

ORDINANCE NO. 15-28

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING AND ADDING VARIOUS DEFINITIONS IN SECTION 201 AND ADDING AND AMENDING SECTION 411.14 – DORMERS; SECTION 412.07 - FENCES AND WALLS; SECTION 415.06A - BILLBOARDS – SECTION 415.06B, ELECTRONIC BILLBOARDS; AND SECTION 416 - SIGNS

BE IT ORDAINED, by the Township Committee of the Township of Neptune, that the Land Development Ordinance of the Township of Neptune be and is hereby amended and supplemented as follows:

SECTION 1

Section 201 - Definitions - shall be amended and supplemented as follows:

~~**advertising billboard sign** – Any structure or portion thereof, situated on private premises, 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 noncommercial 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, digital** - A billboard which displays digital messages which advertises goods, products, services or facilities not conducted upon the premises where the sign is located. (new definition)

**Dormer** - A structure projecting from a sloping roof, containing a window or a vent. (new definition)

**Lot, Corner** – A lot at the junction of and abutting on two (2) or more intersecting streets where the interior angle of intersection does not exceed one hundred thirty-five (135) degrees. A lot abutting a curved street shall be deemed a **corner lot** if the tangents to the curve at the points of intersection of the side lot lines with the street lines intersect at an interior angle of less than one hundred thirty-five (135) degrees. **The front yard area of a corner lot will be established by the location of the front door. The lot line opposite the front lot line will be considered the rear lot line and the other two lot lines will be considered side lot lines.**

**Lot, Through** – A lot other than a **corner lot** which adjoins two (2) street lines which are at opposite ends of the lot. A through ~~lot~~ shall be considered to have two front ~~yard~~ lines. **The front lot line shall be established by the location of the front door. The opposite lot line to the front lot line shall be considered the rear lot line.**

**Sign, abandoned** - A sign shall be considered abandoned when the business activity or firm, which such sign advertises, is no longer in operation. (new definition)

**Sign, non-conforming** - A non-conforming sign is a sign that was lawfully erected and maintained prior to the adoption of this ordinance, and which by reason of such adoption fails to conform to all applicable regulations and restrictions of this ordinance. (new definition)

## SECTION 2

Section 411.14 – Dormers – shall be added as follows:

### Section 411.14 – Dormers

- A. **Area. Dormers shall not occupy more than 25% of the roof area on which it is situated.**
- B. **Height. No part of the dormer shall extend beyond the projection of the roofline.**

<b>Dormer(s)</b>	
<b>Maximum Permitted Area:</b>	<b>25% of roof area on which it is situated</b>
<b>Height:</b>	<b>No part of the dormer can extend beyond the projection of the roofline</b>

## SECTION 3

Section 412.07 – Fences and Walls – shall be amended as follows:

- B. Fences and walls in non-historic districts. Fences and walls in non-historic zone districts shall be permitted accessory structures subject to the following provisions:
  - 1. Front Yards.
    - a) For residential uses, fences shall be permitted to be located in front yards, provided such fences shall not exceed four (4) feet in height, as measured from ground level and shall be constructed so that at least fifty (50) percent thereof is non-solid and open. Fence types such as board-on-board and stockade shall be considered solid fences. Decorative walls are permitted to be located in front yards for residential uses, provided such shall not exceed two and one half (2 1/2) feet in height, as measured from ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed five (5) feet in height. **For corner lots the second front yard now considered a side yard may have a solid fence, six (6) feet in height extending to the front buildings line of the dwelling unit and shall not interfere in the site triangle.**

## SECTION 4

Section 415.06 – Billboards – shall be renumbered as Section 415.06A and shall be amended as follows:

#### 415.06A - Billboards

Billboards may be permitted when authorized as a conditional use by the **appropriate** Board in the LI Zone District in accordance with the following conditions:

- G. Billboards shall be located no closer than 800 feet to a residential zone **or as indicated by the New Jersey Department of Transportation regulations.**
- M. **Any billboard that legally exists may be converted to a digital subject to the additional conditions set forth in 415.06B**

#### SECTION 5

Section 415.06B – Digital Billboards – shall be added as follows:

#### 415.06B - Digital Billboards

**In addition to conditions set forth in 415.06A Digital Billboards may be permitted when authorized as a conditional use by the appropriate local land use Board in the LI Zone District in accordance with the following conditions:**

- A. **Display.**
  - 1. **A digital billboard display shall remain fixed for a period of at least eight (8) seconds before changing, and a message change shall be accomplished completely within two (2) seconds or less.**
  - 2. **The maximum brightness levels for a digital billboard shall not exceed three tenths (0.3) foot-candle over ambient light levels as measured using a foot candle meter at the following preset distances:**
    - (a) **0-350 square foot signs are to be measured 150 feet from the source;**
    - (b) **351-650 square foot signs are to be measured 200 feet from the source;**
    - (c) **651-672 square foot signs are to be measured 250 feet from source.**

**Upon the completion of construction, the billboard owner shall provide a certification of the Township's Engineering Department demonstrating that the sign has been preset to automatically adjust the brightness to these levels or lower. Re-inspection and recalibration may be periodically required at the discretion of the**

Township to ensure that the specified brightness levels are maintained at all times.

3. A digital billboard must have installed an ambient light monitor, which shall continuously monitor and automatically adjust the brightness level of the display based on ambient light conditions consistent with the terms of this article.
  4. Brightness of digital billboards shall be measured as follows:
    - (a) At least 30 minutes following sunset, a foot candle meter shall be used to obtain an ambient light reading for the location. This is done while the sign is off or displaying black copy. The reading shall be made with the meter aimed directly at the sign area at the pre-set location.
    - (b) The sign shall then be turned on to full white copy to take another reading with the meter at the same location.
    - (c) If the difference between the readings is 0.2 foot candles or less, the brightness is properly adjusted.
- B. **NJDOT Compliance.** All applications for billboards shall comply with the current New Jersey Department of Transportation regulations.
- C. **Emergency Services.** Digital billboard operators shall coordinate with the Neptune Township Office of Emergency Management to convey real time emergency information in the interest of public health, safety, and welfare.
- D. **Malfunction.** In the event the digital billboard sign is found to be in disrepair, the digital billboard operator must respond to address the issue within one hour of the notification. The digital billboard sign display must be deactivated until the issue is remedied. The issue with the digital billboard sign must be remedied within 12 hours after notification to the digital billboard operator has been made.

## SECTION 6

Section 416 – Signs – is hereby amended in its entirety as follows:

### 416.01 - Purpose

The purpose of this Subsection is as follows:

- A. To protect the public health, safety and welfare by restricting signs which impair the public's ability to receive information, violate privacy, or which increase the probability of accidents by distracting attention or obstructing vision.
- B. To encourage signs that promote a desirable visual environment through creative yet orderly design arrangements.

- C. To encourage signs that aid orientation, identify activities, describe local history and character or serve other educational purposes.
- D. To encourage the replacement of nonconforming signs by conforming signs through the strict enforcement of the procedures and requirements of this Article.
- 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.

#### 416.02 - General Provisions

- A. Permit Required.
  - 1. An application shall be made to the Zoning Officer for the issuance of a zoning permit by any person wishing to erect, alter, modify, or expand any sign, except exempt signs as described in this Article. **This shall apply to all site plans that do not acquire approval at the board level.**
  - 2. A zoning permit and any other permits that may be required for the erection or modification of a sign may only be issued subsequent to the issuance of a zoning permit by the Zoning Officer.
  - 3. If the Zoning Officer determines that the proposed sign does not conform to the requirements contained herein, the Officer shall instruct the applicant that Planning Board or Zoning Board of Adjustment approval of an application for development is required, and the Officer shall further advise the applicant which Board has jurisdiction.
- ~~B. Site plan. On properties involved in an application for site plan review, all signs shall be approved by the Board as part of the site plan application prior to the issuance of permits for signs.~~
- C. Measurement. For the purposes of this section, the size of any sign shall be computed by determining the total area of any sign board, sign face or sign background at its largest horizontal and vertical dimensions, including framing, trim or molding. Where there is no framing, the sign area shall be deemed to be the area of the smallest rectangular figure that can encompass all of the figures and their supporting logos or elements, if any. For double-faced signs, only one (1) display face shall be measured in computing the total sign area where the sign faces are parallel, or where the interior angles formed by the faces are forty-five (45) degrees or less. Maximum permitted size does not include the supporting structure, as long as the supporting structure is not designed to convey a message. The supporting structure shall not in itself convey any type of message, except for the property address and for permitted appurtenances

specified in this section.

- D. Content. The content or advertising which may be displayed on signs shall be limited to the identification and location of the premises, identification of its owners or occupants and information concerning the activities conducted on the premises or the goods and services offered in connection therewith, unless specified otherwise herein.
- E. Maintenance. Signs shall be constructed of durable materials, maintained in good condition and not allowed to become dilapidated. All signs, together with all supports, braces, anchors and other parts, shall be kept in continual repair, including cleaning, painting, replacing of defective parts and otherwise maintaining a presentable condition. **The owner of any painted sign shall be required to repaint the same when necessary to maintain the sign in good condition and give it a neat appearance.** Lack of proper maintenance shall be considered abandonment, and the sign shall be repaired, painted, cleaned or otherwise returned to a presentable condition or removed within ten (10) days upon notification by the Zoning Officer or Construction Code Official.
- F. Appurtenances. Notwithstanding the restrictions found elsewhere in this article concerning sign face shape and area, sign appurtenances shall be permitted only when designed as an integral part of the sign, constructed of similar materials, and graphically compatible in color, shape, position, and scale with the permitted sign face. Sign appurtenances cannot increase the proposed sign area by greater than fifteen (15%) percent. Sign appurtenances cannot extend above or to the side of the sign face by a distance greater than forty (40%) percent of the sign face height. Sign appurtenances cannot project outward beyond the face of the proposed sign. Sign appurtenances for Type B freestanding signs only may identify the name of a retail or office development in accordance with the foregoing standards.
- G. Setback. The sign setback shall be measured from the property line to the nearest part of the sign, including any base, frame or decorative elements. No freestanding ~~type A or B~~ sign may be located within fifteen (15) feet of adjacent residential use.
- H. Height. Sign height shall be measured between average grade immediately below the sign and the highest point of the highest element of the sign. Wall signs shall not project **more than 2'** above the top or beyond the ends of the wall surface upon which they are placed, nor shall wall signs be placed on a parapet or similar architectural device such that the sign would project above the elevation of the roof behind such parapet or other device.
- I. Projection. No wall sign may project more than nine (9) **(12)** inches from the outer face of a wall and shall not extend over any public right-of-way, unless otherwise provided for in this article. An awning shall not be construed in any way to be a wall sign.
- J. Change of use, occupancy or vacancy. Whenever any change of use, occupancy or vacancy occurs, all existing signs no longer relating to the current use and occupancy of the premises shall be immediately removed. In addition,

any signs not conforming to any requirement of this Section and removed in accordance to this requirement shall not be replaced unless it conforms to all requirements of this article.

K. Nonconforming signs. Any lawfully nonconforming sign may be altered as follows:

1. Minor and nonstructural maintenance and/or repairs to the sign support structure and/or frame may be completed.
2. Re-lettering of an existing sign face containing the same specific message or letters may be completed.
3. An existing sign face may be replaced, provided there is no expansion in sign area, and provided the general provisions of this Subsection are satisfied.

#### 416.03 - Design Requirements

A. Illumination. Except for signs in historic zone districts regulated by municipality's regulations, signs may be floodlighted, spotlighted or internally illuminated from the rear with a diffused light source, unless such illumination is specifically prohibited elsewhere in this Ordinance. All illumination shall be subject to the following:

1. All lighting sources shall be completely shielded from the view of vehicular traffic.
2. Such illumination shall not project light above the highest elevation of the front wall of the building for wall-mounted signs or more than five feet above ground level for freestanding signs.
- ~~3. Internally illuminated signs shall not have a white or light-colored background or signboard.~~
3. Where a sign is located on a lot adjacent to a lot used primarily for residential purposes, such shall not be illuminated in a manner that permits any light to shine or cause a nuisance to the adjacent residential use.
4. No illuminated sign located on a lot adjacent to or across the street from any residential district and visible from such residential district shall be illuminated between the hours of 11:00 p.m. and 7:00 a.m., unless the use to which the sign pertains is open for business during those hours.
5. No sign shall contain exposed neon, blinking, flashing, flickering, tracer or sequential lighting. All signs shall remain stationary and constant in intensity and color at all times.
6. All wiring for permanent illuminated signs shall be installed and maintained so that it is not within public view. The running of wiring or

conduit along the exterior wall of a building to access a sign is specifically prohibited unless in the judgment of the Construction Official there is no practical way to run the conduit so that it is not within public view.

7. No illuminated sign shall be of such a color or located in such a manner as to be confused with, or to diminish or detract in any way from, the effectiveness of any traffic signal or similar official safety or warning device.
8. **Light Emitting Diode (L.E.D) signs may be permitted when authorized as a conditional use by the Planning Board in the B-1, C-1, C-4, C-5, C-6, and C-7 Zoning Districts, in accordance with the following conditions:**
  - (1) **On properties which contain professional office complexes, and retail shopping plazas.**
  - (2) **One (1) sign shall be permitted and shall not exceed twenty-four (24) square feet in area.**
  - (3) **The LED portion of the sign shall be subject to the following conditions:**
    - (i) **The digital message portion of the sign may not exceed 75% of the total sign area.**
    - (ii) **The LED portion of a sign shall change messages at intervals of no less than three changes per minute.**
    - (iii) **The LED portion of the sign shall only be in operation during the hours of operation of the business, organization or facility which operates the sign.**
    - (iv) **The LED sign may advertise only the products and services offered by the business, organization or facility operating the sign and may not advertise specials or sales offered by any business, organization or facility.**
    - (v) **Permitted messages may be displayed no more than twenty (20) minutes in any one (1) hour. The balance of the LED messages shall include community messages supplied by the Township of Neptune and informational messages about public safety.**
  - (4) **Each business which has a liquor license may have an LED sign subject to the following restrictions:**
    - (i) **No more than one (1) sign of this type shall be permitted.**



- (ii) **The digital message portion of the sign shall not exceed one-third (1/3) of the total sign area or twenty-four (24) square feet, whichever is less.**
- (iii) **The message of such signs shall be limited to three (3) lines indicating entertainment or special and limited commercial or professional events.**

**(5) In addition to the signs authorized in the zones permitting filling stations, fuel, oil and gasoline filling stations may display one (1) digital message sign for the purpose of indicating their gasoline price only. The additional price sign shall not be attached to the building, but shall be attached to the approved freestanding station identification sign located on the site. The size of the price sign shall not exceed twelve (12) square feet in area.**

- B. Landscaping. The base of a freestanding sign shall be liberally landscaped with a combination of shrubs, ground cover, flowers or other plant material.
- C. ~~Painting and Cleaning Required. All signs shall be maintained in good condition and have a neat appearance. The owner of any painted sign shall be required to repaint the same when necessary to maintain the sign in good condition and give it a neat appearance.~~
- D. ~~Skirting. Freestanding signs shall be skirted to enclose the supporting pole or pylon of the sign, except for signs in historic zone districts. The skirting shall extend the full dimensions of the sign at its lower edge from ground to sign. The skirting shall not be included in the sign size calculation unless it displays a message.~~

#### 416.04 - Exempt Signs

The following signs are permitted and are exempt from zoning permit requirements:

- A. Real estate signs. Non-illuminated real-estate signs for residential uses, provided they do not exceed ten (10) square feet in area and four (4) feet in height; No more than one such sign shall be erected on a property. Real estate signs for residential uses must pertain to the property on which it is located, and may not be placed within any sight triangle or public right-of-way. Such sign shall be removed immediately upon execution of a contract and/or closing for the lease or sale of the property.
- B. ~~Credit or charge card signs. Credit or charge card signs within window areas for commercial uses, or signs indicating membership in professional or trade organizations, provided such signs do not exceed one (1) square foot. Credit card signs may not be pole-mounted.~~
- C. ~~Gasoline pumps signs. Signs not exceeding one (1) square foot attached to gasoline pumps, provided that their sole purpose is to communicate fuel prices;~~

- D. Traffic, parking, informational and street identification signs. Traffic, parking, informational and street identification signs that conform to the Manual of Uniform Traffic Control Devices (MUTCD) as approved by any Township agency or any county, state or federal agency shall be permitted in any district or public right-of-way. Any other signs required by any provision of law shall be permitted in any district or public right-of-way.
- E. Political signs. Any political sign that is protected under the free speech provisions of the United States and New Jersey Constitutions shall be permitted in any Zoning District, provided that such is not located in a public right-of-way.
- F. ~~Temporary window~~ Window advertising signs. Temporary window advertising signs shall be prohibited in all districts, with the exception of permitted ground level retail and personal service business uses and eating and drinking establishments located in the B-1 and HD-B-1 Zone Districts, subject to the following conditions:
- ~~1. Such signs may be constructed of paper, cardboard or plastic, and any written, numerical, graphic or photographic material or information shall constitute such a sign.~~
  2. Such signs shall be contained solely within the ground level window of the subject business.
  3. Maximum total area of such signs shall not exceed twenty-five ~~(25)~~ **(30)** percent of the total area of ground level windows, excluding window portions of doors, fronting on a public street. ~~For the purposes of this subsection, any window area covered with a permitted permanent window sign, pursuant to this article, shall be excluded from the calculation of the total area of all ground floor windows.~~
  - ~~4. Information on such signs shall be limited to advertisements for special promotions, temporary sales and other such similar nonpermanent sales promotions.~~
  - ~~5. Such signs shall be removed after a period of thirty (30) days and shall have the date of installation printed clearly in the lower right hand corner of such, as viewed from the exterior.~~
  - ~~6. Such signs shall be maintained in an orderly manner at all times.~~
  - ~~7. This section shall not be interpreted in such a manner as to limit or prohibit any business from displaying merchandise in an interior window display area.~~
- G. Residential uses. Signs for residential uses, based on the type of residential structure pursuant to the following provisions.
1. Single-family dwellings and shall be permitted one residential nameplate sign indicating the name and/or address of the occupants. The maximum size of such sign shall not exceed one (1) square foot in area and shall

not contain advertising of any kind. In addition, one informational sign indicating the private nature of a driveway, no trespassing or other such similar private property usage shall be permitted, provided the maximum size of such sign shall not exceed one (1) square foot in area.

2. Apartments, townhouses, and other multifamily residential uses shall be permitted the following:
  - (a) One wall-mounted residential directory nameplate sign indicating the name and/or address of the occupants, provided it does not exceed five (5) square feet in area. Such sign must be located at the building's main entrance and may consist of either changeable lettering or individual nameplates. If the multifamily residential use cannot be accommodated by such directory sign, then individual exterior wall-mounted nameplate signs indicating the name and/or address of each dwelling unit shall be permitted. Said individual nameplate signs shall not exceed forty-eight (48) square inches in area and must be located at the main entrance of the respective dwelling unit. Nameplate signs may not be illuminated and shall not contain advertising of any kind.
  - (b) Two wall signs per building identifying the name or number of the multifamily structure, provided the maximum size of such sign shall not exceed two (2) square feet in area per sign. Such sign may be indirectly illuminated and shall not be backlighted. Or internally illuminated.
  - (c) One non-illuminated wall sign indicating the location of the management office, provided the maximum size of such sign shall not exceed one (1) square foot in area.

H. Sandwich Board signs in ~~B-1~~ and ~~HD-B-1~~ in all zoning districts. Sandwich Board signs shall be permitted provided they not exceed twenty inches (20") in width, forty-two inches (~~42"~~) (36") in height and six (6) square feet in area. **Such signs shall be maintained in front of the business of the property, and removed at the end of business every day.**

I. Ocean Grove Camp Meeting Association signs.

1. Public safety and informational signs.
2. Bronze memorial signs.
3. Street signs
  - (a) Standard street signs.
  - (b) Monument street sign not to exceed twenty-four inches (24") in height.

- ~~J. Portable Location Signage. Portable location signage is permitted pursuant to the following standards:~~
- ~~1. Maximum height — Three (3) feet~~
  - ~~2. Maximum width — Twenty four (24) inches~~
  - ~~3. Maximum area — Four (4) square feet~~
  - ~~4. Maximum quantity — One (1) per location~~
  - ~~5. Signage must be associated with a permitted use.~~
- ~~K. Warning Signs. limited to no more than two façade or ground-mounted signs 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.~~
- ~~L. Special Events Signs. No more than three non-illuminated signs placed in ~~in~~ **at** 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.~~
- ~~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.~~
- ~~N. Interior Signs. Signs which are located within buildings and are not visible from a public street or public parking facility.~~

#### 416.05 - Permitted Temporary Signs

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

- A. Project Signs. Temporary non-illuminated project signs shall be permitted for residential and new major non-residential development pursuant to final approval from the approving authority. No more than one (1) project sign shall be permitted on any lot identifying builders, contractors, architects, engineers or others associated with the construction of any building situated on any such lot. Project signs are to be removed within two (2) weeks of the completion of a project, or if work on the project has substantially slowed.
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.
  2. New Major Non-residential Development. Such signs shall be setback 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.

- B. Freestanding or wall mounted real-estate signs of up to twenty (20) square feet for non-residential uses may be erected in non-residential zones for a period of ninety (90) days. A window sign of up to twelve (12) square feet may be used for the same purposes. Freestanding signs must be setback from all property lines at least ten (10) feet. The Zoning Officer may extend the ninety (90) day period by an additional ninety (90) days if it is shown that this additional time period is necessary to facilitate the sale or rent of a particular site.
- C. Contractor signs are permitted in all zone districts to a maximum area of fifteen (15) square feet. Such sign shall be setback a minimum of ten (10) feet from all property line, and may not be illuminated. Contractor signs may be permitted for the duration of the exterior improvement activity, and must be removed within two (2) weeks of completion of improvement.

#### 416.06 - Prohibited Signs

The following signs shall be prohibited in all zone districts within the Township of Neptune, unless otherwise specified within this Ordinance:

- ~~A. Signs utilizing inert ionized gas sign lighting, commonly called neon, when the neon tube is visible, including window surrounds and similar inert gas illumination with or without a distinct message;~~
- ~~B. Signs in the public right-of-way unrelated to the public health, safety and welfare;~~
- ~~C. Signs which project more than nine (9) inches from a wall surface, except for projecting signs in historic zone districts which are governed by 416.08;~~
- A. Any sign for advertising purposes that mimics or is substantially similar to a public purpose sign; Signs which use the words stop, look, caution, danger or any similar wording which may confuse or mislead the public.
- B. Signs with lights or illuminations which flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent electrical pulsation;
- C. Signs within designated sight triangles, and signs which directly obstruct driver's lines-of-sight;
- D. Non-public banners that stretch across a public right-of-way between telephone poles, trees or other structure; No advertising flags, banners, pinwheels, portable signs, or similar advertising devices shall be permitted.
- E. Any sign erected, constructed or maintained on or above the roof of a building.
- F. Freestanding signs of any type in historic zone districts;
- G. Reader board signs;
- ~~K. Any sign that, in the opinion of the Zoning Officer, presents an immediate danger to the public health, safety or welfare;~~

- H. Signs with continuing visible moving, revolving or rotating parts or visible mechanical movement of any description or other apparent visible movement;
- I. Signs that advertise or identify a use which has ceased operation;
- J. Any illegal non-conforming sign, as defined herein;
- K. The continuous parking or storage of a motor vehicle or other mobile unit displaying an advertising message;
- L. Signs containing obscene, pornographic or lewd messages;
- M. Signs that obstruct a fire escape, door, window or other required access way;
- N. Signs that are not accessory to a principal use on a property;
- O. Painted Signs. No sign may be painted directly on the surface of any building façade, wall, fence or similar structure.
- ~~T. Signs placed, inscribed, or supported upon the roof or upon any structure which extends above the eave of the roof of any building.~~
- P. Signs painted on or attached to any trees, rocks, fence posts, utility poles or similar structures or objects.
- Q. 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.
- R. String of lights outlining rooflines, door, windows, or wall edges of any building except seasonal decorations.
- S. Any sign not expressly permitted by this ordinance is prohibited

#### 416.07 - Permitted Signs

The following signs shall be permitted in all ~~zones except historic~~ **Non-Historic** zone districts per Zoning Schedule C. Standards for permitted signs in historic zone districts are contained in §416.08.

- 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 two (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 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 Areas.

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**.

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

$$\boxed{\phantom{00000}} - 1,501 = \boxed{\phantom{00000}} \div 50 = \boxed{\phantom{00000}} + 35 = \boxed{\phantom{00000}}$$

Building size Allowed sign size

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

$$\boxed{\phantom{00000}} - 5,001 = \boxed{\phantom{00000}} \div 500 = \boxed{\phantom{00000}} + 100 = \boxed{\phantom{00000}}$$

Building size Allowed sign size

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

$$\boxed{\phantom{00000}} - 50,001 = \boxed{\phantom{00000}} \div 1,000 = \boxed{\phantom{00000}} + 190 = \boxed{\phantom{00000}}$$

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**.

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

$$\boxed{\phantom{00000}} - 1,501 = \boxed{\phantom{00000}} \div 40 = \boxed{\phantom{00000}} + 60 = \boxed{\phantom{00000}}$$

Building size Allowed sign size

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

$$\boxed{\phantom{00000}} - 5,001 = \boxed{\phantom{00000}} \div 500 = \boxed{\phantom{00000}} + 100 = \boxed{\phantom{00000}}$$

Building size Allowed sign size

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

$$\boxed{\phantom{00000}} - 50,001 = \boxed{\phantom{00000}} \div 1,000 = \boxed{\phantom{00000}} + 300 = \boxed{\phantom{00000}}$$

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 setback from the property line  $\frac{3}{4}$  of the height of the sign.
7. Height.

Sign Area	Permitted Height
150 sq.ft or less	15 ft.
151 sq.ft. - 190 sq.ft	20 ft.
191 sq.ft. - 400 sq.ft	40 ft.

B. Wall-mounted signs. Wall-mounted signs may be constructed as follows (see also Appendix D):

1. Single tenant structures.

- |     |  |  |
|-----|--|--|
| (a) | Size:  | 48 square feet, or one-and-five tenths (1.5) square feet for each lineal foot of wall face that the sign is mounted on, whichever is less. |
| (b) | Mounting Height:                             | 8' maximum (including hardware) and not to extend more than 2' above the roof line.  |
| (c) | Quantity:                                    | 1 maximum  |
| (d) | Maximum permitted horizontal sign dimension: | 75% of the wall face   |
| (e) | Projection:                                  | 1' maximum   |

2. Multi-tenant retail structures.

- |     |   |   |
|-----|---|---|
| (a) | <b>Size:</b>  | <b>48 square feet, or one-and-five tenths (1.5) square feet for each lineal foot of wall face that the sign is mounted on, whichever is less.</b> |
| (b) | <b>Mounting Height:</b>                             | <b>8' maximum (including hardware) and not to extend more than 2' above the roof line.</b>  |
| (c) | <b>Quantity:</b>                                    | <b>1 per tennant</b>  |
| (d) | <b>Maximum permitted horizontal sign dimension:</b> | <b>75% of the wall face</b>   |
| (e) | <b>Projection:</b>                                  | <b>1' maximum</b>   |

3. Secondary wall-mounted signs.

- (a) Business uses that have a side or rear building facade fronting on a parking lot or face a secondary street frontage may have a secondary wall-mounted sign not to exceed 50% of the area of the primary building sign. This provision shall not apply in situations where a parking lot is located between a building and a public street.
- (b) Service station canopies may have a secondary wall-mounted sign not to exceed 50% of the area of the primary building sign. In no instance may a service station canopy sign face a residential use, or have changeable lettering.

4. Wall-mounted signs on larger buildings in Planned Development Districts. Buildings and uses in the Planned Development Districts (LI, PUD and C-1) in excess of 75,000 square feet in floor area may provide two (2) wall signs per building with a maximum area of up to five (5%) percent of the wall area, not to exceed two hundred and forty (240) square feet.

C. Awning signs. Awning signs may be constructed as follows (see also Appendix D):

- 1. Quantity: maximum 2 per awning
- 2. Sign face vertical dimension: max. eighteen (18) inches
- 3. Letter/number/

- character/image height: 10" maximum
- 4. Letter/number/  
character/image width: 1' maximum
- 5. Colors: 2 maximum including sign  
lettering
- 6. Awning signs shall only be permitted on first-story awnings.
- 7. The minimum height from ground level to lowermost portion of awning shall be eight (8) feet.
- 8. The maximum horizontal projection dimension of an awning from the building wall, including any appurtenances, shall not exceed five (5) feet. Such awning may project over a public sidewalk only and shall not extend over any other portion of any other public right-of-way. No canopy may project over a public right-of-way, unless approved by the Township Committee.
- 9. The maximum vertical dimension of an awning shall not exceed the horizontal projection dimension.
- 10. The sign shall only be located on a portion of the awning that is both parallel to the vertical orientation of the building wall to which it is attached and is parallel to the building line of the building wall to which it is attached. This portion is more commonly known as the "valance."
- 11. The horizontal dimension of the sign shall not exceed fifteen (15) feet, or sixty percent (60%) of the length of the awning occupied by the use, whichever is less.

D. Directory Nameplate.

- 1. Size: maximum 12 square feet
- 2. Height: maximum 5'
- 3. Quantity: maximum 1 per lot
- 4. A directory sign may not be located so as to be visible from a public street or any adjacent property.

E. Directional Signs.

- 1. Size: maximum 3 square feet

2. Height: maximum 3'
3. Setback: minimum 0'
4. No directional sign may be located within a sight triangle.
5. A directional sign must contain a clear message which directs the flow of traffic, and should be designed to blend harmoniously with other on-site signage
6. No directional sign shall extend into or over any public right-of-way.

F. Permanent Window Signs. A business establishments located below the third story of a building shall be permitted to display permanent window sign(s), subject to the following regulations:

1. Sign Content. The sign(s) shall be limited to the resident business name, resident business logo, resident business type, street address, and/or telephone/fax number. No permanent window sign shall depict brand names and/or logos of products, commodities, services, etc. other than those owned by the local resident business establishment itself.
2. Sign materials and placement. A permanent window sign shall be:
  - (a) Professionally painted on the interior side of a window; and/or
  - (b) A fixture constructed by a professional sign manufacturer hung on the interior side of a window
3. Sign Area. Maximum area of any and all permanent window signs shall not exceed thirty-five percent (35%) of the total window area within which it is displayed, not to exceed eighteen (18) square feet.
4. Quantity. One (1) sign per business per window shall be permitted, up to a maximum of two (2) signs per business on any wall, not to exceed four (4) signs per business on any building.
5. Location. No permanent window sign shall be permitted in a window above the second-story of a building.
6. Visibility. No permanent window sign shall be displayed in a window unless it is visible from a public street or an approved parking area.
7. Illumination. The sign(s) may be internally illuminated or externally illuminated from the interior of the building. Framing of

a window with neon lights and/or tubing shall not be permitted as a method of illumination for window signs.

- G. Window Stencil Signs. For all non-residential properties 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 relettered with the name of the new occupant.

#### 416.08 -Signs in Historic Districts

- A. Applicability. This Sub-section applies to all signs in any historic zone district.
- B. Illumination.
1. No sign may be internally illuminated.
  2. Neon signs shall not be permitted.
  3. All illuminated signs shall be extinguished by 11:00 p.m. each night during all seasons of the year.
- C. Materials. Signs shall be constructed of wood, metal or other solid or rigid material.
- D. Permitted Signs. The following types and sizes of signs shall be permitted:
1. Professional nameplates not exceeding one (1) square foot in area.
  2. Bulletin boards not exceeding twenty (20) square feet in area for religious or other semi-public and public institutions when they are located on the same premises as the buildings.
  3. Signs for ground floor business establishments, other than historic hotels, shall be permitted in accordance with the following regulations:
    - (a) Wall mounted signs. One (1) wall-mounted sign having a maximum area not to exceed fifteen (15) square feet and one (1) wall-mounted sign having a maximum area not to exceed six (6) square feet. Where the business is located at a corner lot, four (4) signs are permitted; two (2) on each road frontage meeting the above specified area requirements. The maximum height of such signs shall be fifteen (15') feet or the sill level of the second (2nd) story, whichever is less. The signs shall be applied flat against the wall and shall conform to all other applicable requirements contained herein.

- (b) Projecting signs. One (1) projecting sign may extend from the primary building face to a maximum horizontal dimension of 42". Such sign is to be perpendicular to a building face, and shall be situated to be visible to those traversing sidewalk areas. The maximum area for such a sign shall be five (5) square feet. The bottom of the sign must be a minimum eight (8) feet from ground level.
- (c) Awnings signs. A maximum of two (2) awning signs shall be permitted. Such signs may only state the name of the establishment associated with the awning. Maximum image height shall be ten (10) inches, and maximum image width shall be one (1) foot. Awning signs shall only be permitted on first-story awnings. The sign shall only be located on a portion of the awning that is both parallel to the vertical orientation of the building wall to which it is attached and is parallel to the building line of the building wall to which it is attached. This portion is more commonly known as the "valance." The horizontal dimension of the sign shall not exceed fifteen (15) feet, or sixty percent (60%) of the length of the awning occupied by the use, whichever is less. The minimum height from ground level to lowermost portion of awning shall be eight (8) feet. The maximum horizontal projection dimension of an awning from the building wall, including any appurtenances, shall not exceed five (5) feet. Such awning may project over a public sidewalk only and shall not extend over any other portion of any other public right-of-way. No canopy may project over a public right-of-way, unless approved by the Township Committee. The maximum vertical dimension of an awning shall not exceed the horizontal projection dimension.
- (d) Permanent window signs. Permanent window signs shall be permitted subject to the following regulations:
- (i) Sign Content. The sign(s) shall be limited to the resident business name, resident business logo, resident business type, street address, and/or telephone/fax number. No permanent window sign shall depict brand names and/or logos of products, commodities, services, etc. other than those owned by the local resident business establishment itself.
- (ii) Sign materials and placement. A permanent window sign shall be professionally painted on the interior side of a window; and/or a fixture constructed by a professional sign manufacturer hung on the interior side of a window.
- (iii) Sign Area. Maximum area of any and all permanent window signs shall not exceed thirty percent (30%) of the total window area within which it is displayed, not to exceed twelve (12) square feet.

- (iv) Quantity. One (1) sign per business per window shall be permitted, up to a maximum of two (2) signs per business displayed on any building.
  - (v) Location. No permanent window sign shall be permitted in a window above the first-story of a building.
  - (vi) Visibility. No permanent window sign shall be displayed in a window unless it is visible from a public street or an approved parking area.
  - (vii) Illumination. The sign(s) may be internally illuminated or externally illuminated from the interior of the building. Neon light window framing shall not be permitted as a method of illumination for window signs.
4. Signs for historic hotels, rooming houses and other transient residential establishments shall be permitted based on the number of guest rooms, as follows:
- (a) Under 20 rooms. One (1) sign with a maximum area of ten (10) square feet and one (1) sign with a maximum area of four (4) square feet. Wall mounted signs. One (1) wall-mounted sign having a maximum area not to exceed fifteen (15) square feet and one (1) wall-mounted sign having a maximum area not to exceed six (6) square feet.
  - (b) Each permitted accessory use is permitted one wall mounted sign not to exceed fifteen square feet in area on each street frontage.
  - (c) Awning signs as described in §416.08.D.3.c.
  - (d) Signs shall not be located in the historic flared open space area.
5. Memorial signs or tablets not to exceed two (2) square feet in area are permitted, when constructed of bronze or other incombustible material or when cut into the masonry surface of the building to commemorate the name of the building and/or the date of construction.
6. Temporary signs not exceeding fifteen (15) square feet in area denoting the architect, engineer or contractor when placed on the work under construction shall be permitted for three (3) months and renewable for five (5) month periods.
7. A single real estate sign, not to exceed six (6) square feet in area **and forty-eight (48) inches in height, on the property** which advertises the sale, rental or lease of the premises on which the sign is located or a name sign for a residential building shall be permitted, when attached to the lowest floor of the building, parallel to the street.

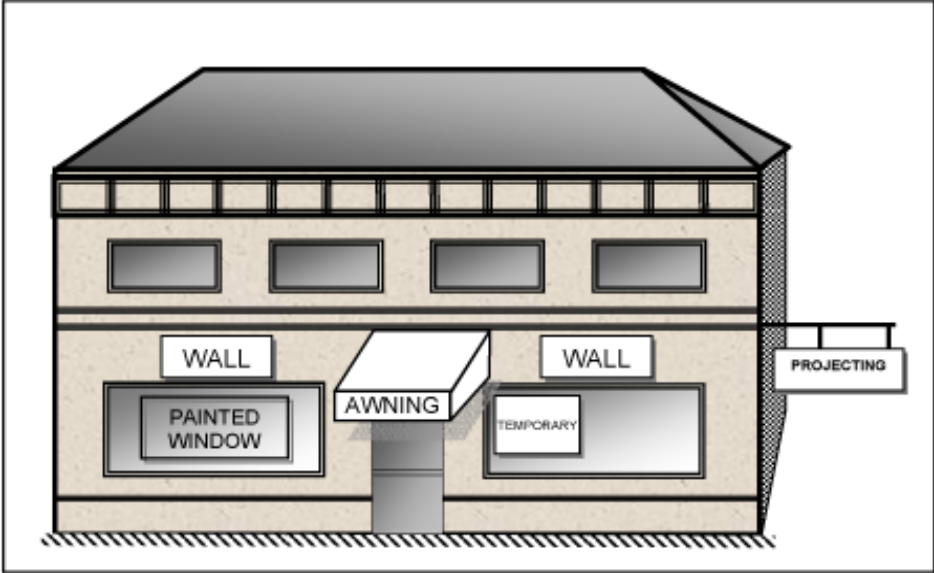
8. Traffic or other municipal signs, legal notices, notice of dangerous conditions and other temporary emergency or non-advertising signs of public interest shall be permitted by approval of the Neptune Chief of Police in cases of emergency or the Township Committee in all other cases.
- E. Signage for Ocean Grove Camp Meeting Association (OGCMA) shall be permitted, as follows:
1. Internally illuminated religious symbols sixteen (16') feet in height placed at an elevation not to exceed seventy-five (75) feet high.
  2. Wall mounted identification signs not to exceed sixteen (16) square feet in area with a maximum height of fifteen (15') feet.
  3. Wall mounted informational signs not to exceed sixteen (16) feet in area with a maximum height of fifteen (15') feet.
  4. Public safety and informational signs.
  5. Bronze memorial signs.
  6. Street signs
    - (a) Standard street signs per Manual of Uniform Traffic Control Devices.
    - (b) Monument street signs not to exceed twenty-four (24") inches in height.

#### 416.09 - Enforcement

The Zoning Officer shall be responsible for the administration and enforcement of all regulations contained within this article. The Zoning Officer may initiate enforcement procedures if any of the regulations contained herein are in violation. The Zoning Officer may call upon the Chief of Police and any duly authorized agents to assist in the enforcement of this title. If in the opinion of the Zoning Officer a particular sign presents an immediate danger to the public health, safety and welfare, appropriate action may be initiated to cause said sign to be immediately removed.



**APPENDIX D: TYPES OF BUILDING-MOUNTED SIGNS**



SECTION 7. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 8. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 9. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 10. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

APPROVED ON FIRST READING: June 22, 2015

APPROVED, PASSED, AND ADOPTED: July 13, 2015

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Richard J. Cuttrel,  
Municipal Clerk

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Kevin B. McMillan,  
Deputy Mayor