

City of Lewisburg
Planning Commission Working Session
Meeting Minutes ~ August 5, 2021, 5:30 p.m.
942 Washington Street West, Lewisburg, WV
Paul R. Cooley Council Chambers

PRESENT: Chairperson John Little, Planning and Zoning Officer Marsha Cunningham, Commission Members Helen Harless, Tia Bouman (via ZOOM), Dan Stevenson, Valerie Pritt, Margaret Gossard, Frank Johnson, City Manager Misty Hill (via ZOOM), Recorder Sarah Richardson

ABSENT: None

VISITORS: Christy DeMuth of WVU Law via ZOOM

CALL TO ORDER: The meeting was called to order at 5:31 p.m. by Chairperson John Little.

APPROVAL OF MINUTES: The minutes of *July 1, 2021* meeting were approved with a motion from Margaret Gossard and a second from Dan Stevenson. With all in favor, the motion carried.

PUBLIC COMMENT: None

Review and Discuss: Draft of Sign Regulations

In discussing Section 323.15 on Temporary Signs, Christy DeMuth said the way the ordinance reads now is that a temporary sign may be up for 30 days each calendar year. For residential areas, she advised the city to not limit temporary signs (as it constitutes as freedom of speech from a home), but for commercial zones the city can limit them. For R1 and R2 there is a limit of four (4) temporary signs for residential dwellings, with 16 square feet maximum sign area and 4 feet in height. DeMuth says there is currently not a limit of temp signs for non-dwellings. She asked if the commission wanted to limit how long someone can put a temporary sign out, and how many times per year. DeMuth says she commonly sees a 14-day limit for such signs.

Committee members took a reprieve from discussion to hear the next agenda item.

Comments from Planning Commission Members:

Misty Hill said the city is working with Michael Mills on wayfinding signs for the city. Council will review the document with a task order at the next finance committee meeting, she wanted it noted they are moving forward with the project and “getting started.”

Dan Stevenson asked what “wayfinding” means, with Hill explaining that the signs label historic places, parking, restaurants, and a variety of things. They will clean up the existing signs around the city, and

come up with a new design with Michael Mills. She said there will also be an electronic version that will be easily updated. This will go through the Planning Commission and also Historic Landmarks Commission. Hill also noted that the City Hall exterior updating project will be underway shortly and to anticipate that. Stevenson said it sounds like a good idea and wants to see more details.

Helen Harless inquired about budget restrictions, with Hill stating that they are within budget with the Mills Group and within guidelines.

Return to Discussion- Review and Discuss: Draft of Sign Regulations

After much discussion, the commission decided to allow temporary signs for 14 days, six (6) times a year in all areas not R1, R2, and open space conservation.

For non-dwellings within R1 and R2 districts, Little voiced support to treat the non-dwellings in residential areas as commercial as far as signage goes. Stevenson thought this amount was restrictive. Pritt voiced support to treat businesses the same across all districts for signs. After discussion, it was decided to permit two (2) permanent and two (2) temporary signs, and four (4) flags for the non-dwellings in R1 and R2 districts.

For size of temporary signs, for R1 and R2 it is currently 16 square feet max area and four (4) feet max height. For open space conservation it is 30 feet square feet max area and 10 feet in height. Office residential is not determined, as well as educational-institutional, neighbor/commercial, general commercial, and the community center district. In 1367.05, it only lists temporary sign window cling size limitations.

Ultimately, the following temporary sign size limitations were determined:

- For office/residential districts: 25 square feet total sign area with a five (5) foot max height, as well as 40 square feet in area and 40 feet in height for flags.
- For educational/institutional districts: 25 square feet total sign area and five (5) foot max height, as well as 40 square feet in area and 40 feet in height for flags.
- For neighborhood commercial districts: 25 square feet total sign area and five (5) foot max height, as well as 40 square feet in area and 40 feet in height for flags.
- For commercial/industrial districts: 30 square feet total sign area and 10 foot max sign height. 60 square feet total flag area and 40 foot max flag height. Maximum two (2) temporary signs and three (3) flags.
- For the community center district: 25 square feet total sign area with a five (5) foot max height, as well as 40 square feet in area and 30 feet in height for flags.

Discussion of: Scenic Overlay

DeMuth said she composed a document containing information about the scenic overlay done by the Lewisburg Foundation, and she will distribute it to members. The commission needs to determine details regarding the overlay. Members will review before the next meeting.

Discussion of: Wireless Telecommunication Facilities

DeMuth noted that the city cannot legally restrict the location of cell phone towers, as the federal government heavily regulates the towers and this prevents smaller, local governments from regulating them at this level. The current city ordinance only allows cell towers in industrial and commercial districts, which is not permissible. However, DeMuth said you can require incoming telecommunication facilities to co-locate on existing towers, and if that's not possible, they can be required to camouflage their tower. Overall, you can regulate aesthetic components, but are very limited in regulating location.

“Small cells” for 5G communications are typically installed on utility poles in downtowns, and they look like refrigeration boxes. The WV Legislature passed legislation that does not allow municipalities to limit where these cells are allowed. They can go anywhere except areas zoned exclusively residential. However, the community can regulate their aesthetic, and say they have to go in alleys instead of on main streets. Without this language, they can essentially go wherever they would like to be placed, including in historic districts. DeMuth will provide more information on these topics before the next meeting.

Discussion of: Permissible Use Table and Map

DeMuth noted that since she started working with the city over four years ago, that was the last time they went over the Permissible Use Table and Zoning Map, she suggests a review of these items before they put everything together with the new sign regulations. This will be discussed at the next meeting.

Discussion of: Air BnB Regulations

Marsha Cunningham explained that the city considered the option of installing an age limit for renting Air BnBs and other rental properties of that nature, but that is not permitted. However, the city can allow City of Lewisburg quiet hour limits. Cunningham said when they receive applications for these types of rental properties they can add conditions for quiet time in the conditional use permit. Cunningham will discuss this with city attorney Tom White.

Determine next LUSD clinic date:

The next LUSD Clinic Date is set for September 2, 2021, at 5:30 p.m.

COMMENTS from the ZONING OFFICER: Marsha Cunningham said she believed they covered everything. She noted that with off-premises signs and Michael Mills working with the city on wayfinding signs, they may end up not having as many chalkboard signs overall, and it might help the issue. She noted Mills has designed the fascia for City Hall and “it looks very nice.”

ADJOURNMENT: The meeting was adjourned at 7:04 p.m. in a motion by Commission member Valerie Pritt with a second from Commission member Frank Johnson.

Respectfully submitted,
Sarah Richardson
Recording Officer