

ORDINANCE 2008-28
AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS), SECTION 83 (SIGN DESIGN STANDARDS AND CRITERIA) OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY TO REVISE THE SIGN REGULATIONS TO PERMIT TEMPORARY BUSINESS ADVERTISING SIGNS, AS WELL AS CLARIFYING RELATED SIGN REGULATIONS INCLUDING, SIGNS IN APPROVED SIGN MANUALS AND THE POWERS OF THE SIGN REVIEW COMMITTEE

BE IT ORDAINED by the Township of Hillsborough, County of Somerset, State of New Jersey as follows:

1. Chapter 188, Section 83 B of the Code of the Township of Hillsborough shall be amended to include the following:
 - (3) The sign regulations for the Town Center (TC), Gateway A (GA) and Gateway B (GB) Districts shall be referenced in the following Sections:**
 - (a) GA District- refer to Section 113.1 H.**
 - (b) GB District- refer to Section 113.2 H.**
 - (c) TC District- refer to Section 113.5 J.**
2. Chapter 188, Section 83 F(3) of the Code of the Township of Hillsborough shall be amended as follows:
 - (3) Commercial billboards, portable signs, including sidewalk signs, A-frame signs and off-premises commercial signs **unless otherwise permitted in this Section.****
3. Chapter 188, Section 83 F(6) of the Code of the Township of Hillsborough shall be amended as follows:
 - (6) Signs erected within or over the right-of-way of any public street, **except as provided in Section G(13).****
4. Chapter 188, Section 83 G(5) of the Code of the Township of Hillsborough shall be amended as follows:

- (5) A single ground sign for public and semipublic facilities, such as schools, churches, hospitals, libraries and public recreation facilities. Such sign shall not exceed **forty (40)** square feet in area or **fifteen (15)** feet in height.
5. Chapter 188, Section 83 G(13) of the Code of the Township of Hillsborough shall be amended as follows:
 - (13) Wayfinding directional signs may be located along any public right-of-subject to initial approval by the Sign Review Committee (see Section P), Planning Board or Board of Adjustment, as appropriate, and final approval by the Township Committee, Somerset County or the State of New Jersey depending on the ownership of the particular right-of-way, as appropriate. The Township shall establish final determination as to the location, design, height, color and all other aspects associated with wayfinding signs. Wayfinding signs shall not exceed four (4) square feet **on each of up to two (2)** sign faces and must be attached to a pole in a secure manner. The sign design must be coordinated with other wayfinding signs. Wayfinding signs may only contain a text or logo and directional arrow(s) indicating the location of a building or particular group of buildings. Except for municipal buildings and **municipal** facilities, a total of two (2) wayfinding signs per establishment may be located **in the Township**.
6. Chapter 188, Section 83 H(1) of the Code of the Township of Hillsborough shall be amended as follows:
 - (c) All real estate advertising signs shall be located on the property being advertised and be located not less than ten (10) feet from any street curb or paved roadway area and shall not be located within any sight triangle, **except as provided for in Subsection H(1)(d) below**.
 - (d) **Temporary real estate “open house” signs may be displayed on the day of the open house between the hours of 11 am to 6 pm. These signs may be located in the public right-of-way but not on any street, sidewalk or sight triangle.**
7. Chapter 188, Section 83 H(2) of the Code of the Township of Hillsborough shall be amended as follows:
 - (b) Signs associated with any educational, charitable, civic, religious or like public or semi-public event shall be permitted in all zone districts, shall not exceed twelve (12) square feet in area and shall not be located within a designated sight triangle. Such signs are not permitted to be displayed for more than fifteen (15) days and must be removed within ten (10) days after the conclusion of the event.

8. Chapter 188, Section 83 H(6) of the Code of the Township of Hillsborough shall be amended as follows:
 - (6) Temporary signs may be permitted for grand openings upon application to the Zoning Officer and payment of the applicable fee. No single establishment shall be permitted more than one (1) grand opening sign. **Signs must be placed on the subject property for a period not to exceed thirty (30) days and may be either secured to the ground or securely attached to the establishment. A sign attached to the establishment may be a banner. Grand opening signs shall not exceed twenty four (24) square feet in area.**

9. Chapter 188, Section 83 H of the Code of the Township of Hillsborough shall be amended to include subsection (8) as follows:
 - (8) **Except where a freestanding sign is provided pursuant to Section 188-83 J(5)(d) and Section 188-83 K(4)(e), two (2) temporary business advertising signs are permitted per establishment per calendar year upon application for a temporary sign permit and payment of the application fee in order to provide temporary or seasonal advertising for that establishment provided that:**
 - (a) **The temporary sign shall not exceed four (4) square feet in area and four (4) feet in height.**
 - (b) **The temporary sign shall be affixed to the ground on the subject property of the establishment requesting the sign.**
 - (c) **The temporary sign shall not be located on a public sidewalk, in a public right-of-way, easement or sight triangle.**
 - (d) **The temporary sign shall not be illuminated.**
 - (e) **The temporary sign must be removed thirty (30) days after the temporary sign permit is issued by the Township.**
 - (f) **The temporary sign permit must be accompanied by written authorization by the property owner if other than the applicant.**
 - (g) **No temporary sign shall be affixed to any tree, utility pole or other sign.**
 - (h) **No temporary sign shall utilize neon, moving parts, electronic or digital displays or changing message board, or any streamers or banner, except for banners permitted as part of grand openings pursuant to subsection H(6).**

10. Chapter 188, Section 83 H (Sign Design Standards and Criteria) of the Code of the Township of Hillsborough shall be amended to include the following:
 - (9) **Sidewalk and A-frame signs are permitted on or directly adjacent to a sidewalk or walkway in any commercial development, but shall not be placed in any public right-of-way or sight triangle or impede vehicular or pedestrian traffic in any way. Such signs shall not exceed eight (8) square feet per sign face or two (2) feet in width.**
11. Chapter 188, Section 83 I(4) of the Code of the Township of Hillsborough shall be amended to include the following:
 - (4) Each proprietor shall be entitled to the use of a projecting **or** hanging sign or freestanding or **wall** sign. Projecting **or** hanging signs shall be building mounted with a vertical clearance of not less than eight (8) feet, shall not exceed six (6) square feet and may be double sided. Freestanding signs shall **not exceed twenty four (24) square feet or five (5) feet in height**. Appropriate landscaping shall be incorporated into any freestanding sign. **Wall signs** shall not exceed ten (10) square feet or five (5) feet in height.
12. Chapter 188, Section 83 J(5) of the Code of the Township of Hillsborough shall be amended to include the following:
 - (5) In addition to the above signs, each developed parcel of land may be permitted one (1) freestanding sign for each street frontage, each sign not exceeding **forty (40)** square feet in area and not exceeding **fifteen (15)** feet in height, and shall contain the name of the project and the street number and may contain a directory-of –occupants occupying no more than **eighty five percent (85%)** of the total sign area.
 - (c) **All freestanding signs shall include a planting scheme approved by the Township Planner.**
 - (d) **Temporary, seasonal advertising and/or help wanted signage may be attached to any freestanding sign approved pursuant to this Section. The temporary sign attachment must be located within the envelope of the permitted sign and shall not exceed ten (10) square feet in area and must be placed on a designated location on the permitted freestanding sign.**
13. Chapter 188, Section 83 J(8) of the Code of the Township of Hillsborough shall be amended as follows:

- (8) Temporary window signs may be located and displayed on the inside of ground floor windows of business uses. Such signs shall not exceed **fifty percent (50%)** of each window area.
14. Chapter 188, Section 83 J(12) of the Code of the Township of Hillsborough shall be amended as follows:
- (12) Sidewalk and A-frame signs are permitted **on or directly adjacent to a sidewalk or walkway** in any commercial development but shall not be placed in any public right-of-way **or sight triangle** or impede vehicular or pedestrian traffic in any way. Such signs shall not exceed **eight (8) square feet per sign face or two (2) feet in width**.
15. Chapter 188, Section 83 K(4) of the Code of the Township of Hillsborough shall be amended as follows:
- (4) Each property may display one (1) freestanding sign for each street frontage, each sign not exceeding **forty (40)** square feet in area and **fifteen (15)** feet in height and shall contain the name of the project and the street number and may contain a directory-of-occupants occupying no more than **eighty five percent (85%)** of the total sign area.
16. Chapter 188, Section 83 K(4)(e) of the Code of the Township of Hillsborough shall be deleted and a new section added as follows:
- (e) **Temporary, seasonal advertising and/or help wanted signage may be attached to any freestanding sign approved pursuant to this Section. The temporary sign attachment must be located within the envelope of the permitted sign and shall not exceed ten (10) square feet in area and must be placed on a designated located on the permitted freestanding sign.**
17. Chapter 188, Section 83 L(2) of the Code of the Township of Hillsborough shall be amended as follows:
- (2) **The Sign Review Committee may adjust the applicable sign limitations of Subsections G, I, J or K of this Section by permitting an increase in the required sign height or sign area of an existing sign by no more than fifty percent (50%) and not more than one (1) additional permanent sign than permitted. The approving authority may consider all other sign waiver requests resulting in increased sign height or sign area by more than fifty percent (50%) or more than one (1) additional permanent sign than permitted. For good and sufficient reasons, the Sign Review Committee and the approving authority may vary and/or waive sign design criteria as they may apply to a specific development.**

18. Chapter 188, Section 83 L(3)(d) of the Code of the Township of Hillsborough shall be amended as follows:
- (d) In order to ensure compliance with these design criteria for all new multi-occupancy nonresidential development the following procedure shall be followed:
 - [1] Property Sign Manual. Each owner of a proposed multi-occupancy nonresidential structure **or development** shall prepare a Property Sign Manual containing sign standards for all signs associated with the property. These standards shall conform to the design criteria contained herein, including color, size and shape, lettering style and sign location, **to the extent practicable**.
 - [2] If the Property Sign Manual proposes a sign which does not comply with this **Section**, it shall be submitted for approval to the Planning Board or Board of Adjustment, **as appropriate, for the necessary waivers**. If the proposed Property Sign Manual is acceptable to the reviewing Board, it shall be so certified **and shall supercede the sign regulations contained herein**, and remain on file in the Planning Department office.
 - [3] As each subsequent sign change or new sign application is requested **for a specific property that has a** certified Property Sign Manual, **said application** shall be reviewed by the Sign Review Committee (see Subsection P) **where it has been determined that** the proposed sign change or new sign **does not** conform to the sign design criteria contained **in the Property Sign Manual**.
19. Chapter 188, Section 83 M(4) of the Code of the Township of Hillsborough shall be amended to read as follows:
- (4) In the case of signs and advertising structures relating to nonconforming uses (uses located in a zone where such uses are not permitted by the Zoning Ordinance), **except in the GA, GB and TC Districts**, the Zoning Officer shall make a determination of the zone where such use would be permitted and shall then apply the standards and requirements in the section for that zone; signs meeting those standards and requirements shall be considered to be conforming signs.
20. Chapter 188, Section 83 P(4) of the Code of the Township of Hillsborough shall be amended as follows:

- (4) Applications for sign waivers, not involving a site plan, subdivision, conditional use or variance **that was approved less than ten (10) years previously from the date of the adoption of this Ordinance**, shall be forwarded by the Planning Department to the Sign Review Committee for its review and decision. It shall be the responsibility of the Sign Review Committee to schedule a review of applicable sign waiver applications and to make decisions regarding these applications within 45 days of the submission of a complete application or automatic approval will be granted, unless the applicant consents to an extension of time for a decision.
21. Severability. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable there from.
22. This ordinance shall take effect immediately upon passage and publication according to law.

Kevin P. Davis, Township Clerk

Mayor Anthony Ferrera

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