DISCUSSION:

Planning Commission finds that:

1) allowing a canopy and a wall sign on both walls of the end suite in a shopping mall with frontage that is perpendicular to Highway 90 or Highway 57 would be keeping with the intent of the sign ordinance.

2) allowing a commercial business within one thousand (1,000) feet of Highway 90 to advertise on a multi-tenant sign placed on the commercial parcel that has linear frontage on Highway 90 would be keeping with the intent of the sign ordinance.

3) the City's existing sign ordinance does not provide for adequate signage for a Master Planned Commercial Development. A large commercial development consisting of two hundred thousand (200,000) square feet of building space or more will require more sign area to advertise the various businesses within the development.

If approved, Section 12.8 of the City's sign code shall be amended to read (underline is new):

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add to A, B, C and D:

5. Each store, office or other place of business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57 and is an end suite, shall also be allowed a canopy sign and a wall sign on the Highway 90 or Highway 57 side. The area limitation allowed in subsection 12.9 below shall be allowed for the interior side as well as the highway side.

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add:

H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:

1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of

Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.

4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.

2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty (30) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.

3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.

4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

RECOMMENDATION:

The City Council may:

1. Approve the Planning Commission's unanimous recommendation of the proposed ordinance amendment;
2. Approve the proposed ordinance amendment with changes; or
3. Deny the proposed ordinance amendment.

ATTACHMENTS:

Ordinance

Staff Report with Back-up

Add:

H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:

1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.
4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.

2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty (30) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.

3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.

4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

Section 4. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

Section 5. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Adopted: _____

_____
Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

_____
Cindy Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.

Gautier Planning Commission

Regular Meeting Agenda

March 7, 2013

VII. NEW BUSINESS

A. LEGISLATIVE

1. CONSIDER AN AMENDMENT TO ARTICLE XII OF THE UNIFIED DEVELOPMENT ORDINANCE RELATING TO SIGNS FOR BUSINESSES THAT ABUT HIGHWAY 90 OR HIGHWAY 57 AND COMMERCIAL PARCELS IN TCMU (STAFF) (GPC CASE #13-03-UDO)

CITY OF GAUTIER
STAFF REPORT

To: Chairman and Members, Planning Commission

From: Babs Logan, Planning Technician

Thru: Eric Meyer, Planning and Economic Development Director

Date: February 27, 2013

Subject: GPC CASE #13-03-UDO | Consideration of an Ordinance Amending the Sign Regulations Section 12.8 to: 1) Allow a Business Within a Shopping Center Abutting Hwy 90 or Hwy 57 That Has a Store Frontage Perpendicular to the Hwy to Have Signage on the Interior Side And the Hwy Side; 2) to Allow Commercial Parcels in TCMU Within 1,000 Feet of Hwy 90 to Advertise on a Multi-Tenant Sign on Hwy 90 Frontage; and 3) to Establish Signage Allowed for Master Planned Commercial Developments With Linear Frontage on Hwy 90 or Hwy 57.

REQUEST:

The Planning and Economic Development Director directed Staff to draft ordinances regarding the following signage:

1) to allow a business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57, and is an end suite, a canopy and a wall sign on both the interior side and the Highway side of the building.

2) to allow a commercial parcel located in TCMU with linear frontage along Highway 90 to have a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90.

3) to establish signage allowed for Master Planned Commercial Development with linear Frontage on Highway 90 or Highway 57.

BACKGROUND:

Section 4.20 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Unified Development Ordinance. The Gautier Planning Commission (GPC) shall review a proposal for an amendment and shall make an advisory recommendation to the City Council as to the need and justification for the change.

After due public notice and a recommendation by the Planning Commission, the City Council shall hold a public hearing to consider the adoption of this ordinance amendment. The City Council may consider approval after a public hearing based on the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.

Following an advertised public hearing by the GPC on March 7th, the Ordinance to amend the City's UDO will be considered for approval by the City Council on March 19th.

DISCUSSION:

1) Staff has been approached by a commercial business located in a section of a shopping center that is perpendicular to Highway 90 regarding placing signage on the side of the business as well as the front. The business is the end suite along Highway 90 and the front of the business faces the interior area of the shopping center. They have requested signs on both the interior and Highway 90 side. Staff finds that allowing signage on both sides of the end suite would be keeping with the intent of the sign ordinance.

2) There are three (3) outparcels between Lowe's and Dolphin Road zoned TCMU Town Center Mixed Use. Only one of these outparcels has frontage on Highway 90. The city has been approached by several business owners that are interested in the outparcels asking if they would be allowed signage on the corner of Highway 90 and Dolphin. Staff finds that the existing sign ordinance only allows for off-site directional signs. Staff finds that allowing a commercial business within one thousand (1,000) feet of Highway 90 to advertise on a multi-tenant sign placed on the commercial parcel that has linear frontage on Highway 90 would be keeping with the intent of the sign ordinance.

3) Staff finds that the City's existing sign ordinance does not provide for adequate signage for a Master Planned Commercial Development such as the new development planned for the current Singing River Mall area. A large commercial development consisting of two hundred thousand (200,000) square feet of building space or more will require more sign area to advertise the various businesses within the development.

If approved, Section 12.8 of the City's sign code shall be amended to read (underline is new):

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add to A, B, C and D:

> **5.** Each store, office or other place of business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57 and is an end suite, shall also be allowed a canopy sign and a wall sign on the Highway 90 or Highway 57 side. The area limitation allowed in subsection 12.9 below shall be allowed for the interior side as well as the highway side.

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add:

H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:

1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.
4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.

2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty-five (35) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.

3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.

4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

RECOMMENDATION:

Staff recommends approval of the ordinance to amend the City's sign regulations as noted above. The Commission may:

1. Recommend that City Council approve the Ordinance;
2. Recommend that City Council approve the Ordinance with changes; or
3. Recommend that City Council disapprove the Ordinance.

ATTACHMENTS:

Ordinance

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE XII, SIGNS, BILLBOARDS AND ADVERTISING MATERIAL, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY ALLOWING ADDITIONAL SIGNAGE FOR BUSINESS SUITES LOCATED IN SHOPPING CENTERS WITH SECTIONS PERPENDICULAR TO HIGHWAY 90 OR HIGHWAY 57 AND BUSINESSES LOCATED ON COMMERCIAL PARCELS IN TCMU TOWN CENTER MIXED USE WITHIN ONE THOUSAND FEET OF HIGHWAY 90, AND TO ESTABLISH SIGNAGE REQUIREMENTS FOR MASTER PLANNED COMMERCIAL DEVELOPMENTS WITH LINEAR FRONTAGE ON HIGHWAY 90 OR HIGHWAY 57; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE CODE OF ORDINANCES OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

Section 1. Authority & Intent

A. The Gautier Planning Commission held a public hearing after due public notice and considered this ordinance on Thursday, March 7, 2013. The City Council conducted a public hearing on March 19, 2013.

B. The City Council finds that the sign ordinance does not address signage for larger commercial developments such as a Master Planned Commercial Development, nor does it consider certain situations that have developed with commercial parcels within the TCMU Town Center Mixed Use District or shopping centers with sections perpendicular to Highway 90 or Highway 57.

Section 2. Amendment of Article XII

Article XII, Section 12.8.1 Lots Abutting Highway 90 or Highway 57, Unified Development Ordinance, is hereby amended to wit (add underlined):

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add to A, B, C and D:

5. Each store, office or other place of business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57 and is an end suite, shall also be allowed a canopy sign and a wall sign on the Highway 90 or Highway 57 side. The area limitation allowed in subsection 12.9 below shall be allowed for the interior side as well as the highway side.

Add:

H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:

1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.
4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.

2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty-five (35) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.

3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.

4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

Section 4. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

Section 5. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Adopted: _____

_____
Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

_____
Cindy Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.