

§ 158.115 USE-OFF-THE-PREMISES SIGNS.

(A) Outdoor advertising signs pertaining to use off the premises may be permitted in the Commercial and Industrial Districts, except as further restricted.

(B) Outdoor advertising signs shall be subject to the following restrictions:

(1) A maximum height of ten feet, measured from the grade of the adjacent roadway including any extensions or cutouts or the grade of the sign location, whichever is greater;

(2) A maximum sign area of 32 square feet. Side-by-side signs shall be subject to this maximum of 32 square feet, and back-to-back signs may have 32 square feet for each side;

(3) A minimum setback of ten feet;

(4) A minimum of 300 feet between outdoor advertising signs located in a Business District and 800 feet between outdoor advertising signs located in an Industrial District. In the case of existing dual-lane highways, each side of such dual-lane highway shall be considered separately in determining such spacing requirement. In the case of single-lane highways, spacing shall be determined and measured between signs regardless of the side of the highway on which they are located or proposed;

(5) A minimum of 300 feet from an intersection on the following major highways, State Routes 26, 30, 140, and 97 from 26 and 140; and 100 feet from any other intersection; provided, however, that outdoor advertising signs may be affixed to or located directly adjacent to a building at intersections in such a manner as not to materially cause any greater obstruction of vision than caused by the building itself. The distance from an intersection shall be measured from the centerline of an intersecting street; and

(6) Prior to issuance of a zoning certificate for an outdoor advertising sign, the Zoning Administrator or the Administrator's designee shall conduct an informal conference on the zoning certificate application to allow for public notice and comment. The Zoning Administrator or the Administrator's designee shall allow all persons who are present at the conference an opportunity to be heard concerning the application.

(a) Prior to the informal conference, the Zoning Administrator shall cause the property to be posted with notice of the pendency of the application and cause the adjoining property owners to be notified of the application by first class mail. The notice shall contain the date, time, and place of the conference.

(b) Within 15 days of the conference, the Zoning Administrator shall decide whether to issue the zoning certificate or issue a written denial.

(c) The Zoning Administrator shall not issue the zoning certificate if to do so would violate the spirit and intent of this chapter, or cause or be likely to cause substantial injury to the public health, safety, and general welfare. The Zoning Administrator shall be guided in making this decision by the considerations set forth in § 158.133(G).

(C) Unless lawfully removed by county or state action, legal nonconforming signs may continue to be used, the copy may be changed, and such signs may be rebuilt or replaced; provided, however, that notwithstanding the provisions of § 158.033, such nonconforming signs may not be enlarged in height or area beyond that which existed on August 18, 2003, unless otherwise approved through the process set forth in §158.115(F). All nonconforming signs shall be registered with the Zoning Administrator by completing a registration application, including but not limited to: the location of the sign including distances from all property boundaries and roadways; the height, size and dimensions of the sign; the building materials that the sign is constructed of; an affidavit of the property owner; and an affidavit of the lessee of the property and/or developer of the sign.

(D) Conversion of existing outdoor advertising signs.

(1) Signs located in the C-1, C-2, C-3, I-1, and I-2 Zoning Districts may be changed to an electronic message or Trivision outdoor advertising sign provided that any such sign converted shall meet the following standards:

(a) Each electronic message outdoor advertising sign must have a light sensing device that will adjust brightness as the ambient light changes.

(b) Each message on the sign must be displayed for a minimum of ten seconds.

(c) Transition times between messages shall be more or less instantaneous but not exceed one second.

(d) All electronic message outdoor advertising signs must be equipped with automatic dimming-capability that adjusts the luminance of the displayed information based on ambient light conditions so as to not exceed 0.3 foot candles above ambient light, as measured using a foot candle meter at a pre-set distance as listed. Signs up to 300 square feet of area to be measured at a distance of 150 feet; signs greater than 300 square feet shall be measured at a distance of 250 feet. A written certification from the sign manufacturer that the light intensity of the sign display will be pre-set to conform to the brightness levels established by this code shall be required prior to approval.

(2) Prior to issuance of a zoning certificate for an outdoor advertising sign to be converted to an electronic message outdoor advertising sign in the commercial Districts, the Zoning Administrator shall conduct a Zoning Administrator's hearing in accordance with § 158.030(G) and (H), on the zoning certificate application to allow for public notice and comment. The Zoning Administrator shall allow all persons who are present at the hearing an opportunity to be heard concerning the application.

(a) Prior to the hearing, the Zoning Administrator shall cause the property to be posted with notice of the pendency of the application and cause the adjoining property owners to be notified of the application by first-class mail. The notice shall contain the date, time, and place of the conference.

(b) Within 15 days of the hearing, the Zoning Administrator shall decide whether to issue the zoning certificate or issue a written denial.

(c) The Zoning Administrator shall not issue the zoning certificate if to do so would violate the spirit and intent of this chapter, or cause or be likely to cause substantial injury to the public health, safety, and general welfare. The Zoning Administrator shall be guided in making this decision by the considerations set forth in § 158.133(I).

(d) The provisions of § 158.115(D)(1)(a) through (D)(1)(d) herein shall apply.

(E) Hampstead Route 30 Bypass.

(1) Notwithstanding the restrictions set forth in divisions (B) and (C) above, no outdoor advertising sign shall be located within 1,000 feet of the public road right-of-way along either side of the Hampstead Route 30 Bypass measured from the closest part of the proposed outdoor advertising sign located to the closest area of the right-of-way.

(2) All outdoor advertising signs erected under this provision shall conform to all front, rear and side yard setbacks and lot area requirements for the zoning district in which they are constructed. Variances to the 1,000-foot distance requirement in division (E)(1) above may not be obtained.

(3) No outdoor advertising signs shall be located within 1,000 feet of another outdoor advertising sign if on the same side of the Hampstead Route 30 Bypass. The distance shall be measured along a straight line between the nearest point of the existing outdoor advertising sign and the nearest point of the proposed outdoor advertising.

(4) The restrictions set forth in this section shall not apply to use-on-premises signs.

(F) Consolidation, or consolidation and relocation of existing nonconforming outdoor advertising signs pertaining to use off the premises.

(1) Signs located on one parcel or on two or more adjacent parcels in the C-1, C-2, C-3, I-1, and I-2 Zoning Districts as of {date of Ordinance adoption} may be consolidated, or consolidated and relocated, into either a new printed outdoor advertising sign or a new electronic message sign; and signs located on one parcel or on two or more adjacent parcels in any other Zoning District as of {date of Ordinance adoption} may be consolidated, or consolidated and relocated into a new printed outdoor advertising sign, provided that any such sign consolidated and relocated under this Section shall meet the following standards:

(a) The relocation must take place:

1. on the same parcel where one of the signs subject to the application pursuant to §158.115(F) was originally located; or
2. on an adjacent parcel that is owned by the same landowner and located in the C-1, C-2, C-3, I-1 or I-2 Zoning Districts.

(b) The consolidation cannot result in an increase in the total square footage from that which currently exists. The Zoning Administrator shall confirm that the total square footage of printed sign faces to be removed is equal to or greater than the total square footage of the new printed outdoor advertising sign or electronic message sign faces to be installed. The maximum square footage of any new

printed outdoor advertising sign or electronic message sign that is constructed as part of a consolidation and relocation project described under this Subsection shall be double-sided panels of 672 square feet per panel; and

- (c) Subject to Zoning Administrator approval, any new printed outdoor advertising sign or electronic message sign constructed as part of a consolidation or consolidation and relocation project under this Subsection shall comply with the following standards:
1. Shall not be relocated to be closer to the frontage of the property than the sign or signs being removed
  2. Shall not exceed fifty (50) feet in height.
  3. Shall be located no more than twenty-five (25) feet from one of the existing signs, and
  4. Shall not obstruct traffic visibility as determined by the Zoning Administrator, and shall comply with applicable state and local sight-distance standards; and
- (d) An applicant may request consolidation and relocation under this Subsection, according to § 158.130(G). An application shall be on forms approved by the Zoning Administrator and shall identify: (i) the existing printed outdoor advertising signs to be removed; (ii) the total square footage of the sign faces that will be removed; (iii) the location of the existing, consolidated and relocated printed outdoor advertising signs or electronic message sign; and (iv) the square footage of the new sign faces after the consolidation and relocation; (v) the height of the proposed sign; and
- (e) Any new printed outdoor advertising sign or electronic message sign that is constructed as part of a consolidation and relocation project described under this Subsection shall comply with all operational and procedural requirements set forth in § 158.115(D).
- (f) There shall be no new additional use-off-the-premises signage as otherwise allowed in §158.115(B) on any property where a new printed outdoor advertising sign or electronic message sign is constructed as part of a consolidation and relocation project described under this Subsection. All use-off-the premises signs owned by the same person or entity on the property subject to the application for consolidation and/or consolidation and relocation shall be subject to the application for consolidation as described in §158.115(F).
- (g) Any new printed outdoor advertising sign or electronic message sign that is constructed as part of a consolidation and/or relocation project described under this Subsection shall receive all necessary permits through Carroll County and the State of Maryland, when applicable.

(h) Within thirty (30) days of the issuance of a use and occupancy permit for the consolidated structure, the previously existing signs subject to the consolidation shall be removed by the applicant and the applicant shall provide an affidavit to the Zoning Administrator confirming the removal has been completed. Removal of signs subject to the affidavit required herein permanently extinguishes nonconforming sign rights including any right to replace, reconstruct, or relocate such signs.

## § 158.113 GENERAL REGULATIONS.

All signs shall be subject to the following general provisions:

(A) No sign shall be permitted which is an imitation of or which resembles an official control device, railroad sign, or signal, or which hides from view or interferes with the effectiveness of an official traffic

control device or any railroad sign, signal, or traffic sight lines. Illuminated signs shall be constructed to avoid glare or reflection on any portion of an adjacent highway or residential buildings. However, no flashing or rotating flashing illumination shall be permitted.

(B) No sign which uses the word “stop” or “danger,” or presents or implies the need or requirement of stopping or the existence of danger shall be displayed.

(C) No sign shall be permitted which contains statements, words, or pictures of an obscene indecent, or immoral character, or such as will offend public morals or decency.

(D) No sign shall be placed on rocks, trees, or poles maintained by public utilities.

(E) No sign shall be permitted which becomes unsafe or endangers the safety of a building, premises, or person, and unless maintained in a good general condition and in a reasonable state of repair, the Zoning Administrator shall order such sign to be made safe or repaired, and such order shall be complied with within five days of the receipt of such order.

(F) Any sign that obstructs traffic visibility shall be subject to an order issued by the Zoning Administrator requiring the sign to be relocated, removed, or modified. Compliance with an order requiring removal shall occur within thirty (30) days of receipt of the order. In cases involving relocation or modification, an application for any required permit shall be submitted within ninety (90) days of receipt of the order. The provisions of this subsection shall supersede §§ 158.033 and 158.115.

~~(F)~~(G) No sign shall be located on the right-of-way for any road.

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(B) Outdoor advertising signs shall be subject to the following restrictions:

(1) A maximum height of ten feet, measured from the grade of the adjacent roadway including any extensions or cutouts or the grade of the sign location, whichever is greater;

(2) A maximum sign area of 32 square feet. Side-by-side signs shall be subject to this maximum of 32 square feet, and back-to-back signs may have 32 square feet for each side;

(3) A minimum setback of ten feet;

(4) A minimum of 300 feet between outdoor advertising signs located in a **Business Commercial** District and 800 feet between outdoor advertising signs located in an Industrial District. In the case of existing dual-lane highways, each side of such dual-lane highway shall be considered separately in determining such spacing requirement. In the case of single-lane highways, spacing shall be determined and measured between signs regardless of the side of the highway on which they are located or proposed;

(5) A minimum of 300 feet from an intersection on the following major highways, State Routes 26, 30, 140, and 97 from 26 and 140; and 100 feet from any other intersection; provided, however, that outdoor advertising signs may be affixed to or located directly adjacent to a building at intersections in such a manner as not to materially cause any greater obstruction of vision than caused by the building itself. The distance from an intersection shall be measured from the centerline of an intersecting street; and

(6) Prior to issuance of a zoning certificate for an outdoor advertising sign, the Zoning Administrator ~~or the Administrator's designee~~ shall conduct an ~~informal conference~~ **administrative hearing on the zoning certificate application to allow for public notice and comment in accordance with § 158.130(G) and within 15 days of the hearing, the Zoning Administrator shall decide whether to issue the zoning certificate or issue a written denial.** The Zoning Administrator ~~or the Administrator's designee~~ shall allow all persons who are present at the ~~conference hearing~~ an opportunity to be heard concerning the application.

~~—(a) Prior to the informal conference, the Zoning Administrator shall cause the property to be posted with notice of the pendency of the application and cause the adjoining property owners to be notified of the application by first class mail. The notice shall contain the date, time, and place of the conference.~~

~~—(b) Within 15 days of the conference, the Zoning Administrator shall decide whether to issue the zoning certificate or issue a written denial.~~

~~—(c) The Zoning Administrator shall not issue the zoning certificate if to do so would violate the spirit and intent of this chapter, or cause or be likely to cause substantial injury to the public health, safety, and general welfare. The Zoning Administrator shall be guided in making this decision by the considerations set forth in § 158.133(G).~~

(C) Unless lawfully removed by county or state action, legal nonconforming signs may continue to be used, the copy may be changed, and such signs may be rebuilt or replaced; provided, however, that notwithstanding the provisions of § 158.033, such nonconforming signs may not be enlarged in height or area beyond that which existed on August 18, 2003. All nonconforming signs shall be registered with the Zoning Administrator by completing a registration application, including but not limited to: the location of the sign including distances from all property boundaries and roadways; the height, size and dimensions of the sign; the building materials that the sign is constructed of; an affidavit of the property owner; and an affidavit of the lessee of the property and/or developer of the sign.

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(2) Prior to issuance of a zoning certificate for an outdoor advertising sign to be converted to an electronic message outdoor advertising sign in the Ceommercial Districts, the Zoning Administrator shall conduct ~~a Zoning Administrator's an informal administrative~~ hearing in accordance with § 158.1030(G) and ~~(H) within 15 days of the hearing, the Zoning Administrator shall decide whether to issue the zoning certificate or issue a written denial, on the zoning certificate application to allow for public notice and comment.~~ The Zoning Administrator shall allow all persons who are present at the hearing an opportunity to be heard concerning the application.

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~~–(3d) The provisions of § 158.115(D)(1)(a) through (D)(1)(d) herein shall apply.~~

(E) Hampstead Route 30 Bypass.

(1) Notwithstanding the restrictions set forth in divisions (B) and (C) above, no outdoor advertising sign shall be located within 1,000 feet of the public road right-of-way along either side of the Hampstead Route 30 Bypass measured from the closest part of the proposed outdoor advertising sign located to the closest area of the right-of-way.

(2) All outdoor advertising signs erected under this provision shall conform to all front, rear and side yard setbacks and lot area requirements for ~~the~~ zoning district in which they are constructed. Variances to the 1,000-foot distance requirement in division (E)(1) above may not be obtained.

(3) No outdoor advertising signs shall be located within 1,000 feet of another outdoor advertising sign if on the same side of the Hampstead Route 30 Bypass. The distance shall be measured along a straight line between the nearest point of the existing outdoor advertising sign and the nearest point of the proposed outdoor advertising.

(4) The restrictions set forth in this section shall not apply to use-on-premises signs.

(Ord. 2019-07, passed 12-12-2019; Ord. 2022-03, passed 12-16-2021)