

# **SPECIAL USE PERMIT APPLICATION – Internally Illuminated Signs**

## **CITY OF GENEVA, NEW YORK**

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Special uses are those uses identified within Schedule I of the City's Municipal Code, Chapter 350 – Zoning, that have some particular impact or unique characteristics which require a case-by-case review of their location, design, configuration and impacts on the surrounding area to determine the desirability of permitting their establishment on a particular site. Therefore, this city requires a special use permit for such uses to secure compliance with general and/or specific standards from the applicant to promote the orderly and harmonious development of the City of Geneva, New York. For internally illuminated signs, this review process is executed by the city's **Zoning Board of Appeals (ZBA)**.

The city's Zoning Code mandates that any city permits or certificates shall not be issued for any special uses until approval has been obtained by the city's Zoning Board of Appeals (ZBA).

### **Imposing conditions on special use permits:**

This city's Zoning Board of Appeals (ZBA) has the authority to impose reasonable conditions and restrictions when granting a special use permit if they are directly related to and incidental to the proposed use of the property. Once the ZBA has imposed a condition on an applicant, it shall be complied with before the City of Geneva, New York can issue a building permit and/or a certificate of occupancy. The purpose of these conditions is to minimize the adverse impact of the special use permit on the neighborhood or community. These conditions can be related to fences, safety devices, landscaping, screening and access roads, traffic, outdoor lighting and noises, and enclosures of buildings, emission of odors, dust, smoke, refuse matter, vibrations, parking and other factors incidental to comfort, peace, enjoyment, health or safety of the surrounding area.

### **Schedule:**

Please refer to the attached schedule of application deadlines for the specific date when applications are due.

### **Permitted locations of internally illuminated signs:**

The following locations are only permitted to have internally illuminated signs, which can be installed/operated only after obtaining a special use permit:

1. Hamilton Street only in the "B-1" and "H" zoning districts.
2. Business Improvement District (BID). All signs installed within this district shall be approved by BID's commercial design advisory team (CDAT) and such approval shall be attached to this application.

### **Contacting the City's Planning & Zoning Coordinator:**

Prospective applicants are strongly advised to consult with this city's Planning and Zoning coordinator before submitting their application. The coordinator will explain the approval process and make the applicants aware of regulations that apply to their projects.

The coordinator's main telephone number is (315) 789-3101. Most applications can be downloaded from the City of Geneva's website at [www.geneva.ny.us](http://www.geneva.ny.us).

**Application process:**

1. The application for a special use permit must be completed and presented before the ZBA by the property owner or his/her designated representative.
2. The following documents shall be submitted with all applications:
  - a. A complete application form.
  - b. A written statement documenting compliance with city standards.
  - c. Scaled drawings of proposed project in an 11x17 format, or, if necessary to maintain legibility, a larger format. These drawings can include, but are not limited to, the following:
    - i. Site plan.
    - ii. Elevations.
    - iii. Any other details deemed necessary to explain this project.
  - d. Photographs and catalog cuts of proposed internally illuminated sign(s).
  - e. Survey maps of the property.
  - f. Legal proof of control of the property by ownership.
  - g. New York State Environmental Assessment Form. The type of environmental assessment form to be submitted will depend on the scope of work and proposed use described in the application. Please refer to the New York State Department of Environmental Conservation's website at [www.dec.ny.gov/permits/357.html](http://www.dec.ny.gov/permits/357.html) for further information as well as printing required forms.
  - h. Application fee:
    - i. Fifty dollars (\$50.00) for single family properties.
    - ii. One hundred fifty dollars (\$150) for any other type of property.
3. Fifteen (15) copies of the completed application, required documentation and application fee shall be submitted to this city's Planning and Zoning coordinator prior to the application deadline date that is described on the attached schedule. Such copies shall also be collated and stapled for distribution. Please understand that the City of Geneva shall not accept any applications past the deadline date due to the timeframe needed to execute a coordinate review with other applicable agencies and/or City entities.

4.

**City standards:**

The City's Zoning Board of Appeals (ZBA) is obligated to review the special use permit application and attached documents to ensure conformance with the city's standards. Such standards are documented in the City of Geneva's Municipal Code, Chapter 350, Section 53 – Special Use Permits, which are:

Prohibited types of signs:

1. Attention-getting devices.
2. Temporary signs, except as expressly authorized in this city's Zoning Code (e.g., political signs).
3. Signs on vehicles. No person shall park any vehicle or trailer on any street, on any public property or on any private property so as to be visible from any street, which vehicle or trailer has attached thereto or located thereon any portable or temporary sign or advertising device intended primarily to provide advertisement of products or direction to any business or activity located on the same or any other premises.
4. Portable signs. No portable sign shall be allowed unless the City Engineer shall have issued a temporary permit for the display and use thereof. Under no circumstances shall the City Engineer issue such temporary permit except for special occasions or events, such as festivals, bazaars and temporary sales of temporary duration. Such temporary permit shall contain such restrictions on the size and location of portable signs as he deems to be appropriate.
5. Any outdoor sign which advertises, identifies or pertains to a business no longer conducted or a product no longer sold on the premises where such sign is located. Such signs shall be removed within 30 days following cessation of the relevant activity.
6. Any sign on a tree or utility pole or painted on or otherwise directly affixed to any rock, ledge or other natural feature, whether on public or private property.

Sign review standards:

1. No sign or sign structure shall obstruct free ingress or egress from a fire escape door, window, or other required accessway.
2. No sign shall be erected or maintained within the zone of light obstruction for any window opening into any habitable room of any residential unit.
3. No sign shall project over, occupy or obstruct any window surface required for light or ventilation by the applicable code.
4. No sign shall be maintained at any location where, by reason of its position, size, shape, content or color, it may obstruct, impair, obscure, interfere with the view of or be confused

with any traffic control sign, signal or device or where it may interfere with, mislead or confuse traffic.

5. No internally illuminated sign(s) shall be objectionable to nearby properties by reason of illumination.
6. All internally illuminated sign(s) shall be a positive impact to the neighborhood or community and will not create any adverse affects. Items to be considered include, but are not limited to, size, color, proximity to street, height, intensity of lighting, other signage in the area, type of lighting, and materials used to construct the sign.
7. All internally illuminated sign(s) shall be low intensity, have dark or opaque backgrounds, compatible with other neighborhood signs or architectural features of the surrounding area, not block the visibility of other signs or businesses and needed by the applicant business to assure reasonable visibility. Continuity among nearby signs shall be sought where possible.

Maintenance standards:

1. The owner of a sign and the owner of the premises on 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 deteriorated 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 City and the costs assessed to the property owner.
3. Unsafe temporary signs or unsightly, damaged, or deteriorated 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 temporary signs.

Sign removal standards:

1. Any sign now or hereafter existing which no longer advertises a bona fide business conducted or a product available for purchase by the public on the premises shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or structure or land upon which such sign may be found within 10 days after written notification from the enforcement officer, and, upon failure to comply with such notice within the time specified in such order, the enforcement officer is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building or structure or land to which such sign is attached.
2. When, for whatever reason, a sign is removed from a building, pole, ground support, etc., all supporting devices must also be removed. This may include, but is not limited to, brackets, pole, chains, posts, beams, slabs of bases, etc. Such supporting devices shall be removed at the time that the sign is removed.

3. If the provisions of the foregoing sections are not complied with, the City of Geneva, New York shall serve written notice upon the owner, occupant or any person having the control of any such property 30 days after receipt of such notice, or, if no person can be found in the City who either is or claims to be the owner of such property or who either represents or claims to represent such owner, the Superintendent of Public Works shall cause such signs and/or supporting devices on such property to be removed, and the actual cost of such removal plus a service charge of 50% thereof to cover cost of supervision and administration shall be certified by the Superintendent of Public Works to the City Comptroller, and such certified amount shall thereupon become and be a lien upon the property on which such signs and/or supporting devices were located and shall be added to and become and form part of the taxes next to be assessed and levied upon such property and shall bear interest at the same rate as City real estate taxes and shall be collected and enforced in the same manner as such taxes.

**Approval by other City Entities and/or Regulatory Agencies:**

Please understand that any approval(s) granted by the Planning Board for a special use permit does not imply approval of drawings that are required to be reviewed and approved by other City entities and/or regulatory agencies. Questions about building permits and other regulations can be addressed by the city's code enforcement officer at (315) 789-5311.

# **SUBMISSION REQUIREMENTS**

## **CITY OF GENEVA, NEW YORK**

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The city's code enforcement officer shall review the applicant's submitted package to ensure that the following documents are provided to the Planning Board for a special use permit:

1. A completed application for a special use permit.
2. An application fee of, which all checks must be made payable to the "City of Geneva, New York:"
  - a. One hundred dollars (\$100.00) for any existing buildings.
  - b. One hundred fifty dollars (\$150.00) for any new construction.
3. Survey maps of the property signed and stamped by a land surveyor licensed in the State of New York.
4. Legal proof of control of the property by ownership.
5. New York State Environmental Assessment Form. The type of environmental assessment form to be submitted will depend on the scope of work and proposed use described in the application. Please refer to the New York State Department of Environmental Conservation's website at [www.dec.ny.gov/permits/357.html](http://www.dec.ny.gov/permits/357.html) for further information as well as printing required forms.
6. Color photographs of the property with the proposed sign(s) illustrated including all elevations of the building(s) as well as catalog cut sheets of the sign(s).

If the applicant does not satisfy each of the above-mentioned criteria, the application must be denied by the City's Planning Board (PB).

**SPECIAL USE PERMIT – APPLICATION FORM**

**CITY OF GENEVA, NEW YORK**

**Date of Application:** \_\_\_\_\_

Please type or print clearly.

**Contact Information:**

Property owner(s): \_\_\_\_\_

Business name(s): \_\_\_\_\_

Property owner(s) telephone no.: \_\_\_\_\_

Property owner(s) email: \_\_\_\_\_

Mailing address of property owner: \_\_\_\_\_

Mailing address of business: \_\_\_\_\_

**Real Property Information:**

Address of real property: \_\_\_\_\_

Tax parcel identification number: \_\_\_\_\_

Zoning district: \_\_\_\_\_

Special district (e.g. BID): \_\_\_\_\_

**Project Information:**

Project cost: \_\_\_\_\_ (US dollars)

Existing area of sign(s): \_\_\_\_\_ (square feet)

Proposed area of sign(s): \_\_\_\_\_ (square feet)

**Brief Summary of Project:**

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**Supporting Documentation (check all that apply):**

- Completed application form (15 copies)
- Business Improvement District's CDAT approval letter for proposed sign(s)
- Scaled drawings (15 copies)
- Survey maps of the property
- Legal proof of ownership (15 copies)
- Photographs with the sign(s) shown on the building and catalog cuts of sign(s) (15 copies)
- New York State Environmental Assessment Form (15 copies)
- Application Fee (Please make all checks payable to the "City of Geneva, New York.")

**Property Owner's signature** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Property Owner's name:** \_\_\_\_\_



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**Appendix C**  
**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
**For UNLISTED ACTIONS Only**

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION: Municipality _____ County _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres      Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No      If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: _____	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No      If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No      If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p style="text-align: center;">I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</p> Applicant/sponsor name: _____ Date: _____ Signature: _____	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**