

# Planning Commission Meeting

**Minutes of Morgan City Planning Commission GENERAL meeting held in open public session on August 15<sup>th</sup>, 2023, at 7 p.m. with the WORK session starting at 6:30 pm.**

## MINUTES

AUGUST 15<sup>TH</sup>, 2023

7:00 PM

MORGAN CITY COUNCIL ROOM

MEETING CALLED BY	Chair, Nathan McClellan
MEMBERS	In-person: Wes Woods, Ray Little, Mark Francis. Electronically: Jay Ackett.
EXCUSED	Justin Rees, Erin Bott and Lance Prescott.
CITY STAFF	In-person: City Planner, Jake Young; City Recorder, Denise Woods. Electronically: Planning Legal Counsel, Steve Garside.
OTHERS PRESENT	Justin Westmoreland
INTRODUCTION	Chair, Nathan McClellan welcomed those in attendance. Mr. McClellan advised the group that the meeting will be a video as well as audio recording. That the video and audio will be on the Morgan City website as well as you tube account and will be a permanent record.

## **WORK SESSION 6:30pm**

Nathan opened the work session reviewing the agenda and then turned the time over to City Planner, Jake Young. The first item of the public hearing is regarding a change in the City Standards that was adopted by the City Council and the subsequent change in the Land Use Ordinance to be consistent as the standards. Items #2 and #3 are Historical sign design review.

The sign for Larry's to go meets the requirements of both Historical Design and signage Ordinance. The sign for Morgan Nutrition does not meet the height requirement of 10 feet for an attached sign. Jake indicated the owner of the building asked for an exception. As per City Legal Attorney, Steve Garside an appeal would be difficult as this is not an interpretation disagreement and is a provision in the code. The other option is that the Commission could recommend a change in the Ordinance. Jake stated staff reached out to the applicant with this information and asked for a revised site plan adhering to the code and we did not receive a new plan. Nathan asked if the applicant had an issue moving the sign four feet higher on the building to meet code. The upper portion of the façade of the building is a thin veneer brick with a gap and then cement. The owner indicated they tried to attach signage and it didn't work as well as being worried about the long-term effect. Nathan stated the determination seems to be plain forward but like the idea of the applicant knowing their options. Nathan feels there is some sort of way to attach. Wes Woods asked if the applicant was applying the sign themselves and that the applicant could investigate a sign company that are professions who could come up with a good way of attaching the sign instead of the applicant attaching the sign. Jake indicated as you are traveling down Commercial Street, there is a consistency of all the signs, that the signs are above the doors and main floor windows and now there would be one sign at eye level. Also, having a sign that low is not good for business when the sign can not be seen by freeway or street traffic. Jay Ackett stated with signs, a-frames and temporary signs that are street height can be clustered and ghetto type. Nathan concluded that the question is are they in compliance or not. As presented, the application is not in compliance in accordance with the Sign Ordinance.

Jake Young moved onto item #5 regarding Commercial Street parking. Jake asked for at least 15 minutes during the general session for a brief discussion since there were only a few minutes left in the work session. It is the understand

of staff that business owners would like to have a little bit of turnover on the parking that is up against the north or business frontage parking. Morgan does not have a parking code for key spots telling us how to do parking management and so if there are fines involved, a code needs to be in place.

Wes Woods asked who they are trying to stop from parking in the key locations. Jake stated not necessarily to stop parking but to have something like a 15- or 30-minute max parking. Jake asked staff to comment on the complaint. Staff stated it was one business owner and on his reviews for his restaurant, comments were that they had to park down the street to just pick up a to-go order and would like a designated spot. The owner then approached the building inspector and asked if the city would consider to-go parking. Jake told staff that maximum time would be more appropriate as Commercial Street is public and cannot be specific to businesses. Wes Woods stated he has this problem at his store location. His frustration is the people parking in the key spots are normally the employees and owners. Wes stated it is common sense to leave the key parking for customers. Nathan stated he agreed that employees and owners should have common sense when it comes to parking and then legislation takes over and his concern is creating an ordinance to be more proactive and yet could create more of an issue. Are we making a bigger deal out of the parking by creating an ordinance as even through the busy Morgan County Fair, there's ample parking. The commission is concerned with enforcement and talked about enforcement verse honor system.

The commission along with staff discussed item #4 ADU's. Jake stated there was a meeting with staff regarding the draft ordinance and he will go through those recommended changes in the general session. Staff also talked to emergency services and the post office regarding ADU's.

## **GENERAL SESSION 7:00pm**

### **MINUTES JULY 18<sup>TH</sup>, 2023, PLANNING COMMISSION MEETING**

<b>DISCUSSION</b>	No discussion on the minutes.
<b>MOTION</b>	Ray Little moved to approve the Planning Commission minutes for July 18 <sup>th</sup> , 2023, as presented. Second: Wes Woods Unanimous

### **ITEM #1 PUBLIC HEARING-AMENDING ORDINANCE 10-30-040 ACCESS REQUIREMENTS**

<b>OPEN PUBLIC HEARING</b>	Nathan McClellan declared the Public Hearing amending Ordinance 10-30-040 Access Requirements opened.
<b>DISCUSSION/ PUBLIC COMMENT</b>	The City Council reviewed and approved amendments to the City Standards at the June 27 <sup>th</sup> , 2023, City Council meeting. The amendment to the width of driveways in the City Standards prompted an amendment to the Land Use Ordinance 10-30-040 access requirements to be consistent with the adopted City Standards. 10-30-040 (B) 4. There shall be not more than two driveways, the total width of which does not exceed one-half of the linear frontage of the lot, or fifty feet ( <u>amended to thirty-six feet</u> ), whichever is less.  The commission along with staff discussed roadways, driveway width verses parking on property, etc. Nathan called for public comment. No public comment.
<b>CLOSE PUBLIC HEARING AND MOTION</b>	Wes Woods moved to close the Public Hearing amending Ordinance 10-30-040 Access Requirements and to send a positive recommendation of the amendment to the City Council for consideration. Second: Mark Francis No discussion on the motion Unanimous

**ITEM #2****HISTORIC OVERLAY REVIEW-SIGNAGE FOR MORGAN  
NUTRITION-101 COMMERCIAL STREET****DISCUSSION**

The sign application is in the Historical Overlay Zone. Signage design is to be reviewed by the Planning Commission for compliance with the code. Nathan turned the time over to Planner, Jake Young to introduce the application and give the staff's perspective and recommendation.

Jake stated the sign is for Morgan Nutrition at 101 Commercial Street. Jake pulled up the staffing notes which included the application, review, photos, and findings. Mr. Young continued with the sign design and site plan showing the location of the attached sign. The sign meets the ordinance in terms of sign size and design. The sign application does not meet the sign ordinance and Historical Overlay requirements in terms of the sign must be hung at least 10' above sidewalk. Jake stated that staff did reach out to the applicant regarding the placement height not meeting code and the applicant indicated they were having difficulty installing higher as the façade is a veneer brick with a gap and then has concrete. The ordinance does allow for signage in the windows but of course, those would be smaller. The staff report does not recommend approval because it does not meet the ordinance for height. However, the applicant can change the location and come back with the revised submittal.

Nathan reiterated the main item is that the sign placement does not meet the 10 feet minimum height requirement above sidewalk for attached signage. Nathan stated that during the work session, the commission discussed options. As for the current ordinance, the height is something that the commission cannot grant an exception on regardless of how the commission feels about the application. The commission can go through the process of amending the sign ordinance if the commission feels there is an undue burden on the height requirement. The other option is for the applicant to resubmit a site plan complying to the code which includes the minimum height requirement.

Nathan opened a discussion with the commission. Ray Little asked legal staff that in some cases, if an application is denied, the applicant could not resubmit for a one-year period. In some situations, it is better to table or take non-action. Steve Garside indicated Mr. Little is correct but in this case the waiting period does not apply, and the requirement Mr. Little is referring to is on a zoning change application. Wes Woods asked if staff could recommend the applicant to reach out to a professional sign company to help them with options of mounting the sign on the veneer. Jake stated that could be in the motion. Jake also mentioned that the owner asked for a variance to the code. Jake indicated he went through the code as well as received advice from Steve Garside and there is not a sign variance option. A appeal is for an interpretation disagreement and the height minimum is a provision in the code. Mark Francis commented on the option of changing the code stating the ordinance is in place and everybody else has complied. Once we start changing the code or making an exception, just creates problems. Currently, most buildings have signage higher and at a uniformed height which is appealing.

There was no applicant representative present.

**MOTION**

Mark Francis moved to deny the applicant on signage for Morgan Nutrition at 101 Commercial Street as presented for noncompliance with the code and a recommendation for the applicant to reach out to a professional sign company to assist.

Second: Ray Little

Discussion on the motion: Jay Ackett asked if there should be reference to the specific denial reason being that of noncompliance of the minimum height of 10 feet and the commission felt that was not necessary. No amendment to the motion.

Unanimous

**ITEM #3****HISTORIC OVERLAY REVIEW-SIGNAGE FOR LARRY'S SPRING CHICKEN TO GO-185 COMMERCIAL STREET****DISCUSSION**

Nathan stated that this item is a similar application as the prior agenda item. The application is for a sign design/code review for Larry's Spring Chicken to go at 185 Commercial Street. Nathan turned the time over to Planner, Jake Young for staff review, comments and recommendation.

Jake began stating the property is located at 185 Commercial Street which is in the Central Commercial zoning designation as well as located within the Historical Overlay zone area. Jake presented a screen shot of the building along with the application, staff review comments and recommendation. The commission is reviewing this application to comply with requirements of the Historical Overlay Zone Ordinance. Jake indicated the to go restaurant is up and running and the graphic provided by the applicant sign company meets all the requirements in terms of height and material. The lighting already exists and when previously installed through another applicant, is in compliance. The sign is metal with a vinyl graphic covering. Upon staff's review of the application, the sign meets the requirement of the code for signage and recommends approval as presented. Nathan asked the color scheme and if those colors are in compliance. Jake stated the application does meet the color scheme and is aware that the commission has had debate on terms of color. There is a specific palate for the color of the buildings and the ordinance reference for signage is to complement the façade of the building. There are provisions for some signs and in this cast, would not be applicable. Mark Francis stated as he looked at the sign with the old pickup and the chosen colors, everything shouts historical. Jake mentioned the grant for a Commercial Street downtown plan and ordinance update which will kick off soon with the great opportunity for new ideas and input. Jake stated there is a representative of the applicant present and can answer any questions from the commission.

Nathan invited the applicant representative to address the commission and comment on anything he would like to add to the discussion. Justin Westmoreland is from the sign company and did not have anything additional information to add to the application. The commission did not have any questions, for Mr. Westmorland.

**MOTION**

Mark Francis moved to approve the signage for Larry's Spring Chicken to go at 185 Commercial Street as presented.  
Second: Wes Woods  
No discussion on the motion  
Unanimous

**ITEM #4****DRAFT ORDINANCE REVIEW-ACCESSORY DWELLING UNITS****DISCUSSION**

Nathan stated this item before the commission had been discussed in previous planning commission meetings with respect to the Ordinance for Accessory Dwelling Units (ADU). The review last month had several changes and those changes have been incorporated in the draft document before the commission. The commission along with staff will continue the discussion. Nathan turned the time over to Jake Young.

Jake started with a quick run-through of the changes discussed in the previous meetings. Jake had shared the live document via a pdf which did not show the underline and markups. Next meeting, he will share the link to the live document for review. Jake stated that the live document shows the changes, comments from legal counsel, and staff. Once the commission has done a thorough review, he will send out a clean version prior to a public hearing. Jake stated, since the last meeting he had a meeting with working staff to review the working component of the ordinance which Jake shared. The commission discussed utilities, parking, square footage, etc.

**ITEM #5****DISCUSSION-COMMERCIAL STREET PARKING****DISCUSSION**

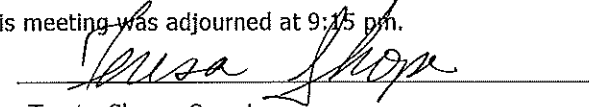
Nathan indicated some of the business owners are concerned with parking for their customers. For example, stopping at a restaurant and picking up a to-go order or dining in and having to park farther away than is preferred. Nathan stated that Commercial Street parking is public parking and does not belong to any individual businesses. The question is what the city should do or if anything to address the parking concern.

Jake stated that parking can not be designated specifically to the business such as a sign with the business name or to-go parking for and the business name. The city can choose to place time limiting signage on some of the parking stalls. The commission along with staff discussed time length, how many stalls, impact, etc. The commission asked how many complaints/concerns were driving the discussion. There was one restaurant owner stating to the code enforcement officer that a negative review of his restaurant has that the patron had to park down the street for their to-go order.

The conclusion from the commission was that no action would be taken at this time. That to alleviate customer parking on the south side of Commercial Street and in front of the businesses, the commission asked staff for a letter to be sent to the property owners as well as the business owners asking that employee parking be on the north side or train track side of Commercial Street and/or if the property had on street parking, have employees use those stalls.

**ADJOURNMENT:**

This meeting was adjourned at 9:15 pm.

  
Teresa Shope, Secretary

These minutes were approved at the

September 19<sup>th</sup> 2023

Meeting.