



City of Rockville

MEMORANDUM

April 26, 2019

TO: Mayor and Council

FROM: Planning Commission

SUBJECT: Planning Commission Recommendation on Zoning Text Amendment Application TXT2019-00250

At its meetings on March 27, April 10 and 24, 2019 the Planning Commission reviewed and discussed Text Amendment Application TXT2019-00250. The Commission received a presentation from Planning and Zoning Division staff. The former chair of the Sign Review Board and the chair of the Board of Appeals also spoke on April 10 at the request of the Chair.

After discussion and deliberation on the proposed revisions, the Planning Commission voted 4-0-1 with Commissioner Littlefield abstaining and Commissioners Goodman and Wood absent, to recommend approval of the proposed amendments to the sign regulations but with comments on certain specific issues.

Sign Review Board

One of the proposed changes in the text amendment is to eliminate the Sign Review Board and have any sign modification requests be heard by the Board of Appeals. At the meeting on April 10 Alan Frankle, the Board of Appeals chair, commented that he did not agree with this proposal since in his opinion a sign modification does not meet with the findings for a variance. He did suggest that it might be better to utilize the Administrative Appeal process instead.

At the April 24 meeting the Assistant City Attorney noted that many jurisdictions, including a number in Maryland, do use the variance process for sign appeals. After discussion, the majority of the Commission supports the use of the variance process to the Board of Appeals for considering sign modification applications. Staff noted that the administrative appeal process, currently in the code, is the appeal process used for decisions made by staff. If the administrative appeal process is to be used for modifications to the requirements of the Sign Code, there should be criteria added specifically applicable to sign modifications.

Pole Signs

The text amendment as authorized recommends making pole signs nonconforming with a view to their eventual elimination. The staff has recommended that there be an eight-year amortization period included as well, to assure their removal in order to move towards more esthetically appropriate signage.

After discussion on this issue, the Commission does not support the elimination of pole signs. Commissioners Littlefield and Miller suggest that elimination of pole signs should only apply to certain major commercial areas such as Rockville Pike and Town Center. Other corridors, such as Gude Drive and Shady Grove Road, could retain pole signs. Commissioner Sherman noted that the areas on the east side of Hungerford Drive north of the North Washington Street intersection are small individual sites that really have no other visibility. Commissioner Tyner believes that making the pole signs nonconforming could discourage new businesses.

Optional Sign Package

The Commission noted general support for the new optional sign package. However, several members felt that the area limitations on where this process could be used was too limiting. The Mayor and Council should consider allowing the use of this process in existing shopping centers as well.

Temporary Signs

The Commission would like to allow small temporary signs that advertise community events. The staff noted that with the content-neutral policy inherent in this amendment, discriminating between neighborhood activity signs and other commercial signs is not possible. The staff also noted the existing prohibition on signs in the public rights-of-way which carries forward in the amendment. Commissioner Hadley suggested an approach might be to have the signs posted on individual properties, with the homeowner's agreement. The Commission recommends to the Mayor and Council that they consider some way to allow these temporary neighborhood event signs to be posted.

The Commission also noted that if the sign modifications are to be heard by the Board of Appeals, that the fee schedule be revised so as not to create a financial burden on applicants.

With these comments included, on a motion by Commissioner Tyner, seconded by Commissioner Hadley, with Commissioners Tyner, Hadley, Sherman, and Miller voting in favor of the motion, Commissioner Littlefield abstaining, and with Commissioner Wood and Goodman absent, the Commission recommends approval of Text Amendment TXT2019-00250 with the additional recommendations set forth in this transmittal.