

TOWN OF LANSING MEMORANDUM

FROM: Lynn Day – Code Enforcement Officer

RE: Modification to Site Plan

DATE: December 21, 2017

Applicant Robert Weinstein agent for WB Asset Management LLC, owner of Tax Parcel # 37.1-6-3.362 Cayuga Orchard Apartments is requesting a modification to the site plan which was approved October 16, 2017, resolution 17-11. They are proposing to add two signs 92.6 sf each, one at each entrance.

Our Sign Law, Local Law #1 of 2014 - Article V-5 requires all illuminated signs to go thru site plan review. Article VI – Rules applicable to Residential Sign District allows one sign at each entrance and the sign shall not exceed 12 sf each. If the Planning Board allows the modification to the site plan they would then need a variance for the size of the signs. Attached is our requirements that pertain to the proposed signs.

Tompkins County
DEPARTMENT OF PLANNING AND SUSTAINABILITY

121 East Court Street
Ithaca, New York 14850

Katherine Borgella, AICP
Commissioner of Planning and Sustainability

Telephone (607) 274-5560

January 2, 2018

Sue Munson, Information Aide
Town of Lansing
29 Auburn Road
Lansing, NY 14882

Re: Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law
Action: Proposed Site Plan for signs for Cayuga Orchard Apartments, Town of Lansing Tax Parcel #37.1-6-3.362, WB Asset Management, LLC, Owners; Robert Weinstein, Applicant.

Dear Ms. Munson:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Planning and Sustainability Department pursuant to §239 -l, -m and -n of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter-community, or county-wide impacts.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,



Katherine Borgella, AICP
Commissioner of Planning and Sustainability

Banner - A type of flag, not an emblem of a government or institution, with graphics that are purely decorative or that identify, advertise, or convey commercial information.

Billboard or Off-Premises Sign- Any outdoor Sign that directs attention to a business, commodity, activity, service, or product not conducted, sold, or offered upon the Premises where such Sign is located.

Commercial Activity - An establishment, activity, or use that provides goods, merchandise, services, resources, or entertainment to the general public for gain.

Commercial Sign District - The B-1, B-2, and IR land use area classifications as established and mapped in and by the Town of Lansing Land Use Ordinance.

Dark Sky - Refers to the "Dark Sky Standards" for lighting and luminaires, generally designed to provide for glare-free, downward directed, and shielded lighting as promotes the "Dark Sky" standards of the International Dark-Sky Association ("IDA"), Tucson, Arizona, including, for example, meeting the goals and standards expressed in the "Outdoor Lighting Ordinance and Community Standards" Information Sheet #172, and the IDA "Outdoor Lighting Code Handbook."

Exempt Sign - A Sign which may be erected or placed without a Sign Permit or a Site Plan Review under the provisions of this Local Law.

Freestanding Sign - Any Sign or Sign structure not attached to the exterior of a building.

Electronic Message Display Sign - A Sign that utilizes computer generated data or some other electronic means to display messages through the use of light, including through flashing, intermittent, rotating, or moving light, or light that has the appearance of flashing, moving, or Scrolling. Common examples would be LCD and LED signage.

Enforcement Officer - The Town Code Enforcement Officer, the Town Building Inspector, and any other person appointed by the Town Board to represent the Town in particular matters pertaining to this Local Law.

Illuminated Sign - Any Sign illuminated, spotlighted, or lit by electricity, gas, or other artificial or concentrated light source, including, but not limited to, reflective, luminescent, or phosphorescent light, whether originating from outside the body of the Sign or from within or behind it. Illuminated Signs shall include Electronic Message Display Signs.

Institution - An organization established to serve a social, educational, or religious purpose. Common examples would be hospitals, schools, or churches.

Nonconforming Sign - A lawfully existing Sign as of the effective date of adoption of this Local Law, or any subsequent amendment hereto, that does not conform to the requirements of this Local Law; but not including Off-Premises Signs.

contribute to glare or distracting reflected light. The Enforcement Officer shall reasonably determine whether any Illuminated Sign causes, creates, or contributes to glare or any distracting reflected light as such terms are used in this subsection. In making any such determination the Enforcement Officer may employ Dark Sky standards.

5. All Illuminated Signs shall be subject to Site Plan Review.
- D. Electronic Message Display Signs are allowed only in Commercial Sign Districts and all such Signs shall be subject to Site Plan Review.
- E. Except for Wayfaring Signs issued pursuant to a Sign Permit, no Billboards or Off-Premises Signs are permitted or allowed in any Sign district or area of the Town without a use Variance.
- F. Except for Wayfaring Signs, or unless otherwise allowed by this Local Law, or unless a permit therefor has been obtained by any governmental or public authorities having jurisdiction over such Public Right-of-Way, no Signs may be located within any Public Right-of-Way unless approved through a Site Plan Review process or pursuant to a Variance. Any Sign located within such Public Right-of-Way shall require permission or permits from any governmental or public authorities having jurisdiction over such Public Right-of-Way.
- G. No freestanding Sign for Residential Based Businesses located within a Residential Sign District shall exceed 9' in height. No other freestanding Sign shall exceed 15' in height. Signs located or mounted upon the exterior of any building or structure shall not extend above the fascia or be mounted on the roof.
- H. No Planned Sign Area may be sited within any Residential Sign District.
- I. Unless expressly otherwise permitted by this Local Law, a Variance is granted, or unless within a Planned Sign Area: (i) for all Commercial Activity Signs and other commercial and business Signs, no more than 2 Signs shall be allowed per each Premises and the area of each such Sign shall not exceed the maximum allowed area for each such Sign as based upon its use and location and the requirements of this Local Law; and (ii) only one Residential Based Business Sign is allowed per each Premises upon which a residential business (or home occupation) is located.
- J. The failure to timely comply with any conditions stated in any Site Plan Review approval, any Variance, or upon any Sign Permit shall be deemed a violation of this Local Law.

Article VI - Rules Applicable to Residential Sign Districts.

- A. Commercial Signs shall not exceed 18 ft².

- B. Residential Based Business Signs shall not exceed 9 ft².
- C. Multi-family dwelling, townhouse, mobile home park, housing development, and like residential Signs shall not exceed 12 ft² and only one Sign is allowed per entrance.
- D. Institution Signs shall not exceed 40 ft².

Article VII - Rules Applicable to Agricultural Sign Districts.

- A. Commercial Signs shall not exceed 48 ft².
- B. Residential Based Business Signs shall not exceed 24 ft².
- C. Multi-family dwelling, townhouse, mobile home park, housing development, and like residential Signs shall not exceed 12 ft² and only one Sign is allowed per entrance.
- D. Institution Signs shall not exceed 40 ft².

Article VIII - Rules Applicable to Commercial Sign Districts.

- A. Commercial Signs shall not exceed 48 ft².
- B. Residential Based Business Signs shall not exceed 24 ft².
- C. Multi-family dwelling, townhouse, mobile home park, housing development, and like residential Signs shall not exceed 12 ft².
- D. Shopping center or plaza Signs shall not exceed 48 ft², and individual store or business Signs within such shopping center or plaza shall not exceed 16 ft² for each business (and are in addition to the center's or plaza's Signage), unless pursuant to an approved Planned Sign Area.
- F. Institution Signs shall not exceed 48 ft².

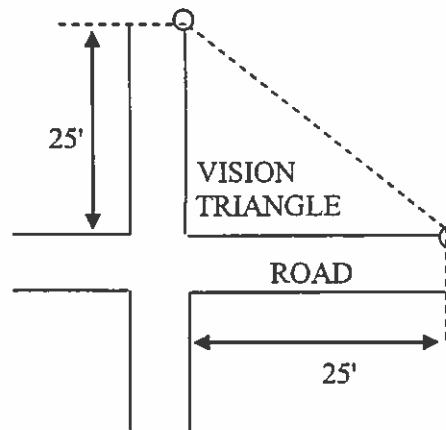
Article IX - Planned Development Areas.

The Enforcement Officer shall examine the predominant purposes and uses of any Planned Development Area ("PDA") and shall then, for purposes of this Local Law, classify the PDA as subject to Residential Sign District rules, Agricultural Sign District rules, or Commercial Sign District rules.

606.0

OBSTRUCTION OF VISION

For safety reasons, no structure, fence or planting over three (3) feet in height, and no branches less than ten (10) feet from the ground, shall be permitted within the vision triangle at road intersections. The vision triangle is an area formed by the right-of-way lines of intersecting roads and a diagonal line connecting a point located on each of the right-of-way lines and located a distance of 25 feet from their Intersection (see diagram, below). Any fence or planting that does not conform to the requirements of this section and thereby results in an obstruction to the vision of motorists shall be corrected within thirty (30) days from the date a notice thereof has been sent to the property owner by the Code Enforcement Officer.



607.0

LOT IN TWO DISTRICTS

When a lot is divided by a district boundary line the regulations and requirements of either district may be extended for a distance of fifty (50) feet into the other district, at the lot owner's discretion.

608.0

DRAINAGEWAYS

Natural drainage ways shall be preserved and shall be kept free of debris or other obstructions to water flow. Where relocation of a natural drainage way cannot be avoided it must be located in a way that will assure the unobstructed flow of storm water.

609.0

GARBAGE AND JUNK

Lots shall be kept free from abandoned or inoperable vehicles, discarded building material, appliances and furniture, and all forms of garbage and junk, and all Lots shall be maintained in accordance with applicable laws and ordinances and the Building Code and New York State Property Maintenance Code.

610.0

SEQRA REQUIREMENTS

No action as defined by SEQRA shall be taken until there has been compliance with applicable provisions of 6 NYCRR Part 617 and an environmental determination of significance has been made by the lead agency.