

Ordinance No. 2537

ORDINANCE TO AMEND THE BILOXI LAND DEVELOPMENT ORDINANCE,
SPECIFICALLY TO AMEND SECTION 23-4-3(D)(10)e PERTAINING TO THE ADDITION
OF LIMITS FOR CONDITIONAL USE SHORT-TERM RENTAL APPROVALS

WHEREAS, on Thursday, November 16, 2023, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 23-095-PC, City of Biloxi, with respect to a proposed Text Amendment to the Biloxi Land Development Ordinance; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that the City of Biloxi has proposed a Text Amendment to the Biloxi Land Development Ordinance, to amend Section 23-4-3(D)(10)e of the Land Development Ordinance, requiring the cumulative total of short-term rentals permitted with conditional-use approval will not exceed 125; and

WHEREAS, on November 16, 2023, the Biloxi Planning Commission, upon much discussion of this text change, voted (12-0-0) to amend Section 23-4-3(D)(10)e of the Land Development Ordinance, as follows:

23-4-3-(D)(10)e

e. Short-Term Rentals

Short-term rentals shall be allowed as permitted uses upon properties situated within the following zoning districts: CB Community Business, RB Regional Business, DT Downtown, and WF Waterfront district zones, subject to compliance with all of the standards provided below. Short-term rentals may be authorized as Conditional Uses upon properties situated within the following zoning districts: A-Agricultural, LB-Limited Business, NB-Neighborhood Business, RM-20 Medium-Density Multi-Family Residential, and RM-30 High-Density Multi-Family Residential district zones, subject to Conditional Use review and approval. The cumulative total of short-term rentals permitted in these Conditional-Use zones will not exceed 125.

Short-term rentals may also be authorized in a PD-GE Planned Development-Gaming Establishment, PD-HB Planned Development-Hospitality Business, PD-C Planned Development-Commercial, or PD-I Planned Development-Infill zone subject to an approved Planned Development Master Plan by the City Council.

Short-term rentals are not permitted in single-family zones: RS-5 Residential Single Family, RS-7.5 Residential Single Family, RS-10 Residential Single Family, RE-Residential Estate, RER-Residential Estate Restricted, A-Agriculture, and AR-Agriculture Restricted. Short-term rentals are prohibited by any tenant or lessee in the City's harbors or marinas; and

WHEREAS, the Biloxi City Council, after careful review of the minutes of the public hearing, adopts the report and findings of the Biloxi Planning Commission, as amended, and, in so

doing, determines that modifications to the short-term rental section of the Land Development Ordinance are appropriate.

NOW, THEREFORE, BE IT ORDAINED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI; as follows:

SECTION ONE: Portions of the text of Chapter 23 of the Code of Ordinances of the City of Biloxi, Mississippi, are hereby amended, specifically, Chapter 23 Section 23-4-3(D)(10)e as follows:

23-4-3-(D)(10)e

e. Short-Term Rentals

Short-term rentals shall be allowed as permitted uses upon properties situated within the following zoning districts: CB Community Business, RB Regional Business, DT Downtown, and WF Waterfront district zones, subject to compliance with all of the standards provided below.

Short-term rentals may be authorized as Conditional Uses upon properties situated within the following zoning districts: A-Agricultural, LB-Limited Business, NB-Neighborhood Business, RM-20 Medium-Density Multi-Family Residential, and RM-30 High-Density Multi-Family Residential district zones, subject to Conditional Use review and approval. The cumulative total of short-term rentals permitted in RM-20 Medium-Density Multi-Family Residential, and RM-30 High-Density Multi-Family Residential Conditional-Use zones will not exceed 75.

Short-term rentals may also be authorized in a PD-GE Planned Development-Gaming Establishment, PD-HB Planned Development-Hospitality Business, PD-C Planned Development-Commercial, or PD-I Planned Development-Infill zone subject to an approved Planned Development Master Plan by the City Council.

Short-term rentals are not permitted in single-family zones: RS-5 Residential Single Family, RS-7.5 Residential Single Family, RS-10 Residential Single Family, RE-Residential Estate, RER-Residential Estate Restricted, A-Agriculture, and AR-Agriculture Restricted. Short-term rentals are prohibited by any tenant or lessee in the City's harbors or marinas; and

SECTION TWO: All other sections of said Section 23 of the Code of Ordinances of the City of Biloxi, Mississippi, shall remain in full force and effect.

SECTION THREE: This ordinance shall become effective from and after its passage and publication in accordance with applicable law.

The foregoing Ordinance having first been reduced to writing, was read by the Clerk and moved by Councilmember Tisdale, seconded by Councilmember Glavan, and was adopted by the following vote:

YEAS: Lawrence Glavan NAYS: Newman
 Gines Barrett Deming
 Tisdale

The President then declared the Ordinance adopted, as amended, this the 12th day of December, 2023.

(SEAL)

ATTEST:

/s/Keri Campbell
CLERK OF THE COUNCIL

ADOPTED:

/s/Nathan Barrett
PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 14th day of December, 2023.

APPROVED:

/s/A.M. Gilich, Jr.
MAYOR