

ARTICLE 1345

SIGN REGULATIONS AND SITE LIGHTING

**Section 1345.01**      **Purpose**

- A. To preserve and protect the public safety, comfort and welfare of users of streets and sidewalks in the City of Huntington by regulating signs of all types.
- B. To enhance community appearance, reduce visual clutter and blight, promote recreational value of public travel and the economic development of the City of Huntington.
- C. To limit the size, number and location of signs which may obstruct the vision of motorists, create distractions and increase traffic accidents.
- D. To acknowledge the appropriate display of signs as necessary to public service and to the conduct of competitive commerce.

**Section 1345.02**      **General Sign Regulations**

- A. Sign permit requirement and application.
  - 1. Except as provided in Section 1345.02.B, below, and Article 1751 of the Codified Ordinances of the City of Huntington, as revised, it is unlawful for any person to erect, construct, enlarge, alter, move, or convert any sign in the City of Huntington or cause the same to be done, without first obtaining a sign permit for each sign from the Director of Public Works.
  - 2. Applications for a sign permit shall be made in writing to the Director of Public Works, and shall be accompanied by such information as may be required to assure compliance with these regulations and all other appropriate ordinances and regulations of the City of Huntington.
  - 3. Sign permits shall be issued for the life of the sign, or any shorter period as stated on the approved permit application by the Director of Public Works. However, any permit may be revoked at any time by the Director of Public Works upon finding that the sign violates any provision of this Article, Article 1751 of the Codified Ordinance of the City of Huntington, or that the permittee made false representations in securing the permit.
  - 4. No person shall erect, construct, or maintain any sign upon any property, structure or building without the prior written consent of the owner or person entitled to possession of the property, structure or building, or his authorized representative. The written consent must accompany the sign permit application.
  - 5. Every sign permit issued shall become null and void if installation is not commenced within 180 days from the date of such permit.
  - 6. No person shall erect maintain or construct any ground sign or any other sign upon any lot or premise contrary to any building or other restrictive covenants to which such lot or premises is subject. (1964 Code Sec. 30-27)
- B. Exemptions. The following signs shall be exempt from the permit requirements of this Article, except as they may interfere with traffic safety or in any other way become a public safety hazard.
  - 1. Signs or decorations displayed for recognized holidays.
  - 2. Memorial plaques or historic markers or other similar signs which are engraved or a permanent component of a building, monument, tombstone or other similar structure.

3. Public signs.
  4. Street number signs indicating the address of a building or structure, and not exceeding one (1) square foot in area.
  5. Temporary signs, including real estate and political signs, subject to the limitations in Table 1345 and provided that:
    - (a) No temporary sign encroaches into any public right-of-way or obstructs the view of motorists in any required clear sight triangle; and
    - (b) No temporary sign is erected more than 30 days before or remains in place more than seven days after the advertised event.
  6. "No trespassing" signs, warning signs (such as "Beware of Dog"), notifications signs for emergency personnel, provided that the sign does not exceed two square feet in sign surface area and there are no more than two such signs on the lot.
- C. Sign Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to the construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of land at the principal entrance to the principal structure on the lot, whichever is lower.
- D. Computation of Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
- E. Computation of Maximum Total Permitted Sign Area for a Lot. The permitted sum of the area of all individual signs shall be computed by applying the formula used in Section 1345.03 to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street.
- F. Sign Placement. Signs shall be subject to the placement requirements in Table 1345, but in no event shall any sign be placed in a position that will obstruct the view of motorists or cause any other danger to motorists or pedestrians within a public right-of-way or on adjoining lots. Nor shall any sign be placed within the clear sight triangle required to be maintained at all street intersections, driveway and access way entrances onto public streets. All signs shall be set back within the buildable area of the site, except as noted in Table 1345.
- G. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained in accordance with the appropriate Building Code and Electrical Code as adopted by the City of Huntington. Except for banners, flags, temporary signs, and window signs, conforming in all respects with the requirements of the ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the

ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this code, at all times.

H. Prohibited Signs. Unless specifically excepted in this Section, the following signs shall be prohibited in all zoning districts:

1. Portable signs or attention-getting devices, flags, pennants, and banners except on a temporary basis in connection with the opening of a business or special event subject to the temporary sign regulations in Section 1345.02.B.5 and Table 1345 of this Article;
2. Any sign on vacant lots, other than temporary political or "For Sale"
3. Signs affixed to trees, utility poles, fences, or equipment;
4. Roof signs;
5. Signs with moving, rotating, or oscillating parts, excluding tri-vision signs per section 1345.11.
6. Signs which by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed to be a traffic-control sign;
7. Electronic changeable copy signs in R-1, R-2, R-4, and R-5 zones.
8. No sign of any description shall be installed, erected, or maintained so as to obstruct any fire escape or any door or window leading to any fire escape, nor shall any sign of any kind be attached or affixed in any form or manner to a fire escape. (1964 Code Sec. 30-23)
9. Any sign that the Director of Public Works determines to be unsafe or insecure or that is erected in violation of the provisions of this ordinance.

**Section 1345.03      Signs Permitted in Individual Zoning Districts.**

The signs listed in Table 1345 shall be permitted in individual zoning districts, subject to any requirements listed in the Table and in each Subsection.

<b>TABLE 1345: TYPE OF ZONING DISTRICT</b>			
<b>Type of Sign</b>	<b>Residential</b>	<b>Commercial</b>	<b>Industrial</b>
<b>Changeable Copy Sign (See Section 1345.10)</b>			
Permitted	Special Permit	YES	YES
<b>Free-Standing Sign (See Section 1345.04)</b>			
Permitted	Special Permit	YES	YES
Maximum Number	1 per lot or parcel		
Maximum Surface Area	32 sq. ft.	72 sq. ft.	72 sq. ft.
Maximum Height	5 ft.	20 ft.	20 ft.
Maximum Length	8 ft.	10 ft.	10 ft.
Minimum Set back from Property Line	5 ft.	5 ft.	5 ft.
<b>Illuminated Sign (See Section 1345.05)</b>			
External Permitted	Special Permit	YES	YES
Internal Permitted	Special Permit	YES	YES
<b>Off-Premise (Billboard) (See Section 1345.11)</b>			
<b>Suspended/Projecting Sign (See Section 1345.06)</b>			
Permitted	NO	YES	YES
Maximum Surface Area		6 sq. ft.	40 sq. ft.
Minimum Clearance above Ground or Sidewalk		9 ft.	9 ft.
Maximum Height of Sign Surface		3 ft.	5 ft.
Maximum Number		1 per each street frontage	1 per street frontage
Minimum Spacing Between Signs		20 ft.	20 ft.
Setback		Building set back minus 4 ft.	Building setback minus 5 ft.
<b>Temporary Sign (See Section 1345.02.B.5)</b>			
Permitted	YES	YES	YES
Maximum Number	2 per lot	1 per establishment	2 per lot
Maximum Surface Area	6 sq. ft.	16 sq. ft.	16 sq. ft.
Maximum Height	4 ft.	6 ft.	6 ft.
Illuminated	NO	NO	NO
<b>Wall Sign (See Section 1345.07)</b>			
Permitted	YES	YES	YES
Maximum Number	1 per establishment per street frontage		
Maximum Surface Area	See 1345.07.D	See 1345.07.C	See 1345.07.C
Maximum Height	See 1345.07.F	See 1345.07.E	See 1345.07.E
<b>Window Sign (See Section 1345.08)</b>			
Permitted	NO	YES	YES
Maximum Surface Area	<b>(See Section 1345.08)</b>		

#### **Section 1345.04 Additional Standards for Free-standing Signs**

In addition to the regulations in Table 1345, all free-standing signs, except for temporary signs, shall comply with the following limitations and requirements:

- A. A free-standing sign shall have no more than two sign faces;
- B. The area immediately surrounding the base and support structure of the sign shall be landscaped with evergreen vegetation; and
- C. Freestanding ground signs shall be required in residential districts and shall be used instead of pole signs to the maximum extent practical or feasible in other districts.
- D. Connector/Freeway-Oriented Signs are signs oriented towards Interstate 64:
  - 1. Area of Sign - shall not exceed (200) square feet in area and shall have no more than two sign faces.
  - 2. Height - Signs shall not exceed (35) feet in height.
  - 3. Lighting - Signs may be internally or externally lighted. No exposed incandescent lamp shall be utilized.
  - 4. Connector for this purpose shall be defined as State Route 10, State Route 152 (5<sup>th</sup> Street Road), US Route 52 (Rahall Bridge approach), and the sign shall be limited to C-1, C-2, and I-1 zoned properties.

#### **Section 1345.05 Additional Standards for Illuminated Signs**

In addition to the regulations in Table 1345, all internally or externally illuminated signs shall meet the following requirements:

- A. Limits on Degree of Internal Illumination. Any sign located adjacent to a dwelling unit or lot zoned for residential use shall be located, shielded and screened to prevent direct light or glare onto a dwelling unit or residential lot.
- B. External Illumination. Whenever external illumination is used for a sign, the source of light shall be located, shielded, screened and directed in such a manner that the light source is not visible.
- C. Back lit "bubble" awnings are prohibited in any National Historic Register District.
- D. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited if such signs interfere with traffic safety. Reflective surfaces or devices on sign faces and tri-vision signs with illumination are permitted provided such signs do not interfere with traffic safety and comply with subsections E and F of this section.
- E. Signs must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's options of a motor vehicle.
- F. No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal.

#### **Section 1345.06 Additional Standards for Suspended or Projecting Signs**

In addition to the regulations in Table 1345, all suspended and projecting signs shall comply with the following limitations and requirements:

- A. Suspended or projecting signs shall be permitted only at shopping centers or theaters;
- B. The sign shall be located in front of the establishment it serves and shall be of similar size, color and design as other suspended signs; and

- C. There shall be no more than one (1) such sign per establishment fronting on the marquee, overhang, or other building feature from which the sign is suspended.

**Section 1345.07      Additional Standards for Wall Signs**

In addition to the regulations in Table 1345, all wall signs shall comply with the following limitations and requirements:

- A. The sign shall extend no further than twelve (12) inches from the wall to which it is attached;
- B. The sign shall be attached to the wall so that the face of the sign is substantially parallel to the wall;
- C. In C-1 and C-3 Commercial zones, the maximum sign area shall not exceed 10% of the area of the first two stories of building elevation on which it is placed. In C-2 and I-1 zones, maximum sign area shall not exceed 20% of the first two stories of building elevation. In the case of multi-occupant buildings, each tenant or owner may have a sign area not to exceed its proportionate share of the total allowable sign area for the building.
- D. In residential districts, multi-family apartment buildings and authorized non-residential buildings may have wall signs that shall not exceed two (2) feet in height or twelve (12) square feet in total area.
- E. In commercial and industrial districts, wall signs shall be placed no higher than the height of the building and, if the sign projects further than three (3) inches from the wall, no lower than ten (10) feet above the ground level.
- F. In residential districts, wall signs shall be placed no higher than four (4) feet above the adjacent ground level, shall project no more than three (3) inches from the wall, and shall not obscure or cover any window, door or architectural feature.
- G. No wall sign or wall bulletin shall be erected or maintained in such a manner as to permit the accumulation of paper, leaves, or trash behind the same.
- H. No wall sign or wall bulletin shall be erected and maintained so as to cover the doors or windows of any building, except by special permit authorized by the Chiefs of the Police and Fire Departments, or so as to prevent free ingress or egress from any window, door, fire escape of the building upon which it is erected (1964 Code Sec 30-15).

**Section 1345.08      Additional Standards for Window Signs**

In addition to the regulations in Table 1345, all window signs shall comply with the following limitations and requirements.

- A. The total area of all window signs on display at any one time, including temporary window promotional signs, shall not exceed thirty-three (33) percent of the total area of the window in which they are located. A series of windows which are separated by frames less than six (6) inches in width shall be considered as a single window for the purposes of this computation.

**Section 1345.09      Special Standards for Shopping Centers and Other Multi-occupant Land Uses**

- A. No sign permit shall be issued for a shopping center or other multi-occupant land use, or for any individual establishment or occupant therein, unless a uniform sign plan has been submitted and approved for the entire development.

- B. The Planning Director shall approve the uniform sign plan only upon finding that:
  1. The sizes of signs and the materials used in the signs shall be consistent throughout the development, or shall establish a hierarchy of different types of signs, with the size and materials of the signs in each category being consistent for all signs in that category;
  2. The design of and materials used for the structural elements of the signs shall be consistent with the design of and material used for the buildings or buildings which the signs serve; and
  3. The signs shall conform to all other requirements of this Article.

**Section 1345.10      **Special Standards for Changeable Copy Signs****

Changeable copy signs shall be allowed as Special Exceptions Permits in all residential districts, except for institutional uses (see Section 1345.10.F).

- A. In residential districts, changeable copy may be used on authorized free standing or wall signs for permitted nonresidential uses only. Signs utilizing changeable copy shall comply with sign size and illumination regulations for residential districts.
- B. In commercial and manufacturing districts, changeable copy may be used on authorized free standing or wall signs. Signs containing changeable copy shall comply with sign size and illumination regulations for commercial and manufacturing districts.
- C. An electronic display sign may be used to show date, time, temperature information, and public service announcements only in the C-1 zone.
- D. In addition to time, date, temperature, and public service announcements, messages on an electronic display sign shall be limited to on-premise products and services in the C-2, C-3, and I-1 zones, otherwise said electronic display must conform to the regulations regarding Off-premise Signs (Billboards) as outlined in Section 1345.11, below.
- E. In addition to other signs permitted under this Article, gasoline service stations may erect changeable copy signs advertising the prices of gasoline or other fuels, provided that the total of area of permitted signage is not exceeded.
- F. Changeable copy signs are permitted for institutional uses permitted under the Zoning Ordinance in all districts. Such uses include, but are not necessarily limited to, churches, schools, funeral homes, and cemeteries.

**Section 1345.11      **Off-premise Signs (Billboards)****

- A. Off premise signs shall be permitted in the following zones:
  - C-1 - Special Permit
  - C-2 - Permitted
  - C-3 - Special Permit
  - I-1 - Permitted
- B. Legal Nonconforming Off-premise signs. Any off-premise sign lawfully erected and in existence on the effective date of this ordinance which does not meet the requirements of this ordinance may be maintained as a matter of right as a legal nonconforming sign and may be rebuilt 100% or relocated on the same property, provided that the sign's degree of nonconformity is not increased. This includes loss of signs due to Acts of God.
- C. Size of Signs.
  1. The maximum size area for any one face of an off-premise sign located on interstate roads shall not exceed 672 square feet excluded the base of apron, trim supports, and other structural elements. Temporary embellishments shall not

- exceed 20% of the maximum sign area allowed.
2. The maximum sign area of any one face of an off-premise sign located on non-interstate roads shall not exceed 400 square feet excluding the base, or apron, trim supports, and other structural elements. Temporary embellishments shall not exceed 20% of the maximum sign area allowed.
  3. Sign may be back-to-back, V-type, and tri-vision with not more than one face to each facing and such structure shall be considered as one off-premise sign.
- D. Height of an Off-Premise Sign
1. An off-premise sign shall maintain a minimum clearance of ten feet measured from the ground level at the base of the sign to the bottom of the sign face.
  2. An off-premise sign shall have a maximum height not to exceed 50 feet above grade level of interstate roadways to the bottom of the sign face and 35 feet above grade level of non-interstate roadways to the bottom of the sign face, as measured from the centerline of the roadway to which the sign is oriented. In no case, shall the height of a sign exceed the maximum height limitation of the zoning district in which it is located.
- E. Spacing for Off-Premise Signs
1. No off-premise sign may be established within 750 feet of any other off-premise sign, measured along the same side of the street or highway to which the sign is oriented.
  2. The spacing between signs does not apply to structures separated by buildings or other obstructions in such a manner that only one sign located within the spacing distances is visible from the street at any one time.
  3. Spacing from Directional and Official signs. On-premise signs, or any other signs which does not constitute an off-premise sign shall not be counted nor shall measurements be made from such signs for the purpose of determining compliance with these spacing requirements.
  4. No off-premise sign shall be constructed within 500 feet, measured linearly, along the same side of the street from a church, school, playground, park, recreation center, or community center.
  5. No billboard shall be constructed within 200 feet, measured linearly, along the same side of the street from a residential district.
  6. The minimum distance between off-premise signs shall be measured along the nearest edge of the pavement between points directly opposite the center of the signs along each side of the highway and shall apply to structures located on the same side of the same street or highway.
- F. Setback Requirements
1. Front - 10 feet
  2. Side - 5 feet
  3. Rear - 5 feet
  4. In no case shall any portion of an off-premise sign overhang into or be placed in the public right-of-way unless allowed by the Director of Public Works.
  5. In no case shall any portion of an off-premise sign extend into the required buffer area as designed in Section 1347.05.
- G. Lighting (see Section 1345.05)
- H. Construction Standards. All off-premise signs shall be constructed in accordance with the building code of the City. The structural elements of all off-premise signs shall be of steel unipole construction.

## **Section 1345.12      Nonconforming Sign**

Any nonconforming sign may be continued only as provided in this Section.

- A. Normal maintenance of a nonconforming sign may occur, including any necessary repairs and alterations which do not enlarge, extend, or intensify the nonconformity.
- B. No structural alteration, enlargement, or extension shall be made of a nonconforming sign, except when the alteration is required by law or will eliminate the nonconforming condition.
- C. No conforming sign shall be erected on the same premises as an existing nonconforming sign until the nonconforming sign has been removed or changed to a conforming sign. However, for multi-occupant land uses, the fact that one particular establishment therein has a nonconforming sign will not prohibit a different establishment therein from erecting a conforming sign on the same premises.
- D. A nonconforming sign shall be made to conform with the requirements of this Article whenever there is a change in the use or occupancy of the building which the sign serves, or whenever the building or structure which the sign serves is externally expanded or remodeled.
- E. Whenever the use of a nonconforming sign, or the use which the sign serves, has been discontinued for a period of six (6) consecutive months, or whenever it is evident that there is a clear intent on the part of the owner to abandon the use of a nonconforming sign, or the use which the sign serves, then the sign thereafter shall be made to conform with the provisions of this Article.
- F. If a nonconforming sign is damaged or destroyed by any means to the extent of fifty percent (50%) or more of its replacement value at the time of the damage or destruction (based on prevailing costs), then the sign thereafter shall be restored to conform to the provisions of this Article. However, if the damage or destruction is less than fifty percent (50%) of the replacement value, then the sign may thereafter be restored to its original condition, so long as restoration or repair of the sign is completed within six (6) months after the date of damage or destruction. The repaired or reconstructed sign shall be made to conform to the City of Huntington Building Code and Electrical Code in force at the time of the repair or reconstruction. Nonconforming off-premise signs shall be governed by Section 1345.11.
- G. Any sign that was not previously approved by the City of Huntington and that does not conform to these regulations (illegal signs) shall be immediately removed at the expense of the owner.

## **Section 1345.13      Lighting**

In connection with every site plan, the applicant shall submit plans for all proposed exterior lighting. These plans shall include the location, type of light, radius of light, manufacturer's specification sheet and intensity in foot-candles. The following design standards shall be followed.

- A. The style of the light and light standard shall be consistent with the architectural style of the principal building.
- B. The maximum height of free-standing lights shall be the same as the principal building, but not exceeding twenty-five (25) feet.
- C. All lights shall be shielded to restrict the maximum open angle of the cone of illumination to one hundred fifty (150) degrees.

- D. Where lights along property lines would be visible to adjacent residents, the lights shall be appropriately shielded.
- E. Spotlight-type fixtures attached to buildings and visible to the public shall be avoided.
- F. Free-standing lights shall be so located and protected to avoid being easily damaged by vehicles.
- G. Lighting shall be located along streets, parking areas, at intersections, and where various types of circulation systems merge, intersect, or split.
- H. Pathways, sidewalks and trails shall be lighted with low or mushroom type standards.
- I. Stairways, and sloping or rising paths, building entrances and exits require illumination.
- J. Lighting shall be provided where buildings are setback or off-set if access is provided at such points.
- K. The following intensity in foot-candles shall be provided.
  - 1. Parking lots - average of 0.5 foot-candles throughout.
  - 2. Intersections - 3 foot-candles.
  - 3. Maximum at property lines - 1.0 foot-candle.
  - 4. In residential areas - average of 0.6 foot-candles.