DECEMBER 6, 2012

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on December 6, 2012, 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, Richard Johnson, James Torrey, Greg Spanier and Marilyn Minor. Also present were Zack Duke, Building and Zoning Administrator; Babs Logan, Planning Technician, and Melissa Burdine-Rodolfich, Court Reporter.

David Wooten, Chairman, called the meeting to order and presented the minutes from the October 18, 2012 meeting for approval. The minutes were approved as submitted.

APPROVAL OF AGENDA

There were no changes to the agenda.

AGENDA

GAUTIER PLANNING COMMISSION

DECEMBER 6, 2012

6:00 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE (VOLUNTEER)

III. APPROVAL OF MINUTES – (OCTOBER 18, 2012)

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 ADOPTION OF 2012 INTERNATIONAL BUILDING CODES AND 2011 NATIONAL ELECTRICAL CODE (GPC #12-24-UDO)

B. QUASI-JUDICIAL

1. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A TELECOMMUNICATION FACILITY IN A TCMU TOWN CENTER MIXED USE DISTRICT, JO BETH TERRACE, (CELLULAR SOUTH/C-SPIRE) (GPC CASE #12-22-CU) ***APPLICANT WITHDREW REQUEST***

VIII. **DIRECTOR'S REPORT**

IX. **ADJOURN**

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

There were no public comments.

OLD BUSINESS:

There was no old business to discuss.

NEW BUSINESS:

A. LEGISLATIVE

1. CONSIDER ADOPTION OF 2012 INTERNATIONAL BUILDING CODES AND 2011 NATIONAL ELECTRICAL CODE (GPC #12-24-UDO)

Mr. Duke advised the Commissioners that the City needed to adopt the 2012 International Building Codes and 2011 National Electrical Code to keep insurance rates low for the City of Gautier citizens. The insurance rates are based on the City's Building Code Effectiveness Grading Schedule (BCEGS) rating. One of the main items the City is graded on for its BCEGS rating is the Code edition the City has adopted for use and its enforcement. Mr. Duke further explained that the City is allowed to be two (2) Code cycles/editions behind

before the City is penalized, therefore the City must either adopt the proposed Codes or the 2009 edition of the Codes. Citizens currently receive 15% off a standard insurance policy because of the City's current BCEGS rating.

Commissioner Dailey stated that he had spoken with the Director of the Rating Bureau and was told that the City currently has a rating of five (5) with ten (10) being the lowest rating. He said the Director advised him that if more current codes were not adopted the City's rating would automatically go from a five (5) to a nine (9).

Commissioner Wooten asked Mr. Duke to explain the requirement regarding sprinkler systems in new residential construction that he was advising the City to delete from the Codes. Mr. Duke explained that in 2006 the requirement that new residential construction have sprinkler systems was an appendix to the Codes that did not have to be adopted. In 2009 the sprinkler system requirement was actually a part of the Codes. At that time the Building Official Association asked the International Code Council (ICC) to remove it from the Codes and place it back as an Appendix. It seemed as though the ICC was going to place it back as an Appendix but when the 2012 Codes came out the sprinkler system requirement was still a part of the Codes.

Mr. Duke stated that he had met with Building Officials from Jackson County, Pascagoula, Ocean Springs and Moss Point several times over the last few months and they were going to delete the sprinkler requirement from the Codes when they adopted them also. Commissioner Dailey stated that when he spoke with the Director from the Rating Bureau he was told that D'Iberville had already made their presentation to adopt the Codes with the deletion and he found no objection to them doing so.

Mr. Duke advised the Commissioners that the 2012 International Building Codes refer to the 2011 National Electrical Code (NEC) which is why the 2011 NEC needs to be adopted also. He noted that the other two major changes in the Code are that arc fault receptacles and tamper proof receptacles are required throughout the house. These extra safety measures are important and will not add any substantial cost to building.

Commissioner Dailey made a motion to recommend adoption of the 2012 International Building Codes with the exclusion of conflicts with City of Gautier Flood Damage Prevention Ordinance, the 2012 International Residential Code excluding Section R313 and including Appendix E, 2012 International Fire Code, 2012 International Fuel Gas Code, 2012 International Mechanical Code, 2012 International Plumbing Code, the ICC 600-2008 Standard for Residential Construction in High-Wind Regions and the 2011 National Electrical Code. Commissioner Spanier seconded the motion and the following vote was recorded:

AYES	NAYS	ABSENT	ABSTAINED
Larry Dailey			
Richard Johnson			
Marilyn Minor			
James Torrey			
Greg Spanier			
David Wooten			

B. QUASI-JUDICIAL

1. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A TELECOMMUNICATION FACILITY IN A TCMU TOWN CENTER MIXED USE DISTRICT, JO BETH TERRACE (CELLULAR SOUTH/C-SPIRE) (GPC CASE #12-22-CU) ***APPLICANT WITHDREW REQUEST***

The applicant withdrew this request prior to the meeting but after public notice was made. Therefore it had to be placed on the agenda.

Chairman Wooten read emails from Commissioner Akins and Commissioner Johnson regarding their resignations. Commissioner Akins' resignation was effective immediately and Commissioner Johnson's is effective after the February 2012 meeting. The Commission noted its appreciation for both men and their service to the City of Gautier.

Commissioner Johnson advised the other Commissioners that nominations for the 2012 Larry Moran Excellence Award will be accepted at the

January 2013 meeting. After receiving all nominations a vote will be taken at the end of the meeting. The presentation of the award is scheduled for the February 7, 2013 meeting.

DIRECTOR'S REPORT

Ms. Logan stated that she was instructed by Mr. Meyer, the Planning and Economic Development Director, to get the Commissioners thoughts on allowing Conex containers as accessory buildings. The Commissioners basically agreed with Mr. Meyer's thoughts that in order to allow a Conex container the property must consist of at least five (5) acres and the container could not be visible from the right-of-way or the neighbor's primary residence. Commissioner Dailey suggested that it not be visible from the neighbor's property line. Commissioner Wooten wanted each application to be heard by the Planning Commission as a Major Conditional Use.

The Commissioners were also interested in how neighboring cities dealt with requests to use Conex containers as accessory buildings. They noted that some schools used them for storage as did Walmart stores.

It was decided that the issue would be researched and brought back before them for further discussion.

SUBMITTED BY:

_____ DATE: 4/16/13

Eric Meyer
Economic Development Director

APPROVED:

_____ DATE: 4-4-13

David Wooten, Chairman
Gautier Planning Commission