

TOWN OF AMHERST PLANNING COMMISSION
Wednesday, September 2, 2020
AGENDA

1. **Call to Order** – *Mrs. Driskill, Chair*
2. **Determination of Quorum**
3. **Citizen Comment-** *This time is provided for citizens to bring concerns or comments to the Commission that are not scheduled for a public hearing. This is not meant to be a discussion or an exchange, but rather, an opportunity for citizens to have their concerns be heard.*
4. **Approval of the July 1, 2020 meeting minutes** – *The minutes of the July 1, 2020 meeting are attached.*
5. **Public Hearing: Sign Ordinance Amendment for Works of Art** - *a public hearing is scheduled to receive comment on a proposed amendment to the Town of Amherst Zoning Ordinance (Article IX. Special Provisions, Section 18.1-908.06, Signs) to allow works of art to be displayed in Town, under certain conditions, without a sign permit. The Amherst Chamber of Commerce is interested in erecting a “LOVE” sculpture at the County Visitor Center. Currently, there is no provision in the Ordinance that would allow a sign such as this. Staff is proposing a new section that would allow works of art and Town Council has asked that a public hearing be held to receive comment. The full text of the amendment is attached.*
6. **Discussion and Possible Action on the Proposed Sign Ordinance Amendment.**
7. **Concerns of Commissioners**
8. **Adjournment**

**Town of Amherst
Planning Commission Minutes
July 1, 2020**

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill in the Council Chambers of Town Hall at 174 S. Main Street at 7:00 PM on July 1, 2020.

It was noted that a quorum was present as indicated below:

P	June Driskill	A	William Jones
A	Kevin Belcher	P	Anne Webster Day
A	Ted Finney	P	Clifford Hart
P	Janice N. Wheaton		

Town Manager Sara Carter and Clerk of Council Vicki Hunt, in her capacity as Secretary to the Commission, were present.

The minutes from the June 3, 2020, Commission meeting were approved on a motion by Mr. Hart, seconded by Ms. Day, and carried according to the following:

June Driskill	Aye		Clifford Hart	Aye
Kevin Belcher	Absent		Anne Webster Day	Aye
Ted Finney	Absent		William Jones	Absent
Janice Wheaton	Aye			

Sign Ordinance

A revised proposed amendment of the Town of Amherst Zoning Ordinance (Article IX. Special Provisions, Section 18.1-908.06 Signs), the purpose of which is to allow works of art to be displayed in the Town without a sign permit, was provided to the Commission.

After a report by Town Manager Carter, and discussions concerning size limitations and locations, the Commissioners decided that, if allowed, the amendment to the Town of Amherst Zoning Ordinance (Article IX. Special Provisions, Section 18.1-908.06 Signs) should be as follows:

Works of Art. Works of art that do not contain any commercial messages or references and are constructed or displayed under the auspices of a locally based government agency. Size is limited to a square footage that is equal to the linear road frontage of the parcel the sign is placed on multiplied by 0.5. Works of art can only be on commercially zoned property on Routes 29 bypass, 29 business, or Route 60. All other ordinance requirements apply.

After further discussion, Mr. Hart made a motion seconded by Ms. Day not to amend the Town of Amherst Zoning Ordinance (Article IX. Special Provisions, Section 18.1-908.06 Signs), which would allow works of art to be displayed in the Town without a sign permit. The motion carried 3-1 as follows:

June Driskill	Aye		Clifford Hart	Aye
Kevin Belcher	Absent		Anne Webster Day	Aye

Ted Finney	Absent	William Jones	Absent
Janice Wheaton	Nay		

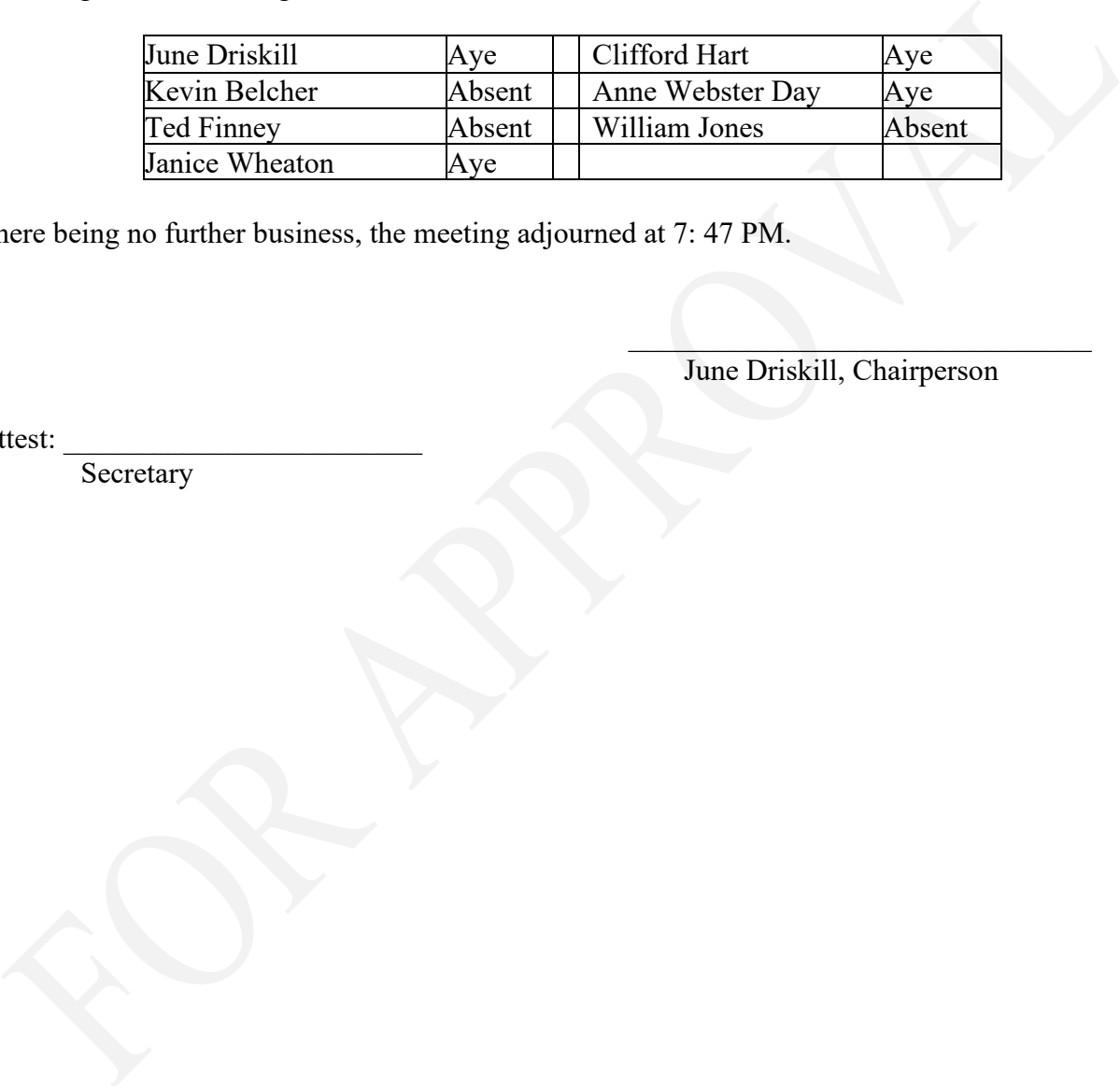
After further discussion, Ms. Day made a motion seconded by Mr. Hart that should Town Council remand the matter back to the Commission to hold a public hearing, a public hearing will be held at its next meeting on August 5, 2020, on the proposed amendment of the Town of Amherst Zoning Ordinance (Article IX. Special Provisions, Section 18.1-908.06 Signs). The motion carried 4-0 according to the following:

June Driskill	Aye	Clifford Hart	Aye
Kevin Belcher	Absent	Anne Webster Day	Aye
Ted Finney	Absent	William Jones	Absent
Janice Wheaton	Aye		

There being no further business, the meeting adjourned at 7: 47 PM.

June Driskill, Chairperson

Attest: _____
Secretary



Sign Ordinance Change to Allow works of art

Sec. 18.1-908.06. Signs permitted in all sign districts.

- (a) The following signs shall be permitted in all sign districts and shall not require a sign permit, unless otherwise indicated. The area of any sign described in this subsection shall not be included in computing the aggregate sign areas specified for individual districts.
- (1) *Temporary signs.* Temporary signs, which shall be non-illuminated and limited to the following types:
- a. When buildings are under construction or sites are under development, signs may be displayed provided that they are removed upon issuance of a certificate of occupancy. The maximum sign area of each such sign shall be 32 square feet.
 - b. When a property is offered for lease or for sale, signs may be displayed provided that they are removed within five days of the date of closing or within five days of the beginning of the lease.
 1. In the residential sign and mixed use districts, the maximum aggregate sign area shall be four square feet and the maximum height shall be twelve feet.
 2. In the commercial and industrial sign district, the maximum aggregate sign area shall be thirty-two square feet and the maximum height shall be twelve feet.
 - c. When a business in the mixed use or commercial and industrial sign district opens, temporary building-mounted signs and banners shall be permitted, provided that such sign or signs shall not be displayed for more than 30 days. The maximum aggregate sign area shall be 32 square feet.
 - d. When a dwelling in a residential sign district is holding a yard sale, signs may be displayed for only 48 hours and only on the property where the yard sale will be held.
 - e. For special events within the Town, any property owner may display up to two signs of up to four square feet each for up to five days in any 60 day period.
 - f. Signs on private property that exercise the property owner's right to right to free speech and express non-commercial messages such as ideals, causes, policies or candidates, provided that the aggregate sign area is not larger than 40 square feet in the mixed use and commercial and industrial sign districts or 16 square feet in the residential and agricultural sign district, and the total number of signs on a parcel cannot exceed two. Such signs shall be removed within 60 days of installation, and no property can display such signs for more than a total of 120 days per year.
- (2) *Permanent signs.*
- a. One sign at each parking lot entrance with no commercial logo or other message and not exceeding three square feet in area.
 - b. Non-illuminated names of buildings, dates of erection, monumental citations, commemorative tablets, insignia of local, state or federal government, and like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of a building structure. The maximum size of such sign shall be 32 square feet.
 - c. Usual and customary signs identifying disabled parking, rest rooms, directions, driving instructions or other facilities relating to such places or activities.
 - d. Signs not visible from adjacent properties or public rights-of-way.
- (3) *Flags.* Flags containing no commercial message are not regulated.
- (4) *Works of Art.* Works of art that do not contain any commercial messages or references and are constructed or displayed under the auspices of a locally based government agency. Size is limited to a square footage that is equal to the linear road frontage of the parcel the sign is placed on multiplied by 0.5. Works of art can only be on commercially zoned property on Routes 29 bypass, 29 business, or Route 60. All other ordinance requirements apply.
- (5) *Location on right of way.* Signs installed on VDOT right of way under a VDOT permit. The Town will only assist in the VDOT permitting process with Town approved banners installed above S. Main Street on the existing banner bracket.
- (6) *Nonconforming.* Any sign may remain in use provided that it was lawful at the time this ordinance was enacted. However, signage for any business shall be required to conform to all requirements of this ordinance as a condition of approval before any change to the signage for that business.