

Ordinance No.: 19-19
Zoning Text Amendment No.: 21-01
Concerning: Sign Ordinance – Bus
Shelter Advertising
Draft No. & Date: 2 – 6/16/2021
Introduced: March 2, 2021
Public Hearing: April 6, 2021
Adopted: July 27, 2021
Effective: July 27, 2021

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

Sponsor: Council President at the request of the County Executive

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Exempt from the sign ordinance bus shelter advertising installed under a license with the County

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

Division 6.7. “Signs”
Section 6.7.3. “Exempt Signs”

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 text that 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) 21-01, lead sponsor Council President Hucker at the request of the County Executive, was introduced on March 2, 2021.

Until 2019, Montgomery County was party to a franchise agreement that provided both bus shelter advertising and bus shelter maintenance. That franchise agreement has lapsed, and the County is now pursuing a new franchise agreement. The County Executive believes it would be beneficial for the County to enter into a licensing arrangement with a vendor for the advertising space on bus shelters and have the maintenance contracted out under a separate agreement.

Under the current Zoning Ordinance, a bus shelter sign with an approved franchise agreement does not require a permit. ZTA 21-01 would allow a bus shelter sign under a licensing agreement to also be exempt from a permit.

In its report to the Council, the Montgomery County Planning Board and Planning Staff recommended approval of ZTA 21-01. The Planning Board recommended a minor formatting amendment.

The Council's public hearing was conducted on April 6, 2021. There were no speakers.

The Council referred the text amendment to the Planning, Housing, and Economic Development (PHED) Committee for review and recommendation. The PHED Committee held a worksession on June 23, 2021. The PHED Committee unanimously recommended approval of ZTA 21-01 with the amendment proposed by the Planning Board.

The Council agreed with the recommendation of the 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. 21-01 will be approved as amended.

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 6.7 is amended as follows:**

2 **Division 6.7. Signs**

3 * * *

4 **Section 6.7.3. Exempt Signs**

5 The following signs are exempt from Division 6.7:

6 A. A sign on private property does not require a permit when the area of the
7 sign is 2 square feet or less, and:

- 8 1. the sign is on private property customarily associated with residential
9 living or decoration.
- 10 2. the sign is part of a mailbox or newspaper tube and satisfies
11 government regulations.
- 12 3. the sign is a warning to the public about trespass, danger, or safety
13 considerations.

14 B. A sign does not require a permit when it is legally affixed to a bus shelter or
15 transit center information kiosk and is either:

- 16 1. under an approved franchise agreement[,] or a license agreement with
17 the County[[,]]; or
- 18 2. located in a public parking structure and not visible beyond the
19 property line[[, does not require a permit]].

20 * * *

21 **Sec. ~~[[3]]~~2. Effective date.** This ordinance becomes effective immediately
22 upon Council adoption.

23

24 This is a correct copy of Council action.

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26  _____

27 Selena Mendy Singleton, Esq.

28 Clerk of the Council