

UPDATED: December 8, 2015

§ 240-XX.X. Professional and Office Overlay District.

Pursuant to § 240-8 of this Section, the Town Board of the Town of Geddes hereby establishes an overlay zoning district entitled the "Professional and Office Overlay District," which district may overlay a portion of the fixed defined geographic area as described hereinafter, subject to the application procedure and district regulations set forth in this Section. Any property designated within an overlay district pursuant to this Section is subject to the district regulations of the underlying district upon which it is imposed as well as the district regulations set forth herein. In the case of any conflict between the district regulations applicable in an existing district upon which the overlay is imposed and those specifically pertaining to a Professional and Office Overlay District, the latter shall be controlling. In a Professional and Office Overlay District, no building, premises or part thereof shall be used or occupied and no building or structure shall be erected, enlarged, converted or altered except as provided in this section.

- A. Purpose. It is the intent of this District to provide for economic revitalization and to ensure maintenance and use of all available properties within the defined geographic area, while maintaining architecture and land uses most consistent with that of traditional residential districts.
- B. Geographic Area.
 - 1) Those properties upon which the Professional and Office Overlay District shall apply are defined in Exhibit C attached herein.
- C. Application.
 - 1) Application for the establishment of a Professional and Office Overlay District shall be made in writing to the Town Board by the owner(s) of the land(s) included in the district, or by a person or the persons holding an option to purchase the lands contingent upon approval of the application for the Professional and Office Overlay District. In the event that an application is made by a person or business holding an option to purchase the lands, the application shall be accompanied by a statement of all owners of such land indicating concurrence with the application. Upon submission of a complete application, the Town Board shall refer the application to the Town Planning Board for its review and recommendation.
 - 2) Application materials. The applicant shall submit a site plan drawn to scale to the Town Board consisting, at a minimum, of the following:
 - a. A metes and bounds description of the applicant's property.
 - b. A survey of the parcel(s), prepared within sixty (60) days of the application, and certified by a licensed land surveyor. Such survey shall include the following:
 - 1. The name and address of the owner of record and applicant.
 - 2. The name of the person or firm preparing the map.
 - 3. The date, North arrow and scale.
 - 4. The names of the owners of the abutting parcels.
 - 5. The acreage of the parcel and the County Tax Map number.

6. The boundaries of the parcel plotted to scale.
 7. The location and width of existing and proposed state, county or town highways, streets and rights-of-way abutting or within two-hundred (200) feet of the parcel.
 8. The location, orientation and outline of existing structures, both on the parcel and within one-hundred (100) feet of the property line.
 9. The location of any existing storm or sanitary sewers, culverts, waterlines, hydrants, catch basins, manholes, etc., as well as other underground or aboveground utilities within or adjacent to the parcel.
 10. The existing zoning and location of zoning boundaries. (if applicable)
 11. The location and outline of existing water bodies, streams, marshes or wetland areas and their respective classification as determined by the appropriate governmental regulatory body. (if applicable)
 12. The approximate boundaries of any areas subject to flooding or storm water overflows.
 13. The location and outline of existing vegetation clusters on subject parcel(s).
 14. Freestanding trees with a caliper of ten (10) inches or greater located within the parcel.
 15. Existing contours at an interval of five (5) feet (or less) and extending no less than thirty (30) feet onto adjoining properties.
 16. The identification of any other significant natural features.
- c. A map drawn to scale showing existing conditions of the parcel, including:
1. The dimensions, locations and orientation of principal and accessory buildings on the site, and their relationship to one another and to other structures in the immediate vicinity.
 2. Proposed contours at an interval of two (2) feet or less along with spot elevations as required to clarify changes in grade and flow directions.
 3. The location and dimensions of all proposed impervious areas.
 4. Any proposed changes to utilities on the site.
 5. A landscaping plan, specifically detailing the types of plants (seasonal, etc.), their location on the property, and height of each plant.
 6. A lighting plan.
 7. Any other elements required in this section or requested by the reviewing Boards.
- d. A vicinity map showing the proposed use in relation to adjoining uses.
- e. A detailed drawing/photograph of any sign proposed for use on the property.

D. Planning Board Review.

- 1) Referral and Recommendation. When the Town Board refers an application submitted in accordance with this section to the Planning Board, the Planning Board shall respond to the Town Board with a recommendation of approval, approval with

modifications, or denial, unless the application is abandoned as discussed in Subsection D(2) below.

- 2) Review. In its review of the application, the Planning Board may require such changes in the preliminary plans as are found to be necessary or desirable to meet the requirements of this Section, to protect the established or permitted uses in the vicinity and to promote the orderly growth and sound development of the community. The Planning Board shall notify the applicant of such changes and may discuss with the applicant such changes. The applicant may submit to the Planning Board revised preliminary plans incorporating the changes discussed and required. Such resubmission shall be made within such time as may be allowed by the Planning Board after the notification by the Planning Board. If such resubmission is not so made in a timely fashion as reasonably determined by the Planning Board, the application shall be deemed abandoned.

E. Town Board Approval.

- 1) The Town Board may, following any requested Planning Board review and site plan approval, approve the establishment of a Professional and Office Overlay use. Approval of said use shall be subject to conditions imposed on the approval, which in all cases shall include, whether or not explicitly stated, that all development shall be undertaken in accordance with the approved site plan.
- 2) Criteria for Approved Use in a Professional and Office Overlay District. In determining whether or not to approve an application for a use within the Professional and Office Overlay District, the Town may consider, together with the intent and objectives of this section, whether the proposed use and development meet the following criteria:
 - a. Whether or not the site is suitable for the intended purposes. The intended use and purpose shall be reasonably free of objectionable conditions such as odors, noise, dust, air pollution, high traffic volumes, incompatible land uses and other environmental restraints.
 - b. Whether or not the site contains sufficient natural vegetation. The site shall be of sufficient size and shape so as to provide for required buffer areas and open space which are intended to enhance the aesthetics of the proposed use or development and minimize the detrimental effects on properties within or contiguous to those within the defined geographic region, by maintaining lot coverage, structures, and uses most consistent with that of traditional residential districts.
 - c. Whether or not the use of the site produces undue adverse effects on properties within or contiguous to those within the defined geographic region.

- F. Special Permit Approval Not Required. Approval of the use application under the Professional and Office Overlay District and corresponding site plan, as set forth herein, shall be sufficient and shall supersede any requirement for a special permit as otherwise set forth in Chapter 240 of the Code.

G. Time Limit on Validity of Approval. Any approval of a use application and corresponding site plan in the Professional and Office Overlay District approved pursuant to this Section shall be null and void and the approved use shall revert back to its original use, unless the professional business and/or office has occupied the premises and has begun operation from such lot within one (1) year from the date of final approval.

H. Permitted Uses.

- 1) The Professional Office Overlay District shall provide for additional business uses, not otherwise permitted in the underlying zoning.
- 2) For those permitted uses listed below, applicants must submit to a site review, but will not be required to apply for a special permit.
- 3) The permitted uses within the Professional Office Overlay District shall be limited to Professional Businesses, which shall include the following uses:
 - a. Architects;
 - b. Applied Behavior Analysts, Mental Health Practitioners and Psychologists;
 - c. Certified Public Accountants (CPA);
 - d. Chiropractors;
 - e. Engineers
 - f. Insurance Agents;
 - g. Interior Designers;
 - h. Land Surveyors;
 - i. Landscape Architects;
 - j. Law Offices;
 - k. Medical (dentists, physicians, primary care/specialists);
 - l. Physical and Occupational Therapists;
 - m. Professional Photographers; and
 - n. Residential Real Estate Offices.
- 4) Only one (1) of the above uses shall be permitted at an approved site at any given period of time.
- 5) Only a single practice (i.e. Limited Liability Company, limited liability partnership, partnership, etc.) shall be permitted at an approved site at any given period of time.
- 6) Any one (1) of the above uses shall be permitted, in addition to a single residential unit (i.e. as a home occupation), on any of the select lots located within the defined geographic region, and such use shall not require a special permit. In such a case, such units shall have direct and separate access to the exterior of the structure.

I. Incentive District. The Incentive District is a special district allowing greater commercial uses than otherwise permitted within the Office and Professional Overlay District. The purpose of the Incentive District is to provide an additional stimulus to the development of select sites along the West Genesee corridor.

- 1) Locations. Tax parcels 037.-01-01.1 and 036.-08-05.1 shall be included in an Incentive District. In addition, tax parcels 037.-01-04.0 and 037.-01-03.0 may be included with tax parcel 037.-01-01.1 for development where the property has common ownership prior to the application to the Board.

- 2) Permitted uses. The permitted uses, in addition to those already stated in this Section, shall include, in addition to those set forth in paragraph G(1) above:
 - a. Bank (drive-throughs are prohibited);
 - b. Business office;
 - c. Community center;
 - d. Family day care;
 - e. Gas station and convenience store (with Special Use Permit)
 - f. Group residence;
 - g. Home occupation;
 - h. Medical facility or office;
 - i. Public library or museum;
 - j. Religious use; and
 - k. Single family dwelling;
 - 3) Landscape Buffer requirements. In addition to those requirements set forth in this Section, landscape buffers in the Incentive District shall be a width of ten (10) feet, and shall be maintained along all side and rear property lines. This buffer area shall be in addition to any and all applicable side and rear setbacks.
 - 4) Structure and Height requirements.
 - a. All new development shall be in compliance with this Section.
- J. Ancillary Uses. The following ancillary uses shall be permitted within the defined District:
- 1) Ancillary buildings and facilities that are reasonably necessary to meet the proper maintenance, off street parking, storage, fencing, and utilities needed for the property.
 - 2) There shall be no more than two (2) accessory buildings on a single lot. A freestanding garage is allowed as an accessory building only if there are no other garages, freestanding or attached, on the property.
- K. Occupancy Restrictions
- 1) Properties within the Professional and Office Overlay District which are owner occupied may be used for both a residence and for one of the permitted uses pursuant to this Section.
 - 2) Properties within the Professional and Office Overlay District which are not owner occupied may only be used for a one (1) of the permitted uses pursuant to this Section.
 - 3) Under no circumstances may the property be used for anything (including rental property) other than the approved use.
- L. Lot and Structure Requirements.
- 1) Minimum Lot Size. Only those parcels consisting of 10,000 square feet or more of land shall be eligible for one of the above listed uses.
 - 2) Structure Orientation. Where access to the lot is not available from West Genesee Street, the orientation of the primary building on such lot must be that which faces West Genesee Street.
 - 3) Structure Height. The height of a building or structure is measured from the average elevation of the pre-existing natural grade along the side of the structure fronting on

the nearest street to the highest point of the highest roof including cupolas and spires but not chimneys.

- a. The maximum height of all primary buildings within the District shall be thirty-five (35) feet.
- b. The maximum height of all accessory buildings within the District shall be twenty (20) feet.
- c. The front elevation of all primary buildings and structures shall be two (2) stories.

M. Supplementary Regulations.

1) Building and lot coverage.

a. Lot Coverage.

1. Lot coverage limits will be enforced to regulate and limit the amount of impervious coverage. Lot coverage shall be calculated as the sum of the dimensions of all impervious cover (any structure, surface or improvement that reduces and/or prevents absorption of storm water into land), divided by the square footage of the lot.
2. Impervious Cover includes porous pavement, gravel, crushed stone, elevated structures (including decks), and other similar structures, surfaces or improvements. Grass, lawns or any other vegetation are not considered impervious cover. Washed gravel and stone products used for landscaping and not parking or walkways are also not considered impervious cover.
3. Lot coverage shall not exceed 25%.

b. Setbacks

1. The minimum setback for all buildings and structures shall be as follows:
 - a. Side yard: fifteen (15) feet
 - b. Front yard: thirty (30) feet
 - c. Rear yard: ten (10) feet

c. Building area

1. First floor square footage shall not exceed 2,250 square feet.
2. Gross square footage shall not exceed 4,500 square feet.

2) Landscape buffer areas.

- a. General requirements. All portions of improved lots which are not used for buildings, parking, driveways, walkways, storage or other similar purpose shall be left in their natural state or devoted to landscape areas consisting of grass, trees, shrubs, and other ground cover in such manner as to minimize erosion or storm water runoff and maintain or improve the aesthetics of the lot.
- b. The Town Board may, when appropriate to protect an adjacent property from detrimental aspects such as headlight glare, require opaque screening measures to be installed and maintained. All landscaping and screening devices required by this Section shall be placed so they do not project into

- or onto adjoining properties. All screening devices and plantings shall be maintained in a healthy, sound and safe condition at all times.
- c. No planting shall cause a hazardous condition by interfering with the normal line of sight needed for safe entering and exiting maneuvers by pedestrians and motor vehicles.
 - d. Trees of four (4) inches in caliper or more shall not be removed from the site, unless the tree is dead or poses a hazard. Where a tree is believed to be dead or hazardous, approval for the removal must be sought from the Code Enforcement Office. Any such tree removed pursuant to this Section shall be replaced.
 - e. Such landscape buffer areas as required by this Section shall be a depth of eight (8) feet, and shall be maintained along all side and rear property lines. This buffer area shall be in addition to any and all applicable side and rear setbacks.
 - f. Landscape buffer areas shall consist of evergreen plant material or other suitable buffer as approved by the Town Planning Board in its site plan review. Driveways, parking and storage is not permitted within the buffer area.
 - g. Trees which are intended to provide screening to separate, non-compatible uses shall not be planted further than ten (10) feet apart.
 - h. Parking areas adjacent to residential lots shall be additionally screened to a minimum height of three feet to reduce automobile headlight glare onto the adjacent property.
 - i. Where vegetative or topographic conditions that provide a natural screening and buffer exist prior to the application for site plan review for uses under this Section of properties in question, every effort shall be made to retain such conditions.
- 3) Agreements and covenants. The Town Board shall have the right to require that an applicant execute such agreements and covenants as may be required by the Town Board. Said agreements and covenants shall be such as may be recorded in the County Clerk's Office to constitute a covenant running with the land.
 - 4) Outdoor walks, outdoor ramps and driveways.
 - a. Outdoor walks. Outdoor walks shall be maintained at all times. All newly installed outdoor walks shall be constructed of brick pavers, brushed cement, concrete, or slate. Any installation of new sidewalks above the grade of the driveway shall include a barrier free curb ramp in the walkway to allow for use by wheel chair.
 - b. Outdoor ramps. All newly installed outdoor ramps shall be installed only in the rear of the building, shall have a minimum clear width of thirty-six (36) inches, and shall have curbs, walls and railings, as well as slip resistant floor or ground area. The maximum slope of all ramps shall be 1:12 and the maximum rise of a ramp run shall be thirty (30) inches. All outdoor ramps shall be designed so that water will not accumulate on walking surfaces.

- c. Driveways. All driveways shall comply with all applicable ground coverage and setback requirements, and shall have a width no greater than twenty-four (24) feet.
 - 5) Design. The design of all buildings and structures shall be such that it maintains the residential character of the District.
 - a. Under no circumstances shall the design of significant building modifications be such that future residential use is precluded.
 - b. See Exhibit A attached herein.
 - 6) Adequate facilities shall be provided for the removal of snow, trash and garbage. Such trash and garbage facilities shall be enclosed and maintained at all times. The use of trash dumpsters is prohibited.
 - 7) Parking.
 - a. All parking regulations established by the underlying Zoning District of all applicable sites shall remain in place, regardless of the approval of a permitted use under the Professional and Office Overlay District at such site(s).
 - b. Under no circumstances shall there be parking on West Genesee Street.
 - c. Under no circumstances shall there be any parking improvements in the front yard setback area, except for providing a turnaround.
 - d. All other non-conflicting provisions of Article VI are incorporated herein.
 - 8) Signs.
 - a. See Exhibit B attached herein.
 - 9) Supplemental regulations. See Article VIII
 - 10) Outdoor illuminations. See § 240-43.
 - 11) Hours of Operation. All permitted uses listed above and approved within the Professional and Office Overlay District shall be operated within the hours of 7am and 9pm.
 - 12) Compliance with laws. In addition to the provisions of this local law, the applicant shall comply with all state and federal laws, rules and regulations.
 - 13) The Town Board, in its discretion, shall have the power to waive or modify any of these requirements, provided that such waiver or modification will not be contrary to the purpose and intent of the Overlay District.
- N. Conflicting Provisions. Should any provision of this Section pertaining to the Professional and Office Overlay District conflict with the provisions of either New York State or Federal law, then the relevant provisions of such New York State or Federal law shall apply.
- O. Violations and Penalties for Failure to Comply. Failure to comply with any requirements or provisions of this section shall be considered a violation of this Section, subjecting the owner and operator of any such facility to the penalties and additional remedies set forth in Article XI of this Chapter.
- P. Severability. If any part or provision of this section or the application thereof to any persons or circumstances shall be judged invalid, such judgment shall be confined to the part or application adjudged to be invalid. Such decision shall not affect the validity of this section as a whole or any part thereof, other than the part so decided to be invalid.

Exhibit A. Architectural Standards

A. Design

- 1) The design of the proposed addition(s) must be consistent and aesthetically compatible with the architectural design, scale, material and color of the existing structure and surrounding properties and that of a traditional residential district.

B. Minimum Setback

- 1) The minimum required setback shall be in compliance with such setback requirements as set forth in in the Town of Geddes Zoning Code for the applicable underlying zoning and in this Section where further restrictions apply.

C. Awnings

- 1) Awnings shall be prohibited in the Professional and Office Overlay District.

D. Chimneys, Stove Pipes and Metal Flues, Vents and Exhaust

- 1) Chimneys, Stove Pipes and Metal Flues, Vents and Exhaust shall be compatible in material and color with the existing structure. If interior stoves are installed, the stovepipe protruding above the roof must be painted to match the roof or enclosed with material matching the building stucco.

E. Door

- 1) A doorway facing the street shall be required at all times, even where the main entrance is at the rear of the structure.
- 2) Door color or stain, design, and replacement hardware must match or be compatible with the existing door or be of an alternate compatible design approved by the Town of Geddes Planning Board on a case-by-case basis. Screen or storm doors for front entrances and garage rear doors are permitted provided they are of similar material and finish to the original doors and must be compatible with the overall appearance of the structure.
- 3) The ratio of door and window area to wall area shall be similar to existing homes in the neighborhood.

F. Driveways & Walkways

- 1) Extensions of existing driveways or extensions into landscape areas and/or landscape buffers for additional parking is prohibited. Colored coatings or painting of driveways is prohibited, except for clear sealers. Excessive oil or rust stains must be promptly removed.
- 2) Walkway materials are limited to, brick pavers, brushed cement, concrete, or slate. Such materials shall be compatible with the structure and overall neighborhood design. Colored coatings or painting of walkways is prohibited, except for clear sealers. Non-plant material borders must be compatible with the existing structure and overall neighborhood design. Asphalt, brick pavers, concrete or slate are to be used in walkways and patios only.

G. Fences & Walls

- 1) Fence and wall replacements shall be constructed of materials matching the original fence or wall. Fiberglass or plastic materials shall be wood grained in appearance. The combined height of the fence or wall and any such extensions shall not exceed six (6) feet from the grade.

H. Garage Doors

- 1) Garage doors shall conform to the following limitations:
 - a. Doors must have a wood grain appearance;
 - b. Suitable safety equipment is required;
 - c. Garage doors shall be painted one (1) color; and
 - d. Where roll-up garage doors are used, the style of such is limited to raised-long panel designs (flush or ribbed panel doors are prohibited).
- 2) Garage doors may have a window subject to the following limitations:
 - a. Garage door windows shall be in the top section of the door;
 - b. Short panel garage doors may have eight (8) windows.
 - c. Long panel doors with windows are prohibited.

I. House-Mounted Street Number

- 1) House-mounted street number replacements shall not differ significantly from the previously-installed numbers, and shall be consistent with the structure. Internally illuminated house numbers are prohibited.
- 2) House-mounted street numbers greater than six (6) inches tall are prohibited.

J. Mailboxes & Mailbox Posts:

- 1) Mailboxes and mailbox posts shall be maintained in good condition, shall be traditional in style and black in color, and shall have address numbers compatible with a residential structure.

K. Roofs

- 1) Roof materials shall be of residential quality, including asphalt, slate, or metal roofing resembling asphalt and slate materials.
- 2) Roof colors shall be black, brown, dark green, or gray in color.
- 3) Roof pitch shall be consistent with the residential nature of the surrounding neighborhood, and the grade shall be no less than 3:12 and no greater than 9:12. Flat roofs are prohibited.

L. Windows

- 1) The ratio of door and window area to wall area shall be similar to existing homes in the neighborhood.
- 2) Additions or replacements must match or be compatible with the existing installation.
- 3) Window installations, modifications and replacements shall not result in a decrease of neighbor privacy.
- 4) Window screens must be compatible or identical to the originally installed window screens.
- 5) Safety grills or bars are not permitted.
- 6) No picture or display windows, or additional signage behind windows shall be permitted.

Exhibit B. Sign Standards

A. Statement of Purpose

- 1) The purpose of this Local Law is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor signs in the Professional and Office Overlay District. It is intended to protect property values, preserve the residential character of the geographic area defined as the Professional and Office Overlay District, protect and enhance the Town of Geddes's attractiveness to visitors and to support and stimulate the economy thereby provided, and to ensure the harmonious, orderly, and efficient growth and development of the Town of Geddes. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by improperly placed or sized signs, provide more visual open space, and curb the deterioration of the community's appearance and attractiveness.
- 2) This Local Law is intended to promote attractive signs which clearly present the visual message in a manner that is compatible with its surroundings. The appearance, character and quality of the community are affected by the location, size, construction and graphic design of its signs. Therefore, such signs should convey their messages clearly and simply to enhance their surroundings.

B. Definitions

- 1) The words listed below shall have the definitions listed below when those words are used or referred to in these rules and regulations.
 - a. AGGREGATE: Square footage; the total or collective amount of square footage.
 - b. ARMATURE: The support from which a sign is hung or suspended.
 - c. ATTACHMENT SIGN: A sign attached or affixed to a larger sign.
 - d. BUILDING FACE OR FACADE: The side of a building where the main entrance is located. The side of a building which is parallel or substantially parallel to the lot line of a street or traveled way accessible from a street.
 - e. BUILDING MOUNTED SIGN: A sign attached or affixed to the Building Face.
 - f. BRACKET: The supporting frame of a sign.
 - g. FREESTANDING SIGN: A sign, which is attached to, or part of, a completely self-supporting structure, other than a building, fence, or rock.
 - h. GRANDFATHERED SIGN: Any sign or advertising device, which may or may not be nonconforming, erected before the effective date of the Professional and Office Overlay District, and which has been maintained and unaltered.
 - i. NON- CONFORMING SIGN: A sign existing at the effective date of the Professional and Office Overlay District, which could not be built under the terms of the current regulations.
 - j. PROFESSIONAL AND OFFICE OVERLAY DISTRICT: As defined by the Town of Geddes Zoning Code.

- k. **PORTABLE SIGN:** A freestanding sign not permanently affixed, anchored, or secured to the ground or a structure on the lot it occupies, or any sign mounted on wheels, excluding signs affixed to or painted on a vehicle the primary purpose of which is other than to be a sign. Examples include, but are not limited to sandwich boards and blackboards.
- l. **PLYWOOD:** A structural material made of layers of wood glued together, usually with the grains of adjoining layers at right angles to each other.
- m. **SIGN:** Any privately or publicly-owned, permanent or temporary structure, light, letter, word, model, banner, pennant, insignia, trade flag, or representation, or any other device used to advertise, inform, or attract the attention of the public, which is designed to be seen from outside a building, including any sign in windows or on doors.
- n. **SIGN AREA:** Determined by the following:
 - 1. The area shall be considered to include all lettering, wording, and accompanying designs and symbols together with the background, whether open or enclosed, on which they are displayed. It shall not include any supporting framework, decorative framing, or bracing that is incidental to the display itself.
 - 2. Where the sign consists of individual letters or symbols attached to or painted on a surface, the area shall be considered to be that of the smallest rectangle or other geometric shape that encompasses all of the letters or symbols.
 - 3. Only one side of a double-faced sign will be counted in computing the area of that sign.
 - 4. The area of a flat, irregularly shaped sign shall be the smallest rectangle or ellipse figure that will wholly contain it.
- o. **SYMMETRICALLY DESIGNED BUILDING:** A building designed with the same architectural features and fenestration on one side of the front facade as can be found on the other side of the same front facade. Typically, a symmetrically designed building has a central entrance.
- p. **USE:** The purpose for which land or a building is arranged, designed, or intended and for which either land or a building is or may be occupied or maintained.

C. Schedule of Allowed Locations

1) Sign Types

- a. All signs erected within the Professional and Office Overlay District shall be either a two-sided Freestanding Sign or a Building Mounted Sign.

2) Location

a. Freestanding Signs

- 1. All such signs shall be perpendicular to the public right of way.
- 2. Sign placements shall comply with setback regulations for the applicable underlying zoning district, and shall be erected no further than five (5) feet from the established setback.

3. A sign shall not interfere with, or obstruct, any official traffic sign, signal, or marking for any reason.

b. Building Mounted Signs.

1. All Building Mounted Signs shall be located to either the right or the left of the front door of the building.

2. No sign shall be installed on the front door.

3) Number of Signs

a. A single Freestanding or Building Mounted Sign, complying with this Local Law shall be permissible, upon approval of the Planning Board, on a single lot, within the Professional and Office Overlay District.

b. The use of both a Freestanding Sign and Building Mounted Sign is prohibited.

D. Construction & Design Standards

1) Signs should not obscure or become inharmonious with existing architectural features and proportions of the property upon which it is located and the surrounding properties. Any sign that is moved to another location on a site within the Office and Professional Overlay District, shall be considered a new sign, and approval by the Town of Geddes Planning Board shall be required.

2) Content

a. A sign may provide the name of the business, the nature of the business or service conducted on the property, and the street number of the property.

b. No sign shall include the telephone number, email, or web address of a business, or service rates.

c. A sign designed with a registered trademark of a specific commodity that uses a non-historical font style may be used provided that the trademark occupies no more than fifteen percent (15%) of the total area of the sign.

3) Colors

a. Sign backgrounds shall be painted either black or white, and shall have contrasting lettering. The use of subdued colors for lettering is encouraged.

b. Superfluous, "busy" or otherwise unnecessary borders, fonts, and/or shapes are prohibited.

4) Lettering

a. Lettering which is traditional in appearance and style, and has a historic precedent is preferred. Lettering that is too bold, too harsh in its simplicity, or is "trendy" is discouraged and is rarely approved.

b. All surfaces shall be painted.

c. Vinyl lettering is prohibited.

5) Illumination

a. Signs shall be either non-illuminated or illuminated by indirect light only (internally illuminated signs are not permitted). Those signs illuminated by indirect light shall be on a timer, and shall not be illuminated between the hours of 10 PM and 5 AM.

b. Signs may be illuminated for a business operating after sunset, provided that the wattage used not exceed 450 Lumens (under a 30 Watt incandescent bulb),

the color temperature is no greater than 4500° Kelvin, and the source of illumination is both shielded and directed downward at the sign.

6) Materials

- a. Signs shall be constructed of wood except as required by State or Federal law. Particleboard, plastic, or baked enamel on metal is prohibited.
- b. "Medium Density Overlay" plywood or marine plywood shall be edge banded. However, solid wood is recommended over plywood, as plywood tends to delaminate with age.

7) Prohibited Signs

- a. The following signs shall not be permitted, constructed, erected, or maintained:
 1. Signs with flashing, moving, or intermittent lighting of any kind, including signs that are backlit and electric or neon signs;
 2. Portable Signs, including any sign mounted on wheels;
 3. Signs that are painted, posted or tacked to barrels, benches, buildings, doors, posts, trees, or any other structure;
 4. Attachment Signs; or
 5. Any other signs not expressly permitted by this Section.

8) Size/Area and Height.

- a. Freestanding Signs.
 1. A sign shall be no larger than two (2) feet in height and three (3) feet wide.
 2. A sign shall stand no taller than four and one-half (4.5) feet in height, as measured from the primary elevation of the lot.
- b. Building Mounted Signs
 1. A sign shall be no larger than two (2) feet in height and three (3) feet wide.
 2. Signs shall be oval, rectangular or round in shape.

9) Sign Support

- a. Sign brackets and stands shall be constructed of wood or wrought iron.
- b. Sign brackets shall extend the full length of the sign.

E. Existing Signs

- 1) Nonconforming Status. All signs not in compliance with any provision of this Section, upon the effective date specified herein, shall be deemed nonconforming.
 - a. Nonconforming Signs shall be removed or brought into conformity with the requirements of this Section upon a change in color, location, material, size or use.
 - b. Nonconforming Signs related to an existing use shall be removed or made conforming prior to the issuance of any subsequent permit for such use.
 - c. Applications for sign approval and sign permit for the replacement of an existing Nonconforming Sign to a legal conforming sign, which is submitted before two (2) years from the effective date of this Section shall be exempt

from all applicable fees required by this Section, but not from any subsequent fees.

F. Sign Maintenance

- 1) The owner of a sign and the owner of the premises upon which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in a neat and orderly condition and good working order at all times and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign.
- 2) Unsafe signs or unsightly, damaged, or deteriorating signs, or signs in danger of falling shall be put in order or removed upon written notice. Immediate compliance is expected for the repair or removal of unsafe signs. If compliance is not achieved within the time period specified in such notice, the sign shall be repaired or removed by the Town and the costs assessed to the property owner.

G. Enforcement

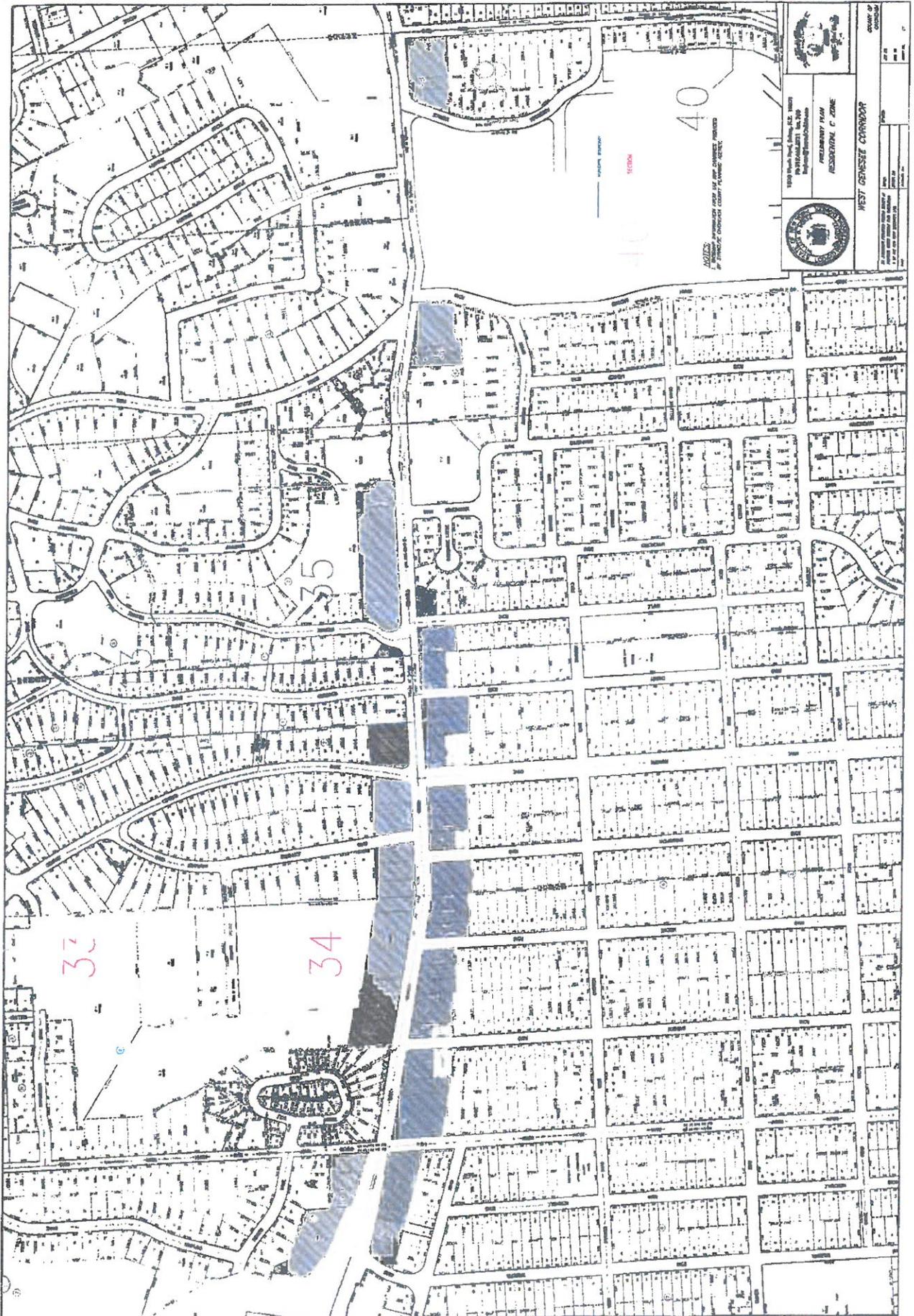
- 1) The codes and regulations herein shall be enforced by the Town Code Enforcement Officer.

H. Severability

- 1) If any clause, sentence, paragraph, section or part of this Section shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remaining portions hereof, but shall be confined to the clause sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Exhibit C. Geographic Area

Parcel #	Street Address	Acreage	Width	Meets	Owner 1	Owner 2
032.-09-09.0	3200 GENESEE ST	0.48	93.5	Y	BAUM-WICKS TRACEY E	
032.-08-10.0	3202 GENESEE ST	0.39	75.26	Y	TESTA ANGELO V	TESTA CAROL L
032.-08-11.0	GENESEE ST	0.32	91.82	Y	TESTA CAROL	TESTA ANGELO V
032.-06-12.0	3208 GENESEE ST	1.48	400	Y	MARK ANTHONY CONTRACTING	
034.-01-09.0	2900 GENESEE ST	0.46	85	Y	JAMIESON LAURIE J	
034.-01-10.0	2902 GENESEE ST	0.43	93	Y	JANES PATRICK J	JANES AMANDA L
034.-01-11.0	2904 GENESEE ST	0.43	93.26	Y	DOROTHY M AMES LIVING TRU	
034.-01-12.0	2908 GENESEE ST	0.34	75	Y	MURPHY MARK D	MURPHY MARIE
034.-01-13.1	3000 GENESEE ST	11.00	350	Y	JEROME JAMES L	
034.-01-14.0	3006 GENESEE ST	0.65	142	Y	JEROME JAMES L	JEROME SUSAN M
034.-01-15.0	3010 GENESEE ST	0.39	75	Y	BARATTA PATRICK	
034.-01-16.0	3012 GENESEE ST	2.11	125	Y	JEROME VAN R	
034.-02-19.0	2800 GENESEE ST	0.44	110	Y	ROGERS ROBERT H	
034.-02-20.0	2804 GENESEE ST	0.64	140	Y	GOULD ELIZABETH K	GOULD WILLIAM J
034.-03-01.0	2704 GENESEE ST	0.35	76.8	Y	KNAPP WILLIAM A	KNAPP SANDRA S
034.-03-02.0	2705 GENESEE ST	0.34	75	Y	JEANNE E STUMMER TRUST	STRUMMER, TRUSTEE KATHERI
034.-03-03.0	2708 GENESEE ST	0.43	80	Y	GUSS-ASHEN JEAN	
035.-01-15.0	101 WILSHIRE RD	0.26	40	N	WALLACE DAVID	
035.-02-32.0	2522 GENESEE ST	0.59	128	Y	MALYS IRREVOCABLE TRUST C	C/O ATTN: RICHARD J MALYS
035.-02-33.0	2520 GENESEE ST	6.74	650	Y	SOLVAY FIRE DEPT	
036.-08-01.0	103 WALBERTA RD	0.43	80	Y	PANIGHETTI JOHN	PANIGHETTI JANET
036.-08-02.1	3211 GENESEE ST	0.41	120	Y	PANDILLO LARRY F	MATHEWS VICTORIA
038.-08-04.0	3207 GENESEE ST	0.21	60	N	HONEY SUSAN L	
038.-08-05.1	3201 GENESEE ST	1.10	288	Y	CARR JAMES J	CARR ARLIE S
037.-01-01.1	3111 GENESEE ST	0.81	150	Y	DESTINY MART, INC	C/O WADE ASFOUR
037.-01-03.0	GENESEE ST	0.45	78	Y	ASFOUR WADE	
037.-01-04.0	GENESEE ST	0.45	78	Y	IRWIN THOMAS W	IRWIN MARIE T
037.-01-05.0	98 BRONSON RD	0.50	158	Y	IRWIN THOMAS W	IRWIN MARIE T
037.-02-01.1	97 BRONSON RD	0.20	75	Y	COLLINS KATHERINE T	RESTLE JANET
037.-02-02.0	3009 GENESEE ST	0.80	159	Y	KOWALCZYK JOHN M	KOWALCZYK ANNE E
037.-02-03.0	3007 GENESEE ST	0.37	78	Y	ORSO 2009 REVOCABLE TRUST	ORSO, TRUSTEE ELVIRA
037.-02-04.0	3005 GENESEE ST	0.34	78	Y	RUSSO JOSEPH M	
037.-02-05.0	3001 GENESEE ST	0.32	78	Y	DONNELLY MATTHEW J	DONNELLY KAREN M
037.-03-01.0	2908 GENESEE ST	0.40	78	Y	SMYTH CHRISTOPHER S	SMYTH JANET T
037.-03-02.0	2907 GENESEE ST	0.37	78	Y	SHANAHAN SCOTT R	SHANAHAN KRISTIE L
037.-03-03.0	2905 GENESEE ST	0.33	75	N	MERRITT SHARON J	
037.-03-04.0	2901 GENESEE ST	0.78	168	Y	COLEMAN FRANCIS X	COLEMAN PATRICIA D
037.-04-01.1	2807 GENESEE ST	0.30	100.29	Y	BUTLER JOSEPH E	
037.-04-02.0	2805 GENESEE ST	0.35	78	Y	FINCH SHERRI L	
037.-04-03.0	2803 GENESEE ST	0.35	78	Y	HAWLEY ROBERT G	HAWLEY CHERYL M
037.-04-04.0	2801 GENESEE ST	0.35	76.25	Y	HAWLEY ROBERT G	HAWLEY MARLENE Z
038.-01-01.0	2709 GENESEE ST	0.38	168	Y	GRABDA JOHN F III	GRABDA YVETTE V
038.-01-02.0	2705 GENESEE ST	0.30	55	N	ALBERT DANIEL J	CLEARY DEBORAH A
038.-01-03.0	2703 GENESEE ST	0.30	55	N	BAKER GREGORY J	BAKER MICHELLE R
038.-01-04.0	2701 GENESEE ST	0.44	82.5	Y	SUAREZ DAVID N	SUAREZ ELLEN A
038.-02-01.0	GENESEE ST	0.14	47	N	HART DANA B	
038.-02-02.0	2607 GENESEE ST	0.42	140	Y	HART DANA B	
038.-02-03.0	2603 GENESEE ST	0.29	85	N	ANGELL DONALD	
038.-02-04.0	2601 GENESEE ST	0.23	70	N	LAMONICA PROPERTIES LLC	
038.-03-23.0	2525 GENESEE ST	0.35	150	Y	ZABYCYZ MIROSLAW	ZABYCYZ HALINA
038.-04-04.0	2505 GENESEE ST	0.45	71.35	N	LUSH CYNTHIA A	
038.-04-05.0	GENESEE ST	0.22	36.35	N	LUSH CYNTHIA A	
038.-04-06.0	2503 GENESEE ST	0.95	238.82	Y	RIDGWAY JOSEPH A	
039.-01-01.0	102 FAY RD	1.00	210	Y	MANZANO LINDA W	
039.-01-20.0	2305 GENESEE ST	0.78	80.02	Y	WIECZOREK FRANCIS J	WIECZOREK AGNES W
039.-01-21.0	GENESEE ST	0.28	80	N	MANZANO LINDA W	



WEST GENESSEE CORRIDOR
RESIDENTIAL C ZONE

PLANNING DEPARTMENT
SARASOTA COUNTY PLANNING DEPARTMENT

DATE: 11/15/11

BY: [Signature]

32

34

40