ORDINANCE NO. 11-2016

INTRODUCED BY: English

AN ORDINANCE OF THE TOWN OF TRAPPE TO REPEAL AND REENACT TITLE IV, SECTION 10, SUBSECTION 10.20 OF THE TRAPPE ZONING ORDINANCE TITLED "SIGNS" TO REGULATE THE SIZE, LOCATION AND PLACEMENT OF SIGNS WITHIN THE TOWN OF TRAPPE

WHEREAS, the Town of Trappe is authorized by the Maryland Code Annotated, Land Use Article, Title 4 to provide reasonable zoning regulations; and

WHEREAS, the Trappe Planning Commission and Town staff have recommended certain changes to the Zoning Ordinance relating to the regulation of signs within the Town; and

WHEREAS, the Council of Trappe has determined that it is desirable and in the public interest to amend the Zoning Ordinance provisions pertaining to signage as recommended by the Planning Commission.

NOW, THEREFORE, the Council of Trappe hereby ordains as follows:

1. That the Trappe Zoning Ordinance, Title IV, Section 10, titled "Special Provisions", Subsection 10.20 titled "Signs" is hereby repealed and re-enacted as follows:

Subsection 10.20 – Signs.

1) Purpose. The purpose of this section is to prescribe the standards for the location, design, illumination, height and size of all types of signs within the Town of Trappe in order to protect the unique and small town character of the Town. This section also intends to promote the following:

a) To encourage the effective use of signs as a means of communication for the convenience of the public by preventing their over-concentration, improper placement and excessive size;

b) To maintain and enhance the aesthetic environment while promoting creativity and the Town's ability to attract source s of economic growth and development;

c) To minimize the possible adverse effects of signs on nearby public and private property;

d) To enable the fair and consistent enforcement of these sign regulations without regulating the content of any sign. To accomplish this objective, this subsection must be interpreted in a manner consistent with the First Amendment guarantee of free speech.

2) Definitions. As used in this subsection, the following definitions shall apply:

Sign – A name, identification, description, display, or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface, which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization, or business. Signs located completely within an enclosed building, and not exposed to view from a public street, shall not be considered a sign. Each display surface of a sign or sign face shall be considered to be a sign.

Flat Wall (Façade-Mounted) – A sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits thereof of any building and which projects from that surface less than twelve (12) inches at all points.

Freestanding – A sign erected and maintained on a freestanding frame, mast or pole not attached to any building.

Projecting – A sign, other than a wall sign, which projects from and is supported by a wall of a building or structure.

Temporary – A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended to be displayed for a limited period of time. Temporary signs shall not include a seasonal sign, or a sidewalk sign as defined herein.

Seasonal Sign – A sign displayed in connection with a seasonal use such as a farmer's market or produce stand.

Sidewalk Sign – A sign without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limits its movability.

Site Plan. The Planning Commission shall have the authority to vary the signage requirements set forth in Table 10.20 for any sign that is approved in connection with a Planned Unit Development (PUD) or a site plan, based upon the surrounding neighborhood, the number of uses and types of uses proposed for the property, the quality of the materials, and the aesthetic appearance.

11) Temporary signs, Generally. The following regulations shall apply to temporary signs.

a) In residential zoning districts (R-1, R-2 and R-3) temporary signs shall not exceed six (6) square feet. In all non-residential zoning districts (C-1, C-2, M and AG) and for commercial properties lawfully operating in the Village Overlay Zone, temporary signs shall not exceed thirty-two (32) square feet.

b) Notwithstanding any other limitation herein, a property owner may place one sign with a sign face no larger than two (2) square feet on the property at any time.

c) In addition to the sign permitted in b) above, any property owner may place a temporary sign or signs in connection with an event or purpose, which shall be removed within 30 days after the event or purpose for which the sign was placed.

d) A person exercising the right to place temporary signs on a property as set forth in this Subsection 10.20 11) must limit the number of signs on the property to two (2) signs per 10,000 feet of property in addition to the one sign permitted in b).

2. In case any one or more portions of this Ordinance shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceable shall not affect any other portion hereof; and the Ordinance shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

3. This Ordinance shall become effective on the 26th day of October, 2016.

Norman Fegel

Rosalee Potter

3) Signs Requiring Permits. Other than exempt signs as set forth in 4) below, no sign shall be erected, enlarged, or altered without a permit from the Planning & Zoning Commission. Applications for permits shall be submitted to the Zoning Administrator. Each application shall be accompanied by drawings and written material showing the area and general appearance of the sign, the method of illumination, the exact location of the proposed sign, and the method of construction and/or attachment of such sign to the building or structure.

4) Signs Exempt from Permit Requirements. The following signs are exempt from the permit requirements set forth in 3) above, provided that they do not exceed four (4) square feet in area:

a) Temporary signs;

b) Directional signs which do not display more than the business and/or on-site directions, and are located entirely upon the property where the business is located.

5) Compliance with Safety. No sign, sign structure or part thereof shall be located so as to obstruct or conflict with traffic sight lines, or traffic control signs, or signals. No lighting of signs shall be permitted which is of a flashing, intermittent, rotating, or other animated type, or which would tend to blind or distract motorists, or which would shine directly into any dwelling.

6) Off-Premises Signs Prohibited. Any sign advertising or identifying a business or organization which is not located on that premises is not permitted, 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.

7) Signs in Public Rights-of-Way Prohibited. No sign shall be placed or located in a public right of way.

8) Signs maintained in good condition. Signs shall be maintained in good condition, free of peeling, flaking paint, or rotten wood, rust, mold, decay, or faded condition.

9) Signage Requirements. Various types of signs shall comply with the applicable provisions as set forth in Table 10.20 below, titled "Town of Trappe Sign Regulations", which is set forth below.

10) Flexibility for Signs Approved as part of a Planned Unit Development of

Tonya Pritchett

Tonya Pritchett

absent

Robert Diefenderfer, Jr.

C. Donald English

C. Donald English

I hereby certify that the foregoing Ordinance Number 11-2016 of the Town of Trappe was duly read and enacted in accordance with the applicable provisions of the Charter of the Town of Trappe.

Attest: Erin Braband

Erin Braband, Clerk/Treasurer
Town of Trappe

TABLE 10.20

Town of Trappe Sign Regulations

Sign	R-1	R-2	R-3	C-1	C-2	M	VO	AG
Temporary Signs. Subject to requirements of Section 10.20.	X	X	X	X	X	X	X	X
Traffic Control Devices. Must comply with the Manual on Uniform Traffic Control Devices ("MUTCD")	X	X	X	X	X	X	X	X
Awning Signs-Any portion of an awning containing advertising copy shall be treated as a wall/flat sign and included in overall calculations for such sign. Minimum awning clearance of 8' required.				X	X	X		
Commercial/Industrial Center/Neighborhood Sign– May be placed on site at entrance not to exceed 32 sq. ft; may include name and street number/address; may only advertise the businesses conducted on premises; indirectly illuminated; max of 10' in height; limit of two signs at entranceway; sign shall be setback to maintain adequate sightlines	X	X	X		X	X		X
Directional Signs-which do not exceed four (4') sq feet, and contain only the name/address/on site directions, and are located entirely upon the property where the business is located.	X	X	X	X	X	X	X	X
Flat/wall Signs-One sign per street frontage based on one square foot of signage per lineal foot of street frontage of the building dedicated to that business. Max size of eighty (80) sq ft. One sign may be placed on each side of building that fronts on public parking areas and not public streets using one half (.5) sq ft of sign for each one (1) lineal foot of said area.					X	X		
Flat/wall Signs-One sign per street frontage—each sign not to exceed sixteen (16) sq ft. One additional sign may be placed on each side of the building that fronts public parking areas—max size of sign eight (8) sq ft.				X				
Freestanding Signs-(Including mobile signs) One permitted per property not to exceed eighty (80) sq ft in area. A second sign may be considered with additional excessive frontage. Height not to exceed twenty (20') feet. Signs must be set back ten (10') from the property line.					X			
Freestanding/pole Sign Village Sub-area Overlay-One permitted per property not to exceed twelve (12) sq ft in area. Height limited to ten (10) feet. Signs must not obstruct motorist view.							X	
Home Occupation Sign-One permanent non illuminated sign not exceeding four (4) square feet in area.	X	X	X					X
Seasonal Sign– One non-illuminated sign permitted on site while business is in operation not to exceed thirty two (32) square feet. Sign must be removed at close of business season ie Produce stand, Christmas trees, etc.				X	X	X	X	X

Sign	R-1	R-2	R-3	C-1	C-2	M	VO	AG
Projecting Sign One permitted per use and may not extend more than three (3) feet from the building. Sign may not exceed nine (9) sq ft.				X	X	X		
Sidewalk Sign-One (1) sidewalk/menu board/A frame sign permitted per business not to exceed six (6) sq ft in area; Sign cannot impede pedestrian access and provide three (3) feet of clearance; and may only be displayed when business is open and be placed on the property occupied by the business				X	X	X		
Window Signage -No more than 30% of ground floor windows may be covered with signage material. No signs permitted in second floor windows unless occupied by separate business. Illuminated signs in windows may only be illuminated during business hours.				X	X	X	X	