

TOWNSHIP OF FERGUSON

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FERGUSON TOWNSHIP PLANNING COMMISSION REGULAR MEETING AGENDA Monday, May 11, 2020 6:00 PM

- I. Call To Order
- I. Approval of Regular Meeting Minutes—April 13, 2020
- II. Citizen Input
- III. Land Development Plans

- A. Conditional Use Application—Orchard View Subdivision

Staff has received a Conditional Use request from Penn Terra Engineering, on behalf of Aspen Hill Partners, for a flag lot approval in the Orchard View Subdivision. There are 37 lots proposed, 36 residential lots and one stormwater basin, lot 37. All lots created are required to have a minimum lot frontage at street line. The zoning ordinance does permit the Board of Supervisors to approve a lot width of less than the required minimum width as flag lot subject the Zoning Ordinance Chapter 27-732. Please see the attached memo for more details.

Recommendation: *Staff recommends the Planning Commission make a recommendation to the Board of Supervisors that they approve the request for the Conditional Use request for a flag lot.*

- IV. Community Planning

- A. Review of Chapter 19, Signs and Billboards Draft Ordinance Amendments

Staff has drafted an ordinance amendment to update Chapter 19, Signs and Billboards. The intent of this chapter is to encourage the effective use of signs as a means of communication in the Township, to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to improve pedestrian and traffic, to minimize the possible adverse effects of signs on nearby private property, to enable the fair and consistent enforcement of these restrictions, and protect the public health, safety, and general welfare. The last update to this Ordinance was an amendment enacted in 2017. Staff is prepared to provide an overview to the updated ordinance and answer any questions the Planning Commission may have. Provided with the agenda is a copy of the redlined draft ordinance amendment.

Staff Recommendation: *That the Planning Commission review the draft until the next scheduled Planning Commission Meeting and be prepared to discuss the draft and make a motion to the Board of Supervisors. Questions and comments can be emailed to Jenna Wargo, at jwargo@twp.ferguson.pa.us.*

- V. **Official Reports and Correspondences**
 - A. Board of Supervisors
 - B. CRPC Report
 - C. Land Development Plans
 - D. Staff Updates
- VI. **Adjournment**

**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MONDAY, April 13, 2020
6:00 PM**

ATTENDANCE

The Planning Commission held its Regular meeting of the month on Monday, April 13, 2020, via Zoom. In attendance:

Commission:

Jeremie Thompson – Chair
Jerry Binney – Vice Chair
Rob Crassweller – Secretary
Shannon Holliday
Bill Keough
Ellen Taricani
Ralph Wheland
Lisa Rittenhouse--Alternate
QianZhang – Alternate

Staff:

Jenna Wargo, Planning & Zoning Director
Jeff Ressler, Zoning Administrator
Kristina Aneckstein, Community Planner
Ron Seybert, Township Engineer
David Pribulka, Township Manager

Others in attendance: Rhonda Demchak, Recording Secretary; Mark Kunkel, Ferguson Township Resident; John Sepp, President, PennTerra Engineering; Mark Torretti, Project Manager, PennTerra Engineering; Brent Brubaker, Sheetz Corporation; Matt Burns, Ferguson Township Resident; Justin Mandel, Ferguson Township Resident; Doug Hill, Wooster & Associates

I. CALL TO ORDER

Mr. Thompson called the Ferguson Township Planning Commission's regular meeting to order on Monday, April 13, 2020 at 6:00 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES MARCH 9, 2020

Mr. Thompson called for a motion to approve the minutes from March 9, 2020. Mr. Keough made a motion to approve the minutes. Mr. Crassweller seconded the motion, and the motion passed unanimously.

III. CITIZEN INPUT - NONE

IV. LAND DEVELOPMENT PLANS

A. Modification Request

Ms. Aneckstein presented the Modification/Waiver for Harner Farm 4-Lot Subdivision. PennTerra Engineering, Inc. is requesting modifications from Chapter 22-512. Section 512.A.1 and 2 require sidewalks to be along both sides of all streets in Commercial and R-1 Zoning Districts. The proposed modification is to not require the sidewalks be shown on the Harner Farm Subdivision because the proposed sidewalks will be shown on the Sheetz Land Development Plan and the Orchard View Subdivision Plan. Penn Terra requested that when Lot 2 is developed, sidewalks will be shown on that land development plan. Mr. Keough asked if the Sheetz Lot will have sidewalks up to the Lot 2 location and will Lot 2 have sidewalks when we receive the land development plan plan for Lot 2? Mr. Sepp stated that this is correct. Mr. Keough asked if the subdivision plan for the 37 lots that are part of Orchard View, are they to be developed prior

to Lot 2 being developed? Also, he noted there is a gap between the access road, the housing development, and the Sheetz property where there would be no sidewalks until Lot 2 is development. Mr. Sepp noted that this was correct. He also noted that the sidewalks on Lot 3 (Orchard View Subdivision) will go in house by house and the road system will be put in prior to the sidewalks. Mr. Keough had concerns with connectivity. He would rather see the sidewalks extend across the Sheetz property, then across Lot 2 that will connect to Lot 3. Mr. Crassweller noted that the corner closest to College Avenue will be the last ones to be developed and that the sidewalks will come off Whitehall Road. Mr. Keough noted that we have no control of the timing or location of development in Lot 3. Ms. Aneckstein referred the Planning Commission to Ms. Wargo's memorandum of Application for Consideration of a Modification/Waiver. It states that staff recommends the sidewalks in Lot 2 be built when a land development plan is submitted for Lot 2 or when Lot 3 is fully developed, whichever comes first. Mr. Sepp noted that the sidewalks on Whitehall Road will be built and they could be utilized to get to Sheetz. Mr. Sepp also suggested that the sidewalks could be installed when 75% of the residential lots (Lot 3) are sold and/or when a land development plan is submitted for Lot 2, whichever is first. Mr. Thompson noted that there will be a CATA bus stop most likely in Lot 2. Mr. Thompson called for a motion to recommend approval with a modification that the sidewalks for Lot 2 could be installed when 75% of the residential lots (Lot 3) are sold and/or when a land development plan is submitted for Lot 2, whichever is first. Mr. Crassweller made a motion to recommend the approval. Mr. Binney seconded the motion, and the motion passed unanimously.

B. Harner Farm Subdivision Plan of Tax Parcel 24-4-67 & Replot of Tax Parcel 24-4-67C

Ms. Aneckstein presented the Harner Farm 4 Lot Subdivision Plan. It is located on the corner of West College Avenue and Whitehall Road. This subdivision proposes to divide into 4 lots:

- Lot 1: 5.7 acres – southwest corner – Sheetz LDP
- Lot 2: 3.689 acres – adjacent to Lot 1 along W College Ave – Commercial Lot
- Lot 3: 16.568 acres – south of Lot 1 & 2 – Orchard View Subdivision
- Lot 4: 44.196 acres – northwest corner of Whitehall Rd & W College Ave

All utilities will be installed on the lots. The sewer connects at the Scott Road Pump Station. Mr. Torretti noted that this is dividing the original 70 acres into four lots, three of them on the southside of Whitehall Road that is called Phase I of the Harner Farm Development plan. We will be tying into an existing sewer line at the bottom of Scott Road. He noted that they met and coordinated with the Russian Church of Christ on a previous easement where they wanted the sewer to run. Also, they met and coordinated with Mr. Danny Harner (owner of TP 24-4-67C) where his sewer would be replaced. The line will also run up Whitehall Road for the future Phase II Development. Mr. Keough commended everyone who worked on the Harner project and wanted to know what is across the street at the intersection of Whitehall Road and the proposed Apple View Drive? Mr. Torretti noted that it is a driveway for a house. Mr. Mark Kunkel, Ferguson Township Resident, asked with regards to the sewer line connection, are we assured that the sewer lines being proposed beyond the Harner

properties are within the Act 537 Sewage Facilities Program? Ms. Aneckstein noted that they do have an approved sewer module. Mr. Kunkel noted that the sewer service does not include the Corl Farm nor the Islamic property. Mr. Sepp noted that he is correct and that the lines can run through the properties, just not serve the properties. Mr. Crassweller wanted to know what would stop the Islamic Center from petitioning to get connected? Mr. Sepp noted that they can make that request. The 537 process has changed since the Russian Church of Christ request. They can make that request since it is located there. Mr. Thompson suggested it might make more sense if they would be on the UAJA system versus their own considering how close we are to Slab Cabin Run from an environmental standpoint. Ms. Aneckstein noted that she read a lot about this today. The Centre Region Act 537 Plan states that 5 out of the 6 municipalities must agree to any expansion. If the Islamic Center wanted to be included in the UAJA service area and connect to that line, they would need to go through a DRI application process. This is part of the implementation agreement that was adopted, and it is a long process. Mr. Thompson called for a motion. Mr. Keough made a motion to recommend the Board of Supervisors approve the Harner Farm Subdivision of Tax Parcel 24-4-67 & Replot of Tax Parcel 24-4-67C, contingent upon any remaining outstanding staff comments. Mr. Binney seconded the motion, and the motion passed unanimously.

C. ORHARD VIEW SUBDIVISION

Ms. Aneckstein presented the Orchard View Subdivision. It proposes to subdivide Lot 3 of the Harner Farm a division of tax parcel 24-4-67 into 36 single family lots with one storm water management lot. There will be a public road with a 50-foot right of way and all associated utilities. There will also be a 10-foot flat utility and sidewalk easement in front of all the lots. There will be a 5-ft easement along West College Avenue on the sides of lots 19 and 20. There is a 20-ft storm water access easement located between lots 11 and 12. It will be maintained by the Homeowners Association (HOA) once it is established. The storm water easement in the south west corner of the lot. Mr. Torretti noted that on the storm water easement lot there will be landscaping and some fencing. They added islands at both entrances off West College and Whitehall Road. They are paying the parkland fee-in-lieu and it is settled as part of the proposal. Mr. Binney wanted to know if people would be able to skip across Whitehall Road in order to avoid the intersection at West College and Whitehall? Mr. Sepp noted they are not planning the secondary entrance at this time, but when they do, they will make note of this. Mr. Keough asked Mr. Seybert to give an overview of the traffic study that was prepared for these subdivisions. Mr. Seybert reported that none of the land north of Whitehall Road was included in the traffic study. They did prepare a planning study, which looked at the entire project to evaluate what the impact would be. The traffic study has been approved by PennDOT. The study included the intersections of Whitehall Road and West College Avenue, Whitehall Road and Research Drive, West College Avenue and Bristol Avenue and down to West College Ave and Science Park Road. They considered the new accesses at the two Sheetz entrances, and the two accesses for the 36 lots in the subdivision. These were all included in the traffic study. The intersection of Whitehall Road and West College Avenue is required to have improvements constructed in order to mitigate impacts from the new developments. The proposed improvements will have a right turning lane on the northbound lane turning onto Research Drive, and a pedestrian crosswalk with handicap

accessibility. As for the left turning lanes on Whitehall Road, they would have flashing yellow arrow signals installed that would give a green arrow to allow traffic to make a left turn. Along Whitehall Road, the existing left-hand lane will be extended, and the road widen to enter Sheetz. Mr. Keough had concerns with traffic flows and wanted to know if the Toll Brothers and the Regional Park traffic study had any mitigating areas? Mr. Hill noted that Whitehall Road and College Avenue was included in the Toll Brothers study, but Pine Hall Road was not. Mr. Binney expressed concerns with regards to exiting Sheetz onto West College Avenue, he wanted to know if there will be a left-hand lane from Sheetz onto West College Avenue? Mr. Seybert noted that there will be a left-hand lane. Mr. Keough asked about the tree line on this property. Mr. Torretti noted that the tree line will remain as is on Lots 1 thru 5 and no plans for removal. Mr. Keough wanted to know if Orchard View residents have access to the Sheetz Property? Mr. Torretti noted that they would have to go onto College Avenue or Whitehall Road. Mr. Keough wanted to know if there is going to be street parking on Apple View Drive? Mr. Torretti noted that this road is not designed for street parking. Mr. Hill noted that the road is the standard street width of 26 feet wide curb to curb. Although a curvy road, it meets all the requirements. Mr. Keough wanted to know that since the HOA will be managing the Storm Water Facility, will the Commercial Properties belong to the HOA as well? Mr. Torretti noted that an agreement has been proposed but has not been submitted yet, because it is still at the attorney's office. Mr. Keough expressed concerns about the development of the lots. He hopes the HOA agreement will reference possible changes that could impact them financially in terms of control and maintaining the storm water facilities that are on their properties. Mr. Torretti noted that people generally don't read their HOA agreements and we should continue strong communications with the HOA. Mr. Keough expressed his concerns with the islands that are on the plans. They can be dangerous because of the location of them, poor lighting, and when it is raining. Mr. Torretti noted that islands can prevent speeding and cut throughs. Mr. Thompson noted they appear to be set back far on the plans. Mr. Thompson called for a motion. Mr. Crassweller made a motion to recommend the Board of Supervisors approve the Orchard View Subdivision Plan pending any outstanding comments. Shannon Holliday seconded the motion, and the motion passed unanimously.

D. STATE COLLGE, PA WHITEHALL ROAD SHEETZ LAND DEVLEPMENT PLAN

Ms. Aneckstein presented the Sheetz Land Development Plan. It is located on Lot 1 of the Harner Farm Subdivision Plan. The plan will include the Sheetz Convenience Store and a drive-thru with a car wash. It is a 5.7 acre lot located at the southwest corner of Whitehall Road and West College Avenue. It will connect to the utilities and stormwater management basins that was proposed in the Harner Farm Subdivision Plan. There will be 12 gas pumping stations, 47 parking spaces that will include 3 ADA spaces. The car wash will be 1.048 square feet. Mr. Torretti noted there are accesses off Whitehall Road and West College Avenue. The sidewalk connects at the entrance of West College Avenue. There is a bus pad being installed on West College Avenue as part of the Sheetz plan. There will be sidewalks installed on Lot 2 in the future. Any spills that would occur, there are trench drains along the pumps. He noted lighting has been a concern, but Sheetz had a lighting consultant prepare a report. The canopy is smaller to minimize the bright illumination and the lighting is designed to reduce

lighting spread. There is landscaping around the store and parking area. Mr. Keough asked if there will be lighting at the entrances off West College Avenue and Whitehall Road? Mr. Torretti stated that there will be lighting at both entrances. Ms. Holliday asked if there have been any concerns with noise complaints with regards to the drive-thru speaker? Mr. Thompson and Mr. Torretti noted they have never recalled them to be too loud and would keep that in mind. Mr. Thompson called for a motion. Mr. Wheland made a motion to recommend the Board of Supervisors approve the Whitehall Road Sheetz Land Development Plan pending any outstanding comments. Mr. Crassweller seconded the motion, and the motion passed unanimously.

V. OFFICIAL REPORTS AND CORRESPONDENCES

A. BOARD OF SUPERVISORS

Ms. Wargo reported that the Board met on March 16, 2020. They received Chapter 19 the draft Sign Ordinance amendment. They gave the ordinance to the Planning Committee to review and make a recommendation to the Board, specifically looking at banner signs and Pine Grove Mills. Also, signage on commercial business windows. This will be coming to the Planning Commission soon. At the last Board meeting, there was a zoning complaint about the O.W. Houts property, on the Borough half of the property. Mr. David Pribulka and Ms. Laura Dininni will be writing a letter to the State College Borough Council.

B. CRPC REPORT

Ms. Taricani reported that they haven't met but are reviewing past issues.

C. LAND DEVELOPMENT PLANS

Ms. Aneckstein reported on the Harner Farm Development, Orchard View, and Sheetz Land Development Plan are final reviews. The only other land development plan now is Thistlewood Lot 19, and review comments were sent to the applicant/consultant.

D. STAFF UPDATES

Ms. Wargo reported that the APA-PA and the PA Municipal League have been advocating for language with senate leadership. The Senate passed this by 50-0. The Bill is at the House for a concurrence vote. They are scheduled to return tomorrow, April 14, 2020. The final language of this Bill suspends or tolls all municipal government permitting requirements from March 6, 2020, until 30 days after the passage of the Bill. This Bill also provides all Municipalities and their Boards with the ability to hold meetings electronically. This has been a struggle for the Borough codes and third-class city codes, because they are required to meet in person to make a quorum. They have not been able to meet. The Tree Canopy Survey selection committee has completed their review of submissions and they are recommending a consultant to the Board at the May meeting. This survey will tie into the Tree Preservation Ordinance that the Planning Commission will be reviewing. It should show the impact that past and future land development has had on the urban forest. There will not be another Planning Commission Committee meeting in April. The next meeting is scheduled for May 11, 2020.

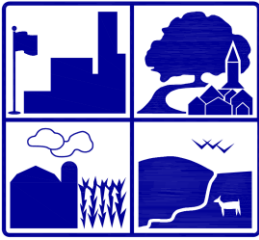
VI. ADJOURNMENT

Mr. Thompson made a motion to adjourn the March 9, 2020 Planning Commission meeting at 8:15 p.m.

Respectfully Submitted,

Rob Crassweller, Secretary
For the Planning Commission

DRAFT



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To: Ferguson Township Planning Commission.

From: Jeffery S. Ressler, Zoning Administrator.

Date: May 6, 2020.

Subject: Orchard View Conditional Use Request for Flag Lot

The Orchard View Subdivision plan consists of 37 lots, 36 single family residential and one lot dedicated as a stormwater basin. The Zoning ordinance requires that all lots created have appropriate street frontage of a minimum width at street line as determined by the zoning district. Orchard View Subdivision is Zoned R-1. The minimum required lot width at street line is 50'. The applicants are proposing that lot # 37, the stormwater basin lot, have less than the required 50' of frontage along the street line. The proposed lot width for lot #37 at street line is 20'.

The zoning ordinance, also in Chapter 27-732 Flag Lots, allows the Board of Supervisors to grant a Conditional Use approval for a lot to be less than the required minimum lot width at street line, commonly called a flag lot. The zoning ordinance lists 4 goals that the Board of Supervisors should take into consideration when considering a conditional use application. The goals are as follows:

1. Creation of the flag lot will eliminate access to an arterial or collector street.
2. Creation of the flag lot will make better use of an irregularly shaped property.
3. Creation of the flag lot is consistent with a design and layout creating the minimum number of flag lots in the subdivision, taking into account 27-732.A.6(a) and (b).
4. Creation of the flag lot will reduce the loss of tillable acreage associated with a farm parcel that has no subdivision potential.

In granting a conditional use, the Board of Supervisors shall attach such conditions as are necessary to meet the intent of this section.

Based on my review of the plan and ordinance, it is my recommendation the Planning Commission make a recommendation that the Board of Supervisors approve the Conditional Use request for a flag lot.



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CONDITIONAL USE APPLICATION REQUEST FOR FERGUSON TOWNSHIP

Submittal Date: 4/27/2020

\$500.00

A fee of ~~\$300.00~~ is required at the time of submitting this application.

Applicant Information

Aspen Whitehall Partners, LLC & Aspen Route 26 Partners, LLC

Name

116 Union Avenue Altoona PA 16602
Street Address City State Zip

814-942-3032
Phone Number

Property Information

Part of ex under subdivision review Proposed Flag Lot R1
3.921 acres
Tax Parcel Number Lot Size Zoning District

Proposed Apple View Drive State College PA 16801
Property Location (Address) City State Zip

Is this a changed use? No - a proposed use - flag lot

What do you propose to do on the lot? (please include details)

It is a lot for stormwater infiltration basin and detention basin - conditional use is for a flag lot as required
by Ord. 27-732 under the use regulations.

Are there existing buildings on the lot? If so, how many?

Yes No # of Buildings: _____

What size(s) are the existing buildings (square feet)?

N/A

If proposing a building, please state the size (square feet).

N/A

If proposing a parking lot, please state the size, how many cars can be parked in the parking lot (including handicap accessible), and how many employees you hope to employ.

N/A

Please explain how the proposed project will not subsequently alter or change the character of the neighborhood.

The proposed subdivision will require the basin no matter what. The flag lot provides a means to create a separate lot for those basins.

Additional Comments (attach additional sheets if necessary)

See attached conditional use requirements and comments on meeting those.

I hereby certify that all of the above statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. I understand that other permits may be required and made separately from this application.

Mark Torretti:
Owner/Applicant Name MARK TORRETTI (AGENT)

4/27/20
Date

-For Office Use Only-

Date Received: _____ By: _____

Date Paid: _____ Check No.: _____ Amount: _____

Advertisement Dates: _____ Planning Commission Review Date: _____

Board of Supervisors Meeting Date: _____

CONDITIONAL USE ADDITIONAL COMMENTS

Orchard View Subdivision

4/27/2020

- (6) In granting a conditional use for a flag lot, the Board of Supervisors shall take into consideration whether some or all of the following goals will be reached:
- a. Creation of the flag lot will eliminate access from the lot to an arterial or collector street.
The purpose of the flag lot is to provide the required street frontage for the lot. This allows the access to be off of the residential street rather and not off of an arterial or collector street.
 - b. Creation of the flag lot will make better use of an irregularly shaped property.
With the layout, the flag lot allows for the stormwater basins to be on a separate lot and not encumbering any of the residential lots.
 - c. Creation of the flag lot is consistent with a design and layout creating the minimum number of flag lots in the subdivision, taking into account Subsection 1K(6)(a) and (6)(b), above.
The creation of the flag lot is consistent with a design and layout creating the minimal amount of flag lots required for the subdivision. No residential lots are required to be flag lots.
 - d. Creation of the flag lot will reduce the loss of tillable acreage associated with a farm parcel that has no additional subdivision potential.
Not applicable

CHAPTER 19
SIGNS AND BILLBOARDS

PART 1
SIGN REGULATIONS

Commented [KA1]: Gray Highlighted Areas = no amendments
Yellow Highlighted Areas = Amended

- §19-101. Applicability.
- §19-102. Purpose and Findings.
- §19-103. Definitions.
- §19-104. General Provisions.
- §19-105. Construction Specifications.
- §19-106. Prohibited Signs.
- §19-107. Exempt Signs.
- §19-108. Temporary Signs.
- §19-109. Permanent Sign Types By Use Table.
- §19-110. Residential Uses.
- §19-111. Commercial Uses.
- §19-112. Office, Industrial and Institutional Use Signs.
- §19-113. Permits.
- §19-114. Review of Existing Permanent Signs.
- §19-115. Nonconforming Signs.
- §19-116. Removal of Certain Signs.
- §19-117. Administration and Enforcement.
- §19-118. Violations and Penalties.
- §19-119. Severability.

§19-101. Applicability.

Any sign erected, altered, or maintained after the effective date of this part shall conform to the following regulations.

§19-102. Purpose and Findings.

The purpose of this chapter is to encourage the effective use of signs as a means of communication in the Township, to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety, to minimize the possible adverse effect of signs on nearby private property, to enable the fair and consistent enforcement of these sign restrictions, and protect the public health, safety, and general welfare by:

1. **Findings.** The Board of Supervisors finds:

- a. Signs provide a vital function for the convenience of the public and for the efficient communication of commercial and noncommercial speech.
- b. Unlike oral speech, signs may cause harm by virtue of the physical space they occupy by obstructing views, distracting motorists, displacing alternative uses of land, and endangering the safety of person or property. The Township has a substantial and compelling interest in all of the purposes set forth below and has a substantial and compelling interest in regulating signs in such a way that the harms caused by signs might be reduced and mitigated.
- c. Signs are essential to the health and economic well-being of the Township by:
 - i. Facilitating consumer transactions and other commercial and industrial activities that allow businesses to be successful, which in turn provides employment and supports a stable tax base; and
 - ii. Providing information and directions for the safe and efficient travel of motor vehicles, bicycles, and pedestrians.
- d. Signs have a strong visual impact on the character and aesthetic appearance of the Township.
 - i. They are a prominent part of the Township and, as such, can enhance or detract from the Township's image and character and facilitate or impede the creation of an attractive and harmonious environment in the Township.
 - ii. Their suitability or appropriateness helps to define the way in which the Township and neighborhoods within the Townships are perceived.
- e. The visual environment and character of the Township are important factors for economic well-being because they influence the Township's appearance and land values.
- f. The visual environment and character of the Township, as well as the orderly flow of traffic and safety of travel, are diminished when visual clutter results and the vision of motorists, bicyclists, and pedestrians is obstructed by the unrestricted proliferation and placement of signs, or from the improper maintenance of signs.
- g. Regulation of the size, height, number, and spacing of signs throughout the Township is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the Township, to protect the public

Commented [KA2]: If this title is Purpose and Findings. The bullet points should follow in a respective manner.

Commented [KA3]: Was title Purpose and Intent

Commented [KA4]: Why is this section necessary? "Findings"

investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blights, to provide an aesthetically appealing environment, to provide ample, meaningful opportunities for persons who desire to display information by means of a sign to have their information seen and understood, and to provide for the orderly and reasonable display of advertising and other messages for the benefit of all persons in the Township.

- h. For these reasons, the needs to individual citizens, property owners, and businesses to convey their commercial and noncommercial messages must be balanced against the goals of the Township to ensure the safety of its roads and pedestrian-ways, maintain its desired character, and preserve and enhance the property values of property owners and businesses. The provisions of this Chapter do not entirely eliminate all of the harm that may be created by the installation of display of signs. Instead, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harm caused by signs.
- i. The provisions of this Chapter do not apply to every form and instance of visual speech that may be displayed within the Township. They are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth below.
- j. The provisions this Chapter are neither intended nor designed to restrict or control signs for the purpose of promoting or stifling any messages and content that might appear on them.

2. **Purpose.** The purpose of this Chapter is to:

- a. Promote and protect the public health, safety, and welfare of those within the Township;
- b. Promote the efficient use of signs as a means of communication;
- c. Ensure that the right to free speech is protected;
- d. Maintain and enhance a visual environment that allows the Township to attract sources of economic development and supports the economic well-being of the Township's businesses;
- e. Protect and enhance the character, quality, and viability of the Township's development and neighborhoods;
- f. Protect scenic views and avoid sign clutter;
- g. Reduce the distractions, obstructions, and hazards to pedestrian, bicycle, and auto mobile traffic caused by the excessive number, size, height, illumination, movement, indiscriminate placement, overconcentration, or unsafe construction or maintenance of signs;
- h. Reasonably accommodate:
 - i. The identification and advertising needs of businesses, institutions, and other entities; and
 - ii. The needs of persons moving through the public spaces of the Township to identify and locate destinations and find desired products and services;
- i. Ensure signs are compatible with their surroundings, and minimize potential adverse effects on nearby properties;

- j. Enhance property values and business opportunities; and
- k. Enable efficient and consistent permitting and enforcement.

§19-103. Definitions.

Words and terms used in this part shall have the meanings given herein. Unless expressly stated otherwise, any pertinent word or term not part of this part but vital to the interpretation of this part shall be construed to have their legal definition, or in absence of a legal definition, their meaning as commonly accepted.

1. Words used in the present tense shall include the future tense;
2. Words used in the plural number shall include the singular and plural number, and the plural number shall include the singular number;
3. The words "shall" and "will" are mandatory and are not discretionary;
4. The word "may" is permissive;
5. The word "lot" shall include the words "place," "parcel," and "premises";
6. The word "building" means a structure, including any part thereof having a roof and used for shelter or enclosure for persons or property;
7. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," or any other legal activity;
8. The word "person" shall include the words "individual," "corporation," "governmental agency," "trust," "estate," "partnership," "association," "venture," "joint venture," "participant," or any other legal activity;
9. As used in this part, the following terms shall have the meanings indicated;

ABANDONED SIGN—A sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least 90 days.

ADDRESS SIGN—A sign that designates the street number and/or street name for identification purposes, as designated by the United States Postal Service. (Also known as a "nameplate sign.")

AGRICULTURAL COMMODITY AND PRODUCT SIGN/FARMER'S MARKET SIGNS—Signs for items sold from an agricultural activity.

ANIMATED SIGN—A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs, which are differentiated from changeable signs as defined and regulated by this part, include the following types:

- A. **ENVIRONMENTALLY ACTIVATED**—Animated signs or devices motivated by wind, thermal changes, or other natural environmental input.
- B. **MECHANICALLY ACTIVATED**—Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

C. ELECTRICALLY ACTIVATED—Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of stimulating movement through employment of the characteristics of one or both of the classifications noted below:

- 1) **FLASHING**—Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination.
- 2) **PATTERNED ILLUSIONARY MOVEMENT**—Animated signs or animated portions of signs whose illumination is characterized by stimulated movement through alternate illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

ATTRACTION-BOARD SIGN—A permanent sign on which the information is changed periodically and identifies special, unique, limited activities, services, products, or sales or limited duration. Also included in this definition are “digital display signs,” “message center sign,” and “changeable-copy sign.”

AWNING—A cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.

AWNING SIGN—Any sign that is part of or attached to the surface of an awning.

BALLOON—A rubber sac inflated with air or helium and then sealed at the neck, used as a child’s toy or as a decoration.

BALLOON SIGN—A lighter-than-air, gas-filled balloon, tethered in a fixed location, which contains an advertisement message on its surface or attached to the balloon in any manner. This includes inflatable tube-like signs with forced air.

BANDIT SIGN—A sign tacked, nailed, posted, pasted, glued, or otherwise attached to objects such as, but not limited to, trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public right-of-way or on any private property without the permission of the property owner. (Also known as a “snipe sign.”)

BANNER—Any cloth, bunting, plastic, paper, or similar nonrigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners. Banners are temporary in nature and do not include flags.

BEACON LIGHTING—Any course of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.

BUILDING FRONTAGE—The portion of a lot boundary abutting a street.

CANOPY—A structure other than an awning made of fabric, metal, or other material that is supported by columns or posts affixed to the ground and may also be connected to a building.

CANOPY SIGN—Any sign that is part of or attached to a canopy.

CHANGEABLE-COPY SIGN—A sign or portion thereof on which the copy or symbols change, either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system. The two types of changeable-copy signs are manual changeable-copy signs and electronic changeable-copy signs, which include: message center signs, digital displays, and tri-version boards.

CHANNEL-LETTER SIGN—A sign consisting of fabricated or formed three-dimensional letters, individually applied to a wall, which may accommodate a light source.

CLEARANCE—The distance above the walkway, or other surface, if specified, to the bottom edge of a sign. This term can also refer to a horizontal distance between two objects.

DIGITAL DISPLAY—The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include, but are not limited to, LCD, LED, or plasma displays.

DIRECTIONAL SIGN—Signs designed to provide direction to pedestrian and vehicular traffic into and out of, or within, a site.

ELECTRONIC MESSAGE CENTER—An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. Also known as an EMC. EMCs typically use light emitting diodes (LEDs) as a lighting source.

EXTERNAL ILLUMINATION—See “illumination.”

FADE—A mode of message transition of an electronic message sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

FESTOON LIGHTING—A type of illumination comprised of either a group of incandescent light bulbs hung or strung overhead or on a building or other structure, or light bulbs not shaded, hooded, or otherwise screened to prevent direct rays of light from shining on adjacent properties or rights-of-way.

FLAG—Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only on edge or supported or anchored at only two corners.

FLASHING SIGN—A sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction, or animation. This definition does not include electronic message center signs or digital displays that meet the requirements set forth herein.

FREESTANDING SIGN—A sign installed upon the ground directly or through a structure designed for the exclusive purpose of supporting the sign, and not attached to a building or other structure. The following are subtypes of freestanding signs:

- A. **GROUND SIGN**—A sign permanently affixed to the ground at its base, supported entirely by a base structure and not mounted on a pole or attached to any part of a building. (Also known as a “monument sign.”)
- B. **POLE SIGN**—A freestanding sign permanently affixed to one or more masts, poles, or open braces that are secured permanently to the ground and have as their principal purpose support of the sign, such that there is a minimum of two vertical feet of open air under any portion of the bottom of the sign.

GAS ISLAND CANOPY SIGNS (WITH OR WITHOUT KIOSK)—Signs for canopies over gas islands which may advertise corporate logos, names, letters, and symbols.

GAS STATION CANOPY—A freestanding, open-air structure constructed for the purpose of shielding service station islands from the elements.

GOVERNMENT/REGULATORY SIGN—Any sign for the control of traffic, for identification purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies indicating danger or construction which are erected by or at the order of a public officer, employee, or agent thereof in the discharge of official duties.

GROSS SURFACE AREA—The area of a sign face shall be computed by means of the smallest square, circle, rectangle, or triangle which encompasses the extreme limits of characters, lettering, illustrations, logos, ornamentations, or other figures, together with any material or color forming an integral part of the background of the display, that is used to differentiate the sign from the backdrop or structure against which it is placed. Where the sign has two or more faces, the area of all faces shall be included in determining the gross surface area. Where the sign consists of individual letters or symbols attached to a building or wall, the area shall be considered to be that of the smallest square, circle, rectangle or triangle which encompasses all of the letters and symbols. The gross surface area shall not include any supporting structures, framing, pole, covers or bracing which is incidental to the display/sign itself and does not bear any advertising copy.

GROUND SIGN—See “freestanding sign.”

HALO ILLUMINATION—See “illumination.”

HOLIDAY DECORATIONS—Signs or displays, including lighting, which are a nonpermanent installation celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons. (Also known as “seasonal decorations.”)

ILLUMINATED SIGN—A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign, or externally illuminated by a light source aimed at its surface.

ILLUMINATION—A source of any artificial or reflected light, either directly from a source of light incorporated into an object, structure, or sign, or indirectly from an artificial source.

A. EXTERNAL ILLUMINATION—Artificial light located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.

B. INTERNAL ILLUMINATION—A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this part.

C. HALO ILLUMINATION—A sign using a three-dimensional message, logo, etc., which is lit in such a way as to produce a halo effect. (Also known as "back-lit illumination.")

INCIDENTAL SIGN—A sign that displays general site information, instructions, directives, or restrictions that are primarily oriented to pedestrians and motor vehicle operators who have entered a property from a public street. These signs shall not contain any commercial advertising.

INCIDENTAL WINDOW SIGN—Signs displayed in the window displaying information such as the business's hours of operation, credit institutions accepted, commercial and civic affiliations, and similar information. These signs shall be informational only and shall not contain a commercial message.

INFLATABLE SIGN—A sign requires air pressure to maintain its shape, made of flexible fabric, resting on the ground or structure.

Commented [KA5]: "which may be of various shapes," was removed

INTERACTIVE SIGN—An electronic or animated sign that reacts to the behavior or electronic signals of motor vehicle drivers.

Commented [KA6]: "and equipped with a portable blower motor that provides a constant flow of air into the device." Was removed.

INTERNAL ILLUMINATION—See "illumination."

LEGIBILITY—The physical attributes of a sign that allow for an observer's differentiation of its letters, words, numbers, or graphics.

LOT—A designated parcel, tract, or area of land established by plat, subdivision, or otherwise permitted by law to be used, developed, or built upon as a single unit under single ownership or control.

MANUAL CHANGEABLE-COPY SIGN—A sign or portion thereof on which the copy or symbols are changed manually through placement or drawing of letters or symbols on a sign face.

MARQUEE—A permanent roof-like shelter constructed of durable material that is supported solely by the building to which it is attached, and projects from the building face. A marquee is generally located at the main entrance to a building. This term does not include a canopy or an awning.

MARQUEE SIGN—A sign attached to or hung from a marquee.

Commented [KA7]: "for the purpose of identifying a use or product. If attached to a theater, performing arts center, cinema or other similar use, it may also advertise films or productions." Was removed

MECHANICAL MOVEMENT SIGN—A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means but shall not include wind-activated movement such as is used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

MEMORIAL SIGN—A memorial plaque or tablet, including grave markers or other remembrances of persons or events, which is not used for a commercial message.

MENU SIGN—A permanent sign attached to a building or structure for displaying the bill of fare available at a restaurant, or other use serving food, or beverages.

MESSAGE CENTER SIGN—A type of illuminated, changeable copy sign that consists of electronically changing alphanumeric text often used for gas price display signs and athletic scoreboards.

MESSAGE SEQUENCING—The spreading of one message across more than one sign structure.

MULTI-TENANT SIGN—A freestanding sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

MURAL—A hand-produced work of visual art which is tiled or painted by hand directly upon, or affixed to an exterior wall of a building, that otherwise doesn't meet the definition of "sign".

NEON SIGN—A sign illuminated by a neon tube, or other visible light-emitting gas tube, that is bent to form letters, symbols, or other graphics.

NIT—A photometric unit of measurement referring to luminance. One nit is equal to one cd/m² (candlepower per meter squared).

NONCONFORMING SIGN—A sign that was legally erected and maintained before the effective date of this part, or amendment thereto, that does not currently comply with sign regulations of the district in which it is located.

OFF-PREMISES SIGN—An outdoor sign whose message directs attention to a specific business, product, service, event/activity, commercial/noncommercial activity, or contains a noncommercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located. (Also known as a "third-party sign," "billboard," or "outdoor advertising.")

OFFICIAL TRAFFIC SIGN—Official highway route number signs, street name signs, directional signs, and other traffic signs erected and maintained on public highways and roads in the interest of public safety or for the regulation of traffic.

ON-PREMISES SIGN—A sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or noncommercial activity sold, offered, or conducted on the same property where the sign is located.

PENNANT—A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

PERMANENT SIGN—A sign attached or affixed to a building, window or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

POLE SIGN—See "freestanding sign."

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PORTABLE SIGN—A sign which is movable by a person without aid of a motor vehicle or other mechanical equipment.

- A. **SANDWICH-BOARD SIGN**—A type of freestanding, portable, temporary sign consisting of two faces connected and hinged and whose message is targeted to pedestrians. (Also known as an "A-frame sign.")
- B. **VEHICULAR SIGN**—A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle's primary purpose.

PRIVATE DRIVE SIGN—A sign indicating a street or drive which is not publicly owned and maintained to be used only for access by the occupants of the development and their guests.

PROJECTING SIGN—A building-mounted double-sided sign with the two faces generally perpendicular to the building wall, not to include signs located on a canopy, awning, or marquee. (Also known as "blade sign.")

PUBLIC SIGN—A sign erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification signs for public facilities.

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REFLECTIVE SIGN—A sign containing any material or device which has the effect of intensifying reflected light.

REVOLVING SIGN—A sign which revolves in a circular motion rather than remaining stationary on its supporting structure.

RIGHT-OF-WAY—A corridor of land set aside for use, in whole or in part, by a street or other public purpose.

ROOF SIGN—A building-mounted sign erected upon, against, or over the roof of a building.

SANDWICH-BOARD SIGN—See "portable sign."

SCOREBOARD—A sign contained within an athletic venue and intended solely to provide information to the attendees of an athletic event.

Commented [KA8]: Political Sign definition was removed

Commented [KA9]: "designed to be transported or moved and not permanently attached to the ground, a building, or other structure" was removed

Commented [KA10]: Real Estate Sign Definition Removed

SCROLL—A mode of message transition on an electronic message sign in which the message appears to move vertically or horizontally across the display surface.

SECURITY SIGN—An on-premises sign regulating the use of the premises, such as a "no trespassing," "no hunting," or "no soliciting" sign. (Also known as a "warning sign.")

SHIELDED—The description of a luminaire from which no direct glare is visible at normal viewing angles by virtue of its being properly aimed, oriented, or located which is properly fitted with devices such as shields, barn doors, baffles, louvers, skirts, or visors.

SIGN—Any device, fixture, placard, or structure which uses any color, form, graphic, logo, illumination, symbol, or writing which advertises, announces the purpose of or identifies the purpose of a product, service, place, activity, person, institution, business, or solicitation to the public. Also included are any emblems, painting, flags, banners, pennants, or placards designed to advertise, identify, or convey information and any permanently installed or situated sign merchandise.

SIGN AREA—See "gross sign area."

SIGN HEIGHT—The distance from the existing ground elevation at the base of or immediately below the sign to the highest point of the sign structure.

SIGN OFFICER—The Sign Officer shall be the Ferguson Township Zoning Administrator.

SIGN SUPPORTING STRUCTURE—Poles, posts, walls, frames, brackets, or other supports holding a sign in place.

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Commented [KA11]: Snipe Sign Definition was removed

STOREFRONT—The exterior facade of a building housing a commercial use that is visible from a street, sidewalk, or other pedestrian way accessible to the public and containing the primary entrance to the commercial establishment.

STREAMERS—A display made of lightweight, flexible materials consisting of long, narrow, wavy strips, hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

STREET POLE BANNER—A banner suspended above a public sidewalk and attached to a single street pole. These signs shall not contain any commercial advertising.

TEMPORARY SIGN—A temporary sign or display that is intended or constructed for display and generally constructed of lightweight materials and installed in a manner so as to be easily removed.

TOURIST-ORIENTED DIRECTIONAL SIGN (TOD), STATE RIGHT-OF-WAY—A 24r-inch-by-72-inch or 16-inch-by-48-inch directional sign on blue or brown background that indicates the name of and gives directional guidance to the participant's location. These signs are located for individual

participants, following PennDOT's TODs signage policy and are not part of a larger sign system. TOD signs are permitted in the state right-of-way.

TOURIST-ORIENTED DIRECTIONAL SIGN (TOD), TOWNSHIP RIGHT-OF-WAY—A sign that may include text, a symbol and directional arrow, not to exceed a total of six square feet. These smaller TOD signs are permitted within the Township right-of-way.

TRANSITION—A visual effect used on an electronic message sign to change from one message to another.

TRI-VISION BOARDS—An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals.

VEHICULAR SIGN—See "portable sign."

VENDING MACHINE SIGN—A sign displayed on a vending machine indicating the name of the product being sold and/or the price of such product.

WALL SIGN—A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface which projects not more than 12 inches from that wall or surface. A sign installed on a false or mansard roof is also considered a wall sign. (Also known as: "fascia sign," "parallel wall sign," or "band sign.")

WARNING SIGN—See "security sign."

WINDOW SIGN—A sign which is painted on, applied to, or attached to a window or door, or located within three feet of the interior of the window or door, and which is legible and intended to be read from the exterior of the building.

YARD SIGN—A lightweight, temporary, freestanding sign that is generally installed in the ground on a wooden post or a thin frame made of metal.

ZONING HEARING BOARD—The Zoning Hearing Board of Ferguson Township.

ZONING ORDINANCE—The Zoning Ordinance of Ferguson Township (Chapter 27).

§19-104. General Provisions.

1. Basis on Which Signs Are Regulated. The display of signs in Ferguson Township is hereby regulated on the basis of the following factors:
 - A. Type of sign;
 - B. Area of the sign;
 - C. Height of the sign;
 - D. Location of the sign;
 - E. Number of signs permitted on a property.
2. Sign Illumination.

All sign illumination will comply with Ferguson Township's Lighting Ordinance §4-111.

Commented [KA12]: Attached replaced Affixed

Commented [KA13]: "or placed inside a window" was removed and replaced

Commented [KA14]:

Commented [KA15]: "and easily seen from the outside. Customary displays of merchandise or objects and material without lettering behind a store window are not considered signs." Was removed

A. Illumination. Signs may be illuminated, unless specified otherwise herein, consistent with the following standards:

- 1) Light Sources. Light sources to illuminate signs shall neither be visible from any street right-of-way, nor cause glare hazardous or distracting to pedestrians, vehicle drivers, or adjacent properties.
- 2) Detectable Light. No more than 0.2 footcandle of light shall be detectable at the boundary of any abutting property.

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B. Types of Illumination. Where permitted, illumination may be:

- 1) External. Externally illuminated signs, where permitted, are subject to the following regulations:
 - a) The source of the light must be concealed by translucent covers.
 - b) External illumination shall be by a steady, stationary light source, shielded and directed solely at the sign. The light source must be static in color.
- 2) Internal. Internally illuminated signs, where permitted, are subject to the following regulations:
 - a) Internal illumination, including neon lighting, must be static in intensity and color.
 - b) Attraction-board signs are permitted in accordance with the regulations contained in Table 1:

Commented [KA16]: Here, abutting is used, in the previous line, adjacent is used. Should the two be the same for consistency?

Commented [KA17]: "Message Duration. The length of time each message may be displayed on an attraction-board sign shall be no less than 10 seconds." Was removed.

Commented [KA18]: "The color red is prohibited." Was removed

Commented [KA19]: "The color red is prohibited." Was removed

**Table 1
PERMITTED TYPES OF ILLUMINATION BY USE.**

Use	Illumination Type				Brightness Limitation for Digital Displays and Message Centers	Motion Limitation	Site Limitation	
	Internal	Message Center Sign	External	Digital Display			Digital Display Signs as a Max % of Total Sign Area on Site	Message Center Signs as a Max % of Sign Area
Residential Agriculture and Rural	N	N ^{2*}	N ¹	N	N/A	N/A	N/A	N/A
Office and General Commercial	Y	Y	Y	Y	Daytime: 5,000 nits **Nighttime: 750 nits	10 Seconds	N/A	50%
Industrial/ IRD	Y	N*	Y	N	Daytime: 5,000 nits **Nighttime: 750 nits	10 Seconds	N/A	N/A
Off-premises ¹	N	N	Y	N	N/A	N/A	N/A	N/A
Temporary signs ¹	N	N	N	N	N/A	N/A	N/A	N/A
Portable signs ¹	N	N	N	N	N/A	N/A	N/A	N/A

¹ Off-premises, temporary and portable signs are subject to the illumination regulations governing off-premises, temporary and portable signs, rather than the illumination standards governing the specific district where the sign is located.

² Excludes signs located in parks or recreational facilities.

³ Excludes scoreboards located in parks or recreational facilities.

* Place of assembly sign permitted.

** United States Sign Council: 2016.

3. Attraction Boards. Subject to the following regulations, in addition to all other illumination requirements established in this section.

- A. Sign Type. Attraction boards shall be attached to the freestanding sign.
- B. Height. If the attraction board is separated from the main freestanding pole sign, the attraction board may not project higher than 15 feet as measured from grade level directly below the base of the sign or grade of the nearest adjacent roadway, whichever is higher. If the attraction board is separated from the main freestanding sign, it shall be serrated by a minimum of 12 inches from the main freestanding pole sign.
- C. Area. Ten square feet per face.
- D. Maximum Number. One sign per freestanding sign.
- E. Message Display.
 - 1) No attraction-board sign may contain text which flashes, pulsates, moves, or scrolls. Each complete message must fit on one screen.
 - 2) The content of an attraction-board sign must transition by changing instantly (e.g., no fade-out or fade-in).
 - 3) Default Design. The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.
 - 4) No attraction-board sign shall contain red electronic lettering.

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F. Daylight Hours. During daylight hours between sunrise and sunset, luminance shall be no greater than 5,000 nits.

G. Other Times. At all other times, luminance shall be no greater than 750 nits.

H. Light-Sensing Device. Each sign must have a light-sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change to comply with the limits set here within.

I. Public Service Announcements. The owner of every attraction-board sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public, including, but not limited to, Amber alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.

J. The owner of any attraction board shall arrange for a certification showing compliance with the brightness standards set forth herein by an independent contractor and provide the certification documentation to Ferguson Township as a condition precedent to the issuance of a sign permit.

4. Electrical Standards.

A. The electrical, solar, or battery supply to all exterior signs, whether to the sign itself or to lighting fixtures positioned to illuminate the sign, shall be provided by means of concealed cables. Electrical, solar, or battery supply to freestanding signs shall be provided by means of underground cables.

B. *

Commented [KA20]: Public Service Announcements section removed

Commented [KA21]: Part B was removed.

§19-105. Construction Specifications.

All permanent signs permitted by this part shall be constructed in accordance with the provisions of this section. When applicable, a building permit shall be obtained for sign construction.

1. Compliance with Applicable Codes. In addition to complying with the provisions of this part, all signs shall be constructed in accordance with the provisions of the International Building Code (Chapter 5, Part 1) and Electrical Code of the Township of Ferguson (Chapter 5, Part 2), latest adopted edition.

§19-106. Prohibited Signs.

The following signs are unlawful and prohibited:

1. Signs within the Township right-of-way, except for governmental signs/regulatory signs and official traffic signs.
2. Abandoned signs.
3. Bandit signs. Signs shall only be attached to utility poles in conformance with state and utility regulations and the requirements of this chapter.
4. Vehicular signs. Signs placed on or painted on a vehicle parked with the primary purpose of providing signage not otherwise allowed in this part.
5. Mechanical movement signs, including revolving signs.
6. Pennant strings and streamers, balloons and other gas-filled figures, except as a temporary sign.
7. Any signs that imitate, resemble, interfere with, or obstruct official traffic lights, signs, or signals.
8. A-frame, or sandwich board, and sidewalk, or curb signs, except as a temporary sign.
9. Signs which emit smoke, visible vapors, particulate matter, sound, odor, or contain open flames.
10. Interactive signs.
11. Signs incorporating beacon or festoon lighting.
12. Roof signs.
13. Signs erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal government.
14. Signs on Trees. Signs which are attached or otherwise affixed to trees or other living vegetation, except for security and warning signs.
15. Projecting Signs. Signs which are attached or otherwise affixed to a building and project more than 16 inches beyond the wall surface of such building to which the sign is attached or otherwise affixed.
16. Portable and Wheeled Signs, except as a temporary sign.

Commented [KA22]: Wording changed from Snipe Signs to Bandit Signs,

§19-107. Exempt Signs.

The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the regulations in this section, and shall not be permitted in the right-of-way, except where noted in the section below.

1. Holiday and seasonal decorations.
2. Real Estate Signs.

- A. Residential Uses.
 - i. Unlighted real estate signs pertaining only to the sale, lease or hire of a particular building, property or premises upon which displayed, which do not exceed three (3) feet in height and four (4) square feet per face.
 - ii. Signs shall be located on the property and shall be removed within ten (10) days upon completion of the sale, letting or hiring, lease or rental of the subject property.
 - B. Commercial Uses.
 - i. Unlighted real estate signs pertaining only to the sale, lease or hire of a particular building, property or premises upon which displayed, which do not exceed thirty two (32) square feet per face.
 - ii. Signs shall be located on the lot and shall be removed within ten (10) days upon completion of the sale, letting or hiring, lease or rental of the subject property.
3. Address signs. Up to two signs stating address, number, and/or name of occupants of the premises and do not include any commercial advertising or other identification.
- A. Residential Uses. Signs not to exceed three square feet per face.
 - B. Commercial Uses. Signs not to exceed five square feet per face.
4. Non-illuminated "No Trespassing" or like other signs serving as notice from an owner or tenant to persons not on the premises that entry to the premises is prohibited or restricted in accordance with Title 75, Pa.C.S.A., the Pennsylvania Vehicle Code and its regulations, as set forth in Title 18, Pa.C.S.A., the Pennsylvania Crimes Code and its regulations.
- A. Residential Uses. Signs not to exceed two square feet per face.
 - B. Commercial Uses. Maximum of one large sign per property, not to exceed five square feet per face. All other posted security and warning signs may not exceed two square feet per face.
5. Flags.
- A. Location. Flags and flagpoles shall not be located within any right-of-way.
 - B. Height. Flags shall have a maximum height of 30 feet.
 - C. Number. No more than two flags per lot in residential districts, no more than three flags per lot in all other districts.
 - D. Size. Maximum flag size is 24 square feet per face in residential districts, 35 square feet per face in all other districts.
 - E. Flags Containing Commercial Messages. Flags containing commercial messages may be used as permitted freestanding or projecting signs, within districts that have commercial uses.
 - F. Noncommercial Messages. Flags up to three square feet per face containing noncommercial messages.
 - G. Noncommercial Signs. Flags, emblems, and insignia of political, professional, religious, educational, or fraternal organizations, providing that such flags, emblems, and insignia are displayed for noncommercial purposes.
6. Legal notices, public notices, identification, information or directional signs erected or required by governmental bodies in the performance of the offices or employee's duties.

7. Memorial signs, plaques, nameplates, etc. Any sign consisting of a solid plate of bronze or similar corrosion-resistant metal that is permanently attached to a building and does not exceed four square feet per face.
8. Permanent architectural features. Any sign carved into masonry that is integral to a structure.
9. Signs advertising the variety of crops growing. Signs advertising the variety of crop growing in a field. Such signs shall be removed after the growing season.
10. Incidental signs. Incidental signs, including incidental window signs.
11. Parking lot directional and instructional signs.
 - A. Directional signs designating parking area entrances and exits limited to one sign for each entrance and/or exit and not exceeding four square feet per face for each exposed face. Parking lot directional signs shall not project higher than five feet in height, as measured from the established grade of the parking area to which such signs are accessory. These signs are limited to the name and logo of the business being directed to.
 - B. Instructional signs designating the conditions of use or identity of parking areas and not exceeding eight square feet per face for each exposed face nor exceeding an aggregate gross surface area of 16 square feet. Parking lot instruction signs shall not project higher than 10 feet for wall signs and seven feet for freestanding signs, as measured from the established grade of the parking area(s) to which such signs are accessory.
12. Art and murals. A mural or work of visual art that conforms with the following standards shall be exempt from regulation.
 - A. Mural of work of art that meets all of the following criteria:
 - i. Does not exceed 300 square feet,
 - ii. Contains less than three percent (3%) text,
 - iii. Be located on a commercial building at least fifty feet from an arterial street, and
 - iv. Remain intact for a minimum of two years.
13. Temporary signs. Temporary signs in accordance with §19-108.
14. Farm identification signs. Signs which do not exceed 20 square feet per face or 40 square feet total, including century farm signs and farm preservation signs. Each farm may have a total of three signs: farm name, century farm sign, and preserved farm sign.
15. Signs on vehicles. Signs placed on or affixed to the side of vehicles and/or trailers where the sign is incidental to the primary use of the vehicle or trailer. However, this is not in any way intended to permit signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property, with the exception of self-propelled, licensed vehicles with no more than two axles where the vehicles are parked in the parking lot for the use which the vehicles serves. A sign affixed to the side of a vehicle may not exceed the limits of the side of the vehicle that it is affixed to. Signs affixed to or wrapped around public transportation vehicles are included.
16. Awning, canopy and marquee signs. Signs not exceeding an aggregate gross surface area of four square feet.

17. Educational agricultural event sign. Signs erected for the limited time period of two weeks during a year in the AR Zoning District and on the grounds commonly used for the Agricultural Progress Days.
18. Patron advertising signs. Signs erected on the perimeter of an organizational sponsored youth athletic field. Signs shall be one-sided with a maximum of 32 square feet per face. Sponsors advertising on scoreboards may not exceed 25% of the surface area of the score board.
19. Daily advertising signs. Temporary signs, advertising specials, sales, features, etc., that are permitted to be displayed during business hours and removed at close of business. These signs shall be A-frame/sandwich-board-type signs, are geared toward pedestrians, shall not exceed 6 square feet per face, and shall be removed at the end of each business day.

Commented [KA23]: Was 12 sq feet per face

The following exempt signs are permitted within the Township right-of-way:

20. Official traffic signs.
21. Government/regulatory, Public signs. Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossings, and identification or directional signs for public facilities.
22. Private drive signs. One sign per driveway entrance, not to exceed two square feet per face.
23. Tourist-orientated directional signs within Township right-of-way. TOD signs are not to exceed three signs per attraction/destination. A TOD sign may include text, symbol, and directional arrow; the total sign area of all three signs combined shall not exceed six square feet per face.
24. Tourist-orientated directional signs within state right-of-way. A 24-inch-by-72-inch or 16-inch-by-48-inch directional sign following PennDOT's TODs signage policy.
25. Auction signs and yard/garage sale signs.

§19-108. Temporary Sign Standards.

1. Temporary signs may be erected based upon the Temporary Signs Allowed by Use Type table. The types of temporary signs allowed for each use are identified in **Table 2: Temporary Signs Allowed by Use Type**. The types of signs that are permitted are listed in Table 2. For each type of sign, the right-most column in Table 2 references the specific standards that apply to that type of sign.

Table 2
TEMPORARY SIGNS ALLOWED BY USE TYPE.

TYPE OF SIGN PERMITTED	NUMBER OF SIGNS PER BUSINESS	STANDARDS
ATTACHED COMMERCIAL USE SIGNS		
Banner	One (1)	§ 19-108.3.A.
Wall	One (1)*	§ 19-108.3.B.
Window	20% of façade area comprised of windows	§ 19-108.3.C.
* If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional wall sign may be permitted so long as there is a minimum spacing of 200 feet between the two wall signs.		
FREESTANDING COMMERCIAL USE SIGNS		
Inflatable and Balloon	N/A	§ 19-108.4.A.
Freestanding	One (1)**	§ 19-108.4.B.
Portable	Two (2)	§ 19-108.4.C.
** If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional wall sign may be permitted so long as there is a minimum spacing of 200 feet between the two wall signs.		
TYPE OF SIGN PERMITTED	NUMBER OF SIGNS PER LOT	STANDARDS
ATTACHED RESIDENTIAL USE SIGNS		
Wall	One (1)***	§ 19-108.5.A.
*** One large temporary sign is permitted per residential use so long as the property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area.		
FREESTANDING RESIDENTIAL USE SIGNS		
Portable	Three (3)	§ 19-108.6.A.

- A. Temporary signs are non-illuminated and constructed from materials that do not degrade over the life of the sign;
 - B. Temporary signs must be safely and securely fastened, mounted, and/or affixed to prevent damage to the sign, surrounding structures, and people, especially considering potentially adverse weather conditions;
 - C. The placement of temporary signs must not interfere with pedestrian traffic, curb ramps, or access to buildings, driveways, fire escapes, or otherwise restrict access to, any parking spaces necessary to fulfill the requirements of §22-501C. Off-Street Parking and Loading Regulations.
 - D. Temporary Construction Signs. All temporary construction signs are permitted at issuance of a Zoning Permit. All temporary construction signs will be removed from the construction site, no more than 30 days after an Occupancy Permit has been issued.
2. Removal

Commented [KA24]: Part A "Temporary signs may be displayed up to a maximum of 30 consecutive days, two times per year." Was removed

- A. Ferguson Township and/or the property owner may confiscate signs installed in violation of this chapter. Neither Ferguson Township nor the property owner are responsible for notifying sign owners of confiscation of an illegal sign.
 - B. Permission. The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign.
 - C. Installation and Maintenance.
 - i. Temporary signs that are frayed, torn, broken, or that are no long legible will be deemed unmaintained and will be required to be removed by a Township official.
3. Standards for Temporary Attached Signs for Commercial Uses
- A. Banner Sign
 - i. One large temporary banner sign is permitted per business for all commercial uses. If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional banner sign may be permitted so long as there is a minimum spacing of 200 feet between the two banner signs.
 - ii. The temporary banner sign shall have a maximum area of 32 square feet per face.
 - iii. The temporary banner sign shall hang at a height no greater than 20 feet.
 - iv. A temporary banner sign shall be displayed no more than once a year per business, for a period of time not to exceed 30 days.
 - B. Wall Sign
 - i. One large temporary wall sign is permitted per business for all commercial uses. If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional wall sign may be permitted so long as there is a minimum spacing of 200 feet between the two wall signs.
 - ii. The temporary wall sign shall have a maximum area of 16 square feet per face.
 - iii. A temporary wall sign shall be displayed no more than once a year per business, for a period of time not to exceed 30 days.
 - C. Window Sign
 - a. On any story of a building, the total sign area of window signs shall not exceed 20 percent of the façade area comprised of windows.
 - b. A window sign shall not be illuminated by any source other than a source external to the sign.
4. Standards for Temporary Freestanding Signs for Commercial Uses
- A. Inflatable and Balloon Signs.
 - i. Not project above the roof line or top of the building structure;
 - ii. Not to be designed to generate animation or movement;
 - iii. The placement must not interfere with pedestrian traffic, curb ramps, or access to buildings, driveways, or fire escapes; and
 - iv. Be displayed no more than once a year per lot, for a period of time not to exceed seven days.
 - B. Freestanding Sign

- i. One large temporary freestanding sign is permitted per business for all commercial uses. If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional freestanding sign may be permitted so long as there is a minimum spacing of 200 feet between the two freestanding signs.
- ii. The temporary freestanding sign shall have a maximum area of 16 square feet per face.
- iii. Large temporary signs that are freestanding shall have a maximum height of eight feet.

C. Portable Sign

- i. Two signs are permitted per establishment/business.
- ii. Sign area shall not exceed 9 square feet per face.
- iii. The placement of the sign must not interfere with pedestrian traffic, curb ramps, or access to buildings, driveways, or fire escapes.
- iv. The sign shall not be affixed, chained, anchored, or otherwise secured to the ground or to any pole, tree, tree grate, fire hydrant, railing, or other structure.
- v. The sign shall be permitted to be displayed during business hours and removed at close of business.

5. Standards for Temporary Attached Signs for Residential Uses

A. Wall Sign

- i. One large temporary wall sign is permitted per residential use so long as the property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area.
- ii. The temporary wall sign shall have a maximum area of 32 square feet per face.

6. Standards for Temporary Freestanding Signs for Residential Uses

A. Portable Sign

- i. Up to three portable signs having a sign area not exceeding 3 square feet per face are permitted per residential lot.
- ii. A portable sign shall not exceed six feet in height.

§19-109. Permanent Sign Types By Use Table.

Table 3
PERMANENT SIGN TYPES BY USE.

TYPE OF SIGN PERMITTED	ATTACHED (A) / FREESTANDING (F)	STANDARDS
RESIDENTIAL USE SIGNS		
RESIDENTIAL		
Building Name & Address	A/F	§19-110.1.
Residential Development	F	§19-110.2.
Home Occupation	F	§19-110.3.
COMMERCIAL USE SIGNS		
COMMERCIAL		
Wall	A	§ 19-111.1.A.
Freestanding	F	§ 19-111.1.B.
Awning, Canopy & Marquee	A	§ 19-111.1.C.
Attraction Board	A to F	§ 19-111.1.D.
Billboards & Off-Premises	F	§ 19-111.1.E.
Window	A	§ 19-111.1.F.
SHOPPING CENTER SIGNS		
Wall	A	§ 19-111.2.A.
Freestanding	F	§ 19-111.2.B.
Awning, Canopy & Marquee	A	§ 19-111.2.C.
Attraction Board	F	§ 19-111.2.D.
AUTOMOBILE SERVICE STATION SIGNS		
Wall	A	§ 19-111.3.A.
Freestanding	F	§ 19-111.3.B.
Awning, Canopy & Marquee	A	§ 19-111.3.C.
Service Bay Identification	A	§ 19-111.3.D.
Service Island Identification	A/F	§ 19-111.3.E.
Convenience Store	A	§ 19-111.1./ § 19-111.3.E.
Gas Island Canopy	A	§ 19-111.3.G.
OFF-PREMISES DIRECTIONAL/DIRECTORY SIGNS	A/F	§ 19-111.4.
ADULT BUSINESS SIGNS		
Wall	A	§ 19-111.7.A.
AUTOMOBILE DEALERSHIP SIGNS		
Wall	A	§ 19-111.8.A.
Freestanding	F	§ 19-111.8.B.
Awning, Canopy & Marquee	A	§ 19-111.8.C.
Service Bay Identification	A	§ 19-111.8.D.

OFFICE, INDUSTRIAL AND INSTITUTIONAL USE SIGNS		
OFFICE, INDUSTRIAL AND INSTITUTIONAL SIGNS		
Wall	A	§ 19-112.1.A.
Freestanding	F	§ 19-112.1.B.
Awning, Canopy, & Marquee	A	§ 19-112.1.C.
Landscaped Ground	F	§ 19-112.1.D.
OFFICE & INDUSTRIAL PARK SIGNS	F	§ 19-112.2.
DIRECTORY SIGNS	A/F	§ 19-112.3.
OFF-PREMISES DIRECTIONAL/DIRECTORY SIGNS	A/F	§ 19-112.4.
INSTITUTIONAL ATTRACTION BOARDS	A/F	§ 19-112.5.

§19-110. Residential Uses.

For all residential uses, only the following signs are hereby permitted and then only accessory and incidental to a permitted or special use: (It shall be noted that all residential address labeling should be referred to Chapter 11, Housing, of the Ferguson Township Code.)

1. Building Name and Address Signs. Name and address signs of buildings containing six or more residential units indicating only the name of the building, the name of the development in which it is located, the management thereof and/or address of the premises shall be subject to the following:
 - A. Type. Building name and address signs may be either wall signs or freestanding signs.
 - B. Number. There shall not be more than one name and address sign for each building, except that, where a building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 - C. Area. Building name and address signs shall not exceed four square feet per face, nor exceed an aggregate gross surface of eight feet.
 - D. Location. Building name and address signs shall not be located closer than 1/2 the minimum setback required for the zoning district in which the sign is to be erected or within 15 feet of any point of vehicular access from zoning lot to a public roadway, whichever is greater. The location and arrangement of all building name and address signs shall be subject to the review and approval of the Sign Officer.
 - E. Height. Building name and address signs shall not project higher than 15 feet for wall signs and seven feet for freestanding signs as measured from base of sign or building to which the sign is to be affixed or grade of the nearest adjacent roadway, whichever is higher.
2. Residential Development Signs. Residential development signs indicating only the name of the development and/or the address or location of the development shall be subject to the following:
 - A. Type. The residential development signs shall be freestanding signs.
 - B. Number. There shall not be more than two residential development signs for each point of vehicular access to a development.

- C. Area. Residential development signs shall not exceed 20 square feet per face. The total aggregate surface area shall not exceed 40 square feet for each point of vehicular access to a development.
- D. Location. Residential development signs may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway. The location and arrangement of all residential development signs shall be subject to the review and approval of the Sign Officer.
- E. Height. Residential development signs shall not project higher than seven feet as measured from the base of the sign or grade of the nearest adjacent roadway, whichever is higher.

3. Home Occupation Sign. Signs which indicate the name and address of a home occupation shall be subject to the following:

- A. Type. The home occupation sign shall be a freestanding sign.
- B. Number. There shall not be more than one home occupation sign per house.
- C. Area. The home occupation sign shall not exceed 5 square feet per face or 10 square feet gross aggregate sign area.
- D. Location. The home occupation sign may be located on the lot but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway. The location of all home occupation signs shall be subject to the review and approval of the Sign Officer.
- E. Height. Home occupation signs shall not project higher than five feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.
- F. Exempt Signs. Exempt signs as specified in § 19-107.
- G. Temporary Signs. Temporary signs as specified in § 19-108.

Commented [KA25]: Changed from Bed-and-Breakfast to Home Occupation Sign

Commented [KA26]: Size of allowable sign was changed from 10 sq ft of surface area per sign face to 5 (10 sq ft gross aggregate sign area)

Commented [KA27]: Update to §19-107.3

§ 19-111. Commercial Uses.

For all commercial uses, only the following signs are hereby permitted and then only if accessory and incidental to a permitted or special use:

- 1. Commercial Use Signs. Commercial use signs, other than those subject to special conditions in later subsections of this section, shall be subject to the following:
 - A. Wall Signs.
 - 1. Number. There shall not be more than one wall sign for each principal building, except that, where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 - 2. Area. The gross surface area of a wall sign shall not exceed 10% of the area of the building wall, including doors and windows, to which the sign is to be affixed or 64 square feet per face, whichever is smaller. The gross surface area of a wall sign may be increased by 20%, except that the gross surface of the sign shall not exceed 64 square feet per face if such wall sign:

- a) Consists only of individual, outlined alphabetic, numeric and/or characters without background, except that provided by the building surface to which the sign is to be affixed.
 - b) If illuminated, such illumination is achieved through shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.
3. Location. A wall sign may be located on the outermost wall on any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed. The location and arrangement of all wall signs shall be subject to the review and approval of the Sign Officer.
 4. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall which the sign is to be affixed, whichever is lower.
 5. Special Conditions. Where a principal building is devoted to two or more permitted uses, the following chart shall determine the size of the sign permitted per business:

Number of Businesses in Buildings	Maximum Square Feet Per Face Permitted per Business
1	50
2	35
3	25
4 or more	20

In this case, where there are two or more permitted uses within a building, it shall be the responsibility of the building owner to apply for and sign for the sign permit.

B. Freestanding Signs.

1. Number. There shall not be more than one freestanding signs for each lot, with the exception of a commercial property where the entrances are along an arterial street and two or more principal buildings exist on the lot. For a lot with two or more buildings on the lot, no more than two freestanding signs shall be permitted.
2. Corridor Overlay. If a parcel is located within the corridor overlay, two freestanding signs are permitted if the parcel has two or more principal buildings and where entrances are along an arterial street.
3. Area. The gross surface area of a freestanding sign shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet.
4. Location. A freestanding sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.

5. Height. A freestanding sign shall not project higher than 25 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay Ordinance.

C. Awning, Canopy and Marquee Signs.

1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four square feet for each principal building. Awning, canopy and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part, as specified in § 19-107.
2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet or not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is affixed.
3. Height. Any awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

Commented [KA28]: Revise to read "§19-107.16"

D. Attraction Boards.

1. Type. Attraction boards shall be attached to the main freestanding sign.
2. Number. Each lot with a retail/wholesale commercial use (except automobile dealerships and automobile service stations) may erect a single attraction board identifying special, unique, limited activities, services, products or sale of limited duration occurring on the retail/wholesale commercial lot or where the attraction board is to be located.
3. Area. The gross surface area of a retail/wholesale commercial lot attraction board shall not exceed 10 square feet per face, nor exceed 20 square feet in aggregate gross surface area.
4. Location. A retail/wholesale commercial premises attraction board may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
5. Height. If the attraction board is separated from the main freestanding pole sign, the attraction board may not project higher than 15 feet as measured from grade level directly below the base of the sign or grade of the nearest adjacent roadway, whichever is higher. If the attraction board is separated from the main freestanding sign, it shall be separated by a minimum of 12 inches from the main freestanding pole sign.

E. Billboards and Off-Premises Signs.

1. Number. One billboard or off-premises sign may be erected, constructed or maintained on any premises in a General Commercial Zoning District, provided the proposed billboard or off-premises sign shall meet the following criteria and be required to adhere to the following regulations. Any special exception granted shall meet the following criteria and be required to adhere to the following regulations.

2. Area. An off-premises sign or billboard shall not exceed 300 square feet per face, and each such sign shall have only one exposed face.
3. Spacing. An off-premises sign or billboard shall not be closer than 1,000 feet to another off-premises sign or billboard along the same side of any street or highway.
4. Spacing at Intersections. An off-premises sign or billboard shall not be located within 150 feet of any street intersection.
5. Location. An off-premises sign or billboard shall only be permitted in the General Commercial Zoning District only on lots which do not have a freestanding sign. The sign shall be located in accordance with the yard setbacks for structures in the General Commercial Zoning District. If a billboard is erected, no freestanding sign will be permitted.
6. Height. An off-premises sign or billboard shall not project higher than 22 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower.
7. Engineering Certification. Any applications for an off-premises sign or billboard shall be accompanied by certification under seal by a professional engineer that the existence of the off-premises sign or billboard, as proposed, shall not present a safety hazard

F. Window Sign

1. On any story of a building, the total sign area of window signs shall not exceed 20 percent of the façade area comprised of windows.
2. A window sign shall not be illuminated by any source other than a source external to the sign.

2. Shopping Center Signs.

A. Wall Signs.

1. Number. There shall not be more than one wall sign for each principal tenant or use contained in a shopping center, except that, where a tenant or use abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
2. Area. The gross surface area of a wall sign shall not exceed 10% of the tenant's or user's proportionate share of the building wall to which the sign is to be affixed or 50 square feet, whichever is smaller.
3. Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
4. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.

B. Freestanding Signs.

1. Number. There shall not be more than one freestanding sign for each shopping center.

Commented [KA29]: Changed from 64 to 50 square feet

2. Area. The gross surface area of a freestanding sign shall not exceed a maximum of one square foot of gross aggregate surface area for each 1 1/2 linear feet of front footage of the lot, not to exceed 100 square feet per face, nor exceed 200 square feet of gross aggregate surface area.
3. Location. A freestanding sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.
4. Height. A freestanding sign shall not project higher than 25 feet as measured from grade level directly below the base of the sign or grade of the nearest adjacent roadway, whichever is lower. If the lot is located in the Corridor Overlay District, the height shall be controlled by the Corridor Overlay Ordinance and the regulations of the underlying zone.
5. Directory Signs. Each shopping center freestanding sign may include affixed directly to it a directory indicating only the names of the tenants of the shopping center in which the sign is to be located. The gross surface area of a directory shall not exceed 10 square feet per face, nor exceed an aggregate gross surface area of 20 square feet for each tenant located in the shopping center in which the sign is to be located.

C. Awning, Canopy and Marquee Signs.

1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of 24 square feet for each principal building. Awning, canopy and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part as specified in § 19-107.
2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but be limited to not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.
3. Height. An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

D. Attraction Board.

1. Type. Shopping center attraction boards shall be freestanding signs.
2. Number. Each shopping center may erect a single attraction board identifying special, unique, limited activities, services, products or sale of a limited duration occurring within the shopping center in which the attraction board is to be located.
3. Area. The gross surface area of a shopping center attraction board shall not exceed 50 square feet per face, nor exceed an aggregate gross surface area of 100 square feet.
4. Location. A shopping center attraction board may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.

Commented [KA30]: Revise to read "§19-107.16"

5. Height. If the sign is separate from the main freestanding pole sign, a shopping center attraction board shall not project higher than 15 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher. If the attraction board is part of and mounted on the main freestanding pole sign, the attraction sign shall be separated by a minimum of 12 inches from the main shopping center sign. If the lot is located in the Corridor Overlay District, the height shall be controlled by the Corridor Overlay Ordinance and the regulations of the underlying zoning district.
3. Automobile Service Station Signs. Automobile service station signs shall be subject to the following:
 - A. Wall Signs.
 1. Number. There shall not be more than one wall sign for each principal building, except that, where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 2. Area. The gross surface area of a wall sign shall not exceed 10% of the area of the building wall to which it is to be affixed or 64 square feet per face, whichever is smaller. The gross surface area of a wall sign may be increased by 20%, except that the gross surface area of the sign shall not exceed 64 square feet per face, if such wall sign:
 - a) Consists only of individual, outlined alphabetic, numeric and/or symbolic characters without background except that provided by the building surface to which the sign is to be affixed.
 - b) If illuminated, such illumination is achieved through shielded illumination, shielded silhouette lighting or shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.
 - c) Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
 - d) Height. A wall sign shall not project higher than a parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.
 - B. Freestanding Signs.
 1. Number. There shall not be more than one freestanding sign for each lot.
 2. Area. The gross surface area of a freestanding sign shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet.
 3. Location. A freestanding sign may be located in any required yard but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.
 4. Height. A freestanding sign shall not project higher than 25 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District

when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zone.

C. Awning, Canopy and Marquee Signs.

1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four square feet for each principal building. Awning, canopy and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part, as specified in § 19-107.
2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but be limited to not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.
3. Height. An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed or 20 feet as measured from the base of the building wall to which the awning, canopy or marquee is to be affixed, whichever is lower.

Commented [KA31]: Revise to read "§19-107.16"

D. Service Bay Identification Signs. Service bay identification signs providing direction or instruction to:

1. Type. All service bay identification signs shall be wall signs.
2. Number. There shall not be more than one service bay identification sign for each service bay located on the premises.
3. Area. The area of a service bay identification sign shall not exceed 10 square feet per face.
4. Location. A service bay identification sign may be located on the outermost wall of any principal building adjacent to a service bay entrance, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
5. Height. A service bay identification sign shall not project higher than a parapet line of a wall to which the sign is to be affixed, or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.

E. Service Island Identification Signs. Service island identification signs indicating the type of service offered, the price of gasoline and other relevant information or direction to persons using the facility, but containing no advertising material of any kind, shall be subject to the following:

1. Type. Service island identification signs may be either wall signs or freestanding signs.
2. Number. There shall not be more than one service island or identification sign for each service or pump island on the premises.
3. Location. Service island identification signs may be located on the outermost wall of any principal building, on the pumps or within the area of a service island.
4. Area. The gross surface of a service island identification sign shall not exceed six (6) square feet per face, nor exceed an aggregate gross surface of 12 square feet.

5. Height. A service island identification sign shall not project higher than 15 feet, as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or grade of the nearest adjacent roadway, whichever is lower.
- F. Convenience Store Signs. Convenience store signs shall be subject to the following:
 1. A convenience store will be regulated by § 19-111.1 except that each convenience store with one or more service islands shall be regulated by the provisions of § 19-111.3, E and such election shall be included as part of this sign permit for that store.
- G. Gas Island Canopy Sign:
 1. Sign copy, corporate logos, graphics, etc., may be a maximum of 15% of one face of the canopy;
 2. Individual letters, logos or symbols may not exceed four feet in height and may not project out from the surface of canopy more than 18 inches, or project above or below the canopy. Digital gas prices are permitted.
4. Off-Premises Directional/Directory Signs. Off-premises directional/directory signs shall be subject to the following:
 - A. Type. Off-premises directional/directory signs may be either wall or freestanding signs.
 - B. Number. There shall not be more than one sign per permitted area. When two or more businesses require an off-premises directional/directory sign, all information shall be combined into one sign.
 - C. Area. The gross surface area of an off-premises directional/directory sign shall not exceed five square feet per face nor exceed an aggregate gross surface area of 10 square feet.
 - D. Location. An off-premises directional/directory sign shall be located at the roadway leading to the occupant's premises but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
 - E. Height. If the off-premises directional/directory sign is a freestanding sign, then it shall not project higher than 10 feet as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher. If the off-premises directional/directory sign is a wall sign, then it shall not project higher than the parapet line of the wall to which the sign is to be affixed, whichever is lower.
 - F. Special Conditions. Off-premises directional/directory signs are to be utilized only by businesses whose properties do not abut a public street.
5. Exempt Signs. Exempt signs as specified in § 19-107.
6. Temporary Signs. Temporary signs as specified in § 19-108.
7. Adult Business Signs.
 - A. Wall Signs.
 1. Number. There shall not be more than one wall sign for an adult business use.
 2. Area. The area of a wall sign shall not exceed 20 square feet per face.

Commented [KA32]: Updated formatting

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3. Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
 4. Height. A wall sign shall not project higher than the lower of the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed.
- B. Adult businesses are not permitted to have freestanding, canopy, marquee, awning or directional signs.
8. Automobile Dealership Signs. Automobile dealership signs shall be subject to the following:
- A. Wall Signs.
1. Number. There shall be no more than one wall sign for each principal building, except that, where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 2. Area. The gross surface area of a wall sign shall not exceed 10% of the area of the building wall, including doors and windows, to which the sign is to be affixed or 64 square feet per face, whichever is smaller.
 3. Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed. The location and arrangement of all wall signs shall be subject to the review and approval of the Sign Officer.
 4. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay Ordinance and the regulations of the underlying zoning district.
- B. Freestanding Signs.
1. Number.
 - a) Primary Freestanding Signs. There shall not be more than one principal freestanding sign for each automobile dealership.
 - b) Secondary Freestanding Signs. Secondary freestanding signs shall be permitted only if used for preowned automobiles and/or if two or more automotive product lines (automobiles makes) are offered for sale on the premises. No more than two secondary freestanding signs shall be permitted.
 2. Area.
 - a) Primary Freestanding Signs. The gross surface area of primary freestanding signs shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet.
 - b) Secondary Freestanding Signs. The gross surface area of a secondary freestanding sign shall not exceed 24 square feet per face, nor exceed an aggregate gross surface area of 48 square feet.

3. Location. Primary and secondary freestanding signs may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.

4. Height.

a) Primary Freestanding Signs. A primary freestanding sign shall not project higher than 25 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zoning district.

b) Secondary Freestanding Signs. A secondary freestanding sign shall not project higher than 15 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zoning district.

C. Awning, Canopy and Marquee Signs.

1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four feet for each principal building. Awning, canopy or marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part.

2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but be limited to not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.

3. Height. An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

D. Service Bay Identification Signs. Service bay identification signs providing direction or instruction to persons using the facility and containing no advertising material of any kind shall be subject to the following:

1. Type. All service bay identification signs shall be wall signs.

2. Number. There shall not be more than one service bay identification sign for each service bay located on the premises.

3. Area. The area of a service bay identification sign shall not exceed 10 square feet per face.

4. Location. A service bay identification sign may be located on the outermost wall of any principal building adjacent to a service bay entrance, but shall not project more than 16 inches from the wall to which the sign is to be affixed.

5. Height. A service bay identification sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building to which the sign is to be affixed, whichever is lower.

§19-112. Office, Industrial and Institutional Use Signs.

For all office, industrial and institutional uses, only the following signs are hereby permitted and then only if accessory and incidental to a permitted or special use:

1. Office, Industrial, and Institutional Use Signs. Office, industrial and institutional use signs shall be subject to the following:

A. Wall Signs.

1. Number. There shall not be more than one wall sign for each principal building, except where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
2. Area. The gross surface area of a wall sign shall not exceed 10% of the area of the building wall, including doors and windows, to which the sign is to be affixed or 64 square feet per face, whichever is smaller. The gross surface area of a wall sign may be increased by 20%, except that the gross surface area of the sign shall not exceed 64 square feet, if such wall sign:
 - a) Consists only of individual, outlined, alphabetic, numeric and/or symbolic characters without background, except provided by the building surface to which the sign is affixed.
 - b) If illuminated, such illumination is achieved through shielded illumination, shielded silhouette lighting or shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.
3. Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
4. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.
5. Special Conditions. Where a principal building is devoted to two or more permitted uses, the operator of each such use may install a wall sign upon his/her proportionate share of the building wall to which the sign is to be affixed. The maximum gross surface area of each such wall sign shall be not more than 24 square feet per face. The proportionate share is determined by calculating the area of the building wall, including doors and windows to which the sign is to be affixed, and applying such proportion to the total permitted wall sign aggregate gross surface area of the building.

B. Freestanding Signs.

1. Number. There shall not be more than one freestanding sign for each lot.
2. Area. The gross surface area of a freestanding sign shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet.

3. Location. A freestanding sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
4. Height. A freestanding sign shall not project higher than 25 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zoning district.

C. Awning, Canopy and Marquee Signs.

1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four square feet for each principal building. Awning, canopy and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part as specified in § 19-107.
2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but be limited to not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.
3. Location. A sign may be affixed to or located upon any awning, canopy or marquee.
4. Height. An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

Commented [KA34]: Revise to read "§19-107.16

D. Landscaped Ground Sign.

1. Number. There shall not be more than one landscaped ground sign for each lot.
2. Area. The minimum nonbuildable front yard area required for placement of a landscaped ground sign is 1/4 acre (10,890 square feet). The area of a landscaped freestanding sign shall not exceed 1,500 square feet per face. The front yard area is defined as the area between the two side lot lines, the road right-of-way, and the building front or parking lot, whichever is closer, extending the full length of the front lot line.
3. Location. A landscaped ground sign shall be located in the required front yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway. In addition, the landscaped ground sign shall not block the sight distance of persons ingressing or egressing from the site. The landscaped sign shall be located on a slope of not greater than three to one.
4. Height. Any material which is part of a landscaped ground sign (i.e., the name, logo or primary identifying feature) shall not project higher than three feet, as measured from average grade below the landscaped materials which make up the sign.

5. Grading. Proposed grading and/or mounding shall not be sloped greater than three to one and shall not extend higher than three feet from adjacent finished grades.
 6. Materials. The landscaped ground sign shall be constructed of plant material and related natural landscaping materials such as stone, mulch and landscape timbers. The landscaped ground sign shall be property maintained. Any plant material that is 25% dead or more shall be considered dead and must be replaced. Deciduous material shall be guaranteed to break dormancy if planted in the dormant season. Replacements shall be made during the first spring or fall planting season following the death of the plants. Replacements shall be of the same size and species as the original.
2. Office and Industrial Park Signs. Office and industrial park signs indicating only the name of the park and/or the address or location of the park shall be subject to the following:
 - A. Type. All office and industrial park signs shall be freestanding signs.
 - B. Number. There shall not be more than one office or industrial park sign for each point of vehicular access to an office or industrial park from an intersecting public roadway.
 - C. Area. The area of an office or industrial park sign shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet. Directory signs may not be attached to the office or industrial park freestanding sign.
 - D. Location. An office or industrial park sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
 - E. Height. An office or industrial park sign shall not project higher than seven feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.
 3. Directory Signs. Directory signs, which are in addition to the principal freestanding or wall signs, indicating only the name of the occupants of the premises on which the sign is to be located, but containing no advertising material of any kind, shall be subject to the following:
 - A. Type. Directory signs may be either wall signs or part of the primary freestanding sign for the lot.
 - B. Number. There shall not be more than one directory sign for each office, industrial and institutional building or complex under unified control consisting of two or more occupants. Directory signs shall not be permitted for single occupant office, industrial and institutional buildings and complexes.
 - C. Area. The area of a directory sign shall not exceed five square feet per face for each occupant located in the building or complex.
 - D. Location. A directory sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
 - E. Height. A directory sign shall not project higher than 10 feet as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher.

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4. Off-Premises Directional/Directory Signs. Off-premises directional/directory signs shall be subject to the following:

- A. Type. Off-premises directional/directory signs may be either wall signs or freestanding signs.
- B. Number. There shall not be more than one sign per business which does not have access to a public street. When two or more businesses require an off-premises directional/directory sign, all information shall be combined into one sign.
- C. Area. The gross surface area of an off-premises directional/directory sign shall not exceed five square feet per face per business nor exceed an aggregate gross surface area for all businesses of 32 square feet per face or an aggregate gross surface area of 64 square feet.
- D. Location. An off-premises directional/directory sign shall be located at the roadway leading to the occupant's premises but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway. The sign may be located within the private access right-of-way provided that all parties within interest in the private right-of-way waive their private interest in the encroachment of the sign. Further, if the private right-of-way ever becomes public, the off-premises directional sign shall be removed prior to the Township accepting the street.
- E. Height. If the off-premises directional/directory sign is a freestanding sign, then it shall not project higher than 10 feet as measured from grade level directly below the face of the sign to the grade of the nearest adjacent roadway, whichever is higher. If the off-premises directional/directory sign is a wall sign, then it shall not project higher than the parapet line of the wall to which the sign is to be affixed, whichever is lower.
- F. Special Conditions. Off-premises directional/directory signs are to be utilized only by a business whose property does not abut a public street.

5. Institutional Attraction Boards. Attraction boards displayed by civic, philanthropic, educational and religious organizations identifying activities, events and services involving the organization occupying the premises on which the attraction board is to be erected, but containing no commercial advertising material of any kind, shall be subject to the following:

- A. Type. Institutional attraction boards may be either wall signs or freestanding signs. If it is a freestanding sign, it must be attached to the primary freestanding sign.
- B. Number. There shall not be more than one institutional attraction board for each principal building.
- C. Area. The gross surface area of an institutional attraction board shall not exceed 15 square feet per face, nor exceed an aggregate gross surface area of 30 square feet.
- D. Location. An institutional attraction board may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
- E. Height. An institutional attraction board shall not project higher than 15 feet as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher.
- F. Exempt Signs. Exempt signs as specified in § 19-107.

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Commented [KA38]: Revise to read "§19-107.16"

- G. Temporary Signs. Temporary signs as specified in § 19-108.
- 6. Exempt Signs. Exempt signs as specified in § 19-107.
- 7. Temporary Signs. Temporary signs as specified in § 19-108

§19-113. Permits.

1. Permits Required. Except for the following, no person may erect, alter, or relocate within Ferguson Township any sign without first obtaining a sign permit from the Sign Officer and paying the required fee:
 - A. Exempt signs as specified in § 19-107.
 - B. Real estate, temporary construction, temporary political, temporary event, auction, garage/yard sale signs, personal expression signs, or daily advertising signs.
 - C. Routine maintenance or changing of the parts or copy of a sign, provided that the maintenance or change of parts or copy does not alter the surface area, height, or otherwise render the sign nonconforming.
2. Permit Application. Applications for sign permits shall be submitted to the Sign Officer and shall contain or have attached thereto the following information:
 - A. The names, addresses and telephone numbers of the applicant, the owner of the property on which the sign is to be erected or affixed, the owner of the sign, and the person to be erecting or affixing the sign.
 - B. The location of the building, structure, or zoning lot on which the sign is to be erected or affixed.
 - C. A sketch plan of the property involved, showing accurate placement thereon of the proposed sign.
 - D. Two drawings of the plans and specifications of the sign to be erected or affixed and the method of construction and attachment to the building or in the ground. Such plans and specifications shall include details of dimensions, color, materials, and weight.
 - E. The written consent of the owner of the building, structure, or property on which the sign is to be erected or affixed.
 - F. Such other information as the Sign Officer may require to determine full compliance with this and other applicable ordinances of the Township of Ferguson.
3. Issuance of Permits. Upon filing of an application for a sign permit, the Sign Officer shall examine the plans, specifications, and other submitted data, and the premises upon which the sign is proposed to be erected or affixed. If it appears that the proposed sign is in compliance with all the requirements of this part and in conformance with the Zoning Ordinance (Chapter 27) and other applicable ordinances of the Township of Ferguson and if the appropriate permit fee has been paid, the Sign Officer shall issue a permit for the proposed sign.
 - A. Except when a land development plan is required, in which case a land development plan shall be submitted in accordance with Chapter 22, all applications for zoning permits shall be granted or denied by the Sign Officer within 30 days from the date of receipt of the application and fees for such. The Sign Officer shall notify the applicant in writing of all action taken on the application for a zoning permit within said thirty-day period. If the application is denied, such notification shall specify the provisions of this part.

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B. If the work authorized under a sign permit has not been completed within 24 months after the date of issuance, the permit shall become null and void, unless otherwise extended by the Sign Officer for a single additional ninety-day period.

4. Permit Fees. Each sign required by this part requiring a sign permit shall pay a fee established by resolution by the Board of Supervisors of Ferguson Township.
5. Annual License Fee. An annual license fee for all signs, except exempt signs and residential development signs, shall be paid in accordance with a resolution setting forth the Township fee schedule. The Township fee schedule shall be adopted by resolution of the Ferguson Township Board of Supervisors.
6. Penalty Fee. If an annual sign permit renewal fee is paid later than 60 days of the date of the invoice requesting such payment, a penalty fee equal to 50% of the cost of the permit renewal fee shall be assessed.
7. Revocation of Permit. All rights and privileges acquired under the provisions of this part are mere licenses and, as such, are at any time revocable for just cause by the Ferguson Township Board of Supervisors. All permits issued pursuant to this section are hereby subject to this provision.

§19-114. Review of Existing Permanent Signs.

1. Annual Inspection. The Sign Officer, or his/her authorized representative, shall conduct, at a minimum, an annual inspection of all permanent signs being displayed in the Township of Ferguson on and after the effective date of this part (which signs are hereinafter called "existing permanent signs" for the purpose of identifying those existing permanent signs which are not in compliance with this part).
2. Requests for Inspection. Any person may file a written request with the Sign Officer requesting an inspection of one or more existing permanent signs as identified in the request. In each such instance, the Sign Officer shall promptly inspect such sign(s) to determine compliance with the provisions of this part. However, no existing permanent sign need be inspected more than two times annually. The Sign Officer shall make a written report indicating the findings of the inspection to both the owner of the inspected sign and to the person filing the request for inspection.
3. Notices of Violation. The Sign Officer shall notify, in writing, each owner of an existing permanent sign found to be in violation of any provision of this part pursuant to the inspections made under Subsections 1 and 2. The notice shall specifically refer to each section of this part under which a violation has been found to exist and thereupon describe the features of the inspected sign found to be deficient. The notice shall specify whether the sign is a legal nonconforming sign or a nonconforming sign, as described in § 19-115 of this part.
4. Appeals. The owner of an existing permanent sign which has been the subject of the notice of violation as specified in Subsection 3 may appeal the notice by filing an appeal pursuant to § 19-117 of this part no later than 30 days after receipt of such notice of violation.

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§ 19-115. Nonconforming Signs.

1. Nonconforming Signs. Any sign lawfully existing or under construction on the effective date of this part, which does not conform to one or more of the provisions of this part, may be continued

in operation and maintained indefinitely as a legal nonconforming sign subject to compliance with the requirements of Subsection 2 of this section.

2. Maintenance and Repair of Nonconforming Signs. Normal maintenance of nonconforming signs, including changing, copying, necessary repairs, and incidental alterations which do not extend or intensify the nonconforming features of the sign, shall be permitted. However, no enlargement or extension shall be made to legal nonconforming signs unless the enlargement or extension will result in the elimination of the nonconforming features of the sign. If a nonconforming sign is removed or destroyed by any means the sign may not be rebuilt to its original condition and may not continue to be displayed.

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§19-116. Removal of Certain Signs.

1. Signs in Violation. If the Sign Officer shall find that any sign, displayed in violation of the Ordinance, he/she shall give written notice to the owner, agent, or person having the beneficial interest in the building or the premises on which such sign is located.
2. Abandoned Signs. Any sign, whether existing on or erected after the effective date of this part, which advertises a business no longer being conducted or a product no longer being offered for sale in or from the premises on which the sign is located, shall be removed within 90 days upon the cessation of such business or sale of such product by the owner, agent or person having beneficial interest in the building or premises on which such sign is located. If the Sign Officer shall find that any such sign advertising a business no longer being conducted or a product no longer being offered for sale in or from the premises on which the sign is located has not been removed from the premises on which the sign is located within 90 days upon the cessation of such business or sale of such product, he/she shall give written notice to the owner, agent or person having the beneficial interest in the building or premises on which such sign is located.
3. Unsafe Signs. Ferguson Township may remove or cause to be removed the sign at the expense of the owner and/or lessee in the event of the owner or the person or firm maintaining the sign has not complied with the terms of the notice within 30 days of the date of the notice. In the event of immediate danger, the Township may remove the sign immediately upon the issuance of notice to the owner, person, or firm maintaining the sign.

§19-117. Administration and Enforcement.

1. Enforcement Officer. The Sign Officer is hereby designated as the enforcement officer for this part. In furtherance of his/her authority as such enforcement officer, the Sign Officer shall have the following duties and powers:
 - A. Review and Issue Permits. Review all applications for sign permits and issue permits for those signs found to be in compliance with the provisions of this part.
 - B. Conduct Inspections. Conduct an annual or more frequent inspection of all permanent signs displayed in the Township of Ferguson to ensure compliance with the provisions of this part.
 - C. Issue Notices of Violations. Issue notices of violation to the owner, agent or person having the beneficial interest in the building or the premises on which a sign is located which is found to be in violation of this part.

- D. Cause Removal of Certain Signs. After due notice, cause the removal of certain signs which are found to be in noncompliance with one or more of the provisions of this part.
 - E. Administrative Interpretations. Render, when called to do so, administrative interpretations regarding the provisions of this part and their effect on the display of any sign located or to be located in the Township of Ferguson.
 - F. Maintenance of Records. Maintain all records necessary to the appropriate administration and enforcement of this part, including applications for variances and appeals.
 - G. Public Information. Provide and maintain a source of public information relative to all matters arising out of this part.
2. Zoning Hearing Board of Ferguson Township.
- A. Jurisdiction. The Zoning Hearing Board is hereby vested with the following jurisdiction and authority:
 - 1. Appeals. Hear all appeals from any order, requirement, decision, determination, or interpretation of the Sign Officer acting with the authority vested from this part and make written decisions for the disposition of such appeals.
 - 2. Variances. Hear all requests for variances from the provisions of this part and make written decisions for the granting or denial of such requests.
 - B. Appeals. An appeal may be taken to the Zoning Hearing Board by any person aggrieved by an order, requirement, decision, determination or interpretation by the Sign Officer acting within the authority of this part.
3. Petition for Appeal.
- A. Standing. An appeal shall be filed within 30 days after the alleged erroneous order, requirement, decision, determination, or interpretation.
 - B. Filing. An appeal shall be filed on the official Township sign variance appeal application form which includes the following:
 - 1. The name(s), address(es), and telephone number(s) of the petitioner(s), the owner(s) of the property on which the sign is to be erected or affixed, the owner(s) of the sign, and the person affixing the sign.
 - 2. A description of the appeal.
 - 3. Justification of the appeal.
 - 4. The location of the building, structure, or zoning lot on which the sign is to be erected or affixed.
 - 5. A site plan on the property involved, showing accurate placement thereon of the proposed sign.
 - 6. A drawing of the plans and specifications of the sign to be erected or affixed and method of construction and attachment of the building or in the ground. Such plans and specifications shall include details of dimensions, materials, color, and weight.
 - 7. The written consent of the owner of the building, structure, or property on which the sign is to be erected or affixed.

8. Such other information as the Sign Officer may require to determine full compliance with this and other applicable ordinances of the Township of Ferguson.
 - C. Fees. Each appeal to the Zoning Hearing Board shall be accompanied by a fee as set by resolution of the Ferguson Township Board of Supervisors.
 4. Transmittal of Record. The Sign Officer shall, at the time of filing an appeal, forthwith transmit to the Zoning Hearing Board all of the documents constituting a record upon which the action appealed was taken.
 5. Effect of Appeal. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Sign Officer certifies to the Zoning Hearing Board, after the appeal has been filed with the Sign Officer, that by reason of the facts stated in the application, a stay would in his/her opinion cause imminent peril to life or property. In such case, the proceeding shall not be stayed unless a restraining order is issued by a court of record, and then only if due cause can be conclusively shown.
 6. Zoning Hearing Board.
 - A. Timing. The Zoning Hearing Board shall hold a public hearing on an appeal within 60 days of its completed written form and hearing fee.
 - B. Attendance. The petitioner and Sign Officer and/or their authorized representative shall attend those meetings of the Zoning Hearing Board at which an appeal is to be heard.
 7. Zoning Hearing Board Decision. Within 45 days after the close of the required public hearing of an appeal, the Zoning Hearing Board shall prepare and submit written findings of fact and conclusions of law to grant, deny, wholly or in part, or modify said appeal to the Board of Supervisors for final determination.
 8. Effect of Zoning Hearing Board Denial. No appeal which has been denied, wholly or in part, by the Zoning Hearing Board, in accordance with the provisions established herein, may be resubmitted for a period of one year from date of said denial, except on grounds of new evidence or proof of changed conditions found to be valid by the Zoning Hearing Board.
 9. Maintenance of Records. The Sign Officer shall maintain complete records of all findings of fact and conclusions of law of the Zoning Hearing Board relative to an appeal. All such records shall be open to the public for inspection.
 10. Variances. It is the intent of this part to use variances only to relieve hardship. Specifically, variances are to be used to overcome some exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent an owner from displaying his/her sign as intended by this part. Such practical difficulty must be clearly exhibited and must be a result of an external influence; it may not be self-imposed.
 - A. Petition for Variance.
 1. Standing. A petition for a variance from any provisions of this part may be made by any person having a proprietary interest in the sign for which such variance is requested.
 2. Filing. A variance request shall be filed in writing with the Sign Officer and shall include the following information:

- a) The name(s), address(es), and telephone number(s) of the petitioner(s), the owner(s) of the property on which the sign is to be erected or affixed, the owner(s) of the sign, and the person affixing the sign.
- b) A description of the requested variance.
- c) Justification of the requested variance.
- d) The location of the building, structure, or zoning lot on which the sign is to be erected or affixed.
- e) A site plan of the property involved, showing accurate placement thereon of the proposed sign.
- f) A drawing of the plans and specifications of the sign to be erected or affixed and method of construction and attachment of the building or in the ground. Such plans and specifications shall include details of dimensions, materials, color, and weight.
- g) The written consent of the owner of the building, structure, or property on which the sign is to be erected or affixed.
- h) Such other information as the Sign Officer may require to determine full compliance with this and other applicable ordinances of the Township of Ferguson.

B. Fees. Each variance request to the Zoning Hearing Board shall be accompanied by a fee as set forth by the Board of Supervisors, which fee is to be paid at the time of filing of the variance request.

Commented [KA43]: Should be #3 instead of "B"

C. Zoning Hearing Board.

- 1. **Timing.** The Zoning Hearing Board shall hold a public hearing on a variance request within 60 days of its completed written filing.
- 2. **Attendance.** The petitioner and Sign Officer and/or their authorized representative shall attend those meetings of the Zoning Hearing Board at which a variance is to be heard.

D. Standards for Variances. The Zoning Hearing Board may determine that a variance be granted when it shall be determined from evidence presented to the Zoning Hearing Board that the variance will not merely serve as a convenience to the petitioner, but is necessary to alleviate some demonstrable hardship or unusual practical difficulty and that the granting of the variance will not in any way be inconsistent with the intent, purpose, and objectives of this part.

E. The Zoning Hearing Board's Decision. Within 30 days after the close of the required public hearing of a requested variance from one or more of the provisions of this part, the Zoning Hearing Board shall prepare and submit written findings of fact and conclusions of law to grant, deny, wholly or in part, or modify said variance request.

§19-118. Violations and Penalties.

- 1. **Failure to Obtain or Renew Sign Permit.** Any person who erects, alters, or relocates within the Township of Ferguson any sign without obtaining a sign permit or fails to renew such permit for an existing sign as specified in § 19-113 of this part shall be, upon conviction thereof in a

proceeding commenced before a district justice pursuant to the Pennsylvania Rules of Criminal Procedures, sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day's continuance of a violation shall constitute a separate offense.

2. Display of Illegal Signs. Any person who displays a sign in the Township of Ferguson found to be in violation of one more of the provisions of this part, except for those legal nonconforming signs as specified in § 19-115, after receipt of written notice of such violation(s), shall, upon conviction thereof in a proceeding commenced before a district justice pursuant to the Pennsylvania Rules of Criminal Procedures, be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day's continuance of a violation shall constitute a separate offense.
3. Other Remedies. In addition to all other remedies, the Township of Ferguson may institute any appropriate action or proceeding to prevent, restrain, correct, or abate any violation of this part.

§ 19-119 Severability.

If any word, sentence, section, chapter or any other provision or portion of this part or rules adopted hereunder is invalidated by any court in competent jurisdiction, the remaining words, sentences, sections, chapters, provisions, or portions will not be affected and will continue in full force and effect.