

Mount Jackson  
Planning Commission Meeting

May 3, 2021

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Regular Meeting

Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chamber at 5901 Main Street. Roll call was taken with Commissioners Anita Miller, Evelyn Burner and Jim Hines in attendance. Commissioner Dennis Andrick was absent.

Also present Neil Showalter, Town Manager; and Debbie Allen, Town Clerk. Darla Orr, the Town's zoning consultant from The Berkley Group attended electronically through Zoom. Dave Moore from Cornerstone Technology was present to video record the meeting.

There were no visitors.

Agenda Additions/Deletions/Changes: None

Introduction of Guests: None

Hear from Visitors: None

Approval of the Previous Meeting Minutes – Commissioner Burner MOVED, seconded by Commissioner Miller to APPROVE the Minutes of March 1, 2021 Regular Meeting.

VOTE:

AYE

NAY

ABSTAIN

ABSENT

Commissioner Andrick

Commissioner Miller

Commissioner Burner

Commissioner Hines

Commissioner Ambrose

4 AYES, 1 ABSENT, motion carried

Old Business: None

New Business:

1. Ordinance O-03-2021 – An Ordinance to Amend the Code of the Town of Mount Jackson, 2020, as Amended by Amending and Reenacting Specific Subsections of Section 66-41 of the Zoning Ordinance Relative to Signs.

- Introduction and Discussion

- Set for Public Hearing June 7, 2021 at 7:00 PM

Mr. Showalter stated this amendment is to address some practical situations the Town has encountered in attempting to apply the new zoning ordinance, particularly the section dealing with signs. Darla Orr, of the Berkley Group, will explain what changes are being proposed tonight.

Darla Orr stated staff is proposing some text amendments in Section 66-41 for the Planning Commission to review, and request a public hearing be scheduled at the June meeting. One amendment proposed is to the language in Section 66-41(m), that would change the process for appeals and exceptions. In the previous ordinance, an exception was allowed through a special use permit. With the current ordinance, exceptions or appeals to the zoning administrator's decision, would go to the Board of Zoning Appeals. In the case of Hardees Restaurant, they had already completed their site plan and zoning approvals under the old ordinance, so they were allowed to seek exceptions to the sign standards through a special use permit, rather than going to the BZA, which is a practice the Town would like to continue.

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Ms. Orr stated other proposed amendments are relative to the calculation of allowed signage in shopping centers and other businesses. This language clarification for B-2, B-3, I-1, and I-2 districts is in Section 66-41(f), and will be split into subsections. Subsection 1 makes some specific references to a Table relative to wall mounted signage, and Subsection 2 specifically deals with shopping center signage. These proposals are to clarify that within a shopping center, each tenant would be allowed to have a wall mounted sign based on the building linear footage for that tenant space. So instead of a 25 square foot allowance, 1.5 square feet of signage for each linear foot of building frontage would be allowed. For example, a 60 linear foot building front would be allowed a 90 square foot sign. There are other businesses within the B-2 and B-3 districts would be allowed to have 2 square feet of signage for each linear foot of building frontage, which is the maximum for the whole site. The idea behind smaller allowances on square footage calculations within a shopping center, is they also are allowed a free standing identification sign.

The next amendment is to Section 66-41(d) where there is conflict in the language as it relates to signs that are prohibited, specifically changeable copy signs. The ordinance permits changeable copy signs in the form of electronic message boards, but this section currently prohibits electronic message signs. So staff proposes clarifying this section to state these signs are prohibited, except as is permitted in the ordinance for the electronic message board signs.

Ms. Orr stated additionally, there is a discrepancy between sign calculation as it is shown in Tables 4, 5, and 6 (25 square feet per side), and in Section 66-41(i) which states whenever a sign contains information on both sides, only one side shall be used in computing the surface area of the sign. This is conflicting as one allows 25 square feet per side and the other allows only using one side to calculate. The proposal is to add a clarifying statement that says provided those sides are not visible at the same time, then you would not calculate both sides for signage, but if both sides are visible at the same time, you would calculate both sides.

Mr. Ambrose asked if electronic signs are permitted for small businesses. Ms. Orr confirmed they are permitted, and the proposed amendment does not change what is allowed, only clarifies the language conflict. Currently this section of code appears to prohibit electronic signs because they are changeable copy signs. Mr. Showalter added it would have to be a "well-behaved" sign, with minimal flashing, etc.

Mr. Hines asked if flashing signs are prohibited. Ms. Orr stated that under ordinance 66-41(d-1) flashing or signs lighted in a varying degree in either intensity or color including strobe lights are prohibited, and, signs with moving, revolving or rotating parts, optical illusions or other apparent movement, but not including time, temperature and the date signs and barber poles are prohibited.

Commissioner Burner MOVED, seconded by Commissioner Hines to APPROVE Setting a Public Hearing for Ordinance O-03-2021 for June 7, 2021 at 7:00 PM.

VOTE:

AYE

NAY

ABSTAIN

ABSENT

Commissioner Andrick

Commissioner Miller

Commissioner Burner

Commissioner Hines

Commissioner Ambrose

4 AYES, 1 ABSENT, motion carried

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Board of Zoning Appeals Report: None

Town Council Items – Mr. Andrick: None

Zoning Administrator Report – Mr. Showalter stated his report includes items from the last two months, and asked if there were specific questions. Ms. Burner asked for clarification at the Old Mill property. Mr. Showalter stated the Town Council has agreed to appoint a committee to assist the Zoning Administrator in evaluating whether or not that building would fall under the spot blight ordinance, however that evaluation has not been made at this time. Mr. Hines asked the definition of Home Occupation Class A. Mr. Showalter stated that is basically a small home office, and described under the ordinance definitions section. Mr. Hines asked if the outdoor picnic area requested is for a business. Mr. Showalter stated it is for the Caverns, who will be paving the picnic area on the side of their main building. Mr. Ambrose asked if there will be a new gun shop, and at what location. Mr. Showalter stated it was approved at 5569 Main Street, if the applicant chooses to open it.

Board Members' Items: None

Commissioner Miller made a motion, seconded by Commissioner Burner, to adjourn the meeting at 7:21 PM.

Submitted by:

Debbie Allen, Town Clerk