

City of Pass Christian

Agenda Memorandum

To: Planning Commission

From: Bill Spivey, City Planner

Date of Meeting: October 26, 2021

Project Number: PD-42-2021

Applicant: The Planning & Zoning Department, City of Pass Christian

Project Description: Planning Commission Approval for the following Text Amendments to the Pass Christian Development Code, Version 2.0, Adopted August 18, 2020: Updates to Clear Sight Triangle, Encroachments, Fence and Screening Standards, Lot Coverage Requirements, and Neighborhood Plan. Add definition for Neighborhood Plan.

1. CLEAR SIGHT TRIANGLE

Reason for Update: A Clear Sight Triangle is the triangular area at each corner of intersecting roadways, or at the intersection of a roadway and driveway, within which structures and vegetation are regulated to ensure safe sight distance for drivers of vehicles approaching the intersection. Currently, the Development Code 2.0 does not contain any regulations concerning Sight Triangles. An example of why Clear Sight Triangles are needed is the new house being built at the corner of Fleitas Avenue and East Second Street.

The size of a Clear Sight Triangle is determined by the function of the roads that are intersecting. There are 3 functional classifications of roads in the City of Pass Christian, and these are Arterials, Collectors and Local Roads. Below is a list of roads by functional classification.

Function	Name
Arterial	North St - Henderson to Menge, Henderson Ave, Menge Ave, & Highway 90
Collector	E & W Second St, E & W Scenic Dr, St Louis St, Everett St - West End to Cedar, North St - Henderson to Cedar, Cedar Ave, Bayview Dr, Davis St, Fleitas Ave, Market St and Espy Ave
Local Road	All other streets/roads

Modifications: Add additional language to Develop Code 2.0 covering Clear Sight Triangles.

SECTION __: CLEAR SIGHT TRIANGLE

(A) **Purpose.** Clear Sight Triangle regulations are designed to promote public safety by maintaining clear areas that provide cross-visibility among pedestrians, bicyclists, and motorists.

(B) **Applicability.** If any Clear Sight Triangle regulation conflicts with the yard or area requirements of the zoning district, the more restrictive regulation shall apply, unless a variance is granted in accordance with this section.

(C) **Obstructions prohibited.**

- (1) *Generally.* Except as provided for in this Article, clear vision areas shall be free from any visual obstruction between a height of two and one-half (2.5) feet and eight (8) feet as measured from the crown of the street, which includes, but is not limited to:
 - a. Any berm, hedge, shrub, pool, sign, fence, or other structure more than two and one-half (2.5) feet in height; and
 - b. Parking; and
 - c. Decorative elements, including but not limited to, bird baths, garden statuary, and trellises.
- (2) *Fences, Walls, or Screening.*
 - a. No fencing is allowed in a Clear Sight Triangle with no exceptions. Fencing is only allowed along the hypotenuse of the Sight Triangle.
 - c. Screening material, vines, shrubs, other plant life, or similar items that will obstruct visibility shall not be placed nor be permitted to grow on fences located in clear vision areas.
- (3) *Signs.*
 - a. Signs, including the support pole or base, with a width, depth, or diameter larger than eighteen (18) inches between three (3) and eight (8) ft height, as measured from the crown of the street, shall not be permitted.
 - b. Signs with more than one (1) support pole or base shall not be permitted.

(D) Type and requirement.

- (1) Roadways are classified by how they function within a transportation system. Functional classifications divide these roadways into three categories: Arterial, Collector, and Local Road.
- (2) A street intersection sight triangle shall be required on the area that abuts the intersection of two (2) or more streets.
- (3) The Planning Department shall determine clear vision areas for unique situations including, but not limited to, when property does not form a right triangle where sight triangles are located; when property lines fall within the roadway; when the roadway adjacent to the property where the sight triangle is located curves; when the elevation change between the road way and the property warrants a unique sight triangle, or when a sight triangle does not expand past the backside of an existing sidewalk and pedestrian safety may be compromised.

(E) STREET INTERSECTION SIGHT TRIANGLE

- (1) *Size and location.* The sight triangle shall measure between fifteen (15) feet and thirty-five (35) feet depending on the Functional Classification of the Road. The sight triangle shall be aligned to the curb, edge of the roadway or the property line depending on the amount of the public right-of-way. The sight triangle shall be established in accordance with the following:
 - (a) The triangle shall begin on the corner of the development site nearest to the street intersection, labeled "Point A" in Figure ___; and

- (b) From "Point A," one line shall be drawn along the side lot line; and
- (c) From "Point A," a second line shall be drawn along the front lot line; and
- (d) The end of each line shall be connected to form the required sight triangle.
- (e) The length of the line measured from "Point A" shall be based on the Functional Classification of the Road. A list of Roads and Streets in the City of Pass Christian based on Functional Classification is maintained by the Planning Office.
 1. For an Arterial, the length of the line measured from "Point A" shall be thirty-five (35) feet.
 2. For a Collector, the length of the line measure from "Point A" shall be twenty-five (25) feet.
 3. For a Local Road, the length of the line measured from "Point A" shall be fifteen (15) feet.

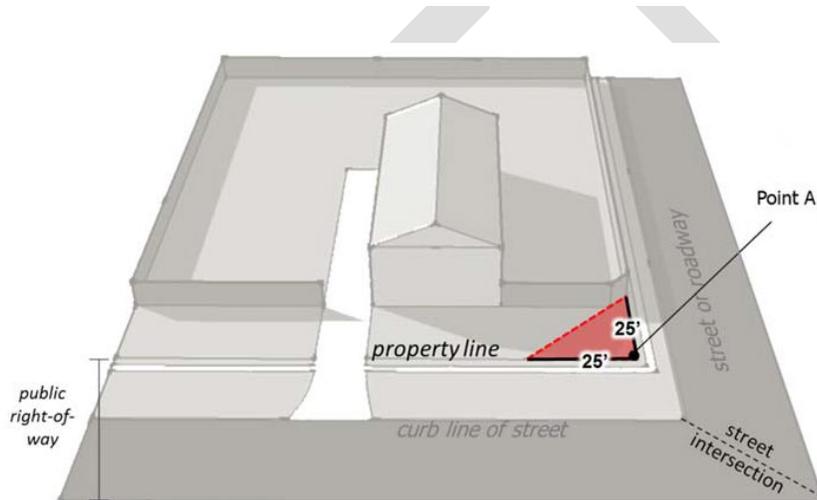


Figure ____: Twenty-five (25) foot street intersection sight triangle.

(D) Driveway Sight Triangle

- (1) Size and location. The sight triangle shall measure ten (10) feet, be aligned to the edge of the driveway pavement and the edge of the applicant's property line parallel to the applicable street.
 - (a) Each triangle shall begin from the point where the edge of the access way pavement intersects the applicant's property line, labeled "Point A" in Figure ____; and
 - (b) From "Point A," one (1) line shall be drawn along the applicant's property line in the direction opposite the proposed access way; and
 - (c) From "Point A," a second line shall be drawn along the edge of the access way pavement in the direction opposite the applicable street; and
 - (d) The end of each line shall be connected to form the required sight triangle.

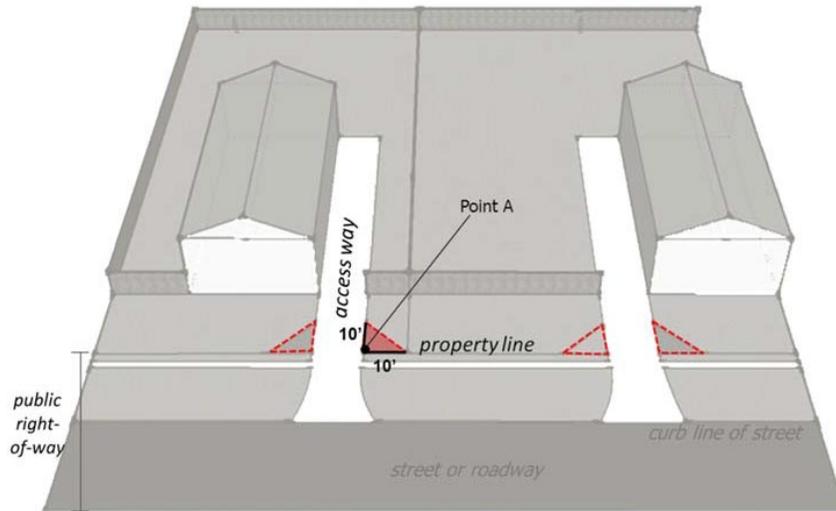


Figure ___: Ten (10) foot access way sight triangle.

2. ENCROACHMENTS INTO SETBACKS

Reason for Update: Swimming Pools need to be added to the Allowable Encroachments.

Modifications: Adding language to Allowable Setback Area Encroachments Table

TABLE ___: ALLOWABLE ENCROACHMENTS

TABLE ___: ALLOWABLE SETBACK AREA ENCROACHMENTS			
Feature	Setback Area		Exceptions and Limitations
	5 ft or less	Greater than 5 ft	
Swimming Pools	Not Permitted	Permitted	May not be located in the Front Setback without a variance.

3. FENCE AND SCREENING STANDARDS

Reason for Update: Adding information for Swimming Pool fencing to meet the requirements of the State of Mississippi.

Modifications:

Add Swimming Pool Fencing requirements under Height Requirements for Fences and Walls.

SECTION ___: FENCING AND SCREENING

(D) Height Requirements for Fences and Walls

(3) Fencing for Swimming Pools

A residential swimming pool barrier must have all of the following characteristics:

- (a) The barrier must be at least four and half (4.5) feet high on the outside, with a maximum

vertical clearance from the ground to the bottom of the enclosure of two (2) inches. Where the pool includes an aquatic slide measuring over six (6) feet in height, the barrier must be at least six (6) feet high.

- (b) Any portion of the barrier, which does not constitute a portion of the residential dwelling itself, may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier. Gaps or voids, if any, must not allow passage of a sphere equal to or greater than four (4) inches in diameter.
- (c) The barrier must be placed a minimum of five (5) feet away from the water's edge to prevent a young child or medically frail elderly person who may have managed to penetrate the barrier from immediately falling into the water.
- (d) The structure of an above-ground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this section. In addition, any ladder or steps that are the means of access to an above-ground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this section.
- (e) Gates that provide access to swimming pools must be self-closing and equipped with a self-latching locking device, the release mechanism of which must be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap. All gates located within six (6) feet of the pool's edge must open outward from the pool.
- (f) A barrier may not be located in a way that allows any permanent structure, equipment, or similar object to be used for climbing the barrier.

4. LOT COVERAGE REQUIREMENTS

Reason for Update: The current Development Code features Lot Coverage Requirements, but there is no description of how to determine Lot Coverage. This addition to the Development Code will further example Lot Coverage Requirements.

Modifications: Adding language to the Development Code regarding Lot Coverage Requirements.

(A) Lot Coverage Requirements

- (1) Lot Coverage worksheet to be included with building permits and swimming pool applications shall include a scaled drawing demonstrating the percentage of lot coverage for the following:
 - (a) The location and dimension of all building footprints including building foundations, eaves, overhangs, canopies, balconies, carports, driveways, swimming pools, etc.;
 - (b) A summary table of all areas measured and their dimensions;
 - (c) The maximum coverage for the zoning district in which the property is located;
 - (d) The lot area;
 - (e) The proposed maximum lot coverage, shown as a percentage of lot area.

5. NEIGHBORHOOD PLAN

A **Neighborhood Plan** is a way of organizing local communities to influence the planning of the area in which they live and work. It normally includes a vision, a list of goals, and implementation strategy that define and shape the unique character of the neighborhood. The neighborhood planning process engages the entire community to develop a plan for the desired future.

NEIGHBORHOOD PLANNING PROGRAM

The City of Pass Christian recognizes that different areas of the City have their own identity and character. The neighborhood planning program was developed to provide a forum for neighbors to resolve a broad range of issues.

WHAT IS A NEIGHBORHOOD PLAN?

A neighborhood plan is a document that provides a detailed vision for the future of a neighborhood.

An effective neighborhood plan will create detailed goals and strategies for reaching that vision. Ideally, neighborhood plans are created by the people who live, work, and play in that neighborhood. Approval of a neighborhood plan requires careful review and acceptance by the people of the neighborhood. For the Plan to be finalized, it has to be approved by the Planning Commission, the Mayor, and the Board of Aldermen. In that way, it is a commitment by all those involved to work toward the vision it embodies.

IMPACT ON CITY POLICY

A neighborhood plan in of itself is not a binding agreement or contract. It is a set of general principals and recommendations for the future development of the neighborhood. A good plan will be explicit about the steps necessary to implement its goals and the people who must be involved to make it happen. Neighborhood plans get implemented only when neighbors work to get the plan's recommendations acted upon by the appropriate parties. Some neighborhood plans may lead to the development of new City policies or regulations, but the results of every plan will be different based on the unique needs of that neighborhood and the people who are involved.

THE PURPOSE OF A NEIGHBORHOOD PLAN

A neighborhood plan provides an articulated, shared vision to guide decision-making. Below is a list of some of the many ways neighborhood plans are used:

- a. A Neighborhood Plan can provide an important communication link between citizens and city government by engaging citizens in local government planning and decision-making as it affects the development of their neighborhood.
- b. The Plan can provide neighbors and the City with valuable information about the neighborhood's needs, priorities, and desired projects.
- c. Neighbors, elected officials and staff can use it as a framework to guide their efforts and track progress.
- d. It can also be an informational tool providing guidance to those deciding whether they want to live or invest in the neighborhood.

In addition, if the planning process has been truly inclusive, there are many side benefits of neighborhood planning. They may include increased citizen involvement, the development of leadership amongst neighbors, an increase in knowledge about the neighborhood, and local decision-making processes and procedures.

GETTING STARTED

Is Your Neighborhood Ready?

The first step in creating a neighborhood plan is determining if your neighborhood is ready. A few questions will help determine whether enough participation and commitment exist within the neighborhood association to begin this process. An honest self-assessment will reduce time delays and allow participants to create a plan that reflects everyone's needs.

The following checklist can be helpful in determining the readiness of your neighborhood association to develop a neighborhood plan.

- a. Is there consensus within your neighborhood about why a neighborhood plan is needed?
- b. Are there enthusiastic members willing to create a Neighborhood Planning Committee?
- c. Do they represent a broad range of interests in the neighborhood?
- d. Are the members of that committee ready to make a commitment to at least one year of regular meetings?
- e. Does your Neighborhood Association conduct regular meetings to encourage feedback from not only residents, but also businesses (if any) within the neighborhood boundaries?

Who wants a Neighborhood Plan?

Before starting a Neighborhood Plan, you must determine who's interested in creating one. For this to happen, a petition with 100 signatures must be collected to prove there is neighborhood interest. Not just anyone can sign the petition, each participant must adhere to the following requirements:

- a. A signer must live within the proposed neighborhood boundaries;
- b. A signer must be a property owner; no renters are allowed in this stage of the process;
- c. All signatures must be verifiable. The signer must be shown on county records as the property owner(s).
- d. 90% of the signers must agree to participate in the creation of a Neighborhood Plan.

What are the Boundaries of Your Neighborhood?

Since every neighborhood is unique, a Neighborhood Plan must be conscientious in setting boundaries to prevent confusion or squabbling between other Neighborhood Groups and Residents. The characteristics of a neighborhood may differ from one side of the street to the other. To assist in determining neighborhood boundaries, certain requirements must be followed:

- a. Neighborhood boundaries must fall along existing property lines, streets or other Public Right-of-Ways.
- b. The minimum size of a neighborhood is 100 continuous properties.
- c. Key features including waterways, the Railroad, North Street, and the northern curb of the Hwy 90 cannot be crossed by neighborhood boundaries.
- d. No private property can be shared by adjacent Neighborhoods.

What is our next Move?

Once the neighborhood boundaries are determined and the petition completed, the neighborhood will submit to the Planning Office a map showing the proposed neighborhood boundaries and the original petition to be verified. The Planning Office will place an action item on the next Planning Commission Agenda to create a Neighborhood Plan. Once approved by the Planning Commission, the next step in the process of creating a Neighborhood Plan begins.

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