

**KENNETT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 238

AN ORDINANCE OF THE TOWNSHIP OF KENNETT, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE SIGN PROVISIONS OF THE KENNETT TOWNSHIP ZONING ORDINANCE, TO REMOVE CERTAIN ANNUAL INSPECTION PROVISIONS, TO AMEND THE DEFINITION OF “BILLBOARD”; TO ADD A DEFINITION OF “CHANGEABLE COPY”, TO AMEND CERTAIN PROVISIONS FOR SIGNS PERMITTED BY ZONING DISTRICT, TO ADD PROVISIONS REGULATING TEMPORARY SIGNS GIVING NOTICE OF THE SALE OR RENTAL OF REAL PROPERTY; TO ADD NEW REGULATIONS GOVERNING BILLBOARDS, AND TO PROVIDE FOR STANDARDS FOR SIGNS LOCATED ALONG SCENIC BYWAYS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Supervisors has enacted the Kennett Township Zoning Ordinance which contains, *inter alia*, provisions governing signs, as codified at Chapter 240, Article XXI, of the Code of Ordinances of Kennett Township; and

WHEREAS, the Board of Supervisors desires to update the provisions of Article XXI of Chapter 240 governing signs, in order to bring the Kennett Township Zoning Ordinance into compliance with recent trends in the outdoor advertising business while preserving the generally rural and residential nature of Kennett Township; and

WHEREAS, the Board of Supervisors has determined that revising the current sign regulations is in the best interests of the health, safety and welfare of the residents of Kennett Township;

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Board of Supervisors of Kennett Township, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

- I. Chapter 240, “Zoning”, Article XXI, “Signs”, of the Kennett Township Code of Ordinances, is amended as follows:
 - A. **Section 240-2102.G.** is hereby amended to remove the requirement for an annual inspection, and shall read as follows:

“G. After installation, the Zoning Officer shall inspect the sign to ensure that the installation conforms to the regulations set forth in this Article.”
 - B. The definition of “Billboard” in **Section 240-2103** is hereby amended to read as follows:

“BILLBOARD - A type of off-premises sign, or part thereof, which is displayed outdoors or is visible from a public roadway and is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, location or political or ideological position or to express a point of view by any means, including words, letters, figures, designs, symbols, pictures, images, colors, or illuminations. Each substantially different face of a billboard structure shall constitute a separate billboard.”

- C. Section **240-2103** is amended to add a definition of “Changeable Copy” in alphabetical order, as follows:

“CHANGEABLE COPY- Copy containing or displaying letters, numbers, or graphics, which is designed to be readily changed, either manually, electronically, or through mechanical means.”

- D. Section **240-2108.A.(1)(b)** is hereby deleted in its entirety.

- E. Section **240-2108.A.(2)(b)[1]** is hereby amended to read as follows:

“[1] One wall, ground, or freestanding sign per street frontage identifying the above uses, and containing no advertisement, shall be permitted.”

- F. Section **240-2108.B.(1)** is hereby amended to read as follows:

“(1) For residential uses in the SA, V-1, and V-2 Districts, the standards of §240-2108(2)(b)[1] of this Article shall apply.”

- G. Section **240-2108.C.(2)** is hereby amended to add a new subsection (b) as follows:

“(b) Temporary signs giving notice of the sale or rental of the property on which the sign is located, provided that such sign does not exceed nine (9) square feet in area, and is removed within 72 hours of the completion of settlement of a sale or upon signing of a lease of rental.”

- H. Existing sections **240-2108.C.(2)(b)** through **(d)** are hereby re-lettered as **(c)** through **(e)**.

- I. Existing Section **240-2108.C.(2)(e)** is re-lettered as **(f)**, and amended to add a new subsection **[6]** as follows:

“[6] Off-premises signs shall not contain changeable copy.”

- J. Section **240-2108.C.(2)** is amended to add a new subsection (g) as follows:

“(g) Requirements for Billboards:

[1] Billboards shall only be permitted by conditional use pursuant to Section 240-2509 of this Chapter in the BP – Business Park District, along an “expressway” or a “major arterial road” as those terms are defined on Map 15-1 of the Kennett Township Comprehensive Plan dated _____, and shall be setback no less than 25 feet from the legal right-of-way of such expressway or major arterial road.

[2] No billboard shall have an area greater than Three Hundred (300) square feet. Only one (1) billboard shall be permitted on each billboard structure. Only one (1) billboard shall be permitted per individual tax parcel.

[3] Multi-sided billboards are prohibited, *i.e.*, no more than one side of a billboard structure shall have any message or advertisement set forth thereon.

[4] The face of any billboard on which any message or advertisement appears shall be oriented and maintained at an angle of not less than 45-degrees to the legal right-of-way line of the expressway or major arterial road, and shall face oncoming traffic on the side of the roadway on which the billboard is located.

[5] The top of any billboard shall not be greater than twenty-five feet (25') above the grade of the roadway, measured from the closest point of the cartway parallel to the center point of the billboard. A minimum ground clearance of ten feet (10') shall be required, measured from the grade on which the property is located.

[6] No billboard shall be erected or located within One Thousand Five Hundred feet (1,500') of an existing billboard structure on either side of the roadway.

[7] No billboard shall be located within One Thousand feet (1,000') of a residential zoning district.

[8] No billboard shall contain changeable copy.

[9] Lighting:

[a] Billboards shall be externally lit only.

[b] Lighting shall comply with the recommended practices and criteria contained in the Illuminating Engineering Society of North America (IESNA)'s most up-to-date Lighting Handbook, including but not limited to, criteria for full-cutoff fixtures. Fixtures shall be

equipped with or be capable of being back fitted with light directing devices such as shields, visors or hoods when necessary to redirect offending light distribution. All lighting shall be aimed, located, designed, fitted, and maintained so as not to project or reflect onto a neighboring use, property, roadway, or nearby intersecting road.

[c] Billboards or component parts thereof that flash, blink, move, rotate, oscillate, or turn on and off intermittently, or which outline the billboard by illuminated tubing, strings of light, or other means, are prohibited.

K. A new **Section 240-2111** is hereby added as follows:

“2111. Standards for Signs on Scenic Byways.

On any road designated as a scenic byway, the following standards shall apply:

A. Sign Dimensions and Siting.

- (1) The area of a sign mounted on a wall shall be no greater than 8 square feet.
- (2) The area of a freestanding sign shall be no greater than 28 feet for each sign face and no greater than an aggregate of 34 square feet for each business. Freestanding signs shall not exceed 8 feet in height, although the upright support can extend an additional 2 feet in height.
- (3) The area of an awning sign shall not exceed 20% of the area of the awning.
- (4) Signs placed on a window surface or viewable through a window from the exterior shall not occupy more than 20% of the area of the displaying window.
- (5) Illuminated window signs are not permitted.
- (6) Wall signs shall not project beyond the wall to which they are mounted.
- (7) Roof signs are not permitted.

B. Sign Colors

- (1) Colors used for a sign shall generally match or complement either the background or the trim color of the structure on which it is mounted or for which it is erected. The final determination of whether a color generally matches or complements the background or trim color shall be made by the Zoning Officer.
- (2) No more than 3 colors shall be used for any single sign.
- (3) If more than one sign is erected, the colors on all signs shall be coordinated with each other to present a unified image. The final determination of compliance with this subsection (B.) shall be made by the Zoning Officer.

C. Lighting

- (1) Back-lighted or internally lighted signs are not permitted.
- (2) Up-lighting is not permitted for the illumination of signs.
- (3) All sign lights must be full-cutoff, downward-facing lights.
- (4) Fixtures must shield the light source from view of any roadway.

D. Materials

- (1) All signs shall be constructed of durable materials. Painted wooden signs are generally more appropriate.
- (2) Other materials may be used if their design is compatible with the architecture of the building and character of the structure. The final determination of whether a material is compatible with the architecture of the building and character of the structure shall be made by the Zoning Officer.
- (3) Plastic signs are not permitted.
- (4) Temporary banner signs are not permitted. Lawn signs are not permitted, unless otherwise permitted by the Pennsylvania and/or United States Constitutions.

E. Existing Signs

- (1) Non-compliant signs existing at the time of the enactment of this amendment are nonconforming until such time that the existing sign is abandoned or replaced.
- (2) Any lighting of existing signs shall be made to comply with these standards when such lighting fixture is replaced.”

II. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

III. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the Kennett Township Zoning Ordinance or Code of Ordinances.

IV. This Ordinance shall be effective five (5) days following its legal enactment.

ENACTED and **ORDAINED** this 15th day of July, 2015.

ATTEST:

**BOARD OF SUPERVISORS OF
KENNETT TOWNSHIP**

Lisa M. Moore, Manager/Secretary

Scudder G. Stevens, Chairman

Dr. Richard L. Leff, Vice-Chairman

Robert A. Hammaker, Member