

Minutes
Huntington Planning Commission
February 7, 2022

A meeting of the City of Huntington Planning Commission was held on February 7, 2022 at 5:30 p.m. in the City Hall Council Chambers. *Mr. Gallagher* called the meeting to order.

Members Present: Sharon Pell, Stephanie Vlahos Bryant, Sean Hornbuckle, Gerry Holley, Sarah Walling, Brian Gallagher, Ursulette Ward, Carl Eastham, Holly Smith Mount

Members Absent: None

Staff Present: Janney Lockman, Planner
Breanna Shell, Planning Director
Patricia Usher, Zoning Officer
Ericka Hernandez, Assistant City Attorney

Elections were held at the start of the meeting for Chair and Vice Chair.

Ms. Pell nominated *Ms. Walling* for Vice Chair, and *Mr. Eastham* seconded the nomination. No one else was nominated and nominations were closed. All were in favor, and *Ms. Walling* was elected to be the Vice Chair.

Ms. Walling nominated *Mr. Gallagher* for Chair, and *Ms. Smith Mount* seconded the nomination. No one else was nominated and nominations were closed. All were in favor, and *Mr. Gallagher* was elected to be the Chair.

Ms. Lockman presented the 2021 Annual Report.

Mr. Gallagher asked a question about the Love Your Block Program grants.

Ms. Shell provided information about the grant budgets and Love Your Block grant recipients.

The Commissioners complemented staff on the comprehensiveness of the report, their collaboration with other city departments, and the many accomplishments made throughout 2021.

Motion was made to accept the annual report as presented by *Ms. Walling* and seconded by *Mr. Eastham*. All were in favor and Annual Report 2021 was accepted.

Mr. Eastham made a motion to approve the November Minutes as presented; *Ms. Walling* seconded the motion. All were in favor, and the Minutes were approved.

PC 22-01

Issue: A petition to make the following changes to the City of Huntington Zoning Ordinance:

1. To Amend Article 1345 Sign Regulations and Site Lighting including, but not limited, to the following proposed changes: updating language and structure for readability, consistency, and content neutrality; permits for existing sign structures maintenance; illumination; permitting and size for window signs; abandoned nonconforming sign structures; sign measurements; signs in residential districts; awning signs; and Electronic Messaging Centers.
2. Amend Article 1315 Definitions and Measurements to match sign types and content neutral language in Article 1345, and update the Artisan Manufacturing and Sales definition to not require on premise sales.
3. Amend Article 1320 - Permitted Use chart to allow Banquet Halls or Conference Centers as a conditional use in the C-1 Neighborhood Commercial District.

Petitioner: City of Huntington, 800 5th Avenue, Huntington, WV 25701

Ms. Lockman presented the Staff Report.

Ms. Smith Mount – Does the change to banquet halls impact church fellowship halls and restaurants that provide this service?

Ms. Lockman explained that, no, a banquet hall is an accessory use for churches and restaurants. This change will impact structures intended for this to be the primary use.

Mr. Hornbuckle joined the meeting.

Mr. Gallagher inquired about the First Amendment issues with the ordinance and whether this regulated foul language on signs?

Ms. Hernandez clarified the ruling was to ensure content neutrality and not regulate the message on a sign. She explained there is leniency regulating commercial language and the original intent of the First Amendment is for non-commercial language which is not to be regulated.

Mr. Gallagher – Is graffiti addressed in the changes made here?

Ms. Hernandez cited Article 500 of the City Charter which grants Code Enforcement through Public Works to address the issue of graffiti.

Mr. Gallagher inquired as to why these changes are being made and wondered if something happened to make the changes necessary.

Ms. Lockman explained that nothing bad has happened to initiate the changes; however, there were 7 out of 11 petitions for the BZA last year that had to do with signage. She elaborated on why this would initiate changes, and went on to describe the changes and why, such as the prevalent use of window signs, EMC signs, and the need for content neutral language.

He clarified that his interest is in the changes made to non-conforming signs, which basically makes all non-conforming signs conforming. Ms. Lockman detailed and gave examples for why this change is being proposed by staff. *Mr. Gallagher* expressed concern about making such a big change.

Mr. Gallagher – Are banners, flags, and blow up men addressed in this Article?

Ms. Lockman and Ms. Hernandez pointed to the Exempt and Prohibited signs sections, which include temporary signs, elaborating on the pros and cons of administering and enforcing these regulations reasonably.

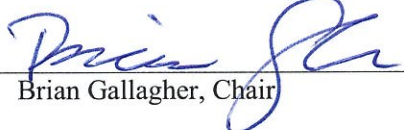
Discussion ensued regarding temporary signs, flags, and other signs listed in the exempt and prohibited sections and the length of time listed for temporary signs. *Ms. Walling* suggested referencing definitions in Article 1345.

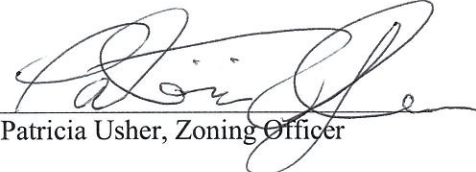
Mr. Eastham made a motion to send the amendment back to staff for changes and corrections; *Mr. Hornbuckle* seconded the motion. Motion passed by a vote of 9 Yes to 0 No.

Mr. Gallagher, *Ms. Walling* and *Ms. Vlahos Bryan* volunteered to assist staff with changes and corrections to the Sign Ordinance amendment.

The meeting adjourned at 6:32 p.m.

Date approved: 3/7/2022

Chairperson: 
Brian Gallagher, Chair

Prepared by: 
Patricia Usher, Zoning Officer