

Ord. No. 009-18, § 6, 7-16-18)

4. *Visibility at intersections in zoning districts.* On a lot in any zoning district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to impede vision between a height of 2½ and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines 25 feet from the point of intersection.

(Ord. of 10-19-98(2), § 2; Ord. of 3-15-99(3), § 1; Ord. No. 015-20, § 6, 7-20-20; Ord. No. 001-21, § 1, 1-19-21)

15. **Signs.** Any **sign** erected, altered, or maintained after the effective date of this Ordinance shall conform to the following regulations.

A.

Purpose and intent. **Signs** perform an important function in identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public. The intent of this subsection is to regulate all **signs** within the town to ensure that they are appropriate for their respective uses, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare by: (1) setting standards that permit reasonable use of **signs** and preserve the character of the town; (2) prohibiting the erection of **signs** in such numbers, sizes, designs, illumination, and locations as may create a traffic safety hazard to pedestrians and motorists; (3) avoiding excessive conflicts from large or multiple **signs**, so that permitted **signs** provide adequate identification and direction while minimizing clutter, unsightliness, and confusion, all of which negatively impact the aesthetics of the town; and (4) establishing a process for the review and approval of **sign** permit applications.

B.

General. **Signs** may be located within the setback prescribed for a property, provided that all **signs** except those affixed directly to a building shall be located a minimum of five feet from all property lines. Except for traffic safety **signs**, street identification **signs**, and traffic and parking instructional **signs** affixed to posts as approved by DelDOT, **signs** shall be positioned outside vehicular sight triangles, defined as the triangular area formed by measuring from the corner where two intersecting streets abut a property a distance of 25 [feet] along the property line abutting each of the two adjacent streets. Except as otherwise indicated herein, the maximum height for any **sign** is 25 feet.

C.

Definitions. The following definitions shall apply to the terms identified herein, wherever those terms are used throughout the Zoning Code.

1.

A-frame signs are designed to stand on their own either on public or private property, so long as there remains four feet of unobstructed passageway. A-frame signs are not to be permanently affixed to any object, structure, or the ground. The maximum sign area per sign is eight square feet, and sign area is calculated on one side only. The maximum size for rectangular A-frame signs is four feet in height and two feet in width. A-frame signs must be taken indoors each evening. One A-frame sign is permitted per building; corner buildings are permitted one A-frame sign per street frontage.

2.

Banners shall mean a temporary sign of cloth or similar material no larger than four feet wide by eight feet long. Banners shall be carefully designed and constructed in order to withstand the elements to which they will be exposed and not become a hazard to the public safety or aesthetics of the town.

3.

Billboard shall mean a structure which is erected by an advertising company for the purpose of the placement of a sign for hire. Each such space for hire shall be considered a specific billboard regardless of whether or not the face is incorporated into the ground structure.

4.

Electronic variable message sign (EVMS) means a sign or portion thereof where the message copy includes characters, letters or illustrations that can be changed or rearranged electronically without touching or physically altering the primary surface of the sign. Message copy may be changed in the field or from a remote location.

5.

Ground sign means a detached sign supported by uprights, pylons, poles or braces for support and not attached to any structure. Ground signs do not include monument signs.

6.

Government sign means a sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights.

7.

Height shall mean the distance measured from the finished grade immediately adjacent to the base of the sign to the sign's highest point.

8.

Illuminated shall mean the provision of light provided either internally or externally.

9.

Marquee sign means a sign erected upon any awning, canopy, hood or permanent construction projecting from a wall of the building above the entrance, thoroughfare, walkway or sidewalk.

10.

Monument sign means any stand-alone, self-supporting structure affixed to the ground.

11.

Off-premises or off-site sign means a sign advertising goods, products, or services which are not sold, manufactured or distributed on or from the premises or facilities on which the sign is located.

12.

On-site sign shall mean a sign advertising goods, products, or services which are sold, manufactured or distributed on or from the premises or facilities on which the sign is located. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

13.

Portable sign. Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, that is not constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

14.

Roof sign shall mean any sign erected, constructed and maintained wholly upon or over the roof of any building with the principal support on the roof structure, subject to the requirements of the definition of wall sign.

15.

Sign means a name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building or other outdoor surface, and which directs attention to or is designed or intended to direct attention to the **sign** face or to an object, product, place, activity, person, institution, organization or business. **Signs** located completely within an enclosed building, and not exposed to view from a street, must not be considered a **sign**.

16.

Sign area shall mean the entire space enclosed within the extreme edges of the sign for each sign face, including trim, moldings, battens and nailing strips but not including the supporting structure. Where attached directly to a building wall or surface, sign area shall be the space within the outline enclosing all the characters of the words, numbers, or design.

17.

Small ground sign shall mean a ground **sign** that does not exceed three feet in height and has a total surface area of less than two square feet.

18.

Temporary sign shall mean a banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended to be displayed for a limited period of time.

19.

Two-faced sign shall mean **signs** that are back to back and are not more than 60 inches from one another at any time. The **signs** are to be identical in words and representations. Permissible size shall be determined by the square footage of one side of the **sign**.

20.

Wall sign shall mean any **sign**, not including a marquee **sign** or nameplate **sign**, erected against the wall of any building or displayed with the exposed face thereof in a plane parallel to the plane of the wall. Wall **signs** shall include any **signs** painted directly upon any wall.

D.

Exempt from permit or fee (non-illuminated only). A permit is required for the installation of all **signs** in all zoning districts, with the exception of the following **signs**:

1.

Temporary **signs**.

2.

Traffic safety signs, street identification signs, and traffic and parking instructional signs affixed to posts as approved by DelDOT.

3.

Signs painted on windows with exception of the historic preservation overlay district (HPOD) requiring review and approval by the historic district review board.

4.

Government signs.

5.

Signs bearing occupants' names, house numbers, and street names, not exceeding one square foot.

6.

In residential zoning districts, up to two flags may be displayed on a property at the same time, and no flag shall be larger than 15 square feet in area. The height of the flag pole shall not exceed 25 feet or the highest point of the principal building's roof, whichever is lower.

7.

In non-residential zoning districts, one flag is permitted on a property per 50 feet of right-of-way frontage, up to a maximum of four flags. No flag shall exceed 24 square feet in area. The height of the flag pole may not exceed 25 feet or the highest point of the principal building's roof, whichever is lower.

8.

Legal notices, municipal signs, railroad crossings, and related safety signs.

9.

Signs which are attached or are an integral part of fuel pumps and do not extend permanently beyond the area of the pump.

10.

Balloons no larger than 18 inches in diameter.

Zoning District	Electronic Variable Message Sign	Ground Sign	Monument Sign	Wall Sign or Marquee Sign	Illuminated Sign	"A-Frame" Signs	Small Ground Sign ⁹
A, R-1, R-1A, R-2, R-2A, R-3	NA	NA	p ¹³	NA	NA	NA	NA
I&R	SE	NA	p ⁷	p ²	NA ¹	NA	P
LC	NA	NA	p ¹²	p ²	SE	NA	P
CC	NA	NA	NA	p ²	P	P	P
HC	P	p ⁴	p ⁶	p ³	P	NA	P
M	P	NA	p ⁷	p ³	SE	NA	P
MHP	NA	NA	p ¹³	p ⁵	SE	NA	P
IORP	SE	NA	p ⁷	p ²	SE	NA	P
CRD	NA	NA	NA	SE	SE	NA	NA
SC	SE	p ⁴	p ⁶	p ³	P	NA	P
HPOD ⁸	NA	NA	NA	P	P	P	NA
NC, ¹⁰ SCZ ¹¹	NA	NA	P	P	P	P	P

¹ Allowable for hospitals and emergency medical center.

² Two square feet per linear ft. of building frontage, up to 100 square feet maximum area.

³ Three square feet per linear ft. of building frontage, up to 150 square feet maximum area.

⁴ One sign of 200 square feet maximum area.

⁵ One sign for management office, four square feet maximum area.

⁶ One sign not to exceed one square feet per linear ft. of building frontage, up to 200 square feet maximum area.

⁷ One sign not to exceed 75 square feet maximum area; height shall not exceed 16 feet.

⁸ Subject to additional review by the historic district review board.

⁹ Up to four small ground signs permitted per property.

¹⁰ See regulations specific to NC zone for additional sign standards.

¹¹ See regulations specific to SCZ zone for additional sign standards.

¹² One sign with up to 25 square feet maximum area; height shall not exceed ten feet.

¹³ One sign with up to 32 square feet maximum area; height shall not exceed five feet.

2.

Where the permitted size of a sign is calculated based on the linear feet of the frontage of a building, if a property has multiple tenants, the authorized sign area for each tenant shall be calculated independently for each separate tenant based on the linear feet of frontage of the building unit for the tenant requesting the sign. The front of a building shall be the side of a building with the main public entrance facing a public or private right-of-way or parking lot, and the building frontage shall be the length of that portion of the front of the building occupied by a tenant as measured in linear feet.

3.

Monument signs in residential zoning districts shall not exceed a maximum of two per entrance road to any specific development. Monument signs shall not be allowed at more

than one entrance to a development for every 1,500 feet of common road frontage on which the entrances are situated. No more than one monument sign per street frontage shall be permitted on a property. A property with more than one street frontage may have up to a maximum of two monument signs, provided that the collective sign area of the two monument signs shall not exceed 150 percent of the maximum area permitted for one monument sign in that zoning district. Monument signs situated at shopping centers are to be located along the landscaped area between the sidewalk and the parking areas, a minimum of five feet from the property line. These signs are to be consistent in structure, design, and materials.

4.

For the purpose of determining the number of signs permitted on a property, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of the elements, each element shall be considered to be a single sign.

5.

For those zoning districts where both ground signs and monument signs are permitted, properties with only one street frontage may have either a monument sign or a ground sign, but not both. Properties with more than one street frontage shall also be permitted to have one of the following for each additional public or private street frontage: (a) either an additional ground sign or an additional monument sign, provided that the total aggregate area for all ground signs and monument signs on the property do not exceed 300 square feet, or (b) an additional 50 square feet added to the total maximum permitted area for a monument sign.

6.

Properties with more than one street frontage shall be permitted to have, for each additional public or private street frontage, an additional 50 square feet added to the total maximum permitted area for wall signs and marquee signs.

F.

Not permissible at any time in any zoning district.

1.

Billboards within the incorporated area of the town.

2.

Roof signs of any kind.

3.

Flashing or rotating lights.

4.

Noise emitting signs or lights.

5.

Signs located within any right-of-way whether dedicated or owned in fee simple or as an easement, except for traffic safety signs, street identification signs, and traffic and parking instructional signs affixed to posts as approved by DeIDOT.

6.

Signs erected in such a manner as to obstruct free and clear vision or, by reason of the position, shape or color, may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device or which makes use of words "stop," "look," "danger" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse vehicular traffic.

7.

Signs erected, constructed or maintained so as to obstruct or be attached to any firefighting equipment, windows, doors or openings used as a means of ingress or egress or for firefighting purposes, or placed so as to interfere with any opening required for proper light and ventilation.

8.

Construction height greater than 25 feet.

9.

Dimensions greater than 200 square feet, except as otherwise expressly provided for herein.

10.

Signs on public property, except for government signs and traffic safety signs, street identification signs, and traffic and parking instructional signs affixed to posts as approved by DeIDOT.

G.

Temporary signs. Temporary signs shall be permitted in all zoning districts as follows:

1.

One temporary sign may be located on a property at any given time provided that the sign area is no larger than 16 square feet for properties greater than 1.0 acre in size or four square feet for properties less than 1.0 acre in size. A temporary sign may be displayed up to a maximum of 30 consecutive days, two times per year. Anything herein to the contrary notwithstanding, property owners or occupants that have received a credibility/merit award may display a banner for one year from the date the honor was awarded.

2.

One temporary sign no larger than eight and one-half inches by 11 inches displayed in a window on a property at any time.

3.

In addition to the temporary signs permitted in subsections G.1 and 2, one temporary sign not to exceed four square feet may be placed on a property from the time the property is being offered for sale, either through a licensed real estate agent or by the owner, through the date the property is conveyed to the new owner.

4.

In addition to the temporary signs permitted by subsections G.1, 2, and 3, 60 days prior to and ten days following an election involving federal, state, or local offices or referendum issues for the voting district in which a property is located, one or more additional temporary signs not to exceed four square feet in size may be placed on a property, provided that the total number of additional temporary signs authorized by this subsection G.4 shall not exceed the total number of offices up for election and referendum issues on the ballot for the election district in which the property is located.