

ORDINANCE NO. 2023-xxxx

**AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 172,
CITY OF ORANGE BEACH ZONING ORDINANCE,
SECTIONS 15.0702 AND 15.0902,
TEMPORARY RESIDENTIAL REAL ESTATE SIGNS
(#1207-ZT-22)**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE BEACH, ALABAMA, AS FOLLOWS:

1. That Section 15.0702, entitled “Signs Exempt from Permit Requirements,” of the Orange Beach Zoning Ordinance is hereby amended to read as follows:

15.0702 Signs Exempt from Permit Requirements

A permit is not required for the following types of signs, after proper notification is made to the sign administrator:

- a. An official sign or notice issued by any court, public agency, or office.
 - b. A traffic directional, warning, or information sign authorized by any public agency.
 - c. A private street or road name sign or a traffic directional sign, which does not exceed two (2) square feet per sign face.
 - d. Any one (1) square foot sign for each three hundred (300) feet of frontage on a tract of land, except for campaign signs.
 - e. Any two (2), one (1) square foot signs per residential lot.
 - f. Residential real estate signs referenced in Section 15.0992, b., 1. These signs are independent of any other sign and are not allowed in conjunction with any other real estate sign requiring a permit, nor is the sign area cumulative with any other signs that may or may not require a permit.
 - g. Temporary signs advertising the sale of property referenced in Section 15.0902, a., and b., 1. These signs are independent of any other sign and are not allowed in conjunction with any other real estate sign requiring a permit, nor is the area cumulative with any other sign that may or may not require a permit.
 - h. An ingress/egress sign which does not exceed three (3) square feet per sign face.
 - i. Signs that are an integral part of vending machines or such other machines or portable holding facility for goods and/or services located on an already licensed premises, whether illuminated or not.
 - j. Lots with single-family dwellings and duplexes may have one (1), four (4) square foot campaign sign per candidate per side of right-of-way frontage. The sign may be double-faced.
 - k. Commercially zoned lots may have one (1), four (4) square foot campaign sign per candidate for each three hundred (300) feet of frontage on a public right-of-way. The sign may be double-faced.
2. That Section 15.0902, entitled “Temporary Signs and Standards,” of the Orange Beach Zoning Ordinance is hereby amended to read as follows:

- a. Types

The following types of signs are classified as “temporary signs”:

1. Special event signs.
2. *Grand Opening* and *Going Out of Business* signs of business and services.
3. Signs for work under construction.
4. Land subdivision or development signs.
5. Signs advertising the sale of lease of property upon which they are located.
6. Banners, pennants, balloons, flags, portable signs and inflatable signs.
7. Window signs not permanently affixed to a window or door that are intended to be displayed for a limited period of time.

b. Area, Height, Location:

1. Area: The total area of temporary signs, not including residential real estate signs, shall not exceed sixty-four (64) square feet total and thirty-two (32) square feet per sign face.

For residential real estate signs on lots that are single-family residentially zoned or have single-family or duplex dwellings or are located in single-family or duplex planned unit developments, the total area of a residential real estate sign on a lot that has road frontage equal to or less than two hundred (200) feet shall not exceed eight (8) square feet total and four (4) square feet per sign face; the total area of a residential real estate sign on a lot that has road frontage more than two hundred (200) feet but equal to or less than four hundred (400) feet shall not exceed thirty-two (32) square feet total and sixteen (16) square feet per sign face; and the total area of a residential real estate sign on a lot that has road frontage more than four hundred (400) feet shall not exceed sixty-four (64) feet total and thirty-two (32) square feet per sign face. For new subdivisions containing single-family and duplex dwellings, a residential real estate sign not exceeding forty-eight (48) square feet total and twenty-four (24) square feet per sign face will be allowed in the common area near the entrance into the subdivision to advertise the lots for sale within the subdivision.

Real estate signs shall be allowed for each road frontage on corner lots and through lots, and the total sign area shall be determined by the corresponding road frontage upon which the sign is placed.

Real estate signs shall comply with Section 15.0702, f. or g. as applicable or this Section. Real estate sign area is not cumulative; in no situation shall more real estate sign area than that allowed independently either in this Section or Section 15.0702 f. or g. be permissible on any lot.

2. Height: The maximum height of temporary signs shall not exceed eight (8) feet, while the lower edge shall not exceed four (4) feet in height from the average grade.

3. Location:

- (a) No temporary sign shall be located so as to obstruct or impair drivers' vision at business ingress/egress points and at intersections.

- (b) Except for real estate signs which conform to the provisions of this article, no temporary sign shall be located nearer than one hundred (100) feet to any church, cemetery, public building, historic site or district, or the intersection of two or more public streets or highways.

- (c) Except for real estate signs which conform to the provisions of this article, temporary signs are not to be located any closer than one hundred (100) feet from any other sign on the same premises.

4. The sign administrator will determine the appropriate area, height and location of banners,

balloons, flags, portable signs and inflatable signs.

c. Time Limits:

1. Special event signs may be erected no sooner than fourteen (14) days preceding a special event and shall be removed within forty-eight (48) hours following the special event. The same event shall not be advertised more frequently than four (4) times per year.
2. *Grand Opening* and *Going Out of Business* signs may be erected for a period not to exceed thirty (30) days and no more than one (1) occurrence per year.
3. Project signs for work under construction may be erected upon the issuance of a final development permit on the construction site during the construction and shall be removed within seven (7) days following the issuance of the Certificate of Occupancy.
4. Temporary signs announcing the subdivision of land may be erected on the land being developed and shall be removed when one hundred percent (100%) of the development lots are conveyed, or for a term not to exceed one (1) year, whichever comes first. An extension may be permitted by the Administrator.
5. Signs advertising the sale or lease of property shall be removed at the completion of the transaction advertised.
6. Banners, pennants, balloons, flags, portable signs and inflatable signs may be permitted for a maximum of seven (7) days by the Sign Administrator. A time limit beyond seven (7) days requires the approval of the City Council.
7. Schools and non-profit organizations may be permitted not more than five (5) temporary signs or banners for duration of no longer than seven (7) days upon notification of the sign administrator. Signs or banners must be removed within twenty-four (24) hours of the end of the event.
8. Temporary window signs may be permitted for a maximum of fourteen (14) days by the Sign Administrator.

d. Permits: Unless specifically exempted pursuant to Sections 15.0702 and 15.0703, a temporary sign is subject to the permit requirement of Section 15.0701.

3. All ordinances or parts of ordinances in conflict are to the extent of such conflict repealed.
4. That this Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED THIS 7th DAY OF FEBRUARY, 2023.

Renee Eberly
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing ORDINANCE 2023-xxxx was posted on _____ in the following three (3) public places:
 Orange Beach City Hall _____
 Orange Beach Post Office _____
 Orange Beach Public Library _____

Renee Eberly, City Clerk