

AMENDMENTS TO COUNCIL BILL 18-0272
(1st Reader Copy)

By: Land Use and Transportation Committee

Amendment No. 1

ADOPTED

On page 4, in line 1, insert

“(C) ATTENTION-GETTING DEVICE.

“ATTENTION-GETTING DEVICE” MEANS ANY PENNANT, FLAG, FEATHER FLAG, FESTOON, SPINNER, STREAMER, SEARCHLIGHT, BALLOON, INFLATABLE SIGN, STROBE LIGHT OR SIMILAR DEVICE OR ORNAMENTATION DESIGNED FOR THE PURPOSE OF ATTRACTING ATTENTION.”;

and, on page 4, in lines 1, 6, and 31, and, on page 5, in lines 1, 4, 19, and 21, and, on page 6, in lines 8, 10, 16, 20, and 30, and, on page 7, in lines 1, 3, 15, and 17, and, on page 8, in lines 6, 10, 15, and 28, and, on page 9, in line 1, strike “(C)”, “(D)”, “(E)”, “(F)”, “(G)”, “(H)”, “(I)”, “(J)”, “(K)”, “(L)”, “(M)”, “(N)”, “(O)”, “(P)”, “(Q)”, “(R)”, “(S)”, “(T)”, “(U)”, “(V)”, and “(W)”, respectively, and substitute “(D)”, “(E)”, “(F)”, “(G)”, “(H)”, “(I)”, “(J)”, “(K)”, “(L)”, “(M)”, “(N)”, “(O)”, “(P)”, “(Q)”, “(R)”, “(S)”, “(T)”, “(U)”, “(V)”, “(W)” and “(X)”, respectively.

Amendment No. 2

On page 4, in line 10, strike “and”; on the same page, in line 12, strike the period and substitute “; AND”; and, after line 12, insert

“(IV) IS MOUNTED AND ATTACHED TO A STRUCTURE THAT IS MEANT TO BE DURABLE AND PERMANENT.”.

Amendment No. 3

On page 4, in lines 14 and 17, in each instance, strike “POLE MOUNTED” and substitute “FREESTANDING”; and, on the same page, in line 30, after “SIGN”, insert “OR ATTENTION-GETTING DEVICE”.

Amendment No. 4

On page 5, in line 31, strike “OR A”, and substitute “, A”; and, on the same page, in line 32, after “SIGN”, insert “, OR A FREESTANDING PYLON SIGN”.

Amendment No. 5

On page 6, in line 3, strike “INDEPENDENT OF” and substitute “DECORATIVE BASE INCLUDING”; and, on the same page, in line 4, after “STRUCTURE”, insert “, WHICH MUST BE AN INTEGRAL PART OF THE SIGN DESIGN”.

Amendment No. 6

On page 6, in line 7, after “BRACES”, insert “DIRECTLY INSERTED INTO THE GROUND”; and, after line 7, insert

“(C) “FREESTANDING PYLON SIGN” MEANS ANY FREESTANDING SIGN THAT IS PLACED DIRECTLY ON OR SUPPORTED BY GROUND BY A SUPPORT STRUCTURE THAT IS A SOLID-APPEARING BASE CONSTRUCTED OF A PERMANENT MATERIAL, SUCH AS CONCRETE BLOCK, BRICK, OR METAL. THE GROUND SUPPORT DOES NOT INCLUDE ANY POST, POLE, OR OTHER STRUCTURE.”.

Amendment No. 7

On page 6, in line 23, strike “OPEN-STRUCTURAL FRAMEWORK” and substitute “EXPRESSED OR PROJECTING STRUCTURAL MEMBER”; on page 9, in line 24, after “AND”, insert “NON-OBSCENE”; on page 11, in line 24, strike “ALWAYS”, and, in the same line, after “ALLOWED”, insert “WITH PROPER PERMITS”.

Amendment No. 8

On page 11, beginning in line 29, strike “NOT” down through and including “SIGN”, in line 31, and substitute “INCLUDING REPLACEMENT OF LIGHTS AND SIGN FACE, BUT NOT INVOLVING STRUCTURAL CHANGES OR THE CHANGE IN THE SIZE OF THE SIGN”; in line 31, strike “AND”; and, in line 36, strike the period and substitute a semi colon.

Amendment No. 9

On page 11, after line 36, insert

“(4) REPLACEMENT OF THE DIGITAL SCREEN ON AN ELECTRONIC SIGN;

(5) REPLACEMENT OF BROKEN OR PHYSICALLY DAMAGED SIGN SUPPORTS; AND

(6) MODIFICATIONS NECESSARY TO IMPROVE THE SAFETY OF EXISTING SIGNS.”.

Amendment No. 10

On page 13, in line 29, after “HEIGHT”, insert “AND WIDTH”; on page 13, in line 31, before “THE”, insert “(1)”; and, on page 14, after line 2, insert

“(2) THE WIDTH OF A SIGN IS DETERMINED BY MEASURING THE HORIZONTAL DISTANCE FROM THE OUTERMOST POINTS OF EITHER EDGE OF THE SIGN PERPENDICULAR TO THE GROUND PLANE.”;

and, on page 14, in line 29, strike “DAWN AND DUSK”, and substitute “HOURS OF OPERATION”.

Amendment No. 11

On page 15, in line 25, after “CONTROL”, insert “ADVERTISING FOR A BUSINESS LOCATED WITHIN THE AREA OF SPECIAL SIGNAGE CONTROL THAT HOLDS A MANUFACTURER’S LICENSE ISSUED UNDER TITLE 2, SUBTITLE 2 OF THE ALCOHOLIC BEVERAGES ARTICLE OF THE MARYLAND CODE”.

Amendment No. 12

On page 16, in line 11, strike “*{Reserved}*” and substitute “ATTENTION-GETTING DEVICES.”; and, after line 11, insert

“(A) PROHIBITION.

(1) THE ERECTION, PLACEMENT, OR CONSTRUCTION OF ATTENTION-GETTING DEVICES IS PROHIBITED IN THE R-1-A THROUGH R-10, R-MU, OR-1, OR-2, AND EC-1 ZONING DISTRICTS.

(2) THE CITY MAY NOT ISSUE PERMITS FOR THESE SIGNS OR DEVICES IN THESE ZONING DISTRICTS.

(B) REGULATIONS.

(1) ATTENTION-GETTING DEVICES ARE SUBJECT TO THE FOLLOWING REGULATIONS.

(2) ATTENTION-GETTING DEVICES MAY NOT BE ERECTED OR MAINTAINED IN ANY LOCATION OR IN ANY MANNER THAT COULD ENDANGER THE PUBLIC SAFETY, INTERFERE WITH OR OBSTRUCT PEDESTRIAN OR VEHICULAR TRAVEL, OR CREATE A TRAFFIC SAFETY PROBLEM.

(3) ATTENTION-GETTING DEVICES MAY NOT BE ERECTED OR MAINTAINED WITHIN ANY PUBLIC RIGHT-OF-WAY.

(4) AS A CONDITION OF A BUILDING PERMIT, REQUIREMENTS MAY BE IMPOSED ON THE MATERIAL, MANNER OF CONSTRUCTION, AND METHOD OF ERECTION AS ARE REASONABLY NECESSARY TO ASSURE THE SAFETY AND CONVENIENCE OF THE PUBLIC.

(5) NO INFLATABLE PROMOTIONAL DEVICE MAY EXCEED 15 FEET IN HEIGHT OR THE HEIGHT OF THE OF THE PRINCIPAL BUILDING TO WHICH IT RELATES, WHICHEVER IS LOWER. NO INFLATABLE PROMOTIONAL DEVICE MAY BE MOUNTED ON THE ROOF OF A STRUCTURE.”.

Amendment No. 13

On page 18, in line 9, strike “STATIC” and substitute “NON-DIGITAL”; in the same line, strike “OR”; in the same line, after “C-1-VC”, insert “, C-5-DC, OR PC AND MAY NOT EXCEED 50 SQUARE FEET”.

Amendment No. 14

On page 18, after line 19, insert

“(3) BILLBOARDS MAY ONLY BE INTEGRATED INTO ANY OTHER SIGN TYPE LISTED IN TABLE 17-201: SIGN REGULATIONS FOR THAT ZONING DISTRICT.”.

Amendment No. 15

On page 18, in line 33, strike “AND”; in line 34, strike the period and substitute a semi colon; and after line 34, insert

“(VI) THE NEW DIGITAL BILLBOARD IS NOT RELOCATED BY MORE THAN 15 FEET IN ANY DIRECTION FROM ITS ORIGINAL LOCATION:

(VII) EACH BILLBOARD BEING REMOVED IS A MINIMUM OF 100 SQUARE FEET; AND

(VIII) THE APPLICANT SUBMITS PROOF OF CURRENT BILLBOARD TAX PAYMENT AT THE TIME OF APPLICATION FOR CONVERSION.

(2) PRINTED BILLBOARD REMOVAL CREDIT.

(I) THE ZONING ADMINISTRATOR SHALL MAINTAIN AN ACCOUNT OF REMOVALS OF EXISTING PRINTED BILLBOARDS AND SHALL CREDIT THE ACCOUNT OF THE OWNER OF A PRINTED BILLBOARD FOR EACH PRINTED BILLBOARD THAT IS REMOVED.

(II) IN ORDER TO DOCUMENT THE REMOVAL OF A PRINTED BILLBOARD, THE OWNER SHALL SUBMIT TO THE ZONING ADMINISTRATOR A COPY OF THE CONVERSION PERMIT FOR THE REMOVAL OF THE BILLBOARD AND PHOTOGRAPHS DOCUMENTING THE REMOVAL.

(III) A PRINTED BILLBOARD REMOVAL CREDIT MAY BE RESERVED AND USED BY THE ORIGINAL OWNER OF THE CREDIT WITHIN 5 YEARS AFTER THE REMOVAL OF THE PRINTED BILLBOARD.”;

and, on page 19, in line 19, after “DWELL”, insert “AND LOOP”; in the same line, strike “TIME” and substitute “TIME”; and, on the same page, in line 21, strike “DWELL” and substitute “LOOP”.

Amendment No. 16

On page 21, after line 4, insert

“(V) IN THE C-5 AND PC ZONING DISTRICTS, DIGITAL PROJECTION ON WINDOWS IS ALLOWED ON THE GROUND FLOOR.”;

On page 22, in line 29, after “SIGN”, insert “OR A FREESTANDING PYLON SIGN”; on page 23, in line 1, strike “SIGN ON POLE” and substitute “ADDITIONAL REQUIREMENTS”; on the same page, in line 2, strike “POLE”; and, on the same page, in line 3, after “POSTS”, insert “. BASES.”.

Amendment No. 17

On page 23, after line 9, insert

“(4) WHERE ALLOWED, ALL FREESTANDING SIGNS MAY ONLY BE PLACED WITHIN 20 FEET OF THE FRONT OR CORNER SIDE LOT LINE OF ANY LOT ADJOINING A STREET RIGHT-OF-WAY OF AT LEAST 30 FEET WIDE.

“(5) THE HEIGHT OF THE OPEN SPACE BETWEEN THE GROUND AND THE MESSAGE COMPONENT OF ANY FREESTANDING MONUMENT SIGN MAY NOT EXCEED MORE THAN 40% OF THE TOTAL SIGN HEIGHT.”.

Amendment No. 18

On page 25, in line 2, strike “MUST” and substitute “MAY”; on page 26, in line 10, after “ILLUMINATED”, insert “, UNLESS OTHERWISE SPECIFIED IN THIS TITLE”.

Amendment No. 19

On page 26, after line 8, insert

“(5) IN THE C-3, C-4, C-5, TOD-4, BSC, H, I-1, I-2, AND PC ZONING DISTRICTS, THE MAXIMUM AREA PER SIGN FOR A WALL SIGN (ABOVE THE GROUND FLOOR), AS SPECIFIED IN TABLE 17-201: SIGN REGULATIONS, MAY BE SPLIT INTO MULTIPLE SIGNS ON A SINGLE LOT, NOT TO EXCEED THE MAXIMUM SQUARE FOOTAGE ALLOWED.”.

Amendment No. 20

On page 26, in line 16, strike “WALL” and substitute “IN THE C-1 AND C-1-VC ZONING DISTRICTS, WALL”; on page 27, in line 9, strike beginning with the colon, down through and including (H), in line 11; on page 27, in line 11, strike “4” and substitute “5”; and, on the same page, in line 12, after “GRADE”, insert “, IN THE R-5, R-6, R-7, R-8, R-9, R-10, C-1, C-1-VC, AND C-2 ZONING DISTRICTS”.

Amendment No. 21

On page 27, in line 21, strike “25%” and substitute “A PERCENTAGE”; and, in the same line, after “AREA”, insert “, AS SPECIFIED IN TABLE 17: SIGN REGULATIONS”.

Amendment No. 22

On page 28, in line 5, after “DISTRICT”, insert “AS MAPPED ON THE ADOPTED ZONING MAP, AS OF JUNE 5, 2017.”; on the same page, in line 6, after “CONTROL”, insert “UNLESS THE BOUNDARIES OF THE AREA OF SPECIAL SIGNAGE CONTROL ARE OTHERWISE AMENDED PER § 17-505”; on page 29, in line 4, strike “(B)” and substitute “(C)”; and, on the same page, in line 5, strike “MAKE” and substitute “MAY”.

Amendment No. 23

On page 31, after line 12, insert

“(3) THE PLANNING COMMISSION MAY REQUEST REVIEW AND EVALUATION OF ANY ASPECT OF A PROPOSED SIGNAGE PLAN FROM ANY CITY AGENCY PRIOR TO APPROVAL OF A SIGNAGE PLAN AT THE PLANNING COMMISSION.”;

and, on page 33, in line 27, after “sign”, insert “FREESTANDING SIGN.”.

Amendment No. 24

Amend the sheets of Table 17-201: Sign Regulations and Table 17-306: Maximum Cumulative Area of Signs, which are attached to this set of amendments, with the amendments shown as follows:

- (1) Deletions are shown in red, with strike throughs.
- (2) Insertions are shown as red, with underlining.

Amendment No. 25

On page 1, in line 23, after “4-405(a)(9)-(12),”, insert “5-301(b).”; on page 1, in line 25, strike “and”; and, in the same line, after “16-701(c)”, insert “18-304(a), 18-305(a)”.

Amendment No. 26

On page 34, after line 1, insert

“Title 5. Applications and Authorizations

Subtitle 3. Variances

§ 5-301. Purpose.

(b) Application.

The variance procedure applies only to changes in bulk and yard regulations and to changes in signage, parking, and loading requirements. It does not apply to changes in the uses, THE MAXIMUM QUANTITY OF SIGNS, LOCATION REQUIREMENTS OF SIGNS, AND TYPES OF SIGNS allowed within a zoning district.”.

Amendment No. 27

On page 38, after line 20, insert

“Subtitle 3. Nonconforming Uses

§ 18-304. Restoration of damaged structures.

(a) In general.

If a structure containing a nonconforming use OR NONCONFORMING SIGN is damaged or destroyed, the structure OR SIGN may be repaired or reconstructed and the nonconforming use OR SIGN re-established as long as no new nonconformities are created and the existing degree of any nonconformity is not increased.

...

§ 18-305. Relocation.

(a) On same lot.

(1) A nonconforming structure or use may not be relocated, in whole or in part, to any other location on the same lot.

(2) A NONCONFORMING FREESTANDING POLE SIGN THAT IS 300 SQUARE FEET OR LARGER THAT IS EITHER DAMAGED OR DESTROYED PURSUANT TO § 18-304(A) MAY BE RELOCATED BY NO MORE THAN 15 FEET IN ANY DIRECTION FROM ITS ORIGINAL LOCATION.”.

Amendment No. 28

On page 25, in lines 8 and 31, and, on page 26, in line 2, strike “*REQUIREMENTS*” and substitute “*REGULATIONS*”.

Amendment No. 29

On page 22, in line 11, after “*CLEARANCE*”, insert “*AND PROJECTION*”; on the same page, in line 12, before “*PROJECTING*”, insert “*(1)*”; and, on the same page, after line 13, insert

“(2) ELECTRONIC WALL SIGNS MAY PROJECT BEYOND 12 INCHES FROM THE WALL OF A BUILDING FACE UP TO NO MORE THAN 6 FEET FROM THE WALL OF THE BUILDING FACE IF:

- (I) THE ELECTRONIC WALL SIGN IS 200 SQUARE FEET OR GREATER;
- (II) IS IN AN APPROVED SIGNAGE PLAN WITHIN AN AREA OF SPECIAL SIGNAGE CONTROL;
- (III) THE WALL SUPPORTS, NECESSARY INTERNAL SIGN COMPONENTS, STRUCTURAL SUPPORT, OR MAINTENANCE ACCESS REQUIRES THE PROJECTION BEYOND 12 INCHES AND ONLY TO THE MINIMUM EXTENT BEYOND 12 INCHES NECESSITATED;
- (IV) MAINTAINS A CLEARANCE OF AT LEAST 8 FEET FROM THE GROUND IF THE ELECTRONIC WALL SIGN DOES NOT REST ON THE GROUND; AND
- (V) MEETS ALL REQUIREMENTS OF THE BUILDING CODE AND ANY OTHER APPLICABLE REGULATIONS.”.

Amendment No. 30

On page 19, in line 20, strike “10” and substitute “8”; and, on the same page, in line 22, after the period, insert “THE DWELL TIME FOR ANY PREVIOUSLY APPROVED ELECTRONIC SIGN MAY BE MODIFIED TO 8 SECONDS WITHOUT THE NEED FOR ANY FURTHER APPROVAL.”.

Amendment No. 31

On page 2, in line 3, after “14-327(d),”, insert “and”; on the same line, strike “, and 18-504”; on page 1, in line 25, strike “and” and, in the same line, after “18-305(a)”, insert “, and 18-504”; and, on page 39, after line 6, insert

“§ 18-504. CONTINUANCE OF CERTAIN NONCONFORMING BILLBOARDS.

ANY LEGAL NONCONFORMING BILLBOARD, AS OF JUNE 5, 2017, MAY CONTINUE TO FOLLOW THE RULE IN § 11-207(C)(9) AND (10) OF THE ZONING CODE OF BALTIMORE CITY THAT WAS IN EFFECT ON JUNE 4, 2017.”.

Amendment No. 32

On page 16, after line 10, insert

“(4) PERMITTED PLACEMENTS – BILLBOARDS.

NOTWITHSTANDING THE FOREGOING, ANY BILLBOARD THAT ADVERTISES ALCOHOLIC BEVERAGES SHALL BE LOCATED AT LEAST 500 LINEAR FEET FROM ESTABLISHED AND CONSPICUOUSLY IDENTIFIED ELEMENTARY OR SECONDARY SCHOOLS, PLACES OF WORSHIP, OR PUBLIC PLAYGROUNDS.”.