



CITY OF BRISTOL, VIRGINIA
COMMUNITY DEVELOPMENT DEPARTMENT
300 LEE STREET
BRISTOL, VIRGINIA 24201
(276) 645-7470
FAX: (276) 821-6099



BRISTOL VIRGINIA PLANNING COMMISSION
Meeting
Monday, April 16, 2018

A meeting of the Bristol Virginia Planning Commission will be held at 12 Noon on Monday, April 16 in the City Council Chambers in City Hall, 300 Lee Street.

AGENDA

- I. Call to Order
- II. Approval of the Minutes of March 5 Zoning Work Session and March 19 Regular Meeting
- III. Public Comment (for items not on the agenda)
- IV. New Business
 - A. None Scheduled
- V. Old Business
 - A. Zoning Ordinance Revision Project – Work Session
- VI. Adjournment

Next Regular Meeting – May 21, 2018

BRISTOL VIRGINIA PLANNING COMMISSION
Monday, March 5, 2018
12:00 pm

MEMBERS PRESENT:	MEMBERS ABSENT:	STAFF:	OTHERS:
Kevin Wingard		Sally Morgan	
Todd Buchanan		Amy Thompson	
Jordan Pennington			
Michael Pollard			
Susan Long			

I. CALL TO ORDER

Chairman Pennington called the work session to order at 12:00 p.m.

II. Outdoor Advertising

Ms. Morgan reviewed the information provided at the February 15 Planning Commission meeting which had been an overview of the outdoor advertising regulations in the city zoning ordinance. She also explained what objectives have been guiding her approach to proposing revisions to the ordinance which are:

- 1) Make the regulations simpler and easier to understand, including better organization and graphics. (As a result, shortening the document).
- 2) Add flexibility where warranted and reasonable
- 3) Address issues that have been problems encountered by either property owners or staff to administer
- 4) Compare our regulations with our neighboring jurisdictions
- 5) Ensure compliance with Gilbert vs. Reed court decision (content neutrality)

There was no request by members to change these objectives. Ms. Morgan began discussing Pages 1 through 6 of the proposed revisions to Division 14 including changing the title from Outdoor Advertising to “Signs” or possibly “Signage”, and to rename Section 50-231 from Policy to Purpose. She also went over a proposed numbered list of the purpose of the division as a rewrite of the existing paragraph. There was a request with consensus from the members to alter the order of the listing even though these were not ranked and to add the phrase “natural scenic beauty” in item (b) on the list to reflect the current ordinance wording.

Ms. Morgan went on to go over some succeeding sections of the proposed revisions, although not much progress was made in revising any particular wording. Discussion ensued about off-premises signs and some members questioned why these are prohibited. Ms. Morgan explained that allowing them would lead to additional sign clutter and the city already has a significant number of off-premises signs (billboards) throughout the city. *(Note: Off-premises signs have been prohibited in the city since 2003 and were allowed only in manufacturing zones prior to 2003).*

There was a request for staff to look at other growing cities to find out what kind of regulations they have on signage. There was also a suggestion that we could get input from sign contractors in the area in terms so how our ordinance compares with others in the region.

III. Adjournment

Because several members had to leave, the work session was adjourned soon after 1 p.m. It was consensus that the Commission would continue to meet either as a part of the next regular meeting or at a subsequent work session to work on this section of the zoning ordinance.

Sally H. Morgan, City Planner

DRAFT

BRISTOL VIRGINIA PLANNING COMMISSION
Monday, March 19, 2018
12:00 pm

MEMBERS PRESENT:	MEMBERS ABSENT:	STAFF:	OTHERS:
Kevin Wingard		Sally Morgan	David McGee
Todd Buchanan		Amy Thompson	Bobby Griffin
Jordan Pennington		Gene Christian	Gary Waddell
Michael Pollard			Wallace McCulloch
Susan Long			
Bart Long			
Anthony Farnum			

I. CALL TO ORDER

Chairman Pennington called the meeting to order at 12:00 PM

II. Introduction of New Members

City Planner, Sally Morgan, introduced Anthony Farnum and Bart Long as newly appointed members of the Planning Commission.

III. Approval of February 15, 2018 Regular Meeting Minutes

Vice Chairman Pollard made a motion to approve the minutes of the February 15, 2018 regular meeting and to omit the March 5, 2018 Work Session Minutes which were not yet available. Motion was seconded by Planning Commissioner S. Long and carried by the following votes:

AYES: Buchanan, S, Long, Pollard, Wingard, and Pennington

ABSTAINS: Farnum and B. Long

IV. Public Comment (for items not on the agenda)

No public comments were made.

V. New Business

A. Consideration of Residential Use in a Business Zone – 100 Travelite Road

City Planner Sally Morgan reported that the Community Development Department has received a request for a Residential Use in a Business Zone from Bobby Griffin to convert space (Suite 1) in the building at 100 Travelite Road into a residential apartment. The building currently houses five small businesses. Ms. Morgan reported the Bristol City Code Section 50-42 (b) allows the Planning Commission to consider

multi-family residential use in a business zone without a rezoning application. Ms. Morgan recommends approval of the applicant's request with the condition that all provisions of the Virginia Uniform Statewide Building Code be met in the renovations to the building.

Planning Commissioner S. Long made a motion to residential use in a business zone at 100 Travelite Road, Bristol, Virginia. Motion was seconded by Vice Chairman Pollard and carried by the following votes:

AYES: Buchanan, Farnum, B. Long, S. Long, Pollard, Wingard and Pennington

B. Consider Granting Preliminary and Final Plat Approval of Plat #06 –2018 Franklin Grove Subdivision

City Planner, Sally Morgan, reported the applicant is seeking preliminary plat approval to create a new 50-lot subdivision called Franklin Grove located on Booher Road at the border of the state line and just southwest of the city-owned landfill property. The property is a total of approximately 18.4 acres comprised of Tracts 464-1-3 and 464-1-4. The developer is proposing the development of single-family homes on lots ranging in size from 0.25 acre to 0.6 acre with an average lot size of approximately 1/3 of an acre. The development will include three new city streets and will be served with utilities from BVU. The plat shows a preliminary design of storm water drainage and retention.

Ms. Morgan recommended approval of the preliminary plat of Plat 06-2018 Franklin Grove subdivision with the following stipulations:

- 1) The existing BTES overhead power line and easement will need to be removed from the property;
- 2) All utility locations and required easements will need to be approved by the City Engineer and BVU with easements to be shown on the final plat;
- 3) Storm water management and design requirements must be met to the satisfaction of the City Engineer
- 4) All new Streets must meet state and city standards for construction width and specifications;
- 5) New street location layouts must be approved by the City Engineer and designed to accommodate emergency and city service vehicles and facilitate future expansion;
- 6) All comments from city engineering staff and utility providers must be addressed in the construction plan review process;
- 7) The submission of a final plat for Planning Commission approval will need to include a "deviation list" that contains all of the changes made from the preliminary plat.

Planning Commissioner S. Long made a motion to approve the preliminary plat for Plat #06 – 2018 – Franklin Grove Subdivision provided the applicant adheres to the

stipulations listed in the staff recommendation. Motion was seconded by Planning Commissioner Buchanan and carried by the following votes:

AYES: Buchanan, Farnum, B. Long, S. Long, Pollard, Wingard and Pennington

VI. Old Business

A. Zoning Ordinance Revision Project Work Session

Scheduling of Upcoming Work Sessions. There was some discussion about possible dates and times for a work session to discuss outdoor advertising. *(Note: A work session was subsequently scheduled for on April 5, 2018 at 12:00 PM).*

VII. Adjournment

There being no further business, the meeting was adjourned at 12:31 PM.

Sally H. Morgan
City Planner

**BRISTOL, VIRGINIA PLANNING COMMISSION
AGENDA ITEM SUMMARY**

Meeting Date: April 16, 2017

Department: Planning/Community Development

Bulk Item: Yes No

Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Zoning Ordinance Revision Project – Work Session

ITEM BACKGROUND:

The Planning Commission will continue its review of proposed revisions to the city zoning ordinance with current focus on Division 14 – Outdoor Advertising. Pages 1 through 6 have been previously provided via email to the Commission members. An additional Page 7 containing a chart for Temporary Signs is now included for discussion.

PREVIOUS RELEVANT ACTION:

March 20, 2017 – The Commission discussed and voted to pursue the updating and revising of the Zoning Ordinance using city staff resources

STAFF RECOMMENDATION:

For information and discussion only.

DIVISION 14. – OUTDOOR ADVERTISING **SIGNS**

- **RENAME** Sec. 50-231 – Policy Purpose

To promote the safety, convenience and protection of the public, to promote the prosperity and general welfare of the city, and to preserve and enhance the natural scenic beauty or aesthetic features of its streets and adjacent areas, the city hereby regulates the erection and maintenance of outdoor advertising in areas within sight from the rights-of-way of the streets within this city.

REPLACE above with:

The purpose of the division is to:

- a) Ensure that businesses, individuals, and institutions have a reasonable opportunity to use signs as an effective means of communication;*
- b) Preserve property values;*
- c) Enhance the physical appearance of the city, and/or the natural scenic beauty;*
- d) Reduce distractions, obstructions, and hazards to pedestrian and vehicular traffic; and*
- e) Promote and protect the health, safety, and welfare of city residents and visitors.*

- **Sec. 50-232 - Definitions. MOVE TO DEFINITIONS SECTION**

ADD new Sec. 50-232 – Permit Required

Except as otherwise provided in 50-233 below, all persons erecting, changing, installing, or otherwise placing signs must first obtain a sign permit. The changing of copy or sign facing on an existing sign or the painting, cleaning or other normal maintenance, not including a structural change to the sign, does not require a sign permit.

- **Section 50-233 Enforcement. MOVE to later.**
- **Section 50-234 Removal of construction signs. MOVE to later.**
- **RENUMBER** Sec. 50-235 to 50-233 - Exceptions.

The following signs, if securely attached to real property and adequately maintained, are exempted from the requirement for a permit in Section 50-232 and from the provisions of this division unless otherwise regulated:

- (1) Historical markers authorized by the appropriate authorities;*
- (2) Highway markers, traffic control signs, and street signs;*
- (3) Public wayfinding signs;*
- (4) Displays of public art that do not display a commercial message;*
- (5) Signs on the inside of ballpark or stadium field fences, or displayed inside other large sports or entertainment venues;*
- (6) Public notices or other temporary signs if authorized by the City Manager.*

- (7) Home occupation signs, as regulated in Section 50-32 (may be changed Section #);
- (8) Temporary signs, as defined in Section 50-240;
- (9) **Incidental Signs (Definition: A wall or freestanding sign not exceeding four (4) square feet in size and three (3) feet in height if freestanding. Examples include: on-site directional signs, building address signs, office nameplates, residence signs, no trespassing and other security-related signage, or signage on gas pumps). Freestanding incidental signs must be placed far enough from any street right-of-way to avoid a sight distance problem.**
- (10) Flags and insignia of the United States of America, Commonwealth of Virginia, City of Bristol, or other official flags displayed for non-commercial purposes;
- (11) Signs displayed inside a building, including those temporarily attached to windows;

Section 50-236 Sign Area **MOVE TO DEFINITIONS**

RENUMBER Sec. 50-237 to 50-234. - Certain advertisements or structures prohibited. The following advertisements or sign structures are prohibited:

CONDENSED AND REWORDED

- (1) Signs that may be confused with traffic signs or signals, including those implying a requirement to stop or the existence of danger, or which imitate official highway signs or traffic signals with red, green, or amber lights or reflectorized material;
- (2) Signs that effectively distract the attention of passing motorists on any street by intermittent or flashing lights, loud noises, or movable objects;; except as specifically permitted by subsection 50-_____ as electronic message boards, and signs conveying non-commercial public information such as date, time, temperature, and weather.
- (3) Signs located near any public street intersection that obstruct clear vision of traffic in any direction, as determined by current industry standards or evaluation by the city engineering or public works personnel.
- (4) Signs that are near any curve in the public street in such a manner as to obstruct the clear vision of traffic from any one point along that street to any other point on that street, as determined by industry standards or evaluation by the city engineering or public works departments.
- (5) Signs that advertise activities which are illegal at the location of advertisement or at the location of such activities;
- (6) Signs that are otherwise prohibited by this article or applicable regulations adopted by the state department of transportation, as amended;
- (7) Signs with lighting of such intensity, brilliance or direction to the extent that it impairs the vision of any driver or otherwise interferes with that driver's operation of a motor vehicle;
- (8) Banner signs stretched across the width of a street, highway, or alley; except when such sign is attached to standards erected and owned by the city and is duly authorized by the city and subject to city policies;
- (9) Signs that are attached to any city or utility pole or street light or located in any part of a public right-of way unless approved and erected by the city

- (10) Signs attached to a building roof or extending above the roofline or parapet wall of a building;
- (11) Portable signs;
- (12) Vehicular signs;
- (13) Signs that are non-permanent in nature, made of plastic, paper, cloth, cardboard or similar material and are mounted on a wire frame, metal, wooden or plastic stakes and easily placed in the ground or attached to a wall or fence, except those that meet the requirements of Section _____ for Temporary Signs..
- (14) Off-premises signs

Sec. 50-238 – Placing advertisements in certain areas prohibited. DELETE

No advertisement shall be placed on any building, fence, wall, tree, rock or other similar unless the same be an advertising structure for which a current permit has been issued.

(Note: This is already covered in new Section 50-232. Need to clarify definition of sign).

Sec. 50-239 – Advertising within limits of street DELETE

No person shall in any manner advertise anything within the right-of-way of any street.

(Note: This is already covered in 50-234 (9) above).

Sec. 50-240 - Sign maintenance. MOVE to Later

RENUMBER Sec. 50-241 to Sec. 50-235. - Freestanding signs.

The following standards shall apply to the number, location and type of freestanding, *non-residential* signs permitted within the city.

(1) Pole signs.

- a. Pole signs shall only be allowed in the Interstate Advertising Corridor, as defined in Section _____ (Definitions) and if designed for the purpose of being visible to Interstate traffic.
- b. Such signs shall comply with the area and height requirements in the free-standing sign allowances chart in (6) below.
- c. In no case shall land zoned for residential use be permitted a freestanding pole sign and no pole sign shall be allowed within 100 feet of a school property line.
- d. In no case shall any parcel of land be permitted more than one pole sign.
- e. No part of a pole sign shall be closer than five feet from any property line.
- f. *The maximum height for a pole sign is forty (40) feet from the adjacent grade with the exception of pole sign locations that are below the elevation of the adjacent Interstate. These properties may measure the 40 feet from the crown of the nearest Interstate.*

(2) Ground-mounted signs.

- a. Except pole signs as allowed in (1) above, all freestanding signs in the city shall be ground-mounted *monument or post signs*, and shall conform to the area requirements in the free-standing sign allowances chart in (6) below.
- b. Establishments are permitted one ground-mounted sign per street frontage.

- c. Ground-mounted signs shall not exceed ~~six (6)~~ **ten (10) feet in height as measured from adjacent grade in B-3, M-1, M-2, or O-I; and six (6) feet in height as measured from adjacent grade in B-1 and B-2.**
- d. Ground-mounted signs shall have a minimum setback of ten (10) feet as measured from any property line, *except as excepted in (5) below.*

(3) *Multi-tenant signs (Note: May need to revise definition)*

- a. Multi-tenant signs shall be permitted in the **B-1**, B-3, O-I, M-1 and M-2 zoning districts.
- b. Such signs shall be no more than twenty (20) feet in height as measured from adjacent grade, and have no more than ~~300 square feet per face and a total of~~ 600 square feet of *total sign* area, except for the B-1 district which is subject to (c).
- c. Multi-tenant signs in the B-1 district shall be no more than eight (8) feet in height and have no more than 75 feet of total sign area.**
- d. Multi-tenant signs shall be subject to a minimum setback of ten (10) feet as measured from any property line and shall not be permitted within 100 feet of any school property line.
- e. Multi-tenant properties may construct a ground-mounted sign pursuant to the requirements of the free-standing sign allowances chart in (6) below OR a multi-tenant sign as described above.
- f. Multi-tenant properties located within the interstate advertisement corridor may construct both a pole sign pursuant to the freestanding sign allowances chart in (6), a multi-tenant sign as described above, *and a ground-mounted sign.*
- g. Each tenant advertising on a multi-tenant sign may construct an advertising area equal to that allowed for ground-mounted signage pursuant to the freestanding sign allowances chart in (6) below, considering the length of individual store frontage as the same as parcel frontage.
- h. Multi-tenant signs constructed within the interstate advertisement corridor shall not exceed forty (40) feet in height as measured from:
1. The adjacent grade if directed toward an ~~principal~~ arterial road or a road of less designation.
 2. The crown of the nearest interstate if directed toward an interstate.

(4) *Electronic message centers.*

- a. Electronic message centers (EMC) may be attached to any ~~pylon, pole or ground-mounted freestanding~~ sign and shall be counted against total allowed sign square footages as outlined in freestanding sign allowances chart in (6) below with the following restrictions:
1. EMC displays shall only be allowed in the **B-1 (neighborhood shopping)** and B-3 (intermediate business) district, and churches and schools in all districts shall be permitted to utilize EMC displays. ~~if operation is restricted to the hours between 7:00 a.m. and 7:00 p.m.~~
 2. An EMC shall consist of no more than one single **panel** display **area** which may contain copy on ~~both~~ **two** sides.
 3. An EMC shall include automatic dimming features for low light conditions. The maximum allowable brightness of an electronic message board shall not exceed 4,000 Nits during the hours between sunrise and sunset and 750 Nits at least one-half hour before apparent sunset and before sunrise. We may want to change this to

- 4. An EMC shall not contain video, continuous scrolling messages or animation.
- 5. An EMC shall remain static for a minimum of eight (8) seconds.
- 6. Messages or images displayed shall be static, appearing using a fade transition.
- 7. An EMC displaying *only* a static message of local time, date, temperature, or fuel prices shall be allowed in any districts outside of residentially-zoned areas and shall not exceed six square feet. Needed?

(5) *Setback Exception.*

When the existing buildings along a road frontage are set back less than the minimum front yard requirements, new sign setback may be less than the minimum, but not less than the average setback of all signs in the same block or 200 feet on either side of the proposed sign, whichever is greater. No sign shall be located within a street right-of-way or obstruct clear vision as defined *by industry standards or as determined by the city engineering or public works department.*

(Note: Additional section here regarding sign lighting to be addressed later to allow all signage to be illuminated unless it distracts driver pursuant to Section 50-234 (7) above).

ADD (6) *All freestanding signage shall not exceed the following maximum square footage:*

Street Frontage or Store Frontage for Multi-tenant Properties (linear feet)	Maximum Area per Sign Face (square feet)	Maximum Height
Pole Signs	150 s.f.	Up to 40 feet in height or for sign locations that are below the elevation of Interstate, the sign can be up to 40 feet above the crown of the nearest part of the adjacent Interstate
Ground-mounted Signs (Monument or post)		
Street or store frontage of 1 – 50 ft.	32 s.f.	<i>10 feet for B-3, O-I, M-1, M-2 6 feet for B-1 and B-2</i>
Street or store frontage of 51- 150 ft.	48 s.f.	<i>10 feet for B-3, O-I, M-1, M-2 6 feet for B-1 and B-2</i>
Street or store frontage of over 150 ft.	75 s.f.	<i>10 feet for B-3, O-I, M-1, M-2 6 feet for B-1 and B-2</i>
Multi-tenant Signs	Same as ground-mounted for each individual tenant sign	Same for pole signs if location is Interstate Advertising Corridor
	For B-3, O-I, M-1, M-2, total sign area of 600 s.f.	20 feet for B-3, O-I, M-1, M-2
	<i>For B-1, total sign area of 75 s.f.</i>	<i>8 feet for B-1</i>

RENUMBER Sec. 50-242 to 50-236 Wall signs.

The following standards shall apply to wall signs within the City of Bristol.

- (1) Allowable sign area shall be determined *by the length of* each street frontage pursuant to the requirements in the wall sign allowances chart in (9) below.
- (2) Aggregate wall sign area shall not exceed fifteen (15) percent of the total area of the wall that the sign is placed on.
- (3) Multi-tenant buildings shall be allowed *sign area* per tenant space in accordance with the wall sign allowances chart in (9) below, measuring the tenant's individual unit frontage as street frontage. (For example, a tenant with a unit frontage of 25 linear feet on an arterial street shall be allowed to construct wall signage totaling 50 square feet, as long as (2) above is met.
- (4) Wall signs shall not project more than one foot from the building wall nor shall they be within one foot of an established curb line. However, wall signs in the B-2 district shall not project more than four feet from the building wall.
- (5) The lower edge of projecting wall signs shall be at a height at least eight feet above the sidewalk.
- (6) Wall signs shall not project above the roofline of the building on which they are attached.
- (7) Canopy and suspended signs shall be considered wall signs when calculating wall sign area.
- (8) When calculating allowed wall signage for establishments with multiple buildings the allowed sign area per street frontage shall be considered aggregate for all buildings.

ADD (9) All wall signage shall not exceed the following maximum square footage based on the location and length of the building frontage. The maximum square footage may be divided between multiple signs and different sides of the building as long as the total sign area does not exceed fifteen (15) percent of the total wall space where the signage is located.

Street Frontage (linear feet) or width of store unit frontage on multiple-tenant properties	Maximum Size of Wall Signage Per Street Frontage or Unit Frontage (square feet)
Frontage on arterial road or in Interstate Advertising Corridor	
1 – 50 ft.	50 s.f.
51- 150 ft.	100 s.f.
151 – 300 ft.	175 s.f.
Over 300 ft.	250 s.f.
Frontage on less than an arterial road	
1 - 50 ft.	35 s.f.
51 – 150 ft.	50 s.f.
151 – 300 ft.	75 s.f.
Over 300 ft.	100 s.f.

- **Sec. 50-239 becomes 50-237. - Residential signs**

Residential signage shall be limited to one freestanding ground mounted sign not exceeding 15 square feet of advertising area per face, five feet in height, and shall be setback at least five feet from any property line. *(Definition: A subdivision or development sign. Does not include individual home signs or addresses which would be exempt under 50-233).*

- **ADD New Section 50-240 – Temporary Signs**

Temporary Signs may be erected without a permit in all zoning districts, however all applicable requirements in this Division shall apply:

Type and /or Purpose of Sign	Size Limit	Max. No. per establishment	Location	Maximum period of time
Wall banner	No more than 15% of total wall or fence space	1 per street frontage	Secured flat against a wall or fence.	180 days per 12 month period
Free-standing banners or posters on metal stakes	32 s.f.,	1 per street frontage	At least 5 feet from street right of way	60 days per 12 month period
Yard sign on wire or plastic frame (for special events or sales)	3 s.f.	1	Off city right-of-way.	10 days maximum. Must be removed within 3 days after any event or activity.
Vertical banner sign (or blade sign)	12 ft. maximum height	1 per 50' of street frontage not to exceed 6 total at any time	Only B-3 District. 5 feet from street right-of-way and property line	180 days per 12 month period
Construction Signs	32 s.f.	1	At least 5 feet from street right-of-way and property line	Shall be removed within 30 days following completion of construction
Notice of Property Sale or Lease signs	32 s.f. for commercial 6 s.f. for residential	1	On property that is for sale or lease. 5 feet from street right of way or property line	As long as property is on market for sale or lease
A-Frame Signs	12 s.f.	1	Only Business districts. Cannot impede pedestrian and wheelchair access.	During business hours only.
Non-commercial message sign	32 s.f. for commercial 6 s.f. for residential	No limit	Off city right of way	180 days per 12 month period