

Minutes of the Town of Bedford

**PLANNING
COMMISSION**

The Planning Commission held a regularly scheduled meeting on Thursday, February 2, 2023, at 5:30 p.m. in the Town Municipal Building Council Hall.

Planning Commission members present: Lonnie R. Bailey, Chair; Jason Horne, Vice Chair; Darren Shoen, Town Council Representative; Brock Malcolm; and Curtis Marshall

Planning Commission members absent: Frances Coles, Secretary; and Cynthia Gunnoe

Town Staff present: Mary Zirkle, Director of Planning and Community Development; and Cathy Johnson, Clerk of the Commission

Town Staff absent: None

CALL TO ORDER:

The Chair called the meeting to order at 5:30 p.m.

DETERMINATION OF QUORUM:

The Chair announced that a quorum was present to conduct business with five members present.

REMARKS BY CHAIRMAN & MEMBERS:

None.

APPROVAL OF MINUTES:

Upon a motion by Mr. Horne and seconded by Mr. Shoen, with five members present voting aye, the December 1, 2022, minutes were approved as presented.

STAFF & COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

Mr. Todd Gordon, Senior Planner of EPR, PC, was present to discuss the on-going zoning ordinance updates. Mr. Gordon reviewed the Town of Bedford Zoning Ordinance Review and discussed the Proposed Revisions to the Sign Ordinance – Memo dated January 26, 2023, with the Commissioners. The memo with the text outlined the main recommended changes for consideration. Mr. Gordon stated that the two main objectives/goals were to make the sign

regulations compact and easier to understand, and to make the ordinance compliant with legal changes.

Mr. Gordon discussed how the 2015 Supreme Court case of *Reed v. Gilbert* decision changed the way local governments regulate signs. The Supreme Court ruled that sign regulations must be neutral with respect to the content of the signs, but that regulations on the size, number, and placement remain valid. Mr. Gordon stated that numerous changes to the ordinance were made due to the existing regulations on content. Mr. Gordon stated that the sign ordinance section is being reviewed by the Town Attorney.

The Planning Commissioners discussed the recommendations presented by EPR, PC. The following were questions and/or concerns:

- Mr. Gordon explained the reason why Section 904.03 was redlined after he discussed the section with the Town Attorney was that most of it was based on content which is illegal.
- Mr. Gordon noted that “minor signs” as now defined are included in Section 904.03 and allowed without a sign permit.
- Temporary signs are removed from Section 904.03 and relocated under Section 904.11.
- The Commissioners discussed the best attempt to regulate real estate and/or contractor signs without stating the content on the sign. The Commissioners agreed that once the activity is done, the sign must be removed. In addition to real estate signs, the decision includes sale, lease, or construction signs.
- The Commissioners discussed the proposal to fully prohibit digital and/or video signs in all districts.
- Mr. Marshall asked from a visual standpoint can the Town regulate the background color of a sign? Mr. Gordon replied that the Town can regulate the color of the sign under the design regulations, but the Town does not currently have a design regulation.
- The glare provision is under the illumination section of the sign ordinance.
- The Commissioners discussed reducing the maximum height of signs from the current 20-foot limit to 10-foot. The Commissioners discussed the pros and cons, landscaping requirements for signs, and sight distance. Mr. Horne thinks that the 20-foot height limit is ideal especially on Route 460 bypass (not Business 460) and major corridors in the Town, but Ms. Bailey liked the 10-foot limit. Ms. Zirkle stated that there could be an exception based on some other method such as language permitting a different sign height on Route 460 or determined by zoning districts.
- The Commissioners discussed prohibiting off-premises signs (i.e. billboards). Mr. Gordon asked, “Does the Town want new billboards?”. The consensus was to clarify existing language to clearly state that billboards are not allowed.

- Mr. Gordon discussed eliminating new pole-mounted signs in favor of monument type signs. The consensus was that pole-mounted signs would be okay on Route 460 bypass (not Business) but not monument signs would be elsewhere.
- The Commissioners discussed allowing A-frame signs and regulating the placement. Ms. Zirkle stated that she had granted permission for some business to place during regular business hours, but they must comply with the Zoning Ordinance for that sign as currently allowed.
- Mr. Gordon explained the Table 904.07 “Freestanding Sign Regulations” for maximum allowable sign square footage formula, and he agreed to insert a graph to better explain the formula.
- Mr. Gordon explained Sec. 904.11 (/904.12) regarding Modification of the sign regulations that allowed the Planning Commission to grant exceptions.
- The Commissioners discussed Sec. 904.17 if a time limit could be placed to bring existing non-conforming signs up to current standards. Mr. Gordon stated that he would ask the Town Attorney for his advice.

For the next item of business, Ms. Zirkle stated that every five years according to State code the Planning Commission needs to review the Town of Bedford Comprehensive Plan. She stated that the current comp plan needs to be updated due to the Reversion. Ms. Zirkle recommended that the Planning Commission rewrite the comprehensive plan. The Commissioners agreed by an acclamation vote of 5-0, with two members absent, that the comprehensive plan was deemed reviewed with the understanding that the comp plan needs to be changed and rewritten due to updates and the Town/County reversion agreement that will bring in new residents.

PUBLIC COMMENTS:

There were three Liberty University law students present at the meeting as a requirement as part of their course. The Chair and Ms. Zirkle thanked them for attending.

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:40 p.m. The next regularly scheduled meeting is Thursday, March 2, 2023.

Respectfully submitted,
Cathy Johnson, Clerk of the Commission

Approved on March 2, 2023.



Frances B. Coles, Secretary

