

**CITY OF BALTIMORE
COUNCIL BILL 20-0570
(First Reader)**

Introduced by: President Scott
Introduced and read first time: July 27, 2020
Assigned to: Land Use Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Transportation, Department of Housing and Community Development

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Railroad Rights-of-Way – Billboards**

3 FOR the purpose of authorizing, subject to limitations and requirements, the erection of new
4 billboards within a railroad right-of-way or within a railroad facility that adjoins a railroad
5 right-of-way; and correcting, conforming, and clarifying related language.

6 BY repealing and reordaining, with amendments

7 Article 32 - Zoning

8 Section(s) 17-406

9 Baltimore City Code

10 (Edition 2000)

11 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
12 Laws of Baltimore City read as follows:

13 **Baltimore City Code**

14 **Article 32. Zoning**

15 **Title 17. Signs**

16 **§ 17-406. Billboards.**

17 (a) *General prohibitions.*

18 (1) Except as otherwise specifically provided in this Code, the erection, conversion,
19 placement, or construction of new billboards, static or digital, is prohibited.

20 (2) No billboard may have audio speakers or any audio component.

21 (b) *Digital billboard defined.*

22 In this section, “digital billboard” means any billboard that is also an electronic sign.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (c) *New billboards.*

2 (1) *IN GENERAL.*

3 New billboards are only allowed:

4 (I) [in] WITHIN an Area of Special Signage Control, SUBJECT TO THE
5 REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION; OR

6 (II) WITHIN A RAILROAD RIGHT-OF-WAY OR WITHIN A RAILROAD FACILITY THAT
7 ADJOINS A RAILROAD RIGHT-OF-WAY, SUBJECT TO THE REQUIREMENTS OF
8 PARAGRAPH (3) OF THIS SUBSECTION.

9 (2) *SPECIAL SIGNAGE CONTROL.*

10 [In addition] EXCEPT FOR BILLBOARDS COMPLYING WITH PARAGRAPHS (1)(II) AND (3)
11 OF THIS SUBSECTION:

12 (i) new non-digital billboards:

13 (A) may only be located in a C-1, C-1-E, C-1-VC, C-5-DC, or PC Zoning
14 District[.]; and

15 (B) may not exceed 50 square feet; and

16 (ii) new digital billboards are subject to the following requirements:

17 (A) they may only be located in a C-2, C-3, C-4, C-5, TOD-4, or PC
18 Zoning District[.];

19 (B) digital animation, streaming video, or images that move or give the
20 appearance of movement are only allowed as described in [the] AN
21 approved Signage Plan; and

22 (C) all digital billboards must have ambient light monitors that
23 automatically adjust the brightness level of the billboard based on
24 ambient light conditions.

25 (3) *RAILROAD RIGHTS-OF-WAY, ETC.*

26 (I) A NEW BILLBOARD (DIGITAL OR NON-DIGITAL) IS PERMITTED WITHIN A RAILROAD
27 RIGHT-OF-WAY OR WITHIN A RAILROAD FACILITY THAT ADJOINS A RAILROAD
28 RIGHT-OF-WAY, SUBJECT TO THE FOLLOWING REQUIREMENTS:

29 (A) THE NEW BILLBOARD MAY ONLY BE LOCATED:

30 1. WITHIN A RAILROAD RIGHT-OF-WAY AT A LOCATION THAT
31 IMMEDIATELY ADJOINS AN I-2 OR MI ZONING DISTRICT; OR

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- 1 (v) the billboard does not have audio speakers or any audio component;
- 2 (vi) the new digital billboard is not relocated by more than 15 feet in
- 3 any direction from its original location;
- 4 (vii) each billboard being removed is a minimum of 100 square feet; and
- 5 (viii) the applicant submits proof of current billboard tax payment at
- 6 the time of application for conversion.

7 (2) *Printed billboard removal credit.*

- 8 (i) The Zoning Administrator shall maintain an account of removals of existing
- 9 printed billboards and shall credit the account of the owner of a printed billboard
- 10 for each printed billboard that is removed.
- 11 (ii) In order to document the removal of a printed billboard, the owner shall submit to
- 12 the Zoning Administrator a copy of the conversion permit for the removal of the
- 13 billboard and photographs documenting the removal.
- 14 (iii) A printed billboard removal credit may be reserved and used by the original
- 15 owner of the credit within 5 years after the removal of the printed billboard.

16 (e) *Exclusions.*

17 An existing billboard may not be converted to a digital billboard if:

- 18 (1) it is attached to a building that is 35 feet or less in height;
- 19 (2) it is a pole mounted billboard that is 35 feet or less in height; or
- 20 (3) it is located in or within 250 feet of a residential district.

21 (F) [(c)(3)] *INTEGRATION INTO OTHER SIGN TYPES.*

22 Billboards may only be integrated into any other sign type listed in *Table 17-201: Sign*

23 *Regulations* for that zoning district.

24

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance

26 are not law and may not be considered to have been enacted as a part of this or any prior

27 Ordinance.

28 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day

29 after the date it is enacted.