

Committee: PHED

Committee Review: At a future date **Staff:** Livhu Ndou, Legislative Attorney

Purpose: To introduce agenda item – no vote expected

Keywords: #Signs

AGENDA ITEM #14D June 14, 2022 Introduction

SUBJECT

Zoning Text Amendment (ZTA) 22-05, Signs

Lead Sponsor: Councilmember Albornoz at the request of the County Executive

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A

DESCRIPTION/ISSUE

ZTA 22-05 is a rewrite of the sign provisions of the Zoning Ordinance.

SUMMARY OF KEY DISCUSSION POINTS

- ZTA 22-05 makes significant changes to the Signs section of the Zoning Ordinance.
- These changes include: removing certain definitions; removing the prohibition on off-site signs; adding provisions for signs in the public-right-of way; adding provisions for temporary signs; and other revisions meant to streamline this section of the zoning ordinance.
- The intent of this rewrite is to streamline business development and growth in the County consistent with the Speed-to-Market Initiative; preserve the value of property and strengthen community ambiance and character; and promote the compatibility of signs with the surrounding land uses.
- A public hearing is tentatively scheduled for July 26, 2022.

This report contains:

ZTA 22-05 © 1
County Executive transmittal © 30

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Ordinance No.:

Zoning Text Amendment No.: 22-05

Concerning: Signs

Draft No. & Date: $1 - \frac{5}{31}/2022$

Introduced: June 14, 2022

Public Hearing:

Adopted: Effective:

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

Lead Sponsor: Council President Albornoz at the request of the County Executive

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- regulate the size, location, height, and construction of all signs placed for public view; and
- generally amend the provisions regulating signs.

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

Division 1.4	"Defined Terms"
Section 1.4.2	"Specific Terms and Phrases Defined"
Division 6.7	"Signs"
Section 6.7.1	"Intent"
Section 6.7.2	"Applicability"
Section 6.7.3	"Exempt Signs"
Section 6.7.4	"Prohibited Signs"
Section 6.7.5	"Measurements"
Section 6.7.6	"Permanent Signs, General"
Section 6.7.7	"Agricultural and Rural Residential Zones"
Section 6.7.8	"Residential Zones"
Section 6.7.9	"Commercial/Residential, Employment, and Industrial Zones"
Section 6.7.10	"Urban Renewal Areas"
Section 6.7.11	"Limited Duration Signs"
Section 6.7.12	"Temporary Signs"

EXPLANATION: Boldface indicates a Heading or a defined term.

<u>Underlining</u> 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.

<u>Double underlining</u> 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.

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:

Sec. 1. Division 59-1.4 is amended as follows:

- 2 Section 1.4.2 Specific Terms and Phrases Defined
- 3 * * *
- 4 [Sign, Limited Duration: A non-permanent sign that is:
- 1. displayed on private property for more than 30 days, but not intended to be displayed for an indefinite period; or
- 7 2. within the public right-of-way.]
- 8 [Sign, Location: A sign which portrays a logo, symbol, name, or address to
- 9 identify the location of the building or use.]
- 10 [Sign, Off-site: A sign that identifies a location, person, entity, product, business,
- message, or activity that is not connected with a use that is lawfully occurring on
- the property where the sign is located.]
- 13 **Signs, Permanent:** A sign, requiring a permit from DPS, that is constructed in a
- manner and of materials that will withstand long-term display and is intended to be
- displayed for an indefinite period of time.
- Sign, Portable: A sign installed on a support or structure that permits removal or
- 17 relocation of the sign by pulling, carrying, rolling, or driving, such as a sign with
- wheels; a menu or sandwich board sign; an inflatable sign; an umbrella, but not a
- canopy sign, may be a [temporary sign] Temporary Sign or a limited duration
- sign,] but not a Permanent Sign. A portable sign includes a sign attached or painted
- on a vehicle parked and visible from the public right-of-way[,] unless it is a
- 22 currently licensed and registered vehicle used in the daily operation of the
- business. A portable sign does not include a sign on any light or heavy commercial
- vehicle[,] which is operated within the public right-of-way.
- 25 * * *
- Sec. 2. Division 59-6.7 is amended as follows:

Section 6.7.1. Intent

27

- Division 6.7 regulates the size, location, height, and construction of all signs
- 29 placed for public view. The requirements are intended to [preserve the value of
- 30 property; to preserve and strengthen community ambiance and character; and,
- 31 where applicable, to implement the recommendations of an urban renewal plan
- adopted under Chapter 56. It is the intent of Division 6.7 to <u>protect the health</u>
- safety, and welfare of the community through the following objectives:
- A. [encourage] Encourage the effective use of signs;
- B. [maintain] Maintain and enhance the aesthetic environment of the County[while avoiding visual clutter];
- C. [promote] <u>Promote</u> the use of signs to identify buildings and geographic areas;
- D. [improve] Improve pedestrian, [and] vehicle, and bicycle traffic safety;
- E. [promote] Promote the compatibility of signs with the surrounding land uses;
- F. [promote] <u>Promote</u> the economic development and marketing of businesses [located within an approved urban renewal area];
- G. [provide] Provide increased flexibility in the number, size, location, design, and operating characteristics of signs[for optional method development in an approved urban renewal area]; and
- H. [implement] Implement the recommendations of [an]approved [urban renewal plan]master plans and design guidelines.

Section 6.7.2. Applicability

49

A. A property owner must obtain a permit under Division 6.7 before a sign is constructed, erected, moved, enlarged, illuminated, or substantially altered, except for signs covered by Section 6.7.3,

53		Exempt Signs[, Section 6.7.11, Limited Duration signs, and
54		Section 6.7.12, Temporary Signs].
55	* * *	
56	Section 6.7	7.3. Exempt Signs
57	The follow:	ing signs are exempt from Division 6.7:
58	<u>A.</u>	Small Private Signs
59	[A.] <i>A</i>	A sign on private property does not require a permit when the area of the
60	sign	is 2 square feet or less, and:
61		1. the sign is on private property customarily associated with
62		residential living or decoration[.]; or
63		2. the sign is part of a mailbox or newspaper tube and satisfies
64		government regulations.
65		[3. the sign is a warning to the public about trespass, danger, or
66		safety considerations.]
67	[B.	A sign does not require a permit when it is legally affixed to a bus
68		shelter or transit center information kiosk and is either:
69		1. under an approved franchise agreement or a license agreement
70		with the County; or
71		2. located in a public parking structure and not visible beyond the
72		property line.]
73	<u>B.</u>	Public Signs
74		Signs installed or authorized by the County, a municipality, a public
75		utility, or a public agency.
76	[C.	The following signs do not require a permit and are exempt from the
77		size, placement, and number requirements of Division 6.7, but must
78		satisfy the prohibitions in Section 6.7.4, Prohibited Signs:]
79	C.	Other Signs

80		Any of the following signs unless prohibited under Section 6.7.4,					
81		Prohibited Signs:					
82		1. A sign that is not visible beyond the property lines of the					
83		property where the sign is located[.];					
84		[2. A sign erected by, or on the order of, a public officer or utility					
85		official and used by a government agency or utility company in					
86		the performance of its official duties such as controlling traffic,					
87		identifying streets, warning of danger or providing					
88		information.]					
89		[3]2. A sign required to be displayed by law or regulation[.];					
90		[4]3. A flag that is displayed on a flagpole[.];					
91		[5]4. A sign that is cut into the masonry surface or constructed of					
92		bronze or other durable material and made an integral part of					
93		the structure such as a cornerstone, memorial, plaque, or					
94		historical marker[.]; or					
95		[6]5. A sign that is an integral part of a dispensing mechanism, such					
96		as a beverage machine, newspaper rack, or gasoline pump.					
97		[7. An adornment or seasonal decoration.]					
98	[D.	A sign or inflatable device that is located in an urban renewal area that					
99		is located in an arts and entertainment district; promotes an					
100		entertainment event conducted by an entity located within the urban					
101		renewal area of an arts and entertainment district; is erected for a					
102		maximum of 30 days; and includes more than 1,500 square feet of					
103		surface area, is exempt from the following:					
104		1. The prohibition on animal forms in Section 6.7.4, Prohibited					
105		Signs;					
106		2. The size, height and area limitations in Division 6.7;					

107		3.	The prohibition on roof signs in Section 6.7.4, Prohibited Signs;
108			and
109		4.	The prohibition on signs in the public right-of-way in
110			Section 6.7.4, Prohibited Signs, if constructed 20 feet or more
111			above the public right-of-way.]
112	Section 6.7	7.4. Pro	ohibited Signs
113	A sign not	authori	zed in Division 6.7 is prohibited. [Except for a sign that is not
114	visible beyo	ond the	e property lines of the property where the sign is located, the <u>]The</u>
115	following s	igns ar	re specifically prohibited and must not be erected or retained[.],
116	and [The]t	<u>he</u> Sigi	n Review Board must not grant a variance permitting their
117	erection, in	stallati	on, or maintenance. A prohibited sign must be removed within
118	24 hours af	ter not	ification by DPS that the sign must be removed.
119	A.	Obso	eene Sign
120		A sig	an containing [obscene]statements, words, or depictions that [are
121		const	crued to Joffend public morals or decency and are unprotected by
122		the F	irst Amendment to the United States Constitution is prohibited.
123	[B.	Roof	Sign
124		Unle	ss approved as part of a sign concept plan for an optional method
125		deve	lopment project located in an urban renewal area or in a red
126		polic	y area as identified by the most recent Subdivision Staging
127		Polic	y, a sign painted on the roof of a building or supported by poles,
128		uprig	thts, or braces extending from or attached to the roof of a
129		build	ing, or projected above the roof of a building, is prohibited. A
130		wall	sign is not a roof sign, and for the purposes of Division 6.7 a roof
131		surfa	ce constructed at an angle of within 15 degrees of vertical is
132		regar	ded as wall space. Screening that encloses equipment such as a

heating, ventilating and air conditioning unit, an elevator shaft, and 133 stairs located on a roof also are considered wall space.] 134 [C.]B. Obstructive Sign 135 A sign placed in a location that obstructs the view of traffic signs, 136 traffic signals, oncoming traffic, pedestrians, or in any way interferes 137 with the placement or function of any traffic control device as 138 determined by the appropriate transportation jurisdiction is prohibited. 139 [D.]C. Unsafe Sign 140 A sign [determined by DPS to create]creating a safety hazard due to 141 structural or electrical conditions, or by reason of inadequate 142 maintenance, must be repaired to meet safety requirements or 143 144 removed within 30 days after notice of the unsafe condition. E. Moved by the Wind 145 Unless approved as part of a sign concept plan for an optional method 146 147 development project located in an urban renewal area, placing a sign 148 in the form of a banner, pennant, streamer, ribbon, spinner, balloon, string of lights, or other device that will move in the wind or be 149 moved manually on a lot or parcel is prohibited, unless the sign 150 satisfies Section 6.7.3, Exempt Signs.] 151 F. Sign in the Public Right-of-Way 152 A sign in the right-of-way is prohibited, except for the following: 153 1. A sign erected by a government agency or utility company in 154 the performance of its public duties. 155 A sign erected by the appropriate transportation jurisdiction in 2. 156 its right-of-way. 157 3. A permanent sign allowed to be located in the public right-of-158 way in Division 6.7, if: 159

160	a. the sign is approved by the Sign Review Board; and
161	b. the appropriate transportation jurisdiction issues a permit
162	after approving the structural adequacy, physical
163	location, sight distance, pedestrian access, and other
164	safety characteristics of the sign.
165	4. A limited duration sign that satisfies Division 6.7.
166	5. A sign approved as part of a sign concept plan for an optional
167	method development project located in an urban renewal area.
168	Section 6.7.4.F does not affect the authority of the appropriate
169	transportation jurisdiction to regulate signs in its right-of-way or the
170	authority of the Department of Transportation to otherwise regulate
171	the right-of-way. The appropriate transportation jurisdiction or DPS
172	may remove any sign in the public right-of-way that is prohibited
173	under Section 6.7.4.F.]
174	[G.] <u>D.</u> Sign Attached to the Property of Others
175	A sign attached to a structure or property such as a fence, wall,
176	antenna, other sign, tree or other vegetation, or to any public structure
177	such as a utility pole, without permission of the owner is prohibited.
178	[H.] <u>E.</u> Abandoned Sign
179	A [permanent sign]Permanent Sign, including the structural supports
180	and electrical connections, that [was legally erected as a location sign,
181	but the building has not been used for 6 months or more, is considered
182	abandoned. A sign for a seasonal use is considered abandoned only if
183	the site remains unused for 12 months <u>Jis not maintained or no longer</u>
184	in use is prohibited.
185	[I. Off-Site Sign
186	An off-site sign is prohibited.]

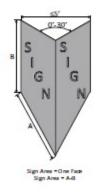
187	<u>F. Trai</u>	fic Safety
188	<u>1.</u>	A sign illuminated in a pattern or lighting combination that
189		resembles a traffic signal; or
190	<u>2.</u>	A sign shaped like a traffic sign or traffic signal, or that uses
191		wording similar to traffic signals, or interferes with traffic
192		safety.
193	Section 6.7.5. Sig	n Concept Plans and Variances
194	A. Gen	<u>erally</u>
195	If not exem	npt under Section 6.7.3, Exempt Signs, the following signs are
196	allowed on	ly when approved as part of a sign concept plan for an optional
197	method dev	velopment project approved by the Sign Review Board. Before
198	approving a	any sign concept plan the Sign Review Board must hold a public
199	hearing on	the sign concept plan after giving the public 30 days' notice and
200	verifying th	nat the applicant has satisfied all applicable variance notice
201	requiremen	<u>tts.</u>
202	<u>1.</u>	Roof Sign
203		A sign painted on the roof of a building or supported by poles,
204		uprights, or braces extending from or attached to the roof of a
205		building or projected above the roof of a building. A wall sign
206		is not a roof sign, and for the purposes of Division 6.7 a roof
207		surface constructed at an angle of within 15 degrees of vertical
208		is regarded as wall space. Screening that encloses equipment
209		such as heating, ventilating and air conditioning unit, an
210		elevator shaft, and stairs located on a roof are also considered
211		wall space.
212	2	Moved by the Wind

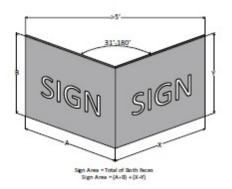
213		A sign in the form of a banner, pennant, streamer, ribbon,
214		spinner, balloon, string of lights, or other device that will move
215		in the wind or be moved manually on a lot or parcel.
216	<u>B.</u>	<u>Variances</u>
217		Except for signs that are prohibited under Section 6.7.4, a Permanent
218		Sign not listed as allowed in a specific zone or that does not satisfy
219		this Division must obtain a variance from the Sign Review Board.
220	Section [6.7	7.5] <u>6.7.6</u> . Measurements
221	The followi	ng standards are used to measure the area of a sign regulated by
222	Division 6.7	7.
223	A.	[Generally]Area
224		The sign area is the entire portion of the sign that can be enclosed
225		within a rectangle. The area includes the extreme limits of the letters,
226		figures, designs, and illumination, together with any material or color
227		forming an integral part of the background of the display or used to
228		differentiate the sign from the backdrop or structure against which it is
229		placed (Figure 1).
		SIGN MESSAGE C-Actual of Signs
		Store Signage
230	D	Uoight
231	<u>B.</u>	Height Liabage of homeign defined in this Division, height is measured from
232		<u>Unless otherwise defined in this Division, height is measured from</u>

grade to the top of the sign.

233

234			[B] <u>C</u>	<u>C</u> . Sup	ports				
235	The structure that supports a sign is excluded from the measurement								
236			of sign area unless the structure is used as an integral part of the						
237		display[.]and the [A] support [having] has a perimeter larger than 4							
238				feet	at the widest point[, is an integral part of the display]. A support				
239				<u>havi</u>	ng a perimeter larger than 4 feet at the widest point is included in				
240				the l	neight and area measurements of the sign.				
241			[C] <u>D</u>	<u>).</u> Mul	tiple Sections				
242	*	*	*						
243			[D] <u>E</u>	<u>.</u> Mul	tiple Planes				
244	*	*	*						
245				2.	Parallel[Faces], Back-to-Back, and Double-Faced				
246	*	*	*						
247				3.	"V" Shaped				
248					The area of a [2 sided]2-sided sign constructed in the form of a				
249					"V" is calculated by the same method as back-to-back [parallel]				
250					faces if the angle of the "V" is less than 30 degrees and the				
251					maximum distance between the sides is 5 feet at any point. If				
252					the angle is equal to or greater than 30 degrees or the distance				
253					between the sides is greater than 5 feet, the sum of all the planes				
254					are used to determine the sign area unless the applicant				
255					demonstrates that only one side of the sign is visible from any				
256					single vantage point outside the property line of the site (Figure				
257					5).				
258			Figure	e 5					

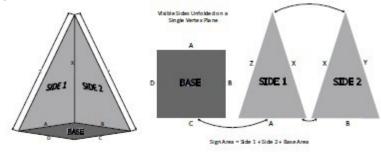




4. 3 Dimensional

Where 3 dimensional signs are used, the area of the sign is the total surface area of the sides <u>that are integral to the sign's information</u> that can be seen from a single vantage point outside the property lines of the site where the sign is located (Figure 6).

Figure 6



Section 6.7.7. Signs in the Public Right-of-Way

A. Permanent Signs

A Permanent Sign in the public right-of-way must be approved and permitted by the County after reviewing the structural adequacy, physical location, sight distance, pedestrian access and other safety characteristics of the sign.

B. Temporary Signs

276	A per	mit is not required for a Temporary Sign placed in the public		
277	right-	of-way subject to the following.		
278	<u>1.</u>	The sign must be constructed in a manner that does not require		
279		a building or electrical permit.		
280	<u>2.</u>	The maximum sign area for each sign is 5 square feet.		
281	<u>3.</u>	A sign must not be placed on a paved section of the right-of-		
282		way, such as a sidewalk, bikeway, driveway apron, emergency		
283		lane, or any part of the roadway.		
284	<u>4.</u>	A sign must be placed a minimum of 25 feet from any		
285		driveway, entrance, or traffic control signal, and a minimum of		
286		5 feet from any other limited duration sign within the public		
287		right-of-way.		
288	<u>5.</u>	A sign must be placed a minimum of 25 feet from a street		
289		intersection.		
290	<u>6.</u>	The nearest edge of a sign must be a minimum of 2 feet from a		
291		curb or, if no curb exists, a minimum of 6 feet from the		
292		pavement edge of the roadway or street.		
293	<u>7.</u>	A sign must not be placed on a median strip or highway divider.		
294	<u>8.</u>	The maximum height of the sign is 30 inches above the ground.		
295	<u>9.</u>	A sign must have its own means of support affixed to the		
296		ground. The sign installer or permit holder is responsible for		
297		satisfying utility restrictions for excavating or driving a support		
298		in the ground.		
299	<u>10.</u>	A sign must be erected only on weekends or National Holidays.		
300	<u>11.</u>	The installer and the sign owner are both responsible for		
301		removing the sign within 24 hours of the same weekend or		

302			National Holiday during which the Temporary Sign was
303			installed.
304		<u>12.</u>	The maximum number of Temporary Signs allowed is 4 per
305			site.
306	Section 6.7	<u> .8. Te</u>	mporary Signs on Private Property
307	<u>A.</u>	Gen	<u>erally</u>
308		A pe	rmit is not required for a Temporary Sign on private property and
309		the n	number of Temporary Signs that may be displayed is not limited.
310		<u>1.</u>	The sign area of a Temporary Sign is determined by the zone in
311			which the sign is placed and is in addition to the area allowed
312			for a Permanent Sign. The sign must otherwise satisfy the
313			standards for a Permanent Sign in the zone.
314		<u>2.</u>	The date of erection of a Temporary Sign must be written in the
315			indelible ink on the lower right corner of the sign. A sign
316			without this information is a permanent sign under Division 6.7.
317	<u>B.</u>	Requ	uirements by Zone
318		The	following requirements apply in the zones specified:
319		<u>1.</u>	Agricultural and Rural Residential Zones
320			The maximum total sign area of each Temporary Sign is 40
321			square feet and the total sign area is 100 square feet.
322		<u>2.</u>	Residential Zones
323			The maximum total sign area is 10 square feet, however, the
324			maximum total sign area at any place of assembly is 50 square
325			<u>feet.</u>
326		<u>3.</u>	Commercial/Residential, Employment, and Industrial
327			Zones

328		<u>a.</u>	The r	maximum sign area of each sign is 50 square feet
329			and tl	he maximum total sign area is 100 square feet.
330		<u>b.</u>	<u>Temp</u>	porary Signs placed in a window must satisfy the
331			follov	wing additional requirements:
332			<u>i.</u>	The maximum total area of temporary window
333				signs is 20% of the window glass area for each
334				side of the building, minus the area of any
335				permanent window signs.
336			<u>ii.</u>	Signs may be placed in any window if they satisfy
337				the general rules of sign placement under Section
338				<u>6.7.6.B.</u>
339			<u>iii.</u>	The sign may be illuminated if it satisfies Section
340				<u>6.7.9.E.</u>
341	Section [6.7.6] <u>6.</u>	<u>7.9</u> . Pe	rmane	ent Signs, In General
342	A [permanent sig	n] <u>Pern</u>	nanent	Sign is [one that is]intended to remain posted
343	indefinitely. [A p	ermit is	requii	red to construct a permanent sign and a building
344	permit or electric	al perm	it may	be required due to the sign's physical
345	characteristics.]			
346	* * *			
347	B. Sign Pl	aceme	nt	
348	1.	A [se	tback i	is measured from the portion of the sign nearest to
349		the p	roperty	line.]sign must comply with the setback and height
350		stand	ards of	f the applicable zone under Sections 6.7.9-6.7.11.
351	<u>I</u> 2.	Heigl	ht is m	easured from the portion of the sign which is
352		vertic	cally th	e farthest from the ground.]
353	[3.	Unles	ss othe	rwise provided in Division 6.7, no portion of a sign
354		may:		

355					a. be erected in a manner that places the top of the sign
356					more than 26 feet above the ground, except for a location
357					sign erected that satisfies Section 6.7.3.D;]
358				[b] <u>2</u> .	A sign must not extend outside the property upon which it is
359					erected, except for properties with no building setback, or
360					satisfying the standards in Section [6.7.9.A.3]6.7.11.A.3 for
361					canopy signs[; and].
362				[c] <u>3.</u>	A sign must not obstruct any building aperture, such as [a]an
363					operable window, door, ventilation opening, or fire prevention
364					device.
365	*	*	*		
366]	D.	Color	r [*]
367				1.	[A sign that contains any color combination]Color
368					combinations that may be confused with a traffic sign or signal
369					[is prohibited] are prohibited.
370				2.	A sign back or non-display side of a sign must be a single
371					[neutral]color where visible from outside the property lines of
372					the site[or DPS must include the sign back or non-display side
373					of the sign as sign area]; otherwise, the sign will be considered
374					double-sided or 3-dimensional.
375]	E.	Illum	nination
376				When	illumination of a sign with an exterior lighting fixture is
377				permi	itted, the applicant must satisfy the following requirements:
378				[1.	An electrical permit must be obtained under Chapter 17;]
379				[2] <u>1</u> .	Sign illumination must[use an enclosed lamp design or indirect
380					lighting] be from a shielded source and be 0.5 foot candles or
381					less at the property line if the subject property abuts a property

382			that is improved with a residential use on the ground floor in
383			any zone or is vacant in [a]an Agricultural, Rural Residential, or
384			Residential zone; and
385		<u>[</u> 3.	A sign illuminated in a pattern or lighting combination that
386			resembles a traffic signal is prohibited;]
387		[4] <u>2</u> .	[A sign illuminated] Sign illumination [by] may not be flashing,
388			revolving, [or]intermittent [lights], or [lights]of changing
389			intensity. [is prohibited; and]
390		[5.	A sign on a lot or parcel within 150 feet of a residential use
391			must be illuminated only during the hours the entity is open for
392			public business, unless the applicant demonstrates that the sign
393			is located so that no adverse impact will affect the residential
394			use.]
395	F.	[Stru	ctural Limitations]Changeable Content
396		[The	applicant for a sign must construct and maintain the sign in a
397		mann	ner that satisfies the following structural requirements:
398		1.	A sign shaped like a traffic sign or traffic signal, or that uses
399			wording similar to traffic signals, or interferes with traffic
400			safety is prohibited.
401		2.	A sign must be a geometric shape; a sign shaped to resemble
402			any human or animal form is prohibited.
403		3.	A sign activated by wind is prohibited.
404		4.	A sign with moving parts is prohibited.
405		5.]A	sign that has characters that are changed manually or
406		electi	ronically must not be changed more than once [each day.]every
407		30 se	conds. This change must be an entire sign change and not fade or
408		pixel	ate in and out. This includes a sign that gives the appearance or

409		illusio	on of n	novement for a written or printed message. A sign that		
410		displa	ays the	number of available parking spaces is exempt from this		
411		requi	requirement.			
412	G.	Histo	ric Pr	eservation Area		
413	[The	applica	ant for	a sign erected in an historic preservation area must		
414	const	ruct an	d maii	ntain the sign in a manner that satisfies the following		
415	criter	ia:				
416		1.	DPS	must verify that the historic site or area is designated in		
417			the M	Iontgomery County Master Plan for Historic Preservation.		
418		2.	DPS	must verify that the applicant has received an historic area		
419			work	permit under the provisions of Chapter 24A before		
420			consi	dering a sign permit application for a sign located on an		
421			histor	ric resource.		
422		3.	DPS	must consider the following information in issuing a sign		
423			perm	it:		
424			a.	Size, shape, color, lettering, and location of the sign; and		
425			b.	Compatibility of the sign with the surrounding property,		
426				other signs in the area, and the historic nature of the		
427				area.]		
428		<u>1.</u>	The a	applicant for a sign erected on a historic resource or in a		
429			<u>histor</u>	ric district must receive a historic area work permit under		
430			the pr	rovisions of Chapter 24A before issuance of a sign permit		
431			by D	PS. DPS must verify that the historic resource or district is		
432			desig	nated in the Montgomery County Master Plan for Historic		
433			Prese	rvation.		
434		<u>2.</u>	A vai	riance may also be required if the sign does not satisfy the		
435			stand	ards of this Division.		

436	[H.	Permanent Sign Standards By Zone		
437		The applicant for a permanent sign not listed as allowed in a specific		
438		zone or that does not satisfy Section 6.7.6 or the applicable zone mus		
439		obtain a variance from the Sign Review Board.]		
440	<u>H.</u>	Service Windows		
441		1. An establishment with a ticket, drive-through, or ordering		
442		window may have no more than two signs per drive-aisle.		
443		2. The area of each sign may not exceed 32 square feet.		
444		3. The height of a freestanding sign may not exceed 6 feet.		
445	Section [6.	7.7]6.7.10. Agricultural and Rural Residential Zones		
446	* * *			
447	B. A	Additional Sign Area		
448		In addition to the 200 square feet of total sign area, an additional		
449		[location] sign is allowed for a lot or parcel larger than 5 acres, if it		
450		meets the following requirements:		
451	* * *			
452	Section [6.	7.8] <u>6.7.11</u> . Residential Zones		
453	* * *			
454	B. A	dditional Sign Area		
455		1. Subdivision and Multi-Unit Development [Location]Sign		
456		Additional sign area is allowed for a [permanent location sign]		
457		Permanent Sign erected at any entrance to a subdivision or		
458		[Multi-Unit]multi-unit development if the sign is a ground sign		
459		or wall sign[located at an entrance to the subdivision or		
460		building].		

461		a.	2 signs are allowed for each entrance. More signs may
462			be allowed by the Planning Board in an approved Site
463			Plan for residential uses under Section 7.3.4.
464		b.	The maximum sign area is 40 square feet per sign.
465			Additional sign area may be allowed by the Planning
466			Board in an approved Site Plan for residential uses under
467			Section 7.3.4.
468		c.	If the driveway entrance to the subdivision or
469			development is located in the right-of-way, a revocable
470			permit issued [jointly]by the [Sign Review Board and
471			the appropriate transportation jurisdiction]County must
472			be obtained to erect the sign.
473		d.	The maximum height of a wall sign is 26 feet.
474		e.	The sign may be illuminated [(see Section 6.7.6.E)] if it
475			satisfies 6.7.9.E.
476		<u>f.</u>	Signs approved by the Planning Board and shown on a
477			certified site plan do not require approval of a sign
478			variance application under Section 7.4.2. The sign details
479			must be shown on the certified site plan including
480			location, height, and area.
481	2.	Place	of Assembly [Location]Sign
482		Addit	ional sign area is allowed for a [permanent location sign]
483		<u>Perma</u>	anent Sign erected at any entrance to or on a building for
484		any p	lace of worship, school, library, museum, or hospital, or
485		any of	ther publicly owned facility. The <u>lif the sign is [must be]</u> a
486		groun	d sign or a wall sign[located at an entrance to the
487		buildi	ng or driveway].

488					a.	2 signs are allowed at each entrance.
489					b.	The maximum sign area is 40 square feet total, not per
490						sign.
491					c.	The minimum setback for a sign is 5 feet from the
492						property line, or, if the driveway entrance to the
493						subdivision is located in the right-of-way, a revocable
494						permit issued [jointly]by [the Sign Review Board and]
495						the appropriate transportation jurisdiction must be
496						obtained to erect the sign.
497					d.	The maximum height of a sign is 26 feet.
498					e.	The sign may be illuminated [(see Section 6.7.6.E)] if it
499						satisfies 6.7.9.E.
500	Se	ctio	n [6.	7.9] <u>6.′</u>	<u>7.12</u> . Co	ommercial/Residential, Employment, and Industrial
501	Zo	nes				
502		1	A.	Base	e Sign A	Area
503	*	*	*			
504				3.	Cano	ppy Sign
505	*	*	*			
506					[d.	A canopy sign that includes only the name of the
507						business, the address or the official logo of the occupant
508						is a location sign.]
509					[e] <u>d</u> .	The sign may be illuminated [(see Section 6.7.6.E)] if it
510						satisfies 6.7.9.E.
511					<u>e.</u>	Canopy signs may be modified and approved by DPS on
512						properties subject to a certified site plan without the need
513						for a site plan amendment and are subject to the
514						provisions of this Division.

515	В.	Additiona	l Sign Area
516		1. [Locati	on] <u>Ground or Wall</u> Sign
517		Additional	sign area is allowed for a [permanent location sign]
518		Permanent	Sign if the sign is a ground sign or flat wall sign. Each sign
519		must meet	the following requirements:
520		a.	One sign may be placed on each face of the building.
521			When a building has 4 or more building faces, a
522			maximum of 4 [location] signs may be installed or
523			constructed on the building.
524		b.	The maximum sign area is 100 square feet for each sign.
525		c.	The location is the same as provided generally for the
526			zone based on the type of sign. A [location]sign erected
527			as a ground sign must satisfy the setback restrictions for a
528			freestanding sign, and a [location]sign erected as a wall
529			sign must satisfy the requirements for a wall sign.
530		d.	A sign may be placed on each face of a building that is 5
531			stories or greater and more than 26 feet from the ground
532			if it is located below the eave or parapet and at least 10
533			feet from the corner of the building.
534		e.	[An entrance] A sign at an entrance that is a freestanding
535			[location] sign must be placed at least 100 feet from
536			another freestanding sign. A wall [location] sign at an
537			entrance must be placed at least 30 feet from another wall
538			sign.
539		f.	The sign may be illuminated [(see Section 6.7.6.E)] if it
540			satisfies 6.7.9.E.
541		2. Free	estanding Sign for Sites Larger than 5 Acres

542		Additional s	sign area is allowed up to a maximum sign area of 200			
543		square feet per sign for a freestanding sign erected at any driveway				
544		entrance to	entrance to an industrial or commercial center that is larger than 5			
545		acres. The s	ign must meet the following requirements:			
546		a.	2 signs per customer entrance are allowed[.];			
547		[b.	The maximum sign area is 200 square feet per sign.]			
548		[c] <u>b</u> .	A sign must be set back at least 1/4 of the distance			
549			required for the building setback for the zone[.];			
550		[d] <u>c</u> .	The maximum height of a sign is 26 feet[.];			
551		[e] <u>d</u> .	Each sign or pair of signs must be placed a minimum of			
552			200 feet from another sign or pair of signs[.]; and			
553		[f] <u>e</u> .	The sign may be illuminated [(see Section 6.7.6.E)] if it			
554			satisfies 6.7.9.E.			
555	[Section 6.7	7.10. Urban l	Renewal Areas			
556	A.	A permanen	at sign located in an approved urban renewal or red policy			
557		area as part	of an optional method development project need not			
558		satisfy the I	Design Elements and Limitations of Division 6.7 where the			
559		Sign Review	w Board approves the sign as part of a sign concept plan;			
560		however, an	y roof sign in a red policy area must not exceed the height			
561		limits of the	property's zone.			
562	B.	Before appr	oving any sign concept plan under Section 6.7.10, the			
563		Sign Review	w Board must hold a public hearing on the sign concept			
564		plan in the u	urban renewal or red policy area after giving 30 days'			
565		notice and v	rerifying that the applicant has satisfied all applicable			
566		variance not	tice requirements.]			
567	[Section 6.7	7.11. Limited	Duration Signs			
568	A.	Permit Req	uirements			

569		1.	A peri	mit is not required for a limited duration sign on private
570			proper	ty. A permit application must be approved for each sign
571			to be p	placed in the public right-of-way.
572		2.	When	a permit is required, a limited duration sign must satisfy
573			the fol	lowing provisions:
574			a.	The sign must be constructed in a manner that does not
575				require a building or electrical permit.
576			b.	Each sign approved by a permit must display and have
577				affixed to the sign information in a format as required by
578				DPS, including the date of expiration of the permit.
579			c.	A permit is issued for one year and may be renewed
580				annually.
581			d.	A limited duration sign is allowed in any zone.
582			e.	A limited duration sign may be relocated upon approval
583				by the DPS.
584	В.	Pern	nit App	lications
585		1.	One si	gn is allowed per permit. An applicant may request up to
586			a max	imum of 4 permits. DPS may consider each business
587			locatio	on as a separate applicant; however the sign placement
588			must r	not create a proliferation of signs in that right-of-way, and
589			the ap	plicant may not have the ability to use a permanent sign
590			in lieu	of a limited duration sign. Multiple signs that are similar
591			will no	ot receive a permit for the same location within the right-
592			of-way	y.
593		2.	An ap	plication for a limited duration sign permit must include:

594			a.	A description of the sign indicating the, size, shape,
595				dimensions, and colors of the sign, and the time and day
596				of the week during which the sign will be displayed;
597			b.	A drawing of the site or a schematic of the area showing
598				the proposed location of the sign in relation to nearby
599				buildings and streets;
600			c.	The number of signs on the site; and
601			d.	Other information required by DPS to confirm the
602				limited duration sign satisfies Division 6.7 and other
603				Sections of the Chapter.
604	C.	Gene	eral R	equirements for Limited Duration Signs on Private
605		Prop	erty.	
606		1.	The	number of signs, area and placement restrictions allowed
607			are t	he same as for a temporary sign in the zone in which the
608			sign	is erected; however, in Residential zones, the maximum
609			sign	area of all limited duration signs on a lot or parcel is 10
610			squa	are feet.
611		2.	A si	gn erected on private property must have the written
612			pern	nission of the property owner.
613	D.	Requ	ıirem	ents for Limited Duration Sign in the Public Right-of-
614		Way		
615		1.	The	maximum sign area for each sign is 5 square feet.
616		2.	A si	gn must not be placed on a paved section of the right-of-
617			way	, such as a sidewalk, bikeway, driveway apron, emergency
618			lane	, or any part of the roadway.
619		3.	A si	gn must be placed a minimum of 50 feet from any
620			driv	eway, entrance, or traffic control signal, and a minimum of

621			5 feet from any other limited duration sign within the public
622			right-of-way.
623		4.	A sign must be placed a minimum of 100 feet from a street
624			intersection.
625		5.	The nearest edge of a sign must be a minimum of 2 feet from a
626			curb or, if no curb exists, a minimum of 6 feet from the edge of
627			the roadway or street.
628		6.	A sign must not be placed on a median strip or highway divider.
629		7.	The maximum height of the sign is 30 inches above the ground.
630		8.	A sign must have its own means of support which is affixed to
631			the ground. The sign installer or permit holder is responsible for
632			satisfying utility restrictions for excavating or driving a support
633			into the ground.
634		9.	A sign must be erected either only on weekends and National
635			Holidays; or for a maximum of 14 consecutive days during any
636			6-month period.]
637	[Section 6.	7.12.	Геmporary Signs
638	A.	Gen	erally
639		A pe	ermit is not required for a temporary sign and the number of
640		temp	porary signs that may be displayed is not limited.
641		1.	The sign area of a temporary sign is determined by the zone in
642			which the sign is placed, and is in addition to the area allowed
643			for a permanent sign or a limited duration sign. All other
644			aspects of the sign, such as location and height, must satisfy the
645			standards for a permanent sign in the zone.
646		2.	The date of erection of a temporary sign must be written in
647			indelible ink on the lower right corner of the sign. A sign

648					with	out this	information is a permanent or limited duration sign
649					unde	r Divis	ion 6.7.
650		B	3.	Requ	uireme	ents by	Zone
651				The	follow	ing req	uirements apply in the zones specified:
652				1.	Agri	cultur	al and Rural Residential Zones
653					The 1	maxim	um sign area of each temporary sign is 40 square
654					feet a	and the	total sign area is 100 square feet.
655				2.	Resi	dential	Zones
656					The 1	maxim	um total sign area is 10 square feet; however, the
657					maxi	mum t	otal sign area at any place of assembly is 50 square
658					feet.		
659				3.	Com	merci	al/Residential, Employment, and Industrial
660					Zone	es	
661					a.	The r	maximum sign area of each sign is 50 square feet
662						and t	he maximum total sign area is 100 square feet.
663					b.	Temp	porary window signs must satisfy the following
664						addit	ional requirements:
665						i.	The maximum total area of temporary window
666							signs is 20% of the window glass area for each
667							side of the building, minus the area of any
668							permanent window signs.
669						ii.	Signs may be placed in any window if they satisfy
670							the general rules of sign placement under
671							Section 6.7.6.B.
672						iii.	The sign may be illuminated.]
673	*	*	*				

674	Sec. 3. Effective date.	This ordinance becomes effective 20 days after the
675	date of Council adoption.	
676		
677		



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

March 21, 2022

TO: Gabe Albornoz, President

Montgomery County Council

FROM: Marc Elrich, County Executive Man 1

SUBJECT: Economic Advisory Group – Speed to Market: Revamping the County Sign

Ordinance

In Spring 2021, I convened a public-private working group comprised of the Montgomery County Department of Permitting Services, the Department of Transportation, the Maryland National Capital Park & Planning Commission, and private industry to revamp the County sign ordinance. This undertaking was part of the Economic Advisory Group's (EAG) "Speed-to-Market" initiative to streamline business development and growth in the County. The goal of updating the sign ordinance is to reflect development and urbanization patterns of the past 30 years.

Under the authority of the County Code §2-42B.(2)(A), the Department of Permitting Services is responsible for the administration and interpretation of zoning law and regulations. The department has proposed a replacement of Chapter 59-6.7 as attached. This is the specific section of the Zoning Ordinance regulating signs.

It is the belief of the Department of Permitting Services and its partners that helped develop the attachment that the revised ordinance serves to benefit the public interest, promotes compatibility with current land use within Montgomery County, and advances economic and business development.

attachments

CLEAN COPY

Ordinance No.:

Zoning Text Amendment No.: 21-xx

Concerning: Signs Draft No. & Date:

Introduced: Public Hearing:

Adopted: Effective:

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

Lead Sponsor: Council President at the request of the County Executive

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- regulate the size, location, height, and construction of all signs placed for public view;
- preserve the value of property and strengthen community ambiance and character; and
- promote the compatibility of signs with the surrounding land uses.

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

Division 1.4	"Defined Terms"
Section 1.4.2	"Specific Terms and Phrases Defined"
Division 6.7	"Signs"
Section 6.7.1	"Intent"
Section 6.7.2	"Applicability"
Section 6.7.3	"Exempt Signs"
Section 6.7.4	"Prohibited Signs"
Section 6.7.5	"Measurements"
Section 6.7.6	"Permanent Signs, General"
Section 6.7.7	"Agricultural and Rural Residential Zones"
Section 6.7.8	"Residential Zones"
Section 6.7.9	"Commercial/Residential, Employment, and Industrial Zones"
Section 6.7.10	"Urban Renewal Areas"
Section 6.7.11	"Limited Duration Signs"
Section 6.7.12	"Temporary Signs"

EXPLANATION: Boldface indicates a Heading or a defined term.

<u>Underlining</u> 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.

<u>Double underlining</u> 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.

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 1.4, Section 1.4.2 and Division 6.7, Sections 6.7.1, 6.7.2,		
2	6.7.3, 6.7.4, 6.7.5, 6.7.6, 6.7.7, 6.7.8, 6.7.9, 6.7.10, 6.7.11, and 6.7.12 are		
3	amended as follows:		
4	* * *		
5	Sign, Portable: A sign installed on a support or structure that permits removal or		
6	relocation of the sign by pulling, carrying, rolling, or driving, such as a sign with		
7	wheels; a menu or sandwich board sign; an inflatable sign; an umbrella, but not a		
8	canopy sign, may be a Temporary Sign or a limited duration sign, but not a		
9	Permanent Sign. A portable sign includes a sign attached or painted on a vehicle		
10	parked and visible from the public right-of-way, unless it is a currently licensed		
11	and registered vehicle used in the daily operation of the business. A portable sign		
12	does not include a sign on any light or heavy commercial vehicle, which is		
13	operated within the public right-of-way.		
14	* * *		
15	Section 6.7.1. Intent		
16	Division 6.7 regulates the size, location, height, and construction of all signs		
17	placed for public view. The requirements are intended to protect the health safety,		
18	and welfare of the community through several objectives:		
19	* * *		
20	B. maintain and enhance the aesthetic environment of the County;		
21	* * *		
22	D. improve pedestrian, vehicle, and bicycle traffic safety;		
23	* * *		
24	F. promote the economic development and marketing of businesses;		
25	G. provide increased flexibility in the number, size, location, design, and		
26	operating characteristics of signs; and		

27	Н.	implement the recommendations of approved master plans and design
28		guidelines.
29	Section 6.7.2. Applicability	
30	A.	A property owner must obtain a permit under Division 6.7 before a
31		sign is constructed, erected, moved, enlarged, illuminated, or
32		substantially altered, except for signs covered by Section 6.7.3,
33		Exempt Signs.
34		* * *
35	Section 6.7	.3. Exempt Signs
36	The following signs are exempt from Division 6.7:	
37	A.	Small Private Signs
38		A sign on private property does not require a permit when the area of
39		the sign is 2 square feet or less, and:
40		1. the sign is on private property customarily associated with
41		residential living or decoration; or
42		2. the sign is part of a mailbox or newspaper tube and satisfies
43		government regulations.
44		* * *
45	В.	Public Signs
46		Signs installed, or authorized, by the County, a municipality, a public
47		utility, or a public agency.
48	C.	Other Signs
49		Any of the following signs unless prohibited under Section 6.7.4,
50		Prohibited Signs:
51		1. a sign that is not visible beyond the property lines of the
52		property where the sign is located;
53		2. a sign required to be displayed by law or regulation;

54		3. a flag that is displayed on a flagpole;
55		4. a sign that is cut into the masonry surface or constructed of
56		bronze or other durable material and made an integral part of
57		the structure such as a cornerstone, memorial, plaque, or
58		historical marker; or
59		5. a sign that is an integral part of a dispensing mechanism, such
60		as a beverage machine, newspaper rack, or gasoline pump.
61	Section 6.7	4. Prohibited Signs
62	A sign not a	uthorized in Division 6.7 is prohibited. The following signs are
63	specifically	prohibited and must not be erected or retained, and the Sign Review
64	Board must	not grant a variance permitting their erection, installation, or
65	maintenance	e. A prohibited sign must be removed within 24 hours after notification
66	by DPS that	the sign must be removed.
67	A.	Obscene Sign
68		A sign containing statements, words, or depictions that offend public
69		morals or decency and are unprotected by the First Amendment to the
70		United States Constitution is prohibited.
71	В.	Obstructive Sign
72		A sign placed in a location that obstructs the view of traffic signs,
73		traffic signals, oncoming traffic, pedestrians, or in any way interferes
74		with the placement or function of any traffic control device as
75		determined by the appropriate transportation jurisdiction is prohibited.
76	C.	Unsafe Sign
77		A sign creating a safety hazard due to structural or electrical
78		conditions, or by reason of inadequate maintenance, must be repaired
79		to meet safety requirements or removed within 30 days after notice of
80		the unsafe condition.

Ordinance No.: 21-xx

D. Sign Attached to the Property of Others

A sign attached to a structure or property such as a fence, wall, antenna, other sign, tree or other vegetation, or to any public structure such as a utility pole, without permission of the owner.

E. Abandoned Sign

A Permanent Sign, including the structural supports and electrical connections, that is not maintained or no longer in use.

F. Traffic Safety

- 1. A sign illuminated in a pattern or lighting combination that resembles a traffic signal; or
- 2. A sign shaped like a traffic sign or traffic signal, or that uses wording similar to traffic signals, or interferes with traffic safety.

Section 6.7.5 Sign Concept Plans and Variances

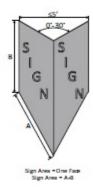
A. If not exempt under Section 6.7.3, Exempt Signs, the following signs are allowed only when approved as part of a sign concept plan for an optional method development project approved by the Sign Review Board. Before approving any sign concept plan the Sign Review Board must hold a public hearing on the sign concept plan after giving the public 30 days' notice and verifying that the applicant has satisfied all applicable variance notice requirements.

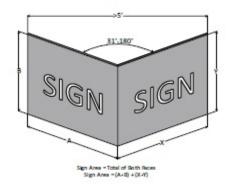
1. Roof Sign

A sign painted on the roof of a building or supported by poles, uprights, or braces extending from or attached to the roof of a building or projected above the roof of a building. A wall sign is not a roof sign, and for the purposes of Division 6.7 a roof surface constructed at an angle of within 15 degrees of vertical

108		is regarded as wall space. Screening that encloses equipment
109		such as heating, ventilating and air conditioning unit, an
110		elevator shaft, and stairs located on a roof also are considered
111		wall space.
112		2. Moved by the Wind
113		A sign in the form of a banner, pennant, streamer, ribbon,
114		spinner, balloon, string of lights, or other device that will move
115		in the wind or be moved manually on a lot or parcel.
116	В.	Variances
117		Except for signs that are prohibited under Section 6.7.4, a Permanent
118		Sign not listed as allowed in a specific zone or that does not satisfy
119		this Division must obtain a variance from the Sign Review Board.
120	Section 6.7	.6. Measurements
121	The following	ing standards are used to measure the area of a sign regulated by
122	Division 6.	7.
123	A.	Area
124		The sign area is the entire portion of the sign that can be enclosed
125		within a rectangle. The area includes the extreme limits of the letters,
126		figures, designs, and illumination, together with any material or color
127		forming an integral part of the background of the display or used to
128		differentiate the sign from the backdrop or structure against which it is
129		placed (Figure 1).
130	В.	Height
131		Unless otherwise defined in this Division, height is measured from
132		grade to the top of the sign.
133	С.	Supports

134		The structure that supports a sign is excluded from the measurement
135		of sign area unless the structure is used as an integral part of the
136		display and the support has a perimeter larger than 4 feet at the widest
137		point. A support having a perimeter larger than 4 feet at the widest
138		point is included in the height and area measurements of the sign.
139	D.	Multiple Sections
140		* * *
141	E.	Multiple Planes
142		* * *
143		2. Parallel, Back-to-Back, and Double-Faced
144		* * *
145		3. "V" Shaped
146		The area of a 2-sided sign constructed in the form of a "V" is
147		calculated by the same method as back-to-back faces if the
148		angle of the "V" is less than 30 degrees and the maximum
149		distance between the sides is 5 feet at any point. If the angle is
150		equal to or greater than 30 degrees or the distance between the
151		sides is greater than 5 feet, the sum of all the planes are used to
152		determine the sign area unless the applicant demonstrates that
153		only one side of the sign is visible from any single vantage
154		point outside the property line of the site (Figure 5).
155	Figure	5

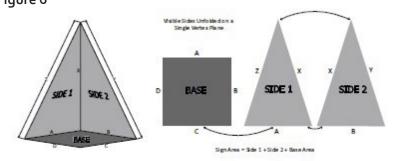




4. 3 Dimensional

Where 3 dimensional signs are used, the area of the sign is the total surface area of the sides that are integral to the sign's information that can be seen from a single vantage point outside the property lines of the site where the sign is located (Figure 6).

163164 Figure 6



Section 6.7.7. Signs in the Public Right-of-Way

A. Permanent Signs

A Permanent Sign in the public right-of-way must be approved and permitted by the County after reviewing the structural adequacy, physical location, sight distance, pedestrian access and other safety characteristics of the sign.

B. Temporary Signs

173	A pe	rmit is not required for a Temporary Sign placed in the public
174	right	-of-way subject to the following.
175	1.	The sign must be constructed in a manner that does not require
176		a building or electrical permit.
177	2.	The maximum sign area for each sign is 5 square feet.
178	3.	A sign must not be placed on a paved section of the right-of-
179		way, such as a sidewalk, bikeway, driveway apron, emergency
180		lane, or any part of the roadway.
181	4.	A sign must be placed a minimum of 25 feet from any
182		driveway, entrance, or traffic control signal, and a minimum of
183		5 feet from any other limited duration sign within the public
184		right-of-way.
185	5.	A sign must be placed a minimum of 25 feet from a street
186		intersection.
187	6.	The nearest edge of a sign must be a minimum of 2 feet from a
188		curb or, if no curb exists, a minimum of 6 feet from the
189		pavement edge of the roadway or street.
190	7.	A sign must not be placed on a median strip or highway divider.
191	8.	The maximum height of the sign is 30 inches above the ground.
192	9.	A sign must have its own means of support affixed to the
193		ground. The sign installer or permit holder is responsible for
194		satisfying utility restrictions for excavating or driving a support
195		in the ground.
196	10.	A sign must be erected either only on weekends or National
197		Holidays.

198		11.	The installer and the sign owner are both responsible for
199			removing the sign within 24 hours of the same weekend or
200			National Holiday the Temporary Sign is installed.
201		12.	The maximum number of Temporary Signs allowed is 4 per
202			site.
203	Section 6.7	.8. Tei	mporary Signs on Private Property
204	A.	Gene	erally
205		A per	rmit is not required for a Temporary Sign on private property and
206		the n	umber of Temporary Signs that may be displayed is not limited.
207		1.	The sign area of a Temporary Sign is determined by the zone in
208			which the sign is placed, and is in addition to the area allowed
209			for a Permanent Sign. The sign must otherwise satisfy the
210			standards for a Permanent Sign in the zone.
211		2.	The date of erection of a Temporary Sign must be written in the
212			indelible ink on the lower right corner of the sign. A sign
213			without this information is a permanent sign under Division 6.7.
214	В.	Requ	nirements by Zone
215		The f	following requirements apply in the zones specified:
216		1.	Agricultural and Rural Residential Zones
217			The maximum total sign area of each Temporary Sign is 40
218			square feet and the total sign area is 100 square feet.
219		2.	Residential Zones
220			The maximum total sign area is 10 square feet, however, the
221			maximum total sign area at any place of assembly is 50 square
222			feet.

223	3.	Com	merci	al/Residential, Employment, and Industrial
224		Zone	es	
225		a.	The 1	maximum sign area of each sign is 50 square feet
226			and t	he maximum total sign area is 100 square feet.
227		b.	Temj	porary Signs placed in a window must satisfy the
228			follo	wing additional requirements:
229			i.	The maximum total area of temporary window
230				signs is 20% of the window glass area for each
231				side of the building, minus the area of any
232				permanent window signs.
233			ii.	Signs may be placed in any window if they satisfy
234				the general rules of sign placement under Section
235				6.7.6.B.
236			iii.	The sign may be illuminated if it satisfies Section
237				6.7.9.E.
238	Section 6.7.9. Per	rmane	nt Sig	ns, In General
239	A Permanent Sign	is into	ended 1	to remain posted indefinitely.
240				* * *
241	B. Sign Pla	aceme	nt	
242	1.	A sig	gn mus	t comply with the setback and height standards of
243		the a	pplical	ole zone under Sections 6.7.9-6.7.11.
244	2.	A sig	gn mus	t not extend outside the property upon which it is
245		erect	ed, exc	cept for properties with no building setback, or
246		satisf	fying tl	he standards in Section 6.7.11.A.3 for canopy signs.

247		3. A sign must not obstruct any building aperture, such as an
248		operable window, door, ventilation opening, or fire prevention
249		device.
250		* * *
251	D.	Color
252		1. Color combinations that may be confused with a traffic sign or
253		signal are prohibited.
254		2. A sign back or non-display side of a sign must be a single color
255		where visible from outside the property lines of the site;
256		otherwise, the sign will be considered double-sided or 3-
257		dimensional.
258	E.	Illumination
259		When illumination of a sign with an exterior lighting fixture is
260		permitted, the applicant must satisfy the following requirements:
261		1. sign illumination must be from a shielded source and be 0.5
262		foot candles or less at the property line if the subject property
263		abuts a property that is improved with a residential use on the
264		ground floor in any zone or is vacant in an Agricultural, Rural
265		Residential, or Residential zone; and
266		2. sign illumination may not be flashing, revolving, intermittent,
267		or of changing intensity.
268	F.	Changeable Content
269		A sign that has characters that are changed manually or electronically
270		must not be changed more than once each 30 seconds. This change
271		must be an entire sign change and not fade or pixelate in and out.
272		This includes a sign that gives the appearance or illusion of movement

273		for a written or printed message. A sign that displays the number of
274		available parking spaces is exempt from this requirement.
275	G.	Historic Preservation Area
276		1. The applicant for a sign erected on a historic resource or in a
277		historic district must receive a historic area work permit under
278		the provisions of Chapter 24A before issuance of a sign permit
279		by DPS. DPS must verify that the historic resource or district is
280		designated in the Montgomery County Master Plan for Historic
281		Preservation.
282		2. A variance may also be required if the sign does not satisfy the
283		standards of this Division.
284	Н.	Service Windows
285		1. An establishment with a ticket, drive-through, or ordering
286		window may have no more than two signs, per drive-aisle.
287		2. The area of each sign may not exceed 32 square feet.
288		3. The height of a freestanding sign may not exceed 6 feet.
289	Section 6.7	.10. Agricultural and Rural Residential Zones
290		* * *
291	B. A	Additional Sign Area
292		In addition to the 200 square feet of total sign area, an additional sign
293		is allowed for a lot or parcel larger than 5 acres, if it meets the
294		following requirements:
295		* * *
296	Section 6.7	.11. Residential Zones
297		* * *
298	B. A	dditional Sign Area
299		1. Subdivision and Multi-Unit Development Sign

300		Addit	ional sign area is allowed for a Permanent Sign erected at
301		any er	ntrance to a subdivision or Multi-Unit development if the
302		sign is	s a ground sign or wall sign.
303		a.	2 signs are allowed for each entrance. More signs may
304			be allowed by the Planning Board in an approved Site
305			Plan for residential uses under Section 7.3.4.
306		b.	The maximum sign area is 40 square feet per sign.
307			Additional sign area may be allowed by the Planning
308			Board in an approved Site Plan for residential uses under
309			Section 7.3.4.
310		c.	If the driveway entrance to the subdivision or
311			development is located in the right-of-way, a revocable
312			permit issued by the County must be obtained to erect the
313			sign.
314		d.	The maximum height of a wall sign is 26 feet.
315		e.	The sign may be illuminated if it satisfies 6.7.9.E.
316		f.	Signs approved by the Planning Board and shown on a
317			certified site plan do not require approval of a sign
318			variance application under Section 7.4.2. The sign details
319			must be shown on the certified site plan including
320			location, height, and area.
321	2.	Place	of Assembly Sign
322		Addit	ional sign area is allowed for a Permanent Sign erected at
323		any en	ntrance to or on a building for any place of worship,
324		schoo	l, library, museum, or hospital if the sign is a ground sign
325		or a w	vall sign.
326			* * *

327			b.	The maximum sign area is 40 square feet total, not per
328				sign.
329			c.	The minimum setback for a sign is 5 feet from the
330				property line, or, if the driveway entrance to the
331				subdivision is located in the right-of-way, a revocable
332				permit issued by the appropriate transportation
333				jurisdiction must be obtained to erect the sign.
334				* * *
335			e.	The sign may be illuminated (see Section 6.7.9.E).
336	Section 6.	7.12. C	omme	rcial/Residential, Employment, and Industrial Zones
337	A.	Base	Sign A	Area
338				* * *
339		3.	Cano	opy Sign
340				* * *
341			d.	The sign may be illuminated if it satisfies 6.7.9.E.
342			e.	Canopy signs may be modified and approved by DPS on
343				properties subject to a Certified Site Plan without the
344				need for a Site Plan Amendment and are subject to the
345				provisions of this Division.
346	В.	Additio	onal Si	ign Area
347		1.	Grou	ınd or Wall Sign
348			Addi	tional sign area is allowed for a Permanent Sign if the sign
349			is a g	round sign or flat wall sign. Each sign must meet the
350			follo	wing requirements:
351			a.	One sign may be placed on each face of the building.
352				When a building has 4 or more building faces, a

353		maximum of 4 signs may be installed or constructed on
354		the building.
355	b.	The maximum sign area is 100 square feet for each sign.
356	c.	The location is the same as provided generally for the
357		zone based on the type of sign. A sign erected as a
358		ground sign must satisfy the setback restrictions for a
359		freestanding sign, and a sign erected as a wall sign must
360		satisfy the requirements for a wall sign.
361	d.	A sign may be placed on each face of a building that is 5
362		stories or greater and more than 26 feet from the ground
363		if it is located below the eave or parapet and at least 10
364		feet from the corner of the building.
365	e.	A sign at an entrance that is a freestanding sign must be
366		placed at least 100 feet from another freestanding sign. A
367		wall [location] sign at an entrance must be placed at least
368		30 feet from another wall sign.
369	f.	The sign may be illuminated (see Section <u>6.7.6</u> .E).
370	2. Free	estanding Sign for Sites Larger than 5 Acres
371	Add	itional sign area is allowed up to a maximum sign area of
372	200	square feet per sign for a freestanding sign erected at any
373	drive	eway entrance to an industrial or commercial center that is
374	large	er than 5 acres. The sign must meet the following
375	requ	irements:
376	a.	2 signs per customer entrance are allowed;
377	b.	a sign must be set back at least 1/4 of the distance required
378		for the building setback for the zone;
379	c.	the maximum height of a sign is 26 feet;

380	d.	each sign or pair of signs must be placed a minimum of
381		200 feet from another sign or pair of signs; and
382	e.	the sign may be illuminated (see Section 6.7.9.E).
383	Sec. 2. Effective	date. This ordinance becomes effective 20 days after the
384	date of Council adoption	1.
385		
386	This is a correct copy of	Council action.
387		
388 389 390	Selena M. Singleton, Es Clerk of the Council	q.
391		
392	APPROVED AS TO FOR	M AND LEGALITY
393	Cliffred & Knyne	The state of the s
394	OFFICE OF COUNTY AT	TORNEY
395	3/2/22	
396	DATE	
397		

MARK UP COPY

Ordinance No.:

Zoning Text Amendment No.: 21-xx

Concerning: Signs Draft No. & Date:

Introduced: Public Hearing:

Adopted: Effective:

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

Lead Sponsor: Council President at the request of the County Executive

_

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- regulate the size, location, height, and construction of all signs placed for public view;
- preserve the value of property and strengthen community ambiance and character; and
- promote the compatibility of signs with the surrounding land uses.

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

Division 1.4	"Defined Terms"
Section 1.4.2	"Specific Terms and Phrases Defined"
Division 6.7	"Signs"
Section 6.7.1	"Intent"
Section 6.7.2	"Applicability"
Section 6.7.3	"Exempt Signs"
Section 6.7.4	"Prohibited Signs"
Section 6.7.5	"Measurements"
Section 6.7.6	"Permanent Signs, General"
Section 6.7.7	"Agricultural and Rural Residential Zones"
Section 6.7.8	"Residential Zones"
Section 6.7.9	"Commercial/Residential, Employment, and Industrial Zones"
Section 6.7.10	"Urban Renewal Areas"
Section 6.7.11	"Limited Duration Signs"
Section 6.7.12	"Temporary Signs"

EXPLANATION: Boldface indicates a Heading or a defined term.

<u>Underlining</u> 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.

<u>Double underlining</u> 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.

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 1.4, Section 1.4.2 and Division 6.7, Sections 6.7.1, 6.7.2,
2	6.7.3, 6.7.4, 6.7.5, 6.7.6, 6.7.7, 6.7.8, 6.7.9, 6.7.10, 6.7.11, and 6.7.12 are
3	amended as follows:
4	* * *
5	[Sign, Limited Duration: A non-permanent sign that is:
6	1. displayed on private property for more than 30 days, but not intended to be
7	displayed for an indefinite period; or
8	2. within the public right-of-way.]
9	[Sign, Location: A sign which portrays a logo, symbol, name, or address to identify
10	the location of the building or use.]
11	* * *
12	[Sign, Off-site: A sign that identifies a location, person, entity, product, business,
13	message, or activity that is not connected with a use that is lawfully occurring on
14	the property where the sign is located.]
15	* * *
16	Sign, Portable: A sign installed on a support or structure that permits removal or
17	relocation of the sign by pulling, carrying, rolling, or driving, such as a sign with
18	wheels; a menu or sandwich board sign; an inflatable sign; an umbrella, but not a
19	canopy sign, may be a [temporary sign] Temporary Sign [or a limited duration
20	sign], but not a Permanent Sign. A portable sign includes a sign attached or painted
21	on a vehicle parked and visible from the public right-of-way, unless it is a currently
22	licensed and registered vehicle used in the daily operation of the business. A
23	portable sign does not include a sign on any light or heavy commercial vehicle,
24	which is operated within the public right-of-way.
25	* * *
26	Section 6.7.1. Intent
27	Division 6.7 regulates the size, location, height, and construction of all signs

28	placed for	public view. The requirements are intended to [preserve the value of
29	property; to	o preserve and strengthen community ambiance and character; and,
30	where appl	icable, to implement the recommendations of an urban renewal plan
31	adopted un	der Chapter 56. It is the intent of Division 6.7 to] <u>protect the health</u>
32	safety, and	welfare of the community through several objectives:
33		* * *
34	B.	maintain and enhance the aesthetic environment of the County [while
35		avoiding visual clutter];
36		* * *
37	D.	improve pedestrian, [and] vehicle, and bicycle traffic safety;
38		* * *
39	F.	promote the economic development and marketing of businesses
40		[located within an approved urban renewal area];
41	G.	provide increased flexibility in the number, size, location, design, and
42		operating characteristics of signs [for optional method development in
43		an approved urban renewal area]; and
44	Н.	implement the recommendations of [an] approved [urban renewal
45		plan] master plans and design guidelines.
46	Section 6.7	7.2. Applicability
47	A.	A property owner must obtain a permit under Division 6.7 before a
48		sign is constructed, erected, moved, enlarged, illuminated, or
49		substantially altered, except for signs covered by Section 6.7.3,
50		Exempt Signs[, Section 6.7.11, Limited Duration signs, and
51		Section 6.7.12, Temporary Signs].
52		* * *
53	Section 6.7	7.3. Exempt Signs
54	The follow	ring signs are exempt from Division 6.7:

55	<u>A.</u>	Small Private Signs
56	[A.]	A sign on private property does not require a permit when the area of
57		the sign is 2 square feet or less, and:
58	1. th	ne sign is on private property customarily associated with residential
59		living or decoration[.]; or
60	2. th	ne sign is part of a mailbox or newspaper tube and satisfies government
61		regulations.
62	[3. t	he sign is a warning to the public about trespass, danger, or safety
63		considerations.]
64		* * *
65	[B.	A sign does not require a permit when it is legally affixed to a bus
66		shelter or transit center information kiosk and is either:
67		1. under an approved franchise agreement or a license agreement
68		with the County; or
69		2. located in a public parking structure and not visible beyond the
70		property line.]
71	<u>B.</u>	Public Signs
72		Signs installed, or authorized, by the County, a municipality, a public
73		utility, or a public agency.
74	[C.	The following signs do not require a permit and are exempt from the
75		size, placement, and number requirements of Division 6.7, but must
76		satisfy the prohibitions in Section 6.7.4, Prohibited Signs:]
77	<u>C.</u>	Other Signs
78		Any of the following signs unless prohibited under Section 6.7.4,
79		Prohibited Signs:
80		1. [A] <u>a</u> sign that is not visible beyond the property lines of the
81		property where the sign is located[.];

82		[2.	A sign erected by, or on the order of, a public officer or utility
83			official and used by a government agency or utility company in
84			the performance of its official duties such as controlling traffic,
85			identifying streets, warning of danger or providing
86			information.]
87		[3] <u>2</u> .	[A] a sign required to be displayed by law or regulation[.];
88		[4] <u>3</u> .	[A] <u>a</u> flag that is displayed on a flagpole[.];
89		[5] <u>4.</u>	[A] <u>a</u> sign that is cut into the masonry surface or constructed of
90			bronze or other durable material and made an integral part of
91			the structure such as a cornerstone, memorial, plaque, or
92			historical marker[.]; or
93		[6] <u>5.</u>	[A] <u>a</u> sign that is an integral part of a dispensing mechanism,
94			such as a beverage machine, newspaper rack, or gasoline pump.
95		[7.	An adornment or seasonal decoration.]
96	[D.	A sig	n or inflatable device that is located in an urban renewal area that
97		is loc	eated in an arts and entertainment district; promotes an
98		enter	tainment event conducted by an entity located within the urban
99		renev	val area of an arts and entertainment district; is erected for a
100		maxi	mum of 30 days; and includes more than 1,500 square feet of
101		surfa	ce area, is exempt from the following:
102		1.	The prohibition on animal forms in Section 6.7.4, Prohibited
103			Signs;
104		2.	The size, height and area limitations in Division 6.7;
105		3.	The prohibition on roof signs in Section 6.7.4, Prohibited Signs;
106			and

4. The prohibition on signs in the public right-of-way in Section 6.7.4, Prohibited Signs, if constructed 20 feet or more above the public right-of-way.]

* *

Section 6.7.4. Prohibited Signs

A sign not authorized in Division 6.7 is prohibited. [Except for a sign that is not visible beyond the property lines of the property where the sign is located, the] <u>The</u> following signs are specifically prohibited and must not be erected or retained[.], <u>and</u> [The] <u>the</u> Sign Review Board must not grant a variance permitting their erection, installation, or maintenance. A prohibited sign must be removed within 24 hours after notification by DPS that the sign must be removed.

A. Obscene Sign

A sign containing [obscene] statements, words, or depictions that [are construed to] offend public morals or decency and are unprotected by the First Amendment to the United States Constitution is prohibited.

[B. Roof Sign

Unless approved as part of a sign concept plan for an optional method development project located in an urban renewal area or in a red policy area as identified by the most recent Subdivision Staging Policy, a sign painted on the roof of a building or supported by poles, uprights, or braces extending from or attached to the roof of a building, or projected above the roof of a building, is prohibited. A wall sign is not a roof sign, and for the purposes of Division 6.7 a roof surface constructed at an angle of within 15 degrees of vertical is regarded as wall space. Screening that encloses equipment such as a heating, ventilating and air conditioning unit, an elevator shaft, and stairs located on a roof also are considered wall space.]

[C.]<u>B.</u> Obstructive Sign

A sign placed in a location that obstructs the view of traffic signs, traffic signals, oncoming traffic, pedestrians, or in any way interferes with the placement or function of any traffic control device as determined by the appropriate transportation jurisdiction is prohibited.

[D.]C. Unsafe Sign

A sign [determined by DPS to create] <u>creating</u> a safety hazard due to structural or electrical conditions, or by reason of inadequate maintenance, must be repaired to meet safety requirements or removed within 30 days after notice of the unsafe condition.

[E. Moved by the Wind

Unless approved as part of a sign concept plan for an optional method development project located in an urban renewal area, placing a sign in the form of a banner, pennant, streamer, ribbon, spinner, balloon, string of lights, or other device that will move in the wind or be moved manually on a lot or parcel is prohibited, unless the sign satisfies Section 6.7.3, Exempt Signs.]

[F. Sign in the Public Right-of-Way

A sign in the right-of-way is prohibited, except for the following:

- 1. A sign erected by a government agency or utility company in the performance of its public duties.
- 2. A sign erected by the appropriate transportation jurisdiction in its right-of-way.
- 3. A permanent sign allowed to be located in the public right-of-way in Division 6.7, if:
 - a. the sign is approved by the Sign Review Board; and

160	b. the appropriate transportation jurisdiction issues a permit
161	after approving the structural adequacy, physical
162	location, sight distance, pedestrian access, and other
163	safety characteristics of the sign.
164	4. A limited duration sign that satisfies Division 6.7.
165	5. A sign approved as part of a sign concept plan for an optional
166	method development project located in an urban renewal area.
167	Section 6.7.4.F does not affect the authority of the appropriate
168	transportation jurisdiction to regulate signs in its right-of-way or the
169	authority of the Department of Transportation to otherwise regulate
170	the right-of-way. The appropriate transportation jurisdiction or DPS
171	may remove any sign in the public right-of-way that is prohibited
172	under Section 6.7.4.F.]
173	[G.] <u>D.</u> Sign Attached to the Property of Others
174	A sign attached to a structure or property such as a fence, wall,
175	antenna, other sign, tree or other vegetation, or to any public structure
176	such as a utility pole, without permission of the owner [is prohibited].
177	[H.] <u>E.</u> Abandoned Sign
178	A [permanent sign] Permanent Sign, including the structural supports
179	and electrical connections, that [was legally erected as a location sign,
180	but the building has not been used for 6 months or more, is considered
181	abandoned. A sign for a seasonal use is considered abandoned only if
182	the site remains unused for 12 months] is not maintained or no longer
183	<u>in use.</u>
184	[I. Off-Site Sign
185	An off-site sign is prohibited.]
186	F. Traffic Safety

187		<u>1.</u>	A sign illuminated in a pattern or lighting combination that
188			resembles a traffic signal; or
189		<u>2.</u>	A sign shaped like a traffic sign or traffic signal, or that uses
190			wording similar to traffic signals, or interferes with traffic
191			safety.
192	Section 6.7	.5 Sig	n Concept Plans and Variances
193	<u>A.</u>	If not	exempt under Section 6.7.3, Exempt Signs, the following signs
194		are al	llowed only when approved as part of a sign concept plan for an
195		optio	nal method development project approved by the Sign Review
196		Board	d. Before approving any sign concept plan the Sign Review
197		Board	d must hold a public hearing on the sign concept plan after giving
198		the p	ublic 30 days' notice and verifying that the applicant has satisfied
199		<u>all</u> ap	plicable variance notice requirements.
200		<u>1.</u>	Roof Sign
201			A sign painted on the roof of a building or supported by poles,
202			uprights, or braces extending from or attached to the roof of a
203			building or projected above the roof of a building. A wall sign
204			is not a roof sign, and for the purposes of Division 6.7 a roof
205			surface constructed at an angle of within 15 degrees of vertical
206			is regarded as wall space. Screening that encloses equipment
207			such as heating, ventilating and air conditioning unit, an
208			elevator shaft, and stairs located on a roof also are considered
209			wall space.
210		<u>2.</u>	Moved by the Wind
211			A sign in the form of a banner, pennant, streamer, ribbon,
212			spinner, balloon, string of lights, or other device that will move
213			in the wind or be moved manually on a lot or parcel.

214	<u>B.</u>	<u>Variances</u>
215		Except for signs that are prohibited under Section 6.7.4, a Permanent
216		Sign not listed as allowed in a specific zone or that does not satisfy
217		this Division must obtain a variance from the Sign Review Board.
218	Section [6.7	[.5] <u>6.7.6</u> . Measurements
219	The following	ng standards are used to measure the area of a sign regulated by
220	Division 6.7	•
221	A.	[Generally] Area
222		The sign area is the entire portion of the sign that can be enclosed
223		within a rectangle. The area includes the extreme limits of the letters,
224		figures, designs, and illumination, together with any material or color
225		forming an integral part of the background of the display or used to
226		differentiate the sign from the backdrop or structure against which it is
227		placed (Figure 1).
228	<u>B.</u>	<u>Height</u>
229		Unless otherwise defined in this Division, height is measured from
230		grade to the top of the sign.
231	[B] <u>C</u> .	Supports
232		The structure that supports a sign is excluded from the measurement
233		of sign area unless the structure is used as an integral part of the
234		display[.] and the [A] support [having] has a perimeter larger than 4
235		feet at the widest point[, is an integral part of the display]. A support
236		having a perimeter larger than 4 feet at the widest point is included in
237		the height and area measurements of the sign.
238	[C] <u>D</u> .	Multiple Sections
239		* * *
240	IDIE	Multiple Planes

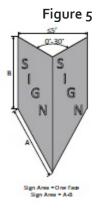
241 * * *

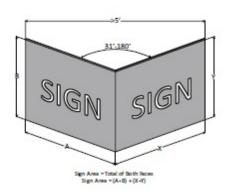
2. Parallel [Faces], <u>Back-to-Back</u>, <u>and Double-Faced</u>

* * *

3. "V" Shaped

The area of a <u>2-sided</u> sign constructed in the form of a "V" is calculated by the same method as <u>back-to-back</u> [parallel] faces if the angle of the "V" is less than 30 degrees and the maximum distance between the sides is 5 feet at any point. If the angle is equal to or greater than 30 degrees or the distance between the sides is greater than 5 feet, the sum of all the planes are used to determine the sign area unless the applicant demonstrates that only one side of the sign is visible from any single vantage point outside the property line of the site (Figure 5).





4. 3 Dimensional

Where 3 dimensional signs are used, the area of the sign is the total surface area of the sides that are integral to the sign's information that can be seen from a single vantage point outside the property lines of the site where the sign is located (Figure 6).

263 Figure 6

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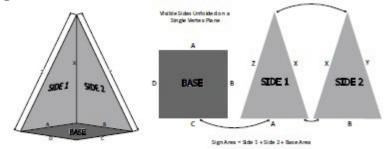
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Section 6.7.7. Signs in the Public Right-of-Way

A. Permanent Signs

A Permanent Sign in the public right-of-way must be approved and permitted by the County after reviewing the structural adequacy, physical location, sight distance, pedestrian access and other safety characteristics of the sign.

B. Temporary Signs

A permit is not required for a Temporary Sign placed in the public right-of-way subject to the following.

- The sign must be constructed in a manner that does not require
 a building or electrical permit.
- 2. The maximum sign area for each sign is 5 square feet.
- 3. A sign must not be placed on a paved section of the right-ofway, such as a sidewalk, bikeway, driveway apron, emergency lane, or any part of the roadway.
- 4. A sign must be placed a minimum of 25 feet from any driveway, entrance, or traffic control signal, and a minimum of 5 feet from any other limited duration sign within the public right-of-way.
- 5. A sign must be placed a minimum of 25 feet from a street intersection.

286		<u>6.</u>	The nearest edge of a sign must be a minimum of 2 feet from a
287			curb or, if no curb exists, a minimum of 6 feet from the
288			pavement edge of the roadway or street.
289		<u>7.</u>	A sign must not be placed on a median strip or highway divider.
290		<u>8.</u>	The maximum height of the sign is 30 inches above the ground.
291		<u>9.</u>	A sign must have its own means of support affixed to the
292			ground. The sign installer or permit holder is responsible for
293			satisfying utility restrictions for excavating or driving a support
294			in the ground.
295		<u>10.</u>	A sign must be erected only on weekends or National Holidays.
296		<u>11.</u>	The installer and the sign owner are both responsible for
297			removing the sign within 24 hours of the same weekend or
298			National Holiday during which the Temporary Sign was
299			installed.
300		<u>12.</u>	The maximum number of Temporary Signs allowed is 4 per
301			site.
302	Section 6.7	<u>.8.</u> <u>Ter</u>	<u>mporary Signs on Private Property</u>
303	A.	Gene	erally
304	<u></u>		rmit is not required for a Temporary Sign on private property and
		_	
305		the n	umber of Temporary Signs that may be displayed is not limited.
306		<u>1.</u>	The sign area of a Temporary Sign is determined by the zone in
307			which the sign is placed, and is in addition to the area allowed
308			for a Permanent Sign. The sign must otherwise satisfy the
309			standards for a Permanent Sign in the zone.

310		<u>2.</u>	<u>The</u>	date of	<u>ferection of a Temporary Sign must be written in the</u>
311			inde	<u>lible in</u>	k on the lower right corner of the sign. A sign
312			with	nout this	s information is a permanent sign under Division 6.7.
313	<u>B.</u>	Req	uirem	ents by	<u> Zone</u>
314		The	follow	ving rec	quirements apply in the zones specified:
315		<u>1.</u>	Agr	<u>icultur</u>	al and Rural Residential Zones
316			The	maxim	num total sign area of each Temporary Sign is 40
317			squa	are <u>feet</u>	and the total sign area is 100 square feet.
318		<u>2.</u>	Res	<u>identia</u>	<u>l Zones</u>
319			The	maxim	num total sign area is 10 square feet, however, the
320			max	<u>kimum 1</u>	total sign area at any place of assembly is 50 square
321			feet	<u>.</u>	
322		<u>3.</u>	Con	<u>nmerci</u>	al/Residential, Employment, and Industrial
323			Zon	<u>ies</u>	
324			<u>a.</u>	The	maximum sign area of each sign is 50 square feet
325				and t	the maximum total sign area is 100 square feet.
326			<u>b.</u>	Tem	porary Signs placed in a window must satisfy the
327				<u>follo</u>	wing additional requirements:
328				<u>i.</u>	The maximum total area of temporary window
329					signs is 20% of the window glass area for each
330					side of the building, minus the area of any
331					permanent window signs.
332				<u>ii.</u>	Signs may be placed in any window if they satisfy
333					the general rules of sign placement under Section
334					<u>6.7.6.B.</u>

335		iii. The sign may be illuminated if it satisfies Section
336		<u>6.7.9.E.</u>
337	Section [6.7.6] <u>6.7</u>	7.9. Permanent Signs, In General
338	A [permanent sign	Permanent Sign is [one that is] intended to remain posted
339	indefinitely. [A pe	rmit is required to construct a permanent sign and a building
340	permit or electrica	l permit may be required due to the sign's physical
341	characteristics.]	
342		* * *
343	B. Sign Pla	icement
344	1.	A [setback is measured from the portion of the sign nearest to
345		the property line.] sign must comply with the setback and
346		height standards of the applicable zone under Sections 6.7.9-
347		<u>6.7.11.</u>
348	[2.	Height is measured from the portion of the sign which is
349		vertically the farthest from the ground.]
350	[3.	Unless otherwise provided in Division 6.7, no portion of a sign
351		may:
352		a. be erected in a manner that places the top of the sign
353		more than 26 feet above the ground, except for a location
354		sign erected that satisfies Section 6.7.3.D;]
355	[b] <u>2</u> .	A sign must not extend outside the property upon which it is
356		erected, except for properties with no building setback, or
357		satisfying the standards in Section [6.7.9.A.3] <u>6.7.11.A.3</u> for
358		canopy signs[; and] <u>.</u>
359	[c] <u>3.</u>	A sign must not obstruct any building aperture, such as [a] an
360		operable window, door, ventilation opening, or fire prevention
361		device.

362			* * *
363	D.	Colo	r
364		1.	[A sign that contains any color combination] <u>Color</u>
365			combinations that may be confused with a traffic sign or signal
366			[is prohibited] are prohibited.
367		2.	A sign back or non-display side of a sign must be a single
368			[neutral] color where visible from outside the property lines of
369			the site [or DPS must include the sign back or non-display side
370			of the sign as sign area]; otherwise, the sign will be considered
371			double-sided or 3-dimensional.
372	E.	Illun	nination
373		When	n illumination of a sign with an exterior lighting fixture is
374		perm	itted, the applicant must satisfy the following requirements:
375		[1.	An electrical permit must be obtained under Chapter 17;]
376		[2] <u>1</u> .	[Sign] sign illumination must [use an enclosed lamp design or
377			indirect lighting] be from a shielded source and be 0.5 foot
378			candles or less at the property line if the subject property abuts
379			a property that is improved with a residential use on the ground
380			floor in any zone or is vacant in [a] an Agricultural, Rural
381			Residential, or Residential zone; and
382		[3.	A sign illuminated in a pattern or lighting combination that
383			resembles a traffic signal is prohibited;]
384		[4] <u>2</u> .	[A sign illuminated] [Sign] sign illumination [by] may not be
385			flashing, revolving, [or] intermittent [lights], or [lights] of
386			changing intensity. [is prohibited; and]
387		[5.	A sign on a lot or parcel within 150 feet of a residential use
388			must be illuminated only during the hours the entity is open for

389			public business, unless the applicant demonstrates that the sign
390			is located so that no adverse impact will affect the residential
391			use.]
392	F.	[Strue	ctural Limitations] <u>Changeable</u> <u>Content</u>
393		[The a	applicant for a sign must construct and maintain the sign in a
394		manne	er that satisfies the following structural requirements:
395		1.	A sign shaped like a traffic sign or traffic signal, or that uses
396			wording similar to traffic signals, or interferes with traffic
397			safety is prohibited.
398		2.	A sign must be a geometric shape; a sign shaped to resemble
399			any human or animal form is prohibited.
400		3.	A sign activated by wind is prohibited.
401		4.	A sign with moving parts is prohibited.
402		5.]	A sign that has characters that are changed manually or
403			electronically must not be changed more than once each [day.]
404			30 seconds. This change must be an entire sign change and not
405			fade or pixelate in and out. This includes a sign that gives the
406			appearance or illusion of movement for a written or printed
407			message. A sign that displays the number of available parking
408			spaces is exempt from this requirement.
409	G.	Histo	ric Preservation Area
410	[The a	applica	ant for a sign erected in an historic preservation area must
411	consti	ruct an	d maintain the sign in a manner that satisfies the following
412	criteri	ia:	
413		1.	DPS must verify that the historic site or area is designated in
414			the Montgomery County Master Plan for Historic Preservation.

415		2.	DPS must verify that the applicant has received an historic area		
416			work permit under the provisions of Chapter 24A before		
417			considering a sign permit application for a sign located on an		
418			historic resource.		
419		3.	DPS must consider the following information in issuing a sign		
420			permit:		
421			a. Size, shape, color, lettering, and location of the sign; and		
422			b. Compatibility of the sign with the surrounding property,		
423			other signs in the area, and the historic nature of the		
424			area.]		
425		<u>1.</u>	The applicant for a sign erected on a historic resource or in a		
426			historic district must receive a historic area work permit under		
427			the provisions of Chapter 24A before issuance of a sign permit		
428			by DPS. DPS must verify that the historic resource or district is		
429			designated in the Montgomery County Master Plan for Historic		
430			Preservation.		
431		<u>2.</u>	A variance may also be required if the sign does not satisfy the		
432			standards of this Division.		
433	[H.	Perm	nanent Sign Standards By Zone		
434		The a	applicant for a permanent sign not listed as allowed in a specific		
435		zone	or that does not satisfy Section 6.7.6 or the applicable zone must		
436		obtai	n a variance from the Sign Review Board.]		
437	<u>H.</u>	Servi	ice Windows		
438		<u>1.</u>	An establishment with a ticket, drive-through, or ordering		
439			window may have no more than two signs, per drive-aisle.		
440		<u>2.</u>	The area of each sign may not exceed 32 square feet.		
441		<u>3.</u>	The height of a freestanding sign may not exceed 6 feet.		

442	Section [6.7.7] <u>6.</u> 7	<u>7.10</u> . <i>A</i>	Agricultural and Rural Residential Zones
443			* * *
444	B. Addition	onal S	ign Area
445	In ad	dition	to the 200 square feet of total sign area, an additional
446	[loca	tion] s	ign is allowed for a lot or parcel larger than 5 acres, if it
447	meet	s the f	following requirements:
448			* * *
449	Section [6.7.8] <u>6.</u>	<u>7.11</u> . I	Residential Zones
450			* * *
451	B. Additio	nal Si	gn Area
452	1.	Sub	division and Multi-Unit Development [Location] Sign
453		Addi	tional sign area is allowed for a [permanent location sign]
454		Perm	nanent Sign erected at any entrance to a subdivision or
455		Mult	i-Unit development if the sign is a ground sign or wall sign
456		[loca	ted at an entrance to the subdivision or building].
457		a.	2 signs are allowed for each entrance. More signs may
458			be allowed by the Planning Board in an approved Site
459			Plan for residential uses under Section 7.3.4.
460		b.	The maximum sign area is 40 square feet per sign.
461			Additional sign area may be allowed by the Planning
462			Board in an approved Site Plan for residential uses under
463			<u>Section</u> <u>7.3.4.</u>
464		c.	If the driveway entrance to the subdivision or
465			development is located in the right-of-way, a revocable
466			permit issued [jointly] by the [Sign Review Board and
467			the appropriate transportation jurisdiction] <u>County</u> must
468			be obtained to erect the sign.

469		d.	The maximum height of a wall sign is 26 feet.
470		e.	The sign may be illuminated [(see Section 6.7.6.E)] <u>if it</u>
471			satisfies 6.7.9.E.
472		<u>f.</u>	Signs approved by the Planning Board and shown on a
473			certified site plan do not require approval of a sign
474			variance application under Section 7.4.2. The sign details
475			must be shown on the certified site plan including
476			location, height, and area.
477	2.	Place	of Assembly [Location] Sign
478		Addit	ional sign area is allowed for a [permanent location sign]
479		Perma	anent Sign erected at any entrance to or on a building for
480		any p	lace of worship, school, library, museum, or hospital[, or
481		any o	ther publicly owned facility. The] <u>if the</u> sign <u>is</u> [must be] a
482		groun	d sign or a wall sign [located at an entrance to the
483		buildi	ng or driveway].
484			* * *
485		b.	The maximum sign area is 40 square feet total, not per
486			sign.
487		c.	The minimum setback for a sign is 5 feet from the
488			property line, or, if the driveway entrance to the
489			subdivision is located in the right-of-way, a revocable
490			permit issued [jointly] by [the Sign Review Board and]
491			the appropriate transportation jurisdiction must be
492			obtained to erect the sign.
493			* * *
494		e.	The sign may be illuminated (see Section [6.7.6.E]
495			<u>6.7.9.E</u>).

496	Section [6.7]	7.9] <u>6.7.12</u> . Commercial/Residential, Employment, and Industrial
497	Zones	
498	A.	Base Sign Area
499		* * *
500		3. Canopy Sign
501		* * *
502		[d. A canopy sign that includes only the name of the
503		business, the address or the official logo of the occupant
504		is a location sign.]
505		[e] d. The sign may be illuminated [(see Section 6.7.6.E)] if it
506		satisfies 6.7.9.E.
507		e. Canopy signs may be modified and approved by DPS on
508		properties subject to a Certified Site Plan without the
509		need for a Site Plan Amendment and are subject to the
510		provisions of this Division.
511	B. Additio	onal Sign Area
512		1. [Location] Ground or Wall Sign
513		Additional sign area is allowed for a [permanent location sign]
514		Permanent Sign if the sign is a ground sign or flat wall sign. Each sign
515		must meet the following requirements:
516		a. One sign may be placed on each face of the building. When a
517		building has 4 or more building faces, a maximum of 4 [location]
518		signs may be installed or constructed on the building.
519		b. The maximum sign area is 100 square feet for each sign.
520		c. The location is the same as provided generally for the zone based
521		on the type of sign. A [location] sign erected as a ground sign must
522		satisfy the setback restrictions for a freestanding sign, and a [location]

522	gion areated as a small gion must satisfy the requirements for a mult					
523	sign erected as a wall sign must satisfy the requirements for a wall					
524	sign.					
525	d. A sign may be placed on each face of a building that is 5 stories or					
526	greater and more than 26 feet from the ground if it is located below					
527	the eave or parapet and at least 10 feet from the corner of the building.					
528	e. [An entrance] A sign at an entrance that is a freestanding					
529	[location] sign must be placed at least 100 feet from another					
530	freestanding sign. A wall [location] sign at an entrance must be placed					
531	at least 30 feet from another wall sign.					
532	f. The sign may be illuminated (see Section $6.7.6$.E).					
533	2. Freestanding Sign for Sites Larger than 5 Acres					
534	Additional sign area is allowed up to a maximum sign area of 200					
535	square feet per sign for a freestanding sign erected at any driveway					
536	entrance to an industrial or commercial center that is larger than 5					
537	acres. The sign must meet the following requirements:					
538	a. 2 signs per customer entrance are allowed[.];					
539	[b. The maximum sign area is 200 square feet per sign.]					
540	[c] \underline{b} . [A] \underline{a} sign must be set back at least $\frac{1}{4}$ of the distance					
541	required for the building setback for the zone[.];					
542	[d]c. [The] the maximum height of a sign is 26 feet[.];					
543	[e]d. [Each] each sign or pair of signs must be placed a					
544	minimum of 200 feet from another sign or pair of					
545	signs[.] <u>;</u> and					
546	[f]e. [The] the sign may be illuminated (see Section [6.7.6.E]					
547	<u>6.7.9.E</u>).					
548	[Section 6.7.10. Urban Renewal Areas					

549	A.	A permanent sign located in an approved urban renewal or red policy		
550		area as part of an optional method development project need not		
551		satisfy the Design Elements and Limitations of Division 6.7 where the		
552		Sign Review Board approves the sign as part of a sign concept plan;		
553		howeve	r, any roof sign in a red policy area must not exceed the height	
554		limits o	f the property's zone.	
555	B.	Before a	approving any sign concept plan under Section 6.7.10, the	
556		Sign Re	view Board must hold a public hearing on the sign concept	
557		plan in	the urban renewal or red policy area after giving 30 days'	
558		notice a	nd verifying that the applicant has satisfied all applicable	
559		variance	e notice requirements.]	
560	[Section 6.7	7.11. Lin	nited Duration Signs	
561	A.	Permit Requirements		
562		1. A	permit is not required for a limited duration sign on private	
563		p	roperty. A permit application must be approved for each sign	
564		to be placed in the public right-of-way.		
565		2. V	When a permit is required, a limited duration sign must satisfy	
566		tŀ	ne following provisions:	
567		a	The sign must be constructed in a manner that does not	
568			require a building or electrical permit.	
569		b	Each sign approved by a permit must display and have	
570			affixed to the sign information in a format as required by	
571			DPS, including the date of expiration of the permit.	
572		C	A permit is issued for one year and may be renewed	
573			annually.	
574		d	. A limited duration sign is allowed in any zone.	

575			e.	A limited duration sign may be relocated upon approval	
576				by the DPS.	
577	B.	Perm	nit Applications		
578		1.	One s	sign is allowed per permit. An applicant may request up to	
579			a max	ximum of 4 permits. DPS may consider each business	
580			locati	on as a separate applicant; however the sign placement	
581			must	not create a proliferation of signs in that right-of-way, and	
582			the ap	oplicant may not have the ability to use a permanent sign	
583			in lie	u of a limited duration sign. Multiple signs that are similar	
584			will n	not receive a permit for the same location within the right-	
585			of-wa	ny.	
586		2.	An ap	oplication for a limited duration sign permit must include:	
587			a.	A description of the sign indicating the, size, shape,	
588				dimensions, and colors of the sign, and the time and day	
589				of the week during which the sign will be displayed;	
590			b.	A drawing of the site or a schematic of the area showing	
591				the proposed location of the sign in relation to nearby	
592				buildings and streets;	
593			c.	The number of signs on the site; and	
594			d.	Other information required by DPS to confirm the	
595				limited duration sign satisfies Division 6.7 and other	
596				Sections of the Chapter.	
597	C.	Gene	ral Re	equirements for Limited Duration Signs on Private	
598		Prop	erty.		
599		1.	The n	number of signs, area and placement restrictions allowed	
600			are th	e same as for a temporary sign in the zone in which the	
601			sign i	s erected; however, in Residential zones, the maximum	

602			sign area of all limited duration signs on a lot or parcel is 10
603			square feet.
604		2.	A sign erected on private property must have the written
605			permission of the property owner.
606	D.	Requ	irements for Limited Duration Sign in the Public Right-of-
607		Way	
608		1.	The maximum sign area for each sign is 5 square feet.
609		2.	A sign must not be placed on a paved section of the right-of-
610			way, such as a sidewalk, bikeway, driveway apron, emergency
611			lane, or any part of the roadway.
612		3.	A sign must be placed a minimum of 50 feet from any
613			driveway, entrance, or traffic control signal, and a minimum of
614			5 feet from any other limited duration sign within the public
615			right-of-way.
616		4.	A sign must be placed a minimum of 100 feet from a street
617			intersection.
618		5.	The nearest edge of a sign must be a minimum of 2 feet from a
619			curb or, if no curb exists, a minimum of 6 feet from the edge of
620			the roadway or street.
621		6.	A sign must not be placed on a median strip or highway divider.
622		7.	The maximum height of the sign is 30 inches above the ground.
623		8.	A sign must have its own means of support which is affixed to
624			the ground. The sign installer or permit holder is responsible for
625			satisfying utility restrictions for excavating or driving a support
626			into the ground.

627		9.	A sign must be erected either only on weekends and National
628			Holidays; or for a maximum of 14 consecutive days during any
629			6-month period.]
630	[Section 6.	7.12.	Temporary Signs
631	A.	Gen	erally
632		A pe	ermit is not required for a temporary sign and the number of
633		temp	porary signs that may be displayed is not limited.
634		1.	The sign area of a temporary sign is determined by the zone in
635			which the sign is placed, and is in addition to the area allowed
636			for a permanent sign or a limited duration sign. All other
637			aspects of the sign, such as location and height, must satisfy the
638			standards for a permanent sign in the zone.
639		2.	The date of erection of a temporary sign must be written in
640			indelible ink on the lower right corner of the sign. A sign
641			without this information is a permanent or limited duration sign
642			under Division 6.7.
643	В.	Req	uirements by Zone
644		The	following requirements apply in the zones specified:
645		1.	Agricultural and Rural Residential Zones
646			The maximum sign area of each temporary sign is 40 square
647			feet and the total sign area is 100 square feet.
648		2.	Residential Zones
649			The maximum total sign area is 10 square feet; however, the
650			maximum total sign area at any place of assembly is 50 square
651			feet.
652		3.	Commercial/Residential, Employment, and Industrial
653			Zones

654	a.	Ther	naximum sign area of each sign is 50 square feet
655		and t	he maximum total sign area is 100 square feet.
656	b.	Temp	orary window signs must satisfy the following
657		addit	ional requirements:
658		i.	The maximum total area of temporary window
659			signs is 20% of the window glass area for each
660			side of the building, minus the area of any
661			permanent window signs.
662		ii.	Signs may be placed in any window if they satisfy
663			the general rules of sign placement under
664			Section 6.7.6.B.
665		iii.	The sign may be illuminated.]
666	Sec. 2. Effective	date.	This ordinance becomes effective 20 days after the
667	date of Council adoption	1.	
668			
669	This is a correct copy of	Coun	cil action.
670			
671			
672			
673 674	Selena M. Singleton, Es Clerk of the Council	q.	
675	Clork of the Council		
676	APPROVED AS TO FOR	MAND	LECALITY
677	OFO OYO	2	LEGALITI
678	OFFICE OF COUNTY AT	TORN	NEY
679	3/2/22		
680	DATE		
681			