



Planning Commission
1018 Porter Avenue
Ocean Springs, MS 39564

Tuesday, January 10, 2023 @ 6:00 p.m.

1. **Call Meeting to Order**
2. **Approval of Minutes**
 - a) December 13, 2022
3. **Old Business – None.**
4. **New Business**
 - a) **PUBLIC HEARING:** 2003 Government Street / PID# 61058010.000 *through* 61058019.000 – Cloyd Investments, LL C& Lucky #9, LLC – Requesting to rezone from RM-2 (Multi-Family District) to CMX-2 (Community Commercial / Mixed-Use District).
 - b) **PUBLIC HEARING:** 2207 Government Street / PID# 61058020.000 *through* 61058050.000 – Cloyd Investments, LL C& Cottages at Oak Park, LLC – Requesting to rezone from RM-2 (Multi-Family District) to CMX-2 (Community Commercial / Mixed-Use District).
5. **General Public Comment:** The public is invited to address the Commission for up to 3 (three) minutes (regarding issues ***NOT*** listed on this agenda). The Commission will take all comments under advisement for potential action at a later date if warranted.
6. **Commissioner's Forum**
7. **Adjourn**

**The Minutes of the City of Ocean Springs
Planning Commission
Tuesday, December 13, 2022**

1. Call meeting to order

A meeting of the City of Ocean Springs Planning Commission was called to order by Chairman Andy Phelan at 6:00 p.m. on Tuesday, December 13, 2022. Members present were Matthew Hinton, Kevin O'Connell, Marshall Johnson, Michael Davis, and Joseph McCormick. Joey Conwill was absent. Also present were Carolyn Martin, Planning & Grants Administrator; Wade Morgan, City Planner; and Will Norman, City Attorney.

2. Approval of Minutes

a) October 11, 2022

A motion was made by K. O'Connell seconded by M. Davis to accept the minutes as submitted. The motion was carried unanimously.

3. Old Business – None.

4. New Business

a) Tranquility Grove / PID# 60127270.000 – Zameen, LLC – Requesting Final Plat approval of a 3-lot, minor subdivision.

W. Morgan introduced the proposal. Sketch Plat approval for this subdivision was given May 2011. There was miscommunication and the Final Plat was never approved/filed, however, deeds showing the legal descriptions were filed. There is an existing medical clinic on the southern-most lot. The northeast lot has a proposed wellness center and café that is currently under Design Review.

A motion was made by M. Hinton seconded by K. O'Connell to recommend approval of the Tranquility Grove subdivision Final Plat. The motion was carried unanimously.

5. General Public Comment

Francisco Ferreiro, 32 Embroidery Street, Sayreville, NJ, addressed the commission. He submitted a short-term rental application on August 18th, 2022. He believed he would be permit #75. He feels he was cheated of a short-term rental permit. He discussed legal action. He discussed a sour business deal while purchasing the house. He discussed traveling to Mississippi from New Jersey for last month's Planning Commission meeting, which did not occur.

6. Commissioner's Forum

7. Adjourn

A motion was made by M. Johnson seconded by M. Hinton to adjourn the meeting. The motion was carried unanimously.

DRAFT

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: January 10, 2023

APPLICANT(S): Cloyd Investments, LLC, and Lucky #9, LLC

CURRENT OWNER? ✓Yes No

LOCATION: 2003 Government Street / PID# 60120120.025

REQUESTED ACTION: Zoning change from RM-2 (Multi-Family Residential District) to CMX-2 (Community Commercial / Mixed Use District)

DATE OF APPLICATION: November 30, 2022

ADJACENT ZONING AND LAND USE:

Subject Property: RM-2, Multi-Family Residential District – The Cottages at Oak Park West, a condominium development of nine (9) detached dwellings on a private drive;

North: C-H, Regional Commercial District – single-family dwellings - rentals;

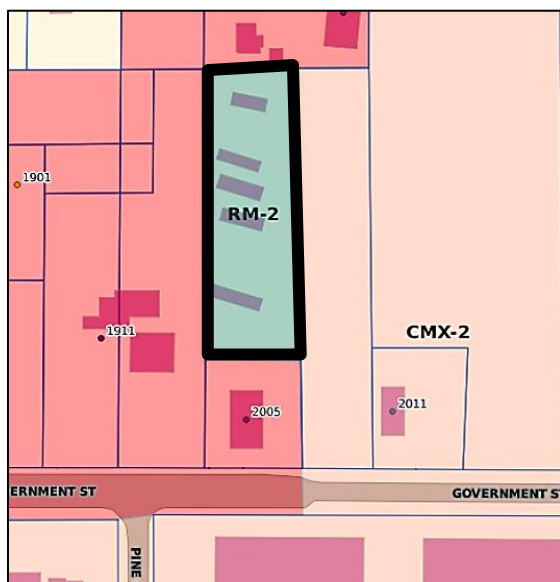
East: CMX-2, Community Commercial District – commercial storage lot;

South: C-H, Regional Commercial District – two-story retail/office building;

West: C-H, Regional Commercial District – The Juke Joint, a bar/restaurant.

CURRENT CONDITIONS:

- Property Size: 0.72 acres.



DESCRIPTION OF REQUEST:

- The applicant requests to change the property's zoning district from the RM-2, Multi-Family Residential District to the CMX-2, Community Commercial / Mixed Use District. The applicant notes that the intended use of the property is for, "long term rentals, primary residents, and secondary residents plus, any allowable use in CMX-2".
- The application states that the neighborhood and community at large is seeing more need for owner-occupied housing and second homes plus increased demand for rental housing. This is a change from what was originally a mobile home park and has been only long-term rental cottages for the past ten years." In addition, the application states, "the existing parcel is completely surrounded by CMX-2 and C-H. It stands to reason the RM-2 zone, was a mistake that was not corrected during the UDC process. Since the cottages were converted to condos, over 80% are under contract and several have closed. This is direct and actual evidence of public need and demand."

FINDINGS:

- The property was rezoned in 2009 from the C-3, Highway Commercial District to the R-4, Multi-Family Residential District (Ordinance 2009-03). The Planning Commission (PC) had recommended approval on December 9, 2008, and the Board of Aldermen (BOA) approved the rezoning on January 20, 2009. The PC concluded that C-3, Highway Commercial zoning was no longer appropriate because the recent demolition of the Ferson Optics building had changed the character of the neighborhood, and because permitting multi-family housing near the Central Business District was consistent with numerous comprehensive plan policies.
- The CMX-2 district is described in the UDC as, "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."
- Following is a list of uses that are permitted by right in the CMX-2 district that are not permitted in the RM-2 district:
 - Housing services for the elderly;
 - Hotels, motels, or other accommodation services;
 - Bed and breakfast inn;
 - Short-term rental;
 - Hotel, motel, or tourist court;
 - General retail sales/service;
 - Tobacco Store;
 - Convenience store;
 - Finance and Insurance;
 - Theme or festival center (leisure, tourist-oriented, restaurants);
 - Tattoo Studio;
 - Fashion/specialty center (higher end, fashion-oriented stores);
 - Museums, other special purpose recreational institutions;
 - Amusement, sports, or recreation establishment;
 - Clinics;
 - Nursing and Rehabilitative Services; and
 - Social Assistance, Welfare and Charitable Services.

- The criteria for a change in zoning are [1] there was a mistake in the original zoning or [2] the character of the neighborhood has changed to such an extent as to justify reclassification **AND** that a public need exists for rezoning. The applicant must describe and provide justification to the PC and BOA about how the character of the neighborhood has changed. In addition, the applicant should describe the need for the rezoning.
- The application states that the RM-2 zoning was a mistake that was not corrected during the UDC process. That statement is incorrect in that the adoption of the UDC amended the overall zoning regulations affecting all properties and did not rezone any individual properties.
- From a zoning perspective, the proposed CMX-2 district is consistent with the existing CMX-2 zoning of the property to the east. However, the property is developed with nine (9) detached dwellings and parking area designed for dwellings (typically two spaces per dwelling unit). The potential for conversion of dwellings to office or retail establishments is not feasible as it may strain the available parking spaces with no additional room for parking expansion. Retail and offices typically need a greater number of parking spaces for employees and customers.
- Short-term rental use is permitted by right in the proposed CMX-2 district with no cap. The potential for converting a large number of dwellings to short term rental purposes relates to policy decisions decided by the Board of Aldermen.
- **COMPREHENSIVE PLAN:** Requests for change in a zoning district should comply with the adopted Comprehensive Plan. The following elements of the Plan address the requested zoning:
 - *Policy 3.8: Establish a transition area around the Downtown area. A mix of uses will provide a buffer between the more intensive, business-oriented areas and the nearby lower-intensity residential areas. In the transitional area, the principal uses should include residential, bed and breakfast inns, low-intensity professional offices, neighborhood service business, child-care centers, and similar uses. A mix of single-family and moderate density multifamily (townhouse units, with a maximum of four units) should be permitted.*
 - *Policy 4.10 - Maintain compatible transitions between different land use and housing types through effective land use and site design regulations. This policy is intended to allow for development of a compatible mix of unit types and neighborhood-scale services.*

OTHER FEEDBACK:

- No public input was received on this issue.

STAFF CONCLUSION:

- From a zoning perspective, the proposed CMX-2 district is consistent with the existing CMX-2 zoning of the property to the east, however, the potential for the conversion of the existing dwellings to retail shops and offices may demand more parking spaces than are available. Also, the potential for converting a large number of dwellings to short term rental purposes relates to policy decisions decided by the Board of Aldermen.

POTENTIAL MOTIONS:

To recommend **approval** of the rezoning of 2003 Government Street from the RM-2, Multi-Family Residential District to the CMX-2 Community Commercial Mixed-Use District.

– OR –

To recommend **denial** of the rezoning of 2003 Government Street from the RM-2, Multi-Family Residential District to the CMX-2 Community Commercial Mixed-Use District.



Ocean Springs Planning Commission
PO Box 1800
Ocean Springs, MS 39564
228-875-6712 (Phone) 228-872-5427 (fax)

Office Use

Date Received _____

Received by _____

☐ App Fee Paid / Cash/Ck# _____

☐ Mallout Fee: \$ _____

☐ Mallout Pd: Cash / Ck# _____

CHANGE IN ZONING / USE PERMIT APPLICATION

Effective June 11, 2006, the following application fees apply:

Application Fee Required*: **\$ 250.00 (NON REFUNDABLE)**

* Does not include mail fee, to be determined by City.

Certified mail fee required for notification of property owners within 500' of applicant property. Exact fee to be determined by City, based on current postage rates. AND MUST BE PAID FOR BY THE APPLICANT BEFORE MAILING.

Application Date: 11/30/2022

(Applications are due by the 7th of each month for the meeting scheduled for the subsequent month.)

Indicate Request: Change In Zoning District ☒ Use Permit ☐ Conditional Use Permit ☐

Applicant Information

Address of Lot(s): 2003 Government St.

Parcel ID(s): Per submitted condo plat

- | | | | |
|---------------------|---|--------|---------------------|
| 1. Applicant: | <u>Cloyd Investments, LLC & Lucky #9, LLC</u> | Phone: | <u>601-624-1921</u> |
| Address: | <u>433 E. Beach Dr. Ocean Springs, MS 39564</u> | Email: | <u>joe@cloyd.ms</u> |
| 2. Owner of Record: | <u>Cloyd Investments, LLC & Lucky #9, LLC</u> | Phone: | <u>601-624-1921</u> |
| Address: | <u>433 E. Beach Dr. Ocean Springs MS 39564</u> | Email: | <u>joe@cloyd.ms</u> |

COMPLETE THE FOLLOWING:

- Current Zoning classification of property: RM-2
New Zoning District Requested (if applicable): CMX-2
- Explain the present use of the property and condition of any existing structures:
Property has recently been converted from long term rentals to condos. The development has been rehabilitated and is in excellent condition. Present use consists of long term rentals, primary residents and secondary residents.
- Describe the intended use of property:
Same as above plus any allowable uses in CMX-2.



4. Reason for request: *Must include 1) A description of the change/changes in the neighborhood that justify the change (when/where) OR the mistake made in the zoning map if applicable; AND 2) The public need for the new zoning district type.*

1a. The neighborhood and community at large is seeing more need for rental owner-occupied housing and second homes plus increased demand for housing. This is a change from what was originally a mobile home park and has been only long term rental cottages for the past ten years.

1b. The existing parcel is completely surrounded by CMX-2 and CH. It stands to reason the RM2 zone, was a mistake that was not corrected during the UDC process.

2. Since the cottages were converted to condos, over 80% are under contract and several have closed. This is direct and actual evidence of public need and demand.

ATTACHMENTS REQUIRED:

- ☒ 1. Application Fee. Amount \$ 250.00
- ☒ 2. Map of the property and the surrounding neighborhood.
- ☒ 3. Diagram of intended use, showing dimensions and distances of property, building and their setbacks; parking spaces, entrances and exits.
- ☒ 4. Legal description; street address.
- ☒ 5. Copy of protective covenants or deed restrictions, if any.
- ☐ 6. Copies of approvals or requests of approval from other agencies such as: Health Department, Miss. Air and Water Pollution Control Commission, Corps of Engineers, Department of Marine Resources Council, etc.

***** If applicant is authorized to represent property owner, applicant must provide documentation signed by the property owner.**

Signature of Property Owner

Cloyd Investments, LLC

Print name

11/30/2022

Date

Signature of Applicant

Cloyd Investments, LLC

Print name

11/30/2022

Date

Office Use Only: APPROVALS

____ Public Works Date: _____ / _____ Planning Department Date: _____
____ City Engineer Date: _____

DRAFT REZONING ORDINANCE:

**ORDINANCE NO. 2023-xx
AN AMENDMENT TO ORDINANCE NO. 13-1976
REZONING PROPERTY HEREIN DESCRIBED FROM RM-2 MULTI FAMILY
RESIDENTIAL DISTRICT TO THE CMX-2 COMMUNITY COMMERCIAL MIXED-
USE DISTRICT**

WHEREAS, the Mayor and Board of Aldermen of the City of Ocean springs, Mississippi, did on or about the 7th day of December, 2021, readopt an ordinance known as the Unified Development Code of Ocean Springs, Mississippi, and

WHEREAS, said ordinance provided therein for the adoption of an official zoning map; and

WHEREAS, said official zoning map as a part of the Unified Development Code of Ocean Springs, Mississippi, was adopted on the date aforesaid, zoning or rezoning the entire City of Ocean Springs, Mississippi; and

WHEREAS, said ordinance can be amended from time to time as necessary because of annexation, changing conditions, growth and other reasons; and

WHEREAS, application was made to the Ocean Springs Planning Commission that a certain parcel of property presently zoned RM-2, Multi Family Residential District be changed to CMX-2, Community Commercial Mixed Use District, said property being described as:

Parcel ID: 60120120.025; and

WHEREAS, the Ocean Springs Planning Department, upon said application, did publish notice as required by law; and

WHEREAS, thereafter on January 10, 2023, a public hearing was held by the Ocean Springs Planning Commission.

WHEREAS, the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi, did, on _____, approve said rezoning noting its accord with the comprehensive plan and such changes in character of the surrounding area and the public need for the change in zoning.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi, as follows, to-wit:

SECTION 1. That the following described property be rezoned from the classification of RM-2 to a classification of CMX-2:

Parcel ID: 60120120.025.

SECTION 3. That the official zoning map of the Unified Development Code of Ocean Springs, Mississippi, be amended to reflect this change.

SECTION 4. That any and all sections of the Unified Development Code and the official zoning map in conflict herewith are hereby repealed.

SECTION 5. That upon adoption, the City Clerk shall cause this Ordinance, being an Amendment to the Unified Development Code, in its final form, to be published in the manner prescribed by law and to be recorded in the Book of Ordinances of the City of Ocean Springs, Mississippi, and cause the official zoning map to reflect this change.

The above Ordinance, being an Amendment to the Unified Development Code, having been first reduced to writing, the vote was as follows:

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

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

Mayor

City Clerk

DRAFT

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: January 10, 2023

APPLICANT(S): Cloyd Investments, LLC, and Cottages at Oak Park, LLC

CURRENT OWNER? ✓ Yes No

LOCATION: 2207 Government Street / PID# 6123003.000 and 61230004.000

REQUESTED ACTION: Zoning change from RM-2 (Multi-Family Residential District) to CMX-2 (Community Commercial / Mixed Use District)

DATE OF APPLICATION: November 30, 2022

ADJACENT ZONING AND LAND USE:

Subject Property: RM-2, Multi-Family Residential District – The Cottages at Oak Park, a condominium development of 29 detached dwellings on a private drive;

North: C-H, Regional Commercial District – CSX Railroad;

East: C-H, Regional Commercial District – offices and service commercial establishments.

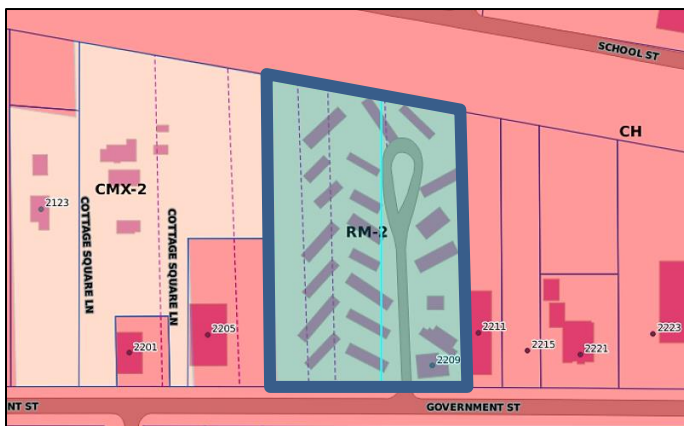
South: across Government Street, C-H, Regional Commercial District – Oak Park Elementary school;

West: C-H, Regional Commercial District and CMX-2, Community Commercial / Mixed-Use Districts – automotive service shop and Cottage Square residential and office development.

CURRENT CONDITIONS:

- Property Size: 2.26 acres.

CURRENT ZONING:



DESCRIPTION OF REQUEST:

- The applicant requests to change the property's zoning district from the RM-2, Multi-Family Residential District to the CMX-2, Community Commercial / Mixed Use District. The applicant notes that the, "property has recently been converted from long term rentals to condos," and the intended use of the property is for, "long term rentals, primary residents and secondary residents plus, any allowable use in CMX-2".
- The application states that the neighborhood and community at large is seeing more need for owner-occupied housing and second homes plus increased demand for rental housing. This is a change from what was originally a mobile home park and has been only long-term rental cottages for the past ten years." In addition, the application states, "the existing parcel is completely surrounded by CMX-2 and C-H. It stands to reason the RM-2 zone, was a mistake that was not corrected during the UDC process. Since the cottages were converted to condos, over 80% are under contract and several have closed. This is direct and actual evidence of public need and demand."

FINDINGS:

- The property was rezoned in 2009 from the R-5, Mobile Home Residential District to the R-4, Multi-Family Residential District (Ordinance -22-2009). The Planning Commission (PC) had recommended approval on February 10, 2009, and the Board of Aldermen (BOA) approved the rezoning on November 3, 2009. The PC concluded that the Central Business District had pushed eastward and the Pines Mobile Home Park was inconsistent with the surrounding area.
- The CMX-2 district is described in the UDC as, "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."
- Following is a list of uses that are permitted by right in the CMX-2 district that are not permitted in the RM-2 district:
 - Housing services for the elderly;
 - Hotels, motels, or other accommodation services;
 - Bed and breakfast inn;
 - Short-term rental;
 - Hotel, motel, or tourist court;
 - General retail sales/service;
 - Tobacco Store;
 - Convenience store;
 - Finance and Insurance;
 - Theme or festival center (leisure, tourist-oriented, restaurants);
 - Tattoo Studio;
 - Fashion/specialty center (higher end, fashion-oriented stores);
 - Museums, other special purpose recreational institutions;
 - Amusement, sports, or recreation establishment;
 - Clinics;
 - Nursing and Rehabilitative Services; and
 - Social Assistance, Welfare and Charitable Services.

- The criteria for a change in zoning are [1] there was a mistake in the original zoning or [2] the character of the neighborhood has changed to such an extent as to justify reclassification **AND** that a public need exists for rezoning. The applicant must describe and provide justification to the PC and BOA about how the character of the neighborhood has changed. In addition, the applicant should describe the need for the rezoning.
- The application states that the RM-2 zoning was a mistake that was not corrected during the UDC process. That statement is incorrect in that the adoption of the UDC amended the overall zoning regulations affecting all properties and did not rezone any individual properties.
- From a zoning perspective, the proposed CMX-2 district is consistent with the existing CMX-2 zoning of Cottage Square to the west and with the C-H zoning to the east. However, the property is developed with 29 detached dwellings and a parking area designed for dwellings (typically (2) two spaces per dwelling unit). The potential for conversion of the dwellings to office or retail establishments may strain the available parking spaces. Retail and offices typically need a greater number of parking spaces for employees and customers.
- The current RM-2 district is covered by the residential short-term rental (STR) regulations and the cap of 75 STR permits. Short-term rental use is permitted by right in the proposed CMX-2 district with no cap. The potential for converting a large number of dwellings to short term rental purposes relates to policy decisions decided by the Board of Aldermen.
- **COMPREHENSIVE PLAN:** Requests for change in a zoning district should comply with the adopted Comprehensive Plan. The following elements of the Plan address the requested zoning:
 - *Policy 3.8: Establish a transition area around the Downtown area. A mix of uses will provide a buffer between the more intensive, business-oriented areas and the nearby lower-intensity residential areas. In the transitional area, the principal uses should include residential, bed and breakfast inns, low-intensity professional offices, neighborhood service business, child-care centers, and similar uses. A mix of single-family and moderate density multifamily (townhouse units, with a maximum of four units) should be permitted.*
 - *Policy 4.10 - Maintain compatible transitions between different land use and housing types through effective land use and site design regulations. This policy is intended to allow for development of a compatible mix of unit types and neighborhood-scale services.*

OTHER FEEDBACK:

- No public input was received on this issue.

CONCLUSION:

- From a zoning perspective, the proposed CMX-2 district is consistent with the existing CMX-2 zoning of the property to the west, however, the potential for the conversion of the existing dwellings to retail shops and offices may demand more parking spaces than are available. Also, the potential for converting a large number of dwellings to short term rental purposes relates to policy decisions decided by the Board of Aldermen.

POTENTIAL MOTIONS:

To recommend **approval** of the rezoning of 2207 Government Street from the RM-2, Multi-Family Residential District to the CMX-2 Community Commercial Mixed-Use District.

– OR –

To recommend **denial** of the rezoning of 2207 Government Street from the RM-2, Multi-Family Residential District to the CMX-2 Community Commercial Mixed-Use District.



Ocean Springs Planning Commission
PO Box 1800
Ocean Springs, MS 39564
228-875-6712 (Phone) 228-872-5427 (fax)

Office Use

Date Received _____
Received by _____
☐ App Fee Paid / Cash/Ck# _____
☐ Mailout Fee: \$ _____
☐ Mailout Pd: Cash / Ck# _____

CHANGE IN ZONING / USE PERMIT APPLICATION

Effective June 11, 2006, the following application fees apply:

Application Fee Required*: **\$ 250.00 (NON REFUNDABLE)**

* Does not include mail fee, to be determined by City.

Certified mail fee required for notification of property owners within 500' of applicant property. Exact fee to be determined by City, based on current postage rates. AND MUST BE PAID FOR BY THE APPLICANT BEFORE MAILING.

Application Date: 11/30/2022

(Applications are due by the 7th of each month for the meeting scheduled for the subsequent month.)

Indicate Request: Change In Zoning District ☒ Use Permit ☐ Conditional Use Permit ☐

Applicant Information

Address of Lot(s): 2207 Government St.

Parcel ID(s): Per submitted condo plat

1. Applicant: Cloyd Investments, LLC & Cottages at Oak Park, LLC Phone: 601-624-1921
Address: 433 E. Beach Dr. Ocean Springs, MS 39564 Email: joe@cloyd.ms
2. Owner of Record: Cloyd Investments, LLC & Cottages at Oak Park, LLC Phone: 601-624-1921
Address: 433 E. Beach Dr. Ocean Springs MS 39564 Email: joe@cloyd.ms

COMPLETE THE FOLLOWING:

1. Current Zoning classification of property: RM-2
New Zoning District Requested (if applicable): CMX-2
2. Explain the present use of the property and condition of any existing structures:
Property has recently been converted from long term rentals to condos. The development has been rehabilitated and is in excellent condition. Present use consists of long term rentals, primary residents and secondary residents.
3. Describe the intended use of property:
Same as above plus any allowable uses in CMX-2.

4. Reason for request: *Must include 1) A description of the change/changes in the neighborhood that justify the change (when/where) OR the mistake made in the zoning map if applicable; AND 2) The public need for the new zoning district type.*

1a. The neighborhood and community at large is seeing more need for *rental* owner-occupied housing and second homes plus increased demand for housing. This is a change from what was originally a mobile home park and has been only long term rental cottages for the past ten years.

1b. The existing parcel is completely surrounded by CMX-2 and CH. It stands to reason the RM2 zone, was a mistake that was not corrected during the *UPC* process.

2. Since the cottages were converted to condos, over 80% are under contract and several have closed. This is direct and actual evidence of public need and demand.

ATTACHMENTS REQUIRED:

- ☒ 1. Application Fee. Amount \$ 250.00
- ☒ 2. Map of the property and the surrounding neighborhood.
- ☒ 3. Diagram of intended use, showing dimensions and distances of property, building and their setbacks; parking spaces, entrances and exits.
- ☒ 4. Legal description; street address.
- ☒ 5. Copy of protective covenants or deed restrictions, if any.
- ☐ 6. Copies of approvals or requests of approval from other agencies such as: Health Department, Miss. Air and Water Pollution Control Commission, Corps of Engineers, Department of Marine Resources Council, etc.

***** If applicant is authorized to represent property owner, applicant must provide documentation signed by the property owner.**

Signature of Property Owner



Cloyd Investments, LLC

Print name

11/30/2022

Date

Signature of Applicant



Cloyd Investments, LLC

Print name

11/30/2022

Date

Office Use Only: APPROVALS

____ Public Works Date: _____ / _____ Planning Department Date: _____
____ City Engineer Date: _____

DRAFT REZONING ORDINANCE:

**ORDINANCE NO. 2023-xx
AN AMENDMENT TO ORDINANCE NO. 13-1976
REZONING PROPERTY HEREIN DESCRIBED FROM RM-2 MULTI FAMILY
RESIDENTIAL DISTRICT TO THE CMX-2 COMMUNITY COMMERCIAL MIXED-
USE DISTRICT**

WHEREAS, the Mayor and Board of Aldermen of the City of Ocean springs, Mississippi, did on or about the 7th day of December, 2021, readopt an ordinance known as the Unified Development Code of Ocean Springs, Mississippi, and

WHEREAS, said ordinance provided therein for the adoption of an official zoning map; and

WHEREAS, said official zoning map as a part of the Unified Development Code of Ocean Springs, Mississippi, was adopted on the date aforesaid, zoning or rezoning the entire City of Ocean Springs, Mississippi; and

WHEREAS, said ordinance can be amended from time to time as necessary because of annexation, changing conditions, growth and other reasons; and

WHEREAS, application was made to the Ocean Springs Planning Commission that a certain parcel of property presently zoned RM-2, Multi Family Residential District be changed to CMX-2, Community Commercial Mixed Use District, said property being described as:

Parcel ID: 6123003.000 and 61230004.000; and

WHEREAS, the Ocean Springs Planning Department, upon said application, did publish notice as required by law; and

WHEREAS, thereafter on January 10, 2023, a public hearing was held by the Ocean Springs Planning Commission.

WHEREAS, the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi, did, on _____, approve said rezoning noting its accord with the comprehensive plan and such changes in character of the surrounding area and the public need for the change in zoning.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi, as follows, to-wit:

SECTION 1. That the following described property be rezoned from the classification of RM-2 to a classification of CMX-2:

Parcel ID: 6123003.000 and 61230004.000.

SECTION 3. That the official zoning map of the Unified Development Code of Ocean Springs, Mississippi, be amended to reflect this change.

SECTION 4. That any and all sections of the Unified Development Code and the official zoning map in conflict herewith are hereby repealed.

SECTION 5. That upon adoption, the City Clerk shall cause this Ordinance, being an Amendment to the Unified Development Code, in its final form, to be published in the manner prescribed by law and to be recorded in the Book of Ordinances of the City of Ocean Springs, Mississippi, and cause the official zoning map to reflect this change.

The above Ordinance, being an Amendment to the Unified Development Code, having been first reduced to writing, the vote was as follows:

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

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

Mayor

City Clerk

DRAFT