

Chapter 86

SIGNS

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[HISTORY: Adopted by the Town Board of the Town of Watertown 6-10-2010 by L.L. No. 3-2010; amended in its entirety 5-7-2020 by L.L. No. 1-2020. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Zoning — See Ch. 107.

§ 86-1. Title and authority.

This chapter shall be known as the "Town of Watertown Sign Control Law." It is adopted pursuant to the authority of Articles 2 and 3 of the Municipal Home Rule Law.

§ 86-2. Purpose.

- A. The purpose of this chapter is to promote a more attractive economic and business climate, enhance and protect the physical appearance of the Town, and provide a more enjoyable and pleasing community. This chapter is intended to protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising signs, and outdoor signs of all types. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents and curb the deterioration of the Town's appearance and attractiveness, and protect property values.
- B. This chapter is intended to promote attractive signs that clearly present the visual message in a manner that is compatible with their surroundings. The appearance, character and quality of a community are affected by the location, size, construction and graphic design of its signs. Therefore, such signs should convey their messages clearly and simply to enhance their surroundings.

§ 86-3. Definitions.

As used in this chapter, the following terms shall have the meanings as indicated:

BILLBOARD (OFF-PREMISES ADVERTISING) — Any outdoor advertising board which directs attention to a business, commodity, service or entertainment conducted, sold, offered or manufactured at a location other than the premises on which the sign is located.

BUILDING ELEVATION — The front, back, or side of a building, or a drawing of one of these, also known as a building facade.

INDUSTRIAL PARK — A planned, coordinated development of a tract of land with two or more separate industrial buildings. Such development is planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation, and open space.

INDUSTRIAL PROJECT — A project designed and intended for the purpose of providing facilities for manufacturing, warehousing, research, business or other industrial or commercial purposes, including but not limited to machinery and equipment deemed necessary for the operation thereof (excluding raw materials, work in process or stock in trade), on land acquired or to be acquired by the authority for the establishment of an industrial park.

MESSAGE DURATION — The time a single message or frame is visible, also known as a "message hold time."

SIGN — Any device for visual communication used for the purpose of bringing the subject to the attention of the public, but not including any flag, badge or insignia of any government or governmental agency or of any civic, charitable, religious, patriotic, fraternal or similar organization. For the purpose of this chapter, the definition of sign shall not include billboards.

SIGN, EVENT — A freestanding sign used for special occasions such as weddings, birthdays, anniversaries, holidays, parties and other residential special occasions.

SIGN, FREESTANDING — Any nonmovable sign not affixed to a building.

SIGN, LIGHT-EMITTING-DIODE (LED) — A diode is an electrical component with two terminals, which conduct the electricity only in one direction. With an electrical current passing through a microchip, the diode emits a bright light and illuminates a bulb or fixture as visible light. An LED sign uses LED lighting products for general lighting applications.

SIGN, MONUMENT-STYLE — A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than a support pole or poles.

SIGN, ON-PREMISES MULTITENANT — A freestanding monument-style sign located on premise used to identify shopping centers, industrial parks or any area having more than one business or contractual franchise.

SIGN, OFF-PREMISES MULTITENANT — A freestanding monument-style sign located off-premises used to provide information for businesses and services within any area having more than one business or contractual franchise and intended for directional purposes only.

SIGN, OFF-PREMISES — A sign which advertises goods or services not located on the premises upon which the sign is located.

SIGN, ON-PREMISES — A sign which advertises the goods or services taking place upon the premises on which the sign is located.

SIGN, ROOF-MOUNTED — A sign erected, constructed, or maintained upon a roof, or which projects above the roofline of a building.

SIGN, TEMPORARY PORTABLE — A sign not permanently affixed to a structure or the ground.

SIGN, WALL — A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than 12 inches from such building or structure.

TRANSITION DURATION — The time it takes the transition method to go from one message or frame to the next message or frame.

TRANSITION METHOD — A visual effect applied to a message to transition from one message to the next. Transition methods include, but are not limited to the following:

- A. STATIC — A transition method accomplished by changing frames instantaneously.
- B. SPECIAL EFFECTS — A transition method accomplished by varying the light intensity or pattern, where the first frame gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second frame. Common special transition effects include, but are not limited to, dissolve, shutter, wink, radar, and scroll.
- C. ANIMATED — A transition method which has any visible moving part, flashing or osculating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, flash, osculate or visibly alters in appearance in a manner that is not permitted by these regulations.

§ 86-4. Permit required.

- A. Any new sign or physical changes to an existing sign require a permit from the Zoning Enforcement Officer, except those signs listed in §§ 86-6 and 86-7 of this chapter. A permit shall not be required for conforming signs unless structural alterations are involved.
- B. Any new billboard or physical changes to an existing billboard require a permit from the Zoning Enforcement Officer. Replacement of a billboard face shall not require a permit.
- C. Any new temporary portable sign requires a temporary permit from the Zoning Enforcement Officer.
- D. Application for a permit shall be made on a form provided by the Town of Watertown. Fees collected with regard to these permits shall be set by resolution of the Town Board.
- E. Following formal submission to the Zoning Enforcement Officer, this officer shall refer all applications to the Planning Board within five days for advice on consistency with the requirements outlined in this chapter. The Planning Board shall approve, disapprove, or approve with conditions the application within 62 days of receipt of the

application. The Planning Board shall notify the applicant and Zoning Enforcement Officer within five days of the decision.

- F. The Zoning Enforcement Officer shall issue a permit within seven days of receipt of a decision of the Planning Board to approve or approve with conditions.

§ 86-5. Prohibited signs.

The following signs shall not be allowed at any location:

- A. Signs and devices having moving parts, including banners, ribbons, streamers, pennants, spinners or other similar moving, fluttering, or revolving devices.
- B. Flags intended for advertising that extend 24 inches or more horizontally from a pole or structure.
- C. Signs which have flashing, moving, rotating or intermittent lights.
- D. Signs on vehicles that are unregistered, unlicensed and/or uninsured.

§ 86-6. Exempt temporary signs.

A permit shall not be required for the following temporary signs:

- A. Announcing signs: one sign per road frontage of a building which is under construction, structural alteration or repair, announcing the character of the building enterprise or the purpose for which the building is intended, or one sign per other construction project, including names of architects, engineers, contractors, developers, financiers, and others, not to exceed 32 square feet. Placement shall not exceed 15 days following completion of the project.
- B. Real estate signs: one sign per road frontage not to exceed 32 square feet advertising the sale, rental, or lease of the premises on which displayed. Placement shall not exceed 15 days following the sale, rental or lease of the property.
- C. Subdivision signs: one sign per road entrance to the subdivision and located on the property to be subdivided, not to exceed 32 square feet. Such sign may not be erected until the subdivision has been approved by the appropriate officials. Placement shall not exceed 15 days from the date of subdivision approval. The display period may be extended upon approval of the Planning Board for a reasonable period of time, not to exceed one year at any given time.
- D. Sale ad signs: signs advertising special sales of goods or merchandise which will be on sale for no longer than one month. Such signs shall be removed within 15 days of the termination of the sale.
- E. Campaign signs: political posters, banners, promotional devices, and similar signs, not to exceed 32 square feet. Placement shall not exceed 15 days after the election to which they relate.

- F. Window posters: nonilluminated window signs and posters not to exceed 32 square feet. Such signs shall be removed within 15 days of the termination of the sale or the event to which they relate.
- G. Roadside stand signs: one sign for roadside stands selling agricultural produce grown on the premises in season, not to exceed 32 square feet. Such signs shall be removed within 15 days of closure of the roadside stand for the season.
- H. Event signs: signs advertising one-day events not to exceed 32 square feet. Signs shall be removed within 5 days following the event.

§ 86-7. Other exempt signs.

A zoning permit shall not be required for the following permanent signs:

- A. Flags: official flags of government jurisdictions, including flags indicating weather conditions and flags which are emblems of on-premises religious, charitable, public, and nonprofit organizations.
- B. Plaques: commemorative plaques placed by historical agencies recognized by the Town, the county or state.
- C. Architectural features: integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
- D. Parking signs: signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
- E. Residential signs: signs bearing only property numbers, post box numbers, or names of occupants of premises, not to exceed two square feet.
- F. Ornamental manor signs: signs of monument style for private residential use not to exceed eight square feet.
- G. Driveway signs: signs bearing only the name of a driveway, not to exceed one square foot, and using a color scheme distinctly different than that of the color scheme used for official town or county road signs.
- H. No trespassing and/or posted signs: signs indicating private property, not to exceed one square foot.
- I. Advertising flags: flags 24 inches or less in width extending from a pole or structure.
- J. "Open" signs: "open" signs of less than two square feet in area affixed to the interior of the building, whether blinking, flashing, or steady, indicating the business is open.

§ 86-8. Sign standards.

- A. On-premises signs shall be subject to the following standards:
 - (1) Each business establishment shall be allowed one primary wall or roof-mounted sign per building elevation. Secondary signage shall be allowed provided that the

total area of all signs on any building elevation does not exceed 15% of the square footage of the building elevation.

- (2) On multitenant buildings, a single multitenant sign shall be permitted on noncustomer entry sides of building facades. Each individual tenant sign shall be part of a master sign for all tenants and shall be made of uniform material, color, size and style, and any lighting shall comply with requirements under § 86-8E of this chapter.
 - (3) Freestanding signs shall be monument style.
 - (4) Vegetative signs shall be limited to the name of the establishment on the premises.
 - (5) Groups of related signs or multiple signs located on the same premises of an industrial park or proposed in an industrial project shall express uniformity and create a sense of harmonious appearance.
- B. Off-premises signs shall be subject to the following standards:
- (1) Wording and graphics of off-premises signs shall be limited to the name of an establishment, its principal service or purpose, address location number, and/or phone number.
 - (2) Monument style set off by appropriate landscaping at the base, and shall not exceed eight feet in overall height.
 - (3) Sign face shall have a maximum width of 48 inches and maximum height of 30 inches.
 - (4) Off-premises signs shall only be allowed in the Business, Neighborhood Commercial, and Manufacturing zoning districts.
- C. Off-premises multitenant signs shall be subject to the following standards:
- (1) Wording of off-premises multitenant signs shall be limited to the names of the establishments and directional arrows.
 - (2) Monument style set off by appropriate landscaping at the base, and shall not exceed ten feet in overall height.
 - (3) Individual tenant signs shall be a maximum eight inches in height by three feet wide.
 - (4) All individual tenant sign spaces shall be uniform material, color and style.
 - (5) Off-premises multitenant signs shall only be allowed in the Business, Neighborhood Commercial and Manufacturing zoning districts.
- D. Temporary portable sign. Temporary portable signs may only be used to announce the grand opening of a new business, the closing of an existing business, or up to four special events per year, but in no event shall such signs remain more than 30 days. These signs shall be limited to 32 square feet in size
- E. All signs are subject to the following standards:

- (1) Freestanding signs shall be lower, monument style set off by appropriate landscaping at the base.
- (2) All signs, including wall and roof-mounted signs and excluding LED signs, shall meet the following setback, height, and area regulations:

	On State Highway		On County Highway		On Local Road (Town or private)	
	Within 50 feet of front lot line	More than 50 feet from front lot line	Within 50 feet of front lot line	More than 50 feet from front lot line	Within 50 feet of front lot line	More than 50 feet from front lot line
Setbacks	Within 50 feet of front lot line	More than 50 feet from front lot line	Within 50 feet of front lot line	More than 50 feet from front lot line	Within 50 feet of front lot line	More than 50 feet from front lot line
Maximum overall height	20 feet above road level	20 feet above ground level	16 feet above road level	16 feet above ground level	10 feet above road level	10 feet above ground level
Maximum area for free-standing single purpose on-premises signs	75 square feet		50 square feet		25 square feet	
Maximum area for on-premise multitenant signs	150 square feet		100 square feet		50 square feet	

Note: Sign area shall exclude ornamental base and structural framework.

- (3) Signs should be designed to be compatible with their surroundings and should be appropriate to the architectural character of the buildings for which they serve.
- (4) Signs should be simple in terms of colors, typefaces, and symbols in order to reduce visual chaos. Combinations of upper- and lower-case letters are encouraged, and image area should not exceed half the total sign area.
- (5) Each business establishment shall be allowed one freestanding sign on each side of the property with frontage on a public road. Where there are multiple businesses or franchises on a single parcel, all signage shall be included in a multitenant sign, except where there are several principal businesses, and the parent company(s) provides the Planning Board written notice that an individual sign is required by that company. Where multiple signs are permitted by the Planning Board for a lot frontage, the total square footage of all freestanding

signs shall conform with the maximum square footage of multitenant signs specified in § 86-8E(2) (sign standards).

- (6) Illuminated signs and lighting devices shall not be placed or directed so as to cause glaring or nondiffuse beams of light to be cast upon any public road, or adjacent premises, or otherwise cause glare or reflection that may constitute a traffic hazard or nuisance.
- (7) Signs shall not be attached to, painted or drawn upon trees or natural features of the site, utility poles, bridges, culverts, towers, or similar structures.
- (8) Signs shall be maintained and kept in good repair, and display surfaces shall be maintained at all times.
- (9) All portions of a sign must be set back at least 15 feet from all lot lines. A sign must not impair a motorist's visibility. This setback shall apply to exempt signs.
- (10) Business signs shall not be allowed in residential districts in the Town of Watertown.
- (11) Vehicles used to advertise a business shall not be parked within 15 feet of a road right-of-way line.

F. LED signs shall be subject to the following standards:

- (1) Brightness and auto-dimming. All LED signs shall be equipped with technology that automatically dims the electronic message center according to ambient light conditions.
- (2) Message duration. A single message or frame should be visible for no less than 10 seconds.
- (3) Transition method. All animated signs are prohibited.
- (4) Transition duration. The transition duration between messages and frames shall not exceed one second.
- (5) Area and square footage. All LED signs shall meet the following area regulations:

	On State Highway		On County Highway		On Local Road (Town or private)	
Setbacks	Within 50 feet of front lot line	More than 50 feet from front lot line	Within 50 feet of front lot line	More than 50 feet from front lot line	Within 50 feet of front lot line	More than 50 feet from front lot line
Maximum overall height	20 feet above road level	20 feet above ground level	16 feet above road level	16 feet above ground level	10 feet above road level	10 feet above ground level

	On State Highway	On County Highway	On Local Road (Town or private)
Maximum area for free-standing single purpose on-premises signs	37.5 square feet	25 square feet	12.5 square feet
Maximum area for on-premise multitenant signs	75 square feet	50 square feet	25 square feet
Maximum area for wall and roof-mounted LED signs	50 square feet	50 square feet	50 square feet

Note: Sign area shall exclude ornamental base and structural framework.

§ 86-9. Billboards.

Billboards shall be subject to the following standards:

- A. A minimum gross surface area of 200 square feet or a maximum gross surface area of 400 square feet in any one direction.
- B. A maximum of two sign faces in any one direction per structure.
- C. May have two directional exposures placed in either a back-to-back or "V" configuration.
- D. A maximum of one vertical support constructed of noncorrosive material.
- E. Billboards shall only be allowed in the Business and Manufacturing zoning districts. In the Neighborhood Commercial zoning district, billboards shall only be allowed along U.S. Route 81 if all required setbacks are met.
- F. No billboard shall be erected closer than 600 feet to an existing or proposed billboard.
- G. Any part of a billboard shall be set back a minimum of 40 feet from the right-of-way line and a maximum of 200 feet from the right-of-way line on a state highway and 500 feet on U.S. Route 81. No billboard shall be located on a county or Town highway or local road.

- H. Billboards shall not be within 1,000 feet of any existing residential structure.
- I. Billboards shall not be within 500 feet of any existing business or manufacturing structure.
- J. Digital billboards shall have no moving, streaming, or animated messages. There shall be at least a ten-second message duration. All digital billboards must have the capability to network with county emergency officials.

§ 86-10. Appeals.

Appeals from any actions, decisions, or rulings of the Zoning Enforcement Officer or for a variance from the strict application of the specific requirements of this chapter may be made to the Town of Watertown Zoning Board of Appeals. Requests for all appeals shall be made in writing to the Zoning Board of Appeals not later than 30 days of the act, decision, or ruling from which relief is sought.

- A. Appeals Fees. Appeals fees shall be established by Town Board resolution.
- B. Public Hearing. Within 62 days after receiving the written request, the Zoning Board of Appeals shall hold a public hearing on the appeal, with prior notice published in the official newspaper of the Town of Watertown at least five days before the date of the hearing and specifying the date, place, time, and purpose of the hearing.
- C. Decision of Zoning Board of Appeals. Within 62 days of the final adjournment of a public hearing, the Zoning Board of Appeals shall approve, approve with conditions, or disapprove the application. The decision of the Zoning Board of Appeals shall be in writing and shall contain findings and the factual basis for each finding from the record of the hearing, which shall support the decision of the Zoning Board of Appeals. As part of any decision, the Zoning Board of Appeals shall direct the Zoning Enforcement Officer to issue any appropriate permit in conformity with its ruling and shall state a time by which such permit shall be issued, in conformity with this chapter.
- D. Criteria for Variances. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighted against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider whether:
 - (1) An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance;
 - (2) The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance;
 - (3) The requested variance is substantial;
 - (4) The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood; and

- (5) The alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the variance.

§ 86-11. Nonconforming signs.

When structural modifications or any additions are made to nonconforming signs, those signs shall be made to conform to this chapter.

§ 86-12. Violations and penalties.

Any person who shall violate any provision of this chapter shall be guilty of a violation as defined in Article 10 of the Penal Law and shall upon conviction be subject to a fine of not more than \$250, imprisonment for not more than 15 days, or both fine and imprisonment. Each week's continued violation shall constitute a separate and distinct offense.

§ 86-13. Civil proceedings.

In addition to the relief provided in § 86-12, the Town may seek compliance with this chapter in an application to a court of competent jurisdiction for injunctive relief. In addition, any person who violates any provision of this chapter shall also be subject to a civil penalty of not more than \$500, which may be recovered by the Town of Watertown in a civil action in a court of competent jurisdiction. Each week's continued violation of this chapter shall, for the purposes of this provision constitute a separate and distinct violation. In the event the Town of Watertown is required to take legal action to enforce this chapter, the violator will be responsible for any and all necessary costs relative thereto, including attorneys' fees, and such expense shall be charged to the property so affected by including such expense in the next annual tax levy against the property.

§ 86-14. Severability.

The provisions of this chapter are severable, and the invalidity of a particular provision shall not invalidate any other provision.

