



Legislation Text

File #: O-42-18, Version: 1

Sidewalk Signs - For the purpose of authorizing sidewalk signs with certain conditions; providing a definition of “sidewalk sign”; and providing for a delayed effective date of the sidewalk sign permit fee.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 42-18

Introduced by: Alderwoman Tierney

Referred to

Planning Commission
Economic Matters Committee
Rules and City Government Committee

AN ORDINANCE concerning

Sidewalk Signs

FOR the purpose of authorizing sidewalk signs with certain conditions; providing a definition of “sidewalk sign”; and providing for a delayed effective date of the sidewalk sign permit fee.

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2018 Edition
Section 17.60.010
Section 17.60.070
Section 17.60.090
Section 21.70.040
Section 21.70.050
Section 21.70.080
Section 21.72.010

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

TITLE 17 - BUILDINGS AND CONSTRUCTION

Chapter 17.60 - SIGNS

Section 17.60.010 - Permit-Required.

A. No permanent commercial sign, billboard or advertising structure or device, or sidewalk sign shall be

erected or installed unless a sign permit has been issued by the Director of Planning and Zoning or his or her designee. Temporary signs and banners are prohibited except as provided under Section 17.60.060, ~~or~~ under Section 21.70.060, or Section 21.70.080.

- B. The Department of Planning and Zoning shall review the sign permit application for consistency with the Zoning Code, pursuant to Chapter 21.70.

Section 17.60.070 - Location generally.

A. The requirements of subsections B and C are not applicable to sidewalk signs, which are subject to the requirements of Chapter 21.70.

- A. B. No signs shall be supported from the sidewalk or from a point outside of the sidewalk. Signs may be carried upon or suspended from the front of a building, but no sign projecting into the street or alley shall be placed within ten feet of the sidewalk or extended more than two feet beyond the building; except, electric signs shall be permitted to extend beyond the building line to any distance not beyond the curb upon the approval of the City Council.
- B. C. Sidewalks shall be regarded as pedestrian rights-of-way. Permanent signage that the Director of Planning and Zoning or his or her designee determines must be placed in or near a sidewalk shall be sited only after a consideration of the following guidelines:
1. No sign shall be placed in such a way as to interfere with or reduce a forty-inch pedestrian right-of-way;
 2. Where a grass area exists between the curb and sidewalk, signs shall be placed in the grass area;
 3. When no grass area between the curb and sidewalk exists, signs shall be placed in any public right-of-way or easement on the far side of the sidewalk;
 4. In any one block, the placement of signs curbside or far curbside shall be consistent;
 5. The bottom edge of the sign shall be seven feet from the ground with the exception of pedestrian directional signs which do not exceed the width of the post which may be posted at five and one-half feet;
 6. As many as three signs of twelve inches in width or greater may be clustered on one pole;
 7. In any one block, the placement of signs on poles not governed by State Highway Administration guidelines shall be grouped in a forty-foot area;
 8. No more than one "No Parking" sign shall be placed on each side of the street in any one block or within a distance of five hundred feet, whichever is less.

Section 17.60.090 - Support-Engineering.

Every sign, except for sidewalk signs, shall be supported substantially including foundation and footing. The construction and hanging of the sign shall be in accordance with the best engineering principles and subject to structural requirements of the Director of Planning and Zoning or his or her designee.

TITLE 21 - PLANNING AND ZONING

Chapter 21.70 - Sign Regulations.

Section 21.70.040 - Prohibited signs.

The following signs are prohibited:

- A. Animated signs;
- B. Billboards;
- C. Flashing signs;

- D. Portable signs (a sign that is not permanent, affixed to a building, structure or the ground but not including sidewalk signs);
- E. Rotating signs;
- F. Rooftop signs;
- G. Signs projecting above the rooflines of buildings;
- H. Snipe signs (non-governmental signs attached to trees or poles).

Section 21.70.050 - Standards applicable to all signs.

The following standards apply to all signs whether exempt or permitted:

- A. Condition and Appearance. All signs shall be maintained in good condition and appearance.
- B. Computations of Area and Height.
 - 1. Area.
 - a. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the zoning regulations in this title and is clearly incidental to the display itself.
 - b. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces.
 - 2. Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoning lot, whichever is lower.
- C. Sight Visibility.
 - 1. No sign shall obstruct a clear view to and from traffic along any street right-of-way, entrance or exit.
 - 2. A sight visibility triangle, as defined in Division VI, shall be kept free of obstructions to vision between the heights of two and one-half feet and twelve feet above the street. If, in the opinion of the Director of Planning and Zoning with the concurrence of the Director of Public Works, there are unusual circumstances, these dimensions may be altered to enhance public safety.
- D. Integrated Sign Program. An integrated sign program, as defined in Division VI, is required for all commercial office complexes, shopping centers, and multi-tenant facilities. The establishment of an integrated sign program for existing developments is strongly encouraged.
- E. Design. The design of signs is important to the character of the City of Annapolis. The following provisions are designed to give guidance to persons designing, erecting, and approving signs in the City.
 - 1. Guidelines for All Signs.
 - a. Materials, colors and shapes of proposed signs shall be compatible with the related building (s). Size and proportions should be judged by sizes and proportions of signs on nearby

properties that are compatible with the prevailing character, or the character prescribed in land use plans adopted by the City Council.

- b. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.
 - c. The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the area of the sign face.
 - d. Each sign shall be compatible with signs on adjoining premises and shall not compete for attention.
 - e. Signs should be constructed of quality materials. The choice of materials for signage should relate to the quality of architecture within the zoning district.
 - f. Signs should provide information, character and a quality image.
2. MX and BR Districts, Additional Guidelines.
- a. Signs generally shall be of simple design and relate to the scale and design of buildings.
 - b. The size of each sign shall relate to the scale and architectural character of its façade.
 - c. The placement of signs shall not cover attractive architectural details, overwhelm the façade in size, or interrupt the rhythm of upper façade windows.
 - d. The choice of materials for signs shall relate to the quality of historic architecture within the MX district. The use of painted wood, glass and metal are appropriate.
3. HISTORIC DISTRICT - REFER TO SECTION 21.70.090 "SIGNS IN THE HISTORIC DISTRICT" FOR GUIDELINES.

F. Removal of Signs. Any sign associated with an activity on a vacated premises shall be removed from the premises, altered or resurfaced within one month from the time such activity ceases so that the sign does not display visual communication pertaining to the former activity.

G. Sidewalk signs. Additional standards.

1. Sidewalk signs shall not obstruct pedestrian or vehicular traffic or visibility, or adversely affect the safety of pedestrian or vehicular traffic.
2. Sidewalk signs shall be placed on the sidewalk immediately adjacent to a permit holder's building and allow a 40-inch minimum pedestrian right-of-way. The exact location of the sign shall be determined by the Department of Public Works based on governmental accessibility and safety standards, including, but not limited to, the location and proximity of doorways; the distance between pedestrian obstacles; the location of crosswalks; and other physical features of the location that affect accessibility and safety.
3. Sidewalk signs shall not be permanently affixed or anchored to the sidewalk or attached to structures.
4. Sidewalk signs shall be removed from the public right-of-way from dusk to dawn and when the permit holder's business is closed
5. No part of a sidewalk sign shall encroach upon any part of the sidewalk frontage of any adjacent premises, alley, or other such right-of-way.
6. The applicant shall fully ensure that the placement of a sidewalk sign shall not cause any unnecessary or unreasonable exposure to personal injury or property damage to the public.
7. The permit holder shall fully indemnify, defend, and hold harmless the City and its agents, employees, and elected officials from and against any and all claims and damages in any way arising out of or through the acts or omissions of the permit holder in connection with the placement or use of the sidewalk sign.
8. Before a permit is issued, the applicant shall provide AN INDEMNITY BOND TO ENSURE COMPLIANCE WITH ALL APPLICABLE CITY LAWS AND TO COVER LOSSES AND CLAIMS RESULTING FROM THE PLACEMENT OR USE OF THE SIDEWALK SIGN. THE BOND SHALL BE IN A FORM SATISFACTORY TO THE CITY ATTORNEY. *written evidence*

satisfactory to the Director of Planning and Zoning that the City is named as an additional insured on the applicant's liability insurance policy.

Section 21.70.080

**Sign Table 1
Types of Signs Permitted in Non-Residential Zoning Districts**

District	Permitted Signs
B1	Business community identification sign
	Freestanding
	Wall-mounted
	<u>Sidewalk</u>
B2, B3, B3-CD, BCE, I1	Freestanding
	Multi-tenant facility
	Wall-mounted
	<u>Sidewalk</u>
BR, PM2	Multi-tenant facility
	Wall-mounted
	<u>Sidewalk</u>
C2, C2A, C2P	Wall-mounted
	<u>Sidewalk</u>
P, PM	Business community identification sign
	Multi-tenant facility
	Wall-mounted
	<u>Sidewalk</u>
MX	Freestanding, ground sign only
	Multi-tenant facility
	Wall-mounted
	<u>Sidewalk</u>
WMC, WME, WMI, WMM	Freestanding
	Marine refueling facility signs on piers
	Multi-tenant facility
	Wall-mounted
	<u>Sidewalk</u>

**Sign Table 2
Regulations for Signs in Non-Residential Zoning Districts**

In using the table the following regulations apply:

- a. Lots are permitted both wall-mounted and freestanding signs up to the limits set forth in the table. With the exception of the signage allowed in Table Note 1, signage in multi-tenant facilities is counted as an alternative, not in addition, to permitted wall-mounted and freestanding signs.
- b. For wall-mounted signs the maximum sign area is for the lot, with the exception of the signage allowed in Table Note 1.
- c. For all other signs the maximum sign area is the maximum area per sign face, unless stated otherwise. For example, a two-sided, freestanding, ground sign in the BCE could be thirty square feet per face or sixty square feet total.
- d. The following abbreviations are used in the table: sf = square feet; lf = linear feet; bldg = building; " = inches.
- e. Important. The notes at the end of the table are as much a part of the law as the table itself.

Sign Type	Zoning District	Number of Businesses per Lot	Maximum Sign Area	Number of Signs Allowed	Maximum Height (feet)	Illumination Permitted	Projection Permitted	Other
Wall-mounted								
	B1, BR, PM, MX		1. 1 sf per lf of building frontage up to a maximum of 100 sf. 2. No single sign may exceed 30 sf per face.	1. B1, PM: no limit, up to maximum permitted sign area. 2. BR, MX: no more than 3 signs per building.	13. In the MX district, signs may not be located higher on a façade than the second-story windowsills.	Yes, external means only such as spotlight	Yes, up to 1.5 feet from a wall.	
	B2', B3, B3-CD, BCE,		1. 2 sf per lf of building frontage up to a maximum of 120 sf. 2. No single sign may exceed 75 sf in area	No limit up to permitted sign area	15	Yes	Yes, up to 1.5 feet into a public way	Uses with canopies, such as service stations, may use the lf of canopy frontage in lieu of lf of building frontage to calculate permitted sign area.
	C2, C2A, C2P		1 sf per lf of building frontage up to a maximum of 30 sf	Up to 3 signs per building	15	Yes, external means only such as spotlight	Yes, up to 1.5 feet from a wall.	
	P		9 sf	1 per street frontage	15	No	Yes, but not into a public way.	
	PM2		See below under multi-tenant facilities sign types					
	I1		2 sf per lf of building frontage up to a maximum of 120 sf	No limit up to permitted sign area	18	Yes	No	
	WMC		1 sf per lf of building frontage up to a maximum of 100 sf	No limit up to permitted sign area	22	Yes	Yes, but not into a public way or over the water	
	WME, WMI, WMM		2 sf per lf of building frontage up to a maximum of 120 sf					
Marquee sign								

	Any district where the associated use is permitted		120 sf. The area of a marquee sign is permitted instead of, not in addition to, wall-mounted or freestanding signage that would otherwise be permitted.	1 per lot	15	Yes	Yes, up to the projection of the marquee	Theaters, museums, and auditoriums with a marquee sign are permitted wall-mounted frames up to 24 sf per frame advertising movies, plays or other features to be given at the venue.
Freestanding								
	B1, WMC		Pole signs: 12 sf, or ground signs: 20 sf.	1 per lot	10	No	Yes, but not into a public way or over the water	1 Freestanding signs are permitted only on lots with a minimum lot width of 100 feet or larger. 2 Minimum setback from property lines: WMC 0 feet B1, I1, WME, WMI, WMM 5 feet Other districts 10 feet
	B2 ¹ , B3, B3-CD, BCE, I1, WME, WMI, WMM	Lots with up to 2 businesses	Pole signs: 20 sf, or ground signs: 30 sf	1 per street frontage.	Pole signs: 15 Ground signs: 12	Yes	Yes, but not into a public way or over the water	1 Freestanding signs are permitted only on lots with a minimum lot width of 100 feet or larger. 2 Minimum setback from property lines: WMC 0 feet B1, I1, WME, WMI, WMM 5 feet Other districts 10 feet
	B2 ¹ , B3, B3-CD, BCE, I1, WME, WMI, WMM	Lots with 3 or more businesses	Pole signs: 24 sf, or ground signs: 30 sf	1 per street frontage.	Pole signs: 15. Ground signs: 12	Yes	Yes, but not into a public way or over the water	1 Freestanding signs are permitted only on lots with a minimum lot width of 100 feet or larger. 2 Minimum setback from property lines: WMC 0 feet B1, I1, WME, WM, WMM 5 feet Other districts 10 feet
	MX		30 sf	1 per street frontage.	10	Yes	Yes, but not into a public way or over the water	Must be a ground sign, monument style.
Multi-tenant facility signs								
Multi-tenant facility identification sign	B2 ¹ , B3, B3-CD, BCE, PM2, WMC, WME, WMI, WMM		64 sf	1 per street frontage	15	Yes	Yes, but not into a public way or over the water.	1. In the P district and the waterfront districts these signs may be ground signs, monument style, or wall-mounted. 2. All other districts these signs must be ground signs, monument style. 3. Minimum setback from property lines: WMC 5 feet. I1, MX, PM.WME, WMI, WMM, 10 feet. Other districts: 15 feet

Multi-tenant facility identification sign	I1		100 sf	1 per street frontage	15	Yes	Yes, but not into a public way or over the water.	1. In the P district and the waterfront districts these signs may be ground signs, monument style, or wall-mounted. 2. All other districts these signs must be ground signs, monument style. 3. Minimum setback from property lines: WMC 5 feet. I1, MX, PM, WME, WMI, WMM, 10 feet. Other districts: 15 feet
Multi-tenant facility identification sign	MX, PM		30 sf	1 per street frontage	10	Yes, external means only such as spotlight	Yes, but not into a public way or over the water.	1. In the P district and the waterfront districts these signs may be ground signs, monument style, or wall-mounted. 2. All other districts these signs must be ground signs, monument style. 3. Minimum setback from property lines: WMC 5 feet. I1, MX, PM, WME, WMI, WMM, 10 feet. Other districts: 15 feet
Multi-tenant facility identification sign	P		15 sf	1 per street frontage	10	Yes, external means only such as spotlight	Yes, but not into a public way or over the water.	1. In the P district and the waterfront districts these signs may be ground signs, monument style, or wall-mounted. 2. All other districts these signs must be ground signs, monument style. 3. Minimum setback from property lines: WMC 5 feet. I1, MX, PM, WME, WMI, WMM, 10 feet. Other districts: 15 feet
Shopping center anchor tenant, wall-mounted	B2 ¹ , PM2,		0.5 sf per lf of anchor tenant façade	1 per street frontage	20	Yes	Yes, but not into a public way or over the water.	
Tenant sign, wall-mounted	B2 ¹ , B3, B3-CD, BCE, PM2, I1, WMC, WME, WMI, WMM		1.5 sf per lf of building frontage per tenant, up to 40 sf per tenant.	1 per tenant, plus 1 additional for a corner tenant with windows in both façades.	15	Yes	No	Maximum sign board height: 36" for anchors, 18" for other tenants. Maximum lettering height: 36" for anchors, 14" for other tenants.
Tenant sign, wall-mounted	BR, MX, PM, P		Lesser of 1 sf per lf of entrance façade or 20 sf	1 per tenant, plus 1 additional for a corner tenant with windows in both façades.	15	No	No	Maximum sign board height: 36" for anchors, 18" for other tenants. Maximum lettering height: 36" for anchors, 14" for other tenants.
Tenant sign, projecting	B2 ¹ , B3, B3-CD, BCE, PM2, WMC, WME, WMI, WMM		6 sf	1 per tenant		Yes, external means only such as spotlight	Yes	This type of sign is permitted where tenant spaces are recessed under a canopied walkway.

Business community identification sign	B1, P, PM		30 sf	1 at each entry point	6	Yes, external means only such as spotlight	Yes, but not into a public way.	This type of sign is for communities comprising six or more businesses.
Marine refueling facility signs on piers	WMC, WME, WMI, WMM		6 sf per face	1 per facility	10	Yes	No	
Sidewalk								
	<u>All</u>		<u>7 sf per face</u>	<u>1 per tenant</u>	<u>4.5</u>	<u>No</u>	<u>No</u>	

Table Notes:

- 1 For sign(s) located within six hundred feet of Solomon’s Island Road/MD Route 2 and upon property at least five acres in area and zoned within the B2 District, the regulations shall be as follows:
- a. Wall-mounted. Maximum sign area: (i) six sf per lf of building frontage up to a maximum of one thousand six hundred sf, (ii) No single sign may exceed three hundred forty sf in area; Number of signs allowed: No limit up to permitted sign area; Maximum Height (feet): thirty-two; Maximum sign board height: eleven and one-half feet; Maximum lettering height: six feet; Illumination permitted: Yes; Projection permitted: Yes, up to one and one-half feet into a public way.
 - b. Freestanding (lots with one or more businesses). Maximum sign area: (i) pole signs: twenty-four sf, (ii) ground signs: thirty sf; Number of signs allowed: one per street frontage; Maximum Height (feet): (i) pole signs: fifteen, ground signs: twelve; Minimum setback from property lines: ten feet; Minimum lot width: one hundred feet; Illumination permitted: Yes; Projection permitted: Yes, but not into a public way.
 - c. Multi-tenant facility identification sign. Maximum sign area: three hundred forty sf per side; Number of signs allowed: one per street frontage; Maximum Height (feet): thirty-five; Minimum setback from property lines: fifteen feet; Illumination permitted: Yes; Projection permitted: Yes, but not into a public way.
 - d. Anchor tenant, wall-mounted. Allowed in accordance with the regulations for wall-mounted signs in preceding subsection a.
 - e. Tenant sign, wall-mounted. Maximum sign area: up to forty-five sf per tenant; Number of signs allowed: one per tenant, plus one additional for a corner tenant with windows in both façades; Maximum Height (feet): thirty-two; Maximum sign board height: four feet; Maximum lettering height: three and one-half feet; Illumination permitted: Yes; Projection permitted: No.
 - f. Tenant sign, projecting. Six.

Chapter 21.72 - TERMS AND DEFINITIONS

<<https://library.municode.com/>> <<https://library.municode.com/>> <<https://library.municode.com/>>
 <<https://library.municode.com/>> <<https://library.municode.com/>> **Section 21.72.010 - Terms.**

"Sign" means any name, identification, description, display or illustration which is affixed to, or represented directly or indirectly upon, a building, structure or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business.

The term "sign" includes signs erected or installed in the interior of a structure if the sign is situated in a manner to indicate that its prime purpose is for viewing from the exterior of the structure. The prime purpose of an interior sign is exterior viewing if it is visible from the exterior and if no public access is permitted between the sign and the exterior window of the structure.

The term "sign" does not include the following:

1. Display of official court or public office notices,
2. The flag, emblem or insignia of a nation, political unit, school or religious group, or
3. A sign located completely within an enclosed building and not visible to the outside of the building.

Sign, business community identification. "Business community identification sign" means a sign representing an area consisting of no less than six distinct businesses located on separate parcels of land.

Sign, freestanding. "Freestanding sign" means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Sign, ground. "Ground sign" means a sign where the entire bottom of the sign is in contact with or in close

proximity to the ground. A "monument sign" is a ground sign.

Sign, pole. "Pole sign" means a sign supported by one or more poles and otherwise separated from the ground by air.

Sign, marquee. "Marquee sign" means a sign attached to or made part of a marquee. A marquee sign is a type of wall-mounted sign.

Sign, projecting. "Projecting sign" means a sign affixed to a building or wall in such manner that its leading edge extends more than six inches beyond the surface of the building or wall.

Sign, sidewalk. "Sidewalk Sign" means a freestanding, temporary sign with no moving parts or lights that displays the permit holder's business-related information. "Sidewalk sign" includes a sandwich board sign, an A-frame sign, and a display board, but does not include a feather pole sign, FREE-STANDING DIRECTIONAL SIGNAGE, or any other temporary banner, poster, and similar sign made of nonpermanent materials.

Sign, temporary. "Temporary sign" means a sign that advertises community or civic projects or special events on a temporary basis, or a political sign.

Sign, wall-mounted. "Wall-mounted sign" means any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the outside limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign face.

A marquee sign is a type of wall-mounted sign.

Signs placed on canopies or awnings are considered to be wall-mounted signs.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the sidewalk sign permit fee shall be waived until June 30, 2019.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall become effective upon the date of its adoption.

Explanation:

UPPERCASE indicates matter added to existing law
~~Strikethrough~~ indicates matter stricken from existing law.
Underlining indicates amendments.