§ DRZ-609.10. Street Graphics. [Ord. No. 2471-16]

The purpose of this section is to create the legal framework for a system of street graphics.

a. Table of Design Elements. A Table of Design Elements for street graphics is included herewith. Except in Areas of Special Control, as set forth in Section 609.10h, no street graphic shall be erected, displayed, substantially altered, or reconstructed except in conformance with the Table of Design Elements, hereinafter referred to as "the Table." **[Ord. No. 12-93; Ord. No. 15-95; amended 10-2-2019 by Ord. No. 2541-19]**

Table of Design Elements				
Key: Y = Yes; N = No; W = White				
	Zoning Districts			
	R-3 thru R-8, R-O	**B-1, B-2**	**B-3, B-4**	**OR-1 thru OR-3, CMO, CD, C**
Basic elements				
Wall graphic - area	2 square feet	20%	20%	10% (Note A)
Wall graphic - height	1 foot	2 feet	2 feet	2 feet (Note A)
Ground graphic - area	2 square feet	(Note B)	20 square feet	20 square feet
Ground graphic - height	5 feet	15 feet	10 feet	5 feet
Projecting signs (see Section 609.10e)	N	N	Y	N
Auxiliary elements				
Awnings (Note E)	N	Y	Y	N
Sidewalk/sandwich board signs (see Section 609.10f)	N	N	Y	N
Canopies	N	Y	Y	N
Marquees	N	N	Y	N
Time & temperature	N	Y	Y	N
Window/glass storefront	N	(Notes C & D)		N
Surface color	W + 1	All	All	W+2

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Notes:

Note A: In the OR-3 District, buildings which are two or more stories in height and have a front setback of at least 100 feet may have wall graphics displayed on each street frontage, provided:

1. Graphics are not over seven feet in height;
2. Graphics are at least 20 feet above any area used by the public;
3. Graphic area does not exceed 150 square feet;
4. Graphic area does not exceed 5% of the wall area to which attached;
5. Graphic does not project above roof line.

Note B: One ground graphic identifying the activities on the property may be displayed along each street or road which abuts the property, provided there exists at least 200 feet of unbroken frontage and a vehicular access. Ground graphics for individual businesses are not permitted. Area of graphic shall not exceed 50 square feet, and height shall not exceed 15 feet above grade at street line. Setback shall be at least 20 feet from the street and all property lines.

Note C: Temporary window graphics must be removed within five days after close of the sale or special event and in no event may be displayed more than 40 days. Graphics must be attached flat against the window glass and not occupy more than 25% of the total area of the window in which displayed.

Note D: Permanent window graphics may not occupy more than 25% of the total area of the window in which displayed. Any lettering in the window which is less than three inches in height shall not be considered in this calculation.

Note E: Awnings shall be permitted on any retail use in any zoning district under any of the following conditions:

1. The use is specifically permitted in the zoning district; or
2. The use is permitted through the granting of a use variance; or
3. The use is a valid pre-existing nonconforming use.

Note F: In the R-3 through R-8 and R-O Districts, wall and ground graphics shall not be illuminated, except for those Areas of Special Control as set forth in Section 609.10h(1) and (2).

b. Items of Information Allowed.

1. Each land use is entitled to display street graphics containing up to 10 items of information on each street to which it has access. The name of the proprietor or the name of the business occupying the building and its premises shall count as only one item of information. The name may be displayed on each street frontage, even if the items of information use up the permitted 10 items.

2. An "item of information" means any of the following: a syllable of a word; an abbreviation; a number (whether one digit or more); a symbol; or a geometric shape. In

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addition, graphics combining several shapes are to be assessed one additional item for each noncontinuous plane.

3. Lettering less than three inches in height, if contained in a wall graphic, is not included.

c. Ground Graphics.

1. Any land use may display one or more ground graphics, provided:

(a) The face of the building or structure is set back at least 35 feet from the street line;

(b) The ground graphic shall not exceed eight feet in height, measured from the grade at the street line;

(c) A ground graphic which is six square feet or more in area may be displayed only on a frontage of 100 feet or more;

(d) The ground graphic shall be set back from each property line and the street line a minimum of 10 feet, or 1.5 times the height of the graphic, whichever is greater.

d. Wall Graphics.

1. The area permitted for wall graphics is shown in the Table of Design Elements.

2. "Signable area" of the building means an area of the facade of the building which is free of windows, doors, and major architectural detail. The percentage figures shown in the Table are based on the signable area. The following provisions apply in calculating the graphic area:

(a) If the graphic is enclosed by a box or outline, the total area of the graphic, including the background, is counted as part of the graphic area;

(b) If the graphic consists of individual letters, only the area of the letters is counted as part of the signable area.

3. A graphic may not cover or interrupt major architectural features, such as a frieze, string courses, or other decorative facade details.

4. Wall graphics height limitations:

(a) Wall graphics placed in the space between windows may not exceed in height more than 2/3 of the distance between the top of a window and the sill of the window above, or major architectural details related thereto;

(b) Wall graphics may not extend above the second floor line, nor above the roof line of the building to which attached. **[Ord. No. 9-87]**

e. Projecting signs or blade signs are allowed per the Table of Design Elements. Each tenant or business is entitled to one projecting or blade sign, provided they can conform to the requirements listed below: **[Amended 10-2-2019 by Ord. No. 2541-19]**

1. The bottom of any projecting sign must be at least eight feet zero inches above sidewalk level or elevated entry platform; the top of the projecting sign may not extend higher

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than whichever of the following may be the lowest: 15 feet zero inches above sidewalk level or elevated entry platform, or six inches below the windowsill of a second-floor window.

2. Must be securely attached to the building facade by a structural supporting bracket extending no farther than 40 inches from the building facade. Decorative support brackets may extend 12 inches above the top of the sign.

3. Signage shall not extend or project more than 40 inches from the building facade.

4. Signage shall not exceed three square feet in total area.

5. Signage may be illuminated by decorative, internal lighting, or indirect light sources. Signage illuminated by bare bulbs and floodlights is not permitted.

f. Sidewalk signs/sandwich board signs, where permitted per the Table of Design Elements: **[Added 10-2-2019 by Ord. No. 2541-19[1]]**

1. Each street-level tenant/storefront is entitled to one sidewalk sign in front of their establishment. Signs may be double-sided.

2. Maximum size shall be 24 inches wide by 48 inches high.

3. Frames shall be wood or metal.

4. Placement of signs must allow for five feet of clearance between the sign and the curb, or any utility pole, street furniture, or other permanent sidewalk structure.

g. Special Situations.

1. Street graphics may be displayed on the side or rear of a building adjacent to an off-street parking area if the off-street parking area is 40 feet or more in width. However, the side or rear of the building may not be included when calculating the signable area.

2. If a building has frontage on two or more streets, each side of the building is to be separately considered.

h. Areas of Special Control.

1. A church, school or other quasi-public land use in an R-3 through R-8, or R-O District may display one ground graphic not larger than 15 square feet in area. Golf courses and private clubs may display one ground graphic not to exceed 10 square feet in area and five feet in height for each vehicular entrance from a public street.

2. Apartments in the R-8 District may have one ground graphic not larger than 12 square feet in area and five feet in height for each 200 feet of street frontage.

3. Automobile service stations may have one pole mounted ground graphic not larger than 15 square feet in area, nor more than 20 feet in height, in addition to the provisions of the Table of Design Elements.

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1. Editor's Note: This ordinance also provided for the renumbering of the remainder of this section.

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4. The following graphics are prohibited:

   (a) Billboards; except as a conditional use in the Commercial/Medical Offices District (CMO), subject to the conditions set forth under Section 606.9d.[2] **[Ord. No. 2305-07]**

   (b) Portable graphics (except sidewalk signs/sandwich board signs per Section 609.10(f) and the Table of Design Elements). **[Amended 10-2-2019 by Ord. No. 2541-19]**

   (c) Graphics with motion or which give the illusion of motion.

   (d) Flashing or intermittent light for graphics.

   (e) Temporary signs identifying architects, engineers, contractors, builders, painters, gardeners and any other tradesman or service providers engaged in construction, improvement, repair, refurbishing, landscaping or any other commercial activity relating to structures in residential zones. **[Ord. No. 2170-00]**

   (f) Internally lit box signs. Existing internally lit box signs can remain in use but cannot be replaced. **[Added 10-2-2019 by Ord. No. 2541-19]**

5. The following temporary graphics are permitted and do not require a permit:

   (a) Graphics identifying the sale, rental, or lease of the premises on which located, subject to a maximum graphic area of four square feet in the R-3 through R-8 and R-O Districts, and nine square feet in all other districts; ground graphic provisions shall apply; graphics shall be removed no more than seven days after the date when the contract or lease is signed or the reason for the graphic has ceased; open house graphics shall be allowed only during the day when the open house is being conducted. **[Ord. No. 20-95; Ord. No. 2170-00]**

   (b) Developments with three or more lots for sale shall be permitted one ground graphic not larger than 12 square feet in area or five feet in height.

   (c) Temporary window graphics.

   (d) Graphics on the grounds of churches, schools, or other quasi-public land uses provided they do not exceed 15 square feet and are not displayed for more than 14 days.

   (e) Temporary real estate directional signs. **[Added 3-19-2019 by Ord. No. 2527-19; amended 10-2-2019 by Ord. No. 2541-19]**

      (1) "Temporary real estate directional signs" shall be defined as removable freestanding signs, to be in or on the ground, not to exceed 18 inches in height, 24 inches in width and no higher than 30 inches above existing grade, that are used to direct potential home buyers to an active open house.

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2. Editor's Note: Codified per ordinance. Billboard provisions removed by Ord. No. 2326-08.

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(2) Signs may be placed in the public right-of-way; however, no sign shall create a sight triangle obstruction for motorists or an obstruction to pedestrians. No sign shall be placed on private property without the written permission of the property owner.

(3) A temporary real estate directional sign may only be installed during the hours of 11:00 a.m. to 5:00 p.m. on the day of the open house. Signs must be removed by 6:00 p.m. on the same day of the open house.

(4) No more than four temporary real estate directional signs shall be placed for a single open house. These signs must identify the broker sponsoring the open house and a phone number.

(5) A temporary real estate directional sign, as defined herein, shall not include any illumination, nor shall there be affixed thereon any balloons, streamers or other decorative accessory.

6. Signs indicating the presence of a security device or system are permitted. Security device or system shall have the same meaning as a "local alarm" or a "private alarm system" as defined in Chapter 4, Subsection 4-1.4 of the Revised General Ordinance of the Township of Millburn (1994). **[Ord. No. 2170-00]**

i. Permits.

1. No street graphic other than temporary graphics as set forth in Section 609.10h5, sidewalk/sandwich board signs, or those operations set forth in Paragraph 3 below, shall be erected, altered, or relocated without a permit issued by the Zoning Officer. **[Amended 10-2-2019 by Ord. No. 2541-19]**

2. Applications for permits shall include a drawing showing the design, location, pertinent details, and the name and address of the owner and applicant.

3. The following operations shall not require a permit:

(a) Changing copy on a theater marquee;

(b) Renovating an existing graphic where no change in copy is made.

j. Auxiliary Elements. See Table.

1. Awnings and canopies are permitted in the B-1 through B-4 Districts, and as otherwise permitted in accordance with Note E in the Table of Design Elements. Letters over three inches in height which are displayed are debited against the allowable graphic area.

2. Temporary window graphics are not debited against the allowable graphic area.

3. Indirect illumination, i.e. a light source not seen directly, is permitted.

4. Floodlight illumination is permitted, provided none of the light shines onto an adjoining property or in the eyes of motorists or pedestrians.

5. Bare bulb illumination is not permitted.

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k. Graphics and signage for businesses no longer in operation. **[Added 10-2-2019 by Ord. No. 2541-19[3]]**

1. Businesses no longer in operation shall have all of their signage related to the business removed within 30 days of closing or ceasing operation.

2. Removal of such signage shall be the responsibility of the property owner.

3. Signage to be removed shall include:

(a) Building signage at the exterior facades.

(b) Graphics in or attached to windows, doors, facade glass, or storefronts.

(c) Awnings with graphics shall be removed along with their frames unless graphics are covered with simple plain canvas whose color shall match the awning.

l. Any violations of this section shall be enforced as described in Section 419, Violations and Penalties, of the Development Regulations and Zoning Ordinance. **[Added 10-2-2019 by Ord. No. 2541-19]**

3. Editor's Note: This ordinance also provided for the repeal of former Subsection k, Advisory Board.

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