

*Borough of Flemington, NJ
Wednesday, August 9, 2023*

Chapter 26. Zoning

§ 2631. SIGNS.

[Ord. No. 2012-06; Ord. No. 2012-15; Ord. No. 2016-12; Ord. No. 2013-14; amended 6-10-2019 by Ord. No. 2019-12]

A. Signs—Permitted in All Districts.

1. The following signs are permitted in all districts in the Borough:

- a. A non-illuminated nameplate, with the name of the principal occupant and the street number and name of a private dwelling or both, with an area of not more than 144 square inches.
- b. A sign, illuminated or not, for a church, educational institution or public or quasi-public building or use, with an area of not more than 16 square feet.

c. The following non-illuminated temporary signs:

- (1) A single sign pertaining to the lease or sale of the premises upon which it is placed, with an area of not more than 8 square feet; provided, that such sign shall be removed within 7 days after the consummation of a lease or sale of the premises.
- (2) Signs for a building, premises or part thereof, under construction or renovation, with the street number of a building and the name of the architect, engineer, landscaper, the general contractor and subcontractors, and the project title during construction on the premises. Such signs shall be located at the principal entrance and within the street line and lot lines of the premises and shall be removed within 7 days after the completion of the construction work. The total area of such signs on a lot shall not exceed 8 square feet.
- (3) Signs announcing or advertising any political, educational, religious or like campaign, drive or event; provided that the total area of all such signs on a lot shall not exceed 8 square feet.

(4) Temporary banners.

The zoning officer may issue a permit for a banner that meets the following conditions:

- (a) (Reserved);
- (b) Promotes a one-time event such as a grand opening, holiday sale, or fund raising event;
- (c) Will be used for no more than 14 days;
- (d) Will be used (1) at the standard location across Main Street between the Historic Courthouse and the Union Hotel or (2) at the location of the business or event being advertised and up to three additional locations in the Borough, providing

that the requesting party provides written permission from the owner of any location other than his or her own where the banner is to be placed.

(5) Default Banner.

A banner (designated by the FCP or its equivalent and reviewed/approved by the SRC) may be displayed across Main Street at a location(s) approved by the Council, provided the structural stability has been confirmed by the Construction Official, for the first available one-week period every month when no other banner has been approved pursuant to Subsection A1c(4) above and, in the discretion of the Zoning Officer, it is safe to display it.

Requests for other banners shall be submitted to Borough Council for approval.

The zoning officer at his sole discretion may refer a banner request that meets the conditions listed above to Council for approval regarding concerns of colors, size, public safety, or frequency of placement.

[Ord. No. 2016-12; amended 6-10-2019 by Ord. No. 2019-12]

d. Directional signs, not to exceed 2 square feet.

B. Permitted Signs.

[Ord. No. 2012-15; amended 6-10-2019 by Ord. No. 2019-12]

1. The following sign regulations are supplemented by the Table of Sign Regulations contained herein.^[2] Where a conflict arises, the document with more specificity shall prevail.

[2] *Editor's Note: The Table of Sign Regulations is included as an attachment to this chapter.*

2. The following business signs are permitted for each business building in the CB, TC, DB, DB II, PO, VAS, and HR/OSS Districts.

a. Facade (wall) signs.

- (1) A facade sign may be located on the wall surface of the principal facade of the area occupied by such business and extending not more than four inches from such wall. A business use, if located on a corner lot or abutting a parking lot containing five or more parking spaces and that provides building access to a location other than that facade facing the public street, may have a second sign located on the wall facing the other street or parking lot. The total length and area of each sign shall not exceed 50% of the linear length of the building facade (including window and door areas) to which the sign is affixed if one business or the portion of the building facade occupied by the business (demising wall to demising wall). Notwithstanding, no sign shall exceed 50 square feet except for the HR/OSS District, which sign(s) shall not exceed 100 square feet. Facade signs, excluding those in the HR/OSS district, shall not exceed two feet in height. If a shared space, the multiple tenants shall be allowed exterior signage but the total signage area for all tenants shall not exceed the area limitations herein.

- (2) Business uses without street frontage (defined as those located only in the building rear, on the upper floors, or the basement) may have one additional facade sign to be shared by all such uses on the premises. To the extent practical, it shall be located on a wall surface immediately adjacent to the main entrance to such uses and may extend not more than four inches from such wall. The total area of such sign shall not exceed eight square feet. Such businesses may, in addition, have one sign to be shared by all such businesses on or immediately adjacent to the door serving as the main entrance to such uses. The total area of such painted sign shall not exceed two square feet.

b. Freestanding signs.

- (1) Freestanding signs, where permitted, shall be located between the principal structure and the public street and may be located in the front yard setback. The business use, if located on a corner lot, may have a second sign located between the second side of the building facing a public street and the street.
 - (2) Businesses with a minimum of 500 feet on a state highway and two or more access points may have up to two signs on such frontage.
 - (3) Monument signs are considered freestanding signs for purposes of determining the number or quantity permitted. Either a monument sign or a freestanding sign shall be permitted, but not both.
 - (4) Notwithstanding the required setback from curb, no sign shall be located in the public right-of-way.
- c. Blade signs and canopy/awning signs.
- (1) A blade sign and/or a canopy/awning sign is permitted in addition to a facade sign.
 - (2) The total area of the canopy/awning sign and the facade sign shall not exceed the area of that which is permitted for the facade sign(s) on the building facade to which each sign or set of signs is affixed.
 - (3) Blade signs shall be no larger than six square feet. The signs shall be placed at a height as to not obstruct pedestrians or impair vehicular sight lines, as determined by the Zoning Officer. Where located above a pedestrian way, the bottom of the sign shall provide not less than eight feet of clearance.
3. One canopy/awning sign and one blade sign is permitted on the principal building facade.
- a. Miscellaneous signs.
- (1) Signs on windows, and doors. Each business located at the street level may have the following signs, for the name, street, number or type of business or any combination thereof:
 - (a) Two signs, with a total area not to exceed six square feet, painted or applied as a decal(s) on the windows or doors, or both, but with not more than one such sign on any window or door; except that an establishment serving food may post its menu and hours or service on the first floor facade in reasonable proximity to the front entry. Such menu sign may be no more than six square feet and may be in addition to the two signs permitted herein.
 - (2) A frame sign. An A-frame sign for retail establishments in the VAS, DB and DB II Zones conforming to the following:
 - (a) (Reserved)
 - (b) A temporary freestanding advertisement or menu sign (A-frame sign or sandwich-board sign) may be displayed, provided only one such sign be installed per street level business establishment not to exceed six square feet in size per side. Such sign shall be placed so that a minimum of three feet of an unobstructed sidewalk width is provided.
 - (c) The sign shall consist of a framed chalkboard, tack board, or similar for the listing of daily specials and hours of operation, only.
 - (d) The location of the sign shall not interfere with pedestrian or vehicular traffic, as determined by the Zoning Officer.
- b. Directory signs.

- (1) A directory sign for any business building; provided, that a directory sign is minimally set back at the existing building front facade. Each side of a directory such sign may have the names of all principal tenants of the building. The area of a directory sign devoted to each tenant shall not exceed 72 square inches. The total area of such signs shall not exceed 16 square feet.
 - c. Menu board signs for uses with a drive-through are permitted. The sign area of each menu board sign shall not exceed 20 square feet and shall be located adjacent to the drive-through lane. It may be internally illuminated.
 - d. Special signs. Special signs serving the public convenience, such as "Notary Public," "Public Telephones," "Public Rest Rooms" or words or directions of similar import. The area of such sign shall not exceed 72 square inches. Only one sign of each type shall be displayed.
 - e. Temporary paper signs. Temporary signs placed on glass which are made out of paper or similar material and containing extraordinary information pertaining to matters of limited duration, such as sales, product promotion, community, cultural, or other public events, and employment opportunities. Such signs shall not have an area exceeding 10% of the total square footage of the glass frontage of the establishment.
 - f. Parking rate sign. Operators of parking garages and open lots shall post a sign setting forth all pertinent rate information. Such information shall be readily visible to potential patrons before they pull into the entryway. Such rate sign may be no more than 10 square feet and may be in addition to such other signage as is permitted herein.
 - g. All deviations from the sign ordinance shall be considered "c" variances, with the exception of signs which are principal uses, including but not limited to billboards.
4. Prohibited signs.
- a. The following signs or artificial lighting are prohibited:
 - (1) Billboards.
 - (2) Flashing signs or moving signs, including any sign or device or which the artificial light is not maintained stationary and constant in intensity and color at all times when in use.
 - (3) Neon or neon-like signs.
 - (4) Signs which compete for attention with, or may be mistaken for, a traffic signal.
5. Location.
- a. Except as otherwise provided in the subsection, no sign shall project into a required yard or beyond the lot or street line.
 - b. No sign shall be placed, inscribed or supported upon the roof, or upon any structure which extends above the roof, of any building, except such directional devices as may be required by federal or state aeronautical authorities.
 - c. No sign shall be so placed as to interfere with the opening of an exit door or to obstruct any window opening of a room which is used for dwelling purposes.
 - d. No part of any business sign shall project above the top or beyond the ends of the wall surface upon which it is placed.
6. Lighting.
- a. Permitted lighting for illuminated signs shall be limited to that concentrated upon the face of the sign. If any such sign is situated within 20 feet of a street, the direct source of light

shall not be visible from the street or any neighboring lots or uses.

- [1] *Editor's Note: Flemington Borough - Summary of Sign Regulations is included as an attachment to this chapter.*

ZONING
26 Attachment 1

Table of Sign Regulations
[Amended 6-10-2019 by Ord. No. 2019-12]

Zone	All Signs	Facade (Wall) Signs			Canopy/Awning Signs	Blade Signs			Freestanding & Monument Signs***					Directory Signs****	
	Max. Letter Height	Max. Number	Max. Area and Length	Max. Height	Max. Size	Max. Number	Max. Projection	Max. Size	Max. Number	Max. Size	Max. Height	Min. Clearance below sign face (freestanding only)	Set Back from curb (not within ROW)	Max. Number	Max. Size
CB	18 inches	1/street/parking lot frontage* not to exceed 2 per business	Max. 50 square feet; 50% of linear frontage	2 feet	Same as facade sign; the total area of facade signs and canopy/awning shall not exceed permitted area for a facade sign	1	4 feet	6 square feet	1	20 square feet	6 feet	0 feet	10 feet	1	72 inches per tenant; max. 16 square feet
TC	18 inches	1/street/parking lot frontage* not to exceed 2 per business	Max. 50 square feet; 50% of linear frontage	2 feet		1	4 feet		1	20 square feet; 50 square feet on Routes 31 and 12	6 feet	0 feet	10 feet	1	72 inches per tenant; max. 16 square feet
DB & DBII	18 inches	1/street/parking lot frontage* not to exceed 2 per business	Max. 50 square feet; 50% of linear frontage	2 feet		1	4 feet		1	20 square feet	6 feet	0 feet	50% setback of building; min. 10 feet from curbline	1	72 inches per tenant; max. 16 square feet
PO	18 inches	1/street/parking lot frontage* not to exceed 2 per business	Max. 50 square feet; 50% of linear frontage	2 feet		1	4 feet		1	20 square feet	6 feet	0 feet	10 feet	1	72 inches per tenant; max. 16 square feet
VAS	18 inches	1/street/parking lot frontage* not to exceed 2 per business	Max. 50 square feet; 50% of linear frontage	2 feet		1	4 feet		1	20 square feet; 60 square feet where more than 100,000 square feet building	6 feet	0 feet	10 feet	1	72 inches per tenant; max. 16 square feet
HR, OSS		1/street frontage* not to exceed 2 per business	Max. 100 square feet; 50% of linear frontage	4 feet		1	4 feet		1	35 square feet - Church Street	16 feet	8 feet	20 feet	1	72 inches per tenant; max. 16 square feet
							1	50 square feet - Rts. 12 & 31, Reaville Avenue	16 feet	0 feet					
							1	90 square feet - Rt. 202	20 feet	8 feet					

* More than one sign shall be permitted if the building is located on a corner lot or otherwise abutting a parking lot containing five or more parking spaces and that provides building access to a location other than that facade facing the public street.
 ** Linear frontage to be measured from demising wall to demising wall, below soffit of the roof.
 *** Businesses with a minimum of 500 feet on a state highway and with two or more points of access may have up to two signs on such frontage.
 **** Directory signs shall minimally be set back at the existing building but not closer than the permitted front yard setback.