

**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
JANUARY 29, 2004**

1. Call to Order
2. Invocation
3. Introduction of New Planning Commissioners
4. Roll Call
5. Election of Officers
6. Approval of Minutes – December 30, 2003
7. Announcements:

REQUEST TO CARRYOVER FOR SIXTY (60) DAYS

8. **Weatherby Estates (624)** – Application is to rezone 69 acres from Agricultural to R-20 Single Family Residential (Low Density). Subject property is located on the north side of Oak Grove Road and west of Scott Road.
Section 14, Township 3, Range 8

CONSENT AGENDA

MINOR SUBDIVISIONS

9. **Jerry Stafford Minor Lot Subdivision (6230)** – Application is for three lots of 1.5 acres, 4.43 acres, and 2.0 acres. Subject property is located on the east side of Poplar Corner Road and south of Highway 302, zoned Agricultural-Residential.
Section 36, Township 1, Range 9
10. **Wood Ridge Subdivision (6226)** – Application is for 3 lots on 39 acres with an easement. Subject property is located on the southern end of Wood Ridge Road and west of Ross Road, zoned Agricultural-Residential.
Section 29, Township 2, Range 6

OTHER ITEMS

11. Briefing on the 2030 Comprehensive Plan for new Planning Commissioners
12. REMINDER: Final Public Hearing for 2030 Comprehensive Plan to be Held on Thursday February 12, 2004

The DeSoto County Planning Commission met at 7:00 p.m. on Thursday, January 29, 2004, in the Third Floor Boardroom of the Administration Building of DeSoto County located at: 365 Losher Street, Hernando, MS. Commissioners present were: Jimmy Maxwell, Robin James, Julius Cowan, Leonard Lindsey, Dennis Clemmer, Wade Carter, Joe Forythe, Leigh Graves, Frank Calvi, James Mayfield, and Paul Whitfield. Planning Commission Staff included: Michael Garriga, DeSoto County Planner, Merritt Powell, Director, Jim McDougal, Transportation Coordinator, Denise Dingman, Planning Commission staff and Katie Jewell County Attorney.

Chairman Mr. Maxwell called the meeting to order at 7:00 p.m., he then asked Mr. Julius Cowan to lead the Commission in prayer.

Mr. Garriga began by introducing the new Planning Commission Members.

The board members then decided to table the election of officers to the end of this meeting.

Mr. Maxwell asked for a Motion to approve the December 30, 2003 minutes. Mr. Lindsey made a Motion to approve the minutes. Mr. Cowan seconded the Motion. The Motion was passed by a unanimous vote.

REQUEST TO CARRYOVER FOR SIXTY (60) DAYS

Weatherby Estates (624) – Application is to rezone 69 acres from Agricultural to R-20 Single Family Residential (Low Density). Subject property is located on the north side of Oak Grove Road and west of Scott Road. Section 14, Township 3, Range 8

Mr. Garriga stated the applicant has requested to have this application be carried over for 60 days, he then passed out the request letter. Mr. Garriga then stated the reason for the carryover is due to water and sewer issues. The City of Hernando does not want to provide these services to this subdivision because it is located outside of the city limits. Mr. Lindsey made a Motion to have the item carried over. Mr. James seconded the Motion. The Motion was passed by a unanimous vote.

MINOR SUBDIVISIONS

Jerry Stafford Minor Lot Subdivision (6230) – Application is for three lots of 1.5 acres, 4.43 acres, and 2.0 acres. Subject property is located on the east side of Poplar Corner Road and south of Highway 302, zoned Agricultural-Residential. Section 36, Township 1, Range 9

Mr. Garriga announced the above items and stated that all the minor lots conform to the DeSoto County Zoning and Subdivision Regulations and are ready for approval, subject to dedication of road right of way, and health department approval.

Mr. Garriga added, all issues must be worked out with Walls Water Association and must have Health Department Approval. Mr. Cowan made a Motion to approve this application with staff recommendations. Mr. Calvi seconded the Motion. The Motion was approved by a unanimous vote.

**Wood Ridge Subdivision (6226) – Application is for 3 lots on 39 acres with an easement. Subject property is located on the southern end of Wood Ridge Road and west of Ross Road, zoned Agricultural-Residential. Section 29, Township 2, Range 6
MUST BE PLATTED AND RECORDED**

Mr. Garriga announced the above items and stated that all the minor lots conform to the DeSoto County Zoning and Subdivision Regulations and are ready for approval, subject to dedication of road right of way, and health department approval.

Mr. James made a Motion to approve this application with staff recommendations and that this be platted and recorded. Mr. Lindsey seconded the Motion. The Motion was passed by a unanimous vote.

OTHER ITEMS

At this time Mr. Garriga passed out packets regarding Smart Growth to each board member they then looked at page 7 and talked a little about the introduction, and what this packet contains. Mr. Garriga then asked each member to read through this packet when they have some time.

Briefing on the 2030 Comprehensive Plan for new Planning Commissioners

Mr. Garriga began by stating we are working on the 2030 Comprehensive Plan, but every Comprehensive Plan needs to be updated every 3-5 years. We are currently working under the 1994 Comprehensive Plan, which in 1999 the county began working on the plan which is called the 2030 plan.

Mr. Garriga then stated back in November he passed out draft copies of the text, he then passed out the updated comprehensive plan books and maps to the new board members. He then stated there is going to be a Public Hearing on February 12, 2004 where this board will be presenting the county's new Comprehensive Plan to the public. He is aware there are several new board members and feels like there is a lot being left on their shoulders. The Board of Supervisors chose the Planning Commission as the steering committee. This is an important document and is how we are going to dictate policy for future growth and development over the next 20-30 years. This document is meant to be amended and reviewed.

Mr. Garriga then began his briefing by stating there are 5 main components of the Comprehensive Plan and they are as follows:

1. Goals & Objectives/Implementation

2. Land Use Plan
3. Transportation Plan
4. Community & Public Facilities
5. Education

There is also a Capital Improvement Plan (CIP) portion to this Comprehensive Plan. The Board of Supervisors is currently working on a CIP project and has hired financial consultants. (Emery Grubbs)

Historically the Planning Commission and staff has not worked with the school board hand and hand. He believes this will change over time, because it is a critical part of planning. The policy in the past has been that the school board has stated you build, we will accommodate. Mr. Powell added, more information to Mr. Garriga's statement.

Mr. Garriga then explained the existing land use and zoning map (2010 map). He then explained the updated map for the new Comprehensive Plan.

Ms. Graves asked if Walls and Hernando is part of the county. Mr. Garriga said they are part of this project, but they do have their own Planning Commission boards, but with the same consultants we have.

Mr. Garriga also explained the annexation process to the board members.

Mr. Garriga then stated the media continues to ask when the Comprehensive Plan is going to be finished, what they don't realize is we have a Comprehensive Plan and it has worked for us.

Mr. Garriga said the most visible tool in the Comprehensive Plan is the Land Use map. We must have justification for coming up with the product in front of you, so we had several public hearings along with a 40-50 question survey. There were 600 surveys sent which is an adequate amount and we received a 25% return. We had to have a starting point, and that is what it did. We then had 3 public meetings. The first one was mainly attended by developers, saying we need more density. The second meeting was mainly attended by citizens, who wanted less density. There was not a balance between the two, so we had a third meeting at the court house, (which was packed) and a lot of the people were mad about something. There were a few developers there and an overwhelming amount of citizens. You just cannot please everyone, someone will always find something wrong with this map or this plan. We must try to find a balance, and believes we have found it, or at least the ones who come in the office and look at it are not complaining as much. This map is a 2030 land use map, this is where we expect to be in 30 years, this is for future growth, not tomorrow. People are coming to DeSoto County and maybe the reason is due to good schools, affordable housing and low taxes. Mr. Garriga said this is at least the 4th or 5th map and it may change again when it gets to the Board of Supervisors.

Mr. Garriga said this board needs to make a recommendation to the Board of Supervisors and they will need to make the final decision. This version of the Comprehensive Plan may be what is submitted to the Board of Supervisors. The final hearing will be held on Thursday, February 12, 2004 at 7:00 in the court house on the second floor, in the main court room. The Planning Commission has worked on this draft plan and it is what is going to be recommended to the Board of Supervisors. There was then a brief discussion on the topics of the previous meetings.

Ms. Graves asked for the status of the water and sewer in the county. Mr. Garriga then explained and stated the municipalities are the public service providers. The county has rural water systems. The water associations have their own boards and are critical to the continued growth of the county. This is where the city and county's planning is different, the city houses their own services and the county must work with the local water associations. Mr. Garriga continued saying, Olive Branch, and Hernando is reaching capacity. The streams in the county are on the Department of Environmental Quality (DEQ) impairment list. DEQ will not approve any additional lagoons. Thereupon, the county decided to create a regional sewage system. Mr. Mayfield asked where the lines would be located. Mr. Garriga pointed to the locations. Mr. Powell added, all subdivisions and developments are approved subject to DEQ's approval.

Mr. Carter asked if the zoning ordinance is part of the Comprehensive Plan and would be addressed at the public hearing? Mr. Garriga answered saying the zoning ordinance is part of the contract, it is an implementation tool of the Comprehensive Plan. In addition, this issue will not be addressed at the public hearing. The goal is to get the Comprehensive Plan approved and then work on the ordinance, since that is a more day to day use. The Planning Commission will be involved with that also. Mr. James added, the land use map does have a lot to do with zoning. Mr. Garriga responded saying, according to state law states if a county or municipality is going to implement zoning it has to be in accordance with a Comprehensive Plan, and we need to be in compliance. Mr. James stated state law also states we (the boards) cannot rezone against this plan either. Mr. Garriga and Mr. Powell disagreed.

Mr. Forsythe then asked about eminent domain and gave a brief description of his problem regarding sewer. There was a brief discussion regarding this issue.

Mr. Garriga further explained the future land use map for 2030 (Rural, transition, low density, commercial, industrial, etc.). Land Use is determined by population projections.

At this time, the commission took a 10 minute break.

Mr. Lindsey began by saying we have taken some things away as far as density, but we have also given a lot. There has been a lot applications with the request for ½ acre lots recently than any other request. Mr. Lindsey said it would be nice to have a management team regarding stormwater issues. Mr. Powell said the county and all of the cities is working on this issue. Mr. Garriga said the county is working on a stormwater ordinance. Mr. Lindsey stated the developers always say that the pre and post water runoff cannot

change, but it has to change. Mr. Garriga said the drainage issue is being worked on. Mr. Garriga added, the curb and gutter issue will be before the Board of Supervisors for a public hearing on February 4, 2004.

Mr. Powell stated that the ordinance states an R-30 subdivision is not required to have curb and gutter, but a R-20 is required to have curb and gutter. There have been 2 approved subdivisions without curb and gutter, and the Board of Supervisors say the Planning Commission does not have the authority to recommend whether or not to waive curb and gutter. Mr. Lindsey responded saying there has been a time when the Planning Commission has turned down a subdivision application because of the lack of curb and gutter and the Board of Supervisors overturned it.

Mr. Wade Carter questioned the transition areas. Mr. Garriga replied saying it goes back to the expansion and growth in the county. Comparability vs. Compatibility. We want to preserve existing neighborhoods, but we also need a place for people to live, and diversity is needed. Mr. Garriga said zoning decisions should not be made just in accordance to this map, but on the other hand they should not be approved or denied based solely on this map, it should be consistent. The map is not a justification for zoning, he then explained the justification process.

Mr. Carter then asked about the corridor along I-69. Mr. Garriga said it is a planned corridor, low density, commercial business at the corners.

At this time Mr. Garriga then explained the public hearing process for February 12, 2004. The staff and board then discussed the location options. It was decided to have the hearing at the court house on the 2nd floor, and limit each person who wants to speak to 5 minutes. Mr. Garriga also said comment cards will also be available.

Mr. Carter then made a Motion to carryover the Planning Commission Board election for one month (February 26, 2004). Mr. James seconded the Motion. The Motion was passed by a unanimous vote.

There being no further business in front of the Planning Commission, this meeting adjourned at 10:00 p.m. These minutes were recorded and transcribed by Denise Dingman.