

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE NO 04-2023**

AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE AMENDING THE TOWN OF CENTREVILLE ZONING ORDINANCE, WHICH IS CHAPTER 170 OF THE CODE OF THE TOWN OF CENTREVILLE, TO ALLOW ELECTRONIC MESSAGE CENTERS AS A PERMITTED USE FOR GOVERNMENTAL AND INSTITUTIONAL USES IN SPECIFIED NON-RESIDENTIAL ZONES AND SUBJECT TO ADDITIONAL STANDARDS FOR SUCH SIGNS

WHEREAS, the Town Council of Centreville has the authority under Section 5-213 of the Local Government Article of the Annotated Code of Maryland, to adopt regulations;

WHEREAS, Section 4-102(6) of the Land Use Article of the Annotated Code of Maryland authorizes the Town Council of Centreville to regulate the location and use of buildings, signs and structures on the land;

WHEREAS, the Town desires to amend Chapter 170 of the Code of the Town of Centreville to allow Electronic Message Centers (EMCs) in non-residentially zoned areas outside of the Central Business District where the same or a more intense zoning exists across the street subject to compliance with the additional standards contained herein;

WHEREAS, by Ordinance 01-2018, the Town Council previously prohibited all new EMCs and made the four existing EMCs at the time non-conforming signs subject to operational standards for the EMCs;

WHEREAS, if the four existing EMCs do not conform to the zoning standards for EMCs, then they would continue to be non-conforming signs and regardless of their conforming or non-conforming status would be subject to the standards contained in § 170-38.E(3) and Table 4 (Attachment 10 to the Zoning Ordinance);

WHEREAS, the Town of Centreville Development Design Standards which are included as Attachment 6 to the Centreville Zoning Provisions contained in Chapter 170 of the Town of Centreville Code are also amended accordingly;

WHEREAS, the Town Council received a favorable recommendation on the zoning amendment from the Centreville Planning and Zoning Commission; and

WHEREAS, the Town Council held a public hearing on the zoning amendment on _____.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Centreville:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

Section 2. Section 170-38.F of the Centreville Town Code, **SUPPLEMENTAL ZONING REGULATIONS, Signs, Prohibited signs** is hereby amended so EMCs may be allowed in certain non-residential zones:

F. Prohibited signs. The following signs are prohibited:

1. Pennants, streamers, and spinning or similar type signs, except feather signs.
2. Any sign that flashes or rotates.
3. Any sign fastened to, and supported by, or on the roof of a building, and no projecting sign shall extend over or above the roof (including mansard roofs) of a parapet wall of a building.
4. Off-premises signs. Any sign advertising or identifying a business or organization which is not located on that premises, other than temporary signs. Existing off-premises signs for which a valid permit has been issued will be permitted to remain for a period of one year from the date of the adoption of this ordinance.
5. Signs in the public right-of-way, except easel/placard signs placed on the sidewalk in front of a business, provided that the sign doesn't impede pedestrian traffic.
6. Signs that are obscene, illegal, hazardous to traffic, imitative of official government signs (i.e., Stop, Danger, Caution, etc.) or obstructive to public visibility so as to create a hazard to the public.
7. New electronic message centers (EMCs) and digital electronic signs of any kind, are prohibited, ***except for governmental and institutional signs in non-residential zoning districts (excluding the Central Business District) and subject to the supplemental standards contained in § 170-38.E(3) and Table 4 (Attachment 10 to the Zoning Ordinance)***. ~~The four existing EMCs are grandfathered and considered noneonforming signs for the purpose of § 170-38. The following provisions shall apply to the existing EMCs:~~
 - a. ~~Duration of message change interval. Each message on an EMC can be changed no more frequently than once every five minutes, and the actual change process is accomplished in two seconds or less with no fade in or fade out.~~
 - b. ~~Transitions/flashing/animation. The EMC shall display only static messages that remain constant in illumination intensity and do not have movement or the appearance or optical illusion of movement (no revolving, flashing, moving, scrolling, or rotating). Also, the EMC shall consist only of alphabetic or numeric characters on a plain black background and may not include graphic, pictorial, or photographic images.~~
 - c. ~~Dimming. The EMC shall be equipped with a fully operational light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.~~
 - d. ~~Brightness levels. EMCs shall not exceed a maximum illumination of 0.3 footcandle above the ambient light as seen at a distance of 150 feet for the time period between sunset and sunrise. The applicant shall provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the levels specified above, and the intensity level is protected from end-user adjustment.~~
 - e. ~~Colors. EMCs shall be a single color on any given message or display (i.e., they shall be mono color signs) and shall always use only one color.~~
 - f. ~~Time restrictions. EMCs located on a lot adjacent (includes across a street) to any residentially zoned or residentially used parcel shall be turned off between the hours of 10:00 p.m. and 6:00 a.m.~~
 - g. ~~Audio speakers. Audio speakers are prohibited.~~
 - h. ~~Malfunctions. EMCs shall be designed to either freeze the display in one static position, display a full blank screen, or turn off in the event of a malfunction.~~

(Language to be deleted from the existing Ordinance is indicated in ~~strikethrough~~ format and language to added is indicated by ***bold italics*** text)

Section 3. Section 170-38.E of the Centreville Town Code, **SUPPLEMENTAL ZONING REGULATIONS, Signs, Supplemental standards for sign types** is hereby amended so EMCs may be allowed in certain non-residential zones.

E. Supplemental standards for sign types. The following supplemental standards apply to specific sign types:

1. Awning signs. All drop awnings attached to buildings shall not, when let down to the full extent, be less than seven feet above the sidewalks of the Town at all points. The lowest portion of all display signs fastened to, suspended from, or supported by a building or structure so as to project therefrom at an angle shall be not less than seven feet vertically above the surface of the sidewalks of the Town at all points.
2. Directional signs. Directional signs are permitted in all zoning districts. Directional signs shall not exceed two square feet in area, shall not exceed three feet in height, and shall not contain any advertising material.
3. ***Electronic Message Centers. New electronic message centers (EMCs) are permitted for governmental and institutional uses as a freestanding sign in non-residential zones along State roads, excluding the Central Business District (CBD), where the same or more intense zoning (excluding the Central Business District) exists across the State road as more particularly shown on Table 4 (Attachment 10 to the Zoning Ordinance). The four existing EMCs are grandfathered and considered nonconforming signs for the purpose of § 170-38. The following provisions shall apply to new and existing EMCs including nonconforming EMCs:***
 - a. ***Duration of message change interval. Each message on an EMC can be changed no more frequently than once every five minutes, and the actual change process is accomplished in two seconds or less with no fade in or fade out.***
 - b. ***Transitions/flashing/animation. The EMC shall display only static messages that remain constant in illumination intensity and do not have movement or the appearance or optical illusion of movement (no revolving, flashing, moving, scrolling, or rotating). Also, the EMC shall consist only of alphabetic or numeric characters on a plain black background and may not include graphic, pictorial, or photographic images.***
 - c. ***Dimming. The EMC shall be equipped with a fully operational light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.***
 - d. ***Brightness levels. EMCs shall not exceed a maximum illumination of 0.3 footcandle above the ambient light as seen at a distance of 150 feet for the time period between sunset and sunrise. The applicant shall provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the levels specified above, and the intensity level is protected from end-user adjustment.***
 - e. ***Colors. EMCs shall be a single color on any given message or display (i.e., they shall be mono color signs) and shall always use only one color.***

- f. Time restrictions. EMCs located on a lot adjacent (includes across a street) to any residentially zoned or residentially used parcel shall be turned off between the hours of 10:00 p.m. and 6:00 a.m.*
- g. Audio speakers. Audio speakers are prohibited.*
- h. Malfunctions. EMCs shall be designed to either freeze the display in one static position, display a full blank screen, or turn off in the event of a malfunction.*

(Language to be deleted from the existing Ordinance is indicated in ~~strikethrough~~ format and language to added is indicated by ***bold italics*** text)

Section 4. Table 3 (General Commercial C-2, Intense Commercial C-3, Planned Business District (PBD) and Light Industrial (I) Sign types and Dimensional Regulations by Zoning District – Attachment 9 to Chapter 170 Zoning) and Table 4 (Governmental and Institutional Uses in All Zoning Districts Sign Types and Dimensional Regulations – Attachment 10 to Chapter 170 Zoning) are hereby amended to read as shown on the attached Exhibits A and B.

(New language is highlighted)

Section 5. Section 5.A.6 of the Town of Centreville Development Design Standards which are Attachment 6 to the Centreville Zoning Provisions which are Chapter 170 of the Centreville Town Code are hereby amended as follows:

6. Prohibited

- Including, but not limited to: portable signs, inflatable signs, kites or other unattended flying device which are meant to advertise or identify a specific business, product, or event.
- Temporary or portable signs with changeable letters and numbers and portable trailer signs with changeable text panels, unless otherwise permitted.
- Digital electronic signs of any kind, ***except for governmental and institutional uses in non-residential zoning districts and subject to operational and other supplemental standards as contained in the Zoning Ordinance.***
- Revolving signs
- Pole mounted signs
- Roof signs

(Language to be deleted from the existing Ordinance is indicated in ~~strikethrough~~ format and language to added is indicated by ***bold italics*** text)

Section 6. Section 170-70 Definitions is hereby amended to add a definition for Institutional use.

INSTITUTIONAL USE. The use of land, buildings or other structures for some public or social purpose but not for a commercial use or for a commercial purpose, including but not limited to schools, churches, community organizations and non-profit agencies.

(Language to be deleted from the existing Ordinance is indicated in ~~striketrough~~ format and language to added is indicated by **bold italics** text)

Section 7. If any section, clause, paragraph, sentence or phrase of the Ordinance or the application thereof to any person, or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, the invalidity or unconstitutionality shall in no way effect other provisions or any other application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application, and for this purpose the provisions of this Ordinance are declared severable.

Section 8. This Ordinance shall become effective twenty days after its enactment.

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE

Carolyn M. Brinkley
Town Clerk

Steven K. Kline, President

First Reading: _____

Ashley H. Kaiser, Esq., Vice President

Second Reading: _____

Enacted: _____

Effective: _____

(21st calendar day after enactment)

Eric B. Johnson, Jr., Member

Daniel B. Worth, Member

Jim A. Beauchamp, Member

**TABLE 3 -- GENERAL COMMERCIAL C-2, INTENSE COMMERCIAL C-3, PLANNED BUSINESS DISTRICT (PBD), AND LIGHT INDUSTRIAL (I) EXHIBIT A
SIGN TYPES AND DIMENSIONAL REGULATIONS BY ZONING DISTRICT**

Zoning District	Sign Types Permitted	Number of Signs Allowed	Signage Area Determination	Maximum Signage Area for each sign type	Maximum Height	Illumination Permitted	Other Provisions Refer to Table Notes
General Commercial (C-2), Intense Commercial (C-3), Planned Business District (PBD), and Light Industrial (I)	Awning		limited by max signage area (only signage part of awning)			internal or external	Not less than 7 feet vertically
	Free Standing	1 per lot with front yard, 2 per corner lot (1 ea. Frontage)	limited by max signage area	max 24 sq ft	6 ft	internal or external	See Table 4 for EMCs for governmental and institutional uses
	Projecting		limited by max signage area	10 sq ft	min. height 7 ft max height 15 ft	internal or external	can't extend more than 30 in. from front & can only advertise business conducted in building attached (DG can't exceed 6 in. thick, corner lots may have one facing each street)
	Wall/Flat		limited by max signage area	32 sq ft per sign total less than 100 sq ft		internal or external	Can't project more than 18 in
	Window			cumulatively cannot exceed 25% on first floor and 10% above first floor		internal or external	Includes any sign viewable through window even if space between window and sign.
	Placard or easel type	1 per front footage			6 sq ft	5 ft	Must not impede foot traffic and must be removed daily

**TABLE 3 -- GENERAL COMMERCIAL C-2, INTENSE COMMERCIAL C-3, PLANNED BUSINESS DISTRICT (PBD), AND LIGHT INDUSTRIAL (I)
SIGN TYPES AND DIMENSIONAL REGULATIONS BY ZONING DISTRICT**

		1 exterior directory per building entrance	2 sq ft per tenant	10 sq ft		internal or external	
	Other						
		1 fluttering or feather sign per business					Must be removed daily
Maximum total signage per property shall be 1 sq ft/linear ft of building frontage.							
Window signs and placard/easel signs shall not count towards maximum sign limit.							
Bulletin boards can be included in free standing, projecting, or wall/flat							

**TABLE 4 -- GOVERNMENTAL AND INSTITUTIONAL USES IN ALL ZONING DISTRICTS
SIGN TYPES AND DIMENSIONAL REGULATIONS**

Zoning District	Sign Types Permitted	Number of Signs Allowed	Signage Area Determination	Maximum Signage Area	Maximum Height	Illumination Permitted	Other Provisions Refer to Table Notes
All Zoning Districts	Awning		limited by max signage area (only signage part of awning)	40 sq ft (for all tenants, all signage)		internal or external *	Not less than 7 feet vertically
	Bulletin Board		limited by max signage area	6 sq ft		internal or external *	
	Free Standing	1 freestanding or freestanding directory per lot or parcel	limited by max signage area	40 sq ft each face	8 ft	internal or external *	
	Wall/Flat		limited by max signage area	32 sq ft per sign total less than 100 sq ft		internal or external *	Can't project more than 18 in
	Window			cumulatively cannot exceed 25% on first floor and 10% above first floor			Includes any sign viewable through window even if space between window and sign.
	Projecting		limited by max signage area	10 sq ft	min. height 7 ft max height 15 ft	internal or external *	Can't extend more than 30 in. from front & can only advertise business conducted in building attached
	Placard or easel type	1 per front footage			6 sq ft	5 ft	

**TABLE 4 -- GOVERNMENTAL AND INSTITUTIONAL USES IN ALL ZONING DISTRICTS
SIGN TYPES AND DIMENSIONAL REGULATIONS**

	Other						
		1 exterior directory per building entrance	2 sq ft per tenant	10 sq ft		internal or external *	
In Non Residential Zoning Districts Only (not including CBD)	Electronic Message Center (EMC)**	1 as part of an otherwise permitted freestanding sign	limited by maximum signage for freestanding sign	the EMC part of the freestanding sign shall be less than 70% of the permitted sign area	8 ft	already illuminated	only along State roads where the same or more intense zoning exists across the State road (excluding the Central Business District)
Maximum total signage per property shall be 1 sq ft/linear ft of building frontage.							
Window signs, bulletin boards, and placard/easel signs shall not count towards maximum sign limit.							
* Only external illumination permitted in all residential districts and CBD.							
Internal or external illumination is permitted in all commercial and industrial districts							
**EMCs are subject to the supplemental standards contained in § 170-38.E.3							