


FROM	NAME & TITLE	THOMAS J. SYOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 1940 Annapolis Road		

TO

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

DATE: March 20, 2015

**REQUEST**

The Department of Planning has received Joseph Woolman's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Clear Channel Outdoor Inc., to alter the legally established nonconforming double-faced general advertising sign to include an electronic (changeable copy) screen on its south\* face, while the sign structure will remain at the same height and with the same advertising square footage. The Zoning Administrator has determined that this is a change of nonconforming use. We understand that this appeal is scheduled for hearing on March 24, 2015.

**SITE**

1940 Annapolis Road is located on the southwest corner of the intersection with Monroe Street. This property is currently unimproved except for a free-standing double-faced general advertising sign. This site is zoned M-3 and is located within the Westport – Mount Winans – Lakeland Area Master Plan area and the Chesapeake Bay Critical Area.

**ANALYSIS**

Use: In this zoning district, general advertising signs are a nonconforming use (§11-206).

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).

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 residences in the vicinity from excessive glare.

TransForm Baltimore: Nonconforming signs, such as billboards, would be subject to controls and limitations matching those in the current Zoning Code.

**RECOMMENDATION**

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

- That the entire single face of the existing billboard (general advertising sign) facing west 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.

\*There being no "south face" to the existing sign structure, which has sign panels oriented to the west and to the east only, Department of Planning staff surmised that the applicant intends to convert the west-facing sign panel to an electronic screen. The east-facing sign panel is primarily visible to persons in Swann Park, on the opposite side of the Middle Branch of the Patapsco River.

TJS/wya/mf

cc: Joseph Woolman, Appellant