ARTICLE V:

ZONING DISTRICTS AND SPECIFIC REGULATIONS

The purposes of this chapter are to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and to conserve the value of buildings and encourage the most appropriate use of land throughout the city, all in accordance with the city's comprehensive plan. This chapter is adopted, pursuant to the authority conferred upon the city by law.

SECTION 5.1: Official Zoning Map

5.1.1 Map of District Boundaries

The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the seal of the City.

No changes of any nature shall be made to the Official Zoning Map except in conformity with the procedures set forth in this Ordinance. Any unauthorized changes by any person or persons shall be considered a violation of this ordinance and punishable as provided in *Article XVI*.

5.1.2 Location and Updating of Map

The Official Zoning Map shall be in the custody of, and shall remain on file in the Economic Development Department. The Official Zoning Map shall be available for public inspection in the Economic Development Department and a copy shall be available for inspection in the City Clerk's office.

When changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council. No amendment to this Ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and addendum thereto has been made to the Official Zoning map. The ED Director may allow the change yet to be portrayed on the Official Zoning Map to go into effect while the map is being amended.

5.1.3 Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of the districts on the Official Zoning Map, the following rules shall apply:

A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines. Boundaries indicated as approximately following City limits shall be construed as following such City limits.

C. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

D. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline.

E. Boundaries indicated as following the center lines of streams, rivers, canals, or other bodies of water shall be construed to follow such center lines.

F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through F above shall be so construed.

G. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

H. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections A through H, the Planning Commission shall recommend and the City Council shall interpret the district boundaries.

I. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, the Planning Commission may recommend and the City Council may permit the extension of the regulations for either recommend and the City Council shall interpret the district boundaries.

J. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, the Planning Commission may recommend and the City Council may permit the extension of the regulations for either portion of the lot into the remaining portion of the lot.

5.1.4 Classification of Annexed Property

The existing zoning classification of all territory annexed by the City of Gautier shall remain in effect subject to a subsequent change by the City after appropriate notice and hearing.

A public hearing shall be held within one (1) year of the date of annexation for the purpose of rezoning such property should any zoning changes be recommended by the Economic Development Director.

5.1.5 Regulations and Maps which are a Part of the Unified Development Ordinance

The regulations of this Ordinance including the Official Zoning Map are subject to the provisions of all adopted Flood Insurance Rate Maps and the Mississippi Bureau of Marine Resources Wetlands Map together with all explanatory and regulatory material thereof.

SECTION 5.2: Districts Established

5.2.1 Specific Districts Enumerated

In order to carry out the purposes of this Ordinance and to allow a variety of uses in different districts which are appropriate to the character of the individual district, the City shall be divided into the following zoning districts, the boundaries of which shall be shown on the Official Zoning District Maps.

AG	**Agricultural District**
R-E	**Residential Estate**
R-1	**Low Density Single-Family Residential**
R-1A	**Medium Density Single-Family Residential**
R-2	**High Density Multi-Family Residential**
R-3	**Mobile Home District**
C-1	**Neighborhood Commercial**
C-2	**Community Commercial**
C-3	**Highway Commercial**
I	**Industrial District**
PL	**Public Land**
TCMU	**Town Center**
MURC-MW	**Mixed Use Residential Commercial-Mary Walker**
MURC-1	**Mixed Use Recreation Commercial-1**
MURC-2	**Mixed Use Recreation Commercial-2**
MUMS	**Mixed Use Main Street**
PUD	**Planned Unit Development**
COR	**Corridor Overlay District**

5.2.2 Uses Permitted by Right and Conditional Uses

No use shall be established in any zoning district unless it is expressly designated by this Ordinance as a "P-permitted use" or "C-conditional use-major" or "c-conditional use-minor". The range of uses allowed as "Permitted Uses and Structures," "Conditional Uses," in each zoning district are summarized in Tables 3, 4 and 5. In the event of a conflict between tables of this Ordinance, the text shall control. The intent of the underlying Future Land Use category of the Comprehensive Plan determines allowable uses in the PUD District.

Table No. 3: Uses Permitted in Residential Districts							
		AG	**RE**	**R-1**	**R-1A**	**R-2**	**R-3**
	Accessory Buildings *(In accordance with Article VI)*	P	P	P	P	P	P
	Adult Day Care Center, Commercial	C				C	
	Apartment Building-less than 45' in height				P	P	
	Apartment Building – 46' to 60' in height.					P	
	Assisted Living Facility					C	
	Boarding House					C	
	Cemetery and/or Columbarium	C		C	C	C	C
	Child Care Center, Commercial	c				c	
	Church or Place of Worship	C		c	c	C	
	Country Club	c	C	c	c	c	
	Clubhouse or Lodge	c	c			P	
	Cluster Development						
	Community Center	c	c	c	c	c	c
	Condominium, Residential (less than 45' in height).					P	
	Condominium, Residential (46' to 60' in height).					P	
	Conservation Subdivision	P	P				
	Dwelling, Mobile Manufactured Home	C					P
	Dwelling, Multi-family					P	
	Dwelling, Single-family, Attached				C		
	Dwelling, Single-family, Detached	P	P	P	P		P*
	Dwelling, Two-family				C		
	Farm	P					
	Garage or carport, Private as an Accessory Use	P	P	P	P	P**	P
	Garage Apartment (As an accessory Use)	c	C	c	C	C	C

Table No. 3: Uses Permitted in Residential Districts							
		AG	**RE**	**R-1**	**R-1A**	**R-2**	**R-3**
	Golf Course	P	P				
	Golf-Driving Range	C					
	Group Home for the Handicapped (for 6 or less guests)	C	C	C	C	C	C
	Guest House (As an accessory Use)	c	C	c	C	C	C
	Home Occupation in accordance with *Article VI.*	P	P	P	P	P	P
	MEMA Cottage	c					P/C*
	Mobile/Manufactured Home	C					P
	Manufactured Home Subdivision						P
	Mobile Home Park						P
	Modular Home			c	c		P**
	Multi-Family Development					P	
	Park, Private for Residents	P	P	P	P	P	P
	Park, Public	P	P	P	P	P	P
	Patio Home				c		
	Playground, Public	P	P	P	P	P	P
	Ponds for fishing and livestock	P		c			
	Public Parks and Open Space	P	P	P	P	P	P
	Public Utility Facilities	P	P	P	P	P	P
	Recreational Facilities for Use of Residents					P	P
	Signs in accordance with *Article XII.*	P	P	P	P	P	P
	Schools, Elementary	C	C	C	C	C	C
	Schools, Secondary	C	C	C	C	C	C
	Stable, Private	C					
	Stable, Public	C					
	Traditional Neighborhood Development						
	Wireless Telecommunication Facilities	C					
	Youth Camp	C					
	Zero Lot Line Home				c		

*Permitted in Manufactured Home Park. Conditional Use for all other R-3 lands.
**Permitted in Manufactured Home Subdivision only
***Private Garages may be provided for a limited number of apartments if approved by City Council.

Table No. 4: Uses Permitted in Non Residential, Public Land and Town Center Districts							
		C-1	C-2	C-3	I	PL	TC
	Accessory Uses (See Section 5.5, Article VI)	P	P	P	P	C	P
	Adult Day Care Center	P	P	P			C
	Adult Uses	Regulated by Adult Entertainment Ordinance					
	Amusement Arcade		P	P			C
	Amusement Park, Outdoor			C			c
	Ambulance Service		P	P			
	Animal Shelter				C		c
	Apartment Building			C			C
	Arboretums, Botanical Fac.	P				C	P
	Art Gallery	P	P	P			P
	Artisan Studio	P	P	P			P
	Assisted Living Facility	C	C	C			C
	Automobile Gas Station		P	P			C
	Automobile Recovery Business			C	C		
	Automobile Repair Shop, Major			P	P		C
	Automobile Dealership			P			
	Automobile Service Center, Minor		P	P	P		
	Automobile Junk/Wrecking Yard				C		
	Bank or Financial Institution	C	P	P			P
	Bar or Tavern		C	P			c
	Beauty & Barber Shop	P	P	P			P
	Big Box Retail Store			P			c
	Bed and Breakfast Inn		c	P			c
	Bingo Hall			C			
	Boat Yard		c	P	C		
	Body Piercing Business	C	C	C			C
	Borrow Pit				C		
	Book Store	P	P	P			P
	Boiler Works				C		
	Bowling Alley		C	P			P
	Building Material & Supply Establishment			P	P		
	Car Wash, Automated		C	P			C
	Car Wash, Self-Service		P	P			
	Catering Service	P	P	P			P
	Cemetery					C	
	Check Cashing Business		C	C			C
	Child Care, Commercial	P	P	P			C

Table No. 4: Uses Permitted in Non Residential, Public Land and Town Center Districts							
		C-1	C-2	C-3	I	PL	TC
	Church or Place of Worship	C	C	C		C	C
	Clinic, Medical or Dental	C	P	P			P
	Clubhouse or Lodge	C	P	P			C
	College or University					C	c
	Condominium, Residential			C		C	P
	Conference or Meeting Facility			C		P	P
	Community Center						C
	Community Shopping Center		P	P			P
	Contractor's Shop			P	P		
	Contractor's Storage Yard				P		
	Convention Center			C		C	P
	Convalescent or Nursing Home	C	C	C			c
	Convenience Store	P	P	P			C
	Correctional Facility				C		
	Country Club					C	
	Day Spa		P	P			P
	Department Store			P			P
	Drug Store	C	P	P			P
	Dry Cleaning Pick-up Station	P	P	P			P
	Dry Cleaning Plant				P		
	Dwelling Units above the 1st floor of Mixed Use Buildings		C	C			P
	Dump, Solid Waste				C		
	Emergency Shelter/Mission			C			
	Farmer's Market	c	c	c			P
	Fish Camp		P	P			
	Funeral Home	C	C	C			C
	Golf Course					P	
	Golf-Driving Range			P			
	Guest Home for the Handicapped (less than 12 guests)	C	C	C			c
	Guest House (As Accessory Use)	c					c
	Gun Shop		C	P			C
	Half-way House			C			
	Health Department			P			P
	Health Club or Fitness Center	C	P	P			P
	Heavy Equipment Sales and Rental			P	P		

Table No. 4: Uses Permitted in Non Residential, Public Land and Town Center Districts							
		C-1	C-2	C-3	I	PL	TC
	Hospice	C	C	C			C
	Hospital			P		C	P
	Hotel or Motel			P			P
	Industrial Park			C	P		
	Instructional Studio, Public	P	P	P			P
	Junkyard				C		
	Kennel, Commercial			C	C		c
	Laboratory, Dental		P	P	P		C
	Laboratory, Research			P	P		P
	Laundromat	C	C	C			
	Lumberyard			P	C		
	Machine Sales and Services			P			
	Machine Shop			P	P		
	Manufacturing, Heavy			C	P		
	Manufacturing, Light			P	P		
	Manufacturing, Wet Type				C		
	Marina, Commercial		P	P			
	Marina, Public	c				C	
	Marine Sales and Service			P			C
	Millwork, Cabinet or Woodworking Shop			P	P		C
	Mini-Warehouse, Self Service			C	P		
	Mini-Warehouse, Controlled Climate			P	P		
	Mixed Use Buildings	P	P	P			P
	Mixed Use Buildings with dwelling on 2nd floor and above		C	P			P
	Mobile Home Sales			P	C		
	Motorcycle Sales and Repair Shop			P			c
	Moving Services			P	P		
	Multi-family Residential Dev.			C			c
	Museum			P		C	P
	Neighborhood Shopping Center	P	P	P			P
	Nightclub			C			C
	Outdoor Seating Area for restaurants, bookstores	c	P	P	P		P
	Outdoor Storage for Retail			P			c
	Package Liquor Store		C	P			C
	Parking Garage			P	P		C
	Parking Lot, Commercial		C	P			c
	Parking Lot, Ancillary	C	C	C		C	c

Table No. 4: Uses Permitted in Non Residential, Public Land and Town Center Districts							
		C-1	C-2	C-3	I	PL	TC
	Pawn Shop		C	P			C
	Plant Nursery, Retail		P	P			c
	Plant Nursery, Wholesale			P	P		c
	Playground	c		C		C	P
	Pocket Parks and Plazas						P
	Print/Blueprint Shop		P	P			P
	Produce Stand			C			P
	Professional Occupation Office	P	P	P	P		P
	Public Facilities	P	P	P	P	C	P
	Public Parks and Open Space	P	C	C		c	P
	Public Utilities	P	P	P	P	C	P
	Quasi-Public Facilities for Youth	P	P	P		C	P
	Radio & T. V. Broadcasting Studio				P		P
	Rehabilitation Center		C	P			c
	Recreational Vehicle Park		C	P			
	Recycling Center				C		
	Restaurant, Carry-Out	P	P	P			P
	Restaurant, Drive-in or Fast Food	C	P	P			P
	Restaurant, Neighborhood	P	P	P			P
	Restaurant, Specialty	P	P	P			P
	Rock, Sand, Gravel or Earth Excavation, Crushing or Distribution				C		
	Rug Cleaning Plant				P		
	School, Elementary					C	c
	School, Secondary	C	C	C		C	c
	Second Hand Store		P	P			P
	Signs as regulated in Article XII	P	P	P	P	C	P
	Shopping Mall, Regional			P			P
	Specialty Retail Shop	P	P	P			P
	Sports Facilities, Public					C	c
	Stable, Private					P	c
	Steel Mill, Mini				C		
	Studio, Multimedia Production		P	P			P
	Supermarket			P			P
	Tattoo Parlor	C		C			C
	Theatre, Motion Picture			P			P
	Theatre, Professional		P	P			P

Table No. 4: Uses Permitted in Non Residential, Public Land and Town Center Districts							
		C-1	C-2	C-3	I	PL	TC
	Title Loan Business		C	P			C
	Truck Terminal			C	P		
	Truck Stop			C			
	Used Car Sales		C	P			
	Utility Substation			C	C	C	c
	Vocational Schools		P	P	P		c
	Youth Camp					C	c
	Veterinary Clinic	C	P	P			c
	Warehouse, Commercial			C	P		
	Wireless Telecommunication Facilities			C	C		c
	Wrecker Towing Service			C	P		

	Table No. 5: Uses Permitted in Solely Mixed Use Districts				
		MURC-1	MURC-2	MURC-MW	MUMS
	Accessory Uses (See Section 5.5, Article VI)	P	P	P	P
	Adult Day Care Center	P	P		c
	Adult Uses	Regulated by Adult Entertainment Ordinance			
	Amusement Arcade	c	P	P	P
	Amusement Park, Outdoor		P	C	P
	Ambulance Service		P	C	P
	Animal Shelter		c		c
	Apartment Building	P	P	C	P
	Arboretums, Botanical Fac.	P	P	P	P
	Art Gallery	P	P	P	P
	Artisan Studio	P	P	P	P
	Assisted Living Facility	C	C		C
	Automobile Gas Station				
	Automobile Recovery Business				
	Automobile Repair Shop, Major				
	Automobile Dealership				
	Automobile Service Center, Minor				
	Automobile Junk/Wrecking Yard				
	Bank or Financial Institution	C	P	P	P
	Bar or Tavern		P	c	P
	Beauty & Barber Shop	P	P	P	P
	Big Box Retail Store		c		
	Bed and Breakfast Inn	P	P	P	P
	Bingo Hall		c		c
	Boat Yard		P	P	
	Body Piercing Business				C
	Borrow Pit				
	Book Store	P	P		P
	Boiler Works				C
	Bowling Alley		c		c
	Building Material & Supply Establishment				P
	Car Wash, Automated				
	Car Wash, Self-Service				
	Catering Service				P
	Cemetery				C
	Check Cashing Business				C
	Child Care, Commercial	C	C		P

	Table No. 5: Uses Permitted in Solely Mixed Use Districts				
		MURC-1	MURC-2	MURC-MW	MUMS
	Church or Place of Worship				C
	Clinic, Medical or Dental	C	P		P
	Clubhouse or Lodge	P	P	P	P
	College or University	C	P		P
	Condominium, Residential	P	P	P	P
	Conference or Meeting Facility	c	P	c	c
	Community Center	c	P	c	P
	Community Shopping Center		c	P	P
	Contractor's Shop				c
	Contractor's Storage Yard				c
	Convention Center		P	C	P
	Convalescent or Nursing Home	P	P	C	
	Convenience Store		P	c	P
	Correctional Facility				
	Country Club	P	P	P	P
	Day Spa	P	P	c	P
	Department Store				
	Drug Store	C	C		P
	Dry Cleaning Pick-up Station		P		P
	Dry Cleaning Plant				P
	Dwelling Units above the 1st floor of Mixed Use Buildings	P	P	P	P
	Dwelling, Multi-Family	P	P	c	
	Dwelling, Park Model Home	P	P	c	
	Dwelling, Single-family, Attached	P	P	P	
	Dwelling, Single-family, Detached	P	P	P	
	Emergency Shelter/Mission			C	
	Farmer's Market	P	P	c	P
	Fish Camp	P	P	P	
	Funeral Home				C
	Golf Course		c		
	Golf-Driving Range		c		
	Guest Home for the Handicapped (less than 12 guests)	C	C	C	
	Guest House (As Accessory Use)	P	P	P	
	Gun Shop		C		C
	Half-Way House		C		

	Table No. 5: Uses Permitted in Solely Mixed Use Districts				
		MURC-1	MURC-2	MURC-MW	MUMS
	Health Club or Fitness Center	c	P	P	P
	Heavy Equipment Sales and Rental				
	Hospice		C	C	C
	Hospital	c	c		
	Hotel or Motel	P	P	C	P
	Industrial Park				
	Instructional Studio, Public	c	P	P	P
	Junkyard				
	Kennel, Commercial				C
	Laboratory, Dental				P
	Laboratory, Research				P
	Laundromat				C
	Lumberyard				
	Machine Sales and Services				P
	Machine Shop				
	Manufacturing, Heavy				
	Manufacturing, Light				
	Manufacturing, Wet Type		P		
	Marina, Commercial	P	P	P	P
	Marina, Public	P	P	P	P
	Marine Sales and Service	c	P	c	P
	MEMA Cottage	c	c	c	c
	Millwork, Cabinet or Woodworking Shop				P
	Mini-Warehouse, Self Service				
	Mini-Warehouse, Controlled Climate				
	Mixed Use Buildings	P	P	P	P
	Mixed Use Buildings with dwelling on 2nd floor and above	P	P	P	P
	Mobile Home Sales				
	Motorcycle Sales and Repair Shop				C
	Moving Services				
	Museum			P	
	Neighborhood Shopping Center	c	P		P
	Nightclub		c	c	P
	Outdoor Seating Area for restaurants, bookstores	P	P	P	P

	Table No. 5: Uses Permitted in Solely Mixed Use Districts				
		MURC-1	MURC-2	MURC-MW	MUMS
	Outdoor Storage for Retail				c
	Package Liquor Store				C
	Parking Garage		C	C	P
	Parking Lot, Commercial				
	Parking Lot, Ancillary	C	C	C	C
	Pawn Shop				c
	Plant Nursery, Retail	P	P		P
	Plant Nursery, Wholesale				P
	Playground	P	P	P	P
	Pocket Parks and Plazas	P	P	P	P
	Print/Blueprint Shop				P
	Produce Stand	P	P	P	P
	Professional Occupation Office		P	P	P
	Public Facilities	P	P	P	P
	Public Parks and Open Space	P	P	P	P
	Public Utilities	P	P	P	P
	Quasi-Public Facilities for Youth	P	P	P	P
	Radio & T. V. Broadcasting Studio	P	P	P	P
	Rehabilitation Center		C		C
	Recreational Vehicle Park		P	P	C
	Recycling Center				
	Restaurant, Carry-Out	P	P	P	P
	Restaurant, Drive-in or Fast Food	P	P	P	P
	Restaurant, Neighborhood	P	P	P	P
	Restaurant, Specialty	P	P	P	P
	Rock, Sand, Gravel or Earth Excavation, Crushing or Distribution				
	Rug Cleaning Plant				
	School, Elementary		C		C
	School, Secondary		C		C
	Second Hand Store		c		c
	Signs as regulated in Article XII	P	P	P	P
	Shopping Mall, Regional				
	Specialty Retail Shop	P	P	P	P
	Sports Facilities, Public		c		
	Stable, Private	c	c		
	Steel Mill, Mini				

	Table No. 5: Uses Permitted in Solely Mixed Use Districts				
		MURC-1	MURC-2	MURC-MW	MUMS
	Studio, Multimedia Production	P	P	c	P
	Supermarket		c		P
	Tattoo Parlor				C
	Theatre, Motion Picture		c	c	c
	Theatre, Professional		c	c	c
	Title Loan Business	P	P		P
	Truck Terminal				
	Truck Stop				
	Used Car Sales				
	Utility Substation	c	c		c
	Vocational Schools		C		C
	Youth Camp		P	P	P
	Veterinary Clinic		P	P	P
	Warehouse, Commercial				
	Wireless Telecommunication Facilities				
	Wrecker Towing Service				

5.2.3 Similar and Compatible Uses

The ED Director may determine that a proposed use not listed in this chapter is allowable as follows:

A. The ED Director may determine that a proposed use is similar to and compatible with a listed use and may be allowed, only after all of the following findings:

1. The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve greater impacts than the uses listed in the district;
2. The use will be consistent with the purposes of the applicable zoning district;
3. The use will be consistent with the comprehensive plan; and
4. The use will be compatible with the other uses allowed in the district.

B. A determination that a use qualifies as a "similar use" and the findings supporting the determination shall be in writing.

C. Applicable standards and permit requirements. When the ED Director determines that a proposed, but unlisted use is similar to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this Ordinance apply.

5.2.4 Area and Setback Regulations shall be in accordance with the dimensions specified within each district except that:

A. The COR, Corridor Overlay District qualifies development to apply for a lessening of dimension standards in exchange for specific public benefits, as established by the tier land use system of this Ordinance.

B. Whenever the specific district regulations of a more restrictive district, such uses shall be subject to the conditions as set forth in the regulations of the more restrictive district unless otherwise specified.

C. In any existing residential district, the minimum front yard setback of any new structure built as an infill structure, shall be the same as the adjoining residential structures, or if there no adjoining residential structures, shall be equal to the average of other residences on the same side of the street within the same block or series of blocks.

D. Structures to be located on the specific thoroughfares listed below require a greater front yard setback that those ordinarily required in the specific zoning district requirements. The additional setback requirement shall be added in accordance with Table No. 6:

Table No. 6 Additional Setback Requirements	
Street/Road	**Additional Setback Requirement***
Martin Bluff Rd.	Twenty (20) feet on the south side of Gautier-Vancleave Rd. to Homestead Blvd. Ten (10) feet on both to terminus
Homestead Blvd.	Ten (10) feet on both sides to terminus
Old Spanish Trail	Fifteen (15) feet on each side
Gautier-Vancleave Rd.	Ten (10) feet on each side
Guillotteville Rd.	Fifteen (15) feet on both sides
Dolphin Rd.	Ten (10) feet on both sides of Dolphin Road from Highway 90 South to Starfish
**Note: All setback requirements are from the terminuses of each road, except as noted.*	

5.2.5 Height

The following requirements are intended to provide exceptions or supplement as the case may be, the specific zoning district regulations regarding height.

A. The following structures or parts thereof are hereby exempt from height limitations set for in specific zoning district regulations:

1. Agricultural buildings such as barns but not including dwellings

2, Chimneys, spires, steeples, flagpoles, ventilators, skylights

3. Commercial telecommunications towers, subject to the standards in Article XIV

4. Water tanks or power transmission towers

5. Other similar or necessary mechanical appurtenances pertaining to and necessary to the permitted uses of the district in which they are located, provided they are not used for human occupancy

B. Churches, schools, hospitals, and other public and semi-public buildings may exceed the height limitations of the district if the minimum depth of the front, side, and rear yards required is increased one (1) foot for each two (2) feet by which the height of such public or semi-public structure exceeds the prescribed height limit.

ble 7. Intensity and Dimensional Standards

Min. Lot Area (sq. ft.)	Min. Lot Width	Maximum Building Height			Setbacks			Maximum Density (units per acre)			Maximum Floor Area Ratio			Max cove
		Tier 1	Tier 2	Tier 3	Front	Side	Rear	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3	Tier 1
20,000 SF	100	35	N/A	N/A	50	20/35	25	none	N/A	N/A	N/A	N/A	N/A	15
43,560	150	35	N/A	N/A	50/35	20/35	35	none	N/A	N/A	N/A	N/A	N/A	20
9,600	80	35	N/A	N/A	25/35	10/25/35	25	none	N/A	N/A	N/A	N/A	N/A	25
,200/10,000	60	35	N/A	N/A	25	10/25	25	none	N/A	N/A	N/A	N/A	N/A	30
9,600	90	35	N/A	N/A	25	10/25/35	25	none	N/A	N/A	N/A	N/A	N/A	30
9,600 +2,000 per du	80	35	45	60	25	25	25	15 du	18 du	24 du	N/A	N/A	N/A	30
3 acres otal 5,000 lot	40	20	N/A	N/A	19	5/19	5/19	none	N/A	N/A	N/A	N/A	N/A	N/A
3 acres otal 5,000 lot	35	20	N/A	N/A	15	7	10	8 du	10 du	N/A	N/A	N/A	N/A	N/A
None	100	15	25	35	25/15	15/35/40	15/25/35	none	N/A	N/A	N/A	N/A	N/A	75
None	100	25	30	35	40/25	15/35	0/35	none	N/A	N/A	N/A	N/A	N/A	75
None	None	35	45	60	40	15/35/40	0/35	none	N/A	N/A	N/A	N/A	N/A	75
20,000	100	60	N/A	N/A	40	15/40/80/30	25/80/40	none	N/A	N/A	N/A	N/A	N/A	none
43,560 total 30,000	80	45	N/A	N/A	same as adjacent zoning	same as adjacent zoning	same as adjacent zoning	none	N/A	N/A	N/A	N/A	N/A	65

Min. Lot Area (sq. ft.)	Min. Lot Width	Maximum Building Height			Setbacks			Maximum Density (units per acre)			Maximum Floor Area Ratio			Max cove
		Tier 1	Tier 2	Tier 3	Front	Side	Rear	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3	Tier 1
43,560 total 2,400	40	30	55	75	25/0 80	0/15/35	0/35	18	24	36	4.0	4.5	5.0	0/90
None	25	20	30	35	15	15	20	8	10	12	2.25	2.50	3.0	65
None	50	25	45	60	10	7.5	20	24	36	None	3.0	4.0	5.0	70
None	None	35	40	45	10	7.5	20	8	12	18	3.5	4.0	4.5	70
None	None	20	40	65	0	0	15	12	18	24	4.0	4.5	5.0	100
2 acres total	None	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	75%

SECTION 5.3: General District Descriptions

5.3.1 AG, Agricultural District

Purpose and intent. The AG District is intended to provide an area for low density residential development and small scale agricultural uses such as farms, and ponds for livestock or fowl. This zoning district is to encourage large lots, open space and single-family detached dwellings in an agricultural environment.

The provision of these zoning regulations shall not be exercised so as to require permits with reference to land used for agricultural purposes, or for the maintenance, repair or extension of farm buildings or farm structures.

5.3.2 R-E, Residential Estate District

Purpose and intent. The purpose of this district is to provide for large-lot residential areas for the development of very low density, single-family residential uses and compatible accessory structures. Areas with these characteristics are typically developed as large-lot subdivisions with custom-built homes, suburban areas on the edge of the city and lots which contain environmentally sensitive areas. It is the intent of this Ordinance that these districts should be maintained without intrusive uses so as to minimize the impact of additional traffic or noise.

5.3.3 R-1, Low Density Single-Family Residential District

Purpose and intent. The purpose of this district is to provide areas where the principal use of land is for single-family detached dwelling units and related recreational facilities which compliment the area and provide a balanced and attractive residential area. R-1 areas are to be specifically designed to provide for the quiet enjoyment of the uses therein. They should have well defined boundaries and be protected from the encroachment of commercial uses and heavy through traffic.

5.3.4 R-1A, Medium Density Single-Family Residential District

Purpose and intent. The purpose of this district is to provide areas for the development of low to medium density residential uses and structures. These districts should be located in areas of the City where a quiet environment exists which is suitable for moderate density residential uses and adjacent to similar density residential areas. Single-family and two-family principal uses and accessory structures are permitted.

5.3.5 R-2, High Density Multi-Family Residential District

Purpose and intent. The purpose of the R-2 District is to provide for resort-style communities offering a full range of living accommodations for Gautier residents. In addition to uses permitted within the R-1A District, this District allows for multi-family developments, residential condominiums, retirement communities and assisted living facilities. Complementary recreational facilities are also permitted and permanent open space and/or recreational facilities are required for new developments within this district.

5.3.6 R-3, Mobile/Manufactured Home Residential District

Purpose and intent. The purpose of the R-3 District is to provide for affordable housing including student and artist cooperatives for Gautier. The principal use of land is for manufactured home subdivisions, cottage villages, and/or modular home dwellings. Manufactured and mobile homes may only be placed in existing or new Manufactured and Mobile Home Parks or in platted Manufactured Home Subdivisions which are zoned R-3. It is the intent of this Ordinance that these districts be located in areas where they will not adversely affect low- or medium-density residential neighborhoods. This district, and the developments allowed in it, should be located so as to not interfere with or damage environmentally sensitive lands and must insure that adequate open space and recreational facilities are located within the development to serve the needs of residents in the district. A large amount of land zoned R-3 concentrated within one area should be avoided to prevent crowding and effects of traffic generated by this type of development.

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5.3.7 C-1, Neighborhood Commercial District

Purpose and intent. The purpose of this district is to provide relatively quiet, attractive and spacious areas for the development of office and limited retail uses. The C-1 zoning district implements the comprehensive plan's Low Impact Commercial designation to foster areas which provide convenience shopping for the day-to-day needs of consumers and which are located close to residential neighborhoods. These are located at key intersections on arterial and/or collector streets. The size and scale of commercial buildings should relate to the surrounding buildings. An example of an existing neighborhood center in Gautier is located at Martin Bluff Road and Bluff Point Drive.

5.3.8 C-2, Community Commercial District

Purpose and intent. The purpose of this district is to provide areas of medium density commercial including a mixture of retail, professional services, and studios which cluster together. Community Commercial Districts are located primarily along transportation collectors such as Gautier-Vancleave. The co-location of professional services and civic uses shall be encouraged to strengthen industry and provide an attractive, pedestrian scale commercial corridor into the City.

5.3.9 C-3, Highway Commercial District

Purpose and intent. The purpose of this district is to provide for areas where relatively high intensity commercial and retail uses, office buildings, medical facilities, automobile car lots and regional shopping areas may be located. C-3 Districts are to be located along major highways or major arterials. Due to the high intensity of some of the permitted uses and the variety of uses, most C-3 uses are not compatible with low- to medium-density residential uses, but may be adjacent to high-density residential uses if adequately buffered.

5.3.10 I, Industrial District

Purpose and intent. The purpose of the industrial district is to provide land where light manufacturing and assembly plants, processing, storage, warehousing, wholesaling,

distribution centers and industrial parks for such uses can be located by right. All industrial, warehousing or manufacturing uses permitted by right should be conducted in such a manner so that noise, odor, dust, and glare of each operation are completely confined within an enclosed building. It is the intent of this Ordinance that heavy industrial and manufacturing uses be reviewed to ensure compatibility with conditions. Any outdoor industrial, storage or manufacturing use shall be appropriately screened and buffered to mitigate the effect on adjacent property.

5.3.11 PL, Public Land

Purpose and intent. The purpose of this district is to provide for sites where governmental and quasi-governmental uses such as municipal and county facilities, schools, civic, cultural and historic sites as well as recreational facilities can be placed. This type of development is usually developed as a cohesive unit with internal streets and destinations. Due to the diversity of uses allowed, each use shall be considered a conditional use and subject to approval of the City Council. A change of use on land zoned PL shall required approval of the Council.

5.3.12 TCMU, Town Center Mixed Use District

General Description and Design Principals

Purpose and intent. The purpose of the TCMU Town Center Mixed-Use District is to encourage the development of a new downtown area that offers shopping, entertainment venues, cultural and community uses and specialized types of residential units to serve residents and visitors to Gautier.

This district will be the core area of the city with quality designed and built structures, streetscapes and amenities. New development and changes to existing buildings should be consistent with recognized pedestrian scale improvements in terms of structural orientation, height, lot dimensional requirements and other site spatial relationships.

The general design principals for the Town Center Mixed Use District are as follows:

1. *Create a distinctive "Sense of Place":* All buildings should incorporate high quality architectural treatments, building materials, and site planning that provides visual interest, reduces building mass impacts, respects local character and provides a distinct sense of place. Developers should establish continuity of design with distinctive signs, banners, pedestrian scale lights and street trees which help identify the district.

2. *Strong Street Edge*: All commercial and civic uses, including big box stores, should provide physical definition to streets and public spaces. This can be accomplished by locating buildings or sections of buildings closer to the street. A strong street edge helps mitigate the negative visual impact of surface parking lots and parking garages.

3. *Place Focal Points at Major Intersections*: Development on the corners of major intersections should frame the corners. Public elements including streetscapes,trees, paving and pedestrian elements should help articulate these areas as major Destination points.

4. *Provide Quality Public Amenities and Landscaping*: Development should provide high quality public amenities and landscaping that promote a positive site appearance, pedestrian activity and social interaction.

5. *Create Human Scale Development:* Entrances into buildings should be at the scale of the pedestrian rather than monolithic or monumental scale, pedestrian linkages should be created from parking lots to building entrances, between buildings and to sidewalks and walking trails.

5.3.13 MURC-1, Mixed Use Recreation Commercial-1

Purpose and intent. Mixed Use Recreational Commercial-1 zoning district implements Future Land Use Section 7.3, Mixed Use Recreation Commercial of the Comprehensive Plan, and also serves as a buffer between areas of lower and higher intensity. The MURC-1 zoning district shall apply to areas developed, redeveloped and/or maintained and conserved as areas that accommodate permanent or seasonal single-family detached or multi-family attached residential dwelling units; commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations; and tourist-oriented uses including marinas, dry boat storage, community buildings, public facilities, clubhouses, neighborhood retail commercial goods and services not exceeding 5,500 square feet designed primarily to serve the needs of the Mixed Use Recreational Commercial area, fitness centers, dinner clubs and restaurants. It is the intent of the MURC-1 zoning district to specifically not allow all non-residential uses, recreation vehicles and travel trailers in the district. Regulations are intended to create low intensity mixed-use areas that are compatible with adjacent residential areas; to encourage a pedestrian orientation by locating buildings close to public sidewalks; to permit local services and shops within walking distance of residential neighborhoods; and to require buffering of commercial properties from abutting residential neighborhoods.

5.3.14 MURC-2, Mixed Use Recreation Commercial-2

Purpose and intent. The Mixed Use Recreational Commercial-2 zoning district implements Future Land Use Section 7.3, Mixed Use Recreation Commercial of the Comprehensive Plan, and also serves as a buffer between areas of lower and higher intensity. The MURC-2 zoning district shall apply to areas suited for tourist-oriented development. Specifically, lands which are developed, redeveloped and/or maintained and conserved as areas that accommodate permanent or seasonal single-family detached or multi-family attached residential dwelling units; commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations; and tourist-oriented uses including recreation vehicles, travel trailers, seasonal cabins, marinas, dry boat storage, community buildings, public facilities, clubhouses, museums, visual and performance arts buildings, neighborhood retail commercial goods and services not exceeding 7,000 square feet designed primarily to serve the needs of the Mixed Use Recreational Commercial area, offices, medical clinics, laundries and dry cleaning drop off centers, banks, fitness centers, dinner clubs and restaurants. It is the intent of the MURC-2 zoning district to specifically not allow all non-residential uses to be located in the district.

5.3.15 MURC-MW, Mixed Use Recreation Commercial-MW

Purpose and intent. The MURC-MW zoning district implements Future Land Use Section 7.3, Mixed Use Recreation Commercial of the Comprehensive Plan. The Mixed Use Recreation Commercial-MW zoning district is a special planning area that recognizes the special character and operation of the area generally described as the Mary Walker community. The district is intended to protect a mix of uses that includes permanent single family residences, seasonal single-family detached residences, and tourist-oriented uses including recreation vehicles, seasonal cabins, marinas, dry boat storage, dinner clubs and restaurants. These regulations are intended to create a mixed-use waterfront district with residential and limited commercial development that is compatible in use and scale with the single-family neighborhood; to encourage water-related and waterdependent uses and activities that are compatible with the residential component of the neighborhood and to provide access and enjoyment of the Pascagoula Bay.

5.3.16 MUMS, Mixed Use Main Street

Purpose and intent. The Mixed Use Main Street zoning district implements the Residential Commercial designation of the Comprehensive Plan. The district is intended to create neighborhood-scale mixed-use areas outside the Town Center that are pedestrian-oriented, with residential units permitted above commercial uses; to provide a continuous commercial frontage along principal streets to facilitate a pedestrian orientation, with parking located on-street or in common parking lots at the center or rear of blocks and behind buildings; and to provide for the reuse of existing buildings and structures, while encouraging new development.

5.3.17 PUD, Planned Unit Development

Purpose and intent. The PUD zoning district is applied to specific areas to encourage flexibility in the development of land, in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; to mitigate the problems which may be presented by specific site conditions; and to encourage subdivisions which address the affordable housing goals, objectives and policies of the city's comprehensive plan. Uses permitted “by right” are established by the intent of the underlying Comprehensive Plan Future Land Use Map. It is anticipated that PUDs will offer one or more of the following advantages:

1. Provide substantial buffers and transitions between areas of different land use and development densities;
2. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;
3. Counteract urban monotony and congestion on streets;
4. Promote architecture that is compatible with the surroundings;
5. Buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development; and

6. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.

5.3.18 COR, Corridor Overlay District

Purpose and intent. The purpose of establishing this overlay district is to implement Section 7.8 of the Comprehensive Plan. Specifically, to provide bonus incentives for development by implementing a tier land use system, expedite permitting when appropriate, and to protect the aesthetic and visual character of lands in Gautier adjacent to the major roads, the waterfront, and the Town Center, as defined herein. All development proposed within this District shall be subject to the procedures, standards and guidelines specified in the Article IV, in addition to those standards pertaining to the particular base district in which the development occurs. In particular, the purpose of the Corridor Overlay District is to encourage the development of a vibrant center city; better articulate positive visual experiences along Gautier's major roads, the waterfront, and Town Center; to provide for the continued safe and efficient utilization of these roads; and to provide for the continued preservation and conservation of the waterfront and the City's characteristic "historic fishing village and college-town feel".

SECTION 5.4: General Regulations

5.4.1 Uses Permitted by right in AG, R-E, R-1, R-1A, R-2 and R-3 Residential Districts

The following uses are permitted by right in the specific districts enumerated above provided they the most restrictive regulations of the particular district in which they are to be located:

1. Accessory Structures located on the same lot and in accordance with *Article VI* and other provisions of this Ordinance

2. Residential uses, as hereafter regulated

3. Public utility facilities and structures required to provide essential public services

4. Public parks and open spaces

5. Home occupations, in accordance with *Article VI* and other provisions of this Ordinance and the issuance of a Home Occupation Permit

6. Signs as regulated in *Article XII*

5.4.2 AG, Agricultural District

Area and Setback Regulations

All uses and structures in the AG District shall meet the following development standards, except as otherwise provided by this Ordinance.

1. **Minimum Lot Area:**

Single-Family Dwelling—Twenty thousand (20,000) square feet

Agricultural Uses–-Three (3) acres

Country Clubs–-Five (5) acres

Golf Course and/or Golf Driving Range—Ten (10) acres

2. **Minimum Lot Width:** One hundred (100) feet for both interior and corner lots at front building line and fifty (50) feet on a public or platted street

3. **Minimum Setbacks for Principal structure:**

Front—Fifty (50) feet

Side—Twenty (20) feet for interior lots and thirty-five (35) feet for corner lots

Rear—Twenty-five (25) feet

4. **Minimum Setbacks for Accessory structure(s):**

Front—All accessory structures shall be located in the rear yard of the principal use

Side—Ten (10) feet

Rear—Five (5) feet

5. **Maximum Building Height**: Thirty-five (35) feet for principal structure and twenty-five (25) feet for accessory structure

6. **Maximum Lot Coverage**: Fifteen (15) percent for principal structure and accessory structures and accessory structures shall not exceed twenty (20) percent of the rear yard

ADDITIONAL REGULATIONS

Conservation subdivisions may be used in this district with the permission of the City Council.

5.4.3 R-E, Residential Estate District

Area and Setback Regulations

All uses and structures in the R-E District shall meet the following development standards, except as otherwise provided by this Ordinance:

1. **Minimum Lot Area:**

   Single-Family Dwelling—One (1) acre

   Country Club or similar facilities–Five (5) acres

   Golf Course—Ten (10) Acres

2. **Minimum Lot Width**: One hundred fifty (150) feet for both interior lots and corner lots at the front building line and fifty (50) feet on a public or platted street.

3. **Minimum Setbacks for Principal structure:**

   Front—Fifty (50) feet

   Side—Twenty (20) feet for interior lots and thirty-five (35) feet for corner lots

   Rear—Thirty-five (35) feet

4. **Minimum Setbacks for Accessory Structure(s):**

   Front—All accessory structures shall be located in the rear yard of the principal use.

   Side—Ten (10) feet

   Rear—Ten (10) feet

5. **Maximum Building Height:** Thirty-five (35) feet for principal structure and twenty-five (25) feet for accessory structure

6. **Maximum Lot Coverage:** Twenty (20) percent for all structures and accessory structures shall not exceed fifteen (15) percent of the rear lot area

7. **Minimum Living Area of dwelling units**: Eighteen hundred (1,800) square feet

ADDITIONAL REGULATIONS

Conservation subdivisions may be used in this district with the permission of the City Council.

5.4.4 R-1, Low Density Single-Family Residential District

Area and Setback Regulations

Single-Family detached dwelling units shall meet the following development standards.

1. **Minimum Lot Area**: Ninety-six hundred (9,600) square feet

2. **Minimum Lot Width:** Eighty (80) feet for interior lots and one hundred (100) feet for corner lots at the front building line. All lots shall have a minimum of forty (40) feet on a public or platted street.

3. **Minimum Setbacks for Principal structure:**

   Front—Twenty-five (25) feet

   Side—Ten (10) feet for interior lots and thirty-five (25) feet for corner lots

   Rear—Twenty-five (25) feet

4. **Minimum Setbacks for Accessory structures(s):**

   Front—All accessory structures shall be located in the rear yard of the principal use or in the side yard, behind the main structure front building line.

   Side—Ten (10) feet

   Rear—Five (5) feet

5. **Maximum Building Height**—Thirty-five (35) feet for principal dwellings; Twenty-five (25) feet for accessory structures

6. **Maximum Lot Coverage**—Twenty-five (25) percent for the principal structure and accessory structures. Accessory structures shall not exceed twenty (20) percent of the rear lot area or fifty (50) percent of the main building area, whichever is less.

7. **Minimum Living Area of dwelling units–**Thirteen hundred twenty-five (1,325) square feet

5.4.5 R-1A, Medium Density Single-Family Residential District

Area and Setback Regulations

Single-family and two-family principal uses and accessory structures in the R-1A District shall meet the following development standards, except as otherwise provided by this Ordinance:

1. **Minimum Lot Area:**

Single-Family Dwelling–Seventy-two hundred (7,200) square feet

Two-Family Dwellings–Ninety-six hundred (9,600) square feet

2. **Minimum Lot Width:**

Single-Family Dwelling–Sixty (60) feet for interior lots and seventy (70) feet for corner lots at the front building line

Two-Family Dwellings–Ninety feet (90) feet for interior lots and one hundred (100) feet for corner lots at the front building line

All lots shall have a minimum of forty (40) feet on a public or platted street.

3. **Minimum Setbacks for Principal structure:**

Front—Twenty-five (25) feet

Side—Ten (10) feet for interior lots and twenty-five (25) feet for corner lots

Rear—Twenty-five (25) feet

4. **Minimum Setbacks for Accessory structure(s):**

Front—All accessory structures shall be located in the rear yard of the principal use or in the side yard behind the main structure front building line.

Side— Ten (10) feet

Rear—Five (5) feet

5. **Maximum Building Height**: Thirty-five (35) feet for principal dwellings twenty-five (25) feet for accessory structures

6. **Maximum Lot Coverage**: Thirty (30) percent for the principal structure and accessory structures. Accessory structures shall not exceed twenty (20) percent of the rear lot area or fifty (50) percent of the main structure, whichever is less.

7. **Minimum Living Area of Dwelling units**: Eleven hundred (1,100) square feet for single-family dwellings and two thousand (2,000) square feet for two-family dwelling units.

5.4.6 R-2, High Density Multi-Family Residential District

Area and Setback Regulations for Campus Type Multi-Family Developments:

1. **Minimum Lot Area**: Multi-family Apartments and Condominiums—Ninety-six hundred (9,600) square feet for the first two (2) units plus two thousand (2,000) square feet for each additional family unit.
2. **Minimum Lot Width**: Eighty (80) feet on a public arterial or collector street at the entrance of the subdivision.
3. **Periphery Boundary**: All buildings including accessory and recreational structures shall have a minimum setback requirement from the periphery boundary of not less than twenty-five (25) feet, with two (2) additional feet for each floor above forty-five (45) feet. A fifteen (15) feet landscaped buffer shall be required when the multi-family development is located adjacent to a single family zoning district in accordance *Article XI*.
4. **Distance between Buildings**: Thirty (30) feet
5. **Maximum Building Height**: See Table 7 for Tier Bonus Provisions.

Area and Setback Regulations When Multi-Family Buildings Face a Public Street:

1. **Minimum Lot Area:**

   Multi-family Apartments and Condominiums—A minimum tract of nine thousand six-hundred (9,600) square feet for the first two (2) units plus two thousand (2,000) square feet for each additional family unit is required.

   Assisted Living—A minimum tract of two (2) acres

2. **Minimum Lot Width**: Eighty (80) feet for interior lots and ninety (90) feet for corner lots at the front building line. All lots shall have a minimum of forty (40) feet on a public or platted street.
3. **Minimum Setbacks for Principal Structures**:

   Front—Twenty-five (25) feet

   Side—Twenty-five (25) feet for interior and corner lots

   Rear—Twenty-five (25) feet

   Front, side and rear yards shall be increased by one (1) foot for each five (5) feet of building height over forty-five (45) feet

4. **Minimum Setbacks for Accessory structure(s):**

   Front—All accessory structures shall be located in the rear yard of the principal use or in the side yard, behind the main structure front building line.

   Side—Ten (10) feet

   Rear—Ten (10) feet

5. **Maximum Building Height**: See Table 7 for Tier Bonus Provisions.
6. **Maximum Density**: See Table 7 for Tier Bonus Provisions.

Open Space and Recreational Areas.

For apartments of three (3) or more units, a minimum area equal to five (5) percent of the gross site area shall be set aside for passive recreational use, parks, or and/or common ground space. This area shall be in addition to any areas used for swimming pools, tennis courts, basketball courts or other active recreational areas and shall not necessarily include spaces between units, unless such areas are landscaped as usable park areas. All recreational, parks and common space areas shall be located on the site in such a manner as to be easily accessible to all dwelling units within the complex.

Additional Regulations

All multifamily dwellings must have direct access to a collector or arterial street as defined by the City of Gautier.

5.4.7 R-3, Mobile/Manufactured Home Residential District

Area and Setback Regulations for Manufactured or Modular Home Subdivisions

1. **Minimum Subdivision Size**: Three (3) acres
2. **Minimum Lot Area** : Five thousand (5,000) square feet
3. **Minimum Lot Width**: Forty (40) feet
4. **Minimum Setbacks for Mobile and/or Modular Homes**:

   Front—Nineteen (19) feet for interior and corner lots. Front Yards shall front on a public or platted street

   Side—Five (5) feet for interior lots and nineteen (10) feet for corner lots

   Rear—Five (5) feet
5. **Maximum Building Height**: Twenty (20) feet for Mobile homes and accessory structures; Thirty-five (35) feet for Community Centers
6. **Maximum Lot Coverage**: None, except that accessory structures shall not exceed twenty-five (25) percent of the rear yard

Area and Setback Regulations for Manufactured and Mobile Home Parks

1. **Minimum park size**: Three (3) acres
2. **Periphery Boundary**: The mobile home park perimeter shall be an unoccupied area which shall be fifteen (15) feet along the sides and rear and fifty (50) feet along the front. The inside twenty (20) feet of the fifty (50) foot front area may be used for an interior street, road, driveway, sidewalk or walking trail. Five (5) feet of the side and rear perimeter area shall be a landscaped buffer yard in accordance with *Article XI*.
3. **Minimum area on which a Mobile or Modular home may be parked**:

   Size—Three thousand five hundred (3,500) square feet

   Width—Thirty-five (35) feet
4. **Minimum Setbacks for a Mobile or Modular home from internal roads, buildings or other mobile homes**:

   Front—Fifteen (15) feet

   Side—Seven (7) feet

   Rear—Ten (10) feet

   Minimum space between two mobile or modular homes—Twenty-one (21) feet.
5. **Maximum Gross Density**: See Table 7 for Tier Bonus Provisions.
6. **Maximum Building Height:** Twenty (20) feet for Mobile homes; thirty-five (35) feet for Community Centers.
7. **Minimum Living Area**: 1,100 Square feet for Single Family Detached Dwelling

Common Ground Green Space

A minimum of five (5) percent of the total gross area of the Mobile Home Subdivision or Mobile Home Park shall be set aside for common group or green space for the benefit of residents of the neighborhood. Such space shall be reserved in no more than two major areas and used for passive and/or active recreational facilities.

Additional Regulations Regarding

All of the following regulations shall also apply to Mobile Homes and MEMA Cottages except where noted.

1. All mobile home lots shall abut upon a driveway of not less than twenty (20) feet in width, which shall have an unobstructed access to a public street which shall be classified as a collector or arterial street as defined by the City of Gautier.
2. All streets, roadways and driveways within a mobile home park shall be hard surface and meet the minimum construction standards recommended by the City Consulting Engineer and shall be sufficiently illuminated at night with street lights.
3. In Mobile Home Subdivisions, only one (1) modular or mobile home shall be permitted per lot.
4. Each mobile home residence must have two (2) hard surface areas for parking of vehicles.

SECTION 5.5: Commercial Districts

5.5.1 C-1, Neighborhood Commercial District

Area and Setback Regulations

1. **Minimum Lot Area**: None required
2. **Minimum Lot Width**: One hundred (100) feet
3. **Minimum Setbacks:**

   Front—Twenty-five (25) feet when parking is in the front of the building, **and** fifteen (15) feet if all parking is on the side and rear of the building

   Side—Fifteen (15) feet on interior lots and in the case of a corner lot abutting a public street the side setback shall be thirty-five (35) feet. Attached buildings shall not require side yards except for the end units. In cases where lot is adjacent to residentially zoned property, the side yard requirement shall be forty (40) feet and the outside ten (10) feet shall be a landscaped buffer area in accordance with *Article XI*.

   Rear—Fifteen (15) feet when parking is in the front of the building and twenty-five (25) feet when parking is in the side and rear of the building. In cases where lot is adjacent to residentially zoned property, the rear year requirement shall be thirty-five (35) feet and the outside ten (10) feet of the rear setback shall be a landscaped buffer in accordance with *Article XI.*

4. **Maximum Building Height**: See Table 7 for Tier Bonus Provisions.
5. **Maximum Lot Coverage:** See Table 7 for Tier Bonus Provisions.
6. **Maximum Building and Shopping Center Size:** No individual building or structure shall exceed twenty-four hundred (2,400) square feet per use. The total square footage of neighborhood shopping centers shall not exceed ten thousand (10,000) square feet.

Other Requirements

1. No exterior storage shall be permitted.
2. Setbacks for gasoline, fuel or diesel pumps or accessory buildings shall be in accordance with *Article VII*.

5.5.2 C-2, Community Commercial District

Area and Setback Regulations

1. **Minimum Lot Area**: None required
2. **Minimum Lot Width**: One hundred (100) feet
3. **Minimum Setbacks**:

   Front— Forty (40) feet when parking is in the front of the building, **and** twenty-five (25) feet if all parking is on the side and rear of the building

   Side—Fifteen (15) feet on interior lots and in the case of a corner lot abutting a public street the side setback shall be thirty-five (35) feet. Attached buildings shall not require side yards except for the end units. In cases where lot is adjacent to residentially zoned property, the side yard requirement shall be increased to thirty-five (35) feet and the outside ten (10) feet of the side setback shall be a landscaped buffer area in accordance with *Article XI*.

   Rear—None; however, if the commercial lot is adjacent to residentially zoned property, the rear yard requirement shall be increased to thirty-five (35) feet. The outside ten (10) feet of the setback shall be a landscaped buffer area in accordance with *Article XI.*

4. **Maximum Building Height**: See Table 7 for Tier Bonus Provisions.
5. **Maximum Lot Coverage**: See Table 7 for Tier Bonus Provisions.

Other Requirements

1. No exterior storage shall be permitted.
2. Setbacks for gasoline, fuel or diesel pumps or accessory buildings shall be in accordance with *Article VII*.

5.5.3 C-3, Highway Commercial District

Area and Setback Regulations

1. **Minimum Lot Size**: None Required
2. **Minimum Lot Width**: None Required
3. **Minimum Setbacks**:

   Front—Forty (40) feet when parking is in the front of the building, **and** twenty-five (25) feet if all parking is on the side and rear of the building.

   Side—Fifteen (15) feet on interior lots and in the case of a corner lot abutting a public street the side setback shall be thirty-five (35) feet. Attached buildings shall not require side yards except for the end units. In cases where lot is adjacent to residentially zoned property, the side yard requirement shall be increased to forty (40) feet and all the outside fifteen (15) feet of the side setback shall be a landscaped buffer area in accordance with *Article XI*.

   Rear—None; however, if the commercial lot is adjacent to residentially zoned property, the rear yard requirement shall be increased to thirty-five (35) feet. The outside ten (10) feet of the setback shall be a landscaped buffer area in accordance with *Article XI.*

   Buildings which are forty-five feet in height shall add one two (2) additional feet for each floor above forty-five (45) feet to the required side and/or rear setbacks if adjacent to residentially zoned districts.
4. **Maximum Building Height**: See Table 7 for Tier Bonus Provisions.
5. **Maximum Lot Coverage**: See Table 7 for Tier Bonus Provisions.

Additional Regulations

1. Outdoor storage for retail uses shall be on the same lot and connected to the retail entity it serves.
2. Exterior storage shall be screened in accordance with *Article XI*.
3. Setbacks for gasoline, fuel or diesel pumps or accessory buildings shall be in accordance with *Article VII*.

SECTION 5.6: Industrial Districts

5.6.1 General Provisions for Industrial Districts

A. Uses Permitted by Right in All Industrial Districts: The following uses are permitted in all Industrial districts, provided they meet the most restrictive regulations of the particular district in which they are located:

1. Accessory Structures located on the same lot and in accordance with *Article VI*

2. Industrial uses, as hereafter regulated

3. Public utility facilities and structures required to provide essential public services

4. Public facilities and uses necessary for conducting the business of operating the City, County, State, and/or Federal Government

5. Signs as regulated in *Article XII*

5.6.2 I, Industrial District

Area and Setback Regulations

1. **Minimum Lot Size**: Twenty thousand (20,000) square feet

2. **Minimum Lot Width**: One hundred (100) feet

3. **Minimum Setbacks:**

Front Yard—Forty (40) feet from street right-of-way. The outside twenty-feet (20) shall be a landscaped yard in accordance with Article XI and no parking is permitted within this area; however, walks, bikeways, trails, drives and signs will be permitted.

Side Yard—Fifteen (15) feet except when on corner lots the side yard shall be the same as the front yard. In cases where the lot is adjacent to a non-industrial use the side yard requirement shall be as follows:

(a) If adjoining use is a residential use, the side yard shall be eighty (80) feet and the outside thirty (30) feet of the setback shall be a landscaped buffer in accordance with *Article XI.*

(b) If the adjoining use is a commercial use, the side yard requirement shall be increased to thirty (30) feet and the outside twenty (20) feet shall be a landscaped buffer yard in accordance with *Article XI.*

Rear Yard—Twenty-five (25) feet except when the industrial lot is adjacent to non–industrial use the rear yard requirement shall be as follows:

(a) If the adjoining use is a residential use, the rear yard shall be eighty (80) feet and the outside forty (40) feet of the rear setback shall be a landscaped buffer in accordance with *Article XI*.

(b) If the adjoining use is a commercial use, the rear yard shall be forty (40) feet and the outside twenty (20) feet of the rear setback shall be a landscaped buffer in accordance with *Article XI.*

4. **Maximum Lot Coverage**: None Required

5. **Maximum Building Height**: Sixty (60) feet.

Additional Regulations

1. All principal uses of uses permitted by right must be housed in fully enclosed buildings.
2. All industrial uses must have direct access to a collector or arterial street as defined by the City of Gautier.
3. Loading Docks and Service Areas shall be located on the side or the rear of the property.
4. Outdoor storage areas shall be completely screened in accordance with *Article XI.*
5. Industrial Parks shall have a uniform design master plan which shall coordinate and regulate landscaping, signs and other attributes of the development.

SECTION 5.7: PUBLIC LAND

5.7.1 PL, Public Land

Area and Setback Regulations for Campus Type PL Uses with Buildings

1. **Minimum Lot Area:** One (1) acre
2. **Minimum Lot Width:** Eighty (80) feet on a public street
3. **Periphery Boundary**: All buildings shall have a minimum setback requirement from the periphery boundary of not less than twenty-five (25) feet.
4. **Distance between Buildings:** Thirty (30) feet
5. **Maximum Building Height**: Forty-five (45) feet
6. **Maximum Lot Coverage**: Sixty-five (65) percent

Area and Setback Regulations when PL uses face a Public or Private Street

1. **Minimum Lot Area:** Thirty-thousand (30,000) square feet
2. **Minimum Setbacks for Principal Structures:**

   Front, Side & Rear— same as adjacent zoning district

Landscaping Buffer Yard

All uses which adjoin AG, RE, R-1, or R-1A districts or low-density residential uses, shall provide a landscaped buffer yard in accordance with *Article XI.*

SECTION 5.8: MIXED USE DISTRICTS

Uses Permitted in All Mixed Use Districts:

1. Accessory structures regulated in *Article VI*
2. Public utility facilities and structures required to provide essential public services
3. Public facilities and uses necessary for conducting the business of operating the City, County, State, and/or Federal Government
4. Signs as regulated in *Article XII*

Site Characteristics

1. **Underground Utilities:** Every reasonable effort shall be made to place utilities underground.
2. **Uniformity**: Facilities such as sidewalks, landscaping, lighting, street trees and street furniture shall be consistent and in accordance with a master plan of the development area which shall consist of the shopping center, strip center, or in the case of a block, the entire block and facing block.

Parking and Access

Required Off-Street parking shall be in accordance with *Article VII* and the additional standards which follow:

1. In the case of stand-along uses, a minimum of forty (40) percent of the required parking spaces shall be located in the rear or side yard of the principal building.
2. No more than four (4) rows of parking may be placed between out parcel buildings and the street right-of-way.
3. Shared access points are required for adjoining properties in order to eliminate unnecessary curb cuts and to channel traffic into a main entrance point.
4. Cross access to parking lots is required to allow customers to drive to other locations without re-entering the major roadway network.
5. Service entrances and service yards shall be located only in the rear or side yard. Service yards shall be screened from adjacent residentially zoned or used property with in accordance with *Article XI.*
6. Shared access and shared parking shall be required for shopping centers and master planned developments.
7. Drive-through service windows and drive-in facilities shall not be located between the principal structure and an intersection or corner of a street.

Existing Buildings and Development within Mixed Use Districts

Existing buildings and sites that do not conform to the provision of this Section may

continue in use until a substantial modification is requested, at which time the Technical Review Committee shall determine the extent to which the provisions of this Section that shall apply.

The modification of existing buildings is permitted by right if such changes result in greater conformance with the specifications of this section.

5.8.1 TCMU, Town Center Mixed Use District

Area and Setback Regulations for New Development

1. **Minimum Lot Area**:

   Master planned development sites: One (1) acre

   Individual lots not a part of a master planned development: Twenty-four hundred (2,400) square feet

2. **Minimum Lot Width**:

   Sites for detached buildings: Forty (40) feet of frontage on a public street, public courtyard or alley

   Lots for attached buildings: Twenty-four (24) feet of frontage on a private or public street, public courtyard or alley

3. **Front Yard Setbacks (See Table 7 for Bonus Provisions)**:

   Individual lots or master planned developments that are not part of a Traditional Urban Commercial Development: Twenty-five (25) feet

   Lots for attached buildings fronting on a private or public street which are part of Traditional Urban Commercial with public sidewalks: none required

   Maximum front yard depth –Eighty (80) feet from the property line adjacent to the public streets

4. **Side Yard Setbacks**:

   None required except on corner lots the side yard shall be fifteen (15) feet. Attached buildings shall not require side yards except for the end units. In cases where the lot is adjacent to residentially zoned property, the side yard requirement shall be increased to thirty-five (35) feet and the outside ten (10) feet of the side setback shall be a landscaped buffer are in accordance with *Article XI.*

5. **Rear Yard Setbacks**:

   None required except when adjacent to a residentially zoned property, the rear yard requirement shall be thirty-five (35) feet and the outside ten (10) feet of the rear setback shall be a landscaped buffer in accordance with *Article XI.*

6. **Maximum Building Height**:

   Parcels with frontage on streets with one hundred (100) feet width or wider—seventy-five (75) feet

   Parcels with frontage on streets with between sixty (60) and one hundred (100) feet–sixty (60) feet

   Parcels with frontage on streets less than sixty feet—forty-five (45) feet

   See Table 7 for Tier Bonus Provisions.

7. Maximum Lot Coverage:

Commercial, civic and industrial—not regulated

Residential or mixed use buildings—Ninety (90) percent

See Table 7 for Tier Bonus Provisions.

5.8.2 MURC-1, Mixed Use Recreation Commercial

Area and Setback Regulations for New Development

1. **Minimum Lot Area**:

   None

2. **Minimum Lot Width**:

   Sites for detached buildings: Twenty-five (25) feet of frontage on a public street, public courtyard or alley

3. **Front Yard Setbacks (See Table 7 for Bonus Provisions)**:

   Individual lots or master planned developments that are not part of a Traditional Urban Commercial Development: Fifteen (15) feet

   Lots for attached buildings fronting on a private or public street which are part of Traditional Urban Commercial with public sidewalks: none required

4. **Side Yard Setbacks**:

   Fifteen (15) feet

5. **Rear Yard Setbacks**:

   Twenty (20) feet

6. **Maximum Building Height**:

   See Table 7 for Tier Bonus Provisions.

7. **Maximum Lot Coverage:**

   See Table 7 for Tier Bonus Provisions.

5.8.3 MURC-2, Mixed Use Recreation Commercial-2

Area and Setback Regulations for New Development

1. **Minimum Lot Area**:

   None

2. **Minimum Lot Width**:

   Sites for detached buildings: Fifty (50) feet of frontage on a public street, public courtyard or alley

3. **Front Yard Setbacks (See Table 7 for Bonus Provisions)**:

   Individual lots or master planned developments that are not part of a Traditional Urban Commercial Development: Ten (10) feet

   Lots for attached buildings fronting on a private or public street which are part of Traditional Urban Commercial with public sidewalks: none required

4. **Side Yard Setbacks**:

   Seven and a Half (7.5) feet

5. **Rear Yard Setbacks**:

   Twenty (20) feet

6. **Maximum Building Height**:

   See Table 7 for Tier Bonus Provisions.

7. **Maximum Lot Coverage:**

   See Table 7 for Tier Bonus Provisions.

5.8.4 MURC-MW, Mixed Use Recreation Commercial-MW

1. **Minimum Lot Area**:

   None

2. **Minimum Lot Width**:

   Varies.

3. **Front Yard Setbacks (See Table 7 for Bonus Provisions)**:

   Individual lots or master planned developments that are part of a Mixed Use Development: Ten (10) feet

   All other development with public sidewalks: none required

4. **Side Yard Setbacks**:

   Seven and a Half (7.5) feet

5. **Rear Yard Setbacks**:

   Twenty (20) feet

6. **Maximum Building Height**:

   See Table 7 for Tier Bonus Provisions.

7. **Maximum Lot Coverage:**

   See Table 7 for Tier Bonus Provisions.

5.8.5 MUMS, Mixed Use Main Street

Area and Setback Regulations for New Development

1. **Minimum Lot Area**:

   None

2. **Minimum Lot Width**:

   None

3. **Front Yard Setbacks (See Table 7 for Bonus Provisions)**:

   Individual lots or master planned developments that are part of a Traditional Urban Commercial Development with public sidewalks: None required.

4. **Side Yard Setbacks**:

   None. As part of a master planned development, a view corridor or alleyway shall be required for pedestrian connectivity when no setbacks are provided.

5. **Rear Yard Setbacks**:

   Twenty (20) feet. For rear parking, no setbacks shall be required.

6. **Maximum Building Height**:

   See Table 7 for Tier Bonus Provisions.

7. **Maximum Lot Coverage:**

   See Table 7 for Tier Bonus Provisions.

SECTION 5.9 PUD, Planned Unit Development

Area Requirements

A PUD is a “floating zoning district” and as such, the allowable uses shall meet the intent of the Future Land Use Designation within the Comprehensive Plan.

1. **Minimum Lot Area:**

   Total Site or Development Area: Two (2) acres

   Lots for single-family detached dwelling units: Seventy-five hundred (7,500) square feet

   Lots for single-family detached patio home or zero lot line dwelling units: Five thousand (5,000) square feet

   Lots for single-family attached dwelling units: Twenty-four hundred (2,400) square feet

2. **Periphery Boundary**:

   To be determined based on PUD

3. **Minimum Setbacks for Single Family detached Units including patio homes and zero lot line homes:**

   To be determined based on PUD

4. **Distance between Multi-family Buildings:**

   To be determined based on PUD

5. **Maximum Building Height**:

   Based on underlying zoning

6. **Maximum Overall Density for Development**: Based on the underlying zoning. In the case that the PUD encompasses more than one district, an aggregate of the districts shall apply. See Table 7 for Tier Bonus Provisions.

SECTION 5.10 COR, Corridor Overlay District

Area Requirements

The Corridor Overlay District shall include:

1. The rights-of-way and all parcels lying in whole or in part within 450 feet of each side of the rights-of-way of any road designated as a principal or minor arterial in accordance with the Comprehensive Plan.
2. All parcels lying in whole or in part within 500 feet of the Town Center District.
3. All parcels in the MURC and MUMS District.
   A. The approximate boundary of this district shall be shown on the Official Zoning Map Series.
   B. All new development and changes to existing development located in the Corridor Overlay District shall be reviewed by the Technical Review Committee. Applications for a Tier 3 Project shall be approved by the City Council after recommendation by the Planning Commission.

Targeted Area for Expediting Permitting

The challenges of redeveloping aging shopping centers and infill development in urbanized areas are of critical concern for Gautier. Expedited permitting may be granted within a certain boundary of the Overlay District and may, from time to time, be modified by the City Council after recommendation by the Planning Commission once redevelopment occurs. The intent of the expedited review is to allow the issuance of all permits and approvals at staff level by the Technical Review Committee within the confines of the adopted Unified Development Ordinance and Mississippi Statutes. Upon review of the request for expedited permitting, the Economic Development Director may determine a public hearing necessary in accordance with Article III. Any proposed change to the City's adopted regulations shall require review and approval by the appropriate Board according to Article III. The targeted area for expedited permitting shall include:

All parcels lying south of Highway 90 and north of Spanish Trail, east of Beasley Road and west of Johnson Road.

Design Review Guidelines

The compatible relationship of proposed development in the Corridor Overlay District is of critical public concern for any buildings or site improvements. The intent of the design review is not to stifle innovative architecture but to assure respect for and reduce incompatible and adverse impacts on the visual_experience. To accomplish this, the Technical Review Committee shall utilize the latest edition of the Gautier Architectural Standards Handbook 2010, and the City's Comprehensive Plan.

Streetscape Improvement Guidelines

Streetscape improvements include those architectural or functional facilities or structures which occur on site but are not part of the building and which encourage and facilitate human interaction with the environment. Examples include, but are not limited to decorative light fixtures, fountains, sculpture, benches and tables, planters, retaining walls, pedestrian and bicycle paths, bicycle parking structures, trash receptacles and enclosures, vendor areas, bollards and fences. These improvements shall be designed

to be consistent with all guidelines of this Section, and shall be reviewed for aesthetic functionality and compatibility with Gautier character.

Requirements Following Project Completion

A. All appearance features, lighting and landscaping required by the Technical Review Committee or shown on the approved application shall be maintained to the satisfaction of the Technical Review Committee by the present owner and all subsequent owners of the property.
B. Changes beyond the owner's control shall be restored by the owner, unless otherwise provided.
C. Any changes proposed by the owner shall require approval by the Technical Review Committee.

SECTION 5.11 Tiered Land Use System and Bonus Provisions

A. **Purpose and Intent.** The intent of the bonus provisions in the tiered land use system is to offer applicants incentives for investing in quality, innovative development that enhances site and building design, enhances compatibility, enhances non-motorized mobility, and provides the opportunities for achieving extraordinary public benefit. The tiered land use system implements the City's Comprehensive Plan.

B. **Applicability.** This section shall apply to all development within the COR, Corridor Overlay District and zoned one of the following: TCMU, MUMS, MURC, C-1, C-2, C-3, R-2 and R-3. The height, intensity, and density limits of each of the Tiers is set forth within the Table 7 of this Ordinance.

C. **Establishment of Tiers.** The following land use tiers are hereby established in order to designate the maximum height, density and intensity of development.

Tier 1. Unless otherwise specified, Tier 1 standards represent the maximum "by-right" building height, density and intensity, which can be achieved by adherence to the standard site development criteria established in this code.

Tier 2. Tier 2 standards allows for the attainment of additional building height, density and intensity beyond Tier 1.

Tier 3. Tier 3 standards provide for additional building height, density and intensity beyond Tier 2.

D. **Design Review Requirements.** The following design review requirements shall be adhered to when applying for Tier 2 or Tier 3 approval:

1. Applicants seeking Tier 2 height, density and intensity bonuses shall submit a development order application, in accordance with the development order review process established in Article IV, requesting Tier 2 approval and must meet the specified supplemental standards specified in subsection F, below.

2. Applicants seeking Tier 3 height, density and intensity bonuses shall meet all of the Tier 2 supplemental standards specified in subsection F, Tier 3 supplemental design analysis, and provide public benefits.

E. The height, intensity, and density limits of each of the Tiers are set forth within the Table 7 of this Ordinance. The ED Director may also grant at his/her discretion the following administrative variances in accordance with Section 4.18.3:

1. 30% of required off-street parking spaces and/or
2. 30% of required setbacks from property lines

F. **Tier 2 Supplemental Design Standards**. The following supplemental standards shall be met in order to qualify for Tier 2 height, intensity and density bonuses:

1. **Design criteria.** All developments shall meet the following design criteria requirements, in addition to the standards established by Article VIII.

2. **Building footprint.** Buildings shall be located and designed so as to maximize the "functional open space" on the site. Such functional open space shall take the form of *view corridors, outdoor gardens, walking areas, or areas for the congregation of people for special events*. Such areas may be an integral part of building features such as entranceways and pedestrian amenities providing pedestrian access through buildings and throughout the site. Additionally, buildings shall be oriented towards the public street frontage and shall be constructed as close to the adjacent right-of-way as possible in order to improve access from the transportation network. A continuous facade line shall be used along a block to provide an accessible and attractive streetscape. It is the intent of this section to have building facades along the length of the adjacent rights-of-way, if applicable, except where vehicular or pedestrian accessways are required or needed. In no case however, shall a building or structure be located so as to block the clear visibility triangle for a vehicular accessway from the subject property onto adjacent rights-of-way.

3. **Building facade and public art.** Facades shall be designed to provide visual interest that will be consistent with the community's character and identity as “Nature’s Playground” through the use of artistic detail. Such detail may include nautical and/or natural elements such as metal fabricated to look like marine knots or natural grasses and reeds. To break up large unadorned walls, sidewalk displays, public art displays, or other such features that provide visual interest shall be used in the design and construction of facades.

4. **Roofline design:** The use of varied rooflines, through the utilization of parapets and/or sloped roofs, is required.

5. **Supplemental setback and buffering requirements from single-family, duplex, or townhome uses.** All development located in C-1, C-2, C-3, MURC and TCMU zoning designations that abut single-family, duplex or townhome uses located in zoning designations different from abutting uses shall meet the following supplemental setbacks and buffers requirements:

   a. **Setbacks.** Any portion of a building that abuts single-family, duplex or townhome uses shall provide a setback from those uses that is the greater of one foot for every foot in height (e.g. 160-foot tall project will have an 160-foot setback), or the distance required so as not to cast a shadow on such residential uses, as measured to the property line of the residential use, between 9:00 a.m. and 4:00 p.m. central time. The date used in the shadow study shall be the autumnal equinox for the year that the study is performed. The autumnal equinox (the day of the year when night and day are nearly of the same length and the first day of autumn) is typically the date between the summer solstice (longest day of the year

and the first day of summer) and the winter solstice (shortest day of the year and the first day of winter). Applicants that prefer to use the shadow option may be required to submit a shadow study to demonstrate that a project provides adequate setbacks.

b. **Buffers.** Minimum supplemental buffers shall be provided by the more intense use or zoning district when abutting single-family, duplex, or townhome uses.

i. Areas used or set aside for parking, loading, accessways, or service and utility areas shall not be located within 20 feet of the property line when such property line abuts single-family, duplex or townhome uses.

ii. A minimum of six feet and not higher than eight-foot tall decorative, opaque, masonry wall shall be located within five feet of the property line along the extent of any parking, loading, accessway, or service and utility area located adjacent to a single-family, duplex or townhome use.

iii. Supplemental landscaping shall be provided along the property line within the required ten-foot wide landscape buffer. One of the following landscaping designs shall be provided.

a. For every ten linear feet of landscape buffer, a minimum of one tree and 15 shrubs must be planted. The required landscaping may be planted on either side of the required wall. Trees shall be a minimum of 14 feet in height and have a three and one-half- inch caliper at the time of planting. Shrubs shall be a minimum of 24 inches in height at the time of planting; or

b. For every 50 linear feet landscape buffer, a minimum of one tree and 15 shrubs, as specified above, must be planted and a continuous row of evergreen trees, not less than 14 feet in height, spaced in staggered groupings to form a minimum of an 80 percent opaque buffer when planted. Trees may be located on either or both sides of any required wall; or

c. Any combination of the above to achieve effective buffering and good landscape design.

d. Where space allows, berms at a slope of not greater than 3:1 may reduce required tree height by one foot for each two feet of berm height for those trees planted on the top of the berm. All berms must have at least a three-foot wide crest.

6. **Open space.** Development proposed in the R-2, R-3, MURC, and TCMU zoning designations shall provide an additional five percent open space in

addition to the required minimum. Developments proposed in the MURC and TCMU zoning designations can omit this provision, provided it meets the definition of infill development.

7. **Landscaping.** All developments shall meet the following landscaping requirements.

   a. *Trees.* The number of required trees shall be increased by 20 percent above the minimum requirements for trees set forth in Article XI. Palm trees cannot comprise more than 40 percent of the total number of all required trees.

   b. *Shrubs.* The number of required shrubs shall be increased by 20 percent above the minimum requirements for shrubs set forth in Article XI. All shrubs shall be sized in accordance to the following specifications: one-third shall be a minimum of 36 inches in height at the time of planting; one-third shall be a minimum of 18 inches in height at the time of planting; and one-third shall be ground cover plantings of a one-gallon size.

   c. *Landscaping south of the coastal construction control line (CCCL).* For that portion of a development area that lies along the CCCL, all landscaping shall only meet the landscaping standards set forth in the permit issued by the Department of Environmental Quality.

8. **Pedestrian amenities.** All developments shall provide gathering/sitting areas that at a minimum include the following decorative pedestrian amenities: benches, waste containers, planters, and pedestrian lighting fixtures. Other types of pedestrian amenities may be incorporated and include: decorative water fountains, sculptures, drinking fountains, phone booths and bicycle racks.

G. Tier 3 Standards. In order to qualify for Tier 3 height, density and intensity bonuses, an applicant must demonstrate that they have met the Tier 2 supplemental standards, Tier 3 supplemental design analysis, and are providing "public benefits" as stated in subsection 2, below.

1. *Supplemental design analysis*. As part of the application for a Tier 3 project, the applicant shall demonstrate the impact of the project on access to light, impact on airflow dynamics, as well as the visual impacts that may adversely affect adjacent properties, motorists, pedestrians, or segments of the population. This shall be demonstrated by submitting architectural renderings, shadow analysis and/or other analyses that are appropriate to the character of the development proposed as determined by the ED Director or designee.

2. *Public benefits*. The ED Director shall be responsible for consulting with the applicant concerning the Tier 3 public benefit requirement of subsection b. The applicant shall bear the burden of demonstrating that the specific character, design, and investment commitment is a significant overall public benefit. The City retains the decision making power to determine whether

the specific private investment, including the project amenities, together with the public benefits, are commensurate with the increment of increased height, density or intensity that the applicant seeks. The final determination for what satisfies the Tier 3 public benefit requirement lies with City Council. In order for a project to be approved for the additional height, density, or intensity provided for in Tier 3, the applicant must meet, to the satisfaction of City Council, one of the items listed below in subsections a thru e.

a. Must provide one of the following.

iii. Develop senior and/or student housing in the mixed use, medium or high density residential future land use designations in the comprehensive plan. An applicant must satisfy one of the following items or an equitable combination of the two.

b. Developments located on property within the R-1 and R-2, TCMU, MUMS and MURC zoning designation shall either:

i. Build one senior or student housing unit on the development site for each 10,000 square feet of floor area developed, excluding areas devoted to structured parking and accessways; or

ii. Dedicate $2.00 per square foot of floor area developed into a dedicated "community housing fund" maintained by the City or a housing cooperative within the City of Gautier that would be used for the purpose of providing units owned and operated by seniors/ students.

iii. Provide a proportionate combination of i. and ii. in such a manner that, for example, if half of the required housing units are physically provided, then one-half of the $2.00 per square foot dedication would be required. If 75 percent of the required housing units are physically provided, then only 25 percent of the $2.00 per square foot dedication would be required.

c. Relocation and conversion of above ground utilities to below ground locations. An applicant can qualify for Tier 3 bonuses by relocating and converting all above-ground utilities to below ground locations for that portion of the above ground utilities that are located on the subject property and that are in an adjacent right-of-way. Additionally, the applicant can choose to pay the City the amount it would cost for the relocation and conversion of the above ground utilities to below ground locations, based on a binding cost estimate provided by the power company, instead of performing the work. The City would then place the money into a separate fund (underground utility improvement fund), which would be used to accomplish several projects at once instead of piecemeal.

d. Construct open space malls and arcades equipped with pedestrian-oriented furniture and streetscape that serve as gathering spaces for the general public. Encourage private investment in public gathering

places. Site plans must demonstrate architecturally designed open space malls and arcades equipped with pedestrian-oriented furniture and streetscape. Pedestrian-oriented furniture and streetscape includes benches, trash receptacles, decorative light poles, paver blocks or stamped and colored concrete, water fountains, statues, splash pads, playgrounds, high quantity and quality landscaping, etc.

e. Create and/or reinforce a pedestrian friendly transit system. Proposed developments shall provide wayfinding signage and construct a transit stop where the City has the greatest need for one in closest vicinity to the project, or make a monetary contribution to the City in the amount that would equal the cost of constructing a transit stop, or some combination of the two.

3. Additional required public benefits (must provide at least one).

a. Waterway access improvements. For improved access to the Waterways, this objective shall be carried forth through dedicating pedestrian easements to the public for access from public areas to the shoreline (public access points); the design, permitting, and construction of wetland and/or marsh walkovers facilities; boardwalks along creek, bayous.

b. Off-site public parking garage. Non-residential uses located in the TCMU, MURC, MUMS, C-1, C-2, and C-3 districts are allowed to have up to 80 percent of their required parking located in an off-site parking garage. However, the applicant must also provide an equivalent of 30 percent of the total required parking space for the proposed development in the proposed off-site parking garage be dedicated to the City for public use. This dedication shall be in the form of a license and shall cover the above-mentioned parking spaces and the ingress/egress to said parking spaces. The off-site parking garage is not required to be located within the same district as the non-residential use. All required handicap parking spaces and loading spaces must be provided for on-site.

c. Preserve significant view of Waterways. This incentive is applicable to sites that have direct access to rivers and bays and that have exceptional waterfront views that would clearly be imperiled without this incentive provision. In order to achieve the preservation of a significant view of the waterway the applicant shall be required to take the cumulative total of both side setbacks, minus 15 feet, and provide the entire combined setback on one side of the property. The opposite side of the property shall provide a minimum 15-foot setback.

d. Significant improvements to public infrastructure. In order to satisfy this objective, the applicant must prove that they are encouraging private investment in off-site infrastructure improvements. Such off-site improvements may be located anywhere within the City. This may be achieved by: purchasing and/or dedicating land for needed rights-of-way as indicated in the comprehensive plan or multi-modal plan, improving median landscaping; designing and building public parking located within city rights-of-way; constructing needed multi-use pathways or bikeways

identified by the City, constructing recreational improvements; contributions, either in monetary or real property, that will hasten the implementation of any project identified in the Comprehensive Plan; and any other significant public benefit that enhances public infrastructure throughout the City.

4. Wetlands mitigation. Wetlands properties seeking mitigation for development and larger than 5 acres shall be eligible for Tier 3 status contingent on approval of said mitigation by the appropriate agencies.

5. Additionally, it is the expressed intent of this code that any Tier 3 public benefit has to be met prior to the issuance of any certificate of completion or occupancy for any portion of the development. Bonding a public benefit/improvement to receive certificate of completion or occupancy for the development prior to the completion of the public benefit/improvement is expressly prohibited, unless special circumstances exist that are beyond the developer's control. In this case the City Manager may allow the developer to post a bond to ensure completion of the public benefit/improvement. If the City Manager decides against allowing the developer to post a bond to ensure completion of the public benefit/improvement, then the developer may appeal the City Manager's decision to the City Council.