

## **Chapter 3**

### **Land Use Plan**

#### **Introduction**

Hurricane Katrina devastated existing land uses in Bay St. Louis. Planners estimated that in July 2005, there were likely 6,550 housing units within the City of Bay St. Louis and the newly annexed area. As of March 2007, there were 5,167 housing units located within the same area. This is a reduction in housing units of 21%, fully fifteen months after Hurricane Katrina struck the Gulf Coast. During that 15 month time frame, many homes had been renovated, or rebuilt within this area. And eighteen months after Hurricane Katrina, the City was finally able to issue contracts to reconstruct utilities along Beach Boulevard in the downtown area and to begin construction of Beach Boulevard.

The Goals and Objectives and Land Use Plan serve as a framework for all administrative and regulatory measures relating to the physical development and re-development of the City of Bay St. Louis. Although the Land Use Plan is closely related to zoning regulations, the Land Use Plan equally guides the development and implementation of capital improvement programs, water and sewer improvements, subdivision regulations, building and housing codes and the delivery of public services.

The Land Use Chapter translates the community vision for future growth into a recommended physical pattern for neighborhoods, commercial and industrial areas, roads, and public facilities. Land use policies seek to influence the location, type, amount and timing of future growth through private real estate development, public investment in infrastructure and community facilities, and conservation of natural areas. In addition, the chapter policies are intended to ensure that the environment, as well as the economic well-being of the community are considered in the long term recovery of the City of Bay St. Louis from Hurricane Katrina.

The Land Use Chapter will be used by the City in making decisions about annexations, private development proposals, and the location, size and timing of public improvements. The chapter will also be the basis for preparing more specific sub-area or sketch plans for smaller subsections of the community, such as residential neighborhoods, business districts or key perimeter future growth areas.

The Land Use Plan is for the current incorporated area of Bay St. Louis. The Land Use Plan is based on information collected during the November 2006-March 2007 Field Inventory of Existing Land Use which is presented in Chapter 1 and illustrated on the Existing Land Use Map (see **Map 2**).

Additionally, the Land Use Plan incorporates recommendations from two growth allocation workshops conducted by the City of Bay St. Louis and Hancock County on December 8th and

10th of 2006 and meetings held March 8th and 22<sup>nd</sup> of 2007 with the Hancock County Comprehensive Plan Advisory Committee, as well as, input from Bay St. Louis' Planning and Development staff, the Comprehensive Plan Advisory Committee and elected officials from Bay St. Louis and public comments from a series of public meetings held in the fall of 2007.

The Comprehensive Land Use Plan defines a pattern for development, which will best serve area needs and desires based upon existing conditions and potentials. As a foundation for formulating Bay St. Louis' Comprehensive Plan, the unincorporated area surrounding the City has been reviewed. This review includes that of general conditions, land use characteristics, and the use capabilities of land which is either undeveloped or improved with a potential for redevelopment. This information was defined in Chapter 1, Existing Land use.

The Land Use Goals and Objectives should be implemented through intergovernmental agreements with adjacent governmental jurisdictions, through the City's zoning and subdivision regulations, through the administration of those ordinances by the City Council, Planning Commission and City staff. However, the Land Use Chapter should not be construed as a final blueprint for a specific site development, or as a prospective zoning map. The identification of preferred land uses does not imply that rezoning a specific area is immediately appropriate. While the zoning and subdivision ordinances should be consistent with the Comprehensive Plan, the rezoning process is separate from the planning process and should consider the timing of zoning decisions, availability of similar land and the impact of the rezoning decision on other city goals, objectives and policies.

The Land Use Plan should serve as a flexible outline to guide future growth rather than a rigid pattern that would limit future urban development. Prevailing trends should be identified from time to time, and the Plan should be amended as necessary to meet changing conditions. Future land use needs for the City of Bay St. Louis were derived from the projection of land requirements for the population growth anticipated.

A comparison of the Existing Land Use map with the Future Land Use Map indicates the projected directions of growth for residential, business and industrial, public and semi-public, right-of-way, and special use. These land uses are discussed below in more detail in the context of Bay St. Louis' physical attributes and the Plan's Goals and Objectives as stated in Chapter 2.

### **Land Use Functions and Space Requirements**

The Comprehensive Plan is composed of four main elements - the Land Use Plan, Goals and Objectives, the Transportation Plan, and the Community Facilities Plan. The Land Use Plan is composed of units of similar and compatible land use in three categories, residential, commercial, and industrial, as they relate to community facilities and transportation infrastructure.

Knowledge and understanding of the projected growth of population and employment and of the logical distribution of that growth are applied in the formulation of a practical Land Use Plan. Based upon the patterns of growth, needs for community facilities are determined; including schools, parks, libraries, and police stations. All of these elements must be integrated into the Land Use Plan.

Although the purpose of the Land Use Plan is to set forth the ultimate highest and best use for each piece of land, it necessarily reflects an awareness of the influence of existing patterns of land use. Suitable and desirable existing patterns of use have been recognized. Undesirable patterns of use have been recognized only in the event of conditions indicating little likelihood of change by 2030.

A number of existing residential areas are recommended to remain as residential land uses until at least 2030. Although it is recognized that because of the condition of housing, inadequacy of community facilities, proximity of other land uses, these residential areas may give way to commercial or other land uses at some time in the future. Conversely, certain areas of business and industry are likely to remain in the commercial land use until 2030, even though the land could be used more appropriately for residential purposes.

Total New Dwelling Unit Requirements  
City of Bay St. Louis, 2030

Current Number of Units	5,167
Estimates of Total Units by 2030	8,215
Losses Due to Hurricane Katrina	1,383
Allowance for 5.75% Vacancy Rate	472
Total New Units Needed by 2030	3,048

Source: U.S. Bureau of Census, Gulf Regional Planning Commission

Based upon a projected city population of 18,896 people by 2030, the City of Bay St. Louis will require a minimum of an additional 3,048 residential units.

The city may consider monitoring both the number of housing units being built and the number of businesses reopening to determine if recovery is fully underway, or if additional assistance is needed in controlling growth or encouraging growth. At the time of this plan, two large scale residential proposals had been introduced and had been approved by the Planning Commission. These two proposals would create about 1,750 residential units (town homes, condominiums-live work units and vacation units, and single family homes) over a proposed ten-year build out period.

Prudent implementation of well-designed subdivisions, platting of land, and location of streets is critical to preserving community character and creating viable neighborhoods and commercial districts. Subdivision Regulations play an extremely important role in the development and redevelopment of land, the delivery of services, and the accommodation of land use impacts.

The City of Bay St. Louis Planning Commission, Mayor and City Council, in their consideration of zoning matters, should base their recommendations and decisions on the ultimate highest and best use of the land - that being the use that is in the broad community interest. The ultimate highest and best use of land, however, does not necessarily mean utilization which brings about the greatest economic return to an individual or individuals, nor the use that at the outset would create the highest market value at the expense of neighboring properties. It is, rather, that use which balances individual interest with the broad community interest that will, in the long run, sustain the property values, character and amenities of the area; and provide for the most practical and economical expenditures for public facilities. Zoning districts should be created to

include appropriate area for development and not be established on a piecemeal or property-to-property basis.

### **Neighborhood and Land Uses**

The neighborhoods of Bay St. Louis are/were composed of a variety of land uses, characteristics, histories and purposes. The Land Use Plan proposes to blend purposes with compatible uses, helping to unite and rebuild individual neighborhoods into a community that creates a vital economy at a human scale and with a safe living environment.

Prior to Hurricane Katrina Bay St. Louis had developed as a series of neighborhoods based on their own period and style of residential development. Generally, these neighborhoods were joined to form somewhat homogeneous areas of families with similar incomes, education and social preferences. The history and geography of Bay St. Louis has created a unique coastal city that is divided into areas by Interstate 10, U. S. Highway 90, State Highway 603, the CSX Railroad, floodplains and coastline.

In order to re-establish and enhance community character that existed before Hurricane Katrina, the City should adopt appropriate zoning codes. These development strategies can promote mixed- use development.

### **Implementation**

The Land Use Plan, implemented through a continuous planning process, will help to rebuild and ensure a better place for living and for doing business in the future. Property values will be protected and stabilized because the neighborhoods will remain free of the principal hazards that tend to cause early deterioration and blight, namely detrimental land uses and through traffic.

Neighborhood and city activities will tend to develop awareness of people and places and civic pride. Improved maintenance of buildings and surroundings will ensure the sense of community and provide the structural organization for cooperative action in the achievement of City goals.

It should be noted that one of the administrative goals of this plan is to apply zoning regulations to the newly annexed area. However, before zoning can be applied the City must first satisfy the requirements of Section 17-1-1 of the Mississippi Code 1972. The statute requires the adoption of a comprehensive plan prior to the adoption of zoning regulations. Bay St. Louis recently completed the annexation of a large area of land along Highway 603, the Jourdan River and Interstate 10 which is currently under the control of Hancock County zoning regulations. In the interim, the City is in the position of enforcing two different sets of zoning regulations. Enforcing two different sets of regulations can lead to confusion with City staff as well as the general public. Therefore, time is of the essence in the completion and approval of this plan.

As previously stated, the Land Use Plan is based on the: historical zoning pattern, the Existing Land Use Study completed in March 2007, community meetings held in December 2006 and the Fall of 2007, and consultation with staff and elected officials in Bay St. Louis.

### **Some Concepts in Administering Compatible land Uses**

The administration of the following concepts through subdivision regulations, zoning, sensible location of public facilities and appropriate transportation infrastructure will be critical to the

implementation of the Comprehensive Plan's goals and objectives. The following concepts should be of value and additional Planning Commission policies should be adopted as needed.

•**Community Facilities:** The cooperative programming of public facilities by the City (through its departments and boards), County, School Board, regional, state and federal agencies are vital to the Land Use Plan. The participation and partnership of neighborhood groups, civic, and social organizations should be sought and welcomed in the planning process.

•**Financial Planning:** Understanding the Land Use Plan and the neighborhood concept must guide capital improvements for community facilities and transportation improvements.

•**School Settings and Partnership Uses:** Schools should be set in an attractive park and playground type setting and should be used on a full-time basis, serving the function of a neighborhood center for social, recreation, civic and cultural activities, as well as for educational purposes.

•**Roadways and Streets:** Major traffic-ways have the strongest influence in determining the neighborhood character and can destroy the neighborhood unity if they cut through rather than bond a neighborhood. With this in mind traffic-ways should be recognized and some designated as collector streets and major thoroughfares. All other streets should be protected as the local streets they were originally constructed to be. It is important to protect and re-establish the intimate narrow streets that contributed to the character of Bay St. Louis neighborhoods. The correlation between thoroughfares and land use is most important when considering locations of major traffic generation. The length of major streets, the types of land uses, and the traffic generators they connect will determine future traffic volumes; and, therefore, must be carefully considered if the integrity and quality of life of neighborhoods are to be preserved or enhanced. Appropriate measures should be taken to make the routes which cut through residential neighborhoods uninviting to through traffic. This can be accomplished by closing portions of streets and by the use of loops or cul-de-sacs to maintain proper circulation and access. Application of traffic control measures, although not a substitute for good street layout can assist in discouraging the use of local residential streets and collector streets for through traffic.

The effect on the neighborhood should always be taken into account when proposals to widen or improve existing streets are considered. In many instances, public interest might better be served by making a residential street less favorable for high volumes of traffic.

•**Residential Development:** When residential development of land on a major thoroughfare is necessary, the development can be done quite successfully by fronting the residences on streets which intersect the major traffic route or by fronting them on a paralleling residential street and backing them on the traffic. In the first instance, the few houses siding on the traffic artery can be protected by adequate side yards and landscaping; in the second case, fences and planting along the rear can buffer the dwelling units and enhance the beauty of the rights-of-way of even the most heavily traveled routes. Small parcel, high density, multi-family intrusions into single-family residential development should be avoided. Small parcel, high-density, multifamily developments should have sufficient setbacks to allow quality of life for inhabitants and neighbors. Apartment buildings should be spaced and located so as to provide a transition between residential housing types. Multi-family areas should be fitting, appropriate and serviceable to the City.

**•Location of Business and Institutions:** Certain business activities such as automobile sales, single-occupancy office buildings and large commercial amusement centers attract patronage of the "drive-in, one-stop type" and do not depend on pedestrian shopping from store to store. Such activities appropriately are clustered on major traffic routes; and, whenever possible should be located adjacent to shopping centers or industrial areas. Sites adequately sized with sufficient building setbacks are required for such uses to accommodate the needs for parking, turning movements, and visibility. Business activities with storage facilities, equipment and building materials that are not compatible to shopping center development should be located along major thoroughfares. The unsightly portions of these areas should have permanent buffers. Space, landscaping and/or walls in combination serve to adequately protect adjacent single-family residences; and wherever possible, can be buffered by duplex, apartment, or single occupancy office uses. Business and industry are not the only feasible uses for the property along highways and major thoroughfares. Public and semi-public uses, including junior and senior high schools and churches; institutional uses, including hospitals, colleges, offices, and high-density residential development are among the traffic-generating uses which can be related properly to high traffic routes.

**•Strip Commercial Development:** Strip commercial developments can cause considerable inconvenience for customers and businessmen in parking and access, reduce the capacity of the street to carry traffic, decrease speeds, increase accidents, deter the use of the land and have an adverse effect upon properties in the surrounding areas from suitable uses. In a strip commercial development the owners and businessmen should jointly consider improving the area to provide adequate access and circulation, sufficient off-street parking, greater attractiveness, and other features that a well-designed site plan will provide. The City should assist in the design through site plan review to achieve a mutual benefit to all interests and the community.

**•Anticipating Re-Development and New Development:** In order to provide more flexibility to the developers, any revision of current regulations should anticipate the needs of future businesses. Private interest should take the primary initiative in planning a particular development, subject to the well-established zoning principle of protecting neighboring properties and the public good. It is necessary to insulate residential areas against any adverse effect of adjacent commercial use, even though a shopping center, for instance, carries with it the built-in protective features of off-street parking and landscape improvements. Where a shopping center or commercial district is to be located on a site close to a built-up residential area, buffers should be introduced. Landscaping and buffering serve to promote, protect, and preserve the appearance, character, value, and safety of the total area. Planting and seasonable floral displays in appropriate places within the commercial development add greatly to customer appeal.

**•Manufactured Housing:** The Manufactured Home Zoning Regulations should set standards for the manufactured home subdivisions and parks to ensure that they have an acceptable appearance. Special attention should be given to such things as the design of streets, minimum lot sizes, the placement and use of storage areas, parking, trash receptacles, and recreation areas. The purpose is to have the manufactured home development conform to the general standards of the neighborhood.

•**Public Space:** The more intense the residential use of land, the greater the need for recreational space, sidewalks, shorter blocks, and off-street parking. In multi-family developments, special considerations should be given to land coverage and open space requirements.

•**Site Plan Review:** Site Plan Review should continue to be a required procedure that ensures compliance with the Zoning and Subdivision Regulations and other ordinances as they apply to large-scale and special projects. It will also serve to expedite the building permit process, provide the developer with one central source of official response and review of the development proposal, and conserve the time and efforts of City employees in various departments.

•**Conservation Development:** Conservation development allows the layout of a subdivision to be based upon the natural features of the land, instead of the prescriptions required by subdivision regulations. Instead of developing checkerboard subdivisions, developers identify unique characteristics of the property which can be incorporated within the design of the subdivision. After these characteristics are defined, the locations of homes can be determined. Homes can be placed on smaller lots, requiring less maintenance, and residents can still have access to open space or green space.

### **Land Use Categories**

The following land use categories are derived from the analysis of the Existing Land Use map, the current Zoning Map, Goals and Objectives, and the Transportation Plan. Through the planning process a Future Land Use Plan has been created (see Map 3). The Future Land Use Plan illustrates the analysis and creates a flexible guide for future land use decisions. These categories will be used in the development of specific zoning regulations. The categories describe the types of uses that may make up larger neighborhoods, commercial corridors or special use districts.

•**Residential Uses:** All residential areas should be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Providing for adequate light, air and open space for dwellings, related facilities, and institutions encourage internal stability, attractiveness, order and efficiency. The following residential uses shall be considered appropriate and zoning regulations shall provide for their existence: single-family detached dwellings, two-family dwellings and low to high density multi-family dwelling units. Additionally, the City may consider increasing density in some neighborhoods that are located on higher ground. The density increased might include smaller lot sizes and smaller lot frontages for single-family homes and/or garage or “granny” apartments. The City should also consider developing a new zoning classification which would allow single-family residential units on smaller lots, possibly a small as 7,500 square feet. However, these areas should be served by sewer, water and adequate roadways.

The future land use plan defines three types of residential development. These are low density residential development; medium density residential development and multi-family residential development. Low density residential development is characterized as allowing up to four units per acre. Medium density residential development would allow four to eight units per acre. Homes built within this category may include single family homes and duplexes. Granny flats or in-law cottages could be allowed in some residential areas. The specific locations of duplexes

would be determined through the City's zoning map. Multi-family residential development would allow residential development of more than two units.

•**Commercial uses:** Commercial districts are composed of land and structures occupied by or suitable for uses furnishing goods and/or services required by the local residents, the City in general and the region. The development of these uses is encouraged within designated areas and the City shall provide for their placement and growth. Within these commercial areas the following commercial classifications should be considered, but not limited to: highway commercial uses (automobile sales, building material sales, golf courses, truck stops, garden centers, regional shopping, etc.), downtown commercial uses (retail trade, restaurants, offices, government, etc.), and neighborhood commercial uses (retail trade, personal services, etc.). In addition, certain requirements may be placed on commercial uses to protect surrounding residential development. However, it is intended that additional commercial development will be created, as needed to serve the public, in accordance with adopted codes. Additionally, as commercial development should be encouraged at nodes around intersections on Highway 603 to encourage shared drives and shared points of access on Highway 603 in order to avoid additional access points entering Highway 603. This will create a safer highway and preserve the capacity of the roadway.

Mixed use development combines several types of land uses within a district to provide a unique living and working experience. Allowable land uses within this classification would include retail, services, offices, restaurants, public uses, and semi-public uses and living spaces. Live-work spaces would also be encouraged within this district. Many of these uses already exist and thrive in the Depot District. Within the Land Use Plan, two intensities of mixed use are recommended. These include a mixed use suitable for inclusion in residential neighborhoods, and may include offices and limited retail development at intersections of collector streets in the City, generally, in an area adjacent to downtown and the Depot District. A more intense mixed use, which would also allow restaurants could be allowed in an "Urban Mixed Use" District. The Depot District would be an excellent example of this type of district.

•**Industrial Uses:** To provide an area for production and assembly that are conducted so the noise, odor, dust and glare of each operation is properly controlled and located. This area may also include the hi-technology parks or campuses where a community college or other technical education institutions and industrial business may support and work together on joint ventures.

•**Flood Plain:** To identify those areas that are subject to periodic or occasional inundation from stream and river overflows in order to stipulate careful development practices to protect the property from flooding. FEMA regulations and the Bay St Louis Flood Ordinance must govern any development that occurs in the flood plain. Lands that are subject to inundation by the 100-year base flood are defined on the current Flood Insurance Rate Maps.

•**Wetlands:** To consider those areas of tidal marsh or wetlands that are subject to the Wetlands Protection Act in order to effectively protect these properties from encroachment by unsuitable development.

•**Historic Preservation:** To provide a regulated district for the preservation of historic neighborhoods and structures by maintaining historic architectural guidelines. Historic structures create "a sense of place" that illustrates the culture, character and scale of Bay St. Louis. The

historic character of Bay St. Louis is an important contributor to the City's tourist industry, adds to the character of the community and the quality of life, and enhances the tax base of the city. In 2007, the City of Bay St. Louis adopted a Historic Preservation Ordinance and District.

**Special Land Uses:** These special uses, such as public and semi-public facilities, beach and waterfront activities, are intended to identify those specific uses which occur in areas of the City with unique characteristics, geography, or which create impacts requiring regulations which may not need to be addressed in general land use area of the City.

Casino Resort District: This district includes the casino and the related services provided by the casino at its facility. These services include a hotel, a recreational vehicle park, a marina, a golf course and related restaurants and club houses.

### **Other Suggested Land Use Categories**

**Mixed Use Development:** The Governor's Commission on Recovery, Rebuilding and Renewal suggested that teach city adopt amendments to land use ordinances to allow the creation of mixed use developments. These could include (a) business and residential in the downtown area, (b) mixed use in neighborhoods using "community-based" retail, which incorporated only commercial amenities needed and approved by residents, and (c) neighborhood residential areas without mixed use, but connected to other areas by a sidewalk or pedestrian path system.

**Resort Destination:** The City may consider a resort destination classification for zoning at some point in the future. Citizen Advisory Committee members indicated that second homes and tourism were important industries to the City.

### **Land Use Recommendations**

The Future Land Use Plan and Thoroughfare Map are important tools that will guide individual land use decisions. All land use decisions should promote flexibility and compatibility. The Future Land Use Plan primarily follows existing land use patterns that had been stable for over 20 years. The plan recognizes the need to re-establish and protect residential property and neighborhoods by appropriate placement of future land uses. Recommended land use, while possibly different from uses permitted by current zoning, follow existing land use or preserve existing development densities. The majority of the City remains low to medium density residential, and U.S. Highway 90 will continue to serve as the City's primary shopping area.

Specific recommendations include:

- Establish commercial nodes along Highway 603 to control access to Highway 603 from businesses developing along the Highway.
- Establish Smart Code Overlays for the Downtown Area and the Depot District to encourage mixed uses and good design elements.
- Rezone areas of the newly annexed area to insure consistent administrative procedures.
- Develop architectural and design standards to integrate better building into the City.
- Encourage conservation design subdivisions in areas slow to redevelop, which would allow homeowners to cluster structure on higher portions of the property, preserving low-lying areas from development.

- Establish a medium density zoning district allowing single-family detached homes with densities within the neighborhood from 4 to 8 units per acre.
- Allow in-law cottages on lots with single family homes, but maintain the density of the district.
- Establish a highway commercial designation for future land use and for zoning in the area of Interstate 10 and Highway 603, as well as along Interstate 10.

