

**Local Law V of 2022**

**A Local Law amending Chapter 140 of the Code of the Town of Rochester**

**§ 140-21. Signs.**

**Section 1. Chapter 140 Amendment**

Chapter 140 of the Code of the Town of Rochester **§ 140-21. Signs.** shall be amended as follows.

**§ 140-21. Signs.**

- A. Purpose. It is the purpose of this section to help residents and visitors find what they need without difficulty; improve the appearance of the Town; and promote public safety by regulating sign construction and placement.
- B. Application. All signs shall meet the standards herein and on the attached Schedule of Sign Regulations. Application for permits, where needed, shall be made to the Building Inspector together with any fees required. Written consent of property owners shall also be provided. Applications not requiring Planning Board review shall be acted upon within 30 days of receipt. Applications submitted to the Planning Board shall be acted upon within 45 days of receipt.
- C. Sign review criteria. Discretionary signs subject to Planning Board review shall be approved, approved with modifications, or disapproved based on the following design criteria:
  - 1) Signs should not interfere with views of other enterprises, residences, or signs.
  - 2) Whenever feasible, multiple signs should be combined to avoid clutter.
  - 3) Signs should be as close to the ground as possible.
  - 4) Sign should be designed, sized, and located to blend with buildings and landscapes.
  - 5) *Signs within the Historic Overlay District shall be reviewed by the Town of Rochester Historic Preservation Committee for comment to the approving authority.*
  - 6) Signs should be located so as to not interfere with clear views required for public safety.
  - 7) Sign should not present an overhead danger or obstacle to persons below.
  - 8) Sign sizes should achieve ready visibility without becoming an unnecessary distraction.
  - 9) Large freestanding signs should be landscaped around the sign base.
- D. General regulations. The following regulations shall apply to all signs:
  - (1) No part of any sign shall project above the top or beyond the ends of the wall surface on which it is located. Signs shall also not extend above the roofline of the building to which they are attached.
  - (2) Except for official traffic signs and signs in H Districts, those signs that exceed 24 square feet in surface area shall be set back at least five feet from the front and side lot lines.
  - (3) No sign shall exceed a height equal to one-half its distance from a road right-of-way, regardless of other height limitations.

- (4) Advertising signs shall not be designed in a manner that could be interpreted by a motorist as being a public safety warning or traffic sign.
- (5) No sign shall be attached to a utility pole.
- (6) Both sides count in "sign surface area"
- (7) Portable signs, except as provided herein, shall be subject to all freestanding sign regulations.
- (8) Traffic directional signs shall be exempt from these regulations.
- (9) Signs shall be internally lighted or illuminated only by a steady, stationary ~~(except for time and temperature reading)~~ and shielded light source directed solely at the sign, with minimal spillover of light past the sign and without causing glare for motorists, pedestrians, or neighboring premises.
- (10) Internally illuminated signs shall be required to be turned off during non-business hours in all zoning districts.
- (11) Any sign located within the boundaries of the Catskill Park shall be subject to the provisions of the New York State Environmental Conservation Law.

E. Digital Signs shall not be permitted in all zoning districts.

F. Nonconforming signs. Existing nonconforming signs may be repaired or reconstructed on the same site but shall not be relocated or increased in size except as provided herein. A nonconforming sign shall be considered a nonconforming structure.

G. Sign maintenance. No owner of any sign or lessee or owner of any land upon which the sign is located shall permit such sign to become unsafe, unsightly or in disrepair so as to endanger the public or to become a public nuisance as shall be determined by the Town Board following referral by the Code Enforcement Officer.

## **Section 2. Severability**

If any part or provision of this local law is judged invalid by any court of competent jurisdiction, such judgment shall be confined in application to the part or provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Law or the application thereof to other persons or circumstances. The Town hereby declares that it would have enacted the remainder of this Law even without such part or provision or application.

## **Section 3. Effective Date**

This local law shall become effective immediately upon the filing in the office of the New York Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

## Town of Rochester Zoning Law § 140-21, Schedule of Sign Regulations

	Prohibited Signs	Signs Allowed Without Permits	Signs Allowed with Permits from Enforcement Officer	Maximum Sign Surface Area Allowed for All Permitted Signs on a Lot Combined		Signs Permitted Upon Review by Planning Board
				Freestanding	Wall Signs	
Residential Zoning Districts R-1, R-2	Animated, moving or flashing signs Projecting signs extending more than 15 inches from an exterior wall Roof signs Signs on vehicles parked to create a permanent sign effect Signs on utility poles Signs resembling traffic signals or official traffic signs Signs that emit sound, odor or smoke Signs within the cartway of a public road Signs within 10 feet of power and telephone and television cable lines Signs of more than 15 feet in height	Awning, canopy or marquee signs of 4 sq. ft. in aggregate per lot Bus shelter signs of 10 sq. ft. no more than two per shelter or lot Civic and religious signs of 4 sq. ft. Directional and instructional signs of 4 sq. ft. in aggregate per lot Non-commercial flags, emblems, insignia and temporary signs Governmental signs Holiday decorations Interior signs not classified as window signs Name and address plates and plaques of 2 sq. ft. each in area and 4 sq. ft. in aggregate per lot No trespassing, no dumping and similar signs of 2 sq. ft. in area Real estate, temporary construction and contractor signs of 12 sq. ft. Parking lot entrance/exit sign (1) of 4 sq. ft., no more than 5 feet high Parking lot directional signs of 8 sq. ft. (16 sq. ft. in aggregate), no more than 7 feet high Sports patron advertising signs of 32 sq. ft. in area Temporary signs of 32 sq. ft. more than 5 times or 45 days per calendar year aggregate Incidental signs of 2 sq. ft. each and 8 sq. ft. in aggregate per lot Warning of danger signs removed within 3 days of end of danger	Multi-family building signs of 4 sq. ft. each, no more than 1 per building, Residential development entrance ground signs (2 per road) of 24 sq. ft.	Fifty (50) sq. ft. in aggregate, or 1 sq. ft. per 5 feet of lot frontage (whichever is less), no individual sign to exceed 32 sq. ft. in area or 15 feet in height, excepting temporary and no trespassing signs	Five percent (5%) of any single building façade or thirty-two (32) sq. ft. per unit or lot in aggregate, whichever is less. Window wall signs shall not occupy more than 25% of any window.	Other on-premises non-residential use advertising signs for principal permitted, special and existing non-conforming uses subject to Maximum Sign Surface Area for all signs on the lot as set forth in the two columns to the left.

## Town of Rochester Zoning Law § 140-21, Schedule of Sign Regulations

	Prohibited Signs	Signs Allowed Without Permits	Signs Allowed with Permits from Enforcement Officer	Maximum Sign Surface Area Allowed for All Permitted Signs on a Lot Combined		Signs Permitted Upon Review by Planning Board
				Freestanding	Wall Signs	
<b>Hamlet and Rural Zoning Districts PL-10, A-10, H &amp; R-5</b>	Animated, moving or flashing signs Roof signs extending above peak Signs on vehicles parked to create a permanent sign effect Signs on utility poles Signs resembling traffic signals or official traffic signs Signs that emit sound, odor or smoke Signs extending beyond the edge of a sidewalk or within the cartway of any public road, whichever is greater Signs within 10 feet of power and telephone and television cable lines Signs of more than 15 feet in height	Awning, canopy or marquee signs of 4 sq. ft. in aggregate per lot Bus shelter signs of 10 sq. ft. no more than two per shelter or lot Civic and religious signs of 4 sq. ft. Directional and instructional signs of 4 sq. ft. in aggregate per lot Non-commercial flags, emblems, insignia and temporary signs Governmental signs Holiday decorations Name and address plates and plaques of 2 sq. ft. each in area and 4 sq. ft. in aggregate per lot No trespassing, no dumping and similar signs of 2 sq. ft. in area Parking lot entrance/exit sign (1) of 4 sq. ft., no more than 5 feet high Parking lot directional signs of 8 sq. ft. (16 sq. ft. in aggregate), no more than 7 feet high Real estate, temporary construction and contractor signs of 16 sq. ft. Sandwich board or A-frame sign (1) of 10 sq. ft. placed no more than 10 feet from principal building entrance Sports patron advertising signs of 32 sq. ft. in area Temporary signs of 32 sq. ft. more than 5 times or 45 days per calendar year aggregate Incidental signs of 4 sq. ft. each and 12 sq. ft. in aggregate per lot Warning of danger signs removed within 3 days of end of danger	Multi-family building signs of 4 sq. ft. each, no more than 1 per building, Residential development entrance ground signs (2 per road) of 24 sq. ft. Awning, canopy or marquee signs of 16 sq. ft. each provided no more than 50% of awning, canopy or marquee is used for signage One permanently mounted changeable letter or fuel price sign of 36 sq. ft. Non-governmental flags of 24 sq. ft. suspended from poles of up to 36 feet in height One freestanding sign of 32 sq. ft., or or one projecting sign of 32 sq. ft. 10 feet above the sidewalk or the ground, for non-residential use identification purposes Wall signs subject to the Maximum Sign Surface Area limitations to the right for such signs	Seventy-five (75) sq. ft. in aggregate or 1 sq. ft. per one foot of lot frontage (whichever is less), no individual sign to exceed 32 sq. ft. in area or 15 feet in height, excepting temporary and no trespassing signs	Ten percent (10%) of any single building façade or sixty-four (64) sq. ft. per unit or lot in aggregate, whichever is less. Window wall signs shall not occupy more than 25% of any window.	Other on-premises non-residential use advertising signs for principal permitted, special and existing non-conforming uses subject to Maximum Sign Surface Area for all signs on the lot as set forth in the two columns to the left. Off-premises non-residential use directional signs subject to maximums provided on this Schedule for all permitted signs. Commercial directory signs as defined herein (see Definitions section).

## Town of Rochester Zoning Law § 140-21, Schedule of Sign Regulations

	Prohibited Signs	Signs Allowed Without Permits	Signs Allowed with Permits from Enforcement Officer	Maximum Sign Surface Area Allowed for All Permitted Signs on a Lot Combined		Signs Permitted Upon Review by Planning Board
				Freestanding	Wall Signs	
All Other Zoning Districts AR-3, AB-3, B, I and NR	<p>Animated, moving or flashing signs</p> <p>Projecting signs extending more than 15 inches from an exterior wall</p> <p>Roof signs extending above peak</p> <p>Signs on vehicles parked to create a permanent sign effect</p> <p>Signs on utility poles</p> <p>Signs resembling traffic signals or official traffic signs</p> <p>Signs that emit sound, odor or smoke</p> <p>Signs within the cartway of a public road</p> <p>Signs within 10 feet of power and telephone and television cable lines</p> <p>Signs of more than 15 feet in height</p>	<p>Awning, canopy or marquee signs of 4 sq. ft. in aggregate per lot</p> <p>Bus shelter signs of 10 sq. ft. no more than two per shelter or lot</p> <p>Civic and religious signs of 4 sq. ft.</p> <p>Directional and instructional signs of 4 sq. ft. in aggregate per lot</p> <p>Non-commercial flags, emblems, insignia and temporary signs</p> <p>Governmental signs</p> <p>Holiday decorations</p> <p>Name and address plates and plaques of 2 sq. ft. each in area and 4 sq. ft. in aggregate per lot</p> <p>No trespassing, no dumping and similar signs of 2 sq. ft. in area</p> <p>Real estate, temporary construction and contractor signs of 16 sq. ft.</p> <p>Parking lot entrance/exit sign (1) of 4 sq. ft., no more than 5 feet high</p> <p>Parking lot directional signs of 8 sq. ft. (16 sq. ft. in aggregate), no more than 7 feet high</p> <p>Portable wheeled signs of 32 sq. ft.</p> <p>Sandwich board or A-frame sign (1) of 10 sq. ft. placed no more than 10 feet from principal building entrance</p> <p>Sports patron advertising signs of 32 sq. ft. in area</p> <p>Temporary signs of 32 sq. ft. more than 5 times or 45 days per calendar year aggregate</p> <p>Incidental signs of 4 sq. ft. each and 12 sq. ft. in aggregate per lot (up to 6 sq. ft. each and 16 sq. ft. in aggregate within RU Districts</p> <p>Warning of danger signs removed within 3 days of end of danger</p>	<p>Multi-family building signs of 4 sq. ft. each, no more than 1 per building,</p> <p>Residential development entrance ground signs (2 per road) of 24 sq. ft.</p> <p>Awning, canopy or marquee signs of 16 sq. ft. each provided no more than 50% of awning, canopy or marquee is used for signage</p> <p>One permanently mounted changeable letter or fuel price sign of 36 sq. ft.</p> <p>One freestanding sign of 32 sq. ft. for non-residential use identification purposes</p> <p>Wall signs subject to the Maximum Sign Surface Area limitations to the right for such signs</p>	<p>One-hundred (100) sq. ft in aggregate or 1 sq. ft. per two foot of lot frontage (whichever is less), no individual sign to exceed 32 sq. ft. in area or 15 feet in height, excepting temporary and no trespassing signs</p>	<p>Ten percent (10%) of any single building façade or sixty-four (64) sq. ft. per unit or lot in aggregate, whichever is less. Window wall signs shall not occupy more than 25% of any window.</p>	<p>Other on-premises non-residential use advertising signs for principal permitted, special and existing non-conforming uses subject to Maximum Sign Surface Area for all signs on the lot as set forth in the two columns to the left.</p> <p>Off-premises non-residential use directional signs subject to maximums provided on this Schedule for all permitted signs</p> <p>Commercial directory signs as defined herein (see Definitions section).</p>