

MINUTES
Goshen Planning Commission
February 4, 2025 at 5:30PM
Goshen Community Building, 244 Clark Street

A meeting of the Goshen Board of Zoning and the Goshen Planning Commission was held on February 4, 2025 at 5:30pm at the Goshen Community Center.

Planning Commission

Call to Order: Liz Mashie, Chair Person @ 5:30pm

Roll Call: PRESENT - Liz Mashie, Loren Shackelford, Lisa Skiles, Michael Thomspson, Matt Dickhut, James Gardner.
ABSENT - Scott Stokenbury. City Attorney and Recorder/Treasurer Gina Swanson were present.

Brian Hogue arrived @ 5:32pm

Approval of Agenda: Liz Mashie asked for any changes; none provided; Liz Mashie made motion to approve the minutes as presented. Loren Shackelford made a motion to approve as presented and Scott Stokenbury seconded.

All approved; None opposed. All in favor; None opposed
Motion Carried

Approval of Minutes from January 6, 2025 - Liz Mashie made a motion to approve. Lisa Skiles made a motion to approve minutes as presented and Scott Stokenbury seconded.

All in favor; None opposed
Motion Carried

Old Business

Review of Sign Regulations - Liz Mashie thanked everyone for their feedback and to Lacie for preparing everything (no red lines). Liz Mashie asked if it's the City's goal for the Commission to make additional notes and come back with another version or make notes and the Commission have recommendations to take it to Council next week. Lacie requested that she'd like a 'final' next month and then be able to present it at the March, 2025 Council meeting (for sign/lighting/driveway). Lacie wants to make sure that, if Council approves, that sign, lighting, and driveway topics can correlate with zoning ordinances and Title 11 that City is working on. Loren Shackelford asked if there was a need for a public hearing. Mayor Stroud confirmed that it does not have to go to public hearing as it is just changes in ordinances, not in zoning.

Ground Mounted Signs vs. Pole Signs/Lighted vs. Illuminated Signs - Lacie Lawson feels the word 'monument' sign should be used throughout vs. 'ground mounted' sign. Lacie asked for input from the commission and all agreed. Liz asked if it is the same for lighted vs. illuminated and Lacie advised that they are not one-in-the-same; that they are different. Example, the rock 'Goshen' sign outside of Ponchos is 'lit' with lights pointing at it vs illuminated from within, which makes the two descriptors different (lighted/illuminated). Another example was uplights on a home - if you have uplights, your overhang has to stop the light from 'polluting' dark skies. Loren Shackelford asked if we could add definitions for each; Lacie confirmed, yes. Back to the Rock in front of

Ponchos, since there is not an 'eave' or 'overhang' but Lacie's indicates there is no light pollution. Liz Mashie believes this is handled in the lighting ordinance - "any uplighting utilized for the illumination of signage or architectural features shall be properly shielded and confined within the boundaries of the property to prevent light trespassing to adjacent properties or public rights of way".

James Garner agrees with Loren Shackelford that externally illuminated signs and a self-illuminated signs are two different things. Discussion about externally and internally - Liz Mashie agrees that they need to be defined in Signage and should be refer to the lighting ordinance where it talks about the 'shielding' and it also talks about the lumens. Commission agrees with Lacie that there needs to be a distinction between the two. The language needs to be consistent between the two.

Mayor Stroud asked about illumination (Sect 2 Commercial Signs) - says that "illuminated signs must be turned off from 9pm to 7am and put on a timer with the exception of gas stations and convenience stores"; Mayor asked why, if we're not in a commercial zone, why we wouldn't let anyone else have an illuminated sign? Within a commercial zone, shouldn't we have a limit for businesses in a commercial zone that they have to have their lights off? Lacie indicates that was directed to the church sign (on Mission); there was past discussion about dusk until dawn - but if it's in a commercial zone do they need to go off and not stay on all night long? Liz Mashie is not comfortable that we (Goshen) is large enough and doesn't seem that 9pm is reasonable.

Maybe change it to the hours of the business; or

Business hours plus 2-hours post close to allow employees to get to their cars; or

Midnight to 6am lights are off

Commission agrees that midnight to 6am (commercially zoned properties) for lights to be off would be most beneficial (w/a variance per Loren Shackelford). Liz Mashie asked if Scott's and Phillips would be grand-fathered in and, all agreed that, yes, they will. Loren Shackelford offered that having a variance to offer for these types of issues would be most helpful.

Lacie added that all topics (lighting, signage, driveway, commercial design standards, commercial landscaping) fall under Title 11 and Title 11 will have any variance processes written in. All of these little things are part of the bigger picture. Loren Shackelford supported that you can't write a perfect ordinance so variances will allow for adjustments when needed. Mayor Stroud asked if we should require lights to be dimmed at night time; should that be re-worded (under illumination A); Lacie will adjust the wording (fluctuation)

Liz asked if we are going to expand hours and create variance, do we need to remove 'exceptions for gas stations and convenience stores' - yes, it will be removed.

Size and Height Limit(s) - Lacie indicates that people have shared that 10' tall is not tall enough for a pole sign, especially if that's the entire height. Do we want to write in pole signs as a variance process? Conditional Use?

James Gardner pointed out that it's already in Title 11 (the average pole sign is between 10-20'); how should it be measured? Is it the pole itself? All agreed that it should be 10' and then a variance can be applied for, if needed. James Gardner re-iterated that currently we are not allowing pole signs (this is written on the assumption that we allow pole signs in the future) Loren Shackelford agrees; Mayor Stroud supported that 10' may not be tall enough but it is tall enough for a monument sign. Loren Shackelford offered that our ideal situation would be monument signs only and there is a variance process if you feel like you can't live with a monument sign and back that 10' down to 8' max on monument sign.

Lisa Skiles asked about visibility issues with safety - Mayor Stroud and Lacie confirmed that the site triangle is 25' (you can't have anything w/in that 25') and it also can't be in the Right-Of-Way.

Right of Way on highway or arterial roads are 40'-50' from Center. Side roads is 30' - do you want something that close to the road? Liz is fine with it as it is and if someone wants to do something different, then they can request a variance.

Lacie (Sign Regulations) - The lumen being 2700 lumens for signs - is that high enough? Lisa Skiles added that she is working with lighting engineers (model ordinances) and has posed this same question to them and will have feedback for Lacie this upcoming week. Lacie is following the lead of Johnson City on the lumens.

Fayetteville and Elkins have higher lumens allowed so she (Lacie) went with the lowest one.

Real Estate Signs - Liz says we should allow for whatever industry standard is (8' including rider). Allowing for Commercial real estate signs to be larger (4x4).

Vending machines/Gas Pump/ATM (18sf/3x6) is bigger than a commercial real estate sign. Lacie agrees with Liz that it is not too large.

Section 8 (Signs permitted with a sign permit) - Liz asked are we talking about all signs or should that be stricken? Are items 3, 4, and 5 are these really prohibited or are we going to allow these through a variance process?

James Gardner suggested would it be easier to change it to 'Signs Not Permitted/Prohibited'? Liz and Lacie agree, yes. Loren Shackelford agrees that it needs to be listed as 'not permitted/prohibited' but it enhances and supports that our (City) preference is monument signs. Brian Hogue says that everything that we are drafting can be amended with a variance.

Licensing and Insurance Requirements - Lacie would like to be consistent on the ordinances throughout making violations \$250/day. James Gardner asked for confirmation on 'time' for enforcement of penalties - Lacie states that the violation fee(s) start from the time builder is notified and the time given to them to get into compliance; if not addressed by that time, then the violation starts when the City notified the builder and it is a fine levied against the homeowner - as confirmed by Brian Hogue and Loren Shackelford (Section 3, page 2, Inspection and Compliance, B3); Instead of saying 'contractor' it should say 'homeowner'. Loren Shackelford believes that the obligation to honor our ordinances falls on the landowner, not the builder - Brian Hogue and James Gardner agree (and it's what we can legally enforce).

James Gardner circled back to Section 10 - asked about 'fines' but says it's already covered in enforcement of (above) - suggests striking the 'fine' in Section 10 and let Section 9 cover it. Brian says the penalty section should be the very last substantive section of the ordinance. Lacie confirmed that we are striking Section 10 starting at violations and then swap Sections 9 and 10.

Public Input? No

Lighting Regulations - Kelvin Color chart was provided - Lisa Skiles (darksky.org) has literature from the Illumination Engineering Society and if we are limiting dark sky pollution, we are trying to get it to where it is lower level, controlled, and warm color; warmer colors are healthier for humans; CCT of 3000 kelvin is the highest recommended baseline criteria - Lisa is trying to work on articulating is that color rendering is different then illumination to see, that comes from the lumen level and the illuminants value and they are getting conflated more than they should; she is looking for some guidelines to bring forward to might help unpack that. The outdoor guidelines for residential comes in from the dark sky society and IES at 2700; that it's a warmer light and tied to our circadian rhythms; in the evening we like warmer light and in the mornings is blue light. Lacie said that nothing in the lighting ordinances changed for residential. We want to keep 1100 lumens and 3000 kelvin for residential. Lacie shared that she has had complaints in the past on security/motion lighting on a timer and there is no current regulations on any of those (kelvins, lumens, etc). Do we want to change that in residential? All agree that we don't want to get into the issue of the security/motion lights that are on timers and last anywhere from 6-10 minutes.

Complaints in Commercial District are from people that work late (per Lacie). All lights are hooded at City Hall and there are no parking lot lights so there is a safety concern. What would parking lot lights look like? Are they

hooded? Mayor Stroud says that Ozarks Electric lowest Kelvin is 4000 (not hooded but facing downward) but the cost is much less through Ozark Electric then footing the bill for something different with a lower Kelvin at the cost of the City. Mayor Stroud doesn't feel that the 4000 Kelvin is unreasonable and we are still within the 'white' color. Also, the minimum lumen through Ozark Electric is 100Watt and 400Watt. Loren Shackelford says that we have to consider safety - in a commercial zone there is a tremendous liability on the owner and we need to balance that. Lisa Skiles says the issue is the hood (we want light where it needs to be; just not where it doesn't need to be). Lacie asked if the Ozark Electric lights will be grand-fathered in but if it's not an Ozark Electric light, it's something else? Others added that a variance request could take care of this. James Gardner says it's more of a quantity and layout (1100 max lumens).

Mayor Stroud - At the end of the day, the Ozark Electric standard violates our ordinance - do we overlook it or do we adjust our ordinances to match what is actually in place and we can enforce that; Doesn't like having ordinances that are there that violate things that are already there and have been there for years. Brian suggested a stand-alone section allowing the utility pole lights. Liz - can we say "if it's private installation these are the rules and if it's public utility then these are the rules". Lacie will add a section for Public Utility Lights. Matt Dickhut asked for clarity for Ozark Electric Bulbs (100Watt and 400Watt) - do we have to specify the lowest available from the public utility? Yes - Liz says we want to recommend the lowest limit and then rely on variance processes after that.

Motion Security Lighting for Residential - will stay the same (per Lacie)

Monument Signs - height and other need to be consistent (example we dropped monument sign from 10' to 8'). Do we want to allow 2 extra feet for the lights on top of the monument sign or be capped at 8'? Brian Hogue suggested that 4 and 5 need to belong in the sign ordinance (Liz agrees).

General Lighting Standards for All Zones - Lisa Skiles says that there is an exception for sporting events and has guidelines for that at a higher level - we are not there yet but at some point. Goshen Riding Club could fall under this.

Liz stated that all of Section 6 should be stricken - all agree

Permit for Temporary Lighting - Liz says 'no'; what event qualifies for temporary lighting? All agree that temporary lighting permit is not needed

Emergency Lighting Systems - All agree that all are ok with this and leave it where it is

Lacie asked if we should combine Sections 3 and 7 for exemptions? All agree that they should be combined; mark out B and C

Matt Dickhut asked about Sections 1-4 indicating that they are not set up the same way as Section 5 (not alphabetically the same and should be); Lacie will change.

Public Input? No

Changes Needed in the Zoning and Subdivision Regulations - Lacie stated that anything that has to do with Signing and Lighting, she can take those out of the Zoning Ordinances and put them into their own Sign Regulations and a separate Light Regulations. All agree

Ken Smith (Public) asked what the commission will do with the Kelvin Chart. He'd like to see it attached to the lighting ordinance. He believes having that would help tremendously and gives you the sense of what those numbers actually mean. All agree.

Grading, Ditching, and Cutting - Lacie wants to add this to the driveway regulations, where it was initially in Ordinance 5, so that we enforce those right-of-way permits and the bonds that we've been requiring the contractors to get if they do any right-of-way cuts. Liz Mashie says it's reasonable. James asked if it belonged in

the driveway ordinance. Lacie says that's where it was initially and that's why she put it there, it's also in Title 11 under driveway regulation. If you think it could be more feasible in another regulation or maybe it needs to be its own chapter in Title 11; Mayor Stroud made recommendation that it's not in the driveway ordinance; James Gardner suggested a new chapter called Physical Alternation of Land and all agreed.

Liz asked if anything else on driveway regulations? Take out 'G' (of driveway regulation) and recommend take to Council.

Lacie - Title 11 - does each chapter needs its own ordinance or can we adopt all of title 11 under one ordinance and repeal everything else? Brian responded that we need to repeal certain ordinances (each of the chapters) and that we will do the very best we can to repeal most everything and if one of them pops up later then we can clean all that up later. Loren asked if we need a special City Council meeting to do this? Brian says we do not.

Lacie - When we go to City Council it will be 10 chapters in Title 11 and each of those Chapters will have their own ordinance.

Matt Dickhut - Circle driveways - is there a distance the circle driveways (2 entry points) have to be a part from each other and how is that not 2 driveways? Clarification - you can have a circle drive (U-shape, 2 curb cuts) OR you can have a single driveway (1 curb cut). If you want both (an add'l curb cut) requires a permit; Liz Mashie suggested moving Circle Driveway to 'B' and everything else downward so it won't be so confusing. There has to be 50' between curb cuts if you have more than 1 driveway.

Public Input? No

New Business

Max Poye is asking for a lot line adjustment to make sure that both/all of his structures are on one tract of land instead of being separated by the two parcels (From an 18 acre and 21 acre parcels to a 4 acre parcel and a 35 M/L acre parcel). Lacie advised that the current 18 acre parcel needs a perc test and Mr. Poye believes he does not. He talked with the Health Dept and they say that they don't require it. Lacie says our zoning ordinances say that with a minor subdivision the developer/builder has to put a septic system in but she has only been enforcing that a perc test needs to be done by the developer/builder. Max says that this is NOT a minor subdivision because he is requesting to make a lot line adjustment only w/in the land that he already has. Brian says we cannot require a perc test and further states that it should say 'property owner' instead of developer/builder must perc and put in a septic system.

Loren Shackelford used the example of a 14 lot, 2 acre subdivision, then you are going to require a proof-perc for each individual lot but not on splitting out raw land. Max further stated that a lot-line adjustment is not a split it is merely an adjustment. A split is creating a new parcel; a lot line adjustment does not. Loren Shackelford concurs. James Gardner agrees that the lot line adjustment is straight-forward and not under the minor subdivision regulations.

Title 11 Building and Construction - Lacie has made a lot of changes - things have been moved, combined, and made into their own chapters. Mayor Stroud says that the City is working with MuniCode to get this codified and this will help us to get more succinct and unified in each section and we don't have a bunch of repeating.

Lacie asked Brian about combined permitting inspections - does she need to leave those separated?

Lacie says this is a working document and sent to you to show you this is where she's at and where she's heading - Lacie wants to know (from commission) if this is an ok direction that she's heading. Brian says continue to do it as she is and then he and Lacie will figure out how to get it adopted.

Liz likes the direction it's heading. Liz would like to see the entire section about a vacancy (in the office of building official) and have an inspection process. If we happen to not have one, we can contract one (maybe a 1099). Mayor Stroud asked the commission if they are ok with Lacie removing things that don't make sense. Lacie is struggling with landscape design and commercial design standards and where to start - she'd like feedback on that from the commission. Liz confirmed that the commission will see more versions of Title 11 at next month's meeting (more of this document). Confirmation that Lacie will strike the entire section in reference to the Building Inspector. Any other suggestions/changes, please email Lacie. Loren Shackelford asked Lacie to email the 20 page document (just the pdf of Title 11); Lacie agreed Mayor Stroud reminded all that there will be a variance process allowed for everything.

Getting Prepared for Comprehensive Plan

Land Use and Rezoning - Presentation of a colored map - Lacie suggests The Knolls be changed from RR to R1 Zone. Anything that has a POA she'd like to change to an R1.

Section off of Hale Road is zoned as R1 and it should be RR; Matt Dickhut indicates that there are covenants on that land (although quite minimal), which is why it is probably zoned R1. Lacie asked all if they are ok to zoning it to RR; Liz asked the question if there's any issue/risk with re-zoning up or down in terms of density. Confirmed that there is not. Lisa Skiles says she supports 'down zoning' the land on Hale, especially if a developer tries to come in at a later time. Loren Shackelford agrees.

Charles Browning subdivision - Lacie is asking for that to be R1

Misty Valley is also an R1 but there are no covenants and no POA and Lacie suggests back to an RR

Waterford needs to be R1 (Lacie)

Oxford Bend needs to be R1 (Lacie)

Oxford Bend (Oxford Bend and Hwy 45) owner is asking to be put into a Commercial Zone with Commercial on the Bowen frontage and homes behind it (to be built) to R1. The City wants to try and connect this new subdivision to Polo. James Gardner asked if the new subdivision would be gated because if they connect to Polo, they already have a gate at their entrance and there would be concern with one entrance that is gated and one that is not.

Rezoning process is Board of Zoning Adjustment with public notice, then it goes back to Board of Zoning, and then to Council. Scott Stokenbury asks do we do it all together or one at a time (for residential); Liz suggests to do them separately and that she is also concerned about changing to a commercial zoning without a broader plan in place. Mayor Stroud concurs.

Brian asked if the front of Waterford is zoned Commercially and Loren Shackelford clarified that it was never approved by the City.

Mayor Stroud is hopeful to apply for a grant to help get a City Master Plan together once all of this is cleaned up.

Loren says we need commercial growth to subsidize tax and says the Pitts property (Oxford Bend and Hwy 45) is a perfect location to do this (commercially).

All are good with changing the R1's to RR's

Lacie will confirm with NWA Regional Planning and then will do the proper postings around town, street names, adjacent landowners notified, etc.

Scott Stokenbury asked if there was anything else that is non-compliant on the commercial side. Lacie brought up the property next to Andersons/Scott's - 1 bldg is residential and 2 are commercial - until it is used differently, she can't change the zoning to all commercial. Lacie would like to come up with a mixed-use zone and asked if everyone would like to discuss further next month - Lisa Skiles says it's part of the master plan conversation and Liz agrees. We will keep it commercial for now; Loren says we should designate some anticipated other commercial/mixed use that would fall in line with land use. We can address opportunities for this type of growth

in these areas as Goshen grows. Lisa Skiles suggests showing examples, such as Johnson. Lacie is working on the comprehensive plan right now and believes our Commercial Design Standards are old school (farm house and gables); we don't allow for any contemporary/industrial look; how do we change those design standards to be more modern but protect the integrity of Goshen while not be 'old' too. Post Dollar General we restricted ourselves from modern design so how do we move forward with change and material pallet? Liz asked if you remodel a certain amount doesn't ordinances kick in and can we put enforcement behind our commercial design standards at the Dollar General? Lacie says it has to be a 50% change; Liz says it might be worth it to find out; Lacie says she has about 6 to 7 contacts for Dollar General to reach out to and she will try. Discussion about fencing as a screen and the aesthetically un-pleasing look of the fence at Dollar General.


Public Input? Mayor Stroud asked about Grading (Physical Alteration of Property). When does it trigger us to require an engineer or permit and how do we want to approach that? The state requirements are not very strict and it makes it more difficult that we don't have our own ordinance to follow. Scott Stokenbury says that the trigger is when it's over 1 acre; Lacie asked when would Goshen get involved in a grading issue? When would you consider a permit as a necessity? Scott says from Day 1 for safety of the public; Lacie says that Goshen has never required a grading permit. Liz asked to use John Coger's land as an example (food trucks) - Liz believes that what he is doing is commercial development. Scott Stokenbury says a grading program managed by the city is the best case scenario. Mayor Stroud suggested that grading in general should require a permit (residential or commercial). Scott Stokenbury says you're going to have to have an inspector, someone to review the plans, farm it out to a civil engineering firm and you need someone that has done it before.

Liz says that as we continue to talk about growing commercial we are going to need to have an opinion and understand that there are different standards for commercial vs. residential; at a point we are going to have to distinguish the standards even more then we have today. More concern about regulating commercial grading because there's a higher standard and also more potential damage and more public nuisance or harm to be done in a commercial space by a commercial actor; we need to be honest about this - there are different standards.

Scott Stokenbury made a motion to adjourn; Loren Shackelford seconded
All in favor; None opposed

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Adjournment: 8:10 pm


Gina Swanson
Recorder/Treasurer




Russell Stroud
Mayor