

Article 16 Sign Requirements

Section 16.1 Purpose

The purpose of this article is to provide the minimum control of signs that ensures the protection of the public safety and general welfare. These provisions are intended to lessen the hazards to pedestrian and vehicular traffic, prevent unsightly and detrimental development which has a blighting influence upon the community, prevent signs from reaching such excessive size or numbers that they obscure one another to the detriment of all concerned, preserve the general character and aesthetic quality of the various areas within the county, and promote a positive county image reflecting order, harmony and pride.

Section 16.2 Measurement Determinations

16.2.1 *Number of signs.* In general, the number of signs shall be the number of noncontiguous sign faces. Multiple noncontiguous sign faces may be counted as a single sign if all the sign faces are included in the geometric figure used for determining the sign area.

16.2.2 *Sign face area.*

(a) *Individual signs.* The sign face area of individual signs shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. This does not include the supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets applicable ordinances and is clearly incidental to the display itself.

(b) *Multifaced signs.* The sign face area of a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two sign faces are placed back to back so that both faces cannot be viewed from any point at the same time and when the sign faces are part of the same sign structure and are no more than 36 inches apart, the sign face area shall be computed by the measurement of one of the faces.

16.2.3 *Sign height.* The height of a sign shall be computed as the distance from the base of the sign at normal grade prior to construction or the newly established grade after construction, exclusive of filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the

normal grade cannot be reasonably determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the parcel, whichever is lower.

16.2.4 *Distance between signs.* The minimum required distance between signs shall be measured along street rights-of-way from the closest parts of any two signs.

16.2.5 *Façade area.* The façade area shall be measured by determining the area within a two-dimensional geometric figure coinciding with the edges of the walls, windows, doors, parapets, marquees, and roof slopes of greater than 45 degrees that form a side of a building or unit.

Section 16.3 Exempt Signs

- (a) Signs that are not designed or located so as to be legible from any street or adjoining property.
- (b) Signs of 2 square feet or less and signs that include no letters, symbols, logos or designs in excess of 2 inches in vertical or horizontal dimension, provided that such sign, or combination of such signs, does not constitute a sign prohibited by these ordinances.
- (c) One construction sign with a total sign face area of 32 square feet or less and a maximum height of 10-feet per street frontage located on property where building is actually in progress under a current building permit.
- (d) Signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property with permission as appropriate from Baldwin County, the State of Alabama, or the United States.
- (e) Legal notices and official instruments.
- (f) Decorative flags and bunting for a celebration, convention, or commemoration of significance to the entire community when authorized by the Baldwin County Commission for a prescribed period of time.
- (g) Holiday lights and decorations.
- (h) Merchandise displayed behind storefront windows so long as no part of the display moves or contains flashing lights.

(i) Memorial signs or tablets, historical markers, name of building and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.

(j) Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths and gasoline pumps.

(k) Advertising and identifying signs located on taxicabs, buses, trailers, trucks or vehicle bumpers.

(l) Public warning signs to indicate the dangers of trespassing, swimming, animals or similar hazards.

(m) Works of art that do not constitute advertising.

(n) Signs carried by a person.

(o) Signs affixed to water tanks by the water utility with a sign face area of 200 square feet or less per sign for water tanks with a storage capacity of less than 500,000 gallons and a sign face area of 350 square feet or less per sign for water tanks with a storage capacity of 500,000 gallons or more. A maximum of 2 such signs are permitted per water tank.

Section 16.4 Prohibited Signs

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, these ordinances. The following signs are expressly prohibited unless otherwise exempted or expressly authorized by this article:

(a) Any sign with a sign face area greater than 200 square feet except as provided in *Section 16.3: Exempt Signs*.

(b) Signs that are in violation of the building code or electrical code adopted by Baldwin County.

(c) Any sign that, in the opinion of the Zoning Administrator, does or will constitute a safety hazard.

(d) Portable signs.

(e) Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, except for traditional barber poles.

(f) Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color except for “time and temperature” signs.

(g) Strings of light bulbs used on commercially developed parcels for commercial purposes, other than traditional holiday decorations.

(h) Wind signs consisting of one or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move freely upon being subjected to pressure by wind.

(i) Signs which incorporate projected images, which emit any sound that is intended to attract attention, or which involve the use of live animals.

(j) Signs that emit audible sound, odor, or visible matter such as smoke or steam.

(k) Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe, or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of these ordinances or any other ordinance of Baldwin County.

(l) Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, content, color or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device.

(m) Signs that obstruct the vision of pedestrians, cyclists, or motorist traveling on or entering public streets.

(n) Non-governmental signs that use the words “stop,” “look,” “danger” or any similar word, phrase or symbol.

(o) Signs, within 10-feet of public right-of-way or 100-feet of traffic-control lights, that contain red or green lights that might be confuse with traffic control lights.

(p) Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.

(q) Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.

(r) Signs placed upon benches, bus shelters or waste receptacles, except as may be authorized in writing.

(s) Signs erected on public property or on private property located on public property (such as private utility poles) other than signs erected by a public authority for public purposes or as otherwise permitted by these ordinances.

(t) Signs erected over or across any public street except as may otherwise be expressly authorized by these ordinances and except governmental signs erected by or on the order of a public officer.

(u) Roof signs placed above the roof line of a building or on or against a roof slope of less than 45 degrees.

(v) Vehicle signs with a total sign area in excess of 10 square feet when the vehicle is parked for more than sixty consecutive minutes within 100-feet of any street right-of-way; is visible from the street right-of-way that the vehicle is within 1000-feet of and is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising shall not be considered a vehicle used in the conduct of the business.

Section 16.5 Permitted Signs

16.5.1 *Generally.* The signs enumerated in this section shall be subject to all the terms of this article including the requirement that a sign certificate be obtained prior to erection of any sign in excess of one (1) sign on a parcel or a total sign face area of 6 square feet on a parcel. Exemption from the requirement to obtain a sign certificate, does not necessarily indicate exemption from any other requirement or permit that may be required by this or any other agency.

16.5.2 *All parcels.*

(a) *Directional signs.* Directional signs limited in area to 4 square feet, giving directions to motorists regarding the location of parking areas and access drives shall be permitted on all parcels and shall not be counted as part of an occupant’s allowable sign area.

(b) *Flags.* Not more than 3 flags or insignias of religious, charitable, fraternal or other organizations may be displayed on any one parcel of land. Such flags shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40- feet in height. All flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting the above requirements shall be considered a banner and shall be subject to the appropriate ordinances.

(c) *Utility signs.* Public utility signs that identify the location of underground utility lines and facilities, high voltage lines and facilities, and other utility facilities and appurtenances are permitted so long as they do not exceed 3-feet in height, and so long as the sign face does not exceed ½ square foot.

16.5.3 *Commercially developed parcels.*

16.5.3.1 *Freestanding signs.* Signs may be placed in a freestanding location on a commercially developed parcel subject to the following limitations:

	<100' frontage on a public right-of-way	>100' & <200' frontage on a public right-of-way	>200' & <300' frontage on a public right-of-way	>300' frontage on a public right-of-way
Maximum number of signs	1	1	2	3
Maximum total sign area (square feet)	48	72	96	144
Maximum sign area for individual sign	48	72	72	72
Minimum setback from side property line (feet)	15	20	50	50
Minimum distance from any other freestanding sign on the same site (feet)	N/A	N/A	100	100
Maximum height (feet)	20	20	20	20

**Multiple frontages.* For a parcel having frontage on two (2) or more public streets, each frontage shall be considered separately for the purposes of determining compliance with the above provisions for freestanding signs, but the permitted sign area for one frontage may not be combined with that permitted on another frontage to increase the permitted sign area on one frontage.

16.5.3.2 *Building signs.* Signs not expressly prohibited by this article may be attached to the wall of a building on a commercially developed parcel subject to the following limitations:

(a) Building signs shall be limited to a maximum height of 30-feet above grade, except that on a building of more than 30-feet in height, a single sign is allowed above 30-feet on each side of the building.

(b) Each multiple occupancy complex may display one building sign on each side of the principal building or building in the complex, not to exceed a sign face area of 200 square feet or 5% of the facade area of the building side, whichever is smaller.

(c) Each occupant of a multiple occupancy complex may display 3 building signs on any exterior portion of the complex that is part of the occupant's unit, not including common or jointly owned portions, not to exceed a sign face area of 200 square feet each or a total combined sign face area of 10% of the facade area of such exterior portion, whichever is smaller.

(d) Each occupant not located in a multiple occupancy complex may display 3 building signs on each side of the building in which the occupant is located, not to exceed a sign face area of 200 square feet each or a total combined face area of 10% of the facade area of the building side, whichever is smaller.

16.5.3.3 *Time and temperature signs.* Time and temperature signs are permitted on commercially developed parcels notwithstanding a general prohibition on changing or animated signs. These signs may only display numerical information. They may be freestanding or attached to a building and are subject to the ordinances applicable to such signs. They shall be counted as part of the occupant's allowable sign area.

16.5.4 *Undeveloped parcels.* Undeveloped parcels may display one square foot of signage per 10-feet of frontage up to a maximum of 96 square feet. No individual sign shall exceed 64 square feet nor exceed 10-feet in height. Signs must be spaced at least 100-feet apart.

16.5.5 *One-family and two-family residences.* A parcel on which is located a single one-family or two-family residence may display not more than 2 signs with an aggregate sign area of not more than 10 square feet. No individual sign shall exceed 6 square feet nor exceed 4-feet in height.

16.5.6 *Three-family and four-family residences.* A parcel on which is located a single three-family or four-family residence may display not more than 4 signs with an aggregate sign area of not more than 16 square feet. No individual sign shall exceed 6 square feet nor exceed 4-feet in height.

16.5.7 *Residential developments, farms and ranches.* A sign may be displayed at the entrance to a residential development, farm or ranch subject to the following restrictions. One sign is permitted at each entrance from an abutting street. The sign may be a single sign with 2 faces of equal size or may be 2 single-faced structures of equal size located on each side of the entrance. No face of the sign shall exceed 48 square feet in size, and may be illuminated in steady light only.

Section 16.6 Design, Construction, Location and Maintenance Standards

16.6.1 *Compliance with building and electrical codes required.* All permitted signs, and the illumination thereof, shall be designed, constructed and maintained in conformity with applicable provisions of the building and electrical codes adopted by Baldwin County. Wherever there is inconsistency between these ordinances and the building or electrical code, the more stringent requirements shall apply.

16.6.2 *Illumination standards.*

- (a) Sign lighting may not be designed or located to cause confusion with traffic lights.
- (b) Illumination by floodlights or spotlights is permissible so long as none of the light emitted shines directly onto an adjoining property or into the eyes of motorists or pedestrians using or entering public streets.
- (c) Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.

16.6.3 *Placement and clearance standards.*

- (a) Signs shall be located such that there is at every intersection or driveway, a clear view between heights of 3 and 10-feet in a triangle

formed by the corner of points on the curb 70-feet from the intersection or entranceway.

(b) Supports for signs or sign structures shall not be placed in or upon a public right of way or public easement, except under the terms of a lease between the owner of the easement or right of way and the owner of the sign.

(c) No freestanding sign shall project over a public right of way.

(d) No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit, or standpipe.

(e) All sign over pedestrian ways shall provide a minimum of 7 ½ feet of clearance.

(f) All signs over vehicular ways shall provide a minimum of 13 ½ feet of clearance.

16.6.4 Relationship to building features.

(a) A building sign shall not extend beyond any edge of the surface to which it is attached, nor disrupt a major architectural feature of the building.

(b) A building sign may project no more than 4-feet perpendicularly from the surface to which it is attached.

(c) The combined area of permanent and temporary signs placed on or behind windows shall not exceed 25% of the total window area at the same floor level on the side of the building or unit upon which the signs are displayed.

16.6.5 Maintenance. All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with the building and electrical codes adopted by Baldwin County, and shall present a neat and clean appearance. The vegetation around, in front of, behind, and underneath the base of freestanding signs for a distance of 10-feet shall be neatly trimmed and free of unsightly weeds, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

Section 16.7 Administration

16.7.1 Sign certificate.

16.7.1.1 *Applicability.* No person shall erect a sign without first obtaining a sign certificate therefore, except for the following actions which shall not require a certificate:

- (a) Changing the copy, announcement or message on a sign.
- (b) Cleaning, painting, electrical or comparable maintenance or repair of a sign that does not alter any regulated feature of the sign.
- (c) Erecting a sign for which a sign certificate is not required in accordance with *Section 16.3: Exempt Signs* and *Section 16.5: Permitted Signs*.

16.7.1.2 *Procedure.* All sign certificates shall be procured in accordance with the following procedure:

- (a) A written application shall be submitted to the Zoning Administrator for review and processing. The application will be accepted only upon determination that all requisite documentation and fees accompany the application form. The application shall include such supplementary information as may be specifically requested by the Zoning Administrator to determine compliance with these ordinances.
- (b) The Zoning Administrator shall review the application and plans and specifications to determine whether the proposed sign conforms to all applicable requirements of these ordinances.
- (c) Following review and determination as to conformance with these ordinances, the Zoning Administrator shall, in a reasonably expeditious manner, either approve or deny the application for the sign certificate. In case of denial, the Zoning Administrator shall specify the section or sections of these ordinances with which the proposed sign is not in conformance.
- (d) If an approved sign requires a permit from the Department of Building Inspections, the Zoning Administrator shall forward a copy of the completed application form and associated plans and specifications to the Building Official who shall determine whether the proposed sign conforms to all applicable requirements of the building ordinances and who shall, in a reasonably expeditious manner, either approve or deny an application for a permit to construct the sign.

16.7.1.3 *Submission requirements.* No request for a sign certificate shall be considered complete until all of the following has been submitted to the Zoning Administrator:

(a) *Application form.* The application shall be submitted to the department on forms made available by the department.

(b) *Statement of authorization.* Any application form which is signed by an individual other than the property owner shall be accompanied by a notarized statement of authorization consenting to the sign placement or, if the property or building upon which the sign is to be located is leased, evidence of the executed lease shall accompany the application form. In the event the building or property is leased and the application form is signed by an individual other than the lessor, the application shall be accompanied by a notarized statement of authorization signed by the lessor consenting to the sign placement and evidence of the executed lease.

(c) *Plans and specifications.* Plans and specifications for any proposed sign shall be submitted in duplicate, drawn to scale and include the following:

1. Lot frontage on all street rights-of-way.
2. Facade area of any wall on which a sign is proposed to be placed.
3. Dimensions for the supporting members of the sign.
4. Maximum and minimum height of sign, as measured from finished grade.
5. Dimensions and elevations (including the message) of the sign.
6. Location of the sign in relation to property lines, public rights-of-way, easements, buildings, and other signs on the property.
7. For illuminated signs, the type, placement, intensity and hours of illumination.
8. Construction and electrical specifications, for the purpose of enabling determination that the sign meets all applicable structural and electrical requirements of the building code.
9. Value of the proposed sign.
10. Number, type, location and surface area of all existing signs on the same property and/or building on which the sign is to be located.

(d) *Application fee.* The applicant for a sign certificate shall be required to pay an application fee according to the current schedule of fees established by the County Commission for the particular category of application. This fee shall be nonrefundable irrespective of the final disposition of the application.

16.7.1.4 *Sign certificate expiration.* A sign certificate shall be valid for a maximum of 180 days after issuance.

16.7.2 *Variances.* Any request for a variance from the standards set forth in this article shall be processed according to the procedures and criteria for variances as set forth in *Article 18: Administration.*

16.7.3 *Nonconforming signs.*

16.7.3.1 A nonconforming sign is any sign within the jurisdiction of the *Baldwin County Zoning Ordinances* on the effective date of this article or any sign existing within a Planning District added to such jurisdiction after the effective date of this article which is prohibited by, or does not conform to the requirements of these ordinances.

16.7.3.2 Subject to the limitations imposed by *Section 16.7.5: Illegal signs*, a nonconforming sign may be continued and shall be maintained in good condition as required by these ordinances, but it shall not be:

- (a) Structurally changed to another nonconforming sign, but its pictorial content may be changed.
- (b) Structurally altered to prolong the life of the sign, except to meet safety requirements.
- (c) Expanded or altered in any manner that increases the degree of nonconformity.
- (d) Reestablished after damage or destruction if the estimated cost of reconstruction exceeds 50% of the appraised replacement cost as determined by the Zoning Administrator.
- (e) Continued in use when a conforming sign or sign structure shall be erected on the same parcel or unit.
- (f) Continued in use when the structure housing the occupancy is demolished or requires renovations the cost of which exceeds 50% of the assessed value of the structure.

16.7.4 *Abandoned signs.*

(a) Except as otherwise provided in this article, any sign that is located on property which becomes vacant and unoccupied, pertains to a business which does not maintain a current business license, or pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Any abandoned sign shall be prohibited and shall be removed by the owner of the sign or the owner of the property. The frame of an abandoned sign shall not be required to be removed if it conforms to all applicable terms contained in these ordinances (including the sign face area for sign replacement yielded by such frame).

(b) Any sign structure which supported an abandoned sign and which structure conforms to all applicable terms contained in these ordinances shall be allowed to remain in place. However, in the event a sign structure which supported or supports an abandoned sign is inconsistent with any term contained in these ordinances (including the sign face area for sign replacement yielded by the frame), then the sign structure and frame shall be either altered to comply with the terms contained herein or removed by the owner of such structure or property.

16.7.5 Illegal signs.

(a) The following signs shall be considered to be illegal and a violation of the terms of this article:

1. A sign erected or maintained after the effective date of these ordinances inconsistent with the terms contained herein.
2. A nonconforming sign which was erected inconsistent with the terms governing location, height, surface area or other regulatory measure applicable at the time of its erection.
3. An abandoned sign.

(b) Upon determination by the Zoning Administrator that a certain sign is illegal, the Zoning Administrator shall act to remedy the violation, which may include:

1. The issuance of a notice of violation to the individual who owns, is responsible for or benefits from the display of such sign prescribing the action necessary to make the sign legal and conforming to the terms contained herein or ordering the removal of the illegal sign and also prescribing the time which the individual is afforded to accomplish such action.

2. The removal of any illegal sign located on public property or on private property located on public property, including any such sign located within a street right-of-way in which case the county shall have the right to recover from the individual erecting such a sign the full costs of removal and disposal.

(c) Failure to bring any illegal sign into conformance with the terms contained in this article or any other violation of the terms contained in this article shall be considered a violation of the *Baldwin County Zoning Ordinances* and shall be subject to the remedies and penalties provided by such ordinances and by state law.