



Planning Commission
1018 Porter Avenue
Ocean Springs, MS 39564

Tuesday, September 13, 2022 @ 6:00 p.m.

1. **Call Meeting to Order**
2. **Approval of Minutes**
 - a) August 9, 2021
3. **Old Business – None.**
4. **New Business**
 - a) **PUBLIC HEARING:** 3920 Bienville Boulevard / PID# 60126170.150 – Donovan Scruggs – Requesting a Rezoning from the M-1, Manufacturing, Warehousing, & Services District to the C-H, Regional Commercial District.
 - b) **PUBLIC HEARING:** 3920 Bienville Boulevard / PID# 60126170.150 – Donovan Scruggs – Request for a Conditional Use Permit (CUP) to operate a medical cannabis cultivation facility on a C-H, Regional Commercial District property.
 - c) **PUBLIC HEARING:** 101 Myrtle Avenue / PID# 61035049.000 – Timothy Johnston – Request for a Residential short-term rental permit.
 - d) **PUBLIC HEARING:** 226 Mitchell Street / PID# 61305101.000 – Greg & Tracy Graham – Request for a Residential short-term rental permit.
 - e) **PUBLIC HEARING:** An amendment to the Unified Development Code (UDC) for the City of Ocean Springs, Mississippi amending the following sections and chapters: Chapter 3 (Zoning Districts, Building Types and Uses), Section 3.7.17 (Setback Encroachments), Chapter 4 (Development and Design Standards), Section 4.8.2 (Sight Triangles), and Chapter 6 (Supplemental Conditions for Specific Uses), Section 6.2.3.J (Permitted Accessory Uses, Fences) as they relate to fence height and material.
 - f) **PUBLIC HEARING:** An amendment to the Unified Development Code (UDC) for the City of Ocean Springs, Mississippi amending the following sections and chapters: Chapter 4 (Development & Design Standards), Section 4.7.4 (Off-street Parking Surfacing Requirements), regarding the use of crushed limestone, gravel or similar material.
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. **Election of Officers**
 - a) Chairman, Vice-Chairman, Secretary
7. **Commissioner's Forum**
8. **Adjourn**

The Minutes of the City of Ocean Springs Planning Commission Tuesday, August 9, 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, August 9, 2022. Members present were Matthew Hinton, Kevin O'Connell, Marshall Johnson, Michael Davis, Joey Conwill, and Joseph McCormick. Also present were Carolyn Martin, Planning & Grants Administrator; Wade Morgan, City Planner; and Will Norman, City Attorney.

2. Approval of Minutes

a) July 12, 2022

A motion was made by M. Davis seconded by M. Johnson to accept the minutes as submitted. The motion was carried unanimously.

3. Old Business

- a) **TABLED – TO BE READVERTISED** 2302 Bienville Boulevard / PID# 60120390.000, 60120390.050, & 60129570.200 – Bryant Harvey – Requesting a Conditional Use Permit (CUP) to allow the construction of apartments within the CH, Regional Commercial District.

4. New Business

- a) **WITHDRAWN** 406 Russell Avenue / PID# 60137264.000 – Eric Creel – Requesting the use of gravel (or similar material) to construct a driveway on a residential lot.
- b) **TABLED – TO BE READVERTISED PUBLIC HEARING:** 3074 Government Street / PID# 60128041.000 – Brantley Broome – Requesting a Rezoning from the CH, Regional Commercial District and R2, Single-Family Residential District to the R1-A Special Apartment Use District.
- c) **PUBLIC HEARING:** 3111 Government Street / PID# 60127160.000 – Angela Allen – Requesting a CUP to allow a pre-school/daycare to operate on a church property within the R-1, Single-Family Residential District.

A motion was made by M. Johnson seconded by K. O'Connell to go into public hearing. The motion was carried unanimously.

W. Morgan introduced the proposal. Only two (2) rooms will be used by the daycare center on church property. There is adequate parking and the impact on the adjacent neighborhood would be minimal.

M. Hinton entered the meeting.

A member of the audience stated she is with the church. The daycare will be using two (2) rooms and had all their inspections.

A motion was made by M. Johnson seconded by M. Hinton to come out of public hearing. The motion was carried unanimously.

Parking and drop-off/pick-up was discussed.

A motion was made by M. Hinton seconded by M. Johnson to recommend approval for a conditional use permit for the use of 3111 Government Street for the Little Hounds Academy preschool as described in the application and the associated site plan. The motion was carried unanimously.

d) PUBLIC HEARING: 306 Sheppard Drive / PID# 61595125.000 – Jessica Finkbiner – Requesting a Residential Short-term Rental permit.

A motion was made by M. Hinton seconded by K. O'Connell to go into public hearing. The motion was carried unanimously.

C. Martin introduced the proposal. The local property manager meets the residency requirement. No input was received from notification of the neighbors. The inspection passed on June 20th. The maximum occupancy was requested at eight (8) but was reduced to seven (7). The maximum vehicles was requested and approved at three (3).

Barbara Newell, 304 Sheppard Drive, addressed the commission. She is concerned with the number of short-term rentals on her street specifically. A. Phelan explained the cap of 75 is city-wide and not specific to any streets. C. Martin confirmed.

A motion was made by M. Johnson seconded by M. Davis to come out of public hearing. The motion was carried unanimously.

A motion was made by K. O'Connell seconded by J. McCormick to recommend approval of a short-term rental permit at 306 Sheppard Drive subject to annual renewal. The motion was carried unanimously.

e) PUBLIC HEARING: 509 Bechtel Boulevard / PID# 61037013.000 – Nicole Bullick – Requesting a Residential Short-term Rental permit.

A motion was made by M. Davis seconded by M. Johnson to go into public hearing. The motion was carried unanimously.

C. Martin introduced the proposal. The local property owner meets the residency requirement. A notice was sent to 78 property owners within the buffer with no input received. The inspection was approved on July 5th. A maximum occupancy was approved at eight (8); six (6) in the main house, two (2) in the guest house. The maximum vehicles were requested and approved at six (6). No infractions were reported.

M. Davis asked if this property was in a covenant neighborhood. C. Martin replied there are none filed [with the Jackson County Land Records Department].

Shaun Senseney, 117 Sherwood Circle, addressed the commission in opposition to the request. He is opposed to this request as well as 103 Sherwood Circle later this agenda. He is against bed-and-breakfasts. The two (2) requests are close in proximity to one another.

Joyce Gagliano, 119 Sherwood Circle, addressed the commission in opposition to the request. She is also opposed to the request for 103 Sherwood Circle as well. The area is residential, not commercial.

Debra Miller, 101 Sherwood Circle, addressed the commission in favor of the request. She said long-term renters cause problems all the time.

A motion was made by M. Hinton seconded by K. O'Connell to come out of public hearing. The motion was carried unanimously.

M. Hinton expressed his feelings on the PC's duties and that residents need to talk with their aldermen to discuss changes to ordinances.

A motion was made by K. O'Connell seconded by M. Johnson to recommend approval for a short-term rental permit for 509 Bechtel Boulevard subject to annual renewal. The motion was carried unanimously.

f) PUBLIC HEARING: 443 Bills Avenue / PID# 61043032.000.010 – Guy & Faye Barnes – Requesting a Residential Short-term Rental permit.

A motion was made by M. Davis seconded by M. Hinton to go into public hearing. The motion was carried unanimously.

C. Martin introduced the proposal. The local property manager meets the residency requirement. 37 property owners were notified. One (1) phone call in opposition was

received, but no official input. The inspection passed on July 14th. The maximum occupancy was requested and approved at six (6). The maximum vehicles was requested and approved at five (5) but after re-evaluation, it was reduced to three (3). No code violations or infractions were reported.

A motion was made by M. Hinton seconded by J. McCormick to accept a letter of support that was received after the memo creation. The motion was carried unanimously.

A motion was made by M. Johnson seconded by K. O'Connell to come out of public hearing. The motion was carried unanimously.

A motion was made by M. Johnson seconded by K. O'Connell to recommend approval of the residential short-term rental request for 443 Bills Avenue subject to annual renewal. The motion was amended to include the parking reduction from five (5) to three (3). The motion was carried unanimously.

g) PUBLIC HEARING: 103 Sherwood Circle / PID# 61375017.000 – Paula Rychtar – Requesting a Residential Short-term Rental permit.

A motion was made by K. O'Connell seconded by M. Johnson to go into public hearing. The motion was carried unanimously.

C. Martin introduced the proposal. The local property manager meets the residency requirement. 80 notices were sent out and no input was received. The inspection was passed on July 18th. The maximum occupancy for six (6) and vehicles at two (2) was approved as requested. No report or complaints were noted.

M. Davis asked if any covenants were found for the property. C. Martin confirmed none were found to be filed.

Paula Rychtar, applicant, addressed the commission. She purchased the property and spent a lot to fix it up. She has had a terrible history with long-term renters.

Debra Miller, 101 Sherwood Circle, addressed the commission in favor of the request. She lives directly next door and agrees with the terrible tenant history. She feels Airbnb renters have more strict rules to follow.

Shaun Senseney, 117 Sherwood Circle, addressed the commission. He agrees renting neighbors can be horrible. He disagrees that Airbnb's are good for the city or their neighborhood.

Chic Cody, 135 Sherwood Circle, addressed the commission in opposition to the request. He is impressed with the work that has been done on the house. He objects to the request due to the tendency to degrade the neighborhood.

Debra Miller, 101 Sherwood Circle, addressed the commission in favor of the request. She discussed short-term rentals not being “commercial.”

Joyce Gagliano, 119 Sherwood Circle, addressed the commission in opposition to the request. She compared long-term and short-term renters.

Paula Rychtar, applicant, re-addressed the commission and neighbor concerns.

A motion was made by M. Hinton seconded by M. Johnson to come out of public hearing. The motion was carried unanimously.

A motion was made by K. O’Connell seconded by M. Johnson to recommend approval for a residential short-term rental permit for 103 Sherwood Circle, subject to annual renewal. The motion was carried unanimously.

5. General Public Comment

Shaun Senseney, 117 Sherwood Circle, addressed the commission regarding rezoning of property to allow for a snowball stand.

6. Commissioner’s Forum

7. Adjourn

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

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: September 13, 2022

APPLICANT(S): Donovan Scruggs, agent

CURRENT OWNER? Yes ☐ No ☒

If No, - List Current Owner: David Dale

LOCATION: 3920 Bienville Boulevard / PID# 60126170.150 / south side of Bienville Boulevard, east of Industrial Park Circle (west side)

REQUESTED ACTION: Zoning change from M-1 (Manufacturing, Warehousing, & Services District) to C-H (Regional Commercial District)

DATE OF APPLICATION: August 7, 2022

ADJACENT ZONING AND LAND USE:

Subject Property: M1 Manufacturing-Industrial District – a metal warehouse building;

North: across Bienville Blvd., CH Regional Commercial district, Walmart and other retail stores;

West: CH District – commercial/warehouse building;

East: M1 District – vehicle sales.

South: CH District – undeveloped land

CURRENT CONDITIONS:

- Property Size: 1 acre

CURRENT ZONING:



DESCRIPTION OF REQUEST:

- The applicant requests to change the zoning district designation from the M-1 (Manufacturing, Warehousing, & Services District) to C-H (Regional Commercial District). The applicant notes that the area has changed in character from an industrial area on the outskirts of Ocean Springs to an automobile oriented commercial area.
- There is a 6,000 sq. ft. metal warehouse building on the property. The property owner's goal is to use the property for a medical cannabis cultivation facility and a dispensary.
- Additional information and justification for the rezoning has been provided by the applicant and is attached.

FINDINGS:

- The UDC describes the M-1 district as, "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." The C-H district is the, "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."
- Medical Cannabis dispensaries are permitted by right on C-H zoned properties but are not allowed within the M-1 Industrial district.
- Medical Cannabis cultivation facilities are permitted on C-H zoned properties with the approval of a Conditional Use Permit (CUP).
- 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 Planning Commission and Board of Aldermen about how the character of the neighborhood has changed. In addition, the applicant should describe the need for the rezoning.
- The applicant's report provides a detailed chronology of change in the character of the immediate neighborhood and vicinity, describes the consistency with the comprehensive plan and describes the need for the zoning change.
- **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:
 - *Goal 5: Maintain and enhance a sustainable local economy that provides employment opportunities and supports a high quality of life.*
 - *Policy 5.6 – Encourage "clean" industry, retail and professional offices development.*
 - *Policy 5.8 – Restrict commercial and industrial development that generates heavy truck traffic to highway interchanges.*

OTHER FEEDBACK:

- No public input was received on this issue.

STAFF CONCLUSION:

- This request meets the criteria for rezoning from M1 to CH district.

POTENTIAL MOTION: To recommend approval of the rezoning of 3920 Bienville Boulevard. from the M-1, Manufacturing, Warehousing, & Services District to the C-H, Regional Commercial District.



City of Ocean Springs, Mississippi
On the Mississippi Gulf Coast

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: August 7, 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): 3920 Bienville Blvd

Parcel ID(s): 60126170.150

- | | | | |
|---------------------|---|--------|------------------------------------|
| 1. Applicant: | <u>Donovan Scruggs, Scruggs Town Planning</u> | Phone: | <u>228-348-1315</u> |
| Address: | <u>317 Pine Drive, OS 39564</u> | Email: | <u>donovan@scruggsplanning.com</u> |
| 2. Owner of Record: | <u>David Dale</u> | Phone: | <u>228-219-5296</u> |
| Address: | <u>1200 Magnolia Bayou Blvd, OS 39564</u> | Email: | <u>ddale82@hotmail.com</u> |

COMPLETE THE FOLLOWING:

- Current Zoning classification of property: M-1
New Zoning District Requested (if applicable): CH
- Explain the present use of the property and condition of any existing structures:
The property is approximately 1 acre in size and located on the south side of HWY 90. The site has been used as a transportation center (Fed Ex). There is an existing structure on the site that was constructed in the mid-1970s.
- Describe the intended use of property:
The owner hopes to develop a cannabis dispensary and cultivation facility on the property.



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.*

The request to rezone is based on a change in neighborhood character evidenced by commercial growth and previous rezonings from industrial to commercial within the area. Older developments that include WalMart, Sonic, McDonalds, and retail strip buildings in the area are examples of change. On-going developments such as ALDI, the climate controlled storage facility, and multifamily (Deena Road) are other examples.

There is a public need for more compatible uses, and with the surrounding residential, industrial uses could be too intense. The rezoning will lead to more jobs and taxes for the city.

Additional information provided with application.

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

David Dale

Print name

8/5/22
Date

Signature of Applicant

Donovan Scruggs, Scruggs Town Planning

Print name

8/5/22
Date

Office Use Only: APPROVALS

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

APPLICANT'S SUPPORTING REPORT:

Land Use Report for a Zoning Amendment and Conditional Use for Parcel of Land Located Along South of Side of Highway 90, North of CSX Right of Way, and within the Ocean Springs Industrial Park at 3920 Bienville Boulevard / PIDN: 60126170.150

Prepared by: S. Donovan Scruggs, AICP

Date: August 5, 2022

This report is to provide a basis for the rezoning of approximately one acre of land located at 3920 Bienville Boulevard. The application includes a request for a Conditional Use Permit (CUP) for a medical cannabis cultivation facility within a Highway Commercial (CH) District (if rezoning is approved). The property is located along the south side of Highway 90 and operates as a Fed Ex distribution use. The property includes a 6,000 square-foot building, and it is owned by David Dale. He also owns the property at 107 Industrial Park Circle located to the south. This rear parcel includes two lots and is split zoned CH (west one-half) and M-1 (east one-half).



The requested amendment is based on the change in character of the area. The Industrial Park was established in the late 1960s and early 1970s. At that time, the area was on the outskirts of town. Residential areas to the south such as Bienville Place and Heron Bayou had not been developed. The medical clinics and centers to the west and Walmart to the north were not developed until the late 1990s and early 2000s. Whataburger, McDonald's, and Sonic were developed in the 2000s. In more recent years, the rezoning of properties east of the site to include the Circle K and the small shopping center west of it were rezoned from industrial to commercial. Even within the Industrial Park rezonings have occurred for the construction of a Japanese restaurant (Kyoto) and commercial uses at PFG Optics (to the west of the site).

The rezoning fits a public need. The industrial park has actively been phasing out over the years. The residential area to the south has objected to certain uses within the park, and with a commercial zoning, more compatible uses will be encouraged. The property is located along Highway 90 and industrial uses, especially along the frontage, are not ideal.

1. Overview.

The applicant is requesting that lot 4 of the Ocean Springs Industrial Park be rezoned from M-1 (Light Industrial) to CH (Highway Commercial). While the plat was not recorded, it is referenced in deeds and Jackson County Land Records. The County assembled the properties and in the early 1970s and began to convey the properties for industrial development.

Properties to the east and west of the Industrial Park were also zoned industrial. The industrial area extended from Hanshaw Road the entrance of Gulf Island National Seashore to the west. Other areas along the north side of Highway 90 also included industrial designations. Since the 1980s these properties have repeatedly been rezoned for commercial, public, or residential purposes. Industrial development never emerged in Ocean Springs. Pascagoula has served as the industrial center of Jackson County while Ocean Springs has stabilized a bedroom community and tourist destination. This characteristic was reinforced with the legalization of gambling in Harrison County in the 1990s

and the boom that followed. During this time, residential and hospitality growth in Ocean Springs intensified and more restaurant, retail, and convenience services followed.

Additionally, as the city's footprint has expanded through annexations, this area was once outside of the city limits and is now in the geographic center of town. In fact, the Central Fire Department and Police Department are located just to the west of the site. With schools, churches, and residences within close proximity, the site is no longer ideal for traditional industrial uses.

2. Public Need.

The subject area has not kept pace with redevelopment activity within the neighborhood or surrounding area. Many of the buildings within the industrial park are at least 40 years old with construction occurring in the 1970s or early 1980s. The uses are low intensity industrial or service related. While these uses provide jobs, they do not generate the traffic or revenues associated with retail providers. Many of the uses lack substantial inventories for taxable revenues.

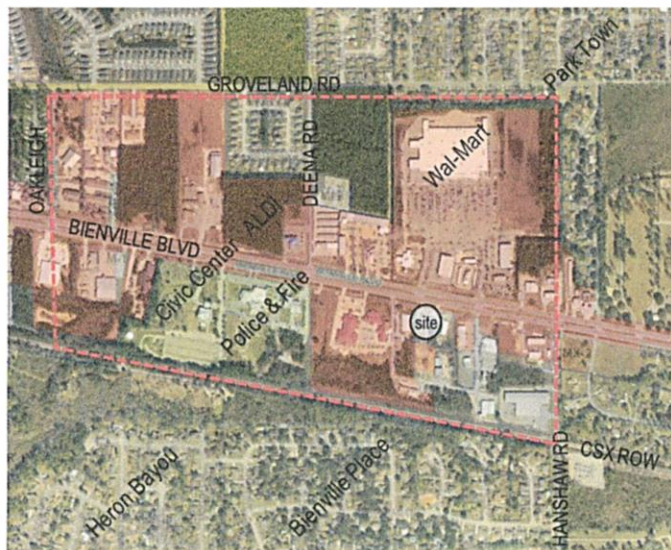
The proximity of the industrial district to residential areas is somewhat concerning. While the number of uses and intensity of uses once permitted have been decreased, there are uses such as "Wood, paper printing products", "Miscellaneous Manufacturing", "Chemicals, metals, machinery, electronics manufacturing", "Heavy Construction", or similar uses that could be objectionable if located too close to residential areas. Nuisances such as noises, smoke, odors, and other characteristics that could be associated with industrial uses could be objectionable and contrary to the public good. There is a public need for compatible land uses, and the many industrial uses are not compatible with nearby residential areas.

The zoning of this property was acceptable in the 1970s when commercial and residential growth had not extended into the area, but as the area has changed, more compatible zoning should be encouraged and granted, when requested.

3. Defining the Neighborhood.

The neighborhood, as defined for the purposes of this application is centered on Highway 90 and bounded by the CSX Right of Way to the south and Groveland Road to the north. Oakleigh Avenue should be considered the western boundary. Areas west of Oakleigh have had less retail and less overall new growth than the identified area. Areas east of Hanshaw Road, the eastern border, are more residential, office based, or isolated commercial. The intensity level east of Hanshaw Road is distinctively decreased.

This is a relatively small area consisting of approximately 215 acres (.33 square miles). Despite its compact size, it has seen significant change in character over the past 20 years. This change has continued with the construction of the new ALDI Grocery Store and the climate controlled storage facility located west of Deena Road. The construction of the Wal-Mart in approximately 2000 served as the catalyst for much of this commercial growth in the area as it effectively became the commerce center of Ocean Springs with restaurants, strip centers, and other retail providers. All of these new uses required rezonings from industrial districts to accommodate the developments.



4. Changes in Neighborhood Character.

The subject area was once located in unincorporated Jackson County. Through annexations and growth this area is now more centrally located within the City. GoogleEarth shows the progression of growth within the area, and the earliest maps are dated 1992. Within this image, there are only a handful of uses present. The industrial park (and the subject property outlined in red) is visible in the lower right corner of the images. This image is before the legalization of gambling in 1993 which ultimately encouraged a great deal of growth in Ocean Springs over the next decade.



Over the next 13 years, significant changes occurred within the neighborhood. In the 2005 image, the construction of the Wal-Mart Superstore has been completed. This development anchored smaller retail centers on the south and east sides of the development. First Federal Credit Union was developed along the south side of Wal-Mart. Sonic, Whataburger, and a Japanese restaurant (Kyoto) were constructed during this period. West of the subject site, new medical and surgical centers were developed along the north and south sides of Highway 90. The Ocean Springs Civic Center had been constructed by this time, and a bowling alley was built to the west.

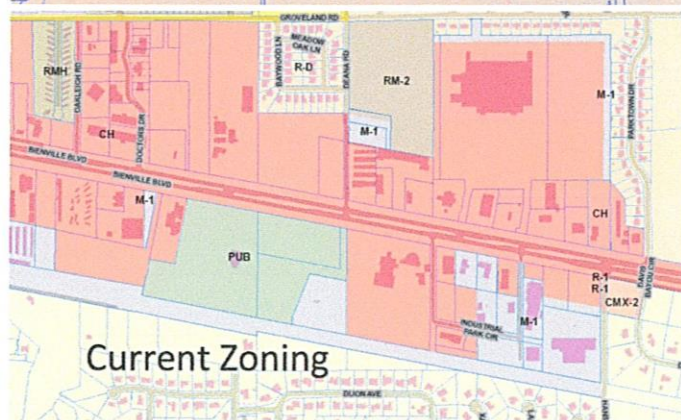
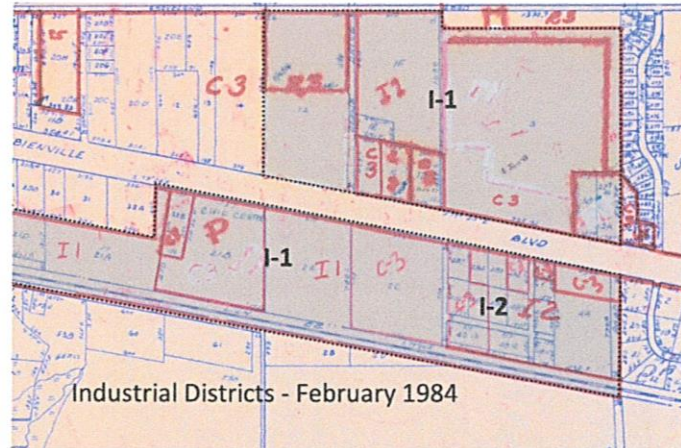


Over the next five years more development occurred. In the 2010 image, the Navigator Credit Union construction was underway, and the shopping center located west of Wal-Mart was complete. A new McDonalds was located along Highway 90 and northeast of the subject site. A rezoning within the Industrial Park encouraged the removal of a cabinet manufacturer and its replacement with a pet shop.

By 2016, the Navigator Credit Union and the Police and Fire Station had been completed. Following another rezoning along the south side of 90 and west of Hanshaw Road, the Circle K gas station was constructed. This was followed with the construction of the small shopping center to the west of the gas station (Lost Pizza, etc.), and this was complete

by 2019. Currently, areas to the west of the site are experiencing significant changes with the construction of a ALDI Grocery Store, a climate controlled storage facility, and a new multi-family development.

No industrial growth has been experienced along Highway 90 for several years. While certain properties within the industrial park still function as industrial, the trend over the last 20 years has been to slowly remove the M-1 (or I-1/I-2) zoning designations from these properties. Many of the industrial uses that remain could actually fit within CH District. With the proximity of Bienville Place that was developed in the 1990s and 2000s, the Industrial Park is now much closer to residential areas, and as a result, the uses permitted within the M-1 District may be out of character with the area. The 1984 map (prior to changes) included an industrial district along the west side of Deena Road that extended to the east side of the Wal-Mart property and between Groveland Road and Highway 90. On the south side of Highway 90, the industrial district extended from the access road of Gulf Island National Seashore to Hanshaw Road. Over the years several rezonings occurred to increase the Highway Commercial areas while removing Industrial designations. The current zoning map indicates significantly less land is zoned for Industrial purposes.



5. Consistency with the Comprehensive Plan.

The Comprehensive Plan recognizes that Ocean Springs is a bedroom community with many of the residents working in nearby, more commercialized or industrialized communities. While this can be beneficial, in some respects, it also poses some downsides. "Most jurisdictions cannot rely exclusively on residential property taxes to fund a high level of services. Ocean Springs is no exception. To overcome budget shortfalls created by the high service costs of residential uses, sales and property tax revenues from industrial and commercial uses within the [City] are essential."¹ The plan indicates that the Ocean Springs School "District budget is further hampered by the lack of commercial and industrial development within the City (which produce higher comparative property tax revenues than residential uses)."²

The subject building serves as a Fed Ex distribution and drop off facility. There are limited sales tax or inventory taxes associated with the property. The request will change the zoning from Industrial (M-1) to Highway Commercial (CH). This will permit a wider variety of uses that can generate more revenues for the City.

¹ City of Ocean Springs: Comprehensive Plan, page 23.

² City of Ocean Springs: Comprehensive Plan, page 94.

The Plan recognizes budgetary shortfalls have to be made up with revenues from commercial and industrial uses, and this cannot happen without allowing development of these uses. "Economic development and diversity is needed to maintain the fiscal health of the City and its residents."³

Other consistencies with the Comprehensive Plan are located with the Goals and Policies Section of the Plan. These consistencies are listed below:

Goal 5: Maintain and enhance a sustainable local economy that provides employment opportunities and supports a high quality of life.

Policy 5.1: Actively coordinate with and support private sector economic development efforts that are consistent with the City's adopted vision and goals.

Policy 5.5: Encourage development and expansion of "home grown" businesses.

Policy 5.6: Encourage "clean" industry, retail and professional offices development.

Policy 5.8: Restrict commercial and industrial development that generates heavy truck traffic to highway interchanges

Policy 5.11: Maximize sales tax revenues as a major funding source for City services.⁴

Policy 10.1: Support regulatory requirements that are fair, predictable and protect the interest of public and private property owners and the community as a whole.⁵

6. Conditional Use.

The applicant is also requesting a Conditional Use Permit. The applicant hopes to rezone the property and operate a medical cannabis cultivation facility and a dispensary. The State of Mississippi approved the use of medical cannabis in February 2022. In June 2022, the City of Ocean Springs modified the zoning regulations to permit medical cannabis related uses in various zoning districts. While the cultivation of the cannabis is permitted within the M-1 District, a dispensary is not. There is no process to permit a dispensary in the M-1 District. The regulations, however, permit a cannabis dispensary in the CH District (by right) and a cultivation facility can be permitted as a Conditional Use. With a rezoning and a Conditional Use for cultivation, both uses can occur on the subject property. With the size of the property and existing building, both the dispensary and cultivation facility will have very small footprints.

The co-location of the cultivation facility and dispensary will limit the need to transport the cannabis unless some of the plant material is intended for processing. The cannabis flower and leaves can be prepared for the adjacent dispensary. The uses will be required to be separated and individually addressed (such as Suite A and B). This will keep the products in Ocean Springs and will be subjected to applicable sales, inventory, and ad valorem taxes.

According to the City's U.D.C., there are certain uses that:

because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right but which may, under appropriate standards and factors set forth in the UDC, be approved. These uses shall be permitted through the issuance of a CUP within a site plan adopted by the Planning Commission after ensuring that the use can be appropriately accommodated on the specific

³ City of Ocean Springs: Comprehensive Plan, page 23.

⁴ City of Ocean Springs: Comprehensive Plan, page 98.

⁵ City of Ocean Springs: Comprehensive Plan, page 99.

property; that it will conform to the comprehensive plan; that it can be constructed and operated in a manner that is compatible with the surrounding land uses and overall character of the community; and that the public interest, health, safety, and general welfare will be promoted.

With a rezoning, no action is necessary for dispensary. The information below is intended to demonstrate compliance for a Conditional Use Permit for the Cultivation facility in the M-1 District.

1. *Shall be adopted with an approved site plan.* The area to be used for the cultivation facility is the rear or southern portion of the building. The building is approximately 6,000 square feet in size, and will be divided into two areas that will be physically separated by a permanent wall. The front portion of the building will function as a dispensary which is a permitted use. This area will have a retail or public purpose. While access to the dispensary is limited, those with prescriptions and approved credentials will be allowed access. The cultivation facility is not open to the public. Only employees and those associated with the cultivation process are permitted to enter the building. Both facilities will be highly monitored inside and outside.
2. *Use will Conform to the Comprehensive Plan.* The conformance to the Comprehensive Plan is identified above (Section 5). The site, in general, is within a transitional area. Uses to the south are industrial in nature, while uses along Bienville Boulevard are more commercial or service related. While the use of cultivation is defined or permitted as industrial, it has agricultural or nursery characteristics. The building and activities will function as a large green house with heating and lighting lamps, watering systems, and shelving to accommodate various levels of plants. The use is very consistent with the 'home grown' business and 'clean industry' addressed in Policies 5.5 and 5.6 of the Comprehensive Plan. It is expected that between 10 and 20 employees will be hired between the two facilities.
3. *Compatible with surrounding properties.* As indicated previously, the area is transitioning. Currently, there are industrial or construction related uses along the south side of the Industrial Park Circle (plumbing and flooring). It is expected the other cultivation facilities could be located within the industrial park. The subject property is not located within 1000 feet of a church or 1500 feet of another dispensary. The building to the immediate west of the site is a vacant building, and the applicant owns the adjacent lots to the rear (south). Immediately east of the parcel is a used car dealership. It is likely that the proposed use will improve the site as the transportation services use (Fed Ex) will be terminated. This change in use and zoning will encourage the removal of several vehicles (operable and inoperable) stored on the site. It will transition the site from a transportation and distribution center to a retail/pharmacy related use and large greenhouse/warehouse.
4. *Promotion of public interest, health, safety, and general welfare.* The transition of the site from an industrial related use to one that is more commercial is advantageous to the public. Along Highway 90 and especially within this area (or the neighborhood as defined above), the number of older industrial uses have been reduced. The character has been changing toward retail and service related uses. This change should be encouraged. The use of medical cannabis was approved by the State of Mississippi after approximately 70 percent of the voters approved its legalization. Medical cannabis is used to treat several conditions and provide pain relief. For this reason, the conditional use permit is clearly related to 'health' of the residents. Safety of the community will not be adversely impacted. The State of Mississippi has enacted strict security requirements based on policies of other states. The extensive monitoring of the sites through video surveillance and controlled access to these facilities will ensure that the site safe and secure. The cultivation



area will include carbon filter at points of emission. The will clean the air that is released and will prevent odors from the building. Based on the size of the facility and the use of filters, no obnoxious odors will be emitted.

D. Conclusions.

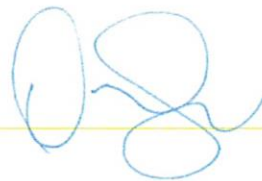
The applicant is requesting are Rezoning and a Conditional Use Permit. The rezoning will transition the property from an Industrial District (M-1) to a Highway Commercial (CH) District. This will continue the change in character and use of properties within this area that have trended away from industrial uses and toward commercial activities. This change resulted from the growth and expansion of the City during the 1990s. With this growth, a new Wal-Mart was constructed just north of the site along the north side of Highway 90. This development was followed by new retail strip centers, fast food restaurants, medical facilities, and public uses. Currently within the immediate area, construction is underway on a new grocery store, a new climate controlled storage facility, and a multi-family development. These developments and those mentioned above occurred on properties that were once zoned industrial. Through a series of changes, the zoning on these properties have changed to commercial, public, or multi-family. As neighborhoods have been constructed within close proximity to this area, it is no longer suited for some of the uses permitted within the M-1 District, and the proposed rezoning will limit more intense or incompatible uses from occurring on the subject site. A public need will also be addressed with the creation of new jobs and increased tax revenues for the City.

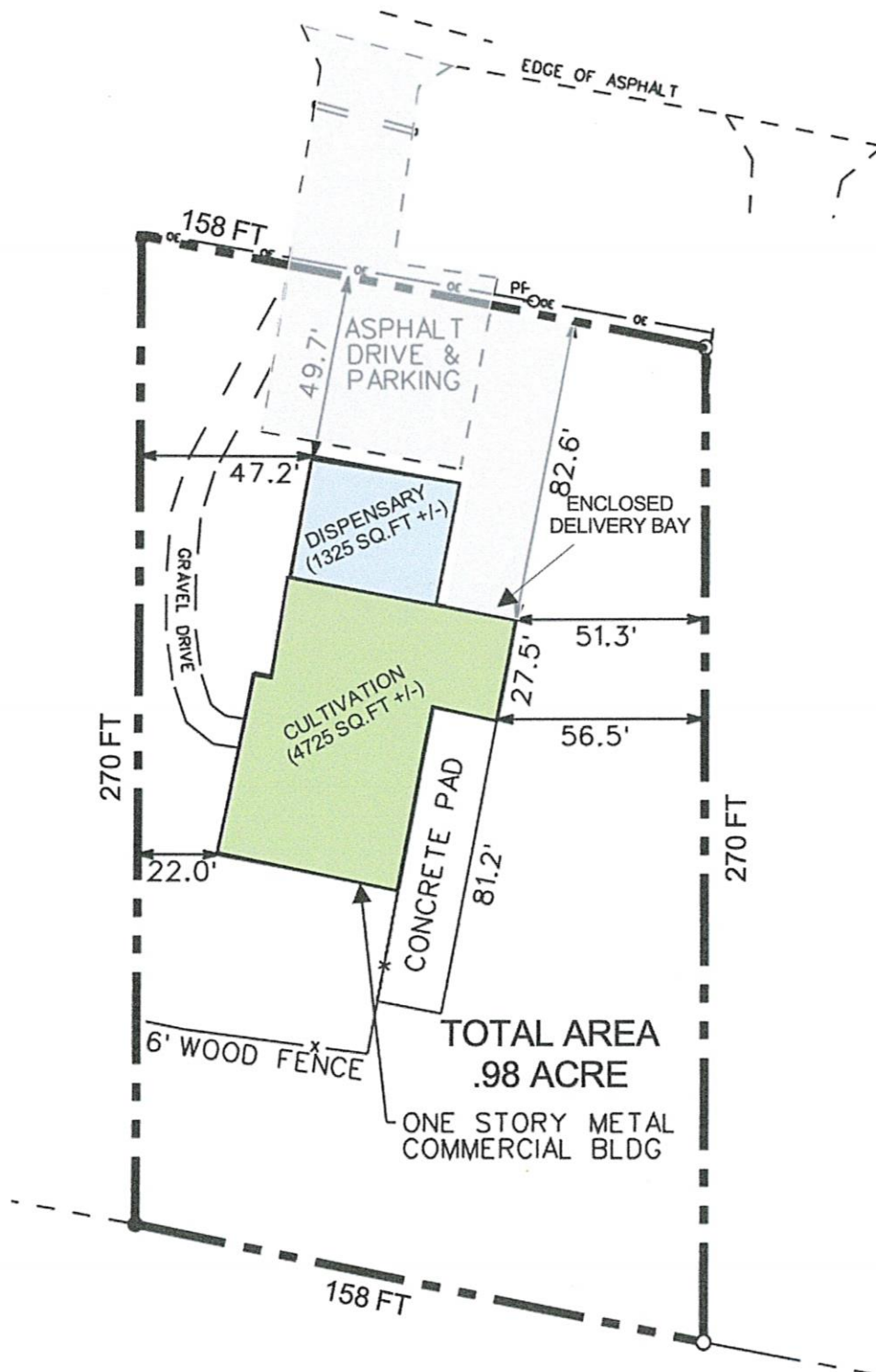
With the rezoning, a Conditional Use Permit is required for a cultivation facility within a CH District. This is a use that is permitted by right in an Industrial District (such as the M-1), but it is permitted through a conditional use within the CH District. The M-1 District does not permit a cannabis dispensary through any process, and therefore, a rezoning is required.

The proposed use 'fits' the area. It is transitional with some industrial related uses along the southern portions of the Industrial Park. The western areas (which are adjacent to this site) have already been rezoned to Highway Commercial. The proposed use as a cannabis cultivation facility is a clean industry that will not create nuisances such as smoke, odor, glare, noises, lights or similar issues. The use is compatible with the area and adjacent properties.

The owner is requesting the issuance of a Conditional Use Permit for a cannabis cultivation facility based on the requested rezoning to the C-H District. The rezoning is based on the change in neighborhood character and public need addressed in this report.

Respectfully Submitted:

A handwritten signature in blue ink, consisting of a large 'O' followed by a stylized 'S' or 'g' shape, positioned above a horizontal yellow line.



SITE PLAN

DRAFT REZONING ORDINANCE:

**ORDINANCE NO. 2022-xx
AN AMENDMENT TO ORDINANCE NO. 13-1976
REZONING PROPERTY HEREIN DESCRIBED FROM R-1 SINGLE FAMILY
RESIDENTIAL TO CMX-1 NEIGHBORHOOD 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 M1 Manufacturing, Warehousing and Industrial District be changed to CH Regional Commercial District, said property being described as:

Parcel ID: 60126170.150 (3920 Bienville Blvd.); and

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

WHEREAS, thereafter on September 13, 2022, 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 M1 to CH:

Parcel ID: 60126170.150.

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 _____ **2022.**

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: September 13, 2022

APPLICANT(S): Donovan Scruggs, agent

CURRENT OWNER? Yes ☐ No ☒

If No, - List Current Owner: David Dale

LOCATION: 3920 Bienville Boulevard / PID# 60126170.150 / South side of Bienville Boulevard, east of Industrial Park Circle (west side)

REQUESTED ACTION: Approval of a Conditional Use Permit (CUP) for a Medical Cannabis Cultivation Facility in a C-H, Regional Commercial District

DATE OF APPLICATION: August 7, 2022

ADJACENT ZONING AND LAND USE:

- Subject Property:** M-1, Manufacturing, Warehousing, & Services District – a metal warehouse building;
- North:** across Bienville Boulevard, C-H, Regional Commercial district – Walmart and other retail stores;
- West:** C-H, Regional Commercial District – commercial/warehouse building;
- East:** M-1, Manufacturing, Warehousing, & Services District – vehicle sales
- South:** C-H, Regional Commercial District – undeveloped land.

CURRENT CONDITIONS:

- Property Size: 1 acre

CURRENT ZONING:



DESCRIPTION OF REQUEST:

- The applicant requests a CUP to allow the establishment of a medical cannabis cultivation facility on the property. There is a 6,000 sq. ft. metal warehouse building on the property. The property owner's goal is to use the property for both a medical cannabis dispensary and a cultivation facility. A site plan for the facilities is attached.
- Additional information and justification for the CUP has been provided by the applicant and is attached.
- A request to change the zoning district designation from the M-1, Manufacturing, Warehousing, & Services District to the C-H, Regional Commercial District has also been submitted for the September 13th, Planning Commission (PC) meeting.

FINDINGS:

- Zoning district and other regulations for Medical Cannabis dispensaries and cultivation facilities were approved by Ordinance 2022-05.
 - Medical Cannabis cultivation facilities are permitted on C-H zoned properties with the approval of a CUP.
 - Cultivation facilities are required to obtain approval from the Mississippi Department of Health (MSDH) prior to the approval of a Certificate of Occupancy from the City of Ocean Springs.
 - Medical cannabis dispensaries are required to obtain approval from the Mississippi Department of Revenue (MDOR) prior to the approval of a Certificate of Occupancy from the City of Ocean Springs.
 - Medical cannabis cultivation facilities should be located so as to not have direct frontage on Bienville Boulevard, should have a retail building between the cultivation facility and the public street. The purpose is to avoid the cultivation facility building being visible from the public street or minimize its visibility.
- The property fronts on Bienville Boulevard. The proposed site plan consists of a 1325 +/- sq. ft. dispensary area in front of a 4725 +/- sq. ft. cultivation facility area. This configuration assists in minimizing the visibility of the cultivation facility from Bienville Blvd. Landscaping and other screening measures should be provided to further reduce the visibility from Bienville Boulevard.

OTHER FEEDBACK:

- No public input was received on this issue.

STAFF CONCLUSION:

- This request is eligible for approval of the conditional use permit, **provided that additional landscaping within open space areas is provided.**

POTENTIAL MOTION: To recommend approval of a Conditional Use Permit for a medical cannabis cultivation facility at 3920 Bienville Boulevard as shown on the site plan submitted with the application along with additional landscaping in front of the building.



City of Ocean Springs, Mississippi
On the Mississippi Gulf Coast

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: August 7, 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): 3920 Bienville Blvd

Parcel ID(s): 60126170.150

- | | | | |
|---------------------|---|--------|-----------------------------------|
| 1. Applicant: | <u>Donovan Scruggs, Scruggs Town Planning</u> | Phone: | <u>228-348-1315</u> |
| Address: | <u>317 Pine Drive, OS 39564</u> | Email: | <u>donoan@scruggsplanning.com</u> |
| 2. Owner of Record: | <u>David Dale</u> | Phone: | <u>228-219-5296</u> |
| Address: | <u>1200 Magnolai Bayou Blvd, OS 39564</u> | Email: | <u>ddale82@hotmail.com</u> |

COMPLETE THE FOLLOWING:

- Current Zoning classification of property: M-1
New Zoning District Requested (if applicable): CH
- Explain the present use of the property and condition of any existing structures:
The property is approximately 1 acre in size and located on the south side of HWY 90. The site has been used as a transportation center (Fed Ex). There is an existing structure on the site that was constructed in the mid-1970s.
- Describe the intended use of property:
The owner hopes to develop a cannabis dispensary and cultivation facility on the property.



City of Ocean Springs, Florida
On the Mississippi Gulf Coast

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.*

The request to rezone is based on a change in neighborhood character evidenced by commercial growth and previous rezonings from industrial to commercial within the area. Older developments that include WalMart, Sonic, McDonalds, and retail strip buildings in the area are examples of change. On-going developments such as ALDI, the climate controlled storage facility, and multifamily (Deena Road) are other examples.

There is a public need for more compatible uses, and with the surrounding residential, industrial uses could be too intense. The rezoning will lead to more jobs and taxes for the city.

Additional information provided with application.

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

David Dale

Print name

8/5/22
Date

Signature of Applicant

Donovan Scruggs, Scruggs Town Planning

Print name

8/5/22
Date

Office Use Only: APPROVALS

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

APPLICANT'S SUPPORTING REPORT:

Land Use Report for a Zoning Amendment and Conditional Use for Parcel of Land Located Along South of Side of Highway 90, North of CSX Right of Way, and within the Ocean Springs Industrial Park at 3920 Bienville Boulevard / PIDN: 60126170.150

Prepared by: S. Donovan Scruggs, AICP

Date: August 5, 2022

This report is to provide a basis for the rezoning of approximately one acre of land located at 3920 Bienville Boulevard. The application includes a request for a Conditional Use Permit (CUP) for a medical cannabis cultivation facility within a Highway Commercial (CH) District (if rezoning is approved). The property is located along the south side of Highway 90 and operates as a Fed Ex distribution use. The property includes a 6,000 square-foot building, and it is owned by David Dale. He also owns the property at 107 Industrial Park Circle located to the south. This rear parcel includes two lots and is split zoned CH (west one-half) and M-1 (east one-half).



The requested amendment is based on the change in character of the area. The Industrial Park was established in the late 1960s and early 1970s. At that time, the area was on the outskirts of town. Residential areas to the south such as Bienville Place and Heron Bayou had not been developed. The medical clinics and centers to the west and Walmart to the north were not developed until the late 1990s and early 2000s. Whataburger, McDonald's, and Sonic were developed in the 2000s. In more recent years, the rezoning of properties east of the site to include the Circle K and the small shopping center west of it were rezoned from industrial to commercial. Even within the Industrial Park rezonings have occurred for the construction of a Japanese restaurant (Kyoto) and commercial uses at PFG Optics (to the west of the site).

The rezoning fits a public need. The industrial park has actively been phasing out over the years. The residential area to the south has objected to certain uses within the park, and with a commercial zoning, more compatible uses will be encouraged. The property is located along Highway 90 and industrial uses, especially along the frontage, are not ideal.

1. Overview.

The applicant is requesting that lot 4 of the Ocean Springs Industrial Park be rezoned from M-1 (Light Industrial) to CH (Highway Commercial). While the plat was not recorded, it is referenced in deeds and Jackson County Land Records. The County assembled the properties and in the early 1970s and began to convey the properties for industrial development.

Properties to the east and west of the Industrial Park were also zoned industrial. The industrial area extended from Hanshaw Road the entrance of Gulf Island National Seashore to the west. Other areas along the north side of Highway 90 also included industrial designations. Since the 1980s these properties have repeatedly been rezoned for commercial, public, or residential purposes. Industrial development never emerged in Ocean Springs. Pascagoula has served as the industrial center of Jackson County while Ocean Springs has stabilized a bedroom community and tourist destination. This characteristic was reinforced with the legalization of gambling in Harrison County in the 1990s

and the boom that followed. During this time, residential and hospitality growth in Ocean Springs intensified and more restaurant, retail, and convenience services followed.

Additionally, as the city's footprint has expanded through annexations, this area was once outside of the city limits and is now in the geographic center of town. In fact, the Central Fire Department and Police Department are located just to the west of the site. With schools, churches, and residences within close proximity, the site is no longer ideal for traditional industrial uses.

2. Public Need.

The subject area has not kept pace with redevelopment activity within the neighborhood or surrounding area. Many of the buildings within the industrial park are a least 40 years old with construction occurring in the 1970s or early 1980s. The uses are low intensity industrial or service related. While these uses provide jobs, they do not generate the traffic or revenues associated with retail providers. Many of the uses lack substantial inventories for taxable revenues.

The proximity of the industrial district to residential areas is somewhat concerning. While the number of uses and intensity of uses once permitted have been decreased, there are uses such as "Wood, paper printing products", "Miscellaneous Manufacturing", "Chemicals, metals, machinery, electronics manufacturing", "Heavy Construction", or similar uses that could be objectionable if located too close to residential areas. Nuisances such as noises, smoke, odors, and other characteristics that could be associated with industrial uses could be objectionable and contrary to the public good. There is a public need for compatible land uses, and the many industrial uses are not compatible with nearby residential areas.

The zoning of this property was acceptable in the 1970s when commercial and residential growth had not extended into the area, but as the area has changed, more compatible zoning should be encouraged and granted, when requested.

3. Defining the Neighborhood.

The neighborhood, as defined for the purposes of this application is centered on Highway 90 and bounded by the CSX Right of Way to the south and Groveland Road to the north. Oakleigh Avenue should be considered the western boundary. Areas west of Oakleigh have had less retail and less overall new growth than the identified area. Areas east of Hanshaw Road, the eastern border, are more residential, office based, or isolated commercial. The intensity level east of Hanshaw Road is distinctively decreased.

This is a relatively small area consisting of approximately 215 acres (.33 square miles). Despite its compact size, it has seen significant change in character over the past 20 years. This change has continued

with the construction of the new ALDI Grocery Store and the climate controlled storage facility located west of Deena Road. The construction of the Wal-Mart in approximately 2000 served as the catalyst for much of this commercial growth in the area as it effectively became the commerce center of Ocean Springs with restaurants, strip centers, and other retail providers. All of these new uses required rezonings from industrial districts to accommodate the developments.



4. Changes in Neighborhood Character.

The subject area was once located in unincorporated Jackson County. Through annexations and growth this area is now more centrally located within the City. GoogleEarth shows the progression of growth within the area, and the earliest maps are dated 1992. Within this image, there are only a handful of uses present. The industrial park (and the subject property outlined in red) is visible in the lower right corner of the images. This image is before the legalization of gambling in 1993 which ultimately encouraged a great deal of growth in Ocean Springs over the next decade.



Over the next 13 years, significant changes occurred within the neighborhood. In the 2005 image, the construction of the Wal-Mart Superstore has been completed. This development anchored smaller retail centers on the south and east sides of the development. First Federal Credit Union was developed along the south side of Wal-Mart. Sonic, Whataburger, and a Japanese restaurant (Kyoto) were constructed during this period. West of the subject site, new medical and surgical centers were developed along the north and south sides of Highway 90. The Ocean Springs Civic Center had been constructed by this time, and a bowling alley was built to the west.



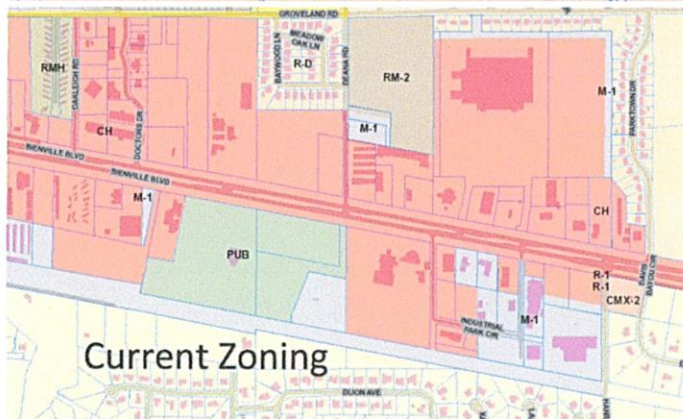
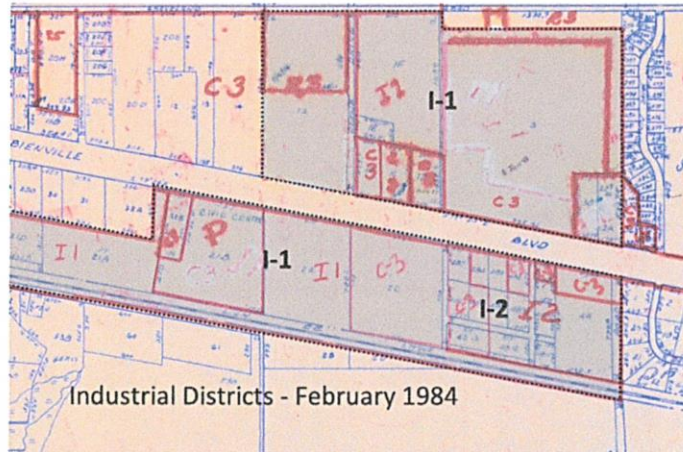
Over the next five years more development occurred.

In the 2010 image, the Navigator Credit Union construction was underway, and the shopping center located west of Wal-Mart was complete. A new McDonalds was located along Highway 90 and northeast of the subject site. A rezoning within the Industrial Park encouraged the removal of a cabinet manufacturer and its replacement with a pet shop.

By 2016, the Navigator Credit Union and the Police and Fire Station had been completed. Following another rezoning along the south side of 90 and west of Hanshaw Road, the Circle K gas station was constructed. This was followed with the construction of the small shopping center to the west of the gas station (Lost Pizza, etc.), and this was complete

by 2019. Currently, areas to the west of the site are experiencing significant changes with the construction of a ALDI Grocery Store, a climate controlled storage facility, and a new multi-family development.

No industrial growth has been experienced along Highway 90 for several years. While certain properties within the industrial park still function as industrial, the trend over the last 20 years has been to slowly remove the M-1 (or I-1/I-2) zoning designations from these properties. Many of the industrial uses that remain could actually fit within CH District. With the proximity of Bienville Place that was developed in the 1990s and 2000s, the Industrial Park is now much closer to residential areas, and as a result, the uses permitted within the M-1 District may be out of character with the area. The 1984 map (prior to changes) included an industrial district along the west side of Deena Road that extended to the east side of the Wal-Mart property and between Groveland Road and Highway 90. On the south side of Highway 90, the industrial district extended from the access road of Gulf Island National Seashore to Hanshaw Road. Over the years several rezonings occurred to increase the Highway Commercial areas while removing Industrial designations. The current zoning map indicates significantly less land is zoned for Industrial purposes.



5. Consistency with the Comprehensive Plan.

The Comprehensive Plan recognizes that Ocean Springs is a bedroom community with many of the residents working in nearby, more commercialized or industrialized communities. While this can be beneficial, in some respects, it also poses some downsides. "Most jurisdictions cannot rely exclusively on residential property taxes to fund a high level of services. Ocean Springs is no exception. To overcome budget shortfalls created by the high service costs of residential uses, sales and property tax revenues from industrial and commercial uses within the [City] are essential."¹ The plan indicates that the Ocean Springs School "District budget is further hampered by the lack of commercial and industrial development within the City (which produce higher comparative property tax revenues than residential uses)."²

The subject building serves as a Fed Ex distribution and drop off facility. There are limited sales tax or inventory taxes associated with the property. The request will change the zoning from Industrial (M-1) to Highway Commercial (CH). This will permit a wider variety of uses that can generate more revenues for the City.

¹ City of Ocean Springs: Comprehensive Plan, page 23.

² City of Ocean Springs: Comprehensive Plan, page 94.

The Plan recognizes budgetary shortfalls have to be made up with revenues from commercial and industrial uses, and this cannot happen without allowing development of these uses. "Economic development and diversity is needed to maintain the fiscal health of the City and its residents."³

Other consistencies with the Comprehensive Plan are located with the Goals and Policies Section of the Plan. These consistencies are listed below:

Goal 5: Maintain and enhance a sustainable local economy that provides employment opportunities and supports a high quality of life.

Policy 5.1: Actively coordinate with and support private sector economic development efforts that are consistent with the City's adopted vision and goals.

Policy 5.5: Encourage development and expansion of "home grown" businesses.

Policy 5.6: Encourage "clean" industry, retail and professional offices development.

Policy 5.8: Restrict commercial and industrial development that generates heavy truck traffic to highway interchanges

Policy 5.11: Maximize sales tax revenues as a major funding source for City services.⁴

Policy 10.1: Support regulatory requirements that are fair, predictable and protect the interest of public and private property owners and the community as a whole.⁵

6. Conditional Use.

The applicant is also requesting a Conditional Use Permit. The applicant hopes to rezone the property and operate a medical cannabis cultivation facility and a dispensary. The State of Mississippi approved the use of medical cannabis in February 2022. In June 2022, the City of Ocean Springs modified the zoning regulations to permit medical cannabis related uses in various zoning districts. While the cultivation of the cannabis is permitted within the M-1 District, a dispensary is not. There is no process to permit a dispensary in the M-1 District. The regulations, however, permit a cannabis dispensary in the CH District (by right) and a cultivation facility can be permitted as a Conditional Use. With a rezoning and a Conditional Use for cultivation, both uses can occur on the subject property. With the size of the property and existing building, both the dispensary and cultivation facility will have very small footprints.

The co-location of the cultivation facility and dispensary will limit the need to transport the cannabis unless some of the plant material is intended for processing. The cannabis flower and leaves can be prepared for the adjacent dispensary. The uses will be required to be separated and individually addressed (such as Suite A and B). This will keep the products in Ocean Springs and will be subjected to applicable sales, inventory, and ad valorem taxes.

According to the City's U.D.C., there are certain uses that:

because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right but which may, under appropriate standards and factors set forth in the UDC, be approved. These uses shall be permitted through the issuance of a CUP within a site plan adopted by the Planning Commission after ensuring that the use can be appropriately accommodated on the specific

³ City of Ocean Springs: Comprehensive Plan, page 23.

⁴ City of Ocean Springs: Comprehensive Plan, page 98.

⁵ City of Ocean Springs: Comprehensive Plan, page 99.

property; that it will conform to the comprehensive plan; that it can be constructed and operated in a manner that is compatible with the surrounding land uses and overall character of the community; and that the public interest, health, safety, and general welfare will be promoted.

With a rezoning, no action is necessary for dispensary. The information below is intended to demonstrate compliance for a Conditional Use Permit for the Cultivation facility in the M-1 District.

1. *Shall be adopted with an approved site plan.* The area to be used for the cultivation facility is the rear or southern portion of the building. The building is approximately 6,000 square feet in size, and will be divided into two areas that will be physically separated by a permanent wall. The front portion of the building will function as a dispensary which is a permitted use. This area will have a retail or public purpose. While access to the dispensary is limited, those with prescriptions and approved credentials will be allowed access. The cultivation facility is not open to the public. Only employees and those associated with the cultivation process are permitted to enter the building. Both facilities will be highly monitored inside and outside.
2. *Use will Conform to the Comprehensive Plan.* The conformance to the Comprehensive Plan is identified above (Section 5). The site, in general, is within a transitional area. Uses to the south are industrial in nature, while uses along Bienville Boulevard are more commercial or service related. While the use of cultivation is defined or permitted as industrial, it has agricultural or nursery characteristics. The building and activities will function as a large green house with heating and lighting lamps, watering systems, and shelving to accommodate various levels of plants. The use is very consistent with the 'home grown' business and 'clean industry' addressed in Policies 5.5 and 5.6 of the Comprehensive Plan. It is expected that between 10 and 20 employees will be hired between the two facilities.
3. *Compatible with surrounding properties.* As indicated previously, the area is transitioning. Currently, there are industrial or construction related uses along the south side of the Industrial Park Circle (plumbing and flooring). It is expected the other cultivation facilities could be located within the industrial park. The subject property is not located within 1000 feet of a church or 1500 feet of another dispensary. The building to the immediate west of the site is a vacant building, and the applicant owns the adjacent lots to the rear (south). Immediately east of the parcel is a used car dealership. It is likely that the proposed use will improve the site as the transportation services use (Fed Ex) will be terminated. This change in use and zoning will encourage the removal of several vehicles (operable and inoperable) stored on the site. It will transition the site from a transportation and distribution center to a retail/pharmacy related use and large greenhouse/warehouse.
4. *Promotion of public interest, health, safety, and general welfare.* The transition of the site from an industrial related use to one that is more commercial is advantageous to the public. Along Highway 90 and especially within this area (or the neighborhood as defined above), the number of older industrial uses have been reduced. The character has been changing toward retail and service related uses. This change should be encouraged. The use of medical cannabis was approved by the State of Mississippi after approximately 70 percent of the voters approved its legalization. Medical cannabis is used to treat several conditions and provide pain relief. For this reason, the conditional use permit is clearly related to 'health' of the residents. Safety of the community will not be adversely impacted. The State of Mississippi has enacted strict security requirements based on policies of other states. The extensive monitoring of the sites through video surveillance and controlled access to these facilities will ensure that the site safe and secure. The cultivation



area will include carbon filter at points of emission. The will clean the air that is released and will prevent odors from the building. Based on the size of the facility and the use of filters, no obnoxious odors will be emitted.

D. Conclusions.

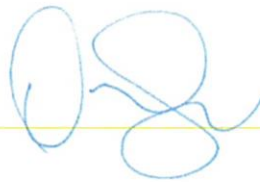
The applicant is requesting are Rezoning and a Conditional Use Permit. The rezoning will transition the property from an Industrial District (M-1) to a Highway Commercial (CH) District. This will continue the change in character and use of properties within this area that have trended away from industrial uses and toward commercial activities. This change resulted from the growth and expansion of the City during the 1990s. With this growth, a new Wal-Mart was constructed just north of the site along the north side of Highway 90. This development was followed by new retail strip centers, fast food restaurants, medical facilities, and public uses. Currently within the immediate area, construction is underway on a new grocery store, a new climate controlled storage facility, and a multi-family development. These developments and those mentioned above occurred on properties that were once zoned industrial. Through a series of changes, the zoning on these properties have changed to commercial, public, or multi-family. As neighborhoods have been constructed within close proximity to this area, it is no longer suited for some of the uses permitted within the M-1 District, and the proposed rezoning will limit more intense or incompatible uses from occurring on the subject site. A public need will also be addressed with the creation of new jobs and increased tax revenues for the City.

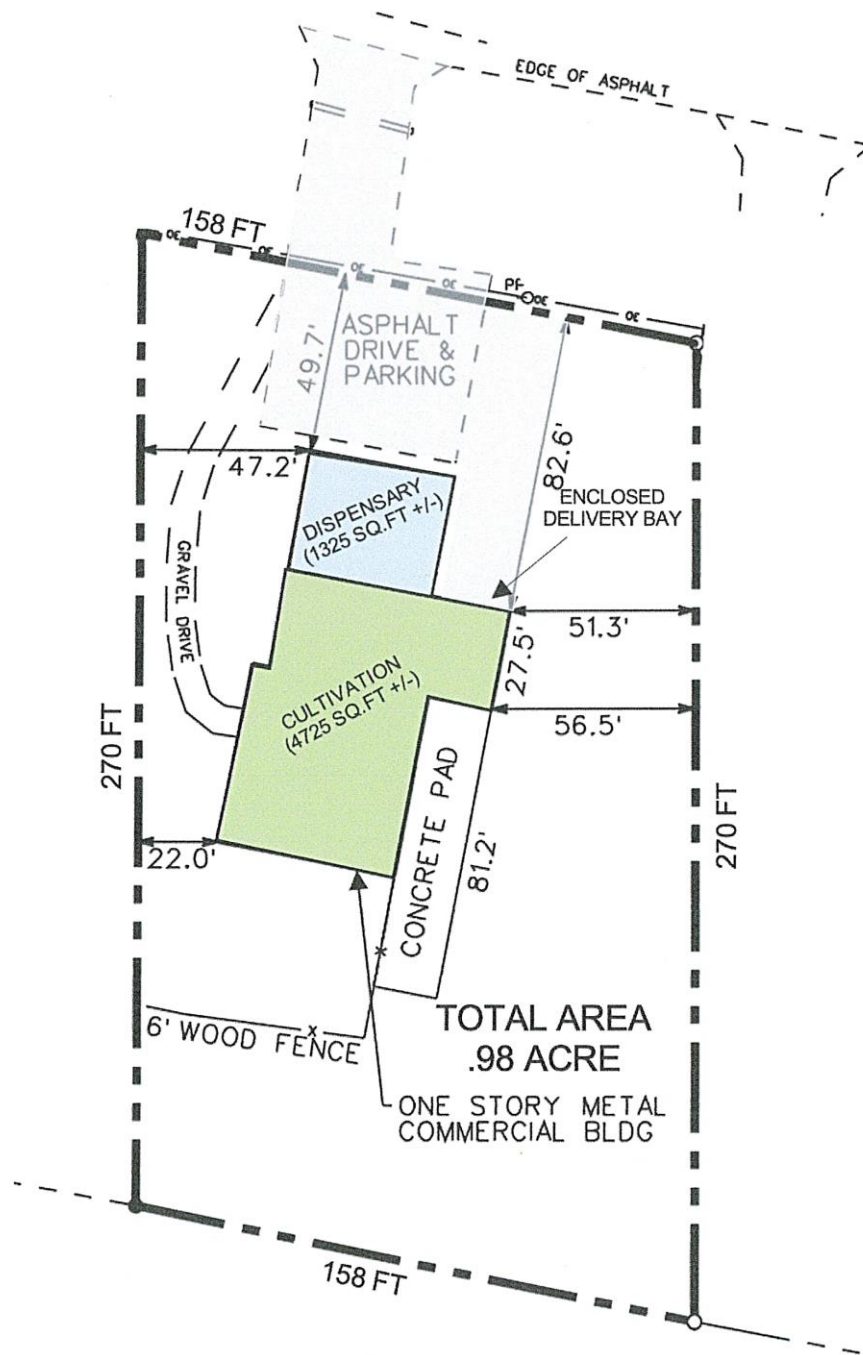
With the rezoning, a Conditional Use Permit is required for a cultivation facility within a CH District. This is a use that is permitted by right in an Industrial District (such as the M-1), but it is permitted through a conditional use within the CH District. The M-1 District does not permit a cannabis dispensary through any process, and therefore, a rezoning is required.

The proposed use 'fits' the area. It is transitional with some industrial related uses along the southern portions of the Industrial Park. The western areas (which are adjacent to this site) have already been rezoned to Highway Commercial. The proposed use as a cannabis cultivation facility is a clean industry that will not create nuisances such as smoke, odor, glare, noises, lights or similar issues. The use is compatible with the area and adjacent properties.

The owner is requesting the issuance of a Conditional Use Permit for a cannabis cultivation facility based on the requested rezoning to the C-H District. The rezoning is based on the change in neighborhood character and public need addressed in this report.

Respectfully Submitted:

A handwritten signature in blue ink, consisting of a large 'O' followed by a stylized 'S' or 'G' shape, positioned above a horizontal yellow line.



SITE PLAN

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: Tuesday, September 13, 2022

APPLICANT: Timothy Stephen Johnston

LOCATION: 101 Myrtle Avenue / PID#: 61035049.000

REQUESTED ACTION: Residential Short Term Rental Permit

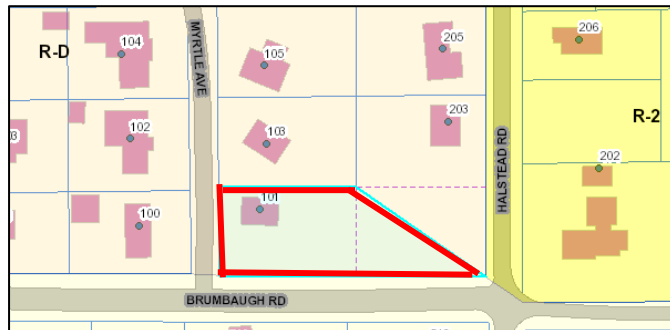
DATE OF APPLICATION: MARCH 21, 2022

ADJACENT ZONING/LAND USE:

Subject Property:	R-D, Two-Medium Density, Single-Family Residential
North, East, West:	R-D, Two-Medium Density, Single-Family Residential
South:	R-1, Single-Family Residential

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05 and 2021-25, the application is for a short-term rental permit to allow usage for less than 30 days.
- Site Location: the property is located on Myrtle Avenue north of Brumbaugh Road.



FINDINGS:

- **Local Property Manager:** Tina Sullivan will serve as the local property manager. With an address of 1115 Porter Avenue, the residency requirement of within two (2) miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 72 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 7/21/22 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested a maximum occupancy of 4 was reduced to 3 by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 2 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

- No input was received.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:

City of Ocean Springs
Planning Department
P.O. Box 1800
Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

Office Use	
Date Received	_____
Received by	_____
App Fee Paid \$	_____ Chk or CC ?
	Chk # _____

RESIDENTIALLY-ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 03/21/2022

Submittal Requirements:

- Completed Application
- Copy of Proposed Rental Agreement
- Proposed Parking Plan
- Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- Fee of \$200 must be paid at the time application is submitted [includes occupancy inspection fee]. ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~
- Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- PERMITS MUST BE RENEWED ANNUALLY AND ARE NOT TRANSFERRABLE.

REQUIRED INFORMATION:

- Address of Applicant Property: 101 Myrtle Ave
- Parcel Identification Number: 61035049 Number of bedrooms: 1
- Proposed maximum # guests: 4 Number of existing off-street parking spaces: 2
- Is this property located in a covenant-restricted subdivision? ☐ Yes ☒ No ~ If yes, a letter of support from the HOA must be included with the application.

Name of Property Owner/Applicant	<u>Timothy Stephen Johnston</u>
Address	<u>1801 Shagbark Ln Charlotte, NC 28226</u>
Phone No.	<u>662-251-0515</u>
Name of Local Property Manager	<u>Tina Sullivan</u>
[Must RESIDE within two (2) miles of the OS City Limits] Address	<u>1115 Porter Ave OS, MS 39564</u>
Phone No.	<u>662-251-3245</u> Signature: <u>Tina Sullivan</u>

Copy of Ordinance 2015-11 Received: <u>TSJ</u> (initials)	Copy of Ordinance 2019-19 Received: <u>TSJ</u>
Copy of Ordinance 2018-02 Received: <u>TSJ</u> (initials)	

Revised 08/12/2020

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Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

.....
Affirmation of Codes/Regulations

I, (print name) Timothy Stephen Johnston, hereby certify that:

1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is, to the best of my knowledge, in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Timothy Stephen Johnston

Parcel ID(s): 61035049

Date Property Acquired: 3/21/2022

Owner's Signature Timothy Stephen Johnston Date 03/21/22

.....
Office Use Only

Date of Inspection: 7/21/22

Maximum Occupancy Determination: 3

Maximum Parking Spaces: 2

PC Public Hearing Date: 9/13/22

Result of Occupancy Inspection: PASSED
(attached)

Permit Renewal Date: _____

BOA Approval Date: _____

Revised 08/12/2020

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ADDRESS: 101 Myrtle Avenue



City of Ocean Springs, Mississippi
On the Mississippi Gulf Coast

PLANNING DEPARTMENT

P.O. Box 1800 / Ocean Springs, MS. 39566

Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- ☒ Type 2A 10BC Fire Extinguishers
(Maximum travel distance 75 ft.)
- ☒ Emergency Lighting with battery backup
- ☒ Address on Building
- ☒ Breaker Box needs to be labeled
- ☒ Outlet and switch plate covers need to be installed. (GFCI Circuits within 6 ft. of water source)
- ☒ No exposed wiring
- ☒ Adequate emergency egress
- ☒ Operable windows in sleeping areas
- ☒ Guest rules (noise, garbage, etc.) must be visibly posted.

- ☒ Adequate garbage receptacles
- ☒ Smoke detectors in all bedrooms and hallways.
- ☒ Carbon monoxide detectors if there is gas service.

☒ Identified # of Bedrooms: 4

☒ Proposed # of Guests: 4

Approved # of Guests per OSFD: 3

☒ Proposed # of vehicles: 2

Approved # of vehicles per OSFD: 2

Property Owner: Stephen Johnston Phone #: 662-251-0515
Contact Name: _____ Phone #: _____

.....
Date of Inspection: 7-21-22

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature] Fire Marshall: [Signature]
Property Owner: Paul Hodsey

PUBLIC HEARING NOTICE

Residential Short-Term Rental



City of Ocean Springs, Mississippi
On the Mississippi Gulf Coast
Planning Department

THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance no. 2015-11 governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 101 Myrtle Avenue

Public Hearing Date/Time: September 13, 2022 at 6:00 p.m.

Applicant Timothy Johnston

Local Contact Tina Sullivan

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, again on December 17, 2019, and again on December 7, 2021. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, MUST reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$200 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

- 6) ***What physical modifications were required for the home?*** Required life safety improvements include, but are not limited to, hard-wired smoke detectors (carbon monoxide if served by gas), emergency lighting for exits during power outages, properly functioning exits, current fire extinguishers, labeled fuse box, etc.
- 7) ***How will the maximum occupancy and number of vehicles be established?*** During the physical inspection, the Building Official and Fire Inspector assess the availability of space including sleeping areas and space for off-street parking. These maximums will be established prior to the public hearing and can be enforced during operation of the rental.
- 8) ***Where can I report code violations, disturbances, etc.?*** Just as you would with any residential occupant, if there are problems with noise, excessive vehicles, trash, or other intrusive behavior, the proper city officials should be notified. For life-threatening emergencies, dial 9-1-1 as you would with any type of residential occupancy. Documented complaints will be considered during the renewal process. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.

- a. Police: 228-875-2211 – noise, trespassing, other criminal activity
- b. Code Enforcement: 228-875-6712 – improper vehicle parking, improper trash storage
- c. Any other complaints can be forwarded to the Planning Department at 228-875-4415 or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

- 9) ***What is the process if the rules are not followed?*** If the City receives documentation that the property owners and/or tenants have violated the provisions set forth in the ordinance, or have met any other criteria that allows for revocation, written notice will be given to the property owner of the violation(s). If corrective action is not taken in the allotted time period, the permit can be revoked and citations issued.
- 10) ***How long is the permit valid?*** The Residential Short-Term Rental permit is an annual renewal. Once the initial permit is approved, the property will be inspected annually and complaint records reviewed prior to renewal. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.
- 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
- 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
- 13) ***What if the property has covenants that do not allow for short-term rentals?*** The ordinance requires that any application for a property with an active Homeowner's Association (HOA) must provide a letter from that HOA supporting the activity. If you are aware of such a restriction in your neighborhood, please notify the Planning Department at 228-875-4415. The permit will not be approved unless supported by an ACTIVE HOA where applicable.
- 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
- 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

PC Item 4.c

SHORT-TERM RENTAL AGREEMENT

1. **PARTIES.** This Vacation (Short Term) Rental Agreement (hereinafter the "Agreement") entered on _____ is made between:
Guest Name: _____ (Hereinafter known as the "Guest") with a mailing address of
Guest mailing address: _____ AND
Landlord's name: _____ ("Hereinafter known as the "Landlord") with a mailing
address of Landlords mailing address: _____ collectively referred to
in this Agreement as the "Parties", hereby agree as follows:

2. **PREMISES.** The rental property, hereinafter known as the "Premises" is located at:

Property Address: _____.

3. **RENTAL TERM.** This term shall begin on __/__/____, at _____ ☐ AM ☐ PM ("Move-in" date) and
end on __/__/____ at _____ ☐ AM ☐ PM ("Move-out" date). Together known as the "Rental
Term".

4. **RENTAL RATE, FEES, DEPOSIT, & TOTAL.**

- a. **RENTAL RATE.** The total rent to be paid by the Guest to the Landlord throughout the term of this Agreement is equal to \$_____, equal to ___ days at \$_____ per day.
- b. **FEES & TAXES.** The Guest will be responsible for paying for the following expenses (check all that apply):
☐ - Cleaning fee: \$_____
☐ - Taxes: \$_____
☐ - Other _____ : \$_____
- c. **INITIAL DEPOSIT.** The Guest will be charged a ☐ Non-refundable ☐ Refundable (check one) deposit of \$_____ that is due ___ days prior to the check-in date. If Refundable, the Landlord shall return the deposit (less any damages and/or excessive cleaning) to the Guest within ___ days after the check-out date.
- d. **TOTAL DUE.** The Total Amount the Guest is responsible for paying for is:

eSign

Page 1 of 6

Rental costs: \$ _____

Cleaning fee: \$ _____

Taxes: \$ _____

Deposit: \$ _____

TOTAL: \$ _____

5. PAYMENT. Acceptable payment methods include:

- ☐ - Credit / Debit Card
- ☐ - Check
- ☐ - PayPal / Venmo (Send to: _____)
- ☐ - Other: _____

6. KEYS. All keys are to be picked up at the beginning of the Rental Term at Lockbox on site and shall be returned at the end of the Rental Term at Lockbox on site. It is strongly advised that the Guest test all keys upon Move-in.

7. PETS. The Guest is (check one):

- ☐ - Permitted to have ____ pet(s) on the Premises, ONLY consisting of _____ (write "all" if no pet restrictions).
- ☐ - NOT permitted to have pets of any nature on the Premises.

8. PARKING. The Guest (check one):

- ☐ - Is allotted ____ parking space(s). Location of the space(s): _____.
- ☐ - Is NOT allotted any parking spaces (Guest is limited to street or non-reserved parking).

9. TRASH DISPOSAL. Guest shall dispose of all waste during the rental term by the following means

_____.

10. CONTACT INFORMATION. The Guest can contact the following individual for questions or concerns during the Rental Term:

Landlord / Agent's Name: _____

Address: _____

Telephone: _____

Email: _____

eSign

Page 2 of 6

- 11. WAIVER.** No delay or failure of the Landlord to enforce any part of this Agreement shall be deemed as a waiver thereof, nor shall any acceptance of any partial payment of rent or any other amount due be deemed a waiver of the Landlord's right to the entire amount due.
- 12. CANCELLATION.** If Guest cancels their reservation within ten (10) days of the Move-in date, the Initial Deposit will be forfeited.
- 13. SUBLETTING.** The Guest shall not sublet the Premises without the written consent of the Landlord.
- 14. ENTRY.** The Landlord shall have the right at all reasonable times during the term of this Agreement and any renewal thereof to enter the Premises for the purpose of any repair, modification, alteration, installation, or other reasonable action, so long they provide at least twenty-four (24) hours' notice to the Guest.
- 15. MAINTENANCE.** The Guest shall maintain the premises in a good, clean, and ready to rent condition, and use the premises only in a careful and lawful manner. The Guest shall leave the premises in a ready to rent condition at the expiration of the rental agreement, defined by the Landlord as being immediately habitable by proceeding guests. The Guest shall pay for maintenance and repairs should the premises be left in a lesser condition. The Guest agrees that the Landlord shall deduct costs of said services from the security deposit prior to refund if tenants cause damage to the premises or its furnishings.
- 16. OCCUPANCY LIMIT.** The rental rate is based upon a maximum occupancy of two (2) occupants per bedroom. Occupancy (having more than two persons per bedroom) is a serious violation and breach of Agreement, and the Landlord reserves the right to deny access or to have the premises vacated with no refund of monies.
- 17. NOTICES.** Any and all notices sent by the Landlord or the Guest to each other shall be sent to the addresses as located on the first page of the Agreement.
- 18. POSSESSION & SURRENDER.** Guest shall be entitled to possession of the Premises on the 1st day of the Rental Term. Upon termination of the Agreement, Guest shall peaceably surrender the Premises to the Landlord in good condition, as it was at the commencement of the Agreement, excluding reasonable wear and tear.
- 19. JOINT AND SEVERAL.** If the Guest is comprised of more than one person, each person shall be jointly and severally liable under this Agreement.

eSign

Page 3 of 6

20. ATTORNEY'S FEES. Guest agrees to pay for all reasonable costs, attorney's fees, and expenses that result from the Landlord enforcing this Agreement.

21. REFUNDS. The Guest shall not receive a refund due to a shortened stay and/or poor experience that resulted from unfavorable weather conditions.

22. LIABILITY. The Landlord is not liable for any loss or damage to the personal property of the Guest or their guests, unless the loss is a direct result of the Landlord's action. The Guest is liable for the acts of anyone listed in this Agreement in addition to any guest that they should allow on the Premises. Tenants expressly recognize that any insurance for property damage or loss which the Landlord may maintain on the property does not cover the personal property of Tenants, and that Tenants should purchase their own insurance for Tenants and Guests if such coverage is desired.

23. HAZARDOUS MATERIALS. The Guest agrees to not possess any type of personal property that could be considered a fire hazard such as a substance having flammable or explosive characteristics on the Premises. Items that are prohibited to be brought into the Premises, other than for everyday cooking or the need of an appliance, includes but is not limited to gas (compressed), gasoline, ammunition, fuel, propane, kerosene, motor oil, fireworks, or any other related content in the form of a liquid, solid, or gas.

24. ENTIRE AGREEMENT. This Agreement contains all of the terms agreed to by the Parties and may be modified or amended only by written agreement signed by the Landlord and Guest. This Agreement replaces all previous discussions, understandings, and oral agreements. The Parties agree to the terms and conditions and shall be bound until the termination of the Agreement.

25. GOVERNING LAW. This Agreement shall be governed by the laws of the state of Mississippi.

26. LEAD BASED PAINT. The Premises (check one):

☐ - Was built prior to 1978. An attachment titled "Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards" has been affixed to the Agreement and must be initialed and signed by the Parties.

☐ - Was not built prior to 1978.

27. ADDITIONAL PROVISIONS.

* _____
eSign Page 4 of 6

IN WITNESS THEREOF, the Parties have caused this Agreement to be executed on the day and year first above written.

Landlord's Signature: _____ Date: ____/____/____

Printed Name: _____

Guest's Signature: _____ Date: ____/____/____

Printed Name: _____

Guest's Signature: _____ Date: ____/____/____

Printed Name: _____

eSign

Page 5 of 6

BOOKING CONFIRMATION

Hi _____,

We appreciate you choosing _____ for your stay. Please sign the attached lease agreement and deliver the required payment below to the listed address.

If you have any questions, don't hesitate to reach out!

Thank you,

PROPERTY INFORMATION

Street: _____ Unit: _____

City: _____ State: _____ ZIP: _____

RESERVATION INFORMATION

Check-in: ____ / ____ / ____ after ____ : ____ ☐ AM ☐ PM

Check-out: ____ / ____ / ____ before ____ : ____ ☐ AM ☐ PM

Number (#) of Adults: ____ Number (#) of Children (under 18): ____ # of Pets: ____

RATE & FEES

UPFRONT DEPOSIT: \$ _____ due _____ day(s) prior to Check-in.

Total booking time: _____ days @ \$ _____ / day = \$ _____

+ Cleaning fee: \$ _____

+ Misc. fee: \$ _____

+ Sales tax: \$ _____

- Upfront deposit: \$ _____

= TOTAL: \$ _____ Due before ____ / ____ / ____

Accepted payment methods: ☐ Cash ☐ Check ☐ Credit ☐ PayPal ☐ Venmo

eSign

House Address: 101 Myrtle Ave

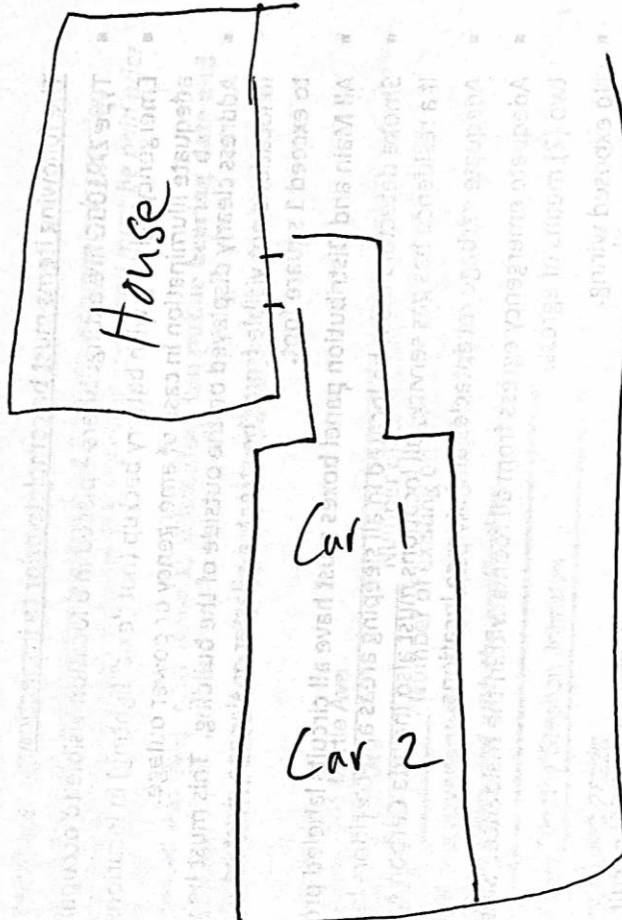
CHECK IN: 3pm

CHECK OUT: 10am

House Rules:

- Parking: driveway in front of house, 2 vehicles max, please no on street parking
- No parties or events
- No smoking inside the house
- No unregistered guests allowed, max occupancy is 3 guests
- Please respect the noise curfew of 10 o'clock and abide the city noise ordinance (noise ordinance posted separately)
- Please take the trash out to the bins before you leave
 - o Bins can be moved to the street Monday night
 - o Trash is picked up early Tuesday morning
- Damage to property and furnishings will incur a fee if cost of repair extends beyond security deposit, the costs will be billed to guests and reported to Airbnb/VRBO
- Please report any damages and/or breakages in a timely manner
- Before checkout, please:
 - o Start dishwasher with any dirty dishes
 - o Hang wet towels
 - o Strip bed and leave sheets on top of bed

101 Myrtle Ave - Pa



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: Tuesday, September 13, 2022

APPLICANT: Gregory & Tracy Graham

LOCATION: 226 Mitchell Street / PID#: 61305101.000

REQUESTED ACTION: Residential Short Term Rental Permit

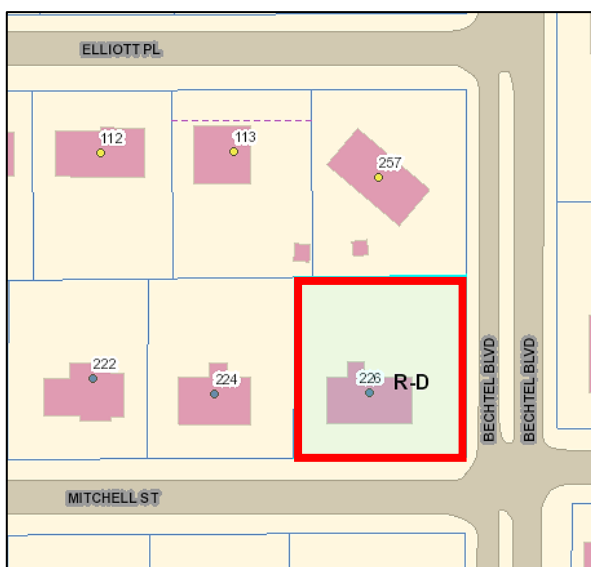
DATE OF APPLICATION: APRIL 8, 2022

ADJACENT ZONING/LAND USE:

Subject Property: R-D, Two-Medium Density, Single-Family Residential
North, South, East, West: R-D, Two-Medium Density, Single-Family Residential

DESCRIPTION OF REQUEST:

- Per Ordinance 2015-11, 2018-02, 2021-05 and 2021-25, the application is for a short-term rental permit to allow usage for less than 30 days.
- Site Location: the property is located on Mitchell Street west of Bechtel Boulevard.



FINDINGS:

- **Local Property Manager:** Shannon Pfeiffer will serve as the local property manager. With an address of 716 Hidden Oaks Drive, the residency requirement of within two (2) miles of the city limit is satisfied.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** On the application form, the applicant indicated that this is not a covenant-restricted neighborhood with an active HOA. A search of Jackson County Land Records did not discover filed covenants for this subdivision. The MS Secretary of State's Office does not have an active HOA listed on their website.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 75 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard.
- **Inspection:** The property was inspected for all required elements on 8/15/22 and was approved. Inspection form is attached for review.
- **Maximum Occupancy:** The requested a maximum occupancy of 6 was approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of 2 vehicles was approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violation Complaints:** No code violations or police reports were documented for this address in the past 12 months.

FEEDBACK:

- No input was received.

SUMMARY:

The application for this property is complete and compliant with the adopted code, and the physical inspection passed. The recommendation is for approval of a Residential Short-Term Rental permit, subject to annual renewal.

ATTACHMENTS as listed above:

City of Ocean Springs
Planning Department
P.O. Box 1800
Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION

Application Date: 4-8-22

Submittal Requirements:

- Completed Application
- Copy of Proposed Rental Agreement
- Proposed Parking Plan
- Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- Affirmation of Code Compliance -- Ord. 2015-11 (Section 401.3(10)) -- Attached.
- Fee of \$200 must be paid at the time application is submitted (includes occupancy inspection fee). ~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~~
- Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- PERMITS MUST BE RENEWED ANNUALLY AND ARE NOT TRANSFERRABLE.

REQUIRED INFORMATION:

- Address of Rental Property: 226 Mitchell St. Ocean Springs, MS 39564
- Parcel Identification Number: _____ Number of bedrooms: 3
- Proposed maximum # guests: 6 Number of existing off-street parking spaces: 2
- ☐ Is this property located in a covenant-restricted subdivision? ☐ Yes ☒ No ~ If yes, a letter of support from the HOA must be included with the application.

Name of Property Owner	<u>Gregory & Tracy Graham</u>
Address of Property Owner	<u>231 Timber Trail Wetumpka, AL 36093</u>
Phone No.	<u>334-649-2055</u>
Name of Local Property Manager	<u>Shannon Pfeiffer</u>
[Must RESIDE within two (2) miles of the OS City Limits] Address	<u>716 Hidden Oak</u>
	<u>Ocean Springs MS. 39564</u>
Phone No	<u>504-452-7136</u> ..gnature: <u>J. Graham</u>

Copy of Ordinance 2015-11 Received:	<u>SP</u> (initials)	Copy of Ordinance 2019-19 Received:	<u>SP</u>
Copy of Ordinance 2018-02 Received:	<u>SP</u> (initials)	Copy of Ordinance 2021-25 Received:	<u>SP</u>

Physical Inspection of Property:

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per most current inspection Checklist dated: 2/08/18)

.....
Affirmation of Codes/Regulations

I, (print name) Tracy Graham, hereby certify that:

1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is, to the best of my knowledge, in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

Owner(s) Name: Tracy Graham

Parcel ID(s): _____

Date Property Acquired: 4-8-22

Owner's Signature: [Signature] Date 4-8-2022

.....
Office Use Only
Date of Inspection: 7/21/22
Maximum Occupancy Determination: 4
Maximum Parking Spaces: 2
PC Public Hearing Date: 9/13/22

Result of Occupancy Inspection: PASSED
(attached)
Permit Renewal Date: _____
BOA Approval Date: _____

Revised 02/23/2022

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ADDRESS: 226 Mitchell Street



City of Ocean Springs, Mississippi
On the Mississippi Gulf Coast

PLANNING DEPARTMENT

P.O. Box 1800 / Ocean Springs, MS. 39566
Phone 228-875-4415 Fax 228-872-5427

RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- ☒ Type 2A 10BC Fire Extinguishers
(Maximum travel distance 75 ft.)
- ☒ Emergency Lighting with battery backup
- ☒ Address on Building
- ☒ Breaker Box needs to be labeled
- ☒ Outlet and switch plate covers need to be installed. (GFCI Circuits within 6 ft. of water source)
- ☒ No exposed wiring
- ☒ Adequate emergency egress
- ☒ Operable windows in sleeping areas
- ☒ Guest rules (noise, garbage, etc.) must be visibly posted.

- ☒ Adequate garbage receptacles
- ☒ Smoke detectors in all bedrooms and hallways.
- ☒ Carbon monoxide detectors if there is gas service.
- ☒ Identified # of Bedrooms: 3
- ☒ Proposed # of Guests: 6
- Approved # of Guests per OSFD: 6
- ☒ Proposed # of vehicles: 2
- Approved # of vehicles per OSFD: 2

Property Owner: Tracey Graham
Contact Name: _____

Phone #: 334-549-2085
Phone #: _____

.....
Date of Inspection: 8-15-22

COMMENTS: _____

☒ **PASSED**

Building Official: [Signature]
Property Owner: [Signature]

Fire Marshall: [Signature]

PUBLIC HEARING NOTICE

Residential Short-Term Rental



THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

Per adopted Code for the City of Ocean Springs, notice has been advertised in the MS Press Newspaper and copies are sent via Standard mail at the cost of the applicant.

PUBLIC NOTICE is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a public hearing on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance no. 2015-11 governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

Short-Term Rental Applied for: 226 Mitchell Street

Public Hearing Date/Time: September 13, 2022 at 6:00 p.m.

Applicant Greg & Tracey Graham

Local Contact Shannon Pfeiffer

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, again on December 17, 2019, and again on December 7, 2021. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

Short-Term Rentals: Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional “bed tax” required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$200 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home

- 6) ***What physical modifications were required for the home?*** Required life safety improvements include, but are not limited to, hard-wired smoke detectors (carbon monoxide if served by gas), emergency lighting for exits during power outages, properly functioning exits, current fire extinguishers, labeled fuse box, etc.
- 7) ***How will the maximum occupancy and number of vehicles be established?*** During the physical inspection, the Building Official and Fire Inspector assess the availability of space including sleeping areas and space for off-street parking. These maximums will be established prior to the public hearing and can be enforced during operation of the rental.
- 8) ***Where can I report code violations, disturbances, etc.?*** Just as you would with any residential occupant, if there are problems with noise, excessive vehicles, trash, or other intrusive behavior, the proper city officials should be notified. For life-threatening emergencies, dial 9-1-1 as you would with any type of residential occupancy. Documented complaints will be considered during the renewal process. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.

- a. Police: 228-875-2211 – noise, trespassing, other criminal activity
- b. Code Enforcement: 228-875-6712 – improper vehicle parking, improper trash storage
- c. Any other complaints can be forwarded to the Planning Department at 228-875-4415 or mailed to Attn: Planning Department, City of Ocean Springs, 1018 Porter Avenue, Ocean Springs, MS 39564

- 9) ***What is the process if the rules are not followed?*** If the City receives documentation that the property owners and/or tenants have violated the provisions set forth in the ordinance, or have met any other criteria that allows for revocation, written notice will be given to the property owner of the violation(s). If corrective action is not taken in the allotted time period, the permit can be revoked and citations issued.
- 10) ***How long is the permit valid?*** The Residential Short-Term Rental permit is an annual renewal. Once the initial permit is approved, the property will be inspected annually and complaint records reviewed prior to renewal. The ordinance provides guidelines for the basis of revocation or denial or permit issuance and/or renewal.
- 11) ***Is the permit transferable to new owners?*** No. The permit is issued to the owner for that specific address. Permits are not transferrable to other owners or properties without the full approval process, including an advertised public hearing.
- 12) ***Is the approval process the same for properties in commercially zoned districts?*** The application itself is similar, but commercial properties do not require notice or public hearing.
- 13) ***What if the property has covenants that do not allow for short-term rentals?*** The ordinance requires that any application for a property with an active Homeowner's Association (HOA) must provide a letter from that HOA supporting the activity. If you are aware of such a restriction in your neighborhood, please notify the Planning Department at 228-875-4415. The permit will not be approved unless supported by an ACTIVE HOA where applicable.
- 14) ***Will the property owner be required to maintain renter information?*** Yes, the property owner must maintain a guest registry and provide to the city for review upon request.
- 15) ***Will the renters be informed of the rules and regulations that are included in the permit?*** Yes, part of the application and inspection includes provision of the rental agreement for review and posting of the house rules in a visible location within the home.

PC Item 4.d



Magnolia Memories Guest Application

Name of Guest: _____
Address: _____
Phone: _____ Email: _____
Alternate Contact Name: _____ Phone: _____
Relationship: _____
Name of vacation rental that interests you: _____
Date of Birth?: _____
Driver's License #: _____ State Issued: _____ Expires: _____
Social Security #: () () ()

Method of Payment: [CC] [Cash] [Check] Credit Reference: (Name) _____
Contact Information: _____ Address: _____
Date of Arrival? _____ Date of Departure? _____

How many in your group? _____ (Occupancy Max 6) Limited Parking (2) vehicles
Adults _____ Children _____
Names of intended occupants? _____

Special Needs?: _____

Special Requests?: _____

How did you hear about us?: _____

Pets are not allowed. Service animals must have proper documentation i.e. Identification card, must wear a service tag or service vest at all times and must accompany the disabled handler at all times. Any repairs or extra cleaning fees will be the responsibility of the Registered Guest. There is no curbside parking.

I represent that the information provided in this application is true to the best of my knowledge. You are hereby authorized to verify my credit references in connection with the processing of this application. I acknowledge receipt of a copy of this application.

Date: _____ Applicant: _____

G:T Havens is a subsidiary of G&T Hospitality LLC.

Receipt for Rental Security Deposit

G:T Havens acknowledges receipt of the sum of \$ _____ paid by the Guest under the following described rental agreement:

This security deposit payment will be held by G:T Havens under the terms of this rental agreement, and unless required by law, will not bear any interest. This security deposit will be repaid when due under the terms of the lease.

Dated: _____, 20 _____

Signature of _____

Printed Name of _____

**HOUSE RULES: G:T HAVENS
MAGNOLIA MEMORIES**

Please Refer To These House Rules For Important Information About Your Stay. If There Is Anything That Requires Immediate Attention, Contact Shannon P At Phone # 544.452.7134 To Resolve Any Issues As Quickly As Possible. Your Alternate Local Contact Is: Tracy Graham At Phone # (334)549-2085.

Check-In Time: 2:00p.m.

Keys/Access Code: Will Be Provided

Parking: Limit 2 Vehicles, Curbside Parking Is Prohibited

Wi-Fi Code: Will Be Provided

Property Phone #: No Landline

Check-Out Time: 11:00a.m.

Place Keys: Back Entry Key Rack

Garbage: Tuesday Is Garbage Day, Please Bring Containers To The Street On Monday Evening. Please

~~Remember To Separate Your Recyclables~~

Kitchen: Please Wipe Down Stove, Counter Tops, Sinks And Appliances So That They Are Free Of Grease And Food. Place Dirty Dishes In Dishwasher

The Following Items Are Provided:

Fully Equipped Kitchen

Pack & Play: Height Limit Of 35", Weight Limit Of 30lbs.

Bed Linens

Extra Bed Linens Located: Hall Closet

Towels

Extra Towels Located: Hall Closet

Cleaning Products: Laundry Soap, Dishwasher Liquid, Dish Soap, Paper Towels, Toilet Paper(Laundry Room)

Washer/Dryer Located: Laundry Room

Iron & Ironing Board Located: Laundry Room

Outdoor Trash Located: Carport

Entertainment Items Provided: 65" Inch Smart T.V. (Living Room) Sound Bar, Outside Charcoal Grill, Outside Fire Pit, Various Board Games (1st Guest Bedroom), Outside Lazy Hammock, 1 Mile From Ocean Springs East Beach.

OTHER HOUSEHOLD ITEMS:

First Aid Kit, Located: Hall Bathroom

Emergency Police/Fire Phone#: Police Department: (228)875-2211, Fire Department:(228)826-4206

HOUSEKEEPING: Linens And Towels Are Included And Are Not To Be Taken From The Property. An Initial Supply Of Trash Liners, Toilet Paper, Paper Towels, And Soap Is Provided.

FAMILY RENTAL ONLY: Reservations Made For Teenagers Or Young Single Groups ~~Will Not Be Honored~~, Without Any Accompanying Adult Staying In The Property At ALL Times. We Require At Least One Member Of The Party To Be At Least 25 Years Of Age.

PETS POLICY: No Pets

SMOKING POLICY: No Smoking

Guest agrees to leave the premises and its contents in the same condition (~~neat and tidy~~), as guest found the premises to be upon check-in.

Reservations Are Not To Made By Or For Any Person Under The Age Of 25 Years Old.

G:T Havens is a subsidiary of G&T Hospitality LLC.

The Maximum Number Of Sleeping Occupants Shall Not Exceed 6 People. Guest Agrees To Provide Notice To Manager Prior To The Rental Term Of Any Gathering Of More Than Eight (8) People. Property owner may impose an extra charge at its discretion.

Guest and any visitors shall obey all laws of the presiding state, as well as local laws and respect the neighborhood occupants, at all times while they are on the premises. Failure to abide by the laws the presiding state or the above rules may cause guest to be asked to vacate the premises and forfeit all rents and security/damage deposits.

Furnishings are not to be removed from the premises for use outside or in/on other properties. Guest And All Other Occupants Will Be Required To: 1. Immediately vacate the premises; 2. Forfeit The Rental Fee; 3. Forfeit The Security Deposit For Any Of The Following: Overnight Occupancy Exceeding The 6 Person Sleeping Capacity; Total Occupancy At Any Time During The Rental Term Exceeding 6 Persons; Using the premises for any illegal activity including the use, possession, or sale of illegal drugs; Causing damage to the premises rented or to any of the neighboring properties; Creating a nuisance, by annoying or disturbing other Guests or nearby residents i.e., loud or excessive noise; possessing, using or selling any fireworks, firearms, or weapons of any type; jumping from any deck/fence or any place on the property; any other acts which interfere with the neighbors' right to quiet quality of life, and enjoyment of their premises.

Entry by owner: Property owner or agent may enter the premises under the following circumstances: In case of an emergency; To make any necessary or agreed upon repairs, alterations, or improvements; Necessary supplies, agreed upon services or to show the premises to contractors; Property Owner Will Provide Renter With At Least a 24 Hour Notice Of Property Owners Intent To Enter (Except In The Case Of An Emergency.)

Hold harmless: The property owner and manager, do not assume any liability for loss, damage, or injury to persons or their personal property. Neither does owner accept any liability for any inconveniences, damage, loss or injury arising from any temporary defects or stoppage in supply of water, gas, cable service, electricity or plumbing, as well as due to weather conditions, natural disasters, acts of god, or other reasons beyond its control.

Maintenance: Please report any maintenance needs for the premises to the manager, and we will respond as quickly as possible. Refunds will not be made for maintenance issues including, but not limited to, heating and air conditioning, appliances, televisions, Wi-Fi, and stereos.

Linens/towels/supplies: The property owners furnish linens and towels. Any lost or damaged linens will be deducted from your deposit. An initial supply of paper products is provided. Extra items needed are the responsibility of the guest. Limited cleaning supplies may be provided. We recommend that you bring any special items that you may need.

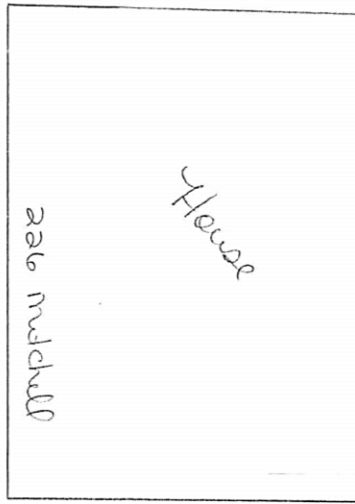
Parking: A Limit Of 3 Off Street Parking, Curbside Parking Is Prohibited.

Utilities: No compensation will be given for temporary outage of electricity, gas, water, or cable service, as this is outside of our control. Outages are to be reported immediately and all efforts will be made to have them restored as soon as possible. If any utilities are used excessively i.e. (Electric Bill Is 50% Higher Than Previous Month) Your Damage Deposit May Be Impacted.

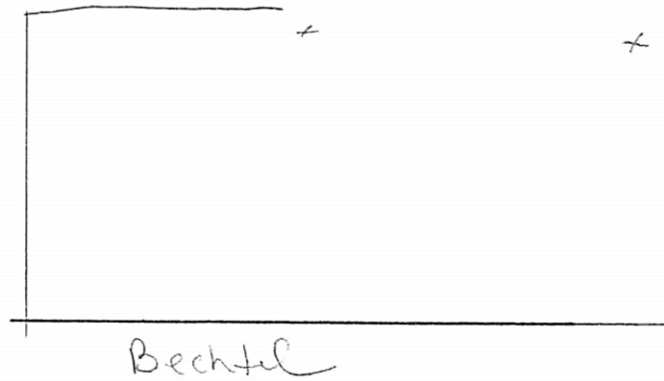
Guest Name: _____ Signature: _____ Date: _____

G/T Havens is a subsidiary of G&T Hospitalitys LLC,

Mitchell Street



max 2 vehicles Carport



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: September 13, 2022

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 3, Section 3.7.17; Chapter 4, Section 4.8.2, and Chapter 6, Section 6.2.3.J as they relate to fence height and material.

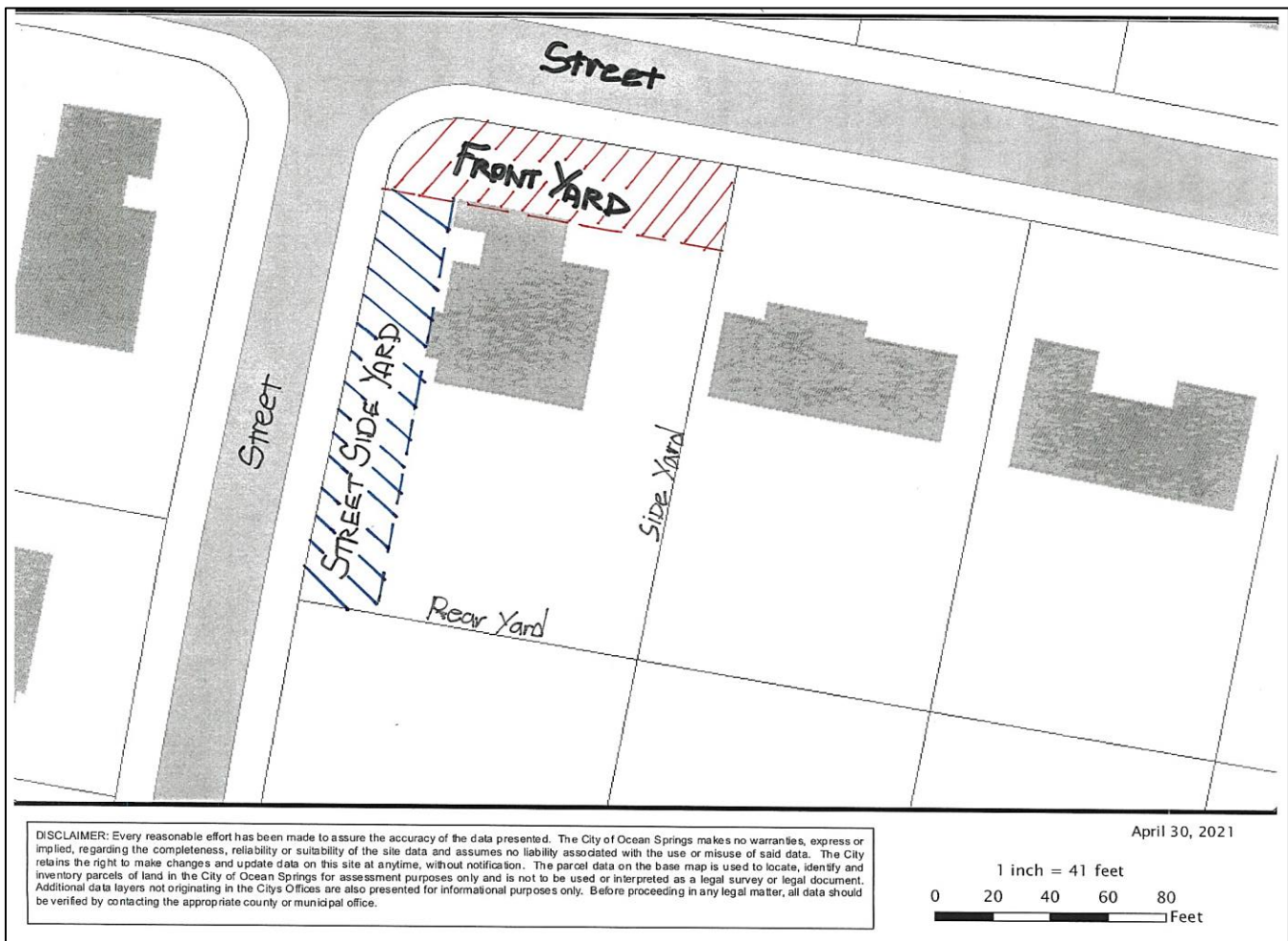
DESCRIPTION OF PROPOSED AMENDMENT:

- 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 1) consolidates the regulations on fences into a single section, 2) corrects inconsistent requirements for sight triangles at street intersections, and 3) addresses the appearance of fences within all areas of Ocean Springs.

FINDINGS:

- Fences are addressed in both Chapter 3 (Zoning Districts, Building Types and Uses) as setback encroachments (section 3.7.17) and in Chapter 6 (Supplemental Conditions for Specific Uses) as accessory uses (section 6.2) of the UDC. This split of the regulations can cause confusion for citizens and staff in researching regulations on fence height and location. Fence are considered accessory structures so their regulations should be consolidated into section 6.2 with other accessory structures.
- The UDC took the regulations on visibility at street intersections contained in the former Zoning Regulations and in the Landscape Regulations and included both in the regulations on Screening Walls (section 4.8). However, the inconsistencies between those former regulations were overlooked. The proposed amendment removes the inconsistent language.
- Material used to construct fences in the front yards within the Porter Avenue and Downtown Overlay areas was recently addressed by a UDC amendment. Chain-link fences within front yard areas are no longer permitted for aesthetic reasons. The Planning Commission indicated that similar aesthetic limitations should be applied City-wide. The proposed amendment takes the language from that amendment and applies it to fences in all areas.
- The attached ordinance provides the specific text that is to be added to the UDC. **Bold, underlined text** is to be added and ~~struck-through~~ text is to be deleted.

YARDS:



PUBLIC COMMENTS:

- None.

SUMMARY:

- The proposed amendment addresses 1) the issue of chain-link fence material in all parts of Ocean Springs; 2) consolidating and simplifying the UDC sections on fence height and location, and 3) removes contradictory regulation of sight triangles at street intersections.

POTENTIAL MOTION: To recommend approval of the following amendment and related draft ordinance related to Chapter 3, Section 3.7; Chapter 4, Section 4.8; and Chapter 6, Section 6.2 of the Unified Development Code for the reasons described in detail in the staff report.

City of Ocean Springs
ORDINANCE NO. 2022-xx

AN AMENDMENT TO THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF
OCEAN SPRINGS, MISSISSIPPI; TO REVISE CHAPTER 3: SECTION 3.7 RELATED
TO FENCES AS SETBACK ENCROACHMENTS, CHAPTER 4, SECTION 4.8
RELATED TO SIGHT TRIANGLES, AND CHAPTER 6, SECTION 6.2 RELATED TO
ACCESSORY USES AND STRUCTURES

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 location, height and appearance of fences; and

WHEREAS, Chapter 3 – Section 3.7 includes regulations on fences that are more appropriately included in another section of the Unified Development Code; and

WHEREAS, Chapter 4 – Section 4.8 regulates impediments to visibility at street intersections, among other things; and

WHEREAS, Chapter 6 – Section 6.2 includes regulations on accessory structures including fences; and

WHEREAS, it is the Mayor and the Board of Aldermen’s intent to improve the functioning and appearance of fences that are visible from public streets 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 revise Chapter 3 (Zoning Districts, Building Types and Uses), Section 3.7.17 (Setback Encroachments), Chapter 4 (Development and Design Standards), Section 4.8.2 (Sight Triangles) and Chapter 6 (Supplemental Conditions for Specific Uses), Section 6.2.3.J (Permitted Accessory Uses, Fences) of the City’s Unified Development Code as they relate to fence height and material.

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 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.

3.7.17 Setback Encroachments

The following features may encroach into any required yard:

- ~~I. — Fences and Walls; A solid fence or wall may be built on any property line to a maximum height of four (4) feet in the required front yard setback and eight (8) feet within the required side and rear yards. Permission may be granted for a solid fence or wall to a maximum height of eight (8) feet within the required front yard setback, provided the following conditions are met: (a) a notarized statement from the adjoining property owners (property across public easements or streets shall be considered as adjoining) must be filed indicating no objections to this fence; and (b) the request along with the notarized statement must be referred to the building inspector and the City planner for approval. In incidents where a rear yard abuts a front yard(s), a solid wall or fence not exceeding eight (8) feet may be constructed within the required rear yard setback except along area where the rear yard directly abuts a front yard(s). In these incidents a solid wall or fence may not exceed four (4) feet in height unless conditions (a) and (b) are met as specified above.~~

4.8 FENCES AND SCREENING WALLS

4.8.2 Sight Triangles

A. Except as otherwise allowed, no fence, wall, hedge, **sign**, or other structure or planting more than three (3) feet in height above the crown of the street pavement shall be placed or permitted on any corner lot within the triangular areas formed by two legs extending thirty (30) feet from the projected intersection of the curb lines or edge of pavement lines and a hypotenuse connecting the ends of the legs as shown in the Sight Triangles illustration. This provision also applies to non-residential and multi-family driveways.

~~B. On any corner lot on which a front and side yard is required, no wall, fence, sign, structure or any plant growth, shall obstruct sight lines at elevations over two (2) feet, six (6) inches above any portion of the crown of the adjacent roadways. A sight triangle shall be formed by measuring back thirty (30) feet from the point of intersection of the right of way lines and connecting the points so as to establish a sight triangle on the area of the lot adjacent to the street intersection.~~

6.2 ACCESSORY USES AND STRUCTURES

6.2.3 Permitted Accessory Uses

J. Fences, subject to the following:

3. The rear lot line fence may be extended along or parallel to the side lot lines up to a line extended from the front face of a lawfully permitted principal building, parallel to the rear lot line and may cross the side yards and connect to tie into the front face of the principal building.
4. ~~The maximum height for fences located along the front lot line shall be four (4) feet.~~ Fences and Walls; A solid fence or wall may be built on any property line to a maximum height of four (4) feet in the required front yard setback and eight (8) feet within the required side and rear yards. Permission may be granted for a solid fence or wall to a maximum height of eight (8) feet within the required front and street side yard setback, provided the following conditions are met: (a) a notarized statement from the adjoining property owners (property across public easements or streets shall be considered as adjoining) must be filed indicating no objections to this fence; and (b) the request along with the notarized statements must be referred to the Building Official inspector and the City Planner for approval. In incidents where a rear yard abuts a front yard(s), a solid wall or fence not exceeding eight (8) feet may be constructed within the required rear yard setback except along the area where the rear yard directly abuts a front yard(s). In these incidents a solid wall or fence may not exceed four (4) feet in height unless conditions (a) and (b) are met as specified above.
7. ~~A fence or wall required by law shall not be subject to the height limitations of this section.~~ Fence Material:
 - i. Within Front Yard and Street Side Yard: Fences and walls shall be constructed of any combination of wood posts and planks, wrought iron, decorative metal materials, brick, stone, masonry materials, or products designed to resemble those materials. Chain link fencing is not allowed.
 - ii. Within Rear Yard and Interior Side Yard: Fences and walls may be constructed of any combination of wood posts and planks, wrought iron, decorative metal materials, chain link, brick, stone, masonry materials, or products designed to resemble these materials.
 - iii. Chain link fences along rear yard, street side yard and interior side yard lot lines shall extend no closer to the front lot line than the front building line of the principal building on the nearest abutting lot or parcel.
13. Barbed wire fences are prohibited in all zoning districts except the on-lots zoned M1 district. Barbed wire strands may be used to enclose storage areas or other similar industrial or commercial uses where the strands are restricted to the uppermost portion of the fence and do not extend lower than a height of six (6) feet from the nearest ground level.

14. Electric current fences are prohibited in all zoning districts except ~~the on-lots zoned~~ M1 district.

SECTION 4: 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 5: 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 6: This ordinance shall take effect according to all applicable laws and ordinances.

SECTION 7: 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 8: 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 _____ day of _____, 2022.

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: September 13, 2022

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 4, Section 4.7.4 regarding the use of crushed limestone, gravel or similar material.

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 allows administrative approval by the Planning Director of the use of crushed limestone and gravel on low density residential properties.

FINDINGS:

- The zoning regulations were amended in 1998 to allow gravel and similar material to be used in residential and commercial parking lots, subject to a recommendation from the PC and approval from the BOA. For residential properties, a 10-foot-wide solid surface is required between the gravel and the street pavement to contain the gravel and prevent it from washing into the street. The UDC incorporated the same regulations into the parking requirements chapter.
- Most requests for the use of gravel for single-family dwellings have been approved by the PC and BOA. The requirement for a 10-foot solid surface separating the gravel and the street has been a point of discussion. The PC does not have the authority to modify that requirement and homeowners have successfully appealed that requirement to the BOA. Discussions about the hard surface requirement have concluded that 10 feet of hard surface is excessive and a 3-foot hard surface should be sufficient to effectively contain the gravel and prevent it from either washing or being thrown by tires into the street.
- The current requirements on commercial and industrial parking lots will be maintained by the amendment. The use of crushed limestone and similar material will require a recommendation from the PC and approval from the BOA.
- The attached ordinance provides the specific text that is to be added to the UDC. **Bold, underlined text** is to be added and ~~struck-through~~ text is to be deleted.

SUMMARY:

- The proposed amendment addresses the use of crushed limestone, gravel and/or road millings for parking areas and driveways for single-family and two-family properties. The Planning Director may administratively approve their use, provided a minimum 3-foot-wide hard surface area is provided between the street surface and the gravel/limestone, etc.

POTENTIAL MOTION: To recommend approval of the following amendment and related draft ordinance related to Chapter 4, Section 4.7.4 (Development and Design Standards; Off-Street Parking Surfacing Requirements) of the Unified Development Code for the reasons described in detail in the staff report.

City of Ocean Springs
ORDINANCE NO. 2022-xx

AN AMENDMENT TO THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF OCEAN SPRINGS, MISSISSIPPI TO REVISE THE SECTIONS REGULATING OFF-STREET PARKING SURFACING REQUIREMENTS, REGARDING THE USE OF CRUSHED LIMESTONE, GRAVEL OR SIMILAR MATERIAL.

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 titled “Development & Design Standards” located in Chapter Four; and

WHEREAS, Chapter 4 (Development & Design Standards) Section 4.7.4 (Off-street Parking Surfacing Requirements), addresses the use of crushed limestone, gravel or similar pervious material; and

WHEREAS, it is the Mayor and the Board of Aldermen’s intent to revise those requirements to permit administrative approval of the use of pervious material in residential properties; 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 revise Chapter 4 (Development & Design Standards) Section 4.7.4 (Off-street Parking Surfacing Requirements),) of the City’s Unified Development Code.

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 are hereby adopted, ratified and incorporated herein.

SECTION 2: Chapter 4 (Development & Design Standards) Section 4.7.4.C (Off-street Parking Surfacing Requirements), of the Unified Development Code is hereby revised, as follows:

(Additions are shown in **bold, red, underlined text**. Deletions are shown as ~~bold, blue, struck-through text.~~)

- C. **Residential parking and access:** Except as required by subdivision regulations, subdivision plat approval or otherwise for newly platted subdivisions, residential parking and access shall be asphalt, concrete, or brick/concrete pavers. **Single-family and two-family** Residential parking and access may be crushed limestone, gravel and/or road millings upon approval of the Planning **Director, provided that a hard surface material (asphalt, concrete, or brick/concrete pavers) a minimum of 3 (three) feet in width is provided between the street pavement and the crushed limestone/gravel** ~~Commission or the Historic Preservation Commission. Any such driveway or private lane that exceeds ten (10) feet and that is surfaced with limestone, road millings, gravel, or other suitable material shall be surfaced for the first (10) feet of access with asphalt, concrete, or brick/concrete pavers~~ so as to insure proper containment. **Any deviation from the above requirement shall be submitted to the Planning Commission (or Historic Preservation Commission for properties within a historic district) for a recommendation and to the Board of Aldermen for approval.**

SECTION 3: 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 4: 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 5: This ordinance shall take effect according to applicable Mississippi law.

SECTION 6: 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 7: 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 _____ day of _____, 2022.

MAYOR CITY CLERK