

BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE INTRODUCTION

NOTICE is hereby given that **Ordinance 02-2026** - Ordinance of the Borough of Eatontown Entitled **“AN ORDINANCE AMENDING CHAPTER 89 LAND USE, ARTICLE VII AREA, BULK AND USE REQUIREMENTS, SECTIONS 89-51 BILLBOARDS TO REGULATE AND LIMIT BILLBOARDS WITHIN THE BOROUGH OF EATONTOWN”** was introduced and passed upon first reading at a regular meeting of the Governing Body of the Borough of Eatontown, NJ held Wednesday, March 11, 2026. It will be further considered for final passage after a public hearing thereon at a meeting of the Governing Body to be held at the Municipal Building, 47 Broad St., Eatontown, NJ 07724 on Wednesday, March 25, 2026, at 7:30pm or as soon thereafter. Copies are available to the general public who request such copies at the office of the Borough Clerk and at the Borough website, www.eatontownnj.com under Public Notices. By Order of the Mayor and Council of the Borough of Eatontown. Trina Lindsey, RMC, Borough Clerk

ORDINANCE 02-2026

BOROUGH OF EATONTOWN

COUNTY OF MONMOUTH

AN ORDINANCE AMENDING CHAPTER 89 LAND USE, ARTICLE VII AREA, BULK AND USE REQUIREMENTS, SECTIONS 89-51 BILLBOARDS TO REGULATE AND LIMIT BILLBOARDS WITHIN THE BOROUGH OF EATONTOWN

WHEREAS, Borough is concerned about the proliferation of billboards along State Highways 36 and 35 within the Borough and to limit that proliferation, it believes limiting the number and location to within 2000' of the intersection of Highways 36 and 35; and

WHEREAS, the Borough Council believes it is in the Borough's best interest to regulate and restrict billboards to its main commercial corridor at the intersections of State Highway 35 and 36.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby amends Chapter 89, Land Use, Article VII, Area Bulk and Use Requirements Section 89-51 of the Borough Code

I. Billboards are specifically prohibited throughout all zoning districts within the Borough and, as such, any request for a billboard shall be governed by the provisions of N.J.S.A. 40:55D-70(d)(1), except where otherwise indicated below.

A.Existing billboards Any existing billboard within the B-2 and B-5 Zoning Districts which predates this section, may be upgraded if, and only if, they are located upon properties fronting on State Highway 35 and meet the following conditions which shall not be read as making new billboards a conditional use within the B-2 and B-5 Zoning Districts, as they shall be specifically prohibited with requests for same being governed by N.J.S.A. 40:55D-70(d)(1), and instead should only be read as providing a method for preexisting billboards in the aforesaid locations to be upgraded for aesthetical reasons:

- (1) The proposed billboard is a replacement of an existing billboard for which a permit from the New Jersey Department of Transportation (NJDOT) was previously issued pursuant to the New Jersey Roadside Sign Control and Outdoor Advertising Act (N.J.S. A. 27:5-5 et seq. and N.J.A.C. 16:41C-1.1 et seq.);
- (2) The proposed billboard shall be in the identical location as the existing billboard it is replacing and shall be no larger than the replaced billboard. However, in no event shall the area of the replacement billboard exceed 500 square feet on any single sign face. Two-sided and V-configured billboards shall be permitted;
- (3) No billboard shall be located on a lot developed with any use, building, business or structure that is not permitted pursuant to this chapter, unless otherwise previously approved by variance, and further provided that no billboard shall be located on any lot with a residential use;
- (4) The billboard shall only be constructed as a ground sign and located 25 feet or greater from any building, and 15 feet or greater from any parking lot, driveway or sidewalk;
- (5) No billboard shall be permitted on any lot with a ground sign with an area of 50 square feet or greater, constructed or approved, unless the distance between the billboard and ground sign is greater than 200 feet;
- (6) No part of a billboard shall be located less than 20 feet or more than 100 feet from the State

Highway 35 right-of-way line;

- (7) No part of a billboard shall be 250 feet from an existing residential property or residential zone boundary;
- (8) No part of a billboard shall be 1,000 feet from another billboard;
- (9) The maximum billboard height shall be 35 feet as measured from any point of the finished grade at the base of the structure to the highest point of the billboard structure;
- (10) Billboards with digital, electronic, LED, or changeable copy and multiple message signs shall be permitted, provided that the dwell time for each message or message board is not less than eight seconds and further provided a message change shall be completed within two seconds;
- (11) No billboard shall flash, blink, move, simulate or create the illusion of motion, or contain animated-display or full-motion video;
- (12) Billboards proposed under this section shall be subject to site plan approval and require the issuance of sign permits from NJDOT and the Borough.

B. New billboards. A new billboard shall be permitted as a principal use in the following limited locations in the Borough of Eatontown, subject to the special development regulations set forth below.

- (1) Billboards shall be located on any lot or parcel any portion of which lies within 2000 feet of the intersection of Route 35 and Route 36 (the "Billboard Zone").
- (2) A maximum of two (2) new billboards shall be permitted within the Billboard Zone.
- (3) The maximum number of new billboards shall not include billboards existing at the time of the adoption of this ordinance.
- (4) Replacement of any existing billboard regulated by §89-51.A. above shall not be considered a "new billboard" for the purposes of this section, and the regulations for "new billboards" set forth herein shall not apply to same.
- (5) Any new billboard that does not comply with the limited location regulations set forth herein are specifically prohibited and, as such, any request for a new billboard that does not comply with the limited location requirements above, shall be governed by the provisions of N.J.S.A. 40:55D-70(d)(1).

C. Special development regulations for new billboards within the Billboard Zone. New billboards in the Billboard Zone shall be subject to the following regulations.

- (1) A billboard sign shall not be erected unless approved by the New Jersey Department of Transportation ("DOT"), and a New Jersey DOT permit shall be secured for an off-premises billboard sign at the specific location being sought for approval as a permitted principal use.
- (2) A billboard sign shall be in compliance with the Roadway Sign Control and Outdoor Advertising Act (N.J.S.A. 27:5-5 et seq.) and Regulations (N.J.A.C. 16:41C-1.1 et seq.), as well as any other applicable statutes, laws and regulations related to billboards.
- (3) A billboard sign shall be permitted to have a maximum of two (2) sign faces mounted on a single monopole.
- (4) The angle between billboard sign faces shall not exceed forty-five degrees (45°).
- (5) The billboard faces shall be permitted to be multiple message sign display in accordance with N.J.A.C. 16:41C-1.1 et seq., and copy changes shall be permitted every 8 seconds (using LED technology).
- (6) The billboard faces shall be permitted to be static display in accordance with N.J.A.C. 16:41C-1.1 et seq. A combination shall also be permitted i.e. a face with static display and a face with multiple message display shall be permitted on the same structure.
- (7) Each sign face of the billboard shall not exceed 672 square feet (14 feet wide by 48 feet in length).
- (8) The maximum billboard height shall be 55' feet as measured from any point of the finished grade at the base of the structure to the highest point of the billboard structure;
- (9) Any deviation from the above special regulations shall require "c" relief, not "d(1)" use relief pursuant to N.J.S.A. 40:55D-70(d)(1) and/or "d(3)" conditional use relief pursuant to N.J.S.A. 40:55D-70(d)(3), except that height relief exceeding 10 feet or 10 percent of the maximum allowance shall require "d(6)" height relief pursuant to

N.J.S.A. 40:55D-70(d)(6).

- (10) There shall be no prohibition against two (2) or more principal uses on a lot, when one of the principal uses is a billboard, and no "d" relief N.J.S.A. 40:55D-70(d) shall be required for same.
- (11) Billboards proposed under this section shall be subject to site plan approval and require the issuance of sign permits from NJDOT and the Borough.
- (12) The provisions of Article XI Signs, in its entirety, shall not be applicable to new billboards, including §89-96, §89-97, and §89-98.
- (13) For the purposes of this section, a "billboard" shall be defined as "a structure utilized for advertising an establishment, an activity, a product, a service, entertainment, or a message which is sold, produced, manufactured, available or furnished at a place other than on the property on which said structure is located; also known as an 'off-premises sign' under N.J.A.C. 16:41C-1.1 et seq."