencies, unclear requirements, and sections that need improvement. The staff periodically brings amendments to correct these found issues to the Planning Commission (PC) and Board of Aldermen (BOA).
- This proposed amendment creates provisions for the City to approve residential and commercial developments as Planned Unit Developments (PUD). PUD's allow variances from the standard lot and building requirements (lot area, bulk, etc.) and exceptions from standard subdivision requirements to adapt to unique property conditions and use flexible site design.

FINDINGS:

- The previous PUD regulations were repealed in 2015 due to problems with developments that used the PUD regulations.
- The UDC contains development regulations that incorporate some of the flexible land development techniques typically found in PUD regulations. Conservation Subdivisions and the Density Incentive sections provide for reduction in lot coverage, setback and square footage requirements, reduction in the ratio of vehicular parking spaces, reduced minimum building separation requirements and variations to street standards in specific residential subdivision situations.
- The proposed PUD regulations address residential, commercial, and mixed-use types of developments. There are specific standards and criteria for each type of development.
- The PUD approval process includes an **Outline Plan** that sets out the basic elements of a development, such as number and type of dwelling units, minimum open space, amount of non-residential floor area, location of streets, drives and parking areas. The **Final Plan** describes the details of public infrastructure, street widths, lot/building area and location, similar to a subdivision preliminary plat.
- The PUD regulations **do not** allow uses, dwelling unit density, or commercial floor area intensities greater than what is allowed by the property's existing zoning district.

- The attached ordinance replaces the existing sections 2.24 (Concept Plan), 2.25 (Preliminary Development Plan), 2.26 (Final Development Plan) and 2.27 (Site Plans).

PUBLIC COMMENTS:

- None received.

SUMMARY:

- The proposed amendment adds regulations for Planned Unit Developments in all zoning districts and the flexible land development techniques that are associated with them.

POTENTIAL MOTION: To recommend approval of the amendment to Chapter 2, Sections 2.24 through 2.27 of the Unified Development Code to include provisions for Planned Unit Developments, for the reasons described in detail in the staff report.

City of Ocean Springs
ORDINANCE NO. 2023-xx

AN AMENDMENT TO THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF
OCEAN SPRINGS, MISSISSIPPI; AMENDING THE FOLLOWING SECTIONS AND
CHAPTERS: CHAPTER 2 (PROCESS), SECTIONS 2.24 (CONCEPT PLAN), 2.25
(PRELIMINARY DEVELOPMENT PLAN), 2.26 (FINAL DEVELOPMENT PLAN)
AND 2.27 (SITE PLANS) TO ESTABLISH PROCESSES, REQUIREMENTS AND
CRITERIA FOR PLANNED UNIT DEVELOPMENTS

WHEREAS, the Unified Development Code for the City of Ocean Springs provides laws to govern development within the City; and

WHEREAS, the City of Ocean Springs currently has a Unified Development Code Chapter which regulates the layout and design of residential, commercial and mixed use land developments; and

WHEREAS, Chapter 2 – Sections 2.24 through 2.27 includes regulations on development concept plans, preliminary plans, final plans and site plans; and

WHEREAS, it is the Mayor and the Board of Aldermen’s intent to improve the techniques for land development by providing more flexible approaches to the design and construction of all forms of development in all areas of the City; and

WHEREAS, the Ocean Springs Planning Department published all proper notices as required by law; and

WHEREAS, it is in the best interest of the City of Ocean Springs to delete existing sections 2.24 (Concept Plan), 2.25 (Preliminary Development Plan), 2.26 (Final Development Plan) and 2.27 (Site Plans) of the City’s Unified Development Code and replace them with provisions enabling Planned Unit Developments.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OCEAN SPRINGS, MISSISSIPPI, AS FOLLOWS:

SECTION 1: The findings, conclusions and statements of fact contained in the foregoing preamble and in the following sections are hereby adopted, ratified and incorporated herein.

Existing sections 2.24 (Concept Plan), 2.25 (Preliminary Development Plan), 2.26 (Final Development Plan) and 2.27 (Site Plans) are deleted in their entirety and replaced with the following text. Sections are to be renumbered as necessary.

2.24 PLANNED UNIT DEVELOPMENTS

2.24.1 Purpose of division.

- (a) Development in the city that has typically taken place under requirements of uniform regulations within each zoning district may on occasion prevent or discourage innovative site design and development that can respond to new market demands or unusual property conditions. The use of improved techniques for land development is often difficult under traditional zoning regulations that are designed to address single buildings on individual lots. Modern private development requires a flexible approach to be available both to the city and to the landowner. The Comprehensive Plan recommends including in the UDC “standards for alternative development patterns, including planned development, conservation subdivision and traditional neighborhood development”. Deviations from the uniformity characteristic of earlier zoning regulations and the use of new and innovative techniques are encouraged. However, the planned unit development regulations are not intended to allow the development of incompatible land uses, increased densities or the use of sub-standard infrastructure. The standards contained in the following provisions must be strictly adhered to by the applicant.
- (b) The city may, upon proper application, approve a planned development (PD) to facilitate the use of flexible techniques of land development and site design, by providing relief from zone requirements designed for conventional developments in order to obtain one or more of the following objectives:
 - (1) Environmental design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property.
 - (2) Diversification in the uses permitted and variation in the relationship of uses, structures, open space and height of structures in developments intended as cohesive, unified projects.
 - (3) Functional and beneficial uses of open space areas.
 - (4) Preservation of natural features of a development site.
 - (5) Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.
 - (6) Rational and economic development in relation to public services.

- (7) Efficient and effective traffic circulation, both within and adjacent to the development site.

2.24.2. Relation Between Planned Development and Zoning Districts.

- (a) *Planned development districts.* Planned development overlay districts shall be permitted in all districts. No PD shall be permitted in any district for a use which is not permitted within the existing zoning classification of that particular lot, tract or parcel of land at the time of the filing of an application for planned development approval.
- (b) *Modification of district regulations.* Planned developments may be constructed in any zoning district as outlined in subsection (a) of this section, subject to the standards and procedures set forth as follows:
- (1) Except as modified by the approved outline plan, a planned development shall be governed by the regulations of the district or districts in which the planned development is located.
 - (2) The approval of the outline plan for the planned development may provide for such exceptions from the zoning district regulations governing area, bulk (minimum lot size, minimum lot width, building setback distances, and maximum building height), parking and such subdivision regulations as may be necessary or desirable to achieve the objectives of the proposed planned development, provided that such exceptions are consistent with the standards and criteria contained in this section and have been specifically requested in the application for a planned development; and further provided that no modification of the zoning district requirements or subdivision regulations may be allowed when such proposed modification would result in:
 - a. Inadequate or unsafe access to the planned development.
 - b. Traffic volumes exceeding the anticipated capacity of the proposed major street network in the vicinity.
 - c. An undue burden on public parks, recreation areas, schools, fire and police protection and other public facilities which serve or are proposed to serve the planned development.
 - d. A development which will be incompatible with the purposes of this division.
 - e. Detrimental impact on surrounding area including, but not limited to, visual pollution.
 - (3) The burden of proof that the criteria of subsection (b) *Modification of district regulations* of this section are not being violated shall rest with the developer and not the City staff or the planning commission. Such modifications shall supersede the regulations of the zoning district in which the planned development is located.

2.24.3 General Standards and Criteria.

Upon recommendation of the planning commission, the board of mayor and aldermen may approve or disapprove modifications to the applicable zoning district regulations and subdivision regulations. Any such recommendation shall include a finding by the planning commission that the proposed planned development is consistent or inconsistent with the following standards and criteria:

- (1) The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the plans of the city.
- (2) An approved water supply, community wastewater treatment and disposal, and stormwater drainage facilities that are adequate to serve the proposed development have been or shall be provided.
- (3) The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or accessways shall be landscaped or otherwise improved, except where natural features are such as to justify preservation.
- (4) Any modification of the zoning or other regulations that would otherwise be applicable to the proposed development and warranted by the design of the outline plan may be permitted. However, such modifications shall not be inconsistent with the public interest.
- (5) Homeowner's associations or some other responsible party shall be required to maintain any and all common open space and/or common element of the proposed development.

2.24.4 Specific Standards and Criteria for Residential Planned Unit Developments

In addition to the standards and criteria set forth in section 2.24.3 above, planned residential developments shall comply with the standards and criteria set forth in this section:

- (1) *Design and preservation of common open space.* Common open space may be required as a condition to the approval of a residential planned development. No open area may be delineated or accepted as common open space under the provisions of this section unless it meets the following standards:
 - a. Common open space must be usable for recreational purposes or must provide visual, aesthetic and environmental amenities. The uses authorized for the common open space must be appropriate to the scale and character of the planned residential development, considering its size, density, expected population, topography, and the number and type of dwellings to be provided.
 - b. Common open space must be suitably improved for its intended use, but open area containing natural features worthy of preservation may be left unimproved. Any buildings, structures and improvements to be located in the common open space must be appropriate to the uses which are authorized therefore and must conserve and enhance the amenities of the common open space having regard to its topography and the intended function of the common open space. Parking lots shall not be considered open area. Marsh area may be counted as open area up to a maximum of 10% of the total area of the development.
 - c. The development phasing sequence which is part of the outline plan must coordinate the improvement of the common open space; the construction of the building, structures and improvements in the common open space; and the construction of public improvements and the construction of residential dwellings in a planned residential development, but in no event shall occupancy permits for any phase of the final

development plan be issued unless and until the open area which is part of that phase has been dedicated or conveyed and improved.

- d. No common open space of a planned residential development shall be conveyed or dedicated by the developer or any other person to any public body, homeowners' association or other party unless the planning commission has determined that the character and quality of the tract to be conveyed makes it suitable for the purpose for which it is intended. The planning commission may give consideration to the size and character of the dwellings to be constructed within the planned residential development, the topography and existing trees, the ground cover, and other natural features, the manner in which the common open space is to be improved and maintained for recreational or amenity purposes, and the existence of public parks or other public recreational facilities in the vicinity.
- e. All land shown on the outline plan as common open space must be either:
 - 1. Conveyed to a public body, if the public body agrees to accept conveyance and to maintain the common open space and any buildings, structures or improvements which have been placed on it; or
 - 2. Conveyed to a homeowners' association or some party responsible for maintaining common buildings, areas and land within the planned residential development. The common open space must be conveyed subject to covenants. The planning commission shall approve only those provisions of the covenants which restrict the common open space to the uses specified on the outline plan and which provide for the maintenance of the common open space in a manner which ensures its maintenance for its intended purpose.
- (2) *Accessibility of site.* All proposed streets, private drives, alleys and driveways shall be adequate to serve the residents, occupants, visitors or other anticipated traffic of the planned residential development and should be consistent with the major road plan of the city. All forms of transportation including, but not limited to, bikeways and mass transit shall be considered in developing the plan for development.
- (3) *Off-street parking.* Off-street parking shall be conveniently accessible to all dwelling units and other units. Where appropriate, common driveways, parking areas, walks and steps may be provided, maintained and lighted for night use. Screening of parking and service areas shall be required through use of trees, shrubs and/or hedges and screening walls.
- (4) *Pedestrian circulation.* The pedestrian circulation system and its related walkways shall be separated, unless it is unfeasible, from the vehicular street system in order to provide an appropriate degree of separation of pedestrian and vehicular movement.
- (5) *Privacy.* The planned residential development shall provide reasonable visual and acoustical privacy for dwelling units within and adjacent to the planned residential development. Protection and enhancement of the property and the privacy of its occupants may be provided by the screening of objectionable views or uses and reduction of noise through the use of fences, insulation, natural foliage, berms and landscaped barriers. Buildings shall be located within the development in such a way as to minimize any adverse impact on adjoining buildings.
- (6) *Density.* The density of planned residential districts shall adhere to the allowable density of the underlying zoning district. For purposes of calculating the density of a planned residential

development, the area of the site shall exclude the area within pavement of all dedicated and private streets internal to the site.

2.24.5 Specific Standards and Criteria for Commercial Planned Unit Developments.

The board of mayor and aldermen may approve a planned commercial development for buildings or premises to be used for the retail sale of merchandise, services, parking areas, office buildings, hotels and similar facilities ordinarily accepted as commercial center uses. In addition to the applicable standards and criteria set forth in **section 2.24.3**, planned commercial developments shall also comply with the following standards:

- (1) *Residential use.* Except for hotels, no buildings shall be designed, constructed, structurally altered or used for dwelling purposes, except to provide, within permitted buildings, facilities for a custodian, caretaker or watchman employed on the premises.
- (2) *Screening.* When structures or uses in a planned commercial development abut a residential district or permitted residential buildings in the same development, screening may be required.
- (3) *Display of merchandise.* All business shall be conducted, and all merchandise and materials shall be displayed and stored, within a completely enclosed building or within an open area which is completely screened from the view of adjacent properties and public rights-of-way; provided, however, that when an automobile service station or gasoline sales are permitted in a planned commercial development, motor fuels may be sold from dispensers outside of a structure.
- (4) *Accessibility.* The site shall be accessible from the proposed street network in the vicinity which will be adequate to carry the anticipated traffic of the proposed development. The streets and driveways on the site of the proposed development shall be adequate to serve the enterprises located in the proposed development. All forms of transportation including, but not limited to, bikeways and mass transit shall be considered in developing the plan for development.
- (5) *Landscaping.* Landscaping shall be required to provide screening of objectionable views or uses and the reduction of noise.

2.24.6 Specific Standards and Criteria for Mixed Use Planned Developments.

Planned developments which do not qualify as a planned residential development, and which are not exclusively for commercial uses shall be subject to all applicable standards contained in sections 2.24.4 and 2.24.5.

2.25 PROCEDURE

2.25.1 PROCEDURES FOR PLANNED UNIT DEVELOPMENT APPROVAL.

- (a) *Preapplication procedure.* Not more than six months prior to filing any application for planned development approval, the prospective applicant shall request a preapplication conference with the city's planning staff. Such request shall include a brief and general narrative description of the nature, location and extent of the proposed planned development; and a list of any professional consultants advising the prospective applicant with respect to the proposed planned development. Upon receipt of such request, the city planning staff shall promptly schedule such a conference.

- (b) *Application and post application procedure.* The procedure for initiation and processing of an application for a planned development is set forth in this section.

2.25.2 Outline plan.

An outline plan shall be submitted to the planning department with the application for a planned development. A final plan, including all the requirements of an outline plan, may be submitted as a single application when the development will be constructed in one phase. The outline plan shall contain at a minimum:

- (1) For all planned residential developments:
 - a. A map on a scale of one inch equals 100 feet or larger showing available utilities, easements, roadways, rail lines and public rights-of-way crossing and adjacent to the subject property.
 - b. A graphic rendering of the existing conditions and/or aerial photographs showing the existing conditions and depicting all significant natural topographical and physical features of the subject property; location and extent of tree cover; location and extent of watercourses, marshes and floodplains on or within 100 feet of the subject property; existing drainage patterns and soil conditions.
 - c. A drawing defining the general location and maximum number of lots, parcels or sites to be developed or occupied by buildings in the planned development; the general location and maximum amount of area to be developed for parking; the general location and maximum amount of area to be devoted to open area and to be conveyed, dedicated or served for parks, playgrounds, school sites, public buildings and other common use areas; the approximate location of points of ingress and egress and access streets, where required; the approximate location of pedestrian and vehicular ways or the restrictions pertaining thereto and the extent of landscaping, planting or fencing and other treatment for adjustment to surrounding property.
 - d. A tabulation of the maximum number of dwelling units proposed, including the number of units with two or less bedrooms and more than two bedrooms.
 - e. A tabulation of the maximum floor area to be constructed, except for single-family detached dwellings and their accessory buildings, and the proposed maximum height of any building or structure.
 - f. A written statement generally describing the relationship of the proposed planned development to the current policies and plans of the city and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with applicable regulations. The statement shall include a description of the applicant's planning objectives, the approaches to be followed in achieving those objectives and the rationale governing the applicant's choices of objectives and approaches. In addition, a specific list of the exceptions to applicable regulations requested shall be required.
 - g. If the planned development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating:
 1. The approximate date when construction of the project can be expected to begin;

2. The order in which the phases of the project will be built; and
 3. The minimum area and the approximate location of common open space and public improvements that will be required at each stage.
- h. Proposed means of ensuring the continued maintenance of common open space or other common elements and governing the use and continued protection of the planned development.
 - i. A statement setting forth in detail the bulk, use, and/or other regulations under which the planned development is proposed.
 - j. If any stage or unit as proposed contains a share of open space or other public or private recreation or service facility less than that which its size, number of units or density would otherwise require. A statement shall be submitted setting forth what bond, credit, escrow or other assurance the applicant proposes in order to ensure that the difference between that which would otherwise be required and that which the applicant proposes to provide in the instant stage or unit is ultimately provided.
- (2) For all planned commercial developments:
- a. A map on a scale of one inch equals 100 feet or larger showing available utilities, and easements, roadways, rail lines and public rights-of-way crossing and adjacent to the subject property.
 - b. A graphic rendering of the existing conditions and/or aerial photographs showing the existing conditions and depicting all significant natural, topographical and physical features of the subject property; general location and extent of tree cover; location and extent of watercourses, marshes and floodplains on or within 100 feet of the subject property; existing drainage patterns; and soil conditions.
 - c. A drawing defining the general location and maximum amount of area to be developed for buildings and parking; standards for pedestrian and vehicular circulation and the points of ingress and egress, including access streets, where required, and the provision of spaces for loading; the standards for the location, size and number of signs; adjustments to be made in relation to abutting land uses and zoning districts; and the extent of landscaping, planting and other treatment for adjustment to surrounding property.
 - d. A circulation diagram indicating the proposed principal movement of vehicles, goods and pedestrians within the development to and from existing thoroughfares.
 - e. A development schedule indicating the stages in which the project will be built and when construction of the project can be expected to begin.
 - f. A written statement generally describing the relationship of the planned development to the current policies and plans of the city; and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this division. The statement shall include a description of the applicant's planning objectives, the approaches to be followed in achieving those objectives and the rationale governing the applicant's choices of objectives and approaches.

- g. A statement setting forth in detail the manner in which the proposed planned development deviates from the zoning and subdivision regulations which would otherwise be applicable to the subject property, including:
 - 1. Maximum total square feet of building floor area proposed for commercial uses, by general type of use.
 - 2. Maximum total land area, expressed in acres and as a percent of the total development area, proposed to be devoted to commercial uses; minimum public and private open space; streets; and off-street parking and loading areas.

2.25.3 Outline Plan Approval Process and Effect of Approval.

- (a) Not more than 35 days after a complete application and outline plan is filed, the planning commission shall hold a public hearing on the application and the outline plan. The planning commission shall recommend to the board of mayor and aldermen approval, approval with conditions or disapproval of the proposed planned development. The planning commission may, prior to the close of the meeting, take the matter under advisement or defer decision until the next regular meeting of the planning commission.
- (b) Any applicant or owner of property may appeal to the board of mayor and aldermen from any recommendation of the planning commission or from any conditions the planning commission imposes or fails to impose in its recommendations.
- (c) An applicant shall submit an outline plan to the board of mayor and aldermen incorporating any and all conditions imposed by the planning commission or, if the applicant chooses to appeal, an outline plan incorporating any and all conditions not appealed, within 90 days after the date of the close of the planning commission meeting, or the application shall be deemed withdrawn.
- (d) The recommendations of the planning commission and any notices of appeal shall be forwarded to the board of mayor and aldermen.
- (e) The board of mayor and aldermen shall hold a public hearing on the application for the planned development and the outline plan after receipt of recommendations from the planning commission and any notice of appeal. At least 15 days' notice of the time and place of the public hearing shall be published in a newspaper of general circulation. The board of mayor and aldermen shall render a decision on any appeal and may approve or disapprove the proposed planned development and outline plan subject to conditions and, if approved, shall authorize the planned development, which approval shall set forth the conditions imposed. Additionally, the board of mayor and alderman may impose its own conditions and is not bound to accept recommended conditions proposed by the planning commission.
- (f) The approved outline plan shall bind the applicant, owner and mortgagee, if any, with respect to the contents of such plan. The approved outline plan shall be recorded by the city at the expense of the applicant. After the plan is recorded, no development shall occur unless such development is in accordance with the approved outline plan.
- (g) The planning commission may amend or waive a development schedule upon submission of written justification by the applicant.

2.25.4 Final plan approval process.

- (a) An application for approval of a final plan of the entire planned development if it is to be completed in one phase, or of a portion of the planned development if it consists of more than one

phase, shall be submitted by the applicant in sufficient time so that the applicant may develop the planned development in accordance with the phasing schedule, if any, of the approved outline plan.

- (b) The application for final plan approval shall include, but not be limited to, the following:
 - (1) A plan suitable for recording with the county register's office.
 - (2) The plan shall be an original ink on linen or 0.004 mil mylar or a photo mylar reproduction and be at a scale of one inch equals 100 feet.
 - (3) Proof referred to on the plan and satisfactory to the respective city attorney as to the provision and maintenance of common open space.
 - (4) All certificates, seals and signatures required for the dedication of land and recordation of documents.
 - (5) Designation of the location and dimensions of all buildings to be constructed, and a designation of the uses for which each building is designed.
 - (6) Tabulations of each separate use area, including land area and number of dwelling units per gross acre and the gross floor area for commercial uses.
 - (7) Location and type of landscaping.
 - (8) Location and dimensions of utility and drainage facilities.
- (c) The final plan shall conform to the approved outline plan. If the final plan is not, in the judgment of the planning department, consistent with the approved outline plan, an amendment to the outline plan must be filed along with the final plan. The procedure for amendment to the outline plan shall conform to the requirements set forth in [section 23-574](#).
- (d) The final plan is subject to review and recommendation by the planning commission and subsequent approval by the board of mayor and aldermen. If the final plan is disapproved by the planning commission, the applicant may appeal to the board of mayor and aldermen, may file a final plan which conforms to the approved outline plan, or the applicant may file an amendment to the approved outline plan.
- (e) After a final plan is approved by the board of mayor and aldermen, the approved final plan shall be recorded in the Jackson County Land Records office by the applicant after receipt of any necessary bonds, fees and contracts to provide improvements required in the subdivision regulations and the required signatures for recordation have been secured.

2.26 OUTLINE OR FINAL PLAN REPEAL PROCESS.

An application for repeal of approval of all or a portion of an outline or final plan may be filed with the planning department at any time. The planning commission shall meet and forward a recommendation to the board of mayor and aldermen concerning the repeal of approval of the outline and/or final plan of development. The board of mayor and aldermen shall schedule a public hearing on the request and make a decision regarding the request for repeal based on the following criteria:

- (1) Prior to commencement of any construction based on an approved final plan, plan approvals may be repealed and contracts voided if the applicant proposes no development or development consistent with existing zoning.

- (2) After commencement of construction based on an approved final plan, plan approvals may be repealed and contracts voided only if, in the opinion of the board of mayor and aldermen, the public health, safety and welfare will not be jeopardized. Specifically, public facilities must be provided to future owners of property within the development and adequate traffic circulation maintained. Development of property constituting a portion of an approved final plan in accordance with the existing zoning may not be approved if such development would be incompatible with the remainder of the property included in the approved final plan.

2.27 ZONING ADMINISTRATION

2.27.1 PERMITS

The building official may issue building permits for the area of the planned development covered by the approved final plan for work in conformity with the approved final plan and with all other applicable ordinances and regulations. However, the building official shall not issue an occupancy permit for any building or structure shown on the development plan of any stage of the planned development unless the common open space and public facilities allocated to that stage of the development schedule have been conveyed to the designated public agency or homeowners' association or a responsible party. The building official shall issue a certificate of occupancy for any completed building or structure located in an area covered by the approved final plan if the completed building or structure conforms to the requirements of the approved final plan and all other applicable regulations and ordinances.

2.27.2 Reapplication if denied.

If an application for a planned unit development is denied by the board of mayor and aldermen, a reapplication pertaining to the same property and requesting the same planned unit development may not be filed within 12 months of the date final action was taken on the previous application.

2.27.3 Procedure for amendment.

An outline plan and/or a final plan may be amended in accordance with the procedure which governed its approval as set forth in this division.

SECTION 2: Any and all ordinances or parts thereof in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION 3: It is hereby declared to be the intention of the Board of Aldermen that the actions, paragraphs, clauses and phrases of this ordinance, when adopted, are severable, and if any sections, paragraphs, clauses, sentences or provisions of this ordinance as adopted shall be declared unconstitutional or otherwise invalid, same shall not affect any of the remaining sections, paragraphs, clauses and phrases of this ordinance.

SECTION 4: This ordinance shall take effect according to all applicable laws and ordinances.

SECTION 5: That, upon adoption, the City Clerk shall cause this Ordinance to be recorded in the Book of Ordinances of the City of Ocean Springs, Mississippi

SECTION 6: The provisions of this Ordinance may be included and incorporated in the Code of Ordinances of the City of Ocean Springs, Mississippi, as an addition or amendment thereto, and appropriately renumbered to conform with the unified numbering system of the Code.

The above Ordinance, having been first reduced to writing, the vote was as follows:

Alderman Burgess _____

Alderman Authement _____

Alderman Wade _____

Alderman Papania _____

Alderman Blackman _____

Alderman Impey _____

Alderman Cox _____

BY THE ORDER OF THE MAYOR AND BOARD OF ALDERMEN of the City of Ocean Springs, Mississippi, on this the xxxxxxth day of _____, 2023.

MAYOR

CITY CLERK

CITY OF OCEAN SPRINGS
COMMUNITY DEVELOPMENT AND PLANNING
POST OFFICE BOX 1800
OCEAN SPRINGS, MS 39566-1800
228-875-4415

PLANNING COMMISSION REPORT
- PUBLIC HEARING -

PUBLIC HEARING DATE: April 17, 2023

APPLICANT(S): City of Ocean Springs Community Development and Planning Department

REQUEST: An Amendment to the Unified Development Code (UDC) for the City of Ocean Springs, Mississippi amending the following sections and chapters: Chapter 2, Sections to create the R-6 Water-front Residential District.

DESCRIPTION OF PROPOSED AMENDMENT:

- The UDC was initially adopted by the Board of Aldermen on March 26, 2019, and re-adopted on December 7, 2021. As part of the implementation of the UDC, the Planning Department staff reviews the regulations and processes of the UDC for inconsistencies, unclear requirements, and sections that need improvement. The staff periodically brings amendments to correct these found issues to the Planning Commission (PC) and Board of Aldermen (BOA).
- This proposed amendment creates a new single family residential dwelling district that allows smaller lot sizes that can adapt to infill development situations. The district is entitled R-6, Water-front Residential District.

FINDINGS:

- The R-6 district allows lots as small as 2,000 sq. ft. in area and 20 feet in width at a maximum gross density of 6 dwelling units per acre.
- The district is intended to be used on properties that front large bodies of water such as the bay or a major bayou in order to take advantage of water views.
- The proposed amendment creating the R-6 zoning district incorporates provisions for that district into the following tables and sections of the UDC:
 - Table 3.1 – Base Zoning Districts
 - Table 3.2A – Dimensional Standards for Residential Districts
 - Table 3.3 – Lot Size Requirements
 - Table 3.5 – Residential Use Matrix
 - Table 3.6 – Land Use Matrix
 - Table 4.2 – Applicability of Landscape Standards by Zoning District
 - Table 4.3 – Planting Conditions by Zoning District
- The attached ordinance provides the specific text that is to be added to the UDC. **Bold, underlined text** is to be added and ~~**bold, struck through**~~ text is to be deleted.

PUBLIC COMMENTS:

- None received.

SUMMARY:

- The proposed amendment creates a new zoning district that will allow single family detached dwellings on smaller lots.

SUGGESTED MOTION: To recommend approval of the following amendment and ordinance related to the creation of an R-6 Water-front Residential district in the Unified Development Code for the reasons described in detail in the staff report.

City of Ocean Springs
ORDINANCE NO. 2023-XX

AN AMENDMENT TO THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF OCEAN SPRINGS, MISSISSIPPI; AMENDING THE FOLLOWING SECTIONS AND CHAPTERS:
CHAPTER 3, TABLE 3.1 – BASE ZONING DISTRICTS, TABLE 3.2A – DIMENSIONAL STANDARDS FOR RESIDENTIAL DISTRICTS, TABLE 3.3 – LOT SIZE REQUIREMENTS, TABLE 3.5 – RESIDENTIAL USE MATRIX, TABLE 3.6 – LAND USE MATRIX, TABLE 4.2 – APPLICABILITY OF LANDSCAPE STANDARDS BY ZONING DISTRICT, AND TABLE 4.3 – PLANTING CONDITIONS BY ZONING DISTRICT

WHEREAS, the Unified Development Code for the City of Ocean Springs provides laws to govern development within the City; and

WHEREAS, the City of Ocean Springs currently has a Unified Development Code Chapter which regulates the layout and design of residential, commercial and mixed use land developments; and

WHEREAS, Chapter 3 – Zoning Districts, Building Types and Uses includes provisions for various zoning districts within the City; and

WHEREAS, it is the Mayor and the Board of Aldermen’s intent to provide opportunities for high quality residential developments in all areas of the City but particularly in water-front locations; and

WHEREAS, the Ocean Springs Planning Department published all proper notices as required by law.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OCEAN SPRINGS, MISSISSIPPI, AS FOLLOWS:

SECTION 1: The findings, conclusions and statements of fact contained in the foregoing preamble and in the following sections of the Unified Development Code are hereby adopted, ratified and incorporated herein. **Bold, underlined text** is to be added, and ~~**Bold, struck-through**~~ text is to be deleted. Sections are to be renumbered as necessary.

Table 3.1: Base Zoning Districts

Residential	Purpose
R-1 Low Density Single Family	Low density single-family detached dwellings. Allows 1-3 du/acre. Consistent with traditional suburban development patterns.
R -2 Low-Medium Density Residential	Low to medium density single-family detached dwellings. Allows density of 2-4 du/acre. Consistent with traditional neighborhoods.
R-10 Medium Density Residential	Medium density single-family detached dwellings. Allows 3 –4 du/acre. Consistent with traditional suburban development patterns.
R-3 Medium Density Residential	Medium density single family dwellings. Allows for smaller lot sizes and infill development for a density of 4-6 du/acre.
<u>R-6 Water-front Residential</u>	<u>Medium density single family dwellings. Allows for smaller lot sizes and infill development for a density of 6-7 du/acre. Intended for water-front properties on the bay or bayou.</u>
R-D Two Family Residential	Medium density single family and two-family dwellings. Allows for smaller lot sizes and infill development for a density of 5-9 du/acre.
RMH Mobile Home Parks	Provides location for mobile and manufactured homes located in park settings.
R-1A Special Apartment Use District	This is the most restrictive apartment district to provide for luxury townhouse or apartment development in selected areas of Ocean Springs.
RM-2 Multi-family Dwellings	Highest density residential district. Allows 12 or more du/acre. Includes a variety of attached dwelling types including townhomes, row houses and apartments Dwelling units may be included in a mixed-use structure.
Non-Residential and Mixed-Use Zoning Districts	Purpose
CMX-1 Neighborhood Commercial/ Mixed Use	Least-intense commercial mixed-use district. Maximum 2-story building height. Applies to neighborhood corridor areas with smaller scale commercial uses and a variety of surrounding residential uses. High traffic uses are not appropriate. Residential uses allowed by right, including detached, attached and live/work units, as long as scale, form and design requirements are met.
CMX-2 Community Commercial/ Mixed Use	Medium-intensity commercial mixed-use district. Maximum 35' building height. Creates a corridor of compatible mixed uses that link more intensive Regional Commercial Centers (CH). Detached and attached residential, and mixed-use buildings allowed as of right when scale, form and design requirements are met.
C-H Regional Commercial	Most intense commercial mixed-use district, allows up to 75' building heights. Includes most intense retail, office and residential development patterns with high traffic generation rates that serve a regional population.
M-1 Manufacturing, Warehousing &	Light industrial uses that are incompatible with primary corridor activities and residential uses due to noise or traffic generation, outdoor storage requirements or other performance or design standards.
P Public District	Public district, largely mapped on Front Beach
C-P Commercial – Public and Civic Facilities	District providing for the location of arts and other community organizations that serve as a place of assembly and public service.

C-M Commercial Marina	Yacht clubs, sale or service and supplies including beverages and food for boats and water craft using the small craft harbor. Specifically prohibited are: All types of commercial marine ways, repair shops or any type of industrial activity.
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(Ord. No. 2020-01, § I, 1-07-20) / (Ord. No. 2021-26)

Dimensional Standards for Base Zoning Districts

Unless otherwise specified in this Ordinance, all principal and accessory use and structures are subject to the intensity and dimensional standards set forth in the following Table.

Table 3.2A: Dimensional Standards for Residential Zoning Districts

ZONING DISTRICTS										
		R-1	R-2	R-10	R-3	<u>R-6</u>	R-D	RMH	R-1A	RM-2
Min. Lot Area (ft ²)		13,500	11,250	10,000	7,500	<u>2,000</u>	7,500	4,000	See Footnote 8 – Below	NA
Min. Lot Width (ft.)		100	80	80	50	<u>20</u>	70	50		15 ⁶
Max. Building Height		35 ft.	35 ft.	35 ft.	35 ft.	<u>35 ft.⁹</u>	35 ft.	25 ft.		4 stories
Min. Building Height		NA	NA	NA	NA	<u>NA</u>	NA	NA		NA
Max. Gross Dwelling Unit Density (dwellings per acre)		NA	NA	NA	NA	<u>6⁷</u>	NA	NA		21 ⁷
BUILDING SETBACK DISTANCES										
FRONT	MIN (ft.)	25	25	20	20	<u>5</u>	20	20	See Footnote 8 – Below	5 ^{1,2}
	MAX (ft.)	NA	NA	NA	NA	<u>NA</u>	NA	NA		NA
SIDE	MIN (ft.)	10	10	10	10	<u>5</u>	10 ³	10		5 ³
	MAX (ft.)	NA	NA	NA	NA	<u>NA</u>	NA	NA		NA
STREET SIDE	MIN (ft.)	10	10	10	10	<u>5</u>	10	10		10
	MAX (ft.)	NA	NA	NA	NA	<u>NA</u>	NA	NA		NA
REAR	MIN (ft.)	25	25	20	20	<u>5</u>	15	10		5
	MAX (ft.)	NA	NA	NA	NA	<u>NA</u>	NA	NA		NA

A. Footnotes

1. There shall be a buffer yard with a depth of a minimum of 25 feet around the perimeter of a multi-family development, where the perimeter consists of abutting single-family zoning districts and public streets. This front yard shall be an open area without encroachments of parking areas or vehicle circulation drives, with the exception of entrance drives whose length does not exceed the depth of the perimeter front yard. At least 80% of the building façade shall be located at the interior front setback line.
2. For buildings located on corner lots, at least the first 30' of the building façade, as measured from the front building corner, shall be located at the setback line.
3. Townhomes are permitted to adjoin at the lot line, as long as adequate room is preserved for circulation to all units.
4. The minimum lot size for each single family detached dwelling.
5. Any multifamily building above thirty-five (35) feet in height shall have a minimum side yard on each side equal to fifty (50) percent of the building height.
6. The minimum lot area and minimum lot width requirements apply only to single family detached, single family attached and duplex/two-family dwellings located on individual lots within a subdivision. The maximum permitted number of Townhouses and multi-family dwelling units is determined by applying the Maximum Gross Dwelling Unit Density figure.
7. The maximum permitted number of dwelling units shall be determined by multiplying the Maximum Gross Dwelling Unit Density figure by the total horizontal land area in acres, excluding all area within wetland or tidal marsh areas.
8. R-1A: Area, Height, and Setback Regulations:
In the R-1-A special apartment use district, the height of buildings, the minimum dimension of lots and yards, and the minimum lot area per family shall be as follows:

Front yard: Same as R-1.

Side yard: Same as R-1; however, any multifamily building above thirty-five (35) feet in height shall have a minimum side yard on each side equal to fifty (50) per cent of the building height.

Rear yard: Same as R-1.

Height: No building hereafter erected, reconstructed, altered or enlarged shall exceed four (4) stories nor shall it exceed fifty (50) feet with the exception of buildings located in a floodplain whereas such buildings may be measured from the elevation requirements of the adopted floodplain management maps. Additional provisions are located in Section 3.7.18 – Height.

Width of lot: The minimum width of a lot at the building line shall be one hundred (100) feet, provided that where a lot of record and in separate ownership at the time of the passage of this ordinance has less width than herein required, this regulation shall not prohibit the erection of a single-family dwelling. Lots fronting on cul-de-sac shall be at least thirty-five (35) feet in width at street frontage and shall have a width of at least fifty (50) feet at the front building line. There shall not be more than six (6) lots facing on one cul-de-sac.

Lot area per family: In the R-1-A special apartment use district every building hereafter erected, reconstructed, altered or enlarged shall provide a lot area of not less than thirteen thousand five hundred (13,500) square feet for single-family dwellings; and every multifamily dwelling or apartment complex hereafter erected, reconstructed, altered or enlarged shall provide minimum lot areas exclusive of wetlands or tidal marsh based on the following schedule:

- i. Thirteen thousand five hundred (13,500) square feet for the first unit;
- ii. Sixteen thousand (16,000) square feet for the first two (2) units;
- iii. Eighteen thousand five hundred (18,500) square feet for the first three (3) units;
- iv. Twenty-one thousand (21,000) square feet for the first four (4) units;
- v. Plus an additional two thousand (2,000) square feet per unit for all units thereafter in a single building.
- vi. A maximum of twelve (12) units shall be allowed in each structure. When an end unit of a structure does not side on a street, an open space or court at least twenty (20) feet in width shall be provided between it and the adjacent structure and this open space shall be divided between the two (2) immediately adjacent structures as to property or lot lines.
- vii. Where apartment units are designed to face upon an open space or common access court rather than upon a street, this open court shall be a minimum of forty (40) feet in width and said court shall not include vehicular drives or parking areas.
- viii. Every multifamily dwelling or apartment complex hereafter erected, reconstructed, altered or enlarged, having a total of twenty-four (24) family units or less, shall provide the required lot area in the above schedule.
- ix. Every multifamily dwelling or apartment complex hereafter erected, reconstructed, altered or enlarged, having a total in excess of twenty-four (24) family units, shall provide minimum lot areas for each building in accordance with the minimum lot areas in the above schedule. In addition each apartment project shall provide a minimum of five (5) per cent open space. Private streets, drives, or parking areas will not count as this unobstructed open space requirement.

9. The maximum building height is measured from design flood elevation (DFE), or grade plane, whichever is higher, to the midpoint of the gable.

Table 3.3: Lot Size Requirements

District	Condition	Lot Width Along Primary Frontage
C-H	All structures	25' minimum
CMX-2	All structures	25' minimum
CMX-1	All structures	25' minimum
RM-2	New developments	15' minimum
R-1A	See Section 3.3.2.A Above	
RMH	New Developments	50' minimum
<u>R-6</u>	<u>New Development</u>	<u>20' minimum</u>
R-3	New Developments	50' minimum
R-2	New developments	80' minimum
R-1	New developments	100' minimum
R-10	New Developments	80' minimum
R-D	New Developments	50' minimum

(Ord. No. 2021-26)

Table 3.5: Residential Use Matrix (to be used in conjunction with APA LBCS Manual)

LBCS Code	Description	R-1	R-2	R-10	R-3	<u>R-6</u>	RMH	R-D	R-1A	RM-2	CMX-1	CMX-2	CH	M1	CP	PUB	C-M
S 1110	Single Family Detached units	P	P	P	P	<u>P</u>	P	P	See Footnotes 12 and 13 – Below	P	P	C	-	-	-	-	C
S 1120	Single Family Attached units	-	-	-	-	<u>:-</u>	P	P		P	P	C	C	-	-	-	C
S 1121	Duplex structures	-	-	-	-	<u>:-</u>	-	P		P	P	C	C	-	-	-	-
S 1130	Accessory units	P	P	P	P	<u>P</u>	P	P		P	C	C	C	-	-	-	C
S 1140	Townhouses	-	-	-	-	<u>:-</u>	-	-		P	P	C	C	-	-	-	-
S 1200	Multifamily Dwelling Units/ Apartments	-	-	-	-	<u>:-</u>	-	-		P	P	P	C	-	-	-	-
N/A	Manufactured housing			-	P	<u>:-</u>	P	-		C	C	C	-	-	-	-	-

Table 3.6: Land Use Matrix

LBCS Code	Description	R-1	R-2	R-10	R-3	<u>R-6</u>	RMH	R-D	R-1A	RM-2	CMX-1	CMX-2	CH	M1	CP	PUB	C-M
F1000		Housing															
F 1200	Housing services for the elderly	-	-	-	-	<u>:-</u>	-	-	See Footnotes 12 and 13 - Below	P	P	P	C	-	-	-	
F 1300	Hotels, motels, or other accommodation services, not elsewhere classified	-	-	-	-	<u>:-</u>	-	-		-	P	P	P	C	-	-	
F 1310	Bed and breakfast inn	C	C	C	C	<u>C</u>	P	C		C	P	P	-	-	-	-	
F 1320	Short-term rental	C	C	C	C	<u>C</u>	C	C		P	P	P	-	-	-	-	
F 1330	Hotel, motel, or tourist court	-	-	-	-	<u>:-</u>	-	-		-	P	P	P	C	-	-	

LBCS Code	Description	R-1	R-2	R-10	R-3	<u>R-6</u>	RMH	R-D	R-1A	RM-2	CMX-1	CMX-2	CH	M1	CP	PUB	C-M
S 1300	Other specialized residential structures (dormitories, barracks and similar facilities)	C	C	C	C	..	C	C		C	C	-	-	-	-	-	
S 1350	Temporary structures, tents, etc. for shelter	C	C	C	C	<u>C</u>	C	C		C	C	-	-	-	-	-	-
S 1360	Other structurally converted buildings	-	-	-	-	..	-	C		C	C	-	-	-	-	-	-
S 2611	Loft building	-	-	-	-	-	-	C		C	C	-	-	-	-	-	-
F 2000		General sales or services															
F 2100	Retail sales or service, not elsewhere listed	-	-	-	-	..	C	-		C	P	P	P	C	C	-	-
F 2110	Automobile sales or service establishment	-	-	-	-	..	-	-		-	-	-	P	P	-	-	-
F 2114	Boat and Marine sales or service establishment	-	-	-	-	..	-	-		-	-	-	P	P	-	-	-
F 2116	Fuel Sales or Fuel Pumps ⁽¹⁾	-	-	-	-	..	-	-		-	-	-	P¹	P¹	P	-	C
F 2120	Heavy consumer goods sales or service	-	-	-	-	..	-	-		-	-	-	P	P	-	-	-
F 2130	Durable consumer goods sales and service	-	-	-	-	..	-	-		-	P	P	P	-	-	-	-
F 2143	Tobacco Store	-	-	-	-	..	-	-		-	P	P	P	-	-	-	-
F 2152	Convenience store	-	-	-	-	..	C	-		C ¹	P	P	P	-	-	-	-
F 2155	Wine and liquor store	-	-	-	-	..	-	-		C ²	P ²	P ²	P ²	-	-	-	-
F 2200	Finance and Insurance	-	-	-	-	..	-	-		-	P	P	P	-	-	-	-

See Footnotes 12 and 13 - Below

LBCS Code	Description	R-1	R-2	R-10	R-3	<u>R-6</u>	RMH	R-D	R-1A	RM-2	CMX-1	CMX-2	CH	M1	CP	PUB	C-M
F 2220	Pawn Shop	-	-	-	-	..	-	-	See Footnotes 12 and 13 - Below	-	-	-	p ³	p ³	-	-	-
F 2300	Real estate, and rental and leasing	-	-	-	-	..	-	-		C	P	P	P	-	-	-	-
F 2330	Rental and leasing	-	-	-	-	..	-	-		P	P	P	P	-	-	-	-
F 2400	Business, professional, scientific, technical, services not listed elsewhere	-	-	-	-	..	-	-		C	P	P	P	P	-	-	-
F 2418	Veterinary Clinic	-	-	-	-	..	-	-		-	-	-	p ⁴	p ⁴	-	-	-
F 2450	Services to buildings and dwellings	-	-	-	-	..	-	-	See Footnotes 12 and 13 - Below	-	P	P	P	P	-	-	-
F 2500	Food service, not listed elsewhere	-	-	-	-	..	-	-		C	P	P	P	P	C	-	-
F 2530	Non-alcoholic Coffee, Snack, Juice Bar	-	-	-	-	..	C	-		P	P	P	P	-	P	-	-
F 2540	Bar or drinking place ⁶	-	-	-	-	..	-	-		-	p ⁶	p ⁶	p ⁶	p ⁶	-	-	-
F 2550	Mobile food services	-	-	-	-	..	-	-		C	P	P	P	P	-	-	-
F 2580	Vending machine operator	-	-	-	-	..	-	-		-	P	P	P	-	-	-	-
F 2600	Personal services	-	-	-	-	..	-	-		P	P	P	P	-	-	-	-
NA	Tattoo Studio	-	-	-	-	..	-	-		-	-	p ⁷	p ⁷	p ⁷	-	-	-
F 2700	Pet and animal sales or service (except veterinary)	-	-	-	-	..	-	-		C	p ⁵	p ⁵	P	-	-	-	-
S 2510	Neighborhood center (convenience with 1+ anchors)	-	-	-	-	..	-	-		-	P	P	P	-	-	-	-
S 2520	Community center (general merchandise)	-	-	-	-	..	-	-		-	C	P	P	-	-	-	-

LBCS Code	Description	R-1	R-2	R-10	R-3	R-6	RMH	R-D	R-1A	RM-2	CMX-1	CMX-2	CH	M1	CP	PUB	C-M
	with 2+ anchors)																
S 2530	Regional center (enclosed mall with 2+ anchors)	-	-	-	-	..	-	-		-	-	-	P	-	-	-	-
S 2540	Superregional center (similar to regional, with 3+ anchors)	-	-	-	-	..	-	-		-	-	-	P	P	-	-	-
S 2550	Fashion/specialty center (higher end, fashion-oriented stores)	-	-	-	-	..	-	-		-	P	P	P	-	-	-	-
S 2560	Power center (category-dominated anchors with few small tenants)	-	-	-		..	-	-		-	-	-	P	P	-	-	-
S 2570	Theme or festival center (leisure, tourist-oriented, restaurants)	-	-	-		..	-	-		-	P	P	P	-	-	-	-
S 2580	Outlet or discount center (manufacturer outlet stores)	-	-	-		..	-	-		-	-	C	P	P	-	-	-
F 3000		Manufacturing and Wholesale Trade															
F 3100	Food, textiles and related products	-	-	-		..	-	-	See Footnotes 12 and 13 - Below	-	-	C	C	P	-	-	-
F 3200	Wood, paper, printing products	-	-	-		..	-	-		-	-	-	-	P	-	-	-
F 3300	Chemicals, metals, machinery, electronics manufacturing	-	-	-		..	-	-		-	-	-	-	P	-	-	-
F 3400	Miscellaneous manufacturing	-	-	-	-	..	-	-		-	-	-	C	P	-	-	-

LBCS Code	Description	R-1	R-2	R-10	R-3	<u>R-6</u>	RMH	R-D	R-1A	RM-2	CMX-1	CMX-2	CH	M1	CP	PUB	C-M
F 3500	Wholesale trade establishment	-	-	-	-	..	-	-		-	-	C	P	P	-	-	-
F 3600	Warehouse and storage services	-	-	-	-	..	-	-		-	-	-	P	P	-	-	-
S 2710	Mini-warehouse	-	-	-	-	..	-	-		-	-	C	P	P	-	-	-
F 4000		Transportation, Communication, Information, and Utilities															
F 4100	Transportation services	-	-	-	-	..	-	-	See Footnotes 12 and 13 - Below	-	-	-	P	P			
F4138	Vehicle Dismantling, Storage	-	-	-	-	..	-	-		-	-	-	p ⁸	p ⁸			
F 4153	Marina, Port, harbor operations	-	-	-	-	..	-	-		-	-	-	C	p ¹ ₀	C		
F 4200	Communications and information	C	C	C	C	<u>C</u>	C	C		C	C	C	C	C	-	-	-
F 4300	Utilities and utility services	C	C	C	C	<u>C</u>	C	C		C	C	C	C	C	-	-	-
S 6320	Landfill facility	-	-	-	-	..	-	-		-	-	-	-	-	-	-	-
S 6340	Hazardous waste storage facility	-	-	-	-	..	-	-	-	-	-	-	-	-	-	-	
F 5000		Arts, Entertainment and Recreation															
F 5100	Performing arts or supporting establishment	C	C	C	C	..	C	C	See Footnotes 12 and 13 - Below	C	C	P	P	-	P	-	-
F 5200	Museums, other special purpose recreational institutions	C	C	C	C	..	C	C		C	C	P	P	-	C	-	-
F 5300	Amusement, sports, or recreation establishment	C	C	C	C	..	C	C		C	C	P	P	P	-	-	-
F 5360	Sand Beach	P	P	P	P	<u>P</u>	P	P		P	P	P	P	-	P	P	P
F 5400	Camps, camping, and related Establishments	-	-	-	-	..	-	-		-	-	-	-	-	-	-	-

LBCS Code	Description	R-1	R-2	R-10	R-3	<u>R-6</u>	RMH	R-D	R-1A	RM-2	CMX-1	CMX-2	CH	M1	CP	PUB	C-M
F 5500	Natural, other recreational Parks	P	P	P	P	<u>P</u>	P	C		C	C	C	P	C	C	P	P
F 6000		Education, Public Administration, Healthcare, and other Institutional uses															
F 6100	Educational services, not listed elsewhere	C	C	C	C	::	C	C	See Footnotes 12 and 13 - Below	C	C	P	P	-	P	-	-
F 6110	Nursery and preschool	C	C	C	C	::	-	C		P	P	P	P	-	P	-	-
F 6120	Grade schools	C	C	C	C	::	C	C		C	P	P	-	-	-	-	-
F 6130	Colleges and Universities	-	-	-	-	::	-	C		C	C	C	C	P	C	-	-
F 6140	Technical, trade, and other specialty schools	-	-	-	-	::	-	-		C	C	C	P	-	C	-	-
F 6200	Public administration	P	P	P	P	::	P	P		P	P	P	P	P	P	-	-
F 6300	Other government functions	P	P	P	P	<u>P</u>	P	P		P	P	P	P	P	P	-	-
F 6400	Public Safety	P	P	P	P	::	P	P		P	P	P	P	P	-	-	-
F 6500	Health and human services, not elsewhere listed	-	-	-	-	::	-	-		P	P	P	P	-	C	-	-
F-6510	Ambulatory and Outpatient Care	-	-	-	-	::	-	-		-	C	P	P	-	-	-	-
F-6511	Clinics	-	-	-	-	::	-	-		-	P	P	P	P	-	-	-
F-6520	Nursing and Rehabilitative Services	-	-	-	-	::	-	-		C	P	P	P	-	-	-	-
F-6530	Hospitals	-	-	-	-	::	-	-		-	-	C	P	-	-	-	-
F-6560	Social Assistance, Welfare and Charitable Services	-	-	-	-	::	-	-		-	-	P	P	-	-	-	-
F 6561	Child and youth services	C	C	C	C	::	C	C		C	C	C	P	-	-	-	-
F 6562	Child day care	C	C	C	C	::	C	C		P	P	P	P	P			

LBCS Code	Description	R-1	R-2	R-10	R-3	R-6	RMH	R-D	R-1A	RM-2	CMX-1	CMX-2	CH	M1	CP	PUB	C-M
F 6600	Religious institutions ¹¹	C	C	C	C	::	C	C		P	P	P	P	P	-	-	-
F 6700	Funeral homes, crematoriums ⁹	-	-	-	-	::	-	-		-	p ⁹	p ⁹	p ⁹	p ⁹	-	-	-
F 6800	Associations, nonprofit organizations, etc.	C	C	C	C	::	C	C		C	P	P	P	P	P	-	-
F 7000		Construction Related Businesses															
F 7100	Building, developing, general contracting	-	-	-	-	::	-	-	See Footnotes 12 and 13 - Below	-	-	P	P	P	-	-	-
F 7200	Machinery related	-	-	-	-	::	-	-		-	-	-	-	P	-	-	-
F 7300	Special trade contractor	-	-	-	-	::	-	-		-	-	-	P	P	-	-	-
F 7400	Heavy construction	-	-	-	-	::	-	-		-	-	-	-	P	-	-	-
F 8000		Mining and Extraction Establishments															
F 8100	Oil and natural gas	-	-	-	-	::	-	-	See Footnotes 12 and 13 - Below								
F 8200	Metals (iron, copper, etc.)	-	-	-	-	::	-	-		-	-	-	-	-	-	-	-
F 8300	Coal	-	-	-	-	::	-	-		-	-	-	-	-	-	-	-
F 8400	Nonmetallic mining	-	-	-	-	::	-	-		-	-	-	-	-	-	-	-
F 8500	Quarrying and stone cutting Establishment	-	-	-	-	::	-	-		-	-	-	-	-	-	-	-
F 9000		Agriculture, Forestry, Fishing and Hunting															
F 9100	Crop production	-	-	-	-	::	-	-	See Footnotes 12 and 13 - Below	-	-	-	-	-	-	-	-
F 9200	Support functions for agriculture	-	-	-	-	::	-	-		-	-	-	-	-	-	-	-
F 9300	Animal production including slaughter	-	-	-	-	::	-	-		-	-	-	-	-	-	-	-

LBCS Code	Description	R-1	R-2	R-10	R-3	<u>R-6</u>	RMH	R-D	R-1A	RM-2	CMX-1	CMX-2	CH	M1	CP	PUB	C-M
F 9400	Forestry and Logging	-	-	-	-	..	-	-		-	-	-	-	-	-	-	-
F 9500	Fishing, hunting and trapping, game preserves	-	-	-	-	..	-	-		-	-	-	-	-	-	-	-
F 9900	Non-conforming site, structure or use of land	C	C	C	C	<u>C</u>	C	C		C	C	C	C	C	C		C

(Ord. No. 2021-26)

Table 4.2: Applicability of Landscape Standards by Base Zoning District

Requirement	Base Zoning District											
	R-1	R-2	R-3	R-10	<u>R-6</u>	R-1A	RM-2	RMH	CMX-1	CMX-2	CH	M1
Landscaping	X	X	X	X	<u>X</u>	X	X	X	X	X	X	X
Buffering						X	X	X			X	X
Tree Preservation	X	X	X	X	<u>X</u>	X	X	X	X	X	X	X
Street Trees	X	X	X	X	<u>X</u>	X	X	X	X	X	X	X

(Ord. No. 2020-05, § I, 2-04-20) / (Ord. No. 2021-26)

Table 4.3: Planting Conditions by Zoning District

Base Zoning District	Planting Condition		
	Tree Well	Tree Planter	Tree Lawn
R-1			X
R-2			X
R-3		X	X
R-10		X	X
<u>R-6</u>		<u>X</u>	<u>X</u>
R-D	X	X	X
R-1A		X	X
RM-2	X	X	X
RMH			X
CMX-1	X	X	X
CMX-2	X	X	
C-H	X	X	
M-1	X	X	X

(Ord. No. 2021-26)

SECTION 2: Any and all ordinances or parts thereof in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION 3: It is hereby declared to be the intention of the Board of Aldermen that the actions, paragraphs, clauses and phrases of this ordinance, when adopted, are severable, and if any sections, paragraphs, clauses, sentences or provisions of this ordinance as adopted shall be declared unconstitutional or otherwise invalid, same shall not affect any of the remaining sections, paragraphs, clauses and phrases of this ordinance.

SECTION 4: This ordinance shall take effect according to all applicable laws and ordinances.

SECTION 5: That, upon adoption, the City Clerk shall cause this Ordinance to be recorded in the Book of Ordinances of the City of Ocean Springs, Mississippi

SECTION 6: The provisions of this Ordinance may be included and incorporated in the Code of Ordinances of the City of Ocean Springs, Mississippi, as an addition or amendment thereto, and appropriately renumbered to conform with the unified numbering system of the Code.

The above Ordinance, having been first reduced to writing, the vote was as follows:

Alderman Burgess	_____
Alderman Authement	_____
Alderman Wade	_____
Alderman Papania	_____
Alderman Blackman	_____
Alderman Impey	_____
Alderman Cox	_____

BY THE ORDER OF THE MAYOR AND BOARD OF ALDERMEN of the City of
Ocean Springs, Mississippi, on this the xxxxxxth day of _____, 2023.

MAYOR

CITY CLERK