

**§ 405-31.2. Broadway Overlay District Design Standards.  
[Added 11-12-2008 by L.L. No. 4-2008]**

A. General.

- (1) Purpose. These standards were created to protect the existing historic development patterns and aesthetics within the Broadway Overlay District and promote new development which enhances the visual appearance of the City. They are intended to act as a tool for property owners, developers and planners to help streamline the design approval process by specifying the desired development characteristics up front during the design process. Figures illustrating many of the concepts herein are included at the end in Appendix 1.<sup>1</sup>
- (2) Applicability. This section applies to all new development, redevelopment, facade work or other exterior improvements which require a building permit; work involving the addition or modification of exterior commercial signage, material colors and lighting or other exterior work within the Broadway Overlay District.
- (3) Severability. Should any section, paragraph, sentence, clause, word or provision of this section be declared void, invalid or unenforceable, for any reason, such decision shall not affect the remaining provisions of this chapter.
- (4) In the event of a conflict between this section and other portions of the Zoning Code, the Zoning Enforcement Officer (ZEO) will determine which requirement governs. Improvements under these standards are subject to applicable Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- (5) The Heritage Area Commission is hereby designated as the Review Board to review proposals governed by this § 405-31.2 and to perform all of the functions of the "Review Board" as hereinafter set forth. **[Amended 8-7-2012, approved 8-9-2012]**
- (6) Prior to the commencement of any work governed by this section, documentation of the proposed work shall be submitted to the Review Board for assessment of compliance with this section. The Review Board is authorized optionally to refer the applicant's proposal to other local agencies,

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1. Editor's Note: Appendix 1 is included at the end of this chapter.

including, but not limited to, the Zoning Board of Appeals, Heritage Area Committee or other design review body for comments and recommendations prior to making a decision.

- (7) The Review Board is required to issue a decision to approve, or deny with design recommendations, a proposal based on its compliance with this section within a period of 60 days from the date of submission. Failure to issue a decision within the time period shall constitute approval of design considerations covered by this section, unless such time period is extended by motion of the Board.
- (8) All proposed work within the Broadway Overlay District must preserve, protect and incorporate the exterior facades of existing historic structures into any proposed development plans. Historic structures are defined in this section as any construction which is listed on, or is eligible to be listed on, the National Historic Register, NYS Historic Register and City of Kingston list of designated properties.
- (9) All proposed work within the Broadway Overlay District must preserve, protect and incorporate the original forms and shapes of existing roofs on historic structures into any proposed development plans.
- (10) All proposed work within the Broadway Overlay District must make reasonable attempts to preserve, protect and incorporate existing buildings and/or their facades into any proposed development plans through renovation and adaptive reuse.
- (11) Waivers.
  - (a) The Review Board is hereby empowered and authorized to waive or vary any design standards or requirements in this section within the Broadway Overlay District by a majority-plus-one vote. Any such waiver must be accompanied by a written findings statement outlining the reasons such waiver is merited, and may be exercised in the event of the following:
    - [1] The nonconforming elements meet the spirit and intent of the design goals contained herein as defined by the Review Board; and
    - [2] The specific standards or requirements are not appropriate to a particular development or project.

- (b) The Review Board shall also have the authority to impose reasonable and appropriate conditions on the grant of any waiver to protect the district.
- (12) In addition to any required site plan application submissions, new site development plans in the Overlay District are required to submit the following:
- (a) Site plan which specifies all proposed demolition and construction work and includes:
    - [1] Existing structures and pedestrianways on adjacent properties that are within 50 feet of all property lines.
  - (b) Building elevations, at a minimum scale of 1/8 inch equals one one foot, of all facades, which specifies all proposed demolition and construction work and includes:
    - [1] Exterior materials, changes or transitions in materials, surface lighting, surface signs, street number, awnings and similar facade accessories.
    - [2] Proposed alterations or changes to existing facades, if any.
    - [3] Elevations of new buildings being proposed must include the full facades of any adjacent structures within 50 feet of the site along Broadway for context.
  - (c) Samples of any new proposed facade, roofing and sign materials.
  - (d) Site plan indicating exterior lighting photometrics, spread and intensity.
  - (e) A perspective color rendering illustrating what the proposal would look like if viewed from the street as a pedestrian.
  - (f) Photographs of the site and surrounding area, including all existing elements required to be shown on the site plans and existing buildings within 50 feet of the proposed project site.
- (13) Facade alteration or renovation proposals in the Overlay District are required to submit the following:

- (a) Building elevations, at a minimum scale of 1/8 inch equals one foot, of all facades, which specifies all proposed demolition and construction work and includes:
    - [1] Exterior materials, changes or transitions in materials, surface lighting, surface signs, street number, awnings and similar facade accessories.
    - [2] Proposed attentions or changes to existing facades, if any.
  - (b) Samples of any new proposed facade, roofing and sign materials.
  - (c) Photographs of the site and surrounding area, including all existing elements required to be shown on the site plans and existing buildings within 50 feet of the proposed project site.
- (14) Signage or exterior lighting proposals in the Overlay District are required to submit the following:
- (a) Drawings of the proposed sign or copy change, at a minimum scale of one inch equals one foot, of all signs or lettering, which includes some context of the building facade where it is proposed to be mounted.
  - (b) Other sign information regarding illumination methods, hours of illumination and mounting method.
  - (c) Photographs of the site or building which include the proposed sign or lighting mounting location, any existing signs or lighting and the adjacent properties.
  - (d) Documentation, such as cut-sheets from the manufacturer, of any proposed lighting or light fixture, which includes photos, illustrations and performance data of the lamp.
- B. Site planning, parking and landscaping standards. All new development within the Overlay District must comply with the following:
- (1) New construction must align the front facade of the building at, or as close as possible to, the front facade of an existing building on an adjacent property. In the case of a discrepancy of setbacks, the new building should align with at least one of the neighboring buildings, or as directed by the Review Board (1 in Figure 1).

- (2) New construction should attempt to work with any preexisting building patterns found in adjacent or nearby buildings with regards to massing, height, scale and form.
- (3) New construction should place as much of the building width at the front of the lot as possible to maximize front facade exposure and maintain the street wall. The front facade should be kept parallel to the street (2 in Figure 1).
- (4) The use of landscaping methods, such as low walls, hedges and tree rows, should be used to help maintain and reinforce a consistent street wall in areas where there are no building facades to define it (3 in Figure 1).
- (5) The primary entry on all new construction should be easily identifiable, scaled appropriately to the size of the building and should always face the street. In cases where the primary building entry should also be visible from an on-site parking area adjacent to the building, the entry may be placed at the corner of the structure so that it is may be visible from both the street and the parking area (4 in Figure 1).
- (6) New construction located at corner intersections should place a majority of the building mass at the corner and/or wrap the corner by continuing facade elements such as the cornice on all street elevations.
- (7) All required off-street parking areas should be located at the side or rear of the building. No parking areas are allowed between the front facade of the building and the curb (5 in Figure 1).
- (8) All on-site parking, vehicle loading or service areas located within sight of the street must be screened from view using architectural or landscaping methods as directed by the Review Board.
- (9) On-site parking areas, vehicle loading or service areas should connect to any existing service alleys or adjacent parking areas, if available, to allow alternate means of egress (6 in Figure 1).
- (10) Proposed on-site parking areas should be located next to any adjacent existing parking lots if possible to provide shared parking opportunities which can serve neighboring buildings simultaneously. Such shared arrangements should share a single curb cut and/or provide direct access from one lot to the other, as directed by the Review Board.

- (11) Large parking areas in excess of 30 spaces must provide landscaped islands and buffers which break up the visual expanse of paved area as directed by the Review Board. Such medians should include grass, plantings and trees which are spaced a minimum of 30 feet on center (7 in Figure 1).
  - (12) Properties are limited to no more than one curb-cut access to the main street, unless otherwise approved by the Review Board. Curb cuts should only be as wide as necessary to accommodate needed travel lanes. Curb-cut radiuses must be no larger than five feet (9 in Figure 1).
  - (13) Larger developments which may include multiple buildings within the same city block should include pedestrian paths, access routes or plazas through the site which are publicly accessible.
  - (14) City-approved tree grates should be used at new tree locations when incorporated into paving (1 in Figure 2).
  - (15) These pedestrian and parking areas must meet all requirements of the Americans with Disabilities Act, including transitions from one property to another.
- C. Height, scale and massing. New construction in the Overlay District must comply with the following height, scale and massing requirements:
- (1) Two-story minimum building height is required on front facades facing Broadway.
    - (a) The City may elect to waive the two-story facade height requirement in some instances where it is deemed inappropriate or where it may create an undue financial burden on the applicant.
    - (b) The second floor facade area of new construction must provide habitable space measuring at least 12 feet in depth measured back from the front facade. No false facades are permitted as a means of meeting the two-story minimum requirement.
  - (2) The majority of the building mass should be placed at the front of the site to maximize front facade exposure and maintain the street wall; however the building height may step down to lower levels in the rear. Corner lots should place a majority of the building mass or height at the corner to visually anchor the block.

- (3) The height of new buildings should coordinate common heights and facade lines with immediately adjacent buildings (1 in Figure 3).
- (4) Structures with sloping roof designs should align the gable end of the facade to face the street to maximize facade exposure.
- (5) For the purposes of determining effective facade height on buildings with sloping roofs, the height of structures with gable ends facing the street should be measured by the vertical distance from the ground to the peak of the roof. Structures which have their roof ridge running parallel to the street should be measured by the vertical distance from the ground to the lowest part of the roof.
- (6) Maximum parapet height is four feet unless otherwise required by state or federal codes.
- (7) No portion of the roofline may extend more than 50 feet in length horizontally without a roofline transition. A "roofline transition" is defined as a change in the height of the roofline where it steps (up or down) at least 24 inches. Such transitions should not occur more than once in a four-foot span along the facade (2 in Figure 3).
- (8) Facade and roofline transitions should be used to highlight important areas of the facade such as a building entry, the center of the facade, or the symmetrical ends (2 in Figure 3).
- (9) Most of the existing building facades within the district are composed of base, middle and top levels which are readily discernable from each other, and new facade designs should be compatible with that framework (1 in Figure 4).
  - (a) The base level should roughly align with those on nearby buildings (3 in Figure 3) and often rests on a small plinth or watertable which creates a transition between it and the ground.
  - (b) The top level is created by a roof or cornice which is designed to provide a visual cap to the building overall and creates a noticeable transition between the building and the sky (3 in Figure 4).
- (10) New facade designs should be in keeping with the scale of adjacent buildings. The use of an overall facade composition which breaks the building down into smaller and regular

portions, such as bays defined by groups of windows, helps to achieve this (5 in Figure 3 and Figure 4).

- (11) Small-scale building materials similar to those recommended in Table 1<sup>2</sup> are required as the primary building material along the front facade of all new construction.
- (12) Areas of blank wall larger than an eight-foot diameter circle are not permitted on the front facades of new construction (6 in Figure 4). Such blank wall is defined as an area of facade which does not contain any decorative articulation of materials which measure at least two inches in depth, or openings such as windows and doors.

#### D. Roofs.

- (1) Flat roofs with parapets and gable roofs are historically the most common roof forms found within the district, and new construction should be compatible with that framework. Mansard roofs, shed roofs, fake roof fronts, built-out roof frames which are hung from the facade and similar applied designs are prohibited as primary roof types.
- (2) New construction with a flat roof is required to be capped by an architectural cornice design that is a sculptural expression of the primary facade material, wood or simulated wood design, at the top of the front facade(s). This articulated parapet or cornice design must be at least 12 inches tall on one-story facades and at least 24 inches tall on facades of two or more stories. The size, depth and relief of any proposed cornice should be compatible with those found on nearby buildings of the same height and include suitable depth to create noticeable shadows (4 in Figure 3 and Figure 4). Maximum parapet height is four feet unless otherwise required by state or federal codes.
- (3) New construction with a sloped roof must have a minimum roof pitch of no less than 5:12 on primary roof areas (not including dormers, entry canopies or similar secondary roof elements) or a maximum pitch of 12:12.
  - (a) The tallest portion of the roof must be orientated to place at least one gable end facing the street.
  - (b) Roof overhangs at the eave and gable ends must be at least eight inches deep.

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2. Editor's Note: Table 1 immediately follows Subsection F.

- (4) New roof construction must be designed so as to divert the fall of rain and snow away from pedestrian areas, such as walkways and doors.
- (5) Air-handling units, condensers, satellite dishes and other equipment placed on the roof must be located and screened from view so as to not be readily visible from the street or waterway. The Review Board may require that roof-mounted equipment be visually minimized with painted colors and finish complementary to the overall building design and set back or screened to be out of the sheet viewshed whenever feasible, as directed by the Review Board.
- (6) See materials list in Table 1<sup>3</sup> for approved roof materials.

E. Facade composition and fenestration.

- (1) The front facades of new flat roof construction must be organized in a general base - middle - top configuration (Figures 3 and 4).
  - (a) The base level consists of the most open and sculptural facade expression at the first floor. The amount of door and window openings should be the greatest here, typically between 75% and 90% of the facade, in this ground floor area.
    - [1] Individual window openings in the facade cannot exceed 12 feet in width and must be separated from each other by at least 18 inches of facade. Window glass area cannot exceed five feet in width without being separated by at least six inches of mullion.
    - [2] Window frames must be recessed at least three inches back from the plane of the facade. Flush or curtain wall windows designs are not permitted.
    - [3] The primary entry doorway to the street must be recessed between 12 inches and 48 inches back from the plane of the facade, expressing the greatest amount of facade depth (6 in Figure 3).
    - [4] The base level should be crowned by an entablature element or other transition having a change in depth, materials and color which differentiates it from the upper levels. The entablature element should be

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3. Editor's Note: Table 1 immediately follows Subsection F.

designed to accommodate facade lettering or signs for the property. See Subsection G, Signs and lighting.

- (b) The middle level consists of the upper floors, and has a lower fenestration level than the first floor. The amount of facade articulation and openings should be less here than that found at the ground floor, typically between 25% and 50% of the facade in this area (4 in Figures 3 and 4).

- [1] Individual window openings in the facade at this level cannot exceed six feet in width, and must be separated from each other by at least 24 inches of facade. Window glass area at this level cannot exceed three feet in width without being separated by at least four inches of mullion.

- [2] Window frames must be recessed at least two inches back from the plane of the facade.

- (2) The front facades of new construction with masonry exteriors are required to visually express the structural lintels over windows, doors, archways and similar openings (6 in Figure 4). See materials list in Table 1<sup>4</sup> for a listing of approved lintel materials.
- (3) The rhythm of facade elements across the front facade must be arranged in an easily recognizable pattern, such as a repeating or symmetrical layout. Breaks or fluctuations to the facade pattern should be reserved to highlight areas of special interest, such as entry points to the building (1 in Figure 5).
  - (a) New construction directly adjacent to or added to existing structures should be compatible with the rhythm of facade elements of the existing building.
- (4) The proportion of facade elements, such as windows, window divisions and bays, must have a vertical orientation (taller than they are wide) of at least  $x$  wide to  $1.5x$  tall. The proportions of individual elements should be used consistently throughout the design, such that all windows and their divisions are generally of the same proportion (2 in Figure 5).

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4. Editor's Note: Table 1 immediately follows Subsection F.

- (a) New construction directly adjacent to or added to existing structures should be compatible with the proportion of facade elements of the existing building.
- (b) Horizontally proportioned elements (wider than they are tall) must be used sparingly. Strong horizontal influences, such as overly bold fascias, strip windows or repeatedly banding designs of brick are prohibited.
- (c) The proportion of structural facade elements, such as columns, pilasters and posts, must be designed accordingly with the weight they appear to be carrying.

F. Materials and colors.

- (1) All proposed work within the Overlay District must preserve, protect and maintain the use of original exterior materials of historic structures whenever possible. If replacement is necessary, replace with like materials which have the same basic forms and proportions.
  - (a) Existing exterior materials removed for demolition should be salvaged for use in patching or as new exterior material in additions whenever possible.
  - (b) Additions to existing historic structures must use exterior materials which match the basic form, proportions and material of the original building. Exact material matches for color and texture are not required.
  - (c) The covering or concealing of existing historic exterior materials with new materials is prohibited. The Review Board may require that newer existing exterior materials be removed to reveal historical surfaces underneath, if appropriate.
- (2) All proposed work within the Overlay District must make reasonable attempts to preserve, protect and maintain the original design and exterior materials on existing front facades whenever possible. If replacement is necessary, replace with like materials which have the same basic forms and proportions.
  - (a) Any renovations or alterations to an existing facade should include reasonable attempts to remove any modern day cladding, panels, signboards or similar additions which are concealing the original building design underneath. The Review Board may require that

newer existing exterior materials be removed to reveal original surfaces underneath, if appropriate.

- (b) Original facade materials and designs should be repaired and preserved whenever possible in lieu of replacement or covering with new materials. The removal or covering of original exterior materials with new materials is prohibited unless it can be demonstrated that repairing the original construction would be creating undue financial hardship in the opinion of the Review Board, and approved by the Review Board.
- (3) Smaller scale materials are required on front facades of all new construction. See materials list in Table 1<sup>5</sup> for recommended materials.
- (4) When using more than one material on the exterior facade, one material must be used as the primary theme with others used only sparingly to complement or accent the design. The use of a variety of design styles or materials across the facades of the same building is prohibited.
- (5) When making a transition from one material to the next, the change must occur at hard-edge or depth transition in the facade which creates a surface for one material to terminate into before the next one begins (1 in Figure 6).
- (6) Special designs or decorative patterns created in the exterior materials are encouraged.
- (7) All exterior colors must be of a natural, muted shade. Brighter, more vibrant colors, if used, must be reserved for minor accents and highlights only. All exterior colors must be approved by the Review Board.
- (8) When using more than one color on the exterior facade, one color must be used as the primary theme with others used only sparingly to complement or accent the design.
- (9) When making a transition from one color to the next, the change must occur at hard-edge or change in depth in the facade which creates a surface for one color to terminate into before the next one begins (1 in Figure 6).

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5. Editor's Note: Table 1 immediately follows Subsection F.

**Table 1**

**Materials List**

<b>Building Element</b>	<b>Recommended Materials</b>	<b>Prohibited Materials</b>
Facade	Common red brick	Multicolored/multi-toned brick
	Bare, multicolored/multi-tone (approved color)	Imitation brick siding, asphalt siding
	Painted (approved color)	Plain C.M.U. (bare or painted)
	Special masonry units (C.M.U.)	
	Textured C.M.U.	Unfinished, lumber grade wood
	Colored (dyed) C.M.U.	Metal, aluminum or vinyl siding
	Split-faced C.M.U.	Mirrored or highly reflective siding or panels
	Natural stone	Imitation stone
	Wood clapboard or shingle	Wood paneling
	Finished grade (painted or stained approved color)	Plywood, T-111,
	Composite, MDO/MDF board, synthetic wood	Composite, MDO/MDF board
	PVC (approved color)	E.I.F.S./stucco
	Fibre reinforced cement siding/hardi-plank	
Windows	Anodized aluminum frame/storefront	Bare aluminum
	Approved color	Reflective flashing

**Table 1**

**Materials List**

<b>Building Element</b>	<b>Recommended Materials</b>	<b>Prohibited Materials</b>
	Wood, vinyl clad, PVC frame  Approved color Clear, etched, tinted, frosted or stained glass Expressed lintels over openings Brick, limestone, colored or bare concrete	Mirrored, colored or dark tinted glass below 70% VLT*
Roof	Asphalt shingle (approved color) Imitation slate Natural slate Standing seam metal Small seam width, approved color Dark, nonreflective PVC, modified bitumen Aluminum eave guard Parapet and chimney caps Stone, limestone or precast concrete Metal flashing (approved color)	Light or reflective materials
Other/ Miscellaneous	Canvas awning	Plastic, vinyl or other synthetic awnings

**Table 1**

**Materials List**

<b>Building Element</b>	<b>Recommended Materials</b>	<b>Prohibited Materials</b>
	3 color maximum, approved colors	Reflective flashing
	Concrete, brick, paver or stone sidewalks	Asphalt sidewalks/ walkways
	Stamped concrete	
	Wood/synthetic wood porches, boardwalks, ramps	

**NOTES:**

All exterior materials and colors must be approved by the Review Board.

\* VLT = Visible Light Transmission.

PVC = Polyvinyl Chloride.

**G. Signs and lighting.**

- (1) All new signs, facade lettering and lighting must be approved by the Review Board.
- (2) Applicability. All applicable provisions of § 405-36, Signs, apply, except as otherwise specified in this section. In the event of a conflict between this section and § 405-36, this section shall prevail. Any specifics not covered in this section are governed by § 405-36.
  - (a) Preexisting conforming signs. Preexisting signs which were in conformance with the prior City sign regulations before the date of adoption of these standards may remain as-is and are not required to be modified or removed to be in conformance with this section, until such time as they are changed. Any preexisting sign which is modified, changed in name or business use, enlarged, reconstructed, extended, moved or structurally altered after the effective date of this section are required to be brought into compliance with all applicable provisions of this section.

- (b) Preexisting nonconforming signs. Preexisting signs which were not in conformance with the prior City sign regulations before the date of adoption of this section shall be considered nonconforming, and must be modified or removed to be in compliance with this section within 30 days of written notice by the City. **[Amended 3-5-2013, approved 3-7-2013]**
  - (c) Nonconforming signs. Any sign or accessory signs, such as banners, flags, balloons or similar devices, which are placed on display after the effective date of this section that do not meet the requirements of this section due to design or lack of maintenance are considered nonconforming and must be modified or removed to be in compliance with this section upon written notice by the City. **[Amended 3-5-2013, approved 3-7-2013]**
  - (d) Modifications to signs. Any preexisting sign which is modified, changed in name or business use, enlarged, reconstructed, extended, moved or structurally altered after the effective date of this section are required to be brought into compliance with all applicable provisions of this section.
  - (e) New signs. No sign or other device shall be erected, established, constructed, reconstructed, enlarged, extended, moved, or structurally altered after the effective date of this section without application for and issuance of a permit, except as otherwise provided for herein, and must be in compliance with all applicable provisions of this section.
- (3) The definition of "sign" for this section shall be amended to include any architectural devices, design or treatment, such as painting, striping, lighting or similar methods designed for the purposes of attracting the attention of the public in a manner similar to advertising, and the reviewing board has the authority to regulate in kind.
  - (4) Noncommercial signs or messages are permitted to be substituted for any sign expressly allowed under the time, place and manner of these regulations.
  - (5) Permitted commercial signs. No commercial sign is permitted within the Overlay District unless otherwise noted below:

- (a) Lettering or signboards. Commercial properties are permitted one instance of surface-applied facade lettering or a surface-mounted signboard per commercial tenant, per street frontage. Such lettering or signboard size should be determined by the lettering size chart in Table 2.<sup>6</sup>
- (b) Projecting signs. In addition to other permitted signs listed in this section, businesses with a preexisting projecting sign (hung perpendicular to the building facade) are permitted to maintain a projecting sign, provided that it conforms to or is brought into conformity with, these standards within six month of the adoption of these standards.
- (c) Street addresses. All properties must display their street number on the front facade next to, above or reasonably close to the primary entry or incorporated into approved signage. Street numbers should be sized according to the lettering size chart in Table 2.
- (d) Window lettering. In addition to other permitted signs listed in this section, commercial properties are permitted to have window lettering. Such lettering should be sized according to the lettering size chart in Table 2 (2 in Figure 7).
- (e) Window signs. In addition to any other permitted signs listed in this section, commercial properties are permitted to have window signs, provided that the total area of all such window signs per facade does not exceed 20% of the window glass area of that facade. Such signs may consist of notices, posters, neon beer signs and similar commercial devices. Standard business operational signs such as "hours of operation," "closed" and similar signs shall not count toward this total area.
- (f) Awning sign. In addition to any other permitted signs listed in this section, text on pedestrian awnings is permitted, provided that the text is limited to the business name, slogan and/or street address only. The text height must be located on the vertical front edge of the awning only, and must not exceed six inches in height (Figure 15).

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**6. Editor's Note: Table 2 immediately follows Subsection G(7)(f).**

- (g) Menu sign. In addition to any other permitted signs listed in this section, a wall mounted menu sign is permitted adjacent to the main entry for restaurants and similar establishments, but in lieu of a plaque sign, provided that the total sign area does not exceed four square feet (Figure 17).
- (h) Plaque sign. Businesses located in the upper floors or rear of a multi-tenant building are permitted one surface-mounted plaque sign per tenant, which is no larger than one square foot in area, located near the primary building entry for the purposes of identifying the additional or secondary tenant spaces. An additional one square foot of plaque sign may be permitted to accommodate the building street address information and/or official building name. Individual plaque signs should be designed in matching style, though no more than three tenant plaque signs are permitted at a given entryway.
  - [1] Directory sign. In lieu of a plaque sign, businesses are permitted a single surface-mounted directory sign for listing four or more tenants, located near the common building entry. Such directory must not exceed six square feet in area, although an additional one square foot may be permitted to accommodate the building street address information and/or official building name.
- (i) Pedestrian sidewalk signs. Signs designed to identify multiple commercial properties which are in the immediate vicinity yet do not have direct access or visibility to pedestrians from Broadway may be permitted by the Review Board. Such signs shall be no larger than seven feet tall, four feet long, one foot wide and should occur no more than once per block of Broadway. The sign must accommodate at least 10 business names and an area directional map for its selected vicinity which graphically indicates the location of the sign and the businesses listed (Figure 16).
- (j) Freestanding signs pursuant to § 405-36F.
- (k) Preexisting painted advertisements, such as those seen on the blank sides of older brick buildings. Such existing advertisements, typically for a product or company which

no longer exists, may be restored. New painted advertisements are prohibited.

(6) Prohibited commercial signs.

- (a) Cabinet, box or otherwise hollow signs and letters are prohibited unless they are recessed into the facade or otherwise framed by facade features so it appears fully recessed and are internally illuminated in accordance with the lighting standards of this section.
- (b) Portable signs, vehicle signs, sign trailers, signs on wheels or similar signs placed on vehicles are prohibited. Signs normally appearing on commercial vehicles owned by the advertised business are exempt from this provision, except such vehicles may not be parked on lands not related to the business for extended periods of time for the sole purposes of acting as off-premises advertising.
- (c) Banners, pennants, streamers, balloons, blimps and similar advertising devices are prohibited. Banners designed as an integral part of street lampposts or other public amenities may be permitted by special permit to announce special events.
- (d) Animated, moving, rotating, oscillating, pulsing, flashing, electronic reader board, such as "time and temperature" signs or otherwise changing signs are prohibited, excluding traditional barbershop poles used for said business.
- (e) Continuous, uninterrupted fascia designs or illuminated canopies meant only as a backdrop to commercial sign placements are not permitted.
- (f) Commercial billboards, off-site, nonaccessory or similar commercial signs in excess of 100 square feet in area within the Overlay District are prohibited.

[1] Any preexisting commercial billboard which is prohibited by this section is hereby given an amortization period from the date of adoption of this section before it must be removed as follows:

<b>Fair Market Value on Date of Notice of Removal Requirement</b>	<b>Years Allowed</b>
Under \$1,999	3
\$2,000 to \$3,999	4
\$4,000 to \$5,999	6
\$6,000 to \$7,999	7
\$8,000 to \$9,999	9
\$10,000 and over	10

(g) All other signs prohibited in § 405-36.

(7) Sign sizing, design and mounting requirements.

(a) The allowable size of sign lettering is specified in Table 2, Lettering Size Chart.<sup>7</sup> The allowable size of signboards is based on the size of the allowed lettering using the diagram illustrated in Figure 8.<sup>8</sup>

[1] The diagram in Figure 8 illustrates how the overall size of the signboard is limited to that required for the business name, the business description or motto, an optional logo and the empty spaces between. All of these elements are a function of the maximum letting size X.

[2] Once the overall size of the board is determined, the actual layout and arrangement of text can be changed to accommodate the desired look (Figures 12, 13 and 18).

(b) Sign text or applied lettering must be limited to the name of the business and an optional brief description of the nature of the business or slogan only. Business logos, if used, should be sized roughly according to the diagram in Figure 8, Signboard Sizing.

(c) Commercial properties with multiple tenants must coordinate the size, placement and design of signs and street numbers so as to present a consistent appearance.

(d) Surface applied facade lettering which is framed by the architectural features of the facade is preferred to

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7. Editor's Note: Table 2 immediately follows Subsection G(7)(f).

8. Editor's Note: Figure 8 is included at the end of this chapter.

signboards and should be utilized whenever appropriate (Figures 10 and 11).

- (e) Installing new signs which cover or obscure architectural features of existing structures is prohibited. Installing new signs which are incompatible with the architectural style, scale, location, materials or color of an existing facade is prohibited.
- (f) New commercial construction must design the front facade specifically to accommodate an area or areas for applied facade lettering or surface-mounted signs. The applied facade lettering or signboard should be framed by the architecture of the facade itself whenever possible (1 in Figure 7; Figures 10, 11 and 12). Areas of the facade specifically designed for signs and lettering should be sized roughly according to the diagram in Figure 8, Signboard Sizing. However, the Review Board permits flexibility in the length of this area to allow businesses with longer names to later replace businesses with shorter names.

**Table 2 Lettering Size Chart**

<b>Type of Sign</b>	<b>Maximum Lettering Size X (name / business description or street number)</b>
Lettering applied directly to facade	18 / 9 (lettering size x = 16)
Signboard applied to facade	14 / 7
Projecting sign	8 / 4 (up to a maximum of 5 square feet each side)
Window lettering	8 / 4

**NOTES:**

Maximum lettering height for letters applied to the facade and for signboards. To determine the maximum size of an allowable signboards, see Figure 8, Signboard sizing. Any additional text, such as a business description or street number, is always half the height of that permitted for the business name.

- (g) Signs or lettering which are mounted on the vertical, horizontal or sloped surfaces of the building roof or on roof fascias are not permitted.
  - (h) All signs should be clear and legible. The lettering used should contrast well with the background color and have a width-to-height ratio which is roughly square. Stretched fonts and multicolored text are prohibited unless expressly part of the business logo design.
- (8) Other signs.
- (a) Sandwich board sign. In addition to any other permitted signs listed in this section, sandwich board signs advertising a sale, menu or similar information are permitted to be displayed on the sidewalk immediately in front of the business during operating hours, provided that they are limited to a maximum of six square feet each side.
  - (b) Special event. In addition to any other permitted signs listed in this section, a single temporary sign advertising a special event or announcement is permitted no more than four times a calendar year for any commercial business, provided that they are limited to a maximum of six square feet (each side), are located on the business premises and are displayed for no more than seven consecutive days.
  - (c) Temporary signs, such as those provided for announcing public election candidates, real estate for sale, contracting work or similar purposes are permitted, provided that they are no larger than 12 square feet (each side) and are removed immediately after the completion of the event. Temporary signs announcing new commercial construction projects must not exceed 32 square feet.
  - (d) Gasoline service station signs.
    - [1] In lieu of a permitted facade-mounted wall sign or channel lettering, gasoline service stations are permitted a canopy sign not to exceed 16 square feet in area, inclusive of any colored striping or banding effects along the canopy.
    - [2] In addition to other permitted signs in this chapter, gasoline service stations are permitted one

monument sign. Such sign shall be no larger than eight feet tall, five feet long (measured perpendicular to the road) and one foot wide (measured parallel to the road). Copy or sign information may only appear on the long sides. Monument signs must be located at or near the primary vehicle entrance to the property no closer than 15 feet from the edge of the road, or otherwise placed so as not to obstruct vehicular sight lines. Such signs shall consist of the business name, brief description or motto, street address, and may include pricing information.

(9) Sign lighting.

(a) Signs may be illuminated either internally or externally as specified in this section.

[1] External sign lighting must be provided only from shielded, downward facing lamps which direct light only around the immediate sign surface (Figures 9, 10 and 12). Bare bulbs must not be readily visible from the public way. Illumination levels on the surface of the sign face should generally not be overly bright or distracting. The Review Board shall have the authority to require after-installation changes to the sign lighting if, in their opinion, it does not meet the requirements of this section.

[2] Internally illuminated cabinet or box signs or internally illuminated channel lettering is permitted only when:

[a] The cabinet is recessed into the facade or otherwise framed by architectural features so it appears to be recessed (Figure 18).

[b] The lettering or logo itself is the only portion of the sign which is translucent or illuminated while any remaining background or sign area is opaque and does not emit light (Figure 18).

[c] The color of the illuminated lettering is soft or muted, complementing or matching building colors and uniform throughout a property with multiple tenants.

[d] Approved by super majority vote (majority plus one) of the Reviewing Board.

[3] Surface-applied facade lettering which is opaque, yet is illuminated by silhouette or backlight is permitted, provided that the source of lighting and associated wiring is fully concealed behind the individual letters.

- (b) Illuminated neon signs may be permitted with Review Board approval, provided that the neon tubes comprise the sign lettering only.
- (c) Illuminated signs are encouraged to utilize light-colored lettering on a dark background to reduce glare.
- (d) All lighting must be generally white or of a muted color with a diffused, nonintermittent light source as approved by the Review Board. All lighting shall not interfere with the comfort and safety of the general traffic and nearby residences.
- (e) Gasoline service station canopy signs may be directly or indirectly illuminated; however, the canopy roof or its perimeter edge may not be translucent or otherwise illuminated outside of the sign area.
- (f) Sign lighting must be turned off by 10:00 p.m., or at the close of business, whichever is later.

#### H. Exterior lighting.

- (1) New streetlighting provided along Broadway should match the fixtures currently being installed in other areas along the public way.
- (2) All exterior lighting used for signs, walkways, parking lots, security and facade lighting should be full cut-off or recessed fixtures which project light downward only, with no exposed bulbs readily visible from the public way. The light from these fixtures should not spill over into adjacent properties and provide only as much illumination as required on the target surfaces (Figure 9).
  - (a) Parking and security lighting must not exceed 18 feet in height.
  - (b) Facade lighting must be shielded and mounted so as to only distribute light directly up or down along the plane of the facade.
  - (c) Landscape lighting may be directed upwards with Review Board approval only, provided that the fixtures are fully

shielded and no bare bulbs are readily visible from the public way. Landscape lighting should not exceed two feet in height.

- (3) Internally lit canopies and awnings are prohibited.
- (4) Metal halide and incandescent lamps are recommended for typical exterior uses. Mercury vapor, low-pressure sodium, high-pressure sodium, neon and laser lights can be used with Review Board super majority (majority vote plus one) approval only.
- (5) Gasoline service station lighting must be achieved by fully recessed, shielded fixtures which emit light directly downward onto the pumping area only, so that the light source itself is reasonably kept from view when observed from the public way or adjacent parcels. Alternately, the underside of arched, vaulted or otherwise concave canopies may be indirectly illuminated by means of up-lighting from fixtures mounted on the canopy supports, providing a general illumination to the pumping area by means of diffused reflection.

**Table 3**

<b>Lighting Use</b>	<b>Recommended Lighting Levels</b>			<b>Uniformity Ratio</b>
	<b>Maximum Footcandles (horizontal)</b>	<b>Average Footcandles (horizontal)</b>	<b>Minimum Footcandles (horizontal)</b>	
Parking lot	5.0	3.0	1.0	4:1
Security	5.0	3.6	2.0	4:1
Facade	0.5	-	-	-
Landscaping	0.5	-	-	-