

**ORDINANCE 2008-36**

**AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS), SECTION 113.1 (GATEWAY A DISTRICT) AND SECTION 113.2 (GATEWAY B DISTRICT) OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY TO REVISE THE SIGN AND LIGHTING REGULATIONS FOR THE GATEWAY A AND B DISTRICTS**

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

1. Chapter 188, Section 113.1 F (Gateway A District) of the Code of the Township of Hillsborough shall be amended to include the following:

**9. Lighting.**

**All lighting must comply with the provisions contained in Section 57.**

2. Chapter 188, Section 113.1 H (Gateway A District) of the Code of the Township of Hillsborough shall be amended as follows:

**G. Architectural Standards.**

3. Chapter 188, Section 113.1 G(3) (Gateway A District) of the Code of the Township of Hillsborough shall be moved in its entirety and renumbered as Section 113.1 H to read as follows:

**H. Signs.**

1. There shall be a consistent design theme throughout the development. A unifying design theme shall include style of lettering, method of attachment, construction, material, size, proportion, lighting, position and day/night impacts. Color of letters and background shall be carefully considered in relation to the color of the material of the building(s) or where the signs are proposed to be located. Signs shall be a subordinate rather than predominate feature of any building. The lettering and sign shall be compatible with the architecture of the building.

2. A comprehensive signage plan shall be provided which covers overall project identification, window signage and lettering, individual building/tenant identification, traffic regulations, pedestrian crossing(s), street identification, parking and directional instructions. A signage hierarchy shall be established governing the above signage categories.
3. All permitted signage shall consist of the following:
  - (a) Temporary signs pursuant to Section 188-83 H.
  - (b) Signs permitted in all areas of the Township pursuant to Section 188-83 G.
  - (c) Wall, canopy and awning signs.
    - i. 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 façade, or twenty (20) square feet, whichever is greater.
    - ii. Corner uses may have a second wall sign, provided that such sign is located on the secondary street façade and does not exceed an area equal to one-half (1/2) of the area of the primary street façade wall sign, or twenty (20) square feet, whichever is greater.
    - iii. Each permitted use may have one (1) canopy sign or one (1) awning sign; however, such signs shall not exceed ten percent (10%) of the first floor façade or twenty (20) square feet, whichever is greater, and such signs shall be located on the valence area only.
    - iv. 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.
    - v. Permitted uses with an additional public entry from a rear façade may have one (1) additional wall sign on such façade; however, such sign shall not exceed ten (10) square feet in area.
    - vi. Wall, canopy and awning signs shall be located no higher than the bottom sills of second-story windows, and be visible to both pedestrians and motorists.
  - (d) In addition to the above signs, each developed parcel of land may be permitted one (1) freestanding sign for each street frontage, with each

sign not to exceed **thirty (30)** square feet in area and not to exceed **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 **eighty five percent (85%)** of the total sign area.

i. The street number shall not count towards the total permitted sign area, but may not exceed three (3) square feet and must be within the envelope of the permitted sign.

ii. The directory-of-occupants portion of the freestanding sign may have the name of the project in letters up to sixteen (16) inches high and include any number of tenant names that fit using, at a minimum, eight (8) inch letters with two (2) inch spaces between lines. Logos may appear on a directory-of-occupants sign.

(e) 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.

(f) 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 (45) day period of time.

(g) 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.

(h) 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 **eight (8)** square feet **per sign face**.

4. Chapter 188, Section 113.2 G(3)(Gateway B District) of the Code of the Township of Hillsborough shall be moved in its entirety and renumbered as Section 113.2 H to read as follows:

#### **H. Signs.**

1. There shall be a consistent design theme throughout the development. A unifying design theme shall include style of lettering, method of attachment, construction, material, size, proportion, lighting, position and day/night impacts. Color of letters and background shall be carefully considered in relation to the color of the material of the building(s) or where the signs are proposed to be located. Signs shall

be a subordinate rather than predominate feature of any building. The lettering and sign shall be compatible with the architecture of the building.

2. A comprehensive signage plan shall be provided which covers overall project identification, window signage and lettering, individual building/tenant identification, traffic regulations, pedestrian crossing(s), street identification, parking and directional instructions. A signage hierarchy shall be established governing the above signage categories.
3. All permitted signage shall consist of the following:
  - (a) Temporary signs pursuant to Section 188-83 H.
  - (b) Signs permitted in all areas of the Township pursuant to Section 188-83 G.
  - (c) Wall, canopy and awning signs.
    - i. 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 façade, or twenty (20) square feet, whichever is greater.
    - ii. Corner uses may have a second wall sign, provided that such sign is located on the secondary street façade and does not exceed an area equal to one-half (1/2) of the area of the primary street façade wall sign, or twenty (20) square feet, whichever is greater.
    - iii. Each permitted use may have one (1) canopy sign or one (1) awning sign; however, such signs shall not exceed ten percent (10%) of the first floor façade or twenty (20) square feet, whichever is greater, and such signs shall be located on the valence area only.
    - iv. 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.
    - v. Permitted uses with an additional public entry from a rear façade may have one (1) additional wall sign on such façade; however, such sign shall not exceed ten (10) square feet in area.
    - vi. Wall, canopy and awning signs shall be located no higher than the bottom sills of second-story windows, and be visible to both pedestrians and motorists.

- (d) In addition to the above signs, each developed parcel of land may be permitted one (1) freestanding sign for each street frontage, with each sign not to exceed **thirty (30)** square feet in area and not to exceed **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 **eighty five percent (85%)** of the total sign area.
- i. The street number shall not count towards the total permitted sign area, but may not exceed three (3) square feet and must be within the envelope of the permitted sign.
  - ii. The directory-of-occupants portion of the freestanding sign may have the name of the project in letters up to sixteen (16) inches high and include any number of tenant names that fit using, at a minimum, eight (8) inch letters with two (2) inch spaces between lines. Logos may appear on a directory-of-occupants sign.
- (e) 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.
- (f) 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 (45) day period of time.
- (g) 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.
- (h) 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 **eight (8)** square feet **per sign face**.
- (i) Movie theaters may display, in addition to the above applicable signs, one (1) marquee sign attached to the front building façade and not exceeding one hundred (100) square feet in area.

5. Chapter 188, Section 113.2 F (Gateway B District) of the Code of the Township of Hillsborough shall be amended to include the following:

## **9. Lighting.**

**All lighting must comply with the provisions contained in Section 57.**

6. Chapter 188, Section 113.5 H(3) (Town Center District) of the Code of the Township of Hillsborough shall be moved in its entirety and renumbered as Section 113.5 J to read as follows:

### **J. Signs.**

#### **1. Permanent Signs**

- (a) There shall be a consistent sign design theme throughout the development. A unifying design theme shall include style of lettering, method of attachment, construction, material, size, proportion, lighting, position and day/night impacts. Color of letters and background shall be carefully considered in relation to the color of the materials of the building(s) or where the signs are proposed to be located. Signs shall be a subordinate rather than predominant feature of any building. The lettering and sign shall be compatible with the architecture of the building.
- (b) A comprehensive signage plan shall be provided which covers overall project identification, window signage and lettering, individual building/tenant identification, traffic regulations, pedestrian crossing, street identification, parking and directional instructions. A signage hierarchy shall be established governing the above signage categories.
- (c) All permanent signage (except for traffic, parking and directional instructions) shall be affixed to a building façade, canopy or arcade, be located no higher than the sills of second-story windows; and be visible to both pedestrians and drivers.
- (d) The maximum sign area in the TC Town Center District for permitted nonresidential uses shall be ten percent (10%) of the first floor façade of each tenant or use, but in no event greater than twenty (20) square feet.
- (e) Blinking and flashing signs are prohibited.
- (f) Signs painted on the exterior walls of any building are prohibited.
- (g) Neon signs and other tube type signs, all flashing, intermittent, moving or fluttering signs, such as banners, flags or pennant signs, signs producing

glare or using bare bulbs, such as fluorescent signs, and signs that obstruct pedestrian traffic are prohibited.

- (h)** In addition to all other signage, restaurants, cafes, luncheonettes and delicatessens may be permitted the following: one (1) wall mounted display sign per business; featuring the actual menu, but not to exceed three (3) square feet in area and one (1) sandwich board sign not to exceed three (3) square feet per sign face which shall not obstruct pedestrian traffic.
- (i)** The area, brilliance, character, color, degree, density, intensity, location and type of illumination of any sign shall be the minimum necessary to provide for the readability of the proposed sign by the public without shedding further illumination on nearby buildings. All sources of illumination shall be shielded or directed in such a manner that the direct rays there from are not cast upon any property other than the lot on which such illumination is situated. Illumination shall be steady in nature, not flashing, moving or changing in brilliance, color or intensity.
- (j)** Special mounting standards shall be used for traffic directional, handicapped parking and other similar on-site signage.
- (k)** All signs shall be produced using professional methods.
- (l)** An effective signage and wayfinding program shall be instituted by the Township and implemented through the development approval process by developers in the TC Town Center District , as appropriate, to guide visitors to parking facilities and mass transit connections.

## **2.** Window lettering and signs.

- (a)** All window lettering and signs shall be inside the window and shall be considered interior signs.
- (b)** Window lettering or signs, including temporary and permanent, shall be permitted only if the rectangle or square which encloses the area around such lettering or sign does not exceed thirty percent (30%) of the total window area. Any painted area of any window shall be construed as window lettering or signs, whether or not such area actually contains lettering or advertising.

- (c) The window lettering or sign shall pertain only to the establishment occupying that portion of the premises where the window is located.
- (d) The following window lettering and signs are specifically prohibited: those having an exterior source of illumination and signs which include moving or animated images or text.
- (e) All window lettering and signs shall be kept in good repair.

**3. Signs on awnings, canopies or similar structures or attachments.**

- (a) Awnings, including awnings with a sign(s), shall be architecturally compatible with the building to which they are attached. All awnings shall be reviewed and approved by the Planning Board or Board of Adjustment during the site plan review and approval process. Alternatively, design standards relating to awnings, with or without signage, shall be prepared by the applicant for review and approval by the Planning Board or Board of Adjustment.
- (b) Awnings must be kept in good repair; clean and unfaded.
- (c) Awnings must be substantially attached to the main building structure.
- (d) Awning lettering and numbers as well as the style and colors must aesthetically blend with the building.
- (e) Letter height shall not exceed one-third (1/3) of the awning height and in no event shall exceed eight (8) inches.
- (f) Where applicable, awnings shall contain street numbers.
- (g) Awnings shall not contain phone numbers, product advertising, or product logos.

**7. 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.

**8. This ordinance shall take effect immediately upon passage and publication according to law.**

ATTEST:

TOWNSHIP OF HILLSBOROUGH:

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Kevin P. Davis, Township Clerk

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Mayor Anthony Ferrera

*Introduced: September 9, 2008*

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*Public Hearing: October 14, 2008*

*Adoption: October 14, 2008*

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