URBAN DEVELOPMENT

PLANNING DIVISION

HATTIESBURG PLANNING COMMISSION

PUBLIC HEARING STAFF REPORTS

May 1st, 2024

Planning Commission

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

May 1st, 2024

I. Business Meeting

1. Review and approval of the May 2024 meeting's agenda
2. Review and approval of the April 3rd, 2024 meeting's minutes
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

A. **Land Development Code Text Amendment Request** – (Tabled from April 2024): William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request to amend the Land Development Code, Ord. No. 3209 as amended, to make changes to Section 5, Use Regulations and Conditions. The request is to add additional use regulations for the use category of "School, University, or College", specifically for accessory uses and building heights.

B. **Land Development Code Text Amendment Request** – (Tabled from April 2024):The City of Hattiesburg requests to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 4 and 6. More specifically, the changes are related to regulatory flood zone properties within the A-1 zoning district to increase the minimum lot size requirement and reduce the total developable area. 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.

III. Other Business

IV. Adjournment

MINUTES OF THE

REGULAR MEETING OF THE

HATTIESBURG PLANNING COMMISSION

April 3rd, 2023

Board Members Roll Call:

Members Present:

1. Elayne Lockett
2. Rhoda Pickett, Vice Chair
3. Dick Conville
4. Amy Hinton, Chair
5. Rebekah Ray, Secretary
6. Lee Anne Venable
7. Carlos Wilson
8. Michael Dickerson (Online)

Members Absent:

1. Charles Dawe
2. Michael Pruitt
3. (vacant seat)

Staff Present:

1. Cory Long, Planning Manager
2. Nathan Satcher, Planner II
3. David Miller, Esq.
4. Kevin Bates, Building Official
5. Wiley Quinn, Director of Urban Development
6. Andrea Garcia, Planner I

Chair Hinton declared the Hattiesburg Planning Commission meeting open and in session at 1:04 p.m.

AGENDA REVIEW

Vice Chair Pickett made a motion to accept the agenda, seconded by Commissioner Ray. All members present were in favor.

Motion:

Made by Vice Chair Pickett

Second:

Made by Commissioner Ray

DRAFT

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson (Online)			ABSENT
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

MINUTES REVIEW

Commissioner Lockett made a motion to approve the March 6th minutes, and Commissioner Wilson seconded this motion.

Motion:

Made by Commissioner Lockett

Second:

Made by Commissioner Wilson

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson (Online)			ABSENT
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for March 2023.

DRAFT

PLANNING REPORT

There came the matter of the Planning Report by Nathan Satcher, Senior Planner, he announced that the Ivy Row case was tabled by City Council on April 2nd and that a traffic study from the Mississippi Department of Transportation was requested for this case. Also, Mr. Satcher mentioned that outreach was made to the community to inform them about property loss areas. Mr. Cory Long, Planning Manager mentioned that the planning study for Broadway was scheduled and invited the Commissioners to provide input for this project. Mr. Long also introduced Attorney David Miller as part of the City of Hattiesburg Staff.

CHAIR'S REPORT

The Chair did not have a report for the meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Item A:

Tina Bruce, representative, and owner, requests conditional use approval for a "Group Care Facility" for a property located at 1306 Hardy Street, zoned B-3 (PPIN 20045, Ward 4, Forrest County).

Discussion and Vote:

Staff introduced the case. Chair Hinton opened the public hearing portion of the meeting and Dr. Bruce came to speak on behalf of the proposal. Commissioner Ray questioned the applicant about the number of staff available for this site. Chair Hinton raised a question related to security in the area. Vice Chair Pickett questioned the applicant about outdoor activities and the amount of changes that will be made to the building to make it habitable. Attorney Miller questioned the applicant about legal affiliations. Chair Hinton closed the public hearing portion of the meeting, and then Staff and Commissioners discussed the case.

Presented by:

Dr. Tina Bruce

Proponents:

1. None

Opponents:

DRAFT

1. None

Motion:

Made by Commissioner Wilson to approve

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett			ABSTAINED
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

Item B:

Cliff Norman, owner and representative for High Cotton Properties, LLC., and Chris Johnson, Engineer, request approval for a preliminary plat for a major subdivision for a property located at 100 South Founders Way. The proposed subdivision will be phase 3 of the Vintage Springs Subdivision. (PPIN 41844, Ward 5, Forrest County).

Discussion and Vote:

The Planning staff introduced the case. Chair Hinton opened the public hearing portion of the meeting and Mr. Cliff Norman came to speak on behalf of the project. Vice Chair Pickett and Commissioner Conville questioned the applicant about the contractors in charge of the project. The public hearing portion of the meeting was closed and a motion was made to approve the preliminary plat for a major subdivision.

Presented by:

Cliff Norman

Proponents:

1. None

Opponents:

1. None

Motion:

DRAFT

Made by Commissioner Ray to approve

Second:

Made by Commissioner Conville

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

Items C-1 to C-5:

William Carey University, applicant, Kevin P. Lewis, architect and Robert Blevins, representative

Discussion and Vote:

The planning staff introduced the case. Commissioners questioned the staff about the proposed parking lots and current zoning. Commissioner Conville raised questions about possible spot zoning in the area. Vice Chair Hinton opened the public hearing portion of the meeting. Mr. Kevin Lewis came to speak on behalf of the proposal. Vice Chair Pickett questioned the applicant about the guard shack and intersection sight. Also, Mr. Satcher explained that intersection sights and guard shacks would be reviewed at the Site Plan Review meeting, and visibility would follow the requirements of the Land Development Code. Chair Hinton closed the public portion of the meeting. The public hearing portion of the meeting was closed. Commissioners agreed to discuss these cases collectively and motions were made for Items C-1 to C-5 as follows:

Presented by:

Kevin Lewis

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Commissioner Conville to approve

Second:

Made by Commissioner Lockett

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Item C-1:

William Carey University, applicant, Kevin P. Lewis, architect and Robert Blevins, representative, request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for properties located at 1506 and 1508 ½ Cherry St. (PPIN 13777, 13779, 13776, 13787, 13786, and 13785, Ward 2, Forrest County).

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

Item C-2:

William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at 1412 Cherry St (PPIN 13715, Ward 2, Forrest County).

Motion:

Made by Commissioner Ray to approve

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

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Item C-3:
William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at 1406 Cherry St (PPIN 13713, Ward 2, Forrest County).

Motion:

Made by Commissioner Ray to approve

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

Item C-4:
William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request approval for rezoning from R-1C (Single-family residential) and R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at the intersection of Cherry Avenue and Tuscan Ave (PPIN 13651, 13652, 13653, 13654, and 13655, Ward 2, Forrest County).

Motion:

Made by Commissioner Ray to approve

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Picket			ABSTAINED
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		

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Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

Item C-5:
William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request approval for rezoning from from R-1A and R-1C (Single-Family residential) to R-3 (Multi-family residential) for a property located at the intersection of Franklin Street and Magnolia Avenue (PPIN 13647, 13648, 13656, Ward 2, Forrest County).

Motion:

Made by Commissioner Ray to approve

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

Item C-6:
William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request to amend the Land Development Code, Ord. No. 3209 as amended, to make changes to Section 5, Use Regulations and Conditions. The request is to add additional use regulations for the use category of "School, University, or College", specifically for accessory uses and building heights.

Discussion and Vote:
Commissioners and Planning Staff discussed the proposed changes in the Land Development Code. Vice Chair Pickett suggested additional time to be able to review the proposed changes. Commissioner Conville made a motion to postpone Item C-6 in the agenda for additional review

DRAFT

until next Hattiesburg Planning Commission hearing, Vice Chair Pickett seconded this motion.

Presented by:
Kevin Lewis
Proponents:
1. None

Opponents:
1. None

Motion:
Made by Commissioner Conville to postpone

Second:
Made by Vice Chair Pickett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

Item D:
Mississippi Tank Company, applicant, Bobby Threatt, applicant, and Chris Bowen, representative, request approval for rezoning from R-2 (Two-family residential) to I-1 (Light Industrial) for a property located adjacent to 3000 West 7th Street (PPIN 26407, Ward 1, Forrest County).

Discussion and Vote:
The Planning Staff introduced the case. Chair Hinton opened the public portion of the meeting. Mr. Chris Bowen came to speak on behalf of the proposal. Commissioner Conville questioned the applicant about the dimensions of the vacant lot and how many parking spaces would be available. Commissioner Venable exited the room. Chair Hinton closed the public hearing portion of the meeting. This item had a publication error during advertising, which was discussed by the Commissioners and staff. Vice Chair Pickett made a motion to table the item until the next Planning Commission public hearing, Commissioner Lockett seconded the motion.

Presented by:

DRAFT

Chris Bowen

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Vice Chair Pickett to table

Second:

Made by Commissioner Ray

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			ABSENT
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

Item E:

The City of Hattiesburg requests to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 4 and 6. More specifically, the changes are related to regulatory flood zone properties within the A-1 zoning district to increase the minimum lot size requirement and reduce the total developable area. 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.

Discussion and Vote:

The Planning Staff introduced the case. It was suggested by Cory Long, Planning Manager, that additional time be given for proper outreach to the community. Convissioner Conville made a motion to postpone this case and Lockett seconded this motion.

Presented by:

Mr. Cory Long, Planning Manager

Proponents:

1. None

Opponents:

DRAFT

1. None

Motion:

Made by Commissioner Conville to postpone

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			ABSENT
Carlos Wilson	X		
Michael Dickerson (Online)	X		
Charles Dawe			ABSENT
Michael Pruitt			ABSENT

OTHER BUSINESS

No items were presented as other business.

Adjournment:

The meeting was adjourned at 3:18 p.m.

Motion:

Made by Commissioner Conville

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			ABSENT
Carlos Wilson	X		
Michael Dickerson (Online)	X		

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Charles Dawe			ABSENT
Michael Pruitt			ABSENT

_____

Amy Hinton, Vice Chair

_____

Cory Long, AICP, Planning Division Manager

DRAFT

May 2024: Item A (Tabled from April 2024 meeting)
William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative
Request for: **Amend the Land Development Code, Ord. No. 3209**

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative

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Request:	**Ament the Land Development Code, Ord. No. 3209**
Purpose of Request:	**To amend the Land Development Code, Ord. No. 3209 as amended, to make changes to Section 5, Use Regulations and Conditions.** The request is to add additional use regulations for the use category of "School, University, or College", specifically for accessory uses and building heights.
Applicant Summary:	* See Attached *
Applicable Regulations:	
SECTION 12	**12.2 Categories of Development Approvals** **12.3.1.3 Application Requirement; Action**. Any application for an amendment to the text of the Land Development Code or Zoning Map shall address in writing the reason for the proposed amendment. City Council shall consider the request and, if it is approved the request, may ask staff to begin drafting the text amendment for consideration, or to amend the Official Zoning Map, whichever action is relevant.
SECTION 13	**Definitions** **University/College/Business School:** An institution at which persons are instructed in post-secondary vocational, career and academic learning for preparation for employment and education. Examples include The University of Southern Mississippi, Pearl River Community College and William Carey University.
Present Use:	William Carey Properties
Future Land Use:	Neighborhood Center Mixed-Use District
Letters or Concerns stated:	The Planning Division Office has not received any letters or other

written communications relative to this case as of March 26th, 2024.

History / Background:

William Carey University has proposed zoning changes for multiple parcels that they own to make their zoning consistent with the rest of the university and to fit into a category that allows the use of "School University, or College". Many of the parcels they have acquired and have plans to develop are not currently zoned R-3, and require a zoning change when they want to develop the parcels for university use.

Growth of the medical school is driving some of their current development plans and they have recently constructed multiple buildings for their medical school, and have two additional ones that have been approved and will begin construction this year. The expansion of the medical school has caused them to require additional parking, and the current language of the code does not allow the use of "Parking, surface" in an R-3 zoned parcel. The text amendment they are proposing would allow for parcels zoned R-3, that are part of a school, university, or college, to be developed as a parking lot, so long as they are on contiguous or adjacent sites. Adjacent sites could be separated by a right-of-way, and be developed as accessory uses for a school, university, or college.

Wiliam Carey has proposed parking lots to be developed at the intersection of Tuscan and Cherry (across from their newly constructed Health Sciences building. The text amendment, if approved, would allow that lot to be formally developed and approved at a staff level, minus the setback requirement for their guard shack.

William Carey has also proposed fencing the perimeter of the parking lots using 8-foot gates and has included a text amendment that addresses an allowance for perimeter fencing of that height, with much higher standards of design than those currently in place for all fencing. Chain link fencing, would not be permitted, and fencing would require a much higher transparency requirement. The transparency requirement would prevent fencing that creates an opaque barrier and serve the purpose of controlling ingress/egress along with security.

William Carey has also proposed the addition of increasing the building heights for structures within the use designation of "School, University, or College" to be raised to a maximum of 45 feet instead of the current 35 feet set by the zoning district dimensional standards.

Whenever a text amendment is being proposed, the Planning Commission should consider the city-wide implications of such changes.

May 2024: Item A
William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative
Request for: **Amend the Land Development Code, Ord. No. 3209**

Below is a list of the proposed changes to the Land Development code requested by William Carey University:

In Section 5.4.39 (SCHOOL, UNIVERSITY OR COLLEGE)

Amend to add the following conditions for use:

5.4.39.A
Accessory uses such as places of assembly, multi-purpose facilities, outdoor recreation facilities, parking lots, bookstores, and maintenance facilities on the same site, or contiguous sites to the principal use shall be permitted. Similar uses on adjacent sites shall be considered accessory uses when an established accessory use is related to or connected to the principal use.

5.4.39.B
Parking Lot accessory use shall allow up to 80% maximum impervious lot coverage.

5.4.39.C
Fences whose purpose is to control ingress and egress to the perimeter of primary or accessory use shall be allowed to a height of 8 feet (including front yards) utilizing decorative aluminum, iron, or wood fencing with appropriate gate and operation to allow emergency personnel and vehicle access. Fencing must maintain a minimum 50% transparency. The purpose of such fencing is to provide security and controlled access to the accessory or principal use and need must be demonstrated for approval by the site plan review committee.

5.4.39.D
Building heights may be increased to 45 feet with up to three floors.

Option:

Recommend **approval** or **denial** of the request for an Amending of the Land Development Code, Ord. No. 3209, as amended.

Planning Commission can also recommend changes to the proposed amendments, should they be needed. Planning Commission could consider changing Sectio 6, of the Dimensional Standards for R-3 Zoned properties to allow for a maximum height of 45 feet instead of the specific requirement only for the use classification of “Schools, Universities, and Colleges.”

FOR VARIANCE APPLICANTS:

The Board of Adjustment has the responsibility to hear and make recommendation on requests for variances to the requirements of this Code (per Section 11.4). **Section 12.4.1** Variances are departures from the standards of the Land Development Code, except land use, which will not be contrary to the public interest and where, owing to conditions peculiar to the property and not as a result of the action of the applicant, a literal enforcement of this Code would result in unnecessary and undue hardship.

The following conditions must be met before a variance can be recommended. Not all criteria must be met. However, a strong application will meet multiple criteria.

Approval Criteria.

A variance is not a right, but a privilege that property owners meeting the following criteria may request. These criteria are to be used to consider all variance requests. It shall be the burden of the applicant to prove that the request meets these criteria. Use this worksheet or format your own to demonstrate the following criteria.

1. **Hardship.** (a) the hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant. (b) There are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district.

The Land Development Code was changed and moved University use from R-2 to R-3. William Carey University continues to acquire surrounding properties and is currently planning for present and future uses. The hardship was caused by the City change to the Land Development Code, as well as, WCU continued purchase of available properties to sustain their future growth needs.

2. **Special Privilege.** A variance shall not confer any special privilege that is denied to other lands or structures in the same zoning district.

A text change to the Land Development Code is being requested to avoid need for variances in the future. As currently written, the zoning necessary for University use would not allow any concentrated parking areas or security fencing, both of which are necessary functions to a University and currently exists on the existing campus. The addition of the Guard Hous eis in response to recent gunfire activity in this area and the need for WCU security at this high pedestrian traffic area.

3. **Literal Interpretation.** The literal interpretation of the provision of the regulation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant.

Unique to this situation, the City made the zoning change for University use and we are following through with the re-zoning to comply with that change. The text change requests are being made to avoid need to future variances related to parking and fencing.

4. **Reasonable Use.** The applicant cannot make reasonable use of the property without the requested variance.

Unique to University settings, concentrated areas of parking are better for traffic and security while allowing pedestrians better access to buildings and greater gree spaces within the campus. As currently written, very small parking lots would have to be constructed in multiple locations and cause more concern for traffic and security.

5. **Minimum Required.** The granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure.

It is a reasonable design principle to have separated traffic and pedestrian patterns and this request enhances the University's ability to plan and maintain those principles. We beleive it is also the City's intent to provide for those design principles.

6. **Conformance with Purpose of this Code.** The granting of a variance will not conflict with the purposes and intent expressed or implied in the Land Development Code.

As stated in 5 above, it is reasonable to expect University settings to be unique in design and character. The requests made herein are to provide further guidance into those peramaters, not only for the University, but also for other ischool and college uses. The variance for the Guard House setback is paramount to visible sightlines down Tuscan Avenue and Cherry Streets.

12.4.1.2 Conditions of Approval. In recommending the granting of a variance, the Board of Adjustment may require appropriate conditions and safeguards in conformity with this Code. Violation of such conditions and safeguards, when made a part of the terms under which a variance is granted, shall be deemed a violation of the Code. The recommendation of the Board Adjustment shall be presented to the City Council for final action.

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:

As far as allowing University in zone R-3, it does meet it. However, there are no conditional uses listed in Section 5 for School, University, or College and we beleive they are necessary changes to enhance University planning and City's intent for development.

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

Any current or fiuture use would be for University and any accessory use, expanding the current campus as William Carey University continues to grow and contribute to the enhancement of the City.

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

The University continues to acquire property for continued growth and improvement. As sites become available, WCU acquires them and enhance their ability to plan for future growth.

Type text here

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

Yes, as William Carey continues to grow, their needs for parking and pedestrian paths, as well as facilites, will also contiue to grow.

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

No additional noise antiicpated. Depending on parking and times of day, more vehicles may be moving simultaneously than at other times of day- same as is experienced in other parts of the City.

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

That will vary depending on future use.

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

Yes. It is for the purpose of expanding the University.

8. Parking requirements:

Commercial/Industrial: Paved parking will be provided for _____* vehicles, and _____* ADA vehicles; with _____* loading spaces.*To be determined in future planning.

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

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 Land Development Code changed and University Use was moved from R-2 to R-3.

The properties in this application were acquired by WCU, house demolished, and the vacant lots available for WCU parking and Guard House expansion.

URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission
Case Fact Sheet

Names of Petitioner: City of Hattiesburg

Request: **Ament the Land Development Code, Ord. No. 3209**

Purpose of Request: The City of Hattiesburg requests **to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 4 and 6.** More specifically, the changes are related to regulatory flood zone properties within the A-1 zoning district to increase the minimum lot size requirement and reduce the total developable area.

Applicable Regulations:

SECTION 4 **Types of Zoning Districts**
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.

SECTION 6 **6.1 District Dimensional Standards**
The following dimensional standards shall apply to all development in all standard districts unless otherwise noted in this ordinance. Dimensional standards for special districts shall be set by adopted plans for those districts.

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			
A-1	130,680 / 100	1 per lot	-	25	-	15	25	35 feet or 3 stories	35%	-

May 2024: Item B (Tabled from April 2024)
City of Hattiesburg
Request for: **Amend the Land Development Code, Ord. No. 3209**

SECTION 12

12.2 Categories of Development Approvals

12.3.1.3 Application Requirement; Action. Any application for an amendment to the text of the Land Development Code or Zoning Map shall address in writing the reason for the proposed amendment. City Council shall consider the request and, if it is approved the request, may ask staff to begin drafting the text amendment for consideration, or to amend the Official Zoning Map, whichever action is relevant.

History / Background: Please see the memo following this report outlining the proposed changes and reasoning.

Planning Staff plan to present this case on **April 3rd, 2024, and the May 1st, 2024** Planning Commission Agenda to ensure adequate time for the public to review the proposed changes. Planning Division staff also want to ensure adequate time for public outreach, including sending direct mailers to the potentially affected properties by this text amendment in the City of Hattiesburg.

Below is a list of the proposed Changes to the Land Development Code requested by the City of Hattiesburg:

Amend to add the following to Section 4 (Zoning Districts):

4.20.1.A
A-1 zoned properties that overlap with the regulatory flood zones as defined in the Flood Damage Prevention ordinance (Ordinance No. 3294, as amended), shall have a minimum lot size requirement of 5 acres (217,800ft2). The total allowable developable lot area shall not exceed 10% of the area within the regulatory floodplain.

Amend to add the following to Section 6 (Dimensional Standards)

6.1.1
Please reference section 4.20.1.A for dimensional standards for development in a regulatory floodway in zone A-1.

Option: Recommend **approval** or **denial** of the request for an Amending of the Land Development Code, Ord. No. 3209

URBAN DEVELOPMENT
PLANNING DIVISION

MEMORANDUM

TO: TO ALL IT MAY CONCERN
FROM: Nathaniel Satcher, CFM, Senior Planner
DATE: March 27th, 2024
SUBJECT: Land Development Code Text Amendments for Floodplain Areas

Proposed Land Development Code Text Amendment Changes

The City of Hattiesburg is proposing an amendment to the City of Hattiesburg's Land Development Code, specifically Ordinance No. 3209. The proposed change involves the addition of Section 4.20.1.A, which addresses specific zoning regulations for properties falling within both A-1 zoning and regulatory flood zones as defined in the Flood Damage Prevention ordinance (Ordinance No. 3294, as amended).

The proposed Section 4.20.1.A reads as follows:

- Add Section 4.20.1.A to read the following: "A-1 zoned properties that overlap with the regulatory flood zones as defined in the Flood Damage Prevention ordinance (Ordinance No. 3294, as amended), shall have a minimum lot size requirement of 5 acres (217,800ft^2). The total allowable developable lot area shall not exceed 10% of the area within the regulatory floodplain."

An amendment to Section 6.1 to add Section 6.1.1 is also proposed to properly reference the above requirements

- Add section 6.1.1 to read the following: "Please reference section 4.20.1.A for dimensional standards for development in a regulatory floodway in zone A-1"

This amendment addresses concerns regarding development in flood-prone areas while ensuring the safety and resiliency of our community. Additionally, this proposed amendment serves as a policy change to assist with our Community Rating System (CRS) to help reduce flood insurance premiums for residents in the City of Hattiesburg. The implementation of these zoning regulations aligns with the requirements and objectives outlined in the CRS, which rewards communities for implementing floodplain management practices that exceed the minimum National Flood Insurance Program requirements.

We believe that this proposed amendment not only supports our city's goals of promoting smart growth and sustainable development but also contributes to our efforts to enhance community resilience and reduce the financial burden on our residents in terms of flood insurance premiums.

Planning Staff plan to present this case on **April 3rd, 2024**, and the **May 1st, 2024** Planning Commission Agenda to ensure adequate time for the public to review the proposed changes. Planning Division staff also want to ensure adequate time for public outreach, including sending direct mailers to the potentially affected properties by this text amendment in the City of Hattiesburg.

Should you have any questions regarding this text amendment, please contact the planning office.