



CITY OF RYE

CITY HALL • RYE, NEW YORK 10580

TELEPHONE (914) 967-5400

Building Department (914) 967-7372

SIGN PERMIT APPLICATION

FEE: \$100.00

Date of Application _____
Name of Business _____
Rye Address of Business _____

Owner of Business

Name _____
Address _____
Telephone _____

Property Owner

Name _____
Address _____
Telephone _____

Applicant, if different from Owner of Business or Property

Name _____
Title _____
Address _____
Telephone _____

Type and Number of Sign(s) Needing a Permit

_____	Primary Sign	_____	Free Standing Sign
_____	Wall Sign	_____	Secondary Sign
_____	Window Sign	_____	Wall Sign
_____	Awning	_____	Window Sign

Signatures

Business Owner _____
Applicant, if different from Business Owner _____
Property Owner _____

Sign permit Application Continued

PROCEDURES:

1. Fill out and sign Page 1.
2. Complete Requirements Checklist, Page 2.
3. Submit application with all required drawings and photographs
4. Attend the Board of Architectural Review meeting.
5. Signs shall be designed in accordance with Chapter 165 of the Rye City Code.

Requirement Checklist

The following items must be submitted with the completed application.
Place checkmark by each item included in this submittal.

General Requirements

Provide Photographs

- Facade of Building
- Complete Facade of Building
- Write name of applicant and address of building on back of pictures

Provide Drawings or Photo renderings of Sign(s) and Building

- Front Elevation (accurate dimensions; minimum scale 1"= 1')
- Side and /or rear elevation as well, if applicable
- Show location of lettering and /or graphic symbol
- Show letter style, height, length and spacing
- Show graphic symbol design, if any and dimensions
- Show colors (or provide color sample)
- Specify materials (or provide material sample)
- Specify or show method of fabrication
- Specify or show method of installation
- For exterior illuminated sign show type, size, number and location of lights
- For interior illuminated sign provide color rendering of nighttime appearance

Specific Requirements For Free Standing Signs (in addition to General Requirements)

- Site Plan Drawing (Minimum scale 1"=20')
- Show distance of sign(s) to building and property lines
- Show location of exterior illumination (if any)

Fee Requirement

- Sign Permit Fee \$100.00 payable to the City of Rye

Rev. 6/1/2016

Board of Architectural Review 2016 Submission and Meeting Dates

Submissions are to be submitted no later than 12:00 noon

<u>Submission Dates</u>	<u>Meeting Dates</u>
December 22, 2015	January 11
January 12	January 25
January 26	February 8
February 9	February 22
February 23	March 7
March 8	March 21
March 22	April 4
April 5	April 18
April 19	May 9
May 10	May 23
May 24	June 6
June 7	June 20
June 21	July 11
July 12	July 25
July 26	August 8
August 9	August 22
August 23	September 12
September 13	September 26
September 27	October 11 (Tuesday)
October 11	October 24
October 25	November 7
November 8	November 21
November 22	December 5
December 6	December 19
December 20	

Close

Print

Resize:



City of Rye, NY
Wednesday, June 1, 2016

Chapter 165. Signs

[HISTORY: Adopted by the Council of the City of Rye 1-20-1999 by L.L. No. 4-1999. Amendments noted where applicable.]

GENERAL REFERENCES

Architectural review — See Ch. 53.

Zoning — See Ch. 197.

§ 165-1. Purpose.

The purpose of this chapter is to establish regulations for the design, construction, installation and maintenance of signs in the City of Rye in order to maintain and protect the attractive and harmonious visual image of the community; permit effective identification of businesses to encourage economic prosperity; protect the aesthetic environment from the unrestricted proliferation of signs and visual clutter; protect property values; and protect the public health, safety and welfare.

§ 165-2. Board of Architectural Review approval.

- A. Signs requiring a sign permit shall be erected, constructed, reconstructed, altered or maintained only after approval by the Board of Architectural Review as to design, colors, materials, illumination, location and size and:
 - (1) When granted a sign permit from the Building Inspector.
 - (2) Upon payment of the required fee as established by the City Council.
- B. The Board may approve signs, provided that such action shall be by majority vote of the entire Board.
- C. The Board, as a condition of approval, may recommend changes that are more restrictive than the limits of this chapter.
- D. If a sign permit application is disapproved, the applicant may appeal the decision pursuant to Chapter 53, § 53-10. The applicant shall request written findings based upon the evidence presented to the Board that the sign would, if erected, constructed, reconstructed, altered or maintained, be contrary to the purposes of this chapter as set forth in § 165-1 by reason of, but not limited to, any of the following:
 - (1) Design distinctly out of character with store units in the same building, existing development in the affected vicinity or adjacent residential neighborhoods, landmarked buildings or districts.
 - (2) Colors that appear inappropriate because they cover too large an area of the sign or are in conflict with the colors of the subject building or surrounding buildings.

- (3) Material that detracts from the surrounding architectural elements.
- (4) Illumination that is inappropriate due to intensity, color and/or glare.
- (5) Location and/or size inconsistent with that of other signs and awnings on the same building or surrounding buildings or the architectural detail of the subject building or surrounding buildings.
- (6) A design which conflicts with other applicable city regulations.

§ 165-3. Enforcement.

- A. No sign permit shall be issued by the Building Inspector until approval has been granted by the Board of Architectural Review.
- B. The property owner is responsible for all signs displayed or erected on his or her property, is responsible for properly maintaining such signs and is responsible for removal of signs if no sign permit has been obtained.
- C. The Building Inspector will notify the property owner of failure to properly maintain signs. Failure to comply with the Building Inspector's order to repair or refurbish a sign is a violation of this chapter.
- D. Any sign requiring approval which has been erected, constructed, altered, reconstructed or maintained without a sign permit must be removed at the property owner's expense. In addition, such action or other failure to comply with the provisions of this chapter is a violation subject to the following quasi-criminal and/or civil penalties:
 - (1) Any person who violates any provision in this chapter shall, upon conviction thereof, be guilty of a violation and shall be punished, for each offense, by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both. Each week of a continuing violation constitutes a separate violation subject to the above penalties.
 - (2) Any person who violates any provision of this chapter or order to remove pursuant to Subsection E below shall be liable for a civil penalty of not more than \$1,500 for each such violation. Each week of continuing violation constitutes a separate violation subject to the above penalty.
- E. This chapter shall be enforced by the Building Inspector in keeping with its provisions and the Building Inspector's rules and regulations.
 - (1) The Building Inspector shall send written notification of violation of this chapter by certified mail, return receipt requested, in the following manner:
 - (a) To the tenant and property owner of a building displaying a nonapproved sign.
 - (b) To the property owner of an unoccupied building or property displaying an illegal sign.

- (2) The property owner or tenant shall remove the sign within two weeks of the date on which the violation notification was postmarked.

§ 165-4. Zoning district definitions.

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

CENTRAL BUSINESS DISTRICT

Those properties located in the "A" or "B" Parking Districts of the City of Rye, those properties located in business districts on the Boston Post Road between Peck Avenue and Central Avenue and those in business districts on Theodore Fremd Avenue between Locust Avenue and Purchase Street. (See accompanying map.)

[1]

NEIGHBORHOOD BUSINESS DISTRICTS

Those properties located in a B-1, B-3, B-4, B-5, B-6 or MC Zoning District and properties containing the following institutions: churches, schools, hospitals, senior housing, parks and wildlife reservations, unless located in the Central Business District as defined in this chapter.

RESIDENTIAL DISTRICTS

All areas not defined in this chapter as being in the Central Business District or in neighborhood business districts.

[1] *Editor's Note: The Zoning Map is included at the end of Ch. 197, Zoning.*

§ 165-5. Signs, definitions; restrictions; exceptions.

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

SIGN

A. SIGN

Any material, structure, device or part thereof containing any advertisement, announcement, notice, graphic symbol, illustration, insignia, picture or representation intended or arranged to be seen from any point outside of the property on which it is located.

B. AREA OF SIGN:

- (1) For signs painted on or applied to a building wall, window or awning, the smallest rectangle that encompasses all the lettering and graphic symbol, or the lettering and graphic symbol together with any background of a different color or material from the natural color or material of the surface on which it is painted or applied.

- (2) For freestanding and projecting signs, the smallest rectangle that encompasses the face of the sign, exclusive of the pole, post or base. Each face with signage is counted into the aggregate area allowed.

- (3) Restrictions for all wall, window, awning and freestanding signs on a single property:

- (a) Maximum aggregate area: 70 square feet.
- (b) Maximum number: three.

C. **AWNING**

A structure made of any fabric material or one incorporated into a frame, attached to a building and projecting over a sidewalk or over the property on which the building is situated. An awning with lettering and/or graphic symbol may be a primary or secondary sign.

(1) Types of awnings:

(a) **RETRACTABLE AWNING**

Any awning supported solely by the wall of a building which can be raised to position flat against the building when not in use.

(b) **MARQUEE**

Any nonretractable awning supported solely by the wall of a building.

(c) **CANOPY**

Any awing attached to a building, carried by a frame supported by the ground or pavement.

(2) Restrictions:

- (a) Awnings may not project over a street or right-of-way other than the sidewalk.
- (b) Lettering or graphic symbol shall be either on the front or on the sides of the awning.
- (c) Primary sign, maximum height of letters and graphic symbol: eight inches.
- (d) Secondary sign, maximum height of letters and graphic symbol: three inches.
- (e) Retractable awning.
 - [1] Minimum vertical clearance above the sidewalk: seven feet.
 - [2] Minimum horizontal clearance to curblines: 18 inches.
- (f) Marquee.
 - [1] Minimum vertical clearance above the sidewalk: eight feet.
 - [2] Minimum horizontal clearance to curblines: four feet.
- (g) Canopy.

[1] Minimum vertical clearance to grade at entrance: eight feet.

[2] No projection over a sidewalk or right-of-way.

[3] Limitation: one per building lot.

[4] Prohibited on Purchase Street.

D. BUSINESS IDENTIFICATION:

(1) **NAME OF BUSINESS**

The common, formal or legal name by which the permitted business occupant wishes to be known (Scott's, Scott Pharmacy, Scott Pharmacy, Inc.).

(2) **NAME OF FRANCHISE**

The name used under license by the business occupant to identify a brand of goods or services offered (if not selected as name of business) (Sav-a-Lot Supply Cartel).

(3) **GENERIC DESCRIPTION**

The business nature of the permitted occupancy (Drugs and Sundries).

(4) **GRAPHIC SYMBOL**

The graphic design not including the name of the business (drawing of a Scottie).

(5) **TAG LINE**

The motto or slogan ("Affordable Health Care Starts Here").

E. **FREESTANDING SIGN**

A sign on supports placed on or anchored in the ground and not attached to a building or other structure.

(1) Types of freestanding signs:

(a) **MONUMENT SIGN**

Has a base affixed to the ground or is mounted on short supports.

(b) **POLE SIGN**

Has vertical pole(s) with the sign securely affixed.

(c) **POST-and-ARM SIGN**

Has a vertical post to which a perpendicular arm is attached and from which the sign hangs.

(2) Restrictions:

- (a) One freestanding sign allowed per property.
- (b) Maximum size: 20 square feet per face.
- (c) Maximum height of a monument sign:
 - [1] Base or supports: two feet.
 - [2] Top: five feet.
- (d) Maximum height of a pole sign: 10 feet to top of sign.
- (e) Maximum height of a post and arm sign: 10 feet to top of sign.
- (f) Minimum distance to side or rear property line that does not abut a street: 10 feet.

F. HEIGHT

- (1) For signs: the vertical distance from the average established grade at the location of the sign to the top of that sign.
- (2) For lettering: the height of the capital letter or the height of the "x" lower case letter, whichever is smaller.

G. IDENTIFICATION SIGN

In a Residential District may be affixed to the structure or be freestanding, and identifies:

- (1) A one-family, two-family or multifamily residence denoting the name of the resident, the permitted professional, home occupation and/or building name.
- (2) A memorial or historic building denoting the name or building and/or date of erection.
- (3) A nonconforming use in a residential district denoting the name of use.
- (4) Restrictions:
 - (a) One-family, two-family or multifamily residence:

Regulation	Signs Affixed to a Structure	Freestanding Signs
Maximum number	1 per residence	1
Maximum size	1 square foot per residence; 20 square feet maximum, whichever is smaller	1 square foot per residence; 20 square feet maximum, whichever is smaller
Maximum height	n/a	3 feet if 15 or less from street; 4 feet if more than 15 feet

	Maximum height of lettering	3 inches	from street	3 inches
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(b) Memorial or historic structure:

Regulation	Signs Affixed to a Structure	Freestanding Signs
Construction	Cut into masonry surface, constructed of bronze or material compatible with the structure	Monument or post-and-arm
Maximum size	n/ a	12 square feet
Maximum height	n/a	10 feet
Maximum height of lettering	4 inches	4 inches

(c) Nonconforming use:

Regulation	Signs Affixed to a Structure	Freestanding Signs
Maximum number	1	1 per street frontage providing access to property
Maximum size	20 square feet	6 square feet per street frontage
Maximum height	n/a	3 feet if 15 feet or less from street; 4 feet if more than 15 feet from street
Maximum height of lettering	3 inches	3 inches

H. ILLUMINATED SIGN

Includes two types of illumination:

- (1) Exterior illumination has a light source directed only toward the sign.
- (2) Interior illumination has the light source contained within the sign.
- (3) Restrictions:
 - (a) Exterior illumination: only white light with shielded source not visible from street, sidewalk or adjacent property.
 - (b) Interior illumination: Illumination shall be confined to the lettering of the name of business or franchise, and this lettering shall appear white when illuminated; none of the background, other lettering or graphic symbol shall be illuminated.
 - (c) Prohibited: unshielded neon; flashing rotating or intermittent illumination, except time and temperature signs.

I. INFORMATION SIGN

May contain but is not limited to the owner's name, phone number and/or hours of operation.

(1) Restrictions:

- (a) Only on a window or a door.
- (b) Maximum coverage: 5% percent of window glass size or overall door size.
- (c) Maximum height of lettering: two inches.

J. PRIMARY and SECONDARY SIGNS:

(1) **PRIMARY SIGN**

The establishment's principal sign, whether on a wall, window, awning or freestanding, identifying the business to passersby, communicating the most pertinent information.

(2) **SECONDARY SIGN**

Provides similar information to the primary sign and shall be smaller in scale.

(3) RESTRICTIONS:

- (a) A primary sign shall have a maximum of three of the following five elements: name of business; name of franchise; generic description; graphic symbol; tag line.
- (b) A secondary sign shall have a maximum of two of the following four elements: name of business; name of franchise; generic description; graphic symbol.
- (c) One primary sign per property except:
 - [1] Corner property. (See "wall sign," "window sign.")
 - [2] Symmetrical windows on either side of door. (See "window sign.")
- (d) If name of business and name of franchise are both used on the sign, one must be significantly smaller than the other.
- (e) All store units in the same building shall have their signs designed so that they shall be compatible and consistent in scale and in placement.
- (f) No more than two different colors shall be used in any lettering.

K. **PROJECTING SIGN**

A primary sign attached to the facade of a building which can be read from either side.

(1) Restrictions:

- (a) Maximum size: eight square feet.

- (b) Maximum projection: four feet.
- (c) Maximum height: 14 feet.
- (d) Minimum clearance above sidewalk: nine feet.
- (e) Limit: one per property.
- (f) Each face is counted into aggregate area allowed.
- (g) No internal illumination is allowed.
- (h) Projecting signs shall be allowed only in the Central Business District.

L. REAL ESTATE SIGN

A sign used to advertise the sale, lease or rental of real property in Residential, Neighborhood Business or Central Business Districts. Real estate signs are temporary; however, for the purposes of this chapter they are considered distinct from temporary signs.

(1) Restrictions for all districts:

- (a) Real estate signs are limited to identifying the owner or owner's agent and/or phone number and "for sale/lease/rent."
- (b) May not be illuminated.
- (c) Must be removed one week after the sale/lease/rental.
- (d) Allowable colors: single-color lettering on white background.

(2) Other restrictions:

Regulation	Residential Districts	Neighborhood Businesses and Central Business Districts	Vacant Lots
Maximum number	1	1 per street frontage	1 per street frontage
Maximum size	12 inches in height by 18 inches in width	9 square feet	1 1/2 square feet per potential building lot
Maximum height of lettering	3 inches	4 inches	4 inches
Maximum height, freestanding	3 feet	4 feet	4 feet

M. TEMPORARY SIGN

-Displayed only for a maximum, specified period of time, is not permanently mounted and may contain advertising or promotional information related to a permitted occupancy.

(1) Restrictions:

- (a) Prohibited in residential districts.
- (b) Only allowed inside a window.
- (c) May not be illuminated.
- (d) Maximum aggregate area: 20% of total window glass area on any given facade.
- (e) Maximum length of time of installation: three weeks.

N. WALL SIGN

Painted on or attached to the outside wall of a building.

(1) Restrictions:

- (a) Maximum size for primary facade: two square feet per lineal foot of facade; maximum 30 square feet.
- (b) Maximum size for side or rear facade: one square foot per lineal foot of facade, or 40% of area of sign on primary facade, whichever is smaller.
- (c) Maximum height lettering: 12 inches.
- (d) Maximum projection: eight inches.
- (e) Maximum number: two.

(2) Exception:

- (a) Allowable size for primary signs on corner property: two signs; each may be half of the sum of sizes allowable for primary and side facades.

O. WINDOW SIGN

Lettering or designs affixed to or painted on a window or located inside in such a way as to be visible from the sidewalk or street. "Window" shall include the entire glassed area within the frame.

(1) Restrictions if a window sign is the primary sign:

- (a) Maximum size: 20% of window size.

(b) Maximum height of lettering: 12 inches.

(2) Restrictions if a window sign is the secondary sign:

(a) Maximum size: 5% of window.

(b) Maximum height of lettering: three inches.

(3) Exceptions if a window sign is the primary sign:

(a) In a corner situation, one window on each facade may have primary signs of equal size within the maximum allowable: 20% of window.

(b) In a symmetrical situation, one window on either side of a door may have primary signs of equal size within the maximum allowable: 20% of window.

§ 165-6. Prohibited signs in all districts.

A. All signs not specifically permitted are prohibited. Prohibited signs include but are not limited to:

(1) Off-premises signs or signs not related to the use of the premises upon which signs are located.

(2) Signs in a public right-of-way.

(3) Signs mounted to extend above a parapet wall.

(4) Signs mounted or painted on a roof.

(5) Billboards.

(6) Portable signs, sandwich boards, wheel-mounted signs.

(7) Construction, contractor and/or professional signs at construction sites.

(8) Signs mounted on or otherwise affixed to any tree, stone or other natural object.

(9) Signs mounted on or otherwise affixed to utility poles or fences.

(10) Signs in motion: promotional decorations, banners, pennants, ribbons, balloons, streamers, spinners or similar moving, fluttering, revolving or noise-making devices.

(11) Signs that may be confused with or obstruct the view of any traffic sign or signal or obstruct a sight distance at any street intersection.

- B. Existing signs which do not meet the requirements of this chapter must be brought into conformance and approved by the Board of Architectural Review by December 31, 2003.
- C. For other signs prohibited in Residential Districts, see § 165-7.
- D. For other signs prohibited in Neighborhood Business Districts, see § 165-8.
- E. For other signs prohibited in the Central Business District, see § 165-9.

§ 165-7. Signs in Residential Districts.

- A. Permitted without a sign permit. The following signs are exempt from sign permit requirements under this chapter:
 - (1) Identification sign affixed to structure for one-family, two-family or multifamily residence, memorial or historic structure.
 - (2) Identification sign that is a freestanding monument sign or post-and-arm sign are for one-family or two-family residence.
 - (3) Real estate sign.
- B. Permitted with sign permit. The following signs must be approved by the Board of Architectural Review and must have a sign permit from the Building Department:
 - (1) Identification sign that is a freestanding monument sign or post-and-arm sign for multifamily residence, memorial or historic structure or nonconforming use.
 - (2) Identification sign affixed to structure for nonconforming use.
- C. Prohibited:
 - (1) Wall signs.
 - (2) Window signs.
 - (3) Projecting signs.
 - (4) Freestanding pole signs.

- (5) Signs with interior illumination.
- (6) Temporary signs.
- (7) Awnings, except retractable; lettering prohibited.

§ 165-8. Signs in Neighborhood Business Districts.

- A. Permitted without sign permit. The following signs are exempt from the sign permit requirements under this chapter:
 - (1) Signs permitted without a sign permit in Residential Districts; see § 165-7A.
 - (2) Temporary signs.
 - (3) Informational signs.
 - (4) Any sign that is not in Subsection A(1), (2) or (3) above requires approval by the Board of Architectural Review and must have a sign permit from the Building Department.
- B. Permitted with sign permit. The following signs must be approved by the Board of Architectural Review and must have a sign permit from the Building Department:
 - (1) Signs permitted with a sign permit in Residential Districts; see § 165-7B.
 - (2) Awnings.
 - (3) Business identification signs.
 - (4) Freestanding signs.
 - (5) Wall signs.
 - (6) Window signs.
 - (7) Illumination for signs.
- C. Prohibited:
 - (1) Projecting signs.

§ 165-9. Signs in Central Business District.

- A. Permitted without sign permit. The following signs are exempt from sign permit requirements under this chapter:
- (1) Signs permitted without a sign permit in Residential Districts; see § 165-7A.
 - (2) Signs permitted without a sign permit in Neighborhood Business Districts; see § 165-8A.
 - (3) Any sign that is not in Subsection A(1) or (2) above requires approval by the Board of Architectural Review and must have a sign permit from the Building Department.
- B. Permitted with sign permit. The following signs must be approved by the Board of Architectural Review and must have a sign permit from the Building Department:
- (1) Signs permitted with sign permit in Residential Districts; see § 165-7B.
 - (2) Signs permitted with sign permit in Neighborhood Business Districts; see § 165-8B.
 - (3) Projecting signs.
- C. Prohibited:
- (1) Canopy facing onto Purchase Street.

§ 165-10. Severability.

If any phrase, sentence, part, section, subsection, or other portion of this chapter or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.