

Zoning Code - Signs

40:10-1. REGULATIONS.

a. The following signs shall be exempt from **all signage** requirements:

1. Any public notice or warning required by a valid and applicable Federal, State, County or local law, regulation or ordinance.

2. Any sign which is inside a building, not attached to a window or door, and is not readable from a distance of more than three (3) feet beyond the lot line of the lot or parcel nearest to where such sign is located.

3. Seasonally appropriate holiday lights and decorations with no commercial message.

4. Any sign indicating the name of a building and/or date of construction and/or other incidental information about its construction, which may be cut into a masonry surface or made of bronze or of similar permanent material such as historic tablets, cornerstones, memorial plaques and emblems.

5. Traffic control signs on private property, which meet Department of Transportation standards, and which contain no commercial message of any sort.

6. Flags of the United States, New Jersey, the City of Newark, flags of any foreign nation, or other flags with purely non-commercial purposes.

7. Signs or banners advertising public or quasi-public events that are posted with the permission of the City of Newark or of any person to whom the City of Newark has delegated this authority according to guidelines set by the City of Newark with a set time limit to their posting.

8. Pump mounted fuel price informational signs subject to the following:

(a) Only one (1) fuel price informational sign shall be permitted per fuel pump nozzle.

(b) Fuel price informational signs shall be limited in size to an area of two hundred sixteen (216) square inches in accordance with State and Federal regulations.

(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 of fuel prices on any other sign meeting the requirements of this section.

9. U.S. Postal Regulation mailboxes.

10. Political signs provided that they fully comply with Section 29:22-1 et seq. of the Revised General Ordinances of the City of Newark.

11. One (1) sign advertising the sale or rental of the premises upon which they are located provided that the sign is no more than eight (8) square feet and removed within one (1) week of the date of sale or rental of the property.

b. The following methods of measurement shall be utilized for the purposes of calculating permissible signage:

1. *Individual Sign Area Measurements.*

(a) The area of a sign face (which is also the sign area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, graphic illustration, picture, symbol or other

display, together with any material or color forming an integral part of the background of the sign. For purposes of calculating sign area, any illuminated border including those which may frame the signage within a window shall be included in the sign area calculation and used to differentiate the sign from the backdrop or structure against which it is placed. This does not include any framework, bracing or decorative fence or wall when such fence or wall otherwise meets zoning regulations and is clearly incidental to the sign itself.

(b) No sign shall have more than two (2) display faces. When a sign has two (2) display faces such that both faces cannot be viewed from any one (1) point at the same time, the sign's area shall be computed by the measurement of the larger of the two (2) faces.

2. Glazed Area. Any glazing in doorways shall be considered part of the glazed area. For purposes of calculating window signs, a window shall be considered the glazed area. Signs which are required by County, State, or Federal agencies shall be exempt from calculation of permanent signage.

3. Measurement of Height. The height of a freestanding sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be considered to be the lower of the existing grade prior to construction of the newly established grade after construction, exclusive of any filing, berming, mounding or excavation solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, the sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public road or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

4. The following signage prohibitions shall apply:

(a) Billboards shall be prohibited except as permitted by conditional use in Section 40:4-8 of the Municipal Code of the City of Newark.

(b) No signs shall be placed on fences, walls, utility poles, trees, railway or road bridges, bridge supports or abutments, retaining walls, parking meters or water towers unless approved by the City Council.

(c) No roof signs, also known as "sky signs," mounted above the roofline of a building shall be permitted.

(d) In the Third Industrial District and the Fourth Business District, signs indicating the address or owning company's name or trademark image may be placed below the parapet line and above the top floor row of windows and shall be no more than fifty (50%) percent of the building width. Such signs shall be limited to business identification for the principal tenant, which must occupy at least forty (40%) percent of the building's total floor area. Such signs shall be limited to one (1) tenant per building and one (1) sign per building elevation. Such signs shall be prohibited in the Fourth Business District on buildings under one hundred ten (110) feet in height. Such signs shall be prohibited on key and contributing historic buildings in historic districts as well as on individually landmarked buildings in all districts.

(e) No sign shall be placed on an accessory building.

(f) No sign shall be lighted by means of a varied illuminated light, nor shall any sign be in whole or in any part moving, mobile, revolving and/or electrically or mechanically activated except that signs displaying the time and/or temperature shall be permitted in any business or industrial district.

(g) No sign shall be allowed with the optical illusion of movement by means of a design which presents a pattern capable of reverse perspective, giving the illusion of motion or changing copy except in the Third or Fourth Business District.

(h) No signs shall be allowed that are placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way, where the apparent purpose is to advertise a product, service or activity or direct people to a business or activity. This is not intended, however, to prohibit signs placed on or affixed to vehicles, buses or trailers where the sign is incidental to the primary use of the vehicle or trailer. The vehicle shall remain in fully operable condition and be driven or moved by its own power at least once per week.

(i) No sign shall be allowed which obstructs any window or door opening except for permitted awnings. Additionally, no sign shall obstruct the view of any building's existing decorative architectural features.

(j) No sign shall be allowed which obstructs the view of vehicle operators or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley or other thoroughfare.

(k) No building sign shall be more than four (4) feet from the building face.

(l) Awnings made of translucent material of any type are prohibited.

5. The following signs and standards and conditions that govern such signs are set forth in the sign matrix. All other signs are expressly prohibited.

c. The following design standards shall apply:

1. Signs shall be in harmony and consistent with the architecture of the building and related to the features of the building in terms of location, scale, color, lettering, materials, texture and depth. Signs shall not be dominant but shall be proportionate and shall complement the building, existing signs and surroundings.

2. There shall be consistent sign design throughout a particular project. The design elements include style of lettering, construction materials, size and illumination.

3. Building signs shall not obscure, conflict with, or cover any architectural element and must be aligned with major building elements such as windows, trim and structure lines.

4. No sign shall extend or project above the highest elevation of the wall to which it is attached or above the lowest part of the roofline of the building, whichever is less.

5. Illuminated Signs.

(a) Except for channel lettering, which shall be permitted in all business and industrial districts, internally illuminated signs shall only be permitted in the Third and Fourth Business Districts and Second and Third Industrial Districts.

(b) Signs lit by external sources shall be allowed but shall be located in such a manner so as to avoid any glare on adjacent property. Sources of sign illumination shall consist of spotlamps or "gooseneck" lamps.

(c) External lights used for the illumination of any sign mounted on a building, whether or not such light fixtures are attached to or separate from the building, shall comply with the relevant lighting standards enumerated in 38:10-45.

6. Signs and sign structures of all types shall be located to allow a clear, unobstructed line of sight for three hundred (300) feet from the stop line of any intersection of streets and/or driveways, traffic signal or traffic directional sign in the intersection.

7. The width of signs mounted on the ground floor for any nonresidential or non-industrial use may be one hundred (100%) percent of the width of the portion of the wall area dedicated to the applicable use if that width is less than thirty (30) feet, or seventy-five (75%) percent if the relevant width is thirty (30) feet or greater.

d. *Nonconforming Signs.*

1. No nonconforming sign may be enlarged or altered in a way which would increase its nonconformity. Existing nonconforming permanent signs may continue to exist; however, when the sign is modified in either shape, size, illumination or structure, the sign shall be altered to conform to the provisions of this section.

2. Should any nonconforming sign be damaged by any means to an extent of more than fifty (50%) percent of its replacement cost at time of damage, it shall not be reconstructed except in conformity with the provisions of this section.

(Ord. 6 PSF-A(S), 7-14-09 Exh. A; Ord. 6 PSF-F, 3-17-10 § 1)

40:10-2. SIGNAGE DESIGN AND MEASUREMENT REQUIREMENTS.

a. All signs shall comply with the standards enumerated in the table below:

<u>Use and Type of Signage</u>	<u>Maximum Total Area (sq. ft.)</u>	<u>Maximum Number</u>	<u>Maximum Ht. of sign (feet)</u>	<u>Other Requirements</u>
<u>Single-, Two-, Three-and Four-Family Residence</u>				
Wall Sign	1	1	Not to be located above the lintel line on the building.	Home occupation or profession only. (Address numbers exempt)
<u>Townhouses and Row Houses; Low-, Mid- and High-Rise Residence</u>				
Wall Sign	20 sq. ft.	1/street frontage	Not to be located more than 4 feet above the lintel line on the building.	A minimum letter height of 12 inches shall be used.
OR				
Monument	25 sq. ft.	1/street frontage	5 ft.	Monument signs shall only be permitted in front of principal structures with a minimum 25 foot setback. Allowable signs shall be set back at least 5 feet from property line; A minimum letter height of 12 inches shall be used.
<u>Colleges and Universities</u>				
Wall Sign	200 sq. ft.	1/ street frontage	n/a	A minimum letter height of 12 inches shall be used.

OR				
Monument	100 sq. ft.	1/street frontage	5 ft.	Monument signs shall only be permitted for buildings with a minimum 25 foot setback. Allowable signs shall be set back at least 5 feet from property line. A minimum letter height of 12 inches shall be used.
<u>Public Parks, Playgrounds, and Open Space</u>				
Monument	25 sq. ft.	1	5 ft.	
<u>Places of Worship; Primary and Secondary Schools; Municipal; Governmental; Private Clubs and Fraternal Organizations</u>				
Wall Sign (no setback)	10% of the wall area but no greater than 50 square feet.	1/street frontage	Not to be located more than 4 feet above the lintel line on the building	One wall sign or monument sign per street frontage may be installed; A minimum letter height of 12 inches shall be used.
Wall Sign (with setback limitation)	10% of the wall area but no greater than 90 square feet.	1/street frontage	Not to be located more than 4 feet above the lintel line on the building	Only if primary structure is set back 25 feet from property line. A minimum letter height of 12 inches shall be used.
OR				

SIGNAGE DESIGN AND MEASUREMENT REQUIREMENTS – Con.

<u>Use and Type of Signage</u>	<u>Maximum Total Area (sq. ft.)</u>	<u>Maximum Number</u>	<u>Maximum Ht. of sign (feet)</u>	<u>Other Requirements</u>
Monument	25 sq. ft.	1/street frontage	5 ft.	Monument signs shall only be permitted for buildings with a minimum 25 foot setback. Allowable signs shall be set back at least 5 feet

				from property line. A minimum letter height of 12 inches shall be used.
<u>Retail; Finance, Insurance, Real Estate; Philanthropic Institutions providing social services; Offices; Eating and Drinking Establishments; Banks; Personal Service Establishment; Health Club; Indoor Recreation; Business and Vocational Schools; Non-nuisance light industrial uses such as trade workshops, service and repair facilities, and arts and crafts studios</u>				
Wall Sign	10% of the wall area but no greater than 50 square feet.	1	Not to be located more than 4 feet above the lintel line on the building.	A minimum letter height of 12 inches shall be used.
Projecting	4 sq. ft.	1	n/a	May project a maximum of 4 ft. from the building. Minimum distance between the ground and the bottom of the sign is 8 feet; Sign must be hung by brackets at right angles to the façade; A minimum letter height of 12 inches shall be used.
Window	No more than 10% of glazed area for permanent signs.	n/a	n/a	

Awnings	To be used in lieu of wall signs, subject to same conditions.	n/a	n/a	Awnings, which are not internally lit, may be used to display signage in lieu of a wall sign. However, an awning with no signage but for the name, address and phone number on the fringe of the awning with lettering no greater than 8 inches high may be used in addition to a wall sign.
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SIGNAGE DESIGN AND MEASUREMENT REQUIREMENTS – Con.

<u>Use and Type of Signage</u>	Maximum Total Area (sq. ft.)	Maximum Number	Maximum Ht. of sign (feet)	Other Requirements
Secondary façade on corner lots	May have one wall, projecting or awning sign of prescribed dimensions.	n/a	n/a	A minimum letter height of 12 inches shall be used.
Monument	25 sq. ft.	1/street frontage	5 ft.	A minimum letter height of 12 inches shall be used.
<u>Office Buildings greater than 6 stories (no mixed use)</u>				
Wall Sign	No larger than 100 sq. ft.	1/street frontage	n/a	
OR				
Monument	25 sq. ft.	1/street frontage	5 ft.	Monument signs shall only be permitted for buildings with a minimum 25 foot setback. Allowable signs shall be set back at least 5 feet from property line. A minimum letter height of 12 inches shall be used.

Supplemental Wall Sign	4 sq. ft.	1/entryway	No higher than 3 feet above the top of the door at the entrance to the building.	Subject to historic district requirements, in addition to a wall sign or monument sign, one supplemental wall sign at each entrance to the primary structure may be installed. A minimum letter height of 12 inches shall be used.
<u>Mixed Use Building up to Three Stories</u>				
Window sign (above ground level)	25% of the total glazed area of the windows applicable to the use.	1/street frontage	Signs may be located in the windows of the second or third levels of a building.	A sign for an office use above first level may be installed at the second or third level.
<u>Funeral Home</u>				
Wall Sign	10 sq. ft.	1/street frontage	Not to be located more than 4 feet above the lintel line on the building.	One wall sign or monument sign per street frontage may be installed.
Monument	20 sq. ft.	1/street frontage	5 ft.	Monument signs shall only be permitted for buildings with a minimum 25 foot setback. Allowable signs shall be set back at least 5 feet from property line. A minimum letter height of 12 inches shall be used.

SIGNAGE DESIGN AND MEASUREMENT REQUIREMENTS – Con.

<u>Use and Type of Signage</u>	<u>Maximum Total Area (sq. ft.)</u>	<u>Maximum Number</u>	<u>Maximum Ht. of sign (feet)</u>	<u>Other Requirements</u>
<u>Automotive Service; Automotive Sales and Repair</u>				
Wall Sign	10% of the wall area but no greater than 50 square feet.	1/street frontage	Not to be located more than 4 feet above the lintel line on the building.	

Monument	25 sq. ft.	1/street frontage	5 ft.	Monument signs shall only be permitted for buildings with a minimum 25 foot setback. Allowable signs shall be set back at least 5 feet from property line. A minimum letter height of 12 inches shall be used.
<u>Self Storage</u>				
Wall Sign	10% of the wall area but no greater than 40 square feet.	1/street frontage	n/a	A minimum letter height of 12 inches shall be used.
OR				
Monument	25 sq. ft.	1/street frontage	n/a	Monument signs shall only be permitted for buildings with a minimum 25 foot setback. Allowable signs shall be set back at least 5 feet from property line. A minimum letter height of 12 inches shall be used.
<u>Heavy Retail and Service; Industrial Service Facility; Light, Medium and Heavy Manufacturing; Research and Development; Warehouse Distribution; Operation Facilities for Bus/Taxicab/Ambulance; Outdoor Storage; Vehicle Towing Facility; Truck Terminal; Trade Contractor; Utility; Waste Transfer Station</u>				
Wall Sign	10% of the wall area but no greater than 50 square feet.	1/ street frontage	n/a	

Monument	25 sq. ft.	1/ street frontage	5 ft.	Monument signs shall only be permitted for buildings with a minimum 25 foot setback. Allowable signs shall be set back at least 5 feet from property line. A minimum letter height of 12 inches shall be used.
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