

City of Huntington Planning Commission

July 17th, 2020

Staff Report: A petition to amend the zoning ordinance related to the regulation of signs.

PC 20-16

A petition to amend Article 1345 Sign Regulations and Site Lighting to adjust regulations for free-standing signs, wall signs, and changeable copy signs.

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

Introduction

The Planning and Zoning office is petitioning to amend the city of zoning ordinance Article 1345 to change the regulations for free-standing, wall, and changeable copy signs.

Existing Conditions

Currently the zoning ordinance sign regulations are out of date and one of the biggest contributors for Variances to the Board of Zoning Appeals. From the perception of the staff, the major issues for signs requiring variances are: the measurement of wall signs, the area limits for free-standing signs, and alleys in downtown not counting as a street frontage for the purpose of wall signs.

For wall signs, they are currently measured based on a percentage of the first two stories of the front of the building. Almost no one does this math and turns in the completed

paperwork because of how non-conducive this approach is.

Wall signs are also only permitted along street frontages. Therefore in downtown businesses are not allowed to put signs up in an alley although they may have an entrance there, as is common in a central business district.

For free standing signs, the C-2 Highway Commercial district has the same area restrictions as other commercial districts, despite the conditions being different. Most free-standing signs here have been granted variances to our area limits.

For changeable copy signs that are electronic, case law has forced changes to this that are not reflected in our sign ordinance.

Proposed Conditions

The following is a summarized list of changes:

- Wall signs will now be regulated on a formula similar to how other cities regulate it. This formula will be 1.5 square feet per 1 linear foot of front facade along the street frontage.
- This will be set to 1.75 square feet per 1 linear foot in C-2

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- Free standing signs in C-2 will be increased to 100 square feet.
- Electronic signs, under the changeable copy signs regulations, will be removed entirely from the C-1 district so that our zoning ordinance is compliant with case law on this issue. Currently we regulated what content can be placed on these signs. Case law states we cannot do that, but we are not ready to implement new electronic sign standards.

Staff Comments

To reduce the need for variances and impeding businesses during this already difficult time, we are proposing these small changes now.

The new, fully revised sign ordinance is in draft form already, but will not be ready for several months. We will be consulting with multiple departments, performing existing condition studies, and taking through several internal revisions before it is ready.

For this short term fix, we've run the changes by one of our more frequent sign applicants, Paris Signs. They found the changes to be a positive adjustment.

Comprehensive Plan

There are no comments on this in the comprehensive plan.

Attachments

Please see attached zoning ordinance for the proposed amendments.

ARTICLE 1345 - SIGN REGULATIONS AND SITE LIGHTING

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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.

| TABLE 1345: TYPE OF ZONING DISTRICT | | | |
|--|---------------------|---|----------------------------------|
| Type of Sign | Residential | Commercial | Industrial |
| Changeable Copy Sign | | | (See Section |
| Permitted | Special Permit | YES | YES |
| Free-Standing Sign | | | (See Section |
| Permitted | Special Permit | YES | YES |
| Maximum Number | 1 per lot or parcel | | |
| Maximum Surface Area | 32 sq. ft. | C-1 and C-3 is 72 sq. ft. C-2 is 100 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. |
| Illuminated Sign | | | (See Section 1345.05) |
| External Permitted | Special Permit | YES | YES |
| Internal Permitted | Special Permit | YES | YES |
| Off-Premise (Billboard) | | | (See Section 1345.11) |
| Suspended/Projecting Sign | | | (See Section 1345.06) |
| 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. |
| Temporary Sign | | | (See Section 1345.02.B.5) |
| Permitted | YES | YES | YES |

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|----------------------|---|---------------------|------------------------------|
| 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 |
| Wall Sign | | | (See Section 1345.07) |
| 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 |
| Window Sign | | | (See Section 1345.08) |
| Permitted | NO | YES | YES |
| Maximum Surface Area | (See Section 1345.08) | | |

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 (5th Street Road), US Route 52 (Rahall Bridge approach), and the sign shall be limited to C-1, C-2, and I-1 zoned properties.

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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, painted, or adhered to the wall so that the face of the sign is substantially parallel to the wall;
- C. **Commercial and Industrial Zones.**
 - 1. In C-1 and C-3 Commercial zones, the maximum sign area shall be 1.5 square feet

- per linear foot of building facade within the Built-to Zone or on the Build-to Line, to include linear footage of exempted elements of the built-to requirements such as a forecourt or arcade ~~not exceed 10% of the area of the first two stories of building elevation on which it is placed.~~ In the C-3 zone, any improved alley abutting a property shall be considered a street frontage when determining number of permitted signs.
2. In C-2 and I-1 zones, maximum sign area shall be 1.75 square feet per linear foot of building facade within the Built-to Zone or on the Build-to Line, to include linear footage of exempted elements of the built-to requirements such as a forecourt or arcade, but not to exceed 100 SF per establishment per right-of-way frontage ~~not exceed 20% of the first two stories of building elevation.~~
 3. 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.
 4. If no part of the building facade is in the Built-to Zone or on the Build-to Line, the Planner shall make a determination of the linear footage based on the building facade parallel and closest to the Built-to Zone or Build-to Line.
- 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).
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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~~ civic and community uses only as listed in Article 1320, excluding a Community Garden. 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 ~~is not permitted~~ 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.~~

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