

Ordinance No.: 17-42
Zoning Text Amendment No.: 13-09
Concerning: Noticing Signs - Local
Map Amendments
Draft No. & Date: 1 – 9/19/13
Introduced: October 1, 2013
Public Hearing: November 12, 2013
Adopted: November 26, 2013
Effective: November 27, 2013

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- generally amend the provision for signs required to notice residents of local map amendment applications

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 59-H-4.
Section 59-H-4.23.

“Public Hearing.”
“Posting of property-Local map amendments.”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate that text is deleted from existing law by original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

OPINION

Zoning Text Amendment (ZTA) 13-09, sponsored by Councilmember Floreen, was introduced on October 1, 2013.

The Hearing Examiner requested this amendment due to the weight of signs constructed from metal, wood, or masonite. The excessive weight of these signs (typically 23 pounds for a plywood sign) is a burden to applicants and to staff. The Board of Appeals changed from wood signs to reusable corrugated plastic signs (typically 3 pounds) more than five years ago. The Council has not received complaints concerning the legibility or the durability of the signs used by the Board of Appeals. The Board of Appeals received a few complaints about windblown signs, but these complaints were addressed in a timely manner.

The Council held a public hearing on November 12, 2013. No speakers testified at the hearing. In written testimony, both the Planning Board and the Planning Staff had no objection to ZTA 13-09.

On November 18, 2013, the Planning, Housing, and Economic Development Committee recommended approval of ZTA 13-09 as submitted.

The District Council reviewed Zoning Text Amendment No. 13-09 at a worksession held on November 26, 2013 and agreed with the recommendations of the Planning, Housing, and Economic Development Committee.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 13-09 will be approved as introduced.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. Division 59-H-4 is amended as follows:**

2 **DIVISION 59-H-4. PUBLIC HEARING.**

3 * * *

4 59-H-4.23. Posting of property-Local map amendments.

5 (a) Posting of property generally. The applicant shall erect a sign on the land
6 proposed to be reclassified within 3 days after acceptance for filing of an
7 application for a local map amendment. The contents of the sign shall be as
8 approved by the district council and furnished by the hearing examiner. The
9 sign shall contain information related to the nature of the proceeding, the
10 existing zoning, the requested zoning, the area of the property, and a phone
11 number to call for further information. The bottom of the sign [shall] must
12 be not less than 2 ½ feet from the ground. The sign [shall] must be of [metal,
13 wood or masonite] a durable material, [shall] must have a height and width
14 of not less than 2 and 3 feet, respectively, and [shall] must bear conspicuous
15 lettering in black on a yellow or white background.

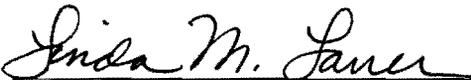
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17 **Sec. 2. Effective date.** This ordinance takes effect 1 day after the date of
18 Council adoption.

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20 This is a correct copy of Council action.

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23 Linda M. Lauer, Clerk of the Council