

# City of Milford



**CITY COUNCIL,  
PLANNING COMMISSION, and  
BOARD OF ADJUSTMENT AGENDA**

**Tuesday, May 28, 2019**

Joseph Ronnie Rogers Council Chambers  
Milford City Hall, 201 South Walnut Street, Milford, Delaware

**5:30 P.M.**

**JOINT WORKSHOP**

Sign Code Revisions

Downtown Parking Study Results

This agenda shall be subject to change to include additional items including executive sessions or the deletion of items including executive sessions which arise at the time of the public body's meeting.

**SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT NO LATER THAN ONE WEEK PRIOR TO MEETING; NO PAPER DOCUMENTS WILL BE ACCEPTED OR DISTRIBUTED AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.**

## **ARTICLE III - Use and Area Regulations**

### **§ 230-9. - R-1 Single-Family Residential District.**

- (6) Home occupational/office (subject to the following special requirements):
  - (h) A maximum of one nonilluminated sign (size and setback specified in Article VI of this chapter) may be affixed to the building or placed within the front property line.
- (5) Professional occupation restricted to the owner/occupant, subject to conformance with the following requirements:
  - (h) A maximum of one nonilluminated display sign affixed to the building not exceeding two square feet shall be permitted.
- (6) Customary home occupation or a studio for artists, designers, photographers, musicians, sculptors and other similar persons, subject to conformance with the following requirements:
  - (f) A maximum of one nonilluminated display sign affixed to the building not exceeding two square feet shall be permitted.
- (9) Signs shall comply with the requirements provided in Article VI of this chapter.

### **§ 230-10. - R-2 Residential District.**

- (i) Signs shall comply with the requirements in Article VI of this chapter.
- (i) Signs shall comply with the requirements in Article VI of this chapter.

### **§ 230-11. - R-3 Garden Apartment and Townhouse District.**

### **§ 230-12. - C-1 Community (Neighborhood) Commercial District.**

- (10) Signs shall comply with the requirements provided in Article VI of this chapter.

### **§ 230-13. - C-2 Central Business District.**

#### **§ 230-13.1. - C-2A Riverfront Development District.**

- (11) Signs shall comply with the requirements for C-2 Central Business District as provided in Article VI of this chapter.

### **§ 230-14. - C-3 Highway Commercial District.**

- (10) Signs shall comply with the requirements provided in Article VI of this chapter.

### **§ 230-15. - H-1 Institutional Development District.**

### **§ 230-16. - I-1 Limited Industrial District.**

- (10) Sign requirements. See Article VI of this chapter.

### **§ 230-17. - I-2 General Industrial District.**

- (10) Sign requirements. See Article VI of this chapter.

### **§ 230-18. - OC-1 Office Complex District.**

- (10) Sign requirements.

- (a) A single sign facing each street from which access to the lot is provided announcing the name or logo (or both) of all establishments or businesses housed therein shall be allowed.
- (b) The sign shall be applied to the wall of the building and shall not exceed 50 square feet.
- (c) The sign shall not extend beyond the wall of the building upon which it is attached.
- (d) If the sign is illuminated, the illumination shall be of an indirect nature. All light sources shall be shielded from the view of adjacent properties or streets.
- (e) One identification sign shall be allowed at each access point with an area of not more than eight square feet.

**§ 230-19. - OB-1 Office Building District.**

(10) Sign requirements.

- (a) A wall sign shall be allowed, with the following stipulations:
  - [1] The sign shall be applied or affixed to the building and shall not exceed 20 square feet in area.
  - [2] The sign shall not extend beyond the wall of the building upon which it is attached and shall not protrude from the wall more than six inches.
  - [3] If a sign is illuminated, said illumination shall be of an indirect nature and shall have its light source shielded from all adjacent properties and streets.
- (b) One identification sign shall be allowed at each street access point, the size of which shall not exceed one foot by two feet.

**§ 230-19.1. - BP Business Park District.**

G. Signage requirements.

- (1) A single wall and/or low-profile freestanding sign announcing the name or logo (or both) of all establishments or businesses housed therein shall be allowed.
- (2) The sign shall be applied to the wall of the building and shall not exceed 10% of the wall area to which it is affixed.
- (3) The freestanding low-profile sign shall be no more than six feet in height and eight feet in width.
- (4) If the sign is illuminated, the illumination shall be of an indirect nature. All light sources shall be shielded from the view of adjacent properties or streets.

**§ 230-19.2. - IS Institutional Service District.**

I. Signs in the Institutional Service District.

- (1) Identification signs. The total permitted sign surface area, excluding its enclosure and/or manner of support, of all business identification signs located on or affixed to the facade of a building within the lower two stories or 26 feet, whichever is lower, shall not exceed an area equal to 5% of said lower two-story area of the building facade or 100 square feet, whichever is lower, per sign for each side of the building. For any freestanding sign not located on or affixed to a building, the total permitted sign surface area, excluding its enclosure and/or manner of support, shall not be greater than 100 square feet per sign for each side of the building. For business identification signs which are placed on a building above 26 feet, the sign shall not exceed an area of 5% of the area of the building facade measured from the ground to the top of the applicable proposed sign.
- (2) On-site informational signs. Any building less than 5,000 square feet shall be allowed four on-site informational signs not to exceed 50 square feet per side for each sign for each building.

Any building greater than 5,000 square feet shall be allowed eight (8) on-site informational signs not to exceed 50 square feet per side for each building. In no case shall an on-site informational sign be constructed so as to obstruct the view at an intersection of a public street.

- (3) Illumination. Any lighting used to illuminate advertising signs shall be arranged so that the direct rays from the lights will not fall on any adjoining property. Signs in the Institutional Service District or lighting for signs shall not be placed in such a position that it will cause danger to traffic or create a traffic hazard by obscuring the view or in any way interfering with driver vision.

#### **§ 230-19.3. - IM Institutional Medical District.**

##### **I. Signs in the Institutional Medical District.**

- (1) In those instances involving a single building with a single business use occupying a single lot, the total allowable sign area shall be 18 square feet, exclusive of the necessary architectural supports or columns. The reference to sign area is reference to size of structure without reference to size of actual advertising area.
- (2) In those instances involving a single building but with multiple business uses, there may be erected a single advertising sign on which there shall be listed all of the occupants of the building, in which case the total allowable sign area, determined as provided in Subsection I(1) next above, may be up to but not in excess of 36 square feet. The only other allowable signage for the lot shall be name identification signs for each individual business, which shall not exceed two square feet for each and shall be limited solely to the name of the business being identified and shall be attached to the building.
- (3) In those instances involving a single lot comprised of a building with multiple occupants as well as a detached building with a single occupant or detached building with multiple occupants, the allowable signage for the lot shall be as provided in Subsection I(2) next above.
- (4) Illumination. Any lighting used to illuminate advertising signs shall be arranged so that the direct rays from the lights will not fall on any adjoining property. Signs in the Institutional Medical District or lighting for signs shall not be placed in such a position that it will cause danger to traffic or create a traffic hazard by obscuring the view or in any way interfering with driver vision.

#### **§ 230-19.4. - R-8 Garden Apartment and Townhouse District.**

- (6) Mobile home parks, subject to conformance with the following requirements and subject to site plan review:
  - (g) Signs.
    - [1] An identification sign may be set up at the park entrance. This sign may be illuminated and shall have a street setback of 15 feet. It may have a maximum height of 20 feet and may not exceed 20 square feet of area on either side.
    - [2] Nonilluminated traffic direction signs may also be erected. These signs shall have a street and property setback of 15 feet. They shall be no more than four square feet in area or two feet in height.

### **ARTICLE VI - Signs**

#### **§ 230-24. - Permitted and prohibited signs.**

For the purpose of this article of this chapter, the regulations are hereby set forth as follows:

- A. Signs permitted without limitation in all zoning districts shall be as follows:
  - (1) Authorized signs regulating traffic under state or city authority.
  - (2) Signs designating public transportation pickup points.

- (3) Informational signs: those erected for safety or those installed to provide directional information and those erected for the identification of public rest areas, public parking areas, entrances or exits and loading or unloading zones (not to exceed 2 1/2 square feet in area and nonilluminated).
- (4) Warning signs and no trespassing signs.
- (5) Memorial plaques, corner stones and signs designating historical sites.
- (6) Signs required to be posted by law.
- (7) Duly authorized governmental signs, public notices and signs posted or maintained by governmental order, rule or regulation.
- (8) Flags or emblems of governmental, educational or religious organizations.
- (9) Address signs, not to exceed one for each principal building or premises, not to exceed 160 square feet in area. The signs shall show only numerical address designations of premises upon which they are affixed/maintained.
- (10) Signs designating permanent subdivisions, not to exceed 20 square feet in area, with only two per each street frontage.
- (11) Signs which are attached or are integral to fuel dispensing pumps or devices, to be no larger than the servicing device to which they are attached.
- (12) Temporary sign for sale (realty, private owner, etc.), rental or lease of premises at location. Allowance shall be determined by the Code Official.

B. Signs prohibited in all zoning districts shall be as follows:

- (1) Flashing signs.
- (2) Animated signs.
- (3) Signs producing noise or sounds.
- (4) Signs emitting visible smoke, vapor, particles or odor.
- (5) Signs/advertising materials which obstruct visibility of motorists or pedestrians at any location.
- (6) Signs which, by reason of wording, position, shape or color, may cause interference with or obstruction of view or may be confused with authorized traffic signage. The allowance shall be determined by the Code Official.
- (7) Signs attached to fire-fighting equipment, emergency egress doors, windows and like emergency purposes.
- (8) Signs causing radio, television or other communication interference because of lighting or control mechanism(s).
- (9) Flags (other than United States flags), banners, twirling/spinning, sandwich/A-type, sidewalk/curb signs (nonpermanent) and balloons or other gas-filled figures. Allowance shall be determined by the Code Official.
- (10) Signs attached to trees, fences, utility poles or any other means not designated by this article or that which is not approved by a City Code Official. Exceptions are public notices and public announcements (as previously stated).
- (11) Portable signs, fixed on movable stands or chassis, or those self-supported types not permanently embedded or any sign that allows ready transport from site to site.

§ 230-25. - Construction; violations and penalties.

- A. All signs permitted by this article shall be erected/placed in accordance with the zoning requirement set forth by this chapter (regarding setbacks, sizes and height limitations) and shall be constructed

so as to withstand loadings imposed by wind or the direct result of the sign's weight or stresses that may be otherwise imposed. All signage applications shall be accompanied by scale drawings and shall meet the approval of the Plans Review Official.

- B. Any violations of city code(s)/ordinance(s) regarding the laws governing signs within the City of Milford shall be grounds for the removal of the sign in question, fines, imprisonment or all of the preceding. This shall be determined by the Code Official.

§ 230-26. - General standards.

The chart, found at the end of this chapter, shall determine the size and height requirements allowed within the designated zoning district. Additional requirements are as follows:

A. Setback.

- (1) Commercial/industrial districts: 10 feet from front right-of-way line.
- (2) Noncommercial districts (nonresidential):
  - (a) Advertising: 10 feet from front right-of-way line.
  - (b) Nameplate, identification and instruction: five feet from right-of-way line.

B. Sign standards chart (end of chapter).

C. Guidelines for all zoning districts. The following are the general guidelines for signage in all zoning districts:

- (1) Sidewalk or pedestrian areas are not to be obstructed in any way by signs of any type.
- (2) Variances for dimensional increases in area, height or coverage must be submitted for review and determination by the Board of Adjustment of the City of Milford. Violations of the requirements set forth in the attached chart shall be deemed as a violation of this chapter and will be subject to the penalties herein described.
- (3) All signs whose primary function it is to direct attention to the identity of the business, professional or industrial activity and which describes said nature of such operation shall be deemed a business sign. Such signs shall not exceed two in number on any one road frontage.

D. Guidelines for C-2 Zoning District. The following are the general guidelines for signage within the C-2 Downtown Commercial District:

- (1) Signs shall reflect simplicity, using graphics and minimum information.
- (2) Light-colored lettering should be used over dark matte background as the dominant motif.
- (3) Signs should have a singular theme.
- (4) A maximum of three colors may be used.
- (5) Signs should employ a style consistent with the age of the building.
- (6) Signs should fit into the size and proportions of the building.
- (7) Wall signage shall be placed directly above the storefront.
- (8) Wall signs should be made of natural materials, when feasible.
- (9) Awning signs shall be carefully mounted and add variety and color to the streetscape. All awning signage and the awning assembly shall be kept properly maintained and shall be repaired as needed.

E. Political signs.

- (1) Residential and Downtown Commercial Districts.
  - (a) Political signs shall not exceed 24 inches by 36 inches or six square feet.

- (b) The maximum height of any political sign shall not exceed three feet.
- (c) All political signs shall be removed within seven days after the election.
- (2) Other zoning districts.
  - (a) Political signs shall not exceed 48 inches by 60 inches or 20 square feet.
  - (b) The maximum height of any political sign shall be no more than five feet.
  - (c) All political signs shall be removed within seven days after the election.
- F. EMB signs. The following are the guidelines for all EMB signage:
  - (1) EMB signs are only permitted in the C-3 Zoning District.
  - (2) Contain static messages for at least eight seconds before changing the message and shall not have animation on any part of the sign, nor shall such sign have varying light intensity during the display of any single message.
  - (3) May not operate at brightness levels of more than 0.20 foot candles above ambient light levels as measured at a distance of 150 feet.
  - (4) The owner of said EMB sign shall provide a certification by an independent contractor of the lumens showing compliance at time of building permit application.
  - (5) Each sign shall have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change.
  - (6) Shall meet the same installation and permitting requirements and inspections as set out for all other signs.
  - (7) The owner of said sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
  - (8) The owner of said sign shall provide to the City of Milford contact information for a person who is available to be contacted at any time and who is able to turn off the electronic sign promptly after a malfunction occurs. If, at any time the EMB display lights malfunction or are no longer working, the owner of said sign shall make repairs to the sign within 60 days or the sign will require removal.
  - (9) Each sign located on a state maintained road must comply with all Delaware Department of Transportation rules and regulations applicable to electronic changeable message signs where not in conflict with this [article].
  - (10) All EMB signs shall have a height of no less than a minimum of two feet and no greater than a maximum of five feet. All EMB signs shall have a width of no greater than a maximum of 12 feet and shall be no larger than 32 square feet total.

MILFORD CODE

ZONING

City of Milford  
Sign Types and Allowable Dimensions and Restrictions

Zoning District	Types of Signs												
	Wall or Mailbox (residence/occupant ID)		Freestanding [mounted on post(s)]		Fascia: Commercial (wall, roof edge, etc.) (of wall square feet)	Hanging/Projecting (extended from wall) (square feet)	Marquee (movable letters)		Illuminated (nonflashing)		EMB Square feet	Mobile (mounted, trailer, etc.)	Billboard Prohibited
	Height (inches)	Square feet	Height	Square feet			Height	Square feet	Height	Square feet			
R-1	42 in	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Prohibited	N/A	Prohibited
R-2	42 in	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Prohibited	N/A	Prohibited
R-3	42 in	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Prohibited	N/A	Prohibited
C-1	42 in	2	48 in	4	10%	15	48 in	9	48 in	4	Prohibited	N/A	Prohibited
C-2	N/A	N/A	48 in	4	10%	20	48 in	9	48 in	4	Prohibited	N/A	Prohibited
C-3	N/A	N/A	28 ft	225	10%	20	10 ft	48	28 ft	225	Height: greater than 2', max 5' Width: max 12' Max 32 sq ft total	N/A	Conditional use per DelDOT standards
H-1	N/A	N/A	25 ft	70	5%	N/A	N/A	N/A	25 ft	70	Prohibited	N/A	Prohibited
OC-1	N/A	N/A	28 ft	225	5%	N/A	10 ft	48	28 ft	225	Prohibited	N/A	Prohibited
I-1	N/A	N/A	28 ft	200	5%	N/A	10 ft	48	28 ft	200	Prohibited	N/A	Prohibited
I-2	N/A	N/A	28 ft	200	5%	N/A	10 ft	48	28 ft	200	Prohibited	N/A	Prohibited

[Ord. No. 2010-1, §§ 8, 5-24-2009; Ord. No. 2009-22, § 3, 9-27-2010; Ord. No. 2012-07, § 3, 5-29-2012]



**TO:** City Council Members, Planning Commission Members, Board of Adjustment Members  
**FROM:** Rob Pierce, Planning & Economic Development Director  
**DATE:** May 28, 2019  
**RE:** Sign Code Update

---

In May 2018, the Community & Economic Development Committee of City Council discussed the need and process for updating Milford’s sign ordinance. It was discussed that the Chamber of Commerce, Downtown Milford, Inc. and sign company representatives would work with the Planning Commission to review the current ordinance and prepare a draft code amendment. Staff attempted to schedule a Planning Commission workshop in the fall of 2018, but found it difficult to get a commitment from other stakeholders for the evening meetings. Due to the scheduling conflicts, staff organized a working group comprised of one City Council member, one Planning Commissioner and the organizations listed above. The “Sign Code Working Group” included the following members;

Michael Boyle, Ward 1 Councilmember  
Raymond Lynch, Planning Commissioner  
James Sharp, Esquire, Moore & Rutt  
Jo Schmeiser, Chamber of Commerce  
Murrie Zlotziver, Downtown Milford, Inc.  
Lynn Rogers, Rogers Sign Company

David Mosley, East Coast Signs  
Wendy Longstreet, Phillips Signs  
Eric Norenberg, City of Milford  
Rob Pierce, City of Milford  
Evan Miller, City of Milford

The working group met five (5) times between November and February to review the current code and discuss recommendations on improvements to the ordinance. The major items of discussion included the following;

1. The existing sign regulations are located throughout Chapter 230 Zoning and are not in one location.
2. The definitions section needed to be updated and modernized.
3. Portions of the sign code are ambiguous and contain conflicting language.
4. There is very little guidance on how to address legal non-conforming signs and maintenance of existing signs.
5. The group felt signs should be constructed with durable, high-quality materials, and some guidance should be provided within the code related to construction materials.
6. The EMC regulations needed to be updated based on advances in technology and should include more detailed illumination standards.
7. The City should consider allowing Electronic Message Center (EMC) Signs in other zoning districts besides C-3 Highway Commercial, and should consider allowing larger EMCs.
8. There are no regulations for signage for non-residential uses in residential zones (schools, churches, etc.) in the current code.

9. Temporary sign regulations in existing code are not “content neutral.”
10. There are no specific regulations for off-premise Signs (Billboards).

Generally speaking, the working group found the code disjointed, difficult to interpret and fairly restrictive.

**Recommendations**

**Utilize the United States Sign Council (USSC) Foundation On-Premise Sign Code Template and consolidate regulations into one single article.**

One of the recommendations from the working group was to use the United States Sign Council Foundation On-premise Sign Code template to create a single article for sign regulations. Currently, the City Code is fragmented and regulations can be found in both the specific zoning district use and area regulations section or within the actual sign article itself. Providing a single location makes it easier for business owners and sign companies to find Milford’s sign regulations and makes it easier for staff to enforce.

The USSC template provides better definitions and standards that were prepared by sign industry experts. The template groups zoning districts into similar zones that would share common sign height, area and setback regulations by sign type. Sections on construction, structural and maintenance requirements, EMC signage and illumination standards would be added. The working group recommended incorporating language from Sussex County’s recently updated sign code on illumination measurement standards, along with other definitions and more detailed content.

**Sign Heights, Areas and Setbacks**

The working group reviewed the current sign height, area and setback regulations and found the existing regulations to be fairly restrictive. There appears to be no consistency for some of the size regulations in relationship to one another and the uses within the zoning districts. Staff found through field measurements, that several signs in the residential zoning categories along with signs in the BP, OC-1, C-1 and OB-1 zoning districts do not comply with the current standards. The working group suggested the regulations should be adjusted to reflect what has been constructed in the field and what makes sense for each zoning group and use. Table 1 illustrates the current sign regulations and Table 2 shows the recommended changes.

*Table 1 – Existing Sign Regulations*

	Freestanding		Building	Canopy	Awning	Projecting	
Zones	Height	SF	%	%	%	SF	EMC
R-1	?	20 (subdivision only)	2 sf (home occupation)	n/a	n/a	n/a	Prohibited
R-2	?	20 (subdivision only)	2 sf (home occupation)	n/a	n/a	n/a	Prohibited
R-3	?	20 (subdivision only)	2 sf (home occupation)	n/a	n/a	n/a	Prohibited
R-8	?	20 (subdivision only)	2 sf (home occupation)	n/a	n/a	n/a	Prohibited
C-2	4	4	10	10?	10?	20	Prohibited
C-2A	4	4	10	10?	10?	20	n/a
C-1	4	4	10	10?	10?	15	Prohibited
OB-1	n/a	n/a	20 sf	n/a	n/a	n/a	n/a
BP	6	48	10	10?	10?	n/a	n/a
OC-1	28	225	5	5?	5?	n/a	Prohibited
H-1	25	70	5	5?	5?	n/a	Prohibited
IM	n/a	18/36	n/a	n/a	n/a	n/a	n/a
IS	n/a	100	5%/100 sf	n/a	n/a	n/a	n/a
I-1	28	200	5	5?	5?	n/a	Prohibited
I-2	28	200	5	5?	5?	n/a	Prohibited
C-3	28	225	10	10?	10?	20	Permitted max 32 sf

Table 2 – Draft Sign Regulations

Zones	Freestanding				Building	Canopy	Awning	Projecting	EMC
	Height	SF	Front Setback	Side Setback	%	%	%	SF	
Residential Zones (R-1, R-2, R-3, R-8)	Prohibited	Prohibited		Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
Subdivision	4	64		64	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
Home Occupation	4	6	5	5	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
Non-residential Uses	10	48	5	15	Prohibited	Prohibited	Prohibited	Prohibited	Permitted by Conditional Use for Assembly Uses Only
Downtown Commercial Zones (C-2, C-2A)	6	24	10	15	10	40	40	20	Prohibited
Neighborhood Commercial Zones (C-1, OB-1)	6	24	10	15	10	40	40	20	Prohibited
Business Park and Office Zones (BP, OC-1)	10	48	10	15	10	Prohibited	Prohibited	Prohibited	Prohibited
Institutional Zones (H-1, IM, IS)	10	120	10	25	5	Prohibited	Prohibited	Prohibited	Prohibited
Commercial and Industrial Zones (I-1, I-2, C-3)	28	225	10	25	15	40	40	20	Permitted

**Non-residential uses in Residential Zoning Districts**

Based on the current code, non-residential uses (schools, churches, day-cares) in Residential zoning districts are not allowed to have signage. The code provides guidance for home occupations, but uses like schools, churches and alike are prohibited from having signs. This needs to be addressed in the code update.

**Incorporate a Comprehensive Signage Plan review process**

The working group discussed developing a procedure to review large developments and complexes that may have signage needs beyond what is addressed in the standard sign regulations. The Planning Commission and/or City Council would review these Comprehensive Signage Plans and may allow flexibility in design, similar to what is done for the Planned Unit Developments for residential subdivisions. Kent County has a similar process.

**Review the current Electronic Message Center regulations**

The group recommended reviewing the current EMC regulations. Currently the City Code only allows EMCs within C-3 Highway Commercial zoning districts. There was general discussion regarding relaxing these standards and allowing more EMC signage in other zoning districts, including industrial properties and assembly uses in residential zones (churches, schools). The group also discussed allowing larger EMCs that could make up a portion of a freestanding sign, but have a maximum size limitation. Currently, the code doesn't allow EMCs larger than 32 square feet.

### **No regulations for Off-Premise Signs (Billboards)**

The current code permits billboards by conditional use approval within the C-3 zoning district only. There are no specific regulations as to the height, size and spacing of such signs and merely references DelDOT standards. The working group and staff recommend adding minimum standards similar to what Sussex County has adopted or consider prohibiting future billboards within City limits.

### **The Temporary Sign language conflicts with recent court decisions**

The City's temporary sign regulations are not "content neutral" and potentially violate freedom of speech laws. This section of the sign code needs to be revised to avoid legal challenges with enforcement. All temporary signs need to be treated the same, and enforcement can only focus on the size, location, quantity and duration and not what the sign says. The current sign code regulates business, real estate and political signs differently, which conflicts with recent Supreme Court decisions.

The current sign code contains language conflicts, particularly under the prohibited sign section where it lists off several types of signs that are not allowed within City limits, but ends the statement with "allowance shall be determined by the Code Official." There needs to be more definitive criteria as to what is allowed and not allowed when it comes to temporary signs. The group discussed allowing one temporary freestanding sign and one temporary wall sign per property or per business, with size differences for residential vs. non-residential zones.

The group discussed formalizing a special event sign permit, which is currently done informally by the department, for grand openings, going out of business sales or other large sales that require temporary signage outside the normal allowance. Additional input is needed on temporary signs and will be reviewed further with the Planning Commission in June, followed by City Council later this summer.

### **Next Steps**

The draft code amendment will be reviewed by the Planning Commission at the upcoming June meeting and will include more in depth discussions regarding on-premise sign heights, sizes, setbacks, billboards, temporary signs, EMCs, and possible downtown sign design criteria and review. A final draft will be prepared once the Planning Commission has provided guidance. It is anticipated that public hearings would be scheduled in August to begin reviewing a formal ordinance.

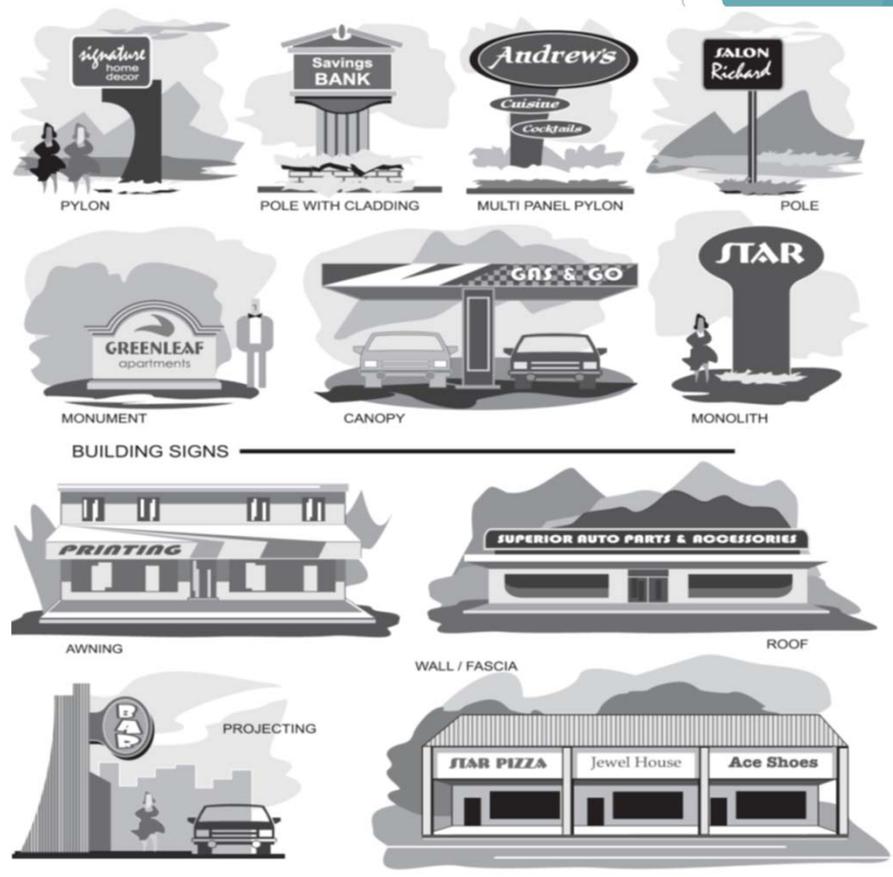


# Chapter 230 - Signs

May 28, 2019

# Types of Signage

- ▶ Freestanding
- ▶ Wall Signage
- ▶ Projecting
- ▶ Awning
- ▶ Electronic Message Centers (EMCs)
- ▶ On-premise vs. Off-premise
- ▶ Temporary Signs





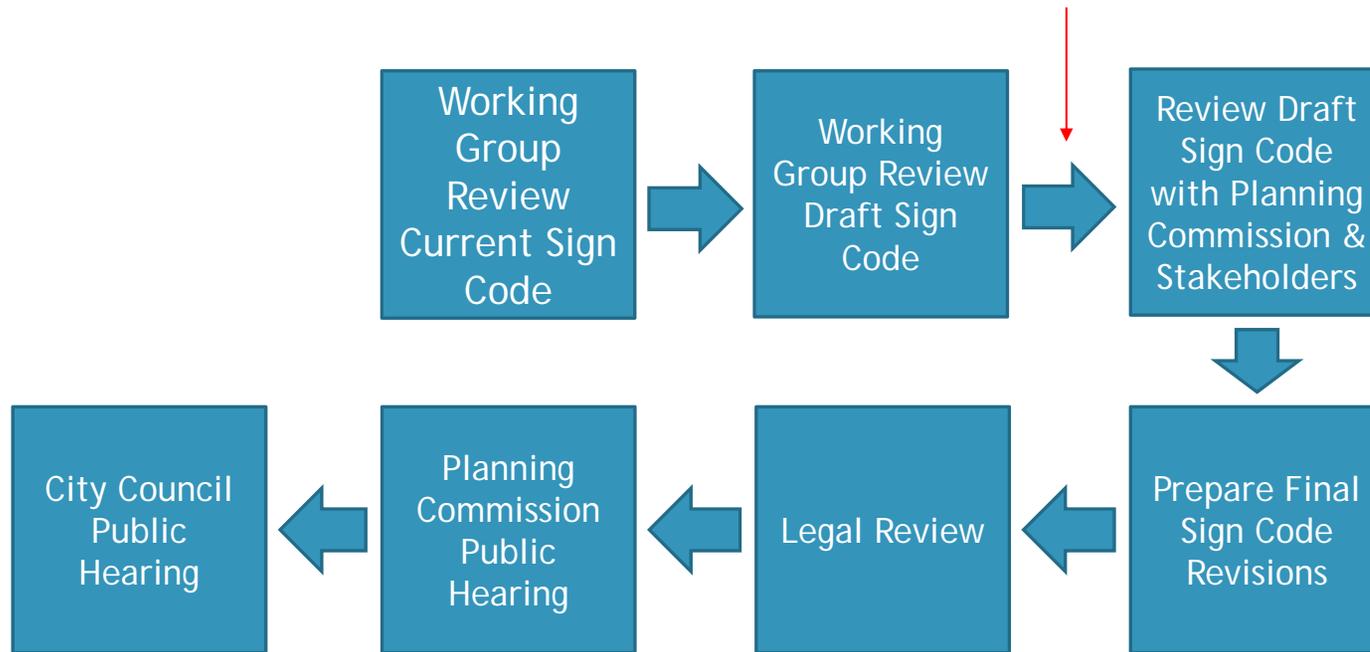
## Sign Code Update Process

- ▶ In May 2018, the Community & Economic Development Committee reviewed staff's proposal to update the Sign Code.
- ▶ There is a need to update the code because the format is not consistent throughout the code, there are insufficient definitions, contradictory language, and concerns regarding compliance with recent court decisions.
- ▶ The Committee identified stakeholders that should be involved in the code update, including DMI, the Chamber of Commerce, and sign businesses.



# Sign Code Update Process

**WE ARE HERE**





## Sign Working Group

- ▶ Comprised of a member from City Council, the Planning Commission, City Solicitor, DMI, Chamber of Commerce, three local sign companies and City staff.
- ▶ Met five (5) times between November and February to discuss problems with the current City Code and review potential changes to the sign regulations.



## Current Sign Code: Identified Issues

- ▶ Regulations for signage are located throughout the zoning code.
- ▶ Contradictory statements and ambiguous language.
- ▶ No guidance on construction materials, maintenance and upkeep
- ▶ Restrictive sign size, area and location regulations
- ▶ Restrictive Electronic Message Center language, no illumination standards
- ▶ Non-residential uses in residential zones are not allowed signs
- ▶ Compliance with freedom of speech with regards to temporary signs
- ▶ No guidance for off-premise signage (billboards)
- ▶ Existing Sign Regulations do not match what has been constructed.



## Recommendations: Create a Single Article

- ▶ Create a separate Article and pull all references of signage into one location for easier enforcement by staff and easier reference by sign companies and businesses.
- ▶ Utilize an on-premise sign template developed by the United States Sign Council foundation.
  - ▶ Updated Definitions
  - ▶ Updated Sign Type descriptions, Sign Area measurements
  - ▶ Structural, Maintenance and Illumination Standards
  - ▶ Groups common districts by zoning types
  - ▶ Adds significant length to the sign article but provides more detail to remove ambiguity



# Recommendations: Sign Height, Area, & Setback

## Existing Sign Regulations

Zones	Freestanding		Building	Canopy	Awning	Projecting	EMC
	Height	SF	%	%	%	SF	
R-1	?	20 (subdivision only)	2 sf (home occupation)	n/a	n/a	n/a	Prohibited
R-2	?	20 (subdivision only)	2 sf (home occupation)	n/a	n/a	n/a	Prohibited
R-3	?	20 (subdivision only)	2 sf (home occupation)	n/a	n/a	n/a	Prohibited
R-8	?	20 (subdivision only)	2 sf (home occupation)	n/a	n/a	n/a	Prohibited
C-2	4	4	10	10?	10?	20	Prohibited
C-2A	4	4	10	10?	10?	20	n/a
C-1	4	4	10	10?	10?	15	Prohibited
OB-1	n/a	n/a	20 sf	n/a	n/a	n/a	n/a
BP	6	48	10	10?	10?	n/a	n/a
OC-1	28	225	5	5?	5?	n/a	Prohibited
H-1	25	70	5	5?	5?	n/a	Prohibited
IM	n/a	18/36	n/a	n/a	n/a	n/a	n/a
IS	n/a	100	5%/100 sf	n/a	n/a	n/a	n/a
I-1	28	200	5	5?	5?	n/a	Prohibited
I-2	28	200	5	5?	5?	n/a	Prohibited
C-3	28	225	10	10?	10?	20	Permitted max 32 sf



# Recommendations: Sign Height, Area, & Setback

## Draft Sign Regulations

Zones	Freestanding				Building	Canopy	Awning	Projecting	EMC
	Height	SF	Front Setback	Side Setback	%	%	%	SF	
Residential Zones (R-1, R-2, Subdivision)	Prohibited	Prohibited		Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
Home	4	6	5	5	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
Non-residential Uses	10	48	5	15	Prohibited	Prohibited	Prohibited	Prohibited	Permitted by Conditional Use for Assembly Uses Only
Downtown Commercial Zones (C-2, C-3)	6	24	10	15	10	40	40	20	Prohibited
Neighborhood Commercial Zones (C-1, OB-1)	6	24	10	15	10	40	40	20	Prohibited
Business Park and Office Zones (BP, OC-1)	10	48	10	15	10	Prohibited	Prohibited	Prohibited	Prohibited
Institutional Zones (H-1, IM, I-1)	10	120	10	25	5	Prohibited	Prohibited	Prohibited	Prohibited
Commercial and Industrial Zones (I-1, I-2, C-1)	28	225	10	25	15	40	40	20	Permitted



## Recommendations: Non-residential Uses in Residential Zones

- ▶ Provide guidance for signage for non-residential uses in residential zoning districts (churches, schools, daycares).



## Recommendations: Comprehensive Signage Plan

- ▶ Add a process for a comprehensive sign plan review by the Planning Commission and City Council for larger developments and site plans.



## Recommendations: Electronic Message Centers

- ▶ Discusses the allowance of EMCs in zones other than C-3 Highway Commercial
- ▶ Discusses allowing larger EMC signs that the current 32 square feet allowed
- ▶ EMCs can be found in industrial zones, on schools within residential zones.
- ▶ Working group found that it may be more reasonable to allow EMCs for assembly uses (schools, churches) within residential zones and possibly allow EMCs in other zoning categories, including industrial zones.
- ▶ Draft ordinance provides better illumination standards and methods to measure ambient light emittance to minimize adverse impacts to motorists and neighboring properties.



## Recommendations: Off-Premise Signage

- ▶ Currently, Billboards are allowed by conditional use approval within C-3 Highway Commercial zoning districts as long as it meets the requirements of the State of Delaware Department of Transportation.
- ▶ Working group recommends incorporating regulations similar to what was recently adopted by Sussex County regarding setbacks and separation distances.
- ▶ There was even discussion of whether the City should even allow Billboards within City limits.



## Recommendations: Temporary Signs

- ▶ Current language is ambiguous and conflicting with recent court decisions regarding freedom of speech.
- ▶ Regulations regarding temporary signs need to be drafted in a way to reflect content neutrality, meaning the rules should not change depending on what the sign says.
- ▶ The City can no longer regulate political, real estate, business advertising signs differently.
- ▶ Need to determine the allowance for temporary signs in different zones.
- ▶ Formalize the special event sign permit, which is currently done informally for grand openings, closings and other sale events.

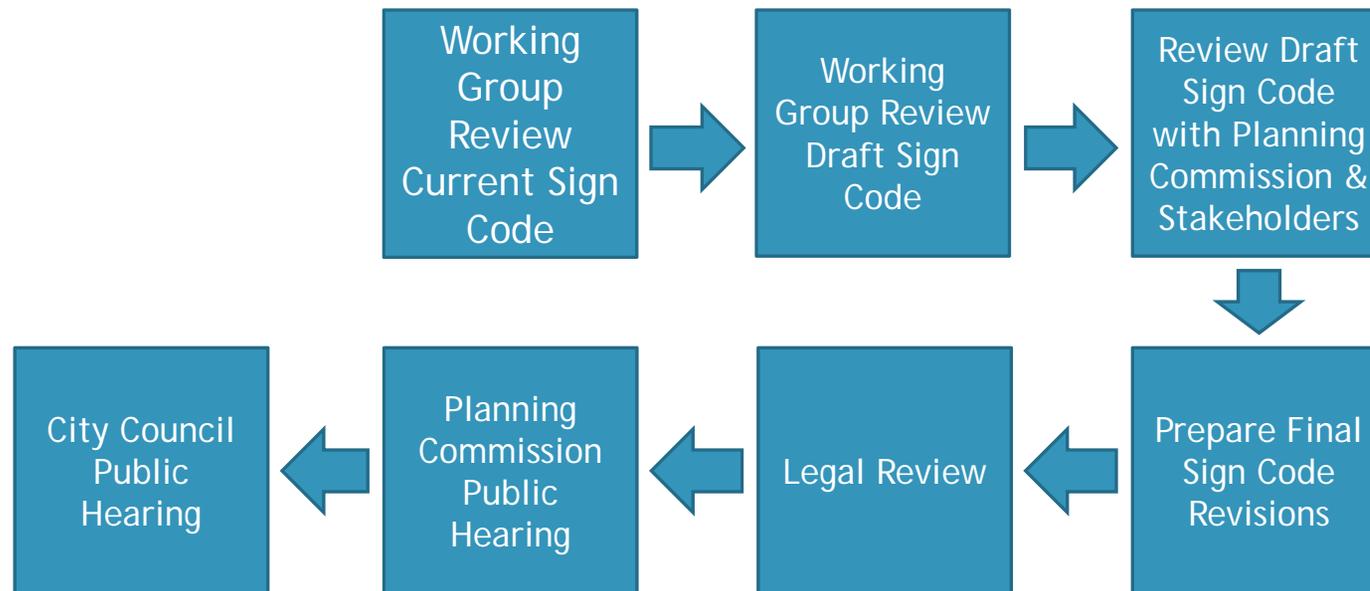


## Additional Input Needed

- ▶ Sign heights, sizes and setbacks.
- ▶ Billboards
- ▶ Temporary Signs
- ▶ EMC regulations
- ▶ Downtown design guidelines and review process



## Next Steps



# Milford Central Business District Parking Study



Milford Central Business District Parking Study  
City Council Presentation | May 28, 2019



## Introduction

### AGENDA

- Study Purpose
- What does the study include?
- Summary of Existing Parking Conditions
- Study Recommendations



## What's the purpose of the Parking Study?

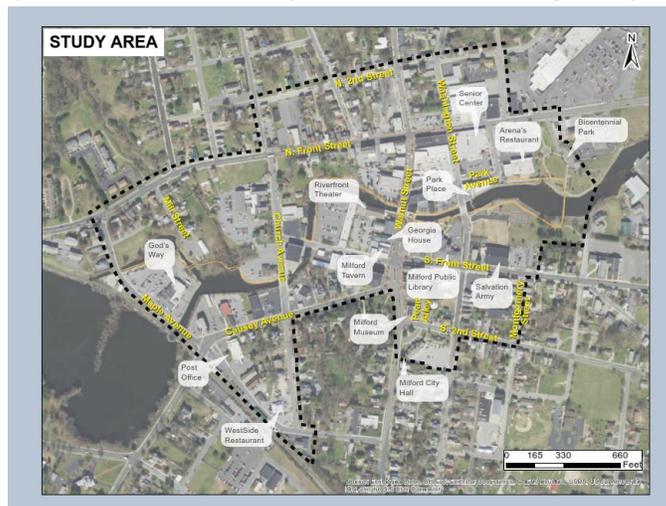
### PURPOSE:

- To determine whether the number and allocation of public parking spaces for downtown merchants and their customers is adequate.
- To determine parking needs, and evaluate potential improvements the city can make to address needs.
- Study is for typical conditions, does not include event parking.

## What does the study include?

### STUDY AREA

The Central Business District zone generally bounded by N. 2<sup>nd</sup> Street, Causey Ave./S. 2<sup>nd</sup> Street, Maple Avenue and Montgomery Street



## What does the study include?

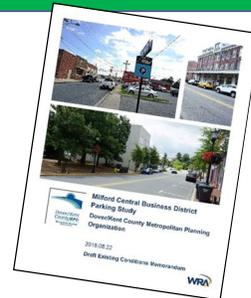
### PROJECT TASKS

- Existing Conditions
  - Inventory (how many parking spaces and where?)
  - Occupancy counts (how full is parking?)
  - Turnover studies (how many different vehicles use the spaces and how long do they stay?)
- Public Outreach
- Identify needs, develop alternatives and recommend solutions
- Report April 12, 2019

## What does the study include?

### OUTREACH ACTIVITIES

- City agency meetings
- Existing Conditions Report placed on City website
- Presentation to Downtown Milford Inc. Entrepreneurs Group
- Public workshop on September 25, 2018
- Survey distributed at workshop, City website, Dover/Kent MPO website

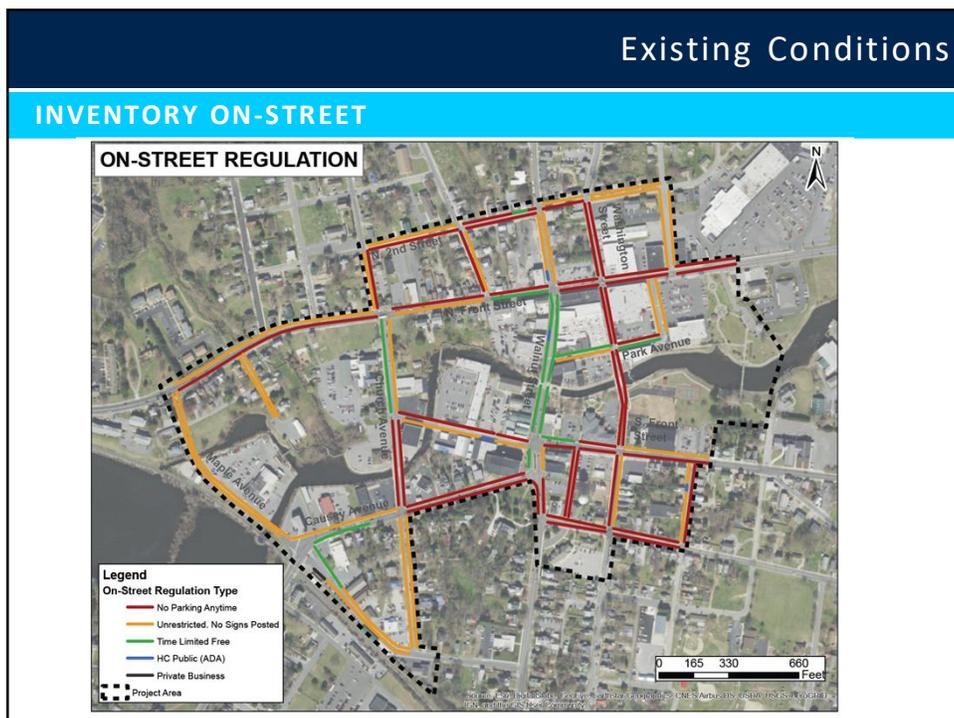


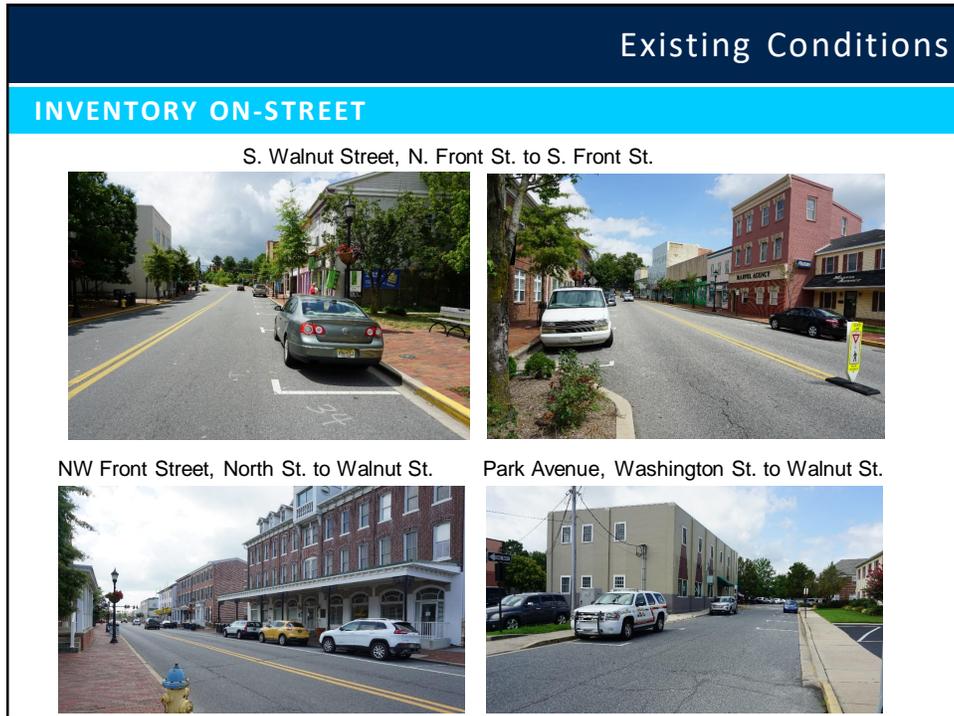
## Existing Conditions

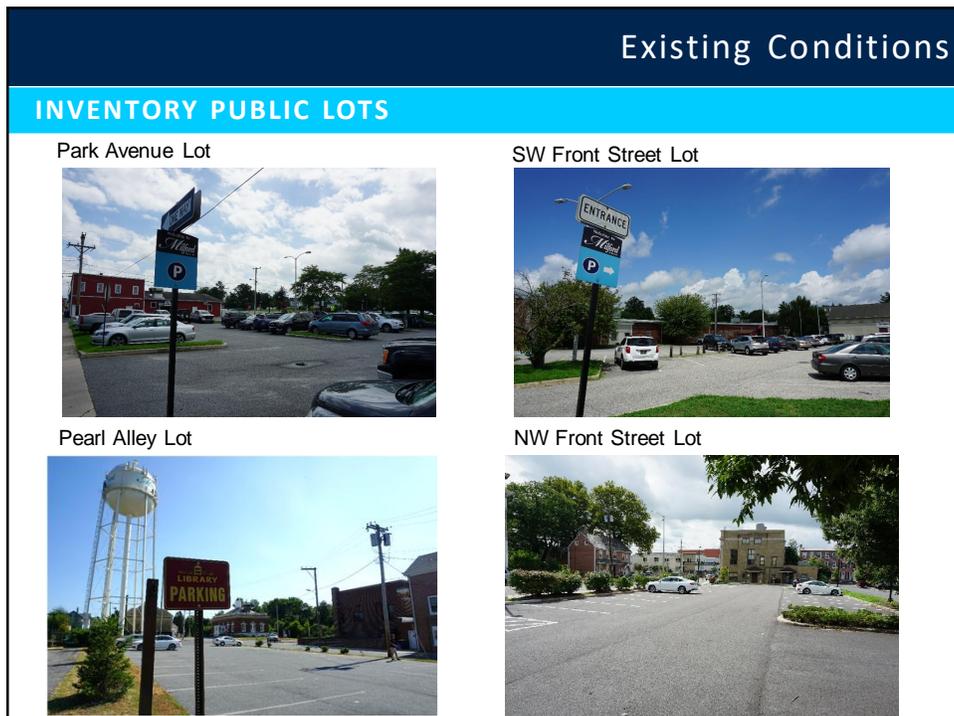
### INVENTORY

Inventory (how many parking spaces and where?)

- 327 on-street spaces
- 433 public off-street spaces
- Approximately 1,000 private off-street spaces
- A total of over 1,750 parking spaces in the Central Business District







**Existing Conditions**

**OCCUPANCY**

Occupancy – How full is parking?

- The number of occupied spaces compared with the total number of spaces
- Difficult to find a space when occupancy is 85% or higher.

	>85%
	75%-85%
	50% - 74%
	25% - 49%
	1% - 24%
	0%

**Existing Conditions**

**OCCUPANCY**

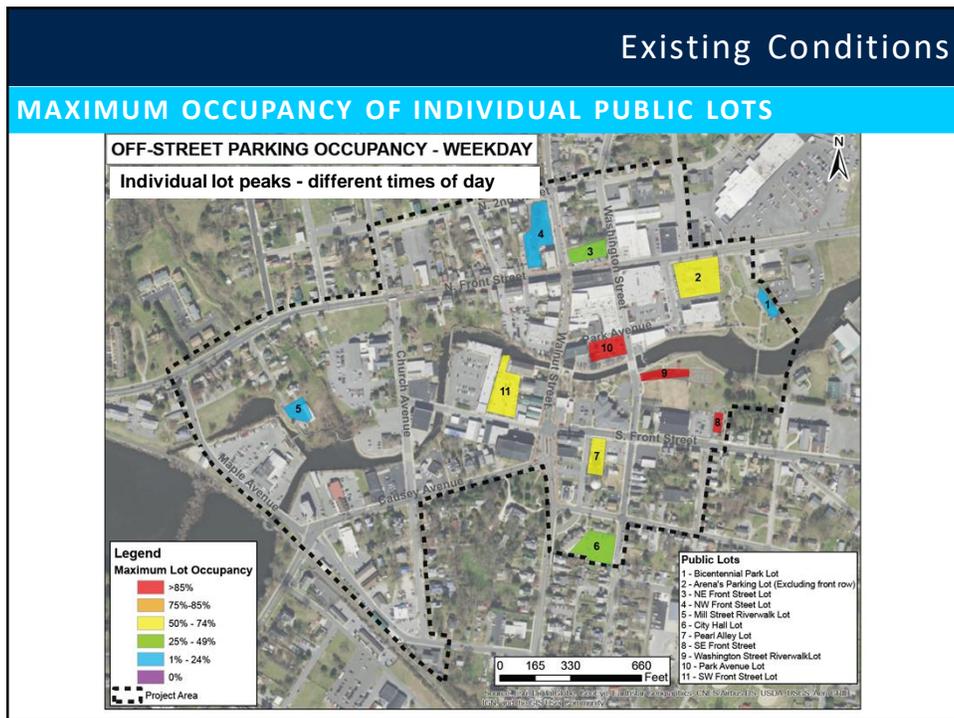
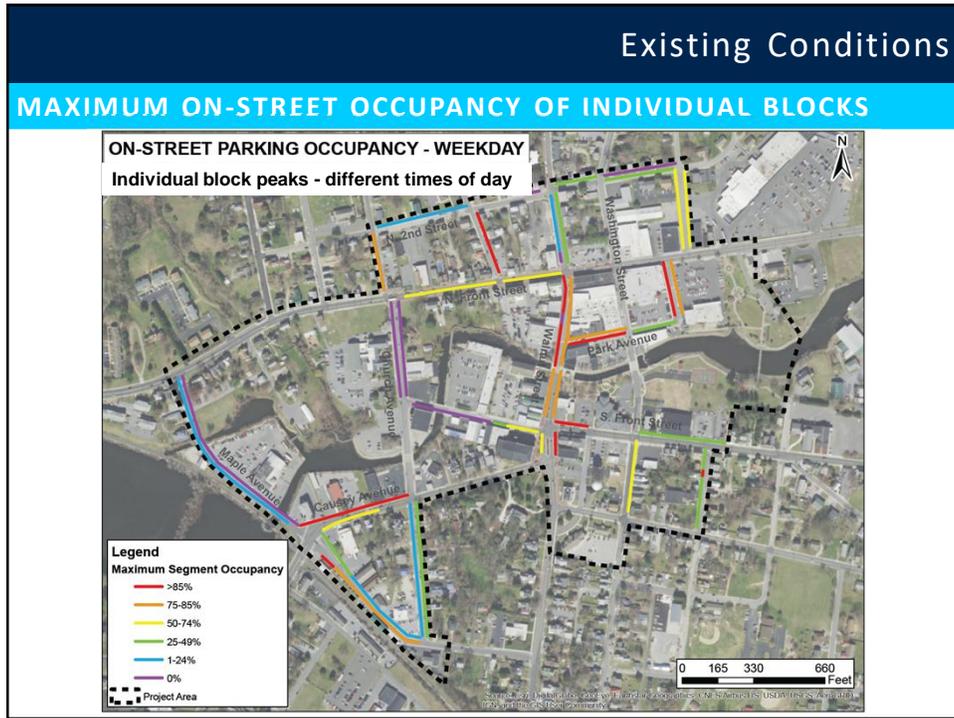
Hourly counts on-street and the public lots  
Weekday and Saturday

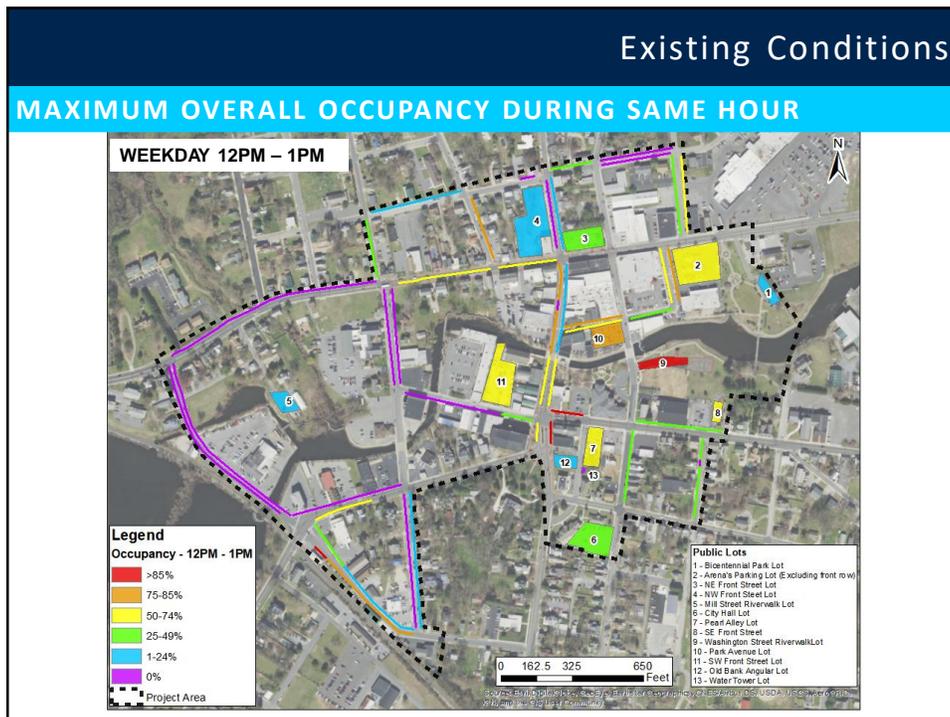
LOT 11 - SW Front Street

Hour Beginning	Wed. (Occupied Spaces)	Sat. (Occupied Spaces)
10 AM	22	0
11 AM	23	0
12 PM	33	35
1 PM	25	35
2 PM	23	28
3 PM	21	25
4 PM	24	15
5 PM	25	28
6 PM	22	55
7 PM	0	68

Capacity = 68

Legend: ■ Wed. ■ Sat.





**Existing Conditions**

**TURNOVER**

Turnover - the number of different vehicles that use the spaces

- Turnover can be promoted by setting time limit on parking
- 2-hour time limit posted on portions of
  - Walnut Street
  - S. Front Street
  - N. Front Street
  - Park Avenue
  - Church Street

**Existing Conditions**

**TURNOVER**

- Turnover counts conducted on a Thursday from 10am to 7pm in the three busiest public lots and on the street in 2-hour limit zones.
- The highest turnover parking is Walnut Street from N. Front St. to S. Front St.

Street	Block	Number of Spaces	Turnover	Spaces occ. by same car $\geq$ 8 hours	% of vehicles staying 1 - 2 hours	% of vehicles staying 3 - 6 hours	% of vehicles staying 7 - 9 hours	Posted Time Limit
Walnut St.	N. Front St. - Bridge	16	3.94	1	88%	10%	2%	2 HR
Walnut St.	Bridge - S. Front St.	14	3.07	0	87%	10%	3%	2 HR
Walnut St.	S. Front St. - Causey Ave.	4	0.75	0	100%	0%	0%	2 HR

**Existing Conditions**

**CONCLUSION**

Conclusion from Existing Conditions Analysis:

- No obvious pervasive shortage of parking spaces found on typical days
- When an individual block or lot is full, spaces always available in adjacent block or nearby lot.

Existing Conditions
<b>PARKING ISSUES</b>
<p>Parking issues identified by the study:</p> <ul style="list-style-type: none"><li>• Need better direction to public lots</li><li>• Need better identification of public parking lots</li><li>• Layout of some lots causes traffic conflicts/poor circulation</li><li>• Employees park in prime locations for visitor parking</li></ul>

Existing Conditions
<b>PURPOSE AND NEED</b>
<p><b>The purpose of parking-related improvement projects in downtown Milford will be to improve public awareness, user comfort, and/or availability of public parking that supports downtown businesses.</b></p>

## Recommendations

### SUMMARY

- 14 study recommendations
  - 6 aimed at improving public awareness
  - 7 aimed at improving user comfort and availability of parking
  - 1 other

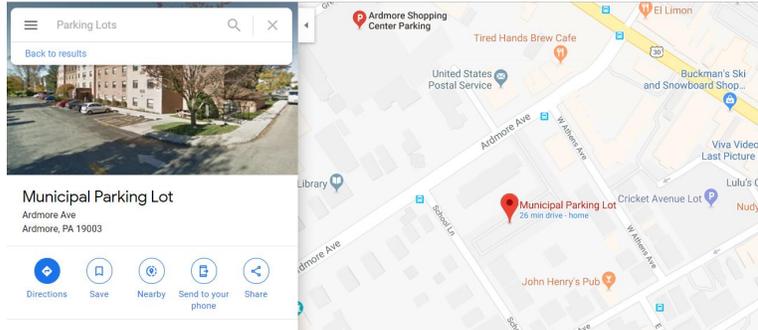
Timeframe, order of magnitude cost and responsible party provided for each recommendation

## Recommendations

### IMPROVE PUBLIC AWARENESS OF PARKING RESOURCES

1. Lot names  
For ease of identification, signing
2. On-line mapping of public parking resources

Example from Ardmore, PA

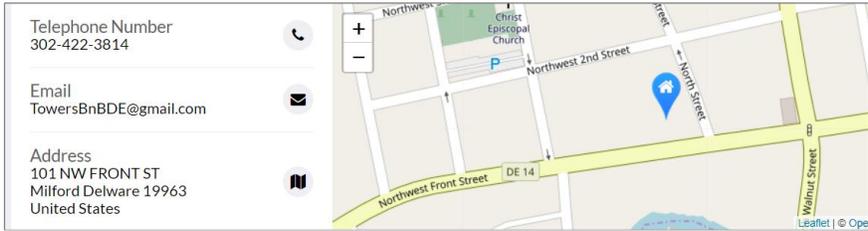


**Recommendations**

**IMPROVE PUBLIC AWARENESS OF PARKING RESOURCES**

3. Businesses can add parking information to their websites.

In this example, the business address is provided but no information on the public lot located in the next block east.



**Recommendations**

**IMPROVE PUBLIC AWARENESS OF PARKING RESOURCES**

4. Improve parking directional signing on the street and identification signing at public lots

- Size and design for visibility





## Recommendations

### IMPROVE PUBLIC AWARENESS OF PARKING RESOURCES

5. Create convenient, highly visible entrance to NW Front Street lot on NW Front Street

- Change existing exit driveway to entrance
- Lot identification sign instead of “Do Not Enter”
- Makes lot seem less remote for destinations south of N. Front Street



## Recommendations

### IMPROVE PUBLIC AWARENESS OF PARKING RESOURCES

6. Pedestrian directional signing to SW Front Street lot

Raise awareness of existing walkway to Walnut Street



Riverfront Theater viewed from the lot

Recommendations
<b>IMPROVE USER COMFORT/AVAILABILITY OF PARKING</b>
<p>7. Periodically review and update street parking regulations</p> <p>8. Work with employers to encourage employees to park in underutilized lots north of N. Front Street, to increase availability of parking for visitors.</p> <p>Examples:</p> <ul style="list-style-type: none"><li>- Davis, Bowen &amp; Friedel</li><li>- Delaware Social Services</li></ul>

Recommendations
<b>IMPROVE USER COMFORT/AVAILABILITY OF PARKING</b>
<p>9. Add street parking to Washington Street</p> <ul style="list-style-type: none"><li>• East side between SE Front Street and NE Front Street</li><li>• Destinations served include the Milford Library, apartments, Davis, Bowen &amp; Friedel, Park Place</li></ul>

Recommendations

IMPROVE USER COMFORT/AVAILABILITY OF PARKING

10. Improve Arena's Lot



Arena's Lot – Existing



Arena's Lot – Improved layout (Milford Engineer)

Recommendations

IMPROVE USER COMFORT/AVAILABILITY OF PARKING

11. Improve Park Avenue Lot



Park Avenue Lot – Existing



Park Avenue Lot – Potential layout (not to scale)

**Recommendations**

**IMPROVE USER COMFORT/AVAILABILITY OF PARKING**

### 12. Improve NE Front Street Lot



*NE Front Street Lot – Existing*



*NE Front Street Lot – Improved layout (by DBF)*

### 13. Improve City Hall Lot

**Recommendations**

**OTHER**

### 14. Improve Pearl Alley lot sidewalk frontage on SW Front Street

For pedestrian safety



*View from SE Front Street lot to Library*



*View along SE Front Street sidewalk*

stops to increase their visibility.

## Recommendations

### IMPLEMENTATION

#### Timeframe and responsibility

8 of 14 are short term (less than 2 years)

9 of 14 implemented by City forces

Construction of lot improvements and parking sign design and construction by contract

Recommendation	Time frame*	Priority	Cost	Implemented by
1 Lot names (p. 31)	short	high	-	City planning department
2 On-line mapping of public parking lots (p. 32)	short	medium	-	City planning department
3 Businesses add parking information to their websites (p. 32)	short	medium	-	Businesses
4 Parking directional signage on the street and parking identification signage at public lots (p. 32 - p. 37)	medium	high	\$65,000	Design: consultant Construction: contract
5 Change NW Front Street driveway from exit only to entry only (p. 35)	short	high	\$1,500	City public works department
6 Pedestrian directional signing for SW Front Street Lot to and from Walnut Street shops (p. 37)	short	medium	\$500	City public works department
7 Periodically review street parking regulations to see whether changes are warranted (p. 38)	ongoing	low	-	City planning department Police department
8 Work with employers to encourage employees to park north of N. Front Street (p. 38)	ongoing	medium	-	City planning department Police department
9 Add street parking on Washington Street (p. 38)	short	medium	\$2,500	City public works department
10 Improve Arena's lot (p. 39)	short	high	\$45,000	Design: City public works department Construction: contract
11 Improve Park Ave. lot (p. 39 - p. 40)	medium	high	\$60,000	Design: City public works department Construction: contract
12 Improve NE Front Street lot (p. 40 - p. 41)	long	low	\$140,000	Design: City public works department Construction: contract
13 Peard Alley lot sidewalk edge on SE Front Street (p. 41 - p. 42)	short	medium	\$500	City public works department
14 Improve City Hall lot (p. 42)	long	low	\$15,000	Design: City public works department Construction: contract

stops to increase their visibility.

## Recommendations

### IMPLEMENTATION

#### Cost

Five of the improvements involve no capital cost.

\$262,000 for parking lot improvements

\$ 65,000 for signing improvements

\$ 3,000 other

---

**\$330,000**

Steps to increase their visibility

# Questions?

Thank you!  
Whitman, Requardt & Associates, LLP  
Adrienne Eiss, Project Manager