

ORDINANCE NO. : 231
INTRODUCED: _____
PUBLIC HEARING: _____
EFFECTIVE: _____

Ordinance to Amend Zoning Ordinance (Appendix B) of the Town of Poolesville to create a Cultural Arts District

WHEREAS, the Commissioners of Poolesville are authorized by §4-204 of the Land Use Article of the Code to amend, supplement, modify, or repeal sections of the Town zoning ordinance; and

WHEREAS, pursuant § 4-203 of the Land Use Article of the Code, a legislative body shall hold at least one public hearing on a proposed zoning regulation or boundary at which parties in interest and citizens have an opportunity to be heard, and the legislative body shall publish notice of the time and place of the public hearing, together with a summary of the proposed zoning regulation or boundary, in at least one newspaper of general circulation in the local jurisdiction once each week for 2 successive weeks, and the legislative body shall publish the first notice of the hearing at least 14 days before the hearing, and the zoning regulation or boundary may not become effective until 10 days after the hearing or hearings.

NOW, THEREFORE, BE IT ORDAINED, by the Commissioners of Poolesville, that the Zoning Ordinance of the Town of Poolesville, previously enacted as ORDINANCE NO. 198 is hereby amended as follows (substantive changes (additions) depicted in red text and deletions depicted in stricken text):

Section 1: That a new zone be added to Section 3 (A) 2.

Commercial zone:

b. Cultural Arts District

Section 2: That a new Section 3 (H) of (Appendix B) Zoning of the Town of Poolesville shall be created as follows:

H. Cultural Arts District (CAD)

1. **Purpose and intent:** The purpose of the Cultural Arts District is to foster a vibrant, walkable, and aesthetically pleasing Town Center that promotes artistic expression, community engagement, and mixed-use development, in alignment with the Town's Comprehensive Plan.

The Town of Poolesville aims to provide clarity and flexibility for future development in the Cultural Arts District by using form-based zoning principles, adaptable design guidelines, and more flexible parking regulations.

Section 3: A new column shall be created for the use chart, along with other additions to the use chart as follows:

Use chart								
	PR 1/3	PR 1/2	PR 3/4	PTR 2+	PR M U L	PR D	P-COM M	CAD
(a) Residential								
Accessory apartment – Separate dwelling	SE	SE	SE	SE		SE	P	
Apartment house					P		P	SE
Automobile garage, private, detached, as an accessory to residence	P	P	P	P	P	P	P	P
Bed and breakfast lodging	SE	SE	SE	SE		SE	P	P
Boarding houses				SE		SE	P	P
Dwellings, one family detached	P	P	P	P	P	P	P	SE

Dwellings, townhouse					P		P	SE
Farm tenant houses				P		P		
Farm tenant mobile home – one only				SE		SE		
Garage or yard sales	P	P	P	P	P	P	P	P
Guest houses, as accessory uses – non-paying	SE	SE	SE	SE	SE	SE	SE	SE
Guest rooms, as accessory uses – for compensation	SE	SE	SE	SE	SE		P	SE
Housing and related facilities for elderly or handicapped persons – primary use	SE	SE	SE	SE	SE	SE	P	P
Hotels or Motels							SE	SE
(b) Transportation, Communication, and Utilities								
Airstrips						SE		
Antenna for cellular communications and similar uses (As primary or accessory use)	SE	SE	SE	SE	SE	SE	SE	SE
Cable communications systems	SE	SE	SE	SE	SE	SE	SE	SE

Electric power transmission and distribution lines, overhead, carrying 15 KV – 34.5 KV	SE	SE	SE	SE	SE	SE	SE	SE
Electric power transmission and distribution lines, overhead, carrying less than 15 KV	P	P	P	P	P	P	P	SE
Electric power transmission and distribution lines, underground	P	P	P	P	P	P	P	
Helistops and heliports						SE	SE	
Parking garages, automobile							SE	
Parking lots, automobile							P	SE
Parking of motor vehicles, off-street, in connection with any use permitted in zone	P	P	P	P	P	P	P	P
Pipelines, aboveground	SE	SE	SE	SE	SE	SE	SE	SE
Pipelines, underground	P	P	P	P	P	P	P	P

Public utility buildings and structures	SE	SE	SE	SE	SE	SE	SE	SE
Radio, television, cable, and television broadcasting stations and towers				SE		SE	SE	
Telephone, CATV, and similar transmission lines (underground only)	P	P	P	P	P	P	P	P
Telephone offices and communication centers, including telecommunication service providers, paging, and similar uses				SE		SE	P	SE
(c) Commercial								
Adult entertainment business – primary or accessory use							SE	
Antique, handicrafts, and art shops	SE	SE	SE	SE	SE	SE	P	P
Appliance stores							P	P
Artist Studio							P	P
Art Gallery							P	P
Auction Houses				SE		SE	P	SE

Automobile parts, supplies, and tire store							P	P
Automobile, camper, RV sales, indoors							P	SE
Automobiles, campers, RV sales, outdoors							SE	
Boat and marine product sales, indoors							P	
Boat and marine product sales, outdoors							SE	
Bookstores							P	P
Building materials and supplies, retail						SE	P	SE
Building materials and supplies, wholesale						SE	P	
Cannabis Dispensary							P	
Christmas tree, sale of between Dec. 1 and Dec. 25 * See note (2)	*P	*P	*P	*P			P	P
Computer sales and on-site services							P	P
Convenience food and beverage							P	P

Country inns				SE		P	P	P
Delicatessen							P	P
Department Stores							P	SE
Drugstores							P	P
Eating and drinking establishments, excluding a drive-in							P	P
Eating and drinking establishments, including a drive-in							SE	SE
Engine repair shop (small)						SE	P	SE
Farm implements, storage, and sales				SE		SE	SE	
Farm Market							P	P
Feed and grain, storage and sales (Does not preclude the sale of grain & feed as an accessory use in the RDT)				SE		SE	SE	
Florist							P	P
Food and beverage store							P	P
Food catering (Off-site food preparations and no more than 5 trucks							P	P

stored on premises)								
Furniture stores, carpet, or related furnishing sales or service							P	
Garden supply shops						SE	P	SE
Gift shops							P	P
Grocery stores							P	P
Gun and ammunition sales							P	P
Hardware stores, inside, retail only							P	P
Heavy equipment, sales, and services						SE	SE	
Jewelry stores							P	P
Landscape contractor				SE		SE	P	SE
Newsstand							P	P
Pet shop							P	SE
Photographic supply store (no on-site development)							P	P
Photographic art supply store							P	P
Photograph, portrait store or studio (no on-site							P	P

development)								
Printing shops							SE	SE
Nursery (Retail)				SE		SE	P	SE
Nursery (Wholesale)						SE	P	
Retail trades, businesses, and services							P	P
Saddlery							P	P
Variety, dry goods stores							P	P
Self-Storage Indoor Facility:							SE	
Self-Storage Outdoor Facility							SE	
Video rental and sales							P	
Wearing apparel stores							P	P
Wholesale nursery or greenhouse						SE	P	
(d) Services								
Ambulance, fire, or rescue squad	SE	SE	SE	SE	SE	SE	SE	SE
Animal boarding places or the keeping of farm animals and/or birds of any kind, except chickens*				SE		P	SE	
Appliance repair shops							P	P

Automobile filling stations							SE	SE
Automobile fluid maintenance stations							SE	SE
Automobile, truck, and trailer rentals, outdoor							P	SE
Automobile repair and services							SE	SE
Automobile, camper, RV, trailer storage lots							SE	
Banks and financial institutions							P	P
Barber or beauty shop, tanning or manicure/pedicure salon							P	P
Blacksmith shop				SE		SE	SE	SE
Car wash as primary or accessory use							SE	SE
Care Home				SE		SE	SE	SE
Cemetery							SE	
Charitable or philanthropic institution				SE		SE	SE	P
Childcare residences for not more than 8 children	SE	SE	SE	SE	SE	SE	SE	SE
Childcare – Family day care home	P	P	P	P	P	P	P	P

Childcare – Group day care home (Not to be located in a townhouse or an attached residential unit)	SE	SE	SE	SE	SE	P	P	SE
Child Day Care Center (Not to be located in a townhouse or an attached residential unit)				SE		SE	SE	SE
Churches, convents, monasteries, and other places of worship	P	P	P	P	P	P	P	P
Clinic, medical, or dental							P	SE
Dry Cleaning and laundry pick-up station (no processing)							P	P
Duplicating services (excluding printing fluids)							P	P
Educational institutions, private				SE		SE	SE	SE
Express or mailing offices							P	P

Funeral parlor, mortuary, and undertaking establishments (No on-site cremations)							P	SE
Furniture or upholstery repair shops							P	P
Hospice care facilities				SE		SE	P	SE
Hospitals							P	
Hospitals, veterinary (No on-site incineration)				SE		SE	P	
Laboratories, fluids							SE	SE
Laundromats, self-service							SE	SE
Metal Fabrication shops							SE	SE
Newspaper, village							P	P
Home occupation, customary and incidental	P	P	P	P	P	P	P	P
Offices, professional, and businesses							P	P
Home occupation, special	SE	SE	SE	SE	SE	SE	P	P
Pet grooming with no overnight boarding				SE		P	P	P

Research, development, and related activities							P	P
Roofing contractor							SE	
Shoe repair shops							P	P
Sign fabrication shops							P	P
Tailor, millinery, or dressmaking shops							P	P
Tobacco Shop							P	P
Town-owned or operated uses	P	P	P	P	P	P	P	P
Trade, artistic, or technical schools							P	P
Vape Shop							P	P
Warehousing and/or "mini" storage buildings, wholly enclosed							SE	
(e) Cultural, Entertainment, and Recreational								
Amusement centers							SE	SE
Archery ranges, indoor							P	
Archery ranges, outdoor				SE		P		
Baseball batting cages				SE		SE	SE	SE

Billiard parlors							P	SE
Bowling alleys							P	SE
Campgrounds						SE		
Fairgrounds, circuses, amusement parks, and carnivals						SE	SE	
Golf courses	SE	SE	SE	SE	SE	SE		
Golf courses, miniature				SE		SE	SE	SE
Golf driving ranges	SE	SE	SE	SE	SE	SE	SE	
Health club and spas							P	P
Hunting and fishing cabins							P	
Libraries and museums							P	P
Parks, swimming pools, playgrounds, publicly owned	SE	SE	SE	SE	SE	SE	SE	SE
Private clubs and service organizations	SE	SE	SE	SE	SE	SE	P	P
Racquetball, squash, indoor tennis, and handball courts, commercial							P	SE

Recreational facilities, including swimming pools as an accessory use in connection with an office building or apartment house, primarily for employees and residents				SE		SE	P	SE
Recreational or entertainment establishments, commercial				SE		SE	SE	SE
Riding stables				SE		SE		
Rifle or pistol ranges, indoor				SE		SE	SE	SE
Rifle or pistol ranges, outdoor				SE		SE		
Skateboarding, skating, roller, including "inline" and ice-skating rinks, and ice or roller hockey							SE	SE
Swimming pools, commercial							SE	

Swimming pools, private, in conjunction with a primary residential use	P	P	P	P	P	P	P	P
Theaters, indoor							P	P
Theaters, outdoor				SE		SE	SE	SE
Theatre, Drive-In						SE	SE	
(f) Resource Production and Extraction								
Agricultural uses (1), excluding the commercial manufacture and/or storage of fertilizer				P		P		
Milk processing				SE		SE		
Temporary structures, for no more than 180 days/year				SE		P	P	P
Wildlife game preserves and sanctuaries						SE		
(g) Miscellaneous								
Accessory buildings and uses, including automobile	P	P	P	P	P	P	P	

garages, private								
Kennels, noncommercial, including birds, etc., except chickens*	SE	SE	SE	SE	SE	SE	SE	
Signs, in accordance with Section 9	P	P	P	P	P	P	P	P
Agricultural Processing (crops & meat)						SE	SE	
Farm machinery sales, storage, services, and supplies				SE		P	P	
Athletic fields, including concessions as an accessory use						SE		
Farm Winery				SE		SE		
Community Garden	SE	SE	SE	P	SE	P	P	P
(h) Alternative Energy Systems								
<u>Small Wind Energy Systems Ground Mount</u>						P	P	P
Roof Mount	P	P	P	P	P	P	P	P
Solar Arrays (Onsite Use)	P	P	P	P	P	P	P	p

Geo Thermal (Loop System Only)	P	P	P	P	P	P	P	P
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Section 4: Amendment to Section 7 - Commercial (P-COMM) Zone Development Requirements

Section 7, "Commercial (P-COMM) Zone Development Requirements," of the Zoning Ordinance (Appendix B) of the Town of Poolesville is hereby amended to add a new section 7. B with specific requirements for the Cultural Arts District, which shall read as follows:

7.B. Cultural Arts District (CAD) Development Requirements

7.B.1. Residential Development

Residential development within the Cultural Arts District shall be permitted by Special Exception, subject to criteria encouraging greater density and mixed-use development. Examples include buildings with retail on the first floor and residential units on subsequent floors, which are compatible with the Cultural Arts District Design Guidelines.

7.B.2. Form-Based Zoning and Building Placement

The Cultural Arts District shall utilize form-based zoning standards requiring new developments to be built adjacent to the sidewalk. This ensures walkability and accessibility throughout the district. These requirements include the following.

- a. Building frontages in the cultural arts district shall be built to the edge of the sidewalk. Unless staggered in accordance with the Cultural Arts District Design Guidelines.
- b. Maximum lot coverage: 80%, inclusive of buildings, accessory buildings, as well as impervious surfaces such as driveways, sidewalks, and patios.
- c. Green space: 20%.

7.B.3. Streetscape Requirements

New developments within the Cultural Arts District shall be required to include a streetscape featuring curb and gutter, wider sidewalks, vegetation (including trees and green spaces), and streetlights that utilize the town's lighting details. Other streetscape requirements might include benches or trash receptacles. The width of this area shall be 10 feet throughout the Cultural Arts District. For existing buildings, the Town will pursue

obtaining easements to implement the required streetscape, which is compatible with the Cultural Arts District Design Guidelines.

7.B.4. Design Guidelines

Design guidelines for the Cultural Arts District shall provide flexibility for developers and property owners to explore creative ways to connect the district, embrace principles of adaptive reuse and cohesion, and still allow for artistic creativity, rather than adhering to a strict, historically focused list of guidelines. The Planning Commission will conduct an architectural review of all new developments in the cultural arts district to ensure that they are compatible with the Cultural Arts District Design Guidelines.

Section 5: Amendment to Parking Requirements (Appendix B, Section 8)

The "Parking Requirements" found in Appendix B, Sec 8. , of the Zoning Ordinance (Appendix B) of the Town of Pooleville, are hereby amended to include a new section H specifically for the Cultural Arts District:

H.1. Parking Guidelines for the Cultural Arts District

intent

Parking guidelines within the Cultural Arts District shall allow the Planning Commission to have final approval on parking, while providing developers and property owners with a general understanding of expected parking provisions. These guidelines shall prioritize the walkability of the Cultural Arts District.

H.2. Specific Parking Recommendations for Uses within the Cultural Arts District

The following table summarizes the recommended parking calculation within the Cultural Arts District. For the Cultural Arts District, the Planning Commission will assess parking requirements on a case-by-case basis. Developers and property owners may submit a parking plan for the planning commission's consideration.

Use	Recommend parking calculation
Community Center	1 Space Per Employee and 1 spot per 200 Sq ft of FA

Use	Recommend parking calculation
School	1 space per employee + parking for students based on the % of students who drive
Hospital/Public Health	1 space per employee and 1 spot per 1000 sq ft of FA
Boarding House	1 spot per lodger accommodation
Mixed Use	4 parking spaces per each professional person occupying or using said office
Automobile repair and service station	1 spot per employee and 1 spot per 300 sq ft of Shop or garage FA
Retail	1 space per 300 sq ft of FA used for retail, sales, trade, and merchandising.
Funeral parlor	1 space per 12 sq ft of FA in the main chapel or parlor. + 1 space for each vehicle used in the business
Office building	1 space per 400 sq ft of office space
Doctor's office	4 spaces for each professional + 1 space per each additional employee
Rec center	1 space for every 80 sq feet of FA + 1 per employee
Restaurant	1 space for every 100 sq ft devoted to patron + 1 per employee
Theater	1 space for every 4 seats + 1 per employee
Hotel	1 space for each sleeping room + 1 per employee
Swimming pool	1 space per every 4 people of the pool's capacity. + 1 per employee

Section 6: To Amend Section 14 (Definitions) (Appendix B, Part II) to add or modify the following definitions:

11. Apartment House: One or more buildings containing three or more dwelling units, which are occupied primarily for nontransient use, including a residential condominium, whether rented or owner-occupied, with cooking and sleeping provisions.
12. Artist Studio: Single artist or Multiple-Artists (or "Multiple-Artists Studio"): A building, or portion thereof, used as a place of work by multiple artists engaged in(i) the visual arts, including, but not limited to, painting, sculpting, photography, and folk arts, or (ii) the performing arts, including, but not limited to, music, dance, and theater. A multiple-artist studio includes the creation of work and the accessory sale of work produced by multiple artists using or sharing the studio(s). Works from other artists may not be offered for sale. This does not include a studio for tattooing or body piercing.
13. Art Gallery: A dedicated building or space for the exhibition and sale of art.
28. Cannabis Dispensary: A person or entity licensed by the State that acquires, possesses, transfers, sells, dispenses, or distributes products containing cannabis or relating to cannabis, both natural and synthetic, in any and all forms, and related supplies and products at a State-licensed dispensary pursuant to State law and regulation.
34. Community Garden: Community Garden means land cultivated by a group of people to grow products for personal use or limited distribution and not for sale on-site. Community Garden includes the cultivation of fruits, vegetables, flowers, and ornamental plants, as well as beekeeping.
43. Drugstore or pharmacy: Retail store primarily engaged in filling and selling prescription drugs and medical supplies, nonprescription medicines, and related goods and services. It may also sell nonmedical goods such as cosmetics, cards, and groceries, such as food and household items. Accessory uses may include automated teller machines (ATMs) and drive-through service facilities.
48. Dwelling Unit: A building or portion thereof arranged or designed for occupancy by not more than one family for living purposes and having cooking and sleeping provisions.
51. Farm Market: The display and retail sale of agricultural products produced on the farm where the farm market is located, or agricultural products produced on another farm.
65. Health Club/Spa: A facility designed to enhance physical conditioning and general health; a commercial establishment offering health and beauty treatment through such means as steam baths, exercise equipment, and massage.

86. Mural: A picture painted on an exterior surface of a structure. A mural is considered a sign if it contains any language or logo that advertises a product or service, or if it identifies any business for any purpose other than historical. ~~Mural signs are prohibited by this code, with the exception of school murals containing school logos or mascots.~~ Murals must be reviewed and approved by the Planning Commission

89. Nursery (Retail): An establishment for selling plants and plant materials to the public, as well as garden supplies, equipment, and related items. Nursery (Retail) does not include Landscape Contractor.

90. Nursery (Wholesale): An establishment for selling plants and plant materials to other businesses, as well as garden supplies, equipment, and related items. Nursery (Wholesale) includes the sale of fertilizers, plant food, and pesticides produced off-site, as well as the storage of such items. Nursery (Wholesale) does not include Landscape Contractor.

95. President: President of the Commissioners of Poolesville or their authorized agent.

104. Retail Trades: the selling of products and services to customers and includes all the aspects of the sale, such as installation, delivery, and customer service. These establishments typically concentrate their efforts on selling a single type or a very limited range of merchandise. Specialty stores, Clothing stores, musical instrument stores, sewing shops, and party supply stores all fall within this category.

111. Self-Storage Indoor Facility: A building with outdoor access to an internal common area, as opposed to outdoor access to individual storage units. The interior space may be configured as parking spaces for cars & boats, fenced cages, or individual secure rooms.

112. Self-Storage Outdoor Facility: A building or buildings with multiple doors for access to individual storage units from the outdoors.

132. Swimming Pool, Private: A structure intended for swimming or recreational bathing, that includes but is not limited to a pool, pond, lake, or open tank that contains water over eighteen (18) inches deep. This includes in-ground, above-ground, and on-ground swimming pools, hot tubs, and spas.

134. Theater, Indoor: A building or a portion thereof designed for showing motion pictures, or for dramatic, dance, musical, or other live performances. A dinner theater may include banquet or similar facilities for the sale and consumption of food by patrons of the dinner theater.

135. Theater, Outdoor: A place of outdoor assembly used for the showing of plays, musicals, operas, motion pictures, and similar forms of entertainment. Not a Drive-in.

136. Theater, Drive-in: a place of outdoor assembly used for showing motion pictures in which the audience views the performance from self-propelled vehicles parked within the theater enclosure.

137. Temporary Structure: A structure permitted for a period not to exceed 180 days and is required to be removed upon the expiration of the permitted period. Temporary structures may include construction offices, storage containers, and temporary sheds, but at no time shall it include manufactured homes used as residences.

138. Tobacco Shop: A tobacco shop, also known as a tobacconist shop, is a retail establishment specializing in items related to smoking, including cigarettes, cigars, pipe tobacco, smoking accessories like lighters and ashtrays, and sometimes alternative products such as electronic cigarettes and vaping supplies. These shops may also sell a variety of other items such as newspapers, magazines, beverages, or confectionery.

146. Vape Shop: Any Retail or Service Establishment that devotes at least 51% of its floor area to the sale and display of electronic cigarettes or allows vaping on site. An electronic cigarette is any product containing or delivering nicotine or any other substance intended for human consumption that a person can use to simulate smoking through inhalation of vapor or aerosol from the product. The term electronic cigarette includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

Section 7: To Amend Section 9 (Signs) (Appendix B, Part II) to add or modify the following provisions of the Sign code:

Sec. 9. Signs

A. Purpose and scope.

1. The purpose of this Ordinance is to regulate all exterior signs and interior signs placed for exterior observance to protect property values, to protect the character of the Town of Poolesville, to protect health and safety, and to promote the public welfare.
2. The principal features are the restriction of advertising to the business or use of the premises on which the sign is located and the restriction of the total sign area permissible per site. Any sign placed on land or on a building for the purposes of

identification or for advertising a use conducted therein or thereon shall be deemed to be accessory and incidental to such land, building, or use.

3. Signs shall comply with the Architectural Guidelines and Streetscape Design as outlined in the current Poolesville Master Plan.
4. It is further intended that in commercial areas now in existence and more so in proposed commercial and industrial areas that all signs within one (1) complex be coordinated with the architecture in such a manner that the overall appearance is harmonious in color, form, and proportion.
5. Outdoor advertising signs not connected to the site or building on which they are located are prohibited.

Sec. 9.

B. Signs standards by zone

4. Cultural Arts District

- i. In addition to the standards set in subsection B.3. Signs in the cultural arts district will also comply with the Sign Design Guidelines for the Cultural Arts District.

C. Signs permitted in all zones

3. Banners. A banner is a temporary means of advertising a specific event or special event, made of flexible material, and fastened at both ends. The size is limited to one and one-half (1.5) square feet for each linear foot of building frontage to which it will be attached to the building. Only one (1) banner can be displayed at any business location, not to exceed sixty (60) days within a period of three (3) months. The application for a banner showing a specific location will be submitted to the Town Manager or designee Sign Review Board for approval.

~~6. Civic, religious, and quasi-public signs. Name, directional and informational signs and emblems of service clubs, places of worship, civic organizations, and quasi-public uses shall be permitted on private property if setback is in accordance with the requirements of the zoning restrictions relating to the classification of the property on which the sign is placed. Each sign shall be not more than ten (10) square feet in area. The top of such sign shall not exceed five (5) feet in height. Illumination shall be in accordance with the restrictions set forth in subsection H. hereof, and in the event that there is a need for more than one (1) sign at one (1) location, all such signs must be consolidated and confined within a single frame, subject to the review and recommendation of the Sign Review Board.~~

D. Exceptions

2. Temporary Signs

Signs for temporary use in any zone except for those signs referred to in subsection C.2.a shall comply with the following standards:

- (1) Location: at least 10 feet behind the street line.
- (2) Number (maximum): one per street the property fronts, unless modified in the sign permit.
- (3) Area (maximum): six square feet.

~~2. Temporary signs. Temporary signs, announcing any public, charitable, educational, or religious event or function, located entirely within the premises of that institution and set back no less than three (3) feet from the property line, easement, or right of way, whichever is the greater setback, up to a sign area of twenty four (24) square feet. Such signs shall be allowed no more than thirty (30) days prior to the event or function and must be removed within seven (7) days after the event or function. Such signs may not be illuminated. If building mounted, these sign shall be flat wall signs and shall not project above the roofline. If ground mounted, the top shall be no more than five (5) feet above ground level.~~

~~6. Political campaign signs. Signs announcing candidates seeking public political office and other data pertinent thereto shall not require a permit up to a total area of nine (9) square feet for each premises in a residential or commercial zone. These signs shall be confined within private property and shall not be less than fifteen (15) feet from the nearest edge of the pavement and fifty (50) feet from the nearest curb intersection of any street or road. These signs may be displayed thirty (30) days prior and seven (7) days after the election for which intended. In cases where a final election follows within seventy five (75) days of a primary election, those candidates who won in the primary elections may continue to display their signs during the interim period and up to seven (7) days after the final election. A permit shall be required for either a freestanding or flat wall sign located at campaign headquarters only not to exceed twenty four (24) square feet. A freestanding sign shall not exceed seven (7) feet in height and six (6) feet from the property line. A flat wall sign must be attached to the principal frontage of building. No illumination of political signs shall be permitted.~~

H. Permits and fees.

1. Requirements. No sign shall be erected, altered, or relocated without a permit issued by **the Town Manager or designee, Sign Review Board, except** those signs listed in subsection D., Exemptions.

K. Administration and penalties.

1. ~~Processing. All signs of a permanent nature requiring Sign Review Board approval shall have a decision of the Board within fourteen (14) days of submission. The Town Manager shall approve all permanent signs that meet the conditions of this section within fourteen (14) days of submission. The Town Manager may approve temporary signs or banners.~~

3. Interpretation. Where there is any ambiguity or dispute concerning the interpretation of the Ordinance, the decision of the Sign Review Board shall prevail, subject to appeal as provided herein.

Sec. 9C. Sign Review Board. Sec 9C Sign permit procedures—

~~A. Created; composition, appointment, and term of members.~~

~~1. There is hereby created and established a board to be called the Sign Review Board, which shall consist of three (3) members who shall be appointed by the Commissioners of Poolesville for three year terms. Vacancies shall be filled by the Commissioners of Poolesville for the unexpired term of any member whose term becomes vacant. Members shall serve until their successors are appointed and have qualified. The chairman shall be selected by the members of the Sign Review Board. The Town Manager shall serve as liaison with the Commissioners of Poolesville and the Sign Review Board. (Ordinance No. 190; 6-5-12)~~

~~2. Temporary appointment. In the event that a member of the Sign Review Board should be absent and/or recuse himself, the Commissioners of Poolesville may appoint a temporary member to serve in his place. (Ordinance No. 190; 6-5-12)~~

~~B. Qualifications of members. All members of the Sign Review Board shall be residents of the Town of Poolesville.~~

~~C. Compensation of members. All members of the Sign Review Board shall not receive any compensation for their services.~~

~~D. Powers, duties. The Sign Review Board is authorized to review and approve any application for a sign permit. The Board may grant a variance where strict application of the sign~~

~~Regulations would result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owners of the property or owners of said sign, provided that such variance can be granted without substantial impairment of the intent, purpose, and integrity of the regulations and of this Ordinance. This provision shall not permit the Board to grant a variance allowing any prohibited sign. (Ordinance No. 190, 6-5-12)~~

E. Procedure.

The **Town Manager or designee**, ~~Sign Review Board~~ shall review all applications for a sign. If **a determination is made that all aspects of the Sign Ordinance have been met, the pending application shall be approved.** ~~The Administrative Officer makes a determination that all aspects of the Sign Ordinance have been met, the Town Manager or designee shall approve the pending application.~~ If the pending application requires any variance from the sign regulations, the application shall be submitted to the ~~Sign Review Board~~ **Planning Commission** for consideration and decision consistent with the provisions of the Sign Ordinance. Nothing contained herein shall prevent the **Town Manager** from submitting any sign application to the **Planning Commission** for consideration and decision. ~~Any person aggrieved by a decision of the Town Manager or designee shall appeal the decision to the Planning Commission~~ **Sign Review Board** within ten (10) days after the Town Manager or designee's decision is rendered. (Ordinance No. 190; 6-5-12)

~~2. When exercising its powers and duties, not less than two (2) members of the Sign Review Board shall constitute a quorum. The Board shall keep minutes of its proceedings and meetings. All actions or decisions of the Board shall be in written form. For assistance in reaching decisions, the Board may request technical service, advice, data, or factual evidence from the Town of Poolesville or other governmental agencies. (Ordinance No. 190; 6-5-12)~~

F. Appeals from decisions. Any decision by the **Town Manager or Planning Commission (Reviewer)** ~~Sign Review Board~~ may, within ten (10) days after the decision is rendered, be appealed by any interested person to the Board of Zoning Appeals, which shall have the power after notice and hearing to either affirm the decision of the ~~Sign review board~~ **Reviewer**, or if it finds such decision is contrary to or inconsistent with the requirements, purposes and intent of this Ordinance, to reverse, or to remand the case to the ~~Sign Review Board~~ **Reviewer** with a written opinion setting forth the reasons for its action. Whenever any such appeal is taken, a copy thereof shall be served on the **Reviewer** ~~Sign Review Board~~ by the Town Clerk. The **Reviewer** ~~Sign Review Board~~ shall promptly give notice of the appeal to all parties to the proceedings before it and shall, within five (5) days after the filing of the appeal, file with the Board of Zoning Appeals the originals or certified copies of all paper and evidence presented to the **Reviewer** ~~Sign Review Board~~ in the proceeding before it, together with a copy of its decisions and findings. (Ordinance No. 190; 6-5-12)

~~F. Employees. The Commissioners of Poolesville shall make available to the Sign Review Board such employees, services, or facilities of the Town as necessary. The Town of Poolesville's counsel shall serve as counsel to the Board. (Ord. No. 130, 3-6-95, Ord. No. 168, 2-21-06, Ord. No. 170, 9-17-07, Ord. No. 190; 6-5-12)~~

Section 8: Severability

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

APPROVED THIS __ DAY OF _____, 2026.

James E. Brown, President
Commissioners of Poolesville

A TRUE COPY ATTEST:

Margaret A. Leibrand, Town Clerk