

Minutes
Board of Supervisors
Work Session
February 6, 2023

Members Present: Larry Foltz, District 4, Vice Chair
D. Keith, Guzy, Jr., District 1
Allen Louderback, District 2
Mark Stroupe, District 3
Jeff Vaughan, District 5

Members Absent: Keith Weakley, Chairman At-Large

Staff Present: Amity Moler, County Administrator
Regina Harner, Assistant County Administrator
Michael Helm, County Attorney

Call to Order:

Vice Chair Larry Foltz called to order the work session of the Page County Board of Supervisors on Monday, February 6, 2023, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street Luray, VA. The Call to Order was followed by a Moment of Silence and the *Pledge of Allegiance*.

Sheriff's Office Accreditation Presentation:

Todd Clingenpeel, Program Manager for the Virginia Law Enforcement Professional Standards Commission, with the Virginia Department of Criminal Justice Services, explained that they had sent a team of assessors to the Sheriff's Office to assess how they were performing. The team looked at administration, operations, personnel, and training as well as property and evidence in addition to conducting ride-alongs with deputies. The final report stated that the Sheriff's Office was performing at an extremely high level, with fantastic community involvement, strong public relations, as well as following professionalism and a duty to what they are sworn to do. He then presented a Certificate of Achievement to Sheriff Cabbage and his staff.

Sheriff Cabbage said he and his staff worked diligently to achieve this accreditation. He applauded his staff for their efforts.

Sign Ordinance Amendments:

EXHIBIT A

Tracy Clatterbuck, Zoning Administrator, reviewed that the Planning Commission held their public hearing on October 25, 2022 and recommended approval to the Board. Subsequently, the Board held their public hearing on December 5, 2022, but tabled action because they wanted proposed language that could possibly allow off-premise signs for educational facilities. She noted that she and Planning Commission Chair Jared Burner met with County Attorney Michael Helm to draft language for off-premise signs for public educational facilities, as follows:

- Such signs shall be either a free-standing or a monument sign, and shall be no more than twenty-four (24) feet in height, and not more than fifty (50) square feet in total size;
- No more than one (1) off-premise sign shall be permitted per public educational institution;
- Prior to the issuance of a permit pursuant to § 125-20(E), the applicant must obtain and provide written consent of the landowner upon which the intended sign is to be placed;
- Such signs shall be subject to the setback requirements as set forth in § 125-20(F)(1); and
- Such sign must be located within five (5) square miles of the public educational institution.

Board members expressed that if there is a transfer of the property where the sign is situated there should be language that the sign conveys with the transfer. Mr. Helm indicated that there would have to be language that it would convey with the land and would be recorded with the deed.

Motion: Supervisor Vaughan moved that the Board approve the amendments to § 125-20, as drafted in the attachment. Supervisor Stroupe seconded and the motion carried by a vote of 5-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan. Absent: Weakley. Nay: None.

Review of Rezoning Request – Rebecca Graves Hudson:

Tracy Clatterback, Zoning Administrator, reviewed that Rebecca Graves Hudson has filed an application to rezone the following parcels:

- Tract 1: Tax Map Number 72-(9)-1, located at 852 Middleburg Road, Luray, VA, and currently containing 11.642 acres;
- Tract 2: Tax Map Number 62-(A)-51D, located off Middleburg Road, Luray, VA, and currently containing 3.091 acres. Boundary lines will be adjusted accordingly post rezoning which will include portions of Tax Map Number 72-(A)-2G (0.824 acres and 0.808 acres) totaling 4.723 acres for Tax Map Number 62-(A)-51D;
- Tract 3: Tax Map Number 72-(A)-2G, located off Timber View Drive, Stanley, VA, and currently containing 122.297 acres. Division of land post rezoning to include a portion of 4.399 acres will be submitted accordingly;
- Tract 4: Tax Map Number 72-(A)-2I, located off Goodrich Road, Stanley, VA, and currently containing 31.614 acres and 0.634 acres (right-of-way) for a total acreage of 32.248 acres more or less; and
- Tract 5: Tax Map Number 72-(8)-7, located off Goodrich Road, Stanley, VA, and currently containing 3.00 acres.

All of the parcels are currently zoned as Industrial (I-1). The applicant is requesting that the parcels and acreage be rezoned to Agriculture (A-1) for a total of 56.012 acres. If approved, the parcels will be used for agricultural purposes.

She noted that the Planning Commission held their public hearing on January 24, 2023 and recommended approval to the Board. She requested the Board schedule the public hearing for the rezoning.

Motion: Supervisor Guzy moved that the Board hold a public hearing on the rezoning request for tax map numbers 72-(9)-1, 62-(A)-51D, 72-(A)-2G, 72-(A)-2I, and 72-(8)-7 at the March 20, 2023 regular meeting and direct staff to provide adequate notice of such hearing, in accordance with Section 15.2-2204, of the Code of Virginia. Supervisor Vaughan seconded and the motion carried by a vote of 5-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Guzy. Absent: Weakley. Nay: None.

Review of Zoning Ordinance Amendments (Guesthouse, Supplemental Regulations, Storage Buildings, Confined Feeding Operations):

Tracy Clatterbuck, Zoning Administrator, reviewed that there are several Zoning Ordinance amendments being proposed. One is to the definition of Guesthouses. Currently, a property owner cannot rent or sell the guesthouse separate from the main parcel. It is proposed to allow it to be rented separate. The other proposed amendments to supplemental regulations and storage buildings are to correct items that should have been corrected in 2005. The amendments to confined feeding operations are to reduce setbacks related to confined feeding. She requested the Board schedule a public hearing on the amendments.

Motion: Supervisor Vaughan moved that the Board hold a public hearing on the attached zoning ordinance amendments at the March 20, 2023 regular meeting, and direct staff to provide adequate notice of such hearing, in accordance with Section 15.2-2204, of the Code of Virginia. Supervisor Guzy seconded and the motion carried by a vote of 5-0. Aye: Stroupe, Foltz, Vaughan, Guzy, Louderback. Absent: Weakley. Nay: None.

Review of TOT Code Amendment:

Mr. Helm explained that Becky Smith, Commissioner of the Revenue, informed him that the current TOT ordinance consists of 2 sections pertaining to tax imposed and administration and collection and does not address accommodation intermediaries (Airbnb, Expedia, Hotels.com, etc. – booking sites). Some of the concern with booking sites is that we do not receive reports needed in order to collect the appropriate taxes that they are supposed to collect when a booking is made through their service. The model ordinance was created by the Commissioners Association as a model for jurisdictions to use. He suggested the Board hold a public hearing on the proposed amendments.

Motion: Supervisor Vaughan moved to schedule a public hearing on the proposed amendments to the TOT ordinance for the March 20, 2023 regular meeting. Supervisor Stroupe seconded and the motion carried by a vote of 5-0. Aye: Foltz, Vaughan, Guzy, Louderback, Stroupe. Absent: Weakley. Nay: None.

Adjourn: 7:34 p.m.

With no further business to discuss, Vice Chair Foltz adjourned the meeting.

Board of Supervisors
Minutes – February 6, 2023



Keith Weakley, Chairman



Amity Moler, County Administrator

**ORDINANCE TO AMEND A PORTION OF CHAPTER 125 (ZONING)
OF THE PAGE COUNTY, VIRGINIA CODE**

WHEREAS, by Ordinance duly adopted, the Board of Supervisors of the County of Page adopted Chapter 125, Zoning, of the Page County Code, which Chapter has been amended from time to time; and

WHEREAS, such Ordinance is in full force and effect on the date hereof; and

WHEREAS, upon mature consideration, the Board of Supervisors of the County of Page has determined that it is in the best interest of the County to further amend the Chapter.

NOW THEREFORE, be it resolved and ordained by the Board of Supervisors of the County of Page, Virginia, that Chapter 125 ("Zoning"), Article V ("Supplementary Regulations"), Section 20 ("Signs") be amended as follows:

§ 125-20 Signs.

[Amended 6-19-2012] [Amended 2-6-2023]

- A. General. Notwithstanding any other section of this chapter to the contrary, the regulations set forth in this section shall govern signs.
- B. Purpose and intent. To regulate the type, size, height, and location of signage used in the County so as to provide adequate opportunity for the identification and promotion of and direction to businesses and institutions, while preserving the County's rural, agricultural, historic, and scenic character.

This Article is intended to:

- (1) Minimize visual distractions to motorists using public and private streets;
 - (2) Reduce hazards that may be caused by signs overhanging or projecting over public right of ways;
 - (3) Protect property values;
 - (4) Enhance the physical appearance of the County and preserve the scenic and natural beauty of the community; and,
 - (5) Promote commerce and trade to create an attractive economic and business climate.
- C. Interpretation, conflict and severability.
 - (1) This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech.
 - (2) Where this article differs in any manner from the provisions of the Virginia Uniform Statewide Building Code or any other ordinance or regulation of the County, the ordinance, code, or regulation imposing the greater restriction upon the use of any sign shall control.
 - (3) Should any Article, Section, subsection, sentence, clause, or phrase of this ordinance, 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 Page County 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 Section or provision.
 - D. Definitions. As used in this section, the following terms shall have the meanings indicated:

SIGN

Any device, display, or structure that is visible from a public place and that has words, letters, figures, designs, symbols, logos, illumination, or projected images. The term Sign shall not include the following: architectural elements incorporated into the structure or facade of a building; devices, displays, or structures that are visible only from the inside of a building.

SIGN, AREA

The total area devoted to conveying a message excluding any border and trim, ornamental base or apron supports and other structural members. Where signs employ appurtenances such as "pop-ups" and "cut-outs" or objects that extend beyond the normal area, the area of such appurtenances shall be measured separately and included in the total sign area. The total sign area for a double-faced sign or a "V" type sign shall be measured on the largest face of the sign; however, advertising or other copy may be posted on both sides of such sign. (See Figures F.3 and F.4.)

SIGN, AWNING OR CANOPY

A sign that is mounted, painted, or attached directly on the surface of an awning or canopy.

SIGN, BANNER

A flexible substrate on which copy or graphics may be displayed with no permanent rigid backing. A banner sign is considered a temporary sign.

SIGN, FLAG

A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol, decoration, or message; this includes pennants.

SIGN, FREESTANDING

A rigid or semi-rigid sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground. (See Figure F.1.)

SIGN, HEIGHT

The height of a sign shall be measured from the average elevation of the ground below the sign to the top point of the sign. Where the location of a sign is lower than the street to which it is oriented, the height may be increased by the difference in elevation, except for off-site group signs. (See Figures F.1, F.2 and F.3.)

SIGN, MINOR

A wall or freestanding sign not exceeding four (4) square feet in area, not exceeding four feet in height, and not illuminated. Examples include no trespassing signs, displays of building address, security warning signs, parking signs, and entrance/exit signs.

SIGN, MONUMENT

A rigid or semi-rigid sign placed directly on the ground by means other than a support pole or brace in which the message portion is either on top of, or affixed to, the support structure. (See Figure F.2.)

SIGN, OFF-PREMISES/BILLBOARD

A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered on a parcel of land other than the one on which the sign is located.

SIGN, ROOF

A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such a building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered to be roof signs. (See Figure F.5.)

SIGN, TEMPORARY

A sign designed or intended, based on materials and structural components, to be displayed for a specified or limited period of time, regardless of type or style of sign. Examples include real estate signs, yard sale signs, construction signs, contractor's signs, auction signs, civic event signs, grand opening signs, direction to event signs, banner signs, and special or one-time event signs per year.

SIGN, WALL-MOUNTED

A sign that is in any manner affixed to any exterior wall of a building or structure and that projects no more than 18 inches (457 mm) from the building or structure wall, including signs affixed to architectural projections from a building, provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed. (See Figure F.5.)

- E. Permits. No sign, unless herein exempted, shall be erected, constructed or altered until a permit has been issued by the County. Fees for sign permits shall be in accordance with the schedule of fees adopted by the Board of Supervisors, from time to time.
- F. General requirements. The following regulations shall apply to all signs:
- (1) The following setbacks shall apply to all signs, except temporary signs and minor signs which shall not be subject to setback requirements:
 - (a) Front property line and rights-of-way: fifteen (15) feet.
 - (b) Side or rear property lines if no right-of-way exists: five (5) feet.
 - (2) No sign, other than a sign approved or installed by the Virginia Department of Transportation, shall be located within or over any public right-of-way.
 - (3) No sign, whether permanent or temporary, shall be attached to trees, utility poles or other supporting structures, unless specifically authorized by the Zoning Administrator.
 - (4) Except in the case of shopping centers and corner lots, not more than one permanent freestanding sign shall be permitted for each lot or parcel.
 - (5) Corner lots shall be entitled to one freestanding sign for each road frontage; provided, however, that this provision shall not apply along road frontages where restricted access easements are in place.
 - (6) Signs shall be sized and/or located so as to not impair any sight distance reasonably necessary for pedestrian or traffic safety, such determination to be made by the Zoning Administrator and/or Virginia Department of Transportation.
 - (7) Signs may be lighted with non-glaring internal lights or may be illuminated by shielded floodlights, which are directed downwards. Any sign with light sources of such brightness as to constitute a hazard or nuisance, as determined by the Zoning Administrator and/or Virginia Department of Transportation, shall be prohibited.
 - (8) A sign which revolves or moves, whether illuminated or not, which has letter(s) or numbers shall not change at intervals of less than five seconds. This shall include a clock or thermometer or similar instrument with moving hands.
- G. Exemptions. A zoning permit for a sign is not required for:
- (1) Minor Signs as referenced in § 125-20.O.
 - (2) Commemorative plaques and historical markers (a plate of metal, ceramic, stone, wood, or other material, typically attached to a wall, stone, or other vertical surface, and bearing text in memory of an important figure or event) shall not exceed four square feet.
 - (3) Private road signs.
 - (4) Signs erected or required by a governmental agency.
 - (5) Temporary signs as referenced in § 125-20.O.

- (6) Flags of the United States of America, Commonwealth of Virginia, and the County are permitted. All other flags shall not exceed 100 square feet.
- (7) Signage on movable vehicle(s) licensed and properly insured and tagged in the state of Virginia and ready for road use.

H. The following regulations shall apply to all signs according to the Zoning District in which they are located as referenced in § 125-20.O.

- (1) No freestanding or monument sign shall exceed 160 square feet in the Commercial or Industrial Zoning Districts or 50 square feet in the Agriculture, Woodland-Conservation, and Park-Recreation Zoning Districts. One freestanding or monument sign per street frontage shall be allowed in the Agriculture, Woodland-Conservation, Commercial, Industrial and Park-Recreation Zoning Districts. When determining the location of such sign, consideration shall be taken into account of the proximity to the entrance and the proximity to other signs.
- (2) Wall-mounted signs in the Commercial, Industrial, Woodland-Conservation, Agriculture, and Park-Recreation Zoning Districts shall be permitted to encompass 25% of the area of the wall to which the sign is attached, provided the total area of the wall-mounted sign does not exceed 160 square feet.
- (3) Residential-zoned subdivision and Mobile Home Parks entrances are permitted one monument-style or freestanding sign which is restricted to identifying the subdivision not to exceed 30 square feet.
- (4) Multifamily dwellings are permitted one wall-mounted sign per building not to exceed eight square feet, which solely identifies the building name or addresses.
- (5) Awning or canopy sign length shall not exceed the length of the vertical surface of the awning or canopy.
- (6) Roof signs are allowed only within the Industrial Zoning District, unless a special use permit is obtained.

I. Temporary signs.

- (1) Temporary signs shall be up for no more than 90 days in any 12-month period and shall be removed seven days after the completion of the event/sale.

J. Off-Premise signs.

Off-premise signs shall be prohibited in all districts, except as follows:

1. Temporary signs as set forth in Section 125-20(O).
2. Governmental signs such as traffic warning or regulatory signs or signals.
3. Building identification, directional and informational signs for public educational institutions, subject to the following restrictions:
 - (a) Such signs shall be either a free-standing or a monument sign, and shall be no more than twenty-four (24) feet in height, and not more than fifty (50) square feet in total size;
 - (b) No more than one (1) off-premises sign shall be permitted per public educational institution;
 - (c) Prior to the issuance of a permit pursuant to § 125-20(E), the applicant must obtain and provide written consent of the landowner upon which the intended sign is to be

placed;

- (d) Such signs shall be subject to the setback requirements as set forth in § 125-20(F)(1); and
- (e) Such sign must be located within five (5) square miles of the public educational institution.

K. Signs prohibited in all districts:

- (1) Flashing.
- (2) Simulated traffic signals/signs, except VDOT signs.
- (3) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign. (This does not apply to allowed portable signs or signs or letters on buses, taxis, or vehicles operating during the normal course of business.)
- (4) No signs shall be permitted on dumpsters which are either temporarily or permanently located on property located within Page County limits other than signs identifying the owner of the dumpster, which owner must also be in the business of waste removal. The purpose of this restriction is to prohibit use of dumpsters for the purposes of advertising.

L. Maintenance and repair.

- (1) Condition of signs. All signs and structural components shall be maintained in full repair and in an attractive condition.
- (2) Repair or removal of signs. Any sign declared by the County Building Official to be a hazard to life or property may be ordered to be repaired or removed. In addition, any sign in violation of this section, or any sign which is not consistent with the intent of this section, may be ordered to be repaired or removed. All costs for repair or removal will be charged to the sign owner and/or the owner of the property.
- (3) Removal of obsolete signs. Signs will be removed within 30 days of discovery of being discontinued or obsolete. All costs will be charged to the owner of the sign and/or the owner of the property.

M. Special use permit. The Board of Supervisors may authorize the following exceptions to these rules by special use permit in accordance with all applicable procedural requirements: an increase in sign area and/or sign height, a reduction in sign spacing, a variance to wall-mounted location and/or roof signage.

N. Nonconforming signs. Nonconforming signs once removed shall be replaced only with conforming signs; however, nonconforming signs may be repainted or repaired, provided that they do not exceed the dimensions of the existing sign.

O. Chart. Sign Type Restrictions by Zoning District.

Sign Type Restrictions by Zoning Districts

Residential / Mobile Home Park				Agriculture / Woodland- Conservation / Park-Recreation			Industrial	
Sign Type	Number	Area (SF)	Height (ft.)	Number	Area (SF)	Height (ft.)	Number	Area (SF)
Freestanding or Monument	None, except minor signs	N/A	N/A	1 per street frontage	50 SF	24 ft.	1 per street frontage	1
Wall	None, except minor signs	N/A	N/A	1 per street frontage	² 25% of wall and less than 160 SF	N/A	1 per occupant or street frontage	² 25% less than 160 SF
Temporary	4 per parcel	4 SF	4 ft.	4 per parcel	32 SF, and an aggregate of 64 SF per parcel	4 ft.	Not limited	32 SF and an aggregate of 64 SF per parcel
Minor	Not limited	4 SF per sign, and an aggregate of 16 SF per parcel	4 ft.	Not limited	4 SF per sign	4 ft.	Not limited	4 SF
Roof	³ By Special Use Permit			³ By Special Use Permit			Not limited in Industrial Zoning District	
Flag	⁴ Not Limited	⁴ 100 SF	N/A	⁴ Not Limited	⁴ 100 SF	N/A	⁴ Not Limited	⁴ 100 SF
Off-Premise	None, except for temporary signs			⁵ None, except as allowed by § 125-20.J			⁵ None, except as allowed by § 125-20.J	

¹The height of a sign shall be measured from the average elevation of the ground below the sign to the top point of the sign. Where the location of a sign is low oriented, the height may be increased by the difference in elevation, except for off-site group signs. (See Figures F.1, F.2 and F.3.)

²25% of the area of the wall to which the sign is attached, provided the total area of the wall-mounted business sign does not exceed 160 square feet.

³Roof signs are allowed only within the Industrial Zoning District, unless a special use permit is obtained.

⁴Flags of the United States of America, Commonwealth of Virginia, and the County are permitted. All other flags shall not exceed 100 square feet.

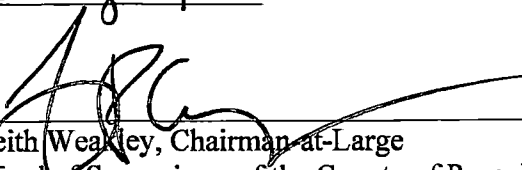
⁵See Section 125-20.J for regulations regarding off-premise signs.

Except as amended above, all provisions of Chapter 125, Zoning, shall remain in full force and effect.

This Ordinance shall be in full force and effect from and after the passage hereof as provided by Virginia law.

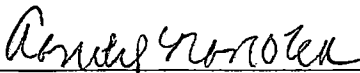
Dates of Publication: November 17, 2022
November 24, 2022

Date of Adoption of Ordinance: February 6, 2023



Keith Weakley, Chairman-at-Large
Board of Supervisors of the County of Page, Virginia

Attest:



Amity Moler, County Administrator