

material acceptable to the Borough Engineer. **[Added 06-16-03 by Ord. 2143]**

- (6) There shall not be more than two (2) driveways accessory to single-family detached or two-family dwellings for each street frontage, and such driveways shall be located at least forty (40) feet apart, exclusive of curb returns or flared aprons. **[Added 06-16-03 by Ord. 2143]**

§ 102-119. Signs

The use, erection, relocation and alteration of signs shall be required to obtain a sign permit pursuant to § 102-28C, unless exempted therein, and shall comply with the following regulations:

A. General regulations. **[Amended 12-7-09 by Ord. No. 2317]**

- (1) General prohibitions. All signs which are not specifically permitted by this chapter shall be prohibited. In addition, and without limiting the generality of this section, the following are specifically prohibited:
- (a) The placement of signs on trees, rocks, street lamps, fire alarm boxes and similar structures. No sign shall be placed on any utility pole, street lamp or fire alarm box except for utility identification or similar purposes.
 - (b) Attraction devices or signs which contain a beacon of any type and/or contain a spot light providing direct illumination of the public are prohibited.
 - (c) Attraction devices or signs which flash, blink, fluctuate in light intensity or are animated (any sign which includes action, motion or color changes, or the optical illusion of action, motion, or color changes, (except barber poles) shall be prohibited.
 - (d) Attraction devices or signs which revolved, rotate, or otherwise move (except barber poles).
 - (e) Notwithstanding the above paragraphs (c) and (d), elements of a sign that rotate or move by wind and are less than one (1) square foot in size shall be allowed.
 - (f) Signs constituting a traffic hazard. No sign or other advertising structure shall be erected or continue to be displayed at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, it may obstruct or otherwise interfere

with adequate sight distance or be confused with any authorized traffic sign, signal or device. Any freestanding sign located within any required sight triangle shall have a height less than or equal to thirty (30) inches, or the bottom of the sign shall have a height equal to or greater than eight (8) feet. This provision shall not be construed to permit such signs or such height or location if prohibited by any other provisions of this ordinance. No sign shall make use of the words "stop," "look," "drive-in," "danger," or any other word if such use would interfere with, mislead or confuse the traveling public.

- (g) The use of a vehicle or a trailer as a sign in circumvention of this chapter. No sign shall be erected, painted, affixed, located or maintained on any taxicab, except the word "taxi" and except to designate the name, address, telephone number and a serial number of such taxicab.
 - (h) Any sign which advertises a product, including trademarks and brand names, or which advertises a service, business or identity, which is not present and available at the site.
 - (i) Roof signs.
 - (j) Off-site signs, except as specifically permitted by this chapter or other applicable law. **[Amended 06-16-03 by Ord. 2143]**
 - (k) Illuminated window, door or architectural trim or accents, including but not limited to such structures made of neon or fluorescent tubing.
 - (l) Signs shall not cover or interrupt prominent architectural features of the building.
 - (m) Open signs shall not be illuminated and/or displayed if the business is not open.
- (2) Unsafe and unlawful signs. If the Construction Official, Electrical Subcode Official or Zoning Officer shall find that any sign or other advertising structure regulated herein is unsafe or insecure, is a menace to the public, is abandoned or maintained in a dilapidated condition, or has been constructed or erected or is being maintained in violation of the terms of the permit granted for said sign or any applicable code or ordinance, the Construction Official, Electrical Subcode Official or Zoning Officer, as applicable, shall issue a notice to the permittee or property owner demanding that the sign be altered or removed so as to eliminate the offending condition. If the permittee or property owner fails to remove or alter the sign or advertising structure within a reasonable time period as specified in such notice,

not to exceed thirty (30) days, such sign or other advertising structure may be removed or altered to comply with all applicable requirements. Notwithstanding the foregoing, if in the opinion of such official(s), such sign presents an imminent danger or risk to the public health, safety or welfare, such official may remove or alter the sign(s) so as to eliminate such danger or risk. Such signs or other advertising structures are hereby declared to be a public nuisance. When any sign is removed summarily without notice, the owner or lessee thereof shall have the right to a post-seizure hearing before the Mayor and Council of the Borough of Somerville to determine whether there was probable cause to remove the sign.

- (3) Removal of signs for change or termination of use. In the event a business ceases operation for a period of time in excess of thirty (30) days, the sign owner or lessee, or the property owner, shall immediately remove any sign identifying or advertising said business or any product sold thereby.
 - (a) Upon failure of the sign owner or lessee, or property owner, to comply with this section, the Zoning Officer shall issue a written notice to the sign owner and any lessee and to the property owner, which notice shall state that such sign shall be removed within thirty (30) days.
 - (b) If the sign owner or lessee, or property owner, fails to comply with such written notice to remove, the Zoning Officer is hereby authorized to cause removal of such sign, and any expenses incidental to such removal shall be charged to the owner of the property upon which the sign is located and shall constitute a lien upon the property.
 - (c) For the purpose of this section, the word "remove" shall mean:
 - (a) removal of the sign face, along with posts, columns and/or other supporting structures of freestanding signs, projecting signs, roof signs or wall signs; or
 - (b) painting over a painted wall sign in such a manner as to completely cover up and hide the sign in question.
- (4) Nonconforming signs. Nonconforming signs shall comply with the provisions of §102-121.
- (5) Placing signs on public property. No signs other than signs placed by agencies of the government shall be erected on any public property; provided, identification and informational signs may be erected upon Borough street name signposts, or upon traffic signposts under the following conditions:

- (a) The signs direct the reader to the location of public facilities attended primarily by out-of-town patrons, to a facility operated by a nonprofit entity and attended primarily by out-of-town patrons, to a facility relating to the public health safety or welfare, or to scenic or historic buildings or trails.
 - (b) The signs are fabricated, erected and maintained by the Borough Public Works Department.
 - (c) The entire cost of the sign is borne by the entity requesting the sign.
 - (d) The signs do not constitute a traffic hazard.
 - (e) The signs conform to the latest edition of the Manual on Uniform Traffic Control Devices.
- (6) Restrictions along controlled access highways. No off-site sign shall be permitted within fifty (50) feet of the right-of-way of any controlled access highway.
- (7) Material and design.
- (a) All signs shall be designed according to the best accepted engineering practice. If attached to a building, the loads shall be distributed to the structure so that no members thereof shall be over-stressed. No sign may obscure, or require the removal of building elements such as cornices, lintels, columns, etc., that define and separate parts of the building or decorative elements.
 - (b) All supports and brackets for signs suspended from or supported upon a building shall be constructed of metal not less than one-fourth (1/4) inch thick if not galvanized, and not less than three-sixteenths (3/16) of an inch thick if all members including bolts and rivets are galvanized.
 - (c) All such signs shall be securely attached to the building by means of metal anchors, bolts or expansion screws; provided, that signs exceeding fifty (50) pounds in weight shall be secured at both top and bottom with metal shelf anchors.
 - (d) No signs, illustrations or symbols shall be placed so as to interfere with the opening of an existing door of any building, to obstruct any window opening of a room in a dwelling, to interfere with the use of any fire escape or to create a hazard to pedestrians.

- (e) All signs must be so installed and be of materials to withstand a wind resistance of not less than thirty (30) pounds per square feet.
- (8) Sign illumination.
- (a) Any sign may be illuminated by a stationary light source which may be located inside or outside of the sign.
 - (b) All light sources shall be directed only at the sign or emanate indirectly from the sign.
 - (c) All light sources shall be clear or white and located within an opaque housing and shall not be visible from direct view, except that ionized inert gas signs, window signs and seasonal decorations may use colored illumination. The light source shall be designed to illuminate the sign without spillage onto the surrounding environment. Light spillage onto the surrounding environmental is prohibited.
 - (d) Light sources shall not be permitted to pass through awnings and canopies so as to illuminate same from behind: provided, however, that if such awnings or canopies are permitted to contain signs, only the letters of same shall be permitted to be illuminated from light sources located behind and shining through the awning or canopy.
- (9) Maintenance. All signs shall be maintained in a neat and clean condition. No rust, faded paint, peeling or decay of any form shall be permitted. All freestanding signs and the premises surrounding the same shall be maintained by the owner thereof, in a clean, sanitary, and inoffensive condition, and free and clear of all obnoxious substance, rubbish and weeds.
- B. Special regulations for certain types of signs. **[Amended 06-16-93 by Ord. 2143]** The following provisions shall apply to the sign types indicated, which provisions shall supersede the provisions for signs in each zone district otherwise applicable to such signs.
- (1) Professional nameplates. Professional nameplates attached to the wall of buildings and not exceeding three (3) square feet of display surface area shall be permitted as an accessory structure for all permitted professional uses. Such signs shall be permitted in addition to any other wall signs permitted in the zone district; provided that professional nameplates which exceed three (3) square feet in area shall be construed as a wall sign and be subject to the regulations for wall signs in the particular zone district.

- (2) Memorial signs. Memorial signs or tablets, names or buildings and signs indicating the date of the original building construction are permitted in all zone districts. Such sign shall be cut into a masonry surface or constructed of bronze or other noncombustible materials and shall not exceed three (3) square feet in display surface area if located in the R-1, R-2 or R-3 zone districts. Such signs shall be permitted in addition to any other wall signs in the zone district. These signs shall not be considered a roof sign and shall require site plan approval (if not site plan exempt).
- (3) Fuel price signs. Signs advertising the price of motor vehicle fuel sold from a fuel pump located on the premises shall be permitted, in addition to any other signs permitted for gasoline filling stations, subject to the following conditions:
 - (a) Only one (1) fuel price informational sign shall be permitted on each fuel pump.
 - (b) The display surface area of any fuel price informational signs shall not exceed one and one-half (1 1/2) square foot (216 square inches).
 - (c) Each fuel price informational sign shall be affixed directly and firmly to a fuel pump and shall be stationary.
 - (d) Nothing herein shall be construed to prohibit the advertisement for fuel prices on any other sign meeting the requirement of this chapter.
- (4) Directional, identification and information signs. **[Amended 12-17-01 by Ord. 2118; 06-16-03 by Ord. 2143]** Directional, identification and information signs shall be permitted as accessory structures for nonresidential uses and multi-family residential uses in all zone district where such uses are permitted; subject to the following provisions:
 - (a) Such signs shall be limited to wall signs and freestanding signs.
 - (b) Such signs shall not have a display surface area that exceeds four (4) square feet, and shall be limited in height to forty-two (42) inches above normal grade. **[Amended 06-16-03 by Ord. 2143]**
 - (c) One (1) directional sign shall be permitted at each entrance or exit on a lot or parcel to identify said entrance or exit.
 - (d) The limitation on the number of freestanding or wall signs in each of the zone districts shall not apply to such signs.

- (e) Notwithstanding the foregoing, standardized traffic signs such as "stop," "yield," "do not enter," "one-way," etc. shall comply with the size, height, location and other criteria of the most recent edition of the Manual on Uniform Traffic Control Devices.
- (5) Area identification signs. **[Amended 12-17-01 by Ord. 2118]** Area identification signs shall be permitted as accessory structures to any development with multiple user spaces, such as an apartment building or shopping center, or used to identify an area containing multiple buildings which are used or developed in a unified manner such as a residential subdivision, apartment complex, industrial park, mobile home park, or office park or shopping center, subject to the following regulations:
- (a) The size and location of the fence, wall or other structure which will contain the area identification sign shall require the site plan approval (either minor or major). The area identification sign shall be located so traffic safety sight lines are not obstructed.
 - (b) The maximum display surface area of area identification signs shall not exceed thirty-two (32) square feet.
 - (c) No more than one (1) area identification sign shall be permitted for each street frontage of the subject property. **[Added 06-16-03 by Ord. 2143]**
 - (d) The height of area identification signs shall not exceed the height permitted for other freestanding signs in the zone district. **[Added 06-16-03 by Ord. 2143]**
- (6) Portable swinger "A" frame signs. **[Amended 12-17-01 by Ord. 2118]** Portable swinger "A" frame, sandwich, attraction sign board signs described in this section shall be permitted as an accessory structure to retail sales businesses in the B-zone districts, subject to the following:
- (a) The total display surface area shall not exceed six (6) square feet per side.
 - (b) The sign shall be used temporarily or daily, but shall not be used as a permanent sign.
 - (c) The sign shall not contain any elements which are prohibited by this chapter.
 - (d) Only one (1) such sign shall be permitted per business.

- (e) Placement of sign shall allow a minimum of four (4) feet wide continuous pedestrian passage.
 - (f) If the business includes an outdoor cafe, the sign shall be located within the cafe boundaries when the cafe is in operation.
- (7) Wall signs. **[Amended 12-17-01 by Ord. 2118]** In addition to the regulations applicable to wall signs in each of the zone districts, the following shall apply:
- (a) Wall signs may not obscure, or require the removal of building elements such as cornices, lintels, columns, etc., that define and separate parts of the building or decorative elements.
 - (b) Wall signs may not extend above the eaves or bottom of the building roof or above the top of any parapet wall of the building.
 - (c) Wall signs may not project more than eight (8) inches from the wall upon which they are mounted.
- (8) Projecting signs. **[Amended 12-17-01 by Ord. 2118]** Projecting signs are permitted in all zone districts except the R-1, R-2, R-3, G and SC zone districts, as an accessory structure to nonresidential uses, subject to the following requirements:
- (a) If the projecting sign has more than two (2) display surfaces, no side shall exceed the square footage as stated in item (f) (see below). In addition, the total cumulative square footage of the display surface area of all sides shall not exceed 8, 16 or 18 square feet, depending on the type of projecting sign and whether the storefront contains a wall signs (see item (f) below for details). Any projecting sign with two (2) or more display surfaces shall be considered a double faced sign.
 - (b) Double faced signs having an included angle greater than sixty (60) degrees are prohibited.
 - (c) Projecting signs shall not project from the surface of the building upon which they are mounted a distance of more than two-thirds (2/3) of the width of the sidewalk within or adjacent to the street right-of-way in those instances where there is a sidewalk next to a building, nor within two (2) feet of the street right-of-way in those instances where there is not sidewalk next to the building; provided, however, that no projecting sign shall project more than four (4) feet from the surface of the building upon which they are mounted.

- (d) Projecting signs shall be located on the vertical surface of a building and shall not be higher than the eaves or rafter line, whichever is higher, in the case of a sloped roof, or above the top of any parapet wall of the building, in the case of a flat roof.
- (e) Projecting signs located above a sidewalk shall clear the grade level below the sign by a minimum of eight (8) feet. Regardless of zone district projecting signs are prohibited if they extend over a driveway and a single unit or larger truck is expected to use the driveway.
- (f) Projecting signs shall be considered a wall sign for purpose of determining the maximum number of wall signs permitted for the subject property in the zone district except in the B-1 and B-2 zone districts. In the B-1 and B-2 zone districts, the subject property can have both wall sign(s) and one (1) projecting sign. If the subject property has a wall sign the display surface area of the projecting sign shall not exceed four (4) square feet per side.

Properties in the B-1 or B-2 zone district that have a projecting sign that contains lettering and do not have wall signs are permitted to have a display surface area of eight (8) square feet or less per side. If the projecting sign is entirely of symbols, the sign shall not exceed nine (9) square feet per side. Each storefront shall have a maximum of one (1) projecting sign, regardless of the number of tenants occupying the space.

All projecting signs shall be located a minimum of three (3) feet from the side lot lines and/or tenant space demising wall.

- (9) Signs on awnings and canopies. **[Amended 12-17-01 by Ord. 2118]** Signs on an awning or canopy are permitted in the nonresidential zone districts as an accessory structure to nonresidential uses. If the sign on any such awning or canopy is located on the vertical fringe and is no more than three (3) inches in height, such sign shall be permitted in addition to any other wall signs permitted in the zone district; otherwise, the sign shall be regulated the same as wall signs in the zone district.
- (10) Window signs. **[Amended 12-17-01 by Ord. 2118]** Window signs are permitted in the B-1, B-2, B-3, B-4, B-5 and B-6 zone district as an accessory structure to nonresidential uses, subject to the following requirements. The intent of these requirements is to regulate signs located inside a building that could reasonably be construed as serving the same or equivalent function to signs located outside the building.

- (a) Window signs, both permanent and temporary in the aggregate, shall not cover more than thirty percent (30%) of the total area of the various display windows and entry doors on the same facade of the building within which such signs are displayed, nor more than thirty-five percent (35%) of the area of any single display window or door.
 - (b) If a permanent window sign is no more than three (3) inches in height, such sign shall be permitted in addition to any other wall signs permitted in the zone district; otherwise, the sign shall be regulated the same as wall signs in the zone district.
 - (c) Temporary window signs shall have the date that the sign is installed in the lower left corner, written legibly, and shall be removed promptly upon termination of the sale or event. In no case shall such signs be displayed for any period of time exceeding sixty (60) days.
- (11) Building construction signs. One (1) on-site building construction sign on each construction site in any zoning district is permitted, provided that the maximum display surface shall not exceed eight (8) square feet in R-1, R-2, R-3, G, SC and PO-R zone districts, nor thirty-two (32) square feet in any other zoning district.
- (12) Real estate signs. On a lot in any zone district, there may be erected one (1) nonilluminated real estate sign; subject to the following:
- (a) Such signs shall be limited to wall signs and freestanding signs.
 - (b) No sign dimension shall exceed three (3) feet.
 - (c) No more than one (1) dimension shall exceed two (2) feet.
 - (d) The display surface area shall not exceed six (6) square feet.
- (13) Election campaign signs. **[Amended 06-16-03 by Ord. 2143]** Political signs are permitted to be placed on private property in any district, subject to the following conditions:
- (a) In districts where signs are not otherwise permitted, a political sign may be erected but said sign shall be removed within seventy-two (72) hours following the final election to which it applies. The owner of the property on which the said sign is placed shall be responsible for its removal.
- (14) Banners. Banners when used in conjunction with public and private events and permitted as follows; provided that banners bearing

advertising matter shall be considered wall or freestanding signs, depending upon mounting, and shall meet all regulations pertaining thereto.

- (a) Election campaign banners shall not be placed more than ten (10) days prior to, nor removed later than seventy-two (72) hours following the election.
 - (b) Public event banners shall be removed within seventy-two (72) hours following the event to which the banner applies.
 - (c) Banners placed on private property for advertising a special event shall not be displayed for more than fourteen (14) continuous days or for more than fourteen (14) days in any calendar month, or such signs shall be considered to be a permanent wall sign and shall be subject to the regulations applicable to the same. **[Amended 06-16-03 by Ord. 2143]**
 - (d) Decorative banners containing no advertising content may be displayed, but shall be changed at least annually.
- (15) Freestanding bulletin boards. **[Amended 12-17-01 by Ord. 2118]** Freestanding bulletin boards are permitted as an accessory structure to charitable uses, State-certified schools providing formal education for grades K-12, and religious or public uses. Such signs shall be erected upon the same property as said institutions, and shall be subject to the following regulations:
- (a) Freestanding bulletin boards having a display surface area less than or equal to ten (10) square feet shall be set back a minimum of fifteen (15) feet from street right-of-way.
 - (b) Freestanding bulletin boards having a display surface area in excess of ten (10) square feet shall be set back fifteen (15) feet from street right-of-way, plus an additional one (1) foot for each two (2) square feet of display surface area in excess of ten (10) square feet.
 - (c) The display surface area of freestanding bulletin boards shall not exceed thirty-two (32) square feet.
 - (d) There shall be no more than one (1) freestanding bulletin board for each lot, or for each development, whichever is less. **[Added 06-16-03 by Ord. 2143]**
- (16) All goods sold, merchandise and products displayed in the B-1, B-2, B-3, B-4, B-5 and B-6 and PO-R zone districts, including the materials necessary to display the goods and products shall have the good side

facing out. Unsightly views, such as into a storage room or supplies stacked in the display window, are prohibited.

- C. Signs in the R-1, R-2 and R-3 zone districts. In addition to any signs permitted in these districts by § 102-119B, the following signs are permitted:
- (1) One (1) on-site freestanding sign accessory to a house of worship or school, conforming to § 102-119D.
 - (2) One (1) on-site wall sign for each permitted business establishment, including home occupations, but not more than two (2) such signs in the aggregate. The display surface of each sign shall not exceed three (3) square feet.
- D. Signs in the G and SC zone districts. In addition to any signs permitted in these districts by § 102-119B, one (1) freestanding sign is permitted; provided that single-family and two-family residential development shall be limited to the signs permitted by § 102-119C. Freestanding signs shall comply with the following:
- (1) The display surface area shall not exceed fifteen (15) square feet.
 - (2) The sign shall be set back at least ten (10) feet from any property line.
 - (3) The sign height shall not exceed forty-two (42) inches above the ground.
- E. Sign in the PO-R zone district. In addition to any signs permitted in these districts by §102-119B, the following signs are permitted:
- (1) One (1) freestanding sign or one (1) wall sign for each lot or each development, whichever is less. **[Amended 06-16-03 by Ord. 2143]**
 - (2) Freestanding signs shall comply with the following:
 - (a) The display surface area shall not exceed twelve (12) square feet; provided, however, that signs advertising more than one (1) business shall be permitted to have a total display surface area not exceeding fifteen (15) square feet.
 - (b) The signs shall be set back at least ten (10) feet from any property line.
 - (c) The sign height shall not exceed forty-two (42) inches above the ground.
 - (d) A maximum of two (2) freestanding sign support columns can terminate sixty-six (66) inches above grade if the columns symbolize a professional occupation being conducted at the

premises. The maximum width of said columns cannot exceed one (1) foot. Additional columns including the sign cannot exceed forty-two (42) inches above the ground.

- (3) Wall signs shall comply with the following:
- (a) The display surface area shall not exceed one (1) square foot for each linear foot of wall length upon which the sign is attached, up to a maximum display surface area of one hundred fifty (150) square feet.
 - (b) Only one (1) dimension of the sign, horizontal or vertical, shall exceed two (2) feet.

F. Signs in the B-1, B-2, B-3, B-4, B-5, B-6, CG, H, I-1 and I-2 zone districts. In addition to any signs permitted in these districts by § 102-119B, the following signs are permitted:

- (1) Freestanding signs, wall signs, signs on awnings or canopies, window signs, portable signs, area identification signs and joint identification signs are permitted as regulated herein.
- (2) Freestanding signs shall comply with the following:
 - (a) One (1) on-site or off-site freestanding sign shall be permitted on a lot, at a shopping center or at a mall, except as provided otherwise herein.
 - (b) Freestanding signs located on any property which fronts upon Routes 22, 202 and 206 and located in any of the above districts.
 - [1] No freestanding sign shall be permitted on any lot that has a street frontage of less than one hundred (120) feet.
 - [2] The display surface area shall not exceed one hundred thirty (130) square feet.
 - [3] No part of any freestanding sign shall be located nearer to the street right-of-way of Routes 22, 202 or 206 have a straight line which connects the following two (2) points:
 - [a] For properties with frontage on Route 22, a) the point of intersection of the front lot line and the westerly side lot line, and b) a point on the easterly side lot line located twenty

(20) feet measured perpendicular from the front lot line.

- [b] For properties with frontage on Route 202 and/or 206, a) the point of intersection of the front lot line and the southerly side lot line, and b) a point on the northerly side lot line located twenty (20) feet measured perpendicular from the front lot line.

For purposes of administering the above provision, the directions "northerly," "southerly," etc. shall be construed to be the general direction as determined by vehicles traveling on the highway. For corner lots, the "front lot line" as used above shall be construed to be that front lot line along Routes 22, 202 and/or 206, as applicable, and one "side lot line" as used above shall be construed to be the front lot line along the intersecting street.

- [4] For corner lots, no part of any freestanding sign shall be located nearer than fifteen (15) feet to the street right-of-way of any street other than Routes 22, 202 or 206.
 - [5] Freestanding signs shall be set back at least ten (10) feet from any side or rear property line.
 - [6] Freestanding signs shall be set back at least forty (40) feet from any residential zone district boundary line.
 - [7] Freestanding signs shall not exceed thirty (30) feet in height above the ground.
- (c) Freestanding signs for new or used automobile sales operations located on any property which fronts upon Routes 22, 202 and 206 and located in any of the above districts.
- [1] No freestanding sign shall be permitted on any lot that has a street frontage of less than one hundred (100) feet.
 - [2] Notwithstanding the limitation in paragraph F(2)(a) above, no more than two (2) freestanding signs shall be permitted for any new or used automobile sales operation. Such signs may be for the same or for different makes of automobiles; provided, that if two (2) signs are provided for the same make of

automobile, the second sign shall only be permitted if it advertises a different aspect of the automobile sales use, such as but not limited to, used automobile sales, automobile leasing or service. Notwithstanding the provisions of this paragraph, no second sign shall be permitted unless the lot upon which the sign is located has at least two hundred (200) feet of street frontage and the spacing requirement of paragraph [4] below is complied with.

- [3] The display surface area of freestanding signs shall not exceed one hundred thirty (130) square feet for each sign; provided that in the case of a second sign for the same make of automobile, the display surface area of said second sign shall not exceed sixty-five (65) square feet.
 - [4] Freestanding signs shall be located no nearer than one hundred (100) feet to any other freestanding sign located on the same lot.
 - [5] The provisions of paragraphs (b)[3], (b)[4], (b)[5], (b)[6] and (b)[7] above shall be complied with.
- (d) Freestanding joint identification signs located on any property which fronts upon Routes 22, 202 and 206 and located in any of the above districts.
- [1] The display surface area shall not exceed one hundred thirty (130) square feet for signs with up to two (2) occupants, businesses or other users identified on the sign, plus thirty (30) square feet for each additional (i.e., beyond the first two) occupant, business or other user identified on the sign; provided that no freestanding joint identification sign shall have a display surface area that exceeds three hundred (300) square feet.
 - [2] The provisions of paragraphs (b)[1], (b)[3], (b)[4], (b)[5], (b)[6] and (b)[7] above shall be complied with.
 - [3] Freestanding joint identification signs shall be considered the same as any other freestanding sign for purposes of determining the number of freestanding signs permitted herein.

- (e) All other freestanding signs:
 - [1] No freestanding sign shall be permitted on any lot that has a street frontage of less than fifty (50) feet.
 - [2] The display surface area of freestanding signs shall not exceed twelve (12) square feet; provided, however, that signs advertising more than one (1) business shall be permitted to have a total display surface area not exceeding fifteen (15) square feet.
 - [3] Freestanding signs shall not exceed (8) feet in height above the ground.
 - [4] Freestanding signs shall be set back at least fifteen (15) feet from the street right-of-way.
 - [5] The provisions of paragraphs (b)[5] and (b)[6] above shall be complied with.
- (3) Wall signs shall comply with the following:
 - (a) Each business is permitted one (1) on-site wall sign for each entrance open to the public, provided that only one (1) wall sign per business is permitted on a wall, and further provided that no more than four (4) wall signs per business shall be permitted on a building. Nothing herein shall be construed to permit a wall sign for a business on any wall which does not contain an entrance open to the public during business hours; provided, however, that buildings that contain a wall sign on a facade containing such an entrance, and which are located on a corner lot, may have a second wall sign on any facade facing a street, even if such other facade does not contain an entrance open to the public. Wall signs may be attached flat against the wall, on an awning or canopy, or may be projecting signs. Any wall sign(s) permitted are in addition to any other permitted signs. **[Amended 06-16-03 by Ord. 2143]**
 - (b) The display surface area shall not exceed one (1) square foot for each linear foot of wall length upon which the sign is attached, up to a maximum display surface area of one hundred fifty (150) square feet; provided, however, that the area of wall signs permitted on a facade not having a public entrance by paragraph (a) above shall be limited to the area permitted by this paragraph, or to the area permitted for a wall sign on the smallest facade having such an entrance, whichever is less. **[Amended 06-16-03 by Ord. 2143]**

- (c) Except in the B-1, B-2, B-5 and B-6 zone districts and as stated in paragraph d below, only one (1) dimension, either vertical or horizontal shall be permitted to exceed two (2) feet.
- (d) Wall signs In the B-1 and B-2 zone district can exceed the vertical and horizontal limitation stated in paragraph (c) above by a maximum of one (1) foot for three (3) linear feet; provided, however, that the display surface area (as defined in paragraph (3)(a)) is greater than or equal to thirty-six (36) square feet. If the permitted display surface area is less than thirty-six (36) square feet, the linear feet where the sign exceeds paragraph (c) (by a maximum of one (1) foot) is limited to two (2) linear feet. The two (2) or three (3) linear feet that the sign can exceed the dimensional limitation does not have to be continuous.

The purpose and intent of this paragraph is to encourage creativity in "indicating the business and goods or services provided, and contributing to the positive image of the business. Signs should employ understandable graphic symbols, a concise message presented in a legible letter style, and the controlled use of color and graphic design to best achieve the sign's purpose. Original and creative designs are strongly encouraged, but the key is for the sign to fit the building's proportions and the district's character. The use of logos or graphic symbolism to complement the lettered sign is also encouraged. For example, the cutout shape of eye glasses outside the optician's business identifies the service without any lettering."

- (e) Except in the B-5 and B-6 zone districts, wall signs shall be located on the 1st floor building facade.
- G. Signs in the Special Improvement District. All signs within the Special Improvement District should conform to the intent of the written guidelines established by the Architectural Review Board, in addition to any other regulations that may apply in the zone district.

§ 102-120. Special Regulations for Certain Uses and Structures

In addition to all other applicable requirements of this chapter, the requirements herein shall apply to the uses and structures indicated below. The following regulations shall not be construed to permit any uses or structures in any location other than may be specifically permitted elsewhere in this chapter, and the following regulations shall not be construed to be conditional use regulations.

A. Apartments in nonresidential buildings. Residential apartments in non-residential buildings, when permitted, shall be required to comply with the following requirements:

(1) Location. Apartments and uses accessory to the same shall be located on the upper floors, and not on the ground floor nor in the basement; provided, however, that elevator shafts and stairwells serving apartments may be located on the first floor and in basements, and further provided that basement areas may be used for dead storage.

(2) Minimum number of bedrooms. Each dwelling unit shall contain at least one (1) bedroom.

(3) Minimum floor area per dwelling unit.

One-bedroom unit: 600 square feet
Two-bedroom unit: 800 square feet
Three-bedroom unit: 1,050 square feet
Four-bedroom unit: 1,350 square feet

A bedroom shall be considered to be any room other than a living room, kitchen, dinette, dining room, bathroom, laundry room or closet. Floor area shall be measured to the interior face of the walls that define the limits of the apartment, and shall exclude common hallways, stair wells, elevator shafts and other common areas, such as but not limited to common utility areas, ventilation shafts and chimneys.

(4) Maximum ratio of residential gross floor area to total gross floor area (gfa).

Buildings up to 15,000 s.f. gfa: maximum 75% residential, but not more than 9,375 square feet residential.

Buildings 15,001 to 20,000 s.f. gfa: maximum 62.5% residential, but not more than 10,000 square feet residential.

Buildings over 20,000 s.f. gfa: maximum 50% residential, but not more than 15,000 square feet residential.

Gross floor area shall be measured from the exterior face of exterior walls, and shall include all common areas, but not basement area. In the event a common area is used for both residential and non-residential purposes, e.g., elevator lobbies, stairwells, utility areas, etc., such area shall be considered to be used for the predominant use on that floor for purposes of making the foregoing calculation.