

CITY OF NEWBURYPORT
OFFICE OF CITY CLERK
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June 9, 2015

To whom it may concern,

Attached please find certified copies of current excerpts from the City of Newburyport's zoning ordinance. I hereby certify that these copies are accurate and have been in effect for at least one year from today's date.

Thank you,

Richard Jones
City Clerk

46. *Use.* The specific purposes for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.

47. *Variance.* Such departures from the terms of the ordinance as the board of appeals, upon appeal in specific cases, is empowered to authorize under the terms of this ordinance and the zoning act.

48. *Way.* For purpose of this ordinance, a way shall be any public land, which is not a street as defined herein, used by the general public as a footpath, walkway, bridle path or other similar use. A way cannot provide frontage for purpose of subdivision and no construction can take place within the bounds of a way.

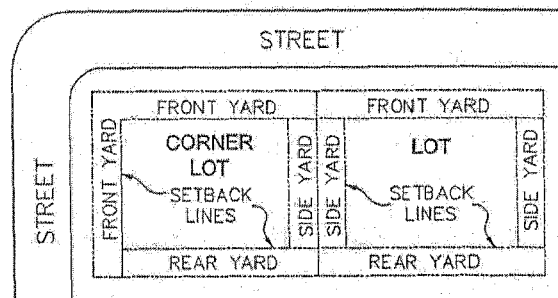
49. *Yard.* An open space unobstructed from the ground up, on the same lot with a principal building, extending along a lot line and inward to the principal building. The size of a required yard shall be measured as the shortest distance between the building line and the lot line. Structures which are below the finished lot grade shall not be deemed to occupy required yards.

50. *Yard, front.* The portion of a lot lying between the front line and the front setback line.

51. *Yard, rear.* The portion of a lot lying between the rear line and the rear setback line.

52. *Yard, side.* The portion of a lot lying between a side line and the corresponding side setback line and extending from the front yard to the rear yard. In the case of a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.

Yard diagram: Setbacks are measured from all lot lines. Yards exist between lot lines and setback lines. Corner lots have two front setbacks.



53. *Zoning board of appeals.* The Zoning Board of Appeals of the City of Newburyport, Massachusetts.

(Ord. of 3-28-88(2), §§ 1, 14; Ord. of 9-14-92; Ord. of 11-28-94; Ord. of 12-12-94; Ord. of 3-13-00; Ord. of 12-8-03, § 2; Ord. of 9-14-04; Ord. of 2-13-12)

SECTION III. ESTABLISHMENT OF DISTRICTS*

III-A Establishment of districts.

For the purpose of this ordinance, the City of Newburyport is hereby divided into the following districts:

Full Name and Class

Agricultural and/or Conservation	Ag/C
Residential One	R-1
Residential Two	R-2
Residential Three	R-3
Business One	B-1
Business Two	B-2
Business Three	B-3
Floodplain Overlay District	FOD
Industrial One	I-1
Industrial I-1B	I-1B
Industrial Two	I-2
General Acute Care Medical	M-1
Waterfront Marine Dependent	WMD

*Cross reference—Solid waste collection in the business district, § 8-81.

Newburyport, Massachusetts
City Clerk

Richard B. Jones

A TRUE COPY ATTEST

Waterfront Mixed Use WMU
(Ord. of 3-28-88(1), § 2; Ord. of 9-14-92; Ord. of
6-25-12(2))

III-B Description of districts.

Ag/C agricultural/conservation. The agricultural/conservation district is composed of all those areas so designated on the official zoning map. This district is intended to serve a dual purpose. It is the city's intent to adhere to Commonwealth of Massachusetts policy of preserving agricultural land. All existing agricultural land is therefore designated Ag/C when its designation is in keeping with the city's long-range plans.

Principles of fiscal responsibility demand that the city utilize its presently existing water/sewer systems to their maximum before undertaking the construction of expensive additions to these systems. To this end, vacant lands with soils that have poor to moderate capabilities for supporting on-site sewage systems are designated Ag/C.

The Ag/C district has the lowest residential density of all districts and is generally served by local streets only. Intensive land uses, uses which would detract from the desired agricultural/open nature of the district and uses which would otherwise interfere with the intent of this ordinance are prohibited.

R-1 single-family district. The single-family district is composed of all those areas so designated on the official zoning map and, like the uses, uses which would detract from the desired residential character, and uses which would otherwise interfere with the intent of this ordinance are prohibited.

R-2 two-family district. The two-family district is composed of all those areas so designated on the official zoning map and, like the preceding districts, is generally served by local streets. The predominant land uses are intended to be single and two-family homes. Uses which would detract from the desired residential character and uses which would otherwise interfere with the intent of this ordinance are prohibited.

R-3 multifamily district. The multifamily district is composed of all areas so designated on the official zoning map. It is intended that this dis-

trict allow multifamily units at no greater than six (6) units per structure and generally exceeding densities of ten (10) dwelling units per acre of land. Single and two-family homes are allowed.

These districts, insofar as is possible, are located near or along major streets. Uses which would detract from the desired residential character, or otherwise interfere with the intent of this ordinance are prohibited.

B-1 business district. The business district is composed of all those areas so designated on the official zoning map. It is intended that this district allow all types of customary business uses oriented towards either pedestrian and/or vehicle traffic. It is further intended that multifamily residential dwellings be allowed either alone or in combination with business uses under the conditions specified herein. These districts, insofar as is possible, are located along major streets.

Uses which would detract from the desired business character, or otherwise interfere with the intent of this ordinance are prohibited.

B-2 downtown business district. The downtown business district is composed of all those areas so designated on the official zoning map. It includes retail, service, and office uses. The scale is intended to reinforce downtown's role as the focus of activity in Newburyport. Multi-use development is encouraged, such as the combining of residential and business uses. Activities shall be oriented to pedestrian traffic and to centralized parking. Businesses which consume large amounts of land and interrupt pedestrian circulation and shopping patterns, single- and two-family principal buildings or uses which would otherwise interfere with the intent of this ordinance are prohibited.

B-3 neighborhood business district. The neighborhood business district is composed of all those areas so designated on the official zoning map. The district is to provide retail and services in proximity to residential uses in a manner that fosters compatibility and serves as a transitional zone between the business district and residential districts.

I-1 Industrial district. The industrial district is composed of all areas so designated on the official zoning map. These areas allow uses requiring the

manufacture, assembly, processing or handling of materials which, because of their generation, noise, appearance, odor, or hazards, would be disruptive to residential and other commercial uses. Commercial uses intended to service the industrial areas are permitted; however, residential uses, other commercial uses and uses which would otherwise interfere with the intent of this ordinance are prohibited.

I-1B industrial district. The I-1B industrial district was created to allow for the development of corporate office headquarters in the City of Newburyport. This zoning allows for a needed use/occupancy which the I-1 zoning district does not allow, specifically, corporate headquarters. The objective is to provide further diversification in employment opportunities.

Light manufacturing uses similar to those allowed in the I-1 district are also allowed but the location of corporate headquarters type uses is preferred.

I-2 industrial district. The I-2 zoning district was created to legitimized existing older "pockets of industrial development" within the central city. The intent was to protect these uses as uses allowed by right and to not place them in a nonconforming zoning status.

The re-use of these pockets of industries is likely to occur over time and as such nonindustrial uses are allowed by special permit as outlined further in this zoning ordinance.

M general acute care medical district. The general acute care medical district is described as follows: Beginning at the northerly corner thereof at the corner of Rawson Avenue and Highland Avenue, thence running southeasterly by Highland Avenue, 710.6 feet; thence running northwesterly by land of Leavitt, 110 feet; thence running southeasterly by land of Leavitt and land of Steiner, 320 feet; thence running southwesterly by land of Dodge, 407 feet; thence running southeasterly by land of Dodge, 327.5 feet; thence running southwesterly by Toppans Lane, 105 feet; thence running northwesterly by land of Rindler, 1108 feet; thence running southwesterly by land of Rindler, 116.5 feet; thence running northwesterly by land of Jones and City of Newburyport,

308 feet; thence running northeasterly by Rawson Avenue, 294 feet to land of City of Newburyport; thence by said land of City of Newburyport on a curved line, 137 feet to Rawson Avenue; thence running northeasterly by said Rawson Avenue, 391 feet to the point of beginning.

All of said measurements being more or less and all of said abutters being now or formerly.

It includes a general acute care hospital, a medical-dental professional building and associated and related uses.

Floodplain overlay district. This overlay district includes all special flood hazard areas (SFHA) within the City of Newburyport designated as Zone A, AE, AH, AO, V or VE on the Essex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). The map panels of the Essex County FIRM that are wholly or partially within the City of Newburyport (Community Number 250097) are panel numbers 25009C0104F (104F), 25009C0108F (108F), 25009C0109F (109F), 25009C0116F (116F), 25009C0117F (117F), 25009C0128F (128F), 25009C0129F (129F), 25009C0133F (133F), 25009C0136F (136F), 25009C0137F (137F), and 25009C0141F (141F) dated July 3, 2012. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Essex County Flood Insurance Study (FIS) report dated July 3, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the city clerk, office of planning and development, and building department.

WMD waterfront marine dependent. The purpose of this district is to protect and enhance the existing marine dependent and marine related uses located along the waterfront. In addition, the expansion of existing marine uses such as marinas is encouraged and the redevelopment of nonmarine uses into marine dependent/related uses is encouraged. This district will allow a certain percentage of an overall development project. Density bonuses may be allowed when public access is provided for (see section XVIII).

Additional intents in this district include the protection and provision of public access and views. Finally, when a project involves residential development, the placement of residential units along the street sides of overall development projects is encouraged in this district.

WMU waterfront mixed use. The purpose of this district is to encourage the development of marine, civic, tourism, and cultural land uses activities which benefit from the location of the central waterfront and to enhance this area as the civic and cultural center of the city. Structures which are totally residential are not allowed in this district. Additional intents in this district include the protection and provision of public access and views.
(Ord. of 3-28-88(1), §§ 3, 4; Ord. of 9-14-92; Ord. of 6-25-12(2))

III-C Zoning map.

The zoning districts described heretofore in section III-B, detailed on a map entitled "Zoning Map of the City of Newburyport" with all boundary lines designated thereon shall hereby be part of this ordinance and said zoning map shall be on file in the office of the city clerk who shall be responsible for the maintenance of the map and any authorized amendments thereto. A copy of said map shall be kept in any other office deemed appropriate.

III-D Changes to zoning map.

Any change in the location of boundaries of a zoning district hereafter made through the amendments at this ordinance shall be indicated by the alteration of such map and the map, thus altered, is declared to be a part of this ordinance thus amended.

III-E Boundaries of districts.

Where any uncertainty exists with respect to the boundary of any district as delineated on the zoning map:

Boundary lines indicated as a highway, street, alley, railroad, watercourse, or other body of water, shall be construed to be the centerline or middle thereof.

Boundary lines which approximate a city boundary are to be considered to be the limits of the city boundary.

Boundary lines which are located outside of street lines with distances placed upon the map shall be the distance in feet from the street lines to said boundary lines.

Boundary lines located outside of street lines without distances are intended to coincide with lot lines; where a dimensional boundary coincides five (5) feet or less with a lot line, the boundary shall be construed to be that lot line.

Wherever any uncertainty exists beyond the preceding provisions of this section as to the exact location of a boundary line, the location of such line shall be determined by the inspector of buildings.

SECTION IV. APPLICATION AND INTERPRETATION

IV-A Interpretation.

The provisions of this ordinance shall be interpreted to be the minimum requirements adopted for the promotion of the health, safety, and the general welfare of the inhabitants of the City of Newburyport, Massachusetts.

The provisions of this ordinance are not intended to repeal, amend, abrogate, annul, or in any way impair or interfere with any lawfully adopted ordinance covenants, regulations, or rules.

Where the provisions of this ordinance are more restrictive than state law or regulations, the provisions of this ordinance shall take precedence.

IV-B Application.

Except as herein provided, the provisions of this ordinance shall apply to the erection, construction, reconstruction, alteration, or use of buildings, structures or use of land.

IV-C Existing buildings and land.

Except as hereinafter provided, this zoning ordinance shall not apply to structures or uses

V-D Table of use regulations.

1. RESIDENTIAL														
USE	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
One-family	101	P	P	P	P	NP	NP	P	NP	NP	NP	NP	SP	NP
Two-family	102	NP	NP	SP	SP	NP	NP	SP	NP	NP	NP	NP	SP	NP
Multifamily	103	NP	NP	NP	SP	SP	SP	SP	NP	NP	SP	NP	SP	SP
Over 20 units(a)	104	NP	NP	NP	SP	SP	SP	SP	NP	NP	NP	NP	SP	SP(e)
Hotel/inn	105	NP	NP	NP	NP	SP	SP	SP	NP	NP	NP	NP	NP	SP
Lodging house	106	NP	NP	NP	SP	SP	SP	SP	NP	NP	NP	NP	NP	NP
Rehabilitation residence	107	NP	NP	NP	SP	SP	SP	SP	NP	NP	NP	NP	NP	NP
Congregate elderly housing	108	NP	NP	SP	SP	NP	NP	SP	NP	NP	NP	NP	NP	SP(e)
In-law apartment	109	NP	SP	SP	SP	NP	NP	SP	NP	NP	NP	NP	NP	NP
Bed and breakfast	110	NP	NP	NP	SP	SP	P	P	NP	NP	NP	NP	SP	SP

2. INSTITUTIONAL/GOVERNMENT/MEDICAL														
USE	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Church	201	P	P	P	P	P	P	P	P	P	P	P	P	
Schools (public)	202	P	P	P	P	P	P	P	P	P	P	P	P	
Fire station	203	P	P	P	P	P	P	P	P	P	P	P	NP	NP
Police station	204	P	P	P	P	P	P	P	P	P	P	P	NP	NP
City hall	205	P	P	P	P	P	P	P	P	P	P	P	NP	NP
U.S. post office	206	P	P	P	P	P	P	P	P	P	P	P	P	P
Municipal public works	207	P	P	P	P	P	P	P	P	P	P	P	NP	NP
Hospital	208	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SP	NP	NP
Nursing home	209	NP	NP	SP	SP	NP	NP	SP	NP	NP	NP	SP	NP	NP
Veterinary hospital	210	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	SP	SP
Public parking	211	SP	NP	P	P	P	P	P	P	P	P	SP	NP	P
Library/museum	212	NP	NP	SP	SP	P	P	SP	NP	NP	SP	NP	P	P
Private education	213	P	P	P	P	P	P	P	P	P	P	P	P	P
Private education residence	214	P	P	P	P	P	P	P	P	P	P	P	P	P
Medical office building	215	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SP	NP	NP
Community center	216	NP	NP	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Medical marijuana treatment center	217	NP	NP	NP	NP	NP	NP	NP	SP ^(h)	SP ^(h)	NP	NP	NP	NP

3. AGRICULTURAL/OPEN SPACE														
USE	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Agricultural (See List of uses)	301	P	P	P	P	P	P	P	P	P	P	P	P	P
	302	P	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
	303	P	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
	304	P	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
Country club	305	P	SP	NP	NP	NP	NP	NP	SP	SP	SP	NP	SP	SP
Park/playground	306	P	P	P	P	P	P	P	NP	NP	SP	NP	SP	SP

4. BUSINESS														
USE	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Shopping centers	401(c)	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	SP	NP
Specialty shopping center	402	NP	NP	NP	NP	SP	P	P	NP	NP	NP	NP	SP	SP(e)
Retail trade	403	NP	NP	NP	SP	P	P	P	NP	NP	NP	NP	SP	P(b)

4. BUSINESS															
USE	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU	
Retail services	404	NP	NP	NP	SP	P	P	P	NP	NP	NP	NP	SP	P(b)	
Mixed use	405	NP	NP	NP	NP	NP	SP	SP	NP	NP	SP	NP	SP	P	
Health/recreation	406	NP	NP	NP	SP	P	P	P	NP	NP	NP	NP	NP	SP(e)	
Entertainment/clubs	407	NP	NP	NP	NP	P	SP	NP	NP	NP	NP	NP	P(b)	P(b)	
Nursery school/day care	408	P	P	P	P	P	P	P	P	P	P	P	P	P	
Motor vehicle sales	409	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	NP	NP	
Motor vehicle repair	410	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	NP	NP	
Service station	411	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	NP	NP	
Radio/T.V. studio	412	NP	NP	NP	NP	P	P	SP	SP	SP	SP	NP	NP	NP	
Private parking	413	NP	NP	NP	SP	P	P	SP	P	P	P	SP	NP	P	
Parking structure	413B					SP	SP	SP	SP	SP	SP		SP(f)	SP(e)	
Retail/service kiosk automated teller machine	414	NP	NP	NP	NP	P	NP	NP	SP	SP	NP	NP	NP	SP(e)	
Funeral home	415	NP	NP	SP	NP	P	SP	SP	NP	NP	NP	NP	NP	NP	
Professional/social service	416	NP	NP	NP	NP	P	P	P	NP	NP	NP	NP	P(b)	P(b)	
Home occupation	417A	SP	P	P	P	P	P	P	NP	NP	NP	P	P	P	
Home occupation	417B	SP	SP	SP	SP	SP	SP	SP	NP	NP	NP	SP	SP	SP	
Wholesale	418	NP	NP	NP	NP	P	NP	NP	P	P	P	NP	NP	NP	
Bus, rapid transit/	419	NP	NP	NP	NP	P	P	NP	P	P	P	NP	P(b)	P(b)	
Theater assembly	420	NP	NP	NP	NP	P	P	NP	NP	NP	SP	NP	NP	SP	
Meeting space	421	NP	NP	NP	NP	P	P	P	NP	NP	P	NP	NP	SP	
Neighborhood bakeries/delis	422	NP	NP	NP	NP	P	P	P	NP	NP	NP	NP	NP	P	
Personal wireless communications service	423	See section XX.													

5. FOOD SERVICE															
USE	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU	
Restaurant	501	NP	NP	NP	NP	SP	P	SP	NP	NP	SP	NP	P(b)	P(b)	
Fast food/carry out	502	NP	NP	NP	NP	SP	P	SP	NP	NP	NP	NP	NP	SP(e)	
Outdoor cafe	503	NP	NP	NP	NP	SP	SP	SP	NP	NP	NP	NP	NP	P	
Drive through	504	NP	NP	NP	NP	SP	SP	NP	NP	NP	NP	NP	NP	NP	

6. INDUSTRIAL/INFRASTRUCTURE															
USE	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU	
Manufacturing	601	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	NP	
Light manufacturing	602	NP	NP	NP	NP	NP	SP	NP	P	P	P	NP	NP	NP	
Crafts manufacturing	603	NP	NP	NP	NP	SP	P	P	P	P	P	NP	P(b)	P(b)	
Accessory retail industry	604	NP	NP	NP	NP	NP	NP	P	P	SP	P	NP	NP	NP	
Printing/publishing	605	NP	NP	NP	NP	P	SP	SP	P	P	P	NP	NP	NP	
Research/development	606	NP	NP	NP	NP	SP	SP	NP	P	P	P	NP	SP	NP	
Industrial services	607	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	NP	
Laundry/dry cleaning plant	608	NP	NP	NP	NP	P	P	NP	P	P	P	NP	NP	NP	
Fluid storage	609	NP	NP	NP	NP	NP	NP	NP	SP	SP	NP	NP	NP	NP	
Dumps/sanitary fills	610	NP	NP	NP	NP	NP	NP	NP	SP	SP	NP	NP	NP	NP	
Heliport	611	NP	NP	NP	NP	NP	NP	NP	SP	SP	NP	NP	NP	SP(e)	
Corporate headquarters	612	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	
Open storage	613	NP	NP	NP	NP	NP	NP	NP	SP	SP	SP	NP	SP	NP	
Transformer/pumping station	614	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	NP	SP	SP	
Construction trailer	615	P	P	P	P	P	P	P	P	P	P	P	P	P	

6. INDUSTRIAL/INFRASTRUCTURE														
USE	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Wind Energy Conversion Facility	616	NP	NP	NP	NP	NP	NP	NP	SP(g)	SP(g)	NP	NP	NP	NP
Wind Monitoring or Meteorological Tower	617	NP	NP	NP	NP	NP	NP	NP	P(g)	P(g)	NP	NP	NP	NP

7. MARINE														
USE	NUM	CON	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Boat sales/service storage/rental	701	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	P	P
Marine transport	702	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Marine equipment sales	703	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	P	P
Marine repair services	704	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Marine manufacturing	705	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP
Shipbuilding/repair	706	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Canvas and canvas products	707	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Seafood handling/distribution	708	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	SP
Marine retail	709	NP	NP	NP	NP	NP	P	SP	NP	NP	NP	NP	P	P
Commercial fishing	710	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Indoor rack boat storage	711	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Marina and related	712	NP	NP	NP	NP	P	NP	NP	P	P	P	SP	P	P
Municipal Harbormaster Facility	713	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P

NOTES:

- (a) Multifamily developments twenty (20) units or over require a special permit from the board of appeals and the planning board.
- (b) For the WMD and WMU certain restrictions may apply to specific uses, please refer to section XVIII for further explanation.
- (c) Shopping centers in existence prior to September 14, 1992, may be altered, extended or enlarged as of right on a lot which was in shopping center use as of April 1, 1996, provided that the sum of all such alterations, extensions and enlargements does not exceed twenty (20) percent of the gross floor area of the relevant shopping center's structures in existence as of September 14, 1992, and provided further that at the time of application for the building permit for such alteration, extension or enlargement: (a) such alteration, extension or enlargement would comply with the dimensional and parking standards of this ordinance in effect at the time of submission of the building permit application for such alteration, extension or enlargement; (b) truck deliveries to loading facilities within one hundred (100) feet of any lot in residential use shall not be made prior to 7:00 a.m., Monday through Saturday, or prior to 9:00 a.m. on Sunday, nor after 9:00 p.m. on any day; and (c) no private road or way through residentially zoned land may be used for vehicular access to a shopping center, except in cases of emergency by emergency vehicles and personnel or for maintenance of utilities in such private way or road.
- (d) Vehicular and pedestrian access through a residential zoning district to and from a general acute medical district (M) is permitted by special permit, including site plan review, by the planning board.
- (e) Subject to WWOD-SP; please refer to section XXIV for further explanation.
- (f) A parking structure is permitted only when it is at least fifty (50) percent underground and accessory to other principal uses.

(g) Subject to special permit regulations; please refer to section XXVI for further information. Site plan review is not required for wind energy conversion facilities.

(h) See section V-G entitled "Medical Marijuana Treatment Centers" for additional requirements and restrictions.
(Ord. of 3-28-88(2), § 6; Ord. of 10-31-88(2); Ord. of 1-9-89; Ord. of 9-14-92; Ord. of 4-11-94; Ord. of 12-11-95; Ord. of 4-28-97; Ord. of 2-12-01(3), § 1; Ord. of 12-8-03, § 4; Ord. of 12-13-04(2), § 1; 2-14-05, § B(2); Ord. of 11-26-07; Ord. of 5-27-08; Ord. of 5-10-10; Ord. of 12-12-11; Ord. of 8-11-14(8); Ord. of 8-25-14(2))

Table of Dimensional Requirements

1. RESIDENTIAL

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Single-family	101	agcon	130,000	300	30	10	NA	50	50	50
	101	R-1	20,000	125	30	20	50%	30	20	30
	101	R-2	10,000	90	35	25	40%	25	10	25
	101	R-3/B-3	8,000	80	35	30	35%	20	10	20
	101	WMD	10,000	90	25	25	40%	25	10	25
Two-family	102	R-2	15,000	120	35	25	40%	25	20	25
	102	R-3/B-3	12,000	100	35	30	35%	20	10	20
	102	WMD	15,000	120	25	25	40%	25	20	25
Multifamily	103		20,000(a)	120	35	40	40%(b)	20	10	20
	103	WMD	20,000(a)	120	25	40	40%(b)	20	10	20
	103	WMU	20,000(a)	120	25	35	40%(b)	20	10	20
	103		20,000(a)	120	35	40	1,000(b)	20	10	20
Over 20 units	104		20,000(a)	120	35	40	1,000(b)	20	20	20
Hotel/inn	105		20,000	120	40	40	1,000(b)	20	20	20
Lodging house	106		20,000(a)	120	35	40	1,000(b)	20	20	20
Rehabilitation residence	107		20,000(a)	120	35	40	1,000(b)	20	20	20
Congregate elderly housing	108		20,000	120	35	40	1,000(b)	20	10	20
In-law apartment	109	R-1	20,000	125	30	20	50%	30	20	30
	109	R-2	10,000	90	35	25	40%	25	10	25
	109	R-3/B-3	8,000	80	35	30	35%	20	10	20
	109									
Bed and breakfast	110(g)	B-2	5,000	60	40	100	NA	0	0	0
	110(g)	B-3	8,000	60	40	75	NA	20	10	20

2. INSTITUTIONAL/GOVERNMENT/MEDICAL

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Church	201		20,000	120	40	40	NA	20	20	20
Schools (public)	202		40,000	120	40	30	4,000	20	20	20
	202	B-3, R-3	20,000	90	40	40	1,000	20	10	20
Fire station	203		40,000	120	40	30	NA	20	20	20
	203	B-3, R-3	20,000	90	40	40	1,000	20	10	20
Police station	204		40,000	120	40	30	NA	20	20	20
	204	B-3, R-3	20,000	90	40	40	1,000	20	10	20
	204	B-2	10,000	90	40	40	NA	0	0	0
City hall	205		40,000	120	40	30	NA	20	20	20
	205	B-3, R-3	10,000	90	40	40	1,000	20	10	20

2. INSTITUTIONAL/GOVERNMENT/MEDICAL

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
	205	B-2	10,000	90	40	40	NA	0	0	0
U.S. post office	206									
Public works	207		50,000	200	35	30	NA	60	50	60
Hospital	208		200,000	200	40	50	NA	20	20	20
Nursing home	209		20,000	120	35	40	1,000(b)	20	20	20
Veterinary hospital	210		20,000	120	30	40	NA	30	40	80
Public parking	211		See section VII Parking for requirements							
Library/museum	212		20,000	120	40	40	NA	20	20	20
Private education	213		20,000	90	35	30	2,000	20	20	20
	213	B-1, B-2, B-3	10,000	80	35	40	1,000	20	10	20
Private education residence	214		20,000(h)	100	35	30	2,000	20	20	20
	214	B-1, B-2, B-3	10,000(h)	80	35	40	1,000	20	10	20
Medical office building	215	B-1	20,000	90	35	30	NA	20	20	20
	416	B-2	5,000	60	40	100	NA	0	0	0
	416	B-3	10,000	90	40	60	NA	20	10	20
	416	WMU	10,000	60	40	30	NA	10	10	10
Medical Marijuana Treatment Center	217	I-1	50,000	90	40	50	NA	50	50	50
		I-1B	50,000	90	40	50	NA	50	50	50

3. AGRICULTURAL/OPEN SPACE

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Agricultural	301		130,000(c)	300	30	20	NA	30(c)	20	30
	302									
	303									
	304									
Country club	305		130,000	200	30	10	NA	50	50	50
Park/playground	306									

4. BUSINESS

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Shopping centers	401	B-1	250,000	120	40	30	NA	40(j)	40(j)	40(j)
Specialty shopping centers	402	B-1	30,000	100	30	30	NA	40	40	40
	402	B-2	5,000	60	40	100	NA	0	0	0

4. BUSINESS

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Retail trade	402	B-3	20,000	90	40	60	NA	10	10	10
	402	WMU	20,000	60	40	30	NA	10	10	10
	403	B-1	20,000	90	35	30	NA	20	20	20
	403	B-2	5,000	60	40	100	NA	0	0	0
	403	B-3	10,000	90	40	60	NA	20	10	20
	403	WMU	10,000	60	40	30	NA	10	10	10
Retail services	404	B-1	10,000	90	35	30	NA	20	20	20
	404	B-2	5,000	60	40	100	NA	0	0	0
	404	B-3	10,000	90	40	60	NA	20	10	20
	404	WMU	10,000	60	40	30	NA	10	10	10
Mixed use	405	Refer to section IV-D for requirements								
Health/recreation	406	B-1	20,000	90	35	30	NA	20	20	20
	406	B-2	10,000	60	40	100	NA	0	0	0
	406	B-3	20,000	90	40	60	NA	20	20	20
	406	WMU	10,000	60	40	30	NA	20	20	20
Entertainment/clubs	407	B-1	20,000	90	35	30	NA	20	20	20
	407	B-2	10,000	60	40	100	NA	0	0	0
	407	B-3	20,000	90	40	60	NA	20	20	20
	407	WMU	10,000	90	40	30	NA	20	20	20
Nursery/day care	408		20,000	120	30	40	6,000	20	20	20
	408	B-2,B-3	20,000	90	30	40	2,000	0	0	0
	408	I-1, I-1B	50,000	120	30	40	10,000	20	20	20
Motor vehicle sales	409	B-1	20,000	120	30	40	NA	20	20	20
Motor vehicle repair	410	B-1	20,000	120	30	40	NA	20	20	20
Service station	411	B-1	20,000	120	30	40	NA	25	25	25
Radio/T.V. station	412	B-1, B-3	10,000	90	35	30	NA	20	20	20
	412	B-2	10,000	90	35	30	NA	0	0	0
	412	I-1,I-1B,	40,000	90	35	30	NA	20	20	20
Private parking	413	See section VII Parking for requirements								
Parking structure	413B	B-1	20,000	90	40(k)	100	NA	0	0	0
	413B	B-2	20,000	60	40(k)	100	NA	0	0	0
	413B	B-3	20,000	90	40(k)	100	NA	20	10	20
	413B	I	20,000	120	40(k)	100	NA	20	20	20
Retail/service kiosk										
Automated teller machine	414		2,500	NA	25	30	NA		—20(f)—	
Funeral home	415		20,000	120	30	30	NA	20	20	20
	415	B-2	10,000	90	35	30	NA	10	10	10
Professional/social service	416	B-1	20,000	90	35	30	NA	20	20	20

4. BUSINESS

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
	416	B-2	5,000	60	40	100	NA	0	0	0
	416	B-3	10,000	90	40	60	NA	20	10	20
	416	WMU	10,000	60	40	30	NA	10	10	10
Home occupation(i)	417A	See section V-E(j), list of allowable uses								
Home occupation(i)	417B	See section V-E(k), list of allowable uses								
Wholesale	418		50,000	200	30	40	NA	50	50	50
Bus rapid transit	419		40,000	90	30	30	NA	20	20	20
Theater/assembly	420		20,000	120	30	30	NA	20	20	20
	420	B-2	10,000	90	35	30	NA	0	0	0
	420	WMU	20,000	90	35	30	NA	20	20	20
Meeting space	421	B-1	20,000	90	35	30	NA	20	20	20
	421	B-2	5,000	60	40	100	NA	0	0	0
	421	B-3	10,000	90	40	60	NA	20	10	20
Neighborhood bakeries/ delis	422	B-1	20,000	90	35	30	NA	20	20	20
	422	B-2	5,000	60	40	100	NA	0	0	0
	422	B-3	10,000	90	40	60	NA	20	10	20
Personal wireless commu- nications service	423	See section XX								

5. FOOD SERVICE

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Restaurant	501	B-1	20,000	120	30	30	NA	25	25	25
	501	B-2	10,000	100	30	100	NA	0	0	0
	501	WMD	20,000	120	25	30	NA	25	25	25
	501	WMU	20,000	120	35	30	NA	25	25	25
Fast food carry out	502	B-1	20,000	120	30	30	NA	25	25	25
	502	B-2	10,000	90	30	100	NA	0	0	0
	502	B-3	10,000	100	30	70	NA	20	20	20
	502	WMU	20,000	120	35	30	NA	25	25	25
Outdoor cafe	503									
Drive through	504									

6. INDUSTRIAL/INFRASTRUCTURE

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Manufacturing	601		50,000	200	40	40	NA	50	50	50

6. INDUSTRIAL/INFRASTRUCTURE

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Light manufacturing	602		50,000	200	40	40	NA	50	50	50
	602	B-2	20,000	90	40	70	NA	20	10	20
Crafts manufacturing	603		50,000	200	40	40	NA	50	50	50
	603	B-2	20,000	90	40	100	NA	0	0	0
	603	B-1, B-3	20,000	90	40	70	NA	20	20	20
Accessory retail industry	604		See section XII-D for definition and limits							
Printing/publishing	605	I-1	50,000	200	35	40	NA	50	50	50
	605	B-2	10,000	90	35	40	NA	20	20	20
Research and development	606		50,000	200	50	40	NA	60	50	60
Industrial service	607		50,000	200	35	30	NA	60	50	60
Laundry/dry clean plant	608		50,000	200	35	30	NA	60	50	60
Fluid storage	609		50,000	200	35	30	NA	60	50	60
Dumps/sanitary landfills	610		50,000	200	35	30	NA	60	60	60
Heliport	611							—150(f)—		
Corporate headquarters	612		50,000	200	50	40	NA	50	50	50
Open storage	613		50,000	200	30	30	NA	50	50	50
Transformer/pumping station	614									
Construction trailer	615									
Wind energy conversion facility	616	See Section XXVI for dimensional requirements								
Wind monitoring or meteorological ("test" or "met") towers	617	See Section XXVI for dimensional requirements								

7. MARINE

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Boat sales/service storage/rental	701		20,000	120	35	50	NA	20	20	20
Marine transport	702		20,000	120	35	50	NA	20	20	20
Marine equipment sales	703		20,000	120	35	50	NA	20	20	20
Marine repair service	704		20,000	120	35	50	NA	20	20	20
Marine manufacturing	705		20,000	120	35	50	NA	20	20	20
Ship building/repair	706		20,000	120	35	50	NA	20	20	20
Canvas/canvas products	707		20,000	120	35	50	NA	20	20	20
Seafood handling/distribution	708		20,000	120	35	50	NA	20	20	20
Marine retail	709		20,000	120	35	50	NA	20	20	20

7. MARINE

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Yard Requirements		
								Front	Side	Rear
Commercial fishing	710		20,000	120	35	50	NA	20	20	20
Indoor boat rack storage	711		20,000	120	43(e)	50	NA	20	20	20
Marina and related	712		20,000	120	35	50	NA	20	20	20
Municipal Harbormaster Facility	713	WMD	5,000	0	35	100	NA	0	0	0
		WMU	5,000	0	35	100	NA	0	0	0

- (a) The lot area requirements for multifamily developments are twenty thousand (20,000) square feet for the first four (4) units and four thousand (4,000) square feet for each additional unit. In addition the total maximum number of units allowed per structure is six (6).
- (b) Except for the R-1, R-2, R-3 and WMD districts, the minimum open space shall be one thousand (1,000) square feet or a minimum of one hundred fifty (150) square feet per dwelling unit, whichever is greater.
- (c) Agricultural uses which include farms for the raising, keeping, and/or sale of cattle, horses, sheep, goats, dogs, and poultry, but not for hogs, must have a minimum of five (5) acres except in the agricultural/conservation district. No animal may be kept within fifty (50) feet of any property line.
- (d) In the WMD and WMU districts, some special dimensional controls apply, please refer to section XVIII for further requirements.
- (e) Structures which house use #711 are allowed a forty-three-foot height but, the number of stories in said structures is limited to one story. For use 711 only, building height shall be measured from the average grade elevation (average grade around the perimeter of the building) to the highest point of the roof (peak of the roof).
- (f) Number indicates setbacks for all directions which are to be measured from lot lines and/or other building.
- (g) For bed and breakfast uses the use of existing structures that do not meet the dimensional requirements is allowed providing that there is no exterior extension of such structure.
- (h) Educational residence with more than ten (10) persons shall require an additional one thousand (1,000) square feet of lot area for each additional person.
- (i) Home occupation is an accessory use to a residential uses, please refer to list of allowable uses and residential uses.
- (j) Provided, however, that as to land within the boundary lines of existing shopping/retail service centers (No. 401) as of March 10, 1997, required rear and side yards, which abut other property in business (use items nos. 401—422) or food service (use items nos. 501—504) use shall only be twenty (20) feet.
- (k) Measured to the upper plane of the top floor of the upper parking level.
- (l) Notwithstanding any provision to the contrary, within the B-2 (Downtown Business) District, the Zoning Board of Appeals may waive or reduce the dimensional requirements for a hotel or inn (Use #105 and all accessory uses in conjunction therewith) or parking structure (Parking Garage) (Use #413B) or mixed use (Use #405) by grant of a special permit, issued pursuant to Section X-H(7), without need for a variance or any other relief, and may allow (a) up to a maximum of forty-eight (48) inches in height, and (b) a minimum of zero (0) feet for front, side and/or rear yard setback requirements. Before granting the application for a special permit, the board shall find, in addition to those special permit findings set forth in Section X-H(7), that the issuance of a special permit for the requested dimensional relief will (as applicable): (i) allow a building height that is designed to be compatible with the height of other buildings within downtown Newburyport and/or the surrounding streetscapes; (ii) allow a reduced or zero-lot-line setback that is compatible with the setbacks of historic buildings in downtown Newburyport and/or the surrounding streetscapes; (iii) not impair the integrity or character of the district, nor be detrimental to the public health or welfare.
- (Ord. of 10-31-88(2); Ord. of 1-9-89; Ord. of 9-14-92; Ord. of 4-11-94; Ord. of 12-11-95; Ord. of 4-28-97; Ord. of 2-12-01(3), § 3; Ord. of 12-8-03, §§ 2, 4; Ord. of 2-14-05, § B(3); Ord. of 11-26-07; Ord. of 5-27-08; Ord. of 5-10-10; Ord. of 12-12-11(2); Ord. of 2-13-12; 12-9-13(2); Ord. of 8-11-14(8); Ord. of 8-25-14(2))

¹ Except that where two abutting shopping centers establish a private road connection between them, the off-street parking requirement shall be 4.5 spaces per 1,000 square feet of gross floor area.

5. FOOD SERVICE

<i>USE</i>	<i>NUM</i>	<i>PARKING REQUIREMENT</i>
Restaurant	501	1 per 4 seats of the occupancy rating
Fast food/carry out	502	5.5 per 1,000 gross floor area or 1 per 4 seats, whichever is greater
Outdoor cafe	503	1 per table
Drive through	504	

6. INDUSTRIAL/INFRASTRUCTURE

<i>USE</i>	<i>NUM</i>	<i>PARKING REQUIREMENT</i>
Manufacturing	601	0.75 per employee in maximum shift plus 1 per company vehicle
Light manufacturing	602	0.75 per employee in maximum shift plus 1 per company vehicle
Crafts manufacturing	603	1 per employee plus 1 per 300 square feet gross floor area
Accessory retail industry	604	1 per 250 square feet
Printing/publishing	605	1 per 2 employees plus 5.5 per 1,000 square feet of gross floor area
Research/development	606	0.75 per employee in maximum shift plus 1 per company vehicle
Industrial services	607	0.75 per employee in maximum shift plus 1 per company vehicle
Laundry/dry cleaning	608	0.75 per employee in maximum shift plus 1 per company vehicle
Fluid storage	609	1 per 2 employees plus 1 per company vehicle
Dumps/sanitary fills	610	1 per employee plus 1 per acre of site
Heliport	611	1 per heliport
Corporate headquarters	612	1 per employee plus 1 per company vehicle
Open storage	613	1 per company vehicle plus
Transformer/pumping station	614	
Construction trailer	615	1 per company vehicle

7. MARINE

<i>USE</i>	<i>NUM</i>	<i>PARKING REQUIREMENT</i>
Boat sales, service	701	5.5 per 1,000 square feet gross floor area plus 1 per 1 employee on the largest shift
Marine transport	702	0.5 spaces per passenger limit on the largest boat using the facility
Marine equipment sales	703	5.5 per 1,000 square feet gross floor area plus 1 per 1 employee on the largest shift
Marine repair services	704	1 per employee plus 3 per bay or work area

7. MARINE

<i>USE</i>	<i>NUM</i>	<i>PARKING REQUIREMENT</i>
Boat sales, service	701	5.5 per 1,000 square feet gross floor area plus 1 per 1 employee on the largest shift
Marine transport	702	0.5 spaces per passenger limit on the largest boat using the facility
Marine equipment sales	703	5.5 per 1,000 square feet gross floor area plus 1 per 1 employee on the largest shift
Marine repair services	704	1 per employee plus 3 per bay or work area
Marine manufacturing	705	0.75 per employee in maximum shift plus 1 per company vehicle
Shipbuilding/repair	706	1 per employee plus 3 per bay or work area
Canvas and canvas products	707	0.75 per employee in maximum shift plus 1 per company vehicle
Seafood handling/distribution	708	1 per employee plus 1 per company vehicle
Marine retail	709	5.5 per 1,000 square feet gross floor area plus 1 per 1 employee on the largest shift
Commercial fishing	710	1 per commercial fishing slip plus the storage and rental required parking for any office
Indoor rack boat storage	711	1 space per employee
Marinas and related uses	712	0.6 per recreational slip and 1 per commercial slip

(Ord. of 3-28-88(2), § 9; Ord. of 1-29-90, § 4; Ord. of 9-14-92, Art. III; Ord. of 4-11-94; Ord. of 12-11-95; Ord. of 4-28-97; Ord. of 2-12-01(3), § 4; Ord. of 12-8-03, § 4; Ord. of 2-14-05, § B(4))

SECTION VIII. SIGNS***[VIII Purpose and intent.]**

This ordinance is adopted for the regulation and restriction of signs within the City of Newburyport in order to regulate, restrict, and place such limitations on the size, location, type and illumination of all signs as will assure that they will be appropriate to the land, building or use to which they are appurtenant and be protective of property values and the safety, convenience and welfare of its residents. It is also the intent of this by-law to protect and enhance the visual environment of this city and to prevent or minimize damage to the environment.

The rules and regulations contained herein shall govern the construction, alteration, repair, maintenance and erection of all signs within the City of Newburyport.

*Cross references—Buildings and building regulations, ch. 5; licenses, permits and business regulations, ch. 9; signs, notices, etc., on utility poles, city-owned property, etc., prohibited, § 10-6.

Notwithstanding the provisions of this section, all signs and other advertising devices within the B-2, B-3 and WMU zoning districts shall meet the requirements contained within the document entitled "Signage Standards for Downtown Newburyport," dated October 11, 2011 and on file with the City Clerk and Office of Planning and Development.

Additionally, any proposal which requires site plan review as outlined in section XV "site plan review," shall comply with the standards outlined section XV-H b.6.
(Ord. of 12-12-11(3))

VIII-A Definitions.

Banner sign. Signs made of cloth, fabric, paper, nonrigid plastic or similar types of material; national flags, flags of political subdivisions and symbolic flags of an institution or a business are excluded.

- f. No sign or other advertising device attached to a building shall project above the roof or parapet line.
- g. No sign or other advertising device attached to a building shall project more than five (5) feet from a building or two-thirds the width of the sidewalk, whichever is less.
- h. With the exception of the industrial zone (I) no freestanding signs are permitted.
- i. No sign shall be erected in any manner that will cover windows or doors.
- j. No signs shall be erected on public property.

2. *Residence districts (Ag/C, R-1, R-2, R-3) allowed signs.* [The following requirements shall apply to all signs and other advertising devices in all residential zoning (Ag/C, R-1, R-2, R-3) districts:]

- a. One (1) sign for each family residing on the premises indicating the name of the owner or occupant or pertaining to a permitted accessory use, provided that each sign does not exceed one (1) square foot in area.
- b. One (1) sign not over nine (9) square feet in area pertaining to permitted buildings, structures, and uses of the premises other than dwellings and their accessory uses.
- c. Each temporary unlighted sign not over six (6) square feet and all signs aggregating not over eighteen (18) square feet in area pertaining to the sale or lease of the premises.
- [d. Not included on original copy.]
- e. Unlighted directional signs not exceeding one (1) square foot in area pertaining to churches, schools, institutions, and other nonprofit or public uses.

3. *Business and waterfront districts (B-1, B-2, B-3, H, WMD and WMU) signs.* [The following requirements shall apply to all signs and other

advertising devices in all business zoning (B-1, B-2, B-3, H) and waterfront (WMD, WMU) districts:]

- a. Sign area shall not exceed five (5) percent of the side of the building upon which the sign is to be attached or located.
- b. Only one (1) exterior sign with an area not exceeding twelve (12) square feet shall be erected on any nonconforming building or use.
- c. One (1) sign shall be allowed on each side of a structure facing upon a public way.

4. *Industrial district (I) allowed signs.* [The following requirements shall apply to all signs and other advertising devices in the industrial zoning (I) district:]

- a. No freestanding sign shall exceed a height of ten (10) feet.
- b. Freestanding signs shall be placed no more than one-half the required setback distance from the roadway.
- c. No sign shall exceed forty (40) square feet in area.
- d. If more than one (1) sign, designating more than one (1) use of a structure, is erected, the accumulated sign area shall not exceed fifteen (15) percent of the side of the building upon which the signs are to be attached or located.

5. *Business districts (B), shopping centers, allowed signs.* In addition to section VIII-D.3, the following requirements shall apply to all signs and other advertising devices attached to the side of the building containing the principal entrance to each store within a shopping center (use item 401) where such use began prior to September 14, 1992 in a business district.

The sign area for the principal entrance of each store shall not exceed the lesser of four hundred fifty (450) square feet or ten (10) percent of the area of the side of the store building which contains the principal entrance.

(Ord. of 9-26-89(2); Ord. of 9-14-92; Ord. of 4-28-97)