

Council of the Town of Leonardtown

Date Introduced on First Reading: *March 14, 2011*
Date Adopted on Second Reading: *May 9, 2011*
Date Effective: *May 31, 2011*

Ordinance No. 150
Zoning Ordinance Text Amendment
Subject: Chapter 155, Article XVI - Sign
Regulations

Purpose

For the purpose of amending the Zoning Ordinance of the Town of Leonardtown in order to revise existing provisions.

Ordinance

Whereas, under the provisions of Article 66B of the Annotated Code of Maryland, the Town Council of Leonardtown for Leonardtown, Maryland, is empowered to adopt, revise and amend the Leonardtown Zoning Ordinance; and

Whereas, the current Chapter 155, Article XVI - Sign Ordinance, has been amended in order to facilitate orderly erection, use and location of all signs in the Town of Leonardtown, in order to preserve the character of the town and to protect the welfare of all town residents.

Now, therefore, be it ordained and enacted by the Commissioners of Leonardtown, this 9th day of May, 2011, to rescind Chapter 155, Article XVI - Sign Ordinance, and adopt the revised sign regulations – Article XVI, as it appears in its entirety in Schedule ‘A’ attached.

Attest:

Laschelle E. McKay
Laschelle E. McKay
Town Administrator

Commissioners of Leonardtown:

Walter Wise
Walter Wise
Vice President

absent
Tom Collier
Council Member

Daniel W. Burris
Daniel W. Burris
Council Member

Roger L. Mattingly
Roger L. Mattingly
Council Member

Leslie Roberts
Leslie Roberts
Council Member

This ordinance was presented to the Mayor for his approval or disapproval pursuant to Section 210 of the Charter of the Town of Leonardtown this 11th day of May, 2011.

Laschelle E. McKay
Laschelle E. McKay, Town Administrator

In accordance with Section 210 of the Charter of the Town of Leonardtown, I hereby (Approve) or (Disapprove) approve this Ordinance the 11th day of May, 2011.

J. Harry Norris, III
J. Harry Norris, III, Mayor

Sign Regulations
Town of Leonardtown, Maryland

Prepared by
Raymond, Parish, Pine & Plavnick

Urban Planning and Design Consultants
Washington, DC and Tarrytown, NY

Amended by
A.D. Redman Associates
Annapolis, MD
2/2011

Table of Contents

Article	1	Title and applicability	1
	2	Purpose	1
	3	Definitions	1
	4	Exemptions	3
	5	General Provisions.....	4
	6	Signs in Residential Districts.....	5
	7	Signs in Commercial Districts	6
	8	Sign Regulations by Sign Type	6
	9	Temporary Signs.....	10
	10	Non-Conforming Signs.....	11
	11	Permits	12

The preparation of this report was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development, as administered by the Maryland Department of State Planning.

**Town of Leonardtown, Maryland
Sign Regulations**

ARTICLE- 1 TITLE AND APPLICABILITY

These regulations shall be known as the Sign Regulations for the Town of Leonardtown, Maryland, and shall apply to all zoning districts in the incorporated areas of the town. These regulations shall be extended to all subsequent areas and to all subsequent zoning districts in the town. These regulations shall supplement and accompany the Town of Leonardtown Zoning Ordinance.

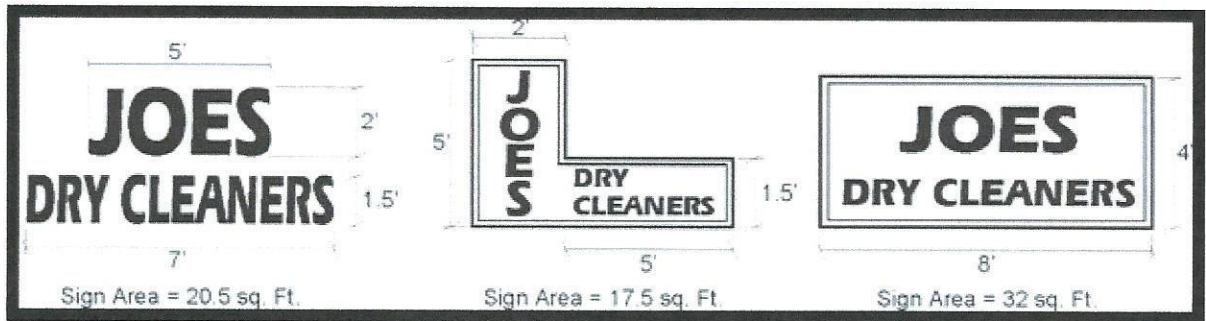
ARTICLE - 2 PURPOSE

The purpose of these regulations shall be to control the erection, use and location of all signs in the Town of Leonardtown, in order to preserve the character of the town and to protect the public welfare of all town residents.

ARTICLE - 3 DEFINITIONS

Certain words and phrases used herein shall be defined as follows:

1. **Sign.** An identification, description, illustration or device, which is located on any land, building, window or indoors, directing attention to a product, place, activity, person, institution or business.
2. **Billboard.** Any sign or advertisement, including all outdoor advertising structures, used as an outdoor display of information directing attention to a business, commodity, service, entertainment or other activity, the origin or point of sale of which is remote from such billboard.
3. **Business Sign.** A sign which directs attention to a business, product, service, profession, activity or entertainment conducted, sold or offered upon the premises where such sign is located.
4. **Calculating Sign Area:** The surface area of a sign shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display within a single continuous perimeter composed of square or rectangles with no more than eight lines. Examples of calculating sign area:



5. **Detached Sign.** A sign which is affixed to the ground or a sign attached to a flat surface, such as a fence or wall, not a part of a building.
6. **Erect.** To build, attach, hand, place, suspend, paint or affix.
7. **Flat Wall Sign.** Any sign attached to, supported by, painted on, or erected parallel to any wall of a building.
8. **Ground Sign.** Any sign erected or maintained and supported by two or more uprights placed in the ground and not attached to a building. (See section 8-4 height, size, and setback requirements.)
9. **Illuminated Sign.** Any sign (business, detached, flat wall, ground, marquee, pole, projecting, roof, temporary) directly or indirectly lighted by artificial light and in the Commercial General, Commercial Highway, & Commercial Marine districts only.
10. **Marquee Sign.** Any sign attached to or hung from a marquee, a covered structure projecting from and supported by a building with independent roof and drainage provisions, erected over a doorway or doorways as protection from the weather.
11. **Pole Sign.** A sign supported by a single or double upright pole placed in the ground and not attached to a building (see section 8-7 for height, size, and setback requirements.)
12. **Projecting Sign.** Any sign, more than twelve inches thick or other than a flat wall sign, which projects from and is supported by a wall of a building or structure.
13. **Roof Sign.** A sign located on or above the roof of any building.
14. **Temporary Sign.** Any sign erected for a short period of time only, with the time limit to be fixed by these regulations. Temporary signs are those such as, but not limited to, signs announcing real estate sales, election notices and posters, construction work, or gas station and retail product sales.
14. **Electronic or Digital Sign.** Any sign, display or device that changes its message or copy by programmable electronic, digital or mechanical processes.

15. **Ground Monument Sign.** A permanent, freestanding sign mounted on an enclosed base and where the bottom edge of the sign face is in continuous contact with the structural base.

ARTICLE -4 EXEMPTIONS

The following types of signs shall be exempt from the registration and permit requirements of these regulations, so long as they shall meet structural and safety provisions of the Town Building Code:

1. Signs advertising the name of a commercial establishment, as defined in the Zoning Ordinance, and the name of the person conducting the business, when painted on the windows of such establishments.
2. Signs erected on church property, giving the name of the church, the time of service and similar information, not to exceed thirty square feet in area.
3. Signs of charitable, benevolent or religious associations, or fraternal or nonprofit associations, located on the premises or grounds, to display the name of the institution or association and its activities or services, not to exceed ten square feet in area.
4. Professional signs denote the name and profession or calling of persons pursuing livelihoods such as, but not limited to, dentist, minister, teacher, lawyer, physician, with such signs being the size and type permitted by the ethical standards of the profession or calling and in no case exceeding two square feet in area.
5. Directional signs, giving directions to motorists to parking areas or into or within a private premise, not to exceed eight square feet in area.

ARTICLE - 5 GENERAL PROVISIONS

The following general provisions of these regulations shall apply to all signs erected in Leonardtown:

1. No sign shall be erected at or near street intersections so as to permit free and clear vision.
2. All signs shall avoid the shape of authorized traffic signs and shall not use the words "Stop," "Look," "Danger" or any other similar words that might interfere with or confuse traffic.
3. All fire escapes, fire windows and fire doors shall be free of any signs other than those announcing the safety function of such stairs, windows and doors.

4. The erection of banners across any street shall be on a temporary basis only and only at the approval of the Town Commissioners.
5. All signs shall be kept in good repair.
6. All signs shall meet the pertinent structural and safety requirements of the Town Building code.
7. No person shall display upon any sign or other advertising structure any obscene, indecent or immoral matter.
8. Roof signs shall be prohibited.
9. Except as otherwise noted, all signs shall meet the setback requirements in each district for all other structures or buildings in that district.
10. Except as otherwise noted where a building or structure has multiple frontage, the number of signs permitted for single frontage shall also be permitted for the additional frontage or frontages.

ARTICLE -6 SIGNS IN RESIDENTIAL DISTRICTS

The following regulations shall apply to signs erected in the Single-Family Residential (R-SF), P.U.D.-3, P.U.D.-5, and Multiple-Family (R-MF) Residential districts, as defined in the Town of Leonardtown Zoning Regulations:

1. Permitted signs in the R-SF, P.U.D.-3 and P.U.D.-5 districts shall be:
 - a. Two single-family residential name signs, per dwelling, each sign not to exceed two square feet in area.
 - b. Two business (professional occupation) signs, either flat wall signs, ground signs, or pole signs, per dwelling, each sign not to exceed two square feet in area.
 - c. One street address sign per dwelling, not to exceed two square feet in area.
 - d. In a P.U.D.-3 or P.U.D.-5, if a business use is permitted, two business signs, each sign not to exceed two square feet in area.
2. Permitted signs in the R-MF district shall be:
 - a. Where a professional or rental office is permitted in a multiple-family dwelling, one business sign shall be allowed at each public entrance to the dwelling, not to exceed two square feet for each office.
 - b. A sign limited to ten square feet to identify the name of the multiple-family dwelling.

3. A sign limited to ten square feet in area to identify the name of a subdivision or planned unit development shall be allowed.
4. All signs shall be set back at least six feet from the nearest property line and at a height not over five feet from the ground.
5. All signs shall indicate only the name, address and occupation, if located on the premises, of the occupant.
6. These regulations shall apply to detached signs, and to signs that consist of lettering and/or numbers that are raised from or directly applied to the building or structure.

ARTICLE -7 SIGNS IN COMMERCIAL DISTRICTS

The following regulations shall apply to signs erected in the General Commercial (C-G), Commercial Office (C-0), Marine Commercial (C-M), and Highway Commercial (C-H) districts:

1. All signs shall meet the specific requirements of each sign type, as set forth in Article 8 below.

ARTICLE - 8 SIGN REGULATIONS BY SIGN TYPE

Section 8-1 Billboards

1. Billboards and all other outdoor advertising structures shall be prohibited in all districts.

Section 8-2 Business Signs

1. Business signs shall be permitted in the R-1 district where a business is permitted as an accessory use, in the P.U.D.-3, and P.U.D.-5 districts where a business use is permitted, and in all commercial districts.
2. Business signs in the residential districts shall have a maximum area of two square feet, shall be placed at least six feet from the lot line and shall not exceed a height of five feet from the ground.
3. All business signs in commercial districts shall meet the requirements pertaining to that specific type of business sign.

Section 8-3 Flat Wall Signs

1. These regulations for flat wall signs shall pertain to the C-G, G-O, C-M and C-H districts only. Regulations for flat wall business signs permitted in the residential districts are contained in Article 6 preceding.

2. Flat wall signs may be located anywhere on any wall of a building, except that above the first floor. No sign or section of a sign or its' supporting structure shall cover any window or part of a window.
3. Each principal use in any building or on any lot may have a sign or signs having a total area of not over 100 square feet for each building or street frontage, provided that on buildings or lots having frontages greater than fifty feet, the maximum sign area may be increased one square foot for each lineal foot of building frontage over fifty feet.
4. Flat wall signs shall not extend more than eighteen inches from the wall of a building on which it is erected.

Section 8-4 Ground Signs

1. Ground signs shall be permitted in all districts. The size, height and setback requirements for ground signs in residential districts are given in Article 6 preceding.
2. In commercial districts, there shall be only one ground sign allowed per lot, regardless of the number of street frontages of that lot. A double-faced sign shall be considered one sign.
3. The height of all ground signs in commercial districts shall not exceed eight feet above the level of the street upon which the sign faces or eight feet above the natural grade level of the property, on which the sign is located, whichever is higher.
4. In commercial districts, the area of all ground signs shall not exceed thirty-two (32) square feet.
5. No part of any ground sign shall extend beyond a property line, building restriction line or right-of-way line.
6. Ground signs shall be permitted only on lots with a minimum of forty lineal feet of street frontage.
7. Supports for all ground signs shall be those permitted and prescribed by standard engineering practice. Wood supports shall be treated against moisture.
8. No ground sign shall be closer than two feet from a building.

Section 8-5 Illuminated Signs

1. Illuminated signs shall be permitted in the C-G, C-M and C-H districts only.
2. The illumination of any sign or outdoor advertising structure shall be designed so as not to shine or reflect light into residential structures. The light intensity or brightness shall

be shaded, shielded or directed so that it will not adversely affect surroundings or facing premises or affect the safe vision of motorists.

3. The height of all ground signs in commercial districts shall not exceed eight feet above the level of the street upon which the sign faces or eight feet above the natural grade level of the property, on which the sign is located, whichever is higher.
4. In commercial districts, the area of all ground signs shall not exceed thirty-two (32) square feet.
5. No part of any ground sign shall extend beyond a property line, building restriction line or right-of-way line.
6. Ground signs shall be permitted only on lots with a minimum of forty lineal feet of street frontage.
7. Supports for all ground signs shall be those permitted and prescribed by standard engineering practice. Wood supports shall be treated against moisture.
8. No ground sign shall be closer than two feet from a building.
9. No sign shall have blinking, flashing or fluttering lights, or other illuminating devices which change light intensity, brightness or color. A variance may be granted by the Zoning Board for signs having moving devices to show the time, temperature and date only. Beacon lights or search lights shall not be permitted for any advertising or sign purpose.

Section 8-6 Marquee Signs

1. Marquee signs shall be permitted in the C-G, C-H and C-M districts only.
2. Signs may be placed on the vertical faces of a marquee or may project below the lower edge of a marquee not more than twenty-four inches. The bottom of a sign placed on a marquee may be no less than eight feet above the sidewalk or grade. No part of the sign shall project above the top of the marquee.
3. A variance, to grant that signs may be placed on a marquee which projects over any public right-of-way may be granted for theater marquees.

Section 8-7 Pole Signs

1. Pole signs shall be permitted in all districts. The height, size and setback requirements for pole signs in residential districts are contained in Article 6 preceding.
2. All pole signs in commercial districts shall meet all regulations for ground signs, with the following exceptions:

- a. The area of a pole sign shall not exceed thirty-two square feet.
- b. The sign face of a pole sign shall be at least ten feet above the finished grade of the street adjacent to the sign.

Section 8-8 Projecting Signs

1. Projecting signs shall be permitted in the C-G, C-H and C-M districts only.
2. All projecting signs shall meet the following requirements:
 - a. The area of all projecting signs shall not exceed fifteen square feet.
 - b. All projecting signs shall be made of sheet metal or other non-combustible material.
 - c. No projecting sign shall extend above the roof line, except, that a vertical sign projecting not more than four feet six inches from the building line may extend upward not to exceed ten feet above the roof line. The portion extending above the roof line shall be securely fastened to an angle-ironed frame so constructed that it will not constitute a menace to persons or property.
 - d. Every projecting sign shall be constructed and braced to withstand a horizontal wind pressure of not less than thirty pounds for every square foot of surface exposed and shall be securely attached to the building wall in an approved manner.
 - e. No projecting sign shall extend more than four feet six inches from the building line, including attachment irons and the like, unless such sign is less than four feet six inches in height, in which case the maximum projection shall be six feet six inches from the building line.
 - f. No projecting sign shall project nearer the curb line than two feet.
 - g. No projecting sign shall extend downward nearer than eight feet to the ground or pavement.

Section 8-9 Electronic or Digital Signs

1. Electronic or digital signs shall be permitted only along Route 5 (Point Lookout Road). Such signs, located within 100 feet of residential properties, shall be permitted only after a public hearing at a planning and zoning meeting, notification of surrounding neighbors by certified mail and newspaper notice, and approval by the planning and zoning board.
2. Electronic or digital signs shall be limited to ground monument signs only, and shall be subject to the yard or setback requirements of the zone district in which they are located. The height shall be a maximum of six (6) feet from grade, to include a maximum four (4)

feet height to the top of the sign face and a maximum three (3) feet to the top of the sign base.

3. All electronic or digital signs shall be subject to the following limitations, standards and requirements:
 - a. Such technology shall be programmed so that the message or image on the sign changes no more often than once every ten (10) seconds.
 - b. There shall be no effects of movement, blinking, animation, scrolling, flashing, or similar effects in the individual images.
 - c. Changes of image shall be instantaneous as seen by the human eye, and shall not use blinking, fading, rolling, shading, or similar effects as part of the change. This restriction shall not prohibit the dissolving or replacing of one image with another image.
 - d. Animation and sound shall be prohibited.
 - e. No changing sign shall include animated, flashing, full-motion video, shimmering, or other intermittent elements. The transition period between two fully illuminated static message displays in an electronically changed sign shall not be considered an intermittent element as long as the purpose of the changing light intensity is to fade or dissolve into the next message.
 - f. Copy (lettering) shall be limited to a single color with a contrasting background.
 - g. An electronic or digital sign shall not exceed 50 percent of the total allowable sign face in the district and in no case shall it exceed 24 square feet of sign face.
 - h. Video technology in signs shall use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the following:
 - (1). All electronic, digital, or video display unit signs shall have installed ambient light monitors, and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.
 - (2). Maximum brightness levels for electronic, digital, or video display signs shall not exceed 5000 nits when measured from the signs face at its maximum brightness, during daylight hours.
 - (3). Maximum brightness levels for electronic, digital, or video display signs shall not exceed 500 nits when measured from the signs face at its maximum brightness, between sunset and sunrise, as those times are determined by the National Weather Service.

- (4). Written certification from the sign manufacturer must be provided at the time of application for a building permit certifying that the light intensity of the sign has been preset not to exceed the illumination levels established by this Ordinance, and that the preset intensity level is protected from end user manipulation by password protected software or other approved method.
- i. Video technology in signs shall contain a default design that will freeze the device and message in one position with no more than a maximum illumination of 500 nits if a malfunction occurs.
- j. No electronic, digital, or video display message shall be mounted, affixed or attached to any vehicle, motor vehicle or trailer. This prohibition shall include vehicles, motor vehicles or trailers designed, built, or used specifically for mobile advertising.
- k. All electronic moving message/digital display signs, and parts thereof, shall be securely constructed and erected or attached in conformance with applicable Town codes, and shall have a surface or facing of materials which are durable for the intended life of the sign.

ARTICLE 9 TEMPORARY SIGNS

The following provisions shall apply to all temporary signs erected in the Town of Leonardtown:

Section 9-1 Temporary Real Estate Signs

1. In any district, one temporary real estate sign, not exceeding twenty-four square feet in area and located on the property, shall be allowed for each lot, parcel or tract for sale. If the lot or parcel in question has multiple frontages, one additional twenty-four square foot sign shall be allowed.
2. In any district, one temporary real estate sign not exceeding sixty square feet in area, located within the subdivision advertised, shall be allowed.
3. One temporary, non-illuminated sign may be erected near each major intersection to the subdivision, with a total of four such signs permitted. Such approach signs shall show a direction arrow, the name of the subdivision and the name of the developer or seller. These signs shall be not more than three feet long and one foot high. The top of the sign shall extend no more than eight feet above grade.
4. Permits for such temporary real estate signs shall be issued for a period of six months and may be renewed.

Section 9-2 Other Temporary Signs

1. Temporary signs indicating an event of public interest, such as a county fair, horse show, church fair, party, bazaar, dinner, etc., shall be located on the site of the event. Such a sign shall not exceed thirty-two (32) square feet in area and may be illuminated, but any illumination thereof shall not be flashing or colored and illumination shall be confined to the face of the sign. Permits for such signs shall be issued for a period of thirty-days only.
2. Temporary directional signs showing a directional arrow and the name of an event of public interest shall be allowed. Such signs shall not be in excess of three (3) square feet in area, and may be placed in any district. Permits for such signs shall be issued for the duration of the event only.

ARTICLE – 10 NON-CONFORMING SIGNS

Non-conforming signs are those which were erected prior to the enactment of these regulations and do not now conform to the provisions of these regulations. Such non-conforming signs may be continued if properly maintained or repaired.

Non-conforming signs which are structurally altered, relocated or replaced shall immediately comply with all provisions of these regulations.

ARTICLE – 11 PERMITS

No sign shall be erected, altered or relocated without a permit issued by the Town. All illuminated signs shall require a separate electrical inspection and permit. Within six (6) months of the effective date of these regulations, permit applications for all existing signs shall be submitted, whether or not a permit had been previously issued.

Permit application shall contain the following information:

1. Name of applicant and name of property owner(s)
2. Where the sign is to be located
3. Drawings of the design
4. Dimensions of the sign

All persons, firms, or organizations erecting or maintaining a billboard or other outdoor advertising structure shall file evidence of public liability insurance protecting him against claims or judgments of at least \$10,000 and \$100,000 for property damage.

A sign permit shall become null and void if the work for which the permit was issued has not been completed within six months after the date of the permit. A permit may be renewed, with no additional fee.

Permit fees shall be determined by the Town Commissioners.

Any signs not expressly permitted shall be prohibited.

Passed and enacted by the Commissioners of Leonardtown, _____ . Official signed copy on file at the Commissioners of Leonardtown Town Hall.