### EAST GOSHEN TOWNSHIP PLANNING COMMISSION Meeting Agenda Wednesday, March 2, 2011 7:30 PM

A. B. C. D. E.		nyone is going to record the meeting og / Determine need for Workshop N Non-Agenda Items		
F.	Acknowledge Receipt of New Applications			
G.	Subdivision Plans			
H.	Land Development P	lans		
1.	Conditional Uses, Variances & Special Exceptions			
J.	Ordinance Amendments			
	Wireless Communications Ord.			
K.	Old Business			
L.	New Business			
	1. Sign Ordinance Discussion			
M.	Any Other Matter			
N.	Meeting Dates of Importance			
	March 03, 2011	Zoning Hearing Board		
		- Liberty Towers	7:30 pm	
	March 03, 2011	Park & Recreation	7:00 pm	
	March 08, 2011	Board of Supervisors	7:00 pm	
	March 09, 2011	Conservancy Board	7:00 pm	
	March 10, 2011	Historical Commission	7:00 pm	
	March 14, 2011	Municipal Authority	7:00 pm 10:00 am	
	March 15, 2010	·		
	March 15, 2011	Board of Supervisors	7:00 pm	
	March 22, 2011	Board of Supervisors 7:0		
	March 29, 2011	Board of Supervisors	7:00 pm	
O.	Correspondence			
P.	Goals			
Q.	Adjournment			

• Bold Items indicate new information to review for that application.

# <u>REMINDER</u> – Newsletter Article Submission Due Date: <u>Article Due Date</u> <u>Delivery Date</u>

May 11, 2011

July 1, 2011

# Planning Commission Application Tracking Log

Application Name
Application (CU,LD,O, SD,V, SE, CA)
Type (Sk, P, F)
Date Filed
Start Date
Date to Yerkes/Consultant
Date to CCPC
Date to Abutting Prop. / ABC's
Extension
PC NLT Action Date
BOS NLT Action Date
Hearing Date
Drop Dead date

Bold = New Application or PC action required

1 DRAFT EAST GOSHEN TOWNSHIP 2 PLANNING COMMISSION MEETING 3 4 February 2, 2011 6

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The East Goshen Township Planning Commission held their regularly scheduled meeting on February 2, 2011 at the East Goshen Township building. Members present were: Chairman George Martynick, Susan Carty, Dan Daley, and Jim McRee. Also present were Township Zoning Officer Mark Gordon, Don McConathy (Supervisor), Ginnie Newlin (Conservancy Board) and Chris Reardon (Historical Commission)...

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### WORKSHOP SESSION - 7:00pm

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- A. The minutes of January 5 and January 19, 2011 were reviewed. A motion will be passed in the formal session.
- 14 B. The various agenda items were reviewed.
  - C. George thanked Don and Mark for all the hard work they did on the Wireless Ordinance. Mark commented that the solicitor was very helpful. George would like to include electronic signage. This will be put on the agenda for the March meeting.
  - D. George announced that Liberty Towers has reapplied so the Planning Commission will need to have a workshop on Wednesday, February 16, 2011.

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### **FORMAL SESSION**

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### A. Pledge of Allegiance & Announcements

George called the meeting to order at 7:30 pm and led those in attendance in the Pledge of Allegiance. There was a moment of silence to remember our armed forces.

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George asked if anyone would be recording the meeting. There was no response.

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George announced that there will be a workshop this month on Wednesday February 16, 2011.

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George asked those in attendance if there were any non-agenda items to be discussed. There was no response.

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### B. Approval of Minutes

Jim made a motion to approve the minutes of January 5, 2011 meeting as corrected. Dan seconded the motion. There was no further discussion. The motion passed unanimously.

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Sue made a motion to approve the minutes of the January 19, 2011 meeting as corrected. Jim seconded the motion. There was no further discussion. The motion passed unanimously.

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### C. Acknowledge Receipt of New Applications - None

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### D. Subdivision/Land Development Plans - None

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### E. Conditional Use and Variances

45 46 1. Del Vacchio Holdings, 922 N. Chester Rd. (McGinty's Nursery) (SE) The applicant was represented by Brian Nagle, Attorney and Mr. Vincent Del Vacchio. The conditions on the proposed motion were discussed.

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Mr. Nagle spoke about #5 regarding the Phase II dwelling. He would like for it to provide a 60 day temporary permit be issued for the Phase I dwelling if the owner is moving into the new dwelling, then remove the existing dwelling. If the owner is living in the existing dwelling, he will need time to move his belongings, etc. into the new dwelling. The 60 day temporary permit will give that time.

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Mr. Nagle spoke about #9 - hours for loading and unloading. They originally agreed to 7:00 am. They are okay with 6:00 pm. but would like the 7:00 am time instead of 9:00 am.

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George is concerned about #19 - fuel tank storage. What precautions will they take to protect against leaks? Mr. Nagle explained there will be an impervious surface in compliance with the fire code. He commented that there is some existing fuel storage on the property. Jim commented that due to the recent experience with the Sunoco Station, he wants to be sure there will be ongoing inspections and maintenance. A very small spill can create a risk for the residents in the area. Sue is not convinced it should be allowed in a residential area. Mr. Del Vacchio said he will work very closely with Mark on the installation, maintenance and inspection process. He has 2 tanks at his current location. It saves labor costs to have the fuel on site. Jim suggested that the Planning Commission could make a recommendation to the Board of Supervisors disallowing this and more studies could be done. Don is not in favor of this because there is no control over those pumping the gas. Dan voiced concern about the small gas cans they would have to use and spillage from them compared to an area designed for fuel storage. Sue added that this is another delivery. She understands that this will help his business but she is still concerned about the residents. Mark pointed out that the Fuel Gas Code is very strict. George asked Mr. Nagle how committed they are to #19. Mr. Nagle replied that the process will continue.

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George read the 24 conditions for those in attendance.

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Mr. Nagle asked that the requirement for a bond in #2 be removed. After further discussion, the Commission members were okay with removing the requirement for a bond in condition #2.

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Mr. DelVacchio presented his proposed landscape plan. He tried to use as many species recommended in the township ordinance as possible.

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Jim asked that wording be added to #13 about storage of salt. Mark suggested restricting the size of the storage area for salt.

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### **Public Comment:**

1. Tom McCafferty, 918 N. Chester Road – He lives adjacent to the property and appreciates the new planned buffer along his property. He has been here since 1984 when Mr. McGinty started this as a hobby. He does not feel there are too many conditions. Regarding fuel, most landscapers use WAWA and don't have fuel on site. Let WAWA worry about spillage. He would like a stipulation that "holiday hours" refers to Christmas only. He raised that question about handicapped parking, fire sprinklers, etc. that would be needed if the home is rented. He does not like the way the property looks now. As for salt, where he works salt is delivered, covered with a tarp and dropped during delivery, etc. He feels it is as bad as fuel leaking into the ground.

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Motion: Sue made the following motion:

39 40 41 Mr. Chairman, I move that we recommend that the Board of Supervisors support the Special Exception application of Del Vacchio Holdings, who is seeking an alteration to the existing legal nonconforming use with the following conditions and in accordance with the plans titled:

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Landscape Planting List dated 02-02-2011

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Legal Non-Conforming Use Impervious Cover Calculations dated 01-24-2011 Existing Site Conditions dated 01-5-2011 with no revisions

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Satellite Image w / Overlay dated 01-5-2011 with no revisions

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Satellite Image dated 01-5-2011 with no revisions

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Conceptual Drawings Phase 1 and 2 dated 01-05-2011 and last revised 01-24-2011

49 50 Landscape Plan Phase 1 and 2 dated 02-02-2011 with no revisions Storage Bin Detail dated 01-25-2011 with no revisions

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1. The buildings identified on the plan and during the testimony as buildings to be removed shall be removed prior to the issuance of a Use and Occupancy certificate for the new barn style building.

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- 2. The new barn style building (having maximum footprint 4000 sq. ft.) may be erected as a replacement for the existing permitted buildings that are part of the legal non-conformity as shown on the plans that were submitted by the applicant.
- 3. The proposed barn style building shall have a wooden exterior and shall be similar in appearance to the existing sales building.
- 4. The rear of the property (the area of the property west of the bins) shall be returned to a grass and/or wild flower meadow condition as shown on the plans. The existing trees shall remain to the maximum extent possible. Should Township regulations require, a grading plan shall be submitted to the Township and a permit issued prior to any earth disturbance in the rear of the property.
- 5. The single family home shall remain as such and shall not be parleyed into a part of the non-conforming use. The applicant may build the Phase II single family dwelling provided that the existing residential structure is removed prior to the issuance of a Use and Occupancy permit for the Phase II dwelling. The Township may provide a 60 day temporary Use and Occupancy for the Phase II dwelling prior to the demolition of the existing residence if the owner of the property is residing in the existing residence and is moving into the new Phase II dwelling. The applicant shall post a bond to insure that the existing residential dwelling is removed.
- 6. All stormwater controls required by the Township Ordinances for the Phase II single family dwelling shall be installed in conjunction with the Phase II dwelling.
- 7. The Phase I landscaping shall be installed prior to the issuance of a Use and Occupancy Certificate for the new Barn Building. The Phase II landscape screening shall be installed prior to the Issuance of a building permit for the new single family home. Applicant agrees to maintain all landscaping in perpetuity. Landscaping shall be installed as depicted in the Phase II Conceptual Drawings.
- 8. Retail sales of mulch and the delivery of mulch and other landscape materials to the property shall be limited to the hours between 9 A.M. and 5 P.M. Monday through Saturday and no storage of manure shall be permitted on the property.
- 9. The loading and unloading of landscape materials and equipment onto trucks or trailers shall not occur before 7 A.M. and not after 6 P.M.
- 10. Upon the completion of Phases I and II, as shown on the plans, no additional expansion of buildings pertaining to the legal Non-conforming use shall be permitted unless approved by the Township Zoning Hearing Board.
- 11. Lighting shall be limited to safety and security lighting mounted to the buildings which cast light downward so as not to create a glare condition, in accordance with §240-24.H.
- 12. All vehicle maintenance shall be conducted inside of the new barn building.
- 13. The storage bins having a total square footage of 1,400 sq ft shall be constructed as depicted on the plan and a maximum of one material storage bin (not to exceed 250 sq ft) may be covered with a roof and that area shall be included in the total building coverage area tabulation. The covered storage bin depicted on the plans shall be the only bin used for salt storage.
- 14. As depicted on the plan all business vehicles and employee parking shall be located to the rear of the existing single family home in an area not to exceed 10,250 square feet.
- 15. Business vehicles having a gross vehicle weight in excess of 33,000 pounds shall not be permitted to be parked or stored on the property.

01/05/2011

- 16. The applicant agrees not to store or display any hardscaping materials (i.e. brick pavers, stone, etc.) in front of the existing sales building.
- 17. The rubber tire or track loader used for retail sales shall be equipped with a bucket having a maximum size of one cubic yard.
- 18. The applicant will follow all applicable Federal, State and Local laws and secure all proper permits prior to construction of the improvements depicted on the plan or use of the existing buildings on the property.
- 19. The storage of bulk fuel materials shall not be permitted on the property.
- 20. Employee parking shall be permitted in the parking area depicted on the plans to the rear of the sales building.
- 21. The customer parking in front of the existing single family home shall not be increased in size and shall be signed for customer parking only.
- 22. Prior to the issuance of the permit for the new barn building the applicant shall demonstrate that the proposed total impervious area on the property is less than the total impervious area shown on the existing conditions plan.
- 23. The conditions and orders, which are still applicable, outlined in the previous Zoning Hearing Board decisions for this property still apply except as modified with the subject Special Exception.
- 24. The existing shade structures as shown on the plans, may remain, provided that they are only covered with a porous fabric. These structures shall not be considered buildings for the purpose of calculating building coverage.

Jim seconded the motion. There was no further discussion. The motion passed unanimously.

### F. Old Business

- 1. Multiple Use Building/Parking Ordinance Dan made a motion to approve the Multiple Use Building/Parking Ordinance. Sue seconded the motion. There was no further discussion. The motion passed unanimously.
- 2. Wireless Communications Ordinance Again George complemented Don and Mark for the work they did on this. Jim raised questions about H.I.B require competition can this be done. Don said yes. On Page 1, BP/I or East Goshen property 1 mile. Does this need to be expanded? Don recommended it stay as is for now. Page 2, maximum heights 120-150 feet. Jim feels this limits the kind of service a tower can give which may lead to more towers. Don explained that this is the standard for the industry. Page 2, propagation study by provider An applicant must prove there is a gap in service. This is not required for other businesses. Page 3, license requirements. Mark explained these are required by the FCC. Don explained that this is the first application for construction of a tower in the Township. Currently providers are using existing structures, i.e. phone poles, silos, etc.

  This will be discussed further at the next meeting.

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### G. Any Other Matter

1. Paoli Pike PCTI Project Application – George thanked Dan and Mark for all the hard work they did on the application for a grant to cover the cost of a feasibility study for bicycle and pedestrian linkages. Unfortunately, East Goshen's application was not selected. However, 12 were approved for Chester County. Mark asked Natasha Manbeck if it would be possible for East Goshen to be included in the Central Chester County Bycycle and Pedestrian Plan. His request was approved. The planning process will include a study advisory committee. Mark and Dan will represent East Goshen on this committee. Dan feels that being a part of the County plan will help a lot with getting future funding.

01/05/2011 PC MINUTES

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### H. Adjournment

Motion to adjourn the meeting was made by Sue and seconded by Dan. The meeting adjourned at 10:30 p.m.

Respectfully submitted,\_\_\_\_\_

Ruth Kiefer, Recording Secretary

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### DRAFT **EAST GOSHEN TOWNSHIP** PLANNING COMMISSION WORKSHOP MEETING

February 16, 2011

The East Goshen Township Planning Commission held a scheduled workshop meeting on February 16, 2011 at the East Goshen Township building. Members present were: Chairman George Martynick, Susan Carty, Peter Mylonas, Dan Daley, Jim McRee, Megann Hedgecock and Al Zuccarello. Also present were Township Zoning Officer Mark Gordon, Bryan Del Monte (Conservancy Board) and residents Erich Meyer and William Potts.

### A. Pledge of Allegiance & Announcements

George called the meeting to order at 7:00 pm and led those in attendance in the Pledge of Allegian were represented by the results of the re was a moment of silence to remember our armed forces.

George asked if anyone would be recording the meeting. There was no response.

George asked those in attendance if there were any non-agenda items to be discussed. There was no response.

### B. Conditional Use and Variances

1. Liberty Towers, LLC/1594 Paoli Pike/ZV – The applicant was represented by Richard J. Lemanowicz, Esq., Paul Dugan, P.E. of Millennium Engineering, P.C., J. Michael Davis, Seidel Planning & Design, and Kathryn Goodman, Advantage Engineers. Mr. Lemanowicz explained that Liberty Towers is still pursuing installation of a cell tower in East Goshen Township and that they are aware of the many restrictions that limit the placement of a tower. They are aware that there is the possibility of a site in the East Goshen Factor but they will continue to pursue the site behind the WAWA. When asked by George if there was a lease, Mr. Lemanowicz confirmed that there is a signed lease between WAWA and Liberty Towers and gave documents to Mark Gordon. Liberty Towers has 2 carriers signed and 2 waiting. They only have to prove that one carrier needs the coverage at the requested height.

George mentioned that Yerkes recommends that the distance from the tower to the adjoining facilities be more than the height of the tower. Mr. Lamanowicz stated that it is not unusual to have towers close to schools, road, etc. The tower is designed not to fail and fall over. It would fall in segments. He is only aware of one circumstance were a tower fell over and that occurred during construction.

Al commented that a new, small radio cube is being introduced at a conference in Spain. He feels towers may become obsolete and replaced by these small boxes which can be put on light poles, phone poles, exc Mr. Dugan explained that there are many types of DAS facilities used in different circumstances. All we used to compliment towers. Actually, the height of towers has reduced over time, but the need to fill coverage gaps is still there. Networks have changed so the towers are needed to meet new demands.

Mr. Dugan provided the Commission members with packets containing exhibits they will use to support their case. He performed a study to look at the service needed in East Goshen. He actually grew up here and attended East Goshen Elementary School. The map shows the main roads and the location of the proposed facility. There is a 1 mile and 2 mile radius to show if there are existing services or tall structures that could be used. He pointed out where the other existing units are in steeples, on poles, etc. There are 6 main wireless providers with varying degrees of reliability. Liberty Towers wants to provide in vehicle and in building service at all times during the day.

The propagation exhibits show what is currently being provided. Green indicates in-building service gellow shows sufficient in-vehicle service, and white shows the probability of unreliable service. At adversa all service of 5% is sufficient for a carrier to want to fill the gap. Safety services can be impacted. Enhanced 911 must locate the caller within 100 feet. Mr. Lemanowicz commented that the Wireless Communications Services Act states that a township can't restrict or prohibit emergency services.

PC MINUTES

Mr. Dugan feels that DAS (Distributed Antenna System) is a solution for a targeted area, i.e. stadium, wall, college campus, etc. but not in a large, open outside area. To put a DAS on every phone pole would create a lot of clutter because they have to be connected by wiring. A single tower will handle future changes better than DAS. DAS provides very limited additional coverage and only supports one carrier. Mark mentioned that Applebrook Golf Club and newer housing developments all have underground wiring. He pointed out where DAS units are in the township.

Peter asked if there is a difference in the elevation between the WAWA site and East Goshen Park, and did they do a propagation study for the site in the park.

Paul answered that the exhibit map shows both to be similar. He is not aware that there is a site available in the park but could be considered. The slight movement to another site may impact the propagation study. It is preferable to be at the WAWA because of the close proximity to the main roads going through the township. Paul explained that the data for the propagation study came from the carriers but he also verified the Dan commented that when he looked up AT&T's service maps, they showed the service for this area as good. Mr. Lemanowicz feels this is a marketing tool and isn't adequate to use when determining where to put a tower. When a tower is no longer needed, it is removed.

Mark Gordon mentioned that there is an area behind the township building which may be viable. The Ordinance does not allow a tower there either.

Mike Davis, Planning Consultant, provided copies of his presentation to the Commission members. In the yellow circle at the intersection of Paoli Pike and N. Chester Road, only one district, I2, allows a tower. The I2 area is not interested. The Historic District is the ultimate limitation, about 465 feet away. The closest residential structure is 360 feet away. The East Goshen Elementary school is 190 feet way which answers the question about a fall zone. Mike reviewed other limitations which led them to the location at the WAWA.

Mark asked about the historic process. Mr. Lemanowicz explained that they are required to obtain permission from PA SHPO. Historic Goshenville is a "hit". It is on the National Registry so they have to do something about the adverse visual impact on Historic Goshenville. It requires some collaborative effort. As an example, at Antietam National Battlefield they installed a 150 foot unipole with the antennas inside and painted it brown. A unipole is wider so the antennas can fit and it can be painted a color.

Mr. Lemanowicz has only done wireless communications. Over the years, the tower height has shortened. What has increased is, the facilities at the base, the number of antennas on a tower, and more towers.

Sue asked what would happen if the WAWA closes and they take the building down Mark replied that another retail use could be put there. Mark feels there are easements in the parking lot between the Pepper Mill and the WAWA and they would work together on it.

Peter is concerned about the attractive nuisance the tower would be to children. Mr. Lemanowicz reported that there is barbed wire on top of the fence and the first 25 to 30 feet of the tower are smooth.

Mark mentioned that the park is where people want to get away from things like this, so the residents oppose a tower in the park. There are 9 properties in ½ mile ring from a possible site in the park. Also, there are many historic resources within 1.5 miles. The township staff feels the property that the township building is on may be a good location.

Jim would like to suggest to the Board of Supervisors that out of the alternative sites discussed, we recommend the township building location but, as to the site on the application at the WAWA, he would give a recommendation with conditions. He feels approval with conditions would be better than a denial with none. Peter is opposed based on the 9 variance requests and being next to the school playground area. In the public like it to be covered like the one in Antietam.

Al feels the Board of Supervisors should be told that while the commission doesn't recommend this site, we do recommend some alternative site.

### 1 **Public Comment:** 2 1. William Potts, 1603 E. Boot Road – He is concerned about the height and the fact that it is overlooking a 3 historic area. It should be covered or put on another site. 4 5 Jim moved to recommend to the Board of Supervisors approval of the application with conditions. 6 There was no second. Jim withdrew his motion. 7 Peter suggested doing a denial on the WAWA site then give an addendum recommending immediate action to 8 look at other sites and conditions. 9 10 Sue made the following motion: I move that we recommend that the Board of Supervisors oppose these variance 11 requests based on the fact that the applicant has not provided evidence of any hardship(s) to support either the 12 use or the dimensional zoning variance requests, as required by law. Granting these variance requests for a 13 wireless communications tower use in the center of the community, next to three elementary schools and 14 adjacent to the Township historic district, would have a significant negative impact on the quality of significant negative impact of significant negative impact negative impac 15 greatly alter the essential character of the surrounding neighborhoods. Peter seconded the motion. There was no 16 further discussion. The motion passed. Jim voted no. Addendum to the motion – Jim moved to recommend to the Board of Supervisors to find a way to accommodate 17 18 a wireless communication facility in the immediate area. Al seconded the motion. There was no further 19 discussion. The motion passed unanimously. 20 21 C. Old Business 22 Wireless Communications Ordinance – Will be discussed at the next meeting. 23 **D.** New Business – None 24 E. Liaisons 25 The following liaison assignments were made: 26 1. West Chester Regional – Al 27 2. Municipal Authority – Dan 3. Conservancy Board – Sue 28 4. Historical Commission - George 29 30 5. Park & Recreation - Peter 6. Board of Supervisors – Jim 31 32 7. Willistown - Megann 33 34 F. Any Other Matter 1. Toll Bros. Development/Willistown Twp. at Line Road and Paoli Pike - George gave a summary of the 35 plan. These are carriage homes. In Phase 1 they plan to build 54 units with a total of 139 units. There will 36 be a clubhouse and pool. The entrance will be on Line Road. Improvements will be made to the intersection 37 at Paoli Pike and Line Road and to the entrance to the Bryn Mawr Rehab Center. 38 39

H. Adjournment

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Motion to adjourn the meeting was made by Al and seconded by Sue. The meeting adjourned at 10:00 p.m.

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# CODE OF THE TOWNSHIP OF EAST GOSHEN PENNSYLVANIA, v58 Updated 09-01-2010 / PART II GENERAL LEGISLATION / Chapter 240, ZONING / ARTICLE V, Supplemental Regulations / § 240-22. Signs.

### § 240-22. Signs.

Sign regulations applicable to all districts.

### A. Scope and applicability.

- (1) Permit required. A zoning permit shall be required for all signs allowed in any zoning district except for signs listed in Subsections H, I and J. All signs shall comply with the regulations of this chapter.
- (2) Special permit required. A special permit(s), not to exceed 30 days in any calendar year for all special permits, may be issued for promotional devices, floodlights, flags, banners or other attention getting devices for special occasions for new or existing businesses in any commercial or industrial district.
- (3) Temporary permit required. A temporary zoning permit will be required for any sign erected and maintained by a developer on a tract of ground. Permits will be valid for six months but may be renewed by the Zoning Officer. Such sign shall not exceed 32 square feet in area.

### B. Nonconforming signs.

- (1) Signs legally existing at the time of enactment of this chapter and which do not conform to the requirements of this chapter shall be considered nonconforming signs. Any nonconforming sign which is damaged in excess of 25% of its cost of replacement or is removed shall be replaced only with a conforming sign. Legal nonconforming signs may be repainted or repaired (including lighting), provided that such repainted or repaired sign does not exceed the dimensions of the existing sign. Wording may also be changed.
- (2) Signs advertising a use no longer in existence shall be removed or changed to advertise the new use within 30 days of the cessation of the original use. Signs once removed shall be replaced only by signs in conformance with this chapter.
- (3) It is the responsibility of the owner of a sign to provide evidence that a sign is lawfully nonconforming and to register such sign with the Zoning Officer.
- C. Construction of signs. Every sign permitted in this section must be constructed of durable materials and must be kept in good condition and repair. Any sign which is allowed to become dilapidated may be repaired or removed by the Township at the expense of the owner or lessee of the property on which it is located upon written notice to both tenant and

landlord.

- D. Abandoned signs. No person shall maintain or permit to be maintained on any premises owned or controlled by him a sign which has been abandoned.
  - (1) An abandoned sign for the purpose of this chapter is a sign located on and/or related to the use of a property which becomes vacant and unoccupied for a period of six months or more; any sign which was erected for an occupant or business unrelated to the present occupant in business; or any sign which relates to a time, event or purpose which is past.
  - (2) Any such abandoned sign shall be abated by the owner or person controlling the property within 30 days of the date of abandonment as herein defined.
- E. Location of signs. The location for signs shall be governed by the following location requirements:
  - (1) No sign except official signs, name plate signs, bus shelter signs, public service signs (such as telephone) and directional signs shall be erected within or project over a street right-of-way.
  - (2) No sign shall be so located or arranged that it interferes with the sight distance requirements of § 240-23D(11).
  - (3) No signs except official signs, political signs, public service signs, bus shelter signs or off-premises signs permitted by Subsection P shall be erected on a property to which it does not relate.
  - (4) No sign except removable political signs and temporary yard or garage sale signs shall be placed on any tree, official sign, rocks or other natural features.
  - (5) All signs erected in any zoning district, except C-1, shall comply with the side yard requirements for the district. A freestanding sign may be erected one foot from the side property line in the C-1 Commercial District.

### F. Illuminated signs.

- (1) The lighting of signs shall be arranged so that a bare light bulb, spotlight bulb or fluorescent bulb is not visible off the lot. Any lighting of signs shall be the minimum necessary to make the sign visible from a distance of 500 feet.
- (2) No sign in any residential zoning district established in § 240-5 of this chapter shall be indirectly and/or internally illuminated unless specifically permitted by another provision of this chapter. [Amended 11-16-1999 by Ord. No. 129-J-99]
- (3) See also § 240-24H regarding light and glare control.

- G. Vehicle signs. Any vehicle or structure to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the primary purpose of the vehicle or structure but becomes a primary purpose in itself shall be considered a freestanding sign and as such be subject to the provisions regarding freestanding signs in the district in which such vehicle or structure is located. All vehicles associated with a commercial establishment shall be parked in a location that precludes the vehicle from being used as a freestanding sign.
- H. Menu boards, bills of fare or price lists. A menu board (as defined under "sign" in § 240-6) shall not be considered a sign within the meaning of this chapter, provided that all of the following conditions are met:
  - (1) Such sign is three square feet or less in area.
  - (2) Such sign has letters and numbers a maximum of three inches in height.
  - (3) Such sign is located on the building next to the entrance of the establishment or in the window next to the entrance to the establishment.
  - (4) Such sign shall only be permitted for use in conjunction with a restaurant.
- I. Temporary signs. The following signs are permitted and do not require a zoning permit, provided that they are removed in the time specified and conform to the sign requirements of this section. Any such sign that does not meet the requirements of this section shall only be permitted if it meets the provisions for another type of permitted sign.
  - (1) Yard or garage sale signs, provided that they do not exceed four square feet in area and are removed within 48 hours after sale, and provided that a maximum of three such signs are posted.
  - (2) Signs giving notice of the sale or rental of the property on which the sign is located, provided that such sign does not exceed eight square feet in area in the R-1 (PRD Residential Area), R-2, R-3, R-4 and R-5 Zoning Districts, and 20 square feet in area in the R-1 (PRD Commercial Area), C-1, C-2, C-4, C-5, I-1, I-2 and BP Zoning Districts, and are removed within 72 hours upon settlement of the sale or upon signing of the lease of rental. [Amended 5-7-2002 by Ord. No. 129-L-02]
  - (3) Political signs, provided that each does not exceed eight square feet in area and are removed within seven days after the date of the election or referendum.
  - (4) Signs erected by a United States Internal Revenue Service recognized nonprofit or charitable entity recognized by the Zoning Officer denoting a special event, provided that they are erected no more than 15 days before the event and removed within seven days after the event and do not exceed 32 square feet in sign area.
  - (5) Noncommercial signs and decorations for an official or religious holiday, provided that

- they do not create traffic or fire hazards and are removed within seven days following the event. Such sign shall not exceed 32 square feet.
- (6) Signs announcing work actively being performed on the premises by contractors, mechanics, painters, artisans, etc., not to exceed eight square feet, provided that they are removed within seven days after such work is no longer actively and continuously being pursued, except such signs may be a maximum of 32 square feet if the construction cost is over \$1,000,000.
- (7) Signs advertising the temporary sale of products or goods such as Christmas trees, provided that such signs shall not exceed a total sign area on each of two sides of 12 square feet, are only posted for a maximum of 30 days and are removed within three days after the completion of sales.
- J. Exempt signs. The following type of signs (as defined in § 240-6) are exempt from zoning permit requirements, within the following requirements:
  - (1) Official signs.
  - (2) Name plate signs not to exceed two square feet.
  - (3) Identification signs not to exceed two square feet.
  - (4) Directional signs not to exceed four square feet.
  - (5) Memorial or historic markers when approved by motion or resolution of the Board of Supervisors.
  - (6) Public service signs, such as those advertising availability of rest rooms, telephone, meeting times of service organizations or other similar public conveniences. Not to exceed two square feet.
  - (7) Temporary signs as provided in Subsection I.
  - (8) Trespassing signs or signs, indicating the private nature of a road, driveway or premise, and signs prohibiting or controlling hunting and fishing upon the premises, not to exceed two square feet.
- K. Signs prohibited in all districts. The following signs are prohibited in all zoning districts:
  - (1) Banners, spinners, flags, pennants or any moving object used for commercial advertising purpose whether containing a message or not, except as permitted under Subsection A(2), and except banners or flags meeting the requirements for a permitted type of sign.
  - (2) Flashing, blinking, twinkling, animated or moving signs of any type, except those portions of the sign which indicate time and temperature, and except flashing signs shall

- be permitted in the C-1 District.
- (3) Signs placed, inscribed or supported upon the roof or upon any structure which extends above the eave of the roof of any building.
- (4) Signs on mobile stands which can be moved from place to place.
- (5) Signs which emit smoke, visible vapors or particles, sound or odor.
- (6) Signs which contain information that states or implies that a property may be used for any purpose not permitted under the provisions of this chapter in the zoning district in which the property to which the sign relates is located.
- (7) Signs that are of such character, form, shape or color that it imitates or resembles any official traffic sign, signal or device, or that has any characteristics which are likely to confuse or distract the operator of a motor vehicle on a public street.
- (8) Signs that outline the rooflines, doors, windows or wall edges by illuminated tubing or strings of lights for advertising purposes.
- (9) Signs or displays visible from a street, sidewalk or another property that include words or images that are obscene, pornographic or that an average reasonable person would find highly offensive to public decency.
- (10) Off-premises signs (as defined in § 240-6) shall be prohibited in the Township, except for official signs or as specifically permitted in the C-1 and I-2 Districts. [Amended 2-5-2002 by Ord. No. 129-G-2]
- L. Signs and/or structures denoting the name of a subdivision.
  - (1) Signs that are freestanding or attached to walls or fences constructed of weather-resistant wood or decorative masonry designating the name of a subdivision and any accompanying logo may be erected at each entrance of a subdivision. The location of all such structures or signs shall be approved by the Township during the subdivision process and shall not contain any advertising except the name of the subdivision. A maximum of two sign faces shall be permitted, each of which shall have a maximum sign area of 50 square feet.
  - (2) The applicant shall prove that there will be a long-term system to ensure proper maintenance of the sign and any accompanying landscaping and that the sign will be durably constructed as to require minimal maintenance. The Zoning Officer shall issue a zoning permit upon the recommendation of the Planning Commission.
  - (3) These signs shall only be permitted for use in conjunction with a subdivision and shall not be permitted for use in conjunction with a land development.

- L.1. Off-premises signs and structures denoting the uses in the I-2 District. [Added 2-5-2002 by Ord. No. 129-G-2; amended 2-22-2005 by Ord. No. 129-A-05]
  - (1) An off-premises, directly illuminated freestanding sign may be erected at the Paoli Pike entrance to the uses. The location of such sign, the materials, the method of lighting, and the content of the sign shall be approved by the Board of Supervisors during the subdivision/land development process. The sign shall have a maximum sign area of 20 square feet and a maximum height of five feet. The Zoning Officer shall issue a zoning permit upon the recommendation of the Planning Commission and approval of the Board of Supervisors.
  - (2) The applicant shall prove by a preponderance of evidence that there will be a long-term system to ensure proper maintenance of the sign and any accompanying landscaping.
- M. Area of signs. The following regulations shall be used in computing the area of signs:
  - (1) The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself.
  - (2) Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or triangle, including the sign background, which encompasses all of the letters and symbols.
  - (3) In computing square foot area of a double-face sign, only one side shall be considered, provided that both faces are identical in size. If the interior angle formed by the two faces of the double-faced sign is greater than 45°, then both sides of such sign shall be considered in calculating the sign area.
  - (4) Unless otherwise specified, all square footages are maximum sizes.
- N. Height of signs. No sign shall exceed the maximum height restriction for the particular type of sign structure and zoning district established below: [Amended 2-5-2002 by Ord. No. 129-G-2]

# Maximum Height\* (feet)

Type of Sign	Residential	Commercial	Industrial and
Structure	Districts	<b>Districts</b>	<b>Business Park Districts</b>

## Maximum Height\* (feet)

Type of Sign Structure	Residential Districts	Commercial Districts	Industrial and Business Park Districts	
Freestanding	6	14	6	
Wall	10	14	10**	

- O. Signs permitted in residential districts.
  - (1) Only the following types of signs are permitted in residential districts:
    - (a) Exempt signs as provided in Subsection J.
    - (b) Temporary signs as provided in Subsection I.
    - (c) Subdivision signs as provided in Subsection L.
    - (d) The following signs are permitted for those uses permitted in residential districts by conditional uses or special exception:
      - [1] A wall sign not to exceed 20% of the wall-signable area or 32 square feet, whichever is less, and permitted on the front wall of the structure only.
      - [2] A freestanding sign not to exceed 32 square feet in area. Such sign shall not be internally illuminated. No more than one freestanding sign per road frontage.
      - [3] A nonilluminated window sign not to exceed 20% of window area to which it is attached.
  - (2) Any of the above signs that are to be associated with a proposed conditional or special exception use shall be reviewed and either be approved or denied at the same time that the conditional or special exception use is being reviewed.

<sup>\*&</sup>quot;Maximum height" shall mean the vertical distance measured from the average ground level immediately below a sign to the highest point of the sign and its supporting structure.

<sup>\*\*</sup>Wall signs on office buildings in the I-2 District may have a maximum height of 41 feet.

- (3) Signs relating to convenience commercial facilities when permitted in an apartment development in accordance with the following regulations: [Amended 11-16-1999 by Ord. No. 129-J-99]
  - (a) Wall sign. One shall be permitted for each establishment and shall be attached only to either the front wall, front advertising band or under the eave of the front of the main roof of the individual establishment. The top of the sign shall not be as high as the roof eave and the bottom of the sign shall be at least six feet and eight inches above the nearest finished walkway. (A parking area shall not be considered a walkway). Such sign shall not exceed two feet in height or be longer than 75% of the linear length of the individual commercial establishment. The maximum size of any such sign shall not exceed 24 square feet.
    - [1] All newly placed wall signs attached to the same building.
      - [a] Shall be generally consistent in proportion and format with existing signs so that consistency of signs is achieved.
      - [b] Shall not be box-type signs if at least 75% of the existing signs in the convenience center are not box-type signs. A "box-type" sign is a closed box with one or two faces being illuminated from within.
      - [c] Shall maintain common vertical and horizontal lines with other signs in a manner consistent with the architecture of the building.
      - [d] Should be generally consistent in materials, font style and type size with other signs attached to the same building.
      - [e] May be directly or indirectly illuminated.
  - (b) Freestanding sign. One freestanding sign shall be permitted for the convenience commercial facility. The sign shall not exceed 20 square feet in area and shall have an overall height not exceeding eight feet. Such signs may identify the names or businesses of the occupants of the convenience commercial facility.
  - (c) Window sign. A nonilluminated window sign not to exceed 20% of the window area to which it is attached.
  - (d) Design. All signs on the structures shall be of the same design, shall be lit in a similar manner and shall be architecturally compatible with the structure.
  - (e) Wall sign alternative. In lieu of the wall sign authorized by § 240-220(3)(a), each establishment in the building shall be permitted to erect one freestanding sign in accordance with the following requirements:
    - [1] Each freestanding sign shall have a maximum size of 10 square feet and a

- maximum height of 10 feet.
- [2] Each freestanding sign shall be located immediately in front of its respective establishment.
- [3] All portions of the freestanding sign shall be located no more than 10 feet from the respective establishment.
- [4] Each freestanding sign shall comply with all front, rear and side yard requirements, and each such sign shall comply with the setback requirements for the zoning district in which the property is located.
- (4) See also Subsection F regarding illumination of signs in a residential district.
- P. Signs permitted in commercial districts. Only the following types of signs are permitted in a commercial district:
  - (1) Exempt signs as provided in Subsection J.
  - (2) Temporary signs as provided in Subsection I.
  - (3) Signs relating to a principal use on a lot, including a maximum of one commercial establishment in accordance with the following regulations:
    - (a) Wall sign. One shall be permitted for each establishment. Such sign shall not exceed two square feet in area for each linear foot of wall-signable area, but not exceed 60 square feet.
    - (b) A freestanding sign not to exceed 10 square feet in area. No more than one freestanding sign shall be permitted on each street frontage.
    - (c) A window sign not to exceed 20% of window area to which it is attached.
  - (4) Signs relating to a principal use on a lot, including more than one commercial establishment are permitted in accordance with the following regulations:
    - (a) Wall sign. One shall be permitted for each establishment. Such sign shall not exceed two feet in height or be longer than 75% of the linear length of the individual commercial establishment, with a maximum size of 32 square feet.
      - [1] All newly placed wall signs attached to the same building:
        - [a] Shall be generally consistent in proportion with existing signs.
        - [b] Shall not be box-type signs if at least 75% of the existing signs are not box-type signs.
        - [c] Shall maintain common vertical and horizontal lines with other signs in a

manner consistent with the architecture of the building.

- [d] Should be generally consistent in materials, font style and type size with other signs attached to the same building.
- [2] An applicant for construction of a new principal building intended to include more than one establishment is strongly encouraged to submit a proposed set of standards that the building owner intends to use to control the types and colors of signs to ensure compatibility among the signs.
- [3] See Subsection K which prohibits certain types of signs, such as flashing and above-the-roofline signs.
- [4] Wall sign alternative. In lieu of the wall sign referred to in Subsection P(4)(a), each establishment in the structure shall be permitted to erect one freestanding sign in accordance with the following requirements:
  - [a] Each freestanding sign shall have a maximum size of 10 square feet and a maximum height of 10 feet.
  - [b] Each freestanding sign shall be located immediately in front of its respective establishment.
  - [c] All portions of the freestanding sign shall be located no more than 10 feet from the respective establishment.
  - [d] The freestanding signs shall comply with all front, rear and side yard requirements and they shall comply with the setback requirements for the zoning district.
- (b) A freestanding sign shall not exceed 10 square feet in area nor five feet in height. No more than one freestanding sign shall be permitted on each street frontage.
- (c) Window signs. The cumulative size of window signs is not to exceed 20% of the window area to which it or they are attached. Such signs may contain the names or businesses of the occupants of the facilities.
- (d) All signs on the structure shall be of the same design and lit in a similar manner and shall be architecturally compatible with the structure.
- (5) Sign bonus. Each permitted 10 square feet maximum freestanding sign in a commercial district may be increased in size to a maximum of 20 square feet if the sign is not internally illuminated and is constructed of relief-cut wood (other than plywood).
- (6) Off-premises signs. In addition to other permitted signs, a lot in the C-1 District may include one off-premises sign (as defined in § 240-6) if the sign meets the following

### requirements:

- (a) The sign shall include a maximum of one sign face, which shall not exceed a maximum of 50 square feet of sign area.
- (b) The sign shall be set back a minimum of 200 feet from any other existing or previously approved off-premises sign.
- (c) The sign shall be set back a minimum of 100 square feet from the lot line of a primarily residential use, except the setback shall be increased to 200 feet if the illumination of the sign would be visible from an existing dwelling.
- (d) Such sign shall have a maximum total height of 14 feet.
- (7) Any sign (as defined in § 240-6, which includes but is not limited to graphics and logos) attached to or incorporated into functional elements of a building or development (including but not limited to awnings, canopies or murals) that serve an advertising or use identification purpose shall be considered to be a sign, and specifically shall be regulated by all provisions of this section for the applicable zoning district.
- Q. Signs permitted in industrial and business park districts. Only the following types of signs are permitted in the industrial and business park districts: [Amended 2-5-2002 by Ord. No. 129-G-2]
  - (1) Exempt signs as provided in Subsection J.
  - (2) Temporary signs as provided in Subsection I.
  - (3) Subdivision signs as provided in Subsection L.
  - (4) Land development signs as provided in Subsection L.1.
  - (5) Wall sign. One shall be permitted for each establishment. Such sign shall not exceed two square feet for each linear foot of wall area (where a sign could be located) or 100 square feet, whichever is more restrictive, and shall be permitted only on the front wall of the structure. In the I-2 District each office building shall be permitted one sign, which shall not exceed 40 square feet.
  - (6) Freestanding sign. One sign along each street frontage, each of which shall not exceed 20 square feet in sign area.
  - (7) Freestanding signs in the I-2 District for an office use. [Amended 2-22-2005 by Ord. No. 129-A-05]
    - (a) A maximum of one freestanding, directly illuminated sign that is located on the lot that contains the office use shall be permitted for an office use in the I-2 District. The

- sign shall not exceed 13 square feet in area and four feet in height. The Zoning Officer shall issue a zoning permit for the sign upon the recommendation of the Planning Commission and approval of the Board of Supervisors.
- (b) Off-site freestanding signs whose primary purpose is to direct persons to various uses in the I-2 Zoning District may be installed by the Township in the I-2 Zoning District. These signs shall be considered "official signs" as defined by this chapter.
- (8) Freestanding signs in the I-2 District for National Register of Historic Places eligible buildings. A maximum of two freestanding, off-premises, directly illuminated signs shall be permitted. Each sign shall not exceed 24 square feet in area and five feet in height. If more than one such sign is installed, lettering and symbols shall be restricted to one side only of each sign. The applicant shall prove by a preponderance of evidence that there will be a long-term system to ensure proper maintenance of the sign and any accompanying landscaping. The Zoning Officer shall issue a zoning permit for the signs upon approval of the Board of Supervisors.
- (9) Off premises freestanding signs in accordance with § 240-22L.1. [Added 2-22-2005 by Ord. No. 129-A-05]
- R. Approval of signs associated with proposed conditional uses and special exception uses. Any of the signs in Subsections O through and including Q that are to be associated with a proposed conditional or special exception use shall be reviewed and either be approved or denied at the same time that the conditional or special exception use is being reviewed.
- S. Display of street address numbers.
  - (1) Assignment of street address numbers.
    - (a) Street address numbers shall be assigned by the Township Manager or his/her designee to each lot, each dwelling unit and each commercial or business establishment when there is more than one such establishment on a lot.
    - (b) The Township Manager or his/her designee shall have the power to correct any errors with respect to the assignment of street address numbers, as and when such errors are discovered, and shall have the power to change and redesignate a street address number or numbers assigned to any lot, dwelling unit and commercial or business establishment when there is more than one such establishment on a lot and when it is deemed that such change or redesignation is necessary or desirable in order to provide street address numbers appropriate for the purposes of uniquely identifying each such lot, dwelling unit and commercial or business establishment and for reducing the time, effort and potential confusion necessitated by such identification.
  - (2) Application for street address number. The owner or occupant of a lot, dwelling unit and

commercial or business establishment when there is more than one such establishment on a lot, to which no street address number has been previously assigned or designated or to which a duplicative number has been assigned or designated shall, prior to occupancy thereof, make application to the Township Manager or his/her designee for assignment of such street address number which, upon designation, shall be the street address number of the property.

- (3) Specifications for street address number posting. The owner or occupant of each lot, each dwelling unit or each commercial or business establishment when there is more than one such establishment on a lot within the Township shall post the designated street address number on said lot, dwelling unit and commercial or business establishment in strict compliance with the following specifications and regulations:
  - (a) The street address numbers shall be Arabic in design and shall be constructed of a permanent and weatherproof material or possessing a permanent and weatherproof coating.
  - (b) Each digit constituting the posted street address number shall be not less than three inches in height.
  - (c) If the lot is improved with a building or buildings, the digits constituting the posted street address number shall be secured and permanently mounted to the principal building's element (e.g., front wall or porch) most proximate to the public or private vehicular accessway providing principal access to said building.
  - (d) Each digit constituting the posted street address number shall be mounted at a height not less than four feet nor greater than 10 feet above the grade or elevation of the adjoining principal vehicular accessway.
  - (e) Each digit of the posted street address number together with the structure or building element to which they are affixed shall be so designed with regard to contrasting background, arrangement, spacing, size and uniformity of digits so as to be readily legible and visible during daylight hours or when illuminated by a source of artificial light by a person possessing normal vision.
  - (f) Each digit of the posted street address number shall be so located so as to avoid all visual obstruction, including trees, shrubs and any other temporary or permanent structure or fixture.
  - (g) If the lot has a mailbox located within the street right-of-way, the digits constituting the posted street address number shall also be permanently mounted, painted or otherwise affixed on both sides to either the mailbox or the mailbox post.
  - (h) If the lot does not have a mailbox located within the right-of-way but does have a

freestanding sign, the street address shall be placed on the freestanding sign. If the lot does not have a mailbox located within the right-of-way or have a freestanding sign, the street address shall be placed on a small freestanding sign which is located by the main entrance to the property. This freestanding sign shall not be larger than two square feet in size and not more than three feet in height.

- T. Bus shelter signs. A bus shelter permitted by § 240-37 may include a single off-premises sign, which shall have a maximum of two sign faces. Such sign shall have a maximum sign area of 24 square feet on each of the two sign faces. In addition, such sign may include a sign of up to four square feet identifying the agency providing public transit service.
- U. Historic wall signs. One historic wall sign shall be permitted on properties listed on the East Goshen Township Historic Resource Inventory for those uses permitted pursuant to § 240-38.5A. The sign shall be reviewed and approved by the Board of Supervisors contemporaneously with the use. [Added 5-4-2004 by Ord. No. 129-D-04]
  - (1) The sign shall be a maximum size of six square feet on each of no more than two faces.
  - (2) The sign shall project no more than four feet from the face of the building.
  - (3) The top of the sign shall not exceed:
    - (a) One-story building: the eave height.
    - (b) Two- or three-story building: the height of the second floor windowsill.
  - (4) The sign may be directly illuminated by a maximum of two seventy-five-watt bulbs (one for each side).
  - (5) The sign, and related illumination, shall adhere to the standards of §§ 240-22 and 240-24H.

**Summary Sign Chart 1** 

Maximum Size per Type of Sign

- (3) The top of the sign shall not exceed:
  - (a) One-story building: the eave height.
  - (b) Two- or three-story building: the height of the second floor windowsill.
- (4) The sign may be directly illuminated by a maximum of two seventy-five-watt bulbs (one for each side).
- (5) The sign, and related illumination, shall adhere to the standards of §§ 240-22 and 240-24H.

# Summary Sign Chart 1 Maximum Size per Type of Sign

Sign Type	Residen- tial Districts	Residential Districts Local Shopping Facilities in Apt. Dev.	Commercia l Districts Individual Structure on a Single Lot	Commercia l Districts Structure With More Than One Estab- lishment	Commercia l Districts Off- Premises	Industrial and Business Park Districts
Wall	20% of signable area or 32 sq. ft.	4 sq. ft.	2 sq. ft. in area per linear ft. of wall-signabl e area (60 sq. ft. maximum)	32 sq. ft.	100 sq. ft.	2 sq. ft. in area per linear ft. of wall-signabl e area (100 sq. ft. maximum)
Free- standing	32 sq. ft.	20 sq. ft. in area (8 ft. high)	10 sq. ft.	10 sq. ft. (5 ft. high)	20 sq. ft.	20 sq. ft.
Window	20% of window area	20% of window area	20% of window area	20% of window area		

This is a summary table for general overview purposes only. This table is not part of this chapter. Please see the actual text of this chapter.

### **Summary Sign Chart 2**

### Maximum Size per Type of Sign

(Allowed in All Districts)

Maximum Size Menu Boards, Bills of Fare or Price Lists

Sign Type (square feet)

Menu boards, bills of fare or price lists 3 (restaurants only)

Sign Type	Maximum Size Temporary Signs (square feet)
Yard/garage sales	4
Sale/rental of property	8
Political	8
IRS/charity	32
Work-related	30 (If const. cost exceeds 1,000,000)

# **Maximum Size Temporary Signs** (square feet)

### Sign Type

Maximum Size Exempt Signs (square feet)

Name plate 2

Identification 2

Directional 4

Public service 2

Trespassing 2

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