

MINUTES
WAVELAND PLANNING & ZONING COMMISSION
SPECIAL MEETING WORKSHOP
APRIL 10, 2023

A special meeting of the Waveland Planning & Zoning Commission was held at 6:00 pm on Monday, April 10, 2023 at Waveland City Hall in the Board Room located at 301 Coleman Ave, Waveland, MS 39576.

Chairman Bryan Frater called the meeting to order at 6:01pm. Present at the meeting were Commissioners Barbara Coatney, Greg Poindexter, and Chad Whitney. Also present was Zoning Official, Jeanne Conrad. Commissioner Matt Touart and City Attorney, Ronnie Artigues Jr., were not present.

Chairman Frater called for a motion to open discussion on amendments to the Zoning Ord. #349 Article IV: General Regulations. Commissioner Whitney made the motion, seconded by Commissioner Coatney, to open discussion.

After a unanimous vote of yes by all commissioners present, Chairman Frater, declared the motion passed.

Commissioner Whitney started the discussion with the mention of the City's Comprehensive Plan. The Commissioners decided to go forward with recommended changes and recommendations are contingent upon the Comprehensive Plan.

After lengthy discussion between the Zoning Commission, Zoning Official, with comments from Jim Meggett, Jeremy Burke, and Mathew Adams from the audience throughout, the recommended changes that the Planning and Zoning Commission are as follows:

1. Section 401.4 Use will include new wording for temporary structures: "Temporary structures, including but not limited to shipping containers, storage containers, and the like, are prohibited as permanent residential dwelling but may be used as temporary storage during new construction of a permanent primary structure with a building permit."
2. Section 401.5 Approved Water Supply and Sewage Disposal for Building change the word "building" to permanent habitable dwelling. The new wording will be "It shall be unlawful to construct any permanent habitable dwelling or occupy any mobile home or manufactured home without water supply and sewer disposal...etc."
3. Section 401.6: reference the definition of a "nuisance" in the description. The new wording will be "No nuisance as defined in Section 302.7, shall be allowed as a permitted, conditional, or non-conforming use."
4. Section 401.8 Residential Planned Development Projects: Subsection C.2 "Wherever there is an abrupt change in use (i.e. residential to commercial), it is desirable that a buffer area of open space, protective planting, **or solid fence** be placed between the land uses which will protect each use from the undesirable affects of each other.
5. Section 404. Regulations for Auto Oriented Commercial Establishments: This type of business will only be allowed in the C-3 Highway Commercial District.
6. Section 701.8 Accessory Buildings (in R-1 Single Family Residential District): Increase the allowable sizes for accessory structures contingent upon the size of the lots.
The sizes would be as follows:
500 sq. ft. for all properties up to 8,500 sq. ft. in lot size,
750 sq. ft. for properties 8,501 sq. ft. to 12,500 sq. ft. lot size,
1,000 sq. ft. for properties 12,501 sq. ft. to 15,000 sq. ft.
15,001 sq. ft. properties will be allowed up to 1,500 sq. ft. accessory structure.
Any request for accessory structure over 1,500 sq. ft. will be required to submit a Conditional Use request.

Chairman Frater called for a motion to advertise for the adoption of the recommended changes at a P&Z Public Hearing on Monday, May 15, 2023 in conjunction with the P&Z Regular Meeting. Commissioner Whitney moved, seconded by Commissioner Poindexter to advertise the recommended changes for a Public Hearing on Monday, May 15, 2023 at 6:00 pm.

After a unanimous vote of yes by all commissioners present, Chairman Frater declared the motion passed.

No Recommended changes for Sections 402 Regulations for Continuing Non-Conforming Existing Uses and Structures nor Section 403 Regulations for Off-Street Parking and Loading Areas.

At this time, the Planning and Zoning Commission decided to table the remaining sections of Article IV to the next P&Z Meeting on Monday, April 17, 2023 at 6:00 pm because of time constraints.

Chairman Frater called for a motion to table section 405-409 of Article IV of the Zoning Ord. #349 and the discussion for changes to the Protected Tree Ord. #379 to the next P&Z Meeting on April 17, 2023 at 6:00. Commissioner Coatney moved, seconded by Commissioner Whitney to table the items.

After a unanimous vote of yes by all commissioners present, Chairman Frater declared the motion passed.

Chairman Frater then moved to the next item on the agenda and called for a motion to open the discussion for a Short-Term Rental Ordinance. Commissioner Whitney moved, seconded by Commissioner Coatney to open the discussion.

After a unanimous vote of yes by all commissioners present, Chairman Frater declared the motion passed.

The Commissioners discussed enforcing a 3% sales tax and other fees with a required Privilege License for all Short-Term rentals with the City of Waveland. After all discussions, the Commission decided to recommend the enactment of a 3% sales tax on all Short-Term Rentals and to table the discussion for the new Ordinance to the next P&Z Meeting on Monday, April 17, 2023 at 6:00 pm.

Chairman Frater called for a motion to recommend the enactment of a 3% sales tax on all Short-Term Rentals and to table the discussion for the new Ordinance to the next P&Z Meeting on Monday, April 17, 2023 at 6:00 pm. Commissioner Whitney moved, seconded by Commissioner Coatney.

After a vote of yes by Commissioners Whitney and Coatney and a vote of no by Commissioner Pondexter to table the discussion, Chairman Frater declared the motion passed.

Chairman Frater then called for public comments. Mr. Jim Meggett came forward with a brief comment on the Protected Tree Ordinance. Mr. Mathew Adams came forward to make a request to the Commissioners and then the Board of Mayor and Aldermen to create less restrictions in the Zoning Ordinance in order for the Citizens to have more property rights.

With no other comments, Chairman Frater called for a motion to adjourn the meeting. Commissioner Whitney moved, seconded by Commissioner Poindexter to adjourn the meeting.

After a unanimous vote of yes by all commissioners present, Chairman Frater declared the motion passed and the meeting adjourned at 9:01 pm.

Respectfully submitted,

Jeanne Conrad, Zoning Official