

VILLAGE OF HAVERSTRAW
LOCAL LAW NO 2 OF THE YEAR 2023

A LOCAL LAW AMENDING CHAPTER 245, ZONING, TO AMEND THE SIGN REQUIREMENTS GENERALLY
AND SPECIFICALLY WITH REGARD TO THE HB ZONING DISTRICT

Be it enacted by the Village Board of Trustees of the Village of Haverstraw by authority of Article 7 of the Village Law and Article 10 of the Municipal Home Rule Law, as follows:

Section 1. Purpose and Intent. In furtherance of its overarching goal of promoting the health, safety, and welfare of the community, and in support of encouraging the most appropriate use of land, the Village Board of Trustees has considered zoning amendments recommended by the Comprehensive Plan to allow for better signage design along the Route 9W corridor.

Section 2. §245-3(B) (Definitions), of the Zoning Ordinance of the Village of Haverstraw is amended to add the following definitions of "Electronic Reader Board" and "Façade" in the appropriate alphabetical order with other existing defined terms:

ELECTRONIC READER BOARDS

A sign, where the message or appearance of the sign may be changed electronically, without dismounting all or elements of the sign.

FAÇADE

The vertically oriented facing of a building. Where a building includes multiple setbacks of walls, the façade shall include all facings that are approximately parallel to each other and face the same direction.

Section 3. The Definition of "Sign Area" contained within §245-3(B) (Definitions), of the Zoning Ordinance of the Village of Haverstraw, which currently reads as follows

SIGN AREA

The area within the shortest line that can be drawn around the outside perimeter of a sign, including all decoration, but excluding supports, if any, unless the same are illuminated. (See "sign, directly illuminated.")

is hereby amended to read as follows:

SIGN AREA

The area within the shortest line that can be drawn around the outside perimeter of a sign, including all decoration and brand identifying elements such as color or patterns not typical to the area as determined by the Architectural Review Board, but excluding supports, if any, unless the same are illuminated. (See "sign, directly illuminated.")

Section 4. The Definition of "Sign, Directional" contained within §245-3(B) (Definitions), of the Zoning

Ordinance of the Village of Haverstraw, which currently reads as follows

SIGN, DIRECTIONAL

A sign with sign area of not over two square feet, indicating the direction or route to an establishment.

is hereby amended to read as follows:

SIGN, DIRECTIONAL

A sign with sign area of not over four square feet on each facing directing vehicular or pedestrian traffic into and out of the site and within the site and containing only minimal business advertisement such as brand identifying colors or logos not to exceed 25% of the area of each facing.

Section 5. §245-13(A) (Signs permit required), of the Zoning Ordinance of the Village of Haverstraw, which currently reads as follows:

A. Sign permit required. No sign shall hereafter be erected, reerected, constructed, enlarged or altered without a sign permit. No sign permit shall be issued except as shown on an approved site plan or sign plan. Where only the sign display portion of a validly erected sign is being changed, no sign permit is required, provided there is no change in ownership or change in the character of the business. Nor shall any sign permit be required for painting, cleaning, and other normal maintenance and repair of a sign. All signs shall comply with the size, setback and illumination requirements specified in § 245-10, Table of Use Requirements.

Is hereby amended to read:

A. Sign permit required. No sign shall hereafter be erected, reerected, constructed, enlarged or altered without a sign permit. No sign permit shall be issued except as shown on an approved site plan or sign plan. A sign permit shall not be required for painting, cleaning, and other normal maintenance and repair of a sign, so long as the exterior appearance of the sign does not change. All signs shall comply with the specified in § 245-10, Table of Use Requirements, in addition to the requirements herein, and where competing standards are specified, the most restrictive shall apply. Where electronic reader boards are proposed and are not deemed "flashing signs" as prohibited under §245-13(C)(1), each image to be cast on the reader board shall require a permit pursuant to this chapter. Where only the copy text is proposed to change, is not proposed to change at a frequency greater than is limited under the §245-13(C)(1), and all colors and other visual elements will remain the same, such separate copy text shall not require a separate permit.

Section 6. The ninth listed item under §245-13(B) (Signs exempted from additional regulations for signs and artificial lights), of the Zoning Ordinance of the Village of Haverstraw, which currently reads as follows:

(9) *On-site directional signs, not exceeding four square feet in area.*

Is hereby amended to read as follows in recognition that the requirement is currently redundant with the definition of "sign, directional."

(9) On-site directional signs

Section 7. The first listed item under §245-13(C) (Signs prohibited), of the Zoning Ordinance of the Village of Haverstraw, which currently reads as follows:

- (1) *Flashing signs, including any sign or device on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use.*

Is hereby amended to read as follows:

- (1) Flashing signs, including any sign or device on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use. Electronic reader boards shall be considered a flashing sign where the image on the board changes at a frequency of more than once per twelve hours.

Section 8. §245-13(D)(1) (Illumination), of the Zoning Ordinance of the Village of Haverstraw, which currently reads as follows:

- (1) *Illumination. Illumination of signs shall be from external or internal light sources. The source of illumination shall be so shielded that it is not visible beyond the boundaries of the lot on which it is located. No neon lighting shall be permitted that outlines the windows or architectural features such as doors, roofs, cornices, etc. No neon sign may occupy more than 10% of the total area of the window in which it is displayed, measured by the height and width of the sign. No neon signs shall be permitted above the first floor in the CB District.*

Is hereby amended to read as follows:

- (1) Illumination. Illumination of signs shall be from external or internal light sources. The source of illumination shall be so shielded that it is not visible beyond the boundaries of the lot on which it is located. No neon or LED string lighting shall be permitted that outlines the windows or architectural features such as doors, roofs, cornices, etc. No neon or LED sign may occupy more than 10% of the total area of the window in which it is displayed, measured by the height and width of the sign. No neon or LED signs shall be permitted above the first floor in the CB District.

Section 9. Column E (Permitted Accessory Signs) of Attachment 7 (HB District) of §245-9(A) (Use Table), of the Zoning Ordinance of the Village of Haverstraw, which currently reads as follows:

1. Business signs with total sign area per establishment not to exceed 10% of the sign wall area, and in no event more than 60 square feet. For any business use conducted primarily in the open, the total sign area shall be not more than 1 square foot of plot frontage, not to exceed 60 square feet. In addition, a sign consisting only of the name of any establishment painted directly on an awning, with a sign area not to exceed 10 square feet, is permitted. All such signs may be illuminated; provided, however, that:

- a. Such illumination shall not adversely affect nearby residential property.*
- b. They shall not create a distractive hazard to traffic by glare and shall not be animated.*
- c. They conform to any more restrictive local ordinance or law.*

2. The signs permitted above may only have reference to the wares, services or uses of the establishment on the premises on which they are located.

Is hereby amended to read as follows:

See §245-13(J)

Section 10. §245-13 (Additional regulations for signs and artificial lights) is hereby amended to add a new paragraph J, entitled "Business sign requirements specific to the HB District," as described hereafter.

J. Business Sign Requirements Specific to the HB District. Within the HB District, business signage shall meet the following requirements:

(1) Building-mounted signage. Each business may locate one business sign on each façade of a structure that faces a public street. Such signage in aggregate for all businesses within a building shall not exceed 10% of the total façade area and the vertical dimension of each sign shall not exceed 5 feet. No single business sign shall exceed 100 square feet. Where a primary or secondary public entrance to a business is provided on a façade that does not face a public street but rather faces a parking area, a second business sign not to exceed 15 square feet may be placed above or near the site entrance. Where building signage is proposed to be mounted perpendicular to a building, the area of each side of the sign shall be counted only 50% towards the maximum area, so long as each side of the sign is parallel to the other and contains identical content.

(2) Pylon or monument signage. Each lot may maintain one monument or pylon sign along each street frontage advertising the businesses on each lot and/or the name of the multi-tenant mall or plaza if so located. Such sign shall be no more than 25 feet in height, shall be setback no less than 25 feet from the curblin and shall not encroach into the right-of-way. No single business, nor directory sign for three or fewer businesses shall exceed 125 square feet on each facing nor a vertical dimension excluding supports of 12 feet. Where directory signs advertise more than three businesses, such signs shall not exceed 40 square feet

per business per facing or 250 square feet per facing, whichever is less. Pylon or monument signs shall be located so as not present an impediment to the safe operation of motor vehicles on public roadways, shall not significantly block the view of existing business signage located on adjacent or nearby lots, nor significantly block public views of High Tor or the Hudson River.

(3) Window signage. In the HB district, non-illuminated window signage shall not count toward business sign area, except that such window signs must still meet the requirements of §195 of the Code of the Village of Haverstraw (Obstruction of Store Windows).

(4) Special provisions applicable to gasoline filling stations. In addition to the signage listed herein, gasoline filling stations proposing canopies shall be permitted to place an additional business sign on each canopy façade facing a public right-of-way. Such signage shall be limited to 25% of the area of that façade of the canopy, which shall include the entire "sign area" as defined by this chapter including but not limited to any brand-identifying colors or patterns. Additionally, reader boards advertising gasoline pricing shall be permitted as a component of any building-mounted, pylon or monument signage otherwise permitted by this chapter, and shall count toward the area of such signage, but not any minimum vertical dimensions. Such reader boards shall conform with the requirements of §245-13(A), §245-13(B), and any other requirements of this code

Section 12. Severance

The invalidity of any word, section clause paragraph, part or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part of parts.

Section 13. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

I, Carmelina Palumbo, Clerk/Treasurer of the Village of Haverstraw, New York, do hereby certify that the above law was adopted at a Regular Meeting of the Board of Trustees held on January 17, 2023, and is on file and that said law has not been altered, amended, or revoked and is in full force and effect.

March 23, 2023
Haverstraw, New York


Carmelina Palumbo

Seal of Municipality

Village of Haverstraw
March 23, 2023