

CITY OF WAVELAND
PLANNING & ZONING COMMISSION
SPECIAL MEETING AGENDA
MAY 8TH, 2023 6:00 PM

1. Call to Order / Roll Call.
2. Motion to approve the minutes from the Planning & Zoning Meeting held Monday, April 17, 2023.
3. Tabled from April 17, 2023 - Scott Harris, owner of the property commonly known as 241 Gulf Dr., parcel #162Q-1-10-046.000, has made an application of a Conditional Use in order to construction an accessory structure over 500 sq. ft. and to build the structure before the primary structure. The proposed accessory structure will be 840 sq. ft. and will meet all minimum setbacks per Zoning Ordinance #349.
4. Motion to continue tabled items from the Planning & Zoning Special Meeting Workshop 1 held Monday, April 10, 2023 and tabled at the Regular Meeting held Monday, April 17, 2023; Article IV: General Regulations Sections 405-409.
5. Motion to adopt changes recommended for Article IV: General Regulations Sections 405-409 as discussed in tonight's meeting and send recommendations to the Board of Mayor and Aldermen at their next Regular Meeting on Wednesday, May 17, 2023 at 6:30 pm.
6. Motion to discuss amendments to the Zoning Ordinance #349 Article V: Establishment of Zoning Districts and part of Article VI: Use Requirements by Zoning District Sections 601-603.
7. Motion to adopt changes recommended for Article V: Establishment of Zoning Districts and part of Article VI: Use Requirements by Zoning District Sections 601-603 and send recommendations to the Board of Mayor and Aldermen at their next Regular Meeting on Wednesday, May 17, 2023 at 6:30 pm.
8. Comments from Chair, Commissioners, & Staff
9. Public Comments to the Commissioners
10. Adjourn: AT _____ P.M.

Item #3

Scott Harris

241 Gulf Dr.

Conditional Use

1. Accessory Structure over 500 sq. ft.

Proposed structure will be 840 sq. ft.

No variances needed for setbacks

**2. Request to build accessory structure
before primary dwelling.**



HOSPITALITY CITY
Building/Zoning Department
301 Coleman Avenue
Waveland, MS 39576
(228)466-2549
(228)467-5177 FAX

Application for Conditional Use

302.16 Conditional Use: A conditional use is a use that would not be appropriate generally or without restriction through the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning districts as conditional uses, if specific provisions for such conditional use are made in this zoning ordinance.

Name of Applicant: Scott + Teresa Harris Date of Application: 3-16-23
Phone#: 262 515 4667 E-mail (optional): teresascott77@hotmail.com
Property Physical Address(s) or Parcel #(s): 241 Gulf Dr
Mailing Address (if different): 9155 Cadchman Dr, Venice Fl. 39293
Current Zoning District: _____ Flood Zone: _____
Conditional Use Request: To Construct a 24' x 35' Garage, 10' side walls, the mean height of approx 12', all set backs will be per Waveland codes.

(Note: To submit a Conditional Use Application you must provide proof of current ownership or a document from the current owner granting you permission to seek a Conditional Use (specific to use) for this property.)

906.3 Conditional Uses: Subject to the provisions of Sections 901 and 902 of this Article, the Planning and Zoning Commission shall set a hearing and make a recommendation to the Board of Mayor and Aldermen to grant a conditional use for the uses enumerated as conditional uses in any district as herein qualified and may impose appropriate conditions and safeguards including a specified period of time for the use to protect property and property values in the neighborhood.


Applications for conditional use for uses authorized by this Ordinance shall be made to the Planning and Zoning Commission. A public hearing shall be held, after giving at least fifteen (15) days' notice of the hearing in an official paper specifying the time and place for said hearing. The application shall be specified by the governing authority. The Planning and Zoning Commission will investigate all aspects of the application giving particular regard to whether such use will:

1. Substantially increase traffic hazards or congestion.
2. Substantially increase fire hazards.
3. Adversely affect the character of the neighborhood.
4. Adversely affect the general welfare of the city.
5. Overtax public utilities or community facilities.
6. Be in conflict with the Comprehensive Plan.

If the findings by the Planning and Zoning Commission relative to the above subjects are that the City would benefit from the proposed use and the surrounding area would not be adversely affected, then the Commission may recommend the project for approval to the Board of Mayor and Aldermen.

B. Any proposed conditional use shall otherwise comply with all regulations set forth in this Zoning Ordinance for the district in which such use is located.

Please provide a letter providing as much detail as possible regarding the proposed Conditional Use, including but not limited to description of purpose of the conditional Use. Please review the above items regarding what the Planning and Zoning Commission will consider, and if applicable address any of the items in your letter).

Applicant Signature:  Terese Harman

Date: 3-16-23

Zoning Official Sign-Off:  J. M. Conrad

Date: 3/28/23

If you have any questions regarding submitting your application please contact:

Jeanne Conrad
Zoning Department
(228) 466-2549
jconrad@waveland-ms.gov

Waveland Zoning Board:

We are requesting a conditional use permit to build a garage on our property at 241 Gulf Dr before we build our house.

The reason we are asking for the permit is we had a change in our current living conditions. Recently my 93 year old father moved in with us for full time care, thus putting our home building plans on hold for a time. We are currently renting two storage units and having a building on our property would ease the financial burden of paying storage fees. Having a garage will also help during the building process.

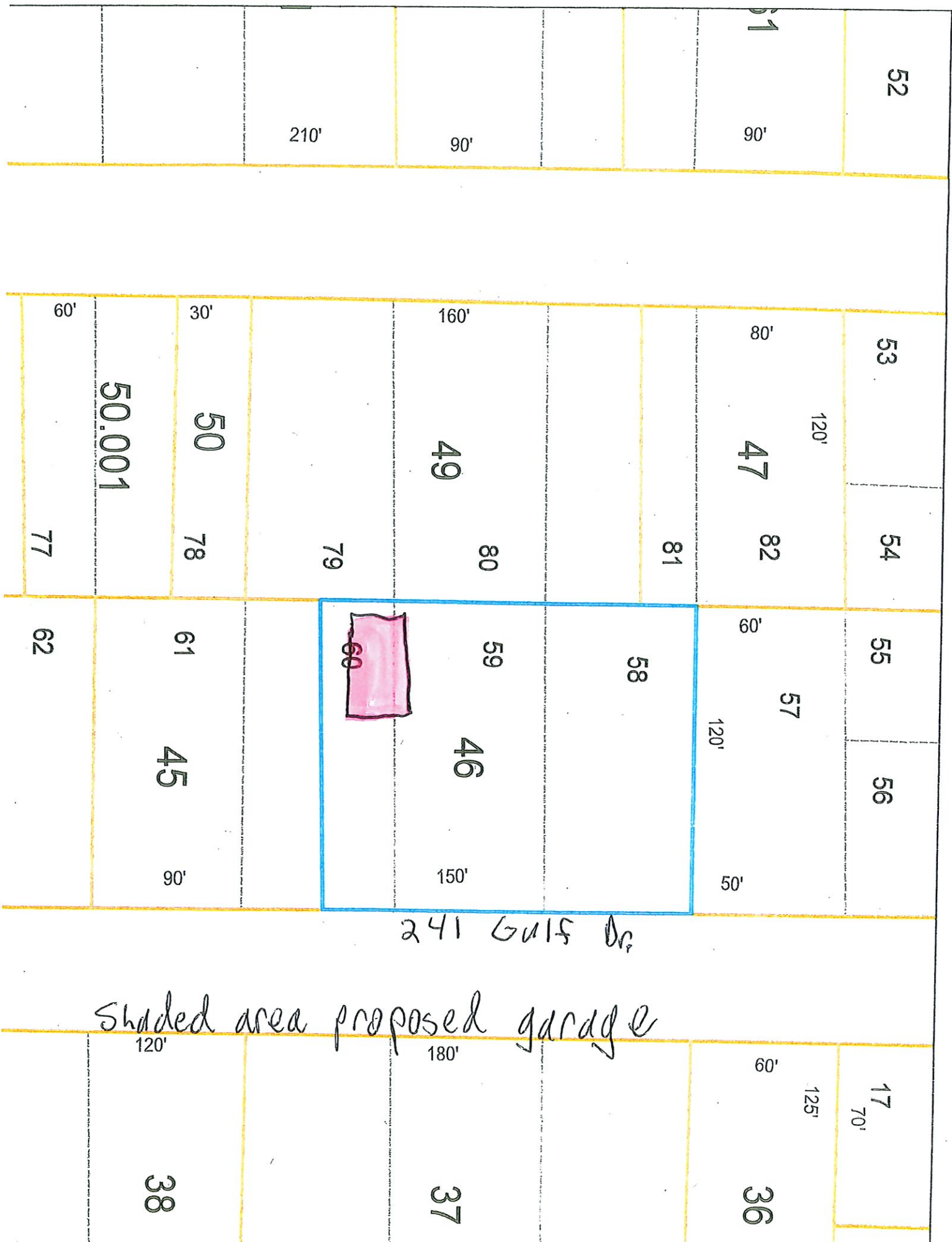
The size of the building is 24 X 35 equaling 840 sq ft.

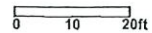
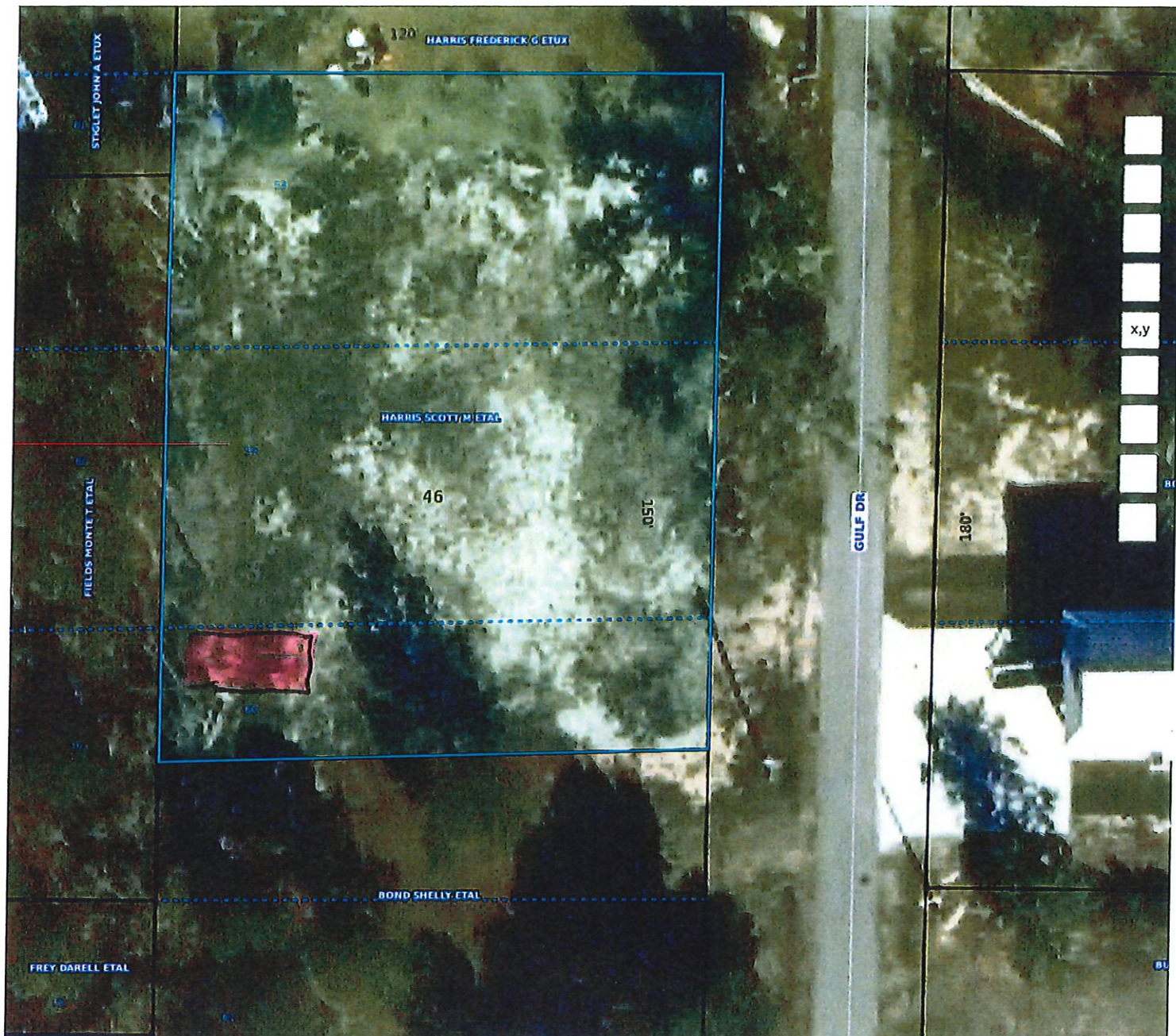
The building will be constructed to all codes and all setbacks will be followed.

There will be no utilities attached to the garage until the home building process is started.

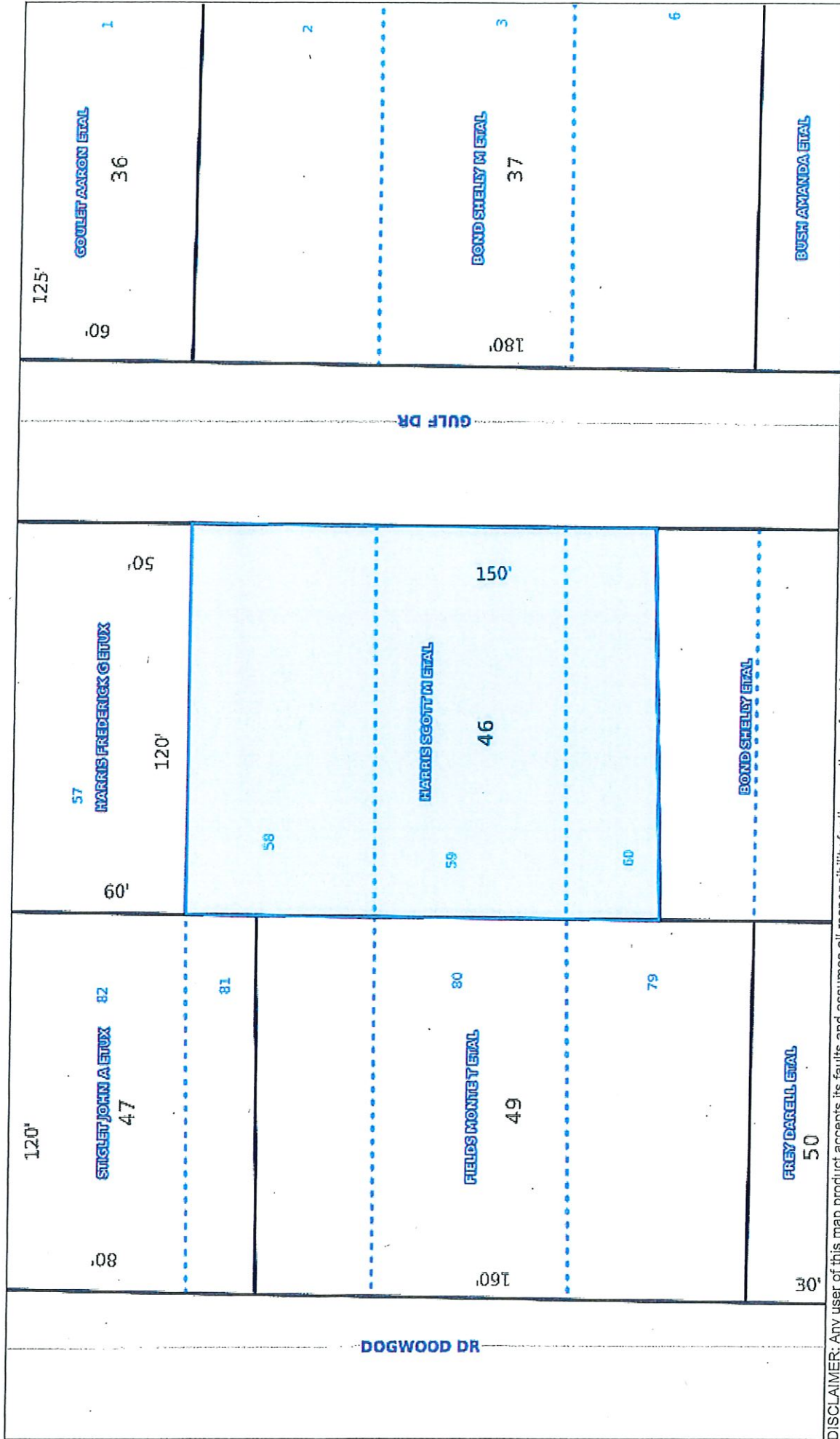
Thank you for your consideration for our request,

Scott and Teresa Harris



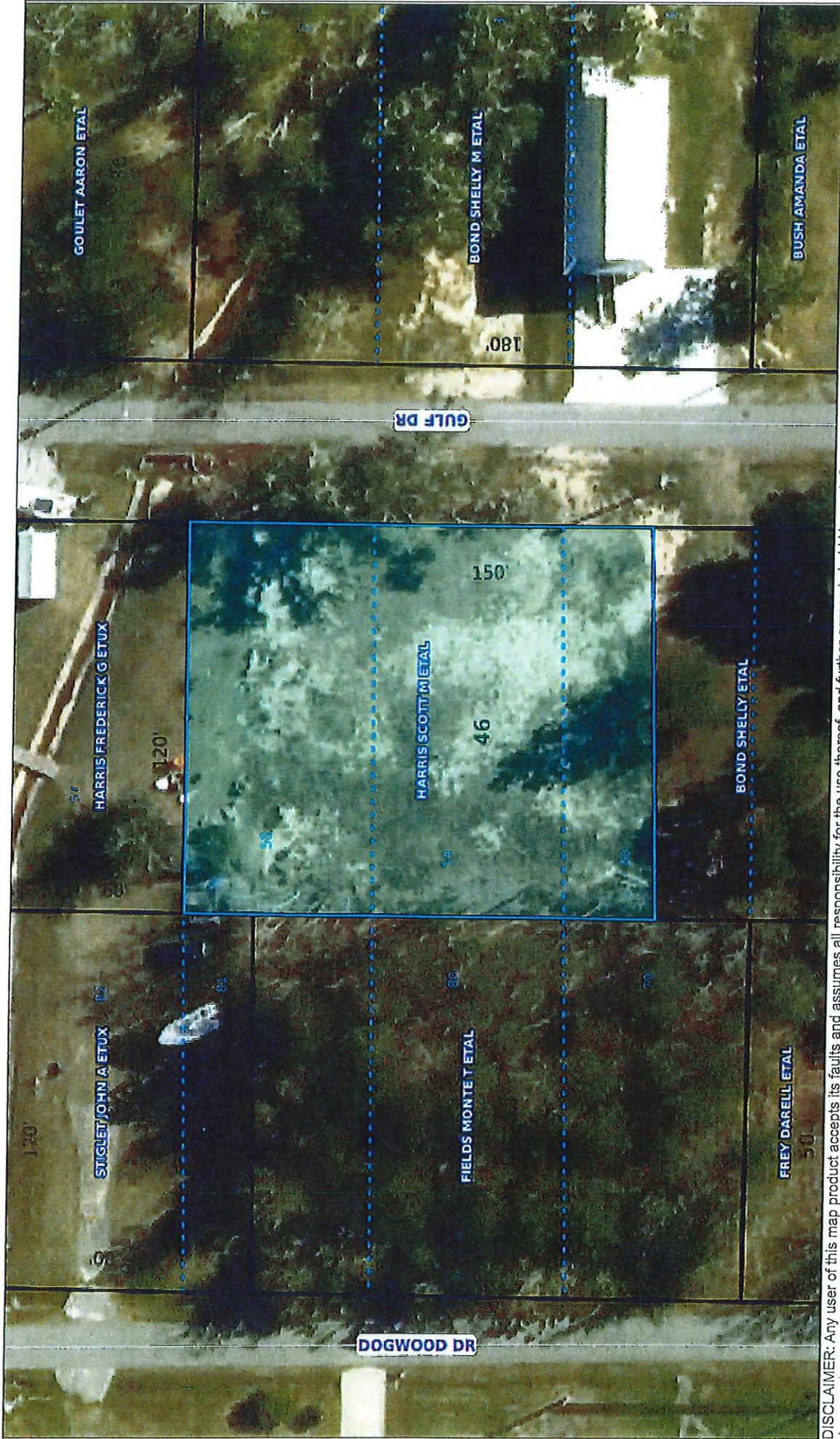


Geoportal Map



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

Geoportal Map



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162Q-1-10-046.000

Parcel Number: 162Q-1-10-046.000
Owner Name: HARRIS SCOTT M ETAL
Owner Address: 9155 COACHMAN DR
Owner City, State ZIP: VENICE, FL 34293
Physical Address: 241 GULF DR
Improvement Type:
Year Built: 0
Base Area: 0
Adjusted Area: 0
Actual Total Value: 14490
Taxable Total Value: 0
Estimated Tax: 273.51
Homestead Exemption: No
Deed Book: 2020
Deed Page: 13191
Legal Description 1: 58,59,N 1/2 60 GULF GARDENS
Legal Description 2: S/D
Legal Description 3:
Legal Description 4:
Legal Description 5:
Legal Description 6:
Longitude: -89
Latitude: 30
Square Footage: 18475.98

Item #4

Waveland Zoning Ordinance #349

Tabled from “Workshop” 1

Article IV: General Regulations

Sections 405-409

Section 405. Regulations for Signs

405.1 Purpose

This section is intended to provide a comprehensive system of signs and advertising displays consistent with traffic safety and with due regard to business opportunities, the environment of residential neighborhoods, community appearance and property values in all districts.

405.2 See Definitions in Section 302

405.3 Applicability

- A. A sign may be erected, placed, established, painted, created or maintained only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance and all other applicable laws, ordinances, and regulations. Temporary and permanent signs requiring a permit shall comply with the permitting procedures established herein and shall be erected or installed only after issuance of such a permit and in accordance with such permit.
- B. Existing permanent signs legally erected prior to the effective date of this ordinance may remain in place and in use, subject to restrictions on modification, replacement and other actions. Certain temporary signs, including banners and portable signs, shall be subject to removal in accordance with this section.
- C. Any business sign or billboard legally existing prior to the effective date of this ordinance or which this section is a part and which does not conform to the provisions of this section shall not be altered or changed in overall dimension, except to conform to the provisions of this section. If damaged to an extent in excess of one-half of its current replacement value, it shall not be rebuilt, provided that nothing contained in this section shall be construed to prevent normal maintenance and repairs, repainting or posting of such signs or structures.
- D. Holders of permits for signs issued legally prior to the effective date of this ordinance may erect the permitted signs within the times allowed by such permits. Such permits may not be extended or amended unless the permitted sign will conform to all of the requirements of this section.

405.4 Exempt Signs

- A. Government and public utility signs when concerned with the safety, traffic regulations, giving directions, or legal notice requirements.
- B. Flags of any unit of government.
- C. Decorations, including light displays, in connection with generally recognized holidays, provided such decorations do not permit undue light within a residential district.
- D. Historical markers as recognized by Local, State, or Federal Authorities.
- E. Traffic control signs on private commercial or industrial property, such as stop, yield or similar signs, the faces of which meet the Mississippi

Department of Transportation standards and which contain no commercial message or art.

405.5 Prohibited Signs

- A. Signs which by color, location, shape, or design resemble or conflict with traffic signals, or obstruct free and clear vision of traffic as defined in applicable accepted traffic safety standards.
- B. Signs displaying matter that is deemed vulgar, pornographic, or otherwise illegal.
- C. Any sign attached to a utility pole, to a road sign, to any public utilities structure or equipment, or placed on a public right-of-way.
- D. Portable signs, except permitted temporary signs under this Section.
- E. Flashing signs, except that a small portion of the total illumination may be intermittent for purposes of emphasis or giving the illusion of movement.
- F. Temporary signs located off premise or on a public highway, street or right-of-way, except as specifically permitted under this Section.
- G. Signs attached to, suspended from or painted on any vehicles which are regularly parked on any street or private property to display, demonstrate, advertise or attract the attention of the public.
- H. Signs used as a fence or any fence used as a sign.
- I. Windblown signs consisting of fluttering, spinning, windblown or inflatable device, including pennants, streamers, and propeller discs.
- J. Signs that are attached to or painted on a roof structure, panels, or walls constructed to screen rooftop mechanical equipment or a rooftop penthouse.
- K. Abandoned signs.
 1. The Building Official shall determine that the following signs have been abandoned:
 - a. Any sign that is located on property, which becomes vacant and is unoccupied for a period of six consecutive months or more. The Building Official shall serve notice of the abandonment at the end of the six months of such vacation.
 - b. Any sign relating to or identifying an activity or establishment that is not conducted or sited on the premises for a period of six (6) consecutive months or more. The Building Official shall serve notice of the abandonment at end of the six (6) months period of inactivity.
 - c. Any sign which pertains to a time specific event, the time of which has passed, shall be deemed to have been abandoned and subject to removal in the manner herein described. The Building Official shall serve notice of the abandonment upon observation of the inapplicable sign copy.
 - d. Any sign that fails to meet the code and maintenance requirements described herein shall be deemed to be abandoned and subject to removal if the deficiencies are not

- corrected. The Building Official shall serve notice of the abandonment upon determining said deficiencies.
- e. A determination of abandonment shall include the sign's structure if the structure cannot be lawfully used or does not comply with the height, area or other physical requirements of this section.
2. Removal and Remediation.
- a. General: A sign shall be removed or its noted deficiencies remedied within thirty (30) days of written notice of abandonment to the property owner and/or tenant from the Building Official. The Building Official shall have the discretion to grant an additional thirty (30) days for the required removal or improvements to be made provided that substantial progress is being made toward removal or correcting the deficiencies and a written request for such an extension is received at least five (5) working days before the end of the initial thirty (30) day period.
 - b. Should the responsible parties to whom the abandonment notice has been made fail to timely respond to said notice, the City may remove the sign and all costs thereof shall be charged to the owner, agent, or person having the beneficial interest in the building or premises upon which the sign is located or in the sign itself.
 - c. Hazardous signs. Notwithstanding the above notice and remedial provisions, should the Building Official find that a sign's condition constitutes an imminent public hazard, the Building Official shall require the immediate removal of the sign. Should the responsible parties fail to comply, the City may remove the sign and all costs thereof shall be charged to the owner, agent, or person having the beneficial interest in the building or premises upon which the sign is located or in the sign itself.
 - d. A sign which meets the height, area, or other physical requirements of this ordinance shall not be removed from its cabinet unless a new sign will replace that sign in the structure. An abandoned sign not replaced shall be left in its cabinet structure and shall be painted or otherwise masked using a solid uniform color covering the sign.

405.6 Signs Not Requiring a Permit

Pursuant to the specific requirements and limits for the zoning district in which a sign is to be sited, the following types of signs may be allowed without a permit.

- A. Nameplates not exceeding two (2) square feet in area and bearing only the name of the occupants on premises, address, or year of construction. A nameplate may be externally illuminated to an

- extent just sufficient to make out the information items shown if passing slowly along on the public way nearest the sign.
- B. Signs that are a permanent architectural feature of the structure.
 - C. Directional signs without commercial messages that guide persons on premises are allowed in all zoning districts, however the allowable sign areas and destinations vary by zoning district.
 - D. Vehicular Entrance and Exit signs are allowed in all zoning districts provided they do not exceed four (4) square feet in area.
 - E. Temporary signs including portable signs announcing non-commercial open to the public such as carnivals and festivals do not require a permit. Such signs are exempt from the requirements of being on the same property as the activity advertised, provided such signs are:
 - 1. Limited to one sign per parcel frontage;
 - 2. Placed only on property with the permission of the owner;
 - 3. Erected not more than thirty (30) days prior to the event advertised;
 - 4. Removed no later than three (3) days following the end of the event advertised.
 - F. Yard Sale Signs:
 - 1. One on-premise sign advertising a yard or garage sale is allowed per parcel, provided such signs are:
 - (a). Not greater than three (3) feet in area;
 - (b). Erected not more than seven (7) days prior to the event;
 - (c). Removed within two (2) days after the event.
 - 2. Lead-in (directional) off-premise yard sale signs are permitted from Friday noon to Monday noon.
 - G. Real Estate Signs. One sign to advertise the offering of a property for sale, rental or lease on each public way on which the property has frontage. The allowable size of the real estate sign varies according to the zoning district in which it is sited.
 - H. Construction Signs. One construction sign indicating the parties involved in the project such as contractors, financial interests, engineers, and the potential occupant(s). The allowable sign area of a construction sign varies according to the zoning district in which it is sited. A construction sign may be displayed as long as the construction is actively underway. If no significant construction activity is evident at a signed construction site for a period of sixty (60) days or more, the Building Official will notify the owner to remove the sign within sixty (60) days, and after that time the Building Official may remove the sign and assess the owner of the property for the removal expenses incurred by the City.
 - I. Political Signs. Non-illuminated political signs not to exceed a total of thirty-two (32) square feet of total sign area per one hundred (100) feet of street frontage are allowed in all zoning districts. Such

signs shall not be erected more than sixty (60) days prior to the election or referendum concerned and shall be removed within ten (10) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.

- J. Window signs up to two (2) square feet and not internally illuminated are allowed in all zoning districts.
- K. Menu Board Signs. Where a drive through food service establishment is a permitted use or approved as a conditional use, the establishment may display one back to back menu sign not exceeding thirty-two (32) square feet in area, provided that the sign is not readily visible from the public way.
- L. Gas Price Signs. Where retail fuel sales are permitted, or approved as a conditional use, a fuel retailer may display one back to back Fuel Price Sign not exceeding thirty-two (32) square feet in area.

405.7 Sign Permit Required.

- A. Except as provided in this section, no sign may be erected or displayed within view of a public street or way unless the Building Official has issued a permit pursuant to this section.
- B. On-Premise Signs Permitting. Applications to the Building Official for a sign permit shall put forth in writing and illustrations all of the following information:
 - 1. The name, address and phone number of the applicant, the name of the property owner, and the property location.
 - 2. For all signs subject to permit, the overall height (or position on a building), shape, dimensions, area, materials, method of support or attachment, lighting, location of the property, and planned date of erection.
 - 3. A drawing to scale of the sign, clearly showing internally lighted or moving, or both, components. When the sign is an attached type, the building façade will be shown in the drawing or in an accompanying photograph.
 - 4. The location, dimensions, and height (or position on a building) of existing signs displayed by the same interest of activity.
 - 5. A site plan drawn to scale, showing the location of the proposed sign, and all other signs displayed by the same interest or activity.
 - 6. Whether the sign is within the area and height limits for the applicable category of activity as required.
- C. Off-Premise Advertising Sign Application. In addition to the information noted in Subsection B, applications for off-premise advertising signs shall contain the following information:
 - 1. The name of the person, firm, corporation, or business that will be erecting the sign.

2. A statement that evidence of the required liability insurance is on file with the Building Official.
 3. Proof of approval from the Mississippi Department of Transportation to erect the sign.
 4. Proof that the applicant is legal owner of the property where the sign is to be erected, or a copy of a valid lease from the legal owner of the property permitting the applicant to erect and maintain the sign.
 5. The fee for a permit application will be proportional to the value of the sign, using the same schedule as applies to building permits for commercial construction at the time of the application.
 6. Applications for a permit to erect a sign made by an individual or corporation, who has previously erected a sign deemed to be in noncompliance with the provisions of this ordinance shall not be considered until the deficiencies cited with the previous sign are remedied.
- D. Actions of the Building Official in response to an application to permit a sign:
1. The Building Official will determine if the information submitted pursuant to Section 405.7B and 405.7C is complete, and if the proposed sign complies with all requirements and standards of this ordinance. If the sign does not conform to said requirements and standards, the Building Official will advise the applicant as to how to bring the proposed sign into conformity therewith.
 2. The Building Official will, after studying the application, act to approve, approve with modifications, or disapprove. If the action is disapproval, the applicant will be advised of the reasons and procedures for application for hearing by the Board of Mayor and Aldermen.

405.8 General Sign Requirements and Standards.

- A. No portion of any sign shall be located within the public right-of-way (ROW). This includes all above ground and below ground supports, frames, and embellishments or any portion of a sign, attached to, affixed to, or painted on a utility pole, light standard, utility box or any pedestal, tree, rock or natural object located within the public right-of-way.
- B. No sign shall be located in a manner which creates a traffic hazard.
- C. No sign shall be located in such a manner to impair ingress and egress through windows, doors or other means of entering or exiting from a structure or building.
- D. All signs shall be installed and maintained in compliance with the applicable provisions of the building code and the electrical code of the City of Waveland and the requirements of the Mississippi Department of Transportation.
- E. All signs and their immediate environs shall be maintained in good condition and appearance. Signs shall remain clean, understandable to

viewers, and clear of all markings, or postings not part of the permitted sign.

F. Illuminated Signs.

1. Illuminated Signs shall not have blinking, flashing or other illuminating devices which change light intensity, brightness or color. Beacon lights are not permitted. Automatic changing signs displaying time, temperature, date or electronically controlled message centers are permitted subject to the requirements herein.
2. The light for or from any illuminated sign shall be so shaded, shielded or directed that the light intensity will not be objectionable to surrounding areas.
3. No colored lights shall be used on any sign at any location in any manner so as to be confused with or construed as traffic control devices.
4. Neither direct nor reflected light from a primary light source shall create a traffic hazard to operators of motor vehicles on public thoroughfares.

G. Electronic reader boards shall constitute no more than thirty (30) percent of a sign surface area and shall present messages in fonts other than dot matrix patterns and shall be integrated into the overall sign design. Messages shall not change in less than sixty (60) second intervals.

H. General Sign Measurement Rules.

1. As a general rule the area of a sign shall be determined as the area of the smallest rectangle or sum of contiguous rectangles which completely encompass the sign message, including letters, words and graphic elements. This method of measurement shall also apply to word and graphics elements painted onto windows, awnings and canopies.
2. The height of a freestanding sign shall be measured from the highway or street grade to which the sign is oriented or to the average grade of the site on which the sign is located to the top of the sign or any appurtenance extending above same. Any change in the site's grade specifically to increase the sign's height shall be included in measuring the sign's height.
3. The area of internally illuminated signs and signs consisting of a permanent structure with panels designed to be removed and/or replaced for periodic maintenance or change of tenant(s) shall be computed as the smallest rectangle that will encompass the extreme limits of the illuminated or changeable panels and framing structure less than three (3) inches wide, regardless of sign space or whether or not open space exist. Any cut outs or extensions shall be included in considering the total area in the case of separate signs sharing a common structure however, the open spaces between the panels shall not count as sign area.
4. Only the area of one face of signage with two faces shall be considered in determining the area of a two-faced sign, provided

the two faces are joined at an angle of not more than ninety (90) degrees. Fifty (50) percent of the area each face with three (3) or more faces shall be considered in determining the area of a sign with three (3) or more faces.

5. The face and frame of a sign that includes the name of individual occupants and provides an area for changeable or electronic copy shall count toward the total area of the sign for signs of multi-occupant, changeable copy or electronic signs.
6. The signable area of the wall sign of a building is that area which is free of architectural details on the façade of the building or part of the building in which the activity associated with the sign is located.
7. In certain zoning districts the allowable wall sign area is determined as a percentage of the total signable area based on the use of the structure to which it is applied or attached.
8. A sign consisting of irregular, non-rectangular shapes shall be allowed to exceed its area requirements by thirty (30) percent where thirty (30) percent or more of the sign's area consists of open space and/or cutouts.
9. The single largest face of back to back and "V" signs will be used to determine permitted sign area for off-premise signs, provided the two sign faces intersect at an angle of ninety (90) degrees or less.

405.9 Specific Requirements for Temporary Signs.

- A. The display of temporary signs other than banners, which announce commercial events or activities are to be permitted pursuant to the following requirements:
 1. Each sign and each display period therefor requires a permit.
 2. No person, firm, entity, business, or corporation shall be entitled to more than two (2) temporary sign permits per calendar year.
 3. A temporary sign must be on the premises of the activity or event noted on the sign.
 4. A temporary sign may be displayed for up to thirty (30) days following the start date stated in the permit or until the event or activity noted on the sign ceases, whichever shall occur first.
 5. A temporary sign may be portable provided it is solely displayed on the premises for which the permit was issued.
 6. Light or audio displays may be permitted as temporary signs if the Building Official determines that the instance will not allow an undue presence of light or sound in any residential area.
- B. In addition to the above display of temporary signs, banners are to be permitted pursuant to the following requirements:
 1. For each commercial activity banners are allowable for a total of one (1) period of two (2) weeks in duration per quarter for each year, however no two (2) periods may be consecutive.
 2. Banners must be on the premises of the activity or event noted on the sign.

3. An individual banner or group of banners simultaneously displayed on a parcel shall not exceed twenty-five (25) square feet in total area.
4. Banners shall not be located within twenty (20) feet of any street. If such a setback is not possible because of the proximity of the business property to the street, the Building Official may approve a lesser setback provided that the public safety is not compromised.
5. The permit fee for a banner shall be \$15.00 per application until modified by Resolution of the Board of Mayor and Aldermen.

405.10 Specific Requirements for Permanent Signs.

- A. Awning, Canopy and Window Signs
 1. The copy area of an awning, canopy or permanent window sign shall not exceed thirty (30) percent of the awning, canopy or window pane, section or door or grouping of such.
 2. Awning and canopy signs shall not be illuminated.
- B. Projecting Signs.
 1. A projecting sign shall not extend horizontally more than four (4) feet beyond the surface to which the sign is attached.
 2. Where public sidewalks exist, projecting signs may extend over the public right-of-way by up to four (4) feet beyond the right-of-way line, provided there is a clearance of nine (9) feet above the sidewalk surface.
 3. No permit shall be issued for any sign overhanging the public right-of-way in accordance with this ordinance unless the applicant posts a bond, or public liability insurance, in the amount of ten thousand (10,000) dollars per person, twenty thousand (20,000) dollars for any accident, and five thousand (5,000) dollars for property damage. Such bond or liability insurance shall remain in force at all times while such signs overhangs the public right-of-way.
 4. A projecting sign shall not extend above the height of the surface of a flat roof, the mid-point of a sloping roof, or the top of a parapet wall.
 5. A projecting sign shall remain nine (9) feet above the surface of any sidewalk or pedestrian way.
 6. A projecting sign shall be attached at least six (6) inches but not more than twelve (12) inches from the building.
 7. A projecting sign must be attached at right angles to the building façade.
 8. A projecting sign may be suspended from an eave, balcony or gallery provided the width thereof is equal to, or greater than, the width of the sign.
 9. If the projecting sign contains written information other than the name of the activity, it must be placed fifty (50) feet or more from other projecting signs on the same way.
- C. Wall Signs.

1. Wall signs may be up to twelve (12) inches from wall and should be designed not to interrupt architectural details.
2. A wall sign shall have a rigid backing material at least ¼ inch thick.
3. A wall sign of boxed graphic or individual letters designed to be placed over one window and under another should be limited in height to two-thirds (2/3) of the distance between the windows.
4. A wall sign displayed by an activity of one story should not extend above the window sill of the story above or below the top of the window of a story below.

D. Off-Premise Outdoor Advertising Signs.

The following requirements for off-premise outdoor advertising signs shall be subject to any additional limitations that may be imposed by the Mississippi Department of Transportation.

1. The distance (measured horizontally) from the highway right-of-way to the nearest point of the sign shall be at least twenty (20) feet but not greater than sixty (60) feet.
2. The permitted sign area shall be one-hundred and twenty (120) to four-hundred (400) square feet.
3. No outdoor advertising sign may be erected within less than one-thousand (1,000) square feet from any other outdoor advertising sign on the same side of the highway. Said distance is to be measured on a line parallel to the highway.
4. Single side, back to back, and "V" structures which include an angle of up to forty-five (45) degrees are permitted. The single largest face of back to back and "V" signs will be used to determine permitted sign area.
5. Stacked signs shall not be permitted.
6. No point of an outdoor advertising sign structure shall be more than forty (40) feet above the roadbed of the highway, nor shall the bottom of the sign portion be less than twenty (20) feet above the roadbed; both measurements relative to the highway roadbed nearest to the sign.
7. Construction Requirements:
 - a. Only mono-pole type outdoor advertising signs shall be permitted.
 - b. The Building Official at his or her discretion may require that a registered Professional Engineer certify that the sign proposed to be constructed complies with all applicable codes.
 - c. No person or corporation shall engage in the business of outdoor advertising within the City of Waveland unless such person files and maintains with the City Building Official evidence of liability insurance in the amount of \$100,000 for property damage, \$250,000 for personal injury to any one person, and \$500,000 for personal injury growing out of one occurrence. Such insurance

policy shall be written to hold the city and its officials and employees harmless from any and all losses, damages, liabilities, and judgments resulting by reason of the erection or maintenance of any outdoor advertising sign.

8. Illumination of any outdoor advertising sign within one-hundred (100) feet of a residential area shall be diffused and indirect as seen from the residential area, and designed to the greatest practical extent to avoid any light entering the residential area.
9. In no case shall intermittent illumination be permitted when the sign is visible from a dwelling in a residential area

405.11 Signs in the R-1, R-2, M-1 and R-3 Zoning Districts

- A. Signs allowed without a permit include:
 1. Nameplates
 2. Signs that are a permanent architectural feature of a structure.
 3. Customary signs in conjunction with residential usage, such as mailbox signs, names of residents and house numbers.
 4. A non-illuminated sign, not more than five (5) inches by eighteen (18) inches attached to the mailbox, may be displayed for home occupations.
 5. Directional signs not exceeding four square feet and not containing a commercial message or logo. Directional signs are limited to providing notice of parking/no parking zones, telephones, rest rooms and entrances and exits to the site and structures thereon.
 6. One sign to advertise the offering of a property for sale, rental or lease on each public way on which the property has frontage. Such signs will be limited to an area of four (4) square feet and not be illuminated.
 7. One construction sign indicating the parties involved in the project such as contractors, financial interests, engineers, and the potential occupant(s). A construction sign may be displayed as long as the construction is actively underway and shall be removed when construction ends or ceases for more than sixty (60) days. Such signs may be up to nine (9) square feet and may not be illuminated.
 8. Window signs up to two (2) square feet and not internally illuminated.
 9. Non-illuminated political signs not to exceed a total of thirty-two (32) square feet of total sign area per one hundred (100) feet of street frontage are allowed in all zoning districts. Such signs shall not be erected more than sixty (60) days prior to the election or referendum concerned and shall be removed within ten (10) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.
 10. Yard Sale signs.
- B. Signs requiring a permit include:

1. Residential Development signs. A subdivision of five (5) lots or more or a multi-family complex of five (5) dwelling units or more shall be allowed one freestanding identification sign for each vehicular entrance to the development. Each sign shall be limited to four (4) feet in height and an area of not more than twelve (12) square feet. The area around the sign must be landscaped.
2. Churches, clubs, schools, and child care centers.
 - a. For each frontage on a public street the activity shall be permitted, alone or in combination thereof, one (1) freestanding sign if space permits, and one (1) projecting sign, one (1) wall sign and one (1) awning or canopy sign with a total area of three (3) square feet for each ten (10) feet of frontage on a public street.
 - b. Freestanding and attached signs shall be permitted within the applicable parcel lines provided the signs shall bear only the name, address, and services rendered by the specific permitted used located on the site.
 - c. Freestanding signs shall be limited to an area of not more than sixteen (16) square feet.
 - d. Freestanding signs shall be set back at least four (4) feet from the street right-of-way and its height may not exceed the distance of the setback or eight (8) feet, whichever is lesser.
 - e. Projecting signs shall have two back to back faces and shall not exceed sixteen (16) square feet in area.
3. Signs specifically prohibited include;
 - a. Off-Premise Outdoor Advertising Signs
 - b. Electronic Message Boards

405.12 Signs in the Coleman Limited (CO-1) Zoning District

- A. All signs listed in Subsection 405.11.A are allowed without a permit.
- B. Signs requiring a permit include:
 1. For each frontage on a public street a business shall be permitted, alone or in combination thereof, one (1) freestanding sign if space permits, and one (1) projecting sign, one (1) wall sign and one (1) awning or canopy sign with a total area of four (4) square feet for each ten (10) feet of frontage on a public street.
 2. All signs shall be permitted within the applicable parcel lines provided that:
 - a. The signs shall bear only the name, address, and services rendered by the specific permitted used located on the site.
 - b. Professional offices and personal services shall be permitted one sign not to exceed six (6) square feet in the vicinity of each establishment.
 - c. Freestanding signs shall be limited to an area of not more than twenty (20) square feet for a single occupant. For

- directory signs identifying multiple occupants, the allowable square footage may be increased 10% for each additional occupant listed for a maximum of five (5) additional occupants.
- d. Freestanding signs shall be set back at least four (4) feet from the street right-of-way and its height may not exceed the distance of the setback or eight (8) feet, whichever is lesser.
 - e. In special, unique circumstances where a business activity's principle entrance fronts on an off-street parking area or pedestrian walkway and at least twenty (20) feet of space exists between the entrance and the parking or walkway, the Building Official may approve a freestanding individual activity sign pursuant to the requirements of this section.
 - f. The area beneath and around a ground sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the sign with buildings, parking area, surrounding vegetation and natural features of the landscape.
 - g. Projecting signs shall have two back to back faces and shall not exceed twenty (20) square feet in area.
3. Signs specifically prohibited include;
- a. Off-Premise Outdoor Advertising Signs
 - b. Electronic Message Boards

405.13 Signs in the Coleman Open (CO-2) and Neighborhood Commercial (C-1) Zoning District

- A. Signs allowed without a permit include:
- 1. All signs listed in Subsection 405.11.A.
 - 2. In addition to the Directional signs allowed in Subsection 405.12, non-commercial directional signs may provide directions to Automated Teller Machines (ATMs), vending machines and provide such other non-commercial information useful to persons likely to be on the premises.
 - 3. One sign to advertise the offering of a property for sale, rental or lease on each public way on which the property has frontage. Such signs will be limited to an area of sixteen (16) square feet and may be illuminated.
 - 4. One construction sign indicating the parties involved in the project such as contractors, financial interests, engineers, and the potential occupant(s). A construction sign may be displayed as long as the construction is actively underway and shall be removed when construction ends or ceases for more than sixty (60) days. Such signs may be up to sixteen (16) square feet and may not be illuminated.
- B. Signs requiring a permit include:

1. Signs permitted in the CO-1 zoning district.
 2. For each frontage on a public street a business shall be permitted, alone or in combination thereof, one (1) freestanding sign if space permits, and one (1) projecting sign, one (1) wall sign and one (1) awning or canopy sign with a total area of six (6) square feet for each ten (10) feet of frontage on a public street.
 3. The signs shall bear only the name, address, and services rendered by the specific permitted uses located on the site.
 4. Professional offices and personal services shall be permitted one sign not to exceed six (6) square feet in the vicinity of each establishment.
 5. A freestanding sign that shall be limited to an area of not more than twenty-four (24) square feet for a single occupant.
 6. For directory signs identifying multiple occupants, the allowable square footage may be increased 10% for each additional occupant listed for a maximum increase of fifty (50) percent.
 7. Freestanding signs shall be set back at least four (4) feet from the street right-of-way and its height may not exceed the distance of the setback or ten (10) feet, whichever is lesser.
 8. In special unique circumstances where a business activity's principle entrance fronts on an off-street parking area or pedestrian walkway and at least twenty (20) feet of space exists between the entrance and the parking or walkway, the Building Official may approve a freestanding individual activity sign pursuant to the requirements of this section.
 9. The area beneath and around a ground sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the sign with buildings, parking area, surrounding vegetation and natural features of the landscape.
 10. Projecting signs shall have two back to back faces and shall not exceed twenty-four (24) square feet in area
- C. Signs specifically prohibited include;
1. Off-Premise Outdoor Advertising Signs
 2. Electronic Message Boards

405.14 Signs in the Highway Commercial (C-3) and Industrial (I-1, I-2, and I-3) Zoning Districts

- A. Signs allowed without a permit include:
1. All signs listed in 405.11.A.
 2. One sign to advertise the offering of a property for sale, rental or lease on each public way on which the property has frontage. Such signs shall be limited in area as follows:
 - a. In the C-3 Zoning District to an area of twenty-four (24) square feet and the sign may be illuminated.
 - b. In the Industrial zoning districts to an area of thirty-six (36) square feet and the sign may be illuminated.

3. One construction sign indicating the parties involved in the project such as contractors, financial interests, engineers, and the potential occupant(s). A construction sign may be displayed as long as the construction is actively underway and shall be removed when construction ends or ceases for more than sixty (60) days. Such signs shall be limited in area as follows:
 - a. In the C-3 Zoning District to an area of twenty-four (24) square feet and the sign may be illuminated.
 - b. In the Industrial zoning districts to an area of thirty-six (36) square feet and the sign may be illuminated.
 4. Menu Boards. Where a drive through food service establishment is a permitted use or approved as a conditional use, the establishment may display, one back to back menu sign not exceeding thirty-two (32) square feet in area, which shall be designed and located to be viewed exclusively by patrons of the establishment and not plainly visible from off-site.
 5. Gas Price Signs. Where retail fuel sales are permitted, or approved as a conditional use, a fuel retailer may display one back to back Gas Price Sign not exceeding thirty-two (32) square feet in area.
- B. On-Premise signs requiring a permit include:
1. Professional offices and personal services shall be permitted one sign not to exceed twelve (12) square feet in the vicinity of each establishment.
 2. The allowable area for freestanding signs and the allowable area for attached signs shall be separately calculated for a development and the activities therein as set forth below.
 3. Freestanding sign area formula for each street frontage:
 - a. The area of a freestanding sign for any activity shall not exceed three (3) square feet for each ten (10) feet of street frontage. When an activity has frontage exceeding one hundred (100) feet, its freestanding sign may exceed thirty (30) square feet by one (1) square foot for every linear foot of frontage over one hundred (100) feet.
 - b. A directory sign listing multiple occupants of a development may contain the name and logo of the development, plus each occupant thereof and the total area of the sign may be increased by ten (10) percent of the allowable area for each occupant up to a fifty (50) percent increase.
 4. Attached sign area formula. The total allowable area for awning and canopy, projecting and wall signs attached, or applied, to a structure for each frontage on a street, parking area, or walkway of an establishment shall be based on the maximum allowable area for a wall sign, which is calculated as follows:
 - a. The aggregate signable area of the wall of a building will be determined by measuring the area which is free of architectural details on the frontage façade of the building or

on that part of the building in which the activity associated with the sign is located.

- b. After determining the aggregate signable area, the maximum allowable area of a wall sign displayed toward one street, parking lot, or walkway on which it has frontage shall be calculated as a percentage thereof based on the building or activity's classification with the following percentages to be applied.

Industrial	30%
Commercial	40%

5. Freestanding signs may be either:
 - a. Identification signs that identify a single business or a single development such as campus, shopping center or office or industrial park with the name, address, and logo of the entity
 - b. Directory signs that identify the development and individual occupants of the development.
6. Freestanding signs shall be separated by one hundred (100) feet or more along a street.
7. A development with at least three hundred (300) feet of frontage on a street wherein the principle structure is set back at least seventy-five (75) feet from the street right-of-way may, in addition to the freestanding signs otherwise allowed, erect one (1) freestanding identification sign of up to three hundred (300) square feet in area and sixty (60) feet in height.
8. Other than the sign allowed in Subsection 405.14.B.7 above, no single freestanding sign shall exceed one hundred fifty (150) square feet in total area.
9. The presence of a freestanding identification or directory sign shall not affect the signage area allowed for the attached signs of any activity or occupant within the development.
10. In special circumstances where a business activity's principle entrance fronts on an off-street parking area or pedestrian walkway and at least twenty (20) feet of space exists between the entrance and the parking or walkway, the Building Official may approve a freestanding individual activity sign pursuant to the requirements of this section.
11. Freestanding signs in the C-3 zoning district that front US Highway 90 and MS Highway 603 shall not exceed twenty (20) feet in height. Elsewhere signs in the zoning district shall not exceed twelve (12) feet in height.
12. The area beneath and around a ground sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the sign with buildings, parking area, surrounding vegetation and natural features of the landscape.
13. Projecting signs may be multi-faced and shall be separated by fifty (50) feet or more along the same right-of-way or pathway.

- C. Off-Premise Outdoor Advertising Signs are permitted along the frontage of US Highway 90 and MS Highway 603 provided they fully comply with the standard and regulations cited above in Subsections 405.7.C and 405.10.D.

405.15 Signs in the Special Use District

- A. Signage in the special use district shall conform to a comprehensive signage plan specifically developed for the district and approved by the Board of Mayor and Aldermen upon the recommendation of the Planning and Zoning Commission.
- B. Applications for a Special Use District shall set forth a comprehensive sign plan for the district which shall address the near-term and long-term signage applications for the proposed district.

Section 406. Fences, Wall and Hedges

Notwithstanding other provisions of this Zoning Ordinance, fences, walls and hedges may be permitted in any required yard or along any yard, subject to the following restrictions:

- 406.1 Said fence in the rear and side yard may be of solid construction or may be open to light and air, including steel mesh, chain link, louvered, stake or similar materials.
- 406.2. Fences may be constructed on corner lots; however, no such fence, whether solid or otherwise, constructed in such a manner that the view of the drivers on the adjacent thoroughfare or thoroughfares shall be obstructed (see Section 715).
- 406.3 No fence shall exceed six (6) feet in height measured from the finished grade of the lot or property upon which the fence is being erected except as otherwise provided in this article.
- 406.4 A six (6) foot opaque/privacy fence may stop, or commence to slope down to a height of three (3) feet, either at a point even with the front plane of the main or the forward most building or at a point twenty-five (25) feet from the front property line, whichever is the shorter distance.
- 406.5 Fence materials permitted are wood, wrought iron, stone and masonry. Vinyl or fiberglass composite material may be utilized if the material is designed and constructed for fencing material. No fence shall be constructed of or contain canvas, cloth, or other impermanent material, corrugated metal, metal plates, plastic or plexi-glass.
- 406.6 In R-1 and R-2 Districts, barbed wire fences are prohibited.

406.7 In no case shall a fence be erected so as to divert or impede the natural flow of storm drainage or block a storm water catch basin, culvert, outlet pipe, or other storm water structure.

406.8 The finished, good, or attractive side of the fence shall face the adjoining property or street if the appearance of the fence structure is not the same on both sides. For fences other than chain link, the fence shall be so constructed that the horizontal and vertical support posts are hidden from public view.

Section 407. Facades on Metal Buildings in Commercial Zones

All metal buildings constructed within the City of Waveland's commercial zoning districts shall comply with the following:

407.1 All metal buildings facing public streets and built in commercial areas shall be faced with facade on the sides facing public streets with brick, wood or stucco or other comparable surface materials covering the exterior metal surface.

407.2 The proposed façade treatments shall be included in an application submitted to the Building Official to obtain necessary permits.

Section 408. General Landscaping Requirements

408.1 Preservation of Live Oak and Magnolia Trees. Requirements in Section 409 apply to all zoning districts within the City of Waveland.

- A. Without a permit, it shall be unlawful for any person, firm or corporation to cut down, remove, destroy or effectively destroy any Live Oak growing within the City of Waveland with a trunk size of more than eighteen (18) inches in diameter measured at a point three (3) feet above ground level or a Magnolia tree growing within the City of Waveland with a trunk size of more than eight (8) inches in diameter measured at a point three (3) feet above the ground level.
- B. A permit for the cutting down or destruction of a Live Oak or Magnolia tree or trees as herein described shall be issued only if the tree or trees proposed to be cut are in such poor health or bad physical condition as to be a hazard to human safety or if proposed construction cannot be practically located in such a way as to preserve the tree or trees.
 1. Any person, firm or corporation desiring to cut down any Live Oak or Magnolia tree or trees, as described, shall fill out an application with the Building Official accompanied by a fee.
 - a. The application shall state the legal description of the property on which the tree or trees is located;
 - b. The mailing address and telephone number of the applicant; and
 - c. The reason for the request.

2. Inspection by Building Official. Within four (4) working days of the application, the Building Official shall inspect such tree or trees specified on the application and report to the Planning and Zoning Commission with respect to:
 - a. The approximate spread and the actual trunk diameter measured at a point three (3) feet above ground level, of tree or trees.
 - b. The health and physical condition of the tree or trees.
 - c. Whether or not in his opinion removal is justified by reason of:
 - (i) The poor health or dangerous condition of the tree or trees.
 - (ii) Construction or other improvements to be made on the property.
 3. Approval or Denial. The Planning and Zoning Commission shall review the application together with the information gathered under the Section 409.1.B and shall make a recommendation to the Board of Mayor and Alderman to either approve or deny the application. If approved by the Board of Mayor and Aldermen, the Building Official shall issue the permit to the applicant.
- C. The applicability of any permit issued hereunder shall not be transferred from one tree to another tree; such permit shall expire three (3) months from the date of issuance, and such permit shall expire in the event the specified construction project for which it was issued is cancelled.

408.2 Multi-family and non-residential structures located in commercial, industrial and multi-family zoning districts are required to adhere to landscaping standards prescribed in the City of Waveland Design Guidelines Ordinance.

Section 409. Temporary and Portable Buildings and Structures

- 409.1 A temporary or portable structure may be erected only in connection with the erection of a permanent building, street, utility or other structure. A permit for the erection of any temporary structure shall be obtained from the Zoning Official after posting a sufficient bond to ensure removal of same within two (2) weeks after issuance of the certificate of occupancy on the permanent structure. A temporary or portable structure may be used for a temporary construction office and for housing of tools, equipment and materials.
- 409.2 Subdivision sales offices may be erected only after approval of the Board of Mayor and Aldermen, subject to such conditions as may be determined by the Board to be necessary to ensure termination of the use after a reasonable period by removal or conversion to a nonconforming use.
- 409.3 Except as provided in Section 403.8, no trailers for dwelling, storage or business shall be parked in any district, except upon approval by the Board of Mayor and

Aldermen in connection with a permanent building or construction project. Such approval shall be for a period of time not to exceed (1) year, renewable for periods of six (6) months, stating the use for which approved. Upon completion of the project, the trailer shall be removed from the premises.

409.4 No building shall be moved into and placed within the City limits excepting such building conforming to the standards for new construction for dimensions, use and placement upon the lot, and the requirements of this and other City Ordinances.

Section 410. Accessory Buildings

A building permit is required for all accessory buildings in all zoning districts in the City of Waveland.

Item #6

Waveland Zoning Ordinance #349

Article V: Establishment of Zoning Districts

Part of Article VI: Use Requirements by Zoning Districts

Sections 601-603

Article V
Establishment of Zoning Districts

Section 501. Division into Districts

For the purposes of this Ordinance the City of Waveland is hereby divided into twelve (12) districts. These are:

- R-1 Residential
- R-2 Residential
- R-3 Residential
- CO-1 Coleman Limited District
- CO-2 Coleman Open District
- M-1 Manufactured/Mobile Home Park
- C-1 Neighborhood Business District
- C-3 Highway Commercial
- I-1 Planned Industrial Park
- I-2 Light Industrial
- I-3 Heavy Industrial
- S-1 Special Use District

Section 502. Boundaries

The boundaries of districts as listed in Section 501 of this Ordinance are as shown upon the map on file in the Office of the City Clerk of the City of Waveland and designated as the "Zoning Map, City of Waveland, Mississippi," dated and certified by the City Clerk and also referred to herein as the Official Zoning Map. The said map and all notations, references and other things shown thereon shall be and hereby are made apart of this Ordinance by reference as though fully set forth herein in detail.

502.1 Amendments to the Official Zoning Map

All amendments and changes to the Official Zoning Map shall be made pursuant to Article XI and shall be recorded by the City Clerk not later than forty-eight (48) hours after such amendment becomes effective. All amendments and changes to the Official Zoning Map shall be recorded at the end of each fiscal year upon a new copy of the "Zoning Map, City of Waveland, Mississippi."

502.2 Revision of the Official Zoning map

The Board of Mayor and Aldermen may, from time to time, order the revision of the Official Zoning Map so as to include all changes to date and take the place of the original map, which is a part of this Ordinance. No changes shall be made upon such revised maps that have not been made in the regular form by the Board of Mayor and Aldermen of the City of Waveland, Mississippi.

502.3 Location of the Official Zoning Map

Regardless of the existence of proposed copies of the "Zoning Map, City of Waveland, Mississippi", which may, from time to time, be made or published, the Official Zoning Map in the Office of the City Clerk shall be the final authority for zoning districts in the City of Waveland. A copy of said map shall be in the office of the Zoning Official for his/her use.

Section 503. Interpretation of District Boundaries

Where any uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Official Zoning Map, the following rules shall apply:

503.1 Where district boundaries are indicated as appropriately following the center lines of streets or highways, street lines or highway right-of-way lines, such center lines, street lines or highway right-of-way lines shall be construed to be such boundaries.

503.2 Where district boundaries are so indicated that the boundaries approximately follow lot lines, such lot lines shall be construed to be said boundaries.

503.3 Where district boundaries are so indicated that the boundaries are approximately parallel to the center lines of street lines or streets, or the center lines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distances there from as indicated on the Official Zoning Map. If no distance is given, such distance shall be determined by the use of the scale of the Official Zoning Map.

503.4 Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.

503.5 Where property lies in two (2) or more zoning districts, zoning for frontage of the property shall prevail except that, within a point two hundred (200) feet of a street frontage in a more restricted zoning district, regulations governing development as such shall prevail.

503.6 Where frontage of the properties lies in two (2) or more zoning districts, the property shall be governed by the district with the least restrictions, provided area and height requirements are met, as established elsewhere in this Ordinance (Article VII).

503.7 Boundaries indicated as following shorelines shall be construed to follow the legally established shorelines; in the event of change in the shore line, boundaries shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines.

Section 504. Classification of Annexed Territory

All territory which may hereafter become part of the corporate area of the City of Waveland by revision of corporate boundaries shall remain in its existing zoning classification and with its existing zoning requirements until such time as they can be changed by an amendment to this Zoning Ordinance as provided by law.

Section 505. Vacation of Streets

Whenever any street, alley or other public way is vacated by official action of the governing authority of the City of Waveland, the zoning district adjoining each side of street, alley or public way shall be, unless otherwise indicated, automatically extended to the center of same; and all area included therein shall then and henceforth be subjected to all appropriate regulations of the extended districts.

Section 506. Replacement

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the City may, by Resolution, adopt a new Official Zoning Map which supersedes the prior Official Zoning Map.

Section 507. Re-designation of Zoning Districts

Zoning Districts designated C-1 Commercial Business District and C-2 Commercial Neighborhood District are hereby re-designated C-1 Neighborhood Business District without any change to the boundaries thereof.

Article VI Use Requirements by District

Section 601. Use Requirements for Residential District R-1

Within a Residential R-1 District as shown on the "Zoning Map, City of Waveland, Mississippi", the following use provisions shall apply:

601.1 Uses Permitted

- A. Detached single-family dwellings, but not including mobile homes or manufactured homes.
- B. Churches and related accessory buildings, provided they are located on a lot fronting a major artery or connecting route and are placed not less than fifty (50) feet from any property line with required off-street parking spaces separated by property lines by a planted buffer of at least ten (10) feet in width and an impenetrable fence not less than three (3) feet in height.
- C. Church bulletin boards provided they not exceed twelve (12) square feet in area.
- D. Public and private schools offering general education courses.
- E. Golf courses and country clubs occupying an area of not less than forty (40) acres.
- F. Railroad right-of-way and passenger stations.
- G. Public utility stations such as electrical substations, sewage pumping stations, etc., provided that they are surrounded by an impenetrable fence at least eight (8) feet high, have a reasonable buffer zone on all four sides, and there is no storage of vehicles or equipment on the premises.
- H. Public parks and playgrounds.
- I. Customary signs in conjunction with residential usage, such as mailbox signs, names of residents and house numbers.
- J. Non-commercial greenhouses, as an accessory use to a single family home, provided that no structure, odor or dust-producing substance or use shall be permitted within one hundred (100) feet of any property line and that no products shall be publicly displayed or offered for sale.
- K. Accessory buildings (after completion of main dwelling), provided such shall be permitted only in a rear yard. Accessory buildings may contain up to five-hundred (500) square feet.
- L. The renting of rooms within the residential structure provided that the number of persons so accommodated shall not exceed two (2).
- M. Customary home occupations, including the professional offices of a physician, dentist, musician, lawyer, architect, artist and engineer. All activity shall be conducted within the dwelling. There shall be no external evidence of such occupation except that a non-illuminated sign not more than five (5) inches by eighteen (18) inches, attached to the mailbox may be displayed. The following criteria shall be employed to determine a valid home occupation:
 1. There shall be no one employed by the Home Occupation business other than members of the resident family and one other person.

2. The use shall not generate pedestrian or vehicular traffic beyond that reasonable to the district in which it is located.
 3. There shall be no storage of equipment, materials, merchandise or supplies outdoors.
 4. The use shall not involve the display of signs other than those permitted in the district of which it is a part.
 5. An office for home occupational purposes shall be located in the main dwelling and shall not occupy more than one room therein.
 6. In no way shall the appearance of the structure be so altered or the conduct of the occupation within the structure be such that the structure may be reasonably recognized, either by color, materials, construction, lighting, sound, noises or vibrations, as serving a non-residential use.
- N. Model home utilized as a sales office located within developing subdivisions to be used for the promotion of original sales of lots and houses within that subdivision only.

601.2 Conditional Uses

The following uses may be permitted by the Board of Mayor and Aldermen, upon review and recommendation by the Planning and Zoning Commission with the procedures and under the conditions set forth in Article IX, provided such conditional uses shall comply with the height and area regulations and with the parking regulations for similar uses set out elsewhere in this Zoning Ordinance.

- A. Child care centers in private homes for no more than six (6) children.
- B. New cemeteries and the enlargement of existing cemeteries.
- C. Radio and television towers or antennas or cell towers.
- D. Municipal buildings.
- E. Accessory garage apartment or guest house which may not be separately rented or leased apart from the main structure. There shall be a minimum of four thousand (4,000) square feet of lot area above the minimum required for the principal structure.
- F. Accessory buildings that contain more than five hundred (500) square feet.
- G. Residential Planned-Development Projects pursuant to Section 401.8.
- H. Uses not anticipated in this Ordinance which are otherwise consistent with the goals for and requirements of this zoning district.

601.3 Additional Requirements

- A. Development plan review, consistent with the requirements and the process defined in Article VIII is required for applicable uses.
- B. City of Waveland Design Guidelines Ordinance shall apply.

Section 602. Use Requirements for a Residential R-2 District

Within a Residential R-2 District, as shown on the "Zoning Map, City of Waveland, Mississippi", the following use provisions shall apply:

602.1 Uses permitted

- A. All residential uses permitted in the R-1 District.
- B. All non-residential uses permitted in the R-1 District, subject to the R-1 Use Requirements.
- C. Two-family dwellings including the development of up to twelve (12) units requiring eight thousand five hundred (8,500) square feet per unit per lot.
- D. One (1) garage apartment, to be occupied by not more than one (1) family provided that, such garage apartment, there shall be a minimum of four thousand (4,000) square feet of lot area above the minimum required for the principal structure.
- E. Child care centers offering basic child care for no more than twelve (12) children.
- F. Senior adult care offering basic day care for no more than twelve (12) senior adults. Overnight stays are not allowed.

602.2 Conditional Uses

The following uses may be permitted by the Board of Mayor and Aldermen, upon review and recommendation by the Planning and Zoning Commission with the procedures and under the conditions set forth in Article IX, provided such conditional uses shall comply with the height and area regulations and with the parking regulations for similar uses set out elsewhere in this Ordinance.

- A. New cemeteries and enlargement of existing cemeteries.
- B. Radio and television towers or antennas or cell towers.
- C. Municipal buildings.
- D. In excess of twelve (12) two-family dwellings including duplexes and semi-detached structures requiring eight thousand five hundred (8,500) square feet per unit per lot.
- E. Residential Planned-Development Projects pursuant to Section 401.8.
- F. Uses not anticipated in this Ordinance which are otherwise consistent with the goals for and requirements of this zoning district.

602.3 Additional Requirements

- A. Development plan review, consistent with the requirements and the process defined in Article VIII is required for applicable uses.
- B. City of Waveland Design Guidelines Ordinance shall apply.

Section 603. Use Requirements for a Residential District (R-3)

Within a Residential R-3 District, as shown on the "Zoning Map, City of Waveland, Mississippi," the following use provisions shall apply:

603.1 Uses Permitted

- A. Any use permitted in an R-2 District.
- B. Multi-family dwellings, including cooperative apartments and condominiums, requiring a minimum of seven thousand five hundred (7,500) square feet of land area per unit, and limited to twenty-four (24) units per lot.

- C. Rooming houses and boarding houses not catering to overnight visitors.
- D. Offices and clinics for medical or dental practice.
- E. Professional offices and studios, including executive, administrative writing, clerical, stenographic and drafting uses, provided there be no sales, exterior displays, exterior storage of goods and materials, warehousing or indoor storage of goods or materials beyond that normally incidental to the above permitted occupations, and provided no more than fifteen (15) people be employed in any establishment on any one (1) lot.
- F. Private clubs and lodges, excepting those in which the conduct of commercial affairs plays a major role.
- G. Child care center.
- H. Senior adult care centers offering sitting services during the day. Overnight stays are not allowed.

603.2 Conditional Uses

The following uses may be permitted by the Board of Mayor and Aldermen, upon review and recommendation by the Planning and Zoning Commission with the procedures and under the conditions set forth in Article IX, provided such conditional uses shall comply with the height and area regulations and with the parking regulations for similar uses set out elsewhere in this Ordinance.

- A. New cemeteries and the enlargement of existing cemeteries.
- B. Radio and television towers or antennas or cell towers.
- C. Municipal buildings.
- D. Multi-family dwellings, including cooperative apartments and condominiums, requiring a minimum of seven thousand five hundred (7,500) square feet of land area per unit, and in excess of sixteen twenty-four (24) units or more per lot.
- E. Transitional Home.
- F. Residential Planned-Development Projects pursuant to Section 401.8.
- G. Uses not anticipated in this Ordinance which are otherwise consistent with the goals for and requirements of this zoning district.

603.3 Additional Regulations

- A. Development plan review, consistent with the requirements and the process defined in Article VIII is required for applicable uses.
- B. City of Waveland Design Guidelines Ordinance shall apply.

Section 604. Amenity Incentives in Residential Districts

The purpose of providing amenity incentives for the residential zoning districts R-2 and R-3 is to encourage the provision of specified amenities in connection with development in exchange for development bonuses such as higher permitted densities. The amenities can include the preservation of natural features such as natural drainage ways, wetlands, lakes, woods and common space and floodplain, as well as the provision for the creation of a tree canopy.

604.1 Preliminary Site Plan Required

The Site Plan Review Committee shall have the authority to review site plans to determine whether an amenity complies with the provision of this Section, and if it does so comply, to grant the amenity incentive to which the applicant is entitled to under the provisions of this Section.

604.2 Procedures

An application for an amenity bonus shall be accompanied by a preliminary site plan and narrative presenting the following information.

- A. A written statement describing the amenity, and location of the development for which the incentive is requested.
- B. Information including distances, dimensions, floor area, and any other information deemed applicable in order to determine whether an amenity qualifies for an amenity incentive and the amount of such amenity incentive.
- C. The type and amount of the amenity incentive that applicant is requesting along with the applicant's computation of such amount.
- D. A site plan drawn to scale incorporating the amenity incentive requested and illustrating the location and type of amenity to be provided.

The Site Plan Review Committee in connection with the review of the site plan shall determine whether an amenity to be provided complies with the provisions of this Section, and if so, shall approve the amenity incentive provided for in this Section. If the amenity to be provided for which the amenity incentive is requested does not comply with the provisions of this Section, the amenity shall be disapproved.

The applicant may appeal the decision of the Site Plan Review Committee with respect to the applicant's eligibility for an amenity incentive and the amount thereof to the Board of Mayor and Aldermen pursuant to Article X.

604.3 Amenity Incentives Allowed

The provision of the following amenities in the residential zoned districts R-2 and R-3 will qualify a residential development for the following increases in density, provided that the total density increase does not exceed ten percent (10%) of the maximum density permitted in the district where the property is located.

Amenity	Density Increase
A. Additional permanent open space through public dedication, dedication to a Land Trust, or through the creation of homeowner's association.	One-half of one (0.5) percent for each ten-thousand (10,000) square feet of amenity provided up to a maximum of five (5) percent.
B. Preservation of site's natural features such as lakes, woods, and natural drainage ways or drainage system and the provision of permanent access to and use of such natural features by	One (1) percent for each ten-thousand (10,000) square feet of amenity preserved or provided up to a maximum

<p>providing amenities such as bike and pedestrian paths and nature trails. Preservation should be ensured through a deed restriction and through dedication to a Land Trust or public dedication, or the creation of a homeowner's association.</p>	<p>increase of ten (10) percent</p>
<p>C. Provision of cluster development as an alternative to conventional lot-by-lot development in residential R-2 or R-3 zone districts, Provided that the resulting permanent open space is preserved through public dedications, through dedication to a Land Trust, or through the creation of homeowner's association.</p>	<p>One (1) _ percent for each ten-thousand (10,000) square feet of amenity preserved or provided up to a maximum increase of ten (10) percent.</p>
<p>D. Provision of a tree canopy, which will cover thirty (30) percent of the site within fifteen (15) years.</p>	<p>One-quarter of one (0.25) percent for each ten-thousand (10,000) square feet of amenity preserved or provided up to a maximum of two (2) percent.</p>
<p>E. Floodplain Preservation through public dedication or dedication to a Land Trust.</p>	<p>One-half of one (0.5) percent for each ten-thousand (10,000) square feet of amenity provided up to a maximum of five (5) percent</p>

Section 605. Use Requirements for the Coleman Limited District, (CO-1)

Within a Coleman Limited (CO-1) District as shown on the "Zoning Map, City of Waveland, Mississippi," the following provisions shall apply:

605.1 Uses Permitted:

- A. Any use permitted in an R-2 District.
- B. Any use that lawfully existed on August 28, 2005 on a site may continue or resume on said site.
- C. Enclosed premises for the retail sale of merchandise or services shall not exceed two thousand (2,000) square feet of gross floor area.
- D. Antique stores.
- E. Arts and craft supply stores.
- F. Art Galleries.
- G. Artist Studios.
- H. Bed and Breakfast facilities limited to six guest bedrooms.
- I. Book and stationary stores.
- J. Clothing stores.
- K. Florist shops.
- L. Jewelry stores.
- M. Marinas.
- N. Municipal buildings.

- O. Newspaper office.
- P. Open air markets.
- Q. Public parks.
- R. Professional offices and studios, including executive, administrative, writing, clerical, stenographic and drafting uses, provide there be no sales, exterior displays, exterior storage of goods or materials beyond the normally incidental to the above permitted occupations, and provided that not more than fifteen (15) people be employed in any one establishment.
- S. Specialty retail shops.
- T. Single-family and two-family residences above the ground floor commercial space.
- U. Parking lots, provided that they are paved so as to provide a durable and dustless surface and dispose of all surface water accumulation, and lighted with lighting so arranged as to illuminate the parking area and reflect away from any adjacent premise, and otherwise meet the requirements of Section 403.

605.2 Conditional Uses

The following uses may be permitted by the Board of Mayor and Aldermen, upon review and recommendation by the Planning and Zoning Commission with the procedures and under the conditions set forth in Article IX, provided such conditional uses shall comply with the height and area regulations and with the parking regulations for similar uses set out elsewhere in this Ordinance.

- A. Radio and television towers or antennas or cell towers.
- B. Development of more than twelve (12) two-family residential dwellings structures requiring eight thousand five hundred (8,500) square feet per unit.
- C. Uses not anticipated in this Ordinance which are otherwise consistent with the goals for and requirements of this zoning district.

605.3 Additional Regulations

- A. Development plan review, consistent with the requirements and the process defined in Article VIII is required for applicable uses.
- B. City of Waveland Design Guidelines Ordinance shall apply.

Section 606. Use Requirements for the Coleman Open (CO-2) District

Within a Coleman Open (CO-2) District as shown on the "Zoning Map, City of Waveland, Mississippi," the following provisions shall apply:

606.1 Uses Permitted

- A. Any use permitted in the CO-1 Zoning District, except that the retail square footage limits in Section 604.1.C shall not apply. However, in the CO-2 district enclosed premises for the retail sale of merchandise or services shall not exceed five thousand (5,000) square feet of gross floor area.

- B. Any use that lawfully existed as of August 28, 2005 on a site may continue or resume on said site.
- C. Multi-family dwellings consistent with the Minimum Lot Area chart from Article VII.
- D. Single family and two-family residences above the ground floor.
- E. Bakeries, limited to the retail sales of baked goods.
- F. Federal, state, county and local government offices.
- G. Convenience stores.
- H. Drug stores.
- I. Financial institutions.
- J. Flea markets.
- K. Grocery stores occupying not more than four thousand (4,000) square feet of sales space.
- L. Laundries, self-service or automatic, and laundry and dry cleaning pick up stations.
- M. Marine supply stores (retail).
- N. Offices or clinics for medical or dental practice.
- O. Restaurants.
- P. Souvenir shops.
- Q. Theaters limited to two hundred (200) seats.

606.2 Conditional Uses

The following uses may be permitted by the Board of Mayor and Aldermen, upon review and recommendation by the Planning and Zoning Commission with the procedures and under the conditions set forth in Article IX, provided such conditional uses shall comply with the height and area regulations and with the parking regulations for similar uses set out elsewhere in this Zoning Ordinance.

- A. Radio and television towers or antennas or cell towers not exceeding thirty-five (35) feet in height.
- B. Health club/ gymnasium, health spa.
- C. Gas pumps as an accessory to a convenience store.
- D. Multi-family dwellings, including cooperative apartments and condominiums requiring a minimum of seven thousand five hundred (7,500) square feet of land area per unit in excess of twenty-four (24) units.
- E. Commercial building larger than five thousand (5,000) square feet.
- F. Bars, taverns, and night clubs.
- G. Uses not anticipated in this Ordinance which are otherwise consistent with the goals for and requirements of this zoning district.

606.3 Additional Regulations

- A. Development plan review, consistent with the requirements and the process defined in Article VIII is required for applicable uses.
- B. City of Waveland Design Guidelines Ordinance shall apply.

Section 607. Use Requirements for a Manufactured Home Park District, M-1

Within a Manufactured Home Park District, as shown on the "Zoning Map, City of Waveland, Mississippi," the following use provisions shall apply:

607.1 Uses Permitted:

- A. Any use permitted in an R-3 Multi-family District.
- B. Manufactured Home Park, pending issuance of a Zoning Permit and meeting the standards prescribed within this Zoning Ordinance Section 606.3.C.

607.2 Conditional Uses

The following uses may be permitted by the Board of Mayor and Aldermen, upon review and recommendation by the Planning and Zoning Commission with the procedures and under the conditions set forth in Article IX, provided such conditional uses shall comply with the height and area regulations and with the parking regulations for similar uses set out elsewhere in this Zoning Ordinance.

- A. Any use listed as conditional in an R-3 Multi-family District.

607.3 Additional Regulations

- A. Development plan review, consistent with the requirements and the process defined in Article VIII is required for applicable uses. In addition to information required for the Development Plan, applicants for a Manufactured Home Park shall submit the following information.
 - 1. Name and address of applicant.
 - 2. Name and location of the Manufactured Home Park.
 - 3. Dimensions and locations of all lot lines, roads and easements. Each manufactured home lot shall be numbered.
 - 4. Contour lines to indicate slopes and drainage.
 - 5. Location of all utilities including public and private water, sewage, drainage and electrical facilities and easements.
 - 6. Public areas such as visitors' parking, recreational areas, etc., if such areas are proposed.
 - 7. Large scale plan of one typical manufactured home lot showing location, automobile parking space, size and location of pad, etc.
 - 8. Location of planting for landscaping purposes or as required for protective buffer purposes as a special condition.
- B. All Manufactured Home Parks shall conform to the following standards for development.
 - 1. All Manufactured Home Parks shall include lots for at least ten (10) manufactured or mobile homes.
 - 2. Each manufactured or mobile home shall have a lot of at least four thousand (4,000) square feet if connected with a public sewer or nine thousand (9,000) square feet if not connected with a public sewer.
 - 3. No manufactured or mobile home shall be located closer than twenty (20) feet to another mobile home.

4. A road with pavement at least twenty (20) feet wide shall provide direct access to a public street and to each manufactured or mobile home lot. The area occupied by the road shall not fulfill part of the area requirements for any lot. All roads shall be designed to enable the movements of manufactured homes entering the park to reverse directions without having to back more than one manufactured home length.
 5. Two (2) paved automobile parking spaces shall be provided on every manufactured or mobile home lot. The parking spaces will measure ten feet (10) wide by twenty (20) feet deep and will be adjacent to the manufactured or mobile home.
 6. All Manufactured Home Parks shall conform to the State Board of Health Regulations which prescribes standards for water supply, sewage disposal and other facilities. Each Manufactured Home Park shall be adequately drained so that no manufactured home or mobile home lot shall be subject to the collection of storm water.
 7. Manufactured Home Parks shall be surrounded by a buffer strip at least fifteen (15) feet in depth on the sides and rear, and fifty (50) feet in depth along the front measured from the street right-of-way lines, provided, however, that no side or rear buffer is required between adjacent Manufactured Home Parks. The interior twenty (20) feet of a fifty (50) foot front buffer may be used for interior street, road or driveway.
 8. Buffers shall otherwise be unoccupied except for landscaping, utility facilities, signs or entrance ornamentation.
 9. A minimum of five (5) percent of the gross land area of the Manufactured Home Park shall be required for recreational purposes.
 10. All streets, roadways and driveways within the park shall meet the minimum construction standards recommended by the City Engineer.
 11. All streets, roadways and driveways within the park shall be adequately lighted at night.
 12. No Manufactured Home Park district shall contain less than five (5) acres.
 13. No part of a manufactured or mobile home or a facility will be closer than ten (10) feet to the Manufactured Home Park street.
 14. A manufactured or mobile home stand (pad) is required for each manufactured or mobile home lot. Each pad shall be well drained, uniformly graded and compacted as approved by the City Engineer.
- C. City of Waveland Design Guidelines Ordinance shall apply.
- D. Issuance of Zoning Permit
The Planning and Zoning Commission may recommend reasonable conditions for a Manufactured Home Park pending approval by the Board of Mayor and Aldermen, who upon their decision may direct the Zoning Official to issue a zoning permit. A zoning permit shall not be issued until

the Zoning Official has received written authorization from the Board of Mayor and Aldermen, and the applicant shall not start construction until he has also obtained a valid construction permit from the State Department of Health as required by the Mississippi Revised Statutes.

E. Issuance of Certificate of Occupancy:

The Building Official shall issue a Certificate of Occupancy only after the Building Official has determined that the Manufactured Home Park was prepared according to all applicable regulations and conditions. The applicant must also obtain a valid permit to operate from the State Department of Health as required by Mississippi Revised Statutes.