

LEGAL NOTICE  
City of Oneida

PLEASE TAKE NOTICE that a PUBLIC HEARING will be held by the City of Oneida Common Council at 6:30 p.m. on August 15, 2017 in the Council Chambers at 109 N. Main St., Oneida, NY regarding proposed Ordinance Amendments to Chapter 190-15 Sign Requirements of the Oneida City Code.

PLEASE TAKE FURTHER NOTICE that the COMPLETE TEXT of proposed Ordinance Amendments to Chapter 190-15 Sign Requirements may be viewed at the City Clerk's office during regular business hours and on the City's website, [www.oneidacity.com](http://www.oneidacity.com). Free copies are available in the City Clerk's lobby.

PLEASE TAKE FURTHER NOTICE that any or all persons opposing said Ordinance Amendments may file a written notice thereto, with the City Clerk before such hearing or attend said hearing at the time and place specified.

PLEASE TAKE FURTHER NOTICE that any persons with special needs should contact the City Clerk one week prior to the hearing.

Susan Pulverenti  
City Clerk

## Chapter 190-15. Sign requirements.

[Amended 6-21-1981; 9-20-1983; 2-18-1992 by Ord. No. 92-01]

### A.

Purpose. This section is intended to permit only those signs which are:

(1)

Legible in the circumstances in which they are meant to be seen;

(2)

Compatible with their surroundings;

(3)

Appropriate to the type of activity to which they pertain; and

(4)

Expressive of the identity of individual proprietors and of the community as a whole.

### B.

Application. The location, placement, installation, alteration, or extension of any sign, other than an exempt sign as hereinafter defined, shall require a sign permit and certificate of compliance in accord with the requirements set forth in this section. Exempt signs include traffic-control signs including "entrance," "exit," and "parking," signs on private property other than those permitted to advertise a business on the premises; posted/no trespassing signs; official notices of hazard or safety precaution; personal signs identifying residential occupancy; political signs; temporary signs (see definition in § 190-5); display signs; and any flag, emblem, or insignia of a nation, state, municipality, or school not in connection with a commercial use.

[Amended 5-5-2009 by Ord. No. 09-03]

### C.

General requirements in all districts.

(1)

All signs shall be constructed of durable material, and maintained in good condition.

(2)

The back or reverse side of a single-sided sign visible from any public right-of-way shall be finished in an appropriate manner which shall include a backing similar to the facing.

(3)

No sign in any district shall be erected within, or project into, a public right-of-way or shall project across a lot line except where such sign is attached to and does not project more than ~~24~~ 48 inches from the face of the building.

~~(4)~~

~~No sign or part thereof shall contain or consist of banners, pennants, ribbons, streamers, spinners, or other similar moving, fluttering or revolving devices; and further, No moving, flashing, rotating, or otherwise nonstationary or intermittently lighted sign shall be permitted. A time and temperature device otherwise meeting the requirements of this section shall be permitted.~~

(4)

No lights or string of lights will be used for the purpose of advertising, displaying, or otherwise attracting attention to the premises when not part of a sign or approved street or outdoor lighting.

(5)

Mobile signs are prohibited.

(6)

Fences, outbuildings and accessory structures shall not be considered in the tabulation of linear feet of the principal building, and such structures shall not be made part of any sign.

(7)

No sign shall physically or visually impair vehicular or pedestrian traffic by design, illumination, color, or placement.

(8)

All construction fixtures, wiring, and installations shall conform to the New York State Fire Prevention and Building Code where applicable.

(9)

All wiring to freestanding signs shall be underground.

(10)

Any sign for a business, service or activity no longer in existence at that location shall be removed within **thirty (30)** days from the date of the discontinuation and any wall, surface or other area from which such sign is removed shall be restored so that no remnant of the sign is visible. One **thirty (30)** day extension may be granted by the ~~Building Inspector~~/Code Enforcement Officer.

(11)

All temporary signs (see definition in § 190-5) **may be erected within 15 days before event and** shall be removed within 15 days of completion of action advertised.

(12)

Freestanding signs. No freestanding sign shall be more than 24 feet in height as measured at the edge of road surface which it fronts, or 20 feet as measured from ground level at the base of the sign, whichever shall permit the greatest height. A freestanding sign which is more than 36 square feet shall not be closer than 100 feet to any other freestanding sign which is more than 36 square feet.

(13)

Wall signs. Wall signs shall be attached to the wall or face of the building and shall not extend more than 24 inches from such wall or face, nor shall they project above the roofline.

(14)

Roof signs. A roof sign shall not exceed 40% of the roof area, and shall not project above the roofline.

(15)

Projecting signs. A projecting sign shall have a clear distance from the sidewalk or ground level of at least eight feet ~~and to the bottom of the sign, and a maximum distance of 12 feet to the top of the sign.~~ **The sign** may project no more than 48 inches from the building to which it is attached unless otherwise limited by this section. ~~No projecting sign may be displayed unless the building to which it is attached is 20 or more feet in width and no projecting sign of more than 36 square feet may be closer than 100 feet to any other projecting sign in excess of 36 square feet.~~ **Projecting signs shall not exceed 8 square feet.**

(16)

Double-faced signs. A sign which is designed to be viewed from two directions and the two faces are not more than 36 inches wide at any point and are either parallel or at not more than a thirty-degree-angle to one another shall be considered to be one sign for the purpose of this section.

(17)

Window signs. Permanent window signs shall not exceed 15% of the area of the window in which they are displayed and temporary window or display signs shall not exceed 25% of the window area and in no case shall the total sign area exceed 40% of the window area.

(18)

Double-frontage buildings. Commercial buildings which front on two parallel public streets and provide customer access from both streets, shall be considered to have two front faces for the purposes of this section.

(19)

~~Billboards or other permanent signs advertising functions, uses, products, or services not pertaining to the premises on which they are located shall not be permitted in either the inside or outside tax districts of the City of Oneida.~~ Existing billboards or other signs shall be allowed to remain until ownership of the signs changes hands as long as they are maintained in good repair. Any such sign or billboard frame which has not been used for sixty days shall be considered not in use and must be taken down. One sixty-day extension may be granted by the Building Inspector/Code Enforcement Officer upon written application stating the reason therefor.

(20)

Seasonal ground-mounted banners are allowed with an approved permit, from May 1<sup>st</sup> through October 31<sup>st</sup>, on subject premises, with a maximum of 2 banners per parcel.

(21)

Overhead street banners – Approval by Common Council required, must be removed within 15 days after event.

(22)

Contractor and/or service signs – 1 sign per lot, on premise, maximum 6 square feet, must be removed within 15 days after service is complete.

(23)

Election signs – August 1<sup>st</sup> through 15 days after election; maximum 6 square feet, placement per 190-15 C 3.

(24)

Sandwich signs – Allowed in Downtown Commercial zone only; must be removed daily at close of business; not to exceed 2'x3', 1 sandwich sign per business.

(25)

Digital Signs – Digital signs shall require review and approval by the Sign Review Board prior to the issuance of a sign permit. The message or display on any digital sign shall not change more than two (2) times per minute.

(26)

Feather Flutter Signs -- Feather flutter signs shall require review and approval by the Code Enforcement Officer. Feather flutter signs are permitted from May 1 through October 31. A maximum of 2 feather flutter signs are permitted per business.

D.

District requirements. Signs shall be permitted according to established zoning districts as follows:

(1)

In the R-1, R-2, R-3, R-P, and MD-P Residential Districts the following shall be permitted:

(a)

One nameplate, identification of permitted home business, or professional sign not to exceed three square feet in R-3; no signage allowed in R-1, R-2.

[Amended 5-5-2009 by Ord. No. 09-03]

~~(b)~~

~~One temporary sign not to exceed six square feet.~~

(b)

One institutional, religious, or organization identification sign not to exceed 16 square feet.

(c)

A sign advertising the sale or development of a tract of land. The size of this sign shall not exceed 16 square feet and not more than one sign shall be placed upon the tract along any single highway frontage. ~~Such sign must be at least 50 feet from the edge of the pavement.~~

(d)

When a use variance has been granted in the above districts, one sign will be allowed with a 16 square foot maximum.

(2)

In A and N-C Districts, the following shall be permitted:

[Amended 4-18-2006 by Ord. No. 06-01]

(a)

The signs permitted under Subsection D(1) above, except that Subsection D(1)(a) shall have a maximum size of six square feet instead of three.

(b)

One principal business sign for business or commercial uses not to exceed 32 square feet.

(3)

In the C-S District, the following shall be permitted:

[Amended 4-18-2006 by Ord. No. 06-01]

(a)

The signs permitted under Subsection D(1) above.

(b)

A maximum of two institutional, business, service signs with a combined area not to exceed two square feet per linear foot of the front face of the principal building or 50 square feet, whichever is less.

(c)

One accessory sign for each separate incorporated business or service in a building or complex, provided that such sign(s) shall not exceed, either singularly or in combination, a maximum of six square feet, and that any sign(s) be attached to the principal building or sign.

(4)

In C, L-I and M-I Districts, the following shall be permitted:

[Amended 4-18-2006 by Ord. No. 06-01]

(a)

The signs permitted under Subsection D(1) above.

(b)

A maximum of three business signs with a combined area not to exceed two square feet per linear foot of the front of the building, or ~~130~~ 100 square feet, whichever is larger.

[Amended 5-5-2009 by Ord. No. 09-03]

(c)

One accessory sign for each separate incorporated business or service in a building or complex providing such sign(s) shall not exceed, either singularly or in combination, a maximum of six square feet and they shall be attached to the principal building or sign.

E.

For sale or lease signs:

(1)

Signs denoting property or buildings "for sale," "public auction," "real estate auction," "building sale," and other similarly worded signs, in R-1, R-2, R-3, R-P

and N-C Zones of the City of Oneida shall not exceed four square feet in area if single-faced, or six square feet in area if double-faced. In all other zoning districts, they shall not exceed a total of 32 square feet in area. The signs shall be placed so that the top of the sign will not be more than four feet above ground level. The signs shall be placed only in the front yard or part of the property offered for sale and shall be no closer than 10 feet to the sidewalk if one exists, and no closer than 10 feet to the curb or edge of the road if no sidewalk exists. If the ten-foot distance cannot be adhered to, the sign shall then be placed in front of the building on the subject property only, as close as possible to the foundation line. No such signs shall be placed on any City property or right-of-way.

[Amended 4-18-2006 by Ord. No. 06-01; 5-5-2009 by Ord. No. 09-03]

(2)

Signs denoting "for rent," "for lease," "vacancy," or "to let" in R-1, R-2, R-3, R-P and N-C Zones shall not exceed four square feet in area. In all other zoning districts, they shall not exceed a maximum of 32 square feet. All signs shall be placed directly in front of the building or property affected, as close as possible to the foundation, but in no case farther than five feet from the foundation, if possible, and shall have a maximum height of four feet from the ground level to top of sign. No such sign shall be placed on any City property or right-of-way.

[Amended 4-18-2006 by Ord. No. 06-01; 5-5-2009 by Ord. No. 09-03]

(3)

All signs set forth in Subsection E(1) and (2) shall be removed within a reasonable time after the property has been sold, leased or is no longer marketed. No directional signs indicating property "for sale," "public auction," "real estate auction," or "building sale" shall be permitted except at intersections of ~~delete~~ dead-end streets. The size of directional signs shall not exceed three square feet in area. No directional or open house signs shall be permitted on any City property or right-of-way.

[Amended 5-5-2009 by Ord. No. 09-03]

(4)

Open house signs shall be subject to the limitations stated above for "for sale" signs and at Subsection E(3).

F.

Existing signs:

(1)

All signs in existence on the effective date of this section shall, within 90 days thereof, be registered with the Building Inspector/Code Enforcement Officer on a form supplied by the City. A record of all existing signs shall be compiled by the



~~Building Inspector~~/Code Enforcement Officer, and the owner, tenant, or lessee of any nonconforming sign shall be notified in writing.

(2)

All nonconforming signs existing and erected prior to the effective date of this amendment may continue as long as maintained in good repair and not altered in design, color, message or otherwise. Upon the termination of the business by the owner or replacement of the sign by said owner, all subsequent signs at such location shall conform to the provisions of this chapter.

(3)

Upon the determination of the Building Inspector/Code Enforcement Officer that a sign is in need of repair, a notice of violation shall be sent to the owner of the sign. The owner shall have 30 days in which to comply. An extension of compliance time may be granted for one additional thirty-day period. No such extension shall be granted except on written application stating the reasons therefor.

G.

~~Design considerations. To encourage the appropriate design and placement of signs, guidelines and requirements have been prepared for consideration by the Sign Review Board. A copy of "City of Oneida Sign Design Guidelines" may be obtained from the Building Inspector/Code Enforcement Officer or the City Clerk.~~

H. G.

Administration:

[Amended 2-3-2009 by Ord. No. 09-01]

(1)

An application for a sign permit shall be filed with the Building Inspector/Code Enforcement Officer on a form supplied by the City.

(2)

Within five days of filing, the Building Inspector/Code Enforcement Officer shall determine if the sign application is in compliance with the dimensional requirements of this section. If the proposed sign is in compliance, the application shall be referred to the Sign Review Board.

(3)

If the proposed sign is not in compliance, the Building Inspector/Code Enforcement Officer shall disapprove the application and the applicant shall be so notified in writing. Further, the applicant shall be notified of the right to make an application to the Zoning Board of Appeals for a variance. The Zoning of Board of Appeals will review the variance application and make a ~~recommendation to the Sign Review Board~~ **determination as to the variance application.**

(4)

The Sign Review Board shall review and approve, approve with modifications, or disapprove the application within 45 days of receipt from the Building Inspector/Code Enforcement Officer. The applicant shall be notified in writing of the Board's decision. Review by the Sign Review Board shall relate exclusively to the design of the proposed sign.

(5)

A certificate of compliance shall be issued by the Building Inspector/Code Enforcement Officer upon completion of any sign in full compliance with its approved application. A temporary certificate of compliance may be issued at the discretion of the Building Inspector/Code Enforcement Officer.

I. H.

Sign Review Board. The Sign Review Board shall consist of seven members to be appointed by the Mayor and confirmed by the Common Council for three-year term with initial members to be staggered so that three expire after one year; two after two years and two after three years. ~~The review by said Board shall be pursuant to "City of Oneida Sign—Design Guidelines."~~

Additional changes required:

Section 190-5 Definitions.

**SIGN** – Any graphic device erected or represented upon or as part of a building, structure or use of land which directs attention or conveys a message pertaining to ~~an~~ ~~object, product, place, activity,~~ person, institution, organization or business and is visible from the public right-of-way or the exterior of the building, structure or use. Each such graphic display surface shall be considered a "sign."

**SIGN, DIGITAL** – Any sign that advertises or otherwise communicates using LCD, LED, plasma or other digital imaging medium.

**SIGN, FEATHER FLUTTER** – Any sign consisting of a portable, vertical banner, in varying lengths, in the shape of a teardrop or narrow rectangle that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.

And while we're making changes to the Zoning Ordinance, we also recommend the following:

Section 190-16. Off-street parking and loading.

- A. (5) **Within the Inside Corporation District**, outdoor parking or storage of boats and other vehicles used primarily for recreational purposes, motor homes, trailers, vehicle transport, construction trailers, utility trailers, and PODS® (portable on-demand storage units), in any residential district or on any lot used for residential purposes, shall be confined to the rear or side yard, and said parking shall not be within 10 feet of any lot line for a period exceeding 14 days in any calendar year. On a corner lot, such outdoor parking is allowed on the front yard not designated as the 911 address, and adequate screening in the form of plantings, fencing or other visual separation must be approved by the Planning ~~Commission~~ **Director or Code Enforcement Officer**.

190 Attachment I

TABLE B: LOT DEVELOPMENT STANDARDS

District	Use	Min Lot Size	Min Rear Yard
R-1	One-family dwelling	13,500 sq ft	<del>50</del> 40