

Planning Commission Agenda
Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

11/1/2023

I. Business Meeting

1. Review and approval of November meeting's agenda
2. Review and approval of the minutes of the October 11th, 2023 Special Called Meeting
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

1. Presentation of Petitions for Public Hearing

A. Remanded Item from City Council: Dennis Pierce, owner, request approval for a preliminary plat for a major subdivision as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard in Lamar County. The extension will be known as "Cottages at Turtle Creek: Phase IV", located in Lamar County, Ward 3. (PPIN 7898, 7899, and 13368; Parcel No.: 051L-11-001.000, 051K-12-006.000, and 051L-11-040.000).

B. Casey Benedict, representative, requests to rezone a portion of a major subdivision known as "Woodhaven Lake Estates" from A-1 to R-1A. The portion of the subdivision in the request is a portion of the existing subdivision located in Lamar County, Ward 5. (PPINs: 4953, 24642, 24643).

C. Hastings Puckett, owner, and Ron McMaster, Engineer, and Cole Goza, Engineer, request a conditional use for an outdoor commercial storage space maintained with dustless gravel for a property located at 7128 Highway 49 (PPIN 9216, 9237, Forrest County, Ward 1).

D. The City of Hattiesburg requests to vacate and close a portion of South 16th Avenue, starting at its intersection with Hardy Street and ending at its intersection of Concart Street. Said street is located in Forrest County, Ward 4, in the City of Hattiesburg.

E. The City of Hattiesburg requests to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 1, 5, 7, 9, 10, 11, 12, and 13. More specifically for the purpose of amending language as it related to the intent and purpose of the code, allowable land uses and conditions for use, standards of design, environmental regulations, sign regulations, administrative and enforcement regulations, subdivision regulations, and definitions. This is an abbreviated

summary of the topics addressed in the proposed amendment, and interested parties are encouraged to contact City Hall to review the proposed amendment in its entirety.

- Monica Tisack with the University of Southern Mississippi, representative, Cameron Nuzzo, Facility Manager of the USM ICP Park, and Kelly Lucas, representative request approval for a rezoning request from R-1A (Single-Family Residential) to a Planned Mixed-Used Development (PMU-PD) for property
- F. located around the USM Innovation and Commercialization Park located at 46 Shelby Thames Drive. The proposed area for the planned mixed-use development is approximately 500 acres that borders Classic Drive on the north and south in Forrest County, Ward 1. The Planned Mixed-Use Development will be known as “The Garden”. (PPINs: 9508, 9509, 9557, and 33306).
- G. James Harris, owner, requests to rezone multiple properties located at 28 & 26 McCall Street from R-1C (Single-Family Residential) to A-1 (Agricultural), Forrest County, Ward 5. (PPINs: 43147, 11034, 32131, 11035).
- H. Richard Hiatt, owner, requests approval for a preliminary plat for a major subdivision located at 715 N 31st Avenue, Forrest County, Ward 1. The proposed name for the subdivision is “Wood Glen Addition.” (PPINs 47255, 47277, and 26375).

III. Other Business

IV. Adjournment



URBAN DEVELOPMENT PLANNING DIVISION

MEMORANDUM

TO: Hattiesburg Planning Commission and Board of Adjustment
FROM: Planning Staff
DATE: October 17th, 2023
SUBJECT: November 1st, 2023 - Hattiesburg Planning Commission and Board of Adjustment

The Hattiesburg Planning Commission will meet in regular session at 1:00 PM, Wednesday, November 1st, 2023 in the dining room of the Jackie Dole Sherrill Community Center. The Planning Commission agenda contains eight items: three zoning changes, a conditional use request, a street closure request, two preliminary plat approvals for major subdivisions and a request to amend and make changes in the Land Development Code (Ord. No. 3209).

The Board of Adjustment will meet in regular session at 3:30 PM, Wednesday, Wednesday, November 1st, 2023 in the dining room of the Jackie Dole Sherrill Community Center. The Board of Adjustment public hearing agenda contains three items: two sign variances and a minimum required buffer distance request.

The public and members may attend remotely via GoToMeeting:

<https://www.gotomeet.me/COHPlanningDivision/publichearing>

You can also dial in toll-free using your phone:

United States: +1 (571) 317-3122; Access Code: 630-312-989

If you have any questions regarding the agenda or need information related to the virtual meeting option, please do not hesitate to call the Planning Division at (601)-545-4599 or email at planning@hattiesburgms.com.

Additionally, the Planning Commission, Board of Adjustment, and Hattiesburg Conservation Commission Agendas and Agenda Packets are published online at <https://hattiesburgms.portal.civicclerk.com/>

Or Scan the QR below using your smartphone:





**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Dennis Pierce, petitioner

Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
Methodist Blvd	051L-11-001.000	7898	3
	051K-12-006.000	7899	3
	051L-11-040.000	13368	3

Request: Preliminary Plat Approval for Major Subdivision

Purpose of Request: To request a **preliminary plat for a Major Subdivision** as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard in Lamar County. The extension will be known as "Cottages at Turtle Creek: Phase IV", located in Lamar County, Ward 3. (PPIN 7898, 7899, and 13368; Parcel No.: 051L-11-001.000, 051K-12-006.000, and 051L-11-040.000).

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

R-3 Multi-Family Residential District: The purpose of the R-3 District is to permit medium and high density residential uses including multi-family, two-family, and single-family structures with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected residential neighborhoods with only compatible supporting institutional uses and open space.

B-2 Neighborhood Business District: The purpose of the B-2 District is to provide for retail and personal service uses in locations convenient to residential neighborhoods consistent with comprehensive planning policies. This district is consistent with the Neighborhood Business District in the Comprehensive Plan.

Request for: **Preliminary Plat Approval for Major Subdivision****SECTION 6****Dimensional Standards and Measurements****Table 6.1 Dimensional Standards**

Table 6.1 Dimensional Standards										
District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Setbacks in feet				Max. Height*	Max. Impervious Surface Lot Coverage	Buffer in Feet
				Min. Front	Max. Front	Min. Side	Min. Rear			
R-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-
B-2	4,000/ 100	-	0.75	0	10	0 or 10	0	35 feet or 3 stories	80%	20

SECTION 11**Administration and Enforcement**

11.10.1.8 Subdivision Violations. The owner of a subdivision shall not transfer title to any lot in such subdivision until such time as the final plat has been approved by the appropriate authority as outlined in this Code and duly recorded in the office of the Chancery Clerk of Forrest County or Lamar County, Mississippi. Transfers prior to such approval and recording shall be deemed a violation of this Code and shall be subject to any and all remedies available to the City.

11.10.1.9 Recording Violations.

The Chancery Clerks of Forrest County and Lamar County, Mississippi shall not receive, file or record a plat of a subdivision within the jurisdiction of this Land Development Code without prior approval of the appropriate authority as outlined in this Code. Plats recorded prior to such approval shall be deemed unlawful and invalid.

SECTION 12**Process and Procedures****Categories of Development Approvals****12.3.2 Preliminary Plat Approval for Major Subdivisions****12.3.2.1 Approval Criteria.**

- i. Conformance with the Hattiesburg Comprehensive Plan.
- ii. Conformance with the standards of the zoning district.
- iii. Conformance with other standards and requirements of this Code and other City policies and regulations.
- iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
- v. Determination that the project will have little or no adverse or

Request for: **Preliminary Plat Approval for Major Subdivision**

negative impacts upon the natural environment.

12.3.2.4 Final Plat.

i. No Significant Change. Final plats of major subdivisions that are substantially the same as the approved preliminary plat, as determined by the Site and Design Review Committee, shall be approved administratively.

ii. Significant Change. Final plats that exhibit any significant deviation from the approved preliminary plat, as determined by the Site Plan Review Committee, shall require approval by the Planning Commission.

12.3.2.5 Recording.

In order to be an official and legal plat, the final approved plat must be recorded along with all applicable covenants, deed restrictions and property owners' association documents with the Chancery Clerk of Forrest or Lamar County, as appropriate. The City Engineer shall ensure that the City records this information in a timely fashion.

Present Zoning: The undeveloped parcels are currently zoned R-3 Multi-Family Residential District and B-2 Neighborhood Business District.

Present Use: Vacant / Undeveloped

Future Land Use: Neighborhood Center Mixed-Use District

Surrounding Zoning and Land Use:
North: B-2 Neighborhood Business District (City Limits)
South: B-5 Regional Business District
East: R-3 Multi-Family Residential District
West: B-5 Regional Business District / B-2 Neighborhood Business District

Letters or Concerns stated: The Planning Division Office has received multiple phone calls and office visits from surrounding property owners with questions regarding the subdivision request.

History / Background: The petitioner met with staff in Pre-Application to discuss the expansion of the existing subdivision known as "The Cottages at Turtle Creek" for phase IV. The petitioner has proposed 52 new lots on the existing R-3 zoned parcel and has indicated that the proposed lots would be developed as single-family residential but at the lot dimensions allowed by the R-3 zoned parcel. R-3 Zoned parcels require a minimum lot size of 7500 ft² with a 40-ft width at the required setback. The petitioner has discussed the new 52 lots as an expansion of the existing subdivision and would connect directly into the existing dead-end roads of the subdivision, which were stubbed out with the intention of a future expansion of the

Request for: **Preliminary Plat Approval for Major Subdivision**

subdivision. The previously approved subdivision was approved in the previous Land Development Code, where sidewalks were not required. The current code will require sidewalks be installed as part of the development and staff suggest including conditions of approval that includes the guarantee of their installation or that they be bonded. Staff also suggest the same requirements for all infrastructure in the subdivision, in order to guarantee their completion upon dedication to the City of Hattiesburg.

The development of the subdivision on this site will require the mitigation of wetlands through the US Army Corps of Engineers. The petitioner will be responsible for providing the proper documentation that they have been mitigated or any other alternative that the USACE approves before the Site Design and Review Committee can approve the final site plan for the subdivision. The petitioner is also exploring an alternative entrance to the subdivision, where a secondary entrance is required based on the length of the existing streets in the current development. As shown in this request, the petitioner is showing an entrance off of Weathersby Road, but may explore an alternative entrance off of Methodist Boulevard. Staff suggest the requirement of including the roadway entrance from Weathersby Boulevard as part of the road to be dedicated to the City of Hattiesburg as a public street in this request. Any alternative entrances to the subdivision will require an additional review by the Hattiesburg Planning Commission and City Council before they can be approved by the Site and Design Review Committee, as relocation to the entrance of the subdivision would be considered a significant change in the proposed plat.

Any structure built in the subdivision will need to adhere to all applicable building codes as adopted by the City of Hattiesburg at the time of their construction and adhere to all applicable elements of the Land Development Code. Any additional higher standards beyond what is addressed by the City of Hattiesburg would need to be addressed and enforced by private covenants.

The City of Hattiesburg has not received any information regarding the proposed infrastructure for the subdivision at this time. If the preliminary plat is approved by City Council, the petitioner will then be required to provide all plans for the infrastructure, including sidewalks, drainage and stormwater calculations, and, if required by the City Council, guarantees that all required infrastructure will be approved before the final plat is signed and filed with the county.

REQUEST UPDATE: This item was recommended for approval by the Planning Commission on September 6th, 2023, with conditions. After being presented to City Council on September 19th, 2023 the item was tabled and then remanded back to Planning Commission on October 3rd, 2023. Councilmember Carrol noted that the Planning Commission should consider alternative layouts

Request for: **Preliminary Plat Approval for Major Subdivision**

that do not have a connection through Hamlet Drive or any other street that is part of the existing subdivision known as "The Cottages of Turtle Creek."

Option: **Approve or deny** a preliminary plat for a major subdivision in the City of Hattiesburg.

Planning Commission must deem that all of the following approval criteria must be met before granting approval for the Preliminary Plat for a Major Subdivision:

12.3.2 Preliminary Plat Approval for Major Subdivisions

12.3.2.1 Approval Criteria.

- i. Conformance with the Hattiesburg Comprehensive Plan.
- ii. Conformance with the standards of the zoning district.
- iii. Conformance with other standards and requirements of this Code and other City policies and regulations.
- iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
- v. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

Conditions to consider with an approval:

1. Plat Conditions, & Restrictions – add to the plat the following notes:

- a) The common area(s) parcel's ad valorem tax value shall be assessed to each lot owner on a prorated basis as part of each lot owner's total assessment.
- b) The common area(s) of this subdivision shall be owned and maintained by the owner's, commercial owner's association, and/or by the property owner(s) of the lots. In the event any lot becomes subdivided into additional lots or individual site plans, said site plans conforming to the city's Land Development Code, each property owner shall own their pro rata share, by area percentage of their lot, of the common areas. Such maintenance shall be performed so as to ensure that the common area operates in accordance the City's Land Development Code and Property Maintenance Code. Such maintenance shall include, but not be limited to repair of structures, and maintenance of sign tenants, and maintenance of the property. The city shall have a "right of access" to use the drives, parking areas, and yards of this property to make inspections of the common areas to ensure that said maintenance has been properly performed. In the event that the property owner(s) have not properly performed maintenance on the facilities, to the extent that the facility(s) poses a threat to public health, safety, or welfare, the city shall retain the right to perform emergency repairs to the facility. The cost of any such repairs will remain the responsibility of the property owner(s) and may be added as a lien on the next year's tax bill.

2. Streets - Street identifications and traffic control signs/markings shall be installed by the developer to City specifications.

3. Utilities - Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) are to be installed underground.

4. Bonds – Bonds, in a form satisfactory to the City Engineer and the City Attorney, will be

Request for: **Preliminary Plat Approval for Major Subdivision**

required as follows:

- a) Performance bond – Acceptance of the plat before the street and infrastructure are completed will require a bond based on the developer's engineer's estimated cost of unfinished work, verified by the staff engineer, plus 10% until complete. Renewed annually and adjusted for inflation.
- b) Maintenance – Upon acceptance of the plat and the completion of streets and infrastructure a bond in the amount of 5% of the total cost of all work must be remitted to the city for the duration of 1 year.

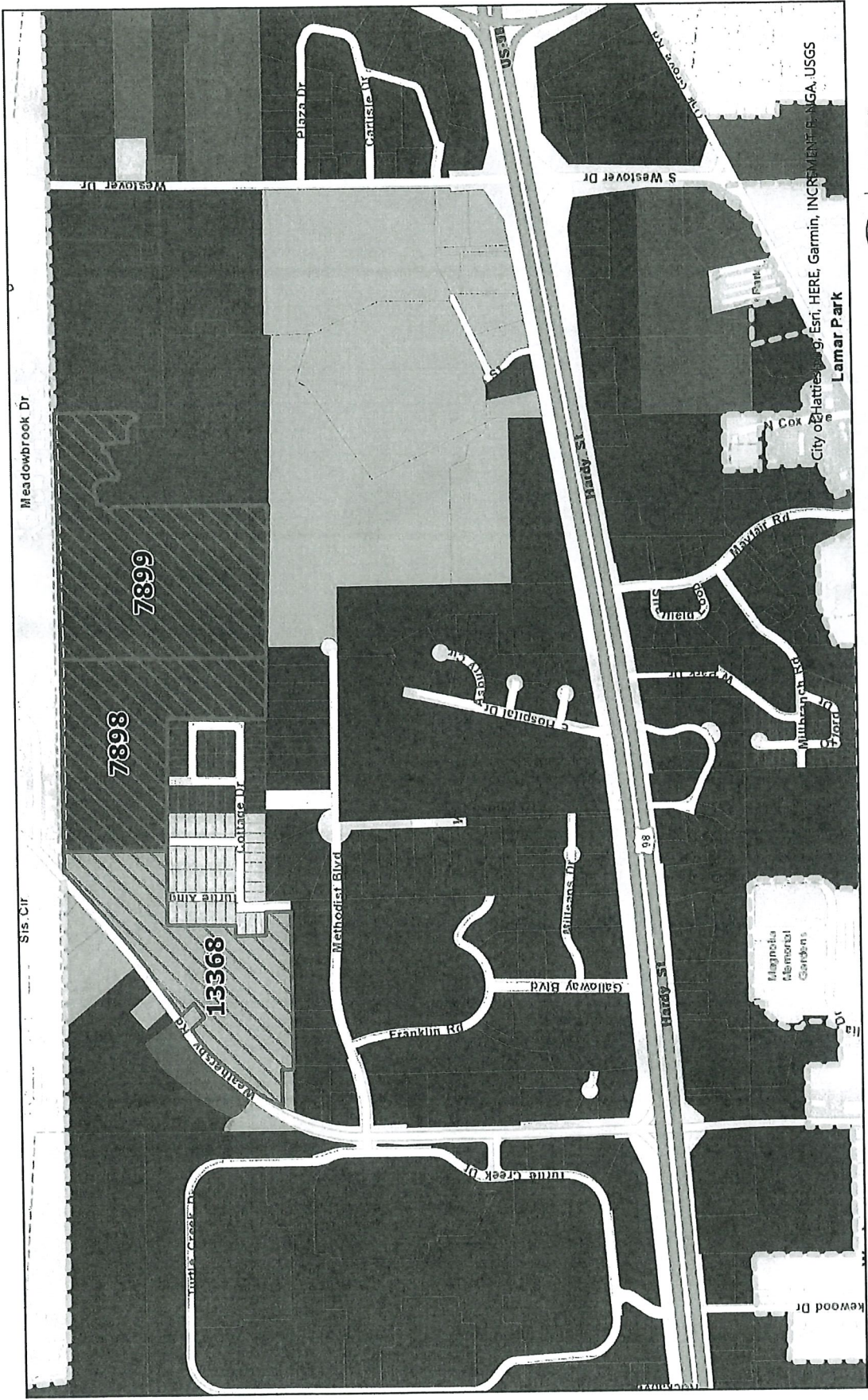
SUBJECT PARCEL

The Cottages of Turtle Creek — Major Subdivision

Dennis Pierce, Owner

The petitioner requests approval for approval for a preliminary plat for a major subdivision as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard in Lamar County. The extension will be known as “Cottages at Turtle Creek: Phase IV”, located in Lamar County, Ward 3. (PPIN 7898, 7899, and 13368; Parcel No.: 051L-11-001.000, 051K-12-006.000, and 051L-11-040.000).





**URBAN
DEVELOPMENT
PLANNING DIVISION**



Site Information

Lamar County, Ward 3
PPIN 7898, 7899 (Multi-Family Residential), and 13368 (B-2 Neighborhood Business)
Parcel No.: 051L-11-001.000, 051K-12-006.000, and 051L-11-040.000



Zoning	R-2	R-3	B-1	B-2	B-3	B-5	I-1	City Limits	Site

Site Aerial



Site Aerial

Northern Direction: City Limits



Pictures of The Cottages of Turtle Creek neighborhood

Southern Direction: B-5 Regional Business



Site Aerial

East and Western Directions: B-5 Regional Business





November 2023 HPC Item: B
Casey Benedict, Representative
Request for: **Zoning Change From A-1 to R-1A**



URBAN DEVELOPMENT PLANNING DIVISION

Planning Commission Case Fact Sheet

Name of Petitioner: Casey Benedict, Representative

Address of Property:	Tax Parcel	PPIN:	Ward:
Off of Richburg Rd Lamar County Parcels	057H-25-002.000	4953	5
	057H-25-006.000	24642	5
	057H-25-007.000	24643	5

Request: **Zoning Change of one parcel from A-1 to R-1A**

Purpose of Request: To request rezoning a portion of a major subdivision known as "Woodhaven Lake Estates" from A-1 to R-1A. The portion of the subdivision in the request is a portion of the existing subdivision located in Lamar County, Ward 5. (PPINs: 4953, 24642, 24643).

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4

Zoning Districts Established

4.5.1 A-1 Agricultural District: The purpose of the A-1 Agricultural District is to permit agricultural uses and low-density residential development. This district is consistent with the Rural Residential / Agricultural District in the Comprehensive Plan. The district is intended to encourage and protect rural uses from urbanization until such is warranted and the appropriate change in district classification is made.

4.5.3 R-1A Residential District: The purpose of the R-1A District is to permit single-family residential uses with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected lower density residential neighborhoods with only compatible supporting institutional uses and open space.

November 2023 HPC Item: B
Casey Benedict, Representative
Request for: **Zoning Change From A-1 to R-1A**

SECTION 6

Dimensional Standards and Measurements

Table 6.1 Dimensional Standards

Table 6.1 Dimensional Standards										
District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Setbacks in feet				Max. Height*	Max. Impervious Surface Lot Coverage	Buffer in Feet
				Min. Front	Max. Front	Min. Side	Min. Rear			
R-1A	10,000/ 50	1 per lot	-	30	-	10	25	35 feet or 3 stories	50%	-
A-1	130,680 / 100	1 per lot	-	25	-	15	25	35 feet or 3 stories	35%	-

Present Zoning:

The undeveloped parcels are currently zoned A-1.

Present Use:

Major Residential Subdivision, Lakewood Estates (Vacant)

Future Land Use:

Neighborhood Conservation District

Surrounding Zoning and Land Use:

North: A-2 Agricultural Residential
South: A-1 Agricultural District
East: R-1A Single-Family Residential
West: City Limits

Letters or Concerns stated:

The Planning Division Office has not received any letters or other written communications relative to this case as of October 16th, 2023.

History / Background:

The preliminary plat for this subdivision was presented to the Hattiesburg Planning Commission in June of 2023 and was recommended for Approval at the July 2023 Planning Commission. As part of the requirements to make the subdivision compliant with the zoning standards, a condition was added that the parcels of the subdivision in Lamar County be rezoned to R-1A. The only portion is the section in Lamar County (which is still inside City Limits). City Council approved the preliminary plat for the Woodhaven Lake Estates subdivision with the condition that this portion be rezoned on July 18th, 2023.

November 2023 HPC Item: B

Casey Benedict, Representative

Request for: **Zoning Change From A-1 to R-1A**

As the parcels are currently zoned A-1, the properties cannot be subdivided and platted until the zoning meets the minimum requirements. As an R-1A zoning for these parcels, the proposed lots being created would meet the dimensions requirements for the R-1A zone.

Option: **Basis for approval (Zoning Change):**

- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning
- III. Annexation

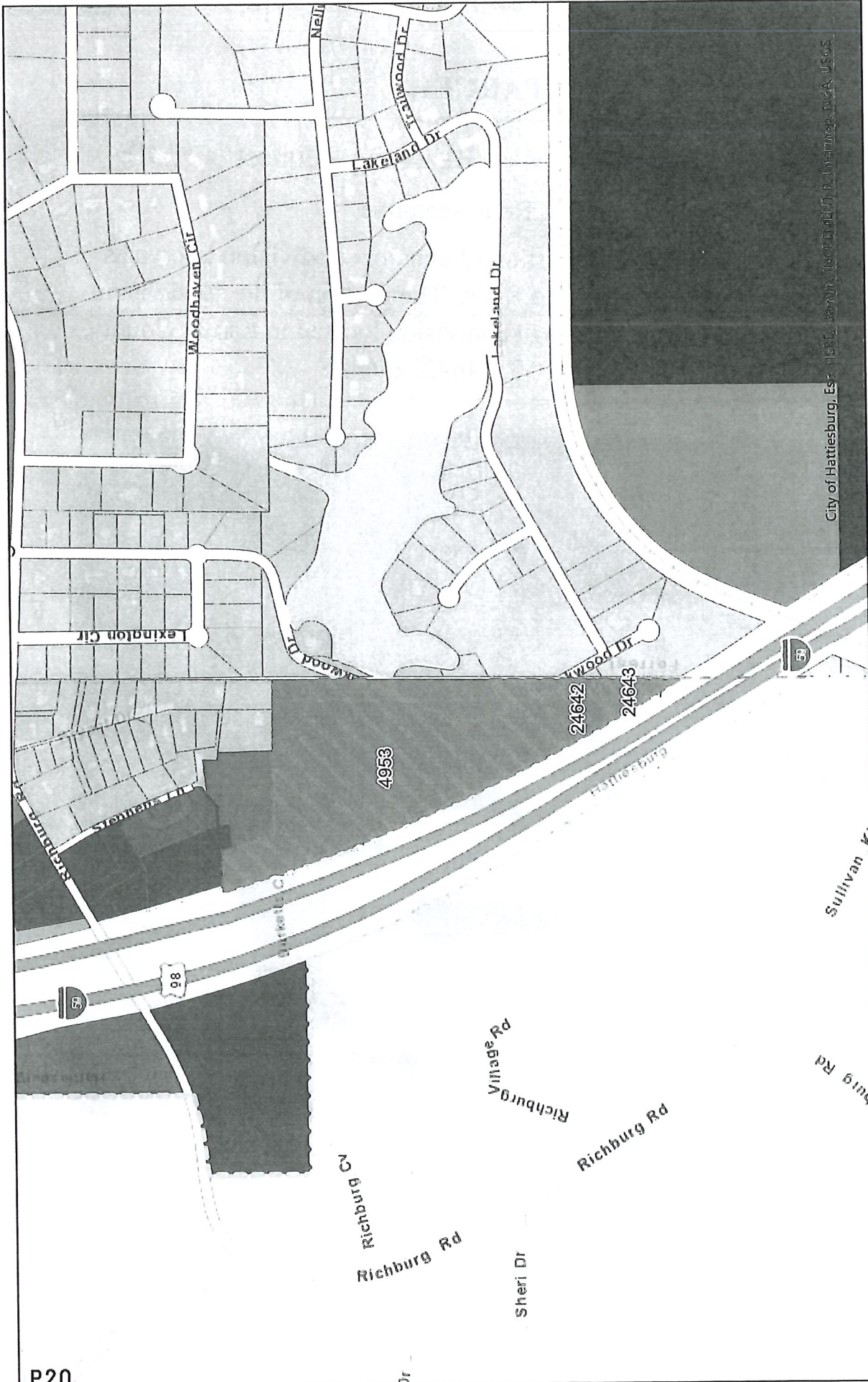
SUBJECT PARCEL

Woodhaven Lake Estates — Rezoning Request

Casey Benedict, Representative

The petitioner requests to rezone a portion of a major subdivision known as “Woodhaven Lake Estates” from A-1 to R-1A. The portion of the subdivision in the request is a portion of the existing subdivision located in Lamar County, Ward 5. (PPINs: 4953, 24642, 24643).





URBAN DEVELOPMENT PLANNING DIVISION

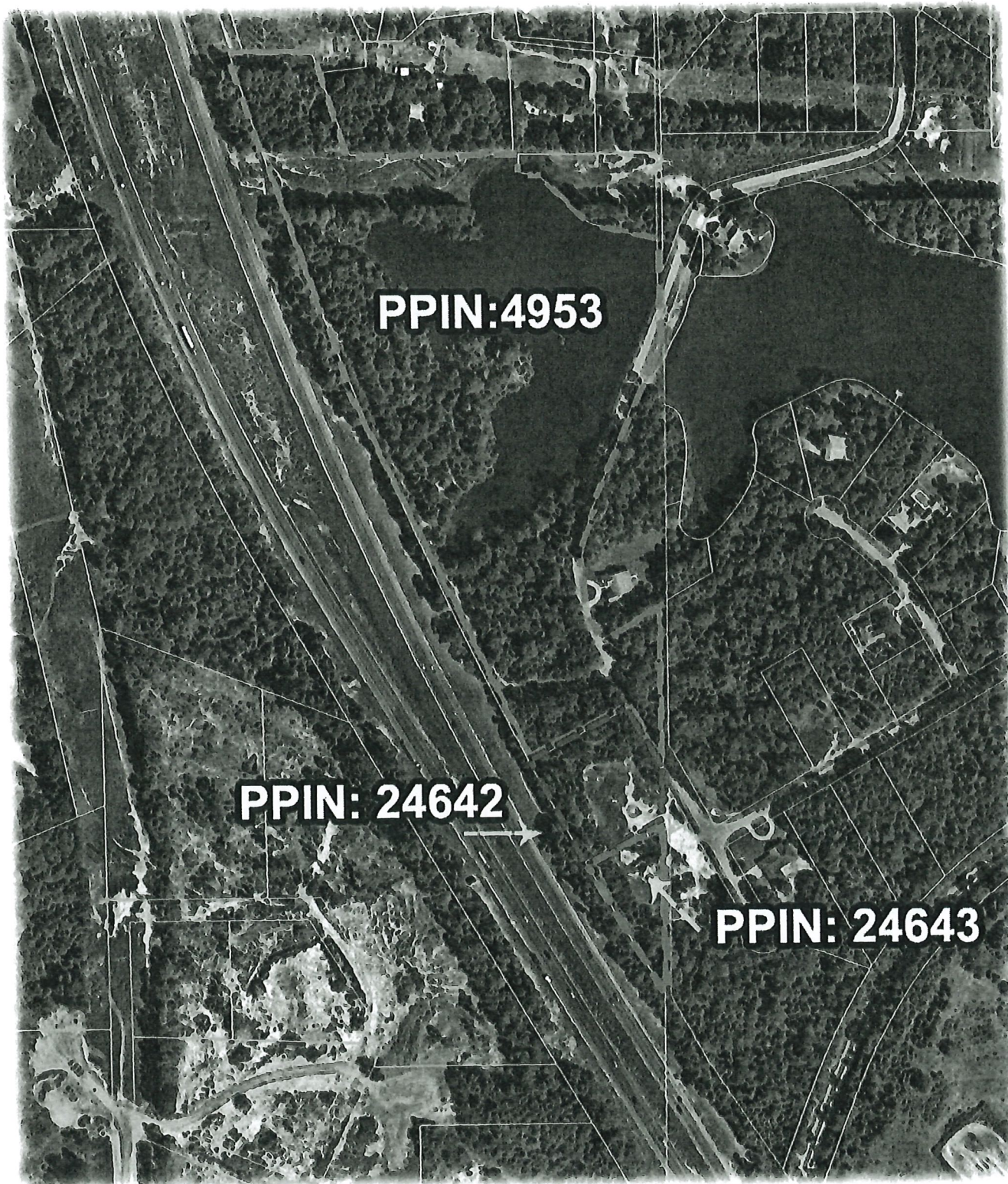


Site Information

Lamar County, Ward 5
 PPIN 4953, 24642, 24643
 A-1 (General Agricultural)

Part of the Woodhaven Subdivision
 Preliminary Plat Approval for Parcels in
 Lamar County

Site Aerial



Surrounding Area

Northern Direction: A-1 Agricultural District (Residential Units)



Southern Direction: R-1A Residential District



Surrounding Area

Eastern and Western Direction: R-1A Residential District



FOR RE-ZONING APPLICANTS:

As stated in Section 12.3 in the Land Development Code, one of the following conditions must be met before a rezoning can be recommended. Check the condition(s) most applicable to your request and explain in writing.

- ☐ There was a mistake in the original zoning.
- ☒ The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning.
- ☐ Annexation.

Detailed explanation of condition(s) most applicable to your request:

THE PROJECT CONSISTS OF BRINGING THE PROPOSED LOTS OF WOODHAVEN LAKE ESTATES WITHIN LAMAR FROM ZONE A-1 TO R-1A IN ORDER TO MEET CITY REQUIREMENTS.



URBAN DEVELOPMENT PLANNING DIVISION

Planning Commission Case Fact Sheet

Name of Petitioner: Hastings Puckett, Owner; Ron McMaster and Cole Goza, Engineers

Address of Property:	Tax Parcel	PPIN:	Ward:
7128 Highway 49	2-012N-23-005.00	9237	1
		9216	1

Request: **Conditional Use – Outdoor Commercial Storage**

Purpose of Request: To consider an application to request a request a Conditional Use for an outdoor commercial storage space maintained with dustless gravel for a property located at 7128 Highway 49(PPIN 9216, 9237, Forrest County, Ward 1).

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4 Zoning Districts Established

4.5.12 B-5 Regional Business District. The purpose of the B-5 District is to provide for retail, personal and business services, offices, and financial services in locations with convenient access to the region's population consistent with comprehensive planning policies. This district is consistent with the Regional Business District in the Comprehensive Plan.

12.3.3.4 Reestablishment Restricted. A legal Conditional Use, as approved by the Governing Authority (City Council), when discontinued or abandoned, shall not be resumed. Discontinuance or abandonment shall be defined as:

- i. When land used for a legal conditional use ceases to be used in a bona fide manner or a period of six consecutive calendar months;
- ii. When a building designed or arranged for a Conditional Use ceases to be used in a bona fide manner as a legal nonconforming use for continuous period of six consecutive calendar months;
- iii. When a building designed or arranged for a conforming

HPC November Item: C
Hastings Puckett, Owner; Ron McMaster and Cole Goza, Engineers
Request for: **Conditional Use**

use shall cease to be used in a bona fide manner as a Conditional Use for a period of six consecutive calendar months.

SECTION 5

Use Regulations

5.4.40 Self-Storage Facilities

5.4.40.1 Self-storage warehouse spaces shall be used for storage only. No space shall be leased or used for any other purpose. Any other use associated with the warehouse, such as office or commercial, shall meet all applicable standards of this ordinance for that use for the district in which it is located as well as all other local or state codes that may apply. All uses of the site shall be clearly defined and designated on the site plan prior to zoning approval.

5.4.40.2 Outside storage shall be screened and shall not be located closer than 100 feet, lot line to lot line, to a residential or mixed-use zoning district or a lot containing a legal, conforming residential use. Outside storage of recreational vehicles, boats and trailers shall be completely screened or located on the rear one half of the property and not visible from the street.

5.4.40.3 All driveways and parking areas between and around buildings shall be paved with asphalt or concrete including parking areas for the storage of boats, recreational vehicles and similar vehicles.

Present Zoning:	The parcel is currently zoned B-5 (Regional Business District)
Present Use:	Puckett Rents (Business).
Future Land Use:	Regional Business and Regional Business Corridor
Surrounding Zoning and Land Use:	North: B-5 Regional Business District South: B-5 Regional Business District East: A-1 Agricultural District West: City Limits
Letters or Concerns stated:	The Planning Division Office has not received any letters or other written communications relative to this case as of October 16 th , 2023.
History / Background:	The applicant met with staff in Pre-Application to discuss an expansion of the existing Puckett Rents business on Highway 49. The proposed expansion of their outdoor storage area includes a 9000 sf storage facility. The expansion includes the installation of a

gravel surface for the expanded outdoor storage area. Staff informed the applicant the gravel surface would require a conditional use for approval. The side yard storage area also exceeds the maximum allowance of 50% of the side and rear yard as outdoor storage, which the applicant is seeking a variance for. The expansion area and storage facility are also within the AE Special Flood Hazard Area (100 year), and all development will need to be compliant with the Flood Damage and Prevention Ordinance.

The LDC was amended in September 2020 to allow gravel surfaces in non-public outdoor storage yards as a conditional use in B-5 zoning.

The applicant was also seeking a variance request for the fence height in the front setback, to request a height up to 6'. The applicant was also seeking a variance from having to install the screening requirement for an outdoor storage area, where they were proposing to have none with their request.

During the Public Hearing held on October 4th, 2023, Board of Adjustment members approved the maximum allowed open storage space and fence height variances on the basis of items I (Hardship), IV (Reasonable Use) and V (Minimum Required). BOA members denied the screening requirements variance.

Option: Basis for approval:

12.3.3.2 Additional Approval Criteria. The applicant for a request for the Planning Commission to approve a use shall be required to demonstrate that his/her proposal addresses the following additional requirements, except that the Planning Commission may waive any one or more criteria that it determines are not applicable based upon the expected impact of the proposal.

- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.
- ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:
 - Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
 - Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.

HPC November Item: C

Hastings Puckett, Owner; Ron McMaster and Cole Goza, Engineers

Request for: **Conditional Use**

- Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

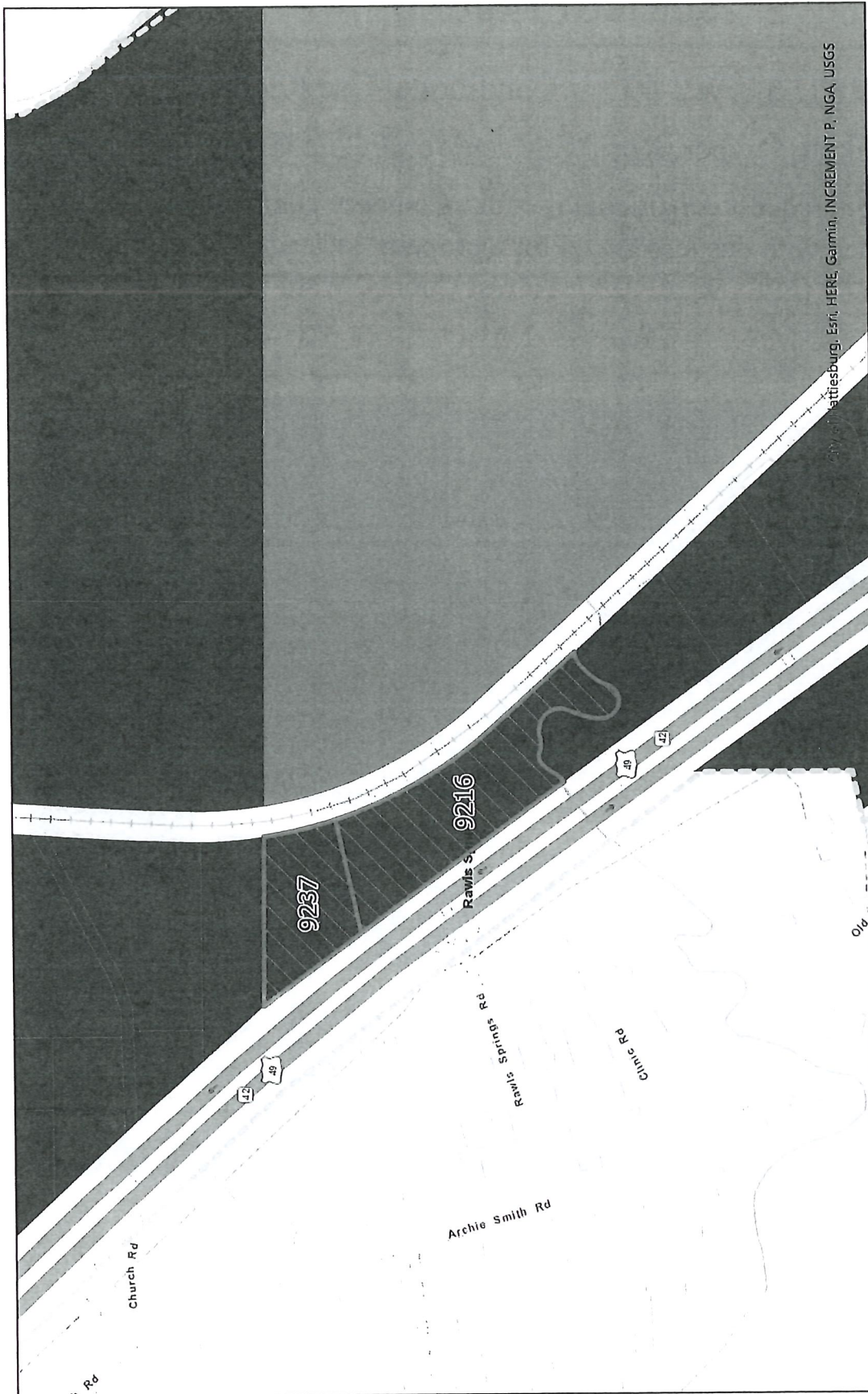
SUBJECT PARCEL

7128 U.S HWY 49 — Conditional Use Request

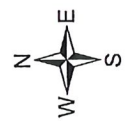
Hastings Puckett, Owner, Ron McMaster and Cole Goza, Engineers.

The petitioners request conditional use for an outdoor commercial storage space maintained with dustless gravel for a property located at 7128 Highway 49 (PPIN 9216, 9237, Forrest County, Ward 1).





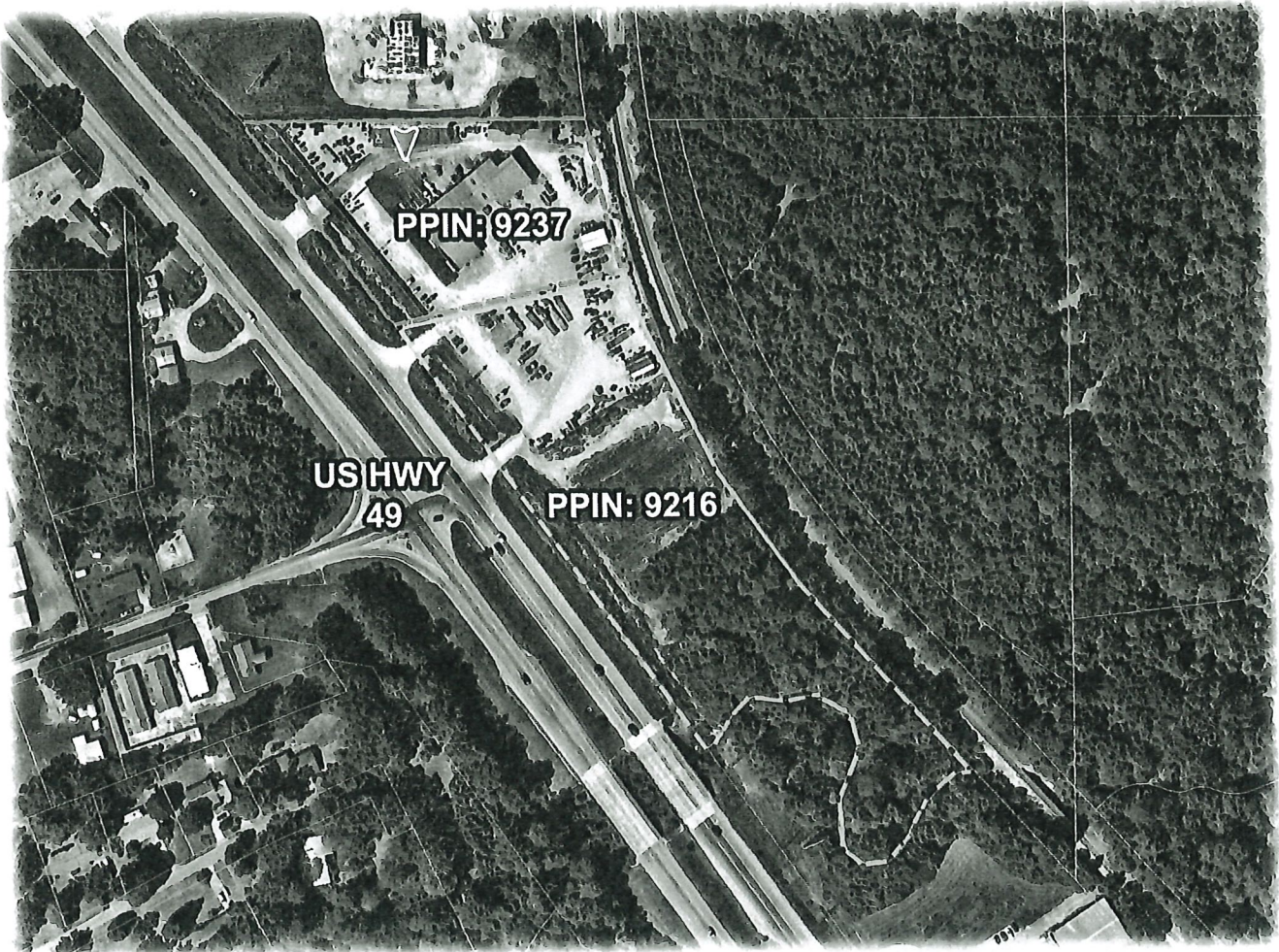
Site Information
 7128 Highway 49
 Forrest County, Ward 1
 PPIN: 9216 and 9237 (Regional Business)



Zoning

	A-1
	B-5
	City Limits
	Site

Site Aerial



Surrounding Area

B-5 Regional Business District and City Limits

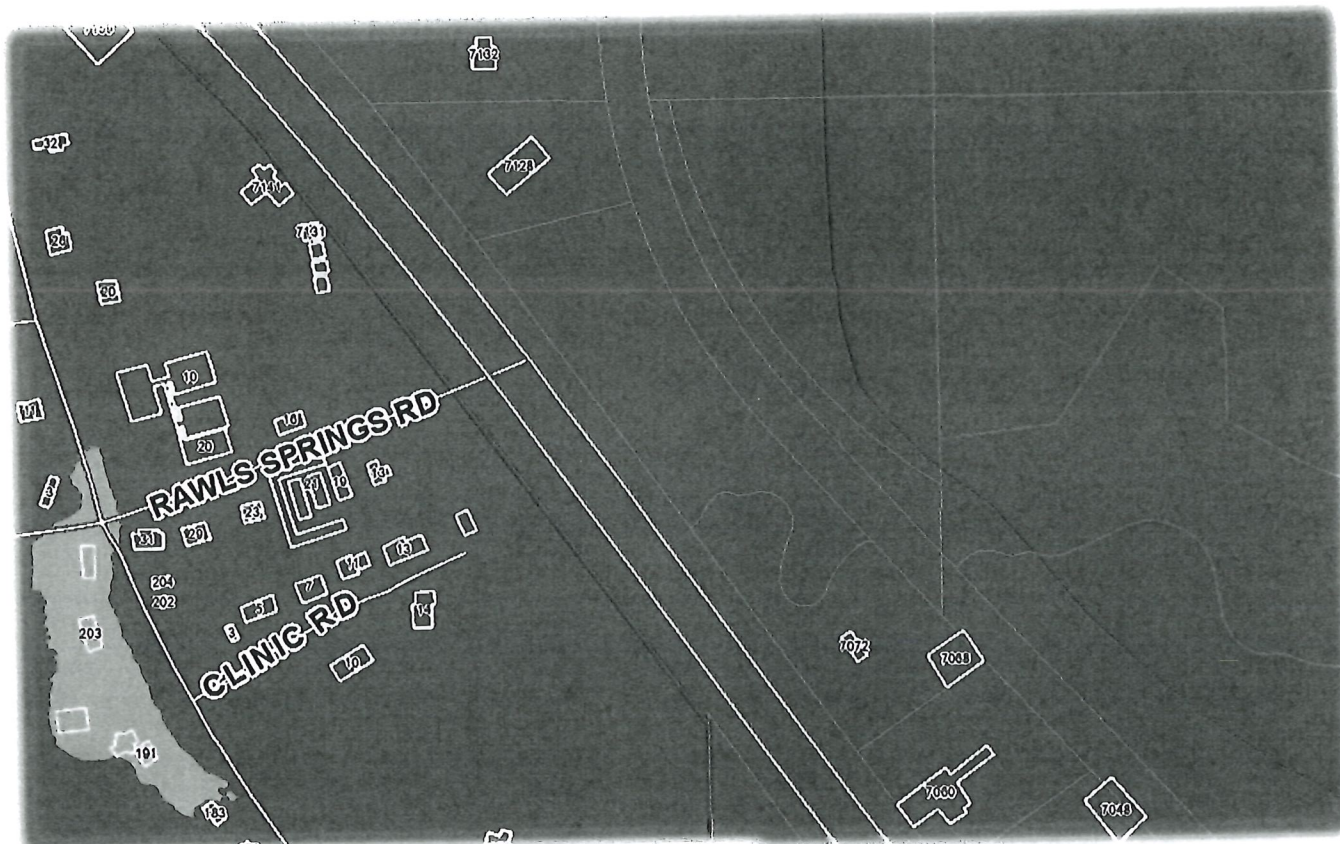


Surrounding Area

B-5 Regional Business District and City Limits



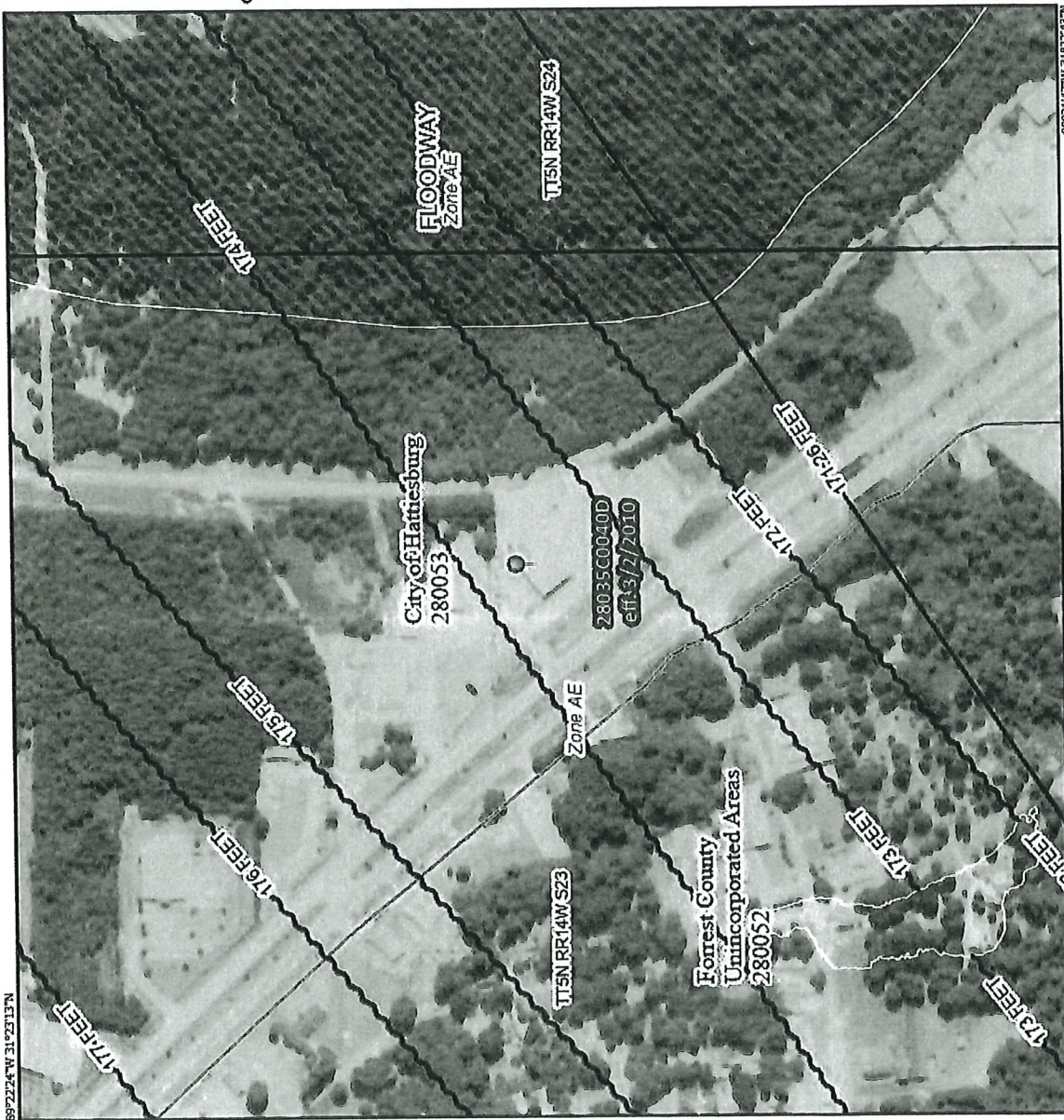
Flood Map



- FLOODWAY AREA IN ZONE AE
- ZONE A (100 yr flood - no elevation)
- ZONE AE (100 yr flood w / elevation)
- ZONE SX (500 yr flood)
- ZONE X (No Special Flood Hazard Area)

Flood Map

National Flood Hazard Layer FIRMette



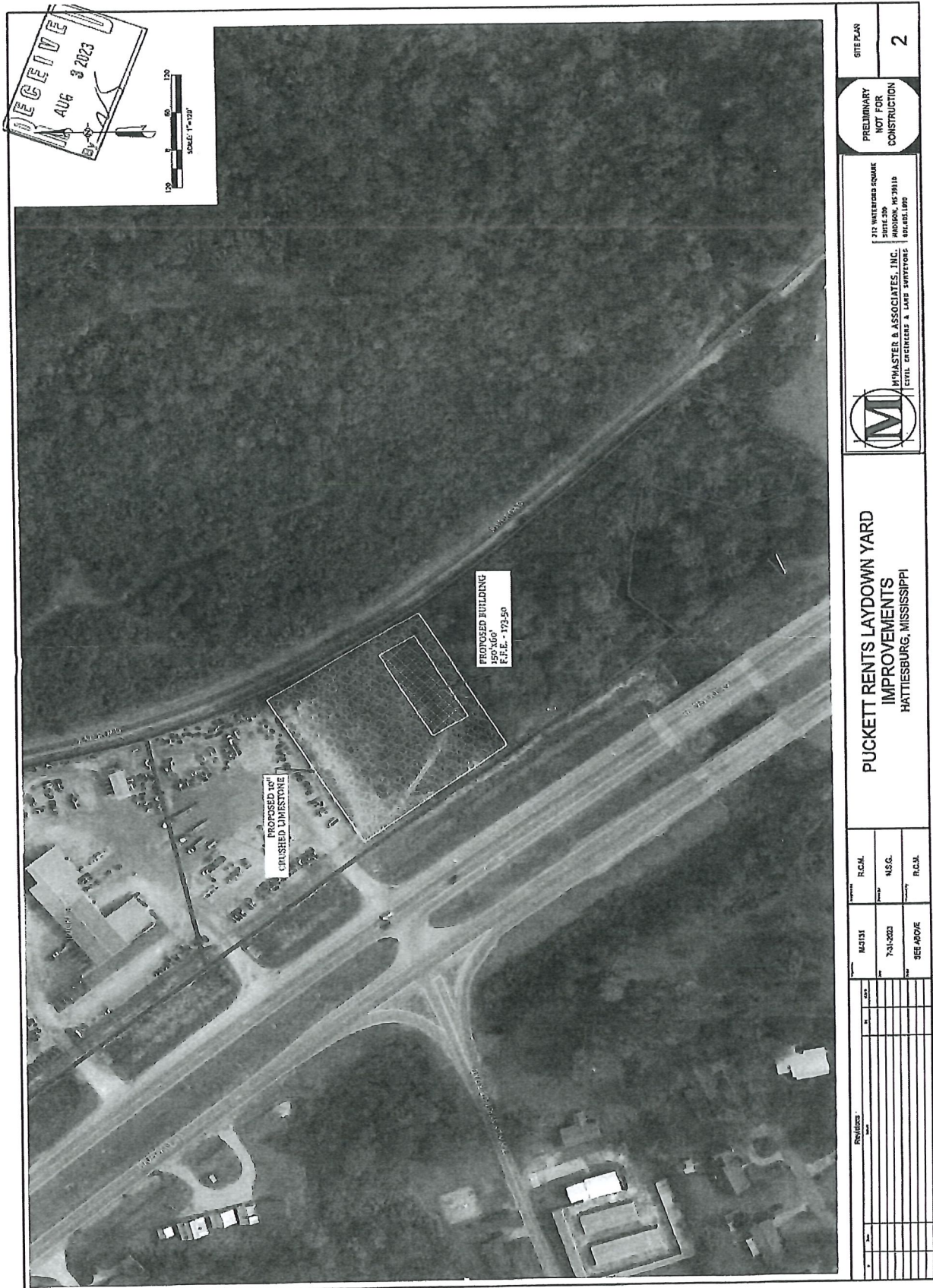
Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIRM REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS Without Base Flood Elevation (BFE) Zone AE, AH, AO, AR, AV, VE, VE-AR With BFE or Depth Zone AE, AO, AH, VE, VE-AR Regulatory Floodway 0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levees. See Notes. Zone X Area with Flood Risk due to Levee Zone D OTHER AREAS OF FLOOD HAZARD NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRS Area of Undetermined Flood Hazard Zone D OTHER AREAS GENERAL STRUCTURES Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transact Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transact Baseline Profile Baseline Hydrographic Feature OTHER FEATURES Digital Data Available No Digital Data Available Unmapped MAP PANELS	MAP PANELS The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location. This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards. The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/21/2023 at 9:50 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.
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Proposed Site Plan



FOR CONDITIONAL USE APPLICANTS:

Section 12.3.3.1 Compliance Required. Uses requiring Planning Commission approval as noted in the Tables of Uses in Section 5 of this Code, shall be approved subject to this Section. Any application for such use must comply with: all applicable standards that apply to similar uses and properties in the zoning district in general, the specific conditions listed for that use in Section 5, and the following criteria. Where conflicts exist, the Planning Commission shall determine which criteria apply on a case-by-case basis.

1. Does this application meet the conditions set forth in Section 5 of the LDC for the requested use? If yes, please explain:

2. Describe the effects the proposed use of utilities and facilities will have on the community.

There should be no impact on utilities for the community

3. Describe how the size of the site is appropriate for the proposed use.

The additional property will allow for a warehouse building to be built on the ~~property~~ site and allow sufficient space to accommodate growth in our business.

4. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:

No additional pedestrian traffic. Any increase in vehicular traffic would be related to more customers. Practically speaking, this will be nominal for the area.

5. Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:

None

6. What is the expected number of customers/employees per day?

Nominal change from the current state

7. Is proposed use compatible with surrounding uses and design? If yes, please explain:

Yes. It is in addition to what we are already doing and this commercial/industrial business is consistent with other businesses in the immediate area

8. Parking requirements:

Commercial/Industrial: Paved parking will be provided for _____ vehicles, and _____ ADA vehicles; with _____ loading spaces.

- No new paved parking to be associated with this project.

For more information, please reference the Land Development Code Section 12.3.3.2.



**Planning Commission
Case Fact Sheet**

Name of Petitioner: City of Hattiesburg

Address of Property:
Near 1508 Hardy St

Adjacent Tax Parcels
--

PPIN:
16805

Ward:
4

Request: **Street Closure**

Purpose of Request: To consider an application to close a portion of South 16th Avenue, starting at its intersection with Hardy Street and ending at its intersection of Concart Street. Said street is located in Forrest County, Ward 4, in the City of Hattiesburg.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 12.2

Categories of Development Approvals

Legislative Development Approvals – Street closings

Present Zoning: Public Right of way

Present Use: Undeveloped, surrounded by Residential Area and the Hardy Street Baptist Church.

**Surrounding Zoning
and Land Use:**

North: B-3 Community Neighborhood Business District
South: R-1B Single-Family Residential District
East: B-3 Community Neighborhood Business District
West: B-3 Community Neighborhood Business District

**Most Nearly
Bounded By (streets):**

Located north of S 15th Ave, south of S 17th Ave, east of Hardy St, and west of Concart St.

**Letters or
Concerns stated:**

The Planning Division Office has not received any letters or other

HPC November Item: D
City of Hattiesburg
Request for: **Street Closure**

written communications relative to this case, as of October 16th, 2023.

History / Background:

The City of Hattiesburg requests to close a portion of S 16th Ave from Hardy Street to it's intersection with Concart Street. The length of the section being proposed for closure is approximately 590'.

Option:

Approve or Deny an application to close a portion of South 16th Avenue, starting at its intersection with Hardy Street and ending at its intersection of Concart Street. Said street is located in Forrest County, Ward 4, in the City of Hattiesburg.

SUBJECT PARCEL

16th Avenue — Street Closure Request

City of Hattiesburg

The City of Hattiesburg requests to vacate and close a portion of South 16th Avenue, starting at its intersection with Hardy Street and ending at its intersection of Concart Street. Said street is located in Forrest County, Ward 4, in the City of Hattiesburg.





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Legend

- R-1A
- R-1B
- R-1C
- R-2
- R-3
- B-1
- B-3
- Portion Requested for Closure



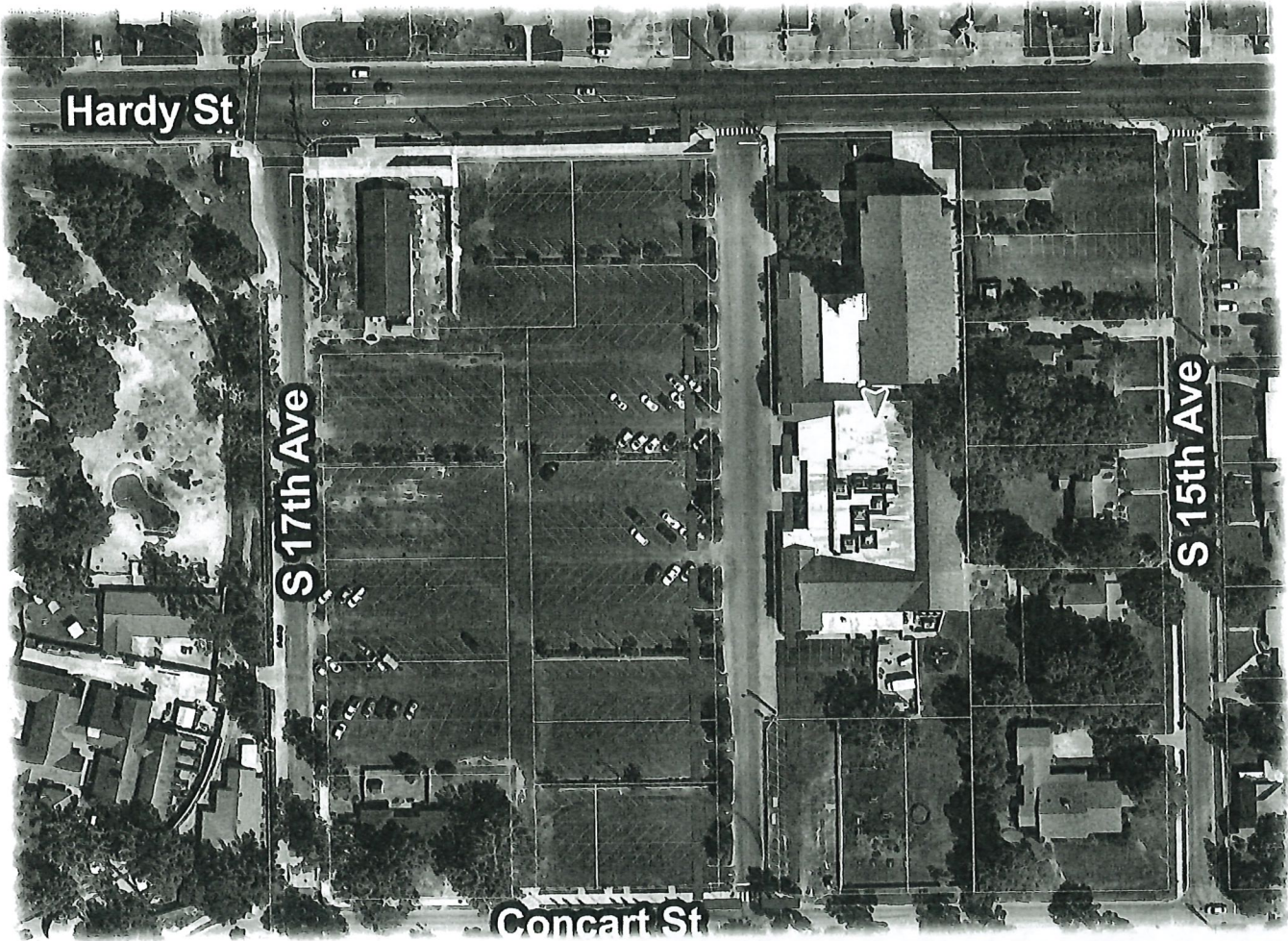
Site Information

Forrester County, Ward 4
 Portion of South 16th Ave
 From Hardy Street to Concar Street
 Part of the Hattiesburg Heights Proper
 Subdivision



**URBAN
DEVELOPMENT**
PLANNING DIVISION

Site Aerial



Surrounding Area

Northern Direction: B-3 Community Business



Southern Direction: R-1B Single-Family Residential



Surrounding Area

East and Western Directions: B-3 Community Business





URBAN DEVELOPMENT PLANNING DIVISION

MEMORANDUM

TO: TO ALL IT MAY CONCERN
FROM: CORY LONG, AICP, PLANNING DIVISION MANAGER
DATE: OCTOBER 23RD, 2023
SUBJECT: LAND DEVELOPMENT CODE AMENDMENTS FOR PARKING

Planning Commissioners and all others it may concern, the November 1st Planning Commission agenda will include a proposal for various amendments to Section 5 Use Regulations and Section 13 Definitions. These changes proposed by City Staff and Administration are for the clarification and definition of commercial parking lots. This document serves as an explanation of the amendments.

Code Section	Change proposed	Reasoning
Table 5.1	Amend name of "Parking, surface" to "Parking, Passenger Vehicles"	Clarification for types of parking lots
Table 5.1	Amend to show "Parking, Passenger Vehicles" as a conditional use in B-4 Downtown Zone districts.	Remove by-right development of parking lots in downtown areas
Table 5.1	Amend to show "Parking Lot Commercial Vehicles" as a Permitted with Conditions use in I-1 Light Industrial, I-2 Heavy Industrial Zone districts and as a Conditional Use in B-5 Regional Business.	Add new use
Add Section 5.4.45	Add Section for Conditions related to Parking, Commercial Vehicles titled "Parking, Commercial Vehicles."	Add new use
Add Section 5.4.45.1	Add to read "Commercial Parking surfaces may allow dustless gravel or other materials as approved by the Engineering Department maintained so as to be free of overgrowth. "	Add new conditions

Section 5.4.45.2	Add to read "The hard surface paving requirement for the parking area only of section 7.12.8.3 shall not apply for this use. Driveways shall be hard surface as approved by the Engineering Department. All other requirements of section 7.12.8.3 shall apply"	Add new conditions
Section 13.2 Definitions	Add text to read: "Passenger Vehicles - Vehicles designed for carrying 10 passengers or less and used for the transportation of persons."	Add definition
Section 13.2 Definitions	Add text to read: "Commercial Vehicles - Any vehicle bearing or required to bear commercial license plates and which falls into one or more of the categories listed below: (1) truck tractor; (2) semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures; (3) vehicles of a type that are commonly used for the delivery of ice cream, milk, bread, fruit or similar vending supply commercial or delivery trucks; (4) tow trucks; (5) commercial hauling trucks; (6) vehicle repair service trucks; (7) vehicles with blades attached for plowing, grading; (8) construction vehicle, such as a bulldozer, backhoe and similar vehicles.."	Add definition

Summary of Changes for Clarification of Parking Lots:

Parking Lot Changes

1. Use chart
 - a. Adjust name of "Parking, surface" to "Parking, Passenger Vehicles"
 - b. Adjust to allow as a conditional use in B-4
 - c. Create a use for Parking Lot Commercial Vehicles to be allowed with conditions in I-1, I-2 zones. And as conditional use in B-5 zone.
 - d. Other Conditions – Parking, Commercial Vehicles – Commercial Parking surfaces may allow dustless gravel or other materials as approved by the Engineering Department maintained so as to be free of overgrowth.
 - i. The hard surface paving requirement for the parking area only of section 7.12.8.3 shall not apply for this use. Driveways shall be hard surface as approved by the Engineering Department. All other requirements of section 7.12.8.3 shall apply
2. Definitions
 - a. Passenger Vehicles - Every vehicle designed for carrying 10 passengers or less and used for the transportation of persons.
 - b. Commercial Vehicles - Any vehicle bearing or required to bear commercial license plates and which falls into one or more of the categories listed below: (1) truck tractor; (2) semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures; (3) vehicles of a type that are commonly used for the delivery of ice cream, milk, bread, fruit or similar vending supply commercial or delivery trucks; (4) tow trucks; (5) commercial hauling trucks; (6) vehicle repair service trucks; (7) vehicles with blades attached for plowing, grading; (8) construction vehicle, such as a bulldozer, backhoe and similar vehicles.

November 2023 HPC Item: F
Monica Tisack (USM), Cameron Nuzzo (USM ICP Park) and Kelly Lucas, Representatives
Request for: **Zoning Change From R-1A to PMU-PD (Planned Mixed-Used Development)**



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Monica Tisack (USM), Cameron Nuzzo (USM ICP Park) and Kelly Lucas, Representatives

Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
Old Airport Rd	2-041H-27-017.00	29647	5

Request: Zoning Change From R-1A to PMU-PD (Planned Mixed-Used Development)

Purpose of Request: To request approval for for a rezoning request from R-1A (Single-Family Residential) to a Planned Mixed-Used Development (PMU-PD) for property located around the USM Innovation and Commercialization Park located at 46 Shelby Thames Drive. The proposed area for the planned mixed-use development is approximately 500 acres that borders Classic Drive on the north and south in Forrest County, Ward 1. The Planned Mixed-Use Development will be known as "The Garden". (PPINs: 9508, 9509, 9557, and 33306).

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

R-1A Single-Family Residential District: The purpose of the R-1A District is to permit single-family residential uses with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected lower density residential neighborhoods with only compatible supporting institutional uses and open space.

PMU Planned Mixed-Use District (Proposed): The Planned Mixed-Use District is created to provide a regulatory framework for permitting mixed-use development projects in areas designated as mixed-use within the official Comprehensive Plan and any other specific plans subsequently approved. Specifically, the Planned Mixed-Use District serves to:

Monica Tisack (USM), Cameron Nuzzo (USM ICP Park) and Kelly Lucas, Representatives
Request for: **Zoning Change From R-1A to PMU-PD (Planned Mixed-Used Development)**

- Provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties.
- Encourage the preservation and enhancement of natural amenities and cultural resources; to protect the natural features of a site that relate to its topography, shape, and size; and to provide for a maximum amount of open space.
- Provide for a more efficient arrangement of land uses, buildings, circulation systems, and infrastructure.
- Encourage infill projects and the development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility, or topography.

SECTION 4.19.1

PMU Planned Mixed-Use District.

4.19.1.2 Eligibility. Eligibility for rezoning to a PMU is based on the City of Hattiesburg Comprehensive Plan as well as other specific plans adopted by the City. Areas generally eligible for rezoning to a Planned Mixed Use District are indicated as Neighborhood Business, General Business, and Planned Unit Development on the Future Land Use Map.

4.19.1.3 District Types. When requesting a rezoning to a new PMU district, the applicant must identify which Comprehensive Plan Area, or areas, applies. Each request for rezoning to a PMU must demonstrate substantial conformance with the characteristics, acceptable land uses and minimum project size as indicated in table 4.6-1.

4.19.1.4 Zoning Map Designation. If approved, all requests for a PMU rezoning shall carry the map designation of PMU along with the abbreviation for the Comprehensive Plan Area it is intended to implement. Abbreviations shall be as follows:

- PMU - NB (Neighborhood Business)
- PMU - GB (General Business)
- PMU - PD (Planned Unit Development)

4.19.1.5 District Regulations.

- i. Permitted Uses. There are no permitted uses in the PMU district.
- ii. Conditional Uses. All uses within a PMU are conditioned upon review and approval of a detailed site plan and other schematics required to prove consistency with specific regulations within this Code as well as the intent of the Comprehensive Plan. While use-specific conditions shall apply, other conditions required to mitigate incompatibilities and address site-specific conditions as imposed by the applicant or required by City Council shall apply and be binding.
- iii. Conditional uses within a PMU shall conform to the acceptable

Monica Tisack (USM), Cameron Nuzzo (USM ICP Park) and Kelly Lucas, Representatives
Request for: **Zoning Change From R-1A to PMU-PD (Planned Mixed-Used Development)**

uses list for the Comprehensive Plan Area that is applicable; however, customary accessory uses shall also be permitted as conditional uses. Uses not substantially similar to the uses listed, as determined by the Director, shall be prohibited.

iv. All requests for rezoning to a PMU-PD shall be accompanied by a detailed site plan indicating specific uses for each phase, parcel and structure. The site plan and the list of uses must conform to all applicable requirements of the LDC as well as rezoning application requirements and shall, once approved, be binding on the property.

v. All requests for rezoning to any PMU except PMU-PD shall be accompanied by sufficient information to determine compliance with all applicable requirements of this Code. However, site plans and specified uses presented as part of the rezoning process shall not be binding on the property if the rezoning is approved and shall be prominently noted as such on any materials presented as part of a public process. Any property configuration or use that is consistent with the characteristics and acceptable uses for the Comprehensive Plan Area indicated shall be permitted upon review and approval by the Site and Design Committee as part of a zoning permit request.

vi. Mix of Uses Required. The PMU District is specifically intended to contain and support a mix of acceptable uses including residential, commercial, office and open spaces located within a walkable and bikable neighborhood.

vii. Change of Use. Subsequent to approval of a PMU-PD District, any change of use shall be reviewed and approved by the Director. Any requested change that is not substantially consistent with the approved plan shall require the applicant to submit a request for plan amendment. Such revision shall be reviewed and approved by the City Council following the same procedures and requirements for rezoning except that the Director may exempt any site plan requirements deemed inapplicable to the request. All changes of use in any other PMU District shall be reviewed and approved by the Site Design and Review Committee prior to issuance of a zoning permit.

viii. Dimensional Standards. The following dimensional standards shall apply to the PMU district unless otherwise approved by City Council as part of a site specific development plan. Any exception to these standards must be shown on the site plan and requested by the applicant in their presentation to the Council including an explanation for the exception. Any exception granted may require the applicant to incorporate conditions or design mitigation strategies imposed by the Council. Such conditions or strategies shall be presented by the Council and agreed to by the applicant prior to the action to rezone.

ix. Open Space. Open space shall be allocated, designed and maintained as an integral part of all PMU District areas. Open

Monica Tisack (USM), Cameron Nuzzo (USM ICP Park) and Kelly Lucas, Representatives
Request for: **Zoning Change From R-1A to PMU-PD (Planned Mixed-Used Development)**

space shall be required as follows:

x. At its discretion, the City Council or Site and Design Committee, whichever has authority to approve the plan, may approve a decrease in the amount of required open space when the plan includes unique design features or amenities that achieve an especially attractive and desirable development such as, but not limited to, terraces, sculptures, water features, preservation and enhancement of unusual natural features, or landscape sculpture (i.e., areas that are intensely landscaped). Open space may be held in common by a property owners association, dedicated to the City for use as a public amenity, or donated to a land conservancy where it will be held and maintained for the intended use. Permanent ownership and maintenance responsibility of open space by the City is subject to approval by the City.

xi. Design Standards. All uses within a PMU district shall be subject to specific design standards as detailed in Section 6 Design Standards in addition to any other standards stipulated in adopted area plans. Where conflicts between standards exist between the two, standards in the adopted plan shall prevail.

xii. Design Mitigation. When submitting any application for rezoning to a PMU or any zoning permit request within an existing PMU, the applicant shall make a particular effort to mitigate potential incompatibilities with adjacent zoning districts. Such mitigation measures may include: the addition or increase of buffers, landscaping, open space, and screens; decreasing intensity, structure height, or bulk; reducing the amount of parking and restricting loading, solid and liquid waste collection (e.g. dumpsters, grease pits, and recyclable materials) adjacent to the perimeter; restricting access to local streets; and integration of other relevant design features that helps to merge the districts into a cohesive whole. Mitigation measures integrated into the application at time of submittal that exceed the standards of this Code shall be noted as binding conditions imposed by the applicant.

SECTION 11

Administration and Enforcement

11.2 City Council

11.2.9 Decide all requests for site and building design approval for properties located within a PMU district.

11.6 Site and Design Review Committee

11.6.2 Decide all requests for site and building design approval for properties located outside a designated historic district or PMU district

Monica Tisack (USM), Cameron Nuzzo (USM ICP Park) and Kelly Lucas, Representatives
Request for: **Zoning Change From R-1A to PMU-PD (Planned Mixed-Used Development)**

Present Zoning: The undeveloped parcel is currently zoned R-1A Single-Family Residential

Present Use: Current site of The USM Innovation and Commercialization Park and Accelerator; The site is also the former location of the USM Van Hook Golf Course. Lake Sehoy has been converted into a public recreation area by USM.

Future Land Use: Planned Mixed-Use District, Neighborhood Conservation District 2 and Community Business Corridor

Surrounding Zoning and Land Use:
North: R-1A Single-Family Residential (City Limits)
South: R-1A Single-Family Residential
East: R-1A Single-Family Residential /B-5 Regional Business District
West: R-1A Single-Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of October 17th 2023.

History / Background: The University of Southern Mississippi owns 500 acres of property along Classic Drive, which was part of the old Van Hook Golf Course. USM developed a strategic plan to facilitate technology-oriented business growth for what is known as their "Innovation & Commercialization Park". The site currently hosts the Accelerator, which is an innovation-based business incubator, which offers a variety of labs, offices, equipment, and amenities for innovative and technology based businesses.

The USM Innovation and Commercialization Park is part of a strategic plan that was finalized in 2021 through a Mississippi Development Authority Economic Development Grant. The strategic plan outlines a variety of uses for the 500 acre parcel, including recreational, office r&d, light manufacturing, and residential. Each of the proposed uses have been identified in the strategic plan and their proposed locations on the 500-acre site. The targeted businesses for the proposed are light advanced manufacturing and technology-driven businesses, with certain tracts of land reserved for full-scale commercial activities. Examples of light advanced manufacturing are 3D printing, robotics, artificial intelligence, and medical technology.

USM partnered with a planning and architectural consultant to develop the master plan for this area and has been included as a digital attachment on the public hearing portal for this report. Through the process, USM conducted multiple outreach events with

Monica Tisack (USM), Cameron Nuzzo (USM ICP Park) and Kelly Lucas, Representatives
Request for: **Zoning Change From R-1A to PMU-PD (Planned Mixed-Used Development)**

the public and stakeholders with their consultants to gather information on the development of the plan, including a charrette, which is a design collaborative planning sessions with stakeholders and planning professionals.

The proposed zoning designation of PMU-PD will use the Master Plan to Guide Development for this 500-acre parcel of land. If adopted, any proposed development would need to be reviewed and approved as a conditional use. All uses within a PMU-PD must be reviewed as well, which provides the community input on whether a specific use is appropriate for this site and area before being approved.

Option: Basis for approval (Zoning Change):

- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed substantially so that rezoning is clearly justified **and** there is a public need for the rezoning
- III. Annexation

Recommend **approval** or **denial** of the request for a PMU-PD

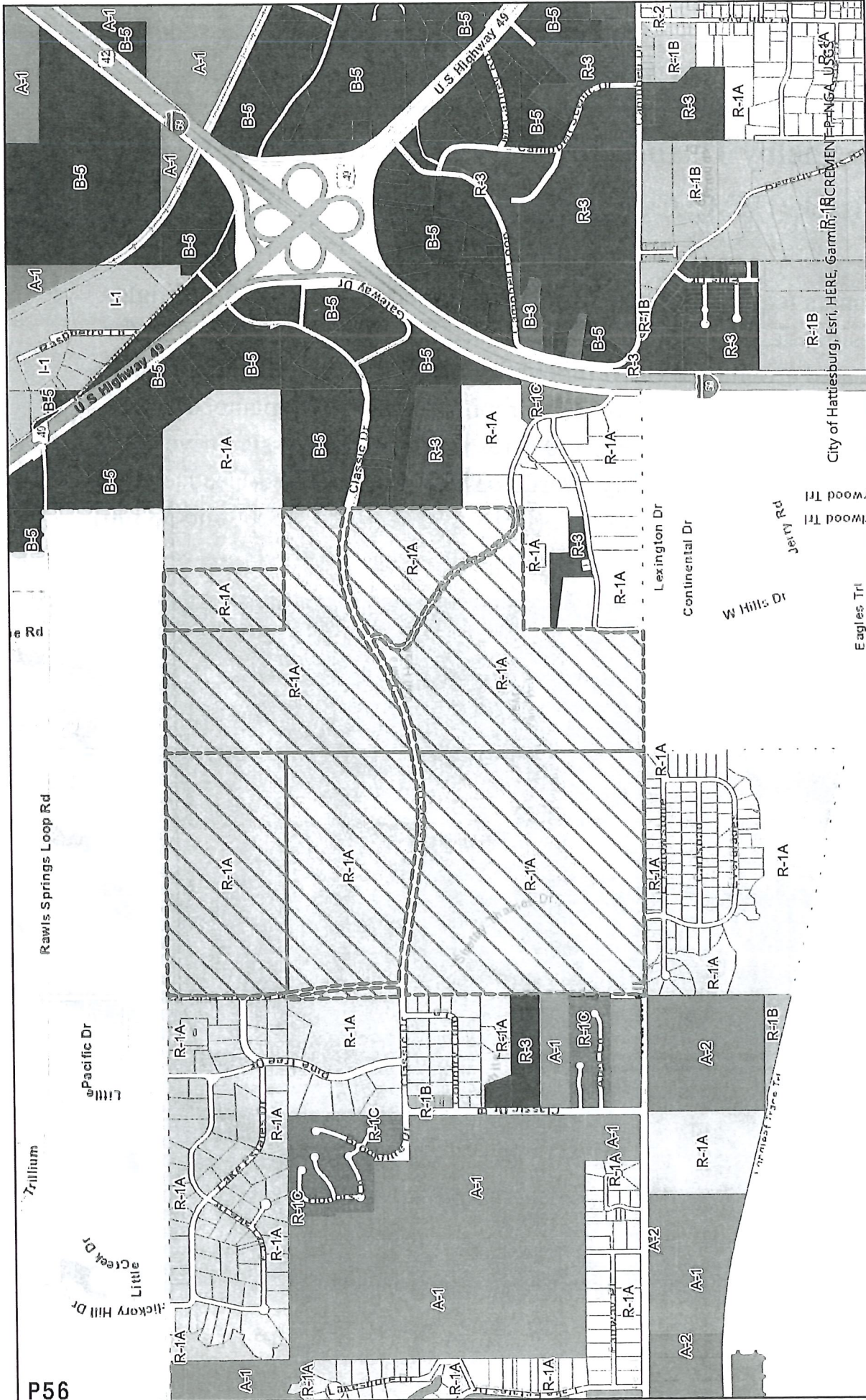
SUBJECT PARCEL

46 Shelby Thames Drive — Rezoning Request

Monica Tisack (USM), Cameron Nuzzo (USM ICP Park) and Kelly Lucas, Representatives

The petitioners request approval for a rezoning request from R-1A (Single-Family Residential) to a Planned Mixed-Used Development (PMU-PD) for property located around the USM Innovation and Commercialization Park located at 46 Shelby Thames Drive. The proposed area for the planned mixed-use development is approximately 500 acres that borders Classic Drive on the north and south in Forrest County, Ward 1. The Planned Mixed-Use Development will be known as “The Garden”. (PPINs: 9508, 9509, 9557, and 33306).

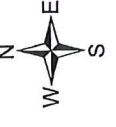




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Legend

- A-1
- A-2
- R-1A
- R-1B
- R-1C
- R-2
- R-3
- B-3
- B-5
- I-1
- City Boundaries
- USM ICP Site



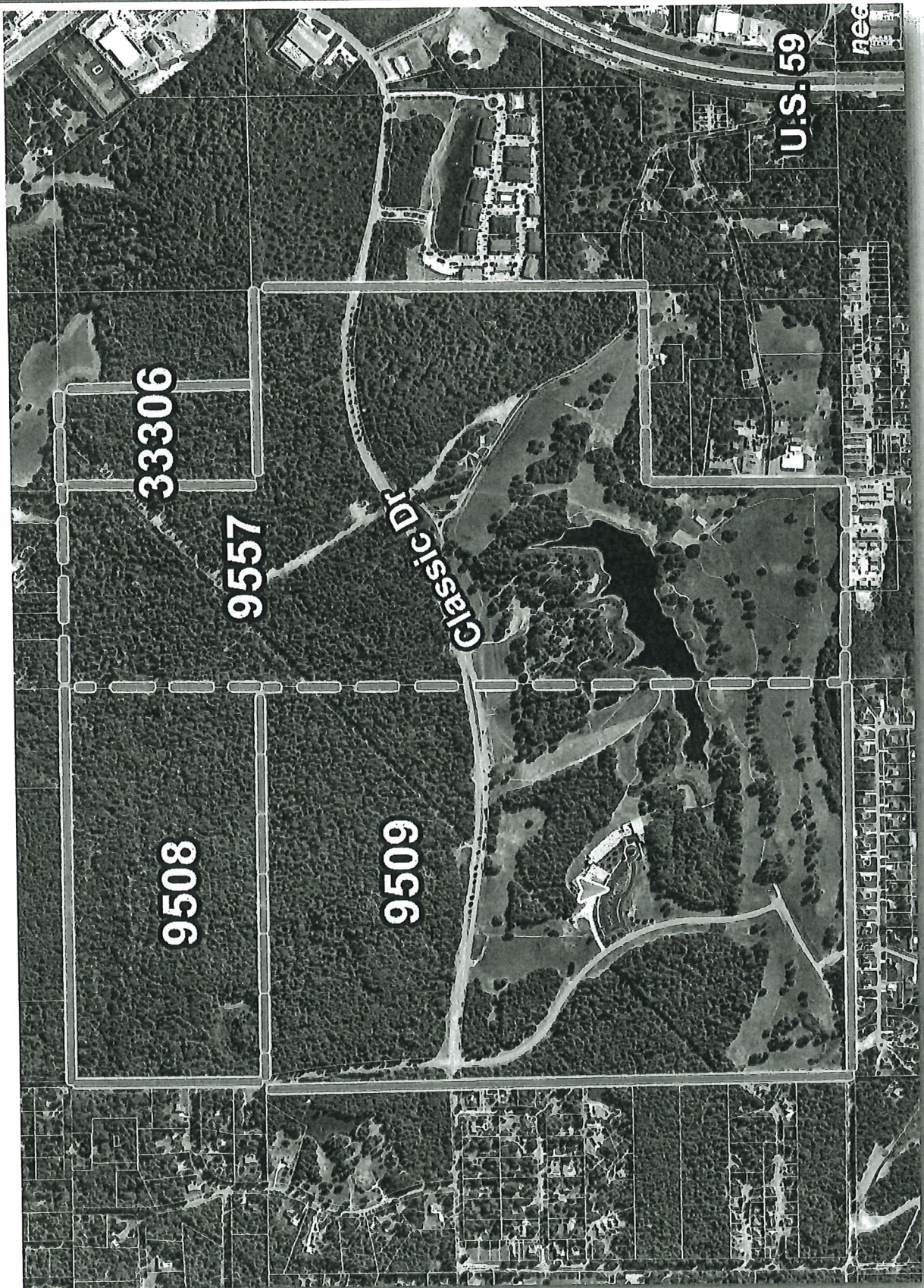
Site Information

Proposed area of Rezoning to a PMU-PD
 Zone for the USM Innovation
 Commercialization Park Master Plan
 (PPINs: 9508, 9509, 9557, and 33306)
 Forrest County, Ward 1



**URBAN
DEVELOPMENT**
PLANNING DIVISION

Site Aerial



Surrounding Area

Current Site of the Accelerator on Shelby Thames Drive



Street View of Classic Drive where both sides of street are part of rezoning request



Surrounding Area

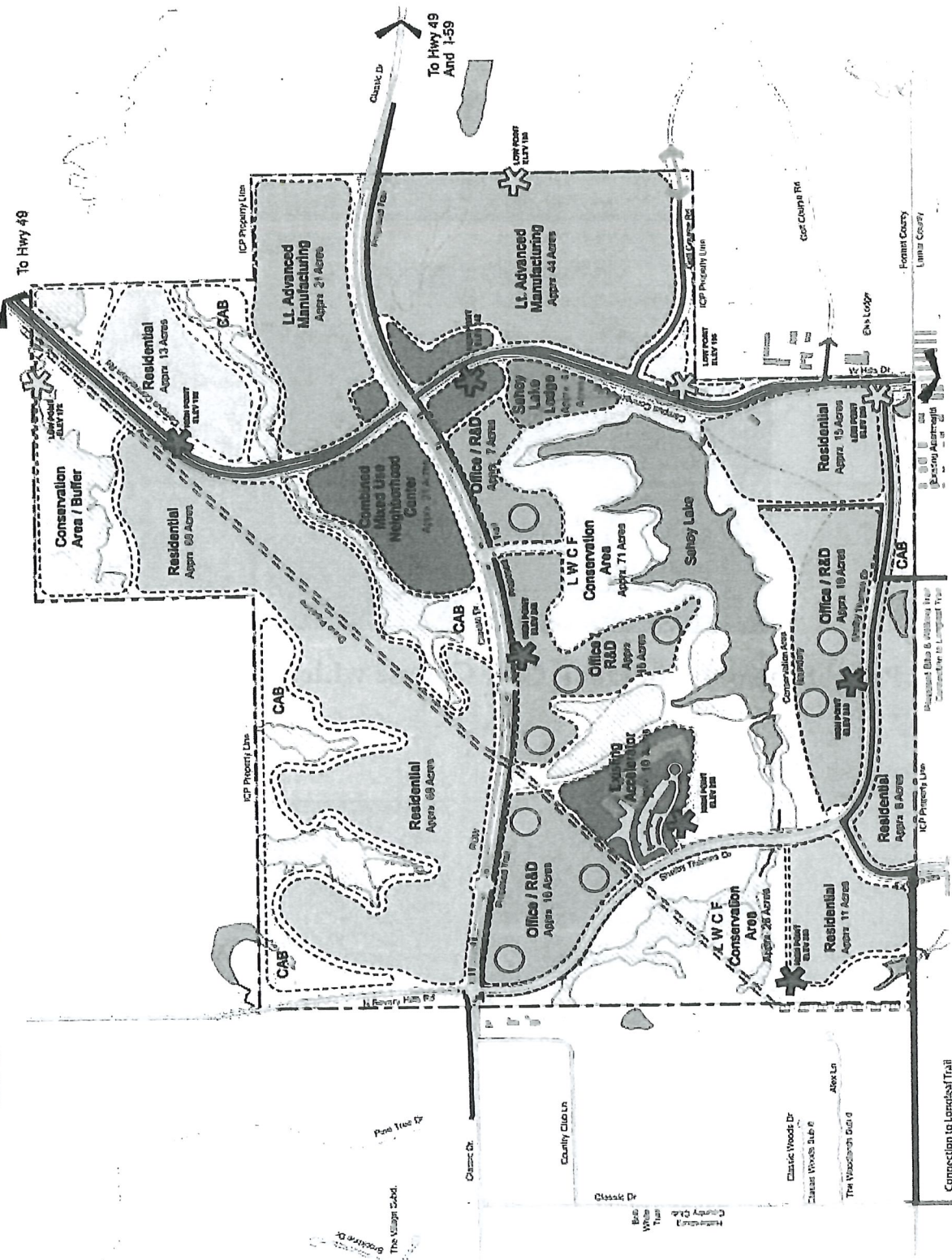
Lake Sehay on the 500-Acre Tract of Land, part of an existing outdoor recreation site partially funded by the Water Conservation Fund



Part of the old Van Hook Golf Course which fronts Golf Course Road



Strategic Plan: Recreational, Office R&D, Light Manufacturing, and Residential Zones have been identified and created to yield highest use



FOR RE-ZONING APPLICANTS:

As stated in Section 12.3 in the Land Development Code, one of the following conditions must be met before a rezoning can be recommended. Check the condition(s) most applicable to your request and explain in writing.

- ☐ There was a mistake in the original zoning.
- ☐ The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning.
- ☐ Annexation.

Detailed explanation of condition(s) most applicable to your request:

A strategic plan has been developed for highest and best use. This requires the USM property, which is currently all zoned R1-A, to be rezoned for multi-use to create a "Work, Live, Play" Community that will encompass Public Recreational Use of 100 acres around Lake Sehay, Office & R&D areas, a town center Multi-use area, Residential areas, and Light Advanced Manufacturing. Conservation area buffers have been created and include wetlands.

November 2023 HPC Item: G
James Harris, Owner
Request for: **Zoning Change From R-1C to A-1**



URBAN DEVELOPMENT PLANNING DIVISION

Planning Commission Case Fact Sheet

Name of Petitioner: James Harris, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
28 & 26 McCall St	2-038P-22-141.01	43147	5
	2-038P-22-144.00	11034	5
	2-038P-22-146.00	32131	5
	2-038P-22-147.00	11035	5

Request: **Zoning Change of multiple parcels from R-1C to A-1**

Purpose of Request: To request rezoning multiple properties located at 28 & 26 McCall Street from R-1C (Single-Family Residential) to A-1 (Agricultural), Forrest County, Ward 5. (PPINs: 43147, 11034, 32131, 11035).

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4

Zoning Districts Established

4.5.1 A-1 Agricultural District: The purpose of the A-1 Agricultural District is to permit agricultural uses and low-density residential development. This district is consistent with the Rural Residential / Agricultural District in the Comprehensive Plan. The district is intended to encourage and protect rural uses from urbanization until such is warranted and the appropriate change in district classification is made.

4.5.3 R-1C Single-Family Residential District: The purpose of the R-1C District is to permit single-family residential uses with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected lower density residential neighborhoods with only compatible supporting institutional uses and open space.

SECTION 5 USES

5.4.29 Kennels; Veterinary Clinics and Hospitals

5.4.29.1 A maximum of twenty outside runs shall be permitted and shall be 250 feet from restaurants and residential uses.

5.4.29.2 Facilities shall at all times be maintained in neat and sanitary condition.

SECTION 6 Dimensional Standards and Measurements

Table 6.1 Dimensional Standards

Table 6.1 Dimensional Standards										
District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Setbacks in feet				Max. Height*	Max. Impervious Surface Lot Coverage	Buffer in Feet
				Min. Front	Max. Front	Min. Side	Min. Rear			
R-1C	5,000/ 50	1 per lot	-	20	-	10	25	35 feet or 3 stories	50%	-
A-1	130,680 / 100	1 per lot	-	25	-	15	25	35 feet or 3 stories	35%	-

SECTION 13 Definitions

Kennel: An establishment in which more than three domesticated animals are housed, groomed, bred, boarded or trained for compensation or offered for sale.

Present Zoning: All parcels are currently zoned R-1C, single-family homes are present in some parcels.

Present Use: Single-family homes, vacant lots

Future Land Use: Neighborhood Conservation District 2

Surrounding Zoning and Land Use:
North: R-1C Single-Family Residential/A-1 Agricultural District
South: R-1C Single-Family Residential
East: R-1C Single-Family Residential
West: R-1C Single-Family Residential

Letters or Concerns stated: The Planning Division Office has received two letters from adjacent

History / Background:

The applicant is seeking a rezone request from R-1C to A-1 in order to establish the use of a Kennel at the location. Kennels are a permitted use in an Agricultural Zoning with conditions (A-1). The parcels being requested for rezone are 8.7 Acres (PPIN 11034) and 6.01 Acres (PPIN 43147). The applicant included two additional parcels in the rezone request which are not applicable to be rezoned to A-1 as they do not meet the minimum required lot size of 3 acres. Those parcels have been removed from the request.

The applicant is seeking to create an establishment to breed specific dog types for sale with the intended use. Commissioners should consider the implications of applying the A-1 Zoning in this area, as its intention is to create a low-density zoning that can be used for a variety of agricultural purposes. The proposed zoning change is generally considered a "downzoning" and further restricts the intensity of use for the property. The proposing zoning change is adjacent to an existing A-1 Zoned parcel that is 7 acres and undeveloped. The comprehensive plan has designated this area as a Neighborhood Conservation District 2.

Option: Basis for approval (Zoning Change):

- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning
- III. Annexation

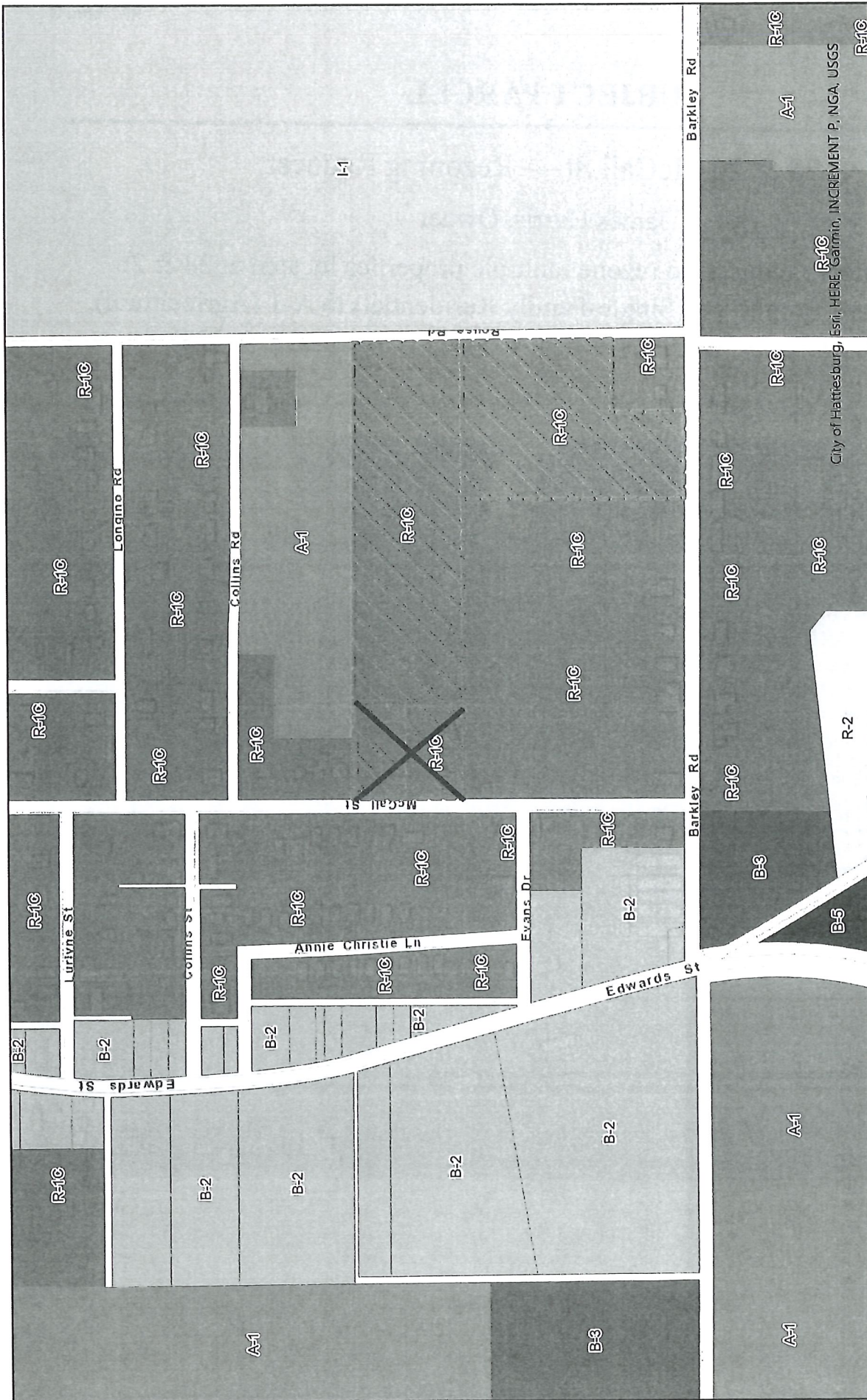
SUBJECT PARCEL

28 & 26 McCall St — Rezoning Request

James Harris, Owner

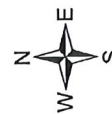
The petitioner requests to rezone multiple properties located at 28 & 26 McCall Street from R-1C (Single-Family Residential) to A-1 (Agricultural), Forrest County, Ward 5. (PPINs: 43147, 11034, 32131, 11035).





Legend

- A-1
- R-1C
- R-2
- B-2
- B-3
- B-5
- I-1
- City Boundaries
- Requested Area for Rezoning



Site Information

26 and 28 McCall Street
 Proposed area of for rezoning request
 from R-1C (Single-Family Residential) to
 A-1 (Agricultural)
 (PPINs: 43147, 11034, ~~32131~~, ~~11035~~)
 Forrest County, Ward 5



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Site Aerial



Surrounding Area



McCall St facing north and south

**Northern and
Southern Directions:
R-1C Single-Family
Residential**



**Eastern and
Western Directions:
R-1C Single-Family
Residential**

McCall St facing west



A

FOR RE-ZONING APPLICANTS:

As stated in Section 12.3 in the Land Development Code, one of the following conditions must be met before a rezoning can be recommended. Check the condition(s) most applicable to your request and explain in writing.

☐ There was a mistake in the original zoning.

☒ The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning.

☐ Annexation.

Detailed explanation of condition(s) most applicable to your request:

I am seeking a rezoning of 23m² Gun Street (area) from Single Family Residential (R-1C) to Agricultural (A-1); For the purpose of a dog Kennel. The changing of the zone would best fit the specifics of the area, since this location will never be developed for residential. Changing this zone would not create any undue hardship to the other residences in the area, since this property is remotely located off the ~~west~~ roadway and far away from other residences.



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**Planning Commission
Case Fact Sheet**

Names of Petitioner:	Richard Hiatt, Owner		
Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
715 N 31st Avenue	2-028F-06-043.00	26375	1
		47277	1
		47255	1

Request: Preliminary Plat Approval for Major Subdivision

Purpose of Request: To request a **preliminary plat for a Major Subdivision** located at 715 N 31st Avenue, Forrest County, Ward 1. The proposed name for the subdivision is "Wood Glen Addition." (PPINs 47255, 47277, and 26375).

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

R-1A Single-Family Residential District: The purpose of the R-1A District is to permit single-family residential uses with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected lower density residential neighborhoods with only compatible supporting institutional uses and open space.

SECTION 6

Dimensional Standards and Measurements

Table 6.1 Dimensional Standards

Table 6.1 Dimensional Standards										
District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Setbacks in feet				Max. Height*	Max. Impervious Surface Lot Coverage	Buffer in Feet
				Min. Front	Max. Front	Min. Side	Min. Rear			
R-1A	10,000/ 50	1 per lot	-	30	-	10	25	35 feet or 3 stories	50%	-

Request for: **Preliminary Plat Approval for Major Subdivision**

6.4 Yard Setback Modifications for Infill and Redevelopment areas

On infill and redevelopment sites, the Director may reduce side yard setbacks and lot width requirements to permit development on existing lots as follows.

6.4.1 Side Yards. A minimum of five feet of green strip shall be maintained as a minimum side yard. In lieu of this requirement, a zero-lot line maintenance agreement providing a minimum five-foot maintenance easement may be granted by the adjacent property owner.

SECTION 11

Administration and Enforcement

11.10.1.8 Subdivision Violations. The owner of a subdivision shall not transfer title to any lot in such subdivision until such time as the final plat has been approved by the appropriate authority as outlined in this Code and duly recorded in the office of the Chancery Clerk of Forrest County or Lamar County, Mississippi. Transfers prior to such approval and recording shall be deemed a violation of this Code and shall be subject to any and all remedies available to the City.

11.10.1.9 Recording Violations.

The Chancery Clerks of Forrest County and Lamar County, Mississippi shall not receive, file or record a plat of a subdivision within the jurisdiction of this Land Development Code without prior approval of the appropriate authority as outlined in this Code. Plats recorded prior to such approval shall be deemed unlawful and invalid

SECTION 12

Process and Procedures

Categories of Development Approvals

12.3.2 Preliminary Plat Approval for Major Subdivisions

12.3.2.1 Approval Criteria.

- i. Conformance with the Hattiesburg Comprehensive Plan.
- ii. Conformance with the standards of the zoning district.
- iii. Conformance with other standards and requirements of this Code and other City policies and regulations.
- iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
- v. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

12.3.2.4 Final Plat.

- i. No Significant Change. Final plats of major subdivisions that are substantially the same as the approved preliminary plat, as determined by the Site and Design Review Committee, shall be

Request for: **Preliminary Plat Approval for Major Subdivision**

approved administratively.

ii. Significant Change. Final plats that exhibit any significant deviation from the approved preliminary plat, as determined by the Site Plan Review Committee, shall require approval by the Planning Commission.

12.3.2.5 Recording.

In order to be an official and legal plat, the final approved plat must be recorded along with all applicable covenants, deed restrictions and property owners' association documents with the Chancery Clerk of Forrest or Lamar County, as appropriate. The City Engineer shall ensure that the City records this information in a timely fashion.

Present Zoning:	The parcels are currently zoned R-1A Single-Family Residential
Present Use:	Vacant / Residential
Future Land Use:	Neighborhood Conservation District 2
Surrounding Zoning and Land Use:	North: R-1A Single-Family Residential South: R-1A Single-Family Residential East: R-1A Single-Family Residential West: R-1A Single-Family Residential
Letters or Concerns stated:	The Planning Division Office has not received any letters or other written communications relative to this case as of October 17 th , 2023.
History / Background:	The applicant met with the Pre-application team regarding the subdivision of an existing parcel on 715 N 31st Ave into six separate lots. The proposed lots meet the required dimensional standards for the current zoning district. The proposed subdivision is infill development, and no roads will be created with this subdivision and utilities are already available along the street frontage. Infill development is considered to be an alternative to urban sprawl as it is the development of underused or vacant land in communities. The proximity to existing utilities can reduce the strain on development and can make development overall more efficient. It also reduces the travel distance for residents that work and shop in the City of Hattiesburg. All dimensional standards, standards of design, and other applicable standards from the Land Development Code apply for infill construction for the R-1A zoning district.
Option:	Approve or deny a preliminary plat for a major subdivision in the City of Hattiesburg.

Request for: **Preliminary Plat Approval for Major Subdivision**

Planning Commission must deem that all of the following approval criteria must be met before granting approval for the Preliminary Plat for a Major Subdivision:

12.3.2 Preliminary Plat Approval for Major Subdivisions

12.3.2.1 Approval Criteria.

- i. Conformance with the Hattiesburg Comprehensive Plan.
- ii. Conformance with the standards of the zoning district.
- iii. Conformance with other standards and requirements of this Code and other City policies and regulations.
- iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
- v. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

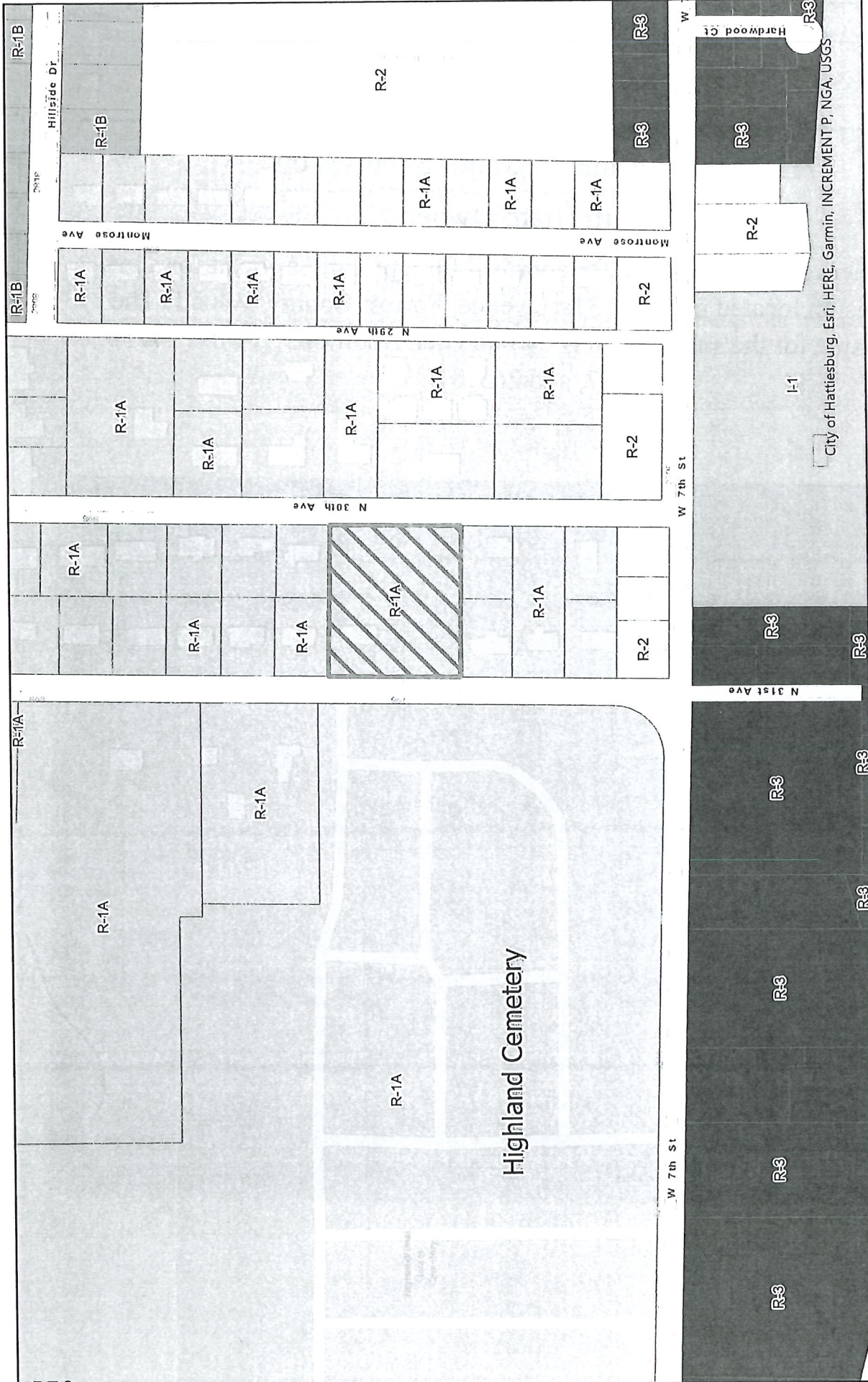
SUBJECT PARCEL

715 N 31st Avenue — Major Subdivision

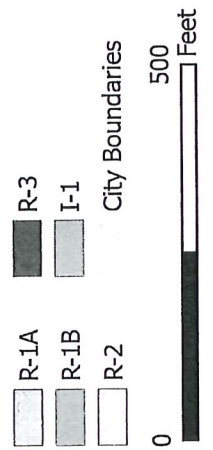
Richard Hiatt, Owner

The petitioner requests approval for approval for a preliminary plat for a major subdivision located at 715 N 31st Avenue, Forrest County, Ward 1. The proposed name for the subdivision is “Wood Glen Addition.” (PPINs 47255, 47277, and 26375).





Legend



Proposed Subdivision



Site Information

715 N 31st Ave
 Proposed Location for a Major
 Subdivision to create the "Wood Glen
 Addition" Subdivision
 Total of 6 lots to be created
 (PPINs: 47255, 47277, and 26375)
 Forrest County, Ward 1



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City of Hattiesburg, Esri, HERE, Garmin, INCREMENT P, NG, USGS

Site Aerial



Site Aerial

Northern and Southern Directions: R-1A Single-Family Residential



Site Aerial

East and Western Directions: R-1A Single-Family Residential



Highland Cemetery

P80