

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2014, Legislative Day No. 12

Bill No. 42-14

Mrs. Cathy Bevins, Councilwoman

By the County Council, July 7, 2014

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Signs

FOR the purpose exempting certain legally nonconforming signs from the abatement provisions of Bill 89-1997; and generally relating to signs.

BY repealing and re-enacting, with amendments

Section 450.8.D.1
Baltimore County Zoning Regulations, as amended

WHEREAS, County Council Bill No. 89-1997 repealed sign regulations that had been in effect for decades and adopted comprehensive sign regulations designed to require removal of excess signage and to eliminate and restrict signs which constitute a potential or actual distraction to the safe operation of motor vehicles or the safe passage of pedestrians, including without limitation, all legally erected nonconforming signs; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

~~Strike out~~ indicates matter stricken from bill.

Underlining indicates amendments to bill.

WHEREAS, County Council Bill No. 89-1997 provided that all legally nonconforming signs could continue to exist, subject to mandatory compliance or abatement of all such signs irrespective of the specific facts and circumstances applicable to their lawful erection or contribution to the overall development of the County along its major thoroughfares; and

WHEREAS, prior to the construction and opening of major interstate highways such as Interstates 70 and 95 in the 1950's and 1960's, numbered U.S. highways, including Route 40 and ~~Route 41~~, had for decades been the major travel-way through the County, around which many iconic or long-lasting businesses were developed and advertised to the motoring public by means of signs that, themselves, have become part of the fabric and identification of such businesses; and

WHEREAS, County Council Bill No. 89-1997 failed to adequately address and account for legally nonconforming signs erected in conjunction with such business structures along numbered U.S. highways in the County; and

WHEREAS, the required compliance or abatement of such legally nonconforming signs, especially those erected more than 50 years ago during a period when travel along interstate highways was not as prevalent, would alter the nature and significance of these businesses and their settings; and

WHEREAS, in light of the above, the County Council has reviewed and reconsidered the actual and potential impacts of the previous policy of total compliance or abatement pursuant to Bill 89-1997; now therefore

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

1 SECTION 450

2 Signs

3 § 450.8. Administration and compliance.

4 D. Abatement.

5 1. Because THE indefinite continuation of MANY nonconforming signs would perpetuate
6 conditions contrary to the policies expressed in Section 450.1.A, all nonconforming signs EXCEPT AS
7 PROVIDED HEREIN must be brought into compliance or be removed within a certain time limit.
8 Fairness will be enhanced in the future through uniform application of these regulations. Sign owners will
9 be encouraged to comply with Section 450 and will be given a reasonable time period to recover their
10 investments in existing signage. Therefore, except for enterprise signs in residential zones [and],
11 temporary signs, AND LEGALLY NONCONFORMING SIGNS ERECTED PRIOR TO 1960 ALONG
12 NUMBERED U.S. HIGHWAYS, EXCLUDING U.S. ROUTE 1, all legally nonconforming signs,
13 including those approved by variance pursuant to Section 307 of these regulations, must be removed, at
14 no expense to the county, no later than 15 years from the effective date of Bill 89-1997.

15
16 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the
17 affirmative vote of five members of the County Council, shall take effect on August 18, 2014, and shall
18 apply retroactively to legally nonconforming signs as specifically provided herein.