



**CITY OF BEACON, NEW YORK  
ONE MUNICIPAL PLAZA  
BEACON, NY 12508**

Mayor Randy Casale  
Councilmember Lee Kyriacou, At Large  
Councilmember George Mansfield, At Large  
Councilmember Terry Nelson, Ward 1  
Councilmember John E. Rembert, Ward 2  
Councilmember Jodi M. McCrede, Ward 3  
Councilmember Amber J. Grant, Ward 4  
City Administrator Anthony Ruggiero

**City Council Workshop Agenda  
May 28, 2019  
7:00 PM**

**Workshop Agenda Items:**

1. Climate Smart Communities Coordinator Applicant Discussion
2. Climate Smart Communities Task Force
3. Proposed Event by Hop Culture
4. Green Street Park Update
5. Zoning Tables and Maps Discussion
6. City of Beacon Sign Law
7. Resolution Regarding Danskammer Energy LLC
8. Standard Work Day and Reporting Resolution for Elected and Appointed Officials

**Executive Session:**

1. Contract Negotiations

**City of Beacon Workshop Agenda**  
**5/28/2019**

**Title:**

**Climate Smart Communities Coordinator Applicant Discussion**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Climate Smart Communities Job Description	Backup Material
Climate Smart Communities Coordinator Applicant Biography	Backup Material



## City of Beacon

### Climate Smart Communities Coordinator

The City of Beacon is looking for a Climate Smart Communities Coordinator who is qualified and motivated to help move the City towards a more sustainable future. The responsibilities of this position can be found below. The Coordinator position is part time, 30 hours per month at \$25 per hour. If you have any questions, please contact the Mayor's Assistant, Collin Milone, at 845 838-5010. To apply, please send a resume, cover letter and 3 references to [cityofbeacon@cityofbeacon.org](mailto:cityofbeacon@cityofbeacon.org) with **Climate Smart Communities Coordinator Application** as the subject line no later than May 3, 2019.

#### Required qualifications

- Leadership experience, willing to network with nearby communities
- Excellent public speaker
- Background in Environmental Studies or a similar field
- Experience with climate change solutions
- Organized, with strong attention to detail

#### Preferred qualifications

- Experience with grant funding application and management
- Experience working with the Beacon community

#### Responsibilities of the Climate Smart Communities Coordinator

- 30 hours per month
- Gather information on energy use in municipal operations to explore areas with energy-saving potential
- Coordinate volunteers
- Coordinate the greenhouse gas (GHG) inventory
- Assess existing land use plans (e.g., comprehensive plan, open space plan) and land use tools to determine if energy and climate change are addressed
- Gather information on planned projects or large purchases within local government. For example, if the local government is planning to purchase equipment, build a new facility, or start a municipal planning or capital improvement project, there may be opportunities to integrate energy conservation or waste reduction practices into the project or purchase
- Research existing programs or policies that support GHG reductions and may be expanded or may help task force members identify members of local government staff who are

knowledgeable about GHG reduction strategies

- Gather information on available funding sources, technical assistance and other resources to assist with GHG-reduction projects.
- Research similar initiatives in other localities. Other local governments in New York have implemented similar projects; the Climate Smart Communities program offers a network of communities active in this area that share best practices and develop partnerships with neighboring communities
- Draft resolutions and ordinances to implement GHG reductions and adaptation measures.
- Educate residents and businesses on climate change and local climate programs and seek input for projects that will align with their interests and goals. Encourage citizen action by providing information on best practices and funding available for their own projects.

## Climate Smart Communities Coordinator Applicant Biography

Anna Russell is a client-oriented public outreach and marketing strategist with a proven record of building meaningful relationships, managing projects, and designing strategies across public and private sectors. After receiving a B.S. of Business Administration and Management from Nyack College, Anna began her career at a public relations and communications firm working with clients at New York State agencies including the New York Power Authority (NYPA), New York State Energy Research and Development Authority (NYSERDA), in addition to private renewable energy developers. Anna works with clients to develop marketing, communications, and public outreach plans offering creative solutions and fresh perspectives for projects that impact lives. Anna's areas of focus are renewable energy, energy transition, and public affairs. As a clean energy advocate, Anna is passionate about advancing sustainable change in local communities. She is a member of the Greater New York City chapter of Women of Renewable Industries and Sustainable Energy (WRISE) and a Hudson Valley native currently residing in Beacon.

**City of Beacon Workshop Agenda**  
**5/28/2019**

**Title:**

**Climate Smart Communities Task Force**

**Subject:**

**Background:**

**City of Beacon Workshop Agenda**  
**5/28/2019**

**Title:**

**Proposed Event by Hop Culture**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Letters from Hop Culture Applicant	Cover Memo/Letter

Hello City of Beacon!

My name is Kenny Gould and I'm a young entrepreneur and the founder of Hop Culture, the nation's fastest growing craft beer magazine and events company. Just a bit about us -we're based in New York City and have three full-time employees. Over the course of the year, we'll throw 12 curated craft beer events around the country. We'll also consult on half dozen more including a several thousand-person event for the Pro Football Hall of Fame. Our next in-house event will be in Portland, Maine, on 6/29. After that, we'll be in Chicago, Illinois on 7/20 and Brooklyn on 8/10. Then we're hoping to be in Beacon on 9/28!

Given the rest of our schedule, Beacon might seem like an odd choice for one of our events. However, I have both a personal and professional relationship with the town. Its natural beauty and connection with Hudson Valley Brewery make it the perfect place for one of our events. When I lived in New York City in 2014, Beacon was my getaway, and I visited nearly every weekend to go hiking or enjoy the town. And just last year, we nominated the Hudson Valley as one of the 5 places in the country our team is most excited about - you can see that article at <https://www.hopculture.com/the-be-t-a-me-ric-an-beer-cities-2018/>.

When I tell people about our events, I'm careful to juxtapose them with "traditional" craft beer festivals, which we're definitely not. Our events have a much more artisanal ethos. We curate our invite lists extremely carefully, and pay for product, shipping, and lodging for all of our brewers, who are generally the ones pouring the beer. The target market for our events are connoisseurs from around the country who truly appreciate the product and the community. This target market is the primary differentiator between us and other craft beer events like the Hudson River Craft Beer Festival, which exist in the same ecosystem but aren't really competition.

In the past year and a half, we've thrown 16 events across the country, all without incident. Our consumers are reasonable, respectful, and genuinely interested in learning more about the region, product, and brewers. We expect 500 to 700 people at this event, which is fairly typical for our festivals. The largest event we've done was a 2,000-person event in San Diego, California, but we like the intimate, more personal nature of smaller events, so we've intentionally chosen to downsize.

Our team is reasonable and cooperative and would be more than happy to work with the City of Beacon and its staff to support the community and mitigate any concerns.

Thank you in advance for your consideration and [ look forward to bringing this event to Beacon!

Sincerely,  
Kenny Gould  
Founder, Hop Culture



# HUDSON VALLEY BREWERY

April 30th 20, 2019

To Whom It May Concern,

My name is Jesse Vadala, General Manager of Hudson Valley Brewery here in Beacon, NY. As a well respected craft beer media partner, Hop Culture and their events division, *Juicy Brews*, have been creating some truly unique experiences around the U.S. for the last several years. Our brewery has had the pleasure of attending numerous Juicy Brews events, both in New York and Pennsylvania.

Based on previous experience, Kenny and his team will offer clear communication and a responsible sense of accountability on all fronts. This past March we attended one of their events in Pittsburgh where the crew orchestrated a smooth festival while partnering with local business resources to ensure all out-of-town guests were welcomed to the city. It is with the utmost confidence that we offer our support of this upcoming Juicy Brews: Beacon event in September.

Please feel free to reach out to me directly if any further clarification is required. We thank you all in advance for your consideration.

Cheers!

Jesse Vadala  
Hudson Valley Brewery

**City of Beacon Workshop Agenda**  
**5/28/2019**

**Title:**

**Green Street Park Update**

**Subject:**

**Background:**

**City of Beacon Workshop Agenda**  
**5/28/2019**

**Title:**

**Zoning Tables and Maps Discussion**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Memorandum From John Clarke Planning and Design Regarding Special Permits	Cover Memo/Letter
Zoning Dimensional Table Draft 3.3.19	Backup Material
Zoning Dimensional Table Draft 3.3.19 Edits	Backup Material
Zoning Use Table Draft 3.3.19	Backup Material
Zoning Use Table Draft 3.3.19 Edits	Backup Material
Zoning Draft Map Changes 4.19	Map

To: Mayor Casale and the Beacon City Council  
 From: John Clarke, City Planning Consultant  
 Date: May 17, 2019  
 Re: Special Permit Reviews

A Special Permit is an authorization of a particular land use which is permitted in a zoning law, subject to certain requirements imposed by such law to assure that the proposed use is in harmony with the zoning and will not adversely affect the neighborhood if such requirements are met.

First, it is important to note that it is unusual for elected boards or councils to review Special Permits, according to a 2017 survey of Dutchess County municipalities. The City of Poughkeepsie and all eight villages give Special Permit authority to the Planning Board. Of the 20 towns, 13 give Special Permit approvals to the Planning Board, one has the Zoning Board of Appeals approve Special Permits, and four split the authority between Planning Boards and ZBAs, depending on the use. In the Town of Wappinger the Planning Board generally approves Special Permits, but the Town Board retains authority for six specific uses, including water and sewer treatment plants, mobile home parks, and private recreational clubs or golf courses in residential districts. In the Town of Dover the Planning Board approves Special Permits, except the Town Board retains authority for communication towers, soil mining, and the former Harlem Valley Psychiatric Center property.

It is generally recommended that Planning Boards approve Special Permits to reduce the potential for political influences and to avoid passing applicants back and forth between separate reviewing bodies for SEQRA, Special Permits, and Site Plan public hearings and approvals. Special Permits should also be limited to those particular uses that need additional criteria to ensure compatibility with the surrounding area. Ideally, the City Council should add specific standards in the zoning law for most uses requiring a Special Permit and the Planning Board can be responsible for reviewing compliance with those standards.

The following shows uses that are subject to a Special Permit under existing zoning, compared to the latest draft changes to the Schedule of Use Regulations table. An \* indicates a use with additional Special Permit standards.

<b>Existing Zoning</b>		<b>Draft Zoning Changes</b>	
Two-Family Dwellings	RD		
Multifamily Dwellings	RD, GB	Multifamily Dwellings	RD
Artist Live/Work Space*	LB, GB, L, LI		
Retail, Personal Service, Bank Office	L	Retail, Personal Service, Bank Office	L
	L		L
Retail Truck or Trailer*	WP		
Artist Studio	R1, RD, PB, OB, LB, GB, LI, HI	Artist Studio	HI
		Auction Gallery	HI
Art Gallery or Exhibit Space	R1, RD, PB, OB	Art Gallery/Exhibit Space	HI
Commercial Recreation	GB, LI, HI		
Adult Use*	LI, HI	Adult Use*	LI
Restaurant/Coffee House	OB, LB, L, WP	Restaurant/Coffee House	L, WP
Bar or Brew Pub	LB, GB, CMS, HI, LI	Bar or Brew Pub	GB, CMS, L, LI
Microbrewery/Microdistillery	LB, GB, L, LI, HI	Microbrewery/Microdistillery	GB, CMS, L
Food Preparation Business	L	Food Preparation Business	CMS, L
Bed and Breakfast*	R1, RD, PB, OB, LB, GB, WP, LI, HI	Bed and Breakfast*	R1, RD, T, GB, WP, LI

<b>Existing Zoning</b>		<b>Draft Zoning Changes</b>	
Inn	WP	Inn	WP
Hotel*	GB, LI, HI		
Park, Preserve, Public Rec.	R1, RD, PB, LB, OB, GB, LI, HI	Day Care Center	LI
Public Library	R1, RD, PB, OB	Park, Preserve, Public Rec.	CMS, LI, HI
Museum	R1, RD, PB, OB, WD, HI	Museum	R1, RD, T
Club*	R1, RD, PB, OB, LB, GB, LI, HI	Social Club*	R1, RD, T, GB, LI
Fire or Ambulance Facility	R1, RD, PB, OB, LB, GB, LI, HI	Ambulance Service	R1, RD, T,
		Golf Course	R1, RD
Hospital* or Nursing Home*	R1, RD, PB, OB, LB	Hospital* or Nursing Home*	R1, RD
		Animal Care Facility	R1, RD GB, LI
College or University	GB, LI, HI	College or University	R1, RD
Trade School/Training Program	GB, LI, HI	Trade School/Training Program	L
Private or Nursery School	R1, RD, PB, OB, LB, GB, LI, HI	Private or Nursery School	R1, RD, T, LI
Parking as Principal Use	R1, RD, PB		
		Vehicle Sales or Rental Lot	GB, LI
Public Garage with Repairs	CMS		
Gas Station*	LB, GB, HI	Gas Station*	GB, LI
Car Wash*	GB, HI	Car Wash*	GB, LI
Auto Body or Repair*	GB, LI, HI	Auto Body or Repair*	GB, LI, HI
Wholesale or Storage	LI		
		Workshop	T
Industrial/Manufacturing	L	Industrial/Manufacturing	L
Wireless Communications*	All Districts	Wireless Communications*	All Districts
Horticultural Nursery	R1, RD, PB, OB, LB, GB, LI, HI	Horticultural Nursery	R1, RD, GB, LI
Historic District Overlay*	All Districts	Historic District Overlay*	All Districts
Ski Facility	R1		
Accessory Apartment*	R1, RD	Accessory Apartment*	R1, RD, T
Artist Studio as Accessory Use	R1, RD		

This list highlights that Beacon's existing zoning has too many Special Permit requirements, especially those without any additional standards beyond the four general standards in Section 223-18 B(1). The draft zoning changes to the Schedule of Use Regulations table now under discussion reduces the number of required Special Permits, but the Council could consider eliminating a few more. For example, the 2017 Comprehensive Plan Update and Linkage rezoning process allowed certain commercial uses along the north side of West Main Street, so perhaps a Special Permit should not be required for offices or retail-type uses there. Also, the City Council has mapped a limited number of parcels in RD districts, designated for attached and multifamily housing, so it may not be necessary for multifamily housing to then be subject to a Special Permit and separate Council review.

My suggestion is that the Council consider giving the Planning Board responsibility for Special Permit reviews, consistent with almost all communities in the County. Most of the Special Permit uses remaining in the draft zoning changes are either relatively harmless uses that just need an extra level of scrutiny because of the particular district or have supplemental standards that the Planning Board can implement. The City Council could retain control for uses with wider-scale impacts, such as Wireless Communication Towers, or with particular sensitivities, such as in the Waterfront Park district, the Historic District and Landmark Overlay zone, and maybe certain uses in the R1 or T districts. Various Special Permit standards should be made more explicit and enforceable, but the intention should also be to simplify the planning process and avoid unnecessary time delays.

## Section 223-17, Schedule of Dimensional Regulations (suggested edits in red)

DRAFT 3.3.19

Zoning District	Minimum Lot Size (see also 223-12 I) Area <sup>h</sup>				Minimum Yard Side <sup>a</sup>				Minimum % Building Separation Same Lot (ft)	Maximum Height Main Building (see 223-13) (stories   ft)	Maximum % Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District	Also Refer to Pertinent Sections
	Area (sf)	Per Unit (sf)	Width (ft)	Depth (ft)	Front (ft)	Total		Rear <sup>d,e</sup> (ft)								
						Min. (ft)	of 2 (ft)									
R1-120	120,000	120,000	250'	350'	75'	50'	100'	75'		2.5   35'	N.A.	7%	1		R1-120	
R1-80	80,000	80,000	150'	200'	50'	30'	70'	50'		2.5   35'	N.A.	10%	1		R1-80	
R1-40	40,000	40,000	150'	150'	40'	25'	60'	50'		2.5   35'	N.A.	15%	1		R1-40	
R1-20	20,000	20,000	125'	125'	30'	20'	50'	40'		2.5   35'	N.A.	20%	1		R1-20	
R1-10	10,000	10,000	85'	100'	25'	15'	40'	35'		2.5   35'	N.A.	25%	1		R1-10	
R1-7.5	7,500	7,500	75'	100'	20'	10'	20'	30'		2.5   35'	N.A.	30%	1		R1-7.5	
R1-5	5,000	5,000	50'	100'	15'	10'	20'	30'		2.5   35'	N.A.		1		R1-5	
RD-7.5 <sup>d,e</sup>	2 acres	7,500	200'	200'	20-35'	25'	50'	50'	30'	3   35'	15%	20%	12		RD-7.5 <sup>d,e</sup>	
RD-6 <sup>d,e</sup>	2 acres	6,000	200'	200'	50'	25'	50'	50'	30'	2.5   35'	15%	20%	16		RD-6 <sup>d,e</sup>	
RD-5 <sup>d,e</sup>	5,000	5,000	50'	100'	30'	10'	20'	25'	30'	3   35'	20%	30%	16		RD-5 <sup>d,e</sup>	
RD-4 <sup>d,e</sup>	5,000	4,000	200'	200'	40'	20'	40'	40'	30'	2.5   35'	20%	25%	20		RD-4 <sup>d,e</sup>	
RD-3 <sup>d,e</sup>	5,000	3,000	50'	100'	30'	20'	40'	25'	30'	3.5   45'	20%	40%	24		RD-3 <sup>d,e</sup>	
RD-1.8 <sup>d,e</sup>	5,000	1,800	50'	100'	30'	20'	40'	25'	30'	10 <sup>b</sup>   100'	25'	40%	c		RD-1.8 <sup>d,e</sup>	
RD-1.7 <sup>d,e</sup>	5,000	1,700	50'	100'	30'	20'	40'	25'	30'	4.5 <sup>f</sup>   55 <sup>f</sup>	25%	40%	36 <sup>g</sup>		RD-1.7 <sup>d,e</sup>	
T	5,000	i	50'	100'	10'	10'		25'		–   35'					T	
GB		1,500		100'	15'	20'		25'		–   35'					GB	
CMS				75'	0-10'	0'		25'		3   48'				10%	CMS	Art IVD
L				75'	0-20'	0-30'		25'		4   48'				15%	L	Art IVE
FCD	2 acres	3,960								3   40'	35%			30%	FCD	Art IVC
WP	1 acre				10'					2.5   35'	20%				WP	Art IVA
WD	5 acres									See Art IVA				15%	WD	Art IVA
LI		1,500	60'	100'	20'	20'		25'		35'	70%			20%	LI	
HI			60'	100'	30'	20'		25'		40'	70%			20%	HI	

## NOTES:

- ~~a~~ If not occupied by a dwelling unit. Notwithstanding the one story and 15 feet height limitation, a clubhouse in a multifamily project shall not exceed 2 1/2 stories and 35 feet in height. [Amended 2-16-2010 by L.L. No. 2-2010]
- ~~a~~b Except in multifamily developments, A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.
- ~~c~~ A main building containing two or more dwelling units in an RD-3 District may be erected to a height of 3 1/2 stories or 45 feet, and a main building for a permitted nonresidential use may be erected to a height of five stories or 50 feet, provided that it is set back from any street or adjoining residential property a distance at least equal to its height.
- ~~d~~ But 2,500 square feet per dwelling unit for the first two dwelling units if the average height of main buildings is to be less than six stories, and except that for each one bedroom or smaller dwelling unit, the required minimum lot area per dwelling unit shall be reduced by 20%, and for each three bedroom or larger dwelling unit, increased by 20%.
- ~~e~~ But not less than 1/2 the height of the permitted building.
- ~~f~~ A one family house may be located on a lot meeting all the requirements of, and subject to the standards of, the most restrictive adjoining single family residence district.
- ~~g~~ Except that any side yard containing a driveway for an apartment development shall be at least as large as a required front yard.
- ~~h~~h But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.
- ~~i~~i But not more than 24 dwelling units in any building 3 1/2 stories or less in height.
- ~~j~~ This maximum may be increased to 20% for multifamily developments having 3,000 square feet or more of a lot area per dwelling unit.
- ~~k~~k For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.
- ~~l~~l In any RD District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreational or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided or developed in the future.
- ~~m~~ Except that any new one family detached dwelling lot created subsequent to July 11, 1988, shall be required to comply with the minimum size and dimensional requirements of the R1-7.5 District. [Added 7-5-1988]
- ~~n~~n A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories. [Added 2-16-2010 by L.L. No. 2-2010]
- ~~o~~o And each building shall not exceed 150 feet in length. [Added 2-16-2010 by L.L. No. 2-2010]
- ~~p~~ There shall be no parking in the front yard. [Added 10-17-2016 by L. L. No. 11-2016]
- ~~q~~q For all development proposals involving a total lot area of more than three acres within a R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more as defined in § 223-63.
- ~~r~~ As regulated in the least restrictive adjoining residential district.
- ~~s~~ Abutting residential districts or where driveway is proposed between building and lot line.
- ~~t~~ First floor area shall be limited to the extent necessary to provide required off-street parking and loading spaces.

## Section 223-17, Schedule of Dimensional Regulations (suggested edits in red)

DRAFT 3.3.19

Zoning District	Minimum Lot Size (see also 223-12 l) Area <sup>h</sup>				Minimum Yard Side <sup>a</sup>				Minimum % Building Separation Same Lot (ft)	Maximum Height Main Building (see 223-13) (stories   ft)	Minimum-Height (stories + ft)	Maximum % Building Coverage		Maximum Number of Units per Building	Floor-Area-Ratio	Zoning District	Also Refer to Pertinent Sections
	Area (sf)	Per Unit (sf)	Width (ft)	Depth (ft)	Front (ft)	Total		Rear <sup>d,e</sup> (ft)									
						Min. (ft)	of 2 (ft)										
R1-120	120,000	120,000	250'	350'	75'	50'	100'	75'	—	2.5   35'	1 + 12'	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150'	200'	50'	30'	70'	50'	—	2.5   35'	1 + 12'	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150'	150'	50' 40'	25'	60'	50'	—	2.5   35'	1 + 12'	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125'	125'	40' 30'	20'	50'	40'	—	2.5   35'	1 + 12'	20%NA.	20%	1	—	R1-20	
R1-10	10,000	10,000	85'	100'	35' 25'	15'	40'	35'	—	2.5   35'	1 + 12'	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75'	100'	30' 20'	10'	20'	30'	—	2.5   35'	1 + 12'	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	5,000	50'	100'	30' 15'	10'	20'	30'	—	2.5   35'	1 + 12'	N.A.	—	1	—	R1-5	
RD-7.5 <sup>d,e</sup>	2 acres	7,500	200'	200'	20-35'	25'	50'	50'	70' 30'	3   35'	1 + 12'	15%	20%	12	—	RD-7.5 <sup>d,e</sup>	
RD-6 <sup>d,e</sup>	5.2 acres	6,000	3 200'	200'	50'	25'	50'	50'	70' 30'	2.5   35'	1 + 12'	15%	20%	16	—	RD-6 <sup>d,e</sup>	
RD-5 <sup>d,e</sup>	5,000	5,000	50'	100'	30'	10'	20'	25'	30'	3   35'	1 + 12'	20%	30%	16	—	RD-5 <sup>d,e</sup>	
RD-4 <sup>d,e</sup>	2 acres-5,000	4,000	200'	200'	40'	20'	40'	40'	70' 30'	2.5   35'	1 + 12'	20%	25%	20	—	RD-4 <sup>d,e</sup>	
RD-3 <sup>d,e</sup>	5,000	3,000	50'	100'	30'	10' 20'	20' 40'	25'	30'	2.5 + 35'-3.5   45'	1 + 12'	20%	40%	24	—	RD-3 <sup>d,e</sup>	
RD-1.8 <sup>d,e</sup>	5,000	1,800	50'	100'	30'	10' 20'	20' 40'	25'	30'	10 <sup>b</sup>   100'	1 + 12'	15 25%	40%	— <sup>c</sup>	—	RD-1.8 <sup>d,e</sup>	
RD-1.7 <sup>d,e</sup>	5,000	1,700	50'	100'	30'	10' 20'	20' 40'	25'	30'	4.5 <sup>f</sup>   55' <sup>f</sup>	1 + 12'	25%	40%	36 <sup>g</sup>	—	RD-1.7 <sup>d,e</sup>	
PB	As regulated in the least restrictive adjoining residential district															PB	
GB T	5,000	i	40' 50'	100'	30' 10'	20' 10'	—	25'	—	—   35'	—	—	—	—	1	GB T	
LB	—	—	—	100'	—	20'	—	25'	—	+ 35'	—	—	—	Min Open Space	2	LB	
GB	—	1,500	—	100'	— 15'	20'	—	25'	—	—   35'	—	—	—		2	GB	
CMS	—	—	—	75'	0-10'	0'	—	25'	—	3   48'	2 + —	—	—	10%	—	CMS	Art IVD
L	—	—	—	75'	0-20'	0-30'	—	25'	—	4   48'	2 + —	—	—	15%	—	L	Art IVE
FCD	2 acres	3,960	—	—	—	—	—	—	—	3   40'	—	35%		30%	—	FCD	Art IVC
WP	1 acre	—	—	—	10'	—	—	—	—	2.5   35'	—	20%		—	0.5	WP	Art IVA
WD	5 acres	—	—	—	—	—	—	—	—	See Art IVA	—	—		15%	3/2	WD	Art IVA
LI	—	1,500	— 60'	100'	— 20'	20'	—	25'	—	—   — 35'	—	70%		— 20%	2	LI	
HI	—	—	— 60'	100'	— 30'	20'	—	25'	—	—   35' 40'	—	70%		— 20%	2	HI	



## NOTES:

- ~~a~~ If not occupied by a dwelling unit. Notwithstanding the one-story and 15-foot height limitation, a clubhouse in a multifamily project shall not exceed 2 1/2 stories and 35 feet in height. [Amended 2-16-2010 by L.L. No. 2-2010]
- ~~a~~b Except in multifamily developments, A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.
- ~~c~~ A main building containing two or more dwelling units in an RD-3 District may be erected to a height of 3 1/2 stories or 45 feet, and a main building for a permitted nonresidential use may be erected to a height of five stories or 50 feet, provided that it is set back from any street or adjoining residential property a distance at least equal to its height.
- ~~d~~ But 2,500 square feet per dwelling unit for the first two dwelling units if the average height of main buildings is to be less than six stories, and except that for each one-bedroom or smaller dwelling unit, the required minimum lot area per dwelling unit shall be reduced by 20%, and for each three-bedroom or larger dwelling unit, increased by 20%.
- ~~e~~ But not less than 1/2 the height of the permitted building.
- ~~f~~ A one-family house may be located on a lot meeting all the requirements of, and subject to the standards of, the most restrictive adjoining single-family residence district.
- ~~g~~ Except that any side yard containing a driveway for an apartment development shall be at least as large as a required front yard.
- ~~h~~b But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.
- ~~c~~i But not more than 24 dwelling units in any building 3 1/2 stories or less in height.
- ~~j~~ This maximum may be increased to 20% for multifamily developments having 3,000 square feet or more of a lot area per dwelling unit.
- ~~k~~d For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.
- ~~e~~t In any RD District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreational or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided or developed in the future.
- ~~m~~ Except that any new one-family detached dwelling lot created subsequent to July 11, 1988, shall be required to comply with the minimum size and dimensional requirements of the R1-7.5 District. [Added 7-5-1988]
- ~~n~~f A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories. [Added 2-16-2010 by L.L. No. 2-2010]
- ~~g~~o And each building shall not exceed 150 feet in length. [Added 2-16-2010 by L.L. No. 2-2010]
- ~~p~~ There shall be no parking in the front yard. [Added 10-17-2016 by L.L. No. 11-2016]
- ~~h~~q For all development proposals involving a total lot area of more than three acres within a R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more as defined in § 223-63.
- i As regulated in the least restrictive adjoining residential district.
- ~~b~~ Abutting residential districts or where driveway is proposed between building and lot line.
- ~~c~~ First-floor area shall be limited to the extent necessary to provide required off-street parking and loading spaces.

## Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	I	GB	CMS	L	WD	WP	FCD	LI	HI
<b>Residential</b>												
One-Family Detached Dwelling		P	P	P	x	x	x	x	x	x	x	x
One-Family Attached/Semidetached	Including Townhouses	x	P	P	x	x	P	x	x	P	x	x
Two-Family Dwelling		x	P	P	x	x	x	x	x	x	x	x
Multifamily Dwelling		x	SP	P	P	P	P	P	x	P	x	x
Artist Live/Work Space	Subject to §223-24.3	x	x	P	P	P	P	P	x	P	P	x
<b>Retail/Office/Service</b>												
Retail, Personal Service, or Bank		x	x	x	P	P	SP	P	x	x	P	x
Office		x	x	P	P	P	SP	P	x	P	P	x
Artist Studio, Art Gallery/Exhibit Space		x	x	P	P	P	P	x	x	P	P	SP
Funeral Home		x	x	x	P	x	x	x	x	x	P	x
Commercial Recreation, Indoor		x	x	x	P	P	x	x	x	x	P	P
Auction Gallery		x	x	x	P	x	x	x	x	x	P	SP
Adult Use	Subject to §223-20.1	x	x	x	x	x	x	x	x	x	SP	x
<b>Food/Lodging</b>												
Restaurant, Coffee House, Brew Pub		x	x	x	P	P	SP	P	SP	P	x	x
Bar		x	x	x	SP	SP	SP	P	x	P	SP	x
Microbrewery/Microdistillery		x	x	x	SP	SP	SP	x	x	x	P	P
Food Preparation Business		x	x	x	P	SP	SP	x	x	x	P	P
Bed and Breakfast	Subject to §223-24.4	SP	SP	SP	SP	x	P	x	SP	P	SP	x
Inn		x	x	x	P	P	P	P	SP	P	P	x
Hotel	Subject to §223-20	x	x	x	P	P	P	P	x	x	P	x
<b>Social/Community</b>												
Spa/Fitness Center/Exercise Studio		x	x	P	P	P	P	P	x	P	P	x
Day Care Center		x	x	P	P	x	P	P	x	P	SP	x
Park, Preserve, Community Garden		P	P	P	P	SP	P	P	P	P	SP	SP
Theater, Concert or Conference Space		x	x	x	P	P	P	P	x	P	P	x
Museum		SP	SP	SP	P	P	P	P	x	P	P	x
Place of Worship/Religious Facility		P	P	P	P	x	x	x	x	x	P	x
Social Club	Subject to §223-24.2	SP	SP	SP	SP	P	x	x	x	x	SP	x
Government Facility		P	P	P	P	P	P	P	P	P	P	P
Golf Course		SP	SP	x	x	x	x	x	x	x	x	x
<b>Healthcare</b>												
Hospital, Clinic, or Nursing Home	Subject to 223-21.1/22	SP	SP	x	x	x	x	x	x	x	x	x
Animal Care Facility		SP	SP	x	SP	x	x	x	x	x	SP	x
<b>Educational</b>												
College or University		SP	SP	x	P	P	P	x	x	P	P	x
Trade School or Training Program		x	x	x	P	P	SP	x	x	P	P	P
Private School or Nursery School		SP	SP	SP	P	x	P	x	x	P	SP	x

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For Specific  
Standards See -->

Article IVD Article IVE Article IVA Article IVA Article IVC

3.3.19 DRAFT

## Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	I	GB	CMS	L	WD	WP	FCD	LI	HI
<b>Parking/Auto-Oriented</b>												
Off-Street Parking as Principal Use	Subject to §223-26	x	x	P	P	x	x	x	x	x	x	x
Vehicle Sales or Rental Lot		x	x	x	SP	x	x	x	x	x	SP	x
Gas Filling Station and/or Car Wash	Subject to Ch.210/§223-21	x	x	x	SP	x	x	x	x	x	SP	x
Auto Body or Repair Shop	Subject to Chapter 210	x	x	x	SP	x	x	x	x	x	SP	SP
Ambulance Service		SP	SP	SP	P	x	x	x	x	x	P	x
<b>Industrial or Assembly</b>												
Wholesale or Storage Business		x	x	x	P	x	x	x	x	x	P	P
Workshop		x	x	SP	P	P	P	x	x	P	P	P
Industrial/Manufacturing Use		x	x	x	x	x	SP	x	x	P	P	P
<b>Other</b>												
Wireless Telecommunications Facility	Subject to §223-24.5	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
Small Cell Wireless Facility	Subject to §223-26.4	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP
Farm		P	x	x	x	x	x	x	x	x	x	x
Horticultural Nursery		SP	SP	x	SP	x	x	x	x	x	SP	x
Historic District Overlay Use	Subject to §223-24.7	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
<b>Permitted Accessory Uses</b> (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)												
Accessory Apartment	Subject to §223-24.1	SP	SP	SP	x	x	x	x	x	x	x	x
Private Tennis Court or Pool	Subject to §223-13	P	P	P	x	x	x	x	x	x	x	x
Home Occupation or Artist Studio	Subject to §223-17.1	P	P	P	x	x	x	x	x	x	x	x
Medical Service Structure	Subject to §223-13	P	P	P	x	x	x	x	x	x	x	x
Parking Structure		x	x	x	x	P	P	P	x	P	x	x
Roof Garden or Greenhouse		P	P	P	P	P	P	P	P	P	P	P
Solar Collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P

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For Specific  
Standards See -->

Article IVD Article IVE Article IVA Article IVA Article IVC

3.3.19 DRAFT

## Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	PB	OB T	LB	GB	CMS	L	WD	WP	FCD	LI	HI
<b>Residential</b>														
One-Family Detached Dwelling		P	P	P	P	P	x	P x	x	x	x	x	x	x
One-Family Attached/Semidetached	Including Townhouses	x	P	x	x P	P	x	P x	P	P x	x	P	x	x
Two-Family Dwelling		x	SP P	x	x P	x	x	P x	P x	x	x	x	x	x
Multifamily Dwelling		x	SP	x	x P	x	SP P	P	P	P	x	P	x	x
Artist Live/Work Space	Subject to §223-24.3	x	x	x	x P	SP	SP P	P	SP P	P	x	P	SP P	x
<b>Retail/Office/Service</b>														
Retail, Personal Service, or Bank		x	x	x	x	P	P	P	SP	P	x	x	P	P x
Office		x	x	x	P	P	P	P	SP	P	x	P	P	P x
<del>Retail Truck or Trailer</del>	<del>Subject to §223-26.3</del>	<del>x</del>	<del>x</del>	<del>x</del>	<del>x</del>	<del>x</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>x</del>	<del>SP</del>	<del>x</del>	<del>P</del>	<del>P</del>
Artist Studio, Art Gallery/Exhibit Space		SP x	SP x	SP	SP P	SP	SP P	P	P	x	x	P	SP P	SP
Funeral Home		x	x	x	x	P	P	P x	x	x	x	x	P	P x
Commercial Recreation, Indoor		x	x	x	x	x	P	P	x	x	x	x	P	P
Auction Gallery		x	x	x	x	x	P	P x	x	x	x	x	P	P SP
<del>Tattoo Parlor</del>	<del>Subject to §223-26.2</del>	<del>x</del>	<del>x</del>	<del>x</del>	<del>x</del>	<del>x</del>	<del>P</del>	<del>P</del>	<del>x</del>	<del>x</del>	<del>x</del>	<del>x</del>	<del>P</del>	<del>P</del>
Adult Use	Subject to §223-20.1	x	x	x	x	x	x	x	x	x	x	x	SP	SP x
<b>Food/Lodging</b>														
Restaurant, Coffee House, Brew Pub		x	x	x	SP x	SP	P	P	SP	P	SP	P	P x	P x
Bar		x	x	x	x	SP	SP	SP	x SP	P	x	P	SP	SP x
Microbrewery/Microdistillery		x	x	x	x	SP	SP	P SP	SP	x	x	x	SP P	SP P
Food Preparation Business		x	x	x	x	x	x P	P SP	SP	x	x	x	x P	x P
Bed and Breakfast	Subject to §223-24.4	SP	SP	SP	SP	SP	SP	P x	P	x	SP	P	SP	P x
Inn		x	x	x	x	x	x P	P	P	P	SP	P	x P	x
Hotel	Subject to §223-20	x	x	x	x	x	SP P	P	P	P	x	x	SP P	SP x
<b>Social/Community</b>														
Spa/Fitness Center/Exercise Studio		x	x	x	x P	x	x P	P	x P	P	x	P	x P	x
Day Care Center		x	x	x	x P	x	x P	x	x P	P	x	P	x SP	x
Park, Preserve, Community Garden	<del>With No Admission Fee</del>	SP P	SP P	SP	SP P	SP	SP P	P SP	P	P	P	x P	SP	SP
Theater, Concert or Conference Space		x	x	x	x	x	P	P	x P	SP P	x	P	P	P x
Museum		SP	SP	SP	SP	P	P	P	x P	SP P	x	P	P	SP x
Place of Worship/Religious Facility		P	P	P	P	P	P	x	x	x	x	x	P	P x
<del>Social Club</del>	Subject to §223-24.2	SP	SP	SP	SP	SP	SP	P	x	x	x	x	SP	SP x
Government Facility		P	P	P	P	P	P	P	P	P	P	P	P	P
<del>Golf Course</del>		SP	SP		x		x	x	x	x	x	x	x	x
<b>Healthcare</b>														
Hospital, Clinic, or Nursing Home	Subject to 223-21.1/22	SP	SP	SP	SP x	SP	x	x	x	x	x	x	x	x
<del>Animal Care Facility</del>		x SP	x SP		x		x SP	x	x	x	x	x	x SP	x
<b>Educational</b>														
College or University		x SP	x SP	x	x	x	SP P	P	x P	x	x	x P	SP P	SP x
Trade School or Training Program		x	x	x	x	x	SP P	P	x SP	x	x	x P	SP P	SP P
Private School or Nursery School		SP	SP	SP	SP	SP	x P	P x	x P	x	x	x P	SP	SP x

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Standards See -->

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## Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	PB	OB T	LB	GB	CMS	L	WD	WP	FCD	LI	HI
<b>Parking/Auto-Oriented</b>														
Off-Street Parking as Principal Use	Subject to §223-26	SPx	SPx	SP	P	P	P	P x	x	x	x	x	P x	P x
Vehicle Sales or Rental Lot		x	x		x		SP	x	x	x	x	x	x SP	x
Gas Filling Station and/or Car Wash	Subject to Ch.210/§223-21	x	x	x	x	x	SP	x	x	x	x	x	x SP	SP x
Auto Body or Repair Shop	Subject to Chapter 210	x	x	x	x	x	SP	x	x	x	x	x	SP	SP
Ambulance Service		SP	SP	SP	SP	SP	SP P	x	x	x	x	x	SP P	SP x
<b>Industrial or Assembly</b>														
Wholesale or Storage Business		x	x	x	x	x	P	x	x	x	x	x	SP P	P
Workshop		x	x	x	x SP	x	P	P	x P	x	x	P	P	P
Industrial/Manufacturing Use		x	x	x	x	x	x	x	SP	x	x	P	P	P
<b>Other</b>														
Wireless Communication	Subject to §223-24.5	SP	SP	SP	SP	SP	SP	P SP	P SP	x SP	x SP	x SP	SP	SP
Small Cell Wireless Facility	Subject to §223-26.4	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP
Farm		P	P x	P	P x	P	x	x	x	x	x	x	x	x
Horticultural Nursery		SP	SP	SP	SP x	SP	SP	x	x	x	x	x	SP	SP x
Historic District Overlay Use	Subject to §223-24.7	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
<del>Ski Facility (Mt. Beacon)</del>		SP	x	x	x	x	x	x	x	x	x	x	x	x
<b>Permitted Accessory Uses</b> (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)														
Accessory Apartment	Subject to §223-24.1	SP	SP	x	x SP	x	x	x	x	x	x	x	x	x
Private Tennis Court or Pool	Subject to §223-13	P	P	x	x P	x	x	x	x	x	x	x	x	x
Home Occupation or Artist Studio	Subject to §223-17.1	P	P	x	x P	x	x	P x	P x	x	x	x	x	x
Medical Service Structure	Subject to §223-13	P	P		P	x	x	x	x	x	x	x	x	x
Parking Structure		x	x		x		x	P	x P	x P	x	x P	x	x
Roof Garden or Greenhouse		P	P	x	x P	x	x P	P	P	P	x P	x P	x P	x P
Solar Collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P	P	P

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For Specific  
Standards See -->

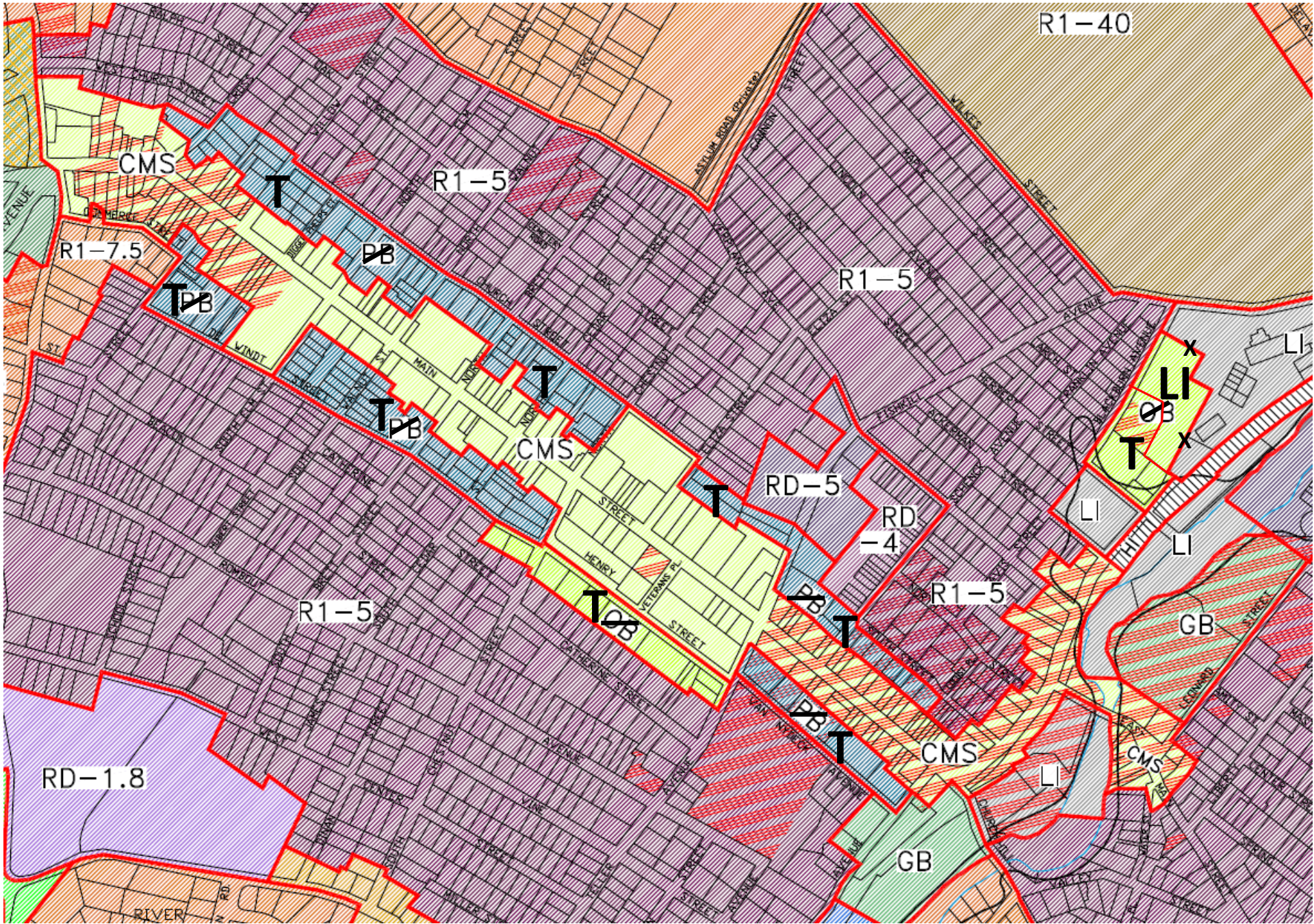
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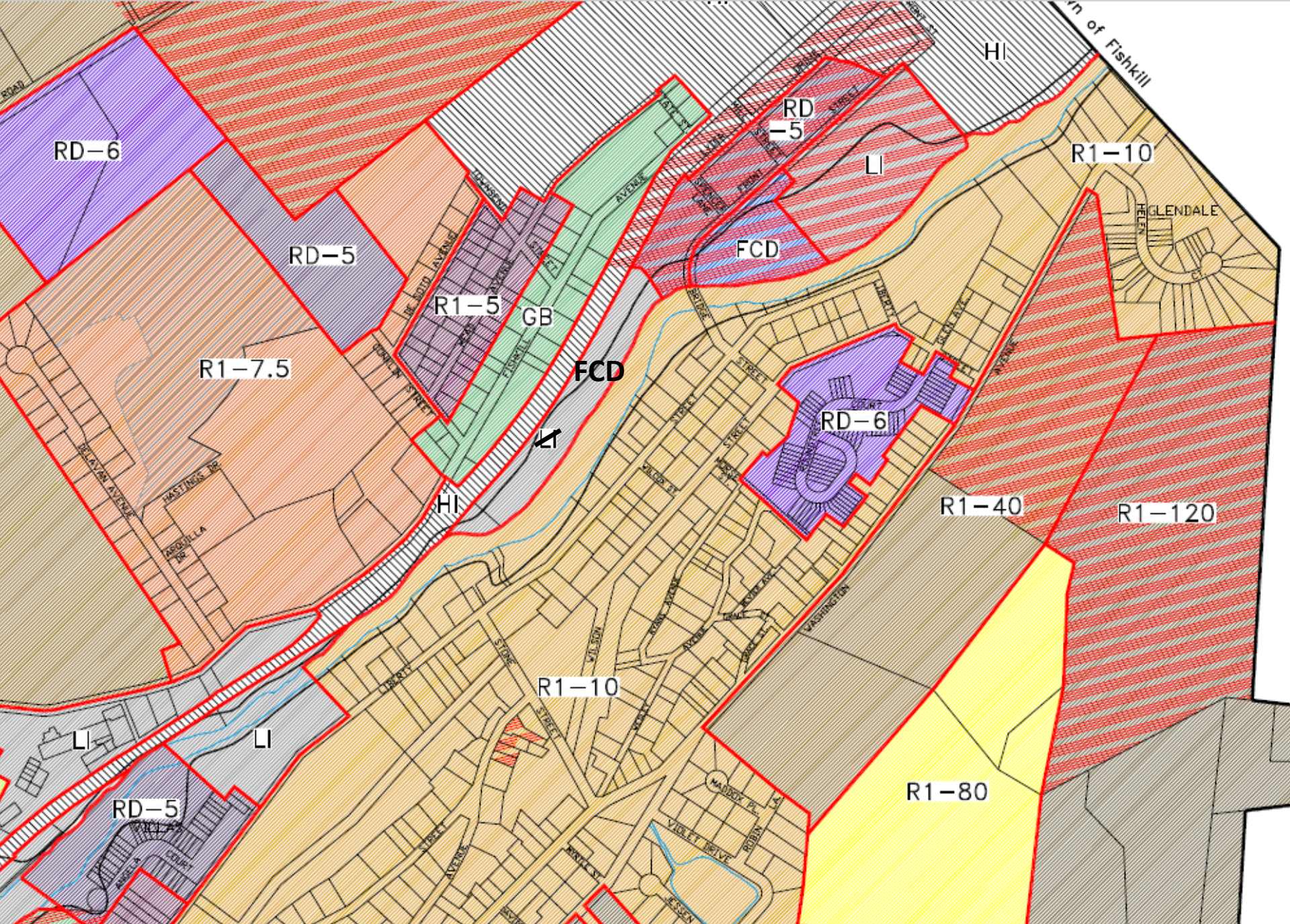














**City of Beacon Workshop Agenda**  
**5/28/2019**

**Title:**

**City of Beacon Sign Law**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Memorandum from Keane and Beane Regarding Proposed Sign Local Law	Cover Memo/Letter
May 24, 2019 Signs Local Law Draft	Local Law
Updated Chart for Sign Local Law	Backup Material

**MEMORANDUM**

**TO: Mayor Casale and Members of the City Council**

**FROM: Keane & Beane, P.C.**

**RE: Sign Local Law**

**DATE: May 24, 2019**

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In response to comments and concerns raised by the City Council on the proposed Local Law to delete Chapter 183 and Amend Chapter 223 Sections 15 and 63 of the Code of the City of Beacon concerning signs, the proposed Local Law has been amended as follows:

- **Section 223-63.** A definition for “Digital Sign” was added to the law. A digital sign is defined as any internally illuminated sign, typically with LEDs (light emitting diodes), that displays words or images that are changed by remote or automatic means.
- **Section 223-15.F(8):** Signs that include mechanical, digital or electronic movement or animation are prohibited under the revised draft, unless otherwise set forth in the law. The law previously prohibited signs that were mechanically, digitally or electronically animated. We believe the revised language provides clarifies the types of signs the City intends to prohibit under this provision.
- **Section 223-15.F(9).** Under the revised draft, all inflated signs and projected images are prohibited throughout the City of Beacon. The previous draft of the proposed Local Law permitted such signs in commercial and industrial districts along Route 52 and Route 9D in connection with commercial uses.
- **Section 223-15.H(4).** In all districts all exterior illumination of any sign shall be focused downward from above. The word exterior was added to this subsection.
- **Section 223-15.J.** The following signs are now permitted in connection with nonresidential uses:
  - **Section 223-15.J(4).** Wind-animated banners. Such signs are permitted for commercial uses located on Route 52 and Route 9D in the Local Business, General Business, and industrial districts only.

- **Section 223-15.J(5).** Digital signs, provided that:
  - No such sign shall contain moving or animated text or images.
  - The message shall be displayed for at least 12 hours between changes.
  - Such signs shall use automatic dimming technology, as certified by the manufacturer, to adjust the brightness of the sign to ambient light so that at no time shall the sign exceed a brightness level of 0.2 foot-candle above ambient light.
  - Such signs shall contain a default mechanism causing the sign to revert to a black screen if the sign malfunctions.
- Section 223-15.J(7) and 223-15.J(8). The term establishment previously used in these sections has been replaced with the phrase “subject business.” These Sections now provide:
  - The aggregate area of all signs with permits on any lot shall not exceed two square feet for each linear foot of public street frontage occupied by the front plane of the principal structure utilized by the subject business establishment.
  - The aggregate area of each sign shall not exceed one square foot for each linear foot of public street frontage occupied by the front plane of the principal structure utilized by the subject business establishment.

**DRAFT LOCAL LAW NO. \_\_\_\_ OF 2019**

**CITY COUNCIL  
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND CHAPTER 134  
DELETE CHAPTER 183 AND AMEND  
CHAPTER 223 SECTIONS 15 AND 63 OF THE  
CODE OF THE CITY OF BEACON**

A LOCAL LAW to delete Chapter 183 entitled “Signs” and to amend Chapter 223 Sections 15 and 63 of Code of the City of Beacon, concerning sign regulations in the City of Beacon.

BE IT ENACTED by the City Council of the City of Beacon as follows:

**Section 1.** Chapter 134, Section 6 of the Code of the City of Beacon entitled “Certificate of Appropriateness” is hereby amended as follows:

§ 134-6 Certificate of appropriateness.

No person shall carry out any exterior alteration of a landmark or property within a historic district without first obtaining a certificate of appropriateness from the Planning Board or a certificate of economic hardship from the Zoning Board. No certificate of appropriateness is needed for changes to interior spaces, unless they are open to the public, to architectural features that are not visible from a public street or way, public property or public building, ~~or for the installation of a temporary sign as described in § 223-15F of the Zoning Ordinance of the City of Beacon if located in a nonresidential district.~~ Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within an historic district which does not involve a change in design, material or outward appearance.

**Section 2.** Chapter 183 of the Code of the City of Beacon entitled “Signs” is hereby deleted in its entirety.

**Section 3.** Chapter 223, Section 63 of the Code of the City of Beacon entitled “Definitions” is hereby amended to add the following definitions:

## **SIGN**

Any material, structure or device, or part thereof, composed of lettered or pictorial matter which is located out of doors, or on the exterior of any building, including window signs located within 18 inches of the window surface and intended to be viewed from the exterior of the building, displaying an advertisement, announcement notice or name, and includes sign frames, billboards, signboards, painted wall signs, hanging signs, illuminated signs, fluttering devices or projecting signs, and shall include any declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person or business or cause when the same is placed in view of the general public.

~~Any structure or part thereof, or any device attached thereto or painted thereon, or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, work, model, banner, emblem, light, device, trademark or other representation used as an announcement, designation, direction, display or advertisement of any person, firm, group, organization, commodity, service, profession or enterprise when placed in such manner that it provides visual communication to the general public out of doors, but not including the following:~~

- ~~A. Signs maintained or required to be maintained by law or governmental order.~~
- ~~B. The flag or insignia of any government or governmental agency.~~
- ~~C. The flag of any civic, political, charitable, religious, fraternal or similar organization, which is hung on a flagpole or mast.~~
- ~~D. Religious or other seasonal holiday decorations which do not contain commercial lettering, wording, designs, symbols or other devices.~~

## **SIGN AREA**

Where a sign consists of a single board or face with information on one or both sides, the area which results by including the outside dimensions of such sign, not including the vertical, horizontal or diagonal supports which may affix the sign to the ground or to a structure or building unless such supports are evidently designed to be part of the sign as defined herein. Where a sign consists of several individual faces, the area shall be the total of the area of all such faces which can be observed from any one point. Where the sign consists of individual letters or symbols attached to or painted on any building, window, or part thereof, the area shall be considered to be that of the smallest basic geometric shape (rectangle, triangle or circle) which encompasses all of the letters, symbols and/or any background of a different color than the color of the building.

## **SIGN, AWNING**

Any visual message incorporated in an awning attached to a building. This sign type does not include canopies over gas pumps.

**SIGN, BANNER**

Any sign constructed of fabric or other flexible material. Flags are not considered banner signs.

**SIGN, BILLBOARD OR OTHER OFF-PREMISES COMMERCIAL SIGN**

Any sign, other than an exempt sign, which advertises or otherwise directs attention to a business, commodity, service, industry or other activity which is not, or is only incidentally, sold, offered or conducted at the real property at which such sign is located.

**SIGN, DIGITAL**

Any internally illuminated sign, typically with LEDs (light emitting diodes), that displays words or images that are changed by remote or automatic means.

**SIGN, FREESTANDING**

Any sign independent of any building but permanently affixed, by any other means, to the ground.

**SIGN, LAWN**

Temporary freestanding signs placed or inserted into the ground.

**SIGN, PROJECTING**

Any sign which is attached perpendicular to a building or other structure and extends 12 inches beyond the line of the building or structure or beyond the surface of that portion of the building or structure to which it is attached.

**SIGN, ROOF**

A sign erected on a roof or extending in height above the cornice or projecting eave of the roofline of the building on which the sign is erected.

**SIGN, SANDWICH BOARD**

A two-sided hinged sign, portable in nature and capable of standing without support or attachment. The area of a sandwich board sign shall be the total area of one face of the sandwich board sign.

**SIGN, TEMPORARY**

A banner, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the Building Inspector, or his or her designee, to be displayed for a limited period of time of no more than four months in a twelve month period.

**SIGN, WALL**

Any painted sign or poster or any surface or place that may be affixed to the front, side or rear walls of any building.

## **SIGN, WINDOW**

A type of sign applied onto or attached to the inside or outside of a window or a transparent door or within 18 inches of the window or transparent door surface.

**Section 4.** Chapter 223, Section 15 of the Code of the City of Beacon entitled “Signs” is hereby amended as follows:

### **§ 223-15 Signs.**

A. Purpose. The purpose of this section is to promote and protect the public health, safety and welfare by regulating signs of all types within the City of Beacon. This section is intended to protect property values, create a more attractive economic and business climate, ensure pedestrian and vehicular safety, enhance and protect the physical appearance of the community and preserve the scenic and natural beauty of the City. It is the City’s policy to regulate signs in a constitutional manner that is content neutral as to noncommercial messages which are within the protections of the First Amendment to the U.S. Constitution and the corollary provisions of the New York State Constitution.

B. Objectives. These regulations also serve to achieve the following objectives:

- (1) Ensure right to free speech as protected under the Constitution;
- (2) Protect property values, create a more attractive economic and business climate, and protect the physical appearance of the community;
- (3) Provide structures and uses with effective means of identification while reducing visual clutter through the prevention of excessive and confusing sign displays;
- (4) Reduce traffic conflicts or hazards by minimizing visual distractions or obstacles in or visible from the public rights-of-way;
- (5) Minimize the adverse effect of signs on nearby public and private property;
- (6) Avoid personal injury and property damage from unsafe or confusing signs; and
- (7) Establish a clear and impartial process for those seeking to install signs.

C. Conformity required. No sign or billboard shall be erected, constructed, displayed, maintained, moved, reconstructed, extended, enlarged or altered, except in conformity with and expressly authorized by the provisions of this chapter.

D. Substitution clause. A protected noncommercial message of any type may be substituted, in whole or in part, for the message displayed on any sign for which the sign structure or mounting device is legal without consideration of message content. This provision applies to all signs, including outdoor general advertising devices,



allowed under this Section. Such substitution of message may be made without any additional approval, permitting, registration or notice to the City.

E. Permit required.

- (1) Unless specifically exempted from obtaining a permit under the provisions of this section, no person shall erect, construct, replace, relocate or structurally alter any sign within the City without first obtaining a sign permit from the Building Inspector and paying the required fee to the Building Department. The repainting, repairing, changing of parts or sign facing, and maintenance of signs shall not require the issuance of a sign permit provided such maintenance, change or alteration does not in any way alter the size, illumination or location of the sign on the property.
- (2) Submission of a permit application shall be on a form issued by the Building Department and the application fee shall be set forth in the City of Beacon Fee Schedule. The application shall include plans and/or specification of the sign, including the dimensions, materials and details of construction of the proposed sign.
- (3) If a sign is not erected within six months following the issuance of a sign permit for said sign, the sign permit will automatically become void.

~~A. Relationship to a permitted use. All signs must pertain to a use conducted on the same property on which they are located.~~

~~B. Signs in residence districts. In residence districts, the following signs are hereby authorized:~~

- ~~(1) One identification sign stating the name and address of the resident or property or the number of the lot, not exceeding one square foot in area.~~
- ~~(2) One identification sign announcing any profession or occupation permitted as an accessory use on the lot, not exceeding one square foot of area.~~
- ~~(3) For other permitted uses, one sign at each street frontage where the use has an access drive, provided that the total area of such sign does not exceed 50 square feet.~~
- ~~(4) Temporary signs in accordance with Subsection F below.~~

~~(5)(1) Interior signs displayed through windows shall not require a permit under this section, and said signs shall not count toward maximum number of signs affixed to a building per establishment. However, interior window signs affixed to or placed so as to be visible through a window shall be limited to the windows of the structure within which the permitted use is situated, facing the principal street giving access to such structure. The total amount of signage shall not exceed 30% of the total glass area. All signs shall be~~

~~maintained in a legible, neat and orderly fashion.~~

F. Prohibited Signs.

- (1) Signs that contain words or pictures of an obscene or pornographic nature.
- (2) Signs that emit audible sounds, odor or visible matter.
- (3) Signs placed on a curb, sidewalk, hydrant, utility pole, trees or other objects located on or over any public street, public property or within any public right-of-way, unless otherwise permitted. The City reserves the right to remove any sign placed on public property without notice.
- (4) Portable signs, including signs that are mounted on wheels or mounted on any structure on wheels, but not including permitted sandwich board signs.
- (5) Signs with mirrors or any other reflective material.
- (6) Roof signs.
- (7) Billboards or other off-premise commercial signs.
- (8) Signs that include mechanical, digital or electronic movement or animation, except as provided herein.
- (9) Inflated signs and projected images.

G. Signs exempt from permit requirements. The following signs are exempt from the permit requirements of this section. Unless otherwise limited below, such exempt sign shall not exceed four feet in height and shall not exceed six square feet in sign area per sign. Each exempt sign must comply with all other provisions of this section.

- (1) Any official sign, public notice, or warning sign prescribed by federal, state or local law, including but not limited to signs erected and maintained pursuant to and in discharge of any government functions. The sign must comply with the size restrictions set forth herein, unless otherwise prescribed by federal, state or local law.
- (2) Property identification signs not exceeding two square feet in area, such as signs bearing only the property name, numbers, postal route box numbers, image or logo or names of the occupants of the premises.
- (3) One nonilluminated secondary window signs communicating accessory information such as hours of operation, "in" or "out" signs, and totaling no more than one square foot in size.
- (4) Temporary nonilluminated window signs in non-residential uses. The total amount of signage shall not exceed 20% of the total window surface area.

Temporary window signs shall include signs that identify special events and sales.

- (5) Nonilluminated signs used for the purpose of selling, renting or leasing land or buildings, and displayed only on the premises for sale or lease. No such signs shall exceed four feet in height or six square feet in area, shall be limited to one per premises, and shall be removed immediately upon sale, rental or lease of the premises. The top of the sign shall be no more than six feet off the ground. The sign shall be placed at least five feet from all side property lines and shall not be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
- (6) One nonilluminated construction sign not exceeding six square feet in area identifying the parties involved in the design, financing and/or provision of labor and materials associated with the labor on the premises where the sign is located, but not including the advertisement of any product. Such sign shall be removed prior to the issuance of a certificate of occupancy authorizing the initiation of intended use of the premises. The sign shall be placed at least five feet from all property lines and shall not be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
- (7) Flags of any nation, state, military, or government, flags of any government-affiliated facility, and seasonal flags shall not require a sign permit. The area of any flag shall not exceed 20 square feet.
- (8) Historical markers, monuments or signs as approved by local, state or federal authorities.
- (9) One nameplate or sign not exceeding two square feet for home occupation and home professional offices uses.
- (10) Lawn signs on any lot provided that the aggregate area of all lawn signs on any lot shall not exceed 32 square feet. The top of the lawn sign shall be no more than five feet off the ground. The lawn sign shall be placed at least five feet from all side property lines and shall not be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow. Such signs are to be nonilluminated and shall be displayed for a limited period of time of no more than four months in a twelve month period. Lawn signs shall be removed within seven calendar days after the event for which they are displayed.
- (11) Signs within a building not legible from the public right-of-way or adjacent lots, or any sign within an enclosed outdoor space, such as an athletic field, where such sign is not legible beyond the property lines.

C.H. Sign regulations in ~~residence~~ all districts.

- (1) Animation. No sign shall be mechanically animated, such as moving, rotating

~~or revolving.~~

- (2) Setback. All signs shall be located within the setback lines of the lot or on the building, unless otherwise permitted.
- (3) Repair. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.-
- (4) Illumination. Permitted signs may be internally or externally illuminated, unless otherwise prohibited, except by means of a neon-type electric material, provided that such illumination shall not be twinkling, flashing, intermittent, or of changing degrees of intensity or projected outward from the property onto adjacent properties or public rights-of-way ~~and provided that the source of such illumination shall not be visible beyond the boundaries of the lot on which it is located.~~ Notwithstanding the above, neon, ~~LCD fluorescent~~ and LED signs shall not be permitted for any residential use, but may be permitted in nonresidential districts, unless otherwise prohibited. All exterior illumination shall be focused downward from above, shall create no direct glare and shall light only the sign area.
- (5) Placement. No sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
- (6) No sign shall be placed in a location that would cause a violation of the provisions of the Americans with Disabilities Act.

#### I. Signs for residential uses.

- (1) No sign for a residential use, including exempt signs under § 223-15G, shall be placed above the first floor.
- (2) The aggregate sign area of all signs with permits on any lot shall not exceed 16 square feet.
- (3) A subdivision, apartment or multi-family housing development consisting of more than 15 dwelling units may display freestanding identification sign at each street entrance to the development, designating only the name of the development, the address and name of the owner and the names of any buildings located therein, provided that the maximum sign area of said sign shall not exceed 24 square feet and shall not be more than six feet in height. The top of the sign shall be no more than eight feet off the ground. Such sign shall maintain at least a five foot setback from all property lines.

J. Signs in for nonresidence districtsnonresidential uses. In nonresidence districts, tThe following signs are hereby permitted for nonresidential uses: authorized:

- ~~(1) Not more than one sign affixed to the outer wall of the structure within which the permitted use is situated, which outer wall faces the principal street giving access to such structure, provided that:~~

~~The aggregate area of each such sign shall not exceed one square foot for each linear foot of building facing the street.~~

- ~~(1) Projecting wall sign. No such sign shall exceed two feet in height, except that a vertical projecting wall sign shall not exceed eight feet in height or ten square feet. A vertical projecting wall sign is defined as any sign which is attached to the building wall or structure which is perpendicular to the face of such wall or structure.~~

~~(b)(a) No sign shall project above the eaves of the building on which it is affixed or, if no eaves exist thereon, the roof, nor shall any wall sign extend more than six inches from the building into any required yard.~~

~~(c) No sign shall face an abutting residential zoning district if located within 50 feet of such district.~~

~~(d)(b) Vertical p~~Projecting wall signs shall not have more than two faces.

~~(e)(c) The exterior edge of a vertical projecting wall sign shall not extend more than five-six feet from the outer wall of the structure or 1/3 the width of the sidewalk, whichever is less.~~

~~(f)(d) No part of a vertical projecting wall sign shall extend into vehicular traffic areas, and any part over pedestrian areas shall have a minimum clearance of seven feet, six inches.~~

- ~~(2)(1) Freestanding sign. Not more than one freestanding sign facing each street on which the lot abuts, provided that:~~

~~(a) The building is set back not less than at least 50 feet from the street line.~~

~~(a)(b) The area of the sign in which case the sign shall not exceed 20 square feet in area.~~

~~(b) The building is set back not less than 100 feet from the street line, in which case the sign shall not exceed 35 square feet in area.~~

~~(c) No dimension shall exceed 12 feet. The top of the sign shall be no higher than 16 feet off the ground.~~

- ~~(2) Permanent window signs. The total amount of signage shall not exceed 20% of the total window surface area and shall not exceed four feet in height and 16 square feet in area.~~

- ~~(3) Awning signs. One sign for each premise shall be allowed. The area of such sign shall not exceed 20% of the area of the awning.~~
- ~~(4) Wind-animated banners. Such signs are permitted for commercial uses located on Route 52 and Route 9D in the Local Business, General Business, and industrial districts only.~~
- ~~(5) Digital signs, provided that:~~
- ~~a. No such sign shall contain moving or animated text or images,~~
  - ~~b. The message shall be displayed for at least 12 hours between changes,~~
  - ~~c. Such signs shall use automatic dimming technology, as certified by the manufacturer, to adjust the brightness of the sign to ambient light so that at no time shall the sign exceed a brightness level of 0.2 foot-candle above ambient light.~~
- ~~(6) Sandwich board signs. A single sandwich board sign shall be permitted on any lot provided that such sign does not exceed three feet in height and six feet in area. All sandwich board signs shall be brought in each day at the close of business. Signs shall not be placed in such a way as to obstruct property sight distance or otherwise interfere with pedestrian or traffic flow. A pedestrian clearway of at least six feet shall be maintained in a pedestrian walkway, and a pedestrian clearway of at least eight feet shall be maintained whenever possible.~~
- ~~(7) The aggregate area of all signs with permits on any lot shall not exceed two square feet for each linear foot of public street frontage occupied by the front plane of the principal structure utilized by the subject business.~~
- ~~(3)(8) The aggregate area of each sign shall not exceed one square foot for each linear foot of public street frontage occupied by the front plane of the principal structure utilized by the subject business.~~

~~One identification sign, not exceeding 10 square feet in area, to the outer wall of the structure facing upon a street or parking lot not faced by a sign as permitted in Subsection E(1) above.~~

~~In addition to other permitted signs, necessary small directional signs are permitted on access roads and parking areas, provided that the area of each sign shall not exceed two square feet.~~

~~Interior signs displayed through windows shall not require a permit under this section, and said signs shall not count toward maximum number of signs affixed to a building per establishment. However, interior window signs affixed to or placed so as to be visible through a window shall be limited to the windows of the structure within which the permitted use is situated,~~

~~facing the principal street giving access to such structure. The total amount of signage shall not exceed 30% of the total glass area. All signs shall be maintained in a legible, neat and orderly fashion.~~

~~(1) Temporary signs in accordance with Subsection F below.~~

~~D.K. Signs in the Historic District and Landmark Overlay Zone. All signs in the Historic District and Landmark Overlay Zone in which a sign permit is required, shall be approved by the Planning Board pursuant to § 134-6.~~

~~E.L. Temporary signs.~~

~~(1) All signs of a temporary nature must receive permits before being displayed, except those specified in 123-15G.~~

~~(2) Requirements. Any proposed temporary sign shall conform to the following:~~

~~(a) Such sign shall not exceed four feet in height and 32 square feet in area for any non-residential use. The top of the temporary sign shall be no more than 16 feet off the ground.~~

~~(b) Such sign shall not exceed four feet in height and 32 square feet in area for any residential use. The top of the temporary sign shall be no more than six feet off the ground.~~

~~(c) Such sign shall not be displayed for more than four months in a twelve month period.~~

~~(d) Such sign shall not be illuminated.~~

~~(e) Such sign shall maintain at least a five foot setback from all property lines.~~

~~(f) Such sign shall be placed in such a way as to not obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.~~

~~(3) Banners shall be permitted as temporary signs and shall be subject to the provisions set forth above.~~

~~(i.) A temporary sign is a nonilluminated sign that is used in connection with a circumstance, situation or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, such as signs displayed during campaigns, drives or events of civic, political, philanthropic, educational or religious institutions. If such sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as "temporary." Unless otherwise provided in this section, signs shall not be considered temporary if they are effectively displayed on an ongoing basis, interrupted by short~~



~~intervals when they are not displayed. Temporary signs shall not require a permit under this section, unless located in the public right-of-way or on public property.~~

- ~~(2) Temporary signs must be removed by the individual or organization which posted, or caused to be posted, such temporary signs within seven calendar days after the event for which they are displayed, unless otherwise provided in this section.~~
- ~~(3) No temporary sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.~~
- ~~(4) The following temporary signs shall be permitted in all districts, unless otherwise provided in this section:~~
  - ~~(a) Not more than one temporary sign for each street frontage of the lot, identifying the architect, engineer and/or contractor, and not exceeding 40 square feet in area in nonresidence districts and six square feet in residence districts, shall be permitted during the course of construction only.~~
  - ~~(b) One "for sale" or one "to let" sign not exceeding six square feet in area for a single lot, or 50 square feet in area for a real estate subdivision, and set back at least 15 feet along the frontage of the street upon which the property is located. A "sold" sign shall not be displayed for more than 30 calendar days.~~
  - ~~(c) Signs indicating that a special event such as a grand opening, fair, carnival, circus, festival or similar event is taking place on the lot where the sign is located, not exceeding 40 square feet in area in nonresidence districts and six square feet in residence districts, and limited to one sign for each street frontage of the lot. The sign shall not be posted sooner than two weeks prior to the special event and shall be removed by the individual or organization which posted, or caused to be posted, such sign within three calendar days following the special event.~~
  - ~~(d) Sidewalk signs with no more than two faces, including but not limited to sandwich boards, in nonresidence districts, or in any other district provided the sign is located on Route 52 (Fishkill Avenue and Teller Avenue) or Route 9D (North Avenue and Wolcott Avenue), not exceeding one sign per business and not exceeding two feet in width and three feet in height. Sidewalk signs may be displayed on an ongoing basis, but shall not be displayed between the hours of 11:00 p.m. and 6:00 a.m., shall not include banners, and shall not be tethered. Sidewalk signs shall be located in the front of the business for which the sign is displayed, unless the business is located on a~~



~~corner lot in which case the sign may be located to the side of the business, or unless the business maintains a rear entrance in which case the sign may be located to the rear of the business.~~

- ~~(e) Signs for tag, garage or yard sales, not exceeding six square feet.~~
- ~~(f) Signs conveying a nonpolitical, noncommercial message, not exceeding 40 square feet in area in nonresidence districts and six square feet in residence districts and limited to one sign for each street frontage of the lot.~~

~~Political posters, banners, promotional devices and similar political signs.~~

~~F. Sign regulations in nonresidence districts.~~

- ~~(1) Illumination. Permitted signs may be internally or externally illuminated, provided that such illumination shall not be twinkling, flashing, intermittent, of changing degrees of intensity or projected outward from the property onto adjacent properties or public rights of way and provided that the source of such illumination shall not be visible beyond the boundaries of the lot on which it is located. Notwithstanding the above, neon, LCD and LED signs may be permitted.~~
- ~~(2) Placement. No sign shall be located so as to obscure any signs displayed by public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.~~
- ~~(3) Setback. Unless otherwise specified, all signs shall be located within the setback lines of the lot or on the building.~~
- ~~(4) Repair. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.~~
- ~~(5)(1) Animation. No sign shall be mechanically animated, such as moving, rotating or revolving.~~

~~G. Temporary signs in the public right of way and on public property.~~

- ~~(1) Permit required. In all districts, no temporary signs shall be erected in the public right of way or on public property without a permit, unless specifically exempted below.~~
- ~~(2) Exceptions. The following signs shall not be subject to the issuance of a permit:~~
  - ~~(a) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.~~

- ~~(b) Temporary emergency warning signs erected by a governmental body, public utility company or contractor doing authorized or permitted work within the public right-of-way, provided that such signs shall be located outside of the public vehicular and pedestrian travel ways and shall be placed so as not to create any nuisance or threat to public safety.~~
- ~~(c) Bus stops erected by a public transit company.~~
- ~~(d) Informational signs of a public utility regarding its poles, lines, pipes or facilities.~~
- ~~(3) Permit standards. The Building Inspector or his duly authorized designee shall issue a permit within a reasonable period of time following receipt of a complete permit application for the placement of a temporary sign in the right-of-way or on public property, provided the following conditions are satisfied:~~
  - ~~(a) Submission of a permit application on a form issued by the Building Department and payment of the application fee as set forth in the City of Beacon Fee Schedule.~~
  - ~~(b) No sign shall be placed in a location that would cause a violation of the provisions of the Americans with Disabilities Act, as may be amended from time to time.~~
  - ~~(c) All signs must comply with the provisions of Subsection F, above.~~
  - ~~(d) No sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow or means of egress.~~
  - ~~(e) The necessity of surety bonds and/or insurance shall be determined by the Building Inspector or his duly authorized designee. If it is determined that such surety bond and/or insurance is necessary, the amount of such surety bond and/or insurance shall be determined by the Building Inspector or his duly authorized designee, in his/her sole discretion, as may be necessary to defray any expense of liability from the City. Surety bonds and/or insurance policies shall be approved as to form by the City Attorney.~~
  - ~~(f) Permits for sidewalk signs shall be valid for one year from the date of issuance and shall not be transferrable.~~

#### M. Nonconforming signs.

- (1) All nonconforming temporary signs shall be removed or brought into

compliance within 90 days of the adoption date of this section.

- (2) Any nonconforming sign that is removed from its position or siting and not replaced in-kind within 90 days shall be presumed to be abandoned and discontinued and may not be restored or re-erected except in compliance with this section.
- (3) No nonconforming sign may be altered in any way that would increase its nonconformity with the regulations of this section, including but not limited to area, height, setback and illumination.
- (4) Nothing herein shall be deemed to prevent maintaining a nonconforming sign in good repair and safe condition.

#### H.N. Violations.

- (1) Noncompliance with any of the foregoing provisions shall constitute an offense, punishable as provided for in § 1-3, General penalty. When a person has received written notice from the Building Inspector or has been served with a summons and complaint in an action to enjoin continuance of any violation, each day in excess of 10 days thereafter that he shall continue to be guilty of such violation shall constitute an additional, separate and distinct offense.
- (2) Any temporary sign installed or placed, except in conformance with the requirements of this section, shall be subject to removal. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal of such signs in accordance with the administrative fee set forth in the City of Beacon Schedule of Fees. The fee shall be paid by the individual or entity retrieving the signs from the City. The City shall dispose of the sign(s) after five calendar days from the removal of the sign(s) by the City.
- (3) The display of any sign at a location containing the name or address of a person or entity and a commercial message relating to such person or address shall be presumptive evidence that such person installed, created, erected and maintained the sign at the location where it was displayed. This presumption shall be subject to rebuttal by competent evidence.

#### Section 4. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 223 and Chapter 134 of the City of Beacon Code is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

#### Section 5. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence,

subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt therefrom.

#### Section 6. Effective Date

This local law shall take effect immediately upon filing with the Office of the Secretary of State.

## Proposed Draft Sign Regulations For the City of Beacon

### Nonresidential Uses

NONRESIDENTIAL USES	Allowed (no permit required) (Not to exceed 4 ft. in height and 6 ft. in sign area, unless specified below)	
	Sign Type	Size and other Restrictions
	Official Sign, Public Notice, Warning Sign	The sign must comply with the size restrictions set forth herein, unless otherwise prescribed by federal, state or local law.
	Property Identification Signs	Not to exceed 4 sq. ft. in area
	Nonilluminated secondary window sign ("in" or "out" sign)	1 sign allowed, not exceed 1 sq. ft. in area
	Temporary nonilluminated window sign	Total signage shall not exceed 20% of the total window surface area.
	Nonilluminated Real Estate	1 sign allowed, shall not exceed 4 ft in height or 6 sq. ft. in area. The top of the sign shall be no more than 6 ft off the ground.
	Nonilluminated Construction	1 sign allowed, not exceeding 6 sq. ft. in area
	Flags	The area of any one flag shall not exceeding 20 sq. ft
	Historical Markers	As approved by local, state or federal authorities.
	Nameplates of Sign for Home Occupation/Professional Office	1 nameplate, not exceeding 2 sq. ft.,
	Lawn Signs	The aggregate area of all lawn signs on any lot shall not exceed 32 square feet. The top of the lawn sign shall be no more than five feet off the ground. Signs shall be nonilluminated and shall be displayed for a limited period of time of no more than 4 months in a 12 month period. Must be removed 7 days after the event.
	Signs within a building not legible from the public right-of-way or adjacent lots, or any sign within an enclosed outdoor space.	Not to exceed 4 ft. in height and 6 ft. in sign area

## Proposed Draft Sign Regulations For the City of Beacon

### Nonresidential Uses

<b>NONRESIDENTIAL USES</b>  <b>Aggregate area of each sign not to exceed 1 sq. ft. for each linear ft. of building facing the street</b>  <b>Aggregate area of all signs with permits on any lot shall not exceed 2 sq. ft. for each linear ft. of building facing the street</b>	<b>Allowed With A Permit</b>	
	<b>Sign Type</b>	<b>Size and other restrictions</b>
	Vertical Projecting Wall	No more than 2 faces, not to exceed 8 ft. in height and 10 sq. ft. in area
	Freestanding	Building must be set back at least 50 ft., sign shall not exceed 20 sq. ft. in area Top of the sign shall be no higher than 16 ft. from the ground
	Permanent Window Sign	Aggregate area shall not exceed 20% of the total window surface and shall not exceed 4 ft. in height and 16 square feet in area.
	Awning Sign	1 per lot, area shall not exceed 20% of the area of the awning.
	Sandwich Board	1 sign, not to exceed 3 ft. in height and 6 ft. in area, brought in after close of business. A pedestrian clearway of at least six feet shall be maintained in a pedestrian walkway, a pedestrian clearway of at least eight feet shall be maintained whenever possible.
	Temporary	Not to exceed 4 ft. in height and 32 sq. ft. in area; not to be illuminated. The top of the lawn sign shall be no more than 16ft. off the ground. Such sign shall not be displayed for more than 4 months in a 12 month period.
	Banners	Permitted as temporary on private property
	Wind-animated banners	Such signs are permitted for commercial uses located on Route 52 and Route 9D in the Local Business, General Business, and industrial districts only.
	Digital Signs	No such sign shall contain moving or animated text or images. The message shall be displayed for at least 12 hours between changes. Such signs shall use automatic dimming technology, as certified by the manufacturer, to adjust the brightness of the sign to ambient light so that at no time shall the sign exceed a brightness level of 0.2 foot-candle above ambient light. Such signs shall contain a default mechanism causing the sign to revert to a black screen if the sign malfunctions.

## Proposed Draft Sign Regulations For the City of Beacon Residential Uses

<b>RESIDENTIAL USES</b>  <b>No sign, including exempt signs, shall be placed above the first floor.</b>	<b>Allowed (no permit required)</b> <b>(Not to exceed 4 ft. in height and 6 ft. in sign area)</b>	
	<b>Sign Type</b>	<b>Size and other Restrictions</b>
	Official Sign, Public Notice, Warning Sign	The sign must comply with the size restrictions set forth herein, unless otherwise prescribed by federal, state or local law.
	Property Identification	Not to exceed 4 sq. ft. in area
	Nonilluminated secondary window sign (“in” or “out” sign”)	1 sign allowed, not exceed 1 sq. ft. in area
	Nonilluminated Real Estate	1 sign allowed, shall not exceed 4 ft in height or 6 sq. ft. in area. The top of the sign shall be no more than 6 ft off the ground.
	Nonilluminated Construction	1 sign allowed, not exceeding 6 sq. ft. in area.
	Flags	The area of any one flag shall not exceeding 20 sq. ft
	Historical Markers	As approved by local, state or federal authorities.
	Nameplates of Sign for Home Occupation/Professional Office	1 nameplate, not exceeding 2 sq. ft.,
	Lawn Signs	The aggregate area of all lawn signs on any lot shall not exceed 32 square feet. The top of the lawn sign shall be no more than five feet off the ground. Signs shall be nonilluminated and shall be displayed for a limited period of time of no more than 4 months in a 12 month period. Must be removed 7 days after the event.
	Signs within a building not legible from the public right-of-way or adjacent lots, or any sign within an enclosed outdoor space.	Not to exceed 4 ft. in height and 6 ft. in sign area

## Proposed Draft Sign Regulations For the City of Beacon Residential Uses and Historic District

RESIDENTIAL USES	Allowed With A Permit	
	Sign Type	Size and other restrictions
	One identification sign for subdivisions, apartments or multi-family developments that contain more than 15 dwelling units	At the entrance, not to exceed 24 sq. ft. in area
	Temporary	Not to exceed 4 ft. in height and 32 sq. ft. in area; not to be illuminated. The top of the lawn sign shall be no more than 6 ft. off the ground. Such sign shall not be displayed for more than 6 months in a 12 month period.
	Banners	Permitted as temporary
Aggregate of all signs, with permits on any lot not to exceed 16 sq. ft.  No sign, including exempt signs, shall be placed above the first floor.		
Historic District	Signs requiring a permit	Approval by Planning Board Required for all signs which require a sign permit.



**City of Beacon Workshop Agenda**  
**5/28/2019**

**Title:**

**Resolution Regarding Danskammer Energy LLC**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Resolution Regarding Danskammer

Type

Resolution

## **CITY COUNCIL**

Resolution No. \_\_\_\_\_ of 2019

### **RESOLUTION COMMENTING ON THE DANSKAMMER BUILDOUT PROPOSAL**

**WHEREAS**, Danskammer Energy, LLC (“Danskammer”), seeks a permit through the State’s Article 10 power plant siting process to build and operate a new gas-fired power plant with a potential generating capacity of 525-575 megawatts on the shores of the Hudson River in the Town of Newburgh, referred to as the Facility Repowering Project, and

**WHEREAS**, the City Council has received and reviewed presentations on the proposed Facility Repowering Project from Danskammer and from Scenic Hudson, and received public comments from residents expressing concerns and opposition to the project; and

**WHEREAS**, the current power plant located at the site operates only when electric generation demand reaches a peak so that it operates about 5%-10% of the year to meet peak power demand; and

**WHEREAS**, the new power plant will operate year-round as a base load facility, and

**WHEREAS**, the new facility will use an air cooled-condensing system which will eliminate use of the Hudson River’s water for cooling; and

**WHEREAS**, the new power plant will use fracked natural gas as its primary fuel, with provisions to use ultra-low sulfur diesel (ULSD) for up to 30 days as a back-up fuel; and

**WHEREAS**, New York State banned fracking to protect our health and protect the climate, but this facility would use fracked gas, which is especially dangerous to air and water quality of the communities outside of New York from which it is extracted, and the City of Beacon does not seek increased harms on any community, including outside of New York State; and

**WHEREAS**, fugitive methane from fracking, pipelines, compressor stations and other transport is a highly potent greenhouse gas; and

**WHEREAS**, gas-powered plants produce pollution that harms local air quality and the public’s health through release of contaminants; and

**WHEREAS**, children, the elderly and anyone with a pre-existing health condition affecting their lungs, such as asthma or emphysema, are especially vulnerable; and

**WHEREAS**, the new gas-powered plant operating at baseload capacity will produce pollution that will fuel the growing climate crisis, contrary to the interests of the City of Beacon and in contradiction to the State’s Energy Plan and Clean Energy Standard of 50% renewable energy generation to be available on the electric grid by 2030, which Governor Cuomo more recently increased to 100% by 2040; and

**WHEREAS,** Danskammer has filed a Preliminary Scoping Statement with the Siting Board, which informs the Siting Board, other public agencies, and communities about the project, including a description of the proposed facility, potential environmental and health impacts, proposed studies to evaluate those impacts, proposed mitigation measures and reasonable alternatives to the project; and

**WHEREAS,** Danskammer will conduct various studies to identify and evaluate the potential impacts of a project on the environment, public health, and other public interest factors; and

**WHEREAS,** after the public involvement program and preliminary scoping statement are filed, Danskammer must then submit a formal Article 10 application to the Siting Board, which includes the same information as the preliminary scoping statement but in greater detail; and

**WHEREAS,** the City Council recognizes that Danskammer is at the beginning of the approval process and must still hire experts, conduct various planned studies, file its Article 10 application, and conduct public hearings before obtaining final approval to construct the project.

**NOW THEREFORE, BE IT RESOLVED,** that the City Council of the City of Beacon urges Governor Cuomo and the Power Plant Siting Board convened under Article 10 of the State Public Service Law to consider the concerns stated herein when considering Danskammer's proposal to build and operate a larger, new facility.

**BE IT FURTHER RESOLVED,** that the City Clerk of the City of Beacon is directed to submit this statement to the Public Service Commission and to send a copy of this resolution to Governor Andrew Cuomo.

**City of Beacon Workshop Agenda**  
**5/28/2019**

**Title:**

**Standard Work Day and Reporting Resolution for Elected and Appointed Officials**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
New York State Local Retirement System Attachment A	Backup Material



Received Date  
Standard Work Day and  
Reporting Resolution for  
Elected and Appointed Officials

Title:	Standard Work Day: (Hrs/day) Min. 6 hrs Max. 8 hrs	Name: (First and Last)	Social Security Number: (Last 4 digits)	NYSILRS ID:	Tier 1 (Check only if member if Tier 1)	Current Term Begin & End Dates: (mm/dd/yy-mm/dd/yy)	Record of Activities Result:*	Not Submitted: (Check only if official did not submit their Record of Activities)
Elected Officials:								
Council Member	7	*Not in ERS *			<input type="checkbox"/>	N/A		<input type="checkbox"/>
Council Member	7	* Not in ERS *			<input type="checkbox"/>	N/A		<input type="checkbox"/>
Council Member	7	* Not in ERS *			<input type="checkbox"/>	N/A		<input type="checkbox"/>
Appointed Officials:								
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>

I, Iola C. Taylor, secretary/clerk of the governing board of the City of Beacon, of the State of New York,  
(Name of Secretary or Clerk) (Circle one) (Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Beacon on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 19\_\_\_\_  
(Name of Employer)

Affidavit of Posting: I, (Signature of Secretary or Clerk)  
Iola C. Taylor

(Name of Secretary or Clerk)

and continued for at least 30 days. That the Resolution was available to the public on the: \_\_\_\_\_  
(Date) \_\_\_\_\_ being duly sworn, deposes and says that the posting of the Resolution began on

☒ Employer's website at: www.cityofbeacon.org

☐ Official sign board at: \_\_\_\_\_

☐ Main entrance Secretary or Clerk's office at: \_\_\_\_\_

**Please type or print clearly  
in blue or black ink**

Employer Location Code

2005

**RS 2417-B**  
(Rev.09/18)

(Rev.09/18)

Received Date

# Standard Work Day and Reporting Resolution for Elected and Appointed Officials Continuation Form

[illegible]

Employer: City of Beacon

Location Code: 20005Page 2 of 2 (use with form RS 2417-A)

**City of Beacon Workshop Agenda**  
**5/28/2019**

**Title:**

**Contract Negotiations**

**Subject:**

**Background:**