

CITY OF DOVER
ORDINANCE #2012-13

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Appendix B – Zoning, Article 5 – Supplementary Regulations, Section 4 – Supplementary Sign Regulations be amended to read as follows:

Section 4. Supplementary sign regulations.

- 4.1 *Purpose statement.* The purpose of this section is to create a legal framework for a comprehensive and balanced system of signs and other street graphics to facilitate an easy and pleasant communication between people and their environment. The ordinance from which this section is derived is enacted to avoid the visual clutter that is potentially harmful to vehicular and pedestrian safety, property values, business environment and opportunities, and community appearance. With these purposes in mind, it is the intent of this section to authorize the use of signs which are compatible with their surroundings, appropriate to the activity that displays them, expressive of the identity of individual activities and the community as a whole, and legible in the circumstances in which they are seen, understanding that it is important for the economic vitality of the community as well as individual businesses and institutions that they are clearly identified and their services are understood by the traveling public.

All signs, which are regulated by this section, shall conform to the following general guidelines:

- A. *The legibility of signs.* Signs shall be legible under the circumstances in which they are primarily seen. Signs shall legibly convey their messages without being distracting or unsafe to motorists reading them. The legibility of signs is related to the speeds at which they are viewed; the context and surroundings in which they are seen; and the design, colors, and contrasts of the sign copy and sign face.
- B. *The relationship of signs to the buildings and sites they identify.* Signs shall be an integral architectural element of the buildings and sites that they identify and their design shall be consistent with, and not detract from, the overall architectural concept of the site. Signs should be of an appropriate size and scale in relation to the buildings on the lot.

4.2 *General provisions.*

- A. *Permitting.* No sign, advertising display or structure, poster or device shall be erected, moved, enlarged or reconstructed except in accordance with this ordinance. All signs, except exempt signs, shall require a permit and fee as prescribed in Appendix F, Chapter 22-Buildings and Building Regulations.
- B. *Administration.* Administration, interpretation, and enforcement of the provisions of this section shall be under the authority of the city planner or their authorized designee. In administering the provisions of this section, the city planner shall evaluate signs and applications for sign permits for conformity with the design guidelines, standards, and specifications contained herein. Appeals from the application or interpretation of any provision of this section may be processed in

accordance with the provisions of article 9 (board of adjustment) of the zoning ordinance.

- C. *Unsafe, dilapidated and illegal signs.* If it is determined by the city planner or his authorized designee that any sign is unsafe, presents a hazard to the safe operation and movement of motorized or nonmotorized vehicular traffic, or to pedestrians, or is in a dilapidated condition, or is in a state of disrepair, or is otherwise in violation of any provision of this section, the owner of such sign shall be responsible for removal of such sign and supporting structure within 14 days of receipt of written notification by the city planner. In cases where signs are determined to be unsafe or present a hazard, the city planner may order their removal in a shorter period of time. Responsibility for removal shall be in accordance with subsection 4.10 - Nonconforming signs, B., and subsection 4.11 - Abandoned and Damaged signs, of this section.
- D. *Setback.* All signs, including those which do not require a permit, shall be setback from the right-of-way in accordance with the provisions of Article 5, Section 4.7, unless otherwise specified, and shall not interfere with aboveground or underground utilities.
- E. *Administrative Waiver.* For existing developed properties where placement of the sign in accordance with the required setback would interfere with existing required parking, fire lane, or other site improvements, the city planner shall have the authority to waive the setback requirement.

4.3 *Sign definitions.*

Abandoned sign: A sign relating to or identifying a business or activity which has not been conducted on the premises for 90 days, or seven days after an election or event that the sign is advertising.

Adjacent to residential: Property lines which are situated within 200 feet and which front on the same street as a parcel, or group of parcels containing residential uses, or that are zoned for residential uses, excluding residential uses and districts fronting on principal arterial roads.

Architectural feature: An exterior component of the architecture of a building, which has a structural, functional or decorative purpose. This term shall apply to elements such as windows, doors, entry porticos, porte-cocheres, colonnades, cornices, porch columns, railings and balusters, band courses, quoins, water tables, exterior vents and louvers, moldings and other trim.

Awning sign: A wall sign that is a part of a fabric or other non-structural awning.

Banner: A light-weight fabric or similar non-rigid material which is mounted to a pole or structure, either enclosed in a frame or mounted to allow movement caused by the atmosphere.

Canopy sign: A type of wall sign attached to a permanent, decorative porch or walkway cover, other than an awning, which is attached to a building or supported by columns, extending to the ground.

Changeable sign: A sign with the capability of content change by means of manual or remote input, includes the following types:

1. Manually activated – Changeable sign whose messages, copy or content can be changed manually on a display surface.
2. Electrically activated – Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also Electronic Message Center.

Clear Height: The distance from the ground to the bottom of the sign. The minimum clear height shall be eight feet for pylon sign, projecting sign, and any other sign that may impact pedestrian traffic.

Comprehensive signage plan: A plan for all signs associated with a unified campus or complex.

Conforming sign: Any sign that conforms to the provisions of this section.

Construction sign: A sign which identifies architects, engineers, contractors and other individuals or firms involved with construction on the premises, the name of the building or development, the intended purpose of the building, and/or the expected completion date.

Directional sign: A freestanding sign whose primary function is to give aid to motorists or pedestrians in locating buildings or roads.

Electronic Message Center or Sign (EMC): An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. Also known as an EMC. EMC's typically use light emitting diodes (LEDs) as a lighting source.

Exclusion zone: The area adjacent to an existing or proposed freestanding sign within which no other freestanding sign of a similar sign type shall exist or be placed. The exclusion zone shall be measured outward in all directions from the extreme limits of the sign structure a prescribed distance.

Flag: A rectangular or pennant shaped piece of fabric or flexible material of distinctive design that is used as a symbol (as of a nation or state), as a signaling device, or as a decoration and is attached to a flag pole.

Freestanding sign: A sign that is not attached to a building and is permanently attached to the ground by one or more supports. Freestanding signs include monument, pylon, post and panel, and post signs.

Frontage: For the purposes of this section, the term "frontage" refers to a parcel's property line along a right-of-way, be it public or private, excluding alleys and service drives that are

abutting residential properties. The parcel must be directly adjacent to the right-of-way for it to be considered to have frontage.

Historical or memorial sign: A sign or tablet attached to a building indicating the date of construction and/or the names of the building, the principals involved in its construction, or the history of the building or the site.

Illuminance: The amount of light falling upon a real or imaginary surface, commonly called “light level” or “illumination”. Measured in foot candles (lumens/square foot) in the English system and lux (lumens/square meter) in the SI (metric) system.

Illuminated Sign: A sign characterized by the use of artificial light, either projecting through its surface (s) internally or trans-illuminated; or reflecting off its surface(s).

Inflatable sign: A sign that is designed to be filled with air to form a three-dimensional shape which is designed to be anchored to the ground.

Luminance: The light that is emitted by or reflected from a surface. Measured in units of luminous intensity (candelas) per unit area (square meters in SI measurement units or square feet in English measurements units). Expressed in SI units as cd/m², and in English units as foot lamberts. Sometimes also expressed as “nits”, a colloquial reference to SI Units. Can be measured by means of a luminance meter.

Lux: The SI (metric) unit for illuminance. One lux equals 0.093 foot candles.

Monument sign: A low freestanding sign that is affixed to a base that is equal to or wider than the sign itself. The height of the sign is to be measured from the finished grade to the top of the sign. (See figure 5-3.)

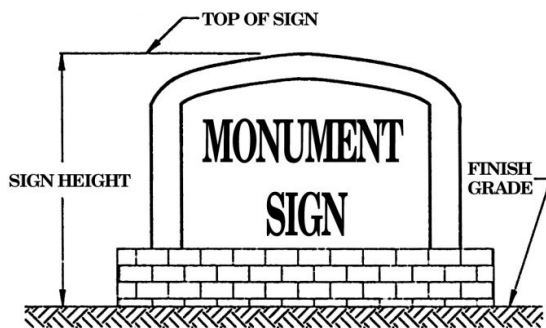


FIGURE 5-3

Nit: A photometric unit of measurement referring to luminance. One nit is equal to one cdm².

Nonconforming sign: Any sign which does not conform to the regulations of this ordinance, including any signs granted by variance where it can be demonstrated that the original hardship on which the variance was based no longer exists. This definition also includes the structure upon which the sign is erected, or the mounting hardware in the case of wall mounted signs.

Off-premises sign (billboard, etc.): A permanent or temporary sign erected, maintained, or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sale or lease of the property on which it is displaced. Also referenced as billboard or commercial outdoor advertising sign.

On-premises sign: A sign which advertises or directs attention to a business, commodity, or service conducted, offered, or sold on the premises, or directs attention to the business or activity conducted on the premises.

Political Sign: A temporary sign intended to advance a political statement, cause, or candidate for office.

Portable sign: Any sign not permanently attached to the ground or other permanent structure, including but not limited to signs with attached wheels, A- or T-frame signs, and menu and sandwich board signs.

Post sign: A freestanding sign that is attached to the underside of a horizontal plane or arm and is supported by the horizontal plane. (See figure 5-4.)

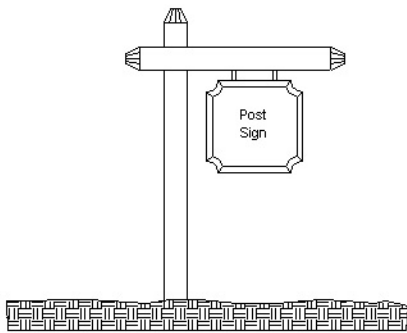


Figure 5.4

Post and Panel sign: A freestanding sign that has a noninternally illuminated panel, not more than six inches in depth that is affixed to two posts and is not more than seven feet in total height. The sign shall not be higher than the supporting posts. (See figure 5-5.)



FIGURE 5-5

Projecting sign: A wall sign attached to a building with a bracket or other support projecting at a right angle from the building face. (See figure 5-6.)

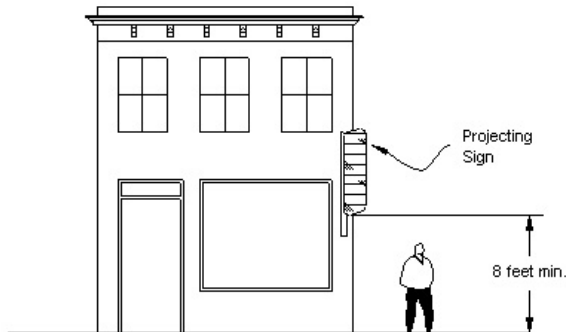


Figure 5.6

Public sign: A sign erected by or on behalf of a governmental body to post a legal notice, identify public property or public buildings, convey public information, and direct or regulate pedestrian or vehicular traffic.

Pylon sign: A tall freestanding sign that is held up by a pole or poles. The supporting structure must be equal to or narrower than the sign itself. (See figure 5-7.)

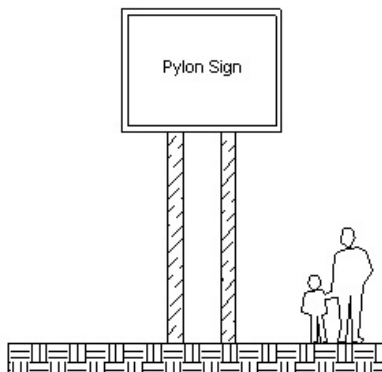


Figure 5.7

Race weekend sign: Any sign erected seven days prior to a sanctioned automobile race for the purpose of advertising products and services to race fans.

Real estate sign: A sign advertising the premises for sale, rent or lease.

Roof sign: A sign that is attached or painted on the roof, including porch roofs, dormer roofs, overhang roofs, canopy roofs or roofs of another architectural feature. Signs on the lower portion of a mansard or canopy are considered wall signs.

SI (International System of Units): The modern metric system of measurement.

Shared freestanding sign: A sign structure which is shared among multiple nonresidential properties or business interests for the purpose of displaying the name, logo type or other commercial message of multiple nonresidential occupants of said adjoining properties.

Sign: Any device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations.

Sign area: The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. The area of any double-sided or "V" shaped sign shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. The area of all other multiple-sided signs shall be computed as fifty (50) percent of the sum of the area of all faces of the sign.

Sign face: The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural thematic or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

Sign height: The height of a sign shall be the vertical distance from normal grade to the highest point of the sign. Any berming, filling or excavating solely for the purpose of locating the sign shall be computed as a part of the sign height.

Sign setback: The straight line distance measured in linear feet between the street right-of-way line and the nearest element of a sign.

Temporary sign: A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, is considered a temporary sign.

Unified campuses and complexes: The term "unified campuses and complexes" means:

- (1) Any "shopping center" as the term is defined in the zoning ordinance.
- (2) Or, any group of three or more principal structures under common management and operation, located on one or more contiguous properties;
- (3) Or, any single commercial or institutional parcel which has more than 400 linear feet of frontage on a principal arterial roadway which is occupied by a conforming commercial or institutional use. Unified campuses and complexes include, but are not limited to, shopping centers; entertainment, educational, medical, governmental, or religious campuses; office complexes; and industrial parks.

Urban Collector and Local Streets: All streets or portion of streets within the corporate limits of the City of Dover which are not specifically classified as urban principal arterials or urban minor arterials under the provisions of this section.

Urban Minor Arterials: Delaware (DE) Route 8 (including all alternative names); McKee Road; Saulsbury Road; College Road; North Street (from Saulsbury Road to the western city limits); Kenton Road (from College Road to DE Route 8); State Street (from Walker Road north to US Route 13 and Wyoming Avenue south to the southern city limits); Loockerman Street; Leipsic Road; Webbs Lane, New Burton Road, Scarborough Road, Walker Road and Governors Avenue (from

Division Street to the southern city limits) are considered to be urban minor arterials under the provisions of this section.

Urban Principal Arterial: US Route 13, Bay Road, and Court Street between 13 and Bay Road are considered to be urban principal arterials under the provisions of this ordinance. Delaware State Route 1 is not considered to be a road that will provide frontage for any parcel.

Vehicle sign: A sign displaying a name or names, logo types, graphics, commercial messages or any combination thereof, which is attached to, painted on, or otherwise applied to a motor vehicle.

Wall area: For purposes of calculating wall area, the calculations shall include the height of the wall from ground level to the roofline (mansard roofs also count as wall area), multiplied by the width of the wall (including all architectural features).

Wall sign: Any sign, other than a projecting sign, which is attached to or painted on any wall of any building and projects from the plane of the wall less than 18 inches. A sign attached to the lower slope or face of a mansard roof, canopy, or awning shall be considered a wall sign for purposes of this ordinance. For purposes of this section only, a "wall" shall include any permanent architectural extension of a wall, including parapets, even if such extension projects beyond or above the enclosed portions of the building. Canopy, marquee, and awning signs are all types of wall signs. (See figure 5-8).



Figure 5.8

Window sign: A sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

4.4 *Design requirements.*

A. *Freestanding signs.*

1. Freestanding signs and attendant structures and bases shall be designed as an integral part of the site development and shall be coordinated and compatible with site grading, utility placements, landscaping and architectural elements.

2. Freestanding signs and associated landscaping shall be situated and maintained so as not to impair or block visibility of motorists and/or pedestrians traveling within the public street right-of-way or entering, exiting or crossing vehicular site entrances. No sign or landscaping in excess of three (3) feet in height above the adjacent street grade, shall be erected, placed or maintained on any corner within the triangular area formed by intersecting right-of-way lines. Two sides of the triangular area shall be 20 feet in length and measured from the point of intersection of the right-of-way lines.
 3. Freestanding signs shall be situated on the site and dimensioned so as not to substantially impair or block the visibility of adjacent buildings and/or existing signs.
 4. All freestanding signs shall respect the exclusion zone. When a sign is not permitted within the exclusion zone, one (1) additional wall sign may be permitted in accordance with the wall sign regulations.
 5. When the presence of an existing freestanding sign on an adjoining property precludes a property from placing a freestanding sign due to exclusion zone provisions, the adjoining property owners and/or business interests may share a single freestanding sign structure in accordance with the provisions of subsection 4.9 - Supplementary sign provisions, F - Shared freestanding signs, of this section.
 6. Location of monument signs and post and panel signs may be approved by the Planning Commission as part of a Site Development Plan Approval process.
- B. *Materials and craftsmanship of signs.* Signs shall be carefully crafted, durable, and consistent with the quality and permanence of the buildings and sites that they identify. Lettering shall be of a professional quality.
- C. *Wall sign placement.*
1. When wall signs are planned, such signs shall be designed as an integral component of the building facade architectural composition.
 2. Wall signs shall be limited in area and number in accordance with the provisions of subsection 4.7 - Permitted signs, of this section.
 3. Wall signs shall be situated so as not to cover or overlap decorative architectural elements such as cornices, belt courses, and window and doorframe moldings.
 4. In cases where only one wall sign is permitted because the lot has one frontage, the business may choose to locate the sign on any exterior wall of the building to afford the best possible visibility for the traveling public.

5. In cases where more than one wall sign is permitted, the city planner or their authorized designee may allow the business to locate the additional wall sign on a different exterior wall of the building to afford the best possible visibility for the traveling public.

D. *Sign Illumination Standards*

1. A sign may be illuminated at night. Signs that are illuminated at night may not exceed a maximum luminance level of seven hundred fifty (750) cd/m² or Nits, regardless of the method of illumination.
2. Signs that have external illumination, whether the lighting is mounted above or below the sign face or panel, shall have lighting fixtures or luminaries that are fully shielded.
3. All illuminated signs must comply with the maximum luminance level of seven hundred fifty (750) cd/m² or Nits at least one-half hour before Apparent Sunset. All illuminated signs must comply with this maximum luminance level throughout the night, if the sign is energized, until Apparent Sunrise.

E. *Changeable signs.*

1. Changeable signs may be incorporated into a sign face when the changeable component of the sign face occupies less than 70 percent of the total area of that sign face.
2. Changeable sign area shall be integrated into the sign face and shall be enclosed by a border or similar enclosure so as to form one sign panel.
3. Electronic Message Centers (EMC)
 - (a) The following EMC display features and functions are permitted: scrolling, fading and dissolving while transitioning between messages.
 - (b) EMC's shall have a minimum display time of eight seconds. The transition time between message and/or message frames is limited to one second.
 - (c) The following EMC display features and functions are prohibited: traveling, flashing, spinning, rotating, any other moving effects, and all dynamic frame effects or patterns of illusionary movement or simulated movement.

4.5 *Signs permitted in all districts and not requiring permits*

- A. Signs advertising the sale, lease, or rental of the premises upon which the sign is located, which sign shall not exceed six and one-fourth square feet in residential districts and 32 square feet in all other districts, and shall comply with setback regulations. One such sign shall be permitted for each 200 linear feet of street frontage for the parcel.

- B. Signs designating the name and address of the occupants, hours of operation, security notices, and business policy statements, and may not exceed four square feet.
- C. Signs denoting the architect, engineer, developer, or contractor placed on premises where construction, repair, or renovation is in progress, which signs shall not exceed 32 square feet in area. No more than two signs of any type are permitted for any one property or building project. Signs shall be fifty feet from other signs on the site, except where it is not physically possible, then the signs shall be as far away from the other sign as much as possible.
- D. Directional signs limited in area to no more than five square feet per sign, plus one square foot for each additional tenant. A permit is required for directional signs identifying the entrance or exit of a site if over five square feet in sign area. The sign area for these larger directional signs shall not exceed eight square feet and shall not be over four feet in height.
- E. Public signs.
- F. Historical and memorial signs.
- G. Any sign located in an internal location on a site, campus, or complex and that cannot be seen from any public right-of-way or adjacent property.
- H. People wearing costumes of the logo or character associated with the company as long as they are located on the business location.
- I. Political signs shall not be over six square feet in sign area in all Residential Zones and Districts and all other zoning districts shall comply with the size regulations in subsection 4.7 Permitted Signs, of this section. All election signs shall be removed no later than seven days after the election.
- J. Signs noting a tenant, store, building, etc. is “coming soon”, which sign shall not exceed 32 square feet and only one sign is permitted on the site. The sign shall be 50 feet from other signs. The sign shall not be placed on the site for more than six months. After six months the sign shall be removed even if the tenant, store, building, etc. has not opened or been constructed.
- K. Portable signs designed to be transported, including, but not limited to, A-frames, sandwich boards, and umbrellas. These types of signs shall not obstruct pedestrian or vehicular access. No more than one sign is permitted per business, and shall not exceed four feet in height.]
- L. Signs required by federal or state law or by a municipal authority.
- M. Signs carved into a building or raised in integral relief on a building.
- N. Flags on flag poles.
- O. Public Art.

- P. "Open" signs for business not to exceed two per business.
- 4.6 *Sign prohibited in all districts.*
- A. Signs which emit audible sound, vapor, smoke, odor, particles or gaseous matter.
 - B. Any sign which competes for attention with, or may be mistaken for, traffic signals. Also, any sign that is determined by the city planner to constitute a traffic hazard by reason of size, location, content, color, or type of illumination.
 - C. Off-premises signs of any type (billboards, temporary signs, directional signs for developments, etc.), except for shared freestanding signs as provided in subsection 4.4 - Design requirements, A.5., and subsection 4.9 - Supplementary sign provisions, F., of this section.
 - D. Inflatable signs, except as specifically permitted in subsection 4.9 - Supplementary sign provisions, D.3., of this section.
 - E. Vehicle signs, including changeable signs, attached to or painted on vehicles for the sole purpose of being used as signage; or attached to or painted on inoperable vehicles.
 - F. Signs painted on or attached to trees, fence posts, natural features, or telephone or utility poles.
 - G. Signs that are flashing, rotating, or that give the appearance of movement, or are illuminated by flashing or intermittent lights, or lights of changing degrees or intensity, except as permitted under subsection 4.4 - Design requirements, of this section.
 - H. Temporary signs made of cardboard, paper, canvas or similar impermanent material, except those permitted in subsection 4.9 - Supplementary sign provisions, of this section.
 - I. Window signs covering more than 50 percent of a window or a door, or mounted above the first floor, except those permitted in subsection 4.9 - Supplementary sign regulations, A.5., of this section.
 - J. Pennants, balloons, streamers, flags, etc. except when permitted in subsection 4.5 - Signs permitted in all districts and not requiring permits and in subsection 4.9 - Supplementary sign regulations, D.1., of this section.
- 4.7 *Permitted signs.* Signs are permitted in all zones in accordance with the following table, which is a list of permitted sign types by use, proximity to residential uses and road classification.

TABLE INSET:

SIG N T AB LE									
U se		Road Type	Permitted Signs						
	Specific		Sign Type	N umber Permitted	M ax Size	M ax H eight	Percentage of Total Wall Area	Setback (R.O.W)	Exclusion Zone
Residential Uses and Non-Residential Uses in Residential Districts	Single-Family Detached Semi-detached	All Streets	Signs permitted in §4.5 only						
	Professional Office	All Streets	Post or Monument	1/entrance	12 S.F.	7 feet	N /A	5 feet	20 feet
Non-Residential Uses adjacent to Residential Districts or Uses	Sub divisions Multi-family Residential Uses	All Streets	Wall	1/frontage	16 S.F.	N/A	< = 15%	N/A	N/A
		All Streets	Wall &	1/frontage	32 S.F.	N/A	< = 15%	N /A	N /A
	Manufactured Home Parks	All Streets	Monument or Post and Panel	2/entrance	32 S.F.	7 feet	N /A	5 feet	20 feet
		All Streets	Wall &	2/frontage	32 S.F.	N/A	< = 15%	N /A	N /A
	Places of Worship	Urban Principal Arterial	Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N /A	10 feet	20 feet
			Post** &	1/frontage	16 S.F.	7 feet	N /A	5 feet	5 feet
	Daycare C enters	Urban Minor Arterial	Pylon*	1/frontage	32 S.F.	30 feet	N/A	30 feet	50 feet
	App roved Conditional Uses		Wall &	2/frontage	32 S.F.	N/A	< =15%	N /A	N /A
	Educational/ Institutional	Urban Minor Arterial	Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N /A	5 feet	20 feet
			Post**	1/frontage	16 S.F.	7 feet	N /A	5 feet	10 feet
	All other approved Non-residential Uses	Urban Local/ Collector	Wall &	2/frontage	32 S.F.	N/A	< =15%	N /A	N /A
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N /A	5 feet	20 feet
		Urban Principal Arterial	Post**	1/frontage	16 S.F.	7 feet	N /A	5 feet	10 feet
			Wall &	2/frontage	No max	N/A	< =15%	N /A	N /A
		Urban Principal Arterial	Monument or Post and Panel &	1/entrance	100 S.F.	10 feet	N /A	10 feet	20 feet
			Pylon O R *	1/frontage	100 S.F.	30 feet	N /A	15 feet	50 feet
		Urban Minor Arterial	Pylon*	1/frontage	150 S.F.	30 feet	N /A	31 feet	50 feet
			Wall &	2/frontage	64 S.F.	N/A	< =15%	N /A	N /A
	Urban Minor Arterial	Monument or Post and Panel OR	1/entrance	64 S.F.	7 feet	N/A	5 feet	20 feet	
		Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet	
	Urban Local/ Collector	Wall &	2/frontage	32 S.F.	N/A	< =15%	N/A	N/A	
		Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet	
		Urban Local/ Collector	Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet

* Denotes that an additional wall sign may be permitted/added in lieu of a freestanding pylon sign.

**Post sign would be in lieu of a monument sign or post and panel sign.

4.8 *Unified Comprehensive Signage Plan*

- A. *Purpose statement.* Recognizing that large campuses and complexes have signage needs that may not be adequately addressed by traditional sign regulations, this subsection of the ordinance is intended to allow a procedure for approval of a unified comprehensive signage plan for these unified campuses and complexes.
1. Campuses and complexes are required to follow all standard signage requirements, as embodied elsewhere in this section, unless they choose to apply to the planning commission for comprehensive signage plan approval. All such plans must embody a thorough review of all existing signs.
 2. Any proposed shopping center or group of three or more principal structures under common management and operation located on one or more contiguous properties is required to submit an application for comprehensive signage plan approval to the planning commission.
 3. Any business or institution which has more than 400 linear feet of frontage on a principal arterial may submit an application for comprehensive signage plan approval.
- B. *Design guidelines for unified comprehensive signage plans.*
1. Unified campuses and complexes applying for a unified comprehensive signage plan may not be held to the height, size, number and area regulations for signs found in other subsections of this section. However, the number, type and size of signs proposed may not be excessive, and must be in proportion to the scale of the buildings and the uses on the site.
 2. All unified comprehensive signage plans must comply with all design guidelines found in subsection 4.4 - Design requirements of this section, as well as all specific design guidelines found in this section.
 3. Building signs shall be in harmony with the overall architectural concept for the site, and be compatible with each other and the building facades.
 4. The freestanding signs identifying shopping centers and other unified campuses and complexes shall identify the name of the campus or complex and no more than three separate tenants within the campus or complex unless otherwise approved by the planning commission.
 5. There shall be architectural harmony and unity of signs within a unified campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the center and the surrounding area.
- C. *Planning commission duties.* In reviewing and approving comprehensive signage plans, the planning commission shall take into consideration the public health, safety

and welfare, the comfort and convenience of the public in general and of the residents, businesses, and property owners of the immediate neighborhood in particular, and shall ensure that unified campuses and complexes have adequate, but not excessive, signage. Specifically, the following objectives shall guide the commission when reviewing such plans:

1. That the size and complexity of the campus or complex warrants the need for extra signage under the provisions of this section;
2. That, in respect to the number and type of entrances, the placement of signage at or near those entrances provides superior visibility in order to ensure the safety of the driving public;
3. That the proposed signs are adequate in number to safely direct the public to the use or uses on the site;
4. The proposed signs must not have an adverse impact on the visibility of adjacent signs, and shall be consistent with, or an improvement over, the prevailing type and style of signage in the general area;
5. That the proposed signs will be of a style and color which will complement the architecture of the site, and the area in general.

D. *Submission requirements.*

1. A pre-application meeting is required. No application will be accepted without a pre- application meeting.
2. Copies of a sign plan, which details the signage proposal, including relevant application forms, will be due on the regularly scheduled submission deadline for planning commission review. The sign plan shall illustrate the physical location of all existing and proposed signs on the subject property and their relationship to existing and/or proposed buildings on the site. The submission plan shall include color renderings of each proposed sign (drawn to scale), along with architectural elevation drawings of the building depicting the placement of all wall mounted signs existing and proposed.
3. Public notice is required, following the procedures set forth in article 10, section 2.43 (C).
4. The application fee as provided for in Appendix F - Fees and Fines, is due at time of application.

E. *Amendments to approved comprehensive signage plans.* Any new or revised signs to be placed on a property with an approved comprehensive signage plan need not go back to the planning commission for re-approval if the sign area is not increased more than fifteen percent, and the proposed signs conform to the overall design concept and colors as approved. The fifteen percent increase shall be calculated cumulatively over the life of the project, based upon the originally approved sign

area.

4.9 *Supplementary sign provisions.*

A. *Window signs.*

1. Three window signs shall be permitted as additional signage on walls fronting on the public right-of-way.
2. Window signs shall not cover more than 50 percent of any window exclusive of window and/or door frame.
3. Windows principally viewed from drive aisles and parking lots and not prominently visible from the public right-of-way shall be exempt from restrictions on the number of signs, and may be approved by the city planner for a window coverage area greater than 50 percent when the business elects to have less window signage than permitted on the windows fronting on, or prominently visible from, the public right-of-way.
4. Window signs shall be permitted on windows on the first floor of a building only.
5. The city planner may waive the provisions of this subsection when it has been demonstrated that the proposed window signs are of a unique or superior quality and style, and are intended to compliment the architectural design of the building, or when the business elects to use less wall signs than permitted for the purpose of complimenting the architectural design of the building. Signs granted this waiver are not exempt from the requirement to obtain a sign permit.

B. *Historic district signs.*

1. All signs in the historic district must meet the standards laid out in the design standards and guidelines for the City of Dover Historic District Zone. Any and all standards found elsewhere in this section may be waived as part of the architectural review approval when proposed signs are determined to contribute to or improve the historic context of the building.

C. *Gas station signage.*

1. *Canopy signs.*

- (a) Canopy sign height shall not exceed 30 feet.
- (b) Canopy sign copy shall be directed toward a public street.
- (c) Canopy sign area shall be limited to no greater than twenty percent of the area of the canopy face to which the sign is applied.

2. *Exempt signs.*

- (a) State or federal required price per gallon signage shall not count towards overall sign area for the site, unless they exceed 32 square feet in size.
- (b) Price per gallon signs not exceeding two square feet, located on the pump itself.

D. *Temporary signs*

- 1. *Temporary Signs.* Temporary signs for special events including inflatable signs with a surface area of less than 100 square feet and not more than 25 feet tall, may be erected on the premises of any establishment conducting a special event, provided that such signs do not exceed a total of two signs with a total of 100 square feet in sign area. Temporary signage shall be displayed no longer than 90 days per calendar year. For grand openings, the maximum number, sign type, and allowable area may be waived by the city planner. Permits for such signs are required and shall be accompanied by a fee as provided for in Appendix F - Fees and Fines. The city planner may waive the time period, not to exceed an additional 30 days, if they determine that there are extenuating circumstances requiring further time for a temporary sign.
- 2. *Race weekend signs.* During any seven-day period prior to the Saturday or Sunday that auto racing is occurring, temporary signs may be erected without a permit and with no restrictions on the number or size of the signs.
- 3. *Inflatable signs.* Permits for such signs are required and shall be accompanied by a fee as provided for in Appendix F - Fees and Fines.
 - (a) Inflatable signs with a surface area equal to or less than 100 square feet and not more than 25 feet tall are permitted in subsection 4.9 - Supplementary Sign provisions, D.1., of this section and shall meet the following requirements:
 - i. The inflatable sign shall be setback from the edge of the right-of-way a minimum of 25 feet.
 - ii. The inflatable sign shall be securely anchored to the building or ground.
 - (b) Inflatable signs with a surface area over 100 square feet and not more than 25 feet tall are permitted only during grand opening events, community festivals, and during race weekends in accordance with subsection 4.9 Supplementary Sign provisions, D.1. and D.2., of this section and shall meet the following requirements:
 - i. The inflatable sign shall be setback from the edge of the

right-of-way a minimum of 25 feet.

- ii. A plot plan/survey is required showing the placement of the inflatable sign in respect to utility lines and traffic.
- iii. The inflatable sign shall be securely anchored to the building or ground.

E. *Motor vehicle sales lots.* This subsection allows motor vehicle sales lots to compensate for their likelihood to be mistaken for ordinary parking lots unless additional signs or other attention getting devices are placed in the sales area. It has also been demonstrated that these businesses tend to have smaller buildings relative to their land area diminishing their ability to effectively use wall signs.

1. Banners are permitted on motor vehicle sales lots with a permit. Such banners may be permitted at a rate not to exceed one banner for each ten motor vehicle parking/storage spaces on the premises, and any such banner shall not be situated closer than 50 feet of any other banner on the premises. Parking spaces required for employees, customers, and service department uses shall not be counted to calculate the number of banners. The term "banner" does not include pennants, streamers, balloons, or other temporary or permanent signs.
2. Banners shall not exceed a width of three feet.
3. All banners must be securely attached to light standards, poles, or other substantial mounting hardware. Except for temporary signs permitted under the provisions of subsection 4.9. - Supplementary sign provisions, D., of this section, all banners must be constructed of a permanent, weather resistant material.

F. *Shared freestanding signs.*

1. For adjoining nonresidential properties, a freestanding sign structure may be shared among adjoining property owners or businesses solely for the purpose of identification of the adjoining premises or businesses.
2. Where multiple property owners have agreed to share a freestanding sign as referenced in subsection 4.4 - Design requirements, of this section, the shared freestanding sign shall be entitled to a combined sign area bonus of not more than 50 percent over the freestanding sign area otherwise permitted for the property on which the shared freestanding sign would be placed.
3. The permit application for a shared freestanding sign shall be accompanied by a binding legal agreement between the multiple adjoining property owners and/or businesses which describes the ownership and maintenance obligations for such shared sign.

G. *Single buildings with multiple commercial tenant spaces or facades.*

1. Structures, such as shopping centers, which contain multiple commercial tenant spaces, are permitted to have at least one wall sign on each unit. This provision shall only apply to units on the first floor of the structure.
2. When a structure is designed so that there are distinctly different facades or sections of the building along a single frontage, at least one wall sign is permitted on each facade or section of the building.
3. Multi story office buildings with multiple tenants are permitted one wall sign per tenant. Signs shall not be located above the second story.

4.10 *Nonconforming signs.*

A. *Exclusions.* Nonconforming signs which are within ten percent of compliance of any height, area or location requirement and which conform to all other provisions of this ordinance shall be considered legal signs for the purposes of these regulations, except as provided in subsection 4.10 - Nonconforming signs, B.4, below.

B. *Removal or compliance required.* Nonconforming signs shall be removed from the premises or otherwise made to comply with these regulations in the following instances:

1. When there is renovation to more than 75 percent of the exterior of the principal building measured in square feet of exterior wall surface area, or expansion of more than 20 percent of the floor area of the principal building measured in square feet of floor area on the premises on which such nonconforming signs are present, except that freestanding signs that are nonconforming as specified shall not be required to conform; however, the degree of non-conformity shall not increase. When, within any given two-year period, individual renovation projects involving less than 75 percent of the building exterior and/or individual building additions involving less than 20 percent of the floor area of the principal building on the premises would in aggregate exceed the 75 percent renovation and/or 20 percent expansion thresholds set forth herein, all such nonconforming signs shall be brought into conformity with these regulations or shall be removed from the premises.
2. Prior to the issuance of any permit for the placement of any additional signage on the property. No new signs of any type shall be added to the property until the nonconforming sign is removed.
3. Nonconforming signs (including all supporting structures and mounting hardware) which have been abandoned shall be removed from the premises or otherwise made to conform within one year from the date of abandonment. Refacing the sign in accordance with other requirements of this section does not absolve an owner from complying with this subsection. In certain instances where it is evident that the reoccupation or reuse of a premises

which contains an abandoned nonconforming sign is imminent, the city planner may grant an extension of time within which to reestablish the use of such nonconforming sign.

4. Any nonconforming sign which has been removed from the premises shall be considered discarded, and replacement shall constitute a new sign, and require new permits.

- C. *Notification and responsibility.* It shall be the responsibility of the owner of record of such property to cause the removal of such nonconforming signs in accordance with these provisions. When any of the above-listed conditions exist, the city planner is authorized to issue written notice to the owner of record of such property, stating that such signs shall be removed within two calendar weeks of the date of receipt of the written notice. In cases where signs are determined to be unsafe or present a hazard, the city planner may order their removal in a shorter period of time. Failure to comply with these regulations, after due notice, shall be deemed a violation of this ordinance and is punishable in accordance with the provisions of article 8, section 4 of this ordinance. In addition, in the event that compliance is not achieved within the stated period, the city planner may remove or cause to be removed from the premises any such signs in violation of this section. All expenses incidental to such removal shall be charged to the owner of record of such property and shall constitute a lien upon such property.

4.11 *Abandoned and Damaged signs.*

- A. *Abandoned.* All signs that conform to the current regulations which are deemed abandoned shall either be refaced with a blank or blacked out face or removed totally (including the supporting structure and/or mounting hardware) within 90 days of abandonment. Covering sign copy with tarps, paper, tape, cardboard or other nonpermanent materials is not an acceptable method of refacing.
- B. *Removal.* Any conforming sign, which has been removed from the premises, shall be considered discarded, and replacement shall constitute a new sign, and require new permits.
- C. *Repair.* All signs that are damaged (no longer working, cracked, missing pieces, etc.) shall be repaired within 30 days. A permit is not required as long as the sign will look exactly the same as it did before the sign was damaged. If there are any changes (color, script, etc.) to the sign a new permit will be required.

4.12 *Historic or Significant Signs.*

- A. *Preservation of Historic or Significant Signs.* Signs that are at least fifty years old and considered historic or to have cultural/aesthetic significance shall be protected and preserved. If these signs are legally nonconforming they shall maintain their nonconforming status indefinitely. The determination of the historic or cultural/aesthetic significance of the sign shall be determined by the historic district commission.

1. The owner of the premises on which these signs reside shall maintain the signs to ensure they work and are in good condition.

SYNOPSIS

The proposed ordinance is a comprehensive amendment to the City of Dover Sign Regulations and includes a combination of clarifications, simplification of the requirements, and significant relaxation of the regulations currently in place. Changes include an increase in allowable sign area, an increase in the number of signs permitted, incorporation of several definitions and other provisions from the United States Sign Council Model Sign Code, a reduction in the exclusion zone between sign structures, and increased flexibility in temporary signage.

Actions History:

- June 25, 2012 - First Reading/Referral to the Planning Commission and Setting of Public Hearing for August 13, 2012
- June 11, 2012 - Introduced in the Parks, Recreation and Community Enhancement Committee