

ORDINANCE NO. 2273

ORDINANCE TO AMEND SECTION **23-3-2(B-1): AR: AGRICULTURAL RESTRICTED DISTRICT** OF THE LAND DEVELOPMENT ORDINANCE, BY INCREASING THE MINIMUM STANDARD LOT SIZE FOR PROPERTY TO BE INCLUDED WITHIN THE AR: AGRICULTURAL RESTRICTED DISTRICT FROM ONE ACRE TO FIVE ACRES OR GREATER

WHEREAS, on Thursday, February 5, 2015, 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. 15-003-PC, City of Biloxi, with respect to a request initiated by the Director of Community Development, to Amend-Section **23-3-2(B-1): AR: Agricultural Restricted District** – by modifying Table 23-3-2(B-1) AR District Basic Intensity and Dimensional Standards, increasing the minimum standard lot size for property to be included within this district from one acre (43,560 sq.) to five (5) acres (217,800 sq.) or greater; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that as per Section 23-2-4(A)(2)b of the Biloxi Land Development Ordinance, the Director of Community Development suggested that the City of Biloxi Land Development Ordinance be amended, specifically Section **23-3-2(B-1): AR: Agricultural Restricted District**, as outlined within Case No. 15-003-PC; and

WHEREAS, the specific proposed modification and change to the City of Biloxi Land Development Ordinance is as follows:

Amend-Section **23-3-2(B-1): AR: Agricultural Restricted District** – by modifying Table 23-3-2(B-1) AR District Basic Intensity and Dimensional Standards, increasing the minimum standard for lot size of property to be included within this district from one (1) acre (43,560 sq.) to five (5) acres (217,800 sq.) or greater and other sections of the LDO where regulations for the AR Zone are featured; and

WHEREAS, on February 5, 2015, the Biloxi Planning Commission, after some discussion, voted to recommend approval of the proposed text change to the City of Biloxi Land Development Ordinance, to increase the minimum standard lot size of property to be considered for inclusion within the **AR Agricultural Restricted District** zone from one (1) acre to five (5) acres or more and, to reflect these changes in sections of the LDO where regulations for the AR Zone are featured; and

WHEREAS, the Biloxi City Council, after careful review of the minutes of the Planning Commission's public hearing held to discuss this text amendment to the City of Biloxi Land Development Ordinance, hereby adopts the report and findings of the Biloxi Planning Commission and, in so doing, determines that the Text Change to the City of Biloxi Land Development Ordinance increasing the minimum standard lot size of property to be considered for inclusion within the AR zone to five (5) acres or more is appropriate, as outlined in Case No. 15-001-PC, City of Biloxi.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT THE TEXT OF SECTION 23-3-2(B-1), BE AMENDED TO INCREASE THE MINIMUM STANDARD LOT SIZE FOR PROPERTY TO BE INCLUDED WITHIN THIS DISTRICT FROM ONE (1) ACRE TO FIVE (5) ACRES OR GREATER, AS FOLLOWS:

Amend–Section 23-3-2(B-1): AR: Agricultural Restricted District – by modifying Table 23-3-2(B-1) AR District Basic Intensity and Dimensional Standards, increasing the minimum standard for lot size of property to be included within this district from one (1) acre (43,560 sq.) to five (5) acres (217,800 sq.) or greater; and Also, Amend Table 23-5-2 and *Intensity and Dimensional Standards*, to articulate this change within this additional table as follows:

Table 23-5: INTENSITY AND DIMENSIONAL STANDARDS, as follows:

TABLE 23-5-2: INTENSITY AND DIMENSIONAL STANDARDS¹											
SF = SQUARE FEET FT = FEET N/A = NOT APPLICABLE											
DISTRICT	MIN. LOT AREA PER DWELLING UNIT (SF) ²	MAX. DWELLING UNITS PER ACRE	MAX. FLOOR AREA RATIO (FAR)	MIN. LOT WIDTH (FT) ³	MIN. LOT DEPTH (FT)	MAX. IMPERVIOUS SURFACE AREA (% OF LOT AREA)	MAX. HEIGHT (FT) ^{4,5}	MINIMUM SETBACK STANDARDS			
								FRONT (FT)	CORNER SIDE (FT) ⁶	SIDE (FT) ^{6,7}	REAR (FT) ⁷
AGRICULTURAL AND RESIDENTIAL BASE ZONING DISTRICTS											
A Agricultural	43,560	n/a	n/a	125	n/a	40	35	40	20	10	25
AR Agricultural Restricted	217,800	n/a	n/a	125	n/a	40	35	40	20	10	25
RE Residential Estate	20,000	n/a	n/a	100	150	40	35	40	20	10	20
RER Residential Estate, Restricted	20,000	n/a	n/a	100	150	40	35	40	20	10	20
RS-10 Low-Density Single-Family Residential	10,000	n/a	n/a	80	120	60	35	30	15	10	20
RS-7.5 Medium- Density Single-Family Residential	7,500	n/a	n/a	60	100	60	35	25	12.5	7	20

SECTION 2. All other provisions of said Chapter 23 of the Code of Ordinances of the City of Biloxi, Mississippi, shall remain in full force and effect.

SECTION 3. 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 Newman, seconded by Councilmember Gines, and was adopted by the following vote:

YEAS:	Lawrence	Tisdale	NAYS:	Fayard
	Gines	Glavan		
	Deming			

ABSENT: Newman-*

(*-Absent from room during discussion and voting only)

The President then declared the Ordinance adopted this the 3rd day of March, 2015.

(SEAL)

ATTEST:

/s/Karen Brashier
CLERK OF THE COUNCIL

ADOPTED:

/s/ Kenny Glavan
PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 5th day of March, 2015.

APPROVED:

/s/Felix O. Gines
ACTING MAYOR
