

Red Lion Borough Planning Commission Meeting Minutes
Monday, May 20th, 2024

Members present

Beth Nidam
Cindy Barley
Muriel Slenker (arrived @ 7:12pm)
Evan Hiester
Justin Heim
Wade Elfner

Others present

Samantha Craley, Solicitor
Mike Craley, Solicitor
Michelle Poole, Asst. Manager
Stacy Myers, Recording Sec'y

Visitors—Denny Klinedinst

1. The meeting was called to order @ 7:00pm followed by the pledge to the flag. The committee welcomed Justin Heim as their newest member, appointed by Borough Council.
2. **Approval of Meeting Minutes**—Ms. Nidam made a motion to approve the April 15th, 2024 Meeting Minutes; Mrs. Barley seconded. All were in favor; motion carried.
3. **Discussion continued on the sign portion of the Borough's Zoning Ordinance.** The following comments/suggestions were made:
 - a) **Chapter 19, Part 1**—Political Signs & Temporary Advertising Signs--Regarding last month's discussion & in light of a recent Third Circuit Court of Appeals decision (for Camp Hill), Atty. Craley suggested completely removing Chapter 19 of the Borough's ZO regarding Political Signs, with the exception of the Borough being able to remove signs. If the issue of political candidates not removing their signs is a problem in the Borough, that section (19-104) could be kept in. And "temporary signs" is already being addressed in the Zoning Ordinance. In addition, Michelle said if all language regarding this issue can be kept in the same place in the Ordinance, it becomes easier to locate.
 - b) **Chapter 13, Part 4—Yard & Garage Sales**—this was previously discussed as well & it was decided to remove some of the current language, as this will be addressed in the Yard Sale section of the Zoning Ordinance. Michelle said it makes sense to issue a resident (wishing to hold a sale) a permit with the date & time allowed to do so, how large their sign can be, and how long it can remain posted. With that in mind, *"a maximum of four signs may be posted to advertise a sale, none of which signs may be posted more than five days prior to the first date of the sale; all such signs must be removed within 48 hours after the last date of the sale stated on the permit"* can be removed and add in **"Signs shall be permitted as authorized in the Zoning Ordinance."**
Also to be removed, *"The signs shall bear the name of the licensee, the person to whom the permit was issued, the exact street address of the sale and the date or dates of the sale as listed on the permit. The form and composition of the signs shall be established by the Borough and no other signs shall be permitted or used. Penalties for non-removal of signs within 48 hours shall be set from time to time by resolution of the Borough Council. In addition, fees for the posting of signs shall be set form in Chapter 19, Signs and Billboards"*. **Keep (or add) "Fees will be set by resolution of the Borough Council". Also to be listed in the ZO, letter d)** will list "Yard, garage & tag sale" and a **maximum of four (4) signs**". **Letter g)** will be revised to "Business promotion signs & auction signs advertising the temporary sale of products, goods, services."
 - c) Montgomery County Model Sign Ordinance—
 - i. Michelle is working her way through reviewing this & suggested adding a definition for **"Abandoned Signs"** to Red Lion's ZO, as currently, there is none. The definition listed states "A sign which have not identified or advertised a current business, service, owner, product, or activity for a period of at least 180 days (off-premises signs) and 360 days (on-premises signs). We don't need to

have that length of time, but Michelle believes a timeframe is a good idea & to also include the definition. Atty. Craley said we need to determine the difference between abandonment vs. non-use. He's always taken the position that a sign is either an accessory structure or part of the structure, and if the main structure is torn down, the non-conforming sign should not remain. The other issue is, we need to ensure we don't impede any type of historical designation of a building. Currently, Red Lion's ZO Section 27:409(9) addresses "termination of enterprise" and states "Upon termination or abandonment of a commercial or industrial use, all signs pertaining to and identifying the enterprise must be removed." The language in this section could be expanded. The torn awnings at Zarfoss' Furniture & Anstine's Sweet Stop were discussed & how they were to be addressed.

Most Committee members didn't think it necessary to add the Abandoned Sign definition. Per our ZO, Atty. Craley stated we only get into abandonment when dealing with non-conforming uses. If it's a permitted use, it's not abandoned even if it sits vacant for 5-10 years. The **sign** may be non-conforming if it's larger than allowed, but careful consideration should be given with this. We could include verbiage in a "Maintenance Section" that the sign should leave when/if the business leaves, or at the very least, that sign maintenance is required.

- ii. Another area Michelle noted was "Incidental Signs", defined as "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." Some of these types have already been included in "Directional Signs".
 - iii. "Incidental Window Signs" is defined as "Signs displayed in the window displaying information such as the business' 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." This wouldn't be considered part of a business' sign.
 - iv. Another interesting thing this Ordinance included was "**how to calculate a 3D sign**" and Michelle thought this would be helpful to add to Red Lion's.
- d) Continuing with the review of Spring Garden Township's Sign Ordinance, "Portable Signs" was discussed. These will be considered as Red Lion's Ordinance defines them with a maximum size of 24sq.ft. No permit is required for these. Sidewalk Signs (A-frame, sandwich boards) should be included in Portable Signs, size TBD.

4. **Other Committee business**—Of note, Borough Council took action on two candidates for the Zoning Hearing Board—Sonya Holloway & David McCabe. Resolution appointing David McCabe was denied.
5. **Adjournment**—Ms. Nidam made a motion to adjourn @ 8:25pm; Mr. Heim seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary