

ORDINANCE NO. 2020-18

AN ORDINANCE OF COLTS NECK TOWNSHIP, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 102
“DEVELOPMENT REGULATIONS” OF THE CODE OF COLTS NECK TOWNSHIP

WHEREAS, on April 23, 1997 the Colts Neck Township Committee amended in its entirety Chapter 102, Development Regulations of the Code of Colts Neck Township; and

WHEREAS, Colts Neck Township is continuously and closely involved in planning and development process in the Township; and

WHEREAS, one of the purposes of planning is to review the Township’s policies and Development Regulations based on best available information and past experiences and to adopt regulations to guide the use of lands in a manner that promotes the public good and general public welfare; and

WHEREAS, proper planning dictates that signs should: 1.) be designed, constructed and installed to safeguard life, health and property; 2.) allow and promote positive conditions for communication; 3.) reflect and support a desired ambience and promote an attractive environment; 4.) allow for adequate and effective signage whose dimensional characteristics further the interest of public safety and the needs for motorist and 5.) ensure the constitutionally guaranteed right of free expression is protected; and

WHEREAS, the Township Committee of Colts Neck Township finds that sign regulations need to strike a balance between the need to protect public safety and a well maintained community with the need to provide adequate identification, communication and advertising.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of Colts Neck Township, County of Monmouth, State of New Jersey as follows: (additions to text indicated by underline, deletions to text indicated by ~~strikeout~~).

SECTION I That Chapter 102-84H “Signs” be amended and supplemented in the following parts only:

§ 102-84 A-1 and A-2 Agricultural District; A-3 Village Residential District

H Signs.

- (1) [Existing Text to Remain]
- (2) [Existing Text to Remain]
- (3) A temporary real estate sign advertising the sale or lease of a property or structure is permitted with the following restrictions:
 - (a) There shall be no more than one sign per property, except that corner lots shall be entitled to two signs per each such lot. Such signs shall not exceed four square feet on each side and shall not be more than four feet in height and shall be removed at the expense of the advertiser immediately upon termination or completion of the matter being advertised.
 - (b) Signs shall located not closer than ten feet from the nearest curbed or paved area; such signs shall not be lighted.
 - (c) Signs must be located on the property advertised.
 - (d) Directional signs advertising for open houses may be permitted on the day before the open house and must be removed the same day after the termination of the open house. Such signs shall not exceed four square feet on each side and shall not be more than four feet in height. The number and location of such signs are to be determined by the Zoning Officer or Code Enforcement Officer in the exercise of his or her reasonable judgement. In any event, no more than five signs shall be permitted for any one open house event.

SECTION II That Chapter 102-92D “Signs and traffic control” be amended and supplemented in the following parts only:

§ 102-92. Farm stands.

D. Signs and traffic control.

- (1) A maximum of ~~32~~ 64 square feet ~~per side~~ of nonilluminated, cumulative sign area is permitted ~~as one through up to a maximum of ten double-sided signs, or two~~ Both sides of double sided signs shall be calculated in the total sign area single-sided signs, and ~~s~~Sign(s) shall have a minimum front setback of 10 feet, a minimum side setback of 25 feet and a maximum height of 10 feet. The front setback may be reduced if required to give reasonable public sight distance, if public safety is not unduly impaired, as determined by the Director of Public Safety. Other sign requirements of § 102-106 apply.
- (2) Traffic directional signs at the entrance/exit may be provided in addition to the sign in Subsection **D(1)** above.

SECTION III That Chapter 102-106 "Signs" be amended and supplemented in the following parts only:

§ 102-106. Signs

- A. All signs, except temporary real estate signs, require ~~Planning Board~~ approval ~~from the Approving Authority~~ unless specifically exempted by other provisions of this chapter. Modification or relocation of existing signs requires approval of the Zoning Officer and/or Code Enforcement Officer. The Planning Board shall submit all applications for sign approval to the Architectural Review Committee pursuant to Chapter 2, Architectural Review Committee, and more specifically §§ 2-4, 2-5, and 2-6.
- B. Outdoor signs. Except for seasonal decorations, as covered herein, billboards, balloons or air- or gas-filled object or sign pictures of products or services or other structures for advertising or display purposes shall not be erected or utilized in any zone except as specifically allowed in this chapter. No sign of any type shall be permitted to obstruct driving vision, traffic signals or traffic direction and identification signs. Signs shall be directly related to the business being conducted on the premises.
 - (1) Animated flashing and illusionary façade or freestanding signs and balloons or gas- or air-filled objects or signs using mechanical, electrical and/or other means or devices to display flashing, movement or the illusion of movement are prohibited.
 - (2) Height. No freestanding or attached sign shall exceed the maximum height provided in the Zoning district. In any event, no sign shall exceed any lesser height if specified elsewhere in this chapter and shall not be ~~higher at any point than~~ mounted on the roof of the building if it is attached to a building.
 - (3) Illuminated freestanding and facade signs, where permitted, may be externally illuminated between 6:00 a.m. and 10:00 p.m. and so arranged as to reflect the light and glare away from adjoining premises in any residential zoning district and away from adjoining streets not to interfere with any motorist's visibility or general vehicular traffic. ~~Illuminated signs shall comply with the National Electric Code. Neon lighted signs are prohibited.~~ All signs may be externally illuminated with said lights a maximum distance of six feet from the sign.
 - (4) [Existing Text to Remain]
 - (5) Real estate signs temporarily advertising the sale, rental or lease of the premises or portion thereof shall be, if not attached to the building, set back at least 10 feet horizontally from the street curblineline or edge of pavement. There shall be no more than one sign per property, except that corner lots shall be entitled to two signs per such lot. Such signs shall not exceed four square feet on each side and shall not be more than ~~five~~ four feet high and shall be removed at the expense of the advertiser immediately upon termination or completion of the matter of business being advertised. All such signs do not need a sign permit or site plan approval.
 - (6) [Existing Text to Remain]
 - (7) [Existing Text to Remain]
 - (8) ~~(Reserved) Temporary farm stand and pick your own agriculture signs.~~
 - (a) ~~Two nonilluminated temporary signs with a maximum total area of 64 square feet of sign area, one double-sided four-foot by eight-foot sign or two single-sided four-foot by eight-foot signs are permitted at each road frontage for the site upon~~

which the crop is being sold. Said sign shall not exceed 10 feet in height and shall not be illuminated. In addition, traffic control exit and entrance signs, not to exceed eight square feet in sign area, may be used. Lettering on these signs shall be limited to traffic control information and the name of the farm stand. No trucks, wagons, trailers or similar vehicles with lettering or pictures of products on their sides shall be parked on the sales field location or on other fields in such a location as to serve as a sign along a street or highway. Such signs shall be located no closer to a street or road than the property line.

- (b) Such signs require a temporary outdoor sign permit approved and issued by the Zoning Officer. The application for such a permit shall include a sketch showing the size of the sign(s) and their location relative to the property lines of the field involved and to bordering streets and highways. The permit shall be for a maximum specific interval consistent with the sales period for the crop involved as follows: 30 days for strawberries; 90 days for corn; 45 days for pumpkins; or as otherwise specified by the granting agent.

- (9) [Existing Text to Remain]
(10) [Existing Text to Remain]
(11) [Existing Text to Remain]
(12) [Existing Text to Remain]

C. Outdoor seasonal decorations. Display of seasonal decorations are exempt from sign requirements and do not require ~~Planning Board~~ Approving Authority approval but shall meet the following requirements:

- (1) Seasonal decorations, exempt from sign ordinance requirements, are permitted for and limited to the following major holidays which customarily involve seasonal theme decorations:
- (a) — Easter
 - (b) — Halloween.
 - (c) — Thanksgiving.
 - (d) — Christmas.
 - (e) — Mother's Day.
 - (f) — Chanukah.
 - (g) — Passover.
- (2) ~~Decorations using mechanical, electrical, wind and/or any other means or devices to display flashing, movement or the illusion of movement are prohibited. Twinkle Christmas tree lights are exempt from this requirement.~~
- (3) ~~Location. There shall be one display per lot or temporary, seasonal farm stand located on the same lot as the business or farm stand. Setbacks shall be the same as for a principal structure.~~
- (4) ~~2~~ Height. The maximum height of all signs seasonal decorations shall be 35 feet. This shall include helium balloons and other airborne types of displays.
- (5) ~~3~~ Seasonal decorations display period shall not exceed 31 days.
- (a) — For Halloween and Christmas: 31 days.
 - (b) — For all other holidays: 15 days.
- (6) ~~Permit. A seasonal decoration display permit shall be approved by and obtained from the Zoning Officer. The application shall include the following information, and a fee shall be paid:~~
- (a) Dimensioned drawings of the display showing size and mounting height.
 - (b) A plat plan showing the location of the display relative to lot lines and nearby structures and the calendar interval when the display will be utilized.

D. Indoor signs. One nonblinking or flashing internally illuminated or neon type sign containing a maximum area of 3 square feet is allowed in a window of a commercial establishment. All other illuminated signs or flashing lights within a structure or building are allowed only if they are not plainly visible outside the structure to the general public when 100 feet or more from any part of the structure. Neon signs are prohibited unless they are not plainly visible from outside the structure or building.

E. [Existing Text to Remain]

F. [Existing Text to Remain]

SECTION IV That Chapter 102-109H "Signs" be amended and supplemented in the following parts only:

H. 102-109 Business districts.

Signs (see also §§ 102-122 and 102-123).

- (1) [Existing Text to Remain]
- (2) Shopping centers and office buildings. Shopping centers and office building complexes shall provide a coordinated and comprehensive sign plan. All freestanding, facade and entrance signs may shall be externally illuminated and shall resemble a composition of wood material. All signs shall be coordinated into an integrated theme containing a commonality of colors, lettering and appearance.
 - (a) [Existing Text to Remain]
 - (b) Attached signs. Each store or office in a shopping center or office complex may have one externally lighted or unlighted sign displaying the name of one business attached flat against the front of the building at the main entrance to the business. Said sign shall not exceed an area equivalent to 5% of the front of the building or 60 square feet, whichever is smaller. The sign shall not exceed a vertical dimension greater than six feet and shall be mounted ~~so the highest part of the sign does not exceed the height of the~~ on the front façade and not on the building roofline.
 - (c) [Existing Text to Remain]
 - (d) [Existing Text to Remain]
 - (e) [Existing Text to Remain]
 - (f) ~~Sale signage. Upon approval and issuance of a temporary outdoor sign permit by the Zoning Officer, stores in a shopping center may, singly or collectively, display temporary special sale day signs outdoors for no longer than one week preceding the first sale day and continuing during the period of the sale but, in any event, no more than two weeks total for each sale. Each business shall be limited to a maximum of four occurrences per calendar year and each occurrence shall be limited to the installation of special sale day signage for a maximum of two weeks. Special sale day signs shall be limited to two one-sided signs (or one sign with two sides) with a maximum total area of 32 square feet for each side, and said signage shall be allowed in addition to other permitted signs, provided that the applicant shall provide a sketch, to scale, of the special sale day sign and its location no farther than 10 feet from the store entrance, but in any event not in a sight triangle or other location interfering with proper driver sight distance, and shall pay a fee as required in this chapter. Special sale day signage shall not include banners, flags, balloons, streamers, spotlights or other types of advertising or devices to attract attention.~~
 - (g) Grand opening signs. In addition to other signage permitted above, the opening of a new business shall be entitled to special grand opening flags and signs by the issuance of a temporary outdoor sign permit by the Zoning Officer. No grand opening sign shall remain displayed for more than 14 days, beginning on the initial grand opening day. These temporary signs shall be attached to the ground, shall have no portion of the sign more than six feet above grade, shall be no more than 40 square feet in area, shall be in a landscaped area, shall be outside of any sight triangle, shall be no closer than 20 feet to the street right-of-way and, if lighted, shall have exterior lights shielded so that the light source cannot be seen by either drivers on adjacent roads or driveways or by residential neighbors. No more than three flags are permitted as part of the special grand opening signage, with at least one flag being the United States Flag. Said flags shall be mounted on poles as follows: a pole 25 feet high with flags not exceeding dimensions of four feet by six feet; or a pole 20 feet high with flags not exceeding dimensions of three feet by five feet.
- (3) [Existing Text to Remain]
- (4) Other uses shall be permitted one externally illuminated freestanding sign which shall not exceed eight feet in height and shall be set back from the future street right-of-way a minimum of 10 feet and shall not exceed ~~15~~ 25 square feet in area for each of two sides and one externally illuminated sign which shall be attached flat against the building and

shall not exceed 60 square feet in area or the equivalent of 5% of the area of the front of the building, whichever is smaller, and shall ~~not exceed the height of the~~ be mounted on the front building façade and not on the roofline.

- (5) A temporary real estate sign advertising the sale or lease of a property or structure is permitted with the following restrictions: there shall be no more than one sign per property; signs shall not be lighted; and signs must be located on the property advertised. Such signs shall not exceed four square feet on each side, shall not be more than four feet in height and shall be removed at the expense of the advertiser immediately upon termination or completion of the matter being advertised.
- (6) [Existing Text to Remain]
- (7) [Existing Text to Remain]
- (8) [Existing Text to Remain]

SECTION V That Chapter 102-123 “Signs” be amended and supplemented in the following parts only:

§ 102-123 Signs

- A. All signs, except temporary real estate signs, require Planning Board approval by the Approving Authority, unless specifically stated otherwise herein. Modification or relocation of existing signs require reapproval.
- B. Outdoor signs. Except for seasonal decorations, as covered in Subsection C herein, billboards, balloons or air- or gas-filled object or sign pictures of products or services or other structures for advertising or display purposes shall not be erected or utilized in any zone except as specifically allowed in this chapter. No sign of any type shall be permitted to obstruct driving vision, traffic signals or traffic direction and identification signs. Signs shall be directly related to the business being conducted on the premises.
 - (1) Animated flashing and illusionary façade or freestanding signs and balloons or gas- or air-filled objects or sign pictures of product or services. Signs using mechanical, electrical and/or other means or devices to display flashing, movement or the illusion of movement are prohibited. Balloons or air- or gas-filled object or sign pictures of products or services or similar objects or other physical objects used for advertising or display purposes, with or without lettering, shall meet all sign requirements herein and shall not be utilized at a height above ground level exceeding the sign height requirements herein.
 - (2) Height. No freestanding or attached sign shall exceed the maximum height provided in the Zoning district. In any event, no sign shall exceed any lesser height if specified elsewhere in this chapter and shall not be ~~higher at any point than~~ mounted the roof of the building if it is attached to a building.
 - (3) Illuminated façade and freestanding signs, where permitted, may be externally illuminated and so arranged as to reflect the light and glare away from adjoining premises in any residential zoning district and away from adjoining streets. ~~Illuminated signs shall comply with the National Electric Code. Neon lighted signs are prohibited.~~ All signs may be externally illuminated, with said lights a maximum distance of six feet from the sign and of such design as to minimize sky glare. The base of the lights shall be screened by landscaping or other method approved by the approving authority.
 - (4) [Existing Text to Remain]
 - (5) Real estate signs temporarily advertising the sale, rental or lease of the premises or portion thereof shall be, if not attached to the building, set back at least 10 feet horizontally from the street curbline or edge of pavement. There shall be no more than one sign per property, except that corner lots shall be entitled to two signs per each such lot. Such signs shall not exceed ~~nine~~ four square feet on each side and shall not be more than ~~five~~ four feet high and shall be removed at the expense of the advertiser within 15 days after the termination or completion of the matter of business being advertised. All such signs do not need a sign permit or site plan approval.
 - (6) [Existing Text to Remain]
 - (7) [Existing Text to Remain]
 - (8) (Reserved) Temporary farm stand and pick-your-own agriculture signs.
 - (a) ~~Two nonilluminated temporary signs with a maximum total area of 64 square feet of sign area, one double-sided four-foot-by-eight-foot sign or two single-sided four-foot-by-eight-foot signs are permitted at each road frontage for the site upon which the crop is being sold. Said sign shall not exceed 10 feet in height and shall~~

not be illuminated. In addition, traffic control exit and entrance signs, not to exceed eight square feet in sign area, may be used. Lettering on these signs shall be limited to traffic control information and the name of the farm stand. No trucks, wagons, trailers or similar vehicles with lettering or pictures of products on their sides shall be parked on the sales field location or on other fields in such a location as to serve as a sign along a street or highway. Such signs shall be located no closer to a street or road than the property line.

- (b) Such signs require a temporary outdoor sign permit approved and issued by the Township Administrator. The application for such a permit shall include a sketch showing the size of the sign(s) and their location relative to the property lines of the field involved and to bordering streets and highways. The permit shall be for a maximum specific interval consistent with the sales period for the crop involved as follows: 30 days for strawberries; 90 days for corn; 45 days for pumpkins; or as otherwise specified by the granting agent.
- (9) [Existing Text to Remain]

C. Outdoor seasonal decorations. The display of seasonal decorations is exempt from sign requirements but shall meet the following requirements:

- (1) Seasonal decorations, exempt from sign ordinance requirements, are permitted for and limited to the following major holidays which customarily involve large scale commercial seasonal theme decorations:
- (a) ~~Easter.~~
 - (b) ~~Halloween.~~
 - (c) ~~Thanksgiving.~~
 - (d) ~~Christmas.~~
 - (e) ~~Mother's Day.~~
 - (f) ~~Chanukah.~~
 - (g) ~~Passover.~~
- (2) Decorations using mechanical, electrical, wind and/or any other means or devices to display flashing, movement or the illusion of movement are prohibited. Twinkle Christmas tree lights are exempt from this requirement.
- (3) Location. One display is permitted per lot or one display per business establishment or temporary, seasonal farm stand located on the same lot as the business or farm stand. Setbacks shall be the same as for a principal structure.
- (2) (4) Height. Maximum height shall be 35 feet, however, This includes gas-filled balloons are exempt from this and other types of airborne displays.
- (3) (5) Seasonal decorations ~~display~~ period shall not exceed 31 days.
- (a) For Halloween and Christmas: 31 days.
 - (b) All other holidays: 15 days.
- (6) Permit. A seasonal decoration display permit shall be approved by and obtained from the Zoning Officer. The application shall include the following information and a fee shall be paid:
- (a) Dimensioned drawings of the display, showing size and mounting height.
 - (b) A plat plan, showing the location of the display relative to lot lines and nearby structures and the calendar interval when the display will be utilized.

D. Indoor signs. One internally illuminated or neon type sign (non-blinking, non-flashing or non-scrolling) containing a maximum of 3 s.f. is allowed in a window of a commercial establishment. All other illuminated signs or flashing lights within a structure or building are allowed only if they are not plainly visible outside the structure to the general public when 100 feet or more from any part of the structure. ~~Temporary,~~ Nonilluminated sale window signs within a building, plainly visible outside the structure to the general public 100 feet or more from any part of the structure shall not be displayed on a continuous basis for more than 15 days: shall not exceed 30% of the total window area. The same or similar sign shall not be displayed again within 90 days of its last permitted interval. Such signs shall meet all permitted sign area requirements for signs on buildings. All other illuminated signs or flashing lights within a structure or building shall be allowed only if they are not plainly visible outside the structure to the general public when 100 feet or more from any part of the structure.

- E. Sale signage. Upon approval and issuance of a temporary outdoor sign permit by the Zoning Officer, commercial establishments may singly or collectively, display temporary special sale signs outdoors for no longer than one week preceding the first sale day and continuing during the period of the sale but, in any event, no more than two weeks total for each sale. Each business shall be limited to a maximum of four occurrences per calendar year and each occurrence shall be limited to the installation of special sale signage for a maximum of two weeks. Multiple special sale signs are permitted with a maximum culminative sign area of 32 square feet, both sides of double sided signs count in this calculation and said signage shall be allowed in addition to other permitted signs, provided that the applicant shall provide a sketch to scale, of the special sale sign and its location no closer than one foot from the street right-of-way, but in any event not in a sight triangle or other location interfering with proper driver sight distance, and shall pay a fee as required in this chapter. Special sale signage shall not include banners, flags, balloons, streamers, spotlights or other types of advertising or devices to attract attention.
- F. Grand opening signs. In addition to other signage permitted above, the opening of a new business shall be entitled to special grand opening signs by the issuance of a temporary outdoor sign permit by the Zoning Officer. No grand opening sign shall remain displayed for more than 45 days, beginning on the initial grand opening day. These temporary signs shall be attached to the ground, shall have no portion of the sign more than six feet above grade, multiple signs are permitted but shall not exceed a cumulative of 40 square feet in sign area. Both sides of double sided signs count in this calculation. The signs shall be in a mowed or shielded landscaped area, shall be outside of any sight triangle, shall be no closer than one foot to the street right-of-way and, if lighted, shall have exterior lights shielded so that the light source cannot be seen by either drivers on adjacent roads or driveways or by residential neighbors.

SECTION VI Severability. If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

SECTION VII 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 VIII Inconsistent ordinance. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION IX This ordinance shall take effect immediately upon passage, publication and filing according to law.

I hereby certify the Ordinance foregoing to be a true copy of an Ordinance introduced by the Township Committee of the Township of Colts Neck on the 30th day of September, 2020. A public hearing will be held on October 14, 2020, 7:30 p.m. Town Hall, 124 Cedar Drive.

Frank Rizzuto, Mayor

Trina Lindsey, Township Clerk

RECORD OF VOTE												
	First Reading					Second Reading						
	September 30, 2020					October 14, 2020						
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Rizzuto			X									
Deputy Mayor Viola			X									
Bartolomeo			X									
Fitzpatrick		S	X									
Orgo		M	X									
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												