

STATE OF WEST VIRGINIA, COUNTY OF UPSHUR, CITY OF BUCKHANNON, TO WIT:

A scheduled quarterly meeting of the Buckhannon Planning Commission was held in Council Chambers at City Hall, 70 East Main Street on October 24, 2016 at 7:00 pm with the following in attendance:

| | | |
|-------------------|---------------------------|---------|
| Susan Aloï | Recorder | Present |
| Ann Livesay | Member | Present |
| Robert Osburn | Member | Present |
| Mary Albaugh | Member | Present |
| Dale Shannon | Member | Present |
| Christine Bennett | Member | Present |
| Jack Reger | Member | Present |
| Michael McCauley | Member | Present |
| Vincent Smith | Building Code Enforcement | Present |
| Jody Light | Member | Absent |
| AG Trusler | Member | Absent |
| Catherine Cuppari | Member | Absent |
| Pam Martin | Member | Absent |

Ms. Livesay asked for a moment of silence or meditation and led the Commission in the Pledge of Allegiance.

Initially, there was not sufficient attendance for quorum; the meeting was delayed until another member arrived. Robert Osburn arrived at 7:24 p.m. Noting that quorum was present. Chairwoman Livesay called the meeting to order at 7:24 p.m.

Meeting Agenda Posted 10-13-16

City of Buckhannon Planning Commission – 7:00 pm in Council Chambers Meeting Agenda for October 24, 2016

- A. Call to Order
 - A.1 Moment of Silence
 - A.2 Pledge to the Flag of the United States of America
 - A.3 Notice of Public Meeting & Legal Advertisement
- B. Recognized Guests
 - B.1 Logan Outdoors, LLC
 - B.2 Lamar Advertising
- C. Consent Agenda
 - C.1 Approval of Minutes - Regular Meeting 07-19-16
 - C.2 Approval of Minutes – Work Sessions 08-22-16 & 09-12-16
- D. Strategic Issues for Discussion and/or Vote
 - D.1 Digital Billboard Signage
 - D.2 Discuss/Review/Update Buckhannon 2020 Comprehensive Plan
 - D.3 Agenda-Designate Member to Prepare
- E. Board Members Comments and Announcements
 - E.1 Meeting Schedule 2017
- F. Adjournment
POSTED 10-13-16

Notice of Public Meeting & Legal Advertisement

**Notice of Public Meeting
Buckhannon Planning Commission**

The Buckhannon City Planning Commission will hold a regular scheduled public meeting on Monday, October 24, 2016 at 7:00 pm in Buckhannon City Hall.

This is an open meeting and interested parties are welcome to attend.

POSTED 09-02-2016

September 2, 2016

The Record Delta
Attention: Legal Advertisement Department
North Locust Street
Buckhannon, WV 26201

RE: Class II Legal Advertisement - City of Buckhannon

Dear Ladies and Gentlemen:

Please find attached herewith a "NOTICE OF MEETING, PLANNING COMMISSION" which I request your newspaper publish twice as a legal advertisement in your Friday editions of September 16 and 23, 2016, respectively.

Following the second publication of the attached legal advertisement on Friday, September 23, 2015, please forward your Publisher's Certificate and Affidavit along with your Publisher's statement to Assistant City Recorder, Amberle Jenkins, at City Hall.

In the event you have any questions or comments whatsoever concerning the publication of this legal advertisement, Mrs. Jenkins at City Hall at 472-1651, immediately. Thank you for your assistance in this matter..

Very truly yours,

Amberle Jenkins-Assistant Recorder

Attachment – Notice of Public Meeting Planning Commission

cc: Members of City Council
Jay Hollen, City Engineer
Members of Planning Commission
Scott McClure, City Attorney
Vincent Smith, Building Code Enforcement

Recognized Guest

- **Todd McCoy, Logan Outdoors, LLC.**

Vincent Smith was approached by Mr. McCoy about a digital sign that changes advertisements every eight seconds. Mr. McCoy has offered to reserve a couple of ad slots for the City. The signs are divided into eight ad slots; and each slot is eight seconds long; advertisers may buy full or half slots. The City could purchase one or more ad slot to use for City notices. Other businesses could purchase ads, as well. The sign would go up by the U-Haul lot –Racen Auto, across the road from Burger King in a C-4 Corridor H District.; the property owner is in agreement with installing the sign. The size of the sign would be 12' X 24' (or 10' X 20'), depending upon need for visibility.



8/30/16

Ref: LED Off-Premise

Section 7.8.e.1

Motion – The content management system will preclude file formats that allow for motion content. Static image file formats are only allowed to be processed.

Duration – The images duration is set at an Admin level access to the content management system. Images will remain for a minimum of 8 seconds.

Brightness – An onboard photocell will regulate the brightness automatically based on the current ambient brightness. System configuration files will limit the daytime brightness at or below the regulatory values. Daytime operating values will not exceed 650 Candela per Square Foot. Nighttime operating values will be under the regulatory values set.

Jim Shimmin

GM Digital Products Group

Formetco



157CSR6

signs must be spaced at least 500 feet apart on the same side of the highway.

7.8.c.4. The following spacing applies to signs along other Federal-Aid Primaries for which the permit application was received prior to January 1, 2004.

7.8.c.4.A. Outside a municipality, signs must be spaced at least 300 feet apart on the same side of the highway.

7.8.c.4.B. Inside municipalities, signs must be spaced at least 100 feet apart on the same side of the highway.

7.8.c.5. Signs that are double decked, side-by-side, back-to-back, or V-type will be permitted, with regards to spacing, if they meet the requirements of this subdivision.

7.8.c.6. The foregoing spacing requirements do not apply to signs which in the opinion of the licensee are separated by an intervening building, structure or roadway. In order to receive a permit in variance to the spacing requirements of this subdivision licensees must submit written documentation along with the permit application explaining that a situation exists where an intervening building, structure or roadway would justify a variance from the spacing requirements. The Commissioner will review the permit application and the written documentation and may grant a variance based upon the sight distances in the area and the documentation submitted by the licensee.

7.8.d. Lighting. Signs may be illuminated, subject to the following restrictions:

7.8.d.1. No outdoor advertising may contain lighting that is not shielded, and any lighting must be of sufficiently low intensity as not to cause glare or impair the vision of an operator of any motor vehicle.

7.8.d.2. No off-premise sign may be illuminated by any rapid flashing intermittent light or lights that change in a time sequence faster than 12 cycles/revolutions per minute without a written acceptance of the variance

from the Commissioner.

7.8.d.3. No sign may be illuminated so as to obstruct the view of any connecting road or intersection or to obscure an official traffic device or signal.

7.8.d.4. No off-premise sign may contain numerical displays in the form of LED's or other lights that change more than once in eight seconds.

7.8.e. Off-premise Changeable Message Signs (CMS).

7.8.e.1. Off-premise CMS may not contain or display flashing, intermittent or moving lights. For purposes of this section, the illumination of an advertising device containing a message center display does not constitute the use of a flashing, intermittent or moving light. No message center display may include an illumination that is in motion or appears to be in motion or that changes in intensity or exposes its message for less than eight (8) seconds or that has an interval between messages of two (2) seconds or less. No off-premise LED, OLED, illuminated message center display or similar device may exceed the following brightness limits measured as candelas per square feet at any focal point on any roadway or berm or any vehicular approach to any roadway:

| | Day | Night |
|-----------|-----|-------|
| Red | 300 | 100 |
| Green | 600 | 200 |
| Amber | 450 | 150 |
| Blue | 800 | 350 |
| White | 550 | 50 |
| All color | 650 | 250 |

7.8.e.2. Off-premise CMS must conform with size requirements described in paragraph 7.8.b.4.

7.8.e.3. Off-premise CMS must be spaced a minimum of 1500 feet apart on the same side of the highway and 500 feet apart from another off-premise CMS structure located on the opposite side of the highway.

7.8.e.4. Only conforming sign

The sign will be located outside of the Central Commercial Business District (C1) of the City; Mr. Smith explained that this is not currently permitted by City code. Mr. Smith suggested updating the section of the ordinance related to off-premises advertising to allow it in the C-4 Corridor H District. It would probably take until the second quarter of next year before all permissions are obtained and the weather permits installation of this digital sign. Robert Osburn suggested that the City develop usage guidelines regarding which events/organizations will be allowed to advertise on the City's ad slot(s).

Reference to Ordinance 244:

- THE FOLLOWING ACCESSORY USES AND BUILDINGS SHALL BE PERMITTED IN C-1, CENTRAL COMMERCIAL BUSINESS DISTRICT:
 1. All accessory uses as are permitted in R-2, General Residential District A.

2. Accessory uses on the same lot with, and customarily incidental to the principal use.
 3. **Signs**, including advertising signs, are permitted as follows:
 - a. Signs directly relating to a use conducted upon the premises provided that the cumulative square footage of all of such signs, shall not exceed in square footage one-half (1/2) of the lineal feet of street frontage, but provided further, however, that any single sign shall not exceed forty square feet (40').
 - b. No sign shall exceed the height of the principal structure, or twenty-five feet (25'), whichever is greater.
 - c. All signs shall be attached to the principal building, the business of which said signs are identifying, and further shall not extend out from the surface of said building more than twelve inches (12"), except that signs not exceeding six square feet (6') in area shall be permitted to be installed in such a manner so as to extend out from the surface of said building not more than forty-eight inches (48").
 - d. Signs directing and guiding traffic and parking, or designating private parking but which bear no advertising matter.
- THE FOLLOWING ACCESSORY USES AND BUILDINGS SHALL BE PERMITTED IN C-2, HIGHWAY COMMERCIAL DISTRICT:
 1. Accessory uses on the same lot with, and customarily incidental to the principal use.
 2. **Signs** are permitted as follows:
 - a. Signs directly relating to a use conducted upon the premises provided that the cumulative square footage of all of such signs shall not exceed in square footage one-half (1/2) of the lineal feet of street frontage, but provided further, however, that any single sign shall not exceed forty square feet (40').
 - b. No sign shall exceed the height of the principal structure, or twenty-five feet (25'), whichever is greater.
 - c. No more than one (1) of such signs may be of a free-standing kind, and all other signs shall be attached to the principal building, the business of which said signs are identifying, and further shall not extend from the surface of said building more than twelve inches (12").
 - SECTION 620. SIGNS:

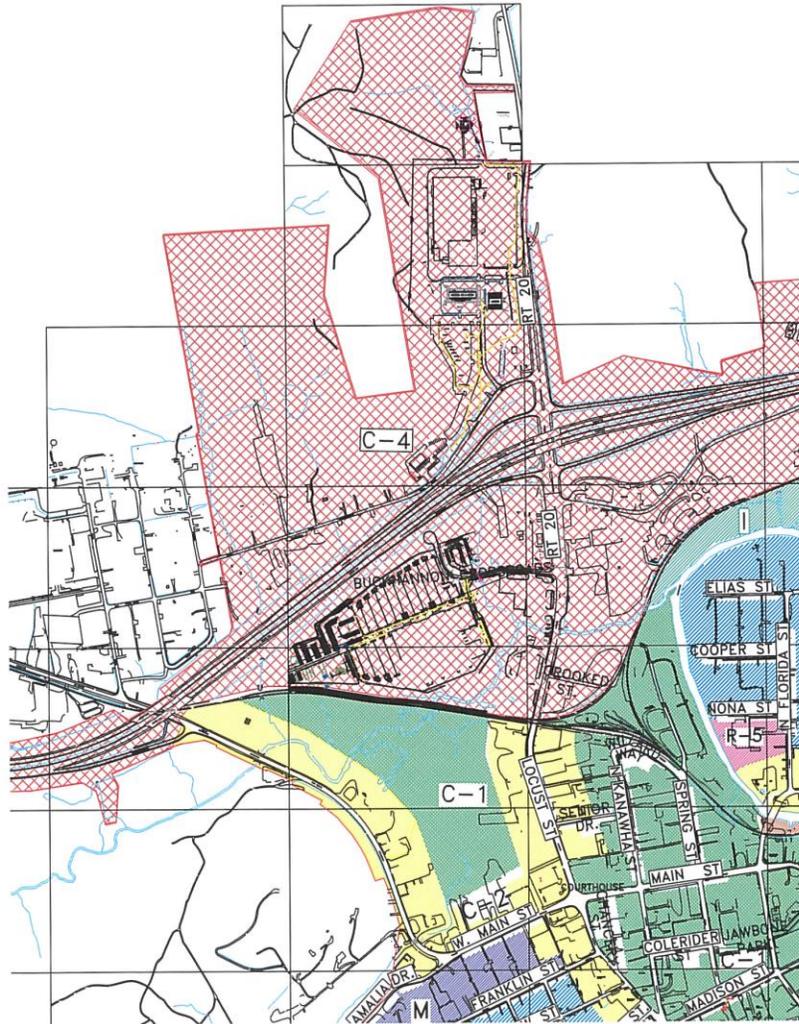
See the specific zoning district to determine the permitted dimensions or area footage for signs.

 - a. Notwithstanding variations in permitted dimensions or square feet area, the use or installation of any flashing, moving or intermittent signs, including but not limited to signs resembling traffic control devices, is absolutely prohibited.
 - b. Any temporary or movable sign, i.e., signs not mounted to the ground or to a building or structure, may be placed only in permitted zoning districts and shall not interfere with the sight triangle, and further, when lighted shall be safely and properly wired, and shall conform to any and all applicable fire and building code requirements.

Reference Ordinance 299 Zoning C4:

- Signs are permitted as follows:
 - a. One free standing sign not exceeding 300 square feet (as calculated on one side) and not exceeding fifty feet (50') in height, and identifying the principal use of the commercial activity occurring on or within the commercial premises.
 - b. In the event that the one free standing sign described in "a.", immediately hereinbefore, is less than twenty-five feet (25') in height, then said sign shall not exceed 100 square feet.
 - c. All other signs shall be attached to the principal building, the business of which said signs are identifying."

- R-1, SINGLE FAMILY RESIDENTIAL DISTRICT
- R-2, GENERAL RESIDENTIAL DISTRICT A
- R-3, GENERAL RESIDENTIAL DISTRICT B
- R-4, MOBILE HOME PARK DISTRICT
- R-5, PUBLIC HOUSING PROJECT DISTRICT
- C-1, CENTRAL COMMERCIAL BUSINESS DISTRICT
- C-2, HIGHWAY COMMERCIAL DISTRICT
- C-3, NEIGHBORHOOD COMMERCIAL DISTRICT
- ▣ C-4, CORRIDOR H
- I, INDUSTRIAL DISTRICT
- P, PERMANENT PRESERVE DISTRICT
- M, MEDICAL
- A, AGRICULTURAL
- ▣ MEM, CEMETERY
- MILITARY ZONE



Consent Agenda:

- **Approval of Minutes-Regular Meeting 07-19-16**

Motion [Bennett/Albaugh] to Approve the minutes of the 07-19-16 Regular Meeting minutes. Motion passed unanimously.

- **Approval of Minutes- Work Sessions 08-22-16 & 09-12-16**

Motion [Reger/Osburn] to Approve the minutes of the 08-22-16 Work Session. Motion passed unanimously.

Motion [Osburn/McCauley] to Approve the minutes of the 09-12-16 Work Session. Motion passed unanimously.

Strategic Issues for Discussion and/or Vote

- **Digital Billboard Signage**

Motion [Reger/Osburn] to Recommend to City Council to Allow Digital Signage by Allowing Off-Premises Advertising only within the C-4 Corridor H District. 7 For, 1 Abstained (D. Shannon); Motion passed.

- **Discuss/Review/Update Buckhannon 2020 Comprehensive Plan**

Commission discussed the work and decisions from the two recent working sessions. Commission agreed that Mary Albaugh will report the following:

Motion [Reger/Osburn]: Planning Commission has come to consensus on the appropriate methodology for review and update of the Comprehensive Plan as charged by City Council and required by State code. Motion passed unanimously.

- **Designate Member to Prepare Agenda** - Ann Livesay agreed to continue to prepare the agenda in the expected uniform format and submit to City staff for distribution.

Board Members Comments and Announcements

- **Mary Albaugh:** Thanked Robert for coming and welcomed Susan. Thanked Christine for volunteering to work on the format and process for updating the Plan.

Meeting Schedule 2017

PLANNING COMMISSION 2017 MEETING SCHEDULE

3RD TUESDAY OF EACH QUARTER AT 7:00 P.M. AT CITY HALL COUNCIL CHAMBERS

- **JANUARY 17, 2017**
- **APRIL 18, 2017**
- **JULY 18, 2017**
- **OCTOBER 17, 2017**

Working sessions will be scheduled as necessary.

Commission members discussed the need for a work session to finalize the methodology for updating the 2020 Plan. **Date determined: Monday, 5 December 2016 at 6:30 pm in City Council Chambers.**

The next regularly scheduled quarterly meeting of the Buckhannon Planning Commission is January 17, 2017 at 7:00 p.m. in City Council Chambers.

With no further business, the meeting adjourned at 9:10 p.m.

Chairman Ann Livesay

City Recorder Susan Aloï