

Minutes
Huntington Planning Commission
March 7, 2021

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

Members Present: Sharon Pell, Sarah Walling, Brian Gallagher, Ursulette Ward, Carl Eastham

Members Absent: Stephanie Vlahos Bryant, Sean Hornbuckle, Gerry Holley, Holly Smith Mount

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

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

PC 22-AB-02

A petition to abandon a portion of 16th Street West north of Jefferson Avenue. The petitioned abandonment is adjacent to Cabell County Tax District 7, Map 41, Parcels 182, 203, and 605.

Owner: City of Huntington, 800 5th Ave., Huntington, WV
Petitioner: Martin Steel, Inc. 603 16th St. W., Huntington, WV

Ms. Lockman presented the Staff Report. She informed the Board that the utility companies require an access easement to the area as there are assets located in the area of abandonment, or that the assets be moved at Martin Steel's expense.

Mr. Eastham – Is there a reason that the Fire and Police Departments are not informed of abandonments?
Ms. Lockman explained that contacting these departments has not been part of the practice for this department, but agreed that there is value in including them in the abandonment process. She added that she was in contact with the Fire Marshal for this project already due to a proposed gate.

Mr. Gallagher – Are we able to force Martin Steel to maintain the utility easement?
Ms. Hernandez explained that utilities are part and parcel to considering and granting an abandonment and a condition could be an avenue the Commissioners use to ensure the easement; however, it is also likely that the utility companies will enforce the easement as well due to their assets being in the area.

Jason Tolliver was in attendance to represent the petition.

Mr. Gallagher – Do you have an issue with taking on the property with the easements?
Mr. Tolliver assured the Commissioners he has no problem with maintaining the easement and verified that he and his company are already in talks with the utility companies concerning the easement.

Ms. Walling made a motion to forward the petition with a favorable recommendation to City Council; *Mr. Eastham* seconded the motion. Motion passed to **forward a favorable** recommendation by a vote of 5 Yes to 0 No.

PC 22-01

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, pointing out the annotated comments throughout the ordinance to explain staff reasoning behind specific changes made. She explained that the goal for staff is to have more guidance on temporary and non-conforming signage.

There was lengthy discussion on the nature of temporary signage, how these signs are defined, and how they are and could be regulated (duration, size, manner). The Commissioners were particularly interested in:

1. Providing more direction for the size and manner of temporary signs;
2. Broadening the definition of off-premise signs that are not billboards, such as signs on vacant lots;
3. Provide a definition for flags;
4. What a commercial and non-commercial sign is; and
5. What a fair duration for temporary signs would be.

Ms. Ward left the meeting; therefore, the Board lacked quorum and could not vote. Discussion on signage continued.

The Commissioners briefly discussed non-conforming signage. Ms. Lockman clarified *Section 1345.05(A)* explaining the addition would allow legal non-conforming signs to be utilized by right. The Commissioners requested clarity be provided for what altering or relocating a non-conforming sign does and does not allow. Ms. Usher and Ms. Shell detailed planning staff's rational for the removal of the six month abandonment clause of non-conforming signage, explaining the change eliminated the need for a variance to utilize abandoned non-conforming sign structures. Mr. Gallagher suggested implementing a bond for taking signage down after closing.

Ms. Lockman thanked the Commissioners for providing a solid direction to move forward with some additional changes to the temporary and non-conforming sign sections.

The meeting adjourned at 6:40 p.m.

Date approved: 4/4/22

Chairperson: Brian Gallagher, Chair

Prepared by: Patricia Usher, Zoning Officer