

VILLAGE OF PAINTED POST

ZONING LAW

Originally Adopted July, 1984

Revised Version Adopted February 12, 2001

Revised to Include Adult Uses Adopted November 12, 2001

Revised to Include Planned Development Districts Adopted February 9, 2004

Revised to Include Amendments to the Sign Regulations Adopted August 9, 2010

Revised to include Amendments to the Sign Regulations Adopted October 15, 2013

accommodations for permanent occupancy. "Residence," therefore, includes all non-transient housing. However, "residence" shall not include the following:

- A. Transient housing, such as hotels, and motels.
- B. That part of a mixed use which is used for any non-residential uses.

RIDING ACADEMY: Any establishment where horses are kept for riding, driving or stabling for compensation.

RIGHT-OF-WAY: The property under ownership or easement normally used for the movement of vehicles, including but not restricted to the pavement area.

ROADSIDE STAND: A light structure with a roof, either attached to the ground or movable, used for the sale of local produce on a seasonal basis.

SATELLITE DISH: An antenna capable of receiving communications from space. Includes "satellite dish."

SETBACK: The required distance in feet between any building and any lot line of the lot on which it is located.

SIGN: Any image, device, structure (or part thereof) viewable from a public place, which shall display information for the purpose of announcement, direction or advertisement.

SIGN, ACCESSORY: Any sign other than the primary identification signs, directional signs, open/closed signs, or exempt signs; common uses include product and service advertising signs.

SIGN AREA: The area within the shortest lines that can be drawn around the outside perimeter of a sign including all decorations, lights and negative space, but excluding the supports if they are not used for advertising purposes. Each separate face of the sign shall be counted in computing the area.

SIGN, BILLBOARD: A large panel for the display of advertisements in public places, such as alongside highways or on the sides of buildings.

SIGN, DIRECTIONAL: An on-site sign which serves solely to designate direction to/ from any location on the premises. These signs include arrows, enter/exit signs and the like.

SIGN, DIRECTLY ILLUMINATED: A sign which incorporates any artificial lighting directly into the structure of the sign.

SIGN, EXEMPT: Any sign such as safety messages; decorative banners or flags; antiques and collectables; holiday decorations; the flag or insignia of any nation, or any governmental agency; any educational, charitable, philanthropic, civic, professional, religious or similar organization; not-for-profit organization's campaign, drive, movement, or event which is temporary in nature; official notices issued by a court or public body or officer; warning or information signs or structures required by or authorized by law or by federal, state, county, town or Village authority; and all signs, certificates, and licenses that are mandated to be on

display by any local, county, state, or federal law or authority.

SIGN, FACE: The surface of a sign intended for viewing by the public. Each face of a sign contributes towards the sign area allowance. A sign with two-faces is equivalent to two signs.

SIGN, GASOLINE SERVICE STATION: A sign meant to identify the location of a gasoline service station, placed on a large, raised pole.

SIGN, HOME OCCUPATION: A sign meant to identify the on-site home occupation.

SIGN, INDIRECTLY ILLUMINATED: A sign illuminated with an artificial light which is separated from or is not an intrinsic part of the sign itself.

SIGN, MOTION: A sign that moves, that appears to move, with content that moves, or with content that appears to move. This includes flashing lights or signs with variable text or images.

SIGN, OPEN/ CLOSED: Any sign indicating the businesses current/ future status to the public (open for business, closed, hours of operation)

SIGN, ON SITE MEMORIAL/MONUMENT: A freestanding sign with a base affixed to the ground, where the length of the base is at least two-thirds the horizontal length of the sign area serving the purpose of commemorating a person, event, structure, etc of significance.

SIGN, PRIMARY IDENTIFICATION: An on-site sign which directs attention to the premises. Such signs include but are not limited to the following: awning, freestanding sign, monument sign, nameplate, wall sign, projecting sign, window sign.

SIGN, PUBLIC SERVICE: Any sign providing information to the public with no commercial intent, such as time, date, temperature, atmospheric conditions, traffic conditions, news, and the like. These signs may use motion and lighting directly on the sign.
SIGN TEMPORARY: A sign directing attention to a special activity or entertainment. Temporary Signs are accessory signs. Temporary signs are intended to be removed after the temporary purpose has been served. Included are for sale, lease, or rent signs, political signs, service signs, posters, special-event signs, construction signs, and the like.

SIGN, CONSTRUCTION: A temporary on-site sign which denotes the architect, engineer, contractor, or other professionals working upon the premises of anticipated, ongoing, or recently completed construction.

SIGN, REAL ESTATE: A temporary sign used for the sale or rental of a piece of property.

SIGN, OFF-SITE: A sign or structure which directs attention to an idea, product, business activity, service, or entertainment which is conducted, sold, or offered elsewhere than upon the lot on which such sign is situated.

SINGLE OWNERSHIP: Possession of land under single or unified control, whether by sole, joint, common or other ownership or by a lease having a term of not less than thirty years, regardless of any division of such land into parcels for the purpose of financing.

§ 280.105 SIGNS

A. Purpose and Intent

1. To ensure a fair level of competition for all new and existing businesses by treating existing and new signs equally.
2. To enhance and protect the physical appearance of the Village of Painted Post.
3. To protect property values.
4. To promote and maintain visually attractive, high-value residential, business, and industrial districts.
5. To promote the economic well being of the community by creating a favorable physical image.
6. To preserve scenic views and the visual character of neighborhoods, historic districts and parkland.
7. To ensure that signs are located and designed to:
 - i. Protect citizens' rights to free speech.
 - ii. Provide an effective means of directional information in the community.
 - iii. Afford the community an equal and fair way to advertise and promote its products and services.
 - iv. Reduce sign clutter and the distractions and obstructions that may contribute to traffic accidents, and to reduce hazards that may be caused by signs overhanging or projecting over public rights-of-ways.

General Provisions in All Districts

1. No sign may be erected or established in the Village except in conformance with the standards in this section.
2. All signs and parts therein must be adequately anchored.
3. The owner of any off-site sign shall obtain written permission from the owner of the land on which it is to be located. All off-site signs shall be included in the accessory sign calculations for the land on which they are located.
4. All signs in excess of sixteen (16) square feet shall require a building permit and shall comply with applicable regulations of the Building Code.
5. No permanent or temporary sign shall be erected or placed in a road right-of-way or at or near the intersection of any streets in such a manner as to cause a traffic hazard at the intersection; or at any location where, by reason of the position, shape, or color of the

sign it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the word, Stop, Look, Drive-in, Left, or any other words, phrase symbol, or character in such a manner as to interfere with, mislead or confuse traffic.

6. No sign shall be attached to a Village, State or public utility pole, post, mast or similar support device or to a tree on public property.
7. No communications tower, aerial array, satellite dish, or accessory facility shall display any signs, except for safety signs.
8. All signs shall be set back a minimum of ten (10) feet from any lot line unless otherwise specified.
9. The provisions of this section shall not apply to public service signs. These signs are permitted in any district.
10. The level of appropriate lighting allowed for security lighting and indirect lighting is determined at the discretion of the Village of Painted Post Planning Board.
11. All regulations apply to each face of the sign. A two-faced sign is equivalent to two signs and both sides contribute towards the total square footage allowance.

Prohibited Signs

Billboards and motion signs are prohibited.

Nonconforming Sign

Any sign existing legally at the time of adoption of this Ordinance or amendments thereto that does not conform to this Ordinance or amendments thereto is considered "nonconforming." See also Article X "Nonconforming Buildings and Uses."

Lapse

The message of an abandoned sign shall be removed within sixty (60) days from the discontinuance of use or after written notification from the Code Enforcement Officer whichever is later. Upon failure to comply with such notice within the time specified in such order, the Code Enforcement Officer is hereby authorized to cause removal of such Painted Post sign (Zoning Law July 12th, 2010 Page 62) at a reasonable cost. Any expense incident thereto shall be paid by the owner of the building or structure to which such sign is attached.

Illuminated Signs

- Illumination of signs shall not be intermittent or of varying intensity and may not produce glare beyond the limits of the property lines. Public service signs are exempt from this section.
- Illuminated signs shall either cease to be illuminated when the establishment is not open to the general public or at 10:00 PM whichever is later, or be reduced to security levels. Public service signs are exempt from this section.

Temporary Signs

Temporary signs will be removed or replaced after a maximum period of ninety (90) days of display. Temporary signs shall be set back a minimum of ten (10) feet from any lot line.

- No temporary sign shall be placed on public property without the written consent from the Village Board of Trustees or their agent. Violations will result in the immediate removal and disposal of the sign by the Village Police Department/DPW.

Signs Permitted in Any District

Construction Signs: Each sign shall be removed within thirty (30) days after construction is completed.

On Site Memorial/Monument Signs: Each sign shall display a message not larger than eight (8) square feet. The display shall be permanently affixed so that the top of the message is not more than nine (9) feet from the average ground surface on the site. Memorial signs and tablets count towards the square footage of accessory signs permitted onsite.

Directional Signs: Two (2) directional signs, each not exceeding four (4) square feet in area, indicating or calling attention to traffic entrances and exists, nor shall they be nearer than five (5) feet to any lot line, and they shall not project more than four (4) feet above grade.

Open/Closed Signs: Each establishment within a lot may display one (1) sign indicating the current open or closed state of the business.

Primary Identification Signs: An on-site sign which directs attention to the premises is allowed and may serve the purpose of identifying a business. These may be indirectly illuminated.

ZONE SPECIFIC REGULATIONS

Size specifications for each type of sign allowed in each zone are in table X.

SIGNS IN LDR AND MDR DISTRICTS

1. Permanent off-site signs are prohibited.

SIGNS IN UC, UCR, PCD, PDD AND PRD DISTRICTS

1. Indirectly and directly illuminated signs are permitted.

SIGNS IN THE BUSINESS DISTRICT-B

1. Indirectly and directly illuminated signs are permitted.
2. Additional sign consideration that applies to Adult Uses: Adult Uses signs must display only the name of the establishment and type of Adult Use in block lettering and muted colors.

SIGNS IN THE INDUSTRIAL DISTRICT - I

1. Indirectly and directly illuminated signs are permitted.
2. Two (2) primary identification signs each having a single face area of not more than one hundred fifty (150) square feet may be displayed for each establishment. If free standing signs face substantially at right angles to the road and are visible from more than one direction, they shall have a face area of not more than three hundred (300) square feet.

The supports for such signs shall not be located nearer than ten (10) feet to any property line. These signs shall not extend more than twenty (20) feet above the ground or more than five (5) feet above the height of the roof of a building at the point of location of signs. Accessory signs may also be permitted the total area of such signs shall not exceed an area of three hundred (300) square feet.

Sign Area Allowance by District

Type of Sign	LDR, MDR, UC, UCR	PCD, PDD, PRD, B	District I
Open/Closed	2 signs up to 4 sq. feet in area each, with an aggregate area up to 8 sq. feet	2 signs up to 4 sq. feet in area each, with an aggregate area up to 8 sq. feet	2 signs up to 4 sq. feet in area each, with an aggregate area up to 8 sq. feet
Real Estate	2 signs up to 8 sq feet in area	2 signs up to 8 sq feet in area	Multiple signs with an aggregate area up to 30 sq. feet in area
Permanent off-site		Multiple signs with an aggregate area up to 20 sq. feet in area	Multiple signs with an aggregate area up to 20 sq. feet in area
Accessory	Multiple signs up to 32 sq. feet in area	Multiple signs with an aggregate area up to 30% of the total building exterior square footage (including windows), not to exceed 120 sq. feet in total	Multiple signs with an aggregate area up to 30% of the total building exterior square footage (including windows), not to exceed 120 sq. feet in total
Directional	2 per building with an aggregate area up to 4 sq. feet	2 per building with an aggregate area up to 4 sq. feet	2 per building with an aggregate area up to 4 sq. feet
Business Identification	2 signs that can be up to 32 sq feet in area each	2 signs up to 120 sq feet in area each	2 signs that can be up to 150 sq feet in area each (300 in total); up to 10 ft above the ground or 5 feet above height of roof or building
Home Occupation	1 sign up to 8 sq feet in area	1 sign up to 8 sq feet in area	
Gasoline Service Station		1 pole sign up to 20 feet in height and up to 90 sq. feet in area	1 pole sign up to 20 feet in height and up to 90 sq. feet in area

Each face of a sign contributes to the area allowance. If a sign has two faces then each side will be calculated into the total and the total must fall below the threshold defined in the chart above.