

ORDINANCE NO. 604

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI AMENDING ORDINANCE NUMBER 598 BY ADDING CERTAIN CHANGES RELATED TO SECTIONS 47,119,120; BY ADDING NEW SECTION 129,, BY AMENDING THE CHART OF USES TO ALLOW MANUFACTURED DWELLINGS WITHIN R-4 DISTRICTS WITH PLANNING COMMISSION APPROAVL; BY ADDING SECTION 130; AND BY AMENDING SECTION 188, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, having made due investigation therefore, do now find, determine adjudicate and declare as follows:

WHEREAS, in accordance with the Comprehensive Long Beach Unified Land Use Ordinance 598, and pursuant to legal notice published and given for the time and in the manner provided by law, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, did meet at 5:00 o'clock p.m. on Tuesday, the 19th day of November, 2013 at the City Hall in said City at the time, place and date fixed in said legal notice, and did on such date conduct a public hearing at which hearing all parties interested in or opposed to adoption of the text change application and amendments to the Comprehensive Long Beach Unified Land Use Ordinance 598 proposed were given an opportunity to be heard and allowed to make oral and/or written comment to such proposed changes, which proposed changes to the map were then and there on file and had been on file during the period of said notice in the office of the City Clerk at the City Hall in said City, available for public inspection and examination by any and all parties interested in or opposed to the proposed changes, all as more particularly hereinafter set forth in this ordinance; and

WHEREAS, such application has previously been the subject of a public hearing held and conducted by Long Beach Planning Commission in accordance with the Comprehensive Long Beach Unified Land Use Ordinance 598; and

WHEREAS, the stated purpose of such application being to promote uniform development and encourage public safety, thereby enhancing the quality of life for all citizens of the City of Long beach; and

WHEREAS, periodically it is necessary and proper and in the best interests of the City to incorporate and adopt zoning text changes from time to time as appropriate to reflect changes in circumstances and public need to accommodate and encourage the orderly growth of the City as well as the protection of property owners within the City; and

WHEREAS, after due consideration, hearings and discussion, the Planning and Zoning Commission of the City of Long Beach has reviewed the proposed zone text changes at a regular meeting, duly considered same, and after public hearing, input, and thorough consideration as to all relevant factors required and available under law, and has adopted same and recommended approval thereof by the Mayor and Board of Aldermen as reflected in the official minutes of said meeting; and

WHEREAS, as a result of the aforesaid public hearing and after consideration by the Mayor and Board of Aldermen of the testimony and evidence presented, and after due deliberation by the Mayor and Board of Aldermen, the Mayor and Board of Aldermen did then find, and do now find, determine, adjudicate and declare that the proposed text changes to the Comprehensive Long Beach Unified Land Use Ordinance 598 applied for are necessary and proper, needed and by clear and convincing evidence justified, ; that public need exists for changing the zoning text to provide for and foster orderly development and growth of the City in accordance with a comprehensive plan.

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

Section 1. That the Mayor and Board of Aldermen having considered the comments and testimony at the said hearing, all of the documentary evidence submitted into

(e) Barbed wire fences or use of barbed wire along the top of a fence or wall shall be permissible on in R-4, I-1 or I-2 districts, subject to planning commission approval upon making written finding that use of barbed wire is reasonably necessary to the safety, welfare, and security of the property.

Section 120: add the following

(e) Notwithstanding other provisions of this Code, fences, walls and hedges maybe permitted in any required yard, or along the edge of any yard, provided that no fence, wall or hedge that obstructs visibility shall be erected, altered or placed in or around any required yard to exceed four (4) feet in height above the ground and provided that a fence or wall along the rear lot line or alongside lot lines to the rear of the setback line shall not exceed eight (8) feet in height. In any event, no fences walls or hedges shall obstruct sight lines for vehicular traffic.

Add new:

Section 129: Manufactured Home/Mobile Home Park Standards

(a) Permitted Locations

(1) Mobile Homes are allowed only in approved Mobile Home Parks, except as otherwise provided, or when permitted as a temporary use for storage or security purposes at a construction project, as described in this code.

(b) Size and Density

(1) Mobile Home Parks may be located on a minimum of ten (10) contiguous acres of land.

(2) Maximum density of Mobile Home Parks is twelve (12) Mobile Home Lots per acre.

(c) Mobile Home Lot

(1) The minimum applicable Mobile Home Lot shall be three thousand (3,000) square feet.

(2) The average area of all spaces within the Mobile Home Park shall not be less than three thousand (3,000) square feet excluding drives, playgrounds, and similar areas.

(3) A minimum separation of sixteen (16) feet between Mobile Homes, one from another and from other structures located on other lots shall be provided.

(4) No part of a Mobile Home or other facility placed on a Mobile Home Lot shall be closer than ten (10) feet to a Mobile Home Park street.

(5) No Mobile Home shall be located closer than ten (10) feet to any perimeter boundary line of the Mobile Home Park which does not abut upon a Thoroughfare.

(6) No Mobile Home shall be located closer to any perimeter boundary line of the Mobile Home Park abutting upon a Thoroughfare than twenty-five (25) feet or such other distance as may be established as a setback requirement with respect to conventional buildings in the district in which the Mobile Home Park is located.

(7) An electrical outlet supplying at least 100-115/220-225 volts, 100 amperes, shall be provided for each non- all-electric Mobile Home Lot in a Mobile Home Park; and 200 amperes for each all-electric Mobile Home Lot in a Mobile Home Park.

(8) Each Mobile Home Lot in a Mobile Home Park shall be provided with a patio adjacent to the entrance to the Mobile Home. Such patio shall be a minimum of one hundred seventy-five (175) square feet and shall be surfaced

(1) An adequate supply of potable drinking water shall be supplied by pipes to all buildings and Mobile Home Lots within a Mobile Home Park to meet the requirements of the Park. No common drainage vessels shall be provided nor shall any drinking faucets be placed in a toilet room or water closet compartment.

(2) Each Mobile Home Lot in a Mobile Home Park shall be provided with a cold water tap at least four inches above the ground. An adequate supply of hot water shall be provided at all times in the park service buildings for all bathing, washing and cleansing facilities. The hot and cold water supply shall have a minimum capacity of 125 gallons per day.

(3) An independent water supply can be used in a Mobile Home Park if public water is not available; and, if a private water system is approved by the City and the County Board of Health.

(4) The water distribution system within a Mobile Home Park shall comply with all minimum standards and specifications for the installation of public water distribution systems, as established by the provisions of the City plumbing code or other codes. The Mobile Home Park water system shall provide running water service at a pressure of not less than 20 pounds per square inch at all outlets.

(5) A minimum of one drinking fountain for each Playground area and one drinking fountain in the immediate vicinity of each service Building shall be provided for public use in each Mobile Home Park.

(j) Each Mobile Home Park shall be provided, for emergency purposes, with the following sanitation facilities:

(1) One flush toilet and one urinal for males, one flush toilet for females, one lavatory for each sex, and one shower or bathtub with individual dressing accommodations for each sex, for the first fifty (50) Mobile Home Lots or any less number thereof; and

(2) One additional flush toilet and one additional urinal for males, one additional flush toilet for females, one additional lavatory for each sex and one additional shower or bathtub with individual dressing accommodations for each sex for each fifty (50) Mobile Home Lots or fractional number thereof in excess of the first fifty (50) Mobile Home Lots.

(k) Each Mobile Home Park which accommodates Dependent Mobile Homes shall be provided with the following sanitation facilities:

(1) One flush toilet and one urinal for males, one flush toilet for females, one lavatory for each sex, and one shower or bathtub with individual dressing accommodations for each sex for the first fifteen (15) Dependent Mobile Homes, or any less number, so accommodated; and

(2) One additional flush toilet and one (1) additional urinal for males, one (1) additional lavatory for each sex and one additional shower or bathtub with individual dressing accommodations for each sex for each fractional number in excess of the first fifteen (15) Dependent Mobile Homes so accommodated.

(l) Each toilet and each shower or bathtub with individual dressing accommodations, for which provision is made in this Section shall be in a private compartment or stall.

(m) The toilet and other sanitation facilities required by this Section for males and females shall be either in separate buildings or shall be separated, if in the same Building, by a soundproof Wall. The sanitation facilities for males and females shall be distinctly marked to denote the sex for which they are intended.

(n) Waste from showers, bathtubs, flush toilets, urinals, lavatories and slop sinks in service and other buildings within a Mobile Home Park shall be discharged into a

(1) A permit must be obtained from the City prior to the placement of any device. The cost of the permit shall be determined by the City. Such devices must be placed upon private property unless some physical condition exists that would prohibit placement in the yard or driveway. If the device cannot be placed on private property it may be placed on a city street directly in front of the property of the permit holder.

(2) A permit issued by the City shall be valid for seven (7) days from the date of issuance. The Building Official may grant an extension of up to seven (7) days upon showing of good cause by the applicant. Not more than two such extensions shall be permitted, for a maximum of twenty-one (21) days in any consecutive twelve (12) month period.

(3) A permit issued by the City shall be valid for ninety (90) days when issued in conjunction with a building permit when there is an active construction project occurring and when such device is placed on private property. The Building Official may grant an extension of up to ninety (90) days upon showing of good cause by the applicant. Not more than two such extensions shall be permitted, for a maximum of two hundred seventy (270) days in any consecutive twelve (12) month period.

(4) A permit issued by the City shall be valid for one hundred eighty (180) days when issued in conjunction with a major development plan. The Building Official may grant extensions upon showing of good cause by the applicant and depending on the scope of the project. Should work cease on the project for more than thirty (30) days, the Building Official may revoke the permit and require removal of the device.

(5) The device may be used in commercial districts as permitted by the planning commission.

(6) The device may not be located in any manner that restricts or impedes visibility of motorists.

(7) The device shall not be placed on any city street where parking is not permitted or that has a pavement width of less than eighteen (18) feet measured from inside of curb to inside of curb, or from edge of pavement to edge of pavement.

(8) The device shall not exceed eight (8) feet in width, nor be placed in a manner that restricts the remaining street width to less than ten feet measured from inside of curb or edge of pavement to the device.

(9) The device must be associated with temporary storage or a project for the property of the permit holder and not more than one (1) temporary or portable storage unit or more than one (1) dumpster shall be permitted at any time.

(10) The device shall not be placed in a manner which damages any public improvement, including but not limited to, the pavement, curb, gutter, grass, landscaping or tree located within the public right-of-way. If the device causes damage to any public improvement, the applicant shall reimburse the city the cost of repair.

(11) Any device which is placed in violation of this section or is not removed at the end of the time for which it is authorized by the city to remain in place may be removed by the city, with prior notice of not less than twenty-four (24) hours, and the cost of such removal, together with the cost of administration of its removal, shall be reimbursed to the city by the applicant.

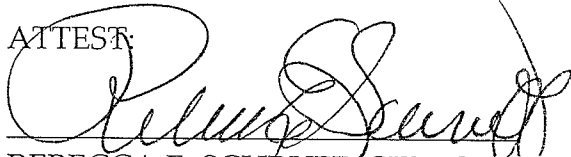
(b) Temporary and Portable Buildings and Structures

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 604 adopted and approved this, the 19th day of November, 2013.

APPROVED:


WILLIAM SKELLIE, JR., MAYOR

ATTEST:


REBECCA E. SCHRUFF, CITY CLERK

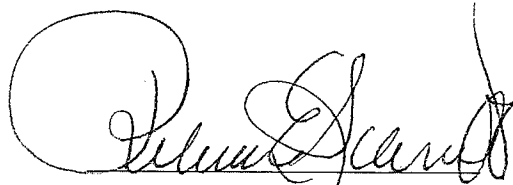
CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, the undersigned, Rebecca E. Schruoff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #604 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 19th day of November, 2013, as the same appears of record in Ordinance Book #8, pages 292-301 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 19th day of November, 2013.




Rebecca E. Schruoff, City Clerk

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