

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 4B

Council Meeting Date: January 27, 2026

ITEM TITLE: ORDINANCE (2nd Reading)

INTRODUCED BY: Mayor Andrew "FoFo" Gilich

CONTACT PERSON: Rick Weaver, CAO

Jerry Creel, Director of Community Development

SUMMARY EXPLANATION:

An Ordinance to amend text within the Land Development Ordinance removing a duplicate record pertaining to cannabis specific uses in Section 23-4-1 (C) Use Table: Nonresidential and Planned Development Districts.

Case No. 25-048-PC

Resolution _____ Ordinance Public Hearing _____ Routine Agenda _____

Exhibits for Review

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

Other (Specify): case fact sheet

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: Tisdale Second By: Creel

Vote:	Councilmember	Yes	No	AFR	ABST	Councilmember	Yes	No	AFR	ABST
	Gray	_____	_____	_____	_____	Tisdale	_____	_____	_____	_____
	Marshall	_____	_____	_____	_____	Glavan	_____	_____	_____	_____
	Nail	_____	_____	_____	_____	Shoemaker	_____	_____	_____	_____
	Creel	_____	_____	_____	_____					

ACTION TAKEN: first reading on January 20, 2026

WHEREAS, the Biloxi City Council, after careful review, hereby adopts the recommendation of the Planning Commission, and in so doing, determines that the Text Changes proposed to the City of Biloxi Land Development Ordinance, as presented, are appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT THE FOLLOWING SECTIONS OF THE LAND DEVELOPMENT ORDINANCE BE AMENDED AS FOLLOWS:

Section 23-4-1 (C) Use Table: Nonresidential and Planned Development Districts

TABLE 23-4-1(C): USE TABLE - NONRESIDENTIAL AND PLANNED DEVELOPMENT DISTRICTS
P = PERMITTED USE C = CONDITIONAL USE

A = ALLOWED SUBJECT TO A PLANNED DEVELOPMENT MASTER PLAN BLANK CELL = PROHIBITED USE

USE CATEGORY	SPECIFIC USE	NONRESIDENTIAL BASE DISTRICT								PLANNED DEVELOPMENT DISTRICT						USE-SPECIFIC STANDARDS (SECTION)
		LB	NB	CB	RB	DT	I	WF	SB	PD-C	PD-R	PD-I	PD-I			
COMMERCIAL USES																
Retail Sales and Service	Medical Cannabis Dispensary or Cannabis research facility or Cannabis testing facility		P	P	P	G	P	G							23-4-3(D)(8)n	

SECTION 1. All other sections of said Biloxi Code of Ordinances of the City of Biloxi, Mississippi, shall remain in full force and effect.

SECTION 2. 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.

.....A

WHEREAS, the City Council of the City of Biloxi, Mississippi, having given the Planning Commission recommendation full consideration, has determined that this is a matter of general public concern, and being so, it is in the best interest of the community to hold a public hearing on this matter before the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT: the City Council will conduct a public hearing in reference to a text change as contained within Case No. 25-048-PC, City of Biloxi, on a date to be set and in accordance with all requirements as prescribed by the City of Biloxi Land Development Ordinance governing the conduct of public hearings.

..... B

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, that having given the Planning Commission's recommendation full consideration, hereby rejects said recommendation and hereby denies the requested Text Changes to the Land Development Ordinance, as proposed within Case No. 25-048-PC, having determined that said Text Changes are unwarranted due to a determination that

..... C

Scheduled for
December 18, 2025
PC Meeting

City of Biloxi
Case No. 24-048-PC
Text Amendment to the LDO
Section 23-4-1 (C) Use Table



**Planning Commission
Case Fact Sheet**

Case No.:	25-048-PC
Name of Applicant:	City of Biloxi
Address of Property:	N/A
Tax Parcel/Ward:	N/A

Request: Text Amendment

Purpose of Request: To consider a Text Amendment to the Land Development Ordinance related to **Table 23-4-1(C)**, removing a duplicate record pertaining to Cannabis Specific Uses in **Section 23-4-1 (C) Use Table: Nonresidential and Planned Development Districts**.

Size of Property: N/A
Present Zoning: N/A
Present Use: N/A
Most Nearly Bounded By (streets): N/A

Adverse Influences: N/A

Positive Influences: This Text Change, as presented would remove a duplicate record pertaining to Cannabis Specific Uses.

Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this proposed Text Amendment to the LDO, as of December 11, 2025.

Comments/ Recommendations: The section of text to be considered for change/modifications are as follows:

Section 23-4-1 (C) Use Table: Nonresidential and Planned Development Districts

TABLE 23-4-1(C): USE TABLE - NONRESIDENTIAL AND PLANNED DEVELOPMENT DISTRICTS																
P = PERMITTED USE C = CONDITIONAL USE																
A = ALLOWED SUBJECT TO A PLANNED DEVELOPMENT MASTER PLAN BLANK CELL = PROHIBITED USE																
USE CATEGORY	SPECIFIC USE	NONRESIDENTIAL BASE DISTRICT							PLANNED DEVELOPMENT DISTRICT						USE-SPECIFIC STANDARDS (SECTION)	
		LB	NB	CB	RB	DT	I	WF	SB	PD-L	PD-M	PD-C	PD-R	PD-T		PD-I
COMMERCIAL USES																
Retail Sales and Service	Medical Cannabis Dispensary or Cannabis research facility or Cannabis testing facility		P	P	P	G	P	G								23-4-3(D)(8)n

Options:

1. Recommend approval of this Text Amendment to the Land Development Ordinance, removing a duplicate record pertaining to Cannabis Specific Uses, as noted.
2. Recommend denial of this Text Amendment to the Land Development Ordinance, as offered.

1 BILOXI PLANNING COMMISSION MEETING
 2 DECEMBER 18, 2025
 3 COMMUNITY DEVELOPMENT,
 4 DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,
 5 676 DR. MARTIN LUTHER KING JR. BOULEVARD,
 6 BILOXI, MISSISSIPPI,
 7 BEGINNING AT 2:00 P.M.

9
 10 **PLANNING COMMISSION MEMBERS PRESENT:**
 11 Charlie Dellenger, Chairman
 12 Ronnie Bogard
 13 Kyle Carron
 14 Steve Delahousey
 15 Dr. Larry Drawdy
 16 Joe King
 17 Gary Lechner
 18 Debora Magee
 19 August Parker
 20 Jimmy Poulos
 21 Shante' Shaw
 22 John Snow
 23 David Stanovich
 24 Michael Todaro

25 **ALSO PRESENT:**
 Jerry Creel, Director of Community Development
 Felicia Serpas, Senior Planner
 Caryle Lena, Planner I

REPORTED BY:
 Simpson Burdine & Miguez

1 **CHAIRMAN DELLENGER:**
 2 Call the Planning Commission meeting to
 3 order.
 4 Record the members present.
 5 Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee,
 6 Ms. Shaw, Mr. Stanovich, Mr. Bogard,
 7 Mr. Delahousey, Dr. Drawdy, Mr. Carron, Mr. King,
 8 Mr. Snow, Mr. Poulos; myself, Dr. Dellenger.
 9 We also have Felicia Serpas, Senior
 10 Planner; Jerry Creel, Director of Community
 11 Development; Caryle Lena, Planner. I don't see
 12 any councilmen in the audience. And Melissa
 13 Rodolfich, court reporter.
 14 Steve, if you would, please lead us in a
 15 prayer.
 16 **MR. DELAHOUSEY:**
 17 Yes.
 18 (Moment of prayer.)
 19 **CHAIRMAN DELLENGER:**
 20 Mr. Poulos, will you lead us in the
 21 pledge, please?
 22 (Pledge of Allegiance.)
 23 **CHAIRMAN DELLENGER:**
 24 I would like to welcome everyone to the
 25 Planning Commission meeting and remind you that if

1 **C-O-N-T-E-N-T-S**

3 CONTINUED PUBLIC HEARING(S) :	PAGE:
4 25-046-PC	5
6 NEW PUBLIC HEARING(S) :	
7 25-047-PC	11
8 25-048-PC	33
9 25-049-PC	36
10 25-050-PC	51
11 25-051-PC	100
12 TREE HEARING(S) :	
13 (None)	--

1 you come up to speak that you please write your
 2 name and address in the book and state your name
 3 and address for the record.
 4 Please silence all your cell phones.
 5 And we are going to have a time of four minutes
 6 when you come up and speak, so please be
 7 respectful if your four minutes is up that you
 8 don't keep going and take up everybody else's
 9 time, please.
 10 If everyone has had a chance to review
 11 the Planning Commission minutes from the last
 12 meeting, can I have a motion?
 13 **MR. DELAHOUSEY:**
 14 Move to approve motion.
 15 **MR. POULOS:**
 16 Second.
 17 **CHAIRMAN DELLENGER:**
 18 Motion by Mr. Delahousey; second by
 19 Mr. Poulos.
 20 All those in favor, please signify by
 21 raising your hand.
 22 (Unanimous vote.)
 23 **CHAIRMAN DELLENGER:**
 24 All opposed?
 25 (None opposed.)

1 those are already short-term rentals and some of
 2 them are -- I think actually have businesses in
 3 them. So that's -- out of 295 of them, we're
 4 talking 10 or 15 existing homes.
 5 CHAIRMAN DELLENGER:
 6 Is there any other discussion?
 7 (No response.)
 8 CHAIRMAN DELLENGER:
 9 Okay. We have a motion and a second.
 10 All those in favor, please state by
 11 raising your hand.
 12 Mr. Lechner, Mr. Parker, Mr. Todaro,
 13 Ms. Magee, Ms. Shaw, Mr. Stanovich, Mr. Bogard,
 14 Mr. Delahousey, Dr. Drawdy, Mr. Carron, Mr. King,
 15 Mr. Snow, Mr. Poulos; and myself, Mr. Dellenger.
 16 We'll let the record show that's unanimous.
 17 And next case we have is
 18 Number 25-049-PC, City of Biloxi. This is a
 19 request to consider a text amendment to the Land
 20 Development Ordinance related to Table 23-4-1(C),
 21 removing a duplicate record pertaining to Cannabis
 22 Specific Uses. This case was advertised
 23 November 28th, December 5th and December 12th.
 24 MS. SERPAS:
 25 There is no video on this one.

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1 speak in favor?
 2 (No response.)
 3 CHAIRMAN DELLENGER:
 4 Anyone speaking against?
 5 (No response.)
 6 CHAIRMAN DELLENGER:
 7 All right. We will consider that
 8 hearing closed.
 9 I think you've heard what this is about,
 10 if we have a motion to approve.
 11 MR. DELAHOUSEY:
 12 Motion.
 13 MS. SHAW:
 14 Second.
 15 CHAIRMAN DELLENGER:
 16 Motion Mr. Delahousey; second by
 17 Ms. Shaw.
 18 Any discussion?
 19 There being no discussion, please vote
 20 by raising your hand, please.
 21 Mr. Lechner, Mr. Parker, Mr. Todaro,
 22 Ms. Magee, Ms. Shaw, Mr. Stanovich, Mr. Bogard,
 23 Mr. Delahousey, Dr. Drawdy, Mr. Carron, Mr. King,
 24 Mr. Snow, Mr. Poulos; myself, Mr. Dellenger. Let
 25 the record show that's unanimous.

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1 CHAIRMAN DELLENGER:
 2 Jerry, is this --
 3 MR. CREEL:
 4 We'll let Felicia explain this one.
 5 MS. SERPAS:
 6 This is just a housekeeping case. We --
 7 a couple of years ago or maybe it was last year,
 8 we took away the dispensary in the Downtown. We
 9 had it as conditional use and then we took it away
 10 from the Downtown zoning and that was left in our
 11 ordinance, so we had two of the same cannabis
 12 dispensary categories conflicting each other, so
 13 we just are deleting this one, so it's just
 14 housekeeping.
 15 MR. CREEL:
 16 We're removing the conflicting language
 17 that was in there.
 18 MS. SERPAS:
 19 Yes.
 20 CHAIRMAN DELLENGER:
 21 Any questions by the Planning Commission
 22 members about this?
 23 (No response.)
 24 CHAIRMAN DELLENGER:
 25 Is there anyone else in the audience to

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1 Next case we have is Case
 2 Number 25-049-PC, Randall Mark Hengen, et al,
 3 owner, and J. Breaux Enterprises, LLC, applicant,
 4 which is a request for a preliminary subdivision
 5 approval for a 29-lot single-family residential
 6 subdivision submitted under the working title
 7 "Landers End Subdivision" to be constructed upon a
 8 parcel of land measuring 12.5 acres, more or less,
 9 in size and identified as an unaddressed parcel
 10 fronting Brodie Road, Tax Parcel Number
 11 1309D-01-006.000. This was advertised on
 12 December 5th and December 12th.
 13 Felicia, can we see the video, please?
 14 MS. SERPAS:
 15 This is looking toward Reunion Place
 16 subdivision. I'm sorry. That's the Reunion Place
 17 subdivision. And this is the property right here.
 18 It's wooded. Okay.
 19 CHAIRMAN DELLENGER:
 20 Is Mr. Hengen or his representative or
 21 anyone from Breaux here?
 22 MR. FOUNTAIN:
 23 Freddie Fountain representing J. Breaux
 24 Enterprises.
 25 Again, Freddie Fountain with Fountain

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