

Ordinance No. 15-12

ORDINANCE: To grant Text Amendment Application No. TXT2012-00234, Mayor and Council of Rockville, Applicant

WHEREAS, the Mayor and Council of Rockville, 111 Maryland Avenue, Rockville, Maryland, filed Text Amendment Application TXT2012-00234 for the purpose of amending Chapter 25 of the Rockville City Code, "Zoning," so as to revise Article 18 for the purpose of allowing greater flexibility in the design and location of signs; and

WHEREAS, the Planning Commission reviewed the proposed text amendment at its meeting of April 25, 2012, and recommended that the text amendment be approved with modifications; and

WHEREAS, pursuant to Article 66B of the Annotated Code of Maryland, the Mayor and Council of Rockville gave notice that a hearing on said application would be held by the Mayor and Council in the Council Chambers at Rockville City Hall on June 11, 2012, at 7:00 p.m., or as soon thereafter as it may be heard; and

WHEREAS, on June 11, 2012, said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, the Mayor and Council having considered the text amendment application and the entire file pertaining thereto, said Mayor and Council having decided that the granting of this application, in the form set forth below, would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Text Amendment Application No. TXT2012-00234, be, and the same is hereby granted, by amending Article 18, "Signs", as follows:

25.18.01 – Legislative Findings; Purposes

* * *

b. *Purposes* – In addition to the purposes of this Chapter established in Section 25.01.02, the purposes of this Article are:

* * *

8. To provide effective opportunities for the expression of commercial and noncommercial communication while protecting the public and the community against adverse [a]ffects from the unrestricted proliferation of signs.

* * *

25.18.04 – Only Permitted Signs Lawful; Signs Specifically Prohibited

* * *

c. *Owner/Leasing Agent signs.*

Signs identifying the owner or leasing agent and contact information for a property may be permitted under the following conditions:

1. No more than two such signs are permitted for any one property;
2. Each sign is limited to three (3) square feet in area if free-standing, or five (5) square feet if attached to an existing sign or to a building;
3. If free-standing, the sign(s) must not be more than three (3) feet tall, and must be set back a minimum of two (2) feet from the property line.
4. The area of these signs does not count towards the total sign area permitted in connection with the development on the property.

* * *

25.18.05 – Exemptions

This Article does not apply to:

1. Any sign erected inside of any building and not visible from the exterior thereof;
2. Any sign erected inside of any building and visible outside of such building through a window, provided such sign is set back at least ten (10) feet from the nearest window;

- 3. Signs inside a building within ten (10) feet of any window not exceeding 20 percent of the area of a window unit. Such signs may be illuminated, but must not flash, blink, or be otherwise animated;

* * *

25.18.06 – Construction, Design, Illumination, and Maintenance of Signs

- a. *Permanent Signs*

* * *

- 3. Trademarks and Logos – Up to 20 percent of the area of a sign may be occupied by a multi-color corporate trademark or other logo, and must be approved by the owner or leasing agent of the property. Any accent colors for the balance of the sign lettering must use the colors contained within the trademark or logo.

[3] 4. *Illumination* – When illumination of a sign is permitted, it must satisfy the following requirements:

- (a) A sign must [not] be illuminated [by other than electrical means] only with electric lighting, and electrical devices and wiring must be installed in accordance with the requirements of [the National Electrical Code, as amended, or such other code adopted as the Electrical Code for the City] Chapter 5, Article VII of the City Code .

* * *

25.18.12 – Signs Permitted for Nonresidential Uses in Residential Zone

- a. *Signs for Permitted Uses in Residential Zones* – [For a church, synagogue, or other place of worship and other permitted nonresidential uses in a residential zone, e] Except for child care homes and child care centers located on lots under 20,000 square feet, the following signs [F] for a church, synagogue[,] or other place of worship, and other permitted nonresidential uses are permitted as follows [in Residential zones]:

* * *

25.18.13 – Signs Permitted in MXC and Industrial Zones

- a. *Permanent Building Signs* – Permanent building signs are permitted in the Mixed-Use Commercial (MXC) and Industrial (I-L and I-H) Zones in accordance with the following:

* * *

- 2. *Design*

(a) For a lot occupied by more than one (1) business/tenant, each building sign must be compatible and harmonious (but not necessarily identical) in terms of design, color, shape, size, style, material, and mounting with all other signs on the building or in the center.

(b) In addition to the principal sign color[s], up to two additional accent colors, such as drop shadows or letter outlines may be included in the design. If a trademark or logo is included, the provisions of Section 24.18.06.a.3 also apply.

(c) A proposal for the entire building or center must be submitted by the owner prior to the issuance of the first sign permit after the effective date of this Article for either a new or existing development.

* * *

c. *Additional Signs* – Additional signs are permitted in [Mixed-Use Neighborhood Commercial (MXNC),] the Mixed-Use Commercial (MXC), and Industrial (I-L and I-H) Zones in accordance with the following:

* * *

d. *Directional Signs* – Directional signs in the [Mixed-Use Neighborhood Commercial (MXNC),] Mixed-Use Commercial (MXC), and Industrial (I-L and I-H) Zones are permitted in accordance with the following:

1. The sign must not exceed three (3) square feet in area; and
2. If freestanding, the sign must not exceed six (6) feet in height.

e. *Gasoline Price Signs* – In the [Mixed-Use Neighborhood Commercial (MXNC),] Mixed-Use Commercial (MXC), and Industrial (I-L and I-H) Zones, gasoline price signs required by State law for automobile filling stations may be freestanding or erected as a building sign. Any such sign or portion thereof that exceeds the minimum requirements of State law must be counted in the number, size, and total aggregate area for the business/tenant.

f. *Changeable Copy Signs* – Changeable copy signs are permitted in the [Mixed-Use Neighborhood Commercial (MXNC),] Mixed-Use Commercial (MXC) and Industrial (I-L and I-H) Zones to announce current and future entertainment productions. Such sign may be freestanding and shall be counted in the number, size, and aggregate sign area permitted for the business/tenant.

g. *Temporary Signs* – Temporary signs are permitted in the [Mixed-Use Neighborhood Commercial (MXNC),] Mixed-Use Commercial (MXC) and Industrial (I-L and I-H) Zones in accordance with the following:

* * *

3. Upon occupancy of a space by a business or tenant, banners, and displays not exceeding 32 square feet in total area may be erected for up to 60 consecutive days including days before or after actual occupancy date by the business or tenant. If the building has more than 50 feet of linear frontage, the total area of the banner or display may be increased up to 48 square feet.

* * *

25.18.14 - Signs Permitted in Other Mixed-Use Zones – MXTD, MXCD, MXNC, MXE, MXB and MXT

* * *

- b. Signs permitted in the MXTD, MXCD, MXNC, MXB, and MXE Zones:

1. *Permanent Building Signs* - Permanent building signs are permitted in the MXTD, MXCD, MXB, and MXE Zones in accordance with the following:

- (a) *MXTD and MXCD Zones*

* * *

- iii. In addition to the principal sign color[s], up to two additional accent colors, such as drop shadows or letter outlines may be included in the design. If a trademark or logo is included, the provisions of Section 24.18.06.a.3 also apply.

* * *

- v. In addition to the above, buildings occupied by two (2) or more businesses/tenants may have building signs with a maximum area of 50 square feet each located on any exterior wall that has frontage on the public right-of-way.

- [v. One (1) small, portable "sandwich board" sign may be allowed as follows:

- A. The sign must be located directly in front of the business to which it refers;
- B. Each sign face cannot exceed four (4) square feet in area; and
- C. The sign must not be placed where it will impede pedestrian traffic on the sidewalk, nor can it be placed in such a way as to impede vehicle traffic.]

- (b) *Total Aggregate Area – MXE and MXB Zones*

* * *

iii In addition to the principal sign color[s], up to two additional accent colors, such as drop shadows or letter outlines may be included in the design. If a trademark or logo is included, the provisions of Section 24.18.06.a.3 also apply.

- (c) *Optional Comprehensive Sign Package* – An applicant for new development; [or] comprehensive redevelopment, [of a] or an existing multi-tenant project may submit a comprehensive sign program to the Sign Review Board that deviates from the above requirements of subsection b.1, above.

* * *

6. *Temporary Signs* – Temporary signs are permitted in the Mixed-Use Transit District Zone (MXTD), Mixed-Use Corridor District (MXCD), Mixed-Use Business District (MXB), Mixed-Use Neighborhood Commercial (MXNC), and Mixed-Use Employment (MXE) Zones in accordance with the following:

* * *

(c) Upon occupancy of a space by a business or tenant, banners, and displays not exceeding 32 square feet in total area may be erected for up to 60 consecutive days including days before or after actual occupancy date by the business or tenant. If the building has more than 50 feet of linear frontage, the total area of the banner or display may be increased up to 48 square feet.

(d) Temporary noncommercial signs are permitted in the MXTD, MXCD, MXNC, MXB, and MXE Zones in accordance with the provisions of Section 25.18.14.a.4.(b).

7. Portable signs. One (1) small, portable "sandwich board" sign may be allowed as follows:

(a) The sign must be located directly at the front building entrance of the business to which it refers;

(b) Each sign face cannot exceed six (6) square feet in area and be no taller than three (3) feet;

(c) The sign must only be displayed when the business is open to the public; and

(d) The sign must not be placed where it will impede pedestrian traffic on the sidewalk, nor can it be placed in such a way as to impede vehicle traffic.

* * *

25.18.18– Signs in Planned Development Zones

- a. Signs in any of the Planned Development zones as set forth in Article 14 will be regulated based on the applicable designated equivalent zones described in each planned development.
- b. Optional Comprehensive Sign Package – An applicant for new development or comprehensive redevelopment of a project in a Planned Development zone may submit a comprehensive sign program as part of the application to the Approving Authority that deviates from the requirements of subsection a, above.

NOTE: [Brackets] indicate material deleted
Underlining indicates material added
Asterisks * * * indicate material unchanged by this ordinance

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of July 30, 2012.



Douglass A. Barber, City Clerk/Treasurer