

PLANNING COMMISSION REPORT TO THE COUNTY COMMISSIONERS

JUNE 21, 2010

PROJECT NAME: Sign Ordinance

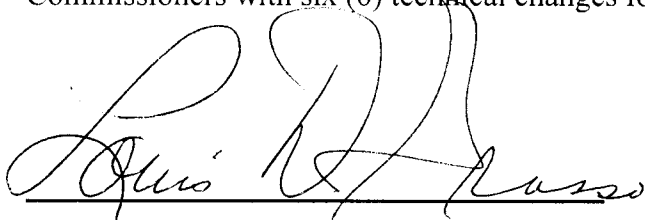
PROJECT NUMBER: ZTA #10-120

APPLICANT: Charles County Sign Task Force

BACKGROUND: Roy Hancock, Chairman of the Commissioners' Sign Task Force, presented the sign zoning text amendment to the Planning Commission at the Public Meeting held on May 17, 2010. At the Public Meeting, Joan Herbert spoke to the need for signage for the Village Center and requested the task force include some language regarding this need. There were no other speakers.

The Planning Commission left the record open for thirty (30) days until June 16, 2010. During the open record period, one email was received from Bob Johnston regarding real estate signs and having all of the real estate sign information in one place in the text. The Sign Task Force, during a June 14, 2010 meeting, agreed to making those changes and changes to the language made by the County Attorney.

RECOMMENDATION: The Planning Commission held a worksession on ZTA #10-120 on June 21, 2010 and voted 7-0 to recommend approval of the zoning text amendment to the County Commissioners with six (6) technical changes for review by the sign task force.

A handwritten signature in black ink, appearing to read "Louis Grasso", written over a horizontal line.

Louis Grasso, Planning Commission Chairman

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2010 Legislative Session

Legislative Day #____

BILL NO. 2010-

Introduced by: Charles County Commissioners Sign Task Force

Date introduced: 6/29/2010

Public Hearing: ___/___/2010

Commissioners Action: ___/___/2010 _____

Commissioner Votes: WC:___, EP:___, RC:___, SG:___, GH: Y

Pass/Fail: _____

Effective Date: ___/___/2010 12:01 a.m.

Remarks: _____

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2010 Legislative Session

Bill No. 2010-

Chapter. No. 297

Introduced by Charles County Commissioners Sign Task Force

Date of Introduction / /2010

BILL

1 AN ACT concerning:

2 Sign regulations

3

4 FOR the purpose of:

5 Updating the sign regulations in order to change the size, type, and
6 location.

7

8 By amending:

9 Chapter 297- Zoning Ordinance

10 Article III, § 297-49 Word usage; definitions.

11 *Code of Charles County, Maryland*

12 *(June, 2006)*

13

14 BY repealing and adopting with amendments:

15

16 Chapter 297- Zoning Ordinance

17 Article XIX, Signs

18 *Code of Charles County, Maryland*

1 (June, 2006)

2
3 **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF**
4 **CHARLES COUNTY, MARYLAND, that the Laws of Charles County,**
5 **Maryland read as follows:**

6
7 **ARTICLE XIX**

8 **Signs**

9
10 **§ 297-49. Word usage; definitions.**

11
12 **SIGN, [GROUND] MONUMENT** – A sign which touches ground level and is
13 not higher than [eight] **TWELVE (12)** feet above the road grade.

14
15 **SIGN, PROJECTING** – A sign which is attached directly to the building **OR**
16 wall and which extends [more than 15 inches] from the face of the wall **BASED**
17 **UPON WHAT THE CURRENT BUILDING CODE ALLOWS.**

18
19 **SIGN, WALL** – A sign which is painted on or attached directly to the building
20 wall and which extends not more than [15 inches] **WHAT THE CURRENT**
21 **BUILDING CODE ALLOWS** from the face of the wall.

22
23 **§ 297-319. General provisions.**

24
25 A. Intent.

- 26
27 (1) The intent of this article is to conserve the natural, landscaped and
28 improved scenery; encourage and protect the appropriate use of
29 land, buildings and structures; regulate and restrict unsightly and

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detrimental signs tending to depreciate the values of property and hinder progressive improvements in Charles County; and lessen, eliminate and regulate signs constituting an actual or potential hazard to safe motor vehicle operation and general traffic on the highways **AND TO ENCOURAGE THE EFFECTIVE USE OF SIGNS AS A MEANS OF COMMUNICATION IN THE COUNTY, TO MAINTAIN AND ENHANCE THE AESTHETIC ENVIRONMENT AND THE COUNTY'S ABILITY TO ATTRACT SOURCES OF ECONOMIC DEVELOPMENT AND GROWTH, TO ENCOURAGE UNIFIED SIGNAGE IN SHOPPING AREAS AND STREETSAPES AND TO ENABLE THE FAIR AND CONSISTENT ENFORCEMENT OF THESE SIGN REGULATIONS.**

(2) It is hereby determined that regulation of the location, size, placement and certain features of signs is necessary to enable the public to locate goods, services and facilities without difficulty and confusion, to prevent wasteful use of natural resources in competition among businesses for attention, to prevent hazards to life and property, to assure the continued attractiveness of the community and to protect property values. It is further determined that signs which may lawfully be erected and maintained under the provisions of this article are consistent with customary usage and that signs which may not lawfully be erected or maintained under the provisions hereof are not consistent with customary usage, are an abuse thereof and are un warranted invasion of the rights of legitimate business interests and of the public.

1 (3) [For the purpose of this article and any other criteria relating to
2 signs in this chapter, any of the following words are indeed to
3 include any tense or the prefix “re”: affix, alter, attach, display,
4 erect, hang, move, paint, paste, place and repair.] **THIS SIGN
5 ORDINANCE IS ADOPTED UNDER THE ZONING
6 AUTHORITY OF THE COUNTY IN FURTHERANCE OF
7 THE MORE GENERAL PURPOSES SET FORTH IN THIS
8 ARTICLE.**

9
10 B. Signs in the Planned Unit Development (PUD) Zone. Signs located in the
11 Planned Unit Development (PUD) Zone shall be exempt from the normal
12 requirements of this article. The number, placement, height, size,
13 illumination and all other requirements for signs within the PUD Zone
14 shall be approved by the Planning Commission or its designated
15 representative.

16
17 C. Applications and permits.

18
19 (1) The application for a sign permit shall be submitted in such form
20 as the Zoning Officer may prescribe and shall be
21 accompanied by the required fee, where applicable.

22
23 (2) The [Planning Commission or its designated representative]
24 **ZONING OFFICER shall REVIEW AND approve the SIGN
25 PERMIT(S) WHICH ADDRESSES THE** design, construction
26 material, location and method of illumination, if any, for all
27 proposed signs at the time of permit application and may, at its
28 discretion, require changes in any or all of the aforementioned
29 categories before issuance of a permit. **FOR SIGNS LOCATED**

1 **IN THE PLANNED UNIT DEVELOPMENT (PUD),**
2 **APPROVAL FROM THE APPROPRIATE PLANNING**
3 **DESIGN REVIEW BOARD (PDRB) MUST BE**
4 **RECEIVED PRIOR TO APPLYING FOR A SIGN PERMIT.**

5
6 (3) Any permit issued shall become invalid and void if the authorized
7 work is not completed within six (6) months of the issue date
8 [except that, for reasonable,]. [t]The Zoning Officer, **UPON A**
9 **DETERMINATION OF REASONABLE CAUSE**, may grant an
10 extension **OF A SIGN PERMIT**.

11
12 (4) Subject to the approval of the Zoning Officer, amendments to the
13 sign application or other records accompanying the same may be
14 filed at any time before completion of the work for which the
15 permit is sought or issued and, such amendments shall be deemed
16 part of the original application and shall be filed therewith.

17
18 (5) A Charles County sign permit shall be issued to the person or firm
19 erecting the sign or sign structure. [Said] **THE** Charles County
20 sign permit shall be kept with other pertinent documents which
21 belong to the person or firm to whom[said] the permit was issued.
22 The sign permit shall be made readily available to **THE ZONING**
23 **OFFICER** [any member of the Planning
24 Commission and its staff requesting its inspection].

25
26 (6) Upon completion of the sign, the holder of the permit shall
27 [immediately call for] **CONTACT THE DEPARTMENT OF**
28 **PLANNING & GROWTH MANAGEMENT AND REQUEST**
29 an inspection of the sign [to be made by the Zoning Officer]. Any

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deviation from the approved plans and permit shall be noted, and the holder of the permit shall be notified of discrepancies.

(7) EXCEPT AS OTHERWISE PROVIDED IN § 297-321, NO SIGN MAY BE CONSTRUCTED, ERECTED, ENLARGED, ILLUMINATED OR SUBSTANTIALLY ALTERED EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE AND IN ACCORDANCE WITH A SIGN PERMIT ISSUED BY THE ZONING OFFICER. REPAINTING A SIGN SHALL NOT, IN AND OF ITSELF, BE CONSIDERED A SUBSTANTIAL ALTERATION.

(8) SIGN PERMIT APPLICATIONS AND SIGN PERMITS SHALL BE GOVERNED BY THE SAME PROVISIONS OF THIS ARTICLE APPLICABLE TO ZONING PERMITS.

(9) THE COUNTY SHALL BE RESPONSIBLE FOR ENFORCING ONLY THE PROVISIONS OF THIS ARTICLE AND NOT THE PROVISIONS OF ANY PRIVATE THIRD PARTY AGREEMENT, ALLOCATION FORMULA, LEASE OR OTHER PRIVATE RESTRICTIONS.

D. Construction requirements.

(1) All signs shall meet the construction requirements of the Charles County Building Code. Signs shall not obstruct any window, door, fire escape, stairway or any opening intended to provide air, ingress

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or egress for any building or structure.

(2) Upon issuance of a sign permit for a permanent pylon sign, a building permit will be obtained by the owner of the sign or the contractor prior to its construction. The sign and sign structure will then be inspected by a Charles County building inspector to ensure its compliance to the Building Code.

E. Removal of illegal signs. Failure of the owner of an illegal sign to remove [said] **THE** sign within [30] **TEN (10)** days of receipt of written notice of violation by the Zoning Officer may result in the removal of the illegal sign or legal action by the county at the owner’s expense.

F. Temporary signs.

(1) [A temporary sign is one which may remain for a period not to exceed six months, except as herein provided.] A temporary sign permit may be renewed by the Zoning Officer.

(2) Failure to remove a temporary sign within one week after the permit expiration date shall subject the owner of the sign to the penalties provided in this [chapter] **ARTICLE**, and [said] **THE** temporary sign may be immediately removed by the county at the owner’s expense.

(3) For the purpose of a special promotion or event, businesses shall be allowed the use of not more than one on-site portable sign or banner, provided that neither shall be flashing, blinking, inconstantly illuminated, animated or moving, unsafe to traffic or

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pedestrians or affixed to any vehicle.

(4) Display of temporary signage on a premises shall be limited to once every three months for a period not to exceed [14] **Thirty (30)** consecutive days.

(5) Approval for special event signage must be granted by the Zoning Officer at least seven days in advance of its public display.

(6) Special event banners and portable signs are not to exceed 32 square feet in area.

(7) **THIS SUBSECTION DOES NOT APPLY TO THOSE EVENT SIGNS ENUMERATED IN §297-325.**

[G. Outdoor advertising signs and theater signs; permit renewal. Outdoor advertising signs and theater signs for which permits have been issued may be renewed without additional permits being required.]

[H]G.Outdoor advertising signs, **EXCLUDING THOSE SIGNS ENUMERATED IN §297-325.**

(1) **THE ERECTION OR CONSTRUCTION OF NEW** [O]outdoor advertising signs and billboards of any size are prohibited.

(2) Any **EXISTING** outdoor advertising sign shall be properly removed if damaged or destroyed in excess of [75%] **50%** of the estimated expense of the reconstruction costs. **THE REMOVAL**

1 **OF OUTDOOR ADVERTISING ALONG RIGHTS-OF-WAYS**
2 **OF THE FEDERAL-AID PRIMARY SYSTEM OF**
3 **HIGHWAYS IN CHARLES COUNTY SHALL BE**
4 **REGULATED IN ACCORDANCE WITH THE**
5 **TRANSPORTATION ARTICLE OF THE ANNOTATED**
6 **CODE OF MARYLAND, AND ARTICLE 25, AND THE**
7 **UNITED STATES ANNOTATED CODE, ARTICLE 23.**
8

- 9 [I. Moving or animated signs. Any sign which moves or has any moving or
10 animated parts or image, whether movement is caused by machinery,
11 electronics, wind or otherwise, including swinging signs, shall be
12 prohibited.]
13
- 14 [J. Inconstant illumination signs. Any illuminated sign where the light source
15 moves or is not of constant intensity or color shall be prohibited.]
16
- 17 [K. Nonconforming moving, animated or inconstant illumination signs. Any
18 existing sign which presently does not conform to Subsection I and/or
19 Subsection J above shall, within one year of the adoption of this chapter,
20 comply with Subsection I and/or Subsection J, as applicable, contained
21 herein.]
22
- 23 [L. Seasonal decorations and time and temperature signs. Subsections I and J
24 above shall not be applied to prevent the erection and maintenance of
25 strings of lights and other seasonal decorations from the day after
26 Thanksgiving until the following January 2. Nor shall Subsections I and J
27 apply to signs which convey information about time and/or temperature by
28 words, letters or pictures which are not in motion and are changed not
29 more often than once every 10 seconds.]

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[M] **H.** Obsolete signs. Any sign which has become obsolete because of discontinuance of the business, service or activity which it advertises, removal from the location to which it directs, abandonment, neglect or for any other reason, shall be removed from the premises within [30] **TEN (10) days OF WRITTEN NOTICE TO THE PROPERTY OWNER.** [The fact that] **IF** an obsolete sign is nonconforming [shall not be construed as modifying any of the requirements of this subsection] **SEE §297-327.**

[N]**I.** Unsafe signs. When any sign becomes insecure, in danger of falling or otherwise unsafe, the owner thereof or the person or firm maintaining the same shall, upon written notice of the Zoning Officer, immediately and, in any case, within not more than 10 days, make such sign safe in conformity with the Charles County Building Code or shall remove it.

[O]**J.** Adverse and unsafe illumination signs. No illumination or glare from any sign shall emit itself onto any public highway, roadway or right-of-way so as to adversely affect the safe and efficient movement of vehicles thereon.

[P. Signs which are unsafe to traffic. No sign shall be constructed or maintained which, by reason of its shape, color or working, may be confused with any traffic sign, traffic signal or device placed by any public authority or which may mislead or confuse traffic.]

[Q]**K** Special exception uses. Any use in a residential zone which requires a special exception from the Board of Zoning Appeals may be allowed a maximum of 32 square feet of signage for the permitted use.

1 [S. Roof signs. Roof signs shall be prohibited.]

2

3 [T. Prohibited signs. Except as otherwise provided for, the locking, painting,
4 posting or affixing of signs, posters or banners of any kind or description
5 on the walls of buildings, barns, shed, trees, utility poles, posts, fences,
6 rocks, walls other structures is prohibited. The following signs shall be
7 exempt from the provisions of this subsection: signs identifying the name
8 of property and/or residents thereof; temporary on premises real estate
9 signs; signs warning of any danger, prohibition or regulation of the use of
10 property or traffic or parking thereon; and official government signs.]

11

12 [U. Portable signs. Portable or movable signs are subject to all of the
13 regulations for signs as required by this article. Signs mounted on wheels,
14 designed to be moved from location to location, are prohibited.]

15

16 [V. Signs within rights-of-way. No signs, except official government signs or
17 signs authorize by the appropriate government authority, or signs
18 specifically allowed by § 297-322D, shall be placed within an government
19 right-of-way. Illegal signs erected in the government right-of-way may be
20 immediately removed by the county.]

21

22 **§ 297-320. Signs requiring neither permit nor payment of a fee.**

23

24 [All signs in this section shall conform to the standards, provisions and
25 regulations in this article. The following signs with their stated restrictions
26 require neither a permit nor the payment of a fee.] **THE FOLLOWING**
27 **SIGNS ARE EXEMPT FROM REGULATION UNDER THIS**
28 **[ORDINANCE] ARTICLE EXCEPT FOR CONSTRUCTION AND**
29 **SAFETY REGULATIONS AND THE FOLLOWING STANDARDS:**

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A. Political campaign signs[, which shall be]. **POLITICAL CAMPAIGN SIGNS ARE** permitted in [any] **ALL** zones. In residential zones, political campaign signs shall not exceed 32 square feet in area and shall not be illuminated. Political campaign signs shall be confined to private property and shall not be affixed to any public structure. [These signs may be displayed no sooner than 45 days prior to a primary election, and unsuccessful candidates in the primary must remove their signs within 15 days after the primary election. Successful candidates in the primary may continue to display their signs until 15 days after the general election. The campaign treasurer of each candidate shall be held responsible for the proper erection, maintenance and removal of h signs. Signs not properly removed within 15 days after the general election may be removed by the county at the campaign’s expense.]

B. [Temporary real estate sign, on premises, without illumination, advertising the property for sale or for rent is permitted in all zones, provided that it shall not exceed 16 square feet in area in agricultural, rural or residential zones and shall not exceed 64 square feet in area in commercial or industrial zones.]

C. Signs identifying the name of **THE** property and/or residents thereon. **SUCH SIGNS SHALL NOT EXCEED THREE (3) SQUARE FEET IN AREA.**

D. Signs having an area of not more than eight square feet each, the message of which is limited to warning of any danger, prohibition or regulation of the use of property or traffic or parking thereon.

- 1 E. [Directional or information signs of a public nature indicating the name or
2 location of a town, village, hospital, public community center, government
3 center or any official federal, state or local government signs.] **SIGNS**
4 **ERECTED BY OR ON BEHALF OF OR PURSUANT TO THE**
5 **AUTHORIZATION OF A GOVERNMENTAL BODY, INCLUDING**
6 **LEGAL NOTICES, IDENTIFICATION AND INFORMATION**
7 **SIGNS, AND TRAFFIC, DIRECTIONAL OR REGULATORY**
8 **SIGNS.**
9
- 10 F. The erection or maintenance of a sign designating the location of a transit
11 line, a railroad station or other public carrier when not more than three (3)
12 square feet in area.
13
- 14 G. Temporary special decorative displays, without commercial advertising,
15 used for holidays, public demonstrations or the promotion of civic welfare
16 or charitable purposes[, when authorized by the Zoning Officer].
17
- 18 H. A sign identifying an approved automobile inspection station, in
19 accordance with the requirements of the State of Maryland Vehicle
20 Administration, not exceeding **SIXTEEN** (16) square feet in area. Such
21 sign shall contain no advertising of services or products at its location.
22
- 23 I. Signs not exceeding four (4) square feet in area, securely attached to a
24 gasoline pump, stating the price and octane of gasoline at the service
25 station.
26
- 27 J. [Temporary signs posted inside windows of a building in a commercial or
28 industrial zone and which do not cover more than 50% of the gross window
29 glass area on any one side of the building.] **SIGNS ATTACHED**

1 **TEMPORARILY TO THE INTERIOR OF A BUILDING WINDOW**
2 **OR GLASS DOOR. SUCH SIGNS, INDIVIDUALLY OR**
3 **COLLECTIVELY, MAY NOT COVER MORE THAN TWENTY-**
4 **FIVE PERCENT (25%) OF THE SURFACE AREA OF THE**
5 **TRANSPARENT PORTION OF THE WINDOW OR DOOR TO**
6 **WHICH THEY ARE ATTACHED.**

7

8 **K. A temporary sign without illumination, ON-SITE, and not exceeding**
9 **THIRTY-TWO (32) square feet in area advertising the sale of farm**
10 **livestock or farm products produced on the premises.**

11

12 **L. SIGNS WITHIN AN ENCLOSED STRUCTURE, AND [ARE] NOT**
13 **VISIBLE FROM THE EXTERIOR OF THE BUILDING.**

14

15 **M. FLAGS OR INSIGNIA OF ANY GOVERNMENTAL OR**
16 **NONPROFIT ORGANIZATION WHEN PROPERLY DISPLAYED.**
17 **THIS DOES NOT INCLUDE COMPANY FLAGS OR PENNANT**
18 **SIGNS. NONPROFIT FLAGS MAY ONLY BE DISPLAYED ON**
19 **THE PREMISES OF THE NON-PROFIT.**

20

21 **N. SIGNS DIRECTING AND GUIDING TRAFFIC ON PRIVATE**
22 **PROPERTY THAT DO NOT EXCEED FOUR (4) SQUARE FEET**
23 **EACH AND THAT BEAR NO COMMERCIAL MESSAGE.**

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25 **§ 297-321 PROHIBITED SIGNS.**

26

27 **A. THE FOLLOWING SIGNS OR DEVICES ARE PROHIBITED:**

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29 **1. SIGNS WHICH INTERFERE WITH THE VIEW**

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NECESSARY FOR MOTORISTS TO PROCEED SAFELY THROUGH INTERSECTIONS OR TO ENTER ONTO OR EXIT FROM PUBLIC STREETS OR PRIVATE ROADS.

2 . SIGNS WHICH, BY THEIR LOCATION, COLOR, SIZE, SHAPE, NATURE, OR MESSAGE MAY OBSTRUCT THE VIEW OF OR BE CONFUSED WITH OFFICIAL TRAFFIC SIGNS OR OTHER SIGNS ERECTED BY GOVERNMENTAL AGENCIES.

3. SIGNS THAT REVOLVE OR ARE ANIMATED OR THAT UTILIZE MOVEMENT OR APPARENT MOVEMENT TO ATTRACT THE ATTENTION OF THE PUBLIC. THIS INCLUDES, BUT NOT LIMITED TO, BALLOONS, THREE-DIMENSIONAL MODELS, PENNANTS, AND PROPELLER DISCS.

4. SIGNS OR DEVICES, INCLUDING SEARCHLIGHTS, SPOTLIGHTS AND HOLOGRAMS, WHICH CONTAIN OR ARE ILLUMINATED BY FLASHING, CHASING, OR INTERMITTENT EFFECTS. SCROLLING MESSAGE BOARDS MAY NOT CHANGE THE MESSAGE MORE THAN ONCE EVERY TEN (10) SECONDS. THIS PROVISION SHALL NOT PROHIBIT TIME, DATE, AND/OR TEMPERATURE SIGNS THAT CONVEY INFORMATION BY WORDS, LETTER OR NUMBERS AND WHICH ARE NOT IN MOTION AND ARE CHANGED NOT MORE THAN ONCE EVERY TEN (10) SECONDS.

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- 5. OFF PREMISES SIGNS OTHER THAN DIRECTIONAL SIGNS FOR REAL ESTATE SALES AND EVENT SIGNS TO INCLUDE ANY SIGN MOUNTED ON WHEELS.

- 6. SIGNS MOUNTED TO OR PAINTED ON VEHICLES VISIBLE FROM THE PUBLIC RIGHT-OF-WAY UNLESS THE VEHICLE IS USED FOR TRANSPORT IN THE NORMAL DAY-TO-DAY OPERATIONS OF THE BUSINESS.

- 7. SIGNS TEMPORARILY AND OR NOT SECURELY MOUNTED TO VEHICLES. THIS DOES NOT INCLUDE MAGNETIC BUSINESS IDENTIFICATION SIGNS, VEHICLE GRAPHICS OR WRAPS.

- 8. COMMERCIAL ADVERTISING SIGNS PERMANENTLY PLACED OR ERECTED IN THE BED OF A TRUCK OR ON THE DECK OF A TRAILER OR A TRUCK.

- 9. ROOF SIGNS.

- 10. SIGNS THAT EMIT SOUND, VAPOR, SMOKE, ODOR, PARTICLES OR GASEOUS MATTER.

- 11. SIGNS WITHIN ANY GOVERNMENT RIGHT-OF-WAY EXCEPT FOR OFFICIAL GOVERNMENT SIGNS, SIGNS AUTHORIZED BY THE APPROPRIATE GOVERNMENT AUTHORITY OR DIRECTIONAL SIGNS ERECTED IN ACCORDANCE WITH §297-324(D). ILLEGAL SIGNS

1 **ERECTED IN THE GOVERNMENT RIGHT-OF-WAY MAY**
2 **BE REMOVED BY THE COUNTY.**

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4 **12. PROMOTIONAL/SPECIAL SALE SIGNS POSTED ON**
5 **MACHINERY OR EQUIPMENT.**

6
7 **B. THE LOCKING , PAINTING, POSTING OR AFFIXING OF SIGNS,**
8 **POSTERS OR BANNERS OF ANY KIND OR DESCRIPTION ON**
9 **THE WALLS OF BUILDINGS, BARNS, SHEDS, TREES, UTILITY**
10 **POLES, POSTS, FENCES, ROCKS, WALLS OR OTHER**
11 **STRUCTURES IS PROHIBITED. THE FOLLOWING SIGNS**
12 **SHALL BE EXEMPT FROM THE PROVISION OF THIS**
13 **SUBSECTION: SIGNS IDENTIFYING THE NAME OF PROPERTY**
14 **AND/OR RESIDENTS THEREOF; TEMPORARY ON-PREMISES**
15 **REAL ESTATE SIGNS; SIGNS WARNING OF ANY DANGER,**
16 **PROHIBITION OR REGULATION OF THE USE OF PROPERTY**
17 **OR TRAFFIC OR PARKING THEREON; AND OFFICIAL**
18 **GOVERNMENT SIGNS.**

19
20 **§ 297-[321]322. Signs requiring permit but no fee.**

21
22 All signs in this section shall conform to the standards, provisions and
23 regulations specified in this article. The following signs with their stated
24 restrictions require a permit, but no fee:

25
26 A. Home occupation. A non-illuminated sign not exceeding four (4) square
27 feet in area, attached flat to a building, to advertise home occupations.

28
29 B. Directional or information signs. The following directional or information

1 signs of a public or quasi-public nature in any zone, not exceeding
2 **THIRTY-TWO** (32) square feet in area. Such signs shall be without
3 illumination or advertising.

4
5 (1) Signs stating the name and/or location of a private school, college,
6 YMCA, YWCA, **FAIRGROUNDS**, church or other place of
7 worship or the name or place of meeting of an official or civic
8 body as the Chamber of Commerce, Rotary Club or Kiwanis Club.

9
10 [(2) Temporary signs indicating an event of public interest such as a
11 fair, election, horse show or event of similar nature; provided,
12 however, that all such signs be removed within two days of the
13 event's end.]

14
15 [C. Real estate signs. A permanent single sign not exceeding **THIRTY-TWO**
16 (32) square feet in area, identifying only the name and street number of an
17 apartment house or complex, or residential subdivision, may be erected on
18 the premises or the building itself. If the complex or subdivision contains
19 more than 100 units, additional signage shall be permitted not to exceed
20 two signs, with a total sign area of not more **SIXTY-FOUR** (64) square
21 feet. In lieu of multiple signs as allowed herein, the total sign area may be
22 allocated to one sign.]

23
24 **§ 297-323 COMPUTATIONS**

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26 **THE FOLLOWING PRINCIPLES SHALL CONTROL THE**
27 **COMPUTATION OF SIGN AREA, SIGN HEIGHT AND TOTAL**
28 **MAXIMUM SIGNAGE ALLOWED.**

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A. COMPUTATION OF AREA OF INDIVIDUAL SIGNS.

- (1) THE SURFACE AREA OF A SIGN SHALL BE COMPUTED BY INCLUDING THE ENTIRE AREA WITHIN SINGLE, CONTINUOUS, RECTILINEAR PERIMETER OF NOT MORE THAN EIGHT STRAIGHT LINES, OR A CIRCLE OR AN ELLIPSE, ENCLOSING THE EXTREME LIMITS OF THE WRITING, REPRESENTATION, EMBLEM, OR OTHER DISPLAY, TOGETHER WITH ANY MATERIAL OR COLOR FORMING AN INTEGRAL PART OF THE BACKGROUND OF THE DISPLAY OR USED TO DIFFERENTIATE THE SIGN FROM THE BACKDROP OR STRUCTURE AGAINST WHICH IT IS PLACE, BUT NOT INCLUDING ANY SUPPORTING FRAMEWORK OR BRACING THAT IS CLEARLY INCIDENTAL TO THE DISPLAY ITSELF.**

- (2) IF A SIGN CONSISTS OF MORE THAN ONE SECTION OR MODULE, ALL OF THE AREA, INCLUDING THAT BETWEEN SECTIONS OR MODULES, EXCEPT AIR SPACE, SHALL BE INCLUDED IN THE COMPUTATION OF THE SIGN AREA.**

- (3) WITH RESPECT TO TWO-SIDED, MULTI-SIDES, OR THREE DIMENSIONAL SIGNS, THE SIGN SURFACE AREA SHALL BE COMPUTED AS DESCRIBED IN SECTIONS (1) AND (2) ABOVE BY INCLUDING THE TOTAL OF ALL SIDES DESIGNED TO ATTRACT ATTENTION OR COMMUNICATE INFORMATION THAT**

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CAN BE SEEN AT ANY ONE TIME BY A PERSON FROM ONE VANTAGE POINT.

(A) THE SIGN SURFACE OF A DOUBLE-FACED, BACK TO BACK SIGN SHALL BE CALCULATED BY USING THE AREA OF ONLY ONE SIDE OF SUCH SIGN, SO LONG AS THE DISTANCE BETWEEN THE BACKS OF SUCH SIGNS DOES NOT EXCEED THREE FEET.

(B) THE SIGN SURFACE OF A DOUBLE-FACED SIGN CONSTRUCTED IN THE FORM OF “A”, SHALL BE CALCULATED BY USING THE AREA OF ONLY ONE SIDE OF SUCH SIGN (THE LARGER SIDE IF THERE IS A SIZE DIFFERENCE), SO LONG AS THE ANGLE OF THE “A” DOES NOT EXCEED THIRTY (30) DEGREES AND AT NO POINT DOES THE DISTANCE BETWEEN THE BACKS OF SUCH SIDES EXCEED FIVE (5) FEET.

(4) THE ENTIRE SURFACE AREA OF A CANOPY OR AWNING SHALL BE CALCULATED IF THE CANOPY OR AWNING IS INTERNALLY LIT.

(5) NOTWITHSTANDING §297-321 AND IN ACCORDANCE WITH §297-324(B)(5), A FLAG WITH COMPANY NAME AND/OR LOGO SHALL COUNT TOWARDS TOTAL PERMITTED FREE-STANDING SIGNAGE.

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B. COMPUTATION OF HEIGHT.

- (1) THE HEIGHT OF A SIGN SHALL BE COMPUTED AS THE DISTANCE FROM THE BASE OF THE SIGN AT NORMAL ROAD GRADE TO THE TOP OF THE HIGHEST ATTACHED COMPONENT OF THE SIGN.**
- (2) FREESTANDING OR PYLON SIGNS SHALL NOT BE PLACED ON A BERM OR OTHER STRUCTURE SO AS TO ARTIFICIALLY INCREASE THE HEIGHT ABOVE THE STANDARDS SET IN THIS ARTICLE.**

C. COMPUTATION OF MAXIMUM TOTAL PERMITTED SIGNAGE.

- (1) THE PERMITTED SUM OF THE TOTAL AREA OF ALL INDIVIDUAL SIGNS FOR EACH SIGN HOLDER SHALL BE DETERMINED BY ROAD CLASSIFICATION (SEE FIGURE XIX-1).**
- (2) THE APPLICANT MAY DIVIDE THE TOTAL PERMITTED SIGNAGE AMONG THE DIFFERENT TYPES OF SIGNS ALLOWED PER ROAD CLASSIFICATION (SEE FIGURE XIX-1).**

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**Figure XIX-1
Maximum Sign Size and Height by Road Classification
Charles County, Maryland**

Sign Type	Principal Arterial	Intermediate Arterial	Minor Arterial	Major Collector	Minor Collector or Local
Building Sign	1 square foot of sign per 50 square foot of gross floor area	1 square foot of sign per 50 square foot of gross floor area	1 square foot of sign per 75 square foot of gross floor area	1 square foot of sign per 75 square foot of gross floor area	1 square foot of sign per 100 square foot of gross floor area
“A” signs	6’ square foot maximum sign size, 3’ maximum height	6’ square foot maximum sign size, 3’ maximum height	6’ square foot maximum sign size, 3’ maximum height	6’ square foot maximum sign size, 3’ maximum height	6’ square foot maximum sign size, 3’ maximum height
Free Standing¹ (types below)	Size and Height	Size and Height	Size and Height	Size and Height	Size and Height
	1 square foot of sign per 100 square foot of gross floor area	1 square foot of sign per 100 square foot of gross floor area	1 square foot of sign per 125 square foot of gross floor area	1 square foot of sign per 125 square foot of gross floor area	1 square foot of sign per 150 square foot of gross floor area
-pole	25’ maximum height	20’ maximum height	12’ maximum height	12’ maximum height	12’ maximum height
-pedestal/ monument	12’ maximum height	12’ maximum height	12’ maximum height	12’ maximum height	12’ maximum height

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¹ Freestanding sign area shall not exceed 200 square feet, per sign.

1 [§ 297-322. Signs requiring permit and fee.]

2
3 § 297-324. STANDARDS FOR SPECIFIC TYPES OF SIGNS

4
5 All signs in this section shall conform to the standards, provisions and
6 regulations specified in this article. The following signs with their stated
7 restrictions require a permit and a fee:

8
9 A. Freestanding signs [and structures].

10
11 (1) [Dual frontage property in commercial and industrial zones.]

12 **NUMBER OF SIGNS ALLOWED.**

13
14 (a) **ONLY** one (1) freestanding sign [structure may] **SHALL**
15 be erected. [which advertises commodities sold and
16 services provided on the premises. A freestanding sign to
17 be used on a parcel of land in the commercial or industrial
18 zones with multiple uses and a name distinct from that of
19 any occupant, such as] **A shopping center, BUSINESS**
20 **PARK, or industrial park, MAY HAVE ONE (1)**
21 **FREESTANDING SIGN. NO FREESTANDING**
22 **SIGN(S) SHALL BE PERMITTED FOR INDIVIDUAL**
23 **ENTERPRISES LOCATED WITHIN OR ON THE**
24 **SAME LOT WITH THE SHOPPING CENTER,**
25 **BUSINESS PARK OR INDUSTRIAL PARK** [shall be
26 used only to identify the center or park and/or a register to
27 identify the multiple uses].

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29 (b) **AN ADDITIONAL FREESTANDING SIGN MAY BE**

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ERECTED [Any business] on property with dual frontage
ON [two] state and/or county highways [shall be allowed
one additional pylon sign subject to all requirements,
including total square footage permitted, herein, with one
sign erected to face each state or county highway. The
second pylon sign shall not exceed 32 square feet in total
area, nor shall the top of the sign be higher than 25 feet
above the grade of the road].

[(2) The allowable square footage of any sign displayed on anyone
freestanding structure shall be computed at one square foot of sign
area for each 100 square feet of gross floor area or one square foot
of sign area for each linear foot of building frontage, whichever
computation is greater. For multistory buildings, the gross floor
area shall be only computed for the ground floor.]

[(3) The minimum guaranteed freestanding sign area shall be 32 square
feet per premises. In cases where the sign is a ground sign, the
minimum guaranteed freestanding sign area shall be 48 square feet
per lot. The maximum freestanding sign area shall be 200 square
feet per lot. The maximum freestanding sign area for a parcel of
commercial or industrial property with multiple uses and a name
distinct from that of any occupant, such as a shopping center or
industrial park, shall be 250 square feet.]

[(4) The maximum height of a freestanding sign structure shall be 35
feet in industrial zones and 25 feet in all other zones. A
freestanding or pylon sign shall be measured from the finished
floor elevation of the building on the property upon which it lies to

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the top of the sign. Freestanding or pylon signs shall not be placed on a berm or other structure so as to artificially increase the height above the standards set in this article.]

[(5) Any freestanding sign structure to be located within a one hundred foot radius of the intersections of the right-of-way lines of any street or highway intersection must not extend beyond the building restriction line.]

(2) DESIGN/CONSTRUCTION.

(A) FREESTANDING SIGNS SHALL BE DESIGNED AND CONSTRUCTED USING MATERIALS SO THE SIGN IS ARCHITECTURALLY CONSISTENT WITH THE PRIMARY STRUCTURE/BUILDING BEING SERVED BY THE SIGN.

(B) FREESTANDING SIGNS SHALL BE DESIGNED AND CONSTRUCTED TO ENSURE THE SUPPORT STRUCTURE IS PROPERLY SCREENED UTILIZING SIMILAR BUILDING MATERIALS AS THE PRIMARY STRUCTURE/BUILDING THE SIGN IS SERVING.

(3) STREET ADDRESS DESIGNATIONS.

(A) ALL FREESTANDING SIGNS SHALL INCLUDE THE STREET ADDRESS DESIGNATION, FOR EXAMPLE: A SIGN SERVING AN ADDRESS FOR

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5000 CRAIN HIGHWAY WILL HAVE THE DESIGNATION OF “5000”.

(B) THE STREET ADDRESS DESIGNATION SHALL BE LOCATED SO IT IS SEPARATE FROM THE MAIN PORTION OF THE SIGN. THE CHARACTER SIZE SHALL BE A MINIMUM OF SIX (6) INCHES IN HEIGHT AND LOCATED AT APPROXIMATE EYE LEVEL WITH STANDARD PASSENGER VEHICLES.

(C) THE TOTAL SIZE OF THE ADDRESS DESIGNATION SHALL NOT EXCEED THREE (3) SQUARE FEET IN AREA AND WILL NOT COUNT TOWARDS THE MAXIMUM ALLOWABLE SIGN AREA PERMITTED UNDER THIS ORDINANCE.

(4) POLE SIGNS.

(A) THE MAXIMUM HEIGHT OF A POLE SIGN SHALL BE DETERMINED BY ROAD CLASSIFICATION (SEE FIGURE XIX-1).

(B) THE MAXIMUM SIGN AREA SHALL BE DETERMINED BY ROAD CLASSIFICATION (SEE FIGURE XIX-1).

(5) MONUMENT/PEDESTAL SIGNS

(A) THE MAXIMUM HEIGHT FOR A MONUMENT

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SIGN SHALL BE DETERMINED BY ROAD CLASSIFICATION (SEE FIGURE XIX-1).

(B) THE MAXIMUM SIGN AREA SHALL BE DETERMINED BY ROAD CLASSIFICATION (SEE FIGURE XIX-1).

(6) FREESTANDING CANOPY SIGNS

(A) A FREESTANDING CANOPY WITH A COMPANY'S NAME AND/OR LOGO MUST KEEP SIGNAGE FLUSH WITH THE SURFACE WITH NO PROJECTION OFF OF THE CANOPY.

(7) TENANT LISTING

(A) TENANT LISTINGS ON FREESTANDING SIGNS SHALL BE LIMITED FOR USE FOR RETAIL OR SHOPPING CENTERS.

(B) THE MAXIMUM NUMBER OF TENANTS ALLOWED ON AN INDIVIDUAL EXTERIOR FREESTANDING SIGN SHALL BE LIMITED TO SIX (6), INCLUDING REGISTERED LOGOS.

(C) THE MINIMUM SIZE OF INDIVIDUAL CHARACTERS/GRAPHICS ON A TENANT LISTING SHALL BE TEN (10) INCHES IN HEIGHT AND ALL CHARACTERS/GRAPHICS SHALL BE UNIFORM

1 **TYPE FONT AND COLOR SCHEME.**

2

3 B. [Building signs] **SIGNS ATTACHED TO BUILDINGS.**

4

5 [(1) The allowable square footage of any building signs shall be

6 computed at one square foot of sign area per 50 square feet of gross

7 floor area. For multistory buildings, the gross floor area shall be

8 only computed for the ground floor.]

9

10 [(2) The minimum guaranteed building signage shall be 32 square feet

11 per business.]

12

13 [(3) Projection signs shall not extend more than four feet from the

14 building wall, shall not project closer than two feet to the curblines

15 of the driveway or roadway and shall have a clearance of not less

16 than 10 feet over the sidewalks.]

17

18 [(4) The owner of a parcel of land in an industrial development may

19 elect to construct a freestanding sign in lieu of any building

20 signage. A freestanding sign shall be no higher than four feet from

21 the building finished grade nor larger than 32 square feet in actual

22 sign area.]

23

24 **(1) FLUSH FAÇADE SIGN.**

25

26 **(A) THE MAXIMUM SIGN AREA SHALL BE**

27 **DETERMINED BY ROAD CLASSIFICATION (SEE**

28 **FIGURE XIX-1).**

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(B) ONE SIGN SHALL BE PERMITTED FOR EACH CUSTOMER ENTRANCE TO THE BUILDING.

(2) PROJECTING SIGNS.

(A) THE MAXIMUM SIGN AREA SHALL BE DETERMINED BY ROAD CLASSIFICATION (SEE FIGURE XIX-1).

(B) THE MINIMUM CLEARANCE FROM GRADE SHALL BE EIGHT (8) FEET.

(C) THE MAXIMUM PROJECTION FROM THE BUILDING SHALL BE DETERMINED BY THE CURRENT BUILDING CODE.

(D) ONE SIGN SHALL BE PERMITTED FOR EACH CUSTOMER ENTRANCE TO THE BUILDING.

(3) AWNING AND CANOPY SIGNS.

(A) THE MAXIMUM SIGN AREA SHALL BE DETERMINED BY ROAD CLASSIFICATION (SEE FIGURE XIX-1).

(B) THE MINIMUM CLEARANCE FROM GRADE TO THE UNDERSIDE OF THE AWNING OR CANOPY SHALL BE EIGHT (8) FEET. SIGNS CANNOT EXTEND ABOVE OR BELOW THE FACE OF THE

1 (A) THE MAXIMUM SIGN AREA FOR AN “A” SIGN
2 SHALL BE SIX (6) FEET.

3
4 (B) THE MAXIMUM HEIGHT FOR AN “A” SIGN
5 SHALL BE THREE (3) FEET.

6
7 (C) THE MAXIMUM WIDTH FOR AN “A” SIGN SHALL
8 BE THREE (3) FEET.

9
10 § 297-325 EVENT SIGNS.

11
12 A. EVENT SIGNS RELATED TO EVENTS HELD IN CHARLES
13 COUNTY, LOCATED AT PUBLIC FACILITIES, INCLUDING, BUT
14 NOT LIMITED TO, COUNTY FAIRGROUNDS, PARKS AND
15 RECREATIONS, PUBLIC SCHOOLS, AND COUNTY OWNED
16 PROPERTIES, NON-PROFIT FACILITIES (VFD, CHURCH,
17 CIVIC), EVENTS THAT HAVE OBTAINED A TEMPORARY USE
18 PERMIT FOR A PUBLIC EVENT, AND CHURCH FUNDRAISERS.
19 THESE SIGNS DO NOT REFER TO GRAND OPENINGS,
20 SPECIAL SALES OR PROMOTIONAL SALES.

21
22 B. A PERMIT, WITH NO FEES, FOR EVENT SIGNS MUST BE
23 GRANTED BY THE ZONING OFFICER[/DESIGNEE] AT LEAST
24 SEVEN (7) DAYS IN ADVANCE OF ITS PUBLIC DISPLAY.

25
26 C. EVENT SIGNS MAY ONLY BE DISPLAYED FOURTEEN (14)
27 DAYS IN ADVANCE OF THE EVENT.

28
29 D. EVENT SIGNS SHALL BE REMOVED WITHIN FORTY-EIGHT

1 **(48) HOURS AFTER THE END OF THE EVENT.**

2
3 **E. WITH THE EXCEPTION OF DIRECTIONAL SIGNS ERECTED**
4 **IN ACCORDANCE WITH §297-324(G), NO EVENT SIGNS SHALL**
5 **BE PLACED IN THE PUBLIC RIGHTS-OF-WAY OR WITHIN**
6 **THE SIGHT TRIANGLE OF ANY INTERSECTION. EVENT**
7 **SIGNS MADE OF WOOD SHALL NOT EXCEED THIRTY-TWO**
8 **(32) SQUARE FEET. SUCH SIGNS MUST BE PLACED ON**
9 **PRIVATE PROPERTY WITH OWNER’S PERMISSION.**

10
11 **F. NO PAPER OR CARDBOARD SIGNS ARE PERMITTED.**

12
13 **G. DIRECTIONAL SIGNS FOR EVENTS SIGNAGE LOCATED IN**
14 **COUNTY RIGHTS-OF-WAY.**

15
16 **(1) THE FOLLOWING STANDARDS APPLY TO**
17 **DIRECTIONAL SIGNS USED TO GUIDE THE MOTORING**
18 **PUBLIC TO EVENTS:**

19
20 **(A) SPACING: SIGNS MAY BE LOCATED AT**
21 **INTERSECTIONS, AND MAY INCLUDE STRAIGHT**
22 **AS WELL AS TURNING MOVEMENT ARROWS.**

23
24 **(B) SIZE: MAXIMUM OF THREE (3) SQUARE FEET.**

25
26 **(C) LOCATION: THREE (3) FEET OFF THE CURB OR**
27 **EDGE OF PAVING; NO MORE THAN THIRTY (30)**
28 **INCHES IN HEIGHT; IN NO CASE CLOSER THAN**
29 **THIRTY (30) FEET TO THE POINT OF**

INTERSECTION.

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(D) DURATION: 12 NOON FRIDAY UNTIL 12 NOON MONDAY OR THE TUESDAY FOLLOWING A FEDERAL HOLIDAY OBSERVED ON A MONDAY. FOR A WEEKDAY EVENT, THE SIGN CAN BE PLACED FORTY-EIGHT (48) HOURS IN ADVANCE AND REMOVED TWENTY-FOUR (24) HOURS AFTER THE EVENT.

(E) NUMBER: NO MORE THAN ONE (1) DIRECTIONAL SIGN AT EACH [TURNING MOVEMENT] APPROACH TO THE INTERSECTION FOR EACH SUBDIVISION OR DEVELOPMENT FOR WHICH DIRECTIONS ARE BEING GIVEN.

(F) CONTENT: EVENT NAME AND A DIRECTIONAL ARROW MUST BE PART OF THE SIGN. THE NAME MAY INCLUDE A DESCRIPTION OF THE TYPE OF EVENT.

(G) MATERIALS: SIGNS MUST BE METAL OR PLASTIC ON A BREAK-AWAY SUPPORT OF WOOD, PLASTIC OR FLEXIBLE WIRE. NO PAPER OR CARDBOARD SIGNS ARE PERMITTED.

(2) SIGN LOCATION PLAN REQUIRED: THE PERMIT APPLICATION SHALL BE ACCOMPANIED BY A SIGN

1 **LOCATION PLAN DRAWN TO SCALE OF NOT LESS**
2 **THAN ONE INCH EQUALS 2,000 FEET. THE PLAN WILL**
3 **SHOW THE LOCATION OF THE EVENT AND THE**
4 **NUMBER AND GENERAL LOCATION OF THE SIGNS.**

5
6 **(3) PERMIT FEES: THE FEES FOR DIRECTIONAL SIGNS**
7 **SHALL BE COLLECTED IN THE SAME MANNER AS**
8 **TEMPORARY SIGN PERMITS. THE TOTAL SQUARE**
9 **FOOTAGE OF SIGNAGE SHALL BE CALCULATED BY**
10 **ADDING THE SUM OF ALL DIRECTIONAL SIGNS**
11 **APPROVED FOR A N EVENT.**

12
13 **§ 297-326. MAINTENANCE OF SIGNS AND PERMITS.**

14
15 **A. ALL SIGNS AND ALL COMPONENTS THEREOF, INCLUDING**
16 **WITHOUT LIMITATION, SUPPORTS, BRACES, AND ANCHORS,**
17 **SHALL BE KEPT IN A STATE OF GOOD REPAIR.**

18
19
20 **B. IF THE MESSAGE PORTION OF A SIGN IS REMOVED,**
21 **LEAVING ONLY THE SUPPORTING “SHELL” OF A SIGN OR**
22 **THE SUPPORTING BRACES, ANCHORS, OR SIMILAR**
23 **COMPONENTS, THE OWNER OF THE SIGN OR THE OWNER**
24 **OF THE PROPERTY WHERE THE SIGN IS LOCATED OR**
25 **OTHER PERSON HAVING CONTROL OVER SUCH SIGN**
26 **SHALL, WITHIN 180 DAYS OF THE REMOVAL OF THE**
27 **MESSAGE PORTION OF THE SIGN, EITHER REPLACE THE**
28 **ENTIRE MESSAGE PORTION OF THE SIGN WITH A PERMIT**
29 **OR REMOVE THE REMAINING COMPONENTS OF THE SIGN.**

1 **THIS SUBSECTION SHALL NOT BE CONSTRUED TO ALTER**
2 **THE EFFECT OF § 297-327, WHICH PROHIBITS THE**
3 **REPLACEMENT OF A NONCONFORMING SIGN. NOR SHALL**
4 **THIS SUBSECTION BE CONSTRUED TO PREVENT THE**
5 **CHANGING OF THE MESSAGE OF A SIGN.**

6
7 **C. THE AREA WITHIN TEN (10) FEET IN ALL DIRECTIONS OF**
8 **ANY PART OF A FREESTANDING SIGN SHALL BE KEPT**
9 **CLEAR OF ALL DEBRIS.**

10
11 **D. NO PERSON MAY, FOR THE PURPOSE OF INCREASING OR**
12 **ENHANCING THE VISIBILITY OF ANY SIGN, DAMAGE, TRIM,**
13 **DESTROY, OR REMOVE ANY TREES, SHRUBS, OR OTHER**
14 **VEGETATION LOCATED:**

15
16 **(1) WITHIN THE RIGHT-OF-WAY OF ANY PUBLIC STREET,**
17 **ROAD, OR BUFFERYARD UNLESS THE WORK IS DONE**
18 **PURSUANT TO THE EXPRESS WRITTEN**
19 **AUTHORIZATION OF THE COUNTY OR OTHER**
20 **AGENCY HAVING JURISDICTION OVER THE STREETS.**

21
22 **(2) ON PROPERTY THAT IS NOT UNDER THE OWNERSHIP**
23 **OR CONTROL OF THE PERSON DOING OR**
24 **RESPONSIBLE FOR SUCH WORK, UNLESS THE WORK**
25 **IS DONE PURSUANT TO THE EXPRESS**
26 **AUTHORIZATION OF THE PERSON OWNING THE**
27 **PROPERTY WHERE SUCH TREES OR SHRUBS ARE**
28 **LOCATED.**

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**(3) IN ANY AREA WHERE SUCH TREES AND SHRUBS ARE
REQUIRED TO REMAIN UNDER A PERMIT ISSUED
UNDER THIS ORDINANCE.**

§ 297-[323]327. Nonconforming signs.

A. [Any lawfully erected sign, the maintenance of which is made unlawful by this article, may continue to be maintained exactly as such existed at the time when the maintenance thereof became otherwise unlawful un the provision of this article.] **SUBJECT TO THE RESTRICTIONS OF THIS SECTION, NONCONFORMING SIGNS THAT WERE OTHERWISE LAWFUL ON THE EFFECTIVE DATE OF THIS ARTICLE MAY BE CONTINUED UNTIL THEY ARE REQUIRED TO BE REMOVED UNDER § 297-326.**

[B. No nonconforming sign shall:

- (1) Be changed to another nonconforming sign.
- (2) Have any changes made in the words or symbols used or the message displayed on the sign unless the sign is an off-site advertising sign, a bulletin board or a substantially similar type of sign, specifically designed for periodic change of messages.
- (3) Be structurally altered so as to prolong the life of the sign or so as to change the shape, size, type or design of the sign.
- (4) Be reestablished after the activity, business or usage to which it

1 relates has been discontinued for 30 days or longer.]

2
3 [C. Any nonconforming sign that is in need of repair or other maintenance by
4 more than 50% or is otherwise unsafe to the public according to the
5 provisions of this article shall be removed and/or replaced with a sign that
6 conforms to this article within one year of the adoption of this chapter.]

7
8 [D. The Board of Zoning Appeals shall grant special exceptions ^LPage 349
9 from Subsection B above or special exceptions permitting the erection or
10 maintenance of a nonconforming sign only upon the grounds established
11 by law for the granting of special exceptions or upon a finding that the
12 granting of a special exception will reduce the degree of nonconformance
13 of an existing sign or will result in the removal of one or more lawfully
14 nonconforming signs and replacement by a sign or signs more in keeping
15 with the intent, purpose and provisions of this article.]

16
17 **B. NONCONFORMING SIGNS MAY NOT BE ENLARGED OR**
18 **ALTERED IN SUCH A MANNER AS TO INCREASE THE**
19 **DEGREE OF NONCONFORMITY. NOR MAY ILLUMINATION**
20 **BE ADDED TO ANY NONCONFORMING SIGN.**

21
22 **C. A NEW BUSINESS/USE SHALL NOT MOVE OR REPLACE A**
23 **NONCONFORMING SIGN EXCEPT TO BRING THE SIGN INTO**
24 **COMPLETE CONFORMITY WITH THIS ARTICLE.**

25
26 **D. IF A NONCONFORMING SIGN IS DESTROYED BY NATURAL**
27 **CAUSES, IT MAY NOT THEREAFTER BE REPAIRED,**
28 **RECONSTRUCTED, OR REPLACED EXCEPT INCONFORMITY**
29 **WITH ALL THE PROVISIONS OF THIS ORDINANCE, AND THE**

1 **REMNANTS OF THE FORMER SIGN STRUCTURE SHALL BE**
2 **CLEARED FROM THE LAND.**

3
4 **E. IF A NONCOMFORMING SIGN OTHER THAN A BILLBOARD**
5 **ADVERTISES A BUSINESS, SERVICE, COMMODITY,**
6 **ACCOMMODATION, ATTRACTIONS, OR OTHER ENTERPRISE**
7 **OR ACTIVITY THAT IS NO LONGER OPERATING OR BEING**
8 **OFFERED OR CONDUCTED, THAT SIGN SHALL BE**
9 **CONSIDERED ABANDONED AND SHALL BE REMOVED**
10 **WITHIN [180] 365 DAYS AFTER SUCH ABANDONMENT.**

11
12 **F. IF A BILLBOARD REMAINS BLANK FOR A CONTINUOUS**
13 **PERIOD OF 365 DAYS, THAT BILLBOARD SHALL BE DEEMED**
14 **ABANDONED AND SHALL, WITHIN THIRTY (30) DAYS AFTER**
15 **SUCH ABANDONMENT, BE ALTERED TO COMPLY WITH THIS**
16 **ARTICLE OR BE REMOVED BY THE SIGN OWNER, OWNER**
17 **OF THE PROPERTY WHERE THE SIGN IS LOCATED, OR**
18 **OTHER PERSON HAVING CONTROL OVER SUCH SIGN. FOR**
19 **THE PURPOSES OF THIS SECTIONS A SIGN IS “BLANK” IF:**

20
21 **(1) IT ADVERTISES A BUSINESS, SERVICE, COMMODITY,**
22 **ACCOMMODATION, ATTRACTION, OR OTHER**
23 **ENTERPRISE OR ACTIVITY THAT IS NO LONGER**
24 **OPERATING OR BEING OFFERED OR CONDUCTED; OR**

25
26 **(2) THE ADVERTISING MESSAGE IT DISPLAYS BECOMES**
27 **ILLEGIBLE IN WHOLE OR IN SUBSTANTIAL PART; OR**

28
29 **(3) THE ADVERTISING COPY PAID BY A PARTY OTHER**

1 **THAN THE SIGN OWNER, OR PROMOTING AN**
2 **INTEREST OTHER THAN THE RENTAL OF THE SIGN**
3 **HAS BEEN REMOVED.**

4
5 **G. THE ZONING OFFICER, WITH THE CONCURRENCE OF THE**
6 **COUNTY’S HISTORIC SITES PLANNER, MAY ALLOW A**
7 **NONCONFORMING SIGN TO REMAIN IF SUCH SIGN IS**
8 **DETERMINED TO BE ONE OR MORE OF THE FOLLOWING:**

9
10 **(1) FIFTY (50) YEARS OLD OR OLDER;**

11
12 **(2) EMBODIES DISTINCTIVE CHARACTERISTICS OF**
13 **A TYPE, PERIOD, OR METHOD OF CONSTRUCTION, OR**
14 **REPRESENTS THE WORK OF A MASTER, OR THAT**
15 **POSSESS HIGH ARTISTIC VALUES;**

16
17 **(3) IS ASSOCIATED WITH EVENTS THAT HAVE MADE A**
18 **SIGNIFICANT CONTRIBUTION TO THE HISTORY OF**
19 **CHARLES COUNTY; OR**

20
21 **(4) ANY OTHER CRITERIA OF THE NATIONAL**
22 **REGISTER.**

23
24 **§ 297-328. REAL ESTATE SIGNS.**

25
26 **A. NOTWITHSTANDING THE OTHER RESTRICTIONS**
27 **CONTAINED WITHIN THIS SIGN ORDINANCE, THE**
28 **FOLLOWING PROVISIONS ONLY APPLY TO REAL ESTATE**
29 **SIGNS.**

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B. SIGNS REQUIRING NEITHER PERMIT NOR PAYMENT OF A FEE

(1) REAL ESTATE SIGNS WITHOUT ILLUMINATION, CONTAINING THE MESSAGE THAT THE REAL ESTATE ON WHICH THE SIGN IS LOCATED (INCLUDING BUILDINGS) IS FOR SALE, LEASE, OR RENT TOGETHER WITH INFORMATION IDENTIFYING THE OWNER OR AGENT. SUCH SIGNS SHALL BE REMOVED WITHIN FOURTEEN (14) DAYS AFTER SALE, LEASE OR RENTAL.

(A) IN RESIDENTIAL ZONES, SUCH SIGNS MAY NOT EXCEED SIX (6) SQUARE FEET IN AREA AND SHALL BE REMOVED IMMEDIATELY AFTER SALE, LEASE, OR RENTAL. A SINGLE SIGN ON EACH STREET FRONTAGE MAY BE ERECTED.

(B) IN ALL ZONES OTHER THAN RESIDENTIAL, SUCH SIGNS MAY NOT EXCEED THIRTY-TWO (32) SQUARE FEET IN AREA.

(2) OFF-PREMISE SIGNS ANNOUNCING OPEN HOUSES FOR REAL ESTATE SALES SHALL BE PERMITTED PROVIDED THAT THE OWNER'S PERMISSION IS OBTAINED PRIOR TO THE POSTING OF SUCH SIGN, THEY ARE LOCATED OUTSIDE OF THE PUBLIC RIGHT-OF-WAY, AND THE SIGN IS NO LARGER THAN FOUR (4) SQUARE FEET. SUCH SIGNS MAY BE POSTED AFTER

1 **12:00 NOON ON FRIDAY AND MUST BE REMOVED BY**
2 **12:00 P.M. THE FOLLOWING MONDAY. NO MORE THAN**
3 **FOUR (4) SIGNS SHALL BE PERMITTED FOR ANY ONE**
4 **HOUSE.**

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6 **C. SIGNS REQUIRING PERMIT BUT NO FEE.**

7
8 **(1) PERMANENT IDENTIFICATION SIGNS.**

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10 **(A) A PERMANENT SINGLE SIGN NOT EXCEEDING**
11 **THIRTY-TWO (32) SQUARE FEET IN AREA,**
12 **IDENTIFYING ONLY THE NAME AND STREET**
13 **NUMBER OF AN APARTMENT HOUSE OR**
14 **COMPLEX, OR RESIDENTIAL SUBDIVISION, MAY**
15 **BE ERECTED ON THE PREMISES OR THE**
16 **BUILDING ITSELF.**

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18 **(B) TO ENSURE THAT TRAVELING MOTORISTS CAN**
19 **SEE AND IDENTIFY THE SUBDIVISION,**
20 **ADDITIONAL SIGNAGE MAY BE PERMITTED**
21 **NOT TO EXCEED TWO SIGNS WITH A TOTAL**
22 **SIGN AREA OF NOT MORE THAN SIXTY-FOUR**
23 **(64) SQUARE FEET.**

24
25 **D. SIGNS REQUIRING PERMIT AND PAYMENT OF A FEE.**

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27 **(1) TEMPORARY IDENTIFICATION SIGN. DURING**
28 **DEVELOPMENT AND SALE OF A SUBDIVISION OR**
29 **OTHER PROPERTY, ONE (1) TEMPORARY SIGN**

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NAMING THE SUBDIVISION AND OTHER PERTINENT SALES INFORMATION, HAVING AN AREA NOT EXCEEDING SIXTY-FOUR (64) SQUARE FEET AND A HEIGHT NOT EXCEEDING SIXTEEN (16) FEET, SHALL BE PERMITTED IN THE SUBDIVISION OR OTHER PROPERTY. IF THE DEVELOPMENT HAS MULTIPLE STREET FRONTAGES WITH A VEHICULAR ENTRANCE, ONE (1) ADDITIONAL SIGN OF EQUAL SIZE SHALL BE ALLOWED ON THE PREMISES AND SITUATED AT THE ADDITIONAL STREET FRONTAGE WITH A VEHICULAR ENTRANCE.

(2) TEMPORARY DIRECTIONAL SIGNS, INDICATING THE LOCATION OF A REAL ESTATE SUBDIVISION.

(A) SUCH SIGNS, NOT EXCEEDING A TOTAL OF SIXTY-FOUR (64) SQUARE FEET IN AREA, MAY BE ERECTED WITHIN SIX (6) STREET MILES OF THE SUBDIVISION SITE.

(B) A MAXIMUM OF FOUR (4) SUCH SIGNS ARE PERMITTED, AND EACH SIGN SHALL BE LOCATED NOT LESS THAN FIFTEEN (15) FEET FROM THE NEAREST EDGE OF A PUBLIC RIGHT-OF-WAY AND AT LEAST ONE HUNDRED (100) FEET FROM THE NEAREST CURB INTERSECTION OF ANY STREETS OR ROADWAYS.

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(C) THE TOP OF THE SIGN SHALL NOT EXCEED 16 FEET ABOVE GRADE.

(D) THE CONTENT OF SUCH SIGN SHALL BE RESTRICTED TO THE NAME OF THE SUBDIVISION AND OTHER PERTINENT SALES INFORMATION.

(E) A TEMPORARY REAL ESTATE SIGN SHALL BE REMOVED UPON COMPLETION OF THE PROJECT OR WHEN SOLD OR LEASED.

(3) DIRECTIONAL SIGNS FOR DEVELOPING SUBDIVISIONS LOCATED IN COUNTY RIGHTS-OF-WAY.

THE FOLLOWING STANDARDS APPLY TO DIRECTIONAL SIGNS USED TO GUIDE THE MOTORING PUBLIC TO DEVELOPING SUBDIVISIONS:

(A) SPACING: SIGNS MAY BE LOCATED AT INTERSECTIONS, AND MAY INCLUDE STRAIGHT AS WELL AS, TURNING MOVEMENT ARROWS.

(B) SIZE: MAXIMUM OF THREE (3) SQUARE FEET.

(C) LOCATION: THREE (3) FEET OFF THE CURB OR EDGE OF PAVING; NO MORE THAN THIRTY (30) INCHES IN HEIGHT; IN NO CASE CLOSER THAN

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THIRTY (30) FEET TO THE POINT OF INTERSECTION.

(D) DURATION: 12 NOON FRIDAY UNTIL 12 NOON MONDAY OR THE TUESDAY FOLLOWING A FEDERAL HOLIDAY OBSERVED ON A MONDAY. FOR A WEEKDAY EVENT, THE SIGN CAN BE PLACED FORTY-EIGHT (48) HOURS IN ADVANCE AND REMOVED TWENTY-FOUR (24) HOURS AFTER THE EVENT.

(E) NUMBER: NO MORE THAN ONE (1) DIRECTIONAL SIGN AT EACH APPROACH TO THE INTERSECTION FOR EACH SUBDIVISION OR DEVELOPMENT FOR WHICH DIRECTIONS ARE BEING GIVEN.

(F) CONTENT: SUBDIVISION OR DEVELOPMENT NAME AND A DIRECTIONAL ARROW MUST BE PART OF THE SIGN. THE NAME MAY INCLUDE A DESCRIPTION OF THE TYPE OF DEVELOPMENT.

(G) MATERIALS: SIGNS MUST BE METAL OR PLASTIC ON A BREAK-AWAY SUPPORT OF WOOD, PLASTIC OR FLEXIBLE WIRE. NO PAPER OR CARDBOARD SIGNS ARE PERMITTED.

(4) SIGN LOCATION PLAN REQUIRED: THE PERMIT APPLICATION SHALL BE ACCOMPANIED BY A SIGN

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LOCATION PLAN DRAWN TO SCALE OF NOT LESS THAN ONE INCH EQUALS 2,000 FEET. THE PLAN WILL SHOW THE LOCATION OF THE DEVELOPMENT AND THE NUMBER AND GENERAL LOCATION OF THE SIGNS.

(5) PERMIT FEES: THE FEES FOR DIRECTIONAL SIGNS SHALL BE COLLECTED IN THE SAME MANNER AS TEMPORARY SIGN PERMITS. THE TOTAL SQUARE FOOTAGE OF SIGNAGE SHALL BE CALCULATED BY ADDING THE SUM OF ALL DIRECTIONAL SIGNS APPROVED FOR A SINGLE RESIDENTIAL DEVELOPMENT.

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SECTION 2. BE IT FURTHER ENACTED, that this Act shall take effect TEN
(10) calendar days after it becomes law.

COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND

Wayne Cooper, President

Edith J. Patterson, Vice President

Reuben B. Collins, II

Samuel N. Graves, Jr.

Gary V. Hodge

ATTEST:

Denise Ferguson, Clerk

CHARLES COUNTY GOVERNMENT

Department of Fiscal & Administrative Services
David M. Eicholtz, Budget Chief



INTEROFFICE MEMORANDUM

TO: Deborah Hudson, CPA, Director *DH*
THRU: David Eicholtz, Chief of Budget *ME*
FROM: Jake Dyer, Budget Analyst III *JD*
SUBJECT: Fiscal Impact Review for Proposed Sign Ordinance
DATE: May 18, 2010

Planning & Growth Management has requested a fiscal impact review of the proposed Sign Ordinance. Attached is a copy of the proposal which demonstrates the changes to the current ordinance. I spoke with Shelley Wagner, a Program Manager for Planning, and most changes are to clean up some of the language in the current ordinance to reflect staff's current duties. The biggest change to the proposed Sign Ordinance is the method of how the size of each sign request will be determined. Currently the size of the building dictates the size of the sign. The proposal will allow the road classification and building size to dictate the size of each sign. For example, the size of a sign for a large building on Route 301 with a high speed limit will be permitted to be larger than a sign for a large building on Washington Avenue with a lower speed limit. The proposed ordinance has a computation section on page 10 that explains how the sign area, sign height and total maximum signage will be determined for each sign request.

Allowing this change to the Sign Ordinance could impact the County operationally and fiscally. When Planning staff reviews each request, they will now have to compute the size of the sign differently. Shelley Wagner estimates this could take a Planner an extra hour to compute the size of each sign request. Currently, she estimates it takes a Planner thirty minutes to review each application. It is estimated that it could add an extra hour to their review process which could cost the County an additional \$71.30 in salary and fringe and an extra \$13.19 in overhead. Ms. Wagner estimates that Planning staff reviews an average of five sign applications per week so the estimated full year impact for change could be an extra \$22,000 in County services.

Also attached is the approved FY 11 Fees & Charges for our sign permits which did not increase the sign permit fee. It is recommended that the County reviews its permit fee structure for sign permits to ensure that this additional service will not impact the County fiscally.