


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / Southwest corner Stockholm and Sharp Streets		

TO

Mr. David Tanner, Executive Director  
Board of Municipal and Zoning Appeals  
417 East Fayette Street, 14<sup>th</sup> Floor

DATE:

April 30, 2014

**REQUEST**

The Department of Planning has received Chris Ashley's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Clear Channel Outdoor, to rebuild and reface the south face of the existing double-faced general advertising sign, converting it to an electronic digital changeable copy screen. The Zoning Administrator has determined that this is a nonconforming use in a M-3 District, and that Board approval of a change of nonconforming use is needed for approval of this application. We understand that this appeal is scheduled for hearing on May 6, 2014.

**SITE**

This property is on part of the B & O Railroad/ CSX Transportation railroad right-of-way which runs west-to-east in this area and is located near the southeast corner of the intersection of Stockholm and Sharp Streets, just east of the I-395 causeway. This site is zoned M-3.

**ANALYSIS**

Use: In this zoning district, general advertising signs are not listed as a permitted or conditional use, and so are not allowed (§7-406 to §7-409), except as nonconforming uses (§11-506).

Required conditions: The Board must find, and require as conditions of approval, that: (1) the sign conforms to its original approvals as granted by the Board; (2) neither the height nor size of the sign may be increased; and (3) the sign may not be relocated by more than 10 feet from its approved location (§11-506.b).

Prohibited changes: The Board may not authorize: (1) internally illuminated box signs; (2) neon signs; (3) trivision signs; or (4) fluctuating signs, other than for time or temperature (§11-506.c).

The proposed digital sign would replace a standard externally-illuminated panel sign with a light-emitting diode (LED) light source controlled by a remote computer-activated system that allows changes in advertising copy (text, images, or both). Because of this capability of the system the outdoor (general) advertising sign can display several images of advertising copy within a relatively short period of time. For this reason, Board approval of a change in the general advertising sign structure must be conditioned upon certain limitations intended to minimize distraction of passing motorists and protect any businesses in the vicinity from excessive glare.

TransForm Baltimore: This property would become part of an I-2 (Industrial) District (Proposed Zoning Map Area 11-A) in which billboards would be nonconforming signs and any changes to them would require approval by the Board (§18-504).

Mr. David Lanner, BMZA

Executive Director

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Re: Southwest corner Stockholm and Sharp Streets

### **RECOMMENDATION**

The Department of Planning recommends approval of the appeal, only with the following conditions:

- That the entire south face of the existing double-faced billboard (general advertising sign) is approved for alteration to a digital screen, and that this alteration may be installed in incremental steps at the appellant's option, without the need for further land use approval, so long as the billboard adheres to the operational limits or other conditions that may be imposed by the Board;
- That the performance of the digital screen billboard conform to all of the requirements of §11-502 by having a minimum dwell time of ten seconds; that it will not increase the area of the existing billboard, that it will not increase the degree of illumination, and that it will not have any flashing, blinking, fluctuating, or otherwise animated light;
- That the digital screen billboard will not have animations, movie clips and/or sound elements;
- That the digital screen will default to black entirely in the event of a failure of the remote control system or an interruption of advertising copy (text, images, or both); and
- That the digital sign will have automatic brightness controls so that the sign will not constitute a hazard to passing motorists at night, or during inclement weather.

TJS/wya/mf

cc: Chris Ashley, Appellant