

ORDINANCE 08-44

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT
ORDINANCE OF THE TOWNSHIP OF NEPTUNE AS IT RELATES TO THE DEFINITIONS
SET FORTH IN §201 AND SUBSTANTIVE PROVISIONS OF § 416 PERTAINING TO SIGNS

BE IT ORDAINED, by the Township Committee, County of Monmouth, State of New Jersey
that the Land Use Ordinance of the Township of Neptune be and is hereby amended as follows:

Section 1

Section 201 of the Land Development Ordinance (Definitions) is hereby amended and supplemented
to modify the definitions pertaining to signage as indicated below

Abandoned sign – A sign shall be considered abandoned when the business activity or firm which
such sign advertises is no longer in operation.

Advertising Billboard Sign – Any structure or portion thereof, situated on private property on which
lettered, figured, or pictorial matter is displayed for advertising purposes, except for the name and
occupation of the user of the premises or the products primarily sold or manufactured on the premises
or non-commercial messages, and having an area of 100 square feet or more. Any signboard
carrying a message excepted in this definition that also carries extraneous advertising of 100 square
feet or more shall be considered a billboard.

Billboard – delete the definition of “Billboard”.

Sign, non-conforming – A non-conforming sign is a sign that was lawfully erected and maintained prior
to the adoption of the existing ordinance provisions and which by reason of such adoption fails to
conform to all applicable regulations and standards set forth in the ordinance adopted.

Section 2

Section 416.01 of the Land Development Ordinance pertaining to Signs is hereby amended and
supplemented to add new subsections as follows:

- (E) To promote the free flow of traffic and protect pedestrian, bicyclists and motorists from injury
and property damage caused by, or which may be fully or partially attributable to cluttered,
distracting, or illegible signs.
- (F) To promote the use of signs that are aesthetically pleasing and of appropriate scale to the
zoning district.
- (G) To promote the use of signs that are compatible with the Township’s character.

Section 3

Section 416.04. pertaining to exempt signs is revised as follows.

Add § 416.04.K. Warning Signs. Limited to no more than two façade or ground-mounted sign per occupancy, are no more than three square feet in area, are non-illuminated, and if ground mounted, are no higher than three feet in height.

Add § 416.04.L. Special Events Signs. No more than three non-illuminated signs placed in any business during the special event or sale which sign shall not be erected and maintained for more than 45 days prior to the special event or more than 3 days after the special event.

Add § 416.04.M. Public Transportation Signs. Signs indicating public transportation stops provided that they are installed or authorized by the Township or Public Transportation Authority or agency.

Add § 416.04.N. Interior Signs. Signs which are located within buildings and are not visible from a public street or public parking facility.

Section 4

Section 416.05. pertaining to temporary signs is revised as follows.

All temporary signs shall require a zoning permit. The following temporary signs may be installed in all zone districts:

§ 416.05.A. Delete in entirety.

§ 416.05.B. Renumber as § 416.05.A. Add title "Project signs". Delete "Project signs may be permitted for new major residential and non residential development pursuant. Insert- Temporary non-illuminated project signs shall be permitted for residential and new major non-residential development pursuant to final approval... Delete "Such signs shall be set back at least ten (10) feet from all property lines, and shall not exceed twenty (20) square feet in area or twelve (12) feet in height.

Add § 416.05.B.1. Residential projects. Such signs shall be set back at least ten (10) feet from all property lines, and shall not exceed fifteen (15) square feet in area.

Add § 416.05.B.2 New major non-residential development. Such signs shall be set back at least ten (10) feet from all property lines, and shall not exceed twenty (20) square feet in area or 12 (12) feet in height.

§ 416.05.D. Delete in entirety.

Section 5.

Section 416.06. pertaining to prohibited signs is revised as follows.

§ 416.06.D. Insert "Signs which use the words stop, look, caution, danger or any similar wording which may confuse or mislead the public.

§ 416.06.G. Insert final sentence “No advertising flags, banners, pinwheels, portable signs, or similar advertising devices shall be permitted.

§ 416.06.H Delete “Roof Signs”. Add “Any sign erected, constructed or maintained on or above the roof of a building.

§ 416.06.S. Delete “Signs for a commercial purpose on a wall” Add “Painted signs. No sign may be painted directly on the surface of any building façade, wall, fence or similar structure.

§ 416.06.T. Delete in entirety

Add § 416.06.T Signs placed, inscribed, or supported upon the roof or upon any structure which extends above the eave of the roof of any building.

Add § 416.06.U. Signs painted on or attached to any trees, rocks, fence posts, utility poles or similar structures or objects.

Add § 416.06.V. Commercial advertising billboard signs.

- (1) The further erection, construction or enlargement of signs known as commercial advertising billboards is prohibited.
- (2) Existing commercial advertising billboards may be repaired or maintained in the same location, but may not be enlarged, relocated to another lot, or replaced in the event of the total destruction thereof.

Add § 416.06.W. Strings of lights outlining rooflines, doors, windows, or wall edges of any building except seasonal decorations.

Add. § 416.06.X Any sign not expressly permitted by this ordinance is prohibited.

Section 6.

Section 416.07. Pertaining to permitted signs is revised as follows.

§ 416.07.A is deleted in its entirety.

Add new § 416.07.A.

In commercial, industrial and mixed use zones one freestanding sign in accordance with the following standards shall be permitted.

1. Where a lot has multiple street frontages, then 2 freestanding signs subject to the following standards shall be permitted. Where two (2) freestanding signs are permitted by virtue of multiple street frontage, each permitted sign shall be allowed to have the maximum square footage allowed based on the formulas shown below. In addition, the sign area allowed may be transferred from one (1) sign to another; provided, that no freestanding sign shall exceed four hundred (400) square feet in area.

2. Where multiple signs are permitted because of multiple street frontages, the signs may be erected on the same street frontage.

3. For double-faced signs, each sign face can have the maximum square footage allowed.

4. Landscaping. all freestanding signs shall be placed within landscaped areas.

5. Permitted Area.

Floor Area of Building	Single Use Development	Multiple Use Development
0--1,500 s.f.	35 s.f.	60 s.f.
1,501--5,000 s.f.	35 s.f. plus 1 s.f. per each additional 50 s.f. of floor area over 1,501.	60 s.f. plus 1 s.f. per each additional 40 s.f. of floor area over 1,501.
5,001--50,000 s.f.	100 s.f. plus 1 s.f. per each additional 500 s.f. of floor area over 5,001.	50 s.f. of 150 s.f. plus 1 s.f. per each 300 s.f. of floor area over 5,001.
Over 50,001 s.f.	190 s.f. plus 1 s.f. per each additional 1,000 s.f. of floor area over 50,001 up to a maximum size of 300 s.f.	300 s.f. plus 1 s.f. per each additional 1,000 s.f. of floor area over 50,001 up to a maximum size of 400 s.f.

*In computing allowable sign size, only the footprint of the structure can be used. The floor area of gas station and drive-thru canopies cannot be applied toward the freestanding sign allowance.

The allowable sign size is related to building size.

Step 1: Determine the square footage of the building:

Building size (in square feet): _____ (This will be inserted in the formula below)

Step 2: Complete the appropriate allowable signage formula:

SINGLE USE DEVELOPMENT:

If the building is **0 – 1,500** square feet in size, you are allowed a **35 square foot sign**.

If the building is **1,501 – 5,000** square feet in size, complete the following:

	- 1,501 =		÷ 50 =		+ 35 =	
Building size						Allowed sign size

If the building is **5,001 – 50,000** square feet in size, complete the following:

$$\boxed{} - 5,001 = \boxed{} \div 500 = \boxed{} + 100 = \boxed{}$$

Building size Allowed sign size

If the building is **50,000 +** square feet in size, complete the following:

$$\boxed{} - 50,001 = \boxed{} \div 1,000 = \boxed{} + 190 = \boxed{}$$

Building size Allowed sign size

MULTIPLE USE DEVELOPMENT:

If the building is **0 – 1,500** square feet in size, you are allowed a **60 square foot sign**.

If the building is **1,501 – 5,000** square feet in size, complete the following:

$$\boxed{} - 1,501 = \boxed{} \div 40 = \boxed{} + 60 = \boxed{}$$

Building size Allowed sign size

If the building is **5,001 – 50,000** square feet in size, complete the following:

$$\boxed{} - 5,001 = \boxed{} \div 500 = \boxed{} + 100 = \boxed{}$$

Building size Allowed sign size

If the building is **50,000 +** square feet in size, complete the following:

$$\boxed{} - 50,001 = \boxed{} \div 1,000 = \boxed{} + 300 = \boxed{}$$

Building size Allowed sign size

The “allowed sign size” may be placed on each side of the freestanding sign.

6. **Setback.** Freestanding signs shall be set back from the property line $\frac{3}{4}$ of the height of the sign

7. Height. 15 feet for signs 150 sf and less. 20' for signs over 150 sf in area but not exceeding 190 sf in area. 40' for signs in excess of 190 sf in area up to 400 sf in area.

Section 7

Add new § 416.07.G. Window Stencil Signs. For all non-residential property where one or more businesses or uses occupy a single building, side and rear entrances may contain a sign indicating the occupant of that space. Such signs shall be stenciled or professionally lettered. Each letter shall be three (3) inches to five (5) inches in height. No information other than the name of the occupant may be included in the sign. Upon the change of the occupant, the sign must be removed or re-lettered with the name of the new occupant.

Section 8. The Clerk of the Township shall file a copy of this ordinance with the Monmouth County Planning Board.

Section 9

All Ordinance, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 10

Should any section, paragraph, clause or any other portion of this Ordinance be adjusted by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 11

This Ordinance shall take effect upon its passage and publication according to law and upon the filing of a certified copy thereof with the Monmouth County Planning Board.

APPROVED ON FIRST READING: October 9, 2008

APPROVED, PASSED AND ADOPTED: October 27, 2008

ATTEST:

Richard J. Cuttrell
Municipal Clerk

J. Randy Bishop,
Mayor