

**Ordinance 2007-07**

**AN ORDINANCE AMENDING CHAPTER 188-83 (DEVELOPMENT REGULATIONS) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY (SIGN ORDINANCE)**

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

Section 1: This ordinance repeals and replaces Section 188-83 of the Code of the Township of Hillsborough.

§ 188-83. Sign design standards and criteria.

A. Purpose.

- (1) To preserve and protect the public health, safety and welfare of the citizens of Hillsborough Township.
- (2) To balance public and private objectives by allowing adequate signage for business and non-business identification.
- (3) To promote the free flow of traffic and to protect pedestrians and motorists from injury and property damage caused by, or which may be partially attributable to cluttered, distracting, and/or illegible signage.
- (4) To prevent property damage and personal injury from signs which are improperly constructed or poorly maintained.
- (5) To promote the use of signs which are aesthetically pleasing, of appropriate scale and integrated with the surrounding buildings and landscape, in order to meet the community's expressed desire for quality development.
- (6) To protect property values, the local economy and the quality of life by preserving and enhancing the appearance of the streetscape, which affects the image of the Township of Hillsborough.
- (7) To reflect and support the desired character patterns of the various zones and staying consistent with the master plan strategy.

- (8) To allow for a variety in number and type of signs in commercial and industrial zones while preventing signs from dominating the visual appearance of the area.
- (9) To ensure that the constitutionally guaranteed right of free speech is protected.
- (10) To promote identification of the presence and location of specific businesses, public buildings and landmarks through wayfinding signage.

B. Applicability.

- (1) A sign may be erected, placed, established, painted, created or maintained in the Township only in conformance with the standards, procedures, exemptions and other requirements of this section.
- (2) The effect of this section as more specifically set forth herein is to:
  - (a) Provide a complete listing of section definitions to eliminate any question as to the meaning of words used.
  - (b) Provide general regulations for all signs and a listing of specifically prohibited signs.
  - (c) Provide a listing of signs and appropriate standards for permanent and temporary signs permitted in all areas of the Township.
  - (d) Provide specific sign standards for permitted uses in all zones.
  - (e) Provide Township sign design criteria as a basis for sign design by both the sign applicant and the approving authority.
  - (f) Provide for the equitable removal of nonconforming signs.
  - (g) Provide specific provisions for sign review, sign permit procedure and section enforcement.

C. Definitions. Words and phrases used in this section shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in the Development Regulations (Zoning) Ordinance shall be given the meanings set forth in such chapter. Principles for computing sign area and sign height are

contained in Subsection D. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this section.

ADMINISTRATIVE AUTHORITY — The Zoning Officer.

ANCHOR STORE/TENANT- The major store or stores within a shopping center.

APPROVING AUTHORITY — The Planning Board or Zoning Board of Adjustment of Hillsborough Township.

AWNING— A roof-like cover that is temporary or portable in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements and may periodically be retracted into the face of the building.

BENCH SIGN — A sign located on or attached to any part of the surface of a bench, seat or chair placed on or adjacent to a public roadway.

CANOPY— A permanent roofed shelter projecting over a sidewalk, driveway, entry, window or similar area, which shelter may be wholly supported by a building or may be wholly or partially supported by columns, poles or braces extending from the ground.

DESIGN ENHANCEMENT FEATURE — Any portion of a sign structure intended to improve the physical appearance of a sign, including roofs, molding, railroad ties, lattice and other decorative features.

DEVELOPMENT SIGN — A sign located on a construction site for new major site plan or subdivision development and intended for identifying the development name and use, developer and associates in the project and development contractors.

DIRECTORY-OF-OCCUPANTS SIGN — A sign or plate listing the tenants or occupants of a building or buildings and which may indicate their respective professions or business activities. Also includes directory sign.

FACADE — The total wall surface, including door and window area, of a building's principal face.

FLAG — Any fabric banner or bunting containing distinctive colors, patterns or symbols used as symbol of a government, political subdivision, patriotic or civic organization, school, business enterprise or other entity.

FREESTANDING SIGN — A self-supporting sign that is not attached to any building, wall or fence or any other structure, but is in a fixed position and location. This type of sign includes ground sign, monument sign, pylon sign and pole sign.

FUEL PUMP CANOPY SIGN — Any sign attached to, painted upon or erected against the facade of a gas station fuel pump canopy structure.

GRAND OPENING-The initial opening of a new business after closure for renovation, after change of ownership, or in a new location.

GROUND FLOOR FAÇADE- The total wall surface of the first floor of a building's principal face which is used to compute the permitted area for wall signs.

GROUND SIGN- A type of freestanding sign in which the entire bottom is in contact with or close to the ground.

ILLUMINATED SIGN — A sign lighted by an exterior or interior artificial light source.

IMPROVEMENT CONTRACTOR SIGN — A sign, located on a lot where site improvement and/or building renovations or improvements are taking place, identifying the contractor or contractors undertaking the work in progress.

INFLATABLE SIGN — Any inflated display used on a permanent or temporary basis to advertise a product or event. "Inflatable signs" shall include all manner of balloons used for any display purpose.

LANDMARK SIGN — An older sign of artistic or historic merit or uniqueness or of special significance to the Township as identified by the Planning Board after a favorable recommendation from the Hillsborough Township Historic Preservation Commission.

LIVE ACTION SIGN — Any display that uses three-dimensional figures in the shape of animals, humans or cartoon or other characters, which may or may not move, in whole or in part, for advertising purposes.

**MARQUEE SIGN** — A sign designed so that characters, letters, illustrations or other graphics may be changed or rearranged without altering the background face or surface and designed for permanent display. This term includes reader board sign.

**MOVING SIGN** — A sign or part of a sign, other than a flag, which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation or which uses flashing or sequential lights, lighting elements, or other automated methods of changing the sign image or text. This term includes flashing sign, animated sign and rotating sign.

**NAKED LIGHT DISPLAY** — Unshielded lights used individually or in strings to attract the attention of the general public.

**OFF-PREMISES SIGN** — A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located. This term includes billboard sign.

**POLE SIGN**- A freestanding sign that is mounted on one or more poles for support so that the bottom edge of the sign face is above grade and not in contact with or close to the ground.

**PORTABLE SIGN** — A sign which is designed or intended to be moved easily that is not permanently imbedded in the ground or affixed to a building or other structure, including any sign that rests upon the ground, a frame, building or other structure. This term includes, but is not limited to trailer signs (with or without wheels), menu and sandwich boards, hot air or gas-filled balloons or umbrellas used for advertising, signs mounted on a vehicle for advertising purposes where the vehicle is parked and visible from the public right-of-way (see vehicle advertising sign), sidewalk or curb signs and A-frame signs.

**REAL ESTATE SIGN** — A sign which is used to advertise any real property for sale, lease or rental purposes, including all temporary signs located on the property of a real estate office and off-site directional signs used for open house advertising.

**RESIDENCE DESIGNATION SIGN** — A sign or nameplate indicating the name and/or address of the occupants of a residential property.

ROOF SIGN — A sign erected above or on the roof of a building, any part of which extends more than six (6) inches above the facade of a building.

SEARCH LIGHT DISPLAY — Any use of lighting intended to attract the general public by the waving or moving of light beams.

SIGN — Any structure or part thereof or device attached thereto or painted on or displayed in any manner or represented thereon which is intended to attract the attention of the public and is visible at the public right-of-way and to other properties and which displays or includes any letter, word, model, banner, flag, pennant, insignia, symbol, device or representation used as, or which is in the nature of, an identification, announcement, direction or advertisement.

SIGN SUPPORT — Any portion of a sign structure designed to elevate, suspend, anchor, brace or hold up a sign or design enhancement feature.

TEMPORARY SIGN — Any sign that is used only temporarily and is not permanently mounted.

VEHICLE ADVERTISING SIGN— A portable sign affixed to or inside a vehicle for the purpose of directing people to a business in close proximity to where the vehicle is parked.

WALL SIGN — Any sign attached to, painted upon or erected against the wall or facade of a building or structure and not extending more than six (6) inches from the building face or facade of the structure.

WAYFINDING SIGN- An off-site sign erected along a public right-of-way which provides identification of a specific business, public building or landmark.

WINDOW AND DOOR SIGN — A sign maintained in or painted upon a window or door which is clearly visible to the general public from any area open to the public.

D. Sign computation.

- (1) Measurement of area of a sign face. The area of a sign face [which is also the sign area of a wall sign or other sign with only one (1) face] shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, backing or decorative fence or wall when such fence or wall otherwise

meets Zoning Ordinance regulations and is clearly incidental to the display itself.

- (2) Measurement of area of multifaced signs. The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one (1) point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-eight (48) inches apart, the sign area shall be computed by the measurement of one (1) of the faces.
- (3) Measurement of height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the existing grade at the absence of construction on the site or the final finished grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.
- (4) Computation of area of sign supports. The area of all sign support and enhancement features shall be considered the product of the maximum horizontal and vertical measurement of the total sign structure minus the sum of the sign area and any air space located between the sign and the support and design enhancement sign features.

E. Restrictions for all signs.

- (1) No sign shall be altered, erected or maintained except in conformity with the provisions of this section.
- (2) No sign shall be placed in such a position that it will cause confusion or danger to street traffic by obscuring vision or by simulating official, directional or warning signs maintained by any governmental agency, railroad or public utility. No such sign visible from a public right-of-way shall use an arrow device or simulate a stop sign or stop light. No sign shall be placed in any required sight triangle easement unless specifically permitted by the approving authority or this section.
- (3) Signs advertising a use no longer in existence or a product no longer available shall be removed or sign content obscured within thirty (30) days from the date a use is discontinued or a product is no longer available. Violation of this section is subject to fine plus the cost of removal. Exceptions may be granted by the Planning Board for landmark

signs which may be preserved even if they no longer pertain to the present use of the premises.

- (4) Buildings or structures may not be outlined by tubing or strings of lights for advertising purposes, except that all buildings shall be permitted strings of lights (moving or fixed) displays from Thanksgiving Day to January 15 of the following year.
  - (5) All signs, other than permitted temporary signs, shall be constructed of durable materials and shall be adequately maintained. All cracked, warped or broken members of a sign shall be replaced. Deteriorated surfaces which evidence rusting, flaking or cracking shall be replaced or repaired. All broken or cracked panels shall be replaced. Any sign which fails to meet the maintenance provisions of this section shall be repaired or removed within thirty (30) days of receipt of written notification from the Zoning Officer.
- F. Prohibited signs. Unless specifically permitted by the approving authority or this section, the following signs are prohibited:
- (1) Signs not accessory to the business or use conducted on the property, except as provided in Section H(5).
  - (2) Bench signs, roof signs, naked light displays, vehicle advertising signs not located out of sight from public view where possible, rotating signs, live action signs, flashing signs and animated or moving signs of any kind and signs containing reflective elements which sparkle or twinkle in the sunlight.
  - (3) Commercial billboards, portable signs, including sidewalk signs, A-frame signs and off-premises commercial signs other than wayfinding signs.
  - (4) Banners, spinners, flags, pennants, streamers and other moving objects and inflatable signs used for advertising purposes, whether containing a message or not, except as provided in Section J(9).
  - (5) Searchlight displays, unless authorized by a temporary sign permit as part of a grand opening promotion.
  - (6) Signs erected within or over the right-of-way of any public street.



- (7) Any sign not specifically permitted by this section.
- G. Signs permitted in all areas. The following types of signs are permitted in all areas of the township:
- (1) Official notices, legal notices and signs required by law.
  - (2) Public service signs as aids to safety or service, and standard traffic directional signs.
  - (3) Flags, emblems or other insignia of a nation, state, county, municipality, school or religious group, provided that no more than one (1) flag, emblem or insignia shall be permitted for each governmental entity, school or religious group and that no such individual display exceeds twenty-four (24) square feet in area. No more than three (3) flags or similar displays shall be permitted for each lot. Pole-mounted flags shall not exceed a height of eighteen (18) feet except on government owned property where the height shall not exceed forty (40) feet.
  - (4) A single wall sign for a recognized nonprofit service organization, such as the Red Cross, Salvation Army, YMCA, Boy Scouts and Girl Scouts. Such sign shall not exceed ten percent (10%) of the area of the first floor façade upon which the sign is erected, not to exceed twenty (20) square feet in area.
  - (5) A single ground sign for public and semipublic facilities such as schools, churches, hospitals, libraries and public recreational facilities. Such sign shall not exceed thirty (30) square feet in area nor eight (8) feet in height.
  - (6) Residence designation signs and landmark signs or historic plaques not exceeding two (2) square feet in area per residence.
  - (7) Nonilluminated mailbox designation signs not exceeding a total of one (1) square foot in area per mailbox.
  - (8) Signs indicating the private nature of a road, driveway or other premises and signs controlling the use of private property, such as prohibition of hunting or fishing. Such signs shall not exceed two (2) square feet in area.
  - (9) A single wall sign indicating a permitted home occupation or home professional office, not exceeding two (2) square feet in area.

Alternatively, such signs may be attached to a mailbox and, if so used, the total mailbox sign area shall not exceed two (2) square feet in area.

- (10) A single ground sign for private clubs and private recreational facilities. Such a sign shall not exceed four (4) feet in height nor six (6) square feet in area.
  - (11) Multifamily residential developments may have a single ground sign at each entry location from a public street. Such a sign shall not exceed four (4) feet in height nor twelve (12) square feet in area. All signs shall be located on common property and shall meet all setback and site easement criteria.
  - (12) Signs directing and guiding traffic and parking on private property, provided that such signs contain no advertising matter or messages other than a logo. Such signs may be internally illuminated and shall each not exceed two (2) square feet in area. Logos, if included, shall not exceed one-third (1/3) of each sign area.
  - (13) Wayfinding directional signs may be located along any public right-of-way subject to initial approval by the Sign Review Subcommittee (see Section P), Planning Board or Board of Adjustment, as appropriate, and final approval by the Township Committee, Somerset County or State of New Jersey, depending on the ownership level of the particular right-of-way, as appropriate. The Township shall have the final determination as to the location, design, height, color and all other aspects associated with wayfinding signs. Wayfinding signs shall not exceed 4 square feet 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 particular building or group of buildings. Except for municipal buildings and associated facilities, a total of two (2) wayfinding signs per establishment may be located at intersections not more than 1/2 mile from the location of the establishment.
- H. Permitted temporary signs. The following temporary signs are permitted in all areas. In no case shall a temporary sign block, be attached to, or obstruct any

traffic directional, or public safety signage. Temporary signs shall not be illuminated.

(1) Real estate signs advertising the sale or rental of the premises or property upon which they are located. Such signs shall be removed within fourteen (14) days of the completion of sale or rental transaction and shall be restricted in size and number as follows:

- (a) Residential properties shall be permitted one (1) real estate sign not more than four (4) square feet in area, except that a corner property or through lot may display one (1) such sign on each street frontage.
- (b) Nonresidential uses or undeveloped nonresidential property shall be permitted one (1) real estate sign, not more than sixteen (16) square feet in area, for each road frontage. Signs shall not exceed six (6) feet in height.
- (c) All real estate 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 intersection sight triangle.

(2) Signs announcing or advertising any political, educational, charitable, civic, religious or like public or semi-public campaign or event shall be subject to the following provisions:

(a) Signs associated with any political campaign shall be permitted in all zone districts and 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 30 days during an election period and shall be removed within ten (10) days of the conclusion of the campaign.

(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 public right-of-way or 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 conclusion of the event.

(c) The prohibition on off-premises signs does not apply to temporary political campaign signs located on private property.

- (3) Temporary development signs not exceeding 16 square feet and 6 feet in height are permitted on construction sites for the duration of the construction period and shall be removed prior to project acceptance for that phase of construction or prior to issue of a permanent certificate of occupancy if located on a private lot. Not more than one (1) sign shall be located on each street frontage.
- (4) Improvement contractor signs are permitted on lots where site and/or building renovations or improvements are taking place. They shall not exceed four (4) feet in height nor six (6) square feet in area. They shall be removed within four (4) days after completion of the site or building renovation or improvement work. Only one (1) such sign per contractor shall be permitted for each lot.
- (5) Farmers' signs advertising the sale of farm products produced within the Township:
  - (a) A farm which qualifies as a commercial farm under the Right to Farm Act may place a sign on-site to advertise the sale of farm products. Signs shall not exceed 20 square feet and shall not be illuminated.
  - (b) A qualified commercial farm may place offsite signs to provide advertising and directions at street intersections within the Township. Signs shall not exceed 6 square feet and shall not be illuminated.

## Signs

must be removed within 7 days of the conclusion of the sale event.

(c) Signs shall conform to Agricultural Management Practices specified by the State Agricultural Development Committee (SADC).

- (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 1 grand opening sign. Signs

must be attached to the establishment having the grand opening and shall not exceed 16 square feet in area.

- (7) Flags and buntings exhibited to commemorate Township-recognized national patriotic holidays or events.
- I. Signs permitted in home occupation office zones. In Home Occupation Office (HOO) Zone Districts, the following provisions shall apply:
- (1) Applicable temporary signs, except for window signs, as authorized in Subsection H of this section, are permitted.
  - (2) Signs permitted in all areas of the Township, as applicable, and as authorized in Subsection G of this section, are permitted.
  - (3) The location of signage shall not cover or obscure architectural elements, details, or otherwise detract from the overall design of a building.
  - (4) Each proprietor shall be entitled to the use of a projecting hanging sign or freestanding sign or building attached signage. Projecting hanging signs shall be building mounted with a vertical under-clearance of not less than 8 feet, shall not exceed six (6) square feet, and may be double sided. Freestanding signs shall be mounted with the bottom of sign set two feet above grade. Appropriate landscaping shall be incorporated into any freestanding sign. Building attached signs shall use 6 inch letters, shall not exceed 10 square feet in area or 5 feet in height.
  - (5) Sign Lighting. Internally lit or backlit signage is not permitted. All attached signage shall be indirectly lit preferably with incandescent spotlighting. All projecting hanging signs may be lit in a similar fashion. Internally illuminated white plastic signboards and internally illuminated vinyl awnings are prohibited. Freestanding signs shall not be illuminated.
- J. Signs permitted in retail commercial zones. In Retail Commercial (C-1), and Office Light Commercial (OLC) Zone Districts, and in community shopping centers and neighborhood convenience centers authorized as part of a planned development, the following provisions shall apply:
- (1) Temporary signs, as applicable, and as authorized in Subsection H of this section, are permitted.

- (2) Signs permitted in all areas of the Township, as applicable, and as authorized in Subsection G of this section, are permitted.
- (3) Wall, canopy and awning signs.
  - (a) Each permitted use may have one (1) wall sign, provided that the sign shall not exceed an area equal to ten percent (10%) of the area of the ground floor facade, or thirty (30) square feet, whichever is greater.
  - (b) Each permitted use within an approved center may have one (1) wall sign provided that all tenant signs are of the same type of construction, letter font and color and have a maximum letter height of 36 inches.
  - (c) Corner uses may have a second wall sign, provided that such sign is located on the secondary street facade and does not exceed an area equal to one-half (1/2) of the area of the primary street facade wall sign, or twenty (20) square feet, whichever is greater.
  - (d) Each permitted use may have one (1) canopy or one (1) awning sign; however, such signs shall not exceed fifteen percent (15%) of the first floor facade or twenty five (25) square feet, whichever is greater, and such signs shall be located on the valance area only.
  - (e) Any sign hanging underneath a canopy or awning shall not extend beyond the outer dimensions of the canopy or awning and shall not exceed six (6) square feet in area.
  - (f) Permitted uses with an additional public entry from a rear facade may have one (1) additional wall sign for such facade; however, such sign shall not exceed ten (10) square feet in area.
- (4) In all shopping centers, each “Anchor store/tenant” may have one sign with a maximum 15% of the area of the ground floor facade upon which it is to be erected and containing a maximum thirty six (36) inch letter height provided that the sign is of the same type of construction and color as the rest of the center. In addition, the “Anchor” may have up to one additional sign on any facade facing a public street and which may describe special functions. These signs shall also be building mounted

and shall not exceed 1/2 of the area of the primary wall sign or twenty (20) square feet, whichever is greater. Each “Anchor store/tenant” may also have 1 canopy or 1 awning sign as provided in (3) above.

- (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 thirty (30) square feet in area and not exceeding eight (8) 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 75% of the total sign area.
  - (a) The street number shall not count towards the total permitted sign area but may not exceed 3 square feet and must be within the envelope of the permitted sign.
  - (b) The directory-of-occupants portion of the freestanding sign may have the name of the project in letters up to 16 inches high and include any number of tenant names that fit using, at a minimum, 8 inch letters with 2 inch spaces between lines. Logos may appear on a directory of occupants sign.
- (6) Gasoline service stations may display the following:
  - (a) Customary lettering on face of pump and attached state-required pricing sign.
  - (b) Two (2) fuel pump canopy signs not exceeding a total of thirty (30) square feet in area or one (1) pole sign not exceeding thirty (30) square feet in area and fifteen (15) feet in height. Such signs may include the name of the service station only.
- (7) Permanent door and window signs are permitted; however, such signs shall not exceed a total of twenty percent (20%) of the glass area of any door or window. Permitted wall signs may be painted or affixed to windows or doors.
- (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 and shall not be displayed for more than a forty-five-day period of time.

- (9) Shopping centers may display decorative banners within their parking areas. Decorative banners shall not contain any commercial message, except the name of the center and shall be mounted only on parking area light standards and shall not exceed ten (10) square feet per banner in area.
  - (10) Banks may display, in addition to the above applicable signs, one (1) wall or ground sign not exceeding four (4) square feet in area, indicating the availability of an automated teller machine.
  - (11) Movie theaters may display, in addition to the above applicable signs, one (1) marquee sign attached to the front building facade and not exceeding one hundred (100) square feet in area.
  - (12) Sidewalk and A-frame signs are permitted on a sidewalk or walkway in any commercial development but shall not be placed in any public right-of-way or impede vehicular or pedestrian traffic in any way. Such signs shall not exceed four (4) square feet.
- K. Signs permitted in office and industrial zones. In Office Districts (O-2 and O-5), Light Industrial Districts (I-1, I-2 and I-3), General Industrial Districts (GI), Economic Development Districts (ED), Mining and Quarry Districts (M and Q) and Corporate Development Zones (CDZ), the following provisions shall apply:
- (1) Temporary signs, as applicable, and as authorized in Subsection H of this section, are permitted.
  - (2) Signs permitted in all areas of the township, as applicable, and as authorized in Subsection G of this section, are permitted.
  - (3) Each permitted use may have one (1) wall sign, provided that the sign shall not exceed an area equal to ten percent (10%) of the area of the ground floor facade, or thirty (30) square feet, whichever is greater. Corner uses may have a second wall sign, provided that such sign is located on the secondary street facade and does not exceed an area equal to one-half (1/2) of the area of the primary street facade wall sign, or twenty (20) square feet, whichever is greater.
  - (4) Each multi occupancy property may display one (1) freestanding sign for each street frontage, each sign not exceeding thirty (30) square feet in



area and eight (8) 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 75% of the total sign area.

- (a) The street number shall not count towards the total permitted sign area but may not exceed 3 square feet and must be within the envelope of the permitted sign.
- (b) The directory-of-occupants portion of the freestanding sign may have the name of the project in letters up to 16 inches high and include any number of tenant names that fit using, at a minimum, 8 inch letters with 2 inch spaces between lines. Logos may appear on a directory-of-occupants sign.
- (c) In addition to the above signs, permitted uses with an additional public entry from a rear façade may have one (1) additional wall sign for such façade; however, such sign shall not exceed ten (10) square feet in area.
- (d) All freestanding signs shall include a planting scheme approved by the Township Planner.
- (e) The applicable text area of any freestanding sign or directory of tenants sign shall be reduced by 20 percent if internally lighted.

(5) Permanent door and window signs are permitted; however, such signs shall not exceed a total of twenty percent (20%) of the glass area of any door or window or group of windows. Permitted wall signs may be painted or affixed to windows or doors.

(6) Banks may display, in addition to the above applicable signs, one (1) wall or ground sign not exceeding four (4) square feet in area, indicating the availability of an automated teller machine.

L. Sign design criteria.

- (1) Sign design criteria, including design, illumination, legibility, landscaping and placement standards, applicable to all signs in all zones, are delineated hereinafter. These criteria are intended to be used as a guide by applicants and by the approving authority in the design and review of all signs that are part of a development application. The use of

these criteria provides flexibility in adjusting certain sign requirements to the specific conditions and needs of a particular development application.

(2) If, in the sole opinion of the approving authority, it becomes necessary to adjust (by increasing or decreasing) the applicable sign limitations of Subsections D, G, I, J or K of this section in order to achieve these sign design criteria, this adjustment may be made. The adjustment may not, however, result in more than one (1) additional sign per use, and not more than fifty percent (50%) increase or decrease in any sign size. For good and sufficient reasons, the approving authority may vary and/or waive sign design criteria as they may apply to a specific development application.

(3) Design criteria.

- (a) The use of professionally lettered and painted wood or composite signs, in a size and style, as well as color and shape, that will reflect the rural-residential character of the Township, is recommended.
- (b) The contents of any permanent sign shall be limited to property and occupant identification, company emblem and logos and concise messages identifying the use, product or service of the property. Product prices (except gasoline and diesel fuel prices) and unnecessarily detailed messages, descriptions and graphics are prohibited on permanent signs.
- (c) Signs for multi-occupancy, nonresidential structures shall use common sign sizes, colors, graphics and shapes. Signs shall be aligned with other signs on adjacent buildings and storefronts in order to present a unified appearance. If several establishments share a common building frontage, use of a common sign format is required. For existing multi-occupancy structures, compliance with these design objectives will be enforced over time, as individual tenants, and their signs, are changed.

- (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 shall prepare a Property Sign Manual containing sign standards for all signs associated with the property. These standards shall conform to Zoning Ordinance requirements and with the design criteria contained herein, including color, size and shape, lettering style, sign location, etc.
  - [2] If the Sign Manual proposes signs which do not comply with this ordinance it shall be submitted to the Planning Board or Zoning Board of Adjustment, as appropriate. If the proposed Property Sign Manual is acceptable to the reviewing Board, it shall be so certified and remain on file in the Planning Department office.
  - [3] As each subsequent sign change or new sign application is requested, the certified Property Sign Manual shall be reviewed by the Sign Review Committee (see Subsection P) to determine if the proposed sign change or new sign conforms to the sign design criteria contained herein.
- (e) Ground and pole signs shall be supported by one (1) or more columns or uprights which are firmly embedded in the ground. Exposed guy wires, chains, piping or similar connections shall not be used to support any ground or pole sign.
- (f) New sign plans for existing development shall recognize the provisions of this section relating to nonconforming signs and shall consolidate and improve existing signs whenever possible. All changes to existing signs shall conform to all applicable subsections of this section.

(4) Illumination criteria.

- (a) All illuminated signs shall be either indirectly lighted or of the diffused lighting type. For ground signs, the preferred method of illumination is a shielded exterior source. No sign shall be lighted by using unshielded incandescent bulbs, mirrors reflecting a direct light source or similar devices.
- (b) Sign lighting shall be arranged and shielded to reflect light and glare away from adjoining properties and public ways. External ground lighting of signs shall be landscaped per exposed side with evergreen plantings and shall be adequately shielded in order to prevent glare or light spillage beyond the property boundary. Internally lighted signs shall provide no more than five and zero tenths (5.0) footcandles when measured two (2) feet from any sign surface. All lighted signs on properties adjacent to residential zones shall provide automatic shutoff devices that discontinue or dim sign lighting no later than one (1) hour after business closing.
- (c) Internally lighted signs shall provide a dark background and light lettering; however, in no case shall internally lighted signs use stark white graphics of any kind. Whenever necessary, the approving authority may require a sample of the material to be used for any such sign.
- (d) Neon window signs may be permitted in cases where they are custom designed to be compatible with the building's architectural character or use, and where their color has been selected to harmonize with the building's exterior colors.
- (e) Gas-filled light tubes shall be allowed for indirect illumination and when placed in such a manner that the tubes are not exposed to view from any point along the public roadway or sidewalk.
- (f) No sign shall be erected that constitutes a hazard to pedestrian or vehicular traffic because of intensity or direction of illumination.

(5) Legibility criteria.

- (a) Color, content, letter size and style should be designed to maximize the legibility of signage. The number of colors within a

single sign should be limited, preferably to three (3). Colors should be chosen to maximize the contrast between the background and letter color for legibility. Dark backgrounds with white or light lettering is preferred. Where light or white background is used, style or typeface should be bold and easily readable. The use of fluorescent-type paint is prohibited.

- (b) The principal message unit of a sign shall be visually prominent, concise and easily perceived at a sufficient distance to allow adequate reaction time.

(6) Landscaping criteria.

- (a) Pole and ground signs shall be appropriately landscaped at the base of such signs. Appropriate landscaping is defined as flowers, shrubs, ground cover and landscape techniques used in the following manner:

- [1] To enhance the sign design.
- [2] To conceal sign supports or light fixtures.
- [3] To shield sign illumination from adjacent properties and public ways.

- (b) Evergreen plant materials shall be required for all landscaping serving concealment and/or shielding purposes.

(7) Placement criteria.

- (a) Signs shall be placed to maximize their visibility to the intended user of the site and their effectiveness in communicating their intended purpose.
- (b) No sign shall be affixed to a fence, utility pole, or tree, shrub, rock or other natural object, unless such objects are part of the sign design features or otherwise permitted by this section.
- (c) No projecting sign shall extend into a vehicular public way or be less than ten (10) feet above a pedestrianway.
- (d) No sign, together with any supporting framework, shall extend to a height above the maximum building height allowed in the applicable zone district.

- (e) Signs shall not cover architectural details such as but not limited to arches, sills, moldings, cornices and transom windows.
- (f) No wall or window sign shall extend above the roof line or the highest point of any parapet wall enclosing usable floor area.
- (g) Freestanding signs shall be placed, insofar as practicable, to be perpendicular to the frontage roadway. Such signs shall be strategically located on the subject property, at least ten (10) feet from the edge of roadway pavement or curb, as appropriate, and not obstructing any sidewalk, driveway or bike path; be located outside of any sight easements; and in clear view of passing motorists.
- (h) No sign shall obstruct any window, door, fire escape, stairway or other opening from providing required light or ingress and egress to or from any building or structure.
- (i) No sign shall be placed in any public right-of-way or in an adjacent required sight triangle, unless placed there subject to the approval of the governmental agency controlling the public right-of-way.

M. Rules for existing signs. All existing signs must comply with all provisions of this section, except as follows:

- (1) Nonconforming temporary signs may continue to be displayed for a period not to exceed one hundred twenty (120) days from the effective date of this section.
- (2) Notwithstanding the provisions of Subsection M(1) above, the following nonconforming signs shall be removed within thirty (30) days, or as otherwise indicated, from the effective date of this section, and any replacement signs shall comply with all provisions of this section.
  - (a) Signs advertising a discontinued use or product no longer available.
  - (b) Signs not maintained in a safe, sound and good condition as specified herein.

- (c) Signs which have suffered damage or are in disrepair so that they require reconstruction or extensive repair.
  - (3) Notwithstanding the provisions of Subsections M(1) and (2) above, and except for directory-of-occupants signs, any nonconforming sign advertising a specific use shall be removed upon change of that use or business, and any replacement sign(s) shall comply with all provisions of this section.
  - (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), 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. This provision becomes applicable upon change in use or business.
- N. Administration and enforcement. The provisions of this section shall be enforced by the Zoning Officer. If the Zoning Officer shall find that any of the provisions of this section are being violated, he/she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. This action may include removal or alteration of illegal signs or discontinuance of any illegal work being done or other action to ensure compliance with or to prevent violation of its provisions. Illegal signs erected upon public property may be removed by the Zoning Officer without prior notice.
- (1) It shall be unlawful to erect, maintain or display a new sign or an addition to an existing sign without first obtaining a permit from the Zoning Officer, based upon an application in writing, except as specifically set forth herein.
  - (2) The following signs are exempt from the application requirement of Subsection N(1) above.
    - (a) All signs already included in a development application which has been reviewed and approved by the Planning Board or Zoning Board of Adjustment.

- (b) All signs permitted in Subsection G except Subsection G(5), (6), and (12).
  - (c) All signs permitted in Subsection H except Subsection H(2), (5) and (7).
- (3) Application procedures.
- (a) Signs not exempt from the above application requirement shall be reviewed by the Zoning Officer for conformance with the requirements of this section. Conforming applications shall be issued a permit upon payment of the applicable application fee.
  - (b) Sign applications not conforming to section requirements shall be referred to the Sign Review Committee (see Subsection P) for consideration. The Sign Review Committee may, based on the standards contained in the sign design criteria section of this section, authorize application approval, approval with modifications or rejection.
- (4) Temporary sign permits. Temporary sign permits are effective for 30 consecutive days upon issuance by the Zoning Officer.
- (5) Application and permit fees.
- (a) New signs not exceeding ten (10) square feet in total area: twenty-five dollars (\$25.).
  - (b) New signs exceeding ten (10) square feet total area but less than fifty (50) square feet in total area: fifty dollars (\$50.).
  - (c) New signs greater than fifty (50) square feet in area: one hundred dollars (\$100.).
  - (d) Subsection N(4), temporary sign permits: twenty-five dollars (\$25.).
  - (e) Sign revision for new use, tenant or occupant: twenty-five dollars (\$25.).
  - (f) Subsection H(2), campaign signs, require an application and permit, but no fee shall be charged.
  - (g) Permit for multiple signs: total the applicable fee for each sign individually.



- O. Appeals, interpretations, waivers and variances. The provisions of this section shall be considered as part of the Land Development Ordinance of Hillsborough Township and shall be subject to the jurisdiction of the Planning Board and Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-60 and 40:55D-70 except as provided in Section P below.
- P. Sign Review Committee
- (1) A Sign Review Committee is hereby established to foster predictability and consistency with the applicability of these regulations. The primary responsibility of the Sign Review Committee is to hear and decide on sign waiver applications that do not involve site plan, subdivision, conditional use or variance approvals. The Sign Review Committee shall also make recommendations to the Planning Board regarding revisions to the sign regulations from time to time, as warranted.
- (2) Membership on the Sign Review Committee shall be appointed annually by the Mayor at the reorganization of the Township Committee and shall consist of the following five (5) members and one (1) alternate member:
- (a) The Township Administrator or his/her designee, except for members of the Planning Department.
  - (b) One (1) member who runs a business in the Township.
  - (c) One (1) member of the Economic and Business Development Commission.
  - (d) One (1) member of the Architectural and Site Design Advisory Subcommittee.
  - (e) One (1) member who is a Township resident and has a specific training in architecture, landscape architecture, urban design or planning.
  - (f) One (1) alternate member who is a Township resident.
- (3) All meetings of the Sign Review Committee established herein shall be open to the public and shall be conducted pursuant to Robert's Rules of Order.
- (4) Applications for sign waivers not involving a site plan, subdivision, conditional use or variance 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.

Q. 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 therefrom.

R. Violations and penalties.

Any person, firm or corporation who or which shall violate any provision of this section shall be liable to a fine not to exceed two hundred dollars (\$200.) for a first offense for each sign in violation, not to exceed five hundred dollars (\$500.) for a second offense for each sign in violation and not exceeding one thousand dollars (\$1,000.) for each subsequent offense in conjunction with each sign in violation; and each day in which such violation continues shall constitute a separate violation or offense.

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Kevin P. Davis, Township Clerk

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Anthony Ferrera, Mayor

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