

# **SIGN REGULATIONS FOR THE CITY OF ROCKVILLE**

**As of September 24, 2012**

## Sign Definitions from Article 3 of the Zoning Ordinance

*Sign* - Any structure, part thereof, or device attached thereto or painted or represented thereon or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, words, model, banner, pennant, emblem, insignia, device, trademark, logo, graphic, or other representation, in any manner whatsoever, so as to convey information or attract attention. Sign does not include the flag, emblem, insignia, poster, or other display of a nation, state, or political subdivision.

1. *Abandoned Sign* - A sign which identifies a business, lessor, service, owner, product, or activity that is no longer located on the premises, or a sign for which no legal owner can be found. "Abandoned sign" also includes any permanent sign not properly maintained or operated for a period of six (6) months or longer, any temporary sign that has deteriorated, and any sign structure that no longer supports the sign for which it was designed. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property, building, or space remains vacant for a period of six (6) months or more.
2. *Sign, Building* - Any sign mounted on a wall, window, marquee, fascia, mansard, canopy, or parapet of a building.
3. *Sign, Commercial* - A sign that references or directs the attention of the public to a business, commodity, service, sale or sales event, or other commercial activity. Commercial sign does not include election signs, temporary signs pertaining to fundraising activities for non-profit organizations, or temporary yard sale signs.
  1. *Sign, Directional* - A noncommercial sign that contains only information assisting the flow of vehicular or pedestrian traffic or control of parking.
  2. *Sign, Election* - Any temporary non commercial sign that advocates the candidacy of any person for an elected position or an issue that is to be voted on in a Federal, State, County, or City election process. Election sign does not include a campaign headquarters sign or other permanent sign.
  3. *Sign, Freestanding* - Any sign which carries only the name and/or logo or trademark of one (1) business, place, organization, building, or person it identifies.
  4. *Sign, Monument* - A freestanding sign mounted directly and permanently to the ground without a separate supporting structure.
  5. *Sign, Noncommercial* - A sign that is not a commercial sign.
  6. *Sign, Nonconforming* - Any sign that does not conform to the provisions of this Chapter, but was placed or constructed in accordance with City ordinances existing at the time of its placement or construction.
  7. *Sign, Occupant Identification* - A sign indicating the name and/or profession or address of a person or persons or entity residing on the premises or legally occupying the premises.

8. *Sign, Off-Premises* - A sign that directs attention to a building, product, business, organization, service, entertainment, commodity, accommodations, activity, or institution that is not located, conducted, sold, rented, produced, manufactured and/or furnished on the same lot as the sign.
  - (a) Off-premises signs include, but are not limited to, signs commonly referred to as “billboards.”
  - (b) Off-premises sign does not include election signs or noncommercial signs that comply with all other requirements of this Chapter.
9. *Sign, Permanent* - A sign that is constructed in a manner and of materials that will withstand long-term display and is intended to be displayed for an indefinite period of time.
10. *Sign, Real Estate* - A temporary sign advertising the sale, rental, or lease of the real estate upon which the sign is located.
11. *Sign, Temporary* - A non-permanent sign constructed of durable, semi-durable, or non-durable material not intended to be displayed for an indefinite period.
12. *Sign, Traffic Control* - Any sign located on public or private property that is used as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administration as the national standard. A traffic control sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information.).
13. *Sign, Yard Sale* - Any onsite temporary sign pertaining to the sale of personal property in, at, or upon any residential property or residentially-zoned property, whether such sale be designated as a yard sale, garage sale, lawn sale, home sale, attic sale, moving sale, rummage sale, or any similar designation.

## **Establishment of the Sign Review Board**

### **25.04.05 – Sign Review Board**

- a. *Established* – There is established a Sign Review Board of the City of Rockville.
- b. *Powers and Duties*
  1. *Generally* – The Sign Review Board has all those powers and duties conferred and imposed upon it by this Chapter including but not limited to:
    - (a) Hear and decide applications for sign permit review to determine if the proposed sign is in compliance with the requirements of this Chapter;
    - (b) Hear and decide applications for modifications from the sign regulations contained in Article 18 of this Chapter, excluding prohibited signs; and
    - (c) Hear and decide applications for waiver of sign restrictions within a building restriction line.
  2. *Responsibility where Approval is Required* – Where Sign Review Board approval is required under this Chapter, the Board must:
    - (a) Consider and act upon any request for approval;
    - (b) Consider such request with regard to matters and facts pertinent and applicable thereto; and
    - (c) Render its decision in accordance with the requirements, purpose, and intent of Article 18 and other applicable provisions of this Chapter.
- c. *Membership*
  1. *Number* – The Sign Review Board consists of three (3) members and (1) alternate who are appointed by the Mayor, subject to the confirmation of the Council.
  2. *Term*
    - (a) *Length of Term* – The term of each member is three (3) years, or until a successor takes office. Appointment to fill an unexpired term is the remaining length of the initial term.
    - (b) *Staggered Terms* – The respective terms of the three (3) members must be staggered.
  3. *Chairperson*
    - (a) *Appointment* – A Chair is elected by and from the appointed members of the Sign Review Board.
    - (b) *Term* – The Chair serves a term of one (1) year and is eligible for reelection.

4. *Qualification* – There will be three (3) members and one (1) alternate member designated to the Sign Review Board. Two (2) members must be businesspersons operating or associated with businesses in the City. Two (2) members must be residents of the City who have no vested interest in either any business in the City or in the sign industry. The alternate member will first be a resident of the City; thereafter the alternate position will rotate between a resident appointee and a business appointee.
5. *Clerk of Sign Review Board* – The Chief of Planning serves as the Clerk of the sign Review Board and will:
  - (a) Attend all meetings of the Sign Review Board;
  - (b) Keep a full and accurate account of the proceedings of the Sign Review Board, including but not limited to the official record of all matters filed with the Board;
  - (c) Accept and transmit all relevant applications to the Sign Review Board; and
  - (d) Keep such other records and perform such other duties as may be required by this Chapter or by the Sign Review Board.
- d. *Rules of Procedure* – In exercising its powers and complying with its duties hereunder, the Sign Review Board must adopt reasonable rules for the conduct of their business.
- e. *Meetings and Hearings*
  1. Meetings must be held when necessary to conduct business or at intervals as may be mandated by this Chapter or the adopted Rules of Procedure of the Sign Review Board.
  2. A hearing must be held on a timely filed application at the Board's next scheduled meeting, provided that a different hearing date may be set with the consent of the party filing the application.
- f. *Decision on Application from the Sign Review Board* – Decisions of the Board shall be made within ten (10) business days from completion of the hearing on the application.
- g. *Appeals* – Any decision by the Sign Review Board, or the failure of the Sign Review Board to act within the time frames set forth in Article 18 of this Chapter, may be appealed by any person aggrieved to the Board of Appeals within ten (10) business days after the decision is rendered.

## **Special Provisions for Signs Where Building Restriction Lines Apply from Article 17 of the Zoning Ordinance**

### **25.17.08. Building Restriction Lines**

a. Subject to the exceptions provided herein, no building permit can be issued and no building or part thereof nor any fence, wall, sign or structure can be erected or structurally changed within the area between the building lines and the centerline of the particular street or highway referred to in establishing the building line. This section does not apply to underground parking facilities.

b. Building lines established.

#### 1. Building restrictions lines along Rockville Pike

(a) Northeast side. Beginning for the same at a point on the southeasterly boundary of the City 135 feet northeasterly from the point of intersection of the centerline of Rockville Pike with the southeasterly boundary of the City and running thence northwesterly and parallel to the centerline of Rockville Pike and 135 feet therefrom to the southeasterly line of Dodge Street.

(b) Southwest side. . Beginning for the same at a point on the southeasterly boundary of the City 135 feet southwesterly from the point of intersection of the centerline of Rockville Pike with the southeasterly boundary of the City and running thence northwesterly and parallel to the centerline of Rockville Pike and 135 feet therefrom to the southeasterly line of Richard Montgomery Drive.

#### 2. Building restriction lines along Hungerford Drive.

(a) East side. Beginning for the same at a point on the northerly line of A Street 85 feet easterly from the point of intersection of the centerline of Hungerford Drive with the northerly line of A Street and running thence northerly and parallel to the centerline of Hungerford Drive and 85 feet therefrom to the northerly line of Gude Drive.

(b) West side. Beginning for the same at a point on the westerly line of North Washington Street 85 feet westerly from the point of intersection of the centerline of Hungerford Drive with the westerly line of North Washington Street and running thence northerly and parallel to the centerline of Hungerford Drive and 85 feet therefrom to the southerly line of College Parkway; thence still northerly and parallel with the centerline of Frederick Road and 95 feet westerly therefrom to the northerly line of Gude Drive.

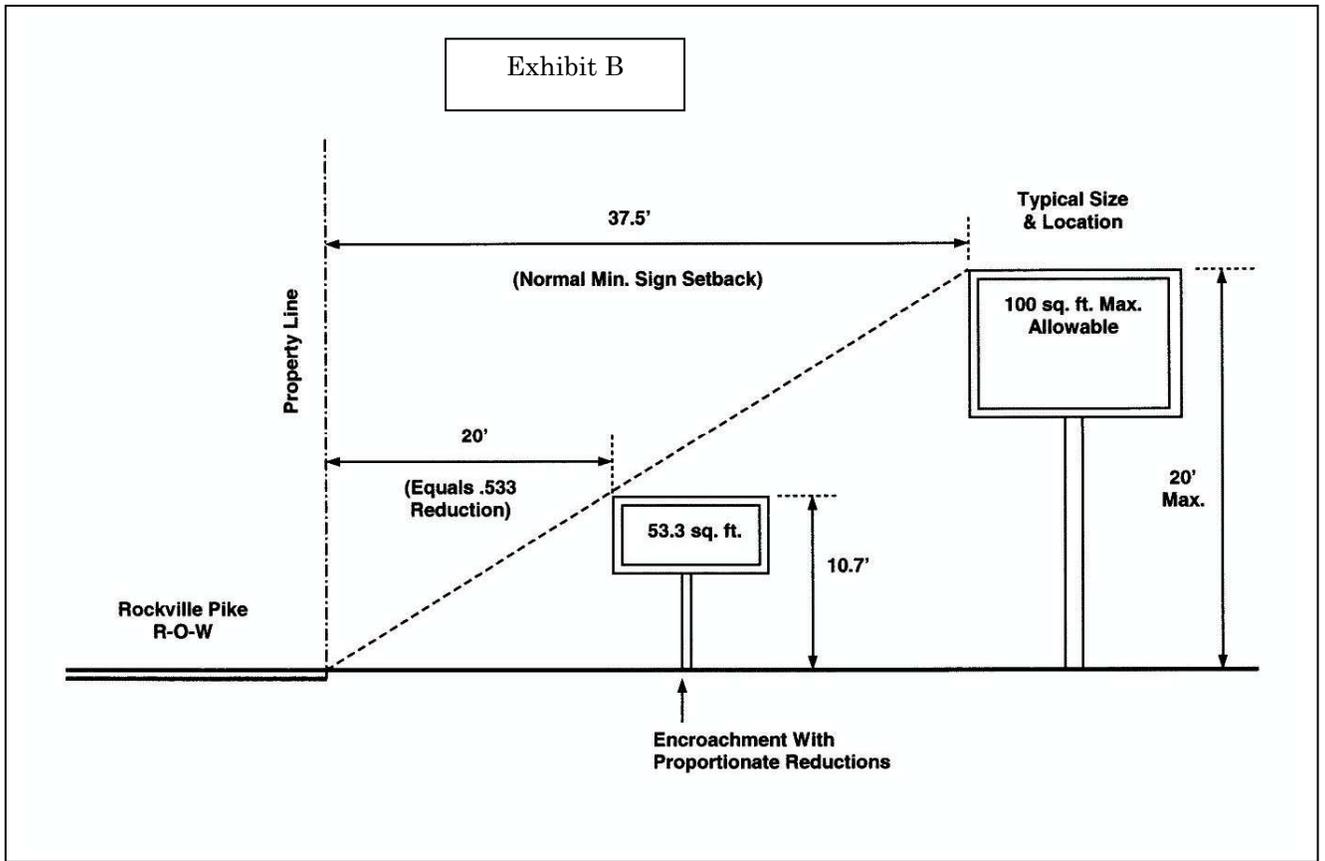
#### 3. Exceptions.

(a) Where the building restriction lines established by subsections a and b above reduces the buildable depth of any lot or parcel of land bounded by the W.M.A.T.A. right-of-way, to less than 300 feet, then such line must be adjusted by establishing same at a point three-quarters of the distance from the W.M.A.T.A. right-of-way and the right-of-way of Rockville Pike but, in no event, can such building restriction line be less than 85 feet from the centerline of Rockville Pike.

- (b) Where the applicable master plan recommends a greater or lesser building restriction line than set forth herein, the plan recommendation takes precedence over the requirements set forth in subsections a and b above. Where there is no master plan recommendation, the Approving Authority may waive building restriction line requirements if the waiver will result in a better form of development consistent with the intent of the master plan and the development standards for mixed-use zones set forth in Article 13.
- c. Signs. Notwithstanding any other provisions of this Chapter, one (1) sign which designates or identifies a use located on the same record lot may be erected and maintained within the building lines set forth in this section and the front line of the record lot provided that the size and height of any such sign must be reduced in direct proportion to the distance of the sign from Rockville Pike. Expressed in terms of mathematical formulas, the size and height reductions applicable to signs with the building restriction lines of Rockville Pike would be as shown in Exhibit A and are further illustrated in the graphic described in Exhibit B below:

Exhibit A		
Distance of sign From Rockville Pike <hr style="width: 100px; margin: 0 auto;"/>	x 20' =	Allowable height of sign
37.5		
Distance of sign From Rockville Pike <hr style="width: 100px; margin: 0 auto;"/>	x 100' =	Allowable size of sign
37.5		

Exhibit B



## Sign Regulations from Article 18 of the Zoning Ordinance

### Article 18 – Signs

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#### 25.18.01 – Legislative Findings; Purposes

- a. *Legislative Findings* – The Mayor and Council finds that signs provide an important medium through which individuals and entities may convey a variety of commercial and noncommercial messages. However, left completely unregulated, signs can become a threat to public safety as a hazard to property, persons, and the motoring public, and a detriment to property values and the overall public welfare as a nuisance.
- b. *Purposes* – In addition to the purposes of this Chapter established in Section 25.01.02, the purposes of this Article are:
  1. To enable the public to locate goods, services, facilities, and geographic areas without difficulty, danger, or confusion;
  2. To reduce traffic and pedestrian hazards and prevent interference with the effectiveness of traffic regulation;
  3. To promote the compatibility of signs with the surrounding land uses;
  4. To protect the public investment in the roadways in the City;
  5. To promote and preserve the economic well-being and vitality of the community;
  6. To enhance and improve the environment of the City and to protect property values by preventing visual clutter and blight;
  7. To preserve the residential character of the City’s residential neighborhoods; and
  8. To provide effective opportunities for the expression of commercial and noncommercial communication while protecting the public and the community against adverse effects from the unrestricted proliferation of signs.

#### 25.18.02 – Severability

- a. Without diminishing or limiting in any way the declaration of severability in Section 25.01.08 it is the express intent of this Section that if any provision (including any section, sentence, clause, or phrase) of this Article 18 or any other provision of this Chapter pertaining to signs, including but not limited to provisions pertaining to sign permits, is declared by a court of competent jurisdiction to be unconstitutional and void, such declaration of unconstitutionality does not affect any other provision of this Article 18 or other provision of this Chapter, including, but not limited to, the prohibition of certain signs, and the requirements pertaining to the size, height, location, numbers, illumination, maintenance, construction, and removal of signs.
- b. In particular, and without limitation, in the event any provision of this Article 18 or other provision of this Chapter is declared invalid as applied to noncommercial signs,

this Article 18 or any surviving portions thereof, remain in full force and effect as applied to commercial signs.

- c. Without diminishing or limiting in any way the foregoing declaration of severability, it is the express intent of this Section, 25.18.02, that if any provision (including any section, sentence, clause, or phrase) of this Article 18 or any other provision of this Chapter pertaining to signs is declared by a court of competent jurisdiction to be unconstitutional and void, such declaration of unconstitutionality does not affect any other provision of this Article 18 or other provision of this Chapter even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to the provision of this Chapter or otherwise.

### **25.18.03 - Special Application Requirements for the Sign Review Board**

In addition to the general provisions pertaining to the Sign Review Board found in 25.04.05 and general provisions for applications in Article 5, applications authorized in this Article 18 must:

1. Be submitted in writing to the Sign Review Board at least ten (10) calendar days prior to the meeting at which it is to be considered;
2. Be submitted on forms provided by the Sign Review Board and be accompanied by such fee as is determined by resolution of the Mayor and Council; and
3. Include as part of the application such information as may reasonably be required by the Sign Review Board including:
  - (a) The street address of the property upon which the sign is to be located and a plat map of the property showing the proposed location of the sign and identifying any adjacent residential property;
  - (b) The aggregate area for all tenant / business signs erected by or on behalf of the applicant and/or the aggregate area for all signs on the premises;
  - (c) The name(s) and address(es) of the owner(s) of the premises upon which the subject sign is to be located;
  - (d) Consent of the owner(s), or the owner's agent, granting permission for the placement or maintenance of the sign;
  - (e) The name, address, phone number, and business license number of the sign contractor;
  - (f) Plans indicating the location of the sign on the property or building wall, including the road frontage and/or building elevation; and
  - (g) Plans indicating the dimensions, height, and shape of the sign, and materials, and mounting details.
4. *Expiration of Sign Review Board's Approval.*
  - (a) *Installation of Sign* - A sign must be installed within six (6) months of the Sign Review Board's decision authorizing such sign, unless another time

frame is provided within this Chapter or the decision of the Sign Review Board, or the approval shall expire.

- (b) *Extension* - The Sign Review Board may, for good cause shown, grant no more than two (2) extensions of not more than six (6) months each for any prior grant of approval subject to the provisions for an extension of Section 25.05.08, "Extension of Implementation Period".

#### **25.18.04 – Only Permitted Signs Lawful; Signs Specifically Prohibited**

- a. No sign shall be erected, installed, substantially altered, or illuminated unless in compliance with all of the requirements of this Chapter.
- b. The following signs are specifically prohibited in the City:
  - 1. Signs that impede the operation of any window, door, fire escape, stairway, ladder, or opening required to provide light, air, ingress, or egress for any building or structure;
  - 2. Signs which, by reason of position, size, shape, or color, may interfere with, obstruct the view of, or be confused with any traffic sign, signal, or device, or which make use of any word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic;
  - 3. Off-premises signs;
  - 4. Freestanding signs in the shape or form of any person, animal, vegetable, product, or animation of any of the foregoing;
  - 5. Any sign placed or erected on property without the permission of the property owner;
  - 6. Signs which move or have any moving part, or which give the illusion of motion;
  - 7. Signs which use blinking, flashing, or fluttering illumination or illumination which varies in color or intensity or which create the appearance or illusion of writing or printing, including, but not limited to, strobe, rotating beacon, chasing, or zip lights;
  - 8. Signs erected by any person on any public property or right-of-way except for signs as may be directed by the City Manager;
  - 9. Signs erected in such a location as to interfere with pedestrian or vehicular circulation onto or off of the property on which it is located;
  - 10. Portable signs, except as may be allowed in Section 25.18.14.b.1.a.(v);
  - 11. Signs mounted, attached, or painted on trailers, boats, or motor vehicles when used as additional identification or advertising signs on or near the premises;
  - 12. Signs with changeable copy, except as provided for herein;

- 13 Signs extending above the roof of any building in excess of one (1) percent of the building height;
- 14 Flags, banners, pennants, spinners, ribbon, streamers, balloons, and similar devices, except as expressly permitted by this Article;
- 15 Signs projecting more than 36 inches from a building wall; and
- 16 Any sign with words, scenes, or graphics of an obscene, indecent, or prurient character which offend public morals or decency.

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;
4. Traffic control signs and speed indicator signs;
5. Any sign erected by or at the direction of, any governmental body having jurisdiction over the property or the right-of-way on which the sign is located;
6. Any sign or portion thereof required to be posted or displayed by this Chapter or other applicable Federal, State, or local law or regulation;
7. One (1) private flag when displayed with the flag of the United States and the State or political subdivision, provided such private flag must not be larger than the other flags displayed;

8. Signs located on public or private recreational facilities on parcels of five (5) acres or more, provided that such signs are not intended to be readable from a public way;
9. Any ornamental flag or stationary structure, device, material, or thing of a noncommercial decorative nature extending from a wall or pole located on residential property or around parking or pedestrian areas in the interior of non-residential property and not designed to attract the attention of those traveling on a public way; or
10. Numerals not exceeding 18 inches in height identifying the address of a dwelling unit or building.

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

a. *Permanent Signs*

1. *Construction* – Permanent signs must be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
  - (a) Signs attached to masonry, concrete, or steel must be safely and securely fastened by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to safely support the loads applied.
  - (b) Where wood anchors or supports are embedded in the soil, the wood must be pressure treated with an approved preservative.
2. *Design* – Permanent signs must be designed and constructed to withstand wind pressure as provided for in the current edition of the International Building Code, as amended, or in such other code adopted as the Building Code for the City.
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.
4. *Illumination* – When illumination of a sign is permitted, it must satisfy the following requirements:
  - (a) A sign must be illuminated only with electric lighting, and electrical devices and wiring must be installed in accordance with the requirements of Chapter 5, Article VII of the City Code .

b. *Temporary Signs*

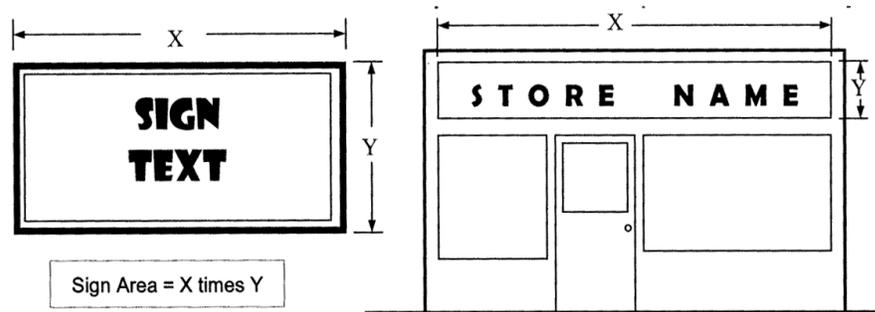
1. *Construction* – Temporary signs must:
  - (a) Not be constructed in a manner that requires a building or electrical permit; and

- (b) Be securely anchored to the structure or land in which it is located.
  - 2. *Design* – Temporary signs must not have changeable copy.
  - 3. *Illumination* – Temporary signs must not be illuminated in any manner.
- c. *Maintenance*
- 1. All signs and sign support structures, together with their supports, braces, guys, and anchors, must be maintained in good structural condition, in compliance with all applicable building and electrical codes, and in conformance with this Article at all times.
  - 2. The display surfaces of all signs must be kept neatly painted or posted at all times.

**25.18.07 – Measurement of Sign Area and Height**

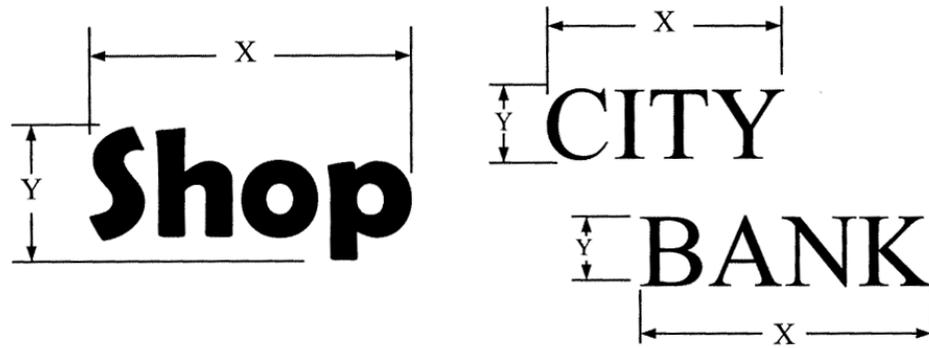
a. *Sign Area*

- 1. Sign area includes the total areas of all permitted signs, except as otherwise provided for herein.
- 2. Sign areas are measured as follows:
  - (a) For sign copy mounted or painted on a background panel or area distinctively painted, textured, lighted, or constructed as background for the sign copy, sign area is measured as that area contained within the outside dimensions of the background panel or surface.



**Figure 18.1**

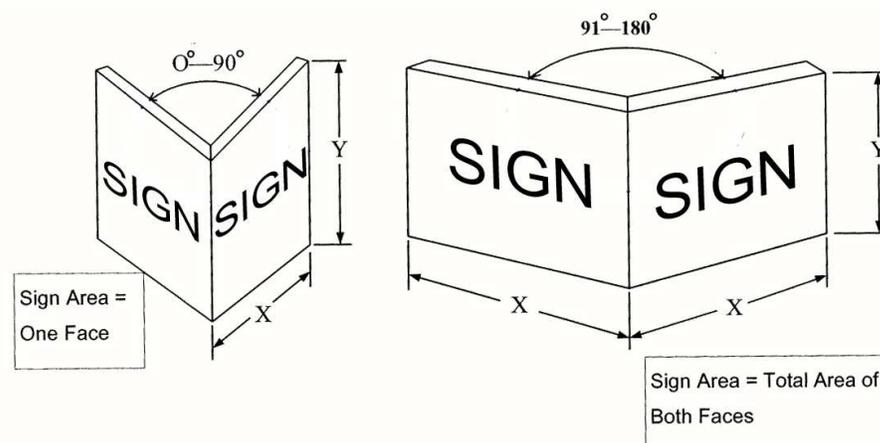
- (b) For sign copy mounted as individual letters and/or graphics on an area of a building that has not been painted, textured, lighted, or otherwise altered to provide a distinctive background for the sign copy, sign area is measured as the area or the sum of the areas enclosed by the smallest rectangle that will enclose each word and graphic.



Sign Area = X times Y

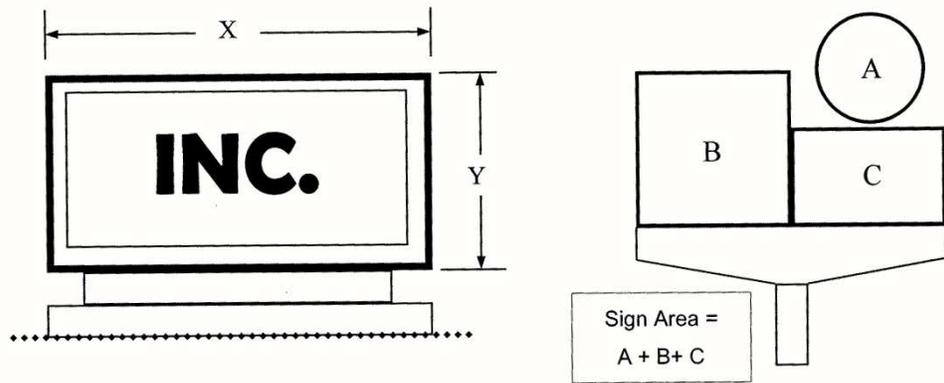
**Figure 18.2**

- (c) For freestanding signs or projecting signs not more than two (2) sign faces shall be allowed. If the interior angle between the two (2) sign faces is 90 degrees or less, the area of only one (1) face will be the sign area. If the angle between the two (2) faces is greater than 90 degrees, the sign area will be the sum of the areas of the two (2) faces.



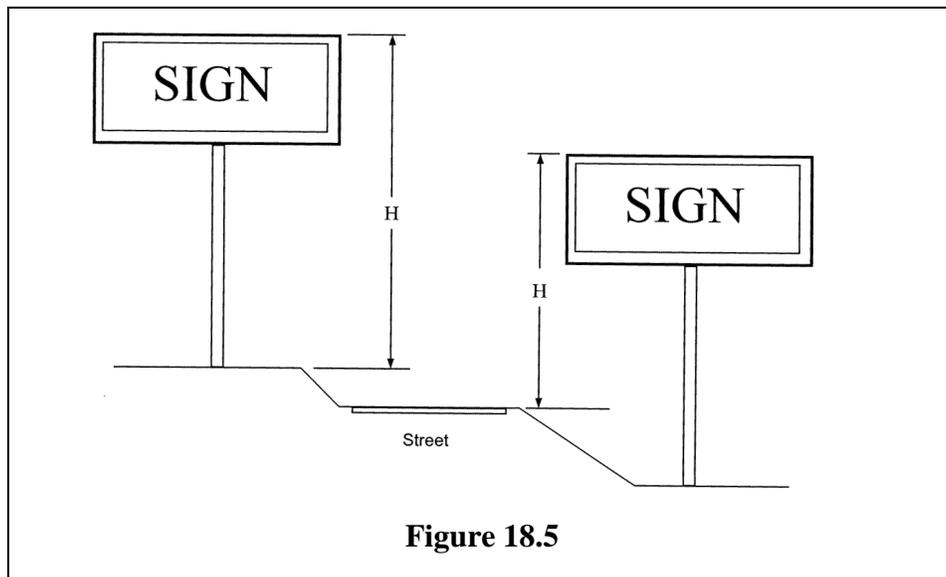
**Figure 18.3**

- (d) For a freestanding sign, the sign area will be the area that will encompass all components of the sign excluding the supporting structure that does not form part of the sign proper.



**Figure 18.4**

- b. *Sign Height* – Sign height is measured from the distance at the top of the sign structure to the level of the street upon which the sign faces or to the level of the lot on which the sign is erected, whichever is higher.



**Figure 18.5**

**25.18.08 – Sign Permits; Appeals**

- a. Except as expressly exempted or otherwise provided in this Article, a sign permit must be obtained prior to the installation, erection, enlargement, illumination, or substantial alteration of any permanent or temporary sign allowed under this Article. The changing of the sign face is a substantial alteration requiring a new sign permit.
- b. Applications shall be submitted to the Chief Planning.

- c. Each application shall be submitted on forms provided therefore by the Chief of Planning, and be accompanied by such fee as is established by resolution of the Council. The applicant shall furnish as part of the application the following information:
  1. The street address of the property upon which the sign is to be located and a plat map of the property showing the proposed location of the sign and identifying any adjacent residential property;
  2. The aggregate area for all tenant/business signs erected by or on behalf of the applicant and/or the aggregate area for all signs on the premises;
  3. The name(s) and address(es) of the owner(s) of the premises upon which the subject sign is to be located;
  4. Consent of the owner(s), or the owner's(?) agent, granting permission for the placement or maintenance of the sign;
  5. The name, address, phone number, and business license number of the sign contractor;
  6. Plans indicating the location of the sign on the property or building wall, including the road frontage or building elevation;
  7. Plans indicating the dimensions, height, and shape of the sign, and materials, and mounting details;
  8. The size and type of any vegetation required to be moved for sign installation or visibility; and
  9. Such other information pertaining to the requirements of this Article as may reasonably be required by the Chief of Planning.
- d. The Chief of Planning must review the application within 15 business days from the date of submission of the application and required fee and either approve or deny the application or return the application to the applicant if the application is incomplete as follows:
  1. A sign permit must be issued if the Chief of Planning finds that the sign proposed in the application complies with the requirements of this Article.
  2. If the permit is denied, the denial must be in writing and must specify the specific section or sections of this Article or other applicable law with which the proposed sign(s) is inconsistent.
  3. If the application is returned due to incompleteness, the Chief of Planning must advise the applicant in writing as to the information needed to complete the application.
  4. Failure of the Chief of Planning to take action on an application within the time frame set forth above is appealable to the Sign Review Board in the same manner as an appeal from a denial of a permit.

- e. An applicant may appeal the denial of a sign permit by filing a sign permit review application with the Sign Review Board within ten (10) business days of the decision of the Chief of Planning.
- f. No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to erect or maintain an unlawful sign, nor shall any permit issued hereunder constitute a defense in any action to remove an unlawful sign.

**25.18.09 – Nonconforming Signs**

- a. Whenever an existing sign is altered, it must be modified to bring it into conformance with this Chapter.
- b. Whenever an existing business / tenant erects a new or additional sign, all signs on the premises pertaining to that business / tenant must be modified to bring them into conformance with this Chapter.
- c. Any sign lawfully existing immediately prior to the effective date of this Chapter, or any application amendment thereof, but which does not conform to the requirements as now constituted or as it may hereafter be amended from time to time, must be removed within eight (8) years from the date that the sign became nonconforming.
- d. In all other respects, nonconforming signs must comply with the applicable requirements of Article 8, Transitional Provisions, Nonconformities, Nonconforming Alteration Approval.

**25.18.10 – Removal of Signs**

- a. *Prohibited Signs on Public Property / Rights of Way* – Any prohibited sign found on any public property or right-of-way within the City will be removed and disposed of by the Chief of Inspection Services or designee in the same manner as trash. Nothing herein prohibits the imposition of a fine or initiation of any other enforcement action against any person or entity found to have installed a prohibited sign on any public property or right-of-way within the City.
- b. *Unlawful Sign* – Any sign unlawfully existing immediately prior to the effective date of this Chapter, or any applicable amendment thereof, and which does not conform to the requirements of this Article, as now constituted or as it may be amended from time to time, must be removed by the owner after notice from the City to do so.
- c. *Elections and Other Event Signs* – Any sign that pertains to an election, event, activity, or purpose of a limited time or duration must be removed within seven (7) days of the conclusion of the event, activity, or purpose to which it pertains. Nothing herein prohibits the maintenance of signs with a political or other noncommercial message in accordance with the provisions of the Article 18 pertaining to temporary noncommercial signs.
- d. *Abandoned Signs*
  - 1. An abandoned sign must be removed within 30 days from the time the activity on the premises ceases and/or the business owner vacates the premises by:

- (a) The sign's owner;
  - (b) The owner of the property on which the sign is located; or
  - (c) Any other persons otherwise responsible for the sign.
2. Removal consists of the removal of the portion of the conforming sign identifying the business, tenant, entity, service, owner, product, or activity that is no longer located on the premises and installation of temporary replacement face where applicable. Nonconforming signs are subject to the provisions of Section 25.18.09.

**25.18.11 – Signs Permitted for Residential Uses in All Zones**

The following signs are permitted for residential uses in all zones:

- 1. *Identification Signs* – Each dwelling unit may have permanent occupant identification signs, including a single sign for a valid home-based business enterprise or child care center located on a lot less than 20,000 square feet, in accordance with the following:
  - (a) The total aggregate of all such signs must not exceed 150 square inches;
  - (b) The signs may be a building sign or freestanding;
  - (c) If freestanding, the signs must not be illuminated in any manner; and
  - (d) No sign permit is required.
- 2. *Entrance Signs* – Permanent entrance signs for residential developments or a subdivision containing ten (10) or more dwelling units in accordance with the following:
  - (a) One (1) sign not exceeding 24 square feet in area with a maximum height of five (5) feet in height located at or near the entrance to the development or subdivision within the boundaries of such development or subdivision;
  - (b) Where the dwelling units are separately owned, such sign must be located in an easement or tract of land to be owned and/or maintained by the Home Owners Association, civic association, or similar entity;
  - (c) Final location of such sign must be approved by the Director of the Department of Public Works or designee, to ensure that the sign does not obstruct the visibility of motorists; and
  - (d) Such sign must be located in a landscaped area of at least two (2) square feet per each square foot of sign area.
- 3. *Directional Signs* – Directional signs for residential developments or a subdivision of any size is permitted in accordance with the following:
  - (a) Such signs must not exceed three (3) square feet in area; and
  - (b) If freestanding, such signs must not exceed six (6) feet in height.

4. *Temporary Signs* – The following temporary signs:
- (a) *Real Estate Signs for Individual Residential Lots or Dwelling Units*
    - i. One (1) building or freestanding sign per street frontage not exceeding six (6) square feet in area and, if free standing, not exceeding five (5) feet in height, provided that any sign installed within ten (10) feet from the property line must not exceed 42 inches in height;
    - ii. Such signs must not be illuminated; and
    - iii. No sign permit is required.
  - (b) *Real Estate Signs for Recorded Subdivision* – For recorded subdivisions containing ten (10) or more lots, signs must comply with the following:
    - i. One (1) sign per subdivision not exceeding 48 square feet in area and, if freestanding, not exceeding 12 feet in height located within the subdivision;
    - ii. Such signs must not be illuminated;
    - iii. Such signs may be maintained for a period of two (2) years, or until all the lots in the subdivision are sold, whichever occurs first; and
    - iv. Sign permits are required and are renewable for such signs.
  - (c) *Real Estate Signs for New or Renovated Multi-Unit Dwelling Developments*
    - i. For developments containing up to ten (10) dwelling units, signs must comply with the following:
      - A. One (1) sign per street frontage not exceeding 12 feet in height located on the property;
      - B. Such signs must not be illuminated; and
      - C. No sign permit is required for such signs.
    - ii. For developments containing more than ten (10) dwelling units, signs must comply with the following:
      - A. One (1) sign per street frontage not exceeding 48 square feet in area and, if freestanding, not exceeding 12 feet in height located on the property;
      - B. Such signs must not be illuminated;
      - C. Such signs may be maintained for a period of two (2) years, or until all the units in the development are rented, sold, or leased whichever occurs first; and

D. Sign permits are required and are renewable for such signs.

(d) *Temporary Noncommercial Signs*

i. *General Provisions for Temporary Noncommercial Signs*

A. Such signs must not exceed five (5) square feet in area.

B. If freestanding, such signs must not exceed five (5) feet in height, provided that any sign installed within ten (10) feet from the property line must not exceed 42 inches in height;

C. Such signs must not be illuminated; and

D. No sign permit is required for such signs.

ii. *Yard Sale Signs* – In addition to the general provisions for temporary noncommercial signs provided in Subsection 4.(d)(i), above, property owners holding a yard sale are permitted to erect signs on their own property in accordance with the following:

A. Signs must not be displayed for a period longer than two (2) days during any calendar month; and

B. Signs must be removed upon the conclusion of the sale.

**25.18.12 – Signs Permitted for Nonresidential Uses in Residential Zone**

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

1. One (1) permanent sign, not exceeding 24 square feet in area for each street frontage

(a) If freestanding, it must not be located less than ten (10) feet from any lot line; and

(b) The sign may contain changeable copy.

2. Directional signs, provided that:

(a) Such signs do not exceed three (3) square feet in area; and

(b) If freestanding, such signs must not exceed six (6) feet in height.

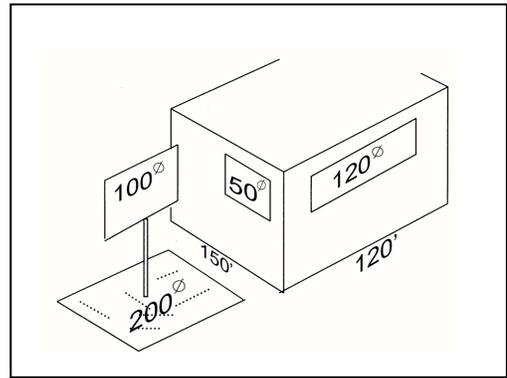
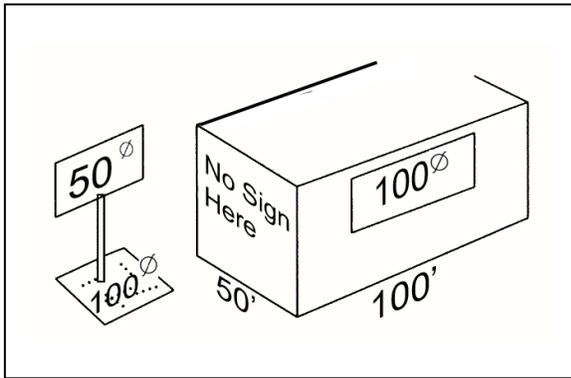
b. *Signs for Special Exceptions* – For non-residential special exception uses in residential zones:

1. All signs shall be as permitted by the Board of Appeals in its approval of the special exception application, except that the Board of Appeals may not permit any sign prohibited under Section 25.18.04.

2. Residential special exceptions valid on December 31, 1983 have the following options:
  - (a) One (1) sign not exceeding 20 square feet in area is allowed. It may be a building sign or freestanding. If freestanding, the sign must not exceed five (5) feet in height; or
  - (b) A qualified applicant may apply to the Board of Appeals for an amendment to existing sign conditions in compliance with Section 25.15.01.b.
- c. *Temporary Real Estate Signs* – Temporary real estate signs are permitted for all nonresidential uses in residential zones in accordance with the provisions of Section 25.18.11.4.(a).
- d. *Temporary Noncommercial Signs* – Temporary noncommercial signs are permitted in accordance with the provisions of Section 25.18.11.4.(d).

#### **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:
  1. *Total Aggregate Area*
    - (a) The total aggregate area of all signs on the premises allowed for each business/tenant must not exceed:
      - i. Two (2) square feet for each linear foot of exterior building wall enclosing the business/tenant space up to a maximum of 50 square feet.
      - ii. If such building wall or portion thereof measures more than 50 linear feet, then the aggregate area of all signs on the premises for that business/tenant may be increased in area at the rate of one (1) square foot for each linear foot of exterior building wall in excess of 50 linear feet.



**Total Aggregate Area for Each Business/Tenant**

**Figure 18.6**

**Figure 18.7**

- (b) For business/tenant space with multiple exterior building walls, each exterior wall may be so measured. All signs must be placed on the exterior building wall or portion thereof used for measurement.

2. *Design*

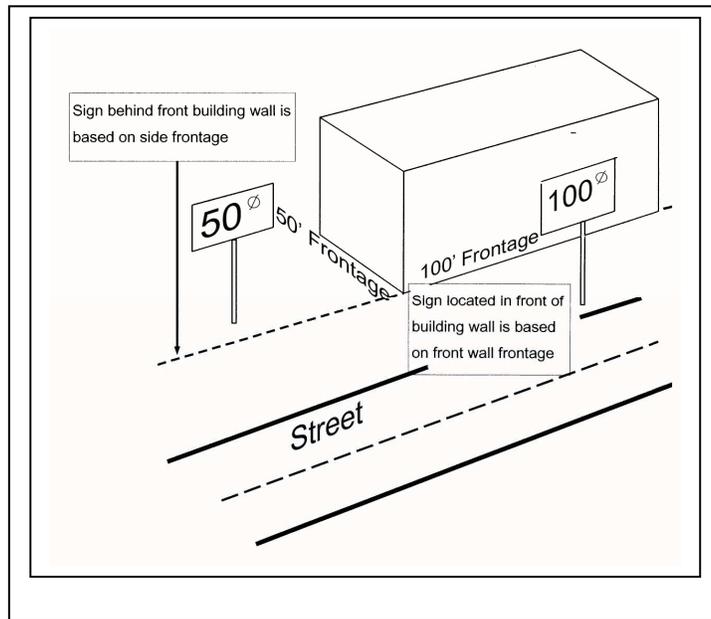
- (a) For a lot occupied by more than one (1) business/tenant, each building sign must be compatible and harmonious (but not necessarily identical) in terms of design, color, shape, size, style, material, and mounting with all other signs on the building or in the center.
- (b) In addition to the principal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

- 3. *Additional Signs for Multiple Tenants* – Buildings occupied by four (4) or more businesses/tenants may have one (1) additional building sign with a maximum area of 50 square feet located on an exterior wall.

b. *Freestanding Signs*

- 1. Freestanding signs are permitted in the Mixed-Use Commercial (MXC) Zone in accordance with the following:
  - (a) One (1) freestanding sign is permitted per record lot;

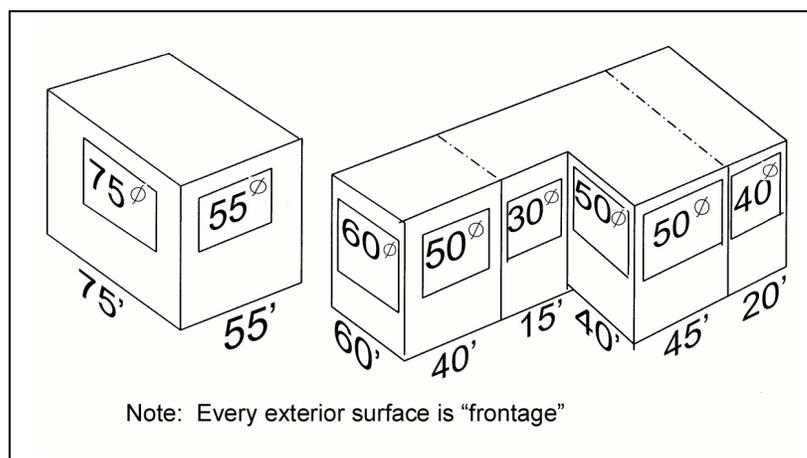
- (b) Such sign must not exceed a maximum area of 50 square feet and a maximum height of six (6) feet;
- (c) Such sign must not use internal illumination;
- (d) Such sign must not be located within ten (10) feet from any lot line;
- (e) A landscaped area must be provided at the base of the freestanding sign, with the landscaped area to be a minimum area of two (2) square feet of sign area; and
- (f) Freestanding signs that contain the name, logo, or trademark of more than one (1) business, place, organization, building, or person must meet the following requirements in addition to those listed above:
  - i. Lettering for the identification of the building/center must not be less than 18 inches in height;
  - ii. Lettering for the identification of individual businesses/tenants and other copy must not be less than ten (10) inches in height;
  - iii. The design of the sign shall be internally consistent and harmonious in color, size, style, material, and mounting; and
  - iv. The design of the sign shall be consistent and harmonious with the sign plan and architecture for the entire building or center.



**Figure 18.8 - Freestanding Signs**

- 2. Freestanding signs are permitted in the I-L and I-H Zones in accordance with the following:

- (a) Freestanding signs that identify a single business/tenant shall be counted as a portion of the total aggregate sign area allowed for that business/tenant.
- (b) Other freestanding signs, including those that identify a multi-tenant building or center, shall not be counted in the aggregate sign area allowed for any individual business/tenant. Such signs must be in accordance with the following:
  - i. There shall be only one (1) freestanding sign per record lot;
  - ii. Such signs must have a maximum area of 50 square feet and a maximum height of ten (10) feet;
  - iii. The freestanding sign must be counted as a portion of the aggregate sign area of the most proximate exterior building wall;
  - iv. Such signs must not be closer than 30 feet to any residential zone; and
  - v. Freestanding signs that contain the name, logo, or trademark of more than one (1) business, place, organization, building, or person must, in addition to the requirements above, satisfy the following additional requirements:
    - A. Lettering for the identification of the building/center must not be less than 18 inches in height;
    - B. Lettering for the identification of individual businesses/tenants and other copy must not be less than ten (10) inches in height;
    - C. The design of the sign must be internally consistent and harmonious in color, size, style, material, and mounting; and
    - E. The design of the sign must be consistent and harmonious with the sign plan and architecture for the entire building or center.



**Figure 18.9 - Building Signs (2)**

- c. *Additional Signs* – Additional signs are permitted in the Mixed-Use Commercial (MXC), and Industrial (I-L and I-H) Zones in accordance with the following:
  - 1. Buildings or centers occupied by four (4) or more businesses/tenants may have one (1) additional sign, with one (1) entry per business/tenant.
  - 2. Letters must be a maximum height of three (3) inches and must be consistent in style.
  - 3. Such sign may be erected as a building sign or freestanding sign not intended to be readable from a public way.
  - 4. If freestanding, such sign must not exceed a maximum of 50 square feet in area and a maximum height of ten (10) feet.
  
- d. *Directional Signs* – Directional signs in the 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 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 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.
  
- f. *Temporary Signs* – Temporary signs are permitted in the Mixed-Use Commercial (MXC) and Industrial (I-L and I-H) Zones in accordance with the following:
  - 1. One (1) real estate sign per lot not exceeding 48 square feet in area, and not more than 12 feet in height if freestanding, or one (1) building sign not exceeding 72 square feet in area if mounted at least 70 feet above adjacent grade, in accordance with the following:
    - (a) Such signs must not be illuminated;
    - (b) Such signs may be maintained for a period of two (2) years or until the building or lot is rented, leased, or sold, whichever occurs first. Signs must be removed within 30 days after sale, lease, or rental. Signs installed for a two (2) year renewal period are limited to a maximum size of 24 square feet; and
    - (c) Such signs must not be located within 30 feet of a residential zone.

2. One (1) sign may be erected during the period of construction with a total maximum sign area of 72 square feet.
  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.
  4. Temporary noncommercial signs are permitted in the Mixed-Use Commercial (MXC) and Industrial (I-L and I-H) zones in accordance with the provisions of Section 25.18.14.a.4.(b).
- h. *Subdivision Entrance Signs* – In the Industrial zones, permanent signs within recorded subdivisions of four (4) or more lots are permitted in accordance with the following:
1. One (1) sign is permitted, not exceeding 50 square feet in area and not exceeding six (6) feet in height.
  2. Such sign must be located at or near the entrance to the subdivision within the boundaries of the subdivision.
  3. Final location of such sign must be approved by the City Traffic Engineer to ensure that the sign does not obstruct the visibility of motorists.
  4. Such sign must be located in a landscaped area of at least two (2) square feet per each square foot of sign area.
  5. Such sign must not use internal illumination.

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

- a. The following signs are permitted in the MXT Zone:
  1. Permanent building signs in accordance with the following:
    - (a) The total area of all building signs must not exceed 15 square feet on any building;
    - (b) Such signs must not utilize internal illumination; and
    - (c) Such signs must not be placed above the first-story level of any building;
  2. Permanent freestanding signs in accordance with the following:
    - (a) One (1) freestanding sign is permitted for each record lot or project not exceeding eight (8) square feet in area and not exceeding five (5) feet in height;
    - (b) Such sign must not utilize internal illumination; and

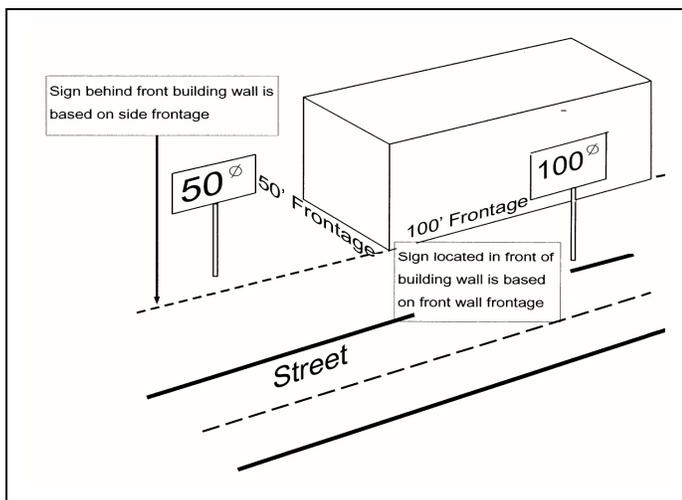
- (c) Such sign must be located not less than ten (10) feet from a lot line of any lot used principally for a residence;
3. Directional signs in accordance with the following:
    - (a) Such sign must not to exceed three (3) square feet in area; and
    - (b) If freestanding, not to exceed six(6) feet in height;
  4. Temporary signs in accordance with the following:
    - (a) One (1) real estate sign per lot not exceeding 24 square feet in area and eight (8) feet in height, in accordance with the following:
      - i. Such signs must not be illuminated;
      - ii. Such signs may be maintained for a period of two (2) years or until the building or lot is rented, leased, sold, whichever occurs first; and
      - iii. Such signs must not be located within 30 feet of a residential zone.
    - (b) Temporary noncommercial signs are permitted in accordance with the following:
      - i. The total aggregate area of all such signs on a single lot must not exceed 32 square feet;
      - ii. No single sign may exceed 12 square feet in size;
      - iii. If freestanding, such signs must not exceed eight (8) feet in height;
      - iv. In lieu of the signage allowed in subsection (b)(i) and (ii) above, on any record lot that abuts a limited access highway noncommercial temporary signs may be attached to the side of a building facing a limited access highway. Such signs must be mounted to the top floor face of the building, must not obstruct windows, and must not exceed an aggregate size of 100 square feet.
      - v. Such signs must not be illuminated;
      - vi. Such signs must not be located within 30 feet of a residential zone;
      - vii. No sign permit is required for such signs.
  - 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*



- (b) *Total Aggregate Area – MXE and MXB Zones*
- i. The total area of all signs erected on a record lot in the MXE and MXB Zones must not exceed 250 square feet.
  - ii. For a lot occupied by more than one (1) business/tenant, each building sign must be consistent and harmonious in terms of design, color, shape, size, style, material, and mounting with other such signs on the building or in the center. A proposal for the entire building or center must be submitted by the owner prior to the issuance of the first sign permit for either a new or existing development.
  - iii. In addition to the principal sign color, 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, comprehensive redevelopment, 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.*
- i. The Sign Review Board may approve such a comprehensive sign package provided that:
    - A. If the maximum size otherwise allowed for any sign is increased, the total square footage of all signs on the project must not exceed the maximum aggregate total signage area permitted in ~~this~~ subsection b.1, above.
    - B. Notwithstanding any variation among the signs in design, color, shape, size, style, material, or mounting, the signs must be compatible with each other and with the surrounding properties.
  - ii. In reviewing a proposed comprehensive sign package, the Sign Review Board must consider:
    - A. The size, shape, color, design elements, and location of the signs;
    - B. The compatibility of the proposed signs with the surrounding properties, the proximity of other signs, and the characteristics of the area where the signs are to be located; and
    - C. Any recommendations from the Chief of Planning or the Planning Commission.
  - iii. The Sign Review Board may impose such conditions and terms when approving a comprehensive sign package, that are reasonably necessary to satisfy the purpose and intent of this Article.

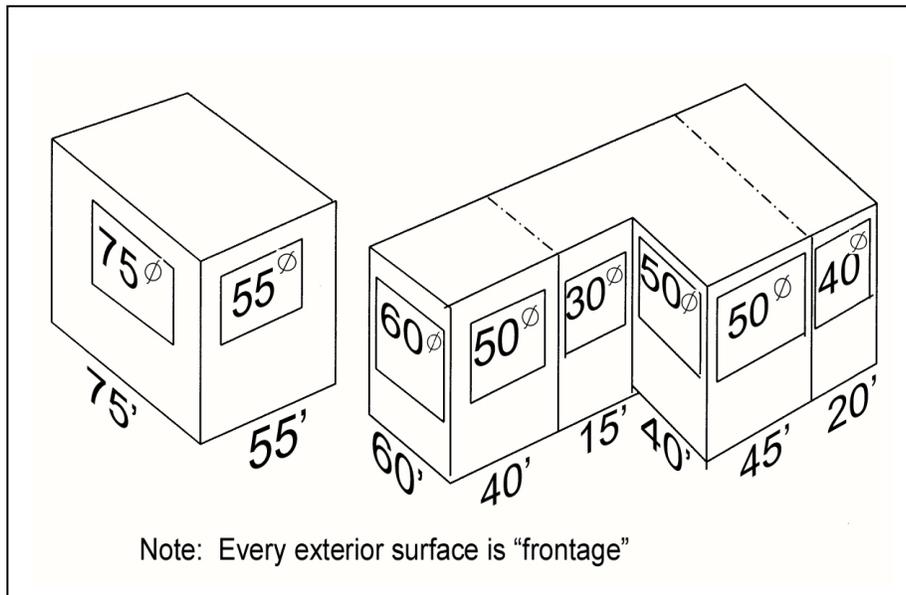
2. *Freestanding Signs*

- (a) Freestanding signs are permitted in the MXTD Zone in accordance with the following:
  - i. One (1) freestanding sign is permitted per record lot;
  - ii. Such sign must not exceed a three (3) feet by eight (8) inches with a maximum height of six (6) feet;
  - iii. Such sign must not use internal illumination;
  - iv. Such sign must not have a separate supporting structure; and
  - v. Final location of such sign must be approved by the Director of the Department of Public Works, or their designee, to ensure motorist visibility.
  - vi. Freestanding signs may also be subject to the provisions of Sec. 25.17.08.d for areas along Rockville Pike.
- (b) Freestanding signs are permitted in the MXCD and MXNC Zones in accordance with the following:
  - i. Freestanding signs that identify a single business/tenant must be counted as a portion of the total aggregate sign area allowed for that business/tenant. Other freestanding signs, including those that identify a multi-tenant building or center, must not be counted in the aggregate sign area allowed for any individual business/tenant. Such signs must be in accordance with the following:
    - A. One (1) freestanding sign for each record lot. On record lots larger than five (5) acres, one (1) freestanding sign shall be permitted on each street frontage on a major highway or business district street. Where more than one (1) freestanding sign is permitted, they shall be erected at least 100 feet apart;
    - B. Such signs must not exceed a maximum area of 100 square feet and a maximum height of 20 feet, provided that the area of a freestanding sign must not exceed the aggregate sign area allowed for the premises as measured by the most proximate building wall;
    - C. The freestanding sign shall be counted as a portion of the aggregate sign area of the most proximate exterior building wall;



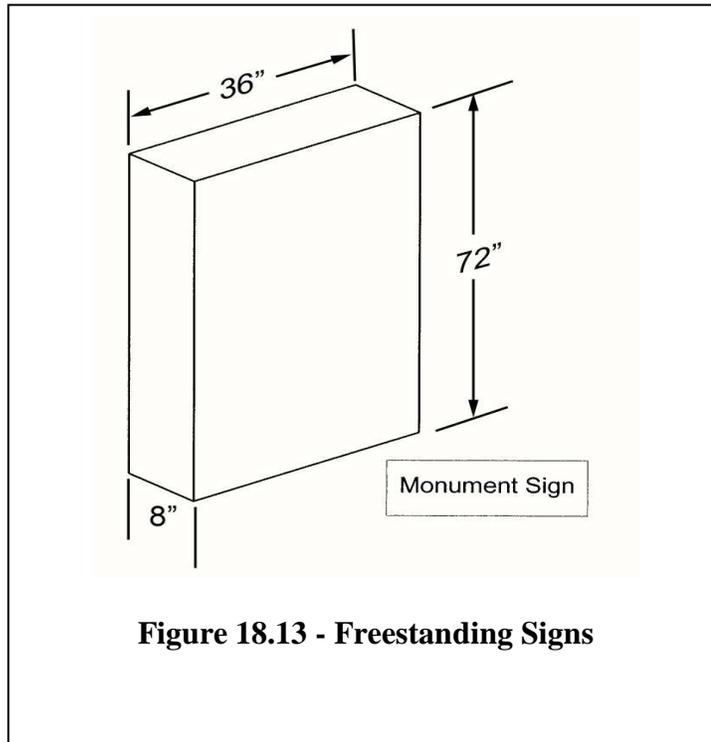
**Figure 18.11 - Freestanding Signs**

- D. Such signs must not be closer than 30 feet to any residential zone;
  - F. A landscaped area must be provided at the base of the freestanding sign, with the landscaped area a minimum area of two (2) square feet for each square foot of sign area;
  - G. The design of the sign shall be compatible and harmonious with the sign plan and architecture for the entire building or center; and
  - H. Freestanding signs are also subject to the provisions of Sec. 25.17.08.c for areas along Rockville Pike.
- ii. Freestanding signs that contain the name, logo, or trademark of more than one (1) business, place, organization, building, or person must satisfy the requirements set forth in subsections b.2.(b)(i)A. through F. of this Section, 25.18.14, plus the following additional requirements:
- A. Lettering for the identification of the building/center must not be less than 18 inches in height;
  - B. Lettering for the identification of individual businesses/tenants and other copy must not be less than ten (10) inches in height;
  - C. The design of the sign must be internally consistent and harmonious in color, size, style, material, and mounting; and
  - D. The design of the sign must be consistent and harmonious with the sign plan and architecture for the entire building or center.



**Figure 18.12 - Building Signs**

- (c) Freestanding signs are permitted in the MXE Zone in accordance with the following:
- i. Freestanding signs must be counted as a portion of the total aggregate sign area of the lot;
  - ii. One (1) freestanding sign for each record lot not exceeding 100 square feet in area and not exceeding 20 feet in height is allowed. Such sign must be located not less than 50 feet from any lot line;
  - iii. In addition, record lots which abut a limited access highway may have one (1) additional freestanding sign not exceeding 50 square feet in area and not exceeding five (5) feet in height to be located at the principal point of ingress to such lot and not less than ten (10) feet from any lot line;
  - iv. A landscaped area must be provided at the base of the freestanding sign. The landscaped area must be a minimum area of two (2) square feet for each square foot of sign area; and
  - v. Letters and graphics on such signs must not exceed six (6) inches in height.



**Figure 18.13 - Freestanding Signs**

3. *Directional Signs* – Directional signs are permitted in accordance with the following:
  - (a) The sign must not exceed three (3) square feet in area; and
  - (b) If freestanding, the sign must not exceed six (6) feet in height.
4. *Gasoline Price Signs* – 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.
5. *Changeable Copy Signs* – Changeable copy signs are permitted 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.
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:
  - (a) One (1) real estate sign is permitted per lot not exceeding 48 square feet in area, and not more than 12 feet in height if freestanding, or one (1) building sign not exceeding 72 square feet in area if mounted at least 70 feet above adjacent grade, in accordance with the following:
    - i. Such signs must not be illuminated;
    - ii. Such signs may be maintained for a period of two (2) years or until the building or lot is rented, leased, or sold, whichever occurs first. Signs

must be removed within 30 days after sale, lease, or rental. Signs installed for a two (2) year renewal period are limited to a maximum size of 24 square feet; and

iii. Such signs must not be located within 30 feet of a residential zone.

- (b) One (1) sign may be erected during the period of construction with a total maximum sign area of 72 square feet.
- (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.

#### **25.18.15 – Election Signs**

- a. *Residential Zones / Residential Property in Other Zones* – In residential zones and on residential property in all zones, election signs must comply with the size, height, and location requirements for temporary noncommercial signs contained in Sections 25.18.11.4(d).
  - 1. Such signs are subject to applicable provisions of Section 25.18.04.
  - 2. No sign permit is required.
- b. *All Other Zones* – In all other zones, election signs must comply with the requirements of the zone in which it is located pertaining to the size, area, height, duration, and location requirements for temporary noncommercial signs.
  - 1. Such signs are subject to applicable provisions of Section 25.18.04.
  - 2. No sign permit is required.

- c. *Removal* – Election signs that are no longer needed should be removed within seven (7) days after the election to which they pertain. It shall be the obligation of the candidate to cause all such signs to be removed prior to the expiration of the period.
- d. *No Illumination* – Election signs must not be illuminated.
- e. *Usage of Permanent Sign* – Nothing herein precludes the usage at any time of permanent signage permitted under this Article to advocate a candidate or issue to be voted on in an election.

**25.18.16 – Signs on Public Property and the Public Right-of-Way**

- a. *Signs Prohibited* – No sign is permitted on public property or within the public right-of-way except as directed or authorized by the City Manager.
- b. *Exceptions* – The City Manager may direct or authorize the erection of one (1) or more of the following signs on public property or within the public right-of-way:
  1. Traffic control signs;
  2. Signs that provide directional or other public service information;
  3. Signs pertaining to a governmental or public purpose;
  4. Signs pertaining to the use, maintenance, and/or operation of public property or right-of-way and/or pertaining to any events or activities lawfully conducted on said property or right-of-way;
  5. Signs pertaining to the closure or partial closure of a road or other public right-of-way; and
  6. Such other signs deemed to be in the public interest.
- c. *Community Events and Noncommercial Messages* – The City Manager may designate one (1) or more areas on public property or within the public right-of-way for the erection of signs pertaining to publicly and/or privately sponsored community events and noncommercial messages. Such signs must be erected and maintained in accordance with such standards, requirements, and conditions as may be established by the City Manager.

**25.18.17 – Noncommercial Signs in Lieu of Commercial Signs**

Notwithstanding any provision of this Article or Chapter to the contrary, any sign permitted by this Article or Chapter to contain a commercial message may, in lieu thereof, contain a noncommercial message unrelated to the business, tenant, or entity located on the premises where the sign is erected, provided that the other criteria and regulations contained in this Article and Chapter have been satisfied, including but not limited to size, height, setback, location, duration, design, maintenance, and construction regulations and criteria.

### 25.18.18 – Signs in Planned Development Zones

Except as otherwise provided in this Article, 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.

- a. Specific Regulations for Signs in Planned Development Zones where the project was originally approved as a Preliminary Development Plan after January 1, 2000 and included land either owned by the City or purchased from the City:
  1. Notwithstanding the provisions of Article 18, the following is specifically permitted:
    - (a) Freestanding Signs.
      - i. One (1) off-premises sign per record lot limited to 35 square feet of sign area and 25 feet in height.
      - ii. Eighteen (18) off-premises signs limited to four (4) square feet of sign area and ten (10) feet in height installed on existing light posts located on lots covered by and subject to a preliminary development plan.
- 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.

**SIGN REVIEW BOARD  
CITY OF ROCKVILLE, MD**

**RULES OF PROCEDURE**

I. Established

The Sign Review Board is established as set forth in the provisions of Section 25.04.05 of the Zoning Ordinance. These rules of procedure are promulgated in accordance with Section 25.04.05.d.

II. Powers and Duties

In addition the powers and duties conferred in Section 25.04.05.b, the Board may grant modifications to the provisions of Article 18 of the Zoning Ordinance where strict application would result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property or owner of such sign, without substantial impairment of the intent, purpose and integrity of the sign regulations. This provision does not permit the Board to grant a modification allowing any sign prohibited under Section 25.18.04.

III. Application for Sign Modification

An application for a modification from the provisions of Article 18 must be consistent with the provisions of Section 25.18.03.

IV. Notices

The agenda for each meeting shall be available in City Hall during normal business hours and on the City's website for a reasonable period prior to the meeting.

V. Hearings and Meetings

- A. Time and Place of Hearings. The Board holds hearings as needed at the place and time as provided in the agenda for each meeting. Special meetings are held upon the call of the Chair.
- B. Quorum. Two members of the Board constitute a quorum.
- C. Public Hearings. The applicant or moving party must be present at all public hearings. Failure to appear may cause the matter to be dismissed.
- D. Continuance of Hearing. Hearings may be adjourned from time to time, and if the time and place of the continued hearing is publicly announced at the time of the adjournment, no further notice of such continued hearing is required.

E. Order of Business. Meetings of the Board may be conducted in the following order:

1. Hearing of each case, followed by a worksession
2. Decision on each case
3. Reading and approval of minutes of previous meeting
4. New business

By majority vote, the Board may alter the order of business if desired.

F. Procedure. At a hearing, the order of presenting testimony is as follows:

1. Testimony by the petitioner;
2. Testimony on the application by other interested parties;
3. Rebuttal testimony of the applicant;
4. Closing arguments.

At the conclusion of the testimony of each witness, opposing parties may cross-examine. Board members and the staff may question the witness at any time. Any member of the Board, including the Chair may make or second motions during the hearing.

G. Decisions. The Board must grant or deny each application. Two votes are required to approve an application. Failure to obtain two votes is deemed a denial. Each grant or denial must set forth a summary of facts found and reasons for the decision. The decision must be made on the same day as the hearing wherever possible, or not later than the next regularly scheduled meeting. The Board may impose conditions on a grant of a sign modification.

H. Notice of Decision. The Sign Review Board must provide written notice of its decision on any application by first-class mail within 10 business days to the petitioner and to any other person who has entered an appearance in writing prior to the decision by the Board.

I. Record. An electronic transcript must be kept by a recording device, and the recording must be preserved as a public record of the City of Rockville for a period of one year. The recording may be transcribed stenographically or copied electronically by any interested party at their own expense by arrangement with and under the supervision of the Director of the Department of Community Planning and Development Services or designee.

J. Minutes. Written minutes must be kept showing the disposition of all cases and show the vote of each member upon each question, or, if absent or failing to vote, indicating that fact. The minutes must summarize the facts and the reasons for the decision in each case, and must be public records available for inspection by members of the public.

## VI. Withdrawal of Application

Any request to withdraw an application must be made in writing or in person at the time of the public hearing or in writing at any time before the final decision of the Board. Granting of any such withdrawal is at the discretion of the Board.

## VII. Appeals from Decision

Appeals of any decision by the Board must be in accordance with the provisions of Section 25.04.05.g.

## VIII. Amending the Rules of Procedure

The rules of procedure may be amended at any meeting of the Board by a majority vote of the Board, provided that notice of said proposed amendment is given to each member in writing at least two weeks prior to said meeting.

## IX. Severability

The provisions of these Rules are severable, and if any court of competent jurisdiction holds any of their provisions invalid, the decision of such court shall not affect or impair any of the remaining provisions.

## X. Rules Not Jurisdictional

These Rules of Procedure serve as guide to the operation of the Board. They do not constitute jurisdictional requirements, and do not confer rights or impose obligations not otherwise conferred or imposed by law. Failure of the Board, its staff, or any party to comply with any provision of these Rules shall not invalidate any otherwise valid decision or action of the Board.

## XI. Conflict

Whenever any conflict occurs between these Rules, the Annotated Code of Maryland and the Laws of Rockville, the Annotated Code of Maryland and the Laws of Rockville shall prevail.