

Ordinance No. 2492

ORDINANCE TO AMEND THE BILOXI LAND DEVELOPMENT ORDINANCE,
SPECIFICALLY THE ADDITION OF SECTION 23-3-5(C)(6)g
WHICH ADDRESSES A NEW OVERLAY DISTRICT TO BE KNOWN AS
BILOXI COMMERCE PARK CRO DISTRICT

WHEREAS, on Thursday, August 18, 2022, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 22-063-PC, City of Biloxi, with respect to a proposed Text Amendment and Map Amendment to the Biloxi Land Development Ordinance; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that the Administration has proposed the Text Amendment to the Biloxi Land Development Ordinance, as addressed within Case No. 22-063-PC, City of Biloxi; and

WHEREAS, it is the intent of this Text Amendment to add Section 23-3-5(C)(6)g – Biloxi Commerce Park CRO District, as follows:

g. Biloxi Commerce Park CRO District

1. Purpose

The Biloxi Commerce Park CRO District is hereby established to encourage the Redevelopment and revitalization of those properties situated upon Tommy Munro Drive, and the western one-thousand and five-hundred eighty-eight (1,588) feet of Medical Park Drive. The Biloxi Commerce Park CRO District is bound on the North by Interstate 10, South by Popp's Ferry Road, East by Iron Horse Drive, and to the West by Ellzey Drive.

2. Applicability and Design Review Procedure

The standards, guidelines and procedures herein provided, shall serve as amendments to the City of Biloxi's Code of Ordinances, Land Development Ordinance, and Design Review Guidelines. In the case of conflict between Biloxi Commerce Park CRO District standards, guidelines and procedures and any other standards, guidelines and procedures of the City of Biloxi's Code of Ordinances, Land Development Ordinance, and Design

Review Guidelines – the Biloxi Commerce Park CRO District standards, guidelines, and procedures shall control.

Applicants for building permits shall submit all applications and plans to the Director of Community Development, who shall initiate the review process with the Biloxi Commerce Park Design Review Committee, provided in Chapter 3 of the City of Biloxi's Design Review Guidelines (Updated 2010).

3. Standards

(A) Primary Intended Uses - All sites in the Biloxi Commerce Park, shall be used for the following purposes:

- (a) Medical Office or Clinic
- (b) Professional Office
- (c) Educational
- (d) Research
- (e) Distribution
- (f) Light manufacturing/assembly
- (g) Warehouse
- (h) Commercial support facilities incidental to the specific permitted uses enumerated in this paragraph.

A. Land

- 1. All buildings must be set back a minimum of forty-five (45) feet from the right-of-way line of any street dedicated for public use.
- 2. An area not less than twenty (20) percent of the lot area (exclusive of street right-of-way and storage areas) shall be designated and suitably prepared for lawn and landscaping. A minimum of fifty (50) percent of this lawn and landscaping area shall be provided between the front building line and the abutting street and shall be visible from the street.
- 3. All utility service lines shall be underground from the point of service at the lot line to the building.
- 4. No lot shall be used in whole or in part for the storage of rubbish or other waste of any character whatsoever, nor for the storage of any property or purpose that will cause any lot to appear in unclean or untidy condition, or that will be obnoxious to the eye, or that would otherwise constitute either a public or private nuisance; nor shall any substance, structure or material be kept upon any lot that will emit foul or obnoxious odor.
- 5. Outside storage must be screened from public view.

B. Buildings

1. The front or side of all buildings facing a street; including side streets, shall be of a masonry type construction, brick facing or of another similar surface approved by the Biloxi Commerce Park Design Review Committee, and shall extend from the ground level to the underside of the mansard or roof eave.
2. The use of overhead doors on the street side of buildings shall be discouraged; however, a limited number may be approved by the Biloxi Commerce Park Design Review Committee provided that the wall containing such overhead door is recessed a minimum of twenty (20) feet behind the front or side edge of the building and such overhead doors used on the front or side of the building shall be constructed not closer than sixty-five (65) feet from the street property line surrounding the building.

C. Signs

1. Signs accessory to the principle use on the property are permitted in the Biloxi Commerce Park. No sign shall be permitted which is not accessory to the business use conducted on the property. All signs shall comply with the following standards:
 - (a) Building mounted business signs may be erected provided the sum area of all signs does not exceed two (2') square feet per linear foot of building frontage. The total area of business signs shall not exceed one-hundred (100) square feet. Such signs shall be attached to the principal building and shall not extend more than five (5) feet above the roofline.
 - (b) In addition to building signs, each separate lot may have one (1) freestanding monument name-plate sign that is accessory to the business conducted on the premises. Any freestanding monument name plate sign as permitted by this section must meet all of the following building requirements:
 - (1) The height shall not exceed six (6) feet.
 - (2) No freestanding nameplate shall be closer than five (5) feet from any abutting street right-of-way or property line.
 - (3) The area of the sign shall not exceed nine (9) square feet.
 - (4) In the event there is more than one (1) tenant in the building, each tenant is entitled to one (1) name plate sign attached to the free-standing sign; provided, however, each name plate sign shall be of uniform dimensions and lettering, and no name plate sign shall exceed nine (9) square feet in area.
 - (c) No sign shall be lighted by means of flashing or intermittent illumination.

D. Fences

1. Fences shall be of chain link or better construction, (i.e. masonry or wooden), and shall not be erected closer to the street than the front building line.

E. Parking

1. All driveways and parking areas, on any lot, shall be paved with either concrete or asphalt of a quality suitable for the intended traffic. Entrances from public roads shall be provided with radii for the intended traffic.
2. Off-street paved parking spaces, at least nine (9) feet wide and nineteen (19) feet long exclusive of access or maneuvering area, ramps and other appurtenances, shall be located off the street right-of-way as follows:

One (1) space for each two hundred (200) square feet of gross office area. There shall be, without exception, a minimum of one (1) space for every two (2) employees occupying the premises. On-street parking is prohibited.

3. Specific development standards not addressed under these Overlay Design Standards, shall comply with the Development Standards of Article 23-6 of the current City of Biloxi Land.

The City Council may approve additional design standards addressing aspects of development not listed above. The City Council may also prohibit Use Types within a CRO District.

WHEREAS, on August 18, 2022, the Biloxi Planning Commission, after some discussion, voted (9-0) to recommend approval of the proposed changes to the City of Biloxi Land Development Ordinance, as offered; and

WHEREAS, the Biloxi City Council, upon careful consideration of all facts presented, hereby adopts the report and findings of the Biloxi Planning Commission, and in so doing, determines that approval of this Text Amendment and Map Amendment, to authorize the Biloxi Commerce Park CRO District to include those properties fronting upon Tommy Munro Drive, and the western one-thousand and five-hundred eighty-eight (1,588) feet of Medical Park Drive, as presented, is appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

BILOXI, MISSISSIPPI, THAT AS PER THE FINDINGS OF THE PLANNING COMMISSION,
AND BASED UPON SAID DETERMINATIONS, THAT THE FOLLOWING SHALL BE
AUTHORIZED:

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SECTION ONE: That the boundaries of the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, as previously amended, are hereby authorize the Biloxi Commerce Park CRO District to include those properties fronting upon Tommy Munro Drive, and the western one-thousand and five-hundred eighty-eight (1,588) feet of Medical Park Drive

SECTION TWO: All other sections of said Section 23 of the Code of Ordinances of the City of Biloxi, Mississippi, shall remain in full force and effect.

SECTION THREE: This ordinance shall become effective thirty days from and after its passage and publication with law.

The foregoing Ordinance having first been reduced to writing, was read by the Clerk and moved by Councilmember Glavan, seconded by Councilmember Tisdale, and was adopted by the following vote:

YEAS:	Lawrence Gines Newman	Glavan Barrett	NAYS:	Deming
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ABSENT: Tisdale

The President then declared the Ordinance adopted this the 13th day of September, 2022.

(SEAL)
ATTEST:
/s/Keri Campbell
CLERK OF THE COUNCIL

ADOPTED:
/s/ Kenny Glavan
PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 13th day of September, 2022.

APPROVED:
/s/A.M. Gilich, Jr.
MAYOR