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ORDINANCE AMENDING SECTION 348-8.26A.(2) (TABLES OF BASIC DESIGN ELEMENTS), AMENDING THE TITLE OF TABLE 4 OF SECTION 348-9.26 (SIGNS), REPEALING TABLE 3 OF SECTION 348-8.26 (SIGNS), AND ESTABLISHING NEW TABLE 3 OF SECTION 348-8.26 (SIGNS) OF CHAPTER 348 (LAND USE AND DEVELOPMENT REGULATIONS) OF THE CODE OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY

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BE IT ORDAINED by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. § 348-8.26A.(2) of Chapter 348 (Land Use and Development Regulations) of the Code of the Township of Toms River, New Jersey is amended to read as follows:

Tables of basic design elements. Five tables of basic design elements for signs (Figure No. 8) are hereby made a part of this section. Each table shall apply to a specified portion of the Township as set forth in the table. General regulations shall apply except where specific regulations are provided.

2. The title of Table 4 of § 348-8.26 (Signs) of Chapter 348 (Land Use and Development Regulations) of the Code of the Township of Toms River, New Jersey is amended to read as follows:

Table 4: Balance of the Township not included in Tables 1, 2, 3, or 5.

3. Table 3 of § 348.26 (Signs) of Chapter 348 (Land Use and Development Regulations) of the Code of the Township of Toms River, New Jersey is repealed.

4. New Table 3 of § 348-8.26 (Signs) of Chapter 348 (Land Use and Development Regulations) of the Code of the Township of Toms River, New Jersey is established to read as follows:

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\*Signs within areas zoned VO, VB, DS and VS and lying south of Route 37, east of the Garden State Parkway, north of the Toms River, and west of Lexington Avenue, all of which lie in the Toms River Business Improvement District (TR BID) area shall be subject to the following limitations:

Ground Sign Area	Ground Sign Height	Projecting Sign	Wall Sign Percentage of Signable Area
32 sq. ft.	12 ft.	6 sq. ft.	40% but not to exceed 60 square feet

Approved by the Board of Commissioners on 11/15/11

The majority of the background area of ground, wall and projecting signs, exclusive of any letters, words or symbols, shall be earth tones or dark color. Earth tone is a muted or flat color scheme that draws from a color palette of browns, tans, grays, greens, whites and some reds, emulating natural colors found in soil, moss, trees and rocks.

1) Wall signs:

- a) Super graphic designs and wall signs painted on a building façade are permitted. Murals are permitted, but shall not be considered wall signs for the purpose of limiting the permitted area of the mural. In order to qualify for consideration as a mural, it must not contain advertising and it shall not identify the name of a business. Murals shall be subject to the prior approval of the TR BID and Toms River Planning Board, and shall have an historic or civic theme.
- b) External illumination is permitted.
- c) Internally illuminated signs are prohibited. However, individual letters of raceway type signs may be internally illuminated provided the internally illuminated portion of the sign is limited to the business name and logo.
- d) Raceways must be painted or constructed so as to match the building color or construction.
- e) The special situation for one-story commercial buildings as provided in subsection 348-8.26 C.(8) does not apply in the TR BID area, which means that no wall sign may extend above the roof line.
- f) Wall sign criteria as provided in subsection 348-8.26 A.(4) applies in the TR BID area, except with respect to sign height, which shall not exceed 18 feet and shall not extend above the height of the façade to which it is attached.

- g) Each establishment is limited to one wall sign on each side of the building that is located on and faces a street, parking area and/or vehicle circulation aisle.
  - h) The maximum area devoted to wall signs shall be separately applied to each façade to which they are applied.
  - i) In multi-tenant buildings, the wall sign shall not extend beyond the tenant's wall.
- 2) Ground signs:
- a) Signs shall be placed on private property at least fifteen (15) feet from the street curb and five (5) feet from the sidewalk.
  - b) External illumination is permitted.

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- c) There shall be no internal illumination.
- d) In order for a ground sign to be placed between a building and the street, the building must be set back at least twenty (20) feet from the street right-of-way line it faces.
- e) The sign must be at least twenty-five (25) feet from a ground sign on an adjacent property.
- f) Notwithstanding other sight triangle provisions in this code to the contrary, signs located within 20 feet of a street curb line, and for a distance 100 feet from an intersecting street curb line, shall not occupy the space between 30 inches and seven and one-half (7.5) feet above the ground. This prohibition does not apply to sign supports one (1) foot or less in diameter

3) Window signs:

- a) Lettering and logos, consisting of individual silk-screened, vinyl, foil or painted lettering, may be applied directly to windows, and shall not exceed 25% of each such window area or 10 square feet, whichever is less.
- b) Business name, logo, credit card decals, and hours of operation may be applied to the glass area of a door and shall not exceed 25% of such glass area or five square feet, whichever is less.
- c) Temporary signage for sales or promotions related to business use are permitted to be placed in the window area as long as the total signage in the window area does not exceed the standards set forth in Paragraph a) of this Subsection. For the purposes of this subsection, signage shall be considered temporary if it is easily removable and is displayed for a maximum of 14 days for any particular promotion. Temporary signs shall not be electronic or internally illuminated.



- b) Back-lighted plastic or translucent signs.
  - c) Internally illuminated signs.
  - d) Neon light signs, outlines or borders.
  - e) Bare bulb illumination.
  - f) Revolving, blinking, flashing, or sequential lighting.
  - g) Roof signs.
  - h) Pennants, pennant banners, streamers or balloons except as provided under 348-8.26 Figure 8, Table 3 "Special Events".
  - i) Signs using items of information such as "Stop", "Slow", "Warning", or "Danger" except as may customarily be called for in the public domain or as may otherwise be required by the approving authority as a part of site plan review.
  - j) Fabric signs with the exception of awning, special event, and temporary window signs.
- 5) Projecting Signs:
- a) External illumination is permitted.
  - b) Illumination by any other means is prohibited.
  - c) May project a maximum of three (3') feet from the building wall.
  - d) Are subject to subsection 348-8.26 A. (7).\*
  - e) Notwithstanding other codes to the contrary, no sign shall be closer than fifteen (15') feet to another projecting sign.\*
- 6) Hanging signs:
- a) Signs that hang below canopies may not exceed 4 square feet in size.\*
  - b) Are subject to subsection 348-8.26 A. (7).\*
  - c) May extend from the building front to the outer edge of the canopy less one foot at either end.\*

- a) Awnings shall not be supported from the ground.
- b) Items of information on the vertical awning face parallel to the street frontage is limited to lettering and one logo occupying no more than two-thirds ( $2/3$ ) of the height of the awning vertical surface.
- c) Items of information may also occupy up to one-quarter ( $1/4$ ) of slanted awning surface.
- d) Awnings may project up to six (6) feet from the first floor wall and have a maximum vertical height of four (4) feet.\*

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- e) Awnings projecting into a public right-of-way must have prior approval from the appropriate public entity.
  - f) Above the first floor, awnings are limited to cover the individual window areas only.
  - g) Items of information such as lettering and logos may not exceed the wall sign height limitation.
  - h) Internal illumination is prohibited.
- 8) Special signs for retail, restaurant and service businesses only:
- a) One café or restaurant menu as used on the table may be mounted on the building neatly in a wood or metal frame covered by glass, or applied to the inside of the window.
  - b) One chalkboard menu or sandwich board sign may be used by each tenant at sites that do not have ground signs. The chalkboard or sandwich board sign may be placed on the ground or sidewalk adjacent to the building in front of the tenant space, but it shall not obstruct pedestrians. Said sign must be framed black, white or green chalkboards with the establishment name or logo permanently affixed and have a maximum size of 24" X 36". They are to be used only during the establishment's business hours and stored indoors after hours. Signs can only advertise or relate to the business on the premises.
  - c) Temporary signs for sidewalk sales and other promotions not covered elsewhere herein shall be subject to the issuance of permits for special events.
  - d) Removable window or door signs for operational information; e.g. "Open", "Closed", "On Vacation", must be typed or professionally lettered and no larger than one (1) square foot in size.



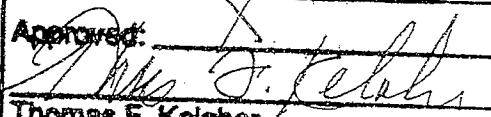
- a) Lettering style shall be limited to serif style, "Souvenir Bold", "Caslon", "Korinna", nonserif "Copperplate", "Helvetica", or other style approved by the special review board for the village area appointed by resolution of Township Council.
  - b) Signs shall be removed within three (3) months after the business has ceased.
- 11) The special review board for the village area, appointed by resolution of Township Council, shall have the authority to review and approve or disapprove signs. Approval shall only be given by the special review board for signs that fully conform to the provisions set forth herein. Variances or other deviations from the provisions herein shall be heard by the Planning Board except in the case of signs proposed in connection with a special reasons variance, in which case any variances or deviations from these provisions shall be heard by the Zoning Board of Adjustment.

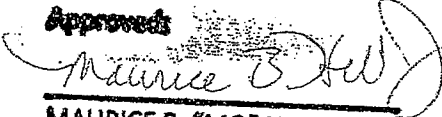
5. All ordinances or parts of ordinances which are inconsistent are repealed, but only to the extent of such inconsistency. All other parts of Chapter 348 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.

6. If any part or parts of this ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this ordinance.

7. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law.

L-May 8, 2012-16

Approved: 
Thomas F. Kelaher
Date: <u>June 13, 2010</u>
Not Approved: _____
Thomas F. Kelaher
Date: _____

Approved: 
MAURICE B. "MO" HILL
President of Council
Date: <u>6/12/12</u>

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# TOMS RIVER TOWNSHIP NOTICE

ORDINANCE AMENDING SECTION 348-8.26A.(2) (TABLES OF BASIC DESIGN ELEMENTS), AMENDING THE TITLE OF TABLE 4 OF SECTION 348-9.26 (SIGNS), REPEALING TABLE 3 OF SECTION 348-8.26 (SIGNS), AND ESTABLISHING NEW TABLE 3 OF SECTION 348-8.26 (SIGNS) OF CHAPTER 348 (LAND USE AND DEVELOPMENT REGULATIONS) OF THE CODE OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY

- PURPOSE:
- (1) TO AMEND SECTION 348 SUBSECTION 8.26A(2) (TABLES OF BASIC DESIGN ELEMENTS).
  - (2) TO AMEND THE TITLE OF TABLE 4 OF SECTION 348.9.26 (SIGNS).
  - (3) TO REPEAL TABLE 3 OF SECTION 348-8.26 (SIGNS).
  - (4) TO ESTABLISH NEW TABLE 3 OF SECTION 348-8.26 (SIGNS).

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on May 8, 2012 at 6:00 p.m. It will be further considered for final passage at a public at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on June 12, 2012 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's Office in said Municipal Building to members of the general public who shall request such copies.

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