

PUBLIC HEARING
SIGN ORDINANCE 679
February 5, 2009 7:00pm

1. Call to order – The Public Hearing concerning Sign Ordinance 679 was called to order on Thursday, February 5, 2009 at 7:00pm at the Lemoyne Municipal Building, 510 Herman Avenue, Lemoyne, Pa. with Shireen Farr presiding.

PLEDGE TO THE FLAG

Roll Call – Present at roll call were Shireen Farr, President; Lori Hegedus, Dr. John Judson, Judith McAllister, Wayne Mountz, Jodie Ruediger and Susan West, Council Members; and Elmer E. Byrem, Jr., Mayor.

Staff present was , Maintenance Manager John Paden, Finance Secretary/Interim Borough Secretary Kathryn Turns.

The Planning Commission members present were Boyd Howard, Chairman, Barb Byrem, and Susan West, Members.

2. Mrs. Farr stated that the purpose of the meeting was to have been a public hearing, but that the Borough had not yet received comments from Cumberland County. Therefore, since the meeting had been advertised that Council would hear public comments as intended as well as provide the public the opportunity for an educational session through an overview that would be provided by Mr. Howard. Mrs. Farr stated that the proposed sign ordinance was drafted through the Planning Commission and the work done to date was significant. She thanked the Planning Commission members for the numerous months of work and acknowledged those members in attendance. Mrs. Farr asked the public to keep comments to 3 minutes. She stated that comments would be considered and that a future public hearing would be scheduled after the County reviews.
3. Comments by Michael Cassidy, Solicitor
Mr. Cassidy stated that since Council members and Planning Commission members had reviewed the ordinance, that he had made changes to the ordinance and he distributed a revised version to Council. He stated that the ordinance was subject to further changes based on public input and further reviews.
 - A. The first minor revision has to do with abandoned signs located in section 1303 page 2. Under Pa law there needs to be both intent to abandon the use and actual abandonment.
The definition is permissible for purposes of creating a presumption of intent to abandon.
Mr. Cassidy wants to make sure that the definition includes intent with a 90 day window.
 - B. The second revision to the draft is 1309 beginning on page 13 and pertains to non-conforming signs.

When you adopt a zoning ordinance that will regulate certain uses there may be pre-existing uses that won't comply to with the new ordinance.

Those prior non conforming uses can continue to exist without expansion or enlarged in any way after the adoption of the new ordinance. Mr. Cassidy has tweaked 13-09 to bring them into compliance with the doctrine of non conforming uses.

Mrs. Farr requested that the current version given by Mr. Cassidy be displayed in the Borough Office.

4. Presentation by Boyd Howard, Planning Commission Chairman,
Mr. Howard reviewed a power point presentation highlighting the following:
 - A. The Shortcomings of the Existing Ordinance
 1. Signs regulated as part of Zoning Ordinance
 2. Current Zoning Ordinance originally adopted 1980, with various amendments
 3. Present ordinance is structured to address signs in Residential Districts, billboards and advertising signboards, business identification signs, miscellaneous, general rules for all signs.
 4. Little Guidance for districts other than residential
 5. Sign criteria is weak, not meaningfully linked to existing Borough Zoning Districts
 6. Minimal lighting restrictions
 7. Awkward organization
 8. Contains numerous instances of vague, confusing, or subjective wording
 9. Inadequately addresses proliferation of unsightly/distracting signs
 - B. Ordinance Review
 1. Reviewed Ordinances from Variety of Sources
 2. Plus Model Ordinances and guidelines
 3. Extracted desirable elements from each, including existing Lemoyne Ordinance
 - C. Important Modifications
 1. Expanded definitions
 2. Design standards for types of sign construction
 3. Allowable signs vary by zoning district
 4. Limitations on illumination
 5. Clear list of signs exempted from permitting
 6. Clear list of prohibited sign types
 7. Expanded general requirements for nonconforming signs
 8. Most nonconforming signs not expected to be brought into conformance anytime soon
 9. Signs to conform if more than 50% of area is changed
 10. Certain types to conform on a schedule
 11. Other nonconforming signs are generally "grandfathered", but cannot be altered

D. Next Steps

1. Public Comment
2. County Review and Comment
3. Final Legal or editorial revisions
4. Council adoption

5. Public Comment

- A. Denise Drosdak - Lamar Advertising 10th Street Lemoyne, Pa. 17043
Several comments were made in written form which she gave to Mr. Howard.
- B. Tim Hogg – P O Box 624 New Cumberland, Pa. 17070
Mr. Hogg had several comments/requests that were written and given to Mr. Howard.

6. Next Steps

Mrs. Farr stated that the next Planning Commission meeting will be held on Tuesday, February 10th. The public hearing will be rescheduled after we have been contacted by Cumberland County.

7. Adjournment at 7:35pm