

Commissioners of Bel Air  
Agenda  
February 20, 2018

Ordinance No. 783-18  
Development Regulation Amendments

RECOMMENDED MOTION: "...that Ordinance No. 783-18, amending the Development Regulations be received by the Bel Air Board of Town Commissioners."

I. BACKGROUND

In June of 2017, the Town passed Ordinance 780-17 that made substantial amendments to the text of the development regulations. This was done as part of the Comprehensive Plan update and reflected the intent of the Town Board regarding the future growth of Bel Air. The Planning Department anticipated an update to the text based on the nature and complexity of the modifications in order to address clarifications and errors. The Planning Commission undertook review of the regulations starting in November of 2017 and several meetings were held through the winter. These meetings were advertised to the public in the local paper and on the Town website. The Planning Commission held a public hearing on February 1, 2018 to make a final recommendation for amendments to the zoning, sign and subdivision regulations based on public and staff input.

II. PRIMARY ISSUES

Several revisions are proposed that clarify and simplify the development regulations. A summary of these changes are as follows:

- Design of parking lots and clarification of parking ratios for multi-family
- Time restrictions to the servicing of refuse/recycling containers and loading/unloading areas
- Basis for permitting communication antennae in Town right-of-way
- Regulation of outdoor dining and outdoor promotional events
- Limitations on temporary storage containers
- Height, area and location of temporary signs in both residential and commercial districts
- Height, area and location of permanent signs in residential and commercial districts
- Clarification of prohibited and exempted signs
- Clarification of panhandle lot area calculation
- Changes to regulation of Group Homes and Community Shelters
- Changes to Industrial District setbacks

III. DISCUSSION

The complete text changes are included with the attached Ordinance as Exhibit A. The staff anticipates no further changes to the development regulations until the next comprehensive plan review currently scheduled for 2022.

IV. RECOMMENDATION

The Planning Commission and staff recommend that the Board of Town Commissioners receive Ordinance No. 783-18 a public hearing will be held on March 19, 2018 at 7:30 p.m. here at Town Hall, 39 N. Hickory Avenue.

Ordinance No. 783-18

An Ordinance Amending Part 2, Zoning and Part 3, Signs and Part 4, Subdivision  
within Chapter 165 of the Bel Air Town Code

**WHEREAS**, the Board of Town Commissioners is required, under the Land Use Article of the Annotated Code of Maryland, to maintain consistency between the Development Regulations and the Town of Bel Air Comprehensive Plan; and

**WHEREAS**, The Land Use Article of the Annotated Code of Maryland provides the authority for the Board of Town Commissioners to adopt planning and zoning controls based on recommendation from the Planning Commission; and

**WHEREAS**, Amendments were approved by the Board of Town Commissioners in June of 2017 through Ordinance 780-17 revising the Town Development Regulations; and

**WHEREAS**, the Planning Commission has reviewed and approved additional changes on February 1, 2018 to clarify and correct the amendments made in 2017 to the Code; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Town Commissioners that the Town of Bel Air Development Regulations, Ordinance No. 783-18, attached hereto and incorporated herein as Exhibit A, is hereby adopted.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

INTRODUCTION:

PUBLIC HEARING:

ENACTMENT:

EFFECTIVE:

AYES:

NAYS:

ABSENT:

---

Susan U. Burdette, Chairman  
Board of Town Commissioners

---

Michael Krantz, Town Clerk

COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS

PLANNING COMMISSION FEBRUARY 1, 2018 RECOMMENDATIONS

Article VII

EXHIBIT A

§ 165-51. Parking and loading.

F. Parking lot/driveway design, construction and maintenance.

(1) General requirements.

(e) Access to parking areas shall be designed so as not to obstruct free flow of traffic. **Parking lot grade shall not exceed a five percent slope and grade for all driveways and access shall not exceed ten percent subject to review of the Director of Public Works.** There shall be adequate provision for ingress to and egress from all parking spaces to ensure ease of mobility, ample clearance and safety of vehicles and pedestrians. The stacking of parking spaces may be approved in certain circumstances by the Planning Commission if the applicant can demonstrate that there will be no adverse impact on the use and circulation pattern of the parking area.

(h) Parking of vehicles in areas other than a driveway, garage, parking pad, parking lot or other Town-approved parking area shall be prohibited. Further, the parking of vehicles **or trailers** on any grass **or pervious** area in any yard area shall be prohibited.

(3) Nonresidential district requirements.

(b) All commercial/service use parking areas shall provide a minimum of three parking spaces and all lots over 15 parking spaces be paved with a dust-free material and graded to accommodate proper surface water runoff and vehicle access. Alternative pervious paving surfaces are encouraged in all parking and services areas. Such surfaces are subject to Planning Commission approval. ~~Parking lot grade shall not exceed 5%. Where inconsistencies between this provision and the requirements of the American with Disabilities Act (ADA) exist, ADA requirements shall apply. In no instance shall the driveway grade be greater than 10%.~~

H. Required off-street parking by use/activity. Unless otherwise noted, the basic measuring unit shall be the net square footage of the building.

Use or Use Category

Spaces Required

Residential

Multifamily and 55-and-over dwellings units

2.5 per 3-or-more bedroom dwelling units (dens and libraries **in Multifamily** to be counted as bedrooms)

I. Loading Areas ...

- (1) No loading area shall be located closer than 50 feet to any other lot in any R District unless wholly within a completely enclosed building or unless screened by a masonry wall. Such wall shall not be less than four feet nor more than six feet in height and shall be maintained in good condition without any advertising thereon. Use of loading areas for loading and unloading of goods **and** materials ~~in a residential district and within 500 feet of residentially zoned property~~ shall be prohibited between the hours of 10:00 p.m. and **6:30** ~~7:00~~ a.m.

J. Refuse and recycling

- (1) Refuse or recycling removal, compaction or other similar operations shall not be permitted between the hours of 10:00 p.m. and **6:30** ~~7:00~~ a.m. ~~when located in a residential district or within 500 feet of residentially zoned property.~~

K. Exterior lighting.

- (6) The maximum height of fixtures shall not exceed 25 feet or the limit outlined in the district or use regulations, whichever is less. **The Planning Commission may restrict pole height and require measures to mitigate glare when lighting is located near existing residences or residentially zoned property.**

**§ 165-52. Open space and recreation.**

A. Minimum requirements.

- (2) Size of open space parcels. **To qualify as part of required open space, areas shall be lawn, landscape or natural vegetation with a minimum of 500 square feet and have a width of no less than 10 feet.** Usable open space shall be a minimum of 40% of the required open space area. This open space area shall be usable for active recreation, such as swimming pools, tennis courts, tot-lots, outdoor racquet courts, par courses, hike/bike trails, ball fields and other similar activities. Water bodies shall not exceed 15% of the required open space area. Active recreation space shall be dry, reasonably flat and accessible. ~~At least half of~~ ~~†~~ The land shall not exceed a grade of 3%. Land must be configured to provide adequate space for active recreation facilities, as determined necessary by the Planning Commission.

**§ 165-53. Performance Standards and development guidelines by use.**

I. Service uses...

- (2) In addition, specific service uses listed below shall be subject to the following:

- (b) Communication Tower(s) platform.
  - [o] Installation of communication antenna on existing utility poles located in the public right-of-way **or existing structures** may be permitted with approval of the Director of Public Works **based upon aesthetic considerations, impact to nearby residences and availability of viable alternative installation options.**
- (i) Outdoor Dining or bar service.
  - [1] Performance standards.
    - [d] The exterior area is limited to 75% of the capacity of the principal permitted use **and any temporary enclosure must meet provisions of Section 165-71.C.**

**Article VIII**

**§ 165-59. Minimum planning requirements.**

- A. Perimeter buffer.
  - (2) Planting unit is equal to the following tree or shrub types or a combination thereof:
    - 1 Major deciduous tree
    - 2 Minor deciduous trees
    - 2 Evergreen trees
    - 10 Shrubs

**Table 165-59.I**

<del>Proposed</del> Use	<del>Adjacent</del> Use	Buffer Width	Buffer Type
Multi-Family, townhouse <b>or institutional use</b>	Single Family	10 feet	1 pu/25 LF (1pu/50 LF w/ 6' fence, wall, berm)
Recreation	Residential	10 feet	1 pu/15 LF
<del>Proposed</del> Use	<del>Adjacent</del> Use	Buffer Width	Buffer Type
Residential (rear <b>or side</b> yard)	Collector/Arterial Right-of-Way	20 feet	1 pu/10 LF
Commercial	Residential	10 feet	1 pu/10 LF

**Article IX**

**Special Provisions and Modifications**

**§ 165-63. Lot area requirements.**

- C. Yard requirements by type.

- (1) Front yard requirements. Front yard depth shall be measured from the required right-of-way line, as specified in Chapter 165, Part 4, of the Town of Bel Air Development Regulations, except in instances where modification or supplementation of these lines by any officially adopted street or highway widening or location plan or record plat has occurred, in which case the latter shall control. **Yard area abutting denied access roadways shall not be considered a front yard.**

## Article X

### Accessory and Temporary Uses

#### § 165-68. Accessory uses.

B. Residential districts.

- (12) **Temporary storage containers or trailers may not be placed on grass or pervious surface. No such storage may be located on a residential parcel for more than 15 days unless permitted by the Zoning Administrator based on hardship or practical difficulty not caused by the property owner.**

#### § 165-69. Fences and walls.

- B. Fences and walls not exceeding six feet in height above the elevation of the surface of the ground may be located in any rear yard or side yard area ~~for in~~ a residential ~~use district~~. Ornamental gates, fence post caps or finials may exceed the height limit by no more than 12 inches. If the property abuts a business or industrial district, a fence or wall, not to exceed eight feet, may be erected.
- C. Business and industrial ~~uses district property owners~~ may locate fences or walls, not to exceed 10 feet in height, in any yard area if necessary for safety or security reasons and said reasons are documented to the satisfaction of the Zoning Administrator.

#### § 165-71. Temporary Uses.

C. **Outdoor promotional event/sales event/yard sale.**

- (1) Such events shall be subject....
  - (a) Performance standards.
    - [4] Outdoor sale event.
    - [f] **A temporary banner not to exceed 36 square feet is permitted during the period of the sale event.**

## Article XI

### Permits and Procedures

#### § 165-76. Preliminary plan review.

- A. Application for all new development or substantial improvement or change in the Town of Bel Air shall include a completed preliminary plan checklist, as shown in Appendix A, and a preliminary plan, drawn to scale, depicting the shape and size of the lot upon which application is being made. All dimensions on the plan relating to the location and size of the lot to be built upon shall be based upon an actual survey. The applicant shall submit an engineered site plan, landscape plan, lighting plan, a forest conservation plan as required in Chapter 216, Forest Conservation, of the Bel Air Town Code, and a stormwater management plan as required by Chapter 405, Stormwater Management, of the Bel Air Town Code for the Zoning Administrator's review. Application should include all pertinent background information, a written statement discussing the proposed use and any proposed accessory uses. The plan shall fulfill all requirements itemized on the preliminary plan checklist. All proposed projects to be reviewed by the Planning Commission shall be accompanied by colored renderings **prepared by an architect and/or firm licensed in the State of Maryland** showing all four sides of the building elevation.

## Article XIV

### Definitions

#### § 165-104. Terms Defined.

SHED -- A **permanent** storage facility **exceeding 25 square feet and less than 200 square feet** constructed as an accessory structure incidental to the use of the principal building, not to include shipping containers or tractor-trailer bodies.

SIGN — A structure which consists of a....

N. SIGN, TEMPORARY – A Banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard or other like materials and intended to be displayed **for less than six months.** ~~a limited period of time~~

## Article XV

### Sign Regulations

#### § 165-105. Purpose: Intent.

B. The sign regulations are intended to:

- (5) Ensure that **permanent** ~~all~~ signs within one complex coordinate with the architecture in such a manner that the overall appearance is harmonious in color, form and proportion.

#### § 165-106. Standards by zoning district.

In all zoning districts, any sign placed on land or on a building for the purpose of identification or for advertising a use conducted thereon or therein shall be deemed to be accessory and incidental to such land, building or use. All other **permanent** signs, commonly referred to as ~~“outdoor advertising,”~~ “billboards,” ~~“signboards,”~~ or ~~“poster panels,”~~ which advertise **services, products or businesses not connected with the site or building on which they are located, shall be** **are** prohibited. The following sign standards shall apply to each zoning district in the Town of



Bel Air. The zoning districts are as defined in Article III of the Town of Bel Air Development Regulations and on the Official Zoning Map.

A. Residential zoning districts.

- (1) R-1 (Low-Density Residential). One unlighted professional home occupation sign not exceeding one square foot in area shall be permitted per single-family dwelling in conjunction with permitted home professions and occupations as set forth in the Town of Bel Air Development Regulations. Such signs shall be mounted flat against the building. Additional signage shall be permitted in the Transition Overlay District as specified below. No signage lighting is permitted in the R-1 district.
  - (b) Wall-mount and projecting signs. Wall-mounted and projecting signs are permitted for any professional office **in the Transition Overlay District** in lieu of a freestanding sign. A wall-mounted sign may be a maximum of five square feet, with one additional square foot of sign area for each professional office granted separate use and occupancy, up to a maximum of three additional square feet. A projecting sign may not exceed **five three** square feet, nor project more than four feet from the building, and shall have a clearance of eight feet from any public or private walkway, as measured vertically from the walkway to the bottom of the sign or supporting structure. No projecting sign shall be erected at a height exceeding 10 feet, as measured vertically from the ground to the top of the sign or supporting structure. No window or part of a window shall be covered by the sign or its supporting structure. No projecting sign or supporting structure shall extend above the eave of the roof.
- (3) R-3 (High-Density Residential). Same as R-2 District, ~~except that apartment houses, apartment complexes and other multifamily dwellings shall be permitted one informational sign not exceeding 24 square feet in area. The sign shall be limited to the name of the building or complex and may be placed flat against a building or supported by a freestanding structure, provided the total height of the sign and supporting structure does not exceed six feet, as measured vertically from grade at the center point of the sign. Signs shall be set back a minimum of 10 feet from the front lot line. Signs may only be externally lit.~~
- (4) R-0 (Residential-Office District). All office buildings, including conversions, shall be permitted a total advertising area of one square foot for each lineal foot of building frontage. No additional allowance will be permitted for multiple-frontage buildings. The maximum sign area allotment shall not exceed **32 42** square feet. The total area of all signs erected on the lot and building shall be determined by the building frontage. Signs may only be externally lit.
  - (b) Wall-mounted and projecting signs. Wall-mounted and projecting signs are permitted in the R-O District. **Wall-mounted signs may not exceed 16 square feet.** A projecting sign may not exceed **five three** square feet, nor project more than four feet from the building, and shall have a clearance of eight feet from any public or private walkway, as measured vertically from

the walkway to the bottom of the sign or supporting structure. No projecting sign shall be erected at a height exceeding 15 feet, as measured vertically from the ground to the top of the sign or supporting structure. No window or part of a window shall be covered by the sign or its supporting structure. No projecting sign or supporting structure shall extend above the roofline.

(5) Temporary signs.

- (a) Signs not exceeding six square feet may be placed twice in a calendar year for no more than a total of ~~30~~ 90 days. No more than ~~one~~ two signs may be placed per lot with a setback of 10 feet.
- (b) **No commercial service, product or business may be advertised in a residential district with the exception of a property for sale, for lease or under active construction. Such a property may be permitted an additional sign not exceeding six square feet with a setback 10 feet from all property lines.**
- (c) **Institutional uses in residential districts may place a temporary sign, not exceeding 24 square feet, for no more than 90 days in a calendar year. Signs shall not exceed six foot in height and must be setback 10 feet from all property lines. No more than one temporary sign is permitted on a property at any given time. A permit is required from the Zoning Administrator.**
- (d) **Temporary signs in the R-O District may be 12 square feet in area, a maximum of six feet in height and setback no less than 10 feet from the right-of-way.**

~~(6)(b)~~ Marquee signs **shall be permitted for institutional and governmental uses in residential districts.** ~~Since the purpose of the marquee is advertising, it shall be considered a sign.~~ The maximum area is limited to 24 square feet with a height limit of six feet and a setback of 10 feet from right-of-way. No letters or symbols other than those for which it was specifically designed to hold shall be permitted to be attached to a marquee.

B. Business districts.

- (1) B-1 (Limited Business District). All office buildings, including conversions, shall be permitted a total advertising area of one square foot for each lineal foot of building frontage. No additional allowance will be permitted for multiple-frontage buildings. The maximum sign area allotment shall not exceed ~~40~~ 50 square feet. The total area of all signs erected on the lot and building shall be determined by the building frontage. Signs may only be internally lit if an opaque sign face is used with cutout translucent lettering. ~~Projecting or wall-mounted signs shall be~~ **limited to eight square feet and wall mounted signs limited to 24 square feet.** ~~adhere to regulations in the R-O District.~~ The maximum allowable area for a freestanding sign may not exceed ~~24~~ 32 square feet. Such signs shall be limited to eight feet in height. Only one freestanding sign is permitted per lot with a setback

of 10 feet from right-of-way. **Temporary signs must adhere to requirements in the R-O District.**

- (2) B-2 (Central Business District) and B-2 (Central Business Gateway District). A master signage plan is required for multitenant businesses to integrate signs, buildings, landscape, architecture and site design. The plan shall include, as necessary, an accurate plot of the lot, location of buildings, parking lots, driveways and landscape areas, along with the height and location of any proposed freestanding sign(s) as allowed in the zone, and an accurate indication of the proposed location, color scheme, size and material of each present and future sign of any type and computation of the maximum total sign area and the maximum area for each individual sign.

(a) Advertising area. The total area of all signs erected on the lot and building shall be determined by the building frontage. A total advertising area of ~~16 square feet~~ plus 1 ½ square feet for each lineal foot of primary building frontage shall be allowed. Lots which do not contain buildings shall be permitted ½ square foot for each lineal foot of road frontage, to a maximum of 32 square feet.

(b) Types of signs.

[3] Freestanding sign.

[a] A freestanding sign is permitted if the property has at least 40 feet of lot frontage or more. The sign shall not exceed ~~40~~ 52 square feet. A low silhouette for freestanding signs is encouraged. Signs may be externally lit or internally lit if an opaque sign face is used with cutout translucent lettering. Only one freestanding sign is permitted on each lot. One additional freestanding sign may be permitted on through lots fronting on two one-way streets. The height of the sign shall be proportional to the setback in front yard areas and may not exceed a 1:1 ratio. The side yard setback shall be a minimum of ½ the minimum building setback. Sign height shall be measured from the average contact grade to the highest point of the sign or supporting structure. Sign allotment does not include any portion of the sign containing architectural features or addresses. Sign shall not prohibit or impede sign visibility at any ingress/egress location. The maximum height allowed for any freestanding sign is 15 feet above ground level. Permit requests for signs over eight feet in height shall be submitted with engineer-designed and sealed specifications/ drawings.

[4]~~[d]~~Temporary freestanding signs and banners.

[a]~~[f]~~Freestanding signs or banners attached to a building with a maximum advertising area of 12 square feet may be displayed four times in a calendar year for a total duration not to exceed 60 days.

**[b]{#} Freestanding signs or banners attached to a building** with a maximum advertising area of **24 36** square feet may be placed twice in a calendar year for no more than a total of 30 days.

**[c] All freestanding temporary signs and banners, with the exception of sandwich board signs, shall be set back consistent with the requirements of a permanent freestanding sign not less than 10 feet from the property line and shall have a maximum height of six feet. A permit is required from the Zoning Administrator or designee for a sandwich board sign or any sign exceeding six square feet.**

**[d]{e} Temporary sandwich board signs shall be displayed only during the hours a business is open. Signs may not exceed seven square feet and may be no more than 3.5 feet in height. Signs must be in good repair and shall not create a hazard to the public. Signs shall be located so as not to inhibit the normal flow of pedestrian or vehicular traffic and in front of the specific business that is being advertised. Only one sign is permitted per business. Signs may not be placed in the public right-of-way or on sidewalks that are less than five feet wide. Signs shall be constructed of safe, durable materials and be securely erected so as not to create a hazard to the public.**

**[e] Hot and cold air balloons may only be permitted with the height restricted to 30 feet. No more than one balloon shall be permitted per tenant per calendar year, and limited to a period not to exceed 15 consecutive days.**

**[f] Any property for sale, for lease or under active construction may place one additional sign not to exceed 10 square feet provided the height is limited to eight feet.**

**[5]{4} Marquee signs are** ~~Since the purpose of the marquee is advertising, it shall be considered a sign. The maximum area is limited to 24 square feet with a height limit of six feet and a setback half of the required front yard setback. No letters or symbols other than those for which it was specifically designed to hold shall be permitted to be attached to a marquee.~~

**[6]{5} Roof signs...**

**[7]{6} Awning/canopy signs.....**

**[7] Banners. One banner made of fabric or fabric like material may be attached to a building no more than four times for a total of 60 days in a calendar year. The banner size shall not exceed the lineal footage of the primary building frontage. Existing signage shall not be a factor in determining banner size allowed. In the case of multitenant buildings,**

~~no more than two banners shall be displayed on the building or freestanding at any one time.~~

~~[10] Hot and cold air balloons. Hot and cold air balloons may only be permitted with the height restricted to 30 feet. No more than one balloon shall be permitted per tenant per calendar year, and limited to a period not to exceed 15 consecutive days.~~

(3) B-3 (General Business District). B-3A (General Business Gateway District) and M-1 (Industrial District).

(a) Advertising area. A total advertising area of ~~20 square feet~~ plus 2 ½ square feet for each lineal foot of primary building frontage shall be allowed. Lots which do not contain buildings shall be permitted ½ square foot for each lineal foot of road frontage, to a maximum of 36 square feet. The total area of all signs erected on the lot and building shall be determined by the primary building frontage. Multitenanted buildings shall be required to submit a comprehensive sign package for all tenant locations, indicating size, general style, and location of all proposed building signage, prior to issuance of any sign permits, in order to ensure compatibility and adequate signage allotment per tenant.

(b) Types of sign. ~~Same as in the B-2 District.~~

[3] Freestanding sign.

[a] A freestanding sign is permitted if the property has at least 40 feet of lot frontage or more. This sign shall not exceed ~~52 60~~ square feet. A low silhouette for freestanding signs is encouraged. Signs may be externally lit or internally lit if an opaque sign face is used with cutout translucent lettering. Only one freestanding sign is permitted on each lot. One additional freestanding sign may be permitted on through lots fronting on two one-way streets. The side yard setback shall be a minimum of ½ the minimum building setback. Sign height shall be measured to the highest point of the sign or supporting structure. Sign allotment does not include any portion of the sign containing architectural features or addresses. Signs shall not prohibit or impede sign visibility at any ingress/ egress location. The maximum height allowed for any freestanding sign is 15 feet above the nearest public road grade. Permit requests for signs over eight feet in height shall be submitted with engineer-designed and sealed specifications/drawings.

[4][e] Temporary ~~freestanding signs, banners and sandwich board signs~~ shall adhere to § 165-106B(2)(b)[4], B-2 and B-2A Districts **with the following exceptions.**

[a] **Freestanding signs or banners attached to a building with a maximum advertising area of 18 square feet may be**

displayed four times in a calendar year for a total duration not to exceed 60 days.

[b] Freestanding signs or banners attached to a building with a maximum advertising area of 36 square feet may be placed twice in a calendar year for no more than a total of 30 days. Shopping Centers may be permitted one additional temporary sign or banner for every 100,000 square feet of gross square feet not to exceed a total of four signs in a calendar year.

[c] Any property for sale, for lease or under active construction may place one additional sign not to exceed 16 square feet provided it is located 10' from right-of-way and the height is limited to 10 feet.

[5]{4} Marquee signs shall....

[6]{5} Roof signs, awnings/canopy signs shall...

[6] ~~Banners and hot/cold air balloons shall adhere to § 165-106B(2), B-2 and B-2A Districts.~~

#### § 165-107. Signs permitted in all zoning districts.

Subject to the other conditions of this Part 3, the following signs shall be permitted anywhere within the Town:

A. Temporary ~~identification and directional~~ signs.

~~B. Banners.~~

(3)(4) Street banners. Temporary street banners, may be erected in compliance with standards established by the Town, in approved locations in accordance with the Town banner policy, which requires a **sign banner** permit.

(4)(2) Decorative banners. Temporary decorative banners may be erected on streetlights in the public right-of-way with the approval of the Director of Public Works to enhance the appearance of commercial districts, celebrate holidays and special events. ~~or help to define a special district.~~

(5)(3) Promotional banners. Temporary banners may be located on public buildings or ~~on other Town-approved locations for no more than 15 consecutive days, nor more than 60 days per calendar year per building.~~ Application shall be made in accordance with the Town banner policy, which requires a **sign banner** permit. ~~Banners shall not exceed 18 square feet and must allow a minimum vertical clearance of 12 feet near any roadway.~~ No **commercial** advertisement shall be included on the face of the banner.

C. Permanent identification signs. One sign of a permanent nature setting forth the name of a destination or community shall be permitted. Such signs shall not exceed 24 square feet in area and shall not exceed six feet in overall height. Signs shall be set back a minimum

of 10 feet in residential districts and ½ of the required front building setback in business/industrial districts. **Signs may only be externally illuminated.**

~~B. C.~~ Permanent identification signs....

### § 165-109. Exemptions.

The following types of signs are exempted from all the provisions of this Part 3, except for construction and safety regulations and the following standards. Submission of a sign permit is not required.

- A. Public signs, Signs of a noncommercial nature and in the **furtherance of a governmental or** public interest, such as directional signs, regulatory signs, warning signs, and informational signs. Public signs shall not exceed eight feet in area for each sign. Horizontal directional signs on and flush with paved areas are exempt from this size restriction. All traffic-related signs must meet Maryland Uniform Traffic Control Devices (MUTCD) Specifications.
- C. Homeowner's identification signs. Signs identifying the name **and** address, ~~and occupation~~ of residents shall not exceed one square foot. Such signs shall be allowed on mailboxes, but shall otherwise be **mounted on the building, set back at least six feet from the nearest property line and shall not be over five feet above the ground.**
- ~~E. Construction signs. Three temporary signs shall be allowed for sites under construction, each sign not to exceed 32 square feet overall, with not more than a total of three such signs permitted on one site. The sign shall be confined to the site of construction, placed along road frontage, and shall be removed prior to issuance of a use and occupancy certificate.~~
- E. **Murals. An artistic representation, sculpture or painting. Any commercial image, message or advertisement shall be included as part of the sign square footage.**

### § 165-110. Prohibited signs

The following signs are prohibited in all zoning districts and shall be removed immediately in accordance with this Part 3:

- A. Billboards, **a permanent sign** including but not limited to all signage advertising products or services not located on site.
- E. **Permanent** signs which advertise an activity, business, product or service no longer produced or conducted on the premises on which the sign is located. ~~If the owner or the lessor of the premises is seeking a new tenant,~~ **Such signs may remain in place for not more than 60 180 days from the date of vacancy.**
- K. Vehicle signs, signs affixed to automobiles, trucks, trailers or other vehicles on public or private property for the basic purposes of advertising, identifying or providing direction to a **person, business use** or activity not related to the lawful use of the vehicle for

delivering merchandise or rendering service for **a use associated with the property on which it is parked.**

**§ 165-111. Illumination.**

- D. No sign shall have blinking, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness or color, or which are so constructed and operated as to create an appearance or illusion of writing or printing. ~~except signs designated to show the date, the time and the temperature exclusively.~~ Nothing contained in this Part 3 shall, however, be construed as preventing the temporary use of lights or decorations related to religious and patriotic festivities. Beacon lights or searchlights shall not be permitted as a sign or for advertising purposes.
- E. No exposed reflective-type bulbs and no strobe lights or incandescent lamps which exceed 15 watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property. ~~except signs designed to show the date, the time, and the temperature exclusively.~~

**Part 4**

**Article XVI**

**Subdivision of Land**

**§ 165-118. Design standards.**

- D. Circulation system design.
  - (17) Panhandle lots.
    - (d) The required width for a panhandle lot shall be a minimum of 20 feet. In an instance where two lots share one access drive, each lot shall have a minimum width of 10 feet. **No portion of the panhandle may be applied to the required minimum lot size.**



**Permitted Use Tables**  
**Table 3-5, Residential**  
Principal permitted uses for specific zoning districts

Use Classification	Zoning Districts							
	R-1	R-2	R-3	R-O	B-1	B-2/B-2A	B-3/B-3A	M-1
Bed-and-breakfast	SE**	SE**	SE	SE	P	P	P	
Boardinghouse			SE	SE	SE	SE	SE	
Community shelter			SE	SE	SE	<del>SE</del> SD	<del>SE</del> SD	
Day care, family	P	P	P	P	P	P	P	
Group home			<del>P</del> SE	<del>P</del> SE	<del>P</del> SE	<del>P</del> SD	<del>P</del> SD	<del>P</del> SD
Halfway house				SE	SE	SE	SE	
Home occupation*	SE	SE	SE	P	P	P	P	
55 and over housing			SE	SE	SE	SE	SE	P
Mixed-use center				SD	SD	SD	SD	

**Table of Lot Requirements for Specific Uses**

**Table 165-34: M-1 Industrial District**

Use Classification	Minimum Lot Area (square feet)	Maximum Density (dwellings/unit)	Minimum Building or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Height (Feet)
All permitted residential uses	15,000	20 30 (55 & over)		100	36	24	42	40
All permitted industrial and natural resource uses			50		<b>10 25</b>	30 <del>40</del>	30	30
1 story			50			40	40	35
2 story			50			50	50	40
3 story								
Other permitted uses (amusement, retail, service and institutional)			30		<b>10 25</b>	10	10	<b>40 65</b>
Accessory buildings			25			10	10 <del>40</del>	20

**NOTES:** General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements specifically cited in Articles VI through X of this chapter.

**Table 3-7, Service Uses**  
 Principal permitted uses for specific zoning districts  
 [Amended 5-2-2011 by Ord. No. 741-11]

Use Classification	Zoning Districts							
	R-1	R-2	R-3	R-O	B-1	B-2/B-2A	B-3/B-3A	M-1
Office or business equipment rental or leasing				P	P	P	P	P
<b>Outdoor dining/bar</b>						<b>SD/SE</b>	<b>SD/SE</b>	<b>SD/SE</b>
Parking (Commercial)						SD	SD	SD
Personal service	SE	SE	SE	P	P	P	P	P
Pharmacy						P	P	P