

Amendment to Council Bill No. 56 - 2010

BY: Chairperson at the request
of the County Executive

Legislative Day No. 3
Date: March 7, 2011

Amendment No. 7

(This amendment adds certain provisions regarding Digital Displays in Downtown Columbia.)

1 On page 2, in line 23, insert:

2 “By adding new Section 3.502A “Digital Displays in Downtown Columbia” to:
3 Title 3 – Buildings”.
4

5 On page 8, strike lines 28 and 29, inclusive and in their entirety.
6

7 On page 12, in line 18, insert:

8 **“SECTION 3.502A. DIGITAL DISPLAYS IN DOWNTOWN COLUMBIA.**

9 (A) DIGITAL DISPLAYS. IN DOWNTOWN COLUMBIA, DIGITAL DISPLAYS ARE ALLOWED
10 NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE SUBJECT TO THE REQUIREMENTS SET
11 FORTH IN THIS SECTION.

12 (B) FOR DIGITAL DISPLAYS PROGRAMMED WITH CHANGING IMAGES WHICH IDENTIFY OR ADVERTISE A
13 USE, PRODUCT, BUSINESS OR SERVICE THAT IS CONDUCTED OR AVAILABLE ON THE PREMISES WHERE THE
14 DIGITAL DISPLAY IS LOCATED:

15 (1) THE MAXIMUM SIZE OF EACH DIGITAL DISPLAY SHALL NOT EXCEED 150 SQUARE FEET;

16 (2) THE SUM OF (I) THE AREA OF EACH PROPOSED DIGITAL DISPLAY AND (II) THE TOTAL
17 AREA OF ANY EXISTING OR PROPOSED SIGNAGE SHALL NOT EXCEED THE TOTAL SIGN
18 AREA PERMITTED BY SECTION 3.501(C)(1)B;

19 (3) EACH DIGITAL DISPLAY SHALL DISPLAY AN IMAGE THAT CHANGES NO MORE
20 FREQUENTLY THAN EVERY 2 MINUTES BETWEEN 7 A.M. AND 2 A.M. AND SHALL BE NON-
21 OPERATIONAL OR NON-CHANGING AT ALL OTHER TIMES;

22 (4) THE DIGITAL DISPLAY SHALL NOT HAVE AUDIO;

- 1 (5) EACH DIGITAL DISPLAY SHALL BE LOCATED BELOW THE ROOFLINE OF A BUILDING;
2 (6) EXCEPT FOR GOVERNMENT USES INCLUDING PUBLIC SCHOOLS AND COLLEGES, EACH
3 DIGITAL DISPLAY SHALL BE PART OF A DOWNTOWN REVITALIZATION PROJECT;
4 (7) EACH DIGITAL DISPLAY MUST BE AT LEAST 150 FEET FROM A RESIDENCE IN A
5 RESIDENTIAL AREA WHERE SUCH SIGN WOULD BE PROHIBITED;
6 (8) EACH DIGITAL DISPLAY MUST BE EQUIPPED WITH AUTOMATIC DIMMING CAPABILITY
7 THAT ADJUSTS THE LUMINANCE OF THE DISPLAYED INFORMATION BASED ON AMBIENT
8 LIGHT CONDITIONS SO AS TO NOT EXCEED 5,000 NITS (CANDELAS PER SQUARE METER)
9 DURING DAYLIGHT HOURS AND A MAXIMUM ILLUMINATION OF 500 NITS (CANDELAS
10 PER SQUARE METER) BETWEEN DUSK TO DAWN AS MEASURED FROM THE SIGN'S FACE AT
11 MAXIMUM BRIGHTNESS. A WRITTEN CERTIFICATION FROM THE SIGN MANUFACTURER
12 THAT THE LIGHT INTENSITY OF THE DIGITAL DISPLAY WILL BE PRESET TO CONFORM TO
13 THE BRIGHTNESS LEVELS ESTABLISHED BY THIS CODE SHALL BE REQUIRED PRIOR TO
14 APPROVAL;
15 (9) EACH DIGITAL DISPLAY SHALL BE EQUIPPED WITH A DEFAULT MECHANISM THAT WILL
16 STOP THE MESSAGING OR FREEZE THE IMAGE IN ONE POSITION WHEN A MALFUNCTION IN
17 ELECTRONIC PROGRAMMING OCCURS; AND
18 (10) EACH DIGITAL DISPLAY MUST COMPLY WITH ALL OTHER PROVISIONS OF THIS SUBTITLE
19 APPLICABLE TO DOWNTOWN COLUMBIA.

20 (C) THE PLANNING BOARD MAY APPROVE A DIGITAL DISPLAY THAT DOES NOT COMPLY WITH THE
21 RESTRICTIONS SET FORTH IN SUBSECTIONS 3.502A(B)(1), (2), (3), (4), OR A DIGITAL DISPLAY THAT
22 HAS PROGRAMMING WHICH INCLUDES IDENTIFYING OR ADVERTISING A USE, PRODUCT, BUSINESS, OR
23 SERVICE THAT IS NOT CONDUCTED OR AVAILABLE ON THE PREMISES WHERE THE DIGITAL DISPLAY IS
24 LOCATED. THE PLANNING BOARD SHALL CONSIDER THE RECOMMENDATION OF THE DESIGN ADVISORY
25 PANEL AS TO THE PROPOSED SIGN AND DETERMINE PRIOR TO THE ISSUANCE OF A PERMIT BY THE
26 DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS THAT THE FOLLOWING CONDITIONS WILL BE
27 MET:

- 28 (1) THE REQUIREMENTS OF PARAGRAPHS (5), (6), (7), (8), (9), AND (10) OF SUBSECTION
29 3.502A(B); AND
30 (2) THE DIGITAL DISPLAY WILL NOT ADVERSELY AFFECT THE USE OR DEVELOPMENT OF
31 ADJACENT PROPERTY;
32 (3) THE DIGITAL DISPLAY SHALL BE WELL INTEGRATED INTO THE ARCHITECTURE OR
33 DESIGN OF THE SITE AND LOCATED AND ORIENTED IN A MANNER SUCH THAT THE SIGN

1 DOES NOT ADVERSELY IMPACT ANY RESIDENTIAL AREA ADJACENT TO DOWNTOWN
2 COLUMBIA WHERE SUCH SIGNS WOULD BE PROHIBITED. IN MAKING THIS
3 DETERMINATION, THE PLANNING BOARD MUST FIND THAT DISTANCE, INTERVENING
4 STRUCTURES, TOPOGRAPHY, OR EXISTING OR PROPOSED LANDSCAPING WILL ASSURE A
5 COMPATIBLE RELATIONSHIP;

6 (4) THE DIGITAL DISPLAY SHALL BE A SIZE SUCH THAT IT IS IN SCALE WITH ITS SETTING AND
7 INTENDED AUDIENCE;

8 (5) THE DIGITAL DISPLAY WILL NOT CAUSE A TRAFFIC OR SAFETY HAZARD;

9 (6) THE DIGITAL DISPLAY WILL NOT HAVE A BLIGHTING INFLUENCE AS A RESULT OF A
10 PROLIFERATION OF SUCH SIGNS WITHIN A PARTICULAR DOWNTOWN COLUMBIA
11 NEIGHBORHOOD;

12 (7) EACH DIGITAL DISPLAY THAT USES ANIMATION OR CHANGING IMAGES WILL
13 INCORPORATE TECHNOLOGY THAT ASSURES THE IMAGE MOTION IS SMOOTH AND AVOIDS
14 QUICK AND FRENETIC CHANGES OF CONTENT; AND

15 (8) AUDIO SPEAKERS USED IN CONNECTION WITH DIGITAL DISPLAYS ALLOWED BY THIS
16 SUBSECTION SHALL NOT BE AUDIBLE BEYOND THE PROPERTY ON WHICH THE SIGN IS
17 LOCATED;

18 (9) THE DIGITAL DISPLAY WILL CONTRIBUTE TO THE OVERALL VISION OF DOWNTOWN
19 REVITALIZATION;

20 (10) THE DIGITAL DISPLAY WILL BE CONSISTENT WITH ANY APPLICABLE DOWNTOWN
21 NEIGHBORHOOD DESIGN GUIDELINES;

22 (11) THE DIGITAL DISPLAY WILL PROVIDE PUBLIC SERVICE OR COMMUNITY ENHANCEMENT
23 PROGRAMMING REFLECTIVE OF THE EXTENT OF THE PLANNING BOARD'S APPROVAL(S)
24 UNDER THIS SUBSECTION; AND

25 (12) THAT THE ISSUANCE OF ANY PERMIT FOR A DIGITAL DISPLAY UNDER THIS SUBSECTION
26 SHALL BE EXPRESSLY CONDITIONED ON THE CONTINUING COMPLIANCE WITH ALL OF THE
27 REQUIREMENTS OF THIS SUBSECTION AND CONDITIONS SET IN THE PLANNING BOARD'S
28 APPROVAL(S).”.

29
30 On page 16, after line 13, insert:

31 “(E) DIGITAL DISPLAY MEANS A DEVICE OR TECHNOLOGY FOR THE ELECTRONIC DISPLAY OF
32 INFORMATION IDENTIFYING OR ADVERTISING A USE, PRODUCT, BUSINESS OR SERVICE INCLUDING TEXT,

1 IMAGES, VIDEO, ANIMATION OR MOTION OF IMAGES, AND INTERACTIVITY AND INCLUDES TECHNOLOGIES
2 SUCH AS LED, LCD, PLASMA DISPLAYS, PROJECTED IMAGES AND OTHER EMERGING DISPLAY TYPES.”.

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4 On page 16, in line 14, strike “e” and substitute “F”

5
6 On page 16, in line 16, strike “P” and substitute “G”.

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8 On page 16, in line 19, strike “g” and substitute “H”.

9
10 On page 16, after line 20, insert:

11 “(I) DOWNTOWN COLUMBIA NEIGHBORHOOD MEANS EACH OF THE SIX NEIGHBORHOODS DESCRIBED
12 IN THE DOWNTOWN COLUMBIA PLAN: (WARFIELD, THE MALL, THE LAKEFRONT AND LAKEFRONT
13 CORE, THE CRESCENT, MERRIWEATHER-SYMPHONY WOODS AND SYMPHONY OVERLOOK).

14 (J) DOWNTOWN REVITALIZATION SHALL HAVE THE MEANING SET FORTH IN SECTION 103 OF THE
15 HOWARD COUNTY ZONING REGULATIONS.”.

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17 On page 16, in line 21, strike “H” and substitute “K”.

18
19 On page 16, in line 25, strike “I” and substitute “L”.

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21 On page 16, in line 27, strike “J” and substitute “M”.

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23 On page 16, in line 29, strike “K” and substitute “N”.

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25 On page 17, in line 1, strike “L” and substitute “O”.

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27 On page 17, in line 3, strike “M” and substitute “P”.

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29 On page 17, in line 4, strike “N” and substitute “Q”.

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31 On page 17, in line 7, strike “O” and substitute “R”.

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2 On page 17, in line 9, strike “P” and substitute “S”.

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4 On page 17, in line 13, strike “Q” and substitute “T”.

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6 On page 17, in line 15, strike “R” and substitute “U”.

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8 On page 17, in line 16, strike “S” and substitute “V”.

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10 On page 17, in line 18, strike “T” and substitute “W”.

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12 On page 17, in line 21, strike “U” and substitute “X”.

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14 On page 17, in line 24, strike “V” and substitute “Y”.