

ARTICLE 9. SIGN REGULATIONS

Section 901. Permits required.

A zoning permit shall be required for the erection, alteration or relocation of any sign which exceeds eight (8) square feet in surface area. Real estate signs and construction signs shall be exempt from securing a zoning permit. A zoning permit shall be required for the establishment, erection or reconstruction of any sign, with the following exceptions:

1. Real Estate Sign (temporary) not greater than twenty-four (24) square feet.
2. Construction Sign (temporary) not greater than twenty-five (25) square feet.
3. Identification Sign not greater than three (3) square feet.
4. Institutional Sign, not greater than eight (8) square feet.
5. Directional Sign, not greater than six (6) square feet.

Section 902. Signs.

902.1 Type and Use of Signs.

All signs shall be classified according to type and use as provided herein:

- A. IDENTIFICATION SIGN: A sign which communicates the name and/or address of an occupant or a permitted home occupation upon the zoning lot on which the sign is located.
- B. BUSINESS SIGN: A sign which communicates information concerning a business, profession, commodity, service, entertainment or development which is sold, offered, prepared, manufactured or conducted upon the zoning lot where the sign is located. The primary function of a business sign shall be to promote and communicate the business use on the subject property and shall not be intended to fulfill the function of an advertising sign.
- C. BILLBOARD OR OFF PREMISE ADVERTISING SIGN: A sign which communicates information concerning a subject, business, profession, activity, commodity, service, entertainment or development not related to, sold, offered, prepared or manufactured on the zoning lot where the sign is located.
- D. CONSTRUCTION SIGN: A temporary sign erected on the premises on which construction is taking place, indicating the names of the firm or firms performing the construction activities, including names of any architectural firms and engineering firm associated with the project.
- E. REAL ESTATE SIGN: A temporary [sign], which advertises the sale or rental of property.
- F. INSTITUTIONAL SIGN: A sign which identifies a use pertaining to a school, church, hospital or other institution of a similar public or semipublic nature. A sign's message may also identify the use as a memoriam and may include a benefactor's name. Also in the case of large scale campus developments, accessory use signs may communicate information concerning professional offices and/or services offered within the development. This may include any symbols and/or logos, which when associated with the principal, provide identity.

- G. ON-SITE DIRECTIONAL AND/OR INFORMATIONAL SIGN: A sign commonly associated with, and limited to, information and directions necessary for visitors entering or exiting a property, including signs marking entrance and exits, parking areas, circulation direction, restrooms and pick-up and delivery areas. Such signs shall contain no advertising material.
- H. SIGNS ON VEHICLES: Business and/or advertising signs on vehicles shall be subject to the provisions of this Ordinance when the vehicle is located or parked on a continuous basis on or in front of a zoning lot under the control of an occupant of the lot.

Section 903. Design and construction features of signs.

All signs shall be classified according to construction types as provided herein:

- A. FREESTANDING SIGN: A sign not attached or applied to a principal building but supported by another structure, including structures designed for the sign itself and accessory structures.
- B. WALL SIGN: A sign attached, painted or affixed to the wall of a principal structure or accessory structure, not projecting over any public right-of-way and not extending more than eighteen (18) inches from the building or structure.
- C. PROJECTING SIGN: A sign which projects outward or extends more than eighteen (18) inches from the building or structure.
- D. ILLUMINATED SIGN: Any sign directly lighted by any electrical light source, internal or external, except light sources specifically and clearly operated for the purpose of lighting the general area in which the sign is located rather than the sign itself.
- E. ELECTRONIC MESSAGE BOARD SIGN: A sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.
- F. FLASHING SIGN: A sign, excluding an Electronic Message Board Sign which, by method or manner of illumination, flashes on or off, winks, or blinks with varying light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off.
- G. WINDOW SIGN: A sign painted, stenciled, or affixed on a window.
- H. AWNING SIGN: A sign that is attached to, affixed to, or painted on an awning or canopy of a building.
- I. ROOF SIGN: A sign erected upon, against, or directly above a roof or roof eaves, or on top or above the parapet, or on a functional architectural appendage above the roof or roof eaves.
- J. PORTABLE SIGN: Any sign not permanently affixed in the ground or to a building whose principal supporting structure is intended, by design and construction, to be used by resting upon the ground for support and may be easily moved or relocated for reuse. Portable signs shall include but are not limited to signs mounted upon a trailer or other non-motorized mobile structure with or without wheels. A portable sign shall be governed by the same regulations applicable to a Freestanding Sign.

Subject to other requirements of this Ordinance, the establishment, erection or reconstruction of a sign shall be in accordance with the following table:

DESIGN AND CONSTRUCTION FEATURES OF SIGNS PERMITTED BY ZONING DISTRICT

TYPE OF SIGN	R-1	R-2	R-3	C-N	C-1	C-2	C-3	C-4	S-11	OSP	M-1	M-2
Freestanding Sign	X	X	X	X	X	X		X	X	X	X	X
Wall Sign				X	X	X	X	X	X		X	X
Projecting Sign	X	X	X	X	X	X	X	X	X		X	X

Illuminated Sign				X	X	X	X	X	X		X	X
Electronic Message Board Sign						X	X	X	X		X	X
Flashing Sign							X					
Window Sign				X	X	X	X	X	X		X	X
Awning Sign				X	X	X	X	X	X		X	X
Roof Sign ²							X		X		X	X
Portable Sign				X	X	X	X	X	X		X	X

X — Indicates Permitted in District

¹ Six (6) feet maximum size of freestanding sign in S-1 District.

² Twenty (20) Feet Maximum Height Extension above Roof Line.

Section 904. Permitted signs in nonresidential zoning districts.

The establishment, erection or reconstruction of a sign shall be in accordance with the following table:

TYPE OF SIGN	ZONING DISTRICT							
	C-N	C-1	C-2	C-3	C-4	S-1	M-1	M-2
X — Indicates Permitted in District								
Billboard/Off Premise Advertising [Advertising] Sign								X
Business Sign	X	X	X	X	X	X	X	X

Section 905. Signs permitted in all zoning districts.

The establishment, erection or reconstruction of a sign shall be in accordance with the following table:

- A. IDENTIFICATION SIGN: Such signs shall be permitted in all zoning districts.
- B. REAL ESTATE SIGNS: Such signs shall be permitted in all zoning districts.
- C. INSTITUTIONAL SIGNS: Such signs shall be permitted in all zoning districts but shall be solely limited to properties on which legally established a public or quasi-public use is located.
- D. ON-SITE DIRECTIONAL AND/OR INFORMATIONAL SIGN: Such signs shall be permitted in all zoning districts but shall be solely limited to properties on which a nonresidential use is located.
- E. CONSTRUCTION SIGNS: Such signs shall be permitted in all zoning districts.

Section 906. Area, height and setback requirements.

The establishment, erection or reconstruction of permitted signs shall be governed by the following regulations:

- A. IDENTIFICATION SIGN: An identification sign shall not exceed two (2) square feet in area. Such a sign shall be setback not less than ten (10') feet from the front lot line. The maximum height of an identification sign, if freestanding, shall not exceed ten (10') feet in height, or if attached to a building shall not be higher than the first story of the building to which it is attached.

- B. BUSINESS SIGN: The maximum area of a business sign shall be calculated in accordance with the following Table:

MAXIMUM AREA OF A BUSINESS SIGN

Zoning District	C-N	C-1	C-2	C-3	C-4	S-1 ²	M-1	M-2
square feet of signage per linear distance of frontage ¹	1	2	3	4	4	4	5	6

¹ In the case of corner properties, the frontage along both sides shall be included in calculating the maximum square feet of permitted signage.

² The maximum size of a freestanding sign shall not exceed six (6) square feet.

- C. REAL ESTATE SIGN: A temporary real estate sign shall not exceed twenty-four (24) square feet in area and shall be located on the same lot on which the property is offered for sale or rental. The sign shall be setback not less than ten (10') feet from the front lot line or if attached to a building shall not be higher than the first story of the building to which it is attached. Said sign shall be removed from the premises within thirty (30) days after the sale or rental of the property.
- D. CONSTRUCTION SIGN: A construction sign shall not exceed twenty-five (25) square feet in area and shall be located upon the same property on which the construction activity is being conducted. An individual sign for each firm performing work upon the property shall be permitted. No sign shall be located within a public right-of-way or less than ten (10) feet from any public right-of-way. All construction signs shall be temporary in nature and removed within thirty (30) days following the completion of construction activity.
- F.[E.] INSTITUTIONAL SIGN: An institutional sign for public and quasi-public facilities, such as schools, churches, hospitals, libraries, colleges or other institutions of a similar nature shall not exceed one square foot of sign area per foot of frontage of the zoning lot on which the use occupies. Except where abutting multiple lots are utilized for the purpose of a single use and/or entity, as large acreage institutional campuses, all lots involved will be considered as one zoning lot for the purposes of sign area computation. In the case of a corner lot(s) and/or a lot(s) fronting on more than one street, all frontages shall be used for sign area computation.
- An institutional sign which is constructed as a free-standing sign that is located in any R District shall not exceed ten (10') feet in height, or if attached to a building shall not be higher than the first story of the building to which it is attached. Institutional wall signs shall be exempt from said limitation subject to not extending above the uppermost edge of the wall to which the sign is attached. Religious symbols such as those mounted on a church steeple and/or belfry will be exempt from any height restrictions.
- G.[F.] ON-SITE DIRECTIONAL AND/OR INFORMATIONAL SIGN: An on-site directional and/or informational sign shall not exceed six (6) square feet in area. A front, rear or side yard setback of not less than five (5') feet shall be required for such signs when constructed as a freestanding sign. The maximum height of such signs when constructed as a freestanding sign shall not exceed six (6') feet. Directional and/or informational signs will not be permitted over a vehicular and/or pedestrian right of way, excluding those located upon immediate entrance to a parking garage as a height warning device and directional signs within a parking garage. An informational/directional sign may be illuminated, but shall not include any attributes of a flashing light or similar motion.
- H.[G.]BILLBOARD SIGN OR OFF PREMISE ADVERTISING SIGN: A Billboard Sign or Off Premise Advertising Sign shall only be permitted in an M-1 District subject to the following regulations:
1. Area of Sign: No advertising sign shall exceed three hundred (300) square feet in surface area.

2. Number of Signs: Not more than one (1) advertising sign shall be permitted on a lot having a frontage of one hundred (100) feet or less. One (1) additional sign is permitted for each additional one hundred (100) feet except that no lot or contiguous group of lots shall contain more than three (3) advertising signs.
3. Advertising Signs on Limited Access Highways: No advertising signs shall be permitted within the area extending six hundred sixty (660) feet on either side of the right-of-way line of any limited access highway.
4. Advertising Signs Adjacent to Certain Uses: No advertising sign shall be permitted within two hundred (200) feet of any residential district, nor within three hundred (300) feet of any public park, nor shall any advertising sign face any public or parochial school, library, church, hospital, or similar institutional use, located on an abutting lot.
5. Signs Parallel to Right-of-Way: No advertising sign shall be constructed parallel to, or at any angle of less than forty-five (45) degrees with, the right-of-way upon which it faces, except when such a sign is located at the intersection of two (2) streets.

Section 907. Height restrictions for freestanding signs.

MAXIMUM HEIGHT OF FREESTANDING SIGNS BY ZONING DISTRICT

ZONING	R-1	R-2	R-3	C-N	C-1	C-2	C-3 ¹	C-4	S-1	OSP	M-1	M-2
Freestanding Sign	10	10	10	10	20	30		35	10	15	35	35

¹ Freestanding Signs not permitted in C-3 District.

Section 908. Setback for freestanding signs.

The minimum front yard, side yard setback and/or rear yard setback for any freestanding sign in all Zoning Districts shall be not less than ten (10) feet. In the case of free-standing signs, the required setback distance, shall be measured from the outer most edge of the sign and not front the supporting structure. If an existing building has a front yard setback which is less than ten (10) feet, any proposed new sign shall be attached flat against the building as a wall sign.

Section 909. Signs related to nonconforming uses.

Identification, institutional and business signs related to nonconforming uses in any R District may be continued in use, including repair and/or replacement of the same, but shall not be enlarged. Where the nonconforming use is lawfully changes to another nonconforming use there shall be permitted a new sign, not greater than one (1) square foot of signage per linear distance of frontage. If the property is located upon a corner lot, the front linear feet of both sides fronting upon a street shall be included in calculating the maximum permitted area of the new sign. The sign may be erected at a different location provided it meets all applicable regulations for the zoning district in which it is located.

Section 910. Area computation of signs.

The area of a sign shall be construed to include all lettering, wording and accompanying design and symbols, together with the background including border and trim, whether open or enclosed on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself. Computation of the area for particular signs shall be in accordance with the following regulations:

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- A. WALL SIGN: For a sign painted upon or applied to a building, the area shall be considered to include all lettering, wording and accompanying design or symbols together with any backing associated with the sign.
 - B. SEPARATE SYMBOLS: Where the sign consists of individual letters or symbols attached to or painted on a surface; building, wall, awning or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters and symbols.
 - C. DOUBLE-FACE SIGN: With the exception of a billboard, when computing the area of a double-face sign, only one (1) sign shall be considered, provided both faces are identical.
 - D. CYLINDRICAL SIGN: The area of a cylindrical sign shall be computed by multiplying one-half (.5) of the circumference by the height of the sign.

Section 911. Vertical clearance.

A freestanding sign and a projecting sign shall have a vertical distance of not less than nine (9) feet as measured from the lowest edge or point of the sign to the highest ground elevation located beneath the sign.

Section 912. Illuminated signs.

Signs illuminated by reflected light shall have the lighting source shielded in a manner that no direct light shines onto abutting properties or in the normal line of vision of the public using nearby streets or sidewalks.

Section 913. Prohibited signs.

The following types of signs shall not be permitted in any zoning district:

- A. Signs which are located in such a position which endangers vehicular and/or pedestrian traffic by obscuring the site distance.
- B. Signs which by design and/or location may be confused with traffic signs or signals.
- C*. Any sign located in or extending into a public right-of-way, including sidewalk areas, except an official street sign or traffic control sign.
 - * Zoning approval for signage is limited to the lot on which the sign is proposed to be erected. Any signage which extends beyond the lot and into a public right-of way shall require the approval of Wilkes-Barre City Council.
- D. Any freestanding or projecting sign within an area bounded by the intersection of two (2) public or private streets, for a distance of twenty (20') feet along the centerline of the right-of-way of such streets from the point of their intersection.
- E. Signs which due to their construction and/or location would constitute a hazard or a potential danger to the community.