

There came for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Hattiesburg, Mississippi, held on the 20th day of May 2025, the following Ordinance:

ORDINANCE NO. 3379

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE (ORDINANCE NUMBER 3209), SECTION 4: ZONING DISTRICTS ESTABLISHED; SECTION 7: STANDARDS OF DESIGN; SECTION 12: PROCESSES AND PROCEDURES; AND SECTION 13: DEFINITIONS, FOR THE CITY OF HATTIESBURG, MISSISSIPPI

SECTION 1. That the Land Development Code, Ordinance Number 3209, as amended, of the City of Hattiesburg, Mississippi, be further amended as follows:

<u>Code Section</u>	<u>Amendment</u> <i>Explanation of amendment in italics.</i>
Section 4 [Table 4.2-2]	<i>Add the following Overlay District:</i> BCO, Broadway Corridor Overlay
Section 4.20.3	<p><i>Add the following to create section 4.20.3</i></p> <p>4.20.3 – Broadway Corridor Overlay District (BCO)</p> <p>The Broadway Corridor Overlay District is intended to promote infill activity in the Broadway Drive-West Pine Street Revitalization area by enabling additional uses that are supportive of the corridor vision plan and providing flexibility for the continuation and expansion of existing businesses within the corridor.</p> <p>The Broadway Corridor Overlay District was established as part of the <i>Right Down Broadway Master Plan</i>, adopted by the City of Hattiesburg on January 7th, 2025, Ordinance No. 3365.</p> <p>Additionally, the Broadway Corridor Overlay District aims to achieve the following:</p> <ul style="list-style-type: none"> i. Encourage incremental, mixed-use infill development. ii. Encourage adaptive reuse, infill, and redevelopment that creates a pedestrian - oriented district with a mix of small retail, service, and artisan uses and complementary residential uses. iii. Allow for a greater mix of housing types and opportunities.

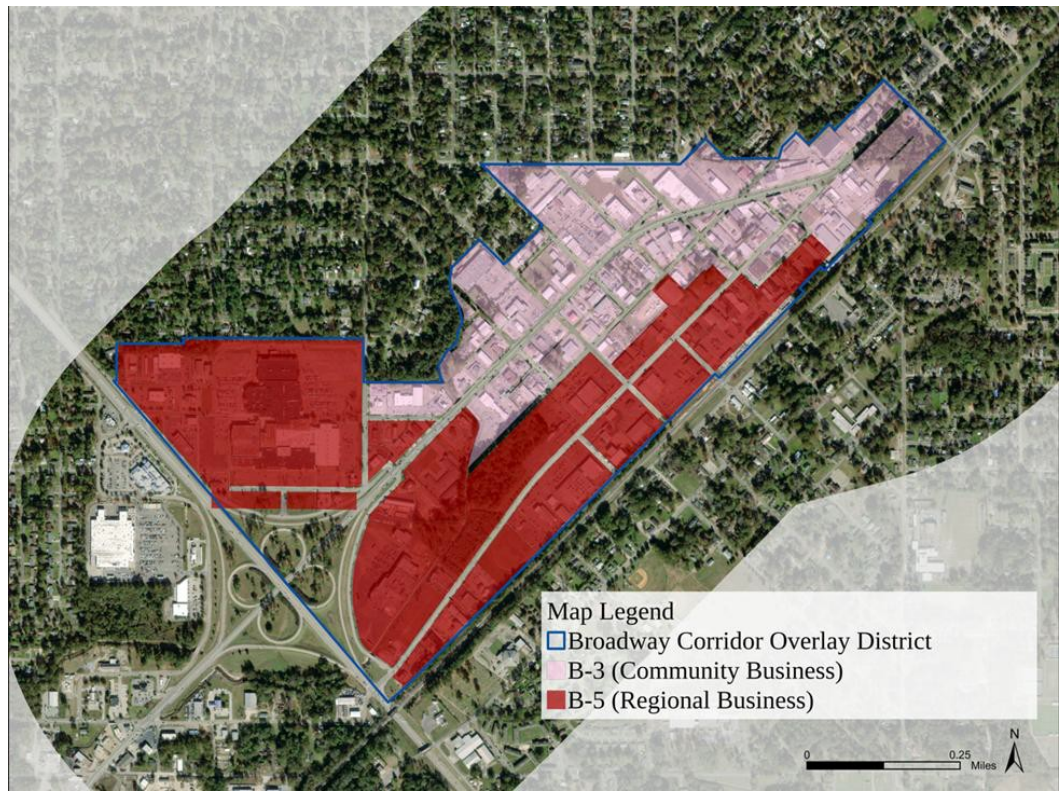


Figure 4.20.X - Broadway Corridor Overlay District

Section 4.20.3

Add the following to create section 4.20.3.1

4.20.3.1 – Permitted Uses

Within the BCO District, uses may be permitted by right as for and subject to the district regulations of the base zoning district. In addition, the following uses may be permitted, following the additional use conditions as cross-referenced in Table 5.1, Table of uses:

- i. Artisan Production**
- ii. Dwelling, Mixed-Use**
- iii. Dwelling, Multi-Family**

Section 4.20.3

Add the following to create section 4.20.3.1

4.20.3.1 – Artisan Production – Definition and Use Conditions

i. Artisan Production Definition:

Artisan Production: A small-scale manufacturing business where small quantities of goods and items are produced on-site in small quantities using small tools and light machinery.

Artisan production facilities are an encouraged use in the Broadway Corridor Overlay to promote it as a creative mixed-use district and to contribute to the revitalization of the Broadway Drive Corridor.

ii. Additional Use Conditions: Must be located within a structure existing on the adoption date of this ordinance May 20, 2025.

A Single use artisan production use should not exceed 15,000 ft.

iii. Artisan Production use should have minimal truck traffic and produce minimal noise, electrical or magnetic interference, dust, vibration, heat, glare, or other nuisances outside the structure.

	<p style="text-align: center;">iv. An artisan production use may include accessory retail, seating areas, and educational programming uses related to the production.</p>																														
Section 4.20.3	<p><i>Add the following to create section 4.20.3.2</i></p> <p>4.20.3.2 – Permitted Uses in B-3 Zones of the BCO</p> <p>Within the B-3 Zoned areas of the BCO District, uses may be permitted by right as for and subject to the district regulations of the base zoning district.</p> <p>In addition, the following uses may be permitted, following the additional use conditions as cross-referenced in Table 5.1, Table of uses:</p> <ul style="list-style-type: none"> i. Dwelling, Single-Family, attached ii. Dwelling, Single-family, detached iii. Dwelling, two-family iv. Dwelling, zero lot line detached 																														
Section 4.20.3	<p><i>Add the following to create section 4.20.3.3</i></p> <p>4.20.3.3 – Conditional Use Approval</p> <p>Within the B-3 Zoned BCO District, the following uses shall require conditional use approval, along with following all applicable additional use conditions as cross- referenced in Table 5.1, Table of Uses:</p> <ul style="list-style-type: none"> i. Automotive rental and sales ii. Automotive, truck, and small engine repair iii. Automotive, truck, and small engine maintenance iv. Automotive filling station v. Parking, Passenger Vehicles vi. Parking, Commercial Vehicles 																														
Section 4.20.3	<p><i>Add the following to create section 4.20.3.4</i></p> <p>4.20.3.4 – Dimensional Standards for the BCO</p> <p>The following Dimensional Standards shall apply to all development within the Broadway Corridor Overlay.</p> <p>Any dimensional standard not listed in the table below shall follow the underlying district standards:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="6">Table 4.20</th> </tr> <tr> <th colspan="6">Dimensional Standards in the Broadway Corridor Overlay</th> </tr> <tr> <th>Zoning District</th> <th>Max. Dwelling Units</th> <th>Minimum Lot Size in SF / Width at Setback</th> <th>*Max Floors/Height</th> <th>Min. Front Setback</th> <th>Max Front Setback</th> </tr> </thead> <tbody> <tr> <td>B-3 Community Business</td> <td>17 per acre</td> <td>No Minimum / No Minimum</td> <td>55' or 4 stories</td> <td>0'</td> <td>15'</td> </tr> <tr> <td>B-5 Regional Business</td> <td>17 per acre</td> <td>No Minimum / 50'</td> <td>72' or 6 stories</td> <td>0'</td> <td>30'</td> </tr> </tbody> </table>	Table 4.20						Dimensional Standards in the Broadway Corridor Overlay						Zoning District	Max. Dwelling Units	Minimum Lot Size in SF / Width at Setback	*Max Floors/Height	Min. Front Setback	Max Front Setback	B-3 Community Business	17 per acre	No Minimum / No Minimum	55' or 4 stories	0'	15'	B-5 Regional Business	17 per acre	No Minimum / 50'	72' or 6 stories	0'	30'
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	<p><u>Additional Standards:</u></p> <ul style="list-style-type: none"> i. Max Dwelling Units – The maximum dwelling unit shall be 17 per acre for residential uses in the BCO. Conditional use approval will be required for densities exceeding 17 units per acre. ii. *Max Floors/Height – If any portion of a structure located within 100 feet of an R-1 zoned property (including R-1A, R-1B, or R- 1C), measured from the nearest point of the structure to the closest R-1 property line, the structure’s height shall be limited to the maximum height permitted in that R-1 district. Additional height may be allowed if a step-back is applied: for every one foot (1') of additional height above the R-1 district’s maximum, the structure must step back horizontally one foot (1') from the adjacent R-1 property line. iii. Front Yard Setback – Infill Flexibility: The Site and Design Review Committee may approve modifications to the front yard setback requirements for structures oriented to Broadway Drive or West Pine Street, except on corner lots, where the average setback of existing buildings located wholly or in part within 100 feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is greater than the minimum required setback. In such cases, the setback on such a lot may be greater than the required setback, but not greater than the average of the setbacks of the existing buildings.
<p>Section 4.20.3</p>	<p><i>Add the following to create section 4.20.3.5</i></p> <p>4.20.3.5 – Standards of Design</p> <p>Within the BCO District, the standards of design of section 7 shall apply with the following additional requirements:</p> <ul style="list-style-type: none"> i. Pedestrian Circulation – Sidewalks along Broadway Drive shall have a minimum width of 8’ on the northern side of the street. ii. Building Form - Primary entrances should be oriented to Broadway Drive or West Pine Street. Entrances at intersections or corners are preferred to support a walkable environment. iii. Building Materials – The following exterior building materials are prohibited for use on primary facades and street-facing elevations with the BCO: exposed, untreated, or non-architectural corrugated metal panels; bare galvanized steel or unfinished aluminum siding; prefabricated metal wall panels that lack architectural detailing. iv. Window Transparency – Ground story windows shall remain transparent along the primary and side-facing facades.

	<p>Glass is considered transparent where it has a visual light transmittance of 50% or higher and external reflectance of less than 15%.</p> <p>Windows cannot be made opaque by window treatments, including by signage, except by operable sunscreen devices within the conditioned space.</p> <p>Window tinting and interior affixed window shades that create a permanently opaque condition are prohibited.</p> <p>Shopfronts should be designed to be visible and provide a space for the display of business.</p> <p>v. Outdoor Storage of Commercial Equipment and Materials – Outdoor Storage areas for commercial equipment and materials shall require a conditional use approval and are subject to all screening and siting requirements in Section 7.12.10.</p> <p>vi. Parking – The parking requirements shall follow the B-4, Downtown Business District requirements of Section 7.12.7.</p> <p>Additional amenities may be required by the site and design review committee, such as dedicated bicycle parking, street furniture, or bus shelters.</p> <p>vii. Plazas, pocket parks and parklets are encouraged as part of site redevelopment.</p>
<p>Section 4.20.3</p>	<p><i>Add the following to create section 4.20.3.6</i></p> <p>4.20.3.6 – Signage</p> <p>Within the B-3 Zoning District of the BCO District, on-premise free-standing pole signs shall require a conditional use approval.</p>
<p>Section 5 [Table 5.1]</p>	<p><i>Amend the following use in the B-3 zoning district</i></p> <p>For “Dwelling, mixed use” change from “Conditional Use” to “Permitted with Conditions” in the B-3 Zoning District.</p>
<p>Section 5 [Table 5.1]</p>	<p><i>Rename the use of Microbrewery</i></p> <p>For “Microbrewery”, change the name to “Microbrewery/small craft brewery.”</p>
<p>Section 5 [Table 5.1]</p>	<p><i>Amend the following use in the B-3, B-5 zoning district</i></p> <p>For “Microbrewery/small craft brewery”, change to “Permitted” in the B-3 and B-5 Zoning Districts.</p>
<p>Section 5 [Table 5.1]</p>	<p><i>Add the following Use Conditions for “Dwelling, Single-family attached” and number accordingly:</i></p> <p>5.4.X – Dwelling, Single-Family attached</p> <p>5.4.X.1 The side-yard setback requirement for the use of “dwelling, single-family attached” structures may be waived when constructed as <u>townhomes/townhouses</u> in the allowable districts, except for the end units if required by the zoning or overlay district.</p>

5.4.X.1 Townhome/townhouse developments in which individual units are served by vehicular curb cuts, driveways, garages, or parking spaces that are accessed from or oriented toward the primary street frontage shall require conditional use approval.

Side, rear, or alley access is the preferred design approach to promote walkability and enhance pedestrian-scale streetscapes along residential frontages.

Projects that utilize shared internal drives, auto courts, or creative site layouts must demonstrate that:

- i. The street-facing façades of individual units do not contain visible or directly accessed garage doors, driveways, or open parking areas; and
- ii. The design maintains a visually prominent pedestrian entry facing the street or public realm.

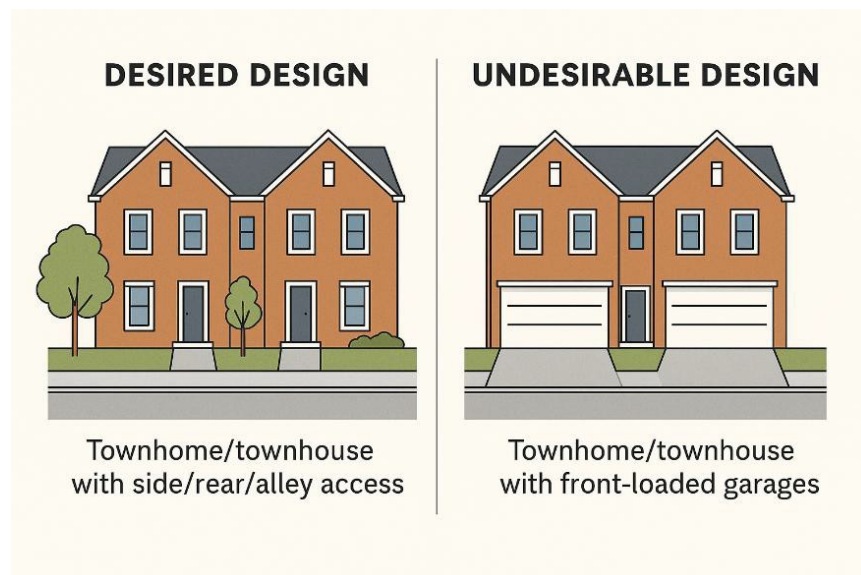


Figure 5.4.X – Townhome/Townhouse Preferred Design

Section 5,
[Table 5.1]

Add the following Use Conditions for “Dwelling, Mixed-Use” and number accordingly:

5.4.20.X – Max Dwelling Units

The maximum dwelling unit shall be 17 per acre for Mixed-use dwellings in the B-3 Zone. Conditional use approval will be required for densities exceeding 17 units per acre.

Section 6
[Table 6.1]

Amend the following dimensional standards for the B-3 Zoning District

Change the minimum front setback from “30” to “0” feet for the B-3 Zoning.

District Set the maximum front setback to “30” feet for the B-3 Zoning District.

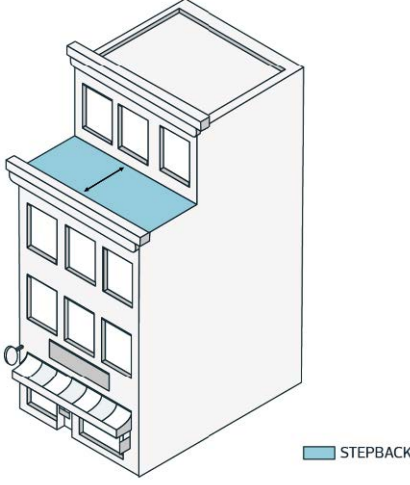
Section 6.3.1.1

Amend to read as follows:

6.3.1.1 The front yard setback requirements shall not apply on any lot where the average setback of existing buildings located wholly or in part within 100 feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is less than the minimum required setback.

In such cases, the setback on such a lot may be less than the required setback but not less than the average of the setbacks of the existing buildings.

See 6.3.2 for front yard setbacks in historic districts.

Section 6.3.3	<p><i>Amend to add the following section:</i></p> <p style="text-align: center;">6.3.3.3 The side-yard setback requirement for the use of “dwelling, single-family attached” structures may be waived when constructed as <u>townhomes/townhouses</u> in the allowable districts, except for the end units if required by the zoning or overlay district.</p>
Section 13	<p><i>Add the following definitions and images to section 13.2 and alphabetize accordingly:</i></p> <p><u>Artisan Production:</u> A small-scale manufacturing business where small quantities of goods and items are produced on-site in small quantities using small tools and light machinery.</p> <p><u>Microbrewery/small craft brewery:</u> Microbreweries and Small Craft Breweries shall be defined by the State of Mississippi and must be licensed with the state and city before operating.</p> <p><u>Step-back:</u> A step-back is a design typically to reduce building massing, preserve light and air access at the street level, or align with zoning and aesthetic guidelines.</p> <p>It is the horizontal distance a building façade is stepped back from the building façade immediately below it.</p> <div style="text-align: center;">  </div> <p style="text-align: center;"><i>Figure 13.1 - Step-back design example.</i></p> <p><u>Townhomes/Townhouses:</u> A single structure consisting of not less than three or more than 8 dwelling units, with no other dwelling or portion of other dwelling directly above or below, each dwelling unit of which having direct ground level access to the outdoors and connected to the other dwelling units by a single party wall with no opening.</p> <p>A rowhouse may also be classified as a townhouse/townhome.</p>

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Land Development Code, Ordinance Number 3209, adopted February 21, 2017, as amended, of said City of Hattiesburg, Mississippi, shall be and remain in full force and form as adopted.

SECTION 3. The Director of Urban Development, in coordination with the Planning Division, is authorized to re-number, re-letter, or re-format the provisions of this Ordinance, including all associated tables, figures, and diagrams, as necessary to maintain consistency with the structure and organization of the Land Development Code. These administrative changes shall not alter the substance or intent of any provision and shall be documented in the official records of the City.

SECTION 4. That this Ordinance take effect and be in force thirty (30) days from and after passage as provided by law.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI:

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by Council Member Carroll, seconded by Council Member Brown, and was adopted by the following, to wit;

<u>YEAS:</u>	<u>NAYS:</u>	<u>ABSENT:</u>
George (via teleconference)	None	None
Delgado		
Carroll		
Ware		
Brown		

The President thereby declared the motion carried and the Ordinance adopted this the **20th** day of **May 2025**.



ATTEST:

ADOPTED:

/s/ Ronda S. Kennedy

/s/ Jeffrey George

CLERK OF COUNCIL

COUNCIL PRESIDENT

The above and foregoing Ordinance, having been submitted to and approved by the Mayor, this the **20th** day of **May 2025**.

ATTEST:

APPROVED:

/s/ Kermas Eaton

/s/ Toby Barker

CITY CLERK

MAYOR