

ORDINANCE NO. 2013-1179

AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 172,
CITY OF ORANGE BEACH ZONING ORDINANCE,
SECTION 7 – PLANNED UNIT DEVELOPMENT –
ARTICLE 15 – SIGN REGULATION, ELECTRONIC CHANGEABLE COPY SIGNS
(#0606-ZT-13)

WHEREAS, the following proposed amendment to the City of Orange Beach Zoning Ordinance has been heard and considered by the Orange Beach Planning Commission in Public Session after the required public advertisement period; and,

WHEREAS, the City Council of the City of Orange has held the required Public Hearing after the required public advertisement period concerning the proposed amendment.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Orange Beach, Alabama, as follows:

SECTION 1.

That Section 7.04 subsection E of Ordinance No. 172, the Zoning Ordinance be amended to so that the entire Section shall read as follows:

Section 7.04 – Regulations

- E. **Signage:** The size, location, design and nature of signs, if any, and the intensity and direction of area floodlighting shall be detailed in the application and must generally conform to the sign regulations in Article 15, unless the massing and scale of the PUD would make additional or different requirements desirable. Signs must nonetheless fit the design character of the development. Any deviation from the City's sign regulations will be limited

SECTION 2.

That the following definitions in Section 15.03 of Article 15 of Ordinance No. 172, the Zoning Ordinance be amended to so that they shall read as follows:

Electrical Sign. A sign or sign structure in which electric wiring, connections, and/or fixtures are used as part of the sign proper.

Electronic Changeable Copy Sign. A sign containing alphabetic, pictographic, or symbolic informational content that can be changed or altered on a fixed display surface composed of electronically illuminated or mechanically driven changeable segments. This type of signage includes the following two types: (1) Fixed Message Electronic Signs whose basic information content has been pre-programmed to include only certain types of information projections, such as time, temperature, predictable traffic conditions or other events subject to prior programming; and (2) Computer Controlled Variable Message Electronic Signs whose information content can be changed or altered by means of computer-driven electronic impulses.

Existing Sign. Any sign that was erected, mounted, or displayed prior to the adoption of this article.

SECTION 3.

That Section 15.06 of Ordinance No. 172, the Zoning Ordinance be amended to so that the entire Section shall read as follows:

Section 15.06 – Prohibited Signs

Except as may be hereinafter specifically permitted, it shall be unlawful after the effective date of this article, or any amendment hereto, for any person to erect, place, or use within the City, when visible from any public way or beach, any of the following signs:

1. Snipe signs.

2. Sidewalk and sandwich signs.
3. Banners, pennants, balloons, flags, portable signs and inflatable signs. See temporary signs and standards for exceptions.
4. Off premises signs, except for off premise signs for non-profit organization special events. (rev. 12/17/2002)
5. A sign which contains any moving, flashing, or animated lights, visible moving or movable parts, or giving the appearance of animation.
6. Vehicle signs.
7. Any sign which emits a sound, odor, or smoke. Any sign which obstructs free ingress to or egress required exit way.
8. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
9. Any sign and/or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic direction/safety sign.
10. Except as otherwise provided, no sign, whether temporary or permanent, except by a public agency, is permitted within any street or highway right of way.
11. Signs painted on or attached to trees, fence posts, pavement, rocks or other natural features, telephone or utility poles.
12. Abandoned or dilapidated signs.
13. Any sign which exhibits statements, words, or pictures of obscene or pornographic subjects.
14. Electronic changeable copy signs affixed on walls and roofs and in windows.

SECTION 4.

That subsections 15.0803 and 15.0804 of Section 15.08 of Ordinance No. 172, the Zoning Ordinance be amended to so that they shall read as follows:

Section 15.08 – General Sign Standards

15.0803 Sign Illumination

- a. **Electrical Requirements:** Signs which are electrically illuminated shall require a separate electrical permit.
- b. If illuminated, sign shall be illuminated only by the following means:
 1. By a single color, steady, stationary light reflected off the face of the sign, shielded and directed solely at the sign.
 2. Light sources shall not be of such brightness so as to cause glare hazardous to pedestrians or auto drivers or so as to create a nuisance to adjacent public or private properties.

15.0804 Dimension and Quantity (Free Standing, On Premises Sign)

- a. **Area and quantity:** The area and quantity of any sign face shall conform with the following:
 1. Residential developments shall be permitted one freestanding sign per entrance with not more than 80 square feet of sign face per sign equally divided among not more than four sign faces. No single sign face shall exceed 40 square feet. If an applicant in this category shall waive the right to have a freestanding sign, the applicant shall be permitted 80 square feet of sign face, equally

divided among not more than two separate signs, mounted on the security wall at one entrance to the development. No one sign may exceed 40 square feet in sign face.

2. Commercial developments consisting of retail and public commercial uses, either exclusively or mixed with residential uses shall be permitted one freestanding sign per entrance, but no more than two signs per development. Said signs shall not have more than 200 square feet of sign face equally divided among not more than 4 sign faces. No sign face may be wider than 15'. No single sign face shall exceed 100 square feet. No sign face may be wider than 15'.
3. A permitted and licensed home occupation shall be permitted one freestanding sign.

Said sign shall be a single faced, non-illuminated sign positioned parallel to the highway right of way, consisting of not more than 6 square feet of sign face. A residence is restricted to one such sign, regardless that more than one home occupation may be permitted and licensed.

- b. **Height:** The height of any portion of an Electronic Changeable Copy Sign shall not exceed eight (8) feet above the crown of the nearest roadway or ten (10) feet above the existing grade, whichever is greater. No portion of an Electronic Changeable Copy Sign shall project above the height of the permanent detached sign. An Electronic Changeable Copy Sign is secondary to the permanent non-changeable portion of the sign and shall be designated in this regard.

- c. **Width:** The maximum width of the entire sign structure shall not exceed 20'. No sign face shall be wider than 15'.

- d. **Structure Size:** The size of the support structure for any freestanding sign shall not exceed the sign face by more than 100%. Example: a 10 square foot sign face may be supported by a 10 square foot sign structure.

e. **Electronic Changeable Copy Sign:**

1. **Area:** The area of an Electronic Changeable Copy Sign shall not exceed 50% of the sign face area of the detached sign of which it is a part.
2. **Height:** The height of any portion of an Electronic Changeable Copy Sign shall not exceed eight (8) feet above existing grade. No portion of an Electronic Changeable Copy Sign shall project above the height of the permanent detached sign. An Electronic Changeable Copy Sign is secondary to the permanent non-changeable portion of the sign and shall be designated in this regard.
3. **Duration:** Electronic Changeable Copy Signs shall change no more than one (1) time per fifteen (15) seconds. Between the hours of 10:00 p.m. and 7:00 a.m., Electronic Changeable Copy Signs shall remain static with no copy changes.
4. **Dimmer Control:** Electronic Changeable Copy Signs shall have an automatic dimmer control to produce a distinct illumination change between one-half hour before sunset and one-half hour after sunrise and must also be able to respond to lighting level changes occurring due to atmospheric conditions.
5. **Setback from Residential:** Electronic Changeable Copy Signs shall not be located within 30 feet of properties zoned RS-1, RS-2 and RS-3 and properties with single-family residential and duplex uses. The setback distance shall be measured along the right-of-way.

6. **Setback from Other Electronic Changeable Copy Signs:** An Electronic Changeable Copy Sign shall not be located within 50 feet of another Electronic Changeable Copy Sign. The setback distance shall be measured along the right-of- way.
7. **Maintenance:** Electronic Changeable Copy Signs shall be maintained in proper working order. Any non-illuminated portions of the sign shall be replaced or repaired within thirty (30) days or the use of the sign shall be discontinued.

SECTION 2:

This Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED this 3rd day of September, 2013.


Cathy Constantino, MMC
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing Ordinance 2013-1179 was posted on 09/10/13 in the following three (3) public places:
Orange Beach City Hall _____
Orange Beach Post Office _____
Orange Beach Public Library _____


Cathy Constantino, City Clerk