

## § 246-11. SIGN REGULATIONS.

**11.1 Purpose.** The purpose of these regulations is to encourage the effective use of *signs* as a means of communication; to improve pedestrian and traffic safety; to maintain and enhance the aesthetic environment; to minimize the possible adverse effects of unattractive, excessive or improperly located signage on nearby public and private property; to create a more attractive economic business environment; and to enable the fair and consistent enforcement of *sign* restrictions.

**11.2 Applicability and effect.** A *sign* may be erected, placed, established, painted, created or maintained in the town only in conformance with the standards, procedures, exemptions and other requirements of this section. All *signs* not expressly permitted by this section are prohibited. The effect of this section, as more specifically set forth herein, is:

11.2.1 To establish a permit system to allow a variety of types of *signs*, subject to the standards and the permit procedures of this chapter;

11.2.2 To allow certain *information signs* that are small, unobtrusive and incidental to the *principal use* of the respective *lots* on which they are located (subject to the substantive requirement for permits); and

11.2.3 To provide for the enforcement of the provisions of this section.

**11.3 Schedules of permitted signage.** The following three Schedules are hereby adopted and declared to be a part of this chapter:

11.3.1 Permitted *sign* type. Regulations regarding the permitted *sign* types are as set forth in the annexed "Schedule of Permitted *Sign* Types." [EN](#) *Signs* that are not specifically permitted in the schedule or elsewhere in this chapter shall be deemed to be prohibited.

11.3.2 Permitted *sign* number, height and setback. Regulations regarding the number, height and setback of *signs* permitted are as set forth in the annexed "Schedule of Permitted Sign Number, Height and Setback." [EN](#)

11.3.3 Permitted *sign* area. Regulations regarding the permitted area of *signs* are as set forth in the annexed "Schedule of Permitted *Sign* Area." [EN](#)

### **11.4 Measurements.**

11.4.1 Measurement of area of individual *signs*. The area of a *sign* face (which is also the *sign* area of a *wall sign* or other *sign* with only one face) shall be computed by measuring of the smallest square, circle, rectangle or triangle that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the *sign* from the backdrop or *structure* against which it is

placed, but not including any supporting framework, bracing or decorative *fence* or wall when such *fence* or wall otherwise complies with this chapter and is not an integral part of the display itself.

11.4.2 Measurement of area of multi-faced *signs*. The *sign* area for a *sign* with more than one face shall be computed by adding the area of all *sign* faces visible from any one point. When two identical *sign* faces are placed back to back so that both faces cannot be viewed from any point at the same time and when such *sign* faces are part of the same *sign structure* and are not more than 24 inches apart, the *sign* area shall be computed by the measurement of one of the faces.

11.4.3 Computation of height. The height of a *freestanding sign* shall be computed as the distance from the base of the *sign* at average finished grade to the top of the highest attached component of the *freestanding sign*. "Average finished grade" shall be the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the *sign*.

## **11.5 Permanent signs.**

11.5.1 Requirements and restrictions. *Signs* shall only be permitted in conformity with § 246-11.3.1.

11.5.1.1 The letter "P" indicates districts in which a certain *sign* type is permitted without prior permit approval.

11.5.1.2 The letters "SP" indicate districts in which a certain *sign* type is permitted only with prior permit approval.

11.5.1.3 The letters "NP" indicate districts in which a certain *sign* type is not permitted.

11.5.2 If a *sign* requiring a permit in accordance with § 246-11.3.1 is to be placed, constructed, erected or modified on a *lot*, the owner of the *lot* shall secure a *sign* permit prior to the construction, placement, erection or modification of such a *sign* in accordance with the requirements of § 246-11.11.

11.5.3 Although permitted under § 246-11.5.1, a *sign* designated by a "P" or "SP" in § 246-11.3.1 shall be allowed only if:

11.5.3.1 The *sign* area, size, location, height, setback and number of *signs* on the *lot* conform with the requirements of this section.

11.5.3.2 The *sign* does not cause a danger to either pedestrian or vehicular traffic by obscuring views or emitting light or glare which could impair vision or be mistaken for a traffic signal.

11.5.4 No *sign* shall be erected in the public right-of-way except as follows:

11.5.4.1 Public *signs*, including *notification signs*, erected by or on behalf of a governmental body to post legal notices, to identify public property, to convey public information and to direct or regulate pedestrian or vehicular traffic.

11.5.4.2 Bus stop *signs* erected by a public transit company.

11.5.4.3 *Information signs* erected by a public utility regarding its poles, lines, pipes or facilities.

11.5.5 The permitted number, height and *sign* area for *information signs* on a *lot* shall be no more than is necessary to clearly communicate the directive indicated on said *sign* or *signs*.

11.5.6 Any *suspended, projecting, canopy* or *marquee sign* shall have a minimum vertical clearance of 10 feet above finished grade.

11.5.7 No *sign* permit shall be required for any *sign* in lawful existence on the date on which the provisions of this section become effective, unless a permit application for additional site signage is made.

## **11.6 Temporary signs.**

11.6.1 The following *temporary signs* are permitted without a *sign* permit:

11.6.1.1 Signs containing the message that the real estate on which the *sign* is located (including *structures*) is for sale, lease or rent, together with information identifying the owner or agent, telephone number and, if desired, offering price. The minimum setback of such *sign* shall be 20 feet or  $\frac{1}{2}$  the distance from the *front lot line* to the front of the *building*, whichever is less. Such *signs* placed in a residential zoning district shall not exceed four square feet in area nor 30 inches in any dimension and shall be removed immediately after sale, lease or rental. Such *signs* placed in all other zoning districts shall not exceed 16 square feet in area nor five feet in any dimension.

11.6.1.2 Displays with no *commercial message*, including lighting, erected in connection with the observance of holidays.

11.6.1.3 Signs erected in connection with elections or political campaigns. Such *signs* may be displayed no sooner than 120 days prior to the election and shall be removed within 15 days following the election. No such *sign* shall exceed 64 square feet in surface area or be located within a road right-of-way.

11.6.1.4 *Notification signs* as required by this chapter.

11.6.1.5 *Temporary signs* not covered in the foregoing categories, provided such *signs* conform with the following restrictions:

11.6.1.5.1 Not more than one such *sign* may be located on any *lot* or for any business.

11.6.1.5.2 No such *sign* shall exceed 10 square feet in surface area.

11.6.1.5.3 No such *sign* shall be displayed for longer than seven consecutive days, nor more than 10 days in any thirty-day period.

11.6.2 The following *temporary signs* are permitted, provided the applicant secures a *sign* permit in accordance with the requirements of this chapter:

11.6.2.1 *Signs* identifying *building* construction and/or residential subdivision sites. Such *signs* may identify the project, the owner or developer, architect, engineer, contractor and subcontractors and the funding sources and may contain related information, including but not limited to sale or leasing information. One such *sign* is permitted for each road *frontage*, provided that such *sign* does not exceed 24 square feet in area nor more than five feet in any dimension.

The minimum setback of such *sign* shall be 20 feet or ½ the minimum *front setback* distance, whichever is less. In no case shall such *signs* be erected prior to the issuance of a *building* permit, and such *signs* shall be removed immediately upon issuance of the certificate of occupancy for the *building* or *buildings* to be erected.

11.6.2.2 *Signs* indicating a special event sponsored by or for a not-for-profit or charitable organization that is to take place in a different location than where the *sign* is located. Such *signs* may be erected not sooner than two weeks before the event and must be removed not later than three days after the event's conclusion. In no case shall such signage be maintained for more than 30 days in any year or exceed 40 square feet in area. The location and setback of such *signs* shall be as determined appropriate by the Department of Planning and Development and any duly authorized assistants.

11.6.2.3 Other *signs* not listed herein shall be regarded and treated in all respects as permanent *signs*.

**11.7 Exempt signs. The following *signs* shall be exempt from regulation under this section:**

11.7.1 Any public notice or warning required by a valid federal, state or local law or regulation, including *notification sign* posted in accordance with the requirements of this section.

11.7.2 Any *sign* inside a *building*, which is not attached to or within four feet of a window or door and is not legible more than three feet beyond the face of the window.

11.7.3 Traffic control *signs* on private property, such as "STOP," "YIELD," "ONE-WAY" and similar *signs*, the face of which meets New York State Department of

Transportation standards and which contains no *commercial message* of any sort.

11.7.4 Address numbers on property used only for residential purposes.

11.7.5 Any *sign* identifying a permitted home *office* not more than two feet in area.

**11.8 Design, construction and maintenance. All *signs* shall be designed, constructed and maintained in accordance with the following standards:**

11.8.1 Except for *temporary* and *banner signs* conforming in all respects with the requirements of this section, all *signs* shall be constructed of permanent materials and shall be permanently attached to the ground, a *building* or a *structure*.

11.8.2 All *signs* shall be attractively designed and properly maintained in accordance with the property maintenance provisions of this chapter, and shall be kept in sound structural condition, in compliance with all applicable codes and laws.

**11.9 Sign illumination. The source of illumination of *signs* shall not be visible and shall comply with the site design standards of this chapter.**

**11.10 Permits to construct or modify signs.**

11.10.1 Any *sign* identified as "SP" in § 246-11.3.1 shall be erected, installed, modified or created only in accordance with a duly issued and valid *sign* permit from the Department of Planning and Development. Such permits shall be issued only in accordance with the requirements and procedures as set forth by the Department of Planning and Development and shall expire one year from date of issue if said *sign* is not complete.

11.10.2 Permit for new *sign* or *sign* modification. An application for construction, creation or installation of a new *sign* or for modification of an existing *sign* shall be accompanied by detailed drawings showing the dimensions, design, *structure*, location and other related information with respect to each such *sign*.

11.10.3 Permit fee. No permit shall be issued until payment of a fee calculated at \$0.75 per square foot, when measuring the greatest height by the greatest width for each face of the *sign*, with a minimum fee of \$25.

**11.11 General permit procedures. All applications for *sign* permits under this section shall follow the procedures established by the Department of Planning and Development.**

**Schedule of Permitted Sign Types**

Town of Oyster Bay  
 § 246-11.3.1. Schedule of Permitted Sign Types  
 [Amended 7-22-2003 by L.L. No. 7-2003; 11-9-2004 by L.L. No. 16-2004]

(Any sign not specifically permitted shall be deemed to be prohibited.)

**Zoning Districts**

Sign Type	CB, GB,			
	R1	RMF, RO	OB, NB	ORD, LI
<b>Freestanding Signs</b>				
Nonresidential use		PR	PR	PR
All other	NP (See Note c)			
<b>Building Signs</b>				
Building marker	P	P	P	P
Marquee	NP	NP	NP	PR
Projecting	NP	NP	PR	PR
Suspended	NP	NP	PR	PR
Wall (including canopy signs)		PR (See Note a)		PR PR
<b>Miscellaneous Signs</b>				
Temporary (See Note b)		P	P	P P
Information	P	P	P	P
<b>Sign Characteristic (All Sign Types)</b>				
Changeable Copy		NP	NP	PR PR
Illuminated	NP	PR	PR	PR

**KEY:**

- P = Permitted without sign permit
- PR = Sign permit required
- NP = Not permitted

**ZONING DISTRICTS:**

- R1 = R1-5A, R1-2A, R1-1A, R1-20, R1-15, R1-10, R1-7, R1-6 Residence Districts.
- RMF = RMF-6, RMF-10, RNG-12, RMF-16, RPH-20, RSC-25 Residence Districts.
- RO = Residence-Office District.
- OB = Office Business District.

NB, CB, GB = Neighborhood, Central, General Business Districts.

ORD = Office, Research and Development District.

LI = Light Industrial District.

**NOTES:**

- a. Only wall signs for permitted nonresidential uses are permitted with a sign permit.
- b. Temporary signs shall include banners, but exclude portable signs.
- c. A sign identifying the name of a residential development, located at the street entrance to such development, shall be permitted with a sign permit.

Town of Oyster Bay  
 § 246-11.3.2. Schedule of Permitted Sign Number, Height and Setback  
 [Amended 11-9-2004 by L.L. No. 16-2004]

**ZONING DISTRICTS**

Sign Type	CB, GB,			ORD, LI
	R1	RMF, RO	OB, NB	
<b>FREESTANDING SIGNS</b>				
Maximum Number		1 per lot		1 along each street providing vehicle access
Maximum Height (feet)		6	15	20
Minimum Setback (feet)		(See Note a)		
<b>BUILDING SIGNS</b>				
Building Marker		1 per building		
Marquee	0	0	0	1 per lot
Projecting	0	0	1 per building	
Suspended	0	0	1 per business	
Wall (including Canopy Signs)		(See Note b)		(See Note c)
<b>MISCELLANEOUS SIGNS</b>				
Temporary (see Note d)		See § 246-11.6		
Information		See § 246-11.5.5		

**KEY:**

**ZONING DISTRICTS:**

R1	=	R1-5A, R1-2A, R1-1A, R1-20, R1-15, R1-10, R1-7, R1-6 Residence Districts
RMF	=	RMF-6, RMF-10, RNG-12, RMF-16, RPH-20, RSC-25 Residence Districts
RO	=	Residence-Office District
OB	=	Office Business District
NB, CB, GB	=	Neighborhood, Central, General Business Districts
ORD	=	Office, Research and Development District
LI	=	Light Industrial District

NOTES:

- Setback shall be 10 feet or 1/2 the distance measured from the front lot line to the front of the building, whichever is less. In no case shall any sign be installed within a street right-of-way.
- One *nonresidential use wall sign* is permitted per lot.
- One per wall or tenancy, but in no case more than two per establishment.
- Temporary signs* shall include *banners* but exclude *portable signs*.

**Town of Oyster Bay  
§ 246-11.3.3. Schedule of Permitted Sign Area**

[Amended 7-22-2003 by L.L. No. 7-2003; 11-9-2004 by L.L. No. 16-2004]  
(All figures listed are in square feet.)

Zoning Districts					
Sign Type	R1	RMF	CB, GB, RO	OB, NB	ORD, LI
Freestanding Signs (See Note e)	2	(See Note a)	10	6	32 (See Note b)
Building Signs					
Building Marker	2	2	2	4	4
Marquee	0	0	0	0	(See Note c)
Projecting	0	0	0	2	
Suspended	0	0	0	3	
Wall (including Canopy Signs)		(See Note a)		4	4 (See Note c)
Miscellaneous Signs					
Temporary (See Note d)			See § 246-11.6		
Information			See § 246-11.5.5		

KEY:

ZONING DISTRICTS:

R1	=	R1-5A, R1-2A, R1-1A, R1-20, R1-15, R1-10, R1-7, R1-6 Residence Districts
RMF	=	RMF-6, RMF-10, RNG-12, RMF-16, RPH-20, RSC-25 Residence Districts
RO	=	Residence-Office District
OB	=	Office Business District
NB, CB, GB	=	Neighborhood, Central, General Business Districts
ORD	=	Office, Research and Development District
LI	=	Light Industrial District

NOTES:

- Maximum sign area for a permitted principal nonresidential use sign is 24 square feet. Maximum sign area for a sign identifying the name of a residential development located at the street entrance to such development is 10 square feet. The maximum sign area for a home office is two square feet.
- For each foot of setback in excess of 10 feet, the area of the sign may be increased by three square feet to a maximum of 150 square feet.
- Two square feet per linear foot of building surface to which the sign is to be attached, up to a maximum of 200 square feet, per wall. The maximum vertical dimension of a wall sign shall be five feet. The maximum horizontal dimension shall not exceed 75% of the linear frontage of the wall surface.
- Temporary signs* shall include *banners* but exclude *portable signs*.
- For each five dwelling units in excess of 25, the area of the sign may be increased by one square foot to a maximum of 24 square feet.