



Zoning Text Amendment (ZTA) No. 19-09, Prohibited Roof Signs – Exemptions

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Description

Zoning Text Amendment (ZTA) 19-09 would allow roof signs in Red Policy Areas under certain circumstances.

Summary

Under ZTA 19-09, staff has no objection to allowing roof signs in Red Policy Areas as part of a sign concept plan for an optional method development project given that:

- approval of the sign concept plan could occur only after the Sign Review Board holds a public hearing on the proposal; and,
- the height of the roof sign could not exceed the height limit of the underlying zone.

Background/Analysis

A sign painted on the roof of a building or supported by poles, uprights, or braces extending from or attached to the roof of a building, or projected above the roof of a building, is currently prohibited unless approved as part of a sign concept plan for an optional method development project located in an urban renewal area.¹ The existing urban renewal areas in Montgomery County include: Silver Spring Triangle, Lyttonsville, Scotland, Emory Grove and Rockville.

The proposed amendment to the Montgomery County Zoning Ordinance would allow roof signs pertaining to on-site activities (a sign concerning an off-site activity is prohibited) in a Red Policy Area, as identified in the most recent Subdivision Staging Policy.² As currently is the case for a roof sign in an urban

¹ Section 56-9(f) of the County Code defines an urban renewal area as “a slum area or blighted area or both, which the county council for Montgomery County designates as appropriate for an urban renewal project.”

² The current Subdivision Staging Policy has grouped the County’s policy areas based on their transportation characteristics into four different categories identified as Red, Orange, Yellow or Green Policy Areas. Red Policy Areas are higher density policy areas that surround certain Metro stations in the County, including the Bethesda CBD, Friendship Heights, Glenmont, Grosvenor, Rockville Town Center, Shady Grove, Silver Spring CBD, Twinbrook, Wheaton CBD and White Flint policy areas.

renewal area, only a sign approved as part of a sign concept plan³ for an optional method development project would be allowed on or above a roof. In addition, any roof sign proposed above the roof would be permitted only if the sign does not extend above the maximum height limit of the underlying zone.

Some buildings in high density areas are constructed with glass walls. Signs that block windows are undesirable and impractical. In these cases, allowing roof signs with Sign Review Board approval can provide more practical options.

Staff Recommendation

Staff recommends transmitting comments to the County Council in support of ZTA 19-09.

Staff has no objection to ZTA 19-09 given that any such roof sign would be subject to Sign Review Board approval only after holding a public hearing on the sign concept plan and that any proposed roof sign in a Red Policy Area must not exceed the height limits of the underlying zone (*Lines 23-32 of ZTA 19-09*).

Staff also believes that the submission requirements for a sign concept plan application (scale drawings of the site delineating the location, dimensions, colors, shape, and architectural characteristics of all signs) provide adequate details for review by the Sign Review Board.

Attachments

1. ZTA No. 19-09 as introduced

³ A sign concept plan is required before DPS can issue a permit (i) for certain Commercial/Residential, Employment, or Industrial zoned sites where the total area of signs is greater than 800 square feet, or (ii) for more than one Commercial/Residential, Employment, or Industrial site developed under a management control plan, if the total area of signs on one or more of the sites is greater than 800 square feet, or (iii) for optional method development projects within an approved urban renewal area. The sign concept plan includes scale drawings of the site delineating the location, dimensions, colors, shape, and architectural characteristics of all signs.

ATTACHMENT 1

Zoning Text Amendment No.: 19-09
Concerning: Prohibited Roof Signs –
Exemptions
Draft No. & Date: 3 – 11/19/19
Introduced: November 26, 2019
Public Hearing:
Adopted:
Effective:
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Councilmember Friedson

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Allow roof signs in red policy areas under certain circumstances; and
- Generally amend the provisions for roof signs.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 6.7. “Signs”
Section 6.7.4. “Prohibited Signs”
Section 6.7.10. “Urban Renewal Areas”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. Division 6.7. Signs**

2 * * *

3 **Section 6.7.4. Prohibited Signs**

4 A sign not authorized in Division 6.7 is prohibited. Except for a sign that is not
5 visible beyond the property lines of the property where the sign is located, the
6 following signs are specifically prohibited and must not be erected or retained. The
7 Sign Review Board must not grant a variance permitting their erection, installation,
8 or maintenance. A prohibited sign must be removed within 24 hours after
9 notification by DPS that the sign must be removed.

10 * * *

11 B. Roof Sign

12 Unless approved as part of a sign concept plan for an optional method
13 development project located in an urban renewal area or in a red policy area
14 as identified by the most recent Subdivision Staging Policy, a sign painted
15 on the roof of a building[,] or supported by poles, uprights₂ or braces
16 extending from or attached to the roof of a building, or projected above the
17 roof of a building, is prohibited. A wall sign is not a roof sign, and for the
18 purposes of Division 6.7 a roof surface constructed at an angle of within 15
19 degrees of vertical is regarded as wall space. Screening that encloses
20 equipment such as a heating, ventilating and air conditioning unit, an
21 elevator shaft, and stairs located on a roof also are considered wall space.

22 * * *

23 **Section 6.7.10. Urban Renewal or Red Policy Areas**

24 A. A permanent sign located in an approved urban renewal or red policy area as
25 part of an optional method development project need not satisfy the Design
26 Elements and Limitations of Division 6.7 where the Sign Review Board

27 approves the sign as part of a sign concept plan; however, any roof sign in a
28 red policy area must not exceed the height limits of the property's zone.

29 B. Before approving any sign concept plan under Section 6.7.10, the Sign
30 Review Board must hold a public hearing on the sign concept plan in the
31 urban renewal or red policy area[,] after giving 30 days notice and verifying
32 that the applicant has satisfied all applicable variance notice requirements.

33 * * *

34 **Sec. 2. Effective date.** This ordinance becomes effective immediately upon the
35 Council's adoption.

36

37 This is a correct copy of Council action.

38

39

40 Mary Anne Paradise
41 Acting Clerk of the Council