

ADJOURNED MEETING CITY COUNCIL
August 10, 2009

The City Council of the City of Albemarle met in an adjourned session on Monday, August 10, 2009, at 7:00 p.m. in the City Hall Annex. Mayor Elbert L. "Whit" Whitley presided and the following Councilmembers were present, to wit: Troy E. Alexander, Martha Sue Hall, Judy Holcomb, Jeanette M. Napier, Jack F. Neel, Dexter Townsend and T. Ed Underwood. Absent, none.

The City Council held a joint meeting with the members of the Planning and Zoning Board to discuss the Sign Ordinance.

Mayor Whitley called the meeting to order. He said that he was not planning on hearing from those in attendance, as he, the City Council and the Planning and Zoning Board have heard their position on the Sign Ordinance and understand how they feel. The purpose of the meeting is for the City Council to discuss and determine how they would like to proceed with this issue.

Mayor Whitley asked the members of the Planning and Zoning Board and the City Council if they would like to comment on the matter. Planning and Zoning Board Chairman Nancy Jolly said that she makes decisions base on what she believes to be in the best interest of the City. She said the intersection of Ridge Street and the Northeast Connector is very dangerous and does not believe this to be a good location for signs and advertising.

Planning Board Member Emeritus Ell Wilson said the City Council grandfathered another church sign several years ago and allowed it to stay as a non-conforming use. He believes Council has to allow other non-conforming uses, such as the Dunn's Grove Church sign.

Planning Board Member Elworth Plyler said the Board has worked very hard on the Sign Ordinance over the years. He felt that making exceptions to the Ordinance would be a slippery slope to allowing any type of organization to erect off-premise signage.

Planning Board Member Dorsey Lilly indicated that he believes allowing church only signs would be discriminatory toward other organizations and could open the City to lawsuits.

Planning Board member Rick Russell said people need to have signs to be able to find churches.

Mayor Whitley read a proposal drafted by Councilmember Neel to allow off-premise, church only, directional signs. The proposal stated:

- Permit church-only off-premise signage;
- Signs must be directional only;
- Restrict the size;
- Restrict the height to no more than six feet;
- Have a standard appearance for background and lettering;
- Non-conforming signs must be brought into conformity;
- All such signs and their locations approved by Planning Department.

Councilmember Neel said this is not his personal recommendation, but a starting point for discussion and consideration. The City Council asked the Planning and Zoning Board to consider this matter and make a recommendation on any changes to the Ordinance to be available for their consideration at the September 8 City Council meeting.

Councilmember Hall asked the members of the Planning and Zoning Board to introduce themselves to the public.

Councilmember Underwood said he supports the Planning and Zoning Board in general, but wants a change made to the Ordinance regarding churches.

Councilmember Holcomb said the City will work with the churches, but that such changes have to go through a process and hopes the churches will work with the City.

Councilmember Alexander said that he wanted to clarify that the laws and rules governing the City are made by the City Council. The City staff does not establish laws, and is asked to carry out the policies established by the City Council.

Councilmember Napier said she would like to see a change in the Ordinance to assist churches.

Councilmember Townsend asked the City Manager to review the research on local government sign ordinances. City Manager Raymond Allen

reported that 10 jurisdictions were contacted. Four of which did not allow such off-premise signs. Of the six that did allow some restricted level of off-premise directional signage for churches, the City Manager reported on the highlights of the regulations regarding such signs.

Mayor Whitley said the Planning and Zoning Board works very hard for the City and thanked them for their service. He noted that on all zoning matters, the City Council does have the final decision. He reviewed the process for the audience, noting that the Planning and Zoning Board is being asked to develop recommendations to provide to the Mayor and Council by September 8.

Upon a motion by Councilmember Underwood, seconded by Councilmember Holcomb and unanimously carried, the meeting was adjourned.