

## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village

(Select one.)

of Canandaigua

Local Law No. 3 of the year 20<sup>19</sup>

A local law Amend Chapter 220 (Zoning) Section 82 To Allow For Multi-Tenant Signage

(Insert Title)

Be it enacted by the Town Board of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village

(Select one.)

of Canandaigua as follows:

See Attachment A

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF CANANDAIGUA  
LOCAL LAW # 3 of 2019

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Attachment "A"

SECTION ONE. Town Code §220-81(G) shall be replaced in its entirety with the following: G. Support. All signs shall be securely attached to a building or a structurally sound support. No sign shall be attached to a fence, utility pole or tree. Signs may be erected or maintained upon the roof of a building or structure, but may not exceed the height requirement of this Chapter.

SECTION TWO. Town Code § 220-83(B) shall be replaced in its entirety with the following:

B. Permanent commercial speech signs within multiuse developments. The following standards shall apply to all permanent commercial speech signs upon a single parcel of real property within a CC, NC, RB-1, LI, I, or PUD Zoning District where more than one principal building or use is proposed or exists, as in the case of a shopping center, plaza, office complex, or other multiple commercial or industrial use facility or complex:

(1) Development Identification sign. One development identification ground sign may be erected which identifies the name of the shopping center, plaza, office complex, industrial park or facility as a whole and does not identify any individual business activity. The development identification ground sign may be erected only as a single- or double-sided ground sign.

(a) A development identification sign shall not exceed 20 feet in height. No single display surface of the development identification sign shall exceed 40 square feet and the total sign area of the sign shall not exceed 40 square feet if the sign consists of a single display surface or 80 square feet if the sign consists of two display surfaces.

(2) Multi-Use Development Identification sign. Within the CC zoning district, one Multi-Use Development Identification sign may be erected only on lot frontage of State Route 332 or State Route 5 and 20 which identifies the name of the shopping center, plaza, office complex, industrial park or facility as a whole and which identifies individual business activity. The Multi-Use Development Identification sign may be erected only as a single- or double-sided ground sign.

(a) A Multi-Use Development Identification sign shall conform to the dimensional requirements as specified in Schedule III included as part of this Chapter.

(b) Monopole signs prohibited.

- (c) Multi-tenant Development Identification signs shall be constructed with the same or similar architectural features & similar materials as the building. Applicant shall provide a statement attesting to such.
  - (d) Multi-Use Development Identification Sign shall have an architectural top or cap to coordinate with building.
  - (e) Sign Copy shall be placed at least 3 ft. above grade.
  - (f) Sign base shall be constructed with year-round landscaping.
  - (g) Sign copy area shall have same material and dimensions for consistency.
  - (h) Applicant shall demonstrate that proposed sign location does not lie within the Clear Sight Triangle.
  - (i) A business or use on an adjacent parcel may advertise on a Multi-Tenant Identification Sign when both parcels share an access and upon Special Use Permit approval from the Planning Board. No additional ground signs may be granted to such adjacent parcel.
  - (j) Planning Board may waive or alter the provisions of 220-83(B)(1) (c) - (g).
- (3) Tenant identification signs. Each individual business or use within a multi-use development which has an exterior entrance may have a tenant identification sign mounted on the building. Tenant identification signs shall be uniform in design, style and, to the extent practicable, location on the building when compared to other such signs within the same multiuse development and shall only consist of:
- (a) A building-mounted sign which does not exceed one square foot of sign area for each linear foot of building frontage occupied by the use or tenant or 350 square feet of sign area, whichever area is less, and is not more than 10 feet in vertical height.
  - (b) Multiple tenant identification signs are prohibited. Except for temporary signs conforming to the requirements of § 220-85; building directory signs permitted pursuant to Subsection § 220-83 B(5); Blade Signs permitted pursuant to § 220-83 B(8); and Multi-Use Development Identification Signs which conform to this Chapter and have received Planning Board approval.

(4) Other ground signs prohibited. Ground signs identifying individual businesses within any multiuse development shall be prohibited except for approved Multi-Use Development Identification Signs pursuant to Subsection § 220-83 B(2).

(5) Business advertising and changeable-copy signs prohibited. Business advertising and changeable-copy signs within multiuse developments shall be prohibited.

(6) Building directory signs. A building directory sign may be erected upon a multiple-use structure as close to the main entrance as possible. One building directory sign may be mounted upon the building, provided such sign shall not exceed eight square feet in sign area.

(7) Sign location. To the extent practicable, tenant identification signs and building directory signs permitted herein shall be erected only on the side of the building facing the common parking area.

(8) Every ground sign shall have street identification numbers in Arabic numerals at least four inches in height made of reflective, contrasting material incorporated in to the face of the sign or the structure supporting so as to be clearly visible from the public way.

(9) Blade Sign. A blade sign may be allowed within Multi-Use Developments. Minimum height above grade shall be 10 ft., and 5 sq. ft. shall be the maximum area per side.

(10) Development Identification Signs per parcel. An eligible parcel may have only one (1) Development Identification Sign or one (1) Multi-Use Development Identification Sign. In no instance shall both be allowed on a single parcel.

SECTION THREE. Town Code § 220-87(D) is hereby replaced in its entirety with the following: D. Off-site advertising signs prohibited. With the exception of certain temporary signs described in § 220-85 and Multi-Use Development Identification Signs in § 220-83(B)(2)(j), no sign advertising a business, use or service other than that available on the parcel of real estate on which the sign is located shall be permitted.

SECTION FOUR. Town Code § 220-87(F) is hereby replaced in its entirety with the following: F. Temporary signs. Temporary signs other than those specified in § 220-85 are prohibited.

SECTION FIVE. Town Code § 220-87(H) is hereby replaced in its entirety with the following: H. Roof signs. No signs, banners, flags or other like advertising devices shall be permitted above the peak of the roof of any building or structure.

SECTION SIX. The following new subsection shall be added at the end of Town Code § 220-87 as subsection 220-87(K): K. Reflective surfaces. Signs having glaring reflective surfaces are prohibited, except for street identification numbers.

SECTION SEVEN. The following new subsection shall be added at the end of Town Code § 220-87 as subsection 220-87(L): L. Electronic Message Signs. Electronic Message Signs prohibited.

SECTION EIGHT. The following shall be added as 220d Schedule III to the Zoning Chapter in Town Code:

**ZONING**  
**220 Attachment 4**  
**Town of Canandaigua**  
**Schedule III**  
**Multi-Use Development Identification Signage**

Development Max Floor Area	Single Side Sign Area Max ft <sup>2</sup>	Max Height (ft)
0-14,999	40	16
15,000-24,999	60	17
25,000-49,999	80	18
50,000-74,999	100	19
75,000+	120	20

- Multiplier of 1.25 sq. ft. and +2 ft. height (22 ft. max) for signs perpendicular to 55mph or greater roadways.
- Multiplier of 1.25 sq. ft. for signs that stay below 16 ft. height.

SECTION NINE. The following definitions shall be added to Town Code §1-17:

**SIGN, MULTI-USE DEVELOPMENT IDENTIFICATION**

A ground sign designed or intended to identify multiple tenants, occupants or establishments within a multi-use development.

**SIGN, MONOPOLE**

A sign principally supported by only one column, pole, or brace placed in or upon the ground.

**SIGN, BLADE**

A sign principally designed for pedestrians attached perpendicular to the building.

#### **SIGN, ELECTRONIC MESSAGE**

An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed.

#### **CLEAR SIGHT TRIANGLE**

An unobstructed vision at street intersections defined by lines of sight within the triangle created by connecting a point where streets intersect, a point 500 ft back on higher classification street, and 15 ft back on lower classification street.

**SECTION TEN.** The definition of Floor Area contained in Town Code § 1-17 shall be replaced in its entirety with the following definition:

#### **FLOOR AREA**

For the purposes of applying the requirements for off-street parking and loading, "floor area," in the case of offices, merchandising or service types of uses, shall mean the floor area used or intended to be used by tenants or for service to the public as customers, patron, clients or patients, including areas occupied by fixtures and equipment used for display or sales of merchandise. It shall not include areas used principally for nonpublic purposes such as storage, incidental repair, processing or packaging of merchandise, for shop windows, for offices incidental to the management or maintenance of stores or buildings, for toilet or rest rooms, for utilities or for dressing rooms, fitting rooms or alteration rooms. For the purposes of applying the requirements for Multi-Use Development Identification Signs, floor area shall not include areas used for mini-storage.

**SECTION ELEVEN.** Severability. If any portion of this Local Law shall be deemed by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the remainder of this Local Law shall remain in full force and effect to the extent practicable.

**SECTION TWELVE.** Effective Date. This Local Law shall be effective immediately upon its filing with the New York State Secretary of State.

**(Complete the certification in the paragraph that applies to the filing of this local law and  
strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2019 of the ~~(County)(City)(Town)(Village)~~ of Canandaigua was duly passed by the Town Board on July 15 2019, in accordance with the applicable ~~(Name of Legislative Body)~~ provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted ~~(Elective Chief Executive Officer\*)~~ on \_\_\_\_\_ 20☐☐, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. ~~(Elective Chief Executive Officer\*)~~

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

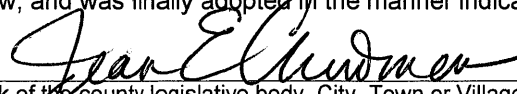
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 7/23/19

(Seal)