



**TOWN OF ABINGDON, VIRGINIA
PLANNING COMMISSION MEETING
MONDAY, APRIL 22, 2024 – 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, MARCH 25, 2024**
 - March 25, 2024, Regular Meeting**
- D. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**
- E. CERTIFICATE OF APPROPRIATENESS**
 - 1. *First Community Bank, 271 W. Main Street, Abingdon, VA 24210; Owner. Gearhart Enterprises, LLC; Applicant. Certificate of Appropriateness for Signage. Located at 271 W. Main Street, Abingdon, VA 24210. Tax Map ID (011-1-84)***
 - A. Staff Report – Caleb Conklin**
 - B. Applicant Presentation**

C. Public Comment Concerning Item

D. PC Discussion & Decision

F. OLD BUSINESS/MATTERS NOT ON THE AGENDA

- **Code Discussion concerning signage and lighting sections – Mayana Rice**
- **Comprehensive Plan revision discussion – Mayana Rice**

G. ANNOUNCEMENTS

H. ADJOURNMENT

**TOWN OF ABINGDON
PLANNING COMMISSION
MONDAY, MARCH 25, 2024, 5:30 PM
COUNCIL CHAMBERS, MUNICIPAL BUILDING**

A meeting of the Abingdon Planning Commission was held on Monday, March 25, 2024, at 5:30 PM in the Council Chambers of the Municipal Building.

A. Kenny Shuman – Chairman called the meeting to Order

B. Roll Call – Gabe Cristofari, Senior Planner/GIS

Members Present:

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

Members Absent:

Mr. Kirk Sproles	Absent
Mr. Wayne Austin	Absent

Comprising a quorum of the Commission – Yes

Administrative Staff Present:

Mr. Gabe Cristofari – Senior Planner/GIS
Mr. Caleb Conklin – Planner I

Guests: None

**C. APPROVAL OF MINUTES: REGULAR MEETING, FEBRUARY 26, 2024.
(VIDEO 6:00 – 6:46)**

- February 26, 2024, Regular Meeting

On a motion by Mr. Weaver, seconded by Mr. Pennington, the Planning Commission approved the Regular Meeting Minutes for February 26, 2024.

The roll call vote was as follows:

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

D. PUBLIC COMMENTS: None

E. CERTIFICATE OF APPROPRIATNESS

- 1. *Certificate of Appropriateness – Taylor Lindsey, 195 Stonewall Heights, Abingdon, VA 24210; Owner & Applicant. Certificate of Appropriateness for Exterior Changes. Located at 301 W. Main Street, Abingdon, VA 24210. Tax Map ID (011-1-80) (VIDEO 7:03 – 23:05)***

Mr. Cristofari provided the staff report.

Taylor Lindsey (Owner/Applicant) has requested approval of an Entrance Corridor Certificate of Appropriateness for a variety of exterior changes.

1. Replace all existing second floor wooden or vinyl one-over-one double hung sash windows. Replace both first floor commercial display windows with aluminum commercial display windows.
2. Repaint the R-type metal awning roof cladding on the primary (South) elevation dark green.
3. Repaint the exterior of the building to match the existing paint scheme and restore the mural on the West elevation to its original appearance.

Located at 301 W. Main Street (Parcel 011-1-80). 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.

Generally, the Subject Property is located at 301 W. Main Street. According to “Places In Time Volume II” by Nanci C. King, the brick building was constructed in 1908 by Citizens Bank & Trust Co. Around 1928 an addition was made to the west side of the structure, and the front window and door arrangement was modified.

The applicant proposes several exterior changes.

1. Replace all existing second floor wooden or vinyl one-over-one double hung sash windows. Replace both first floor commercial display windows with aluminum commercial display windows.
2. Repaint the R-type metal awning roof cladding on the primary (South) elevation dark green.

3. Repaint the exterior of the building to match the existing paint scheme and restore the mural on the West elevation to its original appearance.

First, the applicant proposed to replace all existing wooden or vinyl one-over-one double hung sash windows located on the second floor with aluminum one-over-one double hung sash windows and replace both first floor commercial display windows with aluminum commercial display windows.

Based on a site visit, staff found a majority of the existing wooden one-over-one double hung sash windows located on the second floor operate on a rope and pulley system. About half the existing wooden one-over-one windows have intact ropes but are inoperable due to them being painted shut. Given the construction date of the brick building being 1908, machine cut nails would be the appropriate nail type to be found if the windows were original or an early replacement for this specific building. Staff could not find any machine cut nails associated with any of the existing second floor rope and pulley wooden one-over-one double hung sash windows. All nails observed were either wire cut, and all screws had either a Philip's or Flat head. Upon further observation staff saw the existing second floor rope and pulley wooden one-over-one double hung sash windows are smaller than the original window openings. Based on the site observations it is highly possible all existing second floor rope and pulley wooden one-over-one double hung sash windows are not original nor an early replacement iteration. The only similarities between the existing and windows observed in a historic photograph are the window configuration (one-over-one) and the size of the openings. The wooden window's exterior surround appears to be original to the brick building.

As for the first floor wooden commercial display windows fronting W. Main Street, staff observed a machine cut nail. Due to a machine cut nail being discovered when inspecting the first floor wooden commercial display windows staff believes these are either original or an early replacement iteration.

At the rear (North) elevation are two second floor vinyl one-over-one double hung sash windows. The two vinyl one-over-one double hung sash windows are not original nor an early replacement iteration.

Three windows located on the first floor on the East elevation are aluminum one-over-one double hung sash. The three one-over-one double hung sash aluminum windows are not original nor an early replacement iteration.

Second, the applicant proposed to repaint the existing R-type metal awning roof cladding attached to the primary (South) elevation a dark green color. Presently the awning roof cladding color is a light green, no doubt due to weathering caused by continuous sun exposure. According to the 1908, 1913, 1922, and 1928 Sanborn Maps the building did not have an awning on the primary (South) elevation originally or within the first 20 years of the Citizens Bank & Trust Company's existence. This action is waiver eligible.

Lastly, the applicant proposed to repaint the exterior of the brick building in a cream color to match the existing paint scheme. On the West elevation is a mural depicting various aspects of the Town of Abingdon and various aspects of its history. The mural will be restored to its original appearance. This is a waiver eligible action.

Staff were asked to gauge the Historic Preservation Review Board's interest in expanding the Old & Historic District further West ending at 301 and 303 W. Main Street. The Historic Preservation Review Board were in favor of expansion. Staff prior to discussing the topic with the Historic Preservation Review Board looked at which buildings would be considered contributing to the Old and Historic District on a local level given this section is not included in the Department of Historic Resources designated Historic District for Abingdon. However, 301 and 303 W. Main Street were highlighted along with a few others on W. Main Street on the VCRIS site indicating they could be a possible contributing site if evaluated. Currently this building is not within the Old and Historic District there is no requirement that any historic existing component remain as they currently exist. The Planning Commission must determine if the proposal fits within the development pattern.

Mr. Johnson (PC) asked for clarification if all the front windows are original. Mr. Cristofari (Staff) answered that staff does not believe the windows to be original because there was no machine cut nails to be found. Mr. Shuman (PC) asked if none of the windows are original. Mr. Cristofari clarified that none of the second-floor windows are original, but the first floor windows, that are commercial, a machine cut nail was found. Mr. Cristofari showed the board a picture of where the machine cut nail was located. In 1928, the door and window configuration were altered slightly.

Mr. Johnson asked if all the second-floor windows have been replaced at some point. Mr. Cristofari answered yes, due to no machine cut nails being found. Mr. Shuman clarified that only the two windows on the first floor are original. Mr. Cristofari stated that they are possibly original or an early iteration due to a machine cut nail being found.

Mr. Johnson asked if all the front windows were wooden. Mr. Cristofari answered yes. The only two that are different in material are at the rear of the building. Mr. Cristofari showed the board a picture of the windows that are not wooden.

Mr. Weaver (PC) asked if the height of the masonry was measured. Taylor Lyndsey (Owner/Applicant) answered that the height is between 85 – 86 inches. He explained there were some discrepancies on the exterior and interior masonry. The wooden casing fits closer to the exterior brick with the overlapping of brick. Mr. Weaver expressed concern about the exterior looking like the window fills the entire opening. Mr. Lyndsey stated that the proposed windows are 84 inches and are the largest they could obtain. The inside of the threshold of the window to the bottom was between 84.5 – 85 inches. Mr. Weaver asked if the windows were egress windows. Mr. Lyndsey answered that the current windows are painted shut and wouldn't be able to be egress, but the proposed double hung windows can be functioning as egress.

Mr. Shuman asked Mr. Lyndsey if he had any other comments on the proposed project that need to be addressed. Mr. Lyndsey thanked the board for their time and stated that the efforts for the renovations are to highlight the historical value of West Main Street, that includes 260 and 280 West Main Street. The proposed windows are to match and stay consistent with the replacement windows of 260 and 280 West Main Street. The proposal is to preserve the historical aspect of the building and to create egress for the building.

Mr. Weaver asked what an R-Type metal awning is. Mr. Cristofari answered that it's a certain type of roofing material with two peaks that meet with exposed fasteners. It is a more modern rendition of standing seam. Mr. Weaver asked for the clarification that the metal awning would be just painted. Mr. Lyndsey stated that the proposal is to just paint the awning. Mr. Johnson asked Mr. Lyndsey if replacing the windows, wood for wood, was an idea. Mr. Lyndsey answered that it could be an option. He chose the aluminum exterior for the ability to preserve the material and to match the other buildings on West Main Street. Mr. Johnson stated that all the questions pertaining to the windows are due to windows being a sensitive topic in the Old & Historic District and with the Historic Preservation Review Board.

Mr. Shuman expressed appreciation for the preservation of the mural on the building. Mr. Johnson stated that the Town may be willing to participate in the preservation of the mural as well. Mr. Lyndsey stated that an agreement has been put in place.

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

The roll call vote was as follows:

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

F. OLD BUSINESS/MATTERS NOT ON THE AGENDA (VIDEO 23:06 – 27:02)

- **April will bring Interstate Signage Discussion**

Mr. Cristofari stated staff is working on the interstate signage report. Staff will provide maps and an edited portion of the sign code for the board to look at in the following meeting for the board to discuss and comment.

- **April will bring Comprehensive Plan Update Process**

Mr. Cristofari stated VDOT has proposed improvement projects and for those to be acceptable the board will need to amend the Comprehensive Plan. The board will also look at if there are any other sections of the plan that need to be updated. Mr. Shuman asked if

the board needs to review the whole Comprehensive Plan because it is at the 5-year mark for being reviewed. Mr. Cristofari answered that even with the improvement projects calling for an update, the board will review the entire plan to see if an update needs to be made. Mr. Shuman stated that he thinks a complete update would need to be made.

Mr. Shuman mentioned that the May Planning Commission meeting may be scheduled on Memorial Day on May 27th and would need to be switched to May 20th. Mr. Cristofari stated that the meeting should be scheduled for the 20th but will check to make sure.

G. ANNOUNCEMENTS

H. ADJOURNMENT

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

The roll call vote was as follows:

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

Adjourn Time 5:52 p.m.

Kenny Shuman, Chairman

Mayana Rice, Director of Community
Development



STAFF REPORT

TO: ABINGDON PLANNING COMMISSION

FROM: CALEB CONKLIN, TOWN PLANNER I

SUBJECT: REQUEST FOR A CERTIFICATE OF APPROPRIATENESS FOR SIGNAGE

PUBLICATION DATE: APRIL 15, 2024

MEETING DATE: APRIL 22, 2024

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

REQUEST:

First Community Bank (Owner) and Gearhart Enterprises, LLC (Applicant) have requested approval of a Certificate of Appropriateness to add a wall sign on the primary (South) elevation of the building. Located at 271 W. Main Street (Parcel 011-1-84).

The property is within the Central Business District (B-3), the Entrance Corridor, and can be seen from a public right of way therefore requiring the approval of the Planning Commission prior to completion.

ENTRANCE CORRIDOR FRONTAGE:



View of W. Main Street looking West



View of W. Main Street looking East

ZONING MAP:



STAFF FINDINGS:

1. **Location.** The Subject Property contains approximately 0.310 acres and is legally described as CUMMINGS LT – W MAIN ACR .319 (Tax Map No. 011-1-84). Generally, the Subject Property is located at 271 W. Main Street.
2. **Background.** 271 W. Main Street is occupied by First Community Bank. There is an existing wall sign and freestanding sign at the property.
3. **Access.** Access to the site will continue to be W. Main Street and Plumb Alley.
4. **Adjacent Land Uses/Zoning.** Adjoining properties are zoned Central Business District (B-3) to the West, East, and South. Properties to the North are zoned Old & Historic District (OH).
5. **Applicable Requirements of the Zoning Ordinance.**

General Sign Standards.

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 fire-fighting 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.

(b) Application and permit

(7) Sign Permit Required

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.

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.

(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.

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.

Certificate of Appropriateness.

Division 6. Certificates of Appropriateness and Other Historic Permissions.

3-6-3. Standards and procedure.

(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.*

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).*

STAFF FINDINGS:

The applicant proposes to add a wall sign to the primary (South) elevation of the building. The non-illuminated sign will be made of aluminum with vinyl graphics. The sign will measure 2.5 ft. x 2.5 ft. for a total of 6.25 sq. ft. in area and be 1 in. in depth.

The sign’s color will have a background of white, with black lettering, and a red company logo.



There is an existing wall sign on the primary (South) elevation of the building above the main entryway. The Town of Abingdon zoning ordinance allows for one wall sign per business per street frontage within a B-3 District.

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

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.



2' 6"

2' 6"

 <p>First Community</p>
<p>Wealth Management</p>
<p>Raymond James Financial Services, Inc. Member FINRA/SIPC</p>

font: Roboto Bold and Regular





Entrance Corridor of Appropriateness Application

Date: 03/14/2024

Location of Property

Street Address: 271 W Main St
City, State, Zip: Abingdon, VA

Parcel #: 011-1-84

Applicant Information

Applicant Name: Gearheart Enterprises, LLC
Mailing Address: 131 Henderson Dr
City, State, Zip: Bluefield, WV, 24605

Phone: 3043200879
Email: gmchop@yahoo.com
Relation: Other Contractor

Property Owner

Owner Name: First Community Bank
Mailing Address: PO Box 989
City, State, Zip: Bluefield, WV, 24605

Phone: 3043200879
Email: marty.gearheart@martygearheart.com
Business: First Community Bank

Project Information

Located in Entrance Corridor: Yes
Site Plan for New Construction: N/A
Plan Contains location(s) of structures: N/A
Plan Contains Alterations: N/A
Drawings for Alterations/Construction: Yes
Add after: Yes
Structures w/Elevations: N/A

Walls & Fences: N/A
Contain Dimensions: Yes
Callouts Proposed vs Existing: Yes
Callouts Material(s) and Colors: N/A
Photos of Area: N/A
Description: This is a relatively simple 2'6"x 2'6" aluminum sign, 1" deep with vinyl graphic, and is non illuminated.
Samples Provided: N/A

Applicant Signature

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.

marty gearheart

Name

03/14/2024

Date

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.

chris canterbury

Property Owner

03/14/2024

Date



MEMO

TO: ABINGDON PLANNING COMMISSION

FROM: MAYANA RICE, ASSISTANT TOWN MANAGER

SUBJECT: REQUEST FOR PLANNING COMMISSION
INTERPRETATION/DISCUSSION CONCERNING SIGNAGE AND
LIGHTING CODE SECTIONS

**PUBLICATION
DATE:** APRIL 15, 2024

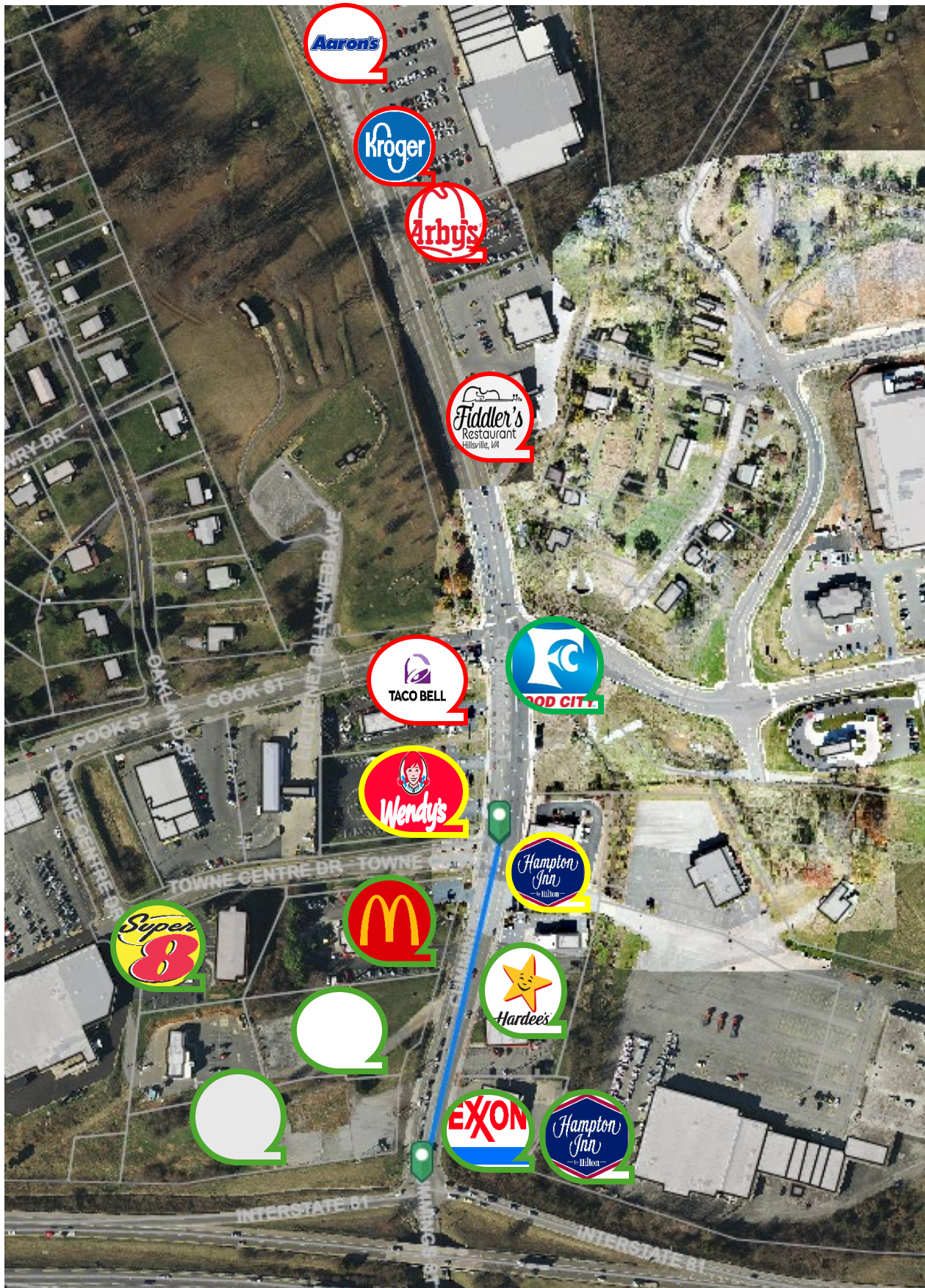
**MEETING
DATE:** APRIL 22, 2024

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

During the January 22, 2024, Planning Commission Regular Meeting, the question arose concerning the distance and size of signage in the Entrance Corridor near Interstate 81. The board requested staff investigate the amount of signage near Interstate 81 that is nonconforming according to the zoning ordinance. Staff have investigated the topic and are requesting an interpretation/discussion concerning the signage and lighting zoning sections in the ordinance.

Planning staff requests the Planning Commission to review and provide comments for:

- 1) The distance and height for freestanding signs near the Interstate 81;
- 2) The difference between when new signage would be considered a Certificate of Appropriateness approved by the Planning Commission and a Certificate of Appropriateness Waiver approved by the Planning staff;
- 3) Architectural lighting that includes internal and external lighting allowed on buildings and windows seen from a public right of way.



Cummings Street Exit 17



Hardee's
602 Cummings Street



Exxon
604 Cummings Street



Hampton Inn
510 Cummings Street



Missing Pylon Sign



Missing Pylon Sign



Super 8
298 Towne Center Drive



Multiple Businesses
502 - 588 Cummings Street



McDonald's
525 Cummings Street



McDonald's
525 Cummings Street



Wendy's
499 Cummings Street



Taco Bell
495 Cummings Street



Food City
151 Cook Street



Fiddler's
480 Cummings Street



Arby's
470 Cummings Street



Kroger
466 Cummings Street



Multiple Businesses
396 – 448 Cummings Street

In the General Business District (B-2), signs are allowed a maximum of 200 square feet in area and 50 feet in height within 660 feet of I-81. Outside of 660 feet, signs are allowed a maximum 60 square feet in area and 15 feet in height.

Many signs along Cummings Street exceed the maximum dimensions for signage. These businesses include Taco Bell, Fiddler's, Arby's, and Kroger. Food City is an exception because it is part of the Meadows Planned Unit Development Covenant.

Staff drove I-81 to see which signs are readily visible from I-81. In conclusion, the sight distance from the I-81 overpass extended to the Arby's sign. However, sight distance to safely make an exit off I-81 decreased to the 660 feet distance. Signs such as Fiddler's were not visible until on or past the overpass, approximately 1000 feet past the exit ramp.



Jonesboro Road Exit 14



Shell
182 Jonesboro Road



BP/Dunkin Donuts
191 Jonesboro Road



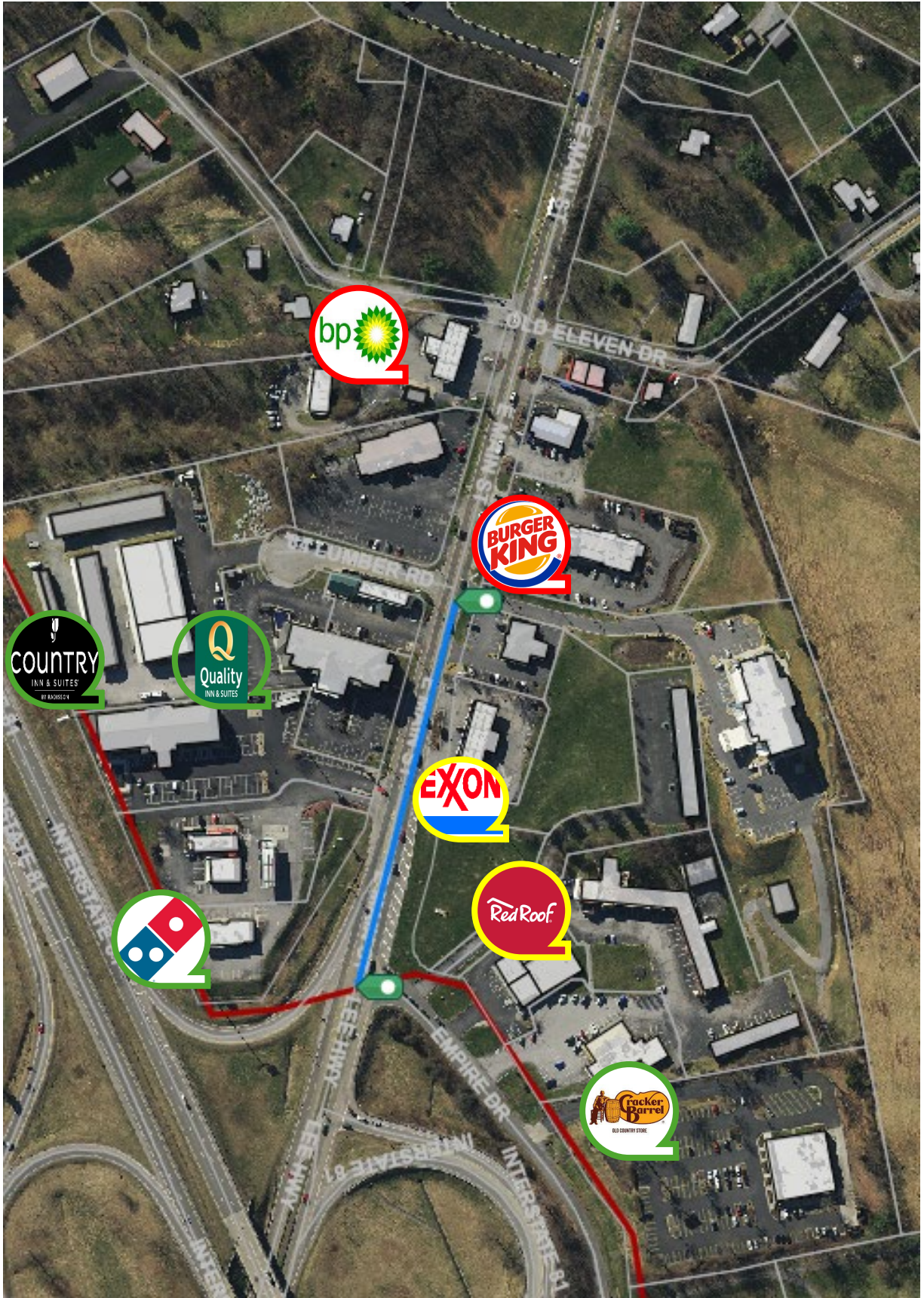
McDonald's
1105 Ole Berry Drive



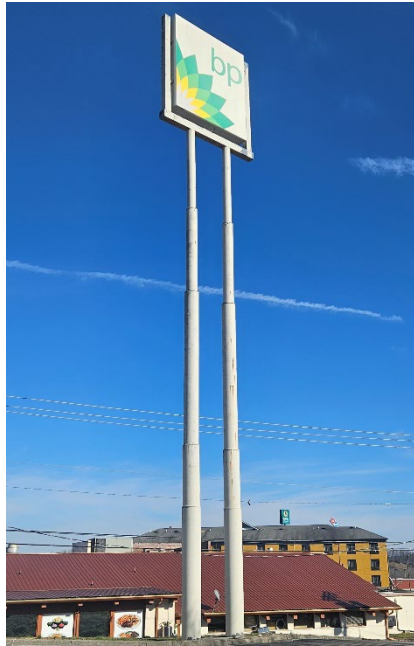
Ford
158 Jonesboro Road

The BP, Shell, and McDonald's signs on I-81 Exit 14 on Jonesboro Road are within the zoning code guidelines.

The Ford sign is the only sign out of the 660 feet distance that exceeds the allowable size.



E. Main Street Exit 19



BP
906 E. Main Street



Domino's
990 E. Main Street



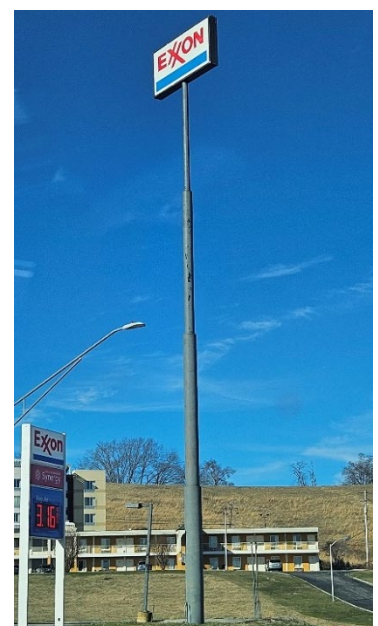
Burger King
915 E. Main Street



Quality Inn & Suites
930 E. Main Street



Country Inn & Suites
940 E. Main Street



Exxon
939 E. Main Street



Cracker Barrel
909 Empire Drive



Red Roof Inn
887 Empire Drive

A majority of the signs near exit 19 on E. Main Street are within 660 feet distance. The Burger King and BP signs shown on the map are outside the maximum distance and cannot be seen from the interstate until well passed the exit.

DIVISION 4
Signs

Section 8-4-1. Purpose and intent. [1-3-2023 by Ord. No. 2023.01.03]

- (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. [1-3-2023 by Ord. No. 2023.01.03]

- (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) or a Certificate of Appropriateness Waiver issued by the Community Development Department.
 - 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 or a Certificate of Appropriateness Waiver issued by the Community Development Department.
 - 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

1. Editor's Note: See Code of Virginia, § 36-97 et seq.

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. [1-3-2023 by Ord. No. 2023.01.03]

(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.
- 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. [1-3-2023 by Ord. No. 2023.01.03]

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) 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.
- (6) 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.

- (7) Signs on the roof surface or extending above the roofline of a structure, building, or parapet wall.
- (8) Off-premise signs, unless specifically permitted by this chapter.
- (9) Any flashing sign, except those officially erected for safety purposes. [See Lighting Section 8-1-2.](#)
- (10) Signs that emit sound, smoke, flame, scent, mist, aerosol, liquid, fluorescent colors, or gas.
- (11) 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.
- (12) Signs that violate any provision of any federal or state law relative to outdoor advertising.
- (13) 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. [1-3-2023 by Ord. No. 2023.01.03]

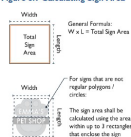
(a) Standards.

- (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;²
 - 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.

2. Editor's Note: See Code of Virginia, § 36-97 et seq.

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

Figure 8.9 Calculating Sign Area



- (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
 - (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.

3. Editor's Note: So in original.

~~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. [1-3-2023 by Ord. No. 2023.01.03]

- (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	

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

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

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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
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

- Based on analysis of other codes, 660 ft. is a commonly used distance. Based on staff video evidence, signs outside of 660 ft. are not seen from the interstate or not seen before exiting the interstate safely.

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Figure 8.11 AFOS and Residential District Freestanding Sign Examples

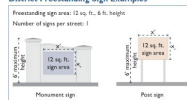
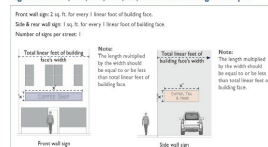


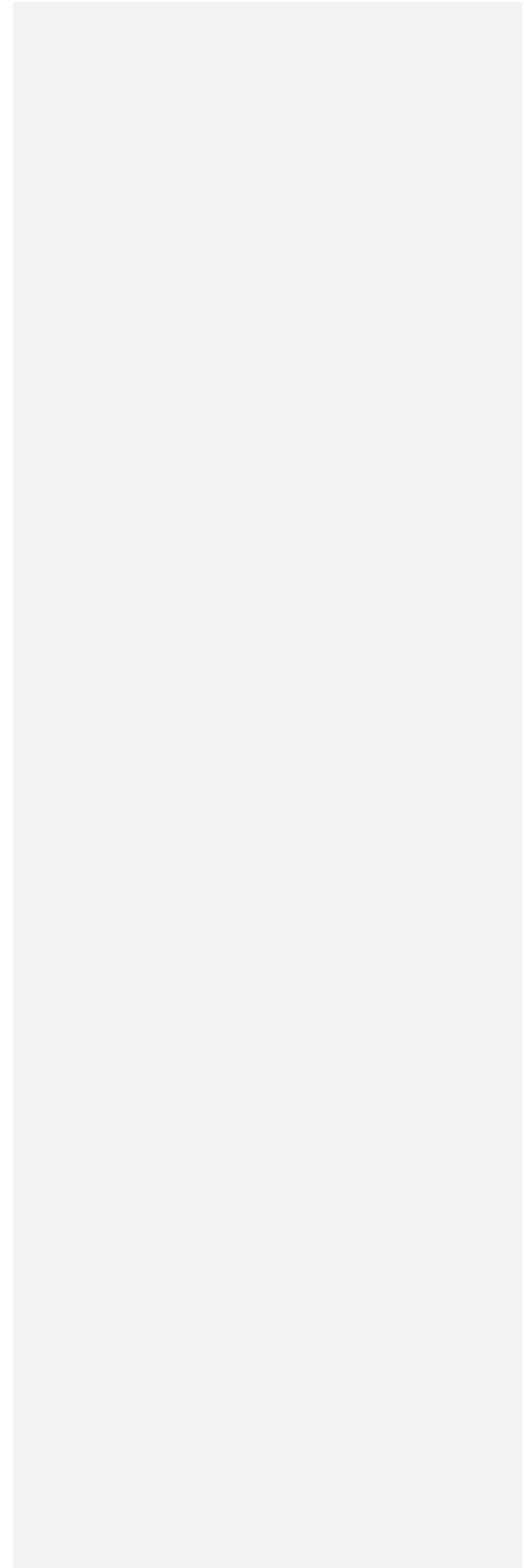
Figure 8.12 B-1, B-2, B-3, M-1, OI, and PTD Wall Sign Examples



(b) Old and Historic District.

- 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) Temporary signage is not allowed without HPRB approval.
- (4) Sandwich board signs are allowed without HPRB approval.

Section 8-4-7. Nonconforming signs. [1-3-2023 by Ord. No. 2023.01.03]

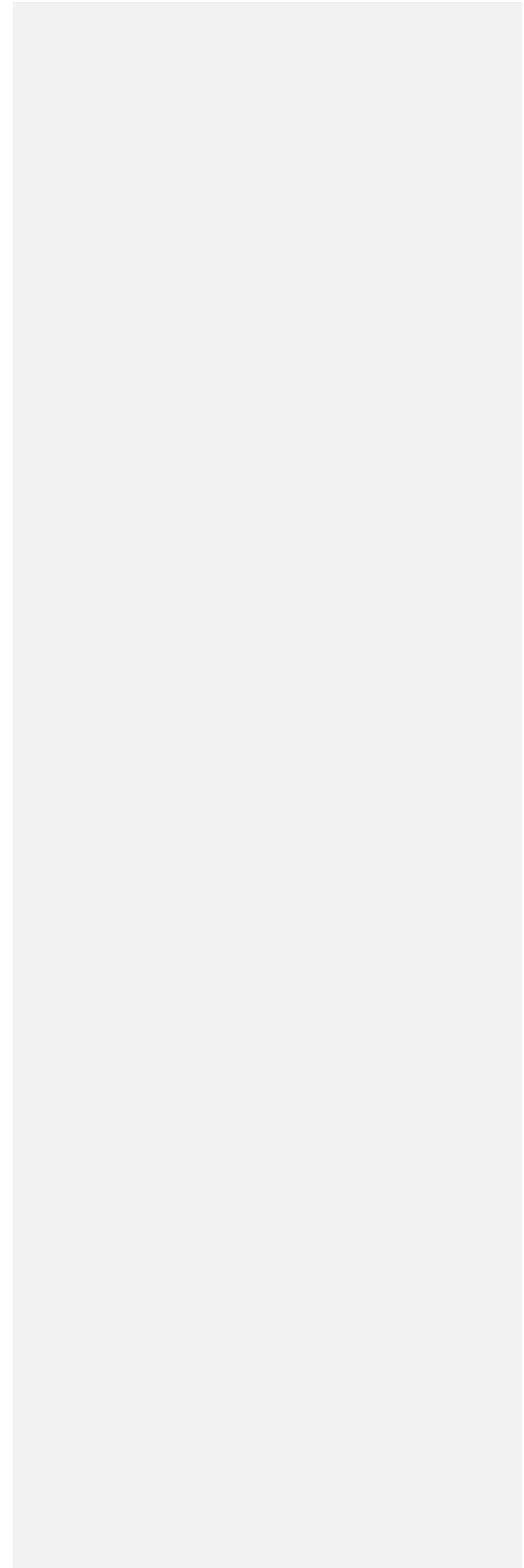
- (a) Nonconforming signs.
 - (1) Any sign legally existing at the time of the passage of this chapter that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located, shall be considered legally nonconforming and shall be permitted to continue in 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. [1-3-2023 by Ord. No. 2023.01.03]

- (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 1
Lighting

Section 8-1-1. Purpose and intent. [1-3-2023 by Ord. No. 2023.01.03]

The purpose of this division is to:

- (1) Permit the use of exterior lighting at the minimum level necessary for nighttime safety, utility, security, productivity, enjoyment, and commerce;
- (2) Ensure exterior lighting does not adversely impact land uses on adjacent land by minimizing light trespass, obtrusive light, and glare;
- (3) Curtail light pollution, reduce sky glow, and preserve the nighttime environment for astronomy, wildlife, and enjoyment of residents and visitors; and
- (4) Ensure security for persons and property.

Section 8-1-2. Applicability. [1-3-2023 by Ord. No. 2023.01.03]

- (a) General. The provisions of this division shall apply all development in the Town unless exempted in accordance with this section.
- (b) Conformance with all applicable codes. All outdoor lighting shall be installed in accordance with the provisions of this chapter, applicable electrical and energy codes, and applicable sections of the building code.¹
- (c) Time of review. Review for compliance with the standards of this division shall occur as part of the review of an application for a site plan, planned development, certificate of approval, certificate of zoning use, special use, or variance.
- (d) Existing development. Compliance with these standards, to the maximum extent practicable, shall also apply to redevelopment of an existing structure, building, or use when it is expanded, enlarged, or otherwise increased in intensity equivalent to or beyond 50%.
- (e) Signs. Lighting for signage shall be governed by the standards set forth in Division 4 of this article.
- (f) Exemptions. The following are exempted from the exterior lighting standards of Article VIII:
 - (1) Lighting within a public street right-of-way or easement that is used principally for illuminating a roadway;
 - (2) Lighting exempt under state or federal law;
 - (3) Lighting for public monuments and statuary;
 - (4) Lighting that is required under the Uniform Statewide Building Code;²

1. Editor's Note: See also Ch. 15, Buildings and Building Regulations, of the Town Code.

2. Editor's Note: See Code of Virginia, § 36-97 et seq.

- (5) Construction, emergency, or holiday decorative or festive lighting, provided such lighting does not create unsafe glare on street rights-of-way and is used for 90 days or less;
- (6) Temporary lighting for circuses, fairs, carnivals, theatrical and other performance areas, provided such lighting is turned off not more than one hour after the last performance/event of the day and discontinued upon completion of the final performance/event;
- (7) Security lighting provided it is directed downward, does not glare onto adjacent property, and is controlled and activated by motion sensor devices for a duration of 15 minutes or less;
- (8) Lighting for flags of the United States of America or the Commonwealth of Virginia, or any department, division, agency or instrumentality thereof, and other noncommercial flags expressing constitutionally protected speech;
- (9) Architectural lighting of 40 watts incandescent or less;
- (10) Field lighting for an outdoor athletic facility, provided it is directed downward and is turned off within one hour upon completion of the final game;
- (11) FAA-mandated lighting associated with a utility tower or airport; and
- (12) The replacement of a failed or damaged luminaire that is one of a matching group serving a common purpose installed prior to the adoption of this division.

Section 8-1-3. Standards. [1-3-2023 by Ord. No. 2023.01.03]

- (a) Hours of illumination. Institutional uses, commercial uses, and industrial uses that are adjacent to existing residential development shall extinguish all exterior lighting, except lighting necessary for security or emergency purposes, within one hour after closing and shall not turn on such lights until within one hour of opening. For the purposes of this subsection, "lighting necessary for security or emergency purposes" shall be construed to mean the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas. Lighting activated by motion sensor devices is encouraged for these purposes.
- (b) Uniformity. Outdoor luminaires shall be of uniform style for each project site and conform to the design of the project.
- (c) Shielding. Each outdoor luminaire subject to these outdoor lighting requirements shall be a full cutoff luminaire and aimed and controlled such that directed light is directed inward to the property and confined to the object intended to be illuminated. Directional control shields shall be used when necessary to limit stray light and prevent glare to adjacent properties and vehicular public rights-of-way.
- (d) Color temperature. All exterior lights shall be 3,000 Kelvin light color temperature or less.
- (e) Type. High-pressure sodium vapor or light emitting diode (LED) lights shall be the preferred type of exterior site lighting. The use of mercury vapor lights shall be prohibited in any exterior lighting applications, except for under-canopy lighting for gasoline pump islands,

bank, or other drive-through or drive-in facilities.

(f) Canopy lighting. Light fixtures under any canopy shall be recessed into the canopy ceiling with a flat lens to prevent glare.

(g) Window lighting is prohibited in either the interior or exterior of windows. Window displays that include products may be illuminated, however the lights must be concentrated on the products for sale and not directed outward.

(h) There shall be no moving, blinking, flashing, or wrap around bands of lighting on the exterior of a building or seen from a public right-of-way.

(i) Height. Any pole-mounted exterior lighting shall not exceed a height of 30 feet in height in industrial districts and 20 feet in height in all other districts.

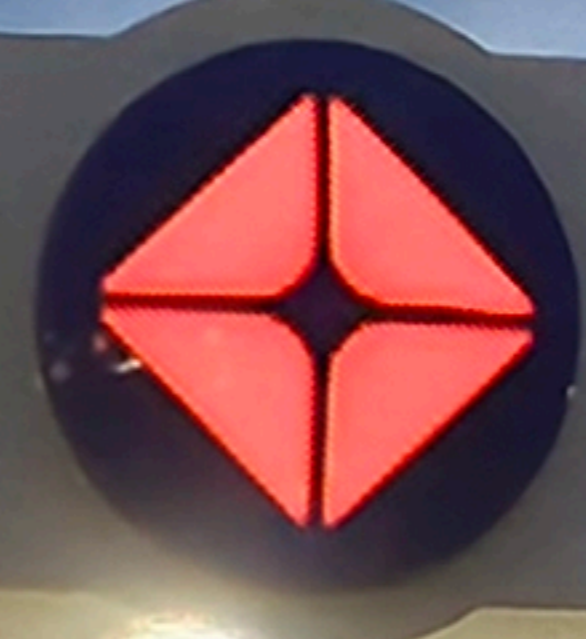


Section 8-1-4. Compliance. [1-3-2023 by Ord. No. 2023.01.03]

- (a) The lighting standards shall be enforced by the Administrator. Modifications of the lighting standards contained herein may be approved by the Administrator upon a determination that the lighting is necessary for nighttime safety, utility, security, productivity, enjoyment, and commerce and does not adversely impact pedestrians, traffic, or adjacent properties.
- (b) An appeal to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer, department, board, or bureau of the Town affected by any decision of the Administrator in enforcement of this division as outlined in Article II.



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VALUE

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24/7 24/7

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\$ 4.44

NASHVILLE

VAPOR TASTE BEYOND

18



MEMO

TO: ABINGDON PLANNING COMMISSION

FROM: MAYANA RICE, ASSISTANT TOWN MANAGER

SUBJECT: REQUEST FOR PLANNING COMMISSION COMPREHENSIVE PLAN DISCUSSION

PUBLICATION DATE: APRIL 15, 2024

MEETING DATE: APRIL 22, 2024

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

Beginning in February 2024, VDOT developed a variety of street improvement projects located within the Town of Abingdon, VA. The current Comprehensive Plan does not identify the specific improvements to W. Main Street, E. Main Street, Cummings Street, Court Street, and Rensburg Drive. VDOT has indicated that they need to be identified in the plan. Specifically, the section needing revision would be Chapter 3 entitled Transportation.

The Comprehensive Plan is linked in the email. Please click on the link and review the existing Chapter 3.

Please look at the VDOT projects the Town of Abingdon has submitted for potential funding.

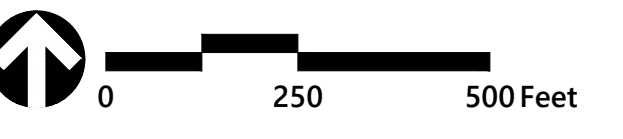
The Comprehensive Plan is only 4 years old. However, to prepare for budgeting for a 2025 update, it would be good to look at the plan this year and start talking about the topics and sections of the code that would benefit from an update.



115 South 15th Street
Suite 200
Richmond, VA 23219
804.343.7100

LEGEND

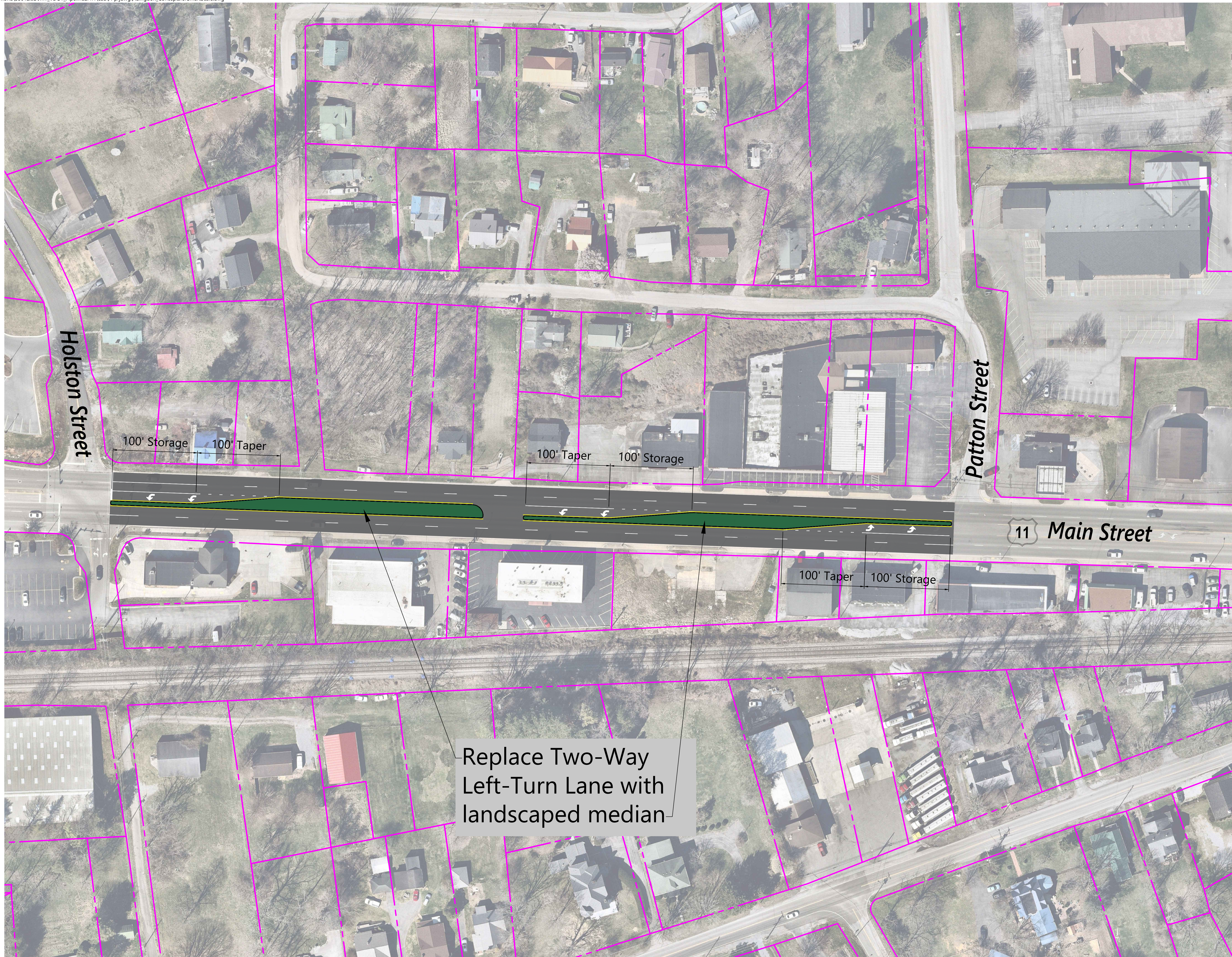
Preferred Alternative Location



No.	Revision	Date	App'd.
1	SMART SCALE Pre-Application Concept	March 2024	

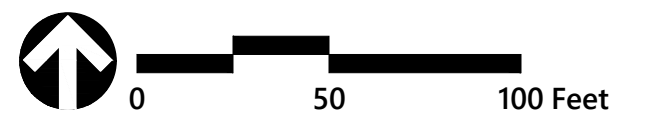
Designed by	Checked by
Issued for	Date

**Project Pipeline
BR-06 Abingdon:
Preferred Alternative
Location Map**



LEGEND

- Mill and Overlay
- Raised Grass Median / Bumpout
- Raised Concrete Median / Bumpout and Curb / Gutter
- Right Of Way Line (Based on GIS)
- Pavement Marking



No.	Revision	Date	Apprv.
1	SMART SCALE Pre-Application Concept	March 2024	

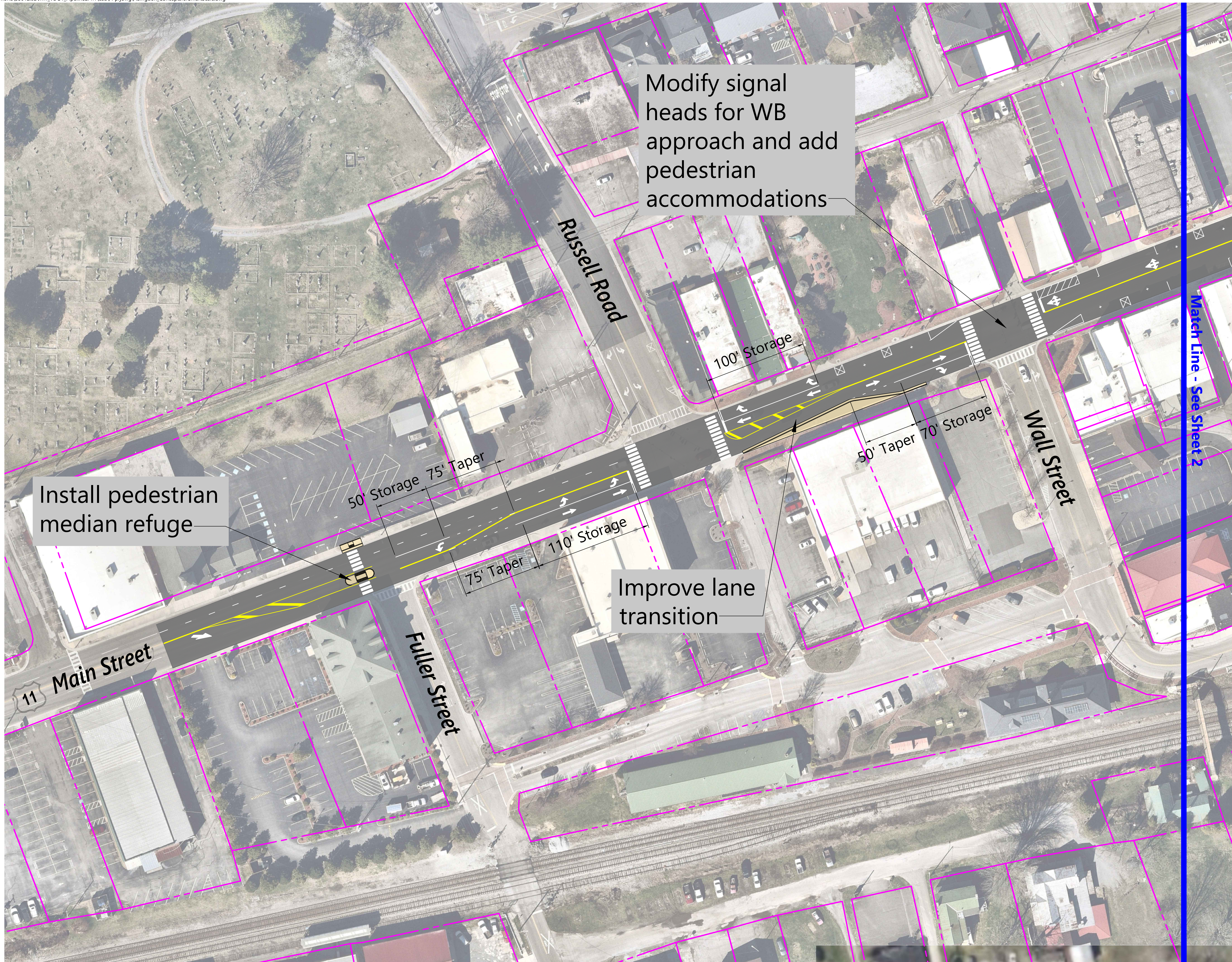
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Issued for	Date

Replace Two-Way Left-Turn Lane with landscaped median

**Project Pipeline
BR-06 Abingdon:
Landscaped Median
Between Holston
Street and Patton
Street**

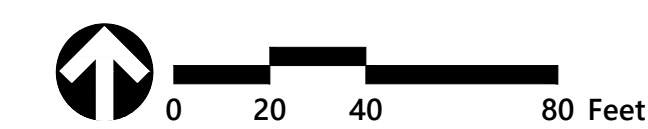


115 South 15th Street
Suite 200
Richmond, VA 23219
804.343.7100



LEGEND

- Mill and Overlay
- Raised Grass Median / Bumpout
- Raised Concrete Median / Bumpout and Curb / Gutter
- Right Of Way Line (Based on GIS)
- Pavement Marking
- High Visibility Crosswalk



No.	Revision	Date	Apprv.
1	SMART SCALE Pre-Application Concept	March 2024	

Designed by	Checked by
Issued for	Date

Project Pipeline
BR-06 Abingdon:
Fuller Street to
Cummings Street -
Sheet 1

Signal Modifications:

- Optimize traffic signal phasing
- Adjust lane configuration
- Rebuild signal to accommodate lane reconfigurations

Improve lane transition

Extend left-turn lane and improve lane transition

Abingdon Visitor Center

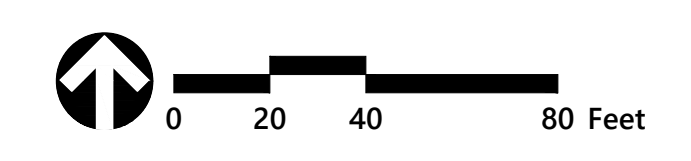
Add left-turn lanes

Prohibit left turn from Remsburg Drive and add raised landscaped median with pedestrian refuge

Abingdon Farmer's Market

LEGEND

- Mill and Overlay
- Raised Grass Median / Bumpout
- Raised Concrete Median / Bumpout and Curb / Gutter
- Right Of Way Line (Based on GIS)
- Pavement Marking
- High Visibility Crosswalk

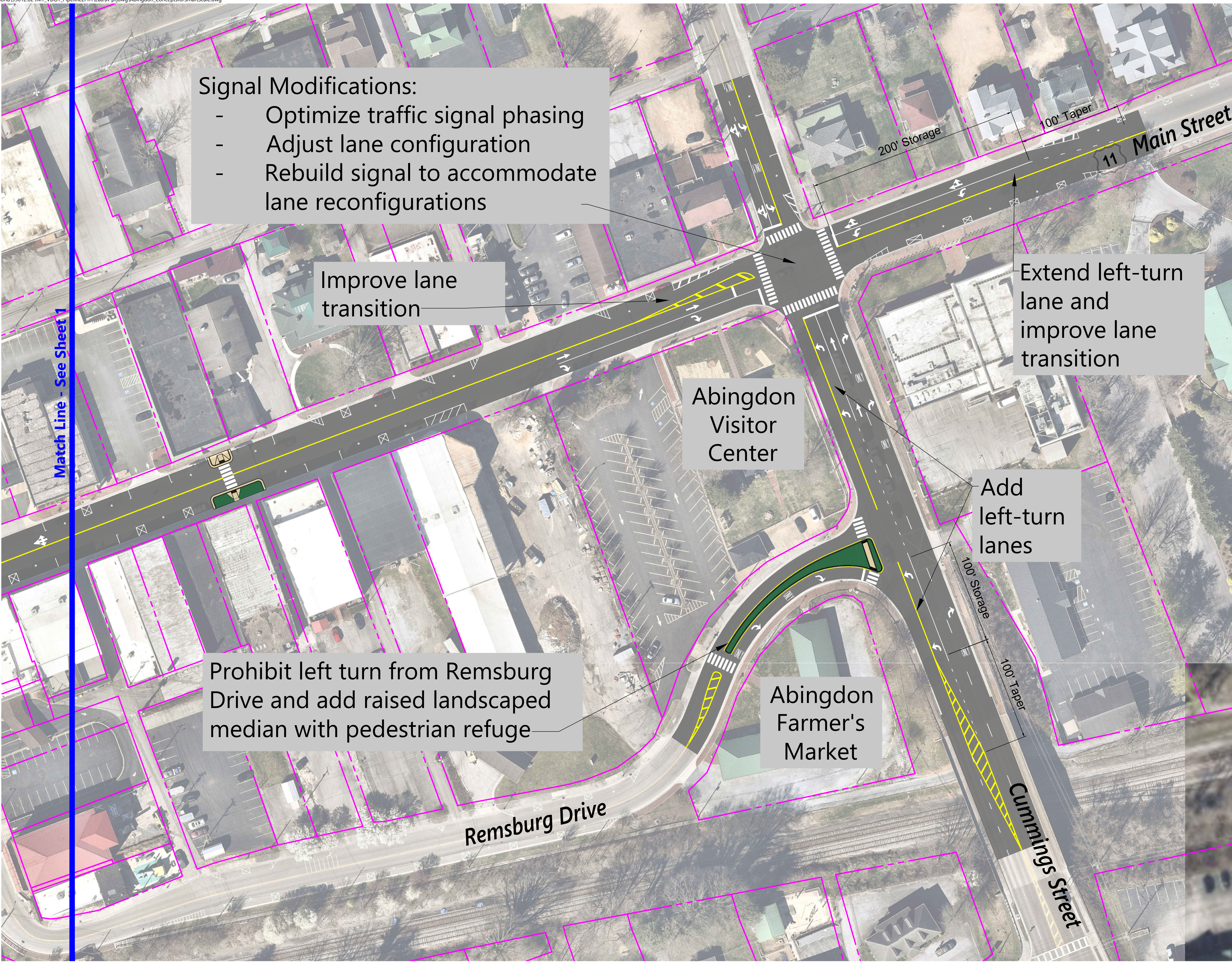


No.	Revision	Date	App'd.
1	SMART SCALE Pre-Application Concept	March 2024	

Designed by	Checked by
Issued for	Date

Project Pipeline
BR-06 Abingdon:
Fuller Street to
Cummings Street -
Sheet 2

Saved Thursday, March 21, 2024 2:14:26 PM NRAUER Plotted Thursday, March 21, 2024 2:17:15 PM Noelle Bauer









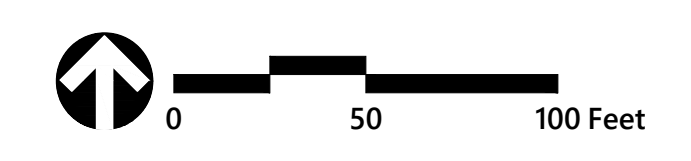


115 South 15th Street
Suite 200
Richmond, VA 23219
804.343.7100



LEGEND

-  Mill and Overlay
-  Raised Grass Median / Bumpout
-  Raised Concrete Median / Bumpout and Curb / Gutter
-  Right Of Way Line (Based on GIS)
-  Pavement Marking
-  High Visibility Crosswalk



No.	Revision	Date	App'd.
1	SMART SCALE Pre-Application Concept	March 2024	

Designed by	Checked by
Issued for	Date

Project Pipeline
BR-06 Abingdon:
College Street to
Pecan Street
Improvements

Wolf Hill Shopping Center

Abingdon Cinemall

Extend left-turn lane

Thompson Drive

Main Street



100' Storage

100' Taper

100' Taper

250' Storage

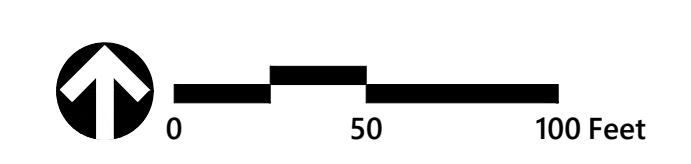
100' Taper

90' Storage

Replace two-way left-turn lane with landscaped median

LEGEND

- Mill and Overlay
- Raised Grass Median / Bumpout
- Raised Concrete Median / Bumpout and Curb / Gutter
- Right Of Way Line (Based on GIS)
- Pavement Marking



No.	Revision	Date	App'd.
1	SMART SCALE Pre-Application Concept	March 2024	
Designed by: _____			
Checked by: _____			
Issued for: _____			
Date: _____			

Project Pipeline
BR-06 Abingdon:
Landscaped Median
West of Thompson Drive