

**Town of Amherst
Planning Commission Minutes
March 4, 2009**

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill in the Council Chambers of the Town Hall at 7:30 PM on March 4, 2009. It was noted that one seat on the Commission is vacant and that a quorum was present as indicated below:

P June Driskill	P Steve LaBar
P William Hathaway	P Mike Mozingo
P William Jones	P Richard Wydner

Town Attorney Tom Berry and Town Manager Jack Hobbs, in his capacity as Secretary to the Commission, were also present.

Public Hearing on Amendment to the Sign Ordinance

At 7:31 PM a duly advertized public hearing was opened.

The Secretary reported that the subject of the hearing was a petition to amend the sign ordinance that had been received from Crystal Staton, owner of property at 807 S. Main Street. A draft ordinance that would, if approved, make the sign regulations that are in effect in the B-2 zone effective in the T-1 zone was presented. It was noted that, if approved, this ordinance would affect all of the Town's T-1 zoned lands but is consistent with the strategy behind the original creation of the T-1 zone to eventually move all of the T-1 lands from residential zoning to commercial use. A copy of the ordinance proposal is attached and made a part of these minutes.

G. L. Staton came forward to express his interest in being allowed to install a 40 SF sign for his lawn mower repair business.

There being no one else who wished to speak, the public hearing was closed at 7:35 PM.

Mr. Wydner made a motion that was seconded by Mr. Hathaway to recommend that the Town Council approve the request. The motion failed 2-4 on the following vote:

June Driskill	Nay	Steve LaBar	Nay
William Hathaway	Aye	Mike Mozingo	Nay
William Jones	Nay	Richard Wydner	Aye

Mr. and Mrs. Staton were advised that the Town Council would receive the Commission's recommendation at its March 11 meeting and that the required Town Council public hearing on the matter would probably be scheduled for April 8.

The minutes of the February 4, 2009 Commission meeting were approved on a motion by Mr. Hathaway, seconded by Mr. Jones, and carried 6-0 according to the following:

June Driskill	Aye	Steve LaBar	Aye
William Hathaway	Aye	Mike Mozingo	Aye
William Jones	Aye	Richard Wydner	Aye

Transportation/Pedestrian Plan

Scott Smith and Kelly Hitchcock from the Region 2000 Local Government Council came forward to present their work on the transportation and pedestrian plans. After some discussion, the Commissioners agreed to return comments on the documents in about two weeks so that final drafts could be reviewed at the April 1 Commission meeting.

Outdoor Storage

There was a discussion on the Town's outdoor storage regulations.

On a motion by Mr. Wydner, seconded by Mr. Hathaway, the Commission decided to hold a public hearing on the following items at its April 1 meeting:

1. Amending the "Farm machinery display, sales and services" use category, which is listed as a permitted use in the B-2 and CBD districts, to read "Agricultural, farm and lawn machinery display, sales and services, provided that all inoperable machinery must not be visible from any public right of way", and
2. Rezoning to B-2 all of the land currently zoned T-1 and located on the east side of S. Main Street between Macadam Road and Amherst County High School.

The motion passed 6-0 on the following vote:

June Driskill	Aye	Steve LaBar	Aye
William Hathaway	Aye	Mike Mozingo	Aye
William Jones	Aye	Richard Wydner	Aye

By consensus the Commission agreed to delay the election of officers until all seats on the Commission have been filled and all members are present.

There being no further business, the meeting adjourned at 9:12 PM on a motion by Mr. Mozingo, seconded by Mr. Hathaway, and carried 6-0 according to the following:

June Driskill	Aye	Steve LaBar	Aye
William Hathaway	Aye	Mike Mozingo	Aye
William Jones	Aye	Richard Wydner	Aye

June Driskill, Chairperson

Attest: _____

Sec. 18.1-908.05 Signs Permitted in the ~~Residential and Agricultural Zoning Districts~~ Agricultural District A-1, the Limited Residential District R-1, the General Residential District R-2, the High Density Residential District R-3 and the Manufactured Home District R-4.

The following signs are permitted in the Agricultural District A-1, the Limited Residential District R-1, the General Residential District R-2, the High Density Residential District R-3 and the Manufactured Home District R-4:

- a. Temporary event signs, provided that they are not more than four (4) square feet in area, and there is not more than one (1) on any lot or premise.
- b. Residential Developments: Permanent subdivision or development identification signs indicating only the name and/or address of the premises. The identification sign shall be ground mounted, and shall not be internally illuminated. For developments of twenty (20) units or less the sign shall not exceed six (6) square feet in area or eight (8) feet in height. For developments of twenty-one (21) units or more the sign shall not exceed sixteen (16) square feet in area or eight (8) feet in height.
- c. Directional signs for parks, playgrounds, schools, religious institutions, and other non-residential uses of a non-commercial nature within the residential district, provided that such signs shall not exceed two (2) square feet in area, shall be within one (1) mile of the use, and shall not be illuminated.
- d. ~~In the Transitional Use Zone District, identification signs, provided that they are not more than eight (8) square feet in area and there is not more than one (1) on any premise.~~

Sec. 18.1-908.06 Signs Permitted in the ~~Commercial and Industrial Districts~~ Transitional Use Zone District T-1, the Light Commercial District B-1, the Central Business District CBD, the General Commercial District B-2 the Business Park District E-1 and the Industrial District M-1.

The following signs are permitted in the Transitional Use Zone District T-1, the Light Commercial District B-1, the Central Business District CBD, the General Commercial District B-2 the Business Park District E-1 and the Industrial District M-1:

For each lot, tract, or parcel, one and one half (1-1/2) square feet of sign area shall be allowed for each (one) lineal foot of building frontage on the primary public street. In the case of buildings that front on more than one public street, sign area shall be based on the length of frontage of one side of the building only.

Signs approved under this section shall be exclusively for the businesses operated on the premises on which the signs are located. Sign area for changeable copy signs associated with churches, restaurants, theaters and gasoline sales establishments shall be included within the area allowed by this subsection. Changeable copy signs include display boxes for posters and menu boards where individual letters or numbers can be reconfigured but do not include portable signs as described hereinbelow.

Such sign area may be in a single sign, or in a combination of signs located on one or more sides of the building, with no more than two (2) signs allowed for each building facade. In addition, one (1) sign shall be permitted for the rear of the building, computed on the ratio of one half (1/2) square foot of sign for each (one) lineal foot of building frontage. Permitted signs shall be subject to the following limitations.

- a. Wall signs, provided that such signs do not exceed twenty percent (20%) of any exposed finished wall surface area including openings, or sixty (60) square feet, whichever is smaller, and do not extend more than six (6) inches beyond the building wall surface.
- b. Freestanding signs. One (1) freestanding sign shall be allowed when a building takes up less than fifty percent (50%) of the total lot area, provided that such sign be no larger than forty (40) square feet in area, no taller than twelve (12) feet and set back at least seven (7) feet from the public right of way. However, such freestanding signs shall not be larger than twenty (20) square feet along Main Street (U.S. 29 Business) from Monitor Road to 250' north of Nicewood Place.
- c. Window signs, provided that such signs take up no more than twenty five percent (25%) of the glass area upon which they are placed. All window signs shall be painted on or affixed to the interior side of the window.
- d. Projecting signs, and signs attached to the bottom of a marquee or roof overhang shall not project more than six (6) feet from the building front, nor closer than two (2) feet from any curb line, and have a minimum clearance of ten (10) feet above a sidewalk. The maximum size for these signs shall be no greater than ten (10) square feet.
- e. Awning signs, provided that the bottom of such signs shall be at least eight (8) feet above the sidewalk or grade at any point, and extend horizontally no closer than twelve (12) inches from the curb.
- f. Canopy signs, provided that the bottom of such canopies shall have a minimum clearance of at least ten (10) feet, and shall extend horizontally no closer than two (2) feet from the edge of the curb.
- g. Illuminated or neon signs that lay flat on a building or window, provided that such signs bear only the name of business located in the building, and are no greater than six (6) square feet in area, do not project from the building, and do not fall into any of the categories defined as prohibited in this section.
- h. Portable signs, limited to 24 square feet, provided that they are displayed no more than 60 days within any one calendar year, and that such signs do not fall into any of the categories defined as prohibited in this section.
- i. For shopping centers and buildings in which more than three (3) tenants are located, no more than one (1) freestanding sign shall be permitted. The sign shall be limited in area to 100 square feet, and shall not extend higher than 25 feet. Such signs shall indicate only the name of the shopping center or building, and/or business uses within that building.
- j. Office or industrial signs: One ground-mounted identification sign at each major entrance of an office or industrial center, provided that no such sign shall exceed forty (40) square feet in area or twelve (12) feet in height.