

Amendments to the Albany Development Code (ADC)

*Draft code amendments are written as follows: additions **bold red underlined** and deletions in ~~strike-out~~. Sections not amended are omitted unless needed for context. Omitted sections are indicated by asterisks: ****

**ARTICLE 13¹
SIGNS**

Commentary

Proposed amendments to Article 13 are limited to renumbering tables and figures to follow the new numbering protocol and updating cross-references.

13.000 Overview. This article contains the City’s standards for signage.

The following is a list of the main headings in this article.

- General Provisions
- General Sign Regulations
- Exemptions
- Temporary Signs or Displays
- Permanent Signs
- Review Procedures
- Variances
- Nonconforming Signs
- Definitions

GENERAL PROVISIONS

GENERAL SIGN REGULATIONS

13.310 SIGNS EXEMPT FROM SIGN PERMIT

A sign which is consistent with the type, description, and maximum duration in Table 13.310-1 is subject to the General Provisions and General Sign Regulations of this Article; however, no sign permit or sign registration is required before placing, constructing, or erecting such a sign. All other temporary or permanent signs are subject to the sign permit or sign registration requirements of this Article.

**TABLE 13.310-1
SIGN TYPES EXEMPT FROM SIGN PERMIT**

Sign Type	Description	Maximum Duration
(1) Exempt Governmental signs. The signs described in this section are an important component of measures necessary to protect the public safety and serve the compelling governmental interest of protecting traffic safety, serving the requirements of emergency response, and protecting property rights or the rights of persons on property. These signs include, but are not limited to:		
(a) Traffic control devices	Traffic control devices on private or public property erected and maintained to comply with the Manual on Uniform Traffic Control Devices adopted in this state and if not adopted by this state with the	Signs may be temporary or permanent

¹ Entire article replaced with Ordinance 5909, June 27, 2018

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Sign Type	Description	Maximum Duration
	Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration.	
(b) Signs required to identify the address of the property	Signs required to identify the address of the property so that public safety departments can easily identify the address from the public street. The size and location of the identifying numerals and letters, if any, must be proportional to the size of the building and the distance from the street to the building, and in no case shall individual characters be less than three inches tall nor exceed 12 inches in width or height. In cases where the building is not located within view of the public street, the identifier must be located on the mailbox or other suitable device such that it is visible from the street.	Signs may be temporary or permanent
(c) Signs necessitated by federal, state or local law	Signs necessitated by federal, state, or local law requiring a property owner to post a sign on the owner’s property to warn of a danger, to prohibit access to the property, or for public safety.	Signs may be temporary or permanent
(d) Signs of public utility companies	Signs of public utility companies indicating danger, or that serve as an aid to public safety, or that show the location of underground facilities or of public telephones.	Signs may be temporary or permanent
(e) Official or legal signs	Official or legal signs which are erected by public officers performing official duties including those erected pursuant to law, administrative order, or court order.	Signs may be temporary or permanent
(f) Signs erected, maintained or authorized by a public authority	Signs erected, maintained or authorized by a public authority (e.g., Landmarks Commission) identifying sites, buildings, districts, or structures of recognized historical value or providing wayfinding.	Signs may be temporary or permanent
(g) Government flags	A flag that has been adopted by the federal government, this State, or the local government may be displayed as provided under the law that adopts or regulates its use.	Signs may be temporary or permanent
(2) Exempt Non-Governmental Signs Property owners may place, construct, or erect the following signs on their property		
(a) Sites with legal Home Businesses	On a site with a home business established in accordance with Section 3.090-3.160, one (1) sign not larger than 12 inches by 18 inches may be placed in a window or attached to the building.	Signs may be temporary or permanent
(b) Directional and Public Safety	Signs that are for public safety and direction such as parking directional signs and wayfinding signs – when attached to a building, etc. shall be located and sized commensurate with their function but shall not exceed eight square feet per face per sign. The maximum height for freestanding directional/public safety signs is three feet. All signs must be placed outside of any vision clearance area.	Signs may be temporary or permanent
(c) Window Sign	Window signs are only allowed within non-residential zones. They are allowed without regard to other aggregate or number sign	Signs may be temporary or permanent

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Sign Type	Description	Maximum Duration
	restrictions provided that window signs shall not obscure more than 50 percent of any individual window.	
(d) Awning or Marquee	Exempt awning or marquee signs are only allowed in non-residential zones. Such signs may only be located on the valance or bottom vertical 12 inches of the awning or on the face or vertical edge of a marquee.	Signs may be temporary or permanent
(e) Signs not meant to be visible off-site	Signs that are not meant to be visible off-site, such as exterior signs in a stadium or menu boards for drive-up restaurants that are visible only to patrons, and signs on the interior of a mall or building not visible from a public right-of-way	Signs may be temporary or permanent
(3) Exempt Temporary Signs. Properties owners may place, construct, or erect the following signs on their property.		
(a) Small Temporary Sign	One temporary sign with a sign face no larger than three square feet.	365 days/year
(b) Signs during an Election	One temporary sign per issue and per candidate based on the ballot of an election within the district where the property is located. <u>Residential zones</u> - Signs are limited to an area of four square feet per face and a maximum height of three feet. <u>Commercial or industrial zones</u> - Signs are limited to an area of eight square feet per face and a maximum height of five feet.	From 45 days prior to an election until 7 days after
(c) Property for Sale or Rent	<u>Residential Zones</u> i. One sign per street frontage with a maximum of two signs per lot. ii. Up to two directional signs may be erected off premises with the receiving property owner’s permission, but no more than one off-premises sign may be located on any tax lot. iii. Signs shall not exceed six square feet per face. iv. A-frame signs are allowed if they do not exceed four square feet per face and shall be removed at dusk and not replaced before sunrise. <u>Commercial, Industrial, and Mixed Use Zones</u> i. Signs shall conform to all restrictions (such as number and size) applicable to that zone, except that no temporary sign shall exceed 100 square feet in area per face and 10 feet in height. ii. If a developed property meets or exceeds the maximum signage allowed, then one additional wall sign per frontage shall be allowed not exceeding 10 percent of the wall face area.	From the time the property is offered for sale or rent (either through a licensed real estate agent or by the owner through advertising in a local newspaper of general circulation or other public means) until 15 days after the date on which the transaction has been closed
(d) Subdivisions (when involving more than three lots being offered for sale)	i. Signs shall be limited to one double-faced sign of 32 square feet per face, placed at a right angle to the street, or two 24 square foot signs facing the street. Such signs shall be at least 700 feet apart and shall not exceed a height of eight feet. ii. Signs shall be placed within the subject subdivision.	From the time the lots are offered for sale until the end of two years, or when 90 percent of the subdivision lots

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Sign Type	Description	Maximum Duration
		contain a completed structure, whichever occurs first
(e) When Property is Open to the Public	One temporary sign on site when the property owner is opening the property to the public. The sign shall not exceed four square feet per face and four feet in height.	From one week prior to event until the day after the event. No more than a total of 15 consecutive days for extended sales
(f) Transient and Itinerant Merchants and Vendors	Signage for Transient and Itinerant Merchants and Vendors authorized in accordance with Albany Municipal Code Chapter 5.10 shall be allowed as follows: i. One sign per street frontage. ii. Sign area can be no greater than 32 square feet.	For the duration of the activity authorized by Albany Municipal Code Chapter 5.10
(g) Search Lights	Permitted within commercial zones only. Search lights shall comply with applicable Federal aviation laws.	No more than five days in a row, up to a maximum of 15 days in any calendar year
(h) Construction Project Signs	On sites which are actively under construction (building permits are in process). The maximum height for freestanding construction project signs is 10 feet.	For the duration of project construction

TEMPORARY SIGNS OR DISPLAYS

PERMANENT SIGNS

13.520 WALL SIGNS

The following standards apply to wall signs other than Exempt Signs pursuant to ADC 13.310 or Temporary Signs pursuant to ADC 13.410 – 13.430.

- (1) Projection. No wall sign shall project more than 12 inches beyond the wall (or awning or marquee) to which it is attached.
- (2) Placement. No wall sign shall extend above the roof or eave-line of the building. Signs attached to the vertical face of an awning or marquee shall not extend above or below the face to which it is attached.
- (3) Illuminated wall signs abutting a parking lot must be at least 75 feet from a property line facing a residential zone.
- (4) Interior Lot Line Signs. A principal wall sign may be located on the side of a building facing an interior lot line if written consent of the abutting property owner is obtained for

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the erection of the sign or the sign is 50 feet or more from the abutting property. Sign and area for both the interior lot line sign and street frontage signs shall not exceed that allowed for the street frontage and shall not be in addition thereto.

- (5) Signs on Fences. Fence signs shall be subject to the same size and placement requirements as a wall sign and shall not exceed the height of the fence.
- (6) Sign Area by Zone. The amount of wall sign area permitted in each zone is specified in Table 13.~~520-12~~**520-12**. The aggregate area of all wall signs on each building frontage shall not exceed the amount of wall sign area allowed per lineal foot of building frontage. In addition, the aggregate wall sign area shall be subject to the minimum and maximum ranges for each building frontage. The amount of signage allowed is for each building frontage and may not be transferred to a different building frontage. For multi-tenant buildings the building frontage is calculated individually for each tenant.

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**TABLE 13.520-21
SIGN AREA BY ZONE – WALL SIGNS**

Zone	Amount of wall sign area per lineal foot of building frontage	Minimum and Maximum Range for Each Building Frontage	
		Minimum	Maximum
CC, RC, PB, LI, HI, and IP	1.5 sf per lineal foot	48 sf	200 sf
NC, MS, MUC and WF	1.5 sf per lineal foot	32 sf	160 sf
OP, ES and TD	1.5 sf per lineal foot	32 sf	80 sf
CB, DMU, and HD	1.0 sf per lineal foot	32 sf	120 sf
LE and MUR	1.0 sf per lineal foot	32 sf	80 sf
All residential zones	See ADC 13.560 and 13.570		

*The standards of this table may be modified for signs within Integrated Business Centers in accordance with Subsection (7)

- (7) Sign Area within Integrated Business Centers.
 - (a) Wall sign area is limited to the provisions of Subsection (6), except a tenant occupying a minimum of 40,000 square feet in gross floor area is allowed a bonus to the maximum size provisions in the PB, CC, RC, LI, HI, and IP zones so that the maximum wall sign area for that business is 240 square feet.
 - (b) Business center identity wall signs may be placed over all shared main public entries to the business center. Shared public entries must be shared by at least two tenants. Such signs are limited to 130 square feet in size.
 - (c) When an individual business does not have frontage on a street or parking lot, the business is allowed a maximum aggregate wall sign area of 16 square feet.

13.530 FREESTANDING SIGNS

The following standards apply to freestanding signs other than Exempt Signs pursuant to ADC 13.310 or Temporary Signs pursuant to ADC 13.410 – 13.430.

- (1) Supports. A freestanding sign shall be directly supported by poles or foundation supports in or upon the ground. No external cross-braces, guywires, “T-frames,” “A-frames,” “trusses,” or similar bracing systems shall be used in constructing freestanding signs.
- (2) Clearance.
 - (a) No freestanding sign shall be closer than 2-1/2 feet from the curb line or over any state highway right-of-way as specified in state law. In the event the street shall be widened or changed in any manner so that the change would result in the projection of a sign to a distance over public property, then the owner of said sign shall remove it and replace it at the expense of the owner.
 - (b) Freestanding signs shall have a minimum clearance of 15 feet over a driveway or parking area.
 - (c) Freestanding signs shall have a minimum clearance of eight feet over a pedestrian walkway or sidewalk.
- (3) Location. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.

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- (4) Location. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
 - (a) One freestanding sign shall be permitted for each lot frontage which meets the minimum street frontage specified in Table 13.~~530-31~~. Two or more parcels of less than the minimum required street frontage each may be combined for purposes of meeting this standard, with the approval of all affected property owners.
 - (b) When a freestanding sign is located at the corner of two intersecting rights-of-way and placed a distance from the right-of-way corner of less than 50 lineal feet, the sign shall be counted as one sign for each frontage.
- (5) Sign Area. Signs shall not exceed a total face area of 3/4 square feet for each lineal foot of street frontage with the maximum area per face as specified in Table 13.~~530-31~~. When a face can be seen from a street, then that face shall count as part of the aggregate area for that street frontage (not to exceed counting one face per frontage). The maximum size allowed for such sign shall be based on the street frontage with the highest average daily traffic count or the average of the two frontages. In all cases a minimum allowance of 20 square feet per sign face is guaranteed.
- (6) Height. Signs shall be no higher than as specified in Table 13.~~530-13~~.

**TABLE 13.~~530-13~~
SIGN AREA BY ZONE – FREESTANDING SIGNS***

Zone	Maximum Sign Area per Face	Maximum Height	Minimum Street Frontage Required
PB, CC, RC, LI and HI	160 sf	30 feet	75 lineal feet
IP	160 sf	15 feet	75 lineal feet
MUC	120 sf	25 feet	75 lineal feet
WF, MS, and NC	120 sf	15 feet	75 lineal feet
ES, TD, and OP	50 sf	15 feet	75 lineal feet
CB, DMU, HD, LE, and MUR	50 sf	15 feet	50 lineal feet
All Residential Zones	See ADC 13.560 and 13.570		

*The standards of this table may be modified for signs within Integrated Business Centers in accordance with Subsection (7) and for signs located within the freeway interchange area in accordance with Subsection (8).

- (7) Shared Freestanding Signs within Integrated Business Centers. When two or more businesses within an Integrated Business Center combine their permitted freestanding signs into one sign the following standards apply:
 - (a) One freestanding, shared sign per street frontage that has a customer entrance is allowed. The shared sign must comply with Subsection (5), except that a bonus to the maximum size provisions is allowed in the PB, CC, RC, LI, HI, and IP zones so that the maximum area is 200 square feet per face and the minimum allowance is 60 square feet.
 - (b) In lieu of (a) above, integrated business centers that utilize shared freestanding signs that are less than eight feet tall, may locate one such sign per public entrance. Such shared signs are limited in aggregate area to 200 square feet.
 - (c) Properties having two or more street frontages, one of which is in excess of 400 feet, are permitted two shared freestanding signs on the long frontage provided that the total

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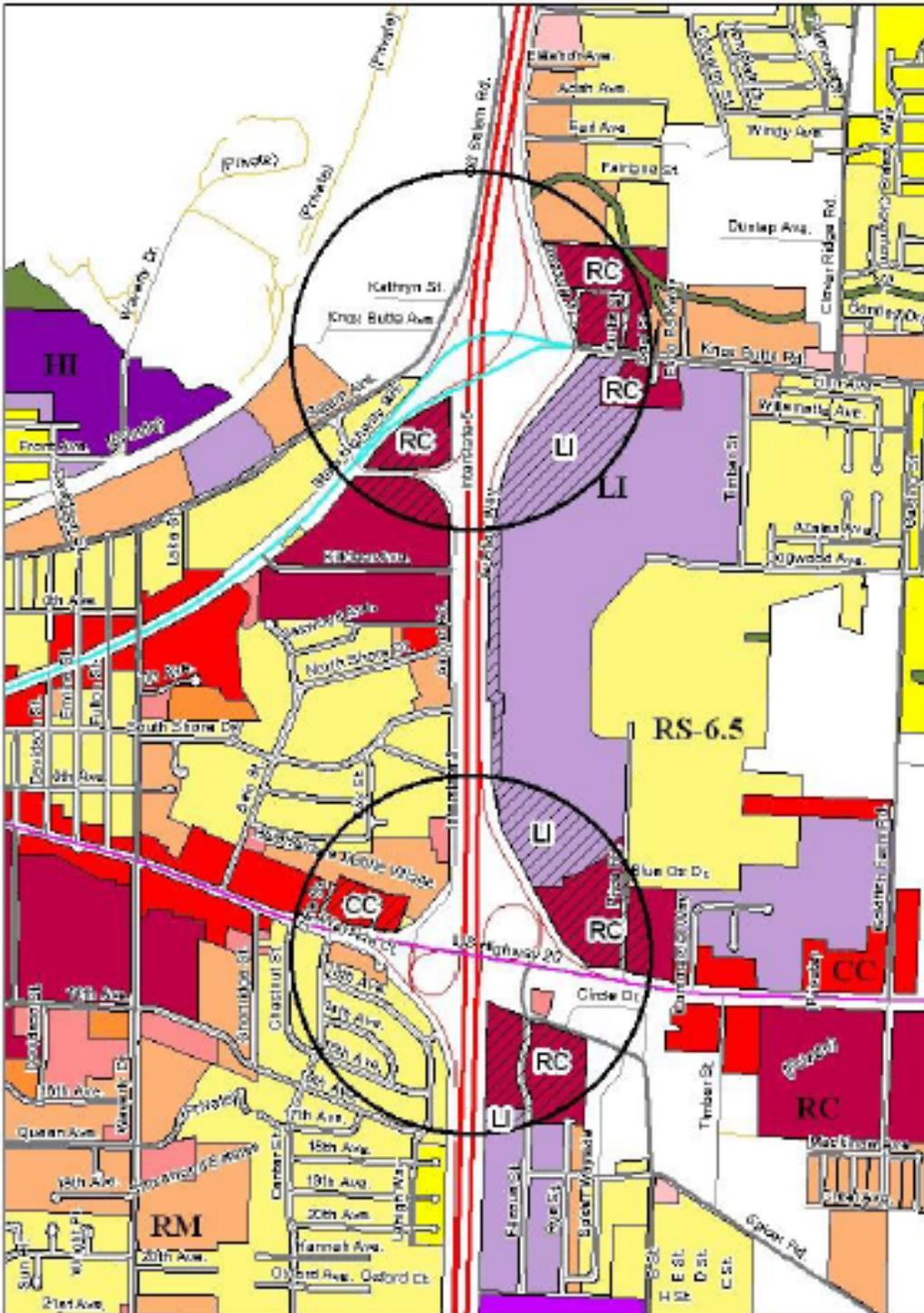
combined area does not exceed 200 square feet (on one face); however, no freestanding sign is allowed on the other frontage.

- (d) If the business within an Integrated Business Center is not represented on a shared freestanding sign, one freestanding monument sign is permitted for each freestanding pad building. The sign structure is limited to eight feet tall measured from ground level and 10 feet in horizontal length. The sign face(s) is/are limited to a maximum area of 32 square feet.
 - (e) Sign Spacing. A minimum of 100 feet of spacing is required between freestanding signs.
- (8) Freeway Area Signs General Provisions.
- (a) The Freeway Interchange Area is defined and shown in Figure **13.530-1**.
 - (b) A business within the Freeway Interchange Area may have one freestanding sign up to 50 feet tall. Maximum sign area is limited to 250 square feet for one face and 500 square feet for two or more faces.
 - (c) If such sign is erected, it shall be in lieu of and not in addition to the signs permitted by Subsection (6) for such business along the street frontage on which it is located.

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FIGURE 13.530-1 FREEWAY INTERCHANGE AREA



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13.540 PROJECTING SIGNS

The following standards apply to projecting signs other than Exempt Signs pursuant to ADC 13.310 or Temporary Signs pursuant to ADC 13. 410 – 13.430.

- (1) Placement. The inner edge of a projecting sign shall not be more than six inches from the face of the building.
- (2) Clearance. Projecting signs shall have a minimum clearance of eight feet over sidewalks, public right-of-way, or grade and 15 feet over driveways and alleys. Signs suspended from marquees and awnings must be a minimum of seven feet, six inches above grade.
- (3) Projection. No projecting sign (or other signs) shall project more than eight feet over public property nor closer than within 2-1/2 feet of the curb line. Signs suspended from a marquee or awning shall not extend beyond the perimeter of the marquee or awning.
- (4) Signs near intersections. When a projecting sign is located at the corner of two intersecting rights-of-ways and positioned so that each sign face is designed to be read from each adjacent right-of-way, the sign will be counted as one sign for each frontage and the area of each face shall count as part of the aggregate area for each frontage, except that the maximum size of such sign may be based on the street frontage with the highest average daily traffic count.
- (5) Number of Signs. One projecting sign shall be permitted for each business or group of businesses occupying a single common space or suite in lieu of a freestanding sign permitted in accordance with ADC 13.530. Signs suspended from marquees or awnings that are four square feet per face or smaller are exempt from sign number and area restrictions.
- (6) Area. Signs shall not exceed an area of 3/4 square feet for each lineal foot of business frontage to which the sign pertains. The maximum area and minimum allowance for projecting signs shall be as specified in Table ~~13-4~~**13.540-1**.

TABLE ~~13-4~~13.540-1**
SIGN AREA BY ZONE – PROJECTING SIGNS**

Zone	Maximum Sign Area per Face	Minimum Allowance per Face
CB, DMU, HD, LE and MUR	50 sf	12 sf
All other non-residential zones	80 sf	20 sf
All residential zones	See ADC 13.560 and 13.570	

REVIEW PROCEDURES

VARIANCES

13.710 VARIANCES

Variations to this Article will be reviewed as a Type II procedure ~~Major Variance~~ according to Article 2 (Review Criteria) except that the review criteria of Section 2.500 ~~2.690~~ shall be replaced by the following criteria:

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- (1) Granting the variance would not detrimentally impact public safety, including traffic safety, nor any other aspect of public welfare.
- (2) There are unique circumstances or conditions of the lot, building, or traffic pattern such that:
 - (a) The requested variance better implements the purpose of the Article as stated in Section 13.110
 - (b) Granting the variance compensates for those circumstances in a manner equitable with other property owners and is thus not a special privilege to any one business. The variance requested shall be the minimum necessary to compensate for those conditions and achieve the purpose of this Article.
- (3) The variance would not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a variance.
- (4) Granting the variance would not obstruct views of other buildings or signs or cover unique architectural features of a building or detract from landscape areas.
- (5) The size and placement of the proposed sign results in signage more consistent with the purposes of the sign code than that allowed under strict interpretation of the Code.

NONCONFORMING SIGNS

13.830 EXEMPTION FROM NONCONFORMING STATUS

An owner of a nonconforming sign in existence on the date of enactment of this ordinance may apply for a determination that the sign qualifies as an historic or significant sign. An owner must make such application within six months of being notified of a nonconforming status. Such exemption of nonconforming status may be made ~~by the Hearings Board~~ through a Type II procedure upon finding that any of the following applicable criteria have been met:

- (1) The sign does not constitute a significant safety hazard due to structural inadequacies or the impact on traffic.
- (2) Due to age, relation to an historic event, or general recognition, the sign has become a recognized Albany landmark.
- (3) For an historic sign exemption, the sign is:
 - (a) Attached to a primary or secondary structure as recognized on the City Historic Survey;
 - (b) The sign adds to the architectural and historic significance of the premises, taking into account the size, location, construction, and lighting of the sign; and
 - (c) A recommendation is received from the Landmarks Advisory Commission giving its recommendation on criteria (a) and (b) above.
- (4) For significant signs, the sign is:

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- (a) Maintained essentially as originally constructed, with sufficient remaining original workmanship and material to serve as instruction in period fabrication; and
- (b) The sign is associated with significant past trends in structure, materials, and design and is in conformance with generally accepted principles of good design, architecture, and maintenance.

DEFINITIONS

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