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# Advisory group hashes out new sign regulations



After months of meetings and detailed debates about the nature of signs and branding in an evolving commercial world, participants in an Anne Arundel County work group are hopeful the county will soon adopt improved, if more complex, regulations about signage.

The initiative was geared in part to ensure the county code complies with the 2015 Supreme Court ruling in Reed v. Town of Gilbert. In that ruling, the court effectively prohibited local governments from creating ordinances that treat signs differently depending on their content.

Although Anne Arundel County had not encountered issues with signs being permitted or not based on their content, county officials wanted to ensure the relevant sections of the county code were content neutral. The code review also presented an opportunity to update sign regulations.



The county hired a consultant to work on updating signage regulations and assembled a work group — including representatives of the commercial real estate world, some retailers, sign manufacturers, community members and others — to offer varied perspectives and advice on what the new code should include.

“We don’t always get this type of opportunity to sit with county officials and have input,” said Tom Pilon, Chair of the NAIOP Maryland Legislative Committee and Executive Vice President/Development at St. John Properties. “The county was very open to hearing our comments and I think they are trying to incorporate what they saw as helpful feedback into the new regulations they are drafting.”

That feedback covered a range of issues relevant to commercial real estate owners, managers and tenants.

“In the last 18 to 24 months, there had been an increase in what I would call adverse interpretations of the existing sign code that resulted in difficult conversations to get staff comfortable with approving signs that had routinely been approved in the past,” said Kinley Bray, an attorney with YVS Law and NAIOP Maryland’s representative on the working group. “These were requests for things like signs that were determined to be off-premises advertising, ads on EV chargers and directional signage that might be located on a neighboring property.”

Many of those sign requests ultimately had to be resolved by seeking variances.

“When you find that most applications need to be approved by variance rather than meeting the standard guidelines, to be blunt, that’s a problem. Everybody has a harder job to do in that situation,” said Colin Greene, Founder of Colin Greene Studio. A planner and urban designer, Colin Greene Studio was contracted to help NAIOP Maryland and St. John Properties gather broad input from the CRE industry and develop recommendations for Anne Arundel’s new sign regulations.

Under existing regulations, signage for an owner or manager of a flex space complex, for example, fell into the “gray area” if that owner or manager didn’t maintain an office onsite, Greene said.
How to measure signs and determine if they fell within size limits had also become a point of debate.

“Gas station canopies were an issue,” Bray said.

She pointed to the example of a gas station company that was rebranding a location. The proposed new canopy design included the company’s name plus a stripe and LED lighting that wrapped around the canopy. The county counted the striping in its calculation of the sign’s size, and determined the canopy plan would require a variance.




The working group discussed options for the best way to measure the size of signs and how to regard other exterior markings -—such as a distinctive color or patterning on a building — in sign ordinances.

It also discussed evolving trends in signage.

“Drive-throughs have been growing in terms of number of lanes, how you place orders, how you circulate around the building,” Greene said. That has precipitated the need for more complex signage.

The working group’s recommendations were presented to the county in early September. County staff will draft the new sign regulations that will be presented to the county council to vote on.

“It’s definitely going to be an improvement to what Anne Arundel has currently,” Greene said.

If the county follows the workgroup recommendations, “it will reduce the amount of variance relief that is necessary for common, market signs,” Bray said. “Also, more signage will be allowed. Multi-story buildings will be able to put signage above the second story without a variance. Companies will be able to put logos next to addresses on signs without a variance. I think there will be a greater measure of flexibility in what is permitted.”

The working group also recommended removing colored stripes or other distinctive markings from the definition of a sign, making it easier for companies to meet sign size restrictions.

However, adjusting to new sign regulations, presuming they are adopted, will not be a simple task.

“It’s going to lead to some confusion because, almost by necessity, the new regulations will be more complicated,” Pilon said.

For example, to provide more fair measurement of sign size, the workgroup recommendations include “measuring a little differently,” Bray said. “Instead of doing this very draconian, single rectangle measurement, they would do a 12-line rectilinear measurement where you can create up to 12 lines at 90-degree angles that enclose the sign or logo. Then you would add up the area of those smaller rectangles to get your sign area. I’m told that’s the industry standard.”



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