



Commissioner Flowers  
Commissioner Layel  
Commissioner DeBrow  
Commissioner Torguson  
Commissioner Hector

**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Tuesday, August 23, 2022**  
**6:00 PM CST**  
Council Chambers, City Hall  
and via teleconference, if necessary

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**Call to Order**

Chairman Flowers called the meeting to order at 6:00 p.m.

**Statement of Purpose**

1. May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

Commissioner Brewer read The Statement of Purpose.

**Pledge of Allegiance**

Chairman Flowers led the Pledge of Allegiance.

**Roll Call**

Present at the meeting were: Chairman Flowers, Commissioners Layel, DeBrow, Nicaud, Bennett, Brewer, Cook. Also present were City Attorney, Derek Cusick, Building Official, Ronald Jones, Development Coordinator, Pat Rich, Building Inspector, Beau King, Minute Clerk, Tammy Braud.

**Confirmation or Adjustments to Agenda**

A motion was made by Commissioner Layel, second by Commissioner DeBrow to approved the Agenda as presented

**Motion Passed Unanimously**

**Approval of Minutes**

1. Approval of June 28, 2022 minutes.

Commissioner Bennett made a motion, second by Commissioner Layel to approve Minutes of June 28, 2022 as presented.

**Motion Passed Unanimously**

**New Business**

2. The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment in accordance with the Zoning Ordinance Article 2.8 Amendment (Rezoning) Procedure. The proposed text amendment is the requirement to submit the facades of proposed structures to determine compatibility. The Case File Number is 202200360. The proposed changes will be in Article 12.8.1 Architectural Compatibility adding sub-section D. Add text Article 12.8.1 D. Any developer, builder and/or person who develops and plats subdivisions

shall submit the facades (elevations) for all sides of the structure depicting the above building design items listed in 12.8.1 C. This information shall be submitted before any building permits are reviewed and issued. Based on the number of proposed platted lots, the developer, builder and/or person shall submit the minimum number of required different facades in sufficient detail to determine compatibility with the surrounding neighborhood.

Number of lots	Required Plans
1-10	5
11-20	10
21-30	15
31-40	20
40 plus	25

Building Official, Ronald Jones, and Building Inspector, Beau King spoke to the commissioner and answered their questions about the "ordinance's architectural standards".

Chairman Flowers asked for any Public Comments.

Jacob Ainswoith spoke to Commissioners about concerns he had about the building of new homes.

Motion was made by Commissioner DeBrow, second by Commissioner Bennett to amended the recommendation to say that any house facade can only be repeated once, and the same house could not be adjoining across street or in a cul-de-sac.

#### **Motion Passed Unanimously**

3. The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text/map amendment in accordance with the Zoning Ordinance Article 2.8 Amendment (Rezoning) Procedure. The proposed text/map amendment would set the required minimum square footage for residential structures for selected areas that were not established when the Zoning Ordinance was adopted on October 15, 2012. The Case File Number is 202200361.

Building Inspector, Beau King , spoke to Commissioners about square footage to certain areas that were not established. Development Coordinator, Pat Rich presented a map with square footage.

Chairman Flowers asked for Public Comments.

Jon Ritten, Paulette Synder, spoke to commissioners about property values.

Commissioner DeBrow made a motion, second by Commissioner Nicaud to accept the purposed Text Amendment to the City Council with changes made by commissioners.

See purposed Square Footage Map

#### **Motion Passed Unanimously**

4. The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment in accordance with the Zoning Ordinance Article 2.8 Amendment (Rezoning) Procedure. The proposed text amendment is to create Zoning Districts and Use Regulations for Medical Cannabis Facilities. The proposed changes are Article 4.21.1 - Conditions Governing Permitted Uses Table 4.2: Chart of Determinate Uses, Other Non Residential Uses, add

“Medical Cannabis Cultivation Facility<sup>17</sup>”, and “Medical Cannabis Processing Facility<sup>17</sup>”, Use by Right in I and not allowed in other zoning classifications; “Medical Cannabis Dispensary Facility<sup>17,18</sup>”, “Medical Cannabis Research Facility<sup>17</sup>” and “Medical Cannabis Testing Facility<sup>17</sup>”, Use by Right in C-1 and C-2 and not allowed in other zoning classifications; “Medical Cannabis Transportation Facility<sup>17</sup>”, Use by Conditional Use in I and not allowed in other zoning classifications; add conditions as note “17” after Table 4.2 “17. The main point of entry of a medical cannabis establishment shall not be located within one thousand (1,000) feet of the nearest property boundary line of any school, church, or childcare facility. A medical cannabis establishment may receive a waiver to this distance restriction by receiving approval from the school, church, or childcare facility and by applying for a waiver with its respective licensing agency, provided the main point of entry of the cannabis establishment is not located within five hundred (500) feet of the nearest property boundary line of any school, church, or childcare facility in accordance with Mississippi Senate Bill 2095. A business privilege license is required.” and note “18. No medical cannabis dispensary may be located within a one thousand five hundred (1,500) feet radius from the main point of entry of the dispensary to the main point of entry of another medical cannabis dispensary in accordance with Mississippi Senate Bill 2095. The Case File Number is 202200359.

Development Coordinator , Pat Rich, spoke to commissioners and answered their questions.

Chairman Flowers asked for any Public Comments. None

Commissioner Brewer made a motion, second by Commissioner Layel to accept the recommendation , with a closer look at the hours of operation, signage, and language .

### **Motion Passed Unanimously**

### **Unfinished Business**

5. Presentation of the final draft for Short Term Rental Ordinance.

City Attorney, Derek Cusick gave the Commissioners a proposed ordinance on Short Rentals.

### **Open Public Comments to Non-Agenda Items**

David Maples spoke on changing the industry area of zoning on the south side.

### **Commissioners' Comments**

### **Communication / Announcements**

6. The next City Council Meeting is Tuesday, September 6, 2022.

The next Planning Commission meeting is Tuesday, September 27, 2022.

### **Adjourn or Recess**

Commissioner DeBrow made a motion, second by Commissioner Brewer to adjourn the meeting at 8:19 p.m.

### **Motion Passed Unanimously**