

Oakland Mills Guidelines for Non-Residential Properties

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## I. INTRODUCTION

The Oakland Mills Architectural Committee (AC) has prepared these guidelines in conjunction with the Non-Residential Properties Procedures to assist property owners who are interested in making exterior alterations to non-residential properties including new development or re-development located in Oakland Mills. The architectural review process is designed to achieve the following objectives:

1. Site design which creates attractive visual and functional relationships of the on-site buildings and design elements (buildings, landscape, parking lots, drives, walkways, etc.) and between the site and surrounding area,
2. Architectural design which articulates the structures, creates an identity for the development while being in harmony with the adjacent and surrounding built environment,
3. Landscape design which enhances the architectural and site design, works with the natural features of the site, provides adequate screening and defines spaces on the site.

The Oakland Mills Architectural Committee actively supports the protection and restoration of our natural environment and our watershed, encouraging participation from all stakeholders in this effort. It is the responsibility of the applicant/property owner to fully comply with all existing local, County, State and Federal environmental laws, regulations and restrictions, including the Stormwater Management Act of 2007, which mandates using ESD (Environmental Site Design) to the MEP (Maximum Extent Practicable). We request that all property owners proactively plan & submit applications that exemplify low impact development (LID) from concept inception to project completion. Plans that include green building practices such as those intended for LEED Gold certification are also strongly encouraged.

The guidelines provide application requirements for specific architectural features and should be consulted when completing an Application for Exterior Alteration for submission to the Architectural Committee. It is the property owner's responsibility to ensure compliance with all applicable regulations and/or restrictions.

## II. SITE DESIGN

The following general requirements and design guidelines are used by the AC for the review of site design. The AC reserves the right to establish additional or more detailed criteria for specific sites as necessary.

### General Requirements

1. Existing amenities such as major trees must be recognized and considered in all site planning efforts. Significant existing trees (larger than 6 inches in diameter) shall be identified and preserved whenever possible.
2. Written approval for off site grading must be obtained from the impacted property owner and the AC. Generally, the site must meet existing grade conditions at its property lines.
3. Graded slopes generally should not exceed 3:1. Retaining walls are required where slopes exceed 3:1. All slopes must be properly stabilized to prevent erosion. Lawn areas should have slopes of at least 2% to prevent standing water.
4. Generally, driveway slopes should not exceed 7% and parking lot slopes should not exceed 5%. Pedestrian circulation shall meet all requirements of the Americans with Disabilities Act of 1990 (ADA).
5. Setbacks from property lines for structures and parking must provide an adequate area for an open space buffer as well as landscaping. Generally, 30 to 50 feet for structures and 10 to 30 feet for parking is appropriate depending upon the location and the adjacent use. The AC may require larger or allow smaller setbacks.
6. Generally, a setback of 15 to 20 feet shall be provided for a planting area between the face of a building and any adjacent curb or sidewalk depending upon the height and length of the building and the proximity of any parking.
7. A planting area of 20 to 25 feet shall be provided between an entry drive and any adjacent parking area. An additional 5 to 10 feet should be provided if a sidewalk or pathway occurs within this planting area.
8. A comprehensive pedestrian circulation system of sidewalks and/ or walkways must be provided, with connections to adjacent parcels as appropriate.
9. It is preferred that sidewalks shall be concrete with scored patterns. Sidewalks in front of 90 degree parking spaces should be at least 6 feet wide to accommodate vehicular overhangs and pedestrian circulation.
10. Drainage systems must conform to County requirements. Any storm water retention ponds must be landscaped and must be designed to have natural-appearing, gentle contours.

### **Fences, Barriers and Walls**

- Permanent perimeter or property line fencing or walls are generally not permitted.
- The maximum height of any fence or wall is limited to six feet unless specifically approved to be higher by the AC. Fences and walls will require buffering by plant materials, especially in highly visible locations.
- Retaining walls shall be as unobtrusive as possible. Wood retaining walls may be appropriate for smaller slopes. Where walls exceed 36" in height, they should be stepped in a terraced effect. The tops of walls should be level and stepped to accommodate grade. Any retaining walls taller than 5 feet must be constructed of brick, stone, poured concrete.

#### **Applications should include:**

- Site plan showing the proposed location of the fence, barrier or wall,
- Dimensions, style, color and materials,
- Identification of landscaping material.

### **Parking Areas**

- Parking areas must be buffered from public streets either by existing vegetation, new landscape material, landscaped berms at least 3 feet tall or evergreen hedges. (See Landscape Design for sizes).
- Landscaping and tree islands must be used to reduce the visual impact of large, paved surfaces and parked cars. Tree islands must be a minimum of 9 feet wide to allow for large deciduous trees. Generally, there should be no more than 15 to 20 parking spaces in a row without separation by a landscaped island, although islands can be grouped together for visual impact. Islands at the ends of parking rows should be at least 12 feet wide.
- Concrete curbs are required for all parking areas. Railroad tie or asphalt curbs and wheel stops are generally not permitted. Standard parking spaces must be 9 feet wide.

#### **Applications should include:**

- Statement of number of parking spaces,
- Site plan showing parking areas in relation to buildings,
- Detailed landscaping plan.

## **Site Lighting**

- High pressure sodium vapor (yellow-orange) lighting is prohibited. Lighting must be a “white” light such as metal halide. Fixture design shall be consistent throughout.
- Light fixtures must be a “cut-off” type that directs the light downward, and the lens must not project below the housing of the fixture. Fixtures must be horizontal. Angled or tilted fixtures are generally not permitted. Generally, fixture height should not exceed 30 feet above grade.
- Generally, light poles within parking areas should be mounted on 6” high, 6’ x 6’ square concrete bases with chamfered corners. The AC may approve an alternative base design at their discretion.
- Decorative fixtures should be provided as part of an overall architectural concept and along pedestrian walkways.

### **Applications should include:**

- Site plan showing the placement of fixtures and/or light poles,
- Lighting cuts and specifications,
- Description of dimensions, color and material.

## **Temporary Facilities**

- Temporary facilities such as construction trailers, storage trailers, sales trailers, rest rooms and signs etc. must be maintained in a neat and orderly manner and must be removed promptly when construction is complete.
- Temporary lighting associated with these facilities must be a “white” light (high pressure sodium vapor is not permitted) and must not create glare or high intensity.
- Plant material shall be used to buffer or screen temporary facilities as required by the AC.

### **Applications should include:**

- Description of types of temporary facilities to be used and locations,
- Preliminary project plan.

### **III. ARCHITECTURAL DESIGN**

All exterior building elevations will be reviewed by the AC to determine the acceptability of a proposed design. Size, massing, style, details and the use of materials and colors will be considered in the review process. Each building should respond to its environment and be compatible with adjacent projects or structures.

#### **General Requirements**

1. All building elevations are important and must be designed “in the round” with a consistency of details and materials on all sides.
2. Unacceptable designs generally include false fronts and fascias unrelated to the rest of the building. Large or long expanses of walls must be broken up by appropriate detailing such as reveals, piers, pilasters, projections, decorative patterns or color and texture.
3. Acceptable exterior materials generally include brick, precast concrete panels, architectural block, glass, metal panels and stucco/EIFS. Any stucco or EIFS may be used as an accent material in a limited amount only and must not be the dominant building material. The AC may require large EIFS panels to be divided into smaller sections by the use of joints or detailing.
4. Unacceptable exterior materials generally include concrete tilt-up panels, cinder block or concrete block (either plain or painted), metal rib siding, artificial stone, wood panels, plywood, and aluminum, vinyl or wood siding.
5. Any visible, wall-mounted vents, pipes, grills, etc. must be painted to match the color of the surface to which they are attached and shall not be visible on the front of buildings.
6. Clear glass is preferred in all cases. Reflective or heavily tinted window glass is generally not permitted but may be considered by the AC on a case by case basis depending upon location, visibility, type and context.

#### **Specific Requirements: The Village Center**

For the purposes of these guidelines, Oakland Mills Village Center is defined as all non-residential commercial properties between Stevens Forest Road to the west, White Acre Road to the north, and Santiago Road to the east and south. This area was originally recognized as the Village Center in the 2007 Oakland Mills Village Center Master Plan.

1. Retail buildings in and adjacent to the Village Center shall match the rural style of architecture the materials and proportions of the existing shopping center. All facades shall be organized in a traditional fashion with architectural details and distinctions that express a definitive base, middle and top.
2. Primary facades shall incorporate sloped roofs, roof dormers, and storefronts with arcades to shelter

customers from the weather.

3. Side and rear facades that do not face the street or open space shall consist of the same materials as the primary facades, but may include less decorative detail and variation.

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4. Materials and colors shall match those of the existing Village Center. The dominant wall material shall be brick with accent panels of fiber cement lap siding. Dominant roofs shall be asphalt shingles at a 12 in 12 slope. Storefront arcades shall have standing seam metal roofs at a 4 in 12 slope, supported by rectangular metal posts on masonry bases and shall include the decorative eaves lattice that is a feature of the Village Center.

### **Awnings and Canopies**

- Awnings and canopies must be simple in design with subdued patterns, straight edges and generally no more than three colors. Scalloped or crenellated edges are not permitted.
- Company trade names and logos may be placed on the edge of the awning. Repetitive signage, logos or advertising are not permitted.

#### **Applications should include:**

- Detailed drawing or picture,
- Description of dimensions, color and materials.

### **Building Lighting**

- Lamp color must be a "white" light such as metal halide. High pressure sodium vapor (yellow-orange) lighting is not permitted.
- Building-mounted spotlights or wall packs are not permitted due to their glare and intensity. Any security light fixtures, whether wall-mounted or freestanding, must be a concealed source or "cut-off" type fixture that directs light downward. Such a "cut-off" type fixture may be approved by the AC depending upon their location, appearance, wattage and mounting height on the building.
- Floodlighting of buildings is generally not permitted, particularly if there are residential uses adjacent to the site. However, the AC may consider special effects lighting on a case by case basis.
- Any canopy mounted fixtures such as for service station pump islands or drive-thru banks must be flush with the canopy soffit so that the light source is concealed from view or shielded to prevent glare. Canopy sides may not be illuminated except for any signage located on the canopy.

#### **Applications should include:**

- Elevation drawings showing the placement of fixtures,

- Pictures or drawings of fixtures,
- Description of dimensions, color and material.

### **Cart Corrals**

- Cart corrals retrofitted to a site must not eliminate landscape islands or other planting areas.
- Any cart corrals must be simple, metal pipe structures without canopies, awnings or advertising. Screening by islands with trees and/or evergreen shrubs is required.

#### **Applications should include:**

- Site plan showing location of cart corrals,
- Picture or detailed drawing of cart corrals,
- Description of materials, dimensions and color,
- Description of landscaping, if applicable.

### **Communication Equipment**

- All communication equipment such as satellite dishes and antennas must be submitted to the AC for review and approval.
- The location and screening of such equipment must be considered as an integral part of the building design where feasible. The size, location and amount of equipment must not detract from the appearance of the building
- Individual dishes or antennas should be located behind parapet walls or screened in such a way as to be visually unobtrusive from the ground.
- Generally, dishes should be painted to match their background building surface color.
- Any equipment located on the ground must be screened from view by fences, walls, berms or a combination of these.
- Equipment may not be illuminated or be used for advertising purposes.

#### **Applications should include:**

- Architectural plans and elevations of the building drawn to scale showing the location of the dish or antenna,
- Catalogue cut sheets, descriptions, drawings and/or photos of the dish or antenna showing the size, color, material and method of support.

### **Flag Poles and Flags**

- The pole height and flag size must relate proportionately to each other. No more than one flag may be flown on any pole, and a maximum of three poles are permitted for any building or site (U.S., state, county). Any flag poles should be located in front of or adjacent to the building entrance. Flags may not be used as an advertising medium.
- The color of the pole should match that of the parking lot light poles.
- Illumination of a flag may be approved if it is discreet and does not result in glare being projected onto adjacent properties. Any illumination must be a "white" light such as metal halide. High pressure sodium lighting is prohibited.

#### **Applications should include:**

- Site plan showing proposed location of flag pole,
- Description of height and color of flag pole,
- Dimensions, color and materials of flag.

### **Height Restriction Bars**

Any height restriction bars for drive-thru facilities must be simple, without ornamentation or advertising and should be compatible with the architectural design, materials and colors of the main structure.

#### **Applications should include:**

- Description of location of drive-thru facilities,
- Drawing or picture of bars indicating dimensions, material and color.

### **Mechanical Equipment**

- Electrical and mechanical equipment, propane tanks, generators, etc., whether located on the roof or on the ground, must be screened from public view in a manner compatible with the architectural elements of the building or by the use of berms, walls, fences, plant material, placement underground, or other appropriate means. Materials for screen walls must match those of the building.
- Roof top mechanical equipment shall be located within roof wells or behind parapet walls or other walls of sufficient height in order to be screened from public view.
- Noise producing mechanical equipment should be located and screened so as to eliminate or reduce any impact upon adjacent uses.

#### **Applications should include:**

- Description of location for mechanical equipment & mechanical equipment with sizes and heights in relationship to screening equipment,
- Description of screening, including dimensions, material and color,

## **Parking Decks**

- It is preferred that any structured parking shall be accommodated within any building. Structured parking shall be designed to include architectural features and detailing in order to minimize any appearance of bulk or massiveness.
- Exterior materials shall have a general quality and appearance that is consistent with the architectural design of the building.
- Primary faces of structures (those facing major streets) should have horizontal floors instead of ramps or slopes.
- Structures shall be buffered by plant material, especially where long elevations of the structure are visible from adjacent streets.
- Lighting for both the exterior and interior (if visible from the outside) shall be designed and located to reduce glare and high intensity. Light fixtures on the top of the parking structure shall be a "cut-off" type with a mounting height generally no more than 20 feet above the deck surface. High pressure sodium vapor (yellow-orange) lighting is prohibited.

### **Applications should include:**

- Site plan showing location and dimensions of structure,
- Elevation drawings of all sides showing the style and architectural features,
- Description of color and materials,
- Detailed landscaping plan,
- Detailed lighting plan, including cut sheets & specifications of light fixtures and description of location for lighting.

## **Roofs**

- Roof designs should be compatible with those of adjacent buildings. If sloped roofs are used, gables may be required to break up long sections of roofline.
- In general, exposed gutters and downspouts are not permitted for office and commercial uses. Downspouts shall be internal and connected to storm water lines below grade. Where approved by the AC, exposed gutters and downspouts must be painted to match the color of the adjacent surface.
- Any visible roof top flues, vents and pipes shall be painted a color that matches the color of the visible adjacent surface or the surface to which they are attached.

### **Applications should include:**

- Description, material, and color sample of roofing material.

### **Security Cameras**

- The location of any exterior security systems such as closed-circuit TV cameras must be considered as an integral part of the building's design. Systems should be visually inconspicuous and must not detract from the building's appearance.
- Where cameras, housings, brackets, etc. cannot be hidden, they should be painted to match the color of the building surface to which they are attached. Cameras or support brackets shall not extend above the roofline.

#### **Applications should include:**

- Description of location of security cameras,
- Cut sheets and specifications.

### **Service Areas**

- Service, loading, and trash disposal areas including exterior dumpsters and compactors should be located at the side or rear of the building and must be screened from public view by masonry walls that match the masonry material of the main building. Such enclosures must have self-closing solid or semi-solid metal gates. Chain link fencing, with or without "slats" or inserts is not permitted.
- Any storage tanks must be placed underground or be completely screened from public view by walls, fences and/or landscaping.

#### **Applications should include:**

- Site plan showing location of service areas,
- Enclosure size, height and materials including color samples,
- Description of landscaping, if applicable.

## IV. LANDSCAPE DESIGN

### General Requirements

1. Landscaping must be installed as an integral feature of each project. This includes finished grading, seeding, sodding, decorative ground cover, foundation plantings, shrubs, shade trees, flowering trees and evergreen trees. Irrigation is recommended in critical locations.
2. The proposed landscape design concept must:
  - Reinforce architectural design objectives.
  - Buffer views of parking areas, service areas, mechanical equipment, utility boxes, etc. with a combination of deciduous and evergreen trees and shrubs.
  - Include storm water management best practices such as rain gardens, swales, etc.
  - Provide canopy trees along streets, parking aisles and within planting islands.
  - Provide color, texture and visual interest.
3. Parking areas must be buffered either by existing vegetation, new landscape material, landscaped berms at least 3 feet tall or evergreen hedges. Tree islands must be a minimum of 9 feet wide to allow for large deciduous trees.
4. Landscape islands and areas must be planted with trees, shrubs, grass, or ground cover as approved by the AC. Gravel, stones, sand, wood chips or similar materials are not permitted. All utility easements are to avoid required landscape areas.
5. Landscape plans must be prepared by a professional landscape architect.

### Tree Requirements

1. Deciduous (shade tree) requirements are shown in the following table for sites of various sizes. These numbers should be used as a guide. The AC may require additional plant material in important areas. Sites are assumed to be without trees. On wooded sites, the number of trees required would be reduced accordingly by the AC.

<u>Number of acres of development</u>	Trees required per gross acre
<3	26
4-6	24
7-10	22
10 +	20

2. Substitution of two flowering trees or two evergreen trees for each shade tree is permitted for up to 50% of the required number of shade trees shown in the table.
3. Generally, deciduous trees should be planted 25 to 40 feet on center.
4. Evergreen trees used for screening or buffering purposes should be planted 10 to 15 feet on center.

5. Storm water management facilities shall be buffered by a combination of deciduous and evergreen trees. Generally, one tree shall be provided for every 20 to 30 feet of perimeter dimension as determined by the AC, depending upon the location, size and appearance of the facility.

### **Plant Sizes**

1. Minimum plant sizes at installation shall be as follows:
  - Deciduous canopy or shade trees: 2 1/2" to 3" caliper, 12' to 14' height.
  - Deciduous ornamental or flowering trees: 2" to 2 1/2" caliper, 8' to 10' height.
  - Evergreen trees: 7' to 9' height.
  - Shrubs: 24" to 36" height unless otherwise noted. Larger sizes may be required to screen parking areas, utilities, service areas, etc.
2. In certain locations such as entrances, corners and focal points, and for critical areas to be screened, the AC may require larger trees or shrubs to be installed.

### **Plant Standards and Guarantee**

1. All material selected shall be equal to or better than the requirements of the "USA Standard for Nursery Stock", latest edition, as published by the American Association of Nurserymen. All material shall be nursery grown under the same climatic conditions as the location of this project for at least two years. Varieties shall be indigenous to this area, Zone 6.
2. All material shall be planted according to the Landscape Specification Guidelines for Baltimore-Washington Metropolitan Area as produced by the Landscape Contractors Association of Metropolitan Washington and the American Society of Landscape Architects, Maryland and Potomac Chapters, or equal.
3. All plant material shall be installed during the first planting season after completion of site work.
4. All plant material shall be guaranteed by the property owner or installer for the duration of one full growing season after final inspection and acceptance of the work. Plants shall be alive and in satisfactory growing condition at the end of the guarantee period. Thereafter, the property owner shall be responsible for maintaining all plant material in a healthy condition at all times. Dead or diseased plants may be removed but shall be replaced with new material by the owner within one growing season.

## V. SIGNAGE

### General Requirements

1. A comprehensive signage and graphics system must be submitted to the AC for approval prior to the installation of any signs. This system must address all signage including:
  - Project identification signs
  - Building identification signs
  - Tenant signs
  - Directional and service signs
  - Temporary signs
2. Signage should be discreet and minimized in size and quantity.
3. Exterior signage shall be for identification only and may not be treated as an advertising device. **Signage text is limited to company name and/or logo** and address number.
4. Small, free-standing or building-mounted directional signs are permitted for parking, service access, drive-thru lanes, etc., or any information mandated by government regulations.
5. Except where used as part of a logo, color for signs should be limited to one color for the lettering and one color for the background. The AC may require a single color to be used for signage for a building or within a project.
6. Any illuminated signs shall generally be either internally illuminated or channel letters with exposed neon or brack mounted down lights. Illuminated signs must not disturb adjacent residential uses. High pressure sodium (yellow-orange) lighting is prohibited.
7. Neon signs or logos may be used only if specifically approved by the AC.
8. Sign conduits, transformers, junction boxes, etc. must be concealed from view.
9. The Applicant is responsible for verifying the existence and location of any easements, utilities or other restrictions that may affect the placement of signage.

### **Monument or Free-Standing Signs**

- One monument may be located at each entrance to a commercial, institutional or residential building site. For large projects with several entrances multiple signs may be considered on a case by case basis. Individual tenant names are not permitted on a monument sign at a site entrance.
- A retail site may locate one pylon sign on a public street. Text is limited to a project or building name and includes tenant names.
- Signs shall have a low profile and be located so as not to create a sight distance problem for vehicles. Signs shall be mounted on a solid base.
- Generally, the maximum height for a monument sign shall be limited to four feet above grade and the maximum area for lettering and/or logo should not exceed 18 square feet. The maximum height for a pylon sign shall be limited to twelve feet above grade and not exceed 40 square feet in area.
- Signs may be illuminated either internally with translucent letters and an opaque background or from a concealed external source. High pressure sodium vapor (yellow-orange) lighting is prohibited. Any illumination must not create glare or excessive brightness.

#### **Applications should include:**

- Site plan showing location of the sign,
- Picture or detailed drawing of proposed sign, including dimensions and specifications,
- Samples of colors and materials,
- Description of lighting and cut sheets.

### **Building-Mounted "Signature" Signs**

- One wall-mounted sign with the tenant name is only permitted on a single occupancy retail building. Sign location must be compatible with the architectural design of the building. At the discretion of the AC, two signs may be permitted, with each sign on the opposite side of the building, if the building has exposure on two major roads. Both signs must be the same tenant name.
- Roof-mounted signs or signs protruding above the building roof line or parapet wall are not permitted.
- Lettering shall consist of internally illuminated dimensioned letters. Box, panel or surface raceway-mounted signs are not permitted.

- Illumination may be restricted when the sign faces residential uses.
- Building mounted “signature” signs have a maximum letter or logo height as follows.
  - For 1 story buildings the max. letter or logo height is 24 inches
  - For 2-3 story buildings the max. latter or logo height is 30 inches
  - For 4-5 story buildings the max. letter or logo height is 36 inches
  - For 6 stories or higher the max. Logo or letter height is 42inches
- The proposed letter or logo height shall be reviewed in context with the sign’s overall size, design, color, location and illumination in relation to the size of the building and its orientation.

**Applications should include:**

- Picture or detailed drawing of proposed sign,
- Drawing of the sign on the building,
- Description of lighting, cut sheets and specifications.

**Tenant Signs**

- Exterior tenant identification signs may be installed only at the first level of a multi-story building adjacent to the space of the tenant identified,
- Tenant signs may be on a sign band above the store, wall mounted adjacent to the store, and a hanging sign perpendicular to the store front. Tenant letter heights may not exceed eight inches.
- Generally, no more than one identification sign per tenant is permitted unless specifically approved by the AC.
- Signs placed in windows and visible from the exterior are not permitted.
- Before individual tenant signs may be installed, the building owner or manager must submit a comprehensive tenant signage system for the building to the AC for review and approval.

**Applications should include:**

- Picture or detailed drawing of proposed sign,
- Drawing of the sign on the building,
- Description of lighting, cut sheets and specifications.

**Temporary Signs**

- Each site or project may have one temporary construction and/ or leasing sign. Sites with frontage on more than one road may have a sign on each road up to a maximum of three signs, subject to approval by the AC.

- Maximum sign area is limited to 32 square feet. A 4'x 4', 4'x 6' or 4'x 8' format is recommended.
- Signs must be mounted on two 4"x 4" or 6"x 6" wood posts set at the outer edge of the sign. The bottom edge of the sign must be a maximum of 18" above grade if a vertical format is used and a maximum of 24" above grade if a horizontal or square format is used.
- Sign edge, back and posts should be painted to match the background color of the face. Colors used for text and logos should be limited to no more than two.
- Sign copy is limited to information such as the project name, developer, contractor, consultants, leasing agent, space available, opening date, etc. and vehicle and pedestrian directional signs.
- Signs must be installed outside of the road right of way and must not interfere with vehicular sight distances.
- Signs must be removed immediately after substantial completion of the project, or the installation of the permanent sign, whichever occurs first.

**Applications should include:**

- Site plan showing location of the sign,
- Picture or detailed drawing of proposed sign, including dimensions and description of posts, if applicable,
- Samples of colors to be used,

**Signs** which are generally prohibited include the following:

- "V" configured signs.
- Moving, rotating or flashing signs.
- Signs with exposed neon or other exposed light source unless specifically approved by the AC.
- Signs using vacuum-formed plastic letters/ logos.
- Permanent signs with painted or vinyl letters/ logos.
- Wall-mounted box signs, panel signs or surface raceway-mounted signs.
- Roof-mounted signs or signs which project above the roofline.
- Portable or trailer signs.

## **VI. MISCELLANEOUS PROVISIONS**

### **Accuracy of Information**

Any Applicant submitting plans to the AC shall be responsible for verification and accuracy of all components of such submission including without limitation, all dimensions, grades, elevations, utility locations and other pertinent features of the construction or improvements.

### **Amendments**

These Guidelines shall be subject to modification and amendment from time to time in the sole discretion of the AC. Modifications and amendments to the Guidelines shall not apply to or require modifications to or removal of improvements previously approved once such improvements have commenced. However, any subsequent replacement, removal or alteration of any such previously approved improvements shall be subject to the Guidelines in existence at the time of such subsequent replacement, removal or alteration. There shall be no limitation on the scope of modifications or amendments to the Guidelines.

### **Applicant's Representation**

The Applicant represents by entering into the design review process with the AC, that the Applicant's representatives, including but not limited to the architect, engineer and contractor, shall be made aware by the Applicant of all applicable requirements and shall abide by the Guidelines, the Covenants and review process with respect to approval of all construction or improvements.

### **Conflict with the Covenants or Other Guidelines**

In the event of a conflict between these Guidelines and the Covenants, the Covenants shall prevail. In the event of a conflict between the Oakland Mills Guidelines for Non-Residential Properties and any other guidelines or criteria, the AC shall determine which guidelines or criteria shall prevail.

### **Enforcement**

The AC's decisions shall be enforced by means as provided in the Covenants.

### **Non-Liability**

Neither the AC nor its respective members, successors, agents or representatives shall be liable for damages or otherwise to any Applicant or to anyone submitting plans for approval by reason of mistake in judgement, or negligence arising out of any action of the AC with respect to any submission, or for failure to otherwise follow these Guidelines. The role of the AC is directed toward review and approval of site planning, architectural design and aesthetics. The AC may, in its sole discretion, suggest alternative design solutions in connection with any Application. Such suggestions shall not be construed as an approved design solution. Neither the AC nor its respective members, successors, agents or representatives shall bear any responsibility or liability with regard to design or construction,

including without limitation, the structural, mechanical or electrical design, methods of construction, or technical suitability of materials. Review comments or suggestions made by the AC are made without warranty or representation of compliance with applicable governmental regulations, codes or other requirements.

### **Regulatory Compliance**

Plans submitted for review by the AC must comply with all applicable State, Federal, and County laws, ordinances, regulations and building codes, and the requirements of all agencies having jurisdiction over the improvement. It is the responsibility of the Applicant to obtain all necessary permits and to comply with all such codes, regulations and requirements. It is not the responsibility of the AC to review submissions for compliance with governmental regulations. However, regulatory approvals do not preclude or supersede the authority and responsibility of the AC for design review and approval.

Approved by OMVB April 8, 2014

Insert Drawing  
Page 1

Section/Part Elevation

Insert Drawing  
Page 2

Plan/Storefront Example