

Gautier Planning Commission

Special Meeting Agenda

March 18, 2025

Text Change

UDO Amendment

VII. NEW BUSINESS

1. Consider a request to amend the UDO to reflect text changes to Section 12.2 (C) Exempt Signs (City initiated) (GPC #25-07-UDO)

GAUTIER PUBLIC HEARING PROCESS (PLANNING COMMISSION)

Planning Commission Chairman to follow procedure below. All questions/comments to be directed to the Council and not to applicant, staff, or other attendees of the meeting.

1. Chairman announces the case.
2. Chairman makes statement, "This is a Public Hearing and all statements to be made need to be true and accurate for the record."
3. Staff gives brief overview of case.
4. Applicant presents their case.
5. Anyone to speak in support of the Request? Please state your name and address for the record.
6. Anyone to speak in opposition of the Request? Please state your name and address for the record.
7. Any final comments from the applicant?
8. Questions from Commission?
9. Chairman closes public hearing – "This closes the Public Hearing portion of this case" bang of gavel
10. Motion/Deliberation/Vote

CITY OF GAUTIER STAFF REPORT

To: Chairman and Members, Planning Commission
From: Scott Ankersen, Planning Director
Date: March 12, 2025
Subject: Consider a request to amend the UDO to reflect text changes to Section 12.2 (C) Exempt Signs. (City initiated) (GPC #25-07-UDO)

REQUEST:

The Planning Director has requested an amendment to the Unified Development Ordinance (UDO) pursuant to Section 4.20, that would remove the restrictions regarding when political signs can be erected and when they must be removed. (Section 12.2 (C) Exempt Signs)

BACKGROUND:

The Unified Development Ordinance (UDO) currently has restrictions on political signs regarding when they can be put out and when they must be removed. It states that they cannot be erected more than sixty (60) days before an election or referendum it pertains to, and they must be removed within ten (10) days after an election or referendum it pertains to.

DISCUSSION:

Section 12.2 (C) of the Unified Development Ordinance (UDO) regarding political signs needs to be amended in order to comply with mandates from the United States Supreme Court. The restrictions on when political signs can be erected, and when they must be removed, should be removed from Section 12.2 (C) of the UDO.

The Planning Director requests that the UDO Section 12.2 (C) reflect the following changes:

Section 12.2: Exempt Signs

The following signs are exempt from the permit requirements of this Ordinance:

C. Any political sign erected on a site by the owner or with owner consent, ~~provided that any such sign shall not be erected more than sixty (60) days before the election or referendum it pertains to or, if a series thereof, the first such, and~~

~~provided further that it shall be removed within ten (10) days after such election or referendum, or, if a series thereof, after the last of which the message of the sign pertains to.~~

STAFF FINDINGS:

Staff finds that the Planning Director's request for an amendment to the UDO to remove restrictions on political signs in order to comply with mandates from the United States Supreme Court is a relevant amendment.

RECOMMENDATIONS:

Staff recommends that Planning Commission recommend the approval of the UDO amendment as presented.

Planning Commission may:

1. Recommend that City Council approve the UDO Amendment;
2. Recommend that City Council approve the UDO Amendment with changes; or
3. Recommend that City Council deny the UDO Amendment.

ATTACHMENTS:

1. UDO Excerpt with proposed changes

PROPOSED

Section 12.2 (C)

Section 12.2: Exempt Signs

The following signs are exempt from the permit requirements of this Ordinance:

C. Any political sign erected on a site by the owner or with owner consent. ~~provided that any such sign shall not be erected more than sixty (60) days before the election or referendum it pertains to or, if a series thereof, the first such, and provided further that it shall be removed within ten (10) days after such election or referendum, or, if a series thereof, after the last of which the message of the sign pertains to.~~

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDINANCE NUMBER 000-2025

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE XII, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY AMENDING SIGNAGE PROVISIONS TO REMOVE RESTRICTIONS ON POLITICAL SIGNAGE; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE CHANGES TO THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GAUTIER BE ADOPTED AS FOLLOWS:

Section 1. Authority & Intent

- A. The authority for enactment of this ordinance is contained in Mississippi Code Annotated, Section 17-1-11.
- B. City Council finds the need for changes to the Unified Development Ordinance in order to comply with mandates from the United States Supreme Court; and
- C. The Gautier Planning Commission held a public hearing, and after giving due public notice, recommended approval of this amendment on March 18, 2025. The City Council considered the amendments on March 18, 2025.

Section 2. Adoption of Clarification Text Changes to the Unified Development Ordinance

The City of Gautier hereby adopts the following changes to the Unified Development Ordinance by removing certain restrictions on political signage, and amending supporting articles and sections, as follows:

ARTICLE XII. SIGNS, BILLBOARDS, AND ADVERTISING MATERIAL

Section 12.2: Exempt Signs

The following signs are exempt from the permit requirements of this Ordinance:

- C. **Any political sign erected on a site by the owner or with owner consent, provided that any such sign shall not be erected more than sixty (60) days before the election or referendum it pertains to or, if a series thereof, the first such, and provided further that it shall be removed within ten (10) days after such election or referendum, or, if a series thereof, after the last of which the message of the sign pertains to.**

Section 3. Conflicts

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

Section 4. 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 5. Effective Date

This Ordinance shall take effect immediately upon completion of the statutory requirements.

Motion to approve the amended ordinance was made by Councilman _____, and seconded by Councilman _____ and the following vote was recorded:

AYES:

NAYS:

Adopted: _____

Casey Vaughan, Mayor

Attest:

Teresa Montgomery, City Clerk