

Scottsville Planning Commission

Regular Meeting

Monday, November 2, 2015, 7:00 p.m.

Victory Hall

401 Valley Street

Scottsville, Virginia

Members:

James V. Kerlin, *Chair*

William S. Hyson

Stuart C. Munson

Joshua Peck

Ronald L. Smith

Minutes

1. Call to order – Mr. Kerlin called the meeting to order at 7:00 p.m.
2. Establish a quorum – Mr. Kerlin, Mr. Hyson, Mr. Peck, and Mr. Smith were present. Mr. Munson arrived shortly thereafter. Also in attendance were Town Clerk Amy Moyer and Town Administrator George Goodwin.
3. Review and approval of meeting minutes of August 3, 2015 – Upon a motion from Mr. Smith, seconded by Mr. Peck, the minutes were approved.
4. Matters not on the agenda from the public – No one from the public wished to speak.
5. Public hearing on amendments to Zoning Ordinance Sections 3.9 (Definitions) and 22.0 (Board of Zoning Appeals).

Mr. Smith commented that he wrote an article for the *Scottsville Monthly* on the state code changes, and the major change was replacing “undue hardship” with just “hardship” in the criteria for variances. Ms. Moyer added that the ordinance also specifies the proceedings for hearings and access to materials. Mr. Smith noted that a summary sent by email explained the changes.

Mr. Kerlin opened the public hearing. No one from the public wished to speak, and the public hearing was closed.

Ms. Moyer noted that the commission needs to make a recommendation to the Town Council on whether to approve this draft.

Mr. Hyson moved to recommend approval of the amendments to Zoning Ordinance Sections 3.9 (Definitions) and 22.0 (Board of Zoning Appeals). Mr. Smith seconded the motion, which was unanimously approved. The text of the amendments is attached to the original of

these minutes.

6. Review of proposed amendments to Zoning Ordinance Section 4.14 (Signs).

Mr. Kerlin explained that review of the sign ordinance is needed because of a Supreme Court ruling. Mr. Kerlin requested a joint public hearing with Town Council at this month's regular session if possible. Ms. Moyer replied that it may be difficult to meet advertising requirements in that timeframe.

Mr. Smith asked about the ruling that necessitates the changes. Mr. Kerlin replied that it is based on sign regulations being content neutral.

Mr. Hyson asked if this goes to the Architectural Review Board. Ms. Moyer replied that the draft ordinance calls for ARB review of signs within the Historic Overlay District unless they are exempt under the provisions of the ordinance. Mr. Kerlin noted that this is the process in the current ordinance.

Mr. Smith asked about the prohibition on vehicle and trailer signs. Ms. Moyer referenced the definition, which states that the primary purpose of the vehicle or trailer is advertising.

Mr. Hyson asked about neon signs, lighted signs, and flashing signs in windows. Mr. Goodwin replied that flashing signs are not allowed. Mr. Hyson asked if they can regulate the size of these signs. Ms. Moyer replied that window signs in this draft are limited to no more than 25 percent of the size of the window.

Mr. Kerlin commented that they could further review the document and discuss next month if desired, rather than go to public hearing. He asked if there is anything in the existing ordinance that should be added to the draft.

Mr. Hyson asked about political signs. Ms. Moyer replied that the new ordinance would not include a category for political signs but rather they would be included in the total signage allowed per parcel with the same regulations as other temporary signs. Mr. Hyson asked about time limits for sign removal. Ms. Moyer referenced Section 4 (4) (d) in the draft, which states that a sign permit is not required for temporary signs on residential property with a total area of no more than 12 square feet and which are removed within 90 days after being erected. Ms. Moyer said that the chart on page 12 for residential allows permanent wall or window signs of up to three square feet for an unlimited duration.

Mr. Smith asked about the prohibition on strings of flags.

Mr. Munson asked if banners for special events are allowed. Ms. Moyer replied that event banners may fall under the regulations for temporary signs for the district in which they are located, commenting that the tables in the draft that were copied from the old ordinance could be modified to match the format of the new residential district table, which more clearly shows the regulations for the temporary and permanent categories.

Mr. Munson expressed concern that 90 days may be too long for temporary signs. Mr. Peck suggested 60 days. Mr. Munson asked if signs must come down for a period of time before they go back up again. Mr. Goodwin replied that the current ordinance allows sales event signs for a limited time up to four times per year, but that distinction would go away. Mr. Munson asked if the 90 day period can be made shorter. Ms. Moyer replied that she thinks so, as long as the time period is uniform for all temporary signs. Mr. Goodwin was concerned about enforcing a shorter time limit on political signs. Staff will ask legal counsel for clarification.

Mr. Goodwin raised the issue of business and event signs in the right-of-way.

Mr. Hyson asked about sandwich board signs. Ms. Moyer said that A-frame signs are under permit not required in the new ordinance, copying the text from the existing ordinance because the model ordinance did not allow A-frame signs within 50 feet of the right-of-way, which would disallow these signs downtown. Mr. Hyson asked about the placement and time limit on these signs. Ms. Moyer said that the existing ordinance requires them to be removed after business hours. Mr. Goodwin stated that the signs are to be placed in line with the tree pits so as to stay out of the pedestrian walkway.

Mr. Munson asked if there are design limitations. Ms. Moyer replied that it would have to be spelled out in the prohibitions based on materials or else it would be allowed, unless it is in the Historic Overlay District where ARB review is required. Mr. Munson asked if the ARB reviews sandwich board signs. Ms. Moyer replied no, because they are listed as exempt.

Commission members agreed to advertise the draft for public hearing.

Ms. Moyer invited commission members to attend the Van Clief Nature Area master plan presentation at the Town Council meeting on November 16.

7. Adjourn – Upon a motion by Mr. Munson, seconded by Mr. Smith, the meeting was adjourned.