

**MINUTES
YORK COUNTY PLANNING COMMISSION**

Regular Meeting
York Hall, 301 Main Street
March 13, 2013

MEMBERS

Christopher A. Abel
Alexander T. Hamilton
Melissa S. Magowan
Todd H. Mathes
Timothy D. McCulloch
Richard M. Myer, Jr.
Mark B. Suiter

CALL TO ORDER

Chair Richard M. Myer, Jr. called the meeting to order at 7:00 PM.

REMARKS

Chair Myer stated that the Code of Virginia requires local governments to have a Planning Commission, the purpose of which is to advise the Board of Supervisors on land use and planning issues affecting the County. The responsibility is exercised through recommendations conveyed by resolutions or other official means and all are matters of public record. He indicated that the Commission is comprised of citizen volunteers, appointed by the Board, representing each voting district and two at-large members.

ROLL CALL

The roll was called and all members were present.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Chair Myer led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Hamilton moved to adopt the minutes of the regular meeting of February 13, 2013, and the motion was approved (7:0).

CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARINGS

Application No. ZT-140-13, York County Board of Supervisors: Consider amendments to the following sections of the York County Zoning Ordinance (Chapter 24.1):

- **377(h), Yorktown Historic District – Standards and Guidelines for Review:** amend Section III, Signs, of the Yorktown Design Guidelines, incorporated as part of the Zoning Ordinance by reference, to: add a reference to Sidewalk Signs; increase the size allowances for wall-mounted

signs in the Waterfront sub-area from the current 5-square foot limit to an area not exceeding 1-square foot per foot of building width; expand allowable wall sign placement options; and, add weather-resistant composite materials to the list of allowable sign fabrication materials.

- **701, Sign classifications:** add definition of Sidewalk Sign.
- **702, Temporary signs:** add language to clarify that each tenant space with its own individual exterior entrance is eligible for a temporary building-mounted sign/banner while free-standing temporary signs/banners are limited to one per street frontage.
- **704.1, Sidewalk signs (new section):** add provisions to authorize the use of movable Sidewalk Signs (A-frame, sandwich board, pedestal, etc.), not exceeding 6-square feet in area, within 30 feet of the main customer/client entrance to a business.

Mark Carter, Assistant County Administrator, summarized the staff report to the Commission dated March 5, 2013, in which staff recommends that the Commission forward the application to the Board of Supervisors with a recommendation for approval of the proposed amendments set forth in proposed Resolution No. PC13-3.

Mr. Hamilton asked if requiring 30 feet between signs could result in there not being enough space to accommodate all the businesses in a mixed use project with only 15 feet of business frontage or less.

Mr. Carter responded that the sidewalk signs are placed according to each business entrance and that the 30-foot spacing would only come into play when two businesses share the same common entrance. He noted that most mixed use projects are designed with an individual entrance for each business.

Mr. Hamilton asked if there could be fifteen banners posted at the same time in a shopping center with fifteen businesses.

Mr. Carter responded that the possibility exists, but he noted that the banner allowance has been in effect for almost a year and a half and has not been utilized by as many businesses and to the extent that he thought it would be.

Mr. Abel asked if new businesses are permitted to have an additional 60 days for hanging temporary signs and banners.

Mr. Carter responded that businesses have 60 days for hanging temporary signs and banners related to a new business opening or a going out of business sale.

Ms. Magowan asked if the banners in question are the lightweight plastic that are typically tied to the building.

Mr. Carter said the signs could be made from a piece of plywood, for example, and the banners are normally a flexible plastic fabric.

Ms. Magowan asked who takes care of the banners if they become loose from the building and fly away.

Mr. Carter said the business owner who hangs the banner is responsible for maintaining the banner.

Ms. Magowan asked if there is a chance that the banners could be hanging all around the shopping center.

Mr. Carter said a free-standing banner can be a maximum of 6 feet tall and 40 square feet in area, but only one would be allowed per street frontage. He added that if the banner is tied to the building the banner can be as high as the face of the building.

Mr. Suiter asked if businesses need a permit to hang a banner.

Mr. Carter said the signs and banners have to go through zoning review but do not require a building permit.

Mr. Suiter asked if the businesses have to present a drawing to the zoning administrator in order to obtain a permit for hanging the banner.

Mr. Carter said businesses receive a permit from the zoning compliance office affirming that the sign or banner meets the requirements and can be posted.

Mr. Suiter asked if businesses go through the zoning review process in order to hang a sign or banner.

Mr. Carter responded that they do.

Mr. Suiter asked if existing sidewalk signs are all considered grandfathered or if they are unauthorized signs.

Mr. Carter responded the existing sidewalk signs are unauthorized.

Chair Myer asked where businesses submit permit requests for sign.

Mr. Carter said they would submit to the Zoning and Code Enforcement office, which is located on Goodwin Neck Road in the Environmental and Development Services department. He also said there is more information being assembled explaining the signage process and a sign brochure published by the Economic Development Office is in the process of being amended.

Chair Myer said there needs to be clear information regarding the process, especially for small businesses.

Mr. Hamilton asked if there are lighting standards regarding signage and banners in historic Yorktown.

Mr. Carter said all new signage in Yorktown is reviewed by the Historic Yorktown Design Committee and that this review would include lights and the colors of the sign.

Chair Myer opened the public hearing.

Mr. Earl Joyner, 1722 Back Creek Road, Seaford, spoke as the President of the York County Chamber of Commerce. He said the Chamber supports the proposed signage amendments and feels they will be a great improvement to York County by helping businesses advertise and guiding visitors into the businesses to spend money.

Mr. James Noel, Director of Economic Development for York County, said there are businesses in Riverwalk Landing that tourists do not even realize are shops and that added sidewalk signage should help all the businesses. He stated he is very pleased that the scope of the proposed signage regulations has been expanded to apply to all businesses, and not just those in Yorktown. He also applauded the Planning staff for addressing the temporary banner situation for shopping centers.

There being no one else wishing to speak, **Chair Myer** closed the public hearing.

Mr. Hamilton asked if businesses along the water would still be able to put a sidewalk sign on the street.

Mr. Carter said the sidewalk sign has to be within 15 feet of the business's entrance.

Mr. Hamilton said the signage amendments seem to be common sense and he supports the application.

Mr. Abel said he has conflicting thoughts regarding the signage amendments. He said in one respect temporary banners should help equalize opportunities for identifying and advertising businesses in a common setting; but he does not like the possibility of a banner hanging up for six months. **Mr. Abel** also stated that he works in downtown Norfolk and sidewalk signs are everywhere, some of which are tacky and shabby. He hopes the marketplace will take care of crafting the signage to make it more creative instead of tacky. He said he supports the application.

Mr. McCulloch, Mr. Mathes, and Ms. Magowan expressed support for the proposed amendments.

Mr. Suiter asked if businesses could have large display tables of products on the sidewalk.

Mr. Carter said display tables are not regulated but that display areas are required to be within 10 feet of the business building.

Mr. Suiter said he has seen a business that had huge tables covered with plants taking up 90% of the sidewalk in front of the business and he asked if this would be considered a temporary sign.

Mr. Carter said no permit would be required if the display is close to the front of the building or if the display was set up in the parking lot as long as the display does not occupy required parking space.

Mr. Suiter said he supports the application.

Chair Myer said there are provisions for allowable space and movement for persons with disabilities. He also said attractive signage would assist in drawing in more business to Riverwalk Landing.

Mr. Hamilton moved adoption of Resolution No. PC13-3.

A RESOLUTION TO RECOMMEND APPROVAL OF APPLICATION NO. ZT-140-13
TO AMEND VARIOUS SECTIONS OF THE YORK COUNTY ZONING ORDINANCE
(CHAPTER 24.1, YORK COUNTY CODE) PERTAINING TO SIGNS

WHEREAS, Application No. ZT-140-13 has been sponsored by the Board of Supervisors to allow consideration of various amendments to the signage requirements set forth in the York County Zoning Ordinance; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 13th day of March, 2013, that Application No. ZT-140-13 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to amend the York County Zoning Ordinance (Chapter 24.1, York County Code) to incorporate the following amendments:

Yorktown Design Guidelines – as referenced in Section 24.1-377 (Yorktown Historic District)

III. Signs

A. Residential Signs

1. Signs for residential buildings shall be limited to those that provide identification of the residence by street number/name, family name, and/or building or property name.
2. Signs should be appropriate to the scale and design character of the residence and should not adopt thematic designs.
3. Residential identification signs shall not exceed one (1) square foot in size.
4. In addition to the standard residential identification sign, Bed and Breakfast and Tourist Home establishments accessory to a single family residential use may be identified by a separate free-standing or building mounted identification sign not exceeding four (4) square feet in area.

B. Commercial Signs

Commercial signs should be used primarily to identify a business rather than to advertise products or services. Commercial signs should be designed to be compatible in style with the building(s) to which it refers and should not adopt thematic designs.

1. Appropriate Sign Types/Sizes

a. Types

(1) *Pivotal* buildings

Single-post, freestanding signs

(2) *Contributing* buildings and *new* construction

(a) Wall signs—attached to the exterior wall

(b) Hanging signs—hung from a metal bracket or porch lintel, if compatible with the design of the building and porch

(c) Elevated freestanding signs (single- or double-post)

(3) Portable signs, even for temporary use, shall not be used within the district, except for sidewalk signs as allowed by the terms of Article VII of the Zoning Ordinance.

b. Size

Historic Core:

- (1) Freestanding: maximum size – nine (9) square feet (per sign face, if two sided sign)
- (2) Hanging: maximum size – six (6) square feet (per sign face, if two-sided)
- (3) Wall-mounted: maximum size – five (5) square feet

Waterfront:

- (1) Freestanding: maximum size – nine (9) square feet (per sign face, if two-sided sign)
- (2) Hanging: maximum size – six (6) square feet (per sign face, if two sided)
- (3) Wall-mounted: maximum area for all wall signs not to exceed 1.0 square foot per foot of principal building width measured on the primary façade(s) of the structure or 50 square feet, whichever is less. Primary façade(s) shall be those which are parallel to a public street frontage, to a public pedestrian way, or to the York River. No structure shall be considered to have more than two (2) primary façades for the purposes of maximum sign area calculations.

2. Location

- a. Signs should not be attached directly to the walls or features of *pivotal* buildings in order to avoid damaging historic materials. For such structures, freestanding signs are more appropriate unless the building fronts directly on the sidewalk or street, in which case a building mounted sign could be appropriate also.
- b. Wall signs should be located adjacent to the entry door or on an appropriate façade or gable end. Buildings with multiple commercial tenants should have a directory sign with all tenants listed.
- c. Hanging signs should be attached to the underside of the porch roof or lintel, parallel to the front of the building, or from a bracket perpendicular to the face of the building or a porch column. Hanging signs should not be located higher than the top of the porch.
- d. No sign shall be mounted on or from the roof of a structure. Signs may be attached or applied to fabric awnings and umbrellas with approval on a case-by-case basis.

- e. Freestanding signs should be located within twenty (20) feet of the front property line, with the sign panel either parallel or perpendicular to the street.

3. Design, Shape and Materials

- a. Sign design should be compatible with the character of the building and simple in background, colors, lettering, and mounting structure. The building should remain the dominant feature, not the sign.
- b. A horizontal layout should be used for hanging signs. Signs hung over porch stairs or entrances should have a minimum clearance of seven feet six inches (7'-6").
- c. A single-post design should be used for elevated freestanding signs. The post should be of painted wood, five (5) feet to seven (7) feet high, and of simple design, in character with traditional features such as fence posts, lampposts, and hitching posts. The sign should be of painted wood, hung from a simple wooden cross-arm or decorative metal bracket or centered on the top of the post. Sign panels should be double-sided if they are oriented perpendicular to the street. Wood signs, which are partially or entirely sand-blasted or burned, are not appropriate. The maximum allowable height shall be ten (10) feet.
- d. Signs should be constructed of appropriate but durable materials, such as:
 - (1) marine-grade exterior plywood or weather-resistant composite materials, with banded or sealed edges, and all elements primed and painted
 - (2) brass or bronze sign panels attached to front façade, fence, or wall
 - (3) painted iron or pressure-treated wood posts for freestanding posts.

4. Colors and Lettering

- a. Sign colors should be compatible with the principal color of the building, wall or fence to which they are attached or adjacent. Colors should be selected from the Yorktown Color Palette, as defined in Appendix 3, Glossary. Other colors may be considered on a case-by-case basis.
- b. Not more than three colors should be used on any one sign.
- c. Metal posts and hardware used for supporting or attaching signs should be painted black or other dark color.
- d. Lettering should be:
 - (1) easy to read in terms of size and style
 - (2) appropriate to the character of the property and its use

5. **Lighting**

- a. Signs with internal illumination shall not be permitted.
- b. Freestanding, wall, and hanging signs may be illuminated by external light sources either directly focused on the sign or through indirect illumination by other site lighting. The specific fixtures and intensity of any external illumination focused on the sign shall be evaluated on a case-by-case basis. In any event, the bulbs shall be concealed by landscaping shields or other appropriate means.

ARTICLE VII. SIGNS

Sec. 24.1-700. Applicability.

No sign shall be erected, altered, expanded, reconstructed, replaced or relocated on any property except in conformance with the provisions of this article and all other applicable ordinances and regulations of the county. Repainting or refacing an existing sign or making minor non-structural repairs shall not require a permit.

Sec. 24.1-701. Sign classifications.

Signs, as defined in article I, shall be classified according to one or more of the following definitions:

Advertising sign. A sign which directs attention to a business, profession, product, service, activity or entertainment which is not conducted, sold or offered on the premises upon which such sign is located.

Banner. A piece of cloth, plastic or other flexible material on which words, letters, figures, colors, designs or symbols are inscribed or affixed for the purposes of advertisement, identification, display or direction and which is suspended for display, typically from buildings or poles.

Community identification sign. A permanent sign which identifies the name of a subdivision, apartment complex, condominium or other type of residential or nonresidential development or neighborhood but not containing separate information pertaining to the builder, developer or financier associated with such property; however, signs identifying rental properties may specify the name of the management firm.

Construction sign. A temporary sign which identifies facilities being actively constructed or altered, the anticipated sale, lease or rental of those facilities, or the identity of the persons or firms engaged in the promotion, financing, design, construction or alteration of such facilities.

External illumination. Illumination by floodlights, spotlights or other sources which are focused directly on the face of the sign.

Free-standing sign. A sign, supported by one or more columns, uprights or braces, in or upon the ground, and not attached to any building. Free-standing signs include, but are not limited to, pole signs, monument signs, and signs attached to a flat surface such as a fence or wall not a part of a building.

Monument sign. A type of free-standing sign, other than a pole sign, with sides parallel to or nearly parallel to each other, with the supporting structure as wide as or wider than the sign face itself, and with the entire supporting structure in contact with the ground or within twelve inches (12") of the ground.

Identification sign. An on-premises sign which indicates the name, nature, logo, trademark, commodity, entertainment or service sold, offered or manufactured on the premises, and/or other pertinent information about a building, business, development or establishment on the premises.

Internal illumination. Illumination by a light source which is concealed or contained within the sign itself and which shines through a translucent surface.

Marquee or canopy sign. A sign which is painted on, attached to, or hung from a marquee or canopy which projects from and is totally or partially supported by a building.

Off-Premises directional sign. A sign which is not located on the same premises as the use to which it refers and which is intended to provide information as to the identity and location of a use, but which does not otherwise qualify as an advertising sign.

Off-Premises directional open house sign. A temporary sign which is intended to provide information on the location of a real estate open house, and which is not located on the same premises as the dwelling unit to which it refers. Such signs shall not contain any reference to any individual or firm.

On-Premises directional sign. A sign which is intended to provide directional information for the premises on which it is located. Such sign may pertain to traffic movement, pedestrian movement, parking or loading space, or similar types of information, but shall not consist of advertising matter.

Pennants. Pieces of cloth, plastic or flexible material, generally triangular or rectangular in shape, and which typically are strung together in a series on lines which are hung from poles, between buildings or in other arrangements for the purpose of decoration or attracting attention.

Political sign. A temporary sign which pertains to an issue of public concern or to an issue or candidate in a pending election.

Portable sign. Any sign not permanently attached to a structure or permanently mounted in the ground which can be transported to other locations. Portable signs shall include, but not be limited to, signs which are trailer-mounted or otherwise designed to be relocated, or are constructed on a chassis or carriage with permanent or removable wheels.

Projecting sign. A sign which is attached perpendicularly, or nearly perpendicularly, to a building wall or roof line and which extends from such wall or roof line not more than forty-eight inches (48").

Realty sign. A temporary sign which advertises the sale, lease, rental or display of the lot or building upon which such sign is displayed.

Roof sign. A sign which is an integral part of the building design and is attached to, painted on, or supported by the roof of a building.

Sidewalk sign. A type of portable sign that is self-supporting and which is placed on a sidewalk or pedestrian walkway as a temporary means of identification or advertising for an adjacent business during its business hours, and is not affixed to the ground or any surface. Sidewalk signs may be of the sort generically known as A-frame, sandwich board, stand, or pedestal signs.

Temporary sign. A sign, banner, poster, or advertising display constructed of cloth, plastic, sheet-metal, cardboard, wallboard, plywood or other like materials, intended to be displayed for a limited period of time, and not permanently attached to a building or the ground.

Sec. 24.1-704. Temporary signs.

The zoning administrator, upon application, may issue permits for the following temporary signs and banners. Such signs shall not count against the normal sign area allowances for the property on which located. All temporary signs and banners shall be subject to the setback and sight-triangle clearance standards applicable to permanent signs. Freestanding temporary signs and banners shall be limited to one (1) per street frontage per individual parcel; building mounted temporary banners shall be limited to one per business establishment/tenant space with its own individual exterior entrance:

- (a) Banners or other temporary signs not exceeding forty (40) square feet in area, which promote a special civic, cultural or religious event such as a fair, exposition, play, concert or meeting sponsored by a governmental, charitable, not-for-profit or religious organization. The duration of such permit shall not exceed thirty (30) days.
- (aa) Banners or other temporary signs not exceeding forty (40) square feet in area which identify and are associated with a temporary business activity involving the sale of seasonal commodities as permitted pursuant to sections 24.1.-306 and 24.1-440 of this chapter and which may be displayed for the duration of the seasonal commodities sales operation.
- (b) Banners or temporary signs not exceeding forty (40) square feet in area, and six (6) feet in height if freestanding, when used in conjunction with the opening of a new business or an establishment going out of business in any commercial or industrial district or a legally existing nonconforming business in any other district. The duration of such permit shall not exceed sixty (60) days and only one such sign, either freestanding or building mounted, shall be permitted. "Grand-Opening" temporary signage shall be permitted only within the one-year period after the actual business opening occurs. The completion of a major interior or exterior remodeling or a change in ownership for a pre-existing business shall be deemed eligible for temporary "grand-opening" banners within the one-year period after the renovation or ownership change.
- (bb) In addition to the above, businesses may install a temporary banners or ~~free-standing signs~~, not exceeding forty (40) square feet in area, and six (6) feet in height if freestanding, for the following purposes:
 - (1) announcing employment opportunities (e.g., "Now Hiring" or "Help Wanted");
 - (2) announcing "Now Enrolling" in the case of a childcare or daycare center;
 - (3) announcing a sales event such as a "Clearance Sale" or "Truckload Sale", an anniversary of the business operation (e.g., "25th Year in Business"), or other business-related messages, including those that refer to a specific item, product or brand that is offered by the business;
 - (4) identifying/advertising a temporary business activity as permitted under Section 24.1-306 – Category 8 – Temporary Uses.

Such temporary signs or banners must be on the site of such business. Only one (1) building-mounted or one (1) freestanding such sign shall be permitted per street frontage ~~and the maximum allowable size shall be forty (40) square feet and six (6) feet in height, if freestanding.~~ Such sign may be displayed for a maximum period of 120 days in any single 12-month period ~~calendar year.~~ The 120-days maximum display allowance may be used as 120 consecutive days or may be broken into as many as six (6) separate time periods during the course of a 12-month period ~~calendar year.~~ The permit application for such sign shall specify the time period(s) during which the sign will be displayed.

In the case of a property occupied by a building or buildings with multiple tenant spaces (e.g., a strip shopping center), each business establishment/tenant space with its own individual exterior entrance shall be eligible for its own temporary building-mounted sign or banner, which shall be subject to the 120-days per 12-month period allowance. The property also shall be eligible for one (1) freestanding temporary sign or banner per street frontage, provided however that such freestanding sign may not be displayed at any time during which building-mounted signs or banners allowed by this subsection are being displayed by businesses within the center.

- (c) Temporary portable signs, not exceeding thirty-two (32) square feet in area or one (1) per parcel, which are intended to identify or display information pertaining to an establishment for which permanent free-standing signage is on order as evidenced by presentation of a copy of an executed order form for such permanent signage to the Zoning Administrator. Such permit shall expire and the portable sign shall be removed upon erection of the permanent sign or 120 days whichever shall occur first. In addition, temporary banners or sign sleeves, neither of which exceed normal sign area allowances, may be used when permanent signage is on order, as evidenced in the manner described above or when in the opinion of the zoning administrator other temporary business circumstances, such as relocation due to fire or disaster, warrant such use and the size of the temporary banner/sleeve does not exceed normally permitted sign area allowances. Such signage may be authorized for terms of up to 120 days, and may be renewed for good cause shown.
- (d) Temporary signs and banners when used to announce the grand opening and initiation of sales or leasing of lots and/or dwelling units within a newly developing residential project having at least ten (10) lots or units. The cumulative area of all such signs and banners erected for any single residential project shall not exceed forty (40) square feet. Signs and banners shall not be illuminated. The duration of such permit shall not exceed 120 days.
- (e) Temporary signs and banners when used to announce special events such as new home shows being conducted within a residential subdivision or development. The cumulative area of all such signs and banners erected for any single event shall not exceed forty (40) square feet. Signs and banners shall not be illuminated. Such signs shall not be erected more than fourteen (14) days prior to the event and shall be removed within seven (7) days following the closing of the event; provided, however, that no sign or banner shall be permitted to remain in place for any event for more than thirty (30) days between the first appearance and its removal.
- (f) With the approval of the Virginia Department of Transportation, the zoning administrator may authorize banners to be suspended above a public road right-of-way for a period not to exceed seven (7) days or the duration of the event being announced or promoted plus three (3) days, whichever shall be greater.
- (g) Political headquarters signs in commercial and industrial districts which are in addition to the signs otherwise permitted on the subject property and which do not exceed thirty-two (32) square feet

may be erected not earlier than sixty (60) days prior to the election, canvass, or primary to which such signs pertain and shall be removed within seven (7) days following the election, canvass or primary.

(Ord. No. O98-18, 10/7/98; Ord. No. 01-20(R), 10/16/01; Ord. No. 03-42(R), 12/2/03; Ord. No. 08-17(R), 3/17/09; Ord. No. 10-24, 12/21/10)

Sec. 24.1-704.1. Sidewalk signs.

The zoning administrator, upon application, may issue permits for sidewalk signs subject to the following standards and conditions. Such signs shall not count against the normal sign area allowances for the property on which located.

- (a) One non-illuminated sidewalk sign is allowed per business establishment having an exterior customer/client entrance. In the event a structure houses multiple businesses sharing a common customer entrance, two sidewalk signs may be authorized provided that the two signs are no closer than 30 feet to one another. Nothing shall prevent the identification of more than one of the businesses located on the premises on a single sign.
- (b) The placement of sidewalk signs shall be limited to a location within fifteen feet (15') of the front (i.e., between the imaginary extension of the side walls of the building) of the establishment to which it refers and not more than thirty feet (30') from the main customer/client entrance of the establishment.
- (c) Sign area shall not exceed 6 square feet (e.g., each face of a double-sided or A-frame sign). Maximum height shall be 4 feet. Maximum width shall be 2'6".
- (d) Sidewalk signs shall be constructed of durable materials, sufficient to withstand inclement weather, as well as color fading due to sunlight. Sidewalk signs shall not be constructed of -glass.
- (e) The sign face may include permanent/ixed copy (e.g., painted on the surface) and changeable copy. Acceptable materials for changeable copy sidewalk signs may include chalk, dry-erase, removable letters, or other similar types of boards on which the messages can be easily and frequently changed.
- (f) The sign shall be of sufficient weight to prevent it from becoming a hazard in windy conditions or from being overturned by contact. Weights, if required, must be incorporated into the sign design and construction. The use of sandbags, bricks or similar items to add weight to the sign is not allowed.
- (g) No temporary posters, letters, flyers, balloons, pennants, flags, or other attention-getting devices may be attached to the sign. Mobile or moving sign copy or sign parts shall not be permitted.
- (h) The sign placement shall not prevent the sidewalk from being accessible as required by the Americans with Disabilities Act, nor shall it cause the unobstructed, clear-path of the walkway to be less than four feet (4') in width.
- (i) No sign shall be located within or closer than two feet (2') from curbs, driveways, parking lots or any other vehicular circulation or parking surfaces. No such sign shall be located in conflict with sight distance / sight triangle standards.
- (j) No such sign shall be permitted within a public road right-of-way.

- (k) The sign must be removed from the sidewalk or display location during times when the identified business establishment is closed. Storage during non-business hours shall be indoors.
- (l) When such sign is to be located on a sidewalk or walkway not under the sole control of the business owner, such as on a walkway within the common area of a multi-tenant shopping center or retail complex, the application for approval shall be accompanied by documentation indicating that the sidewalk owner has approved the use, design and placement of the sign.

Yea: (7) Abel, McCulloch, Magowan, Suiter, Mathes, Myer, Hamilton

Nay: (0)

OLD BUSINESS

Chair Myer said the second draft of the updated Comprehensive Plan had been emailed to the Commissioners by staff. He noted that staff has made a number of changes to the Plan based on the Commissioners' comments at the February 27 work session. He asked Mr. Cross about the project schedule.

Mr. Timothy Cross, Principal Planner, responded that the Commission can vote on the Comprehensive Plan at the April or May meeting depending on any additional changes the Commissioners have.

Chair Myer said it would probably take the Commissioners a couple of weeks to review the changes in the draft document, and he asked the Commissioners if they felt a need for another work session after their reviews have been completed.

Mr. Mathes said an additional work session to go over the review made sense.

Mr. Hamilton asked if the work session would be before or after the regular Planning Commission meeting in April.

Chair Myer responded that it would probably be after the April meeting.

Mr. Suiter said he could be ready to vote on the Comprehensive Plan at the April Planning Commission meeting but that if the other Commissioners felt the need for an additional work session he would be agreeable to having one.

Ms. Magowan asked what the purpose of the additional work session would be and if the Commissioners should bring recommended changes to the work session to discuss or send them to the staff and then review them at the work session.

Chair Myer said the purpose of the work session would be review the draft and make sure that previous comments have been adequately incorporated into the document and to determine if there are any other critical comments that need to be discussed before the Plan is determined to be final.

Chair Myer asked **Mr. Cross** to send out an email to coordinate everyone's schedule to determine a date for the work session.

Mr. Carter asked **Mr. Cross** to explain how citizens can access the draft Plan on the website.

Mr. Cross said the updated draft of the Comprehensive Plan is located on the Planning Division website at www.yorkcounty.gov/planning and that people can click on "Comprehensive Plan" on the left side of the screen and click once more to view the draft document.

NEW BUSINESS

Chair Myer said there was no new business.

STAFF REPORTS

Mr. Carter referred to the Development Activity Report dated March 13, 2013. He stated there would be two applications for the April meeting: an assisted living facility in a residential setting and a home occupation. He stated that both applications are in the upper County.

COMMITTEE REPORTS

There were no committee reports.

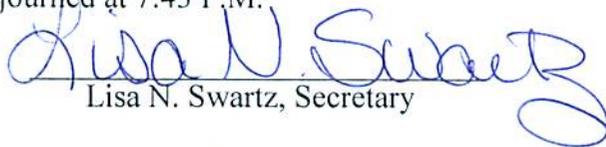
COMMISSION REPORTS AND REQUESTS

There were no Commission reports and requests.

ADJOURN

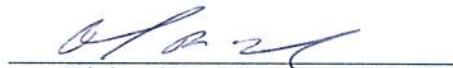
The meeting was adjourned at 7:43 P.M.

SUBMITTED:



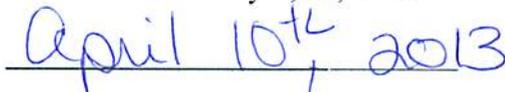
Lisa N. Swartz, Secretary

APPROVED:



Richard M. Myer, Jr., Chair

DATE:



April 10th, 2013