



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 200002, **Version:** 0

INTRODUCTORY*

CITY OF BALTIMORE COUNCIL BILL

Introduced by: Sheila Dixon, President, and Councilmembers Garey, Handy, Cain

A BILL ENTITLED

AN ORDINANCE concerning

Zoning - General Advertising Signs

FOR the purpose of establishing a general prohibition on the issuance of permits and the construction of general advertising signs; providing standards for changes for nonconforming general advertising signs; providing that certain applications for new general advertising signs may not be granted; providing for the severability of this Ordinance; providing for a special effective date; and generally relating to the regulation of general advertising signs.

BY repealing and reordaining, with amendments

Article 30 - Zoning

Section(s) 10.0-1b

Baltimore City Code

(1983 Replacement Volume and Supplements)

BY repealing

Article 30 - Zoning

Section(s) 10.0-3c-1

Baltimore City Code

(1983 Replacement Volume and Supplements)

BY adding

Article 30 - Zoning

Section(s) 10.0-4f

Baltimore City Code

(1983 Replacement Volume and Supplements)

BY repealing and reordaining, with amendments

Article - Zoning

Section(s) 11-206, 11-423

Baltimore City Revised Code

(As enacted by Ordinance 99-547)

BY adding
Article - Zoning
Section(s) 11-506
Baltimore City Revised Code
(As enacted by Ordinance 99-547)

Recitals

General advertising signs constitute a separate and distinct use of the land on which they are placed and affect the use of adjacent streets, sidewalks, and other public places and adjacent private places open to the public.

The unregulated construction, placement, and display of signs constitute a public nuisance detrimental to the health, safety, convenience, and welfare of the residents of the City.

The Council has determined that general advertising signs endanger the public safety by distracting the attention of drivers from the roadway and may otherwise endanger the public health, safety, and welfare.

The Council has also determined that general advertising signs might also result in harm to the welfare of the City by creating visible clutter and blight and by promoting a negative aesthetic impact in the City.

The regulations contained in this Ordinance advance these significant government interests and are the least restrictive means necessary to achieve them.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, until May 1, 2000, the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article 30 - Zoning

Chapter 10 - Sign Regulations

§ 10.0-1. General requirements.

b. [Near expressways.] GENERAL ADVERTISING SIGNS.

[No general advertising sign (billboards and posterboards) shall be erected, enlarged, or relocated within 100 feet, measured in straight line, between the nearest part of such sign and the nearest right-of-way line of an expressway.

No general advertising sign (billboards and posterboards) shall be placed within 1500 feet of another general advertising sign (billboards and posterboards) on the same side of any portion of an interstate highway if the display is to be primarily viewed from the interstate highway.]

THE ERECTION, PLACEMENT, OR CONSTRUCTION OF NEW GENERAL ADVERTISING SIGNS (BILLBOARDS AND POSTERBOARDS) IS PROHIBITED, AND THE CITY MAY NOT ISSUE PERMITS

FOR THESE SIGNS.

§ 10.0-3. Signs in Business and Industrial Districts.

Signs in Business and Industrial Districts shall comply with and be subject to the following provisions:

c. The following types of non-illuminated or indirectly or directly illuminated signs, subject to the limitations prescribed for them, may be authorized by the Board as conditional uses only in the districts indicated, subject to the guides and standards set forth in Section 11.0-5a of this ordinance.

[1. General advertising signs (billboards and posterboards) in B-2, B-3, B-4, B-5, M-2, and M-3 Districts, provided:

(a) The total area of any such sign shall not exceed 900 square feet. Also, end-to-end poster panels shall be limited to two in number, each of which shall not exceed 300 square feet in area.

(b) No such sign, or any portion thereof, shall be located in any required yard.

(c) No such sign shall be located in any block where 50 percent or more of the street frontage of such block on that side of the street on which the sign is proposed to be located, or the street frontage directly opposite thereto, is improved with residential uses and/or institutional uses (educational, cultural, philanthropic, charitable, religious, health, or medical).]

§ 10.0-4. Regulations applying to non-conforming signs.

Signs which do not conform to the regulations and provisions of this Chapter 10 or any requirement of this ordinance shall be subject to the following:

F. BILLBOARDS.

1. THIS SUBSECTION APPLIES TO EACH APPLICATION FOR CHANGE IN A NON-CONFORMING GENERAL ADVERTISING SIGN (BILLBOARDS AND POSTERBOARDS).

2. THE BOARD MUST FIND, AND REQUIRE AS CONDITIONS OF APPROVAL, THAT:

(A) THE SIGN CONFORMS TO ITS ORIGINAL APPROVALS AS GRANTED BY THE BOARD;

(B) NEITHER THE HEIGHT NOR SIZE OF THE SIGN MAY BE INCREASED; AND

(C) THE SIGN MAY NOT BE RELOCATED BY MORE THAN 10 FEET FROM ITS APPROVED LOCATION.

3. THE BOARD MAY NOT AUTHORIZE:

(A) INTERNALLY ILLUMINATED BOX SIGNS;

(B) NEON SIGNS;

- (C) TRIVISION SIGNS; OR
 - (D) FLUCTUATING SIGNS, OTHER THAN FOR TIME OR TEMPERATURE; AND
4. THE BOARD MAY APPROVE A CHANGE IN STRUCTURE.

SECTION 2. AND BE IT FURTHER ORDAINED, That, as of May 1, 2000, the Revised Laws of Baltimore read as follows:

Baltimore City Revised Code

Article - Zoning

§ 11-206. [Signs near expressways] GENERAL ADVERTISING SIGNS.

[(a) "Expressway" defined.

"Expressway" means any:

- (1) interstate highway; or
- (2) other limited access highway that:
 - (i) is designed to carry high volumes of traffic; and
 - (ii) is entered and exited by way of grade-separated interchanges with connecting ramps.
- (b) Sign within 100 feet of expressway.

No general advertising sign may be erected, enlarged, or relocated so that any part of the sign is within 100 feet, measured in a straight line, of any right-of-way line of an expressway.

(c) Signs along interstate within 1,500 feet of the other.

No general advertising sign may be placed within 1,500 feet of another general advertising sign that is on the same side of an interstate highway if the displays of both signs would be primarily viewed from the interstate highway.]

THE ERECTION, PLACEMENT, OR CONSTRUCTION OF NEW GENERAL ADVERTISING SIGNS (BILLBOARDS AND POSTERBOARDS) IS PROHIBITED, AND THE CITY MAY NOT ISSUE PERMITS FOR THESE SIGNS.

§ 11-423. Conditional use signs.

(a) In general.

The following types of non-illuminated or indirectly or directly illuminated signs may be authorized by the Board as conditional uses in the districts indicated, subject to:

- (1) the guides and standards set forth in Title 14 {"Conditional Uses"} of this article; and
- (2) the limitations set forth in this section.

[(b) General advertising signs.

A general advertising sign may be authorized as a conditional use in any Business or Industrial District, other than a B-1 or M-1 District, if:

- (1) the total area of the sign does not exceed 900 square feet;
- (2) end-to-end poster panels are limited to 2, neither of which exceeds 300 square feet in area;
- (3) no part of the sign is located in any required yard; and
- (4) the sign is not located in any block where 50% or more of the street frontage on the same side of the street or of the street frontage directly opposite is improved with residential uses or institutional uses (educational, cultural, philanthropic, charitable, religious, health, or medical).]

[(c)] (B) Roof signs.

A roof sign may be authorized as a conditional use in B-3, B-5, M-2, and M-3 Districts if:

- (1) the sign is a business or identification sign; and
- (2) the sign is located on the side of a roof structure that forms a backdrop for it.

§ 11-506. NONCONFORMING GENERAL ADVERTISING SIGNS.

(A) IN GENERAL.

THIS SECTION APPLIES TO EACH APPLICATION FOR CHANGE IN A NONCONFORMING GENERAL ADVERTISING SIGN.

(B) REQUIRED CONDITIONS.

THE BOARD MUST FIND, AND REQUIRE AS CONDITIONS OF APPROVAL, THAT:

- (1) THE SIGN CONFORMS TO ITS ORIGINAL APPROVALS AS GRANTED BY THE BOARD;
- (2) NEITHER THE HEIGHT NOR SIZE OF THE SIGN MAY BE INCREASED; AND
- (3) THE SIGN MAY NOT BE RELOCATED BY MORE THAN 10 FEET FROM ITS APPROVED LOCATION.

(C) PROHIBITED CHANGES.

THE BOARD MAY NOT AUTHORIZE:

- (1) INTERNALLY ILLUMINATED BOX SIGNS;
 - (2) NEON SIGNS;
 - (3) TRIVISION SIGNS; OR
 - (4) FLUCTUATING SIGNS, OTHER THAN FOR TIME OR TEMPERATURE.
- (D) CHANGE IN STRUCTURE.

THE BOARD MAY APPROVE A CHANGE IN STRUCTURE.

SECTION 3. AND BE IT FURTHER ORDAINED, The prohibition imposed by this Ordinance against the issuance of new permits applies to all pending applications for which, as of the effective date of this Ordinance, the Board of Municipal and Zoning Appeals has not yet held a hearing.

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of the Ordinance or its application to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Ordinance that can be given effect without the invalid provision or application, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.