BRONXVILLE PLANNING BOARD

REGULATION NO. 4

Revised October 14, 2002

BUSINESS ESTABLISHMENT S I G N S

Authority

Pursuant to authority granted to it by Sections 7-718, 7-222, 7-255 and 7-726 of Article VII of the Consolidated Laws of the State of New York and also pursuant to authorization granted to it in Section 310-23 of the Zoning Law of the Village of Bronxille (the "Zoning Law"), the Planning Board of the Village of Bronxville hereby adopts the following rules and regulations with respect to signs and elements thereof to be displayed on or in business establishments. This Regulation supersedes and replaces Regulations Nos. 2 & 3.

A. Introduction

A "sign" is defined in Section 310-23 of the Zoning Law. This and other definitions of terms from the Zoning Law, which are pertinent to understanding this Regulation, are attached in Appendix A. A decal is included within the definition of a sign.

The Village of Bronxville strictly regulates signs on and in business establishments.

The Zoning Law and this Regulation specify standards and conditions for displaying such signs. The Zoning Law and this Regulation also specify which types of signs are permitted and which are prohibited on or in business establishments. The Zoning Law and this Regulation further specify which signs may be displayed on or in business establishments only with a permit and the procedure for obtaining permits.

B. Purposes and Intent

(1) The purpose of this Regulation is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor signs of all types and certain indoor signs. It is intended to protect property values and create a more attractive economic climate; to protect and enhance the physical appearance of the community and preserve its scenic, man-made and natural beauty, by ensuring that signage is appropriate to the character of the Village and its commercial district as a first class residential village; to reduce sign distractions and obstructions that may contribute to traffic accidents and to reduce hazards which may be created by signs projecting over sidewalks or streets; and to regulate signs in a manner consistent with the legislative intent and purposes set forth in Section 310-43(A) of the Zoning Law.

(2) In its physical proximity and architectural character the commercial area of the Village is an integral part of the residential community. The streetscape of the

commercial area is defined by such elements as the ensemble of typically one and two story facades, individually diverse in style but together forming a harmonious building wall; the continuity of ground floor retail uses and window displays, and the march of lamp standards mounted by unitary white glass globes which at night capture the eyes and are singularly memorable in their presence. The overall impression is one of repose.

Signs whether interior or exterior, unlit or illuminated, should neither compromise nor distract from this valued formal quality. As viewed during the day or at night signs should comprise a subordinate element which informs and embellishes, but does not compete with or obscure the architectural integrity of the individual building facades and the character of the street as a harmonious ensemble. Especially during the evening the street lamps should be seen as the dominant visual element of the street, supplemented by the flow of illumination from store windows, and not confused in their impression by other illumination of less appropriate character.

The use of illuminated signs on the exterior of buildings is discouraged. Rather, the interior nighttime lighting of shop windows is desired and encouraged, offering as it does the interest of illuminated display and contributing an attractive quality of light to the street, making the Village center an inviting and enjoyable place in which to stroll or pass through during the evening. Interior nighttime lighting also increases the security of the Central Business District.

C. General Standards for Signs

(1) The design, character, size and scale of signs shall be in keeping with and appropriate to the architectural design of the building or structure upon which they are placed, the design of neighboring properties and adjoining signs and the character of the Village and its commercial districts.

(2) All signs, including those on an awning or located on or within a building, shall be maintained in good condition at all times. All missing or damaged letter forms are to be replaced or repaired.

(3) Each business establishment shall be permitted to display only one or two principal signs, as applicable, one secondary sign, informational signs and advertising signs, provided that such sign or signs comply with the requirements of the Zoning Law and this Regulation.

D. Principal Signs

(1) Number:

The number of principal signs for each business establishment shall be limited to one per street facade with a maximum of two signs per business establishment in the case of buildings located on the corner of a public right-of-way. A principal

sign may be displayed on the building or an awning or within a window, but not in more than one such location per street facade.

(2) Content:

Principal signs shall be limited to the business name and description of the principal business activity conducted on the premises. Product or service advertising is prohibited. Trade names and logotypes separate from the name of the business, whether owned or not owned by the business, are prohibited unless approved by the Design Review Committee.

(3) Location:

(a) Where the design of an existing building facade incorporates a specific area for signs, the height and length of the principal signs shall be restricted to the dimensions of such location.

(b) Principal signs shall be placed parallel to the facade of the building and, except for those on theater marquees or awnings, no part of a principal sign shall project more than two inches beyond the face of the building surface to which it is applied, nor extend beyond the building in any direction.

(4) Type:

(a) Except as provided in subsection (b) below, principal signs shall consist of individual letters and symbols painted or separately mounted to the appropriate area of the building façade, awning or window.

(b) Sign panels are prohibited on a building façade or awning except where necessitated by the particular limitations of the building architecture or materials and provided they are effectively integrated with the design and architectural character of the building facade, and not mounted over architectural features of the building design.

(5) Size

(a) The maximum overall height of letter groups (including upper and lower case letters) and graphic symbols with respect to a principal sign other than an illuminated sign shall be 12 inches, unless otherwise approved by the Design Review Committee as in keeping with the size of the building facade. The maximum overall height of such letter groups and graphic symbols with respect to illuminated signs shall be 8 inches, unless otherwise approved by the Design Review Committee as in keeping with the size of the building facade. Where there is more than one line of letters and symbols, the combined height of letters and symbols shall not exceed 15 inches including the span between the lines, unless otherwise

approved by the Design Review Committee as in keeping with the size of the building façade.

(b) The minimum thickness of letter forms and graphic symbols, other than those painted on the surface, shall be 3/8 inches.

(c) The maximum height of any sign panel where permitted shall be 18 inches, unless otherwise approved by the Design Review Committee as in keeping with the size of the building facade.

(6) Color; Material:

(a) Principal signs shall be limited to two colors. Black, white, natural finish and tints of the same color shall be considered separate colors. Iridescent and bright colors are prohibited. The use of natural bronze, aluminum, stainless steel metals, and genuine gold or silver leaf is permitted, along with plastic or composite materials which simulate any of the foregoing.

(b) Clear transparent plastic, a minimum 1/2 inch thick, may be used for a principal sign where displayed within a storefront window.

(c) Except as provided above, the use of plastic and plastic laminated materials of any type is prohibited.

(d) Panels, where permitted, shall be of weather resistant composite materials, including edge banding. Suitable alternate materials may be used subject to Design Review Committee approval.

E. Secondary Signs

The name of each business conducted in a business establishment may be displayed in a secondary sign in letters of a single color on the main entrance door in letters not exceeding two inches high or on the bottom edge of one awning in letters not exceeding four inches high, but not both. An additional secondary sign may be displayed in one window of a second floor business establishment in letters not exceeding four inches high.

F. Informational Signs

Signs, not exceeding one square foot in total surface area of all such signs, relating to business hours, entrance and egress, licenses, credit cards or as required by law ("informational signs") may be affixed to the glass of a window or door. All informational signs must be displayed in the same area of the window or door.

G. Advertising Signs

Advertising display panels, posters, and similar graphic material relating to general sales, product and service advertising, and events ("advertising signs") may be displayed, subject to the following:

(1) No dimension shall exceed 30 inches.

(2) Advertising signs shall be professionally rendered and neatly displayed and shall be mounted on firm, flat material.

(3) Advertising signs shall be individually supported on easels, mounted on a wall, or suspended from the ceiling in a true and square manner.

(4) No advertising sign shall be displayed closer than nine inches from any point to a display window. Advertising signs shall not be affixed to the interior surface of the glass.

(5) Advertising signs containing letter forms displayed on solid or opaque material may not exceed 10% window coverage. The total size of advertising signs may not exceed 20% window coverage, including both letter forms displayed on clear transparent material and letter forms on solid or opaque material. Letter forms shall not exceed 4 inches in height.

(6) Not more than two posters concerning events sponsored by not-for-profit organizations, with dimensions not to exceed one foot by one and one-half feet, may be displayed without a permit on the door of a business establishment, notwithstanding the restrictions set forth in paragraph (4) above. Such posters must be removed on the next business day after the event is scheduled to occur.

(7) Space available signs not exceeding 18 inches x 24 inches in size with a maximum letter height of 6 inches shall be permitted, provided all signs identifying the previous tenant have been removed. Letter style shall be upper and lower case with capital initials for each word and lower case in the body. Information contained shall be limited to "Space Available" and a telephone number to contact. Such signs shall have a white background. Material shall be rigid board or plastic panel. (Standard sign may be obtained through the Chamber of Commerce). Space available signs not meeting these requirements are subject to Design Review Committee approval.

H. General Regulations Pertaining to Illuminated Signs

(1) One self-illuminated sign per facade which identifies the name of the business and/or the principal business activity or service provided, and which existed before January 1, 1986, is permitted to continue not withstanding that it does not conform to the intent of the Zoning Code and this Regulation for the future. Such

signs may not be replaced in kind and once removed may be replaced only with a sign conforming to the Zoning Code and this Regulation. Each business which retained an illuminated sign in accordance with this Regulation must have submitted a 3 1/2" x 5" photograph or Polaroid illustrating the sign and thereby defining its location to the Superintendent of Buildings prior to April 8, 1987.

(2) Subject to Planning Board approval, a maximum of one externally illuminated sign (Type C or D) as a principal sign, identifying the name and type of the business will be permitted per street facade whether on the exterior of the building, located in the window, or within the interior arranged in a manner intended to be seen by passers-by.

(3) Except as set forth in subsection (l) above, the use of self-illuminated signs (Type A or B) on the exterior of a building, or interior of a building located closer than five feet from any point to a display window or elsewhere within the interior in a manner to be viewed principally by passers-by is prohibited.

(4) General regulations for principal signs noted in Section D above shall apply to externally illuminated signs.

(5) The light sources providing the illumination for externally illuminated signs (Type C & D) shall be one of two types:

a. Ornamental incandescent fixture mounted to the facade of the building with a maximum projection of 15 inches, or

b. Concealed continuous strip with incandescent or fluorescent lamps mounted immediately adjacent to the plane of the building facade and enclosed, with minimum projection of four inches.

(6) The design and appearances of light fixtures shall be fitting and appropriately integrated with the architectural character of the building facade and that of its neighbors.

(7) Light sources shall be:

a. shielded or screened in a manner not to be seen by passers by from a normal viewing angle. Intense or glaring light is to be avoided;

b. limited to natural white incandescent, fluorescent lamps or metal halide;

c. designed to cause a reasonable, uniform distribution of light upon the full extent of the sign.

I. Permit Application Requirements

(1) Applicability:

A sign permit shall be required for any sign erected or displayed on a building facade on an awning or on or within a window, other than any sign meeting the requirements set forth in Section 310-23(J) of the Zoning Law.

(2) Application for a Permit:

An application for a sign permit shall be made to the Superintendent by submitting five copies thereof upon forms prescribed by the Planning Board and provided by the Superintendent and shall be accompanied by the following:

a. A drawing of the sign, accurately depicting and dimensioning it, with a scale of not less than 1" = 1'-0". The size, style and layout of letter forms and graphic symbols, and materials, colors, and thickness shall be indicated.

b. Samples of each material and color to be used in the sign.

c. Photographs clearly showing the building facade in its entirety and that of the immediately adjoining building. One photograph should be a close-up showing the area where the proposed sign will be placed. (Polaroid and snap-shot size photographs are acceptable).

d. A drawing of each building facade to have a sign showing the main features and materials of the facade, and the location, size and projection of the sign, if requested by the Design Review Committee.

e. Consent to erection of the sign by the owner of the premises on which the sign is to be erected, if the applicant is not the owner.

f. Filing fee as determined by the Board of Trustees.

g. Such additional documents as the Design Review Committee or Planning Board may request.

(3) Standards for Approval:

An application for a sign permit shall not be approved unless the proposed sign meets the requirements of the Zoning Law and this Regulation, including the general standards set forth in Section C.(1) above.

(4) Public Notice:

A copy of the notice of public hearing on the sign application must be conspicuously displayed by the applicant upon the door of the premises in a manner readily visible from the sidewalk fronting the building for a period of ten (10) days preceding any such hearing. A copy of the application and drawings submitted with each application shall be maintained on the premises for public inspection.

(5) Additional Permit Provisions:

Additional provisions regarding sign permits are set forth in Section 310-23 of the Zoning Law.

J. Continued Display and Removal of Signs

Provisions regarding the continued display and removal of signs are set forth in Section 310-23 of the Zoning Law.

K. Violations and Penalties

Violations of this Regulation shall be subject to penal and civil penalties as set forth in Section 310-56 of the Zoning Law.

APPENDIX A

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Revised October 14, 2002

DEFINITIONS OF PERTINENT TERMS:

a. "Advertising sign" shall have the meaning set forth in Paragraph G.

b. "Business establishment". Any premises, either separate or defined by permanent party walls within the building, with a common entrance or entrances for one or more businesses conducted therein.

c. "Erect", when used with respect to signs, means to paint, build, construct, alter, display, relocate, attach, hang, place, suspend or affix. Such term does not include the maintenance and repair but does include the repainting or refinishing of a sign in a manner which changes the color or design of the sign or any of its components.

d. "Informational sign" shall have the meaning set forth in Paragraph F.

e. "Principal sign." Any sign of dimensions larger than those permitted for secondary signs that displays the name of a business.

f. "Secondary sign." Any sign of dimensions not larger than those set forth in Paragraph E that displays the name of a business.

g. "Sign". Any material, structure or device which is (1) composed of letters, pictures or symbols; (2) designed or used for the purpose of attracting, or which does attract, the attention of the public to the subject matter thereof and (3) either located out of doors on the exterior of a building or located inside a building within 5 feet of the window or in a manner to be viewed principally by passers by.

h. "Sign, illuminated". Any sign, including but not limited to neon, in or upon which an artificial light source is utilized in a manner to illuminate the information and graphics of the sign. There are four types:

Self illuminated:

Type A - Direct source wherein the light source itself is shaped and utilized to form the sign (e.g. neon or an array of individual lamps).

Type B - Internal illumination wherein a translucent, transparent or opaque material which forms the sign is back-lighted by the light source and the light source enclosed from direct view.

Externally illuminated:

Type C - Direct external illumination wherein the sign is illuminated by a light source placed in a manner to cast light upon the sign.

Type D - Indirect external illumination where in the sign; whether on an opaque, transparent, or translucent panel or applied to the window of the business establishment is illuminated by ambient light.

i. "Street". Any public or private way, street, avenue or road.

j. "Superintendent". The Superintendent of Buildings of the Village of Bronxville.

Externally illuminated:

Type C - Direct external illumination wherein the sign is illuminated by a light source placed in a manner to cast light upon the sign.

Type D - Indirect external illumination where in the sign; whether on an opaque, transparent, or translucent panel or applied to the window of the business establishment is illuminated by ambient light.

i. "Street". Any public or private way, street, avenue or road.

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