



**TOWN OF ABINGDON, VIRGINIA
PLANNING COMMISSION MEETING
MONDAY, OCTOBER 23, 2023 – 5:30 P.M.
REGULAR MEETING – COUNCIL CHAMBERS
MUNICIPAL BUILDING, 133 W. MAIN STREET
CONTACT: GABRIEL CRISTOFARI
email: gcristofari@abingdon-va.gov
Phone: 276-628-3167**

Welcome to the Town of Abingdon, Virginia Planning Commission Regular Meeting. We appreciate your interest and we encourage public participation in our meeting. Your comments are important to our decision making process. Please note that there will be opportunities during the meeting for you to address the Commission members. The first opportunity will come if there is a public hearing on the agenda when the Chairman declares the hearing open for comment. The second opportunity to address the Commission will come near the end of the agenda when the Chairman will inquire if anyone wishes to address the members of the Commission. Anyone addressing the Commission will approach the podium; give your first and last name and your complete physical address. Comments must be limited to three minutes.

- A. WELCOME – Kenny Shuman**
- B. ROLL CALL – MAYANA RICE, ASSISTANT TOWN MANAGER**
- C. APPROVAL OF MINUTES: REGULAR MEETING, SEPTEMBER 26, 2023**
 - **September 26, 2023, Regular Meeting**
- D. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**
- E. CERTIFICATE OF APPROPRIATENESS/SPECIAL USE PERMIT**
 - 1. *Special Use Permit – Matthew Bundy, 227 Stone Mill Road, Abingdon, VA 24210. Applicant. Special Use Permit for Accessory Dwelling Unit. Located at 227 Stone Mill Road, Abingdon, VA 24210. (Tax Map 018-7-3)***

- A. Staff report – Mayana Rice**
- B. Applicant presentation**

C. Public comment concerning item **PUBLIC HEARINGS (PC must open a public hearing)**

D. PC discussion and decision

2. *Certificate of Appropriateness – Larry R. Jones, 266 West Main Street, Abingdon, VA 24210. Certificate of Appropriateness for Exterior Changes. Located at 266 West Main Street, Abingdon, VA 24210. (Tax Map 011-8-4)*

A. Staff report – Gabriel Cristofari

B. Applicant presentation

C. Public comment concerning item

D. PC discussion and decision

3. *Special Use Permit – Virginia Highlands Community College, 100 VHCC Drive, Abingdon, VA 24210. Special Use Permit for Signage. Located near the intersection of Jonesboro Road and VHCC Drive, specifically in the Town of Abingdon right-of-way at the entrance to Virginia Highlands Community College on VHCC Drive Abingdon, VA.*

A. Staff report – Mayana Rice

B. Applicant presentation

C. Public comment concerning item **PUBLIC HEARINGS (PC must open a public hearing)**

D. PC discussion and decision

4. *Zoning Text Amendment – Window Signage*

A. Staff report – Mayana Rice

B. Applicant presentation

C. Public comment concerning item **PUBLIC HEARINGS (PC must open a public hearing)**

D. PC discussion and decision

F. OLD BUSINESS/MATTERS NOT ON THE AGENDA

G. ANNOUNCEMENTS

H. ADJOURNMENT

**TOWN OF ABINGDON
PLANNING COMMISSION
TUESDAY, SEPTEMBER 26, 2023, 5:30 PM
COUNCIL CHAMBERS, MUNICIPAL BUILDING**

A meeting of the Abingdon Planning Commission was held on Tuesday, September 26, 2023,
at 5:30 PM in the Council Chambers of the Municipal Building.

- A. Kenny Shuman – Chairman called the meeting to Order**
- B. Roll Call – Mayana Rice, Assistant Town Manager**

Members Present:

Mr. Wayne Austin	Present
Mr. Michael Weaver	Present
Mr. Scott Wilson	Present
Mr. Jeff Johnson	Present
Mr. Kenny Shuman	Present
Mr. Chad Pennington	Present

Members Absent:

Mr. Kirk Sproles	Absent
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Comprising a quorum of the Commission – Yes

Administrative Staff Present:

Mrs. Mayana Rice – Assistant Town Manager
Mr. Gabe Cristofari – Senior Planner/GIS
Mr. Caleb Conklin – Planner I

Guests: None

- C. APPROVAL OF MINUTES: REGULAR MEETING, AUGUST 28, 2023. (VIDEO 5:27 – 6:09)**

- August 28, 2023, Regular Meeting

On a motion by Mr. Johnson, seconded by Mr. Wilson, the Planning Commission approved the Regular Meeting Minutes for August 28, 2023.

The roll call vote was as follows:

Mr. Wayne Austin	Abstain
Mr. Michael Weaver	Abstain
Mr. Scott Wilson	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

D. PUBLIC COMMENTS: None

E. CERTIFICATE OF APPROPRIATENESS

1. *Certificate of Appropriateness – Taylor Lindsey, 260 W. Main Street, Abingdon, VA 24210. Certificate of Appropriateness for Signage. Located at 260 W. Main Street, Abingdon, VA 24210. (Tax Map 011-1-86A) (VIDEO 6:24 – 8:38 & 9:46 – 10:38)*

Mr. Cristofari provided the staff report.

Taylor Lindsey (Owner/Applicant) and Jerry’s Signs Inc. (Representative) has requested approval of an Entrance Corridor Certificate of Appropriateness for a projecting sign. The property is located at 260 W. Main Street, Abingdon, VA (Parcel 011-1-86A). The property is within the Central Business District (B-3) and is within the Entrance Corridor therefore requiring the approval of the Planning Commission prior to completion.

The building is currently occupied by Bonefire Smokehouse BBQ on the first floor with the second floor to be occupied by Gopher Hole.

The proposed sign will measure 24 in. x 24 in. = 4 sq. ft. and will be fabricated with a double-sided High-Density Urethane (HDU). The color scheme of the proposed signage consists of a white background and green lettering and design. The projecting sign will be bolted to a black painted plate using two steel poles.

According to the Community Design Standards in the Town of Abingdon Zoning Ordinance, the minimum height of a projecting sign shall be 8 ft. The sign shall not extend more than 6 ft. past the face of the building and must be 2 ft. within the curb line.

The sign will be placed above the entrance door on the left side of the North elevation of the building. The proposed projecting sign will have a total area of 4 sq. ft. meeting the requirements of a 12 sq. ft. maximum projecting sign.

On a motion by Mr. Pennington, seconded by Mr. Johnson, the Planning Commission voted to approve the COA as presented.

The roll call vote was as follows:

Mr. Wayne Austin	Aye
Mr. Michael Weaver	Aye
Mr. Scott Wilson	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

2. *Certificate of Appropriateness – Taylor Lindsey, 260 W. Main Street, Abingdon, VA 24210. Certificate of Appropriateness for Exterior Changes. Located at 260 W. Main Street, Abingdon, VA 24210. (Tax Map 011-1-86A) (VIDEO 8:39 – 9:45 & 10:39 – 11:40)*

Mr. Cristofari provided the staff report.

Taylor Lindsey (Owner/Applicant) has requested approval of an Entrance Corridor Certificate of Appropriateness to paint the wood frame rear addition a green or black/gray color. The property is located at 260 W. Main Street, Abingdon, VA (Parcel 011-1-86A). The property is within the Central Business District (B-3) and is within the Entrance Corridor therefore requiring the approval of the Planning Commission prior to completion.

The building is currently occupied by Bonfire Smokehouse BBQ on the first floor with the second floor to be occupied by Gopher Hole.

The applicant proposes to paint the unfinished wood frame rear addition a green or black/gray color. These colors were chosen to match the color scheme found on the North (primary) elevation of the structure.

Mr. Johnson (PC) asked on clarification that the colors were already approved before and that it would be up to the applicant to tell the staff of their color decision. Mr. Cristofari (Staff) answered that the colors were approved for the front and not the back and it was a formality for the unfinished rear to be approved for the color as well.

On a motion by Mr. Austin, seconded by Mr. Weaver, the Planning Commission voted to approve the COA as presented.

The roll call vote was as follows:

Mr. Wayne Austin	Aye
Mr. Michael Weaver	Aye
Mr. Scott Wilson	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

3. ***Certificate of Appropriateness – New Peoples Bank, 350 W. Main Street, Abingdon, VA 24210. Certificate of Appropriateness for Exterior Changes and Signage. Located at 350 W. Main Street, Abingdon, VA 24210. (Tax Map 019-1-17) (VIDEO 11:41 – 13:41)***

Mr. Cristofari provided the staff report.

New Peoples Bank (Owner/Applicant) and Jerry’s Signs Inc. (Representative) has requested approval of an Entrance Corridor Certificate of Appropriateness to paint the various light poles located throughout the property black and paint the freestanding sign structure black. The property is located at 350 W. Main Street, Abingdon, VA (Parcel 019-1-17). The property is within the Central Business District (B-3) and is within the Entrance Corridor therefore requiring the approval of the Planning Commission prior to completion.

There is an existing freestanding sign on W. Main Street located on the west side of the building.

The freestanding sign structure will be painted black. The applicant proposes to paint all light poles located in the parking lot black. There are two different types of light poles found throughout the site.

On a motion by Mr. Weaver, seconded by Mr. Johnson, the Planning Commission voted to approve the COA as presented.

The roll call vote was as follows:

Mr. Wayne Austin	Aye
Mr. Michael Weaver	Aye
Mr. Scott Wilson	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

4. ***Certificate of Appropriateness – Hardee’s, 602 Cummings Street, Abingdon, VA 24210. Certificate of Appropriateness for Exterior Changes. Located at 602 Cummings Street, Abingdon, VA 24210. (Tax Map 105A-2-4) (VIDEO 13:42 – 16:53)***

Mr. Cristofari provided the staff report.

Shane Ailey (Applicant/Owner) has requested approval of an Entrance Corridor Certificate of Appropriateness for changing the exterior paint scheme. Located at 602 Cummings Street, Abingdon (Parcel 105A-2-4). The property is within the General Business District (B-2) and is within the Entrance Corridor therefore requiring the approval of the Planning Commission prior to completion.

The location operates as a Hardee's.

Staff contacted the applicant upon seeing the structure was painted without gaining approval from the Planning Commission. The applicant has painted the main entry red (SW 6866 Heartthrob), new signage tower(s), and drive-thru window. The color dark grey (SW7674 Peppercorn) was applied to wainscoting/base of the building, and garbage screening. The color black (SW6990 Caviar) was applied to all ladders and handrails while also being used as a backdrop for messaging and for architectural detailing to unify overall aesthetics.

Proposed actions that are waived:

1. The applicant proposed that the parking lot be sealed and striped.
2. The applicant proposed replacing dead bushes and placing new rocks in the flower beds.
3. The applicant proposed to replace the tower over/in the drive thru with one identical to the existing tower.

On a motion by Mr. Wilson, seconded by Mr. Pennington, the Planning Commission voted to approve the COA as presented.

The roll call vote was as follows:

Mr. Wayne Austin	Aye
Mr. Michael Weaver	Aye
Mr. Scott Wilson	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

5. *Certificate of Appropriateness – Marathon Realty Corporation, Cook Street & Robertson Road, Abingdon, VA 24210. Certificate of Appropriateness for New Construction. Located at Cook Street & Robertson Road, Abingdon, VA 24210. (Tax Map 021-8-3) (VIDEO 16:54 – 25:20)*

Mr. Cristofari provided the staff report.

Marathon Realty Corp. (Owner/Applicant) and Rado Nedkov of CEI Engineering Associates Inc. (Representative) has requested approval of a Certificate of Appropriateness for a new commercial structure (Firestone), located on parcel 021-8-3 in the Town of Abingdon, VA. The property is within the General Business Zoning District (B-2) and is within the Meadows Planned Unit Development. As such there is a requirement for the approval of an Entrance Corridor Certificate of Appropriateness as well as additional standards identified in the Meadows Planned Unit Development Covenant. Approval of

the Entrance Corridor Certificate of Appropriateness is granted by the Planning Commission.

The site is part of The Meadows Planned Unit Development. The design, uses, entrance locations and the final plat dictate many of the requirements on the parcels located within The Meadows. This project is subject to those requirements as well as the Entrance Corridor requirements identified in the Town of Abingdon Zoning Ordinance.

The applicant submitted a sign plan requesting for six signs, five wall signs and one monument, to be placed on the property. All signs meet the requirements of both the Meadows and the Town of Abingdon design criteria.

1. A wall sign will be placed on the left side of the West elevation (primary). The sign will be a Non-Illuminated Pin Mount Letters. The sign will be 11 ft. 5 5/16 in. in length and 18 in. in height with a total square footage of 17.2 sq. ft. This sign meets the design requirements of the Meadows Planned Unit Development.
2. A wall sign will be placed on the right side of the West elevation (primary). The sign will be made of FCAC Illuminated Raceway Letters with the color white. The sign will be 19 ft. in length and 3 ft. 10 in. in height with a total square footage of 73 sq. ft. This sign meets the design requirements of the Meadows Planned Unit Development.
3. A wall sign will be placed on the left side of the North elevation (secondary). The sign will be a FCAC Non-Illuminated Pin Mount Letters. The sign will be 14 ft. 1 1/8 in. in length and 2 ft. 10 1/8 in. in height with a total square footage of 40 sq. ft. This sign meets the design requirements of the Meadows Planned Unit Development.
4. A wall sign will be placed on the left side of the East elevation (secondary). The sign will be a Non-Illuminated Pin Mount Letters. The sign will be 14 ft. 1 1/8 in. in length and 2 ft. 10 1/8 in. in height with a total square footage of 40 sq. ft.
5. A wall sign will be placed on the right side of the South elevation (secondary). The sign will be FCAC Illuminated Raceway Letters with the color white. The sign will be 14 ft. 1 1/8 in. in length and 2 ft. 10 1/8 in. in height with a total square footage of 40 sq. ft.
6. The sixth sign will be a monument sign placed on the southwest corner of the property. The sign will be 19 ft. 4 in. from the property line off Cook Street and 18 ft. from the property line off the connecting street leading to other businesses. The sign will be a F-Shield Monument with a height of 8 ft. The sign dimensions are 6 ft. 3 in. in length and 4 ft. 8 in. in height with a total square footage of 29.2 sq. ft. This sign meets the design requirements of the Meadows Planned Unit Development.

The applicant has provided elevation drawings. The elevation drawings meet the minimum design requirements stated in the Meadows Restrictive Covenant that a minimum of 50% of the 1st floor be comprised of specific materials.

- The West (primary) elevation has a total square footage (less glass) of 1,971 sq. ft. The total square footage of the brick and masonry combine for 1,546 sq. ft., roughly 79% of the cladding for the West (primary) elevation.
- The East (secondary) elevation has a total square footage (less glass) of 2,693 sq. ft. The total square footage of the brick and masonry combine for 2,258 sq. ft., roughly 84% of the cladding for the East (secondary) elevation.
- The North (secondary) elevation has a total square footage (less glass) of 1,167 sq. ft. The total square footage of the brick and masonry combine for 968 sq. ft., roughly 83% of the cladding for the North (secondary) elevation.
- The South (secondary) elevation has a total square footage (less glass) of 1,074 sq. ft. The total square footage of the brick and masonry combine for 964 sq. ft., roughly 90% of the cladding for the South (secondary) elevation.

There will be two types of brick material used for the structure.

The first brick material will be Meridian Thin Brick “Amaro” and the other as Meridian Thin Brick “Meadowbrook”. The mortar used will be a natural grey. The “Meadowbrook” brick will be 3 ft. 10 in. in height following along the East and West elevations and 4 ft. in height from the North and South elevations from the bottom of the structure.

The “Amaro” brick will be 8 ft. in height from the top of the “Meadowbrook” brick and follow along all elevations. The “Meadowbrook” brick will be placed above the “Amaro” brick with a height of 8 in. and follow along all elevations. The “Amaro” brick will fill in the rest of the structure’s brick finish above the “Meadowbrook” brick.

The remaining structure’s elevations square footage shall consist of EIFS Cornice with the color “Reflection” SW7661 that will follow along the top of the structure’s elevations with a height of 2 ft. There will be two EIFS with the color “Reflection” SW7661 placed on the West elevation and East elevation. One EIFS will be on the North elevation.

The West Elevation (primary) will consist of eight insulated standard sectional overhead doors with clear safety glazing and pre-finished gray solid panels. Seven of these doors will have a height of 12 ft. with the other being 10 ft. Two painted bollards will be placed on the outside edges of each door. On the east side of the West Elevation there will be a clear anodized aluminum store front with 1 in. insulated clear safety glazing. There will be a door and frame painted to match the Meridian Thin Brick “Amaro”. Five light fixtures with a black mount will be placed between the overhead doors at a height of 10 ft. Two light fixtures will be placed 1 ft. 4 in. on either side of the store front. A canvas awning will be placed above the store front at a height of 12 ft. A key drop box, prefinished red,

will be placed right of the door and frame and a fire knock box will be placed at a height of 6 ft. to the right of the store front. A non-illuminated sign will be placed on the left side of the elevation and an illuminated sign placed on the right side of the elevation.

The East Elevation (secondary) will consist of six PPG "Pacifica" Glass (Graylite Color) with acid etching on the inside. Six awnings will be placed above each glass window. Two yellow bollards will be on each side of the gas meter. Five light fixtures with a black mount will be placed between the glass windows. There will be Four collector heads and downspouts painted to match the brick color. Four Scuppers and four Overflow Scuppers will be on the East elevation. A non-illuminated sign will be on the left side of the elevation.

The North elevation (secondary) will consist of one door and one electric meter. Both will be painted to match the brick color. A non-illuminated sign will be on the right side of the elevation.

The South elevation (secondary) will consist of three clear anodized aluminum store front with 1 in. insulated clear safety glazing. Three awnings will be placed above each aluminum store front. A sign will be in the center of the elevation.

The applicant submitted a photometric plan and there is no evidence of light intrusion on any of the surrounding properties. The Photometric Plan meets all requirements in the Meadows Planned Unit Development.

The applicant proposes to have thirteen exterior wall mounted lights, six single exterior lighted poles, and one double exterior lighted pole with the lights positioned at a 90-degree angle.

- Seven wall mounted lights will be placed on the West Elevation, three on the East Elevation, and three on the South Elevation of the structure.
- Two single lighted poles will be placed on the left side of the parking lot of the West Elevation of the structure.
- One single lighted pole will be placed on the right side of the parking lot of the South Elevation and one single lighted pole placed on the left side of the parking lot of the South Elevation.
- Two single lighted poles will be placed in the center area of the parking lot of the West Elevation.
- One double lighted pole will be positioned on the corner near the entrance of the right side of the West elevation.
- The dimensions of the proposed steel lighted poles will be 20 ft. x 4 in. sq x 11 ga. The height will be 20 ft. with a 17-foot pole and 3-foot base, which suffices the 20-foot maximum height limit.

The landscaping plans can be found on sheet L1.0. The proposed street frontage landscaping provides a minimum of 15 trees, meeting the required minimum of one tree planted per 40 linear feet of frontage. Within the landscaped areas are different types of flora consisting of October Glory Red Maple, Panache Shumard Oak, Allee Lacebark Elm, and Moor-Dense Juniper.

The landscape site plan on sheet L1.0 provided the proposed parking lot landscape. The landscaping shown in the plan consisted of various flora such as Allee Lacebark Elm, Green Vase Japanese Zelkova, Moor-Dense Juniper, Grey Owl Eastern Redcedar, Pink Cloud Pink Muhly Grass, Russian Sage, Gro-low Fragrant Sumac, and Bermudagrass.

On the North elevation of the structure a dumpster is located that is enclosed on three sides by a brick wall. The brick wall is surrounded by Grey Owl Eastern Redcedar on two sides. The loading dock shows that is not screened by landscaping.

The landscaping site plan on sheet L1.0 provides 7,369 sq. ft. of landscaped area in the parking lot. Landscape parking islands are provided and contain the same type of flora found along the property. All HVAC and other equipment on the ground or on the rooftop must be screened.

The applicant submitted a site plan showing the proposed parking lot. The design standards for parking spaces were met. The loading zone design was met with the condition that it must be screened in compliance with the Entrance Corridor Overlay requirements.

If the Planning Commission decides to approve the Certificate of Appropriateness request, staff suggests the following conditions of approval be attached to secure substantial protection for public health, safety, and general welfare:

1. Submittal of a Sign Permit application to the Community Development Department for any signage including directional proposed on the property.
2. Unspecified screening for the loading/unloading dock in the Landscape Plan. The Applicant must submit to staff the required screening. Screening shall be a six-foot-high buffer with a minimum width of 20 ft. A combination of solid masonry wall or opaque fence consisting of six deciduous trees per 100 linear feet of buffer may be used. Another option is the use of landscaping.
3. All mechanical equipment must be screened from the public view.

Todd Hamula (Applicant) stated his excitement to be working with the Town of Abingdon and to start the project. He mentioned that there is a large berm on the North side of the property that is 9 ft. tall and will provide a buffer with also the inclusion of the landscaping required. Mr. Weaver (PC) asked if the nature of the business was more auto repair related or tire related. Mr. Hamula answered that 60% of the business is new tires and 40% would

be auto repair services. Mr. Weaver asked where the used tires will be placed on the property. Mr. Hamula answered that there will be a screened enclosure behind the dumpster enclosure to place used tires. There will be a roof on the enclosure, limiting the height to stack the tires. The stack will be picked up and recycled around once a week.

Mr. Austin asked the applicant about overnight parking of cars on the property. Mr. Hamula answered that there will be a night drop off established. Cars will not be on the property for more than 48 hours at a time.

On a motion by Mr. Johnson, seconded by Mr. Austin, the Planning Commission voted to approve the COA as presented.

The roll call vote was as follows:

Mr. Wayne Austin	Aye
Mr. Michael Weaver	Aye
Mr. Scott Wilson	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

F. OLD BUSINESS/MATTERS NOT ON THE AGENDA (VIDEO 25:21 – 37:25)

Mr. Shuman asked Mrs. Rice to discuss the position that the Town Council took regarding the Planning Commission approval of the signage of 370 E. Main Street. Mrs. Rice stated that for the Town Council to approve the comprehensive sign plan the applicants must have a uniform project. The applicants held off on signing easements to see if the comprehensive sign plan would be approved. The first meeting with the Town Council was tabled due to the prior conditions on the project. The Town Council asked the applicants to bring in a signed agreement between the parcel owners in the form of easements. The applicants were able to accomplish most of the conditions but were unable to bring in the signed agreements at the second meeting with the Town Council. The Town Council informed the applicants that they will not place the plan on the agenda until the signed easements were established.

Mr. Austin stated that the Town Council tabled the plan due to the plan not being uniform. A large concern was opening the street from a VDOT standard road to a gravel parking lot that the Town did not own. The parcel owners can create easements however they like in there and the traffic it can create in the area. Mr. Shuman stated that the concern for traffic was brought up in the Planning Commission discussion before approval.

Mr. Johnson mentioned the need for guidance for safety concerns, whether it be from regulations or Town Council. Mr. Johnson asked if the Planning Commission needs to investigate more safety considerations or if it should be dealt with by the Town Council. Mr. Austin answered that the Town Council respects and takes in considerations and decisions made by the Planning Commission. Both the Planning Commission and the Town Council should make considerations on traffic and safety concerns. Mr. Shuman mentioned

that he thinks the Planning Commission should consider all aspects of safety and to at least document the concerns that arise.

F. OLD BUSINESS/MATTERS NOT ON THE AGENDA

- COA Waiver – 335 E. Main Street, Deck Replacement
- COA Waiver – 350 W. Main Street, Landscaping

G. ANNOUNCEMENTS

H. ADJOURNMENT

On a motion by Mr. Wilson, seconded by Mr. Weaver, recommending that the meeting be adjourned with no further business to address.

The roll call vote was as follows:

Mr. Wayne Austin	Aye
Mr. Michael Weaver	Aye
Mr. Scott Wilson	Aye
Mr. Jeff Johnson	Aye
Mr. Kenny Shuman	Aye
Mr. Chad Pennington	Aye

Adjourn Time 6:03 P.M.

Kenny Shuman, Chairman

Mayana Rice, Director of Community
Development



STAFF REPORT

TO: ABINGDON PLANNING COMMISSION

FROM: GABRIEL CRISTOFARI, SENIOR PLANNER/GIS

SUBJECT: REQUEST FOR A SPECIAL USE PERMIT FOR AN ACCESSORY DWELLING UNIT

PUBLICATION DATE: OCTOBER 16, 2023

MEETING DATE: OCTOBER 23, 2023

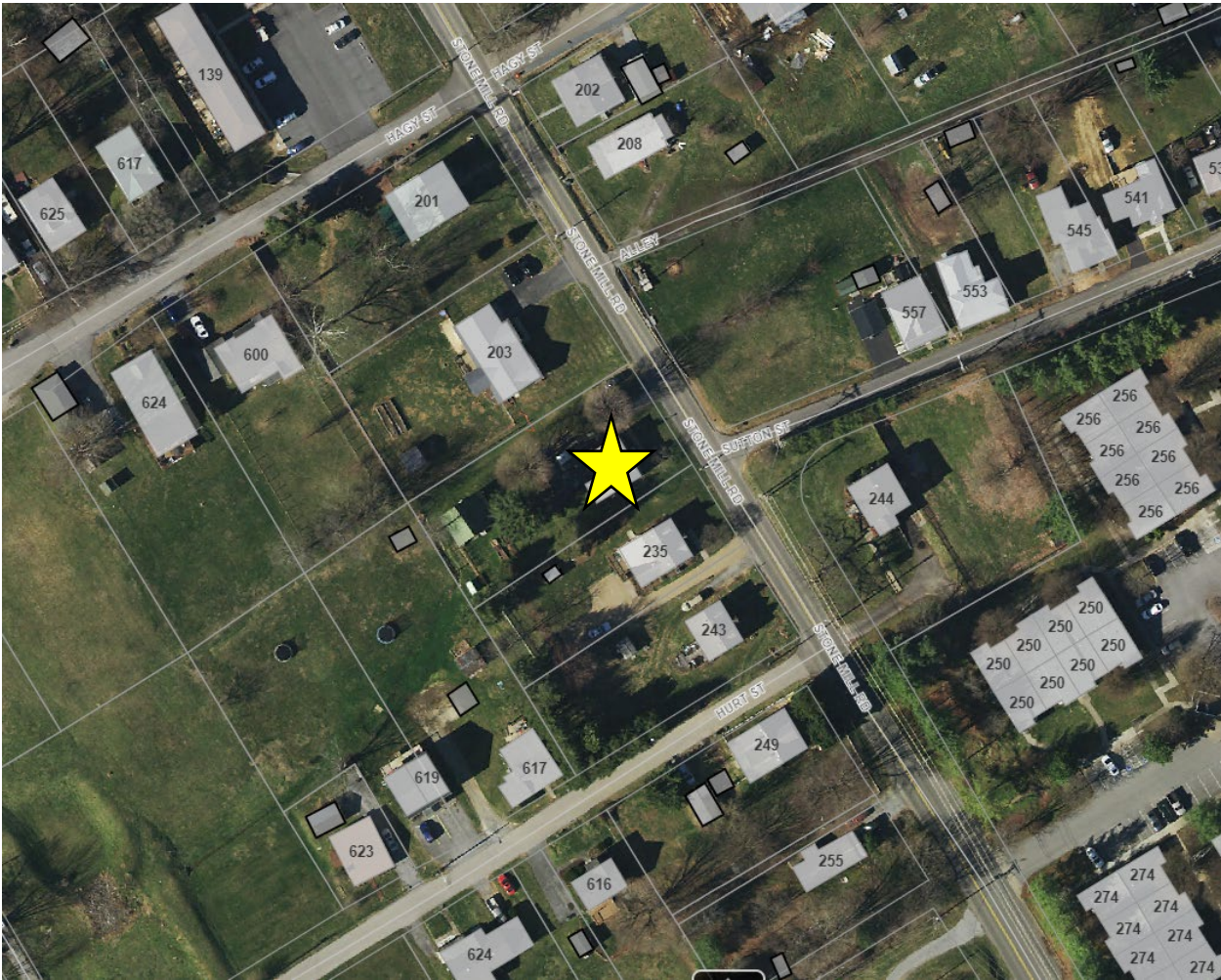
LOCATION: COUNCIL CHAMBERS, TOWN HALL
133 WEST MAIN STREET, ABINGDON, VA

REQUEST:

Walter and Mary Herman (Owner/Applicant) and Matthew Bundy (Representative) has requested approval of a Special Use Permit to exceed the maximum area limit for an Accessory Dwelling Unit.

The property is located at 227 Stone Mill Road, Abingdon, VA (Parcel 018-7-3). The property is within the Residential District (R-3) and is requiring a Special Use Permit therefore requiring the approval of the Planning Commission prior to completion.

VICINITY MAP:



STREET VIEW:



Street view of Stone Mill Road looking South



Street view of Stone Mill Road looking North

ZONING MAP:



STAFF FINDINGS:

1. **Location.** The Subject Property contains approximately 0.28 acres and is legally described as LOT 3 STONE MILL RD ACR .28 (Tax Map No. 018-7-3). Generally, the Subject Property is located at 227 Stone Mill Road.
2. **Background.** The main structure on the property is currently utilized as a single-family dwelling. The secondary structure in the back of the property under review has been used as a shed for storage and lawn care supplies.
3. **Access.** Access to the site will continue to be Stone Mill Road.
4. **Adjacent Land Uses/Zoning.** Adjoining properties on all sides of the property are zoned in the Residential District (R-3).
5. **Applicable Requirements of the Zoning Ordinance.**

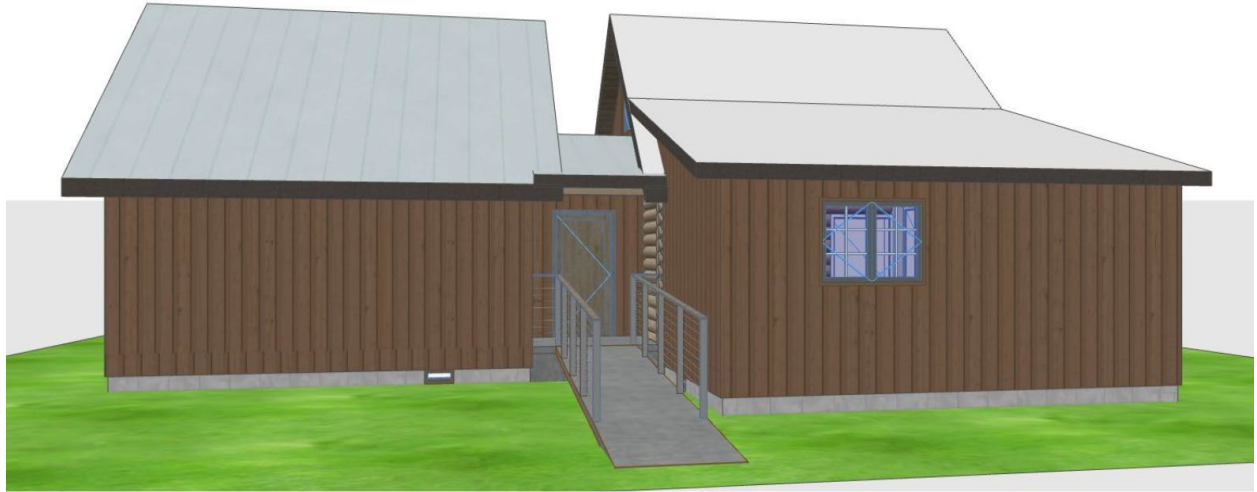
Article VII. Use Performance Standards

Section 7-2-2. Accessory dwelling unit (ADU).

- (a) *An accessory dwelling unit is allowed only as accessory to a single-family detached dwelling.*
- (b) *Only one accessory dwelling is permitted per parcel unless approved by a special use permit.*
- (c) *Such structures shall comply with all dimensional standards that apply to the primary structure.*
- (d) *An accessory dwelling unit shall not be subdivided or otherwise segregated in ownership from the main single-family dwelling unit.*
- (e) *A manufactured home or recreational vehicle, travel trailer, camper, or similar structure shall not be used as an accessory dwelling unit.*
- (f) *<https://ecode360.com/41427756>The floor area of an accessory dwelling unit shall be no more than 800 square feet in finished floor area. Additional square footage may be approved through a special use permit.*

Staff Findings:

As stated in Section 7-2-2. accessory dwelling units in the Town of Abingdon Zoning Ordinance, the floor area of an accessory dwelling unit shall be no more than 800 sq. ft. in finished floor area. Additional square footage may be approved through a Special Use Permit.



3D VIEW FRONT



3D VIEW REAR

The applicant is proposing to exceed the maximum requirement for an accessory dwelling unit of 800 sq. ft. The proposed structure will be 185 sq. ft. more than the maximum requirement with the total area of the unit being 985 sq. ft. The reason for the additional space is to provide ADA accessibility to the future retirement location.

Existing Structure:



REQUIRED ACTIONS OF THE PLANNING COMMISSION:

- A. **Sample Motions.** The role of the Planning Commission in this instance is to decide on the Certificate of Appropriateness request. The following sample motions have been provided by Staff for consideration by the Planning Commission:
- **Sample Motion for Approval:** Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 44-3-4 of the Town of Abingdon Zoning Ordinance, I move to approve the Certificate of Appropriateness
 - **Sample Motion for Denial:** Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 44-3-4 of the Town of Abingdon Zoning Ordinance, I move to deny the Certificate of Appropriateness.
 - **Sample Motion for Continuance:** Having reviewed and considered the application materials, staff report, and public comment, I move to continue the Certificate of Appropriateness for the purpose of (explain reason for continuance, and if applicable, specify any additional information that is being requested) until (state the date when the item will be heard again).



TOWN OF ABINGDON

COMMUNITY DEVELOPMENT

Office Use Only
Fees: \$ _____

Building • Planning • Code Enforcement


APPLICATION FOR SPECIAL USE PERMIT

Location of Property	Street Address 227 Stone Mill Rd SW	
	City, State, Zip Code Abingdon, VA 24210	Parcel Number 018-7-3
Applicant Information	Name Matthew Bundy	
	Mailing Address, City, State, Zip Code 190 E Main St Abi	
	Select Applicant Relation to Property below: Representative <input type="checkbox"/> Property Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Other:	Email mbundy@bundyae.com
Owner Information	Name of Owner Walter & Mary Herman	
	Mailing Address, City, State, Zip Code 227 Stone Mill Rd SW, Abingdon, VA, 24210, USA	
	Name of Business	Email marytherman@hotmail.com
Project Description	A Special Use Permit is required under:	
	1) Section Number:	7-2-2 Accessory Dwelling Unit
	Zoning Ordinance in Zone:	R-3
	For the Use Of:	Accessory Dwelling Unit
Project Description	2) Describe the proposed improvements and give details of operation(s). Describe operations thoroughly, as required by section 17-3-2 of the Zoning Ordinance and attach separate sheets if necessary: Requesting permission to exceed the the 800 square footage maximum requirement for Accessory Dwelling Units by 185 Square feet. Out addition would total 985 square feet. The reason for the additional space is to provide handicap accessibility to our future retirement location.	
	3) Is this a new development: <input type="checkbox"/> Yes <input type="checkbox"/> No No	
	If Yes, a site plan must be attached showing boundaries and dimensions of property, width of internal and external streets, location and size of building(s) on the site, roadways, walks, off street parking, landscaping, and signs. (Ref. Article 18 of the Town of Abingdon Zoning Ordinance. If yes, have you attached the site plan? <input type="checkbox"/> Yes <input type="checkbox"/> N/A	
Applicant Signature	I understand that the deadline for applications for special use permits are due on the first Monday of the month in order for the application to be placed on that month's agenda. The staff needs to have sufficient time to review site plans and post public notices per VA code section 15.2-2204. Applications received after the deadline will be heard at the following month's meeting. If applications is not complete, it will not be included on the next meeting's agenda.	
	I understand code 15.2-2206, Code of Virginia, as amended. I hereby certify that I am the owner of the record herein described property, or that the proposed work has been authorized by the owner of record and that I have been authorized to make this application as a designated agent. I agree to conform to all applicable state and local regulations, rules, and policies and such shall be deemed a condition entering into the exercise of the permit. In addition, if a permit is issued, I certify that the code official or his authorized representative shall have the authority to enter the area(s) described herein for the purpose of enforcing the provisions of the applicable code(s). I certify all answers to questions and additional statements, within this application for permit, are true, as confirmed by my signature below.	



TOWN OF ABINGDON COMMUNITY DEVELOPMENT

Building • Planning • Code Enforcement

	Applicant (Print Name) Matthew Bundy	Signature of Applicant 	Date September 1, 2023
Owner Affidavit	My signature below confirms that I am familiar with the Code of Virginia, Title 54.1-1111 which regulates contractors; I am aware that anyone who performs work for me is required to have a state contractor license and trade certification (if applicable); that I may be subject to with-holding taxes for those working on my project; and that I am not subject to licensure as a contractor or subcontractor for this project.		
	Property Owner (Print Name) Walter Herman	Signature of Property Owner 	Date

ADJACENT PROPERTY OWNERS

- List ALL adjacent property owners, street addresses, and parcels.
- Adjacent property means a parcel of land which shares all or part of a common property line with another parcel of land.
- This includes properties that immediately join yours AND properties across streets, highways, bridges, sidewalks, railroads, etc.



TOWN OF ABINGDON

COMMUNITY DEVELOPMENT

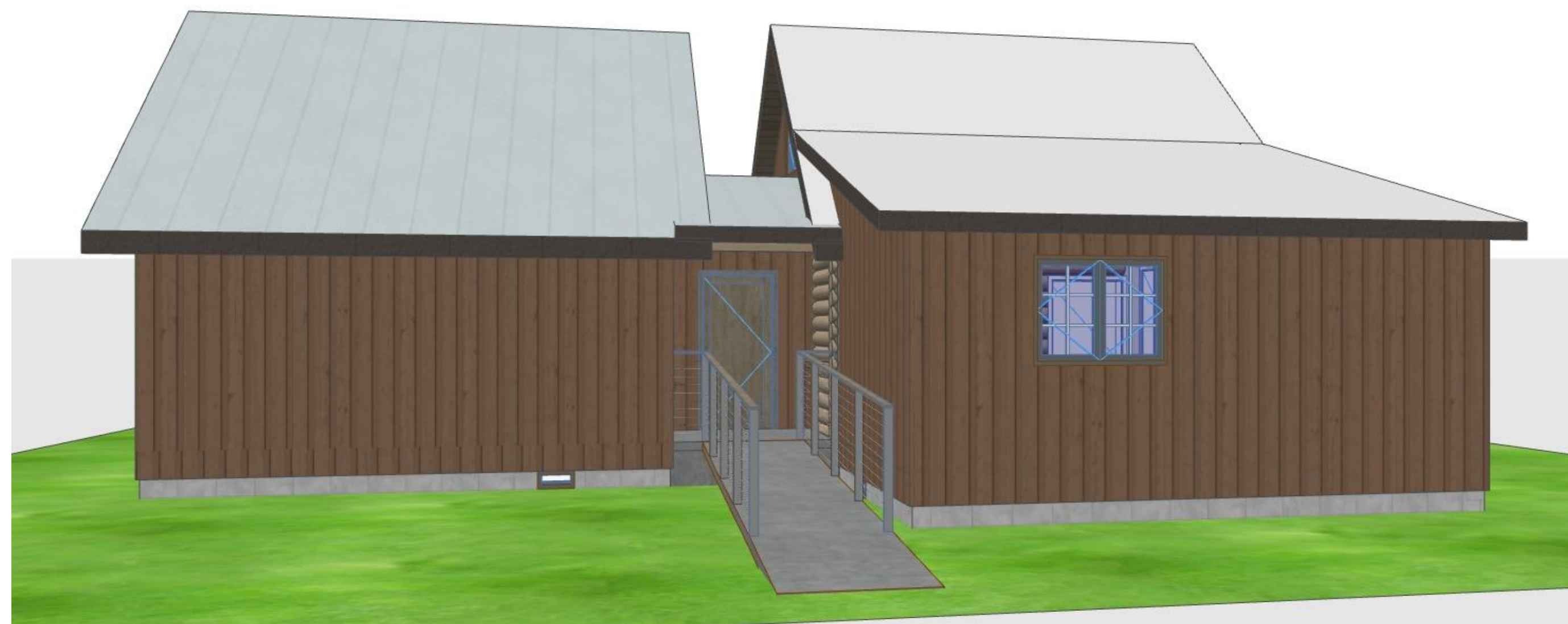
Building • Planning • Code Enforcement

Tony Smith - 243 Stone Mill Rd - parcel# 018-7-1
Amy Hamilton - 235 Stone Mill Rd - parcel# 018-7-2
Bridgette Smith - 201 Stone Mill Rd - parcel# 018-6-14
Amanda Carrico - 203 Stone Mill Rd - parcel# 018-6-15
Seth Sparks - 600 Hagy St - parcel# 018-6-16
Richard Kiser - 624 Hagy St. - parcel# 018-6-17

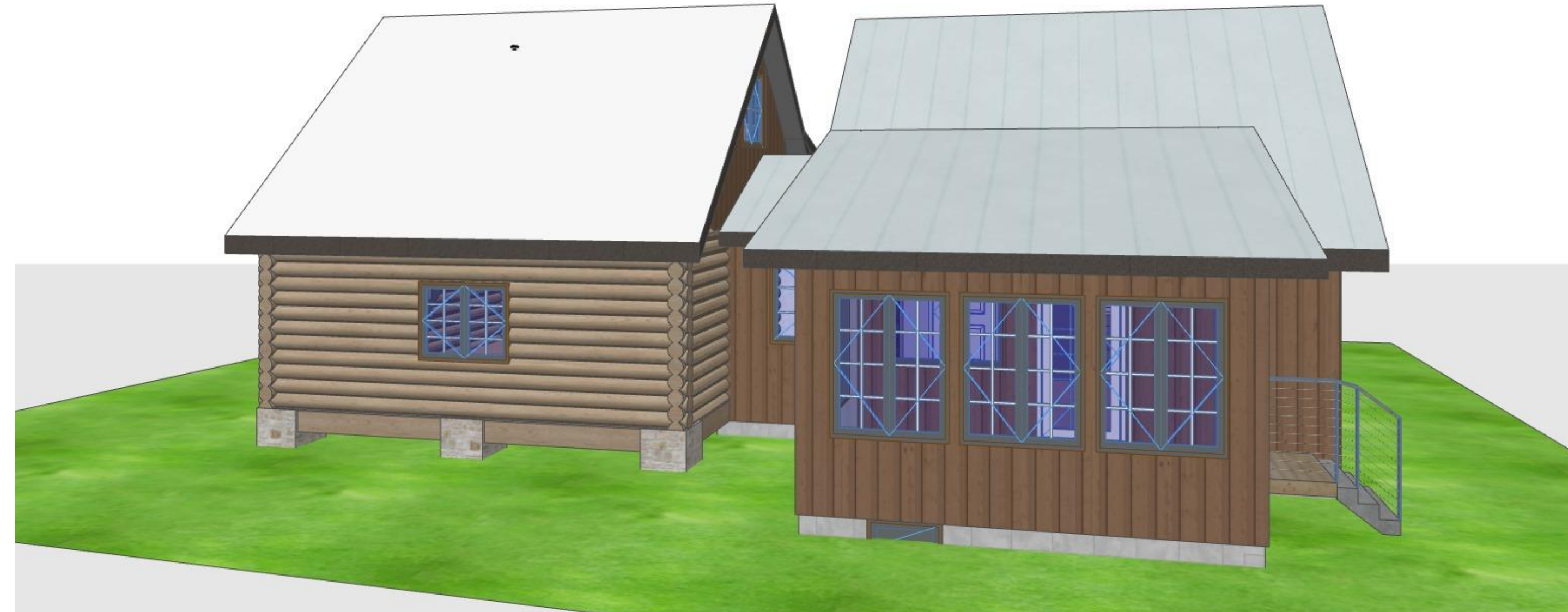
Attachment for Site Plan: , MB

HERMAN RESIDENTIAL ADDITION

227 Stone Mill Rd. Abingdon, VA



3D VIEW FRONT



3D VIEW REAR



LOCATION MAP

1" = 30'

CODE STUDY:

ZONE: R-3

ACCESSORY DWELLING UNIT:

EXIST'G STORAGE USE (MUSIC ROOM) / NEW RESIDENTIAL = 360 S.F.

NEW RESIDENTIAL ADDITION = 205 S.F. + 420 S.F.

TOTAL FINISHED = 985 S.F.

GENERAL NOTES (RESIDENTIAL):

1. ALL CONSTRUCTION SHALL COMPLY WITH THE CURRENTLY ADOPTED BUILDING CODE.
2. FOOTINGS SHALL BEAR ON DRY, UNDISTURBED NATIVE SOIL WITH 1500 PSF BEARING CAPACITY.
3. INSTALLATION OF ALL PRODUCTS SHALL COMPLY WITH THE MANUFACTURER RECOMMENDATIONS OR SPECIFICATIONS.
4. ALL FRAMING SHALL BE NO. 2 S-P-F UNLESS NOTED OTHERWISE. LVL'S SHALL BE 2.0 E MIN.
5. ALL REINFORCING STEEL SHALL BE GRADE 60 OR BETTER DEFORMED BARS.
6. ALL CONCRETE SHALL BE 3000 PSI 28 DAY STRENGTH EXCEPT SLABS SHALL BE 4000 PSI 28 DAY STRENGTH.
7. ALL BASEMENT WALLS RETAINING UNBALANCED SOIL SHALL BE BRACED LATERALLY INTO THE FLOOR FRAMING SYSTEM.
8. ALL BEDROOMS SHALL HAVE APPROVED EGRESS WINDOWS.
9. ALL COLUMNS SHALL HAVE CONTINUOUS SOLID BEARING TO THE FOOTINGS.
10. STAIRS SHALL HAVE CONTINUOUS HANDRAILS ON ONE SIDE MINIMUM BETWEEN 34" AND 38" HEIGHT AND SHALL NOT PROJECT MORE THAN 4 1/2". HANDRAIL ADJACENT TO WALLS SHALL HAVE 1 1/2" CLEARANCE. HANDRAIL GRIP SIZE SHALL COMPLY WITH R311.7.8.5.
11. STAIRS SHALL HAVE CONTINUOUS HANDRAILS ON ONE SIDE MINIMUM BETWEEN 34" AND 38" HEIGHT AND SHALL NOT PROJECT MORE THAN 4 1/2". HANDRAIL ADJACENT TO WALLS SHALL HAVE 1 1/2" CLEARANCE. HANDRAIL GRIP SIZE SHALL COMPLY WITH R311.7.8.5.
12. Termite Protection shall be by one, or a combination, of the following methods:
 1. Chemical termiticide treatment in accordance with Section R318.2.
 2. Termite-baiting system installed and maintained in accordance with the label.
 3. Pressure-preservative-treated wood in accordance with the provisions of Section R317.1.
 4. Naturally durable termite-resistant wood.
 5. Physical barriers in accordance with Section R318.3 and used in locations as specified in Section R317.1.
13. ALL ELECTRICAL CIRCUITS NEED TO BE PROVIDED WITH ARC-FAULT PROTECTION.

SHEET SCHEDULE

- A1 COVER
- A2 FOOTING PLAN
- A3 FLOOR PLAN
- A4 ELEVATIONS
- A5 SECTIONS

2018 IECC PRESCRIPTIVE COMPLIANCE MIN. REQUIREMENTS

FENESTRATION U-FACTOR 0.32
GLAZED FENESTRATION SHGC 0.40
CEILING R-VALUE 49
WALLS R-15
FLOOR R-19

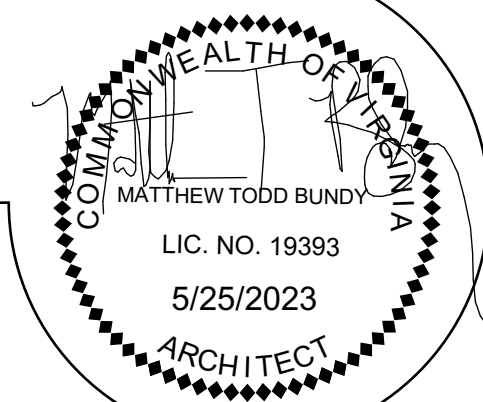
LOADS:

WIND: 105 MPH
FLOOR LIVE: 40 PSF
ROOF LIVE: 20 PSF
GROUND SNOW: 15 PSF

HERMAN RESIDENTIAL ADDITION
 227 Stone Mill Rd. Abingdon, VA
 Abingdon, VA 24210

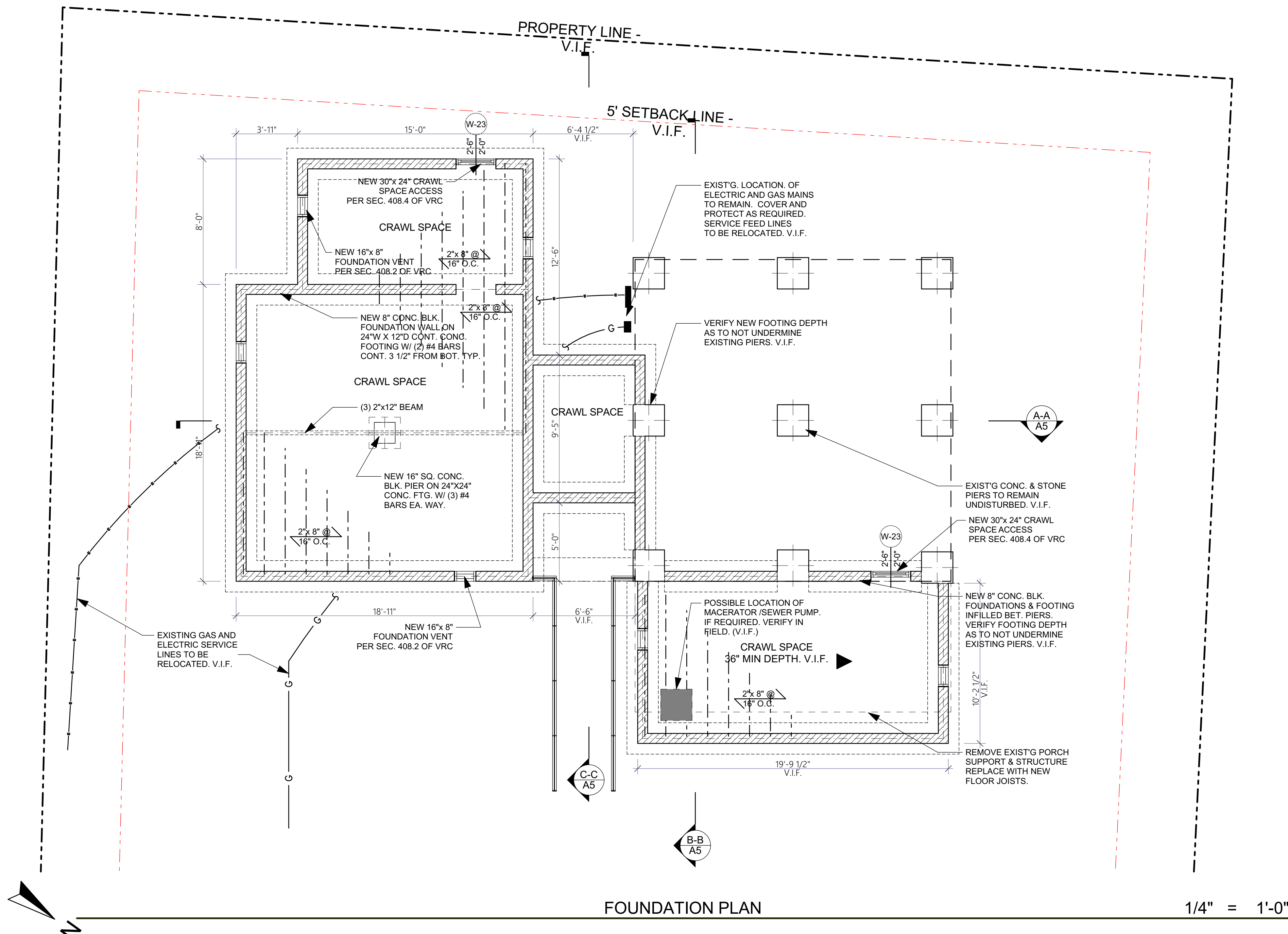
Revision Name	Date
PRELIMINARY	4-2-23
CHECK SET	4-13-23
95% CHECK SET	5-23-23
OFFICIAL SUBMISSION	5-26-23

Project No. 23026



Modified by
NR
Checked by
MTB

HERMAN RESIDENTIAL ADDITION
 227 Stone Mill Rd. Abingdon, VA
 Abingdon, VA 24210



WALL SCHEDULE:

	EXISTING LOG AND FRAMED WALLS TO REMAIN. PARCH & REPAIR AS REQUIRED. VERIFY IN FIELD (V.I.F.)
	EXISTING FRAME WALLS TO BE REMOVED. PARCH & REPAIR AS REQUIRED. VERIFY IN FIELD (V.I.F.)
	NEW 8" CONCRETE BLOCK WALLS & 12 CONC. BLOCK AS SUPPORT LEDGE ON 24" X 12" CONT. CONCRETE FOOTER. SEE DETAIL A-3
	NEW 2" X 6" STUD WALL @ 16" O.C. 1/2" EXT PLYWOOD, HOUSE WRAP, VERTICAL SIDING EXTERIOR TO BE SELECTED, 1/2" DRYWALL INTERIOR. R-19 INSULATION TO FILL CAVITY.
	2" X 4" OR 2" X 6" STUDS (WET WALL) @ 16" O.C. WITH 1/2" DRYWALL ON BOTH SIDES. INSULATION TO FILL CAVITY OPTIONAL

FOUNDATION PLAN

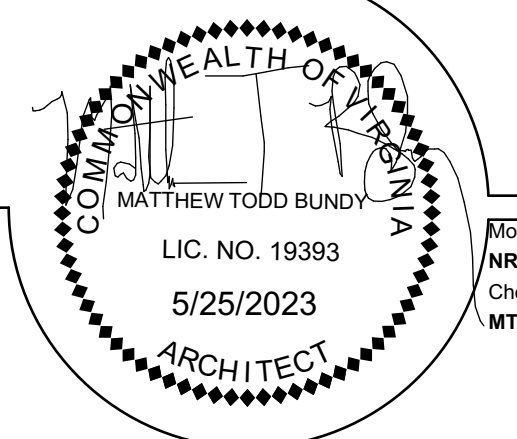
1/4" = 1'-0"

Revision History

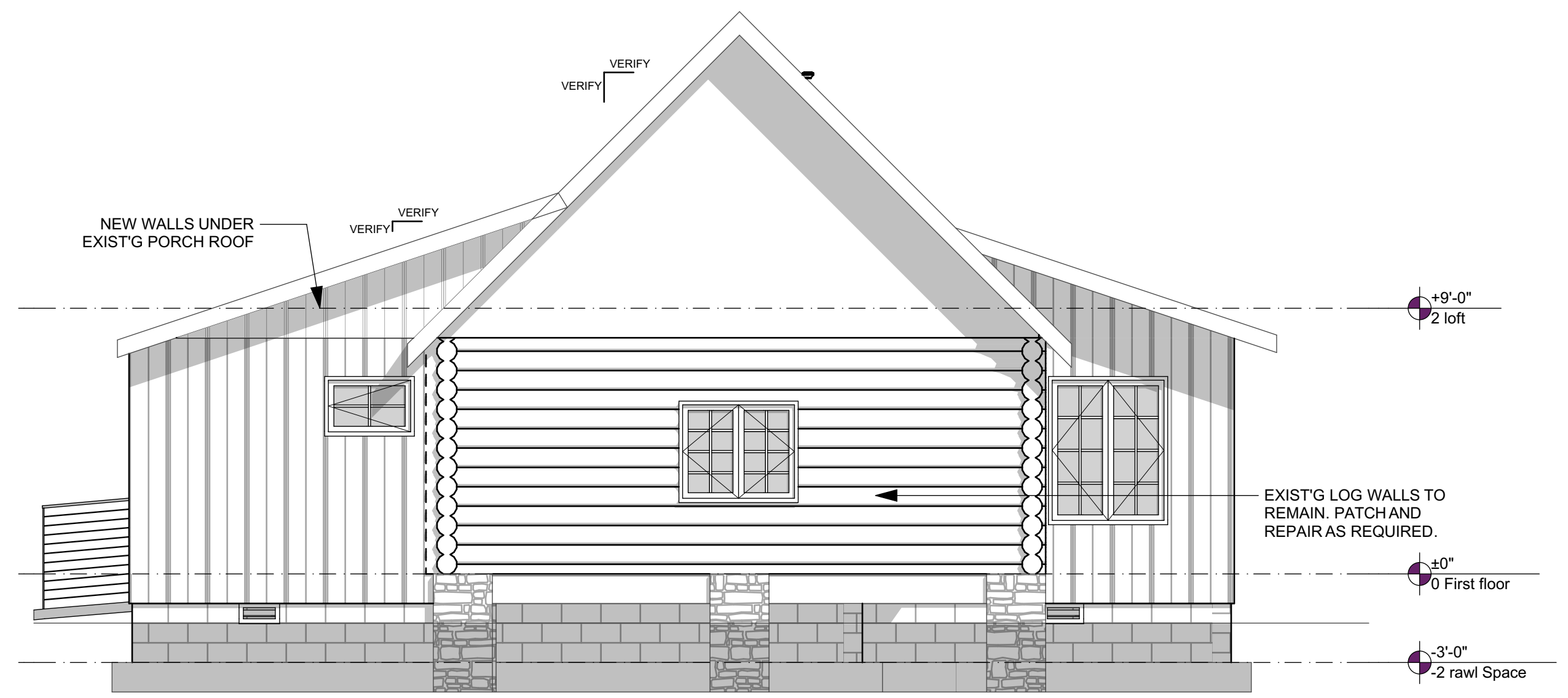
Revision	Description	Date
1	PRELIMINARY	4-2-23
2	CHECK SET	4-13-23
3	95% CHECK SET	5-23-23
4	OFFICIAL SUBMISSION	5-26-23

Project No. 23026

bundy
 ARCHITECTURE & ENGINEERING
 190 E MAIN ST ABINGDON, VA P. 276.628.1067 F. 276.698.3088

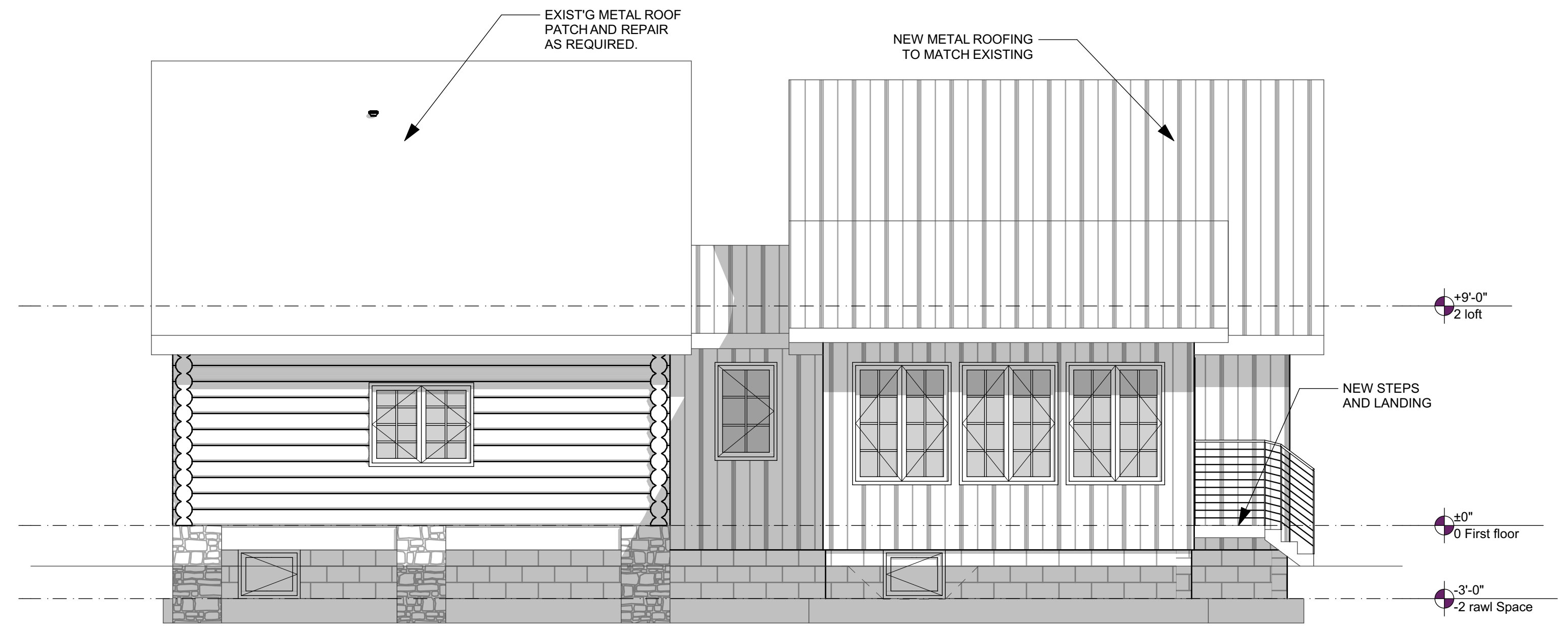


Modified by
 NR
 Checked by
 MTB



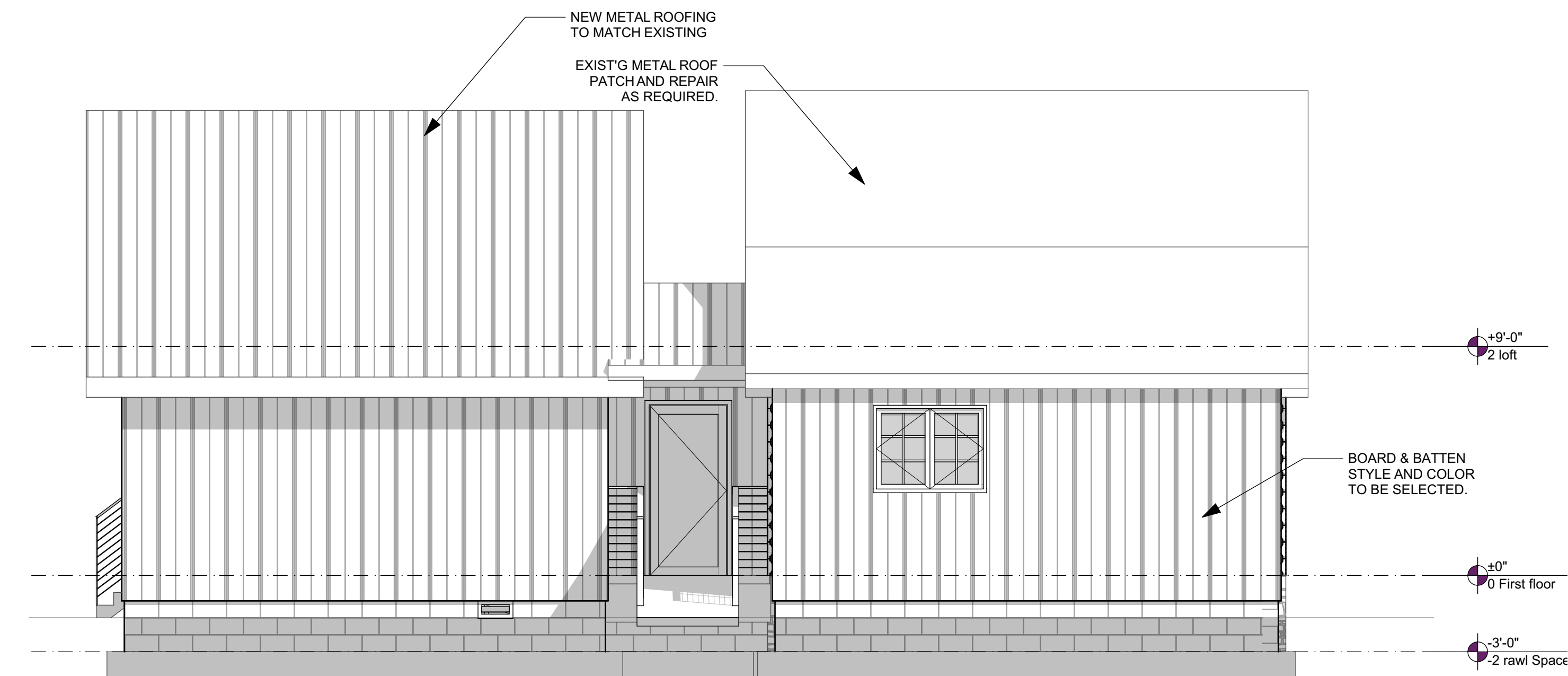
SIDE (SOUTH) ELEVATION

1/4" = 1'-0"



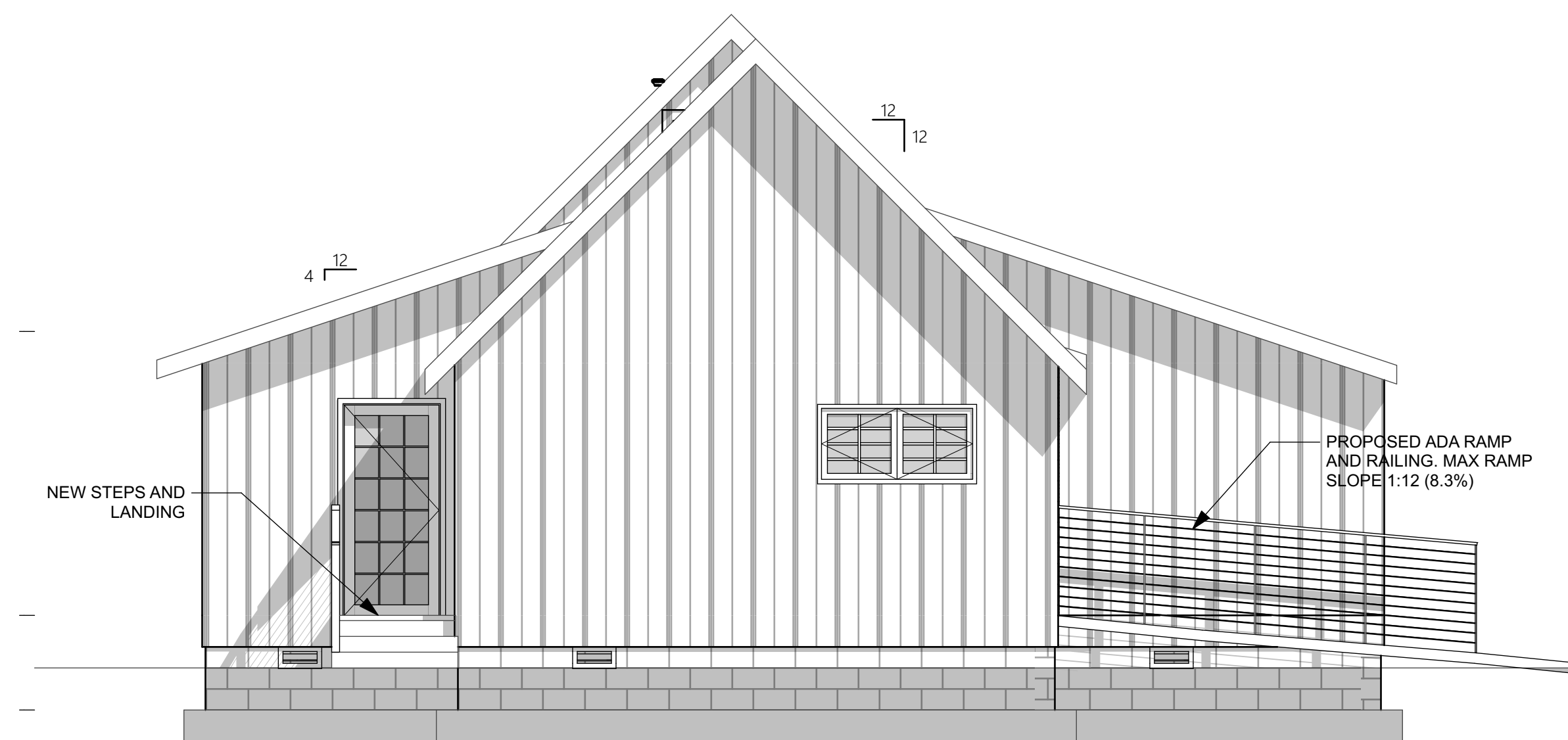
REAR (EAST) ELEVATION

1/4" = 1'-0"



FRONT (WEST) ELEVATION

1/4" = 1'-0"



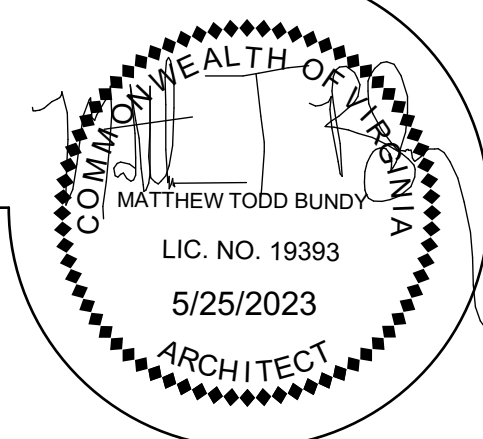
SIDE (NORTH) ELEVATION

1/4" = 1'-0"

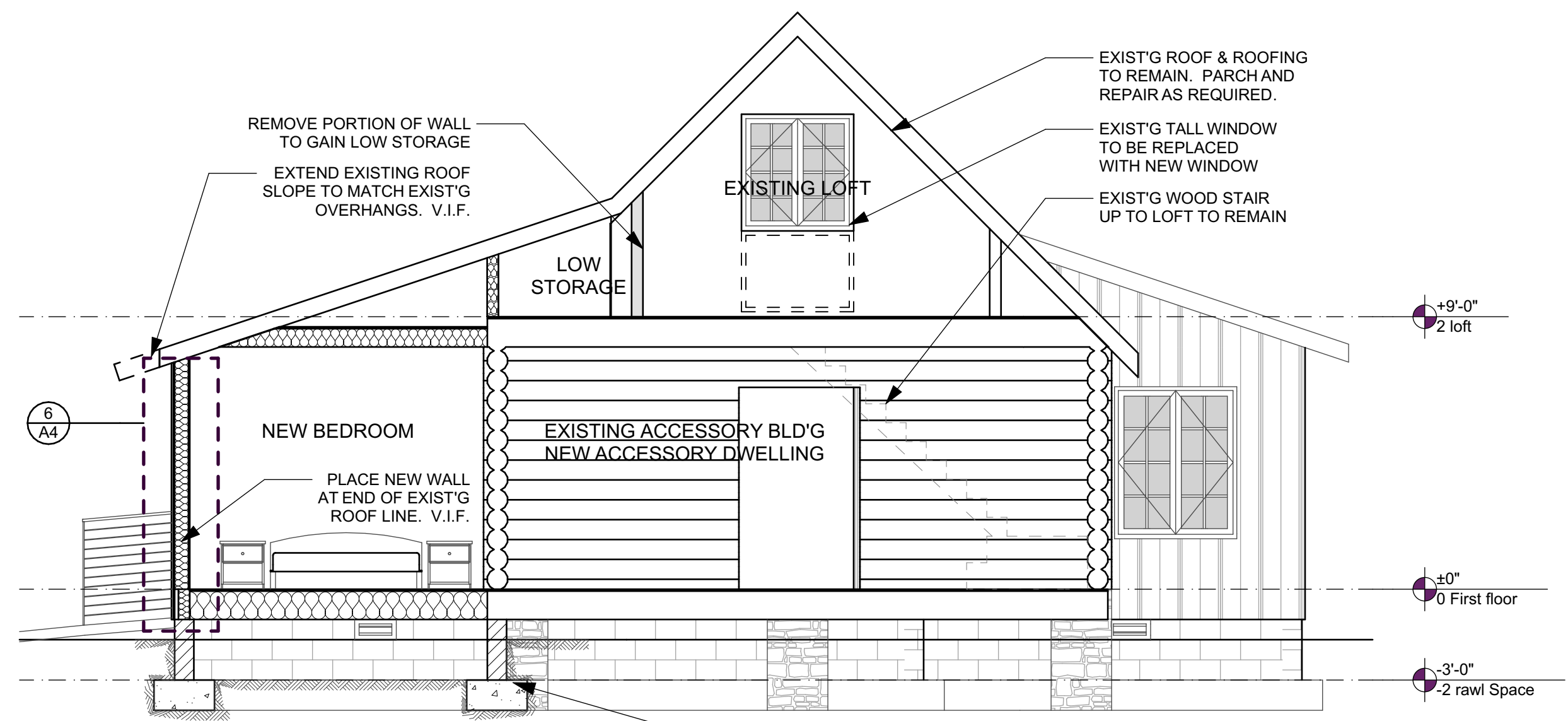
HERMAN RESIDENTIAL ADDITION
 227 Stone Mill Rd. Abingdon, VA
 Abingdon, VA 24210

Revision	History	Date
1	PRELIMINARY	4-2-23
2	CHECK SET	4-13-23
3	95% CHECK SET	5-23-23
4	OFFICIAL SUBMISSION	5-26-23

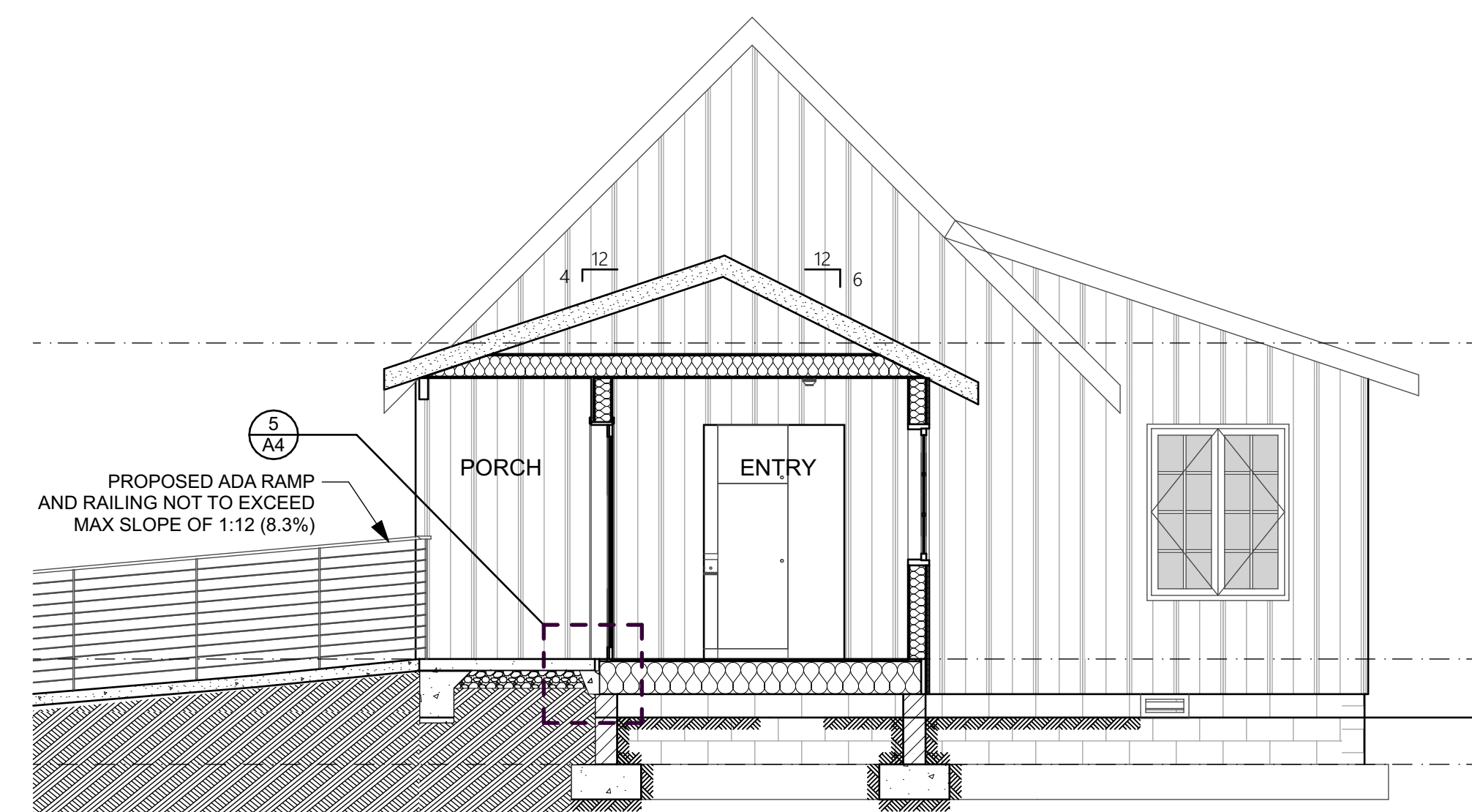
Project No. 23026



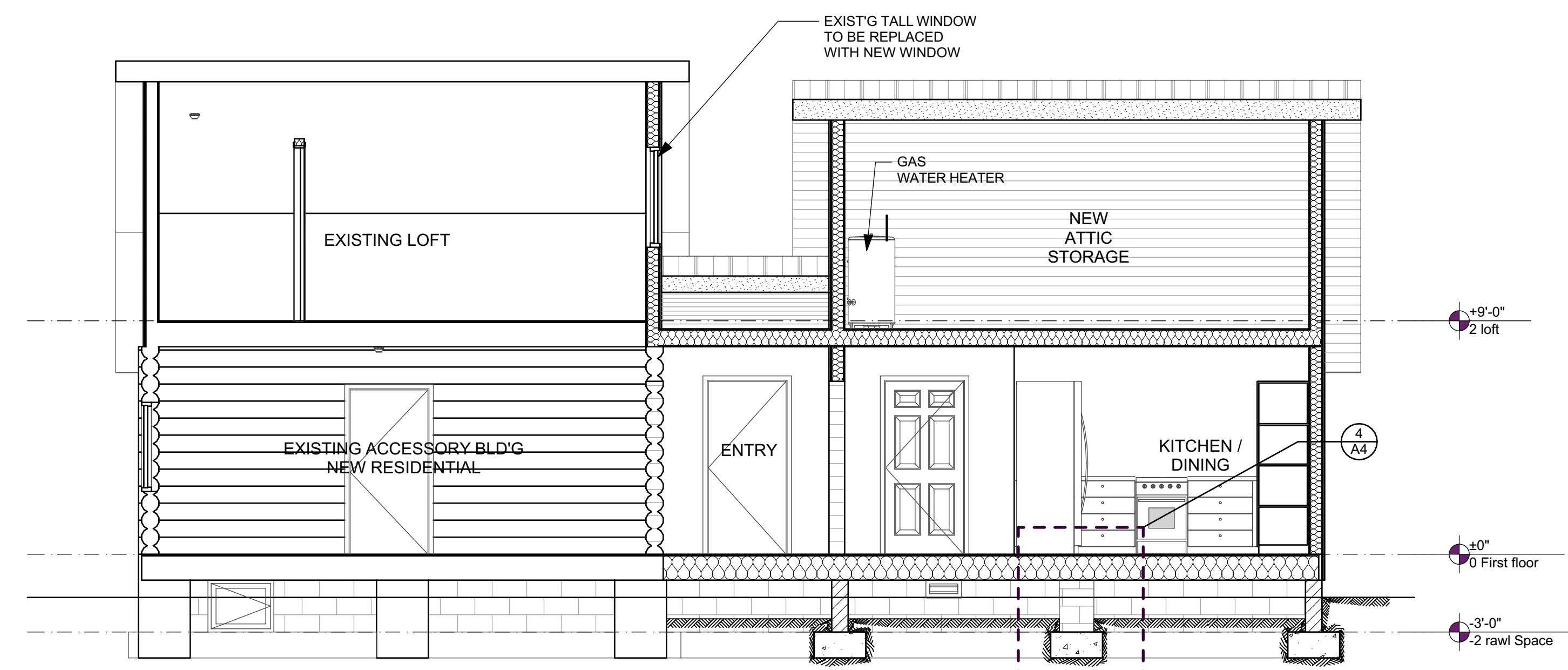
Modified by
 NR
 Checked by
 MTB



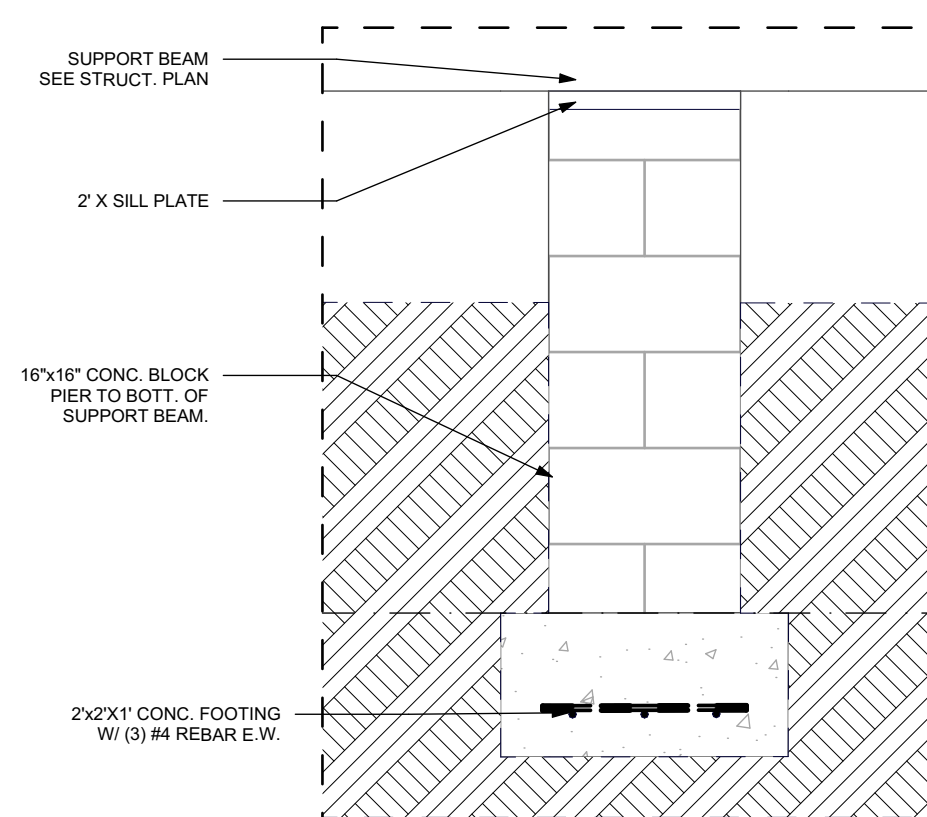
B-B BUILDING SECTION 1/4" = 1'-0"



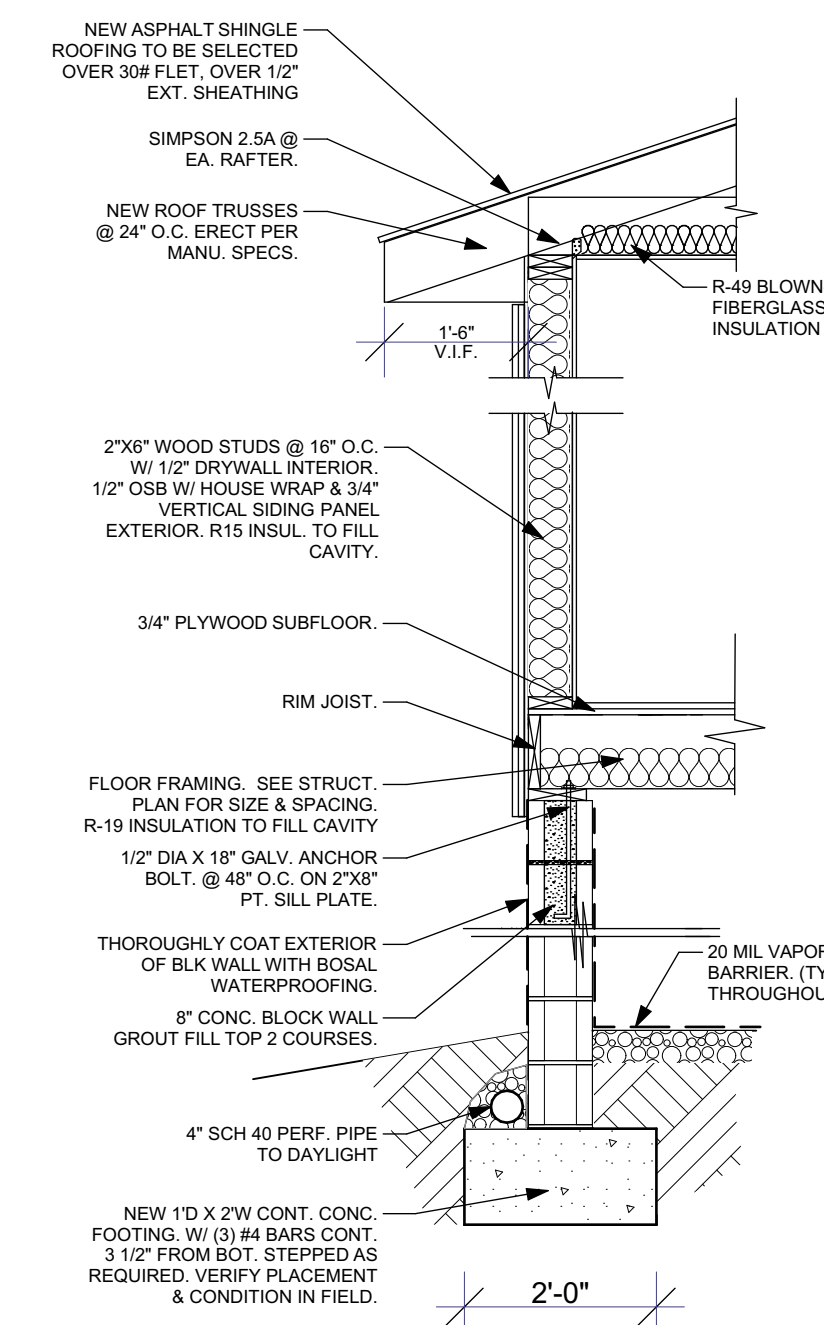
C-C BUILDING SECTION 1/4" = 1'-0"



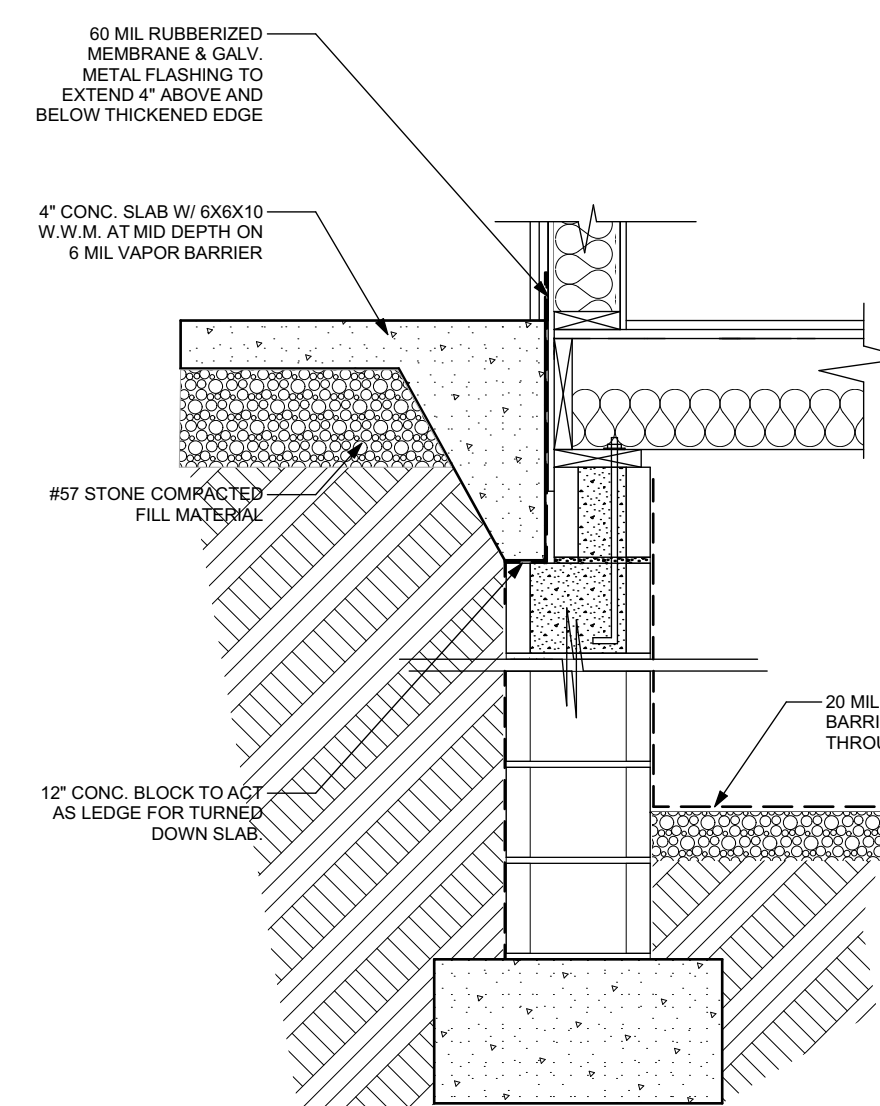
A-A BUILDING SECTION 1/4" = 1'-0"



4 PIER DETAIL SCALE: 3/4" = 1'-0"



6 TYPICAL WALL SECTION SCALE: 1/2" = 1'-0"

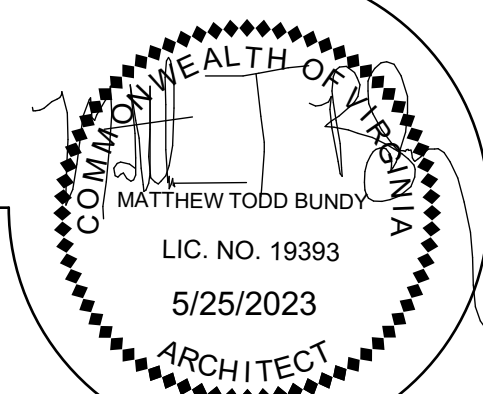


5 SLAB CONNECTION DETAIL SCALE: 3/4" = 1'-0"

HERMAN RESIDENTIAL ADDITION
 227 Stone Mill Rd. Abingdon, VA
 Abingdon, VA 24210

Revision	Description	Date
1	PRELIMINARY	4-2-23
2	CHECK SET	4-13-23
3	95% CHECK SET	5-23-23
4	OFFICIAL SUBMISSION	5-26-23

Project No. 23026



Modified by
 NR
 Checked by
 MTB

A5



STAFF REPORT

TO: ABINGDON PLANNING COMMISSION

FROM: GABRIEL CRISTOFARI, TOWN PLANNER/GIS SPECIALIST

SUBJECT: REQUEST FOR A ENTERANCE CORRIDOR CERTIFICATE OF APPROPRIATENESS FOR CHANGING OF EXTERIOR PAINT SCHEME AND REPLACING THE AWNING ROOF

PUBLICATION DATE: OCTOBER 16, 2023

MEETING DATE: OCTOBER 23, 2023

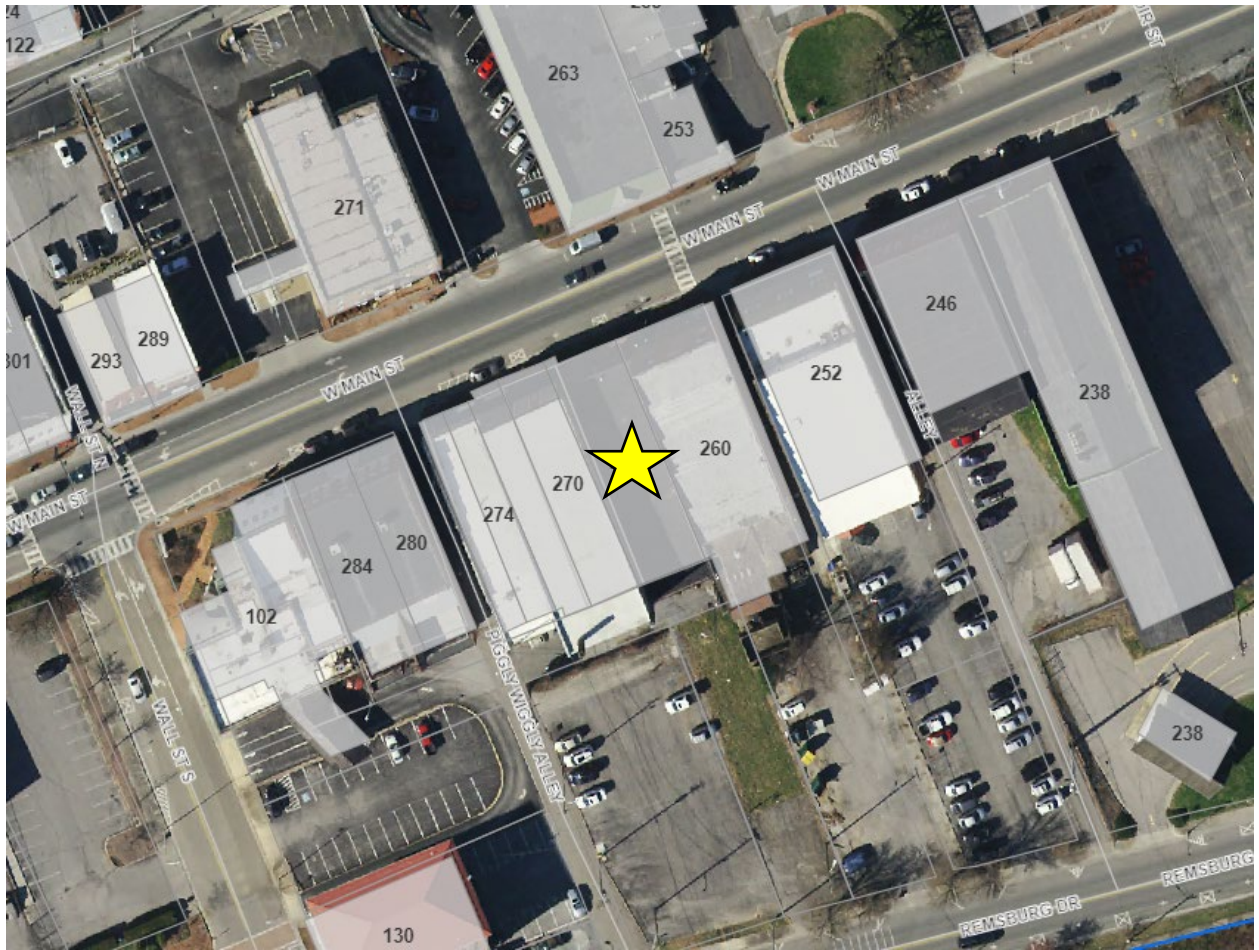
LOCATION: COUNCIL CHAMBERS, TOWN HALL
133 WEST MAIN STREET, ABINGDON, VA

REQUEST:

Larry Jones (Applicant/Owner) has requested approval of an Entrance Corridor Certificate of Appropriateness for changing the existing exterior paint scheme and replacing the finished existing crimped standing seam awning roof. Located at 266 W. Main Street, Abingdon (Parcel 011-8-4).

The property is within the Central Business District (B-3) and is within the Entrance Corridor therefore requiring the approval of the Planning Commission prior to completion.

VICINITY MAP:



ENTRANCE CORRIDOR:

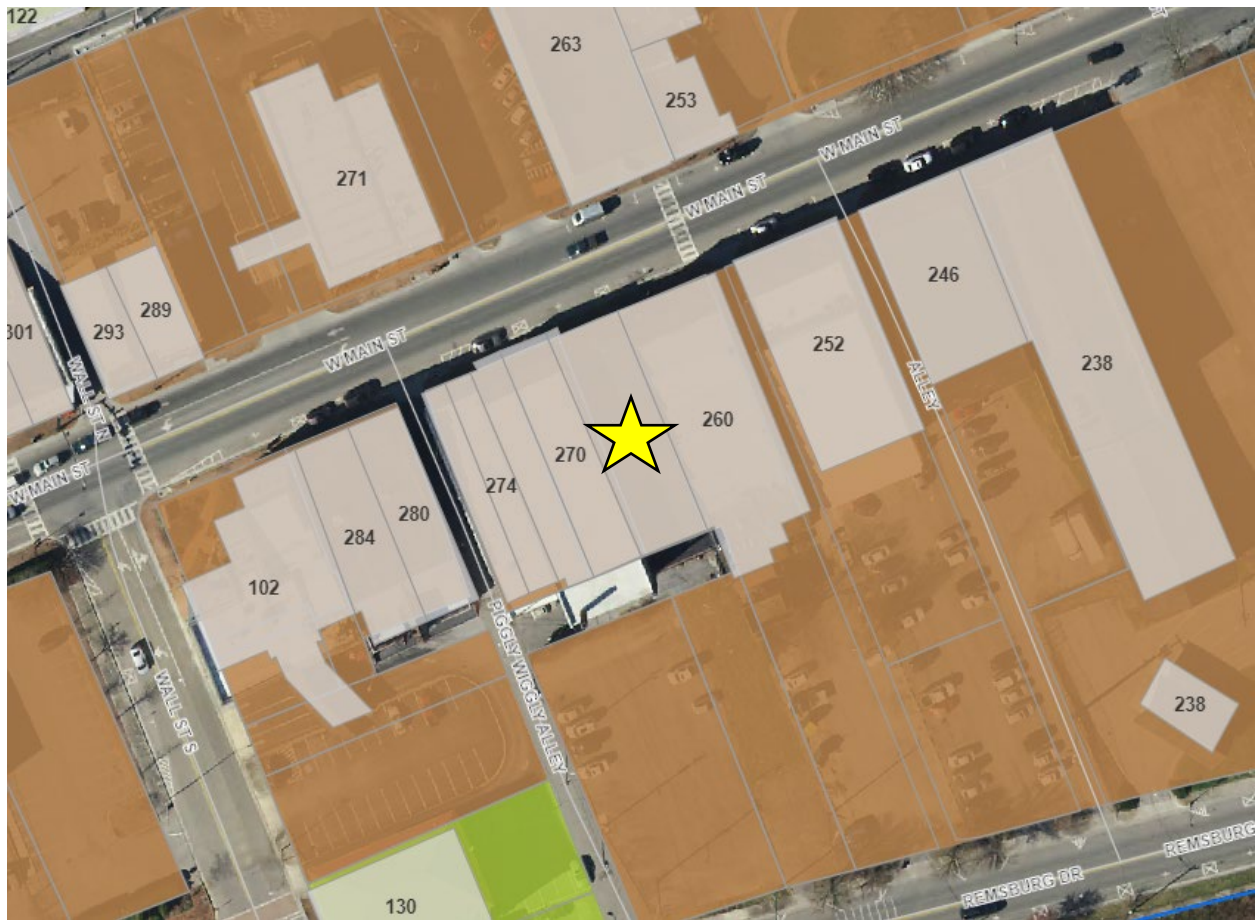


Street view of W. Main Street looking East



Street view of W. Main Street looking West

ZONING MAP:



STAFF FINDINGS:

1. **Location.** The Subject Property contains approximately 0.11 acres and is legally described as RICK L & KATHY ANDERSON PROP ACR .11 (Tax Map No. 011-8-4). Generally, the Subject Property is located at 266 W. Main Street.
2. **Background.** The property was purchased in 1937 by E.W. Rambo where a 1-story brick structure was built. The Louis Sterchi Furniture Co. moved into the structure in 1937. Hugh L. Sweet and Charles E. Sweet, father and son, owned and operated the business up until 1990. Currently the structure operates as The Glass Peacock and assorted other retail businesses.



Photo of 266 W. Main Street as seen in "Places In Time Volume II" by Nanci C. King

3. **Access.** Access to the site will continue to be W. Main Street.
4. **Adjacent Land Uses/Zoning.** Adjoining properties on all sides are zoned B-3 (Central Business District).

5. Applicable Requirements of the Zoning Ordinance.

Entrance Corridor District.

5-3-1. Boundaries. The boundaries of the EC District shall be the boundaries of the Office and Institutional District, Business Districts, and Limited Industrial Districts (OI, B-1, B-2, B-3, and M-1), as they are found on the following streets of the Town:

- (1) East Main Street, from the OH District to Thompson Drive;*
- (2) West Main Street from the OH District to Porterfield Highway;*
- (3) Cummings Street, from Interstate 81 to the OH District; and*
- (4) Russel Road (full length).*

3-6-3. Standards and Procedures.

(f) Standards for Planning Commission review within the EC Overlay District and associated projects.

(1) The Planning Commission shall not consider interior arrangement of the building or structure or features not subject to view from a public street, right-of-way or place. In addition to those specified in the design review guidelines, the Planning Commission shall consider the following matters in passing on the appropriateness of a particular project:

a. The following recommendations are provided for architectural styles and general building characteristics:

- 1. Materials, colors and general style of buildings within a development should be coordinated.*
- 2. Heating and air-conditioning units, ventilation units, and mechanical equipment shall be screened from view from public streets.*
- 3. Loading docks, trash containers, mechanical equipment and any sites for storage facilities shall be screened from view from public streets.*
- 4. The effective visual mass of large buildings should be reduced by variations in roofline, building angles, dimension, relief, color, architectural detailing and landscaping.*

b. Design review guidelines. New buildings or exterior alterations to existing structures should include one or a combination of the following materials/methods of construction:

- 1. Wood frame (or fiber cement board), with brick, stone, or concrete foundations; brick construction or brick facing; finished concrete block; roof materials of standing seam metal, asphalt shingle, and rubber membrane/parapet for flat roof forms.*

- 2. Windows should be used to provide interest and surface variations on building elevations. Blank building walls are discouraged for most commercial applications.*
- 3. The design of gas station canopies, building canopies and other accessory structures should be compatible with the scale, color, materials, and detail of the buildings they serve.*
- 4. Site walls and retaining walls should be comprised of brick, or concrete; brick facing on a concrete or concrete masonry unit wall is permitted. The use of segmental/modular concrete block is discouraged. Site walls should be considered as part of site terracing in increments; site walls out of proportion with building foundations or the human figure are discouraged.*
- 5. Roof forms may be single gable, cross gable, gambrel, hip, parapet, or flat forms. Mansard roof forms are not recommended on modern-styled buildings.*
- 6. Site materials shall be limited to local stone, asphalt, concrete, and exposed aggregate concrete.*
- 7. Facade colors preferably shall be of low reflectance white, earth tone, muted, subtle, or neutral colors. Building trim may feature brighter colors as an accent material. The use of high-intensity, metallic, fluorescent, day glow, or neon colors are discouraged.*
- 8. Trademark buildings and related features including signs shall be modified to meet these design standards.*
- 9. Parking lots will be interconnected on adjacent parcels whenever possible.*
- 10. Small, landscaped and interconnected parking lots, rather than large, central parking lots shall be encouraged.*
- 11. Parking lots shall not dominate the image of a site.*
- 12. Where sidewalks exist adjacent to individual project sites pedestrian access from the sidewalk into individual project sites as well as within sites and between sites shall be provided.*
- 13. Lighting, landscaping, parking, and sign requirements of Article VIII shall be followed.*
- 14. The Planning Commission is permitted to reduce the parking space requirement when the interests of the Town are better served.*

Staff Findings:

The applicant proposes to alter the existing paint scheme of the primary elevation (North elevation) of the finished masonry structure currently painted black. The primary paint color will be “Blue Peacock” with an accent paint color of “Really Teal”. The trim and awning roof color will be painted “Copper Penny”. The existing crimped tin standing seam roof is finished.

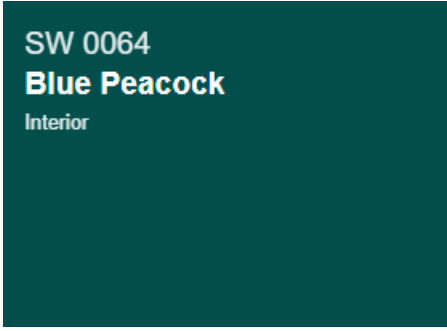
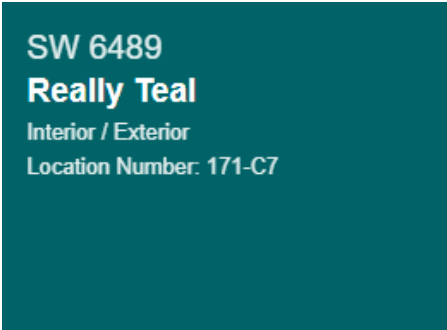
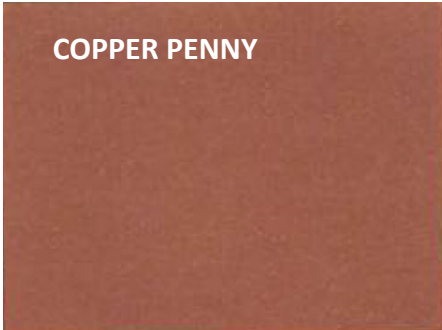


Existing Exterior Color



Proposed Exterior Color

The applicant proposes to replace the existing crimped tin standing seam awning roof with a new standing seam metal roof. The color will be Copper Penny, the same color as the trim.



REQUIRED ACTIONS OF THE PLANNING COMMISSION:

- A. **Sample Motions.** The role of the Planning Commission in this instance is to decide on the Certificate of Appropriateness request. The following sample motions have been provided by Staff for consideration by the Planning Commission:
- **Sample Motion for Approval:** Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 44-3-4 of the Town of Abingdon Zoning Ordinance, I move to approve the Certificate of Appropriateness
 - **Sample Motion for Denial:** Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 44-3-4 of the Town of Abingdon Zoning Ordinance, I move to deny the Certificate of Appropriateness.
 - **Sample Motion for Continuance:** Having reviewed and considered the application materials, staff report, and public comment, I move to continue the Certificate of Appropriateness for the purpose of (explain reason for continuance, and if applicable, specify any additional information that is being requested) until (state the date when the item will be heard again).



TOWN OF ABINGDON COMMUNITY DEVELOPMENT

Building • Planning • Code Enforcement

Office Use Only
Fees: \$ _____

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS for ENTRANCE COORIDOR

Location of Property	Street Address 266 WEST MAIN STREET	Parcel Number
	City, State, Zip Code ABINGDON VA	
Applicant Information	Name LARRY R JONES	Phone 252 725 1469
	Mailing Address, City, State, Zip Code 24308 WALDEN RD ABINGDON VA 24210	
	Select Applicant Relation to Property below: <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Other:	Email LR-JONES@thesea@gmail.com
Owner Information	Name of Owner LARRY R JONES	Phone
	Mailing Address, City, State, Zip Code 24308 WALDEN RD ABINGDON VA 24210	
	Name of Business (if applicable) PUDLE DUCK HOLDINGS LLC	Email
Project Description	1) Is this property located in the Entrance Corridor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	Have you completed and attached the following required items:	
	2) <input type="checkbox"/> Yes Site Plan for New Construction (more details below in number 3) <input type="checkbox"/> Yes Drawings for Alterations and New Construction (more details below in number 4) <input type="checkbox"/> Yes Description of Submittal Materials (more details below in number 5)	
	3) Does your Site Plan contain the following required items: <input type="checkbox"/> Yes Location(s) of all proposed and current structures on property <input type="checkbox"/> Yes Proposed landscape alterations denoted with callouts denoting what the alteration(s) are and the material(s) used	
	4) Does your Drawings contain the following required items: <input type="checkbox"/> Yes Drawings for structures with all four elevations showing what the completed proposed project would appear as <input type="checkbox"/> Yes Drawings for landscape features (walls & fences) and signs <input type="checkbox"/> Yes Dimensions (length, width & height) are required on all drawings for all structures <input type="checkbox"/> Yes Drawing callouts to distinguish what is being proposed compared to what is existing <input type="checkbox"/> Yes Callouts need to note the material(s) and color(s), if applicable, of any architectural feature related to the proposed project	
5) Have you attached the following related to your Standard Materials required: (use additional sheets as necessary) <input type="checkbox"/> Yes Photos showing the current proposed area for alteration and/or new construction. <input type="checkbox"/> Yes An overall and a detail of any architectural feature or building system (foundation, walls, windows, etc.) <input type="checkbox"/> Yes Samples are highly recommended concerning specific types of materials such as brick type and color, mortar type and color, roofing sheathing material, and paint or sealant colors		
Applicant Signature	I understand that the deadline for applications are due on the first Monday of the month in order for the application to be placed on that month's agenda. The staff needs to have sufficient time to review site plans and post public notices per VA code section 15.2-2204. Applications received after the deadline will be heard at the following month's meeting. If applications is not complete, it will not be included on the next meeting's agenda. To avoid delays, it is recommended that applicants meet with staff before the deadline to review the COA application. Applicants need to submit a complete application with sufficient information to enable clear understanding of the proposal by the Planning Commission members and Planning Department staff. Applications that do not clearly communicate the proposed new construction, alterations, or changes will result in delays.	
	I understand that I must be present at the Planning Commission Meeting on the date assigned by staff to present my proposal and that failure to attend may result in denial of my proposal by the members due to insufficient information. No material change in the appearance of my property, that is viewable from any public street, shall be performed before received Certificate of Appropriateness. I further understand that approval by the Planning Commission for any modification to homes, buildings, landscaping, or grounds including fences, driveways, and parking areas shall expire 12 months from that date of approval.	
	I understand if any changes to previously approved drawings or materials occurs for any reason, the applicant and/or representative must submit another Certificate of Appropriateness with the revised plans and materials for review by the HPRB. I further understand not complying will result in a stop work order.	
	I hereby certify that I am the owner of the record herein described property, or that the proposed work has been authorized by the owner of record and that I have been authorized to make this application as a designated agent. I agree to conform to all applicable state and local regulations, rules, and policies. In addition, I certify that an authorized Town representative shall have the authority to enter the area(s) described herein for the purpose of enforcing the provisions of the applicable code(s). I further authorize Town Staff to notify any adjoining property owners of this application for Certificate of Appropriateness. I certify all answers to questions and additional statements, within this application, are true, as confirmed by my signature below.	
	Applicant (Print Name) LARRY R JONES	Signature of Applicant <i>Larry R Jones</i>
Owner Affidavit	My signature below confirms that I am familiar with the Code of Virginia, Title 54.1-1111 which regulates contractors; I am aware that anyone who performs work for me is required to have a state contractor license and trade certification (if applicable); that I may be subject to with-holding taxes for those working on my project; and that I am not subject to licensure as a contractor or subcontractor for this project.	
	Property Owner (Print Name) LARRY R JONES	Signature of Property Owner <i>Larry R Jones</i>

October 11, 2023

Application to Town Of Abingdon for Certificate of Appropriateness

Location: 266 West Main Street, Abingdon

Owner: Larry R Jones / Puddle Duck Holdings LLC Cell: 252 725 1469

Proposed Modifications:

- Paint the front of the building in the colors indicated in the attached before and after photos.

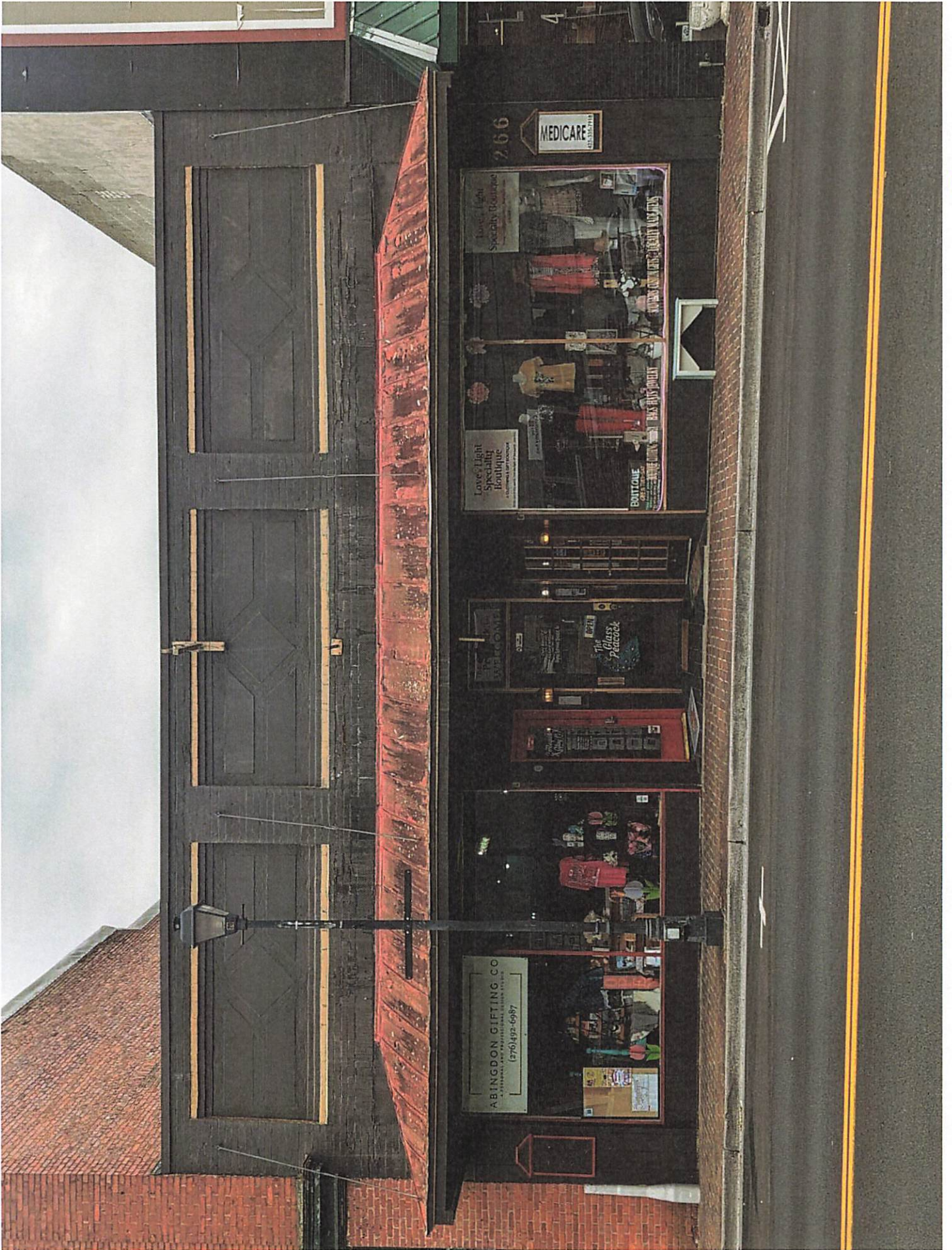
Main Color: Blue Peacock

Accent Color: Really Teal

Trim Color: Copper Penny

- Replace the existing awning tin roof with new standing seam metal roofing.

Color: Copper Penny



BEFORE



AFTER

Appalachian Metal Sales

There is always "A" way

111 Slate Hill Road • Mooresburg, TN 37811

Toll Free: 1-855-803-5111

Fax: 423-293-3297

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86 Rocklawn Lane • Lexington, VA 24450

Phone: 540-461-8787

Fax: 540-461-8325

last

Co



BRIGHT WHITE •



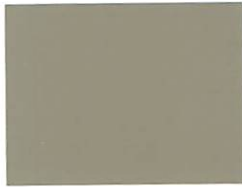
IVORY



STONE •



LIGHT GRAY •



CLAY



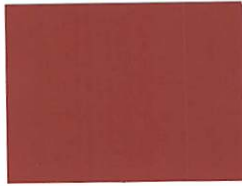
TAN



BLUE



GALLERY BLUE



RED •



BURGUNDY



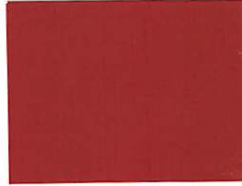
BROWN •



BURNISHED SLATE • ■



BRIGHT RED



DARK RED



CHARCOAL



BLACK • ■



GREEN •



EVERGREEN



CHARCOAL GRAY • ■



BUCKSKIN



ZINC GRAY



COPPER PENNY * ■



GALVALUME ■

• Utility & Economy Colors

* Premium Colors

■ APP Lok Stock Colors

*AWNING
& TRIM*

A 40-year limited paint warranty is available for all colors upon written request. Please inquire. (Outside the continental United States, please inquire.)

PROUDLY FINISHED WITH
SHERWIN-WILLIAMS
Coil Coatings

40 Year Warranty Colors



STAFF REPORT

TO: ABINGDON PLANNING COMMISSION

FROM: MAYANA RICE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REQUEST FOR A SPECIAL USE PERMIT FOR SIGNAGE

PUBLICATION DATE: OCTOBER 16, 2023

MEETING DATE: OCTOBER 23, 2023

LOCATION: COUNCIL CHAMBERS, TOWN HALL
133 WEST MAIN STREET, ABINGDON, VA

REQUEST:

Commonwealth of Virginia/Virginia Community College System (Owner) and Virginia Highlands Community College/Southwest Virginia Higher Education Center (Applicant) has requested approval of a Special Use Permit for a Comprehensive Sign Plan. The Comprehensive Sign Plan also takes into account the Virginia Highlands Small Business Incubator, the Washington County Government Center and the Southwest Higher Education Center on the sign.

A Comprehensive Sign Plan is allowed if approved by the Abingdon Town Council per section 8-4-2 of Article VIII Community Design Standards.

The existing signage to undergo renovation is located near the intersection of Jonesboro Road and VHCC Drive, on VHCC Drive in the Town of Abingdon's right-of-way.

VICINITY MAP:



ENTRANCE CORRIDOR:



Street view of Jonesboro Road looking South



Street view of Jonesboro Road looking North

ZONING MAP:



STAFF FINDINGS:

1. **Location.** The proposed signage renovation is located near the intersection of Jonesboro Road and VHCC Drive. The existing signage is in the Town of Abingdon's right-of-way.
2. **Background.** This is an existing unfinished masonry freestanding sign structure and associated signage at the entrance to Virginia Highlands Community College on VHCC Drive.
3. **Access.** Access to the site will be on VHCC Drive.
4. **Adjacent Land Uses/Zoning.** The property where the sign is located is in the B-2 (General Business) district. Virginia Highlands Community College is located in OI (Office and Institutional) district. However the additional signage tenants are also in a PTD (Planned Technology District) therefore allowing the project to apply for the Comprehensive Sign Plan.
5. **Applicable Requirements of the Zoning Ordinance.**

Division 3 Special Use Permits.

Section 3-4-1. Purpose and intent.

A use requiring a special use permit is a use that may be appropriate in a zoning district, but because of its nature, extent, and external effects, requires special consideration of its location, design, extent and methods of operation before it can be deemed appropriate in the district and compatible with its surroundings. The purpose of this division is to establish procedures and standards for review and approval of special use permits that provide for such special consideration.

The Planning Commission is responsible for recommending a motion to the Town Council. The Town Council is the final motion in Special Use Permits.

Division 4. Signs.

Comprehensive Sign Plan.

Section 8-4-2 Administration.

(c) Special exceptions.

(1) Comprehensive sign plan.

a. Special exceptions to this article may be granted in B, M, and PTD Districts as a comprehensive sign plan approved by special use permit. Special exceptions to the maximum height requirements in this article shall not be permitted.

b. The comprehensive sign plan is intended to promote consistency among signs within a development and enhance the compatibility of signs with the architectural and site design features within a development.

(2) Contents of plan.

a. A comprehensive sign plan, which may be a written document or drawings adequate to depict the proposed signs, shall include:

- 1. The proposed general locations for freestanding signs on a lot as well as the proposed location(s) for building signs on a building facade.*
- 2. Types of signs proposed.*
- 3. A listing of materials proposed for all sign structures and sign surfaces.*
- 4. The maximum number and maximum size of proposed signs.*
- 5. The type of illumination, if any, proposed for all signs, including whether internally illuminated or external illuminated and describing the type of light fixture proposed.*
- 6. A description of any ornamental structure upon which a sign face is proposed to be placed.*

(3) Amendment of plan.

a. A comprehensive sign plan may be amended by submitting a revised comprehensive sign plan for consideration and determination through the special use permit process. Upon approval, the amended plan shall have the same force and effect as an approved comprehensive sign plan.

A comprehensive sign plan can be used in situations when the applicants are looking for flexibility from the strict interpretation of the sign regulations. The only standard that is not allowed to be flexible is the height. In this situation the existing sign is not proposed to be taller than existing. The flexibility is for the total size, setback and changeable square footage.

Section 8-4-5. General.

(a) Standards.

(1) Any sign displayed in the Town of Abingdon, shall comply with:

- a. All provisions of this Article;*
- b. All applicable provisions of the Uniform Statewide Building Code and all amendments thereto; and,*
- c. All state and federal regulations pertaining to the display of signage.*
- d. Sign area calculations.*

(2) The following method shall be utilized in the calculations of sign area:

- a. The sign area permitted under this Article is determined by measuring the entire face of the sign including any wall work incidental to its decoration but excluding support elements for the sole purpose of supporting the sign.*

b. For signs that are regular polygons or circles, the area shall be calculated by the mathematical formula for that polygon or circle. For signs that are not regular polygons or circles, the sign area shall be calculated using the area within up to three rectangles that enclose the sign face.

c. The surface area of any sign made up only of individual letters or figures shall include the space between such letters or figures.

d. Whenever one sign contains information on both sides, sign area shall be calculated based on the largest sign face. Sides are not totaled.

(b) *Minimum setback.* The minimum setback from any right-of-way, unless otherwise specified, is half (1/2) the height of the sign.

The applicant proposes to renovate the existing freestanding sign with larger signage. However the actual structure will not be changing locations or height. The Comprehensive Sign Plan is asking for flexibility to increase the sign square footage located within the required setback of the sign ordinance.

(c) *Illumination.*

(1) All permitted signs may be indirectly lighted. Non-residential signs within a residential district may be illuminated as outlined in Section 8-4-6. Signs within a Business or Industrial district may be internally lighted, unless such lighting is specifically prohibited in this Article.

(2) No sign shall be illuminated in such a way that light may shine into on-coming traffic, affect highway safety, or shine directly into a residential dwelling unit zoned.

(3) Any electrical sign shall display the required UL, ETL, CSA, or ULC label.

(4) Illumination shall be no greater than 10,000 nits or foot candles from sunrise to sunset or 700 nits or foot candles from sunset to sunrise and be equipped with automatic brightness control which can dim the display brightness when ambient conditions exist.

(5) Electronic service lines shall be underground.

The new sign will include 4G cellular connectivity, custom steel mounting frame, and grounding kit. The double faced RGB display will have a RGB 281 trillion levels with brightness being 8,000 NIT's +/- 5% and total LEDs 712,800. It will have a single phase of 120V or 240V 50/60Hz with diming levels: 100 – auto and manual. The sign will also include character sizes being 2.2 inches and a horizontal viewing angle of 160 degrees.

(d) Changeable signs.

(1) Within any business or industrial district, one freestanding or wall-mounted sign per lot may be replaced with a changeable message sign subject to the following requirements:

a. Location, area, and height, requirements shall be the same as for freestanding or wall signs.

b. The message shall not be changed more than once every 12 seconds, move, flash, or display animation, as prohibited in this article.

c. Any changeable message sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner, thereby causing motion, movement, flashing or any other similar effects, shall be repaired, covered, or disconnected by the owner or operator of such sign within 24 hours of notice of violation.

d. Light emitted from changeable signs shall not exceed 0.3 footcandles over ambient light.

e. Existing nonconforming billboards cannot be converted to changeable signs.

The existing electronic messaging display will be removed and replaced with a new double-sided 7 ft. x 12 ft. electronic display (84 square feet).

The Comprehensive Sign Plan is asking for flexibility to change “static signage” to additional Changeable Signage.

Section 8-4-6. Districts.

(a) District regulations

(1) The following requirements shall apply in the designated district, as appropriate, to permitted uses by right and special uses as may be permitted, subject to all other requirements of this Ordinance.

(2) Sign area square footage limits are provided per sign unless specified as a total. Total area is calculated as an aggregate of all signs of that type.

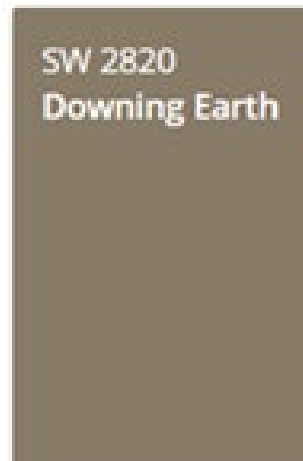
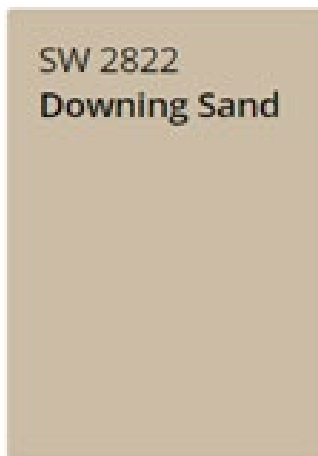
Table 8.4.6(C) Maximum Sign Dimensions: B-1, B-2, B-3, M-1, OI, and PTD Districts

Sign Type	Number	Area	Height
1. Freestanding	1 per street frontage	60 square feet	15 feet,

The existing cabinet signs will be removed and replaced with four single sided 3 ft. x 14 ft. aluminum extrusion cabinets (168 square feet) and two single sided 8 ft. x 10 ft. aluminum extrusion cabinets (160 square feet). These six signs will have PAN faces and vinyl graphics.

The Comprehensive Sign Plan is asking for flexibility from 60 total square feet to a total of 412 square feet.

The existing unfinished masonry freestanding sign structure is proposed to have a synthetic stucco applied and painted with the following colors:



Proposed

7' X 12' EMC



3' X 14' ALUMINUM EXTRUSION CABINET

8' X 10' ALUMINUM EXTRUSION CABINET

Existing



REQUIRED ACTIONS OF THE PLANNING COMMISSION:

- A. **Sample Motions.** The role of the Planning Commission in this instance is to decide on the Certificate of Appropriateness request. The following sample motions have been provided by Staff for consideration by the Planning Commission:
- **Sample Motion for Approval:** Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 44-3-4 of the Town of Abingdon Zoning Ordinance, I move to approve the Certificate of Appropriateness
 - **Sample Motion for Denial:** Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 44-3-4 of the Town of Abingdon Zoning Ordinance, I move to deny the Certificate of Appropriateness.
 - **Sample Motion for Continuance:** Having reviewed and considered the application materials, staff report, and public comment, I move to continue the Certificate of Appropriateness for the purpose of (explain reason for continuance, and if applicable, specify any additional information that is being requested) until (state the date when the item will be heard again).



TOWN OF ABINGDON

COMMUNITY DEVELOPMENT

Office Use Only
Fees: \$ _____

Building • Planning • Code Enforcement

APPLICATION FOR SPECIAL USE PERMIT

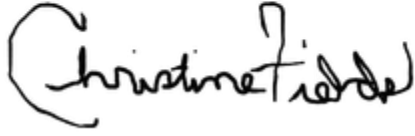
Location of Property	Street Address 100 VHCC Drive	
	City, State, Zip Code Abingdon, VA 24210	Parcel Number
Applicant Information	Name Virginia Highlands Community College/SW VA Higher Education Center	
	Mailing Address, City, State, Zip Code PO Box 828, Abingdon, VA 24212	
	Select Applicant Relation to Property below: Property Owner <input type="checkbox"/> Property Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Other:	Email cfields@vhcc.edu
Owner Information	Name of Owner Commonwealth of Virginia/Virginia Community College System	
	Mailing Address, City, State, Zip Code PO Box 828, Abingdon, VA 24212	
	Name of Business Virginia Highlands Community College	Email cfields@vhcc.edu
Project Description	A Special Use Permit is required under:	
	1) Section Number:	44
	Zoning Ordinance in Zone:	B-2, OI and PTD
	For the Use Of:	Upgrading the existing digital marquee at the entrance to VHCC's campus.
Describe the proposed improvements and give details of operation(s). Describe operations thoroughly, as required by section 17-3-2 of the Zoning Ordinance and attach separate sheets if necessary: Renovate the existing digital marquee sign located at the entrance to VHCC on VHCC Drive. Specifications: Remove existing electronic messaging display and replace with new 7'x12' display. Paint the structure. Install six single sided extrusion cabinets with PAN faces and vinyl graphics. New sign will include 4G cellular connectivity, custom steel mounting frame and grounding kit. Double faced RGB display with RGB 281 Trillion Levels - M. Brightness 8000 NIT's +/- 5%. Total LEDs 712800. Character size is 2.2 inches. Viewing angle is 160 degrees horizontal. Single phase 120V or 240V 50/60Hz. Diming Levels: 100 - Auto & Manual.		



TOWN OF ABINGDON

COMMUNITY DEVELOPMENT

Building • Planning • Code Enforcement

	Is this a new development: <input type="checkbox"/> Yes <input type="checkbox"/> No No If Yes, a site plan must be attached showing boundaries and dimensions of property, width of internal and external streets, location and size of building(s) on the site, roadways, walks, off street parking, landscaping, and signs. (Ref. Article 18 of the Town of Abingdon Zoning Ordinance. If yes, have you attached the site plan? <input type="checkbox"/> Yes <input type="checkbox"/> N/A		
Applicant Signature	I understand that the deadline for applications for special use permits are due on the first Monday of the month in order for the application to be placed on that month's agenda. The staff needs to have sufficient time to review site plans and post public notices per VA code section 15.2-2204. Applications received after the deadline will be heard at the following month's meeting. If applications is not complete, it will not be included on the next meeting's agenda.		
	I understand code 15.2-2206, Code of Virginia, as amended. I hereby certify that I am the owner of the record herein described property, or that the proposed work has been authorized by the owner of record and that I have been authorized to make this application as a designated agent. I agree to conform to all applicable state and local regulations, rules, and policies and such shall be deemed a condition entering into the exercise of the permit. In addition, if a permit is issued, I certify that the code official or his authorized representative shall have the authority to enter the area(s) described herein for the purpose of enforcing the provisions of the applicable code(s). I certify all answers to questions and additional statements, within this application for permit, are true, as confirmed by my signature below.		
	Applicant (Print Name) Christine Fields	Signature of Applicant 	Date September 22, 2023
Owner Affidavit	My signature below confirms that I am familiar with the Code of Virginia, Title 54.1-1111 which regulates contractors; I am aware that anyone who performs work for me is required to have a state contractor license and trade certification (if applicable); that I may be subject to with-holding taxes for those working on my project; and that I am not subject to licensure as a contractor or subcontractor for this project.		
	Property Owner (Print Name)	Signature of Property Owner	Date

ADJACENT PROPERTY OWNERS

- List ALL adjacent property owners, street addresses, and parcels.
- Adjacent property means a parcel of land which shares all or part of a common property line with another parcel of land.



TOWN OF ABINGDON

COMMUNITY DEVELOPMENT

Building • Planning • Code Enforcement

- This includes properties that immediately join yours AND properties across streets, highways, bridges, sidewalks, railroads, etc.



Attachment for Site Plan: , MB

EXISTING SIGN:



PROPOSED CHANGES:



SPECIFICATIONS:

REMOVE EXISTING EMC AND SIGN CABINETS.

PAINT EXISTING STRUCTURE.

MANUFACTURE AND INSTALL:

(6) SINGLE SIDED EXTRUSION CABINETS WITH PAN FACES AND VINYL GRAPHICS.

(1) DOUBLE SIDED FULL COLOR EMC.

COLORS: TO BE DETERMINED

3' X 14'
ALUMINUM
EXTRUSION
CABINET

8' X 10'
ALUMINUM
EXTRUSION
CABINET



STAFF REPORT

TO: ABINGDON PLANNING COMMISSION

FROM: MAYANA RICE, ASSISTANT TOWN MANAGER

SUBJECT: REQUEST FOR A ZONE TEXT AMENDMENT FOR WINDOW SIGNAGE

PUBLICATION DATE: OCTOBER 16, 2023

MEETING DATE: OCTOBER 23, 2023

LOCATION: COUNCIL CHAMBERS, TOWN HALL
133 WEST MAIN STREET, ABINGDON, VA

ZONE TEXT AMENDMENT REQUEST:

As the Town of Abingdon continues to grow commercially throughout, signage has become a larger aspect of Abingdon's streetscapes. Currently there are no regulations governing window signage. As such the Planning Commission can and does recommend amendments to Town Council of the Town's Ordinance governing Zoning.

Currently window signage is allowed, but there are no regulations concerning any aspect related to the sign's design. Over the last few months, we have been inundated with window signage requests.

In order to ensure that the Town of Abingdon remains a well-kept town we are proposing a Zoning Text Amendment that creates standards for signage displayed in windows.

PROPOSED ZONING TEXT AMENDMENT

FINDINGS:

Division 4 Signs

Section 8-4-1 Purpose and intent.

- (a) These sign regulations are intended to define, permit, and control the size, material, location, and condition of signs in a manner that as its first priority protects those who travel in and through the Town. Town Council has adopted these regulations in order to achieve the following community goals and objectives:
- (1) Protect the health, safety, and welfare of the public.
 - (2) Equitably distribute the privilege of using the public environs to communicate private information.
 - (3) Safeguard the public use and nature of the streets and sidewalks.
 - (4) Protect and enhance the visual environment of the Town.
 - (5) Discourage the diminishing of property values in the Town.
 - (6) Minimize visual distractions to motorists using the public streets.
 - (7) Promote the economic growth of the Town by creating a community image that is conducive to attracting new business and industrial development.
 - (8) Permit reasonable effectiveness of signs and to prevent their over-concentration, improper placement and excessive height, bulk, density, and area.
 - (9) Promote the safety of persons and property by requiring that signs not create a hazard due to collapse, fire, decay, or abandonment.
 - (10) Ensure that signs do not obstruct firefighting efforts or create traffic hazards by confusing or distracting motorists or by impairing drivers' ability to see pedestrians, obstacles, other vehicles, or traffic signs.
 - (11) Promote commerce and trade, with recognition of the effects of signage on the character of the community.

- (b) The Town Council finds that the regulations in this article advance the significant government interests identified herein and are the minimum amount of regulation necessary to achieve those interests.

Section 8-4-2 Administration.

(a) Interpretation, conflict, and severability.

- (1) The regulations set forth in this article shall apply to all new signs, replacement signs, and their modification(s) established after the effective date of this chapter.
- (2) Signs not expressly permitted are prohibited.
- (3) Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations of such signs.
- (4) This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech.
- (5) Where this article differs in any manner from the provisions of the Virginia Uniform Statewide Building Code,[1] the Town Code, or any other ordinance or regulation of the Town, the ordinance, code, or regulation imposing the greatest restriction upon the use of any sign shall control.
- (6) Should any article, section, subsection, sentence, clause, or phrase of this chapter, for any reason, be held unconstitutional or invalid, such decision or holding shall not affect the validity of the remaining portions hereof. It being the intent of the Town of Abingdon to enact each section and portion thereof, individually, and each such section shall stand alone, if necessary, and be in force regardless of the determined invalidity of any other section or provision.

(b) Application and permit.

- (1) Sign permit required.
 - a. No sign shall be erected, installed, altered, modified, refaced, rehung, or replaced without obtaining a permit pursuant to this article, except as otherwise provided in this article. Signs within the Town's Old and Historic District shall conform to the requirements of such district and require a certificate of appropriateness issued by the Historic Preservation Review Board (HPRB).

- b. For signs within the Town's Entrance Corridor, such permit shall conform to the requirements of such district and require certificate of appropriateness issued by the Planning Commission.
- c. No permit shall be issued by the Administrator except upon a determination that a proposed sign is in conformity with the requirements of this article and, where applicable, in conformity with the requirements of an approved site plan for the property upon which the sign is to be placed. Appeals from decisions of the Administrator shall be taken to the Town's Board of Zoning Appeals.
- d. More than one sign on one building or group of buildings located on the same parcel of land may be included on one application, provided that all such signs are applied for at one time.
- e. After the issuance of an approved sign permit, the applicant may install and display the approved sign(s). Once installed, the Administrator may inspect the sign(s) for conformance with the approved sign permit and this chapter.

(2) An application for such a permit shall:

- a. Specify the type of sign to be constructed and the zoning district in which this sign is to be located.
- b. Be accompanied with plans including a sketch of the property indicating the lot frontage.
- c. Indicate the square footage and location of all existing signs on the property.
- d. The area, size, structure, design, location, lighting, and materials for the sign.
- e. Contain written consent of the owner or lessee of the land or building upon which the sign is to be erected.

(3) Fee required.

- a. Applications for sign permits shall be submitted to the Administrator, and shall be accompanied by the required fee, as set forth within the uncodified fee schedule adopted by Town Council.

(4) Duration and revocation of permit.

- a. Any sign permit shall be null and void if any sign for which the permit was issued is not installed in accordance with the permit within six months of the date of approval.

- b. A sign permit shall become null and void if the use to which it pertains is not commenced within six months after the date the sign permit is issued. Upon written request and for good cause shown, the Administrator may grant one six-month extension.
- c. Whenever the use of a building or land is discontinued by the specific business, the sign permit shall expire and all signs pertaining to that business shall be removed by the property owner within 30 calendar days of the discontinuance.
- d. The Administrator shall revoke a sign permit if the sign does not comply with applicable regulations of this article, building code, or other applicable law, regulation, or ordinance.

(c) Special exceptions.

(1) Comprehensive sign plan.

- a. Special exceptions to this article may be granted in B, M, and PTD Districts as a comprehensive sign plan approved by special use permit. Special exceptions to the maximum height requirements in this article shall not be permitted.
- b. The comprehensive sign plan is intended to promote consistency among signs within a development and enhance the compatibility of signs with the architectural and site design features within a development.

(2) Contents of plan.

- a. A comprehensive sign plan, which may be a written document or drawings adequate to depict the proposed signs, shall include:
 - 1. The proposed general locations for freestanding signs on a lot as well as the proposed location(s) for building signs on a building facade.
 - 2. Types of signs proposed.
 - 3. A listing of materials proposed for all sign structures and sign surfaces.
 - 4. The maximum number and maximum size of proposed signs.
 - 5. The type of illumination, if any, proposed for all signs, including whether internally illuminated or external illuminated and describing the type of light fixture proposed.
 - 6. A description of any ornamental structure upon which a sign face is proposed to be placed.

(3) Amendment of plan.

- a. A comprehensive sign plan may be amended by submitting a revised comprehensive sign plan for consideration and determination through the special use permit process. Upon approval, the amended plan shall have the same force and effect as an approved comprehensive sign plan.

Section 8-4-3 Exemptions.

(a) Signs not requiring permit.

(1) The following signs are allowed and do not require a permit:

- a. Signs erected by the Town of Abingdon or required by law, including official traffic signs, wayfinding and topic specific signs, provisional warning signs, or sign structures, and temporary signs indicating danger.
- b. Creeper Trail signage.
 - i. Trailhead signage shall serve as a welcome point at the trailheads managed by the Town of Abingdon. Signage can vary in size and message but should be compatible with other trailhead signage along the trail.
 - ii. Trail kiosks. Trail kiosks along the trail should be consistent in nature, including but not limited to map for location, rules and regulations, and both emergency and nonemergency contact numbers for the Town of Abingdon.
 - iii. Mile marker signage. Work with partners on the trail (Damascus and the Forest Service) to provide a consistent mile marker system and signage. Utilizing GPS/GIS mapping to pinpoint markers will allow for easier location during emergencies.
- c. Roadway and safety signage.
- d. Wayfinding signage. The Town of Abingdon shall support tourist destinations, outdoor recreation, emergency management and other points of interest through a Master Wayfinding Plan.
- e. Memorial plaques and building cornerstones not exceeding six square feet in area and cut or carved into a masonry surface or other noncombustible material and made an integral part of the building or structure.

- f. On a property under construction or renovation, for sale, or for rent temporary signs not exceeding four square feet for single-family detached properties or 18 square feet for all other residential, nonresidential, or mixed-use properties.
- g. Window signs on the interior of the window otherwise known as “hours of operation” signage.
- h. Signs displayed on an operable truck, bus, or other vehicle while in use in the normal conduct of business. This section shall not be interpreted to permit the parking for display purposes a vehicle to which a sign is attached or the use of such a vehicle as a portable sign.
- i. House number, mailbox number, decorative yard signage.
- j. Signs affixed to the interior of a permanent fence of a recreational or sports facility. Such signs shall be displayed only during the regular season of the individual sport.
- k. Yard sale signs. Must be removed upon the completion of the sale/permit.

Section 8-4-4 Prohibited.

Prohibited signs.

- (1) Any sign affixed to, hung, placed, or painted on any other sign, fence, cliff, rock, tree, natural feature, public utility pole or structure supporting wire, cable, or pipe, or radio, television, or similar tower provided that this prohibition shall not affect official traffic, parking, or informational signs placed on utility poles by the Town government.
- (2) Any sign or banner within or across a public right-of-way, unless specifically approved by the Town Manager, or his designee.
- (3) Any sign that, due to its size, illumination, location, or height, obstructs the vision of motorists or pedestrians at any intersection, or similarly obstructs the vision of motorists entering a public right-of-way from private property.
- (4) Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized Town official as a nuisance.
- (5) Lighted window signage. This applies to all window signage whether located on the outside or inside of a window except for hours of operation signage.

- (6) Signs which obstructs any window or door opening used as a means of egress, prevents free passage from one part of a roof to any other part thereof, or interferes with an opening required for ventilation.
- (7) Signs attached, painted, or mounted to unlicensed, inoperative, or generally stationary vehicles. Vehicles and trailers shall not be used primarily as static displays, advertising a business, product or service, nor utilized as storage, shelter, or distribution points for commercial products or services for the general public.
- (8) Signs on the roof surface or extending above the roofline of a structure, building, or parapet wall.
- (9) Off-premise signs, unless specifically permitted by this chapter.
- (10) Any flashing sign, except those officially erected for safety purposes.
- (11) Signs that emit sound, smoke, flame, scent, mist, aerosol, liquid, fluorescent colors, or gas.
- (12) Signs commonly referred to as wind signs, consisting of one or more banners, pennants, ribbons, spinners, streamers or captive balloons, or other devices fastened in such a manner as to move upon being subjected to pressure by wind, and including inflatable signs.
- (13) Signs that violate any provision of any federal or state law relative to outdoor advertising.
- (14) Any sign representing or depicting specified sexual activities or specified anatomical areas or sexually oriented goods. Any sign containing obscene text or pictures as defined by the Code of Virginia.

Section 8-4-5 General.

(a) Standards.

- (1) Any sign displayed in the Town of Abingdon, shall comply with:
 - a. All provisions of this article;
 - b. All applicable provisions of the Uniform Statewide Building Code and all amendments thereto;
 - c. All state and federal regulations pertaining to the display of signage;

d. Sign area calculations.

(2) The following method shall be utilized in the calculations of sign area:

- a. The sign area permitted under this article is determined by measuring the entire face of the sign including any wall work incidental to its decoration but excluding support elements for the sole purpose of supporting the sign.
- b. For signs that are regular polygons or circles, the area shall be calculated by the mathematical formula for that polygon or circle. For signs that are not regular polygons or circles, the sign area shall be calculated using the area within up to three rectangles that enclose the sign face.
- c. The surface area of any sign made up only of individual letters or figures shall include the space between such letters or figures.
- d. Whenever one sign contains information on both sides, sign area shall be calculated based on the largest sign face. Sides are not totaled.

(b) Minimum setback. The minimum setback from any right-of-way, unless otherwise specified, is half the height of the sign.

(c) Illumination.

- (1) All permitted signs may be indirectly lighted. Nonresidential signs within a residential district may be illuminated as outlined in Section 8-4-6. Signs within a business or industrial district may be internally lighted, unless such lighting is specifically prohibited in this article.
- (2) No sign shall be illuminated in such a way that light may shine into oncoming traffic, affect highway safety, or shine directly into a residential dwelling unit zoned.
- (3) Any electrical sign shall display the required UL, ETL, CSA, or ULC label.
- (4) Illumination shall be no greater than 10,000 nits or footcandles from sunrise to sunset or 700 nits or footcandles from sunset to sunrise and be equipped with automatic brightness control which can dim the display brightness when ambient conditions exist.
- (5) Electronic service lines shall be underground.

(d) Changeable signs.

- (1) Within any business or industrial district, one freestanding or wall-mounted sign per lot may be replaced with a changeable message sign subject to the following requirements:
 - a. Location, area, and height, requirements shall be the same as for freestanding or wall signs.
 - b. The message shall not be changed more than once every 12 seconds, move, flash, or display animation, as prohibited in this article.
 - c. Any changeable message sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner, thereby causing motion, movement, flashing or any other similar effects, shall be repaired, covered, or disconnected by the owner or operator of such sign within 24 hours of notice of violation.
 - d. Light emitted from changeable signs shall not exceed 0.3 footcandles over ambient light.
 - e. Existing nonconforming billboards cannot be converted to changeable signs.

(e) Projecting signs.

- (1) Signs projecting over public walkways shall be a minimum height of eight feet from grade level to the bottom of the sign.
- (2) Projecting signs shall not extend more than six feet beyond the face of the building or beyond a vertical plane two feet inside the curbline.
- (3) Signs, architectural projections, or sign structures projecting over vehicular access areas must conform to the minimum height clearance limitations imposed by the Town for such areas.

(f) Temporary signs.

- (1) Each temporary sign shall be maintained in good, safe condition, securely affixed to a building or the ground.
- (2) A temporary sign shall not be illuminated.
- (3) A temporary sign permit shall be applied for and approval obtained prior to the installation of all temporary signs, pennants and streamers.
- (4) Temporary sign permits shall be issued for no more than 30 days per quarter.
- (5) Individual homeowners cannot advertise for businesses or events as that is considered off-premise signage.

- (6) Portable signs subject to the dimension requirements in this article and provided they in no way obstruct vehicular travel, public parking and/or pedestrian movement along sidewalks and are removed when the establishment is closed for business, must apply for and obtain approval of a sidewalk encroachment permit if applicable.
- (7) Residential parcels. Temporary signage shall be permitted on residential parcels for off-premise advertising, granted they comply with the temporary sign square footage and duration.
 - a. No permitting is required.
 - b. Temporary off-premise signage is not to exceed 32 square feet.
 - c. Signs shall be allowed no more than 14 days prior to the event and no more than three days after its termination.
- (8) Construction sites. Signs shall be permitted beginning when permits are issued for site preparation or construction and for the duration of actual construction and shall be removed within 15 days following the issuance of a certificate of occupancy, completion or abandonment of work, whichever occurs first.
 - a. Such signs shall not exceed an area of 16 square feet and a height of six feet.
 - b. Each sign shall be at least 20 feet from contiguous property lines of adjacent landowners and at least five feet from any right-of-way.
 - c. Only one sign per street frontage shall be allowed.
 - d. Temporary signage may include off-premise information.

Section 8-4-6 Districts.

- (a) District regulations.
 - (1) The following requirements shall apply in the designated district, as appropriate, to permitted uses by right and special uses as may be permitted, subject to all other requirements of this chapter.
 - (2) Sign area square footage limits are provided per sign unless specified as a total. Total area is calculated as an aggregate of all signs of that type.

Table 8.4.6(A) Maximum Sign Dimensions: AFOS District

Sign Type	Residential Uses			Nonresidential Uses and Neighborhood Signs		
	Number	Area	Height	Number	Area	Height
1. Freestanding	Not permitted	N/A	N/A	1 per street frontage	25 square feet	15 feet
2. Wall	Not permitted	N/A	N/A	1 per street frontage	25 square feet	N/A
3. Minor	1 per street frontage	3 square feet	N/A	Not limited	3 square feet	N/A
4. Portable	Not permitted	N/A	N/A	1 per street frontage	6 square feet	4 feet
5. Temporary	Not limited	32 square feet total	4 feet	Not limited	32 square feet total	4 feet
6. Internally illuminated	Not permitted	N/A	N/A	Not permitted	N/A	N/A
7. Window Signage	Not permitted	N/A	N/A	Not permitted	N/A	N/A

Table 8.4.6(B) Maximum Sign Dimensions: R-1, R-2, R-3, R-4 Residential Districts

Sign Type	Residential Uses			Nonresidential Uses and Neighborhood Signs		
	Number	Area	Height	Number	Area	Height
1. Freestanding	Not permitted	N/A	N/A	1 per street frontage, shall be monument only	16 square feet	6 feet
2. Wall	Not permitted	N/A	N/A	1 per street frontage	16 square feet	N/A
3. Minor	1 per street frontage	3 square feet	N/A	Not limited	3 square feet	N/A
4. Portable	Not permitted	N/A	N/A	1 per street frontage	6 square feet	4 feet
5. Temporary	Not limited	32 square feet total	4 feet	Not limited	64 square feet total	4 feet
6. Internally illuminated	Not permitted	N/A	N/A	Not permitted, except for churches, residential care facilities, apartment complexes, and townhouses*	N/A	N/A
7. Window Signage	Not permitted	N/A	N/A	Not permitted	N/A	N/A

Table 8.4.6(C) Maximum Sign Dimensions: B-1, B-2, B-3, M-1, OI, and PTD Districts

Sign Type	Number	Area	Height
1. Freestanding	1 per street frontage	60 square feet, except 200 square feet allowed within 660 feet of I-81	15 feet, except 50 feet allowed within 660 feet of I-81
2. Projecting	1 per business per street frontage	12 square feet	See Section 8-4-5
3. Wall	1 per business per street frontage	Front: 2 square feet for every 1 LF of building face on which the sign is located; side and rear: 1 square feet for every 1 LF of building face on which the sign is located	N/A
4. Canopy	1 per street frontage	0.5 square feet per LF of canopy fascia on which the sign is mounted	Sign shall not extend above or be suspended below the horizontal plane of the canopy fascia
5. Portable	1 per business	12 square feet	4 feet
6. Temporary	Not limited	32 square feet total	4 feet
7. Minor	Not limited	3 square feet	4 feet
8. Window Signage		10% square feet of total area of all windows on each building façade.	N/A

Window signs are permitted only on the first floor of a building unless the business advertised is only on the floor where the window sign is displayed.

(b) Old and Historic District.

(1) Signs within the Old and Historic District shall be subject to the Town of Abingdon Design Review Guidelines for the Old and Historic District, as amended, and require a certificate of appropriateness by the Historic Preservation Review Board (HPRB).

(2) The HPRB may approve the attachment or suspension of a sign from an existing freestanding or projecting sign or, in the case of a building on a site with more than one street frontage or more than one principal entrance, one additional freestanding or projecting sign per additional street frontage or principal entrance, if the HPRB determines that such an arrangement is in keeping with the architectural character of the property.

(3) Window signage seen from a public right of way is not allowed without HPRB approval.

(4) Temporary signage is not allowed without HPRB approval.

(5) Sandwich board signs are allowed without HPRB approval.

Section 8-4-7 Nonconforming signs.

(a) Nonconforming signs.

(1) Any sign legally existing at the time of the passage of this chapter that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located, shall be considered legally nonconforming and shall be permitted to continue in such status until such time as it is either abandoned or removed by its owner, subject to the following limitations:

a. A nonconforming sign shall not be enlarged nor shall any feature of a nonconforming sign, including but not limited to illumination, be increased.

b. A nonconforming sign shall not be moved for any distance on the same lot or to any other lot unless such change in location will make the sign meet all current requirements of this article.

c. A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding 50% of its sign area may be restored within two years after such destruction or damage but shall not be enlarged in any manner. If such sign is destroyed or damaged to an extent exceeding 50%, it shall not be reconstructed but may be replaced with a sign that meets all current requirements of this article.

(b) Exemption for certain existing signs.

(1) Notwithstanding any contrary provision in this chapter, no nonconforming sign is required to be removed solely by the passage of time.

Section 8-4-8 Enforcement.

(a) Maintenance, repair, and removal.

- (1) Every sign permitted by this chapter shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling or is otherwise deemed unsafe by the Administrator, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this chapter, the owner thereof or the person or firm using same shall, upon written notice by the Administrator forthwith in the case of immediate danger, and in any case within not more than 10 days, make such sign conform to the provisions of this chapter, or shall remove it. If within 10 days the order is not complied with, the Administrator shall be permitted to remove or cause such sign to be removed at the expense of the owner and/or the user of the sign.
- (2) If a sign presents an imminent and immediate threat to life or property, then an authorized Town official may abate, raze, or remove it, and the Town may bring an action against the responsible party to recover the necessary costs incurred for abating, razing, or removing the sign.

(b) Removal of abandoned signs.

- (1) A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove such sign, the Administrator shall give the owner 30 days' written notice to remove it. Upon failure to comply with this notice, the Administrator or his duly authorized representative may remove the sign at cost to the property owner.

Division XI Definitions

11-1-2 General and use definitions.

Window sign means a sign painted, stenciled, or affixed entirely within or upon the flat surface of a window or door, or placed immediately behind the window so as to attract the attention of persons outside the building, but excluding merchandise in a window display.

Per Code of Virginia 15.2-2283 the purpose of zoning ordinance shall promote health, safety or general welfare of the public. Therefore, requiring that a zone text amendment be reviewed for several specific items.

- Whether and the extent to which the proposed amendment is consistent with the comprehensive plan and any other applicable and adopted long range planning documents;

Staff Findings: The Abingdon Comprehensive Plan was updated in 2020. There are specific references to the quality of life and the economy of Abingdon:

- “Abingdon will achieve well-planned, orderly growth by building on our assets, increasing walkability, and maintaining an exceptionally high quality of life.” (Pg. 7)
 - “Abingdon will grow its economy by helping a wide range of local and regional entrepreneurs and businesses prosper.” (Pg. 7)
 - “The Town’s standards for preservation will maintain the look and feel of its historic districts while allowing for economically viable reuse of the structures.” (Pg. 8)
 - “Abingdon will have a thriving tourism economy built upon three main pillars – the arts, history, and outdoor recreation.” (Pg. 8)
 - “The Town will have a wide variety of options, such as lodging, restaurants, experiences, retail, tours, and culinary events to meet the needs of visitors of all ages and interests.”
 - “Abingdon will invest in activities, amenities, and experiences to meet the changing needs for repeat and new travelers.” (Pg. 8)
- Whether the proposed amendment is in conflict with any provision of the Zoning Ordinance and any other regulations contained in the Town Code or other applicable regulations;

Staff Findings: There will continue to be allowed locations for these facilities by right. This is not limiting grocery stores, gas stations and other similar uses from selling recreational substances.

- Whether and the extent to which there are changed conditions that require an amendment;

Staff Findings: Yes. These are changed conditions. We are a border community of North Carolina, Tennessee, Kentucky and West Virginia and have an influx of residents crossing the border for purchasing and sharing products.

- Whether and the extent to which the proposed amendment addresses a demonstrated community need;

Staff Findings: The community is being inundated with shops that sell recreational substances. In order to protect the Entrance Corridor and the Old and Historic District, limited these businesses is a community need.

- Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern;

Staff Findings: The M-1 District allows

- Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, floodplains, wetlands, and the natural functioning of the environment; and

Staff Findings: There will be no adverse impacts to the natural environment with the zone text amendment. Site plan review, permitting and construction review will allow for each project to be reviewed for specific impacts.

- Whether and the extent to which the proposed amendment will have a positive effect on the balance between residential and nonresidential uses.

Staff Findings: This request will be in keeping with the uses that are similar and allowed in the M-1 and B-2 (special use permit) district.

REQUIRED ACTIONS OF THE PLANNING COMMISSION:

- A. Sample Motions. The role of the Planning Commission in this instance is to decide to send a resolution initiating and recommending approval of this Zone Text Amendment to the Town Council.

Sample Motion Having reviewed and considered the application materials, staff report, and public comment, in accordance with the requirements of Section 15.2-2286(A)(7) of the Code of Virginia, I move to recommend the Town Council to Amend the Zoning Ordinance to add Recreational Substance Businesses as a use for the public necessity, convenience, general welfare, and good zoning practices;