

CITY OF BILOXI
AGENDA ITEM
FACT SHEET

SUBSTITUTE

Item No.: 4 E

Council Meeting Date: September 19, 2023

ITEM TITLE: **ORDINANCE** (2nd Reading)
INTRODUCED BY: **Mayor Andrew "FoFo" Gilich**
CONTACT PERSON: **E. Michael Leonard, CAO**
Peter Abide, City Attorney

SUMMARY EXPLANATION:

Ordinance to amend Land Development Ordinance Article 23-4-4 (C) (22) pertaining to Storage or Parking of Heavy Trucks, Trailers, Major Recreational Equipment, or Mobile Homes.

Resolution _____ Ordinance Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes _____ Plans/Maps _____ Deed _____ Lease _____

Other (Specify):

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Mayor recommends approval.

COUNCIL ACTION: Motion By: Tisdale Second By: Lawrence

| Vote: | <u>Councilmember</u> | <u>Yes</u> | <u>No</u> | <u>Other</u> | <u>Councilmember</u> | <u>Yes</u> | <u>No</u> | <u>Other</u> |
|-------|----------------------|------------|-----------|--------------|----------------------|------------|-----------|--------------|
| | Lawrence | ___ | ___ | ___ | Tisdale | ___ | ___ | ___ |
| | Gines | ___ | ___ | ___ | Glavan | ___ | ___ | ___ |
| | Newman | ___ | ___ | ___ | Barrett | ___ | ___ | ___ |
| | Deming | ___ | ___ | ___ | | | | |

ACTION TAKEN: First reading on May 16, 2023

PA/slt 051623glegSUB 3 Tabled subject to call

Tabled subject to call, June 13, 2023

Ordinance No.

ORDINANCE TO AMEND LAND DEVELOPMENT ORDINANCE ARTICLE 24-4-4(C)(22)

WHEREAS, the City is in the process of updating its ordinances pertaining to its Land Development Ordinance; and

WHEREAS, the Biloxi City Council finds that it is in the best interests of the health, safety and welfare of the residents of Biloxi that the Land Development Ordinance Article 23-4-4(C)(22) be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI:

SECTION ONE: That the Land Development Ordinance Article 23-4-4(C)(22) is hereby amended as follows:

(22) Storage or Parking of Heavy Trucks, Trailers, Major Recreational Equipment, or Mobile Homes

a. Intent

It is the intent of this subsection to prohibit the customary or continual parking of certain vehicles and equipment on streets and within yards setbacks adjacent to streets in residential neighborhoods or commercial parcels. ~~since the presence of such vehicles runs contrary to the intended residential character of such neighborhoods.~~ It is not the intent of these standards to prevent the occasional or temporary parking of such vehicles or equipment as necessary for the purposes of loading, unloading, or cleaning; however, the continual or customary overnight parking of such vehicles or equipment for a portion of the day followed by removal the following day or parking of such vehicles on a short-term rental basis is prohibited. The preceding sentence will not apply to such businesses who customarily park trucks or vehicles on their property as part of their business, or hotels who allow recreational vehicle parking as part of their business without first obtaining a special event permit pursuant to 12-4-1 et seq.

b. Applicability

The standards in this subsection apply to heavy trucks with more than two axles or that exceed 20,000 pounds of gross vehicle weight, trailers with more than one axle, or major recreational equipment, including, but not limited to, boats, campers, recreational vehicles, motor homes, and travel trailers.

c. Standards

1. No business or commercial parcel may rent space for the storage of heavy trucks, trailers, or major recreational equipment as defined in subsection b. where it is not within the normal or customary usage of such business or commercial parcel without first obtaining a special event permit pursuant to 12-4-1 et seq.

2. No residential parcel may rent space for the storage of heavy trucks, trailers or major recreational equipment as defined in subsection b.

~~1. 3.~~ Heavy trucks, trailers, or major recreational equipment shall not be parked or stored on public rights-of-way in a residential zoning district for longer than four days over any calendar year.

~~2. 4.~~ No heavy truck, trailer, or other major recreational equipment shall be parked or stored for longer than four days over any calendar year in any front or side setback area immediately adjacent to a street.

~~3. 5.~~ Boats, campers, and recreational vehicles shall be parked or stored only to the side or rear of the dwelling they are associated with.

~~4. 6.~~ It shall be unlawful for any person to park any mobile home or camper-type trailer while used for human habitation on any street, alley, or other public place in the city, or to park any mobile home or camper-type trailer when not so used on the streets of the city for a period longer than 12 hours.

SECTION TWO: Upon unanimous vote of the members of the City Council, this ordinance shall be in full force and effect from and after passage, because it serves the public peace, health and safety of the citizens of Biloxi, and good cause exists for same. If not a unanimous vote this Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.