



**MINUTES OF THE CITY OF OLIVE BRANCH PUBLIC MEETING TO GATHER  
CITIZEN INPUT FOR THE 2022 UPDATE TO THE COMPREHENSIVE PLAN 2040  
OCTOBER 25, 2022**

The second Public Meeting to gather citizen input for the 2022 Update to the 2040 Comprehensive Plan was held on Tuesday, October 25, 2022, in the Municipal Courtroom located at 6900 Highland Street, at 6:00 p.m. This meeting was noticed on the City's website on September 28, 2022 as part of the published minutes of the prior meeting and a reminder was posted on October 20<sup>th</sup>. Both remained posted until the meeting date. This was also noticed in the DeSoto Times Tribune on October 13, 2022.

**CALL TO ORDER**

The meeting was called to order by Mayor Kenneth R. Adams at 6:13 p.m. The following individuals were in attendance: Kenneth R. Adams, Mayor; Todd Ondra, Chief Operating Officer; Bryan Dye, City Attorney; Alderwoman Pat Hamilton; Planning Commissioner Donny Singh; Jason Gambone, Director of Planning; Venard Asongayi, Assistant Director of Planning; and Heather James, Planning Technician. There was no quorum of elected or appointed officials present and the Alderwoman and Commission Member present did not participate in the discussion, but were only present for the purpose of hearing and observing the citizen input.

A sign-in sheet is attached hereto as Exhibit 1. There were some individuals present who opted not to sign in.

**GENERAL**

Mayor Adams thanked the participants who attended and noted that there were some changes made to this presentation based on the input from the last meeting. He reiterated the following points from the prior meeting:

-The meeting goal was to discuss the City's 2040 Comprehensive Plan, particularly what the citizens' desire the Future Land Use Map to consist of.

-The 2040 Comprehensive Plan was developed in 2019 after multiple public meetings to obtain citizen input. The plan has been in effect for the last three years, publicly posted for viewing or printing on the City's website and made available at City Hall and the City's Senior Center for review.

-The Future Land Use Map plan does not change any lots that have already developed and have homes currently on them. These lots and homes remain in their current state and the Future Land Use Map plan is specifically for future development.

-Agricultural Residential lots already developed with homes remain Agricultural Residential and the term Rural Estate is not a zoning term or change, it is a subdivision category.



-Comprehensive development plans for cities and counties are always a work in progress due to the changing needs of a community. It is likely the City's 2040 Comprehensive Plan will change multiple times before year 2040 and citizen feedback meetings should be held every few years.

## **PRESENTATION OF UPDATE TO THE COMPREHENSIVE PLAN 2040**

Mr. Gambone made the presentation to the public highlighting the updates made since the last input received, namely, adding language under Goal 1 Policies and Objectives that further distinguishes and highlights the differences between Zoning Districts and Place Types, used as descriptors. There was also language added to further clarify that both developed and vacant properties have a Future Land Use Map designation. Any land that is already developed will not have its established land use altered or amended. Any proposed development or redevelopment actions in existing subdivisions would be regulated by the City's Zoning code. Properties already developed will remain as they are, unless someone submits an application to redevelop.

There was a request made at the last meeting asking for additional information regarding the current vacant land in the city and how it was all currently zoned. This was researched and a new map was created that reflects that information. Vacant land is designated as un-platted AND undeveloped. The breakdown of the vacant land is listed below:

- 57% is currently zoned A-R, Agricultural- Residential District
- 32% in Planned Development: PUD, Planned Unit Development District; R3, Planned Residential District; and C4, Planned Commercial District.
- 7% M1, Light Industrial District and M2, Heavy Industrial District
- 2% C1, Neighborhood Commercial District or C2, Highway Commercial District
- 2% R1 or R2, both Single-family Residential Districts

Mr. Gambone advised the schedule for adoption of the 2022 Updates to the Comprehensive Plan 2040. This will go to the Planning Commission for public hearing on November 8, 2022 and before the Board of Aldermen for adoption on December 20, 2022.

The presentation was concluded and the floor was opened up for public comments. There was a concern for the safety and preservation of the aquifer below the city that serves the community. The concern was to protect the water source from potential disasters in areas that didn't have the best soil types to offer natural protection and to include a map that would show those sensitive areas that would be more at risk. Mr. Gambone advised that would fall under the policies for intergovernmental cooperation and that there could be language added for a Wellhead protection ordinance. Mr. Asongayi advised that the city mitigates that now in practice by the requirement of a Conditional Use Permit for certain use types. Those applications would go before the Board of Zoning Adjustments and one of the conditions states that the application cannot cause environmental risks.

It was further advised that the Mississippi Department of Environmental Quality gets involved on projects that could potentially have an effect on the environment. There is a strong policy about treatment facilities and the sewer system, but that additional language can be added to protect the water supply.



In the event of a disaster, and should there be a hazardous spill, it was questioned who would be responsible for the clean-up. It was determined that if the damage could be traced back to the property owner, then the owner would be responsible. If the damage stemmed from an event in the past and the ones responsible were no longer affiliated with the property, it could potentially be treated as a “superfund” site and the Federal Government would step in and handle clean-up. It was pointed out that there is not currently, nor has there been to date a “superfund” site in Olive Branch.

It was asked how much agricultural land would Olive Branch preserve, including wetlands and watershed areas. The Future Land Use Map shows 4.42% would be preserved. Note this is in addition to the Green Spaces allotted of 4.54%.

There was a question as to what the city’s reasoning was for changing the zoning from A-R to Rural Estate. It was advised that it was not a zoning change. It’s just a more descriptive term for the areas that are in the more spread out residential areas.

The concept of clustering was mentioned and the belief that clustering will result in lost agricultural land. Overall density can be maintained and larger pieces can be put into an easement for conservation. For example, in a 100 acre parcel, if a developer wanted to create 20 lots that are 1 acre in size, there would be 80 acres left for conservation. They could alternatively have 20 lots that are ½ acre in size and there would be 90 acres left in the development for the entire development to enjoy. Clustering would not be a requirement of future development, but rather an option.

Some of the A-R properties were described as Low Density Residential as a land use in the 2011 Comprehensive Plan. Rural Estate is a better descriptor for this type of property and there will be language added into the Rural Estate Land Use place type that further describes this and to make sure it can include Agricultural uses. The description has nothing to do with the Zoning District and that is not changing.

Mr. Asongayi stated that the Future Land Use Map does not control the use of the property, just the types. Zoning controls the use. The developer of the planned development writes the rules based on what is available under the zoning code. The soils in this part of the country aren’t always ideal for set up with individual septic systems. In areas where houses can be closer to one another, a shared sewer system may be more beneficial.

It was asked where clustering would be permitted as an option. It would be an option in rural estate and the agricultural areas.

Impervious surfaces and permeable surfaces were discussed and that there are requirements for developers to include and maintain retention or detention ponds as needed to help mitigate runoff that larger areas of asphalt or pavement would otherwise make difficult.

A question was raised about medical cannabis and how that was to be handled, but that is an issue that has already been passed in a prior ordinance. There was some concern that some



gas stations could sell it, as in other states. It was advised that Mississippi state law is very specific in the ways it is allowed to be processed, distributed and sold. Current law does not permit medical cannabis dispensaries to operate from C-stores or gas stations.

There was further concern regarding an opinion from the Attorney General's office and questioning if the state licensing boards have jurisdiction over the cities or if the cities can even make further regulations. (The City Attorney will work in conjunction with state licensing boards to ensure we are in compliance).

It was advised that the Medical Cannabis Act specifically delegated authority to the local level to regulate as they deemed appropriate. Where the state allowed grow sites to be included in A-R, Agricultural - Residential, the City of Olive Branch actually removed that as an option in A-R Districts. Everything else in the Ordinance was from State Law.

There was an Attorney General Opinion that went to all cities in the state and that Opinion stated that each city that opts in can write ordinances that are more restrictive than what the state law requires.

It was asked what the proposed population will be in 2040 and it's estimated that we will have a population of around 63,000 people and estimated to be the 4<sup>th</sup> largest city in the state. There was some concern that we will grow too fast for infrastructure to handle.

There was concern that while lots of people say they love Olive Branch and the rural feel that the city offers, there is an influx of crime, traffic and less opportunities for more affordable housing for younger families starting out and downsizing for older residents. As the subdivisions are being approved, houses are larger and larger and lots are smaller and smaller.

Mr. Asongayi advised that developers are driven by market. They have a feel for what is needed in any particular area. That's why you have planned developments with smaller lots designed for smaller homes.

It was asked if City planners could identify how much land development areas would be set aside for smaller, more affordable housing. It was advised that it is a balancing act, not everyone likes those types of houses. A variety must be offered to appeal to all different types of people.

A point was raised that smaller houses don't always equal smaller prices. The prices fluctuate with the market. In addition, not everyone wants to necessarily have agricultural uses next door to them. Chickens, for example, might be allowed in some locations, but not everyone wants to hear them early in the morning. There is a balance that needs to be maintained. Mr. Asongayi stated that zoning allows different people who want different things to find those things in different parts of the same city.

Mr. Gambone advised that under Goal 1, Objective 1.1, Policy 1.1.3 – diversification of housing stock, medium density would allow for more affordable or smaller houses. The question was asked about tiny homes, but that might not be ideal for long term uses.



City of Olive Branch

PLANNING & DEVELOPMENT

MISSISSIPPI

9200 Pigeon Roost Road, Olive Branch, MS 38654  
Planning 662.892.9334 | Building 662.892.9333  
Code Enforcement 662.892.9343  
[www.obms.us](http://www.obms.us)

Additional comments can be submitted via email to [info@obms.us](mailto:info@obms.us), but keep in mind the window for adoption. A relatively final version will be submitted to the Planning Commission for review by November 8, 2022. Some minor tweaks may be able to be done prior to the Mayor and Board of Aldermen meeting for review and adoption on December 20, 2022.

This concluded the meeting and the Mayor adjourned at 7:53 p.m.



# City of Olive Branch

PLANNING & DEVELOPMENT

## MISSISSIPPI

9200 Pigeon Roost Road, Olive Branch, MS 38654  
Planning 662.892.9334 | Building 662.892.9333  
Code Enforcement 662.892.9343  
www.obms.us

### Public meeting to obtain citizen input for the City's 2022 update to the Comprehensive Plan 2040, October 25, 2022.

Name Gregory Bean

Name Pam Boan

Address 10160 QUAIL RD  
OLIVE BRANCH MS 38654

Address \_\_\_\_\_

Email Gbean321@aol.com

Email \_\_\_\_\_

Phone \_\_\_\_\_

Phone \_\_\_\_\_

\*\*\*\*\*  
Name Tom McCrory

\*\*\*\*\*  
Name \_\_\_\_\_

Address 6028 College Rd

Address \_\_\_\_\_

Email WThomasMcCrory  
@hotmail.com

Email \_\_\_\_\_

Phone 662 895 5400

Phone \_\_\_\_\_

\*\*\*\*\*  
Name Julinda McCrory

\*\*\*\*\*  
Name \_\_\_\_\_

Address 6028 College Rd

Address \_\_\_\_\_

Email esmcCrory@live.com

Email \_\_\_\_\_

Phone \_\_\_\_\_

Phone \_\_\_\_\_