
MARCH 7, 2013

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on March 7, 2013, at 6:00 P.M. in the Council chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission members present: David Wooten, Chairman, Larry Dailey, James Torrey, Jimmy Green, Marilyn Minor, and Greg Spanier. Also present were Eric Meyer, Economic Development Director; Bob Ramsay, City Attorney; Babs Logan, Planning Technician; and Michele Keenlance, Court Reporter.

David Wooten, Chairman, called the meeting to order and presented the minutes from the February 7, 2013 meeting for approval. The minutes were approved as submitted.

APPROVAL OF AGENDA

There were no changes to the agenda.

AGENDA

GAUTIER PLANNING COMMISSION

MARCH 7, 2013

6:00 P.M.

- I. CALL TO ORDER
 - II. PLEDGE OF ALLEGIANCE (VOLUNTEER)
 - III. APPROVAL OF MINUTES – (FEBRUARY 7, 2013)
 - IV. APPROVAL OF AGENDA
 - V. PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)
 - VI. OLD BUSINESS
- NONE

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)
2. CONSIDER AN AMENDMENT TO ARTICLE V OF THE UNIFIED DEVELOPMENT ORDINANCE AND CHAPTER 4 OF THE CITY OF GAUTIER CODE OF ORDINANCES REGARDING NUMBER OF DOGS ALLOWED AT A RESIDENCE (STAFF) (GPC 13-04-UDO)
3. CONSIDER AN AMENDMENT TO ARTICLE V OF THE UNIFIED DEVELOPMENT ORDINANCE ALLOWING AUTOMOBILE DETAIL SHOPS IN C-2, C-3 AND TCMU AS CONDITIONAL USE-MINOR (STAFF) (GPC 13-06-UDO)
4. CONSIDER AN AMENDMENT TO ARTICLE XIII REGARDING NON-CONFORMING MOBILE HOMES IN MURC-MW (STAFF) (GPC 13-07-UDO)

B. QUASI-JUDICIAL

1. REQUEST FOR A COMPREHENSIVE REZONING OF PROPERTIES ON HIGHWAY 90 FROM AG AGRICULTURAL TO C-3 HIGHWAY COMMERCIAL (STAFF) (GPC 13-05-RZ)

VIII. DIRECTOR'S REPORT

IX. ADJOURN

PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON AGENDA)

Chairman Wooten welcomed new Planning Commissioner Jimmy Green.

OLD BUSINESS:

There was no old business to discuss.

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)

Mr. Meyer advised Commissioners that several issues have come up regarding signage and that he wanted to address them as three separate components. The first relates to strip centers located on Highway 90 or Highway 57 with store frontage facing the interior of the property not Highway 90 or Highway 57. Mr. Meyer explained that a business that is perpendicular to the highway and faces the interior of the property requested to have building signs both on the frontage and the side facing the highway. The size of the sign allowed on the front would not change, but if approved the new ordinance will allow the same signage on the side facing the highway.

The second component relates to a business that wants to buy or lease a parcel that is located in the TCMU Town Center Mixed Use zoning district and is within one thousand (1,000) feet of a corner parcel with frontage on Highway 90. The business would like to be able to place a sign on Highway 90. Staff drafted an ordinance that will allow a multi-tenant sign on the corner parcel; however, it will require the owner of the corner parcel to agree to place a multi-tenant sign on his property and allow the other interior parcel(s) to advertise on it.

Commissioner Dailey asked if there was anything in the existing ordinance that would not allow this to occur anyway. Mr. Meyer advised him the Unified Development Ordinance (UDO) did not allow off-site signage.

The last component of the amendment relates to Master Planned Commercial Development such as the new mall area. Mr. Meyer explained that this proposed amendment is to address signage needed for the new mall development. Although the signage square footage is more than currently allowed, consideration must be given to the total square footage of the structures that will be on the property.

Commissioner Dailey stated that he felt the proposed thirty-five (35) feet height limitation for the multi-tenant signs along Highway 90 should be changed to thirty (30) feet.

Commissioner Dailey made a motion to recommend approval of the amendments as presented by Staff with the change to Section 12.8.1, I.2 to thirty (30) feet instead of thirty-five (35) feet. The amendments will read as follows:

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 (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.

Commissioner Spanier seconded the motion and the following vote was recorded:

AYES

NAYS

ABSENT

ABSTAINED

Larry Dailey

Greg Spanier

David Wooten

Jimmy Green

Marilyn Minor

James Torrey

2. CONSIDER AN AMENDMENT TO ARTICLE V OF THE UNIFIED DEVELOPMENT ORDINANCE AND CHAPTER 4 OF THE CITY OF GAUTIER CODE OF ORDINANCES REGARDING NUMBER OF DOGS ALLOWED AT A RESIDENCE (STAFF) (GPC 13-04-UDO)

Mr. Meyer advised Commissioners that Code Enforcement had received a call recently regarding a residence where about thirty (30) dogs were being kept and causing a nuisance. He explained that Staff was able to take care of the problem but that the issue of how many dogs could be kept at a residence had to be addressed. Mr. Meyer explained that Staff had researched ordinances from other cities and most allowed no more than five (5) dogs over the age of six (6) months at any residence.

Mr. Meyer also explained that the proposed amendment has a provision that will allow someone wanting to have more than five (5) dogs to appear before Planning Commission and Council and present facts as to why they should be allowed to have more than five (5) and why it would not be a nuisance to their neighbors, etc.

Commissioner Green asked why cats were not addressed also. Mr. Meyer stated that Staff had not researched the number of cats other cities allowed, but that we could do so. Commissioner Green stated that he would like to see the number of cats also restricted to five (5).

Commissioner Dailey stated that he would like the number allowed to be no more than four (4) and that he would prefer the wording 'domesticated animals' instead of dogs and cats, but he was concerned that someone might consider livestock to be domesticated animals. Mr. Meyer explained that we had

a separate ordinance that addressed livestock. Commissioner Dailey also was not in favor of allowing an option to have more than the number agreed upon, and that the UDO allowed for kennels and animal shelters which would cover a larger number.

Mr. Meyer stated that the provision for having more than what would be allowed by right was because the City has property owners in the rural areas with large parcels that might keep ten (10) or more hunting dogs. Commissioner Dailey stated that he felt those situations should be designated as kennels and not considered pets or domesticated animals in a residential area.

Commissioner Dailey made a motion to amend the proposed amendment to add Section 4.28 Maximum Number of Domesticated Animals Allowed and have it state that "It shall be unlawful for any person to have more than four (4) domesticated animals, over the age of six (6) months, on the premises of a residence." Commissioner Minor seconded the motion.

Commissioner Spanier made a motion to amend the motion and add "A request for more than four (4) domesticated animals, over the age of six (6) months, must be approved by the City Council through the Conditional Use-Major process." Commissioner Torrey seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
James Torrey	Larry Dailey		
Greg Spanier	Marilyn Minor		
David Wooten			
Jimmy Green			

A vote was then taken on the amended motion. The ordinance amendment is to read as follows:

Section 4.28 Maximum Number of Domesticated Animals Allowed

It shall be unlawful for any person to have more than four (4) domesticated animals, over the age of six (6) months, on the premises of a residence. A request for more than four (4) domesticated animals, over the age of six (6) months, must be approved by the City Council through the Conditional Use-Major process.