



# City of Diamondhead

5000 Diamondhead Circle, Diamondhead, MS 39525

Phone: (228) 222-4626

FAX: (228) 222-4390

[www.diamondhead.ms.gov](http://www.diamondhead.ms.gov)

## STAFF REPORT TO PLANNING COMMISSION

DATE: January 23, 2023

CASE FILE NUMBER: 202200581

APPLICANT: City of Diamondhead represented by Ronald Jones

TAX PARCEL NUMBER: N/A

PHYSICAL STREET ADDRESS: Proposed Traffic Circle at intersection of W. Aloha Dr., Park Ten Dr., and Diamondhead Dr. North

ZONING DISTRICT: C1 General Commercial

TYPE OF APPLICATION: Text Amendment

NATURE OF REQUEST: Proposed Text Amendment to the Sign Ordinance (10.10.4). The proposed text is to allow the option for commercial businesses impacted by MDOT's Exit 16 improvements to either replace signage per updated sign ordinance, relocated existing signage or replace signage with signage similar to existing.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: January 24, 2023

ACTION BY THE PLANNING COMMISSION:

FINDINGS: The Planning Commission may recommend proposed amendments to effect a change in zoning district classification shall be subject to the following limitations:

- A. An amendment shall be in harmony with the Comprehensive Plan and/or the Land Use Plan of the City of Diamondhead.
- B. An amendment shall be compatible with the zoning of the surrounding area such as to support the comprehensive plan of the City of Diamondhead.
- C. An amendment shall be in a consistent manner for the benefit of [the] entire community and the City of Diamondhead.

RECOMMENDATION TO PLANNING COMMISSION: To **deny** the proposed text amendment as petitioned.

The staff recommends **denying** the proposed text amendment based on the following findings of fact.

- A. Ground-mounted Pole Signs are not permitted in the C-1 Zoning District. (Table 10.5.1)
- B. Any sign located within the city limits on the date Ordinance No. 2012-019 is adopted [October 15, 2012] which does not conform to the provisions of this Article, but which was legally erected prior to the date this ordinance is adopted is eligible for a characterization as a "legal nonconforming" sign. (10.10.2.iii)
- C. A legal nonconforming designation is lost if the sign is relocated to a position making it less in compliance with the requirements of this Article. (10.10.3.ii)
- D. If the legal nonconforming designation is lost, the sign shall be immediately brought into compliance with a new permit secured therefor or shall be removed. (10.10.3.d)
- E. All existing businesses in this district have conformed when their "legal nonconforming status was lost.
- F. The amendment is not compatible with the Comprehensive Plan nor the Gateway Plan.
- G. All businesses affected by construction of the traffic circle have been notified that if they are required to move existing ground-mounted pole signs, these signs will lose their "legal nonconforming" status and must be brought into compliance. None have requested relief from this ruling.