

E. Off-street parking and loading and sign use are per Article IV, Supplementary regulations.

Section 240-26 C-2 Highway Commercial District

A. Purpose: The purpose of this district is to provide sufficient space in appropriate locations for a variety of commercial activities generally serving a wide area and located particularly along certain existing major thoroughfares where a general mixture of commercial and service activities now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of material or the nuisance factor of dust, odor and noise associated with manufacturing.

B. Permitted Uses. For permitted uses see Table 240-15.

C. Accessory Uses. For accessory uses see Table 240-16.

D. General Requirements.

(1) Dimensional and Density Standards. See Table 240-17. A Site Plan review is required for all uses in the C-2 district.

(a) Conditional Use Permit Requirements: If a Conditional Use Permit is required, it is indicated in Table 240-15.

E. Off-street parking and loading and sign use are per Article IV, Supplementary Regulation.

F. Additional requirements for Conditional Uses. The following may be permitted as conditional use if approved by the Town Council:

(1) Adult entertainment establishments, bookstores and massage establishments and other like businesses PROVIDED:

(a) Minimum distance between this use and a lot that is zoned residential, including lots zoned residential in Kent County, or between this use and a school, place of worship, playing field, park, playground or other area where large numbers of minors regularly travel or congregate, library or other recreational facility whether commercial or nonprofit shall be 1,000 feet; and

(b) Minimum distance between this use and another establishment of this type shall be 1,000 feet; and

(c) An application for conditional use approval shall be accompanied by a letter from the Delaware Commission on Adult Entertainment indicating the Commission's intent to issue a license to the applicant when such a license is required by Chapter 16, Title 24, Delaware Code; and

(d) All building openings, entries and windows, etc., shall be located, covered or screened in such a manner as to prevent a view into the interior from any public or semi-public area; and

- (e) Advertisements, displays or other promotional materials shall not be shown or exhibited so as to be visible to the public, and such displays shall be considered as signs and therefore subject to any Town of Camden Sign Regulations. One sign no larger than 32 square feet in area of any type as may be listed in Town of Camden Regulations shall be permitted.

Section 240-27 Industrial District (I)

- A. Purpose: The purpose of this district is to provide sufficient space in appropriate locations for certain types of commercial business and manufacturing uses relatively free from offense, in modern landscaped buildings, and to make available attractive locations for these businesses and industries. Typical development in this district would be that which is commonly known as an industrial or business park. In order to preserve the land for such uses and to avoid future conflicts between such uses and residential use, future residential uses are restricted.
- B. Permitted Uses. See Table 240-15 for permitted uses.
- C. Signs.
 - (1) One sign facing each street from which access to the lot is provided announcing the name or insignia, or both, of the company or companies housed in the development on the lot. Monument or pylon sign permitted, with conditional approval by the Planning Commission.
 - (2) One wall mounted sign, not to exceed an area of 50 square feet is permitted per building.
 - (3) If illuminated at night, such illumination shall be indirect, with all light sources shielded from the view of adjacent lots and streets and shall be extinguished not later than 9 p.m.
 - (4) One identification sign at each point of access to the lot with an area of not more than 3 square feet, and internal direction signs, each with an area of not more than 2 square feet, shall also be permitted.
- D. Prohibited Uses: The following uses are specifically prohibited.
 - (1) Residences, except those existing at the time of adoption of this amendment.
 - (2) Manufacturing uses involving primary production of the following products from raw materials: Hot mix paving or asphalt cement, cement, charcoal, and fuel briquettes.
 - (3) Chemicals: Aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic materials and synthetic resins, pyroxyline, rayon yarn; hydrochloric, nitric, phosphoric, picric, and sulfuric acids; coal, coke, and tar products including gas manufacturing; explosives, fertilizers, glue, and size (animal); linoleum and oil cloth; matches, paint, varnishes, and turpentine; rubber (natural or synthetic), soaps, including fat rendering.
 - (4) The following processes: nitrating of cotton or other materials; magnesium foundry;

reduction, refining, smelting, and alloying of metal or metal ores; refining secondary aluminum; refining petroleum products, such as gasoline, kerosene, naphtha, lubricating oil; distillation of wood or bones; reduction and processing of wood pulp and fiber, including paper mill operations.

- (5) Operations involving stock yards, slaughter houses, and slag piles.
- (6) Storage of explosives. Bulk or wholesale storage of gasoline above ground.
- (7) Dumps.
- (8) Quarries, stone crushers, screening plants, and storage of quarry screenings, accessory to such uses.
- (9) Junk yards, automobile dismantling plants or storage of used parts of automobiles or other machines or vehicles or of dismantled or junked automobiles.

E. Site Development Plan Approval: Site development plan approval shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change of use.

Table 240-15 Commercial and Industrial Permitted and Conditional Uses

TABLE KEY: Blank Not Permitted P Permitted Use CU Conditional Use - see Section 240-34 Site Plan review required in C-1, C-2 and I for all permitted and conditional uses. See definitions in Art. VI Section 240-47	Zone C-1	Zone C-2	Zone I	Zone AG	Zone P
Agriculture-Related Uses					
Farms, Customary and conventional farming operations including the raising of vegetables, flowers, and horticultural materials not to be construed to include commercial poultry and swine production, cattle feeder lots, and fur bearing animal farms.		P		P	
Greenhouse, Commercial				P	
Residential Uses					
Apartment above commercial or office uses	P				
Bed & breakfast	CU				
Dwelling, Two Family					
Dwelling, Manufactured Home					
Dwelling, Multi-family					
Dwelling, Single Family including modular homes	P			CU	CU
Dwelling, Townhouse					
Home Based Businesses - See Section 240-16	P				
Sales & Rental of Goods, Merchandise, and Equipment					
Convenience Store	P	P			
Retail Food Establishments	CU	P			

Retail Sales, Service and Repair Establishments 2,500 SF or less	P	P			
Retail Sales, Service and Repair Establishments more than 2,500 SF		P			
Retail Sales Establishments with drive-through Supermarket		P			
Restaurant	P	P			
Restaurant with drive through	CU	P			
Wholesale Trade Establishments		P	P		
Shopping Center		P			
Office, Clerical, Research, Personal Service and Similar Enterprises Not Primarily Related to Goods and Services					
Business Service Establishments	P	P			
Offices	P	P			
Office Complex of multiple buildings		P	P		
Lodging and Miscellaneous Service Establishments		P			
Personal Service Establishments, including self serve 2,500 SF or less	CU	P			
Personal Service Establishments incl. self-serve more than 2,500 SF		P	P		
Social Service Establishments	CU	P	P		
Research, Design and Testing Laboratories			P		
Banks	CU	P			
TABLE KEY:					
Blank	Not Permitted				
P	Permitted Use				
CU	Conditional Use - see Section 240-34				
a review required in C-1, C-2 and I for all permitted and conditional uses. See ons in Art. VI Section 240-47					
	Zone C-1	Zone C-2	Zone I	Zone AG	Zone P
Banks with drive through; space for waiting vehicles on-site	CU	P			
Adult Entertainment, Bookstores, Cabarets		CU			
Manufacturing, Assembling, Processing - see also Section 240-25					
Food Processing, Packaging and Baking		P	P		
Manufacturing, Light		P	P		
Manufacturing, Heavy		P	P		
Asphalt, Aggregate, Hot Mix			P		
Concrete, Cement, Stone and Gravel Bulk Storage			P		
Commercial Composting, Materials Recycling			P		
Sanitary Transfer Station			P		
Educational, Cultural, Religious, Philanthropic, Social, Fraternal					
Club, private such as golf, swimming, and tennis clubs, lodges, and other annual membership clubs					CU
Educational Institutions, public and private		P			
Places of Worship	CU	CU			CU
Community Center, Private	CU	P			

Institutional, Residence, Care, Confinement & Medical Facilities					
Day Care Center	CU	P			
Day Care, Family (1-6 children)	CU				
Day Care, Large Family (7-12 children)	CU				
Hospital	CU	P			
Medical Clinic	CU	P			
Nursing and Care Facilities	CU	P			
Surgical Center	CU	P			
Transportation-Related Sales & Service					
Motor vehicle filling stations	CU	P			
Motor vehicle sales, repair, service and storage		P	CU		
Storage & Parking					
Distribution Center		CU	P		
Garage, Public or Commercial Parking		CU			
Self-storage Facility		P	P		
Warehouse		CU	P		
Public, Semi-Public, Emergency					
Government Facilities and Services, local	P	P	P		
Government Facilities and Services, non-local	CU	P	P		
Parks & Open Space	P	CU		P	P
Public Safety Facilities including, ambulance, fire, police, rescue, and national security	P	P	P		
Public Utility Service Facilities	CU	CU	P		
Recreation Facility		P		CU	CU
Not Grouped Elsewhere					
Accessory Uses, generally, see Table 240-16	P	P	P	P	P
Cemeteries	CU			CU	CU
Funeral Home		P			
Mixed use and mixed density developments		P	P		
Veterinary clinics, animal hospitals, or commercial kennels, provided that no open pens, runs, kennels or cages are located within 200 feet of land that is used or zoned residential		P	P		

Table 240-16 Commercial and Industrial Accessory Uses

Accessory Uses					
Accessory Farm Buildings e.g. barns, stables, silos			P	CU	
Accessory Maintenance and Storage for Recreational Facilities			P		CU
Boat, not exceeding 25 feet in length	CU				
Detached home workshop	P				
Garden House	P			P	
Greenhouse	P			P	
Home-based business - see Section 240-17	P	P			
Junk Vehicles and Junk Vehicle Storage, unenclosed					
Playhouse	P				
Private courts for non-commercial swimming pools and/or games	CU	P			
Private Garage with non-residential use		P			

Radio or TV receiving tower not more than 50 feet in height	P	P			
Recreational Vehicle or Mobile Service Vehicle	CU	P	P		
Tool house	P	P			
Trailer not exceeding 25 feet in length	P	P			
Trailer for storage or towing exceeding 25 feet in length		P	P		
Materials Stockpile, un-enclosed			CU	CU	
Materials Stockpile, enclosed or covered			p	CU	
Material or Equipment Storage, un-enclosed			CU	CU	
Material or Equipment Storage, enclosed	P	P	P	CU	

Table 240-17 Basic Dimensional and Density Standards for Commercial, Industrial and other Non-Residential Districts

ZONING DISTRICT	Residential	C-1	C-2	I	AG	P
		All Other Uses	All Uses	All Uses	All Uses	All Uses
Tract Standards	Same as R-1 Single Family with Tract Area of 5,000 SF					
Tract Area (SF)		7,500	9,000	43,560	43,560	43,560
Required Minimum Open Space		20%	20%	20%	20%	20%
Min. Lot Standards						
Lot Area Per DU (SF)		7,500	9,000	43,560	43,560	43,560
Street Frontage (feet)		50	60	100		
Lot Width at Front Bldg. Line (feet)		50	60	100		
Setbacks (feet)						
Front Yard		25	40	50	100	100
Side Yard		10	10	15		
Interior Yards (each)		10	15	25	100	100
Corner Yard		20	30	50	100	100
Rear Yard		20	20	40	100	100
Maximum Building Height						
Stories		2-1/2	3-1/2 or *6	2-1/2	2-1/2	2-1/2
Feet		35	45 or *70	45	35	35
Maximum Building Coverage/Total Impervious Coverage (% of Lot)		40/80	40/80	55/80	10/20	10/20
Minimum Lot Depth		100	100	150	200	200

Notes:

1. Tract Area is the minimum acreage or square footage needed to subdivide and/or develop land for each District.
2. Lot Area is the minimum lot size for each use type.
3. SF means Square Feet.
4. AC means Acre.
5. * Lodging and/or hotels only. Property owner will be required to submit a site plan for stories and/or height over 45.

Section 240-28 Agricultural District (AG)

A. Purpose. The purpose of this district is to preserve undeveloped areas such as open space and agricultural lands to enhance the quality of life in Camden, including the opportunity for privacy, natural environment and beauty, rural and low density surroundings and recreational assets.

- (1) Permitted and Conditional Uses, Accessory Uses. See Table 240-15 and Table 240-16.

B. Other Requirements.

- (1) Minimum lot size: 1 acre.
- (2) All structures, meeting facilities or active recreation equipment shall be setback 100 feet from the front property line.
- (3) Building heights should not exceed those of the surrounding area, unless specifically necessary to provide economically viable farm storage.
- (4) Off-street parking and loading and sign use are per Article IV, Supplementary Regulations.

Section 240-29 Preservation District (P)

C. Purpose. The purpose of this district is to preserve undeveloped areas such as open space and agricultural lands, areas of special environmental quality, recreation potential, natural beauty or ecological importance, to enhance the quality of life in Camden, including the opportunity for privacy, natural environment and beauty, rural and low density surroundings and recreational assets.

- (1) Permitted and Conditional Uses, Accessory Uses. See Table 240-15 and Table 240-16.

D. Other Requirements.

- (1) Minimum lot size: 1 acre.
- (2) All structures, meeting facilities or active recreation equipment shall be setback 50 feet from the front property line.
- (3) Building heights should not exceed those of the surrounding area, unless specifically necessary to provide economically viable farm storage.
- (4) Off-street parking and loading and sign use are per Article IV, Supplementary Regulations.

ARTICLE IV SUPPLEMENTARY REGULATIONS

Section 240-30 Off-Street Parking

Purpose: In order to facilitate the movement of police, fire and other emergency vehicles to lessen

congestion in the streets, to prevent obstructing traffic and blocking of streets, alleys, and entrances to buildings, the following regulations are established:

After the effective date of this ordinance any building or structure erected or structurally altered, or any building or structure converted or changed in use shall provide the required off-street parking facilities.

- (1) These parking requirements are in addition to required space for storage of trucks or other vehicles used in connection with any permitted uses.
- (2) The parking requirements in this article do not limit other parking requirements contained in the district regulation.
- (3) The parking requirements in this article do not limit special requirements which may be imposed on approved conditional uses.
- (4) Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
- (5) Except as otherwise provided, the number of employees shall be compiled on the basis of the maximum number of persons employed on the premises at one time on an average day or average night, whichever is greater. Seasonal variation in employment may be recognized in determining an average day.
- (6) In the case of mixed uses, uses with different parking requirements occupying the same building or premises, or in the case of joint use of a building or premises by more than one use having the same parking requirements. The parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- (7) Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase in parking spaces of 10% or more, such additional spaces shall be provided on the basis of the change or enlargement. No additional spaces shall be required for the first change or enlargement which would result in an increase of spaces of less than 10% of those required before the change or enlargement. This exception shall not apply to a series of changes or enlargements which together result in a need for an increase in parking spaces of 10% or more.

C. Joint Use and Off-Site Facilities.

- (1) All parking spaces required herein shall be located on the same lot with the buildings or use served, except that where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two or more buildings or establishments, the required spaces may be located and maintained within 300 feet from an institutional building or other nonresidential buildings serve.
 - (a) Exception: Required parking facilities may be located within 300 feet from the building or use served when:

- [1] A change in use or an enlargement of a building requires an increase in the number of parking spaces.
 - [2] Spaces are provided collectively to serve two (2) or more buildings.
- (2) Up to 100% of the parking spaces required for a church auditorium or a school may be used jointly by banks, retail stores, repair shops, service establishments, and similar uses not normally open or operated during the same hours as churches and schools provided that written agreement thereto is properly executed and recorded as specified below.
 - (3) In any case, where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly used, such parking space shall be established by a recorded covenant or agreement as parking space to be used in conjunction with the principal use. This parking space shall be reserved as such through an encumbrance on the title of the property. Such encumbrance shall be valid for the total period the use or uses for which the parking is needed are in existence. In all cases, the off-site area allocated to parking shall be compatible for such use and all other requirements pertaining to parking shall be satisfied.
 - (4) Use of required parking lot area for any use other than motor vehicle parking and circulation shall not be permitted except when reviewed and approved by the Land Use Administrator. Such uses may include storage of materials for sale, sale of materials, presentation/display of materials for sale, or any other use which will cause required parking spaces and vehicle circulation aisles to be occupied.

D. Specific Requirements by Use.

- (1) See Table 240-12 for required off-street parking for residential units, by zoning district. See Section 240-16 for home-based business requirements.
- (2) Accessible Parking: Parking spaces or zones for use by persons with disabilities shall be provided in accordance with the Americans with Disabilities Act.
 - (a) Accessible parking spaces shall be signed in accordance with the following:
 - [1] Such signs shall be vertical and placed at a height of at least five (5) feet from grade but no more than seven feet when measured from the surface directly below the sign to the top of the sign for each parking space.
 - [2] Such signs shall comply with federal specifications for identification of parking spaces reserved for persons with disabilities which limit or impair the ability to walk.
 - [3] A sign at least 12 inches wide (horizontal) and 18 inches tall (vertical) that includes the universal handicapped (wheelchair) symbol of access shall be required for each parking space reserved for use by persons with disabilities.
 - [4] These requirements shall not be construed to preclude additional

markings, such as the international wheelchair symbol or a striped extension area painted on the space, or a tow-away warning sign.

- (3) Automobile Filling Stations: one (1) parking space for each gasoline pump plus two additional spaces, plus one space for each employee.
- (5) Automobile Repair Garage: one (1) parking space for each 200 square feet of gross floor area, excluding retail sales area which shall meet the requirements for that use as specified below, plus one space for each employee.
- (6) Barber Shop or Beauty Shop: two (2) parking spaces for each beauty or barber shop chair, plus one for each employee.
- (7) Churches, Places of Worship, Auditorium: one (1) per four (4) seats or bench seating spaces in the main assembly area only.
- (8) Private Club, Lodge: one (1) parking space for each 200 square feet of gross floor space plus one space for each employee.
- (9) Commercial Establishment Devoted to Retail Sales, Trade, Merchandising, or Similar Use: one (1) parking space for each 200 square feet of gross floor space plus one space for each employee.
- (10) Firehouse: Minimum of 25 parking spaces.
- (11) Laundromat or other Self-Serve Service Establishments: one (1) parking space for each two (2) machines used in the operation of the business.
- (12) Industrial or Manufacturing Building: one (1) space for each two (2) employees for the main shift.
- (13) Medical Clinic or Dispensary, Doctor's Office: four (4) parking spaces per doctor, plus one (1) additional space for every two (2) employees.
- (14) Funeral Home: 35 spaces for each viewing room plus one (1) space for each business vehicle plus (1) space for each employee.
- (15) Office Building, Professional Building, or Similar Use: one (1) parking space for each 200 square feet of gross floor area.
- (16) Public Schools: One (1) parking space per teacher, plus one (1) additional for each regular employee, plus one (1) space for each five (5) students in grade 10-12. Also requires one (1) off-street loading and unloading area. In no case shall the required parking spaces be part of the loading and unloading area used to satisfy this requirement.
- (17) Restaurant or Similar Place Dispensing Food, Drink, or Refreshments: Eight (8) parking spaces for each 1000 square feet of gross floor area plus one (1) space for each employee. Restaurant with drive-through or fast food restaurant: A minimum of 15 spaces.

- (18) Warehouse or Goods Storage: one (1) parking space per 1000 square feet of gross floor area or one (1) parking space per every two employees, whichever is greater.

E. Design Standards.

- (1) Minimum Area: For the purpose of these regulations, an off-street parking space is an all weather surfaced area not in a street or alley and having an area not less than 200 square feet (10' x 20') permanently reserved for the temporary storage of one vehicle and connected to a street or alley by an all-weather surfaced driveway which affords ingress and egress for an automobile without requiring another automobile to be moved. See district regulation for specific area requirements.
- (2) Drainage and Maintenance: Off-street parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys and surfaced with erosion resistant material in accordance with applicable town specifications. Off-street parking areas shall be maintained in a clean, orderly, and dust free condition at the expense of the owner or lessee and not used for the sale, repair, or dismantling or servicing any vehicles, or equipment or supplies.
- (3) Separation from Walkways and Streets: Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys by a wall, fence, or curbing or other approved protective device; or by distance so that vehicles cannot protrude over publicly owned areas.
- (4) Entrances and Exits: Location and design of entrances and exits shall be in accordance with the requirements of applicable regulations and standards. In general, there shall not be more than one entrance and one exit or one combined entrance and exit along any one street.
- (5) Interior Drives: Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces.
- (6) Marking: Parking spaces in lots of more than ten (10) spaces shall be marked by painted lines or curbs or other means to indicate individual spaces. Signs or markers shall be used as necessary to ensure efficient traffic operation of the lot.
- (7) Wheel-stop: All perimeter parking spaces shall have curbing or concrete parking bumpers to create a positive stop for parking vehicles.
- (8) Lighting: Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be arranged and installed to minimize glare on adjacent property in a residential district.
- (9) Screening: Screening shall be in accordance with Article IV, Section 240-39.

Section 240-31 Off-Street Loading Requirements.

- A. Specific Requirements by Use: Except as otherwise provided in this Ordinance, when any building or structure is hereafter erected, or structurally altered to the extent of increasing the

floor area by 25% or more, or any building is hereafter converted for the uses listed below, when such buildings contain the floor areas specified, accessory off-street loading spaces shall be provided as required below or as required in subsequent sections of this article.

Use or Use Category	Floor Area in Square Feet	Load Spaces Required
Retail store, department store, restaurant, wholesale house, warehouse, general service, manufacturing or industrial Establishment.	2,000 - 10,000	One
	10,000 - 20,000	Two
	20,000 - 40,000	Three
	40,000 - 60,000	Four
Each Additional	50,000	One

Use or Use Category	Floor Area in Square Feet	Loading Spaces Required
Offices or office building, hospital or similar institutions or places of public assembly	10,000 - 100,000	Two
	100,000 - 200,000	Three
Each Additional	100,000	One

Use or Use Category	Floor Area in Square Feet	Loading Spaces Required
Funeral Home	2,500 - 4,000	One
Funeral Home	4,000 - 6000	Two
Each Additional	10,000	One

B. Interpretation of Specific Requirements.

- (1) The loading space requirements apply to all districts but do not limit the special requirements which may be imposed in the district regulations.
- (2) The loading space requirements in this article do not limit special requirements, which may be imposed in connection with Conditional Uses.
- (3) The Planning Commission may waive or reduce the loading space requirements whenever the character of the use is such as to make unnecessary the full provision of loading facilities, where provision is made for community loading facilities, or where provisions of loading space requirements is impractical under certain conditions for uses which contain less than 10,000 square feet of floor area.

C. Mixed Uses in One Building: Where a building is used for more than one use or for different uses, and where the floor area used for each use for which loading space is required is below the minimum for required loading spaces but the aggregate floor area used is greater than such minimum, then off-street loading space shall be provided as if the entire building were used for that use in the building for which the most spaces are required. In such cases the Administrator may make reasonable requirements for the location of required loading spaces.

D. Design Standards.

- (1) Minimum Size: For the purpose of these regulations a loading space is a space within the main building or on the same lot, providing of the standing, loading, or unloading of trucks, having minimum area of 540 square feet, minimum width of 12 feet, a minimum depth of 45 feet, and a vertical clearance of at least 14.5 feet.
- (2) Loading Space for Funeral homes: Loading spaces for a funeral home may be reduced in size to 10 by 25 feet and vertical clearance reduced to eight (8) feet.
- (3) Drainage and Maintenance: Off-street loading facility shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys and surfaced with erosion resistant material. Off-street loading areas shall be maintained in a clean, orderly, and dust-free condition at the expense of the owner or lessee and not used for the sale, repair, dismantling, or servicing of nay vehicles, equipment, materials, or supplies.
- (4) Entrances and Exits: Location and design of entrances and exits shall be in accord with applicable requirements of traffic regulations and standards. Where the entrance or exit of a building is designed for truck loading and unloading, such entrance or exit shall be designed to provide at least one (1) off-street loading space. Where an off-street loading space is to be approached directly from a major thoroughfare, necessary maneuvering space shall be provided on the lot.

Section 240-32 Sign Standards and Restrictions

- A. For the purpose of this ordinance, signs are recognized to present problems and conditions unique unto themselves and therefore, the following regulations and restrictions are designed to ensure that signs which because of their nature, size, structure, design, color, lighting or location will not have an adverse effect on surrounding properties or on the community in general.
- B. After the effective date of this ordinance and unless herein excepted, no sign shall be erected, constructed, posted, painted, altered, maintained, or relocated, except as provided in this section and in these regulations, until a permit had been issued by the Administrator. Before any permit is issued, and application especially provided by the Administrator shall be filed, together with a sketch or drawing or specification as may be necessary to fully advise and acquaint the Administrator with the location, construction, materials, manner of illuminating and/or securing or fastening, and number of signs applied for.
- C. The Administrator shall remove or cause to be removed any sign erected or maintained in conflict with these regulations if the owner or lessee of either site or the sign fails to correct the violation within 30 days after receiving a written notice of violation from the Administrator. Removal of a sign by the Administrator shall not affect any proceedings instituted prior to removal of such sign.
- D. Restrictions.
 - (1) No sign over sixteen (16) square feet in area will be permitted for home occupations in the residential district.
 - (2) No sign in the C-1 zone shall exceed 20 square feet.

- (3) General advertising signs are prohibited in all districts.
- (4) No signs, banners, pennants, streamers, spinners, or similar devices constructed of cloth, fabric, cardboard, metal or other like material, displayed for attention getting purposes except where the Administrator has authorized such a use on a temporary basis.
- (5) No sign shall flash, move, rotate, oscillate, or employ gas filled or illuminated tubing such as neon, or similar type or computer generated or electronic message boards.
- (6) All signs shall comply with yard setback requirements of the district in which they are located except that free standing signs may be located within the front yard.
- (7) The owner and/or tenant of the premises shall be held responsible for any violation of these regulations. Where a sign has been erected in accordance with these regulations, the sign company shall be relieved of further responsibility under these regulations.
- (8) All signs shall be maintained in good conditions and appearance. After due notice has been given, the Administrator may cause to be removed any sign which shows gross neglect or becomes dilapidated.
- (9) No more than two (2) sign for each business on the premises shall be allowed.

E. Use Regulations: The following sign uses, and no other, are permitted as long as they meet requirements in Section D.

- (1) Professional, accessory use or name signs indicating the profession or activity of the occupant of a dwelling, or signs indicating the private nature of a driveway or property, providing that no more than two (2) such signs shall be located along one (1) road frontage and that the total combined area on one (1) side of such sign or signs shall not exceed two (2) square feet.
- (2) Identification signs, announcements signs, or bulleting boards, relating to a church, school, hospital, municipal building, club, or similar public, charitable or religious institution or building, providing that not more than one sign shall be placed on any street frontage of any one (1) property.
- (3) Business signs or signs which primarily direct attention to the identity of a business, profession, industry, laboratory or similar activity and which may describe in general the nature of the activity conducted on the property.
- (4) Official signs, erected by a public authority or public utility such as but no limited to highway signs, railroad crossing, danger and other signs that may be required by a governmental or public utility authority or agency in connection with the identification operation or protection of property or activity.
- (5) Warning signs may be placed by property owners to warn of dangers, such as but not restricted to hidden driveways, cattle crossings, and traffic directions on private drives.
- (6) Real estate signs relating to the advertising of individual properties for sale or rent may

be placed on the property. No more than one sign per street frontage shall be placed on a property by any one real estate organization. The sign shall be removed promptly when the properties are sold.

- (7) Directional signs relating to a use located in the town may be erected off the property of use. These signs shall not include more than the name, direction and nature of the business or activity referred to. Each sign shall have not more than two (2) square feet on one (1) side and not more than two (2) shall be erected for any one use. Directions signs for activities outside the town will not be allowed within the town.
- (8) Legal notices such as but not limited to signs used to "post" property to prevent trespassing, hunting, trapping, etc.
- (9) Temporary public announcements to advertise public benefits of churches, fire companies, other public charitable religious events and also public sales of an individual's household goods, farm equipment, stock, or property are permitted providing that:
 - (a) the event is held within the town;
 - (b) the notices are not posted for more than 16 square feet in area, to be removed within seven days; and
 - (c) the notices are removed within 48 hours following the event.
- (10) Temporary non-illuminated political signs not more than 16 square feet in area, to be removed within seven (7) days after the election. Removal shall be the responsibility of the candidate and/or erector of the sign.

F. Signs in the Commercial Zoning Districts.

- (1) On-premises signs permitted:
 - (a) One (1) single-faced wall mount sign for each business which fronts on Route 13. Such sign will be no larger than 15% of the area of the building front, which each business occupies.
 - (b) One (1) double-faced sign, no more than 200 square feet in area, in accordance with the following setbacks:

Distance from Front Property Line/Maximum Size Permitted

- 0-5 Feet / None Permitted
- 5 - 15 Feet / 48 Square Feet
- 15 - 25 Feet / 99 Square Feet
- 25 - 35 Feet / 100-160 Square Feet
- 35 + Feet / 200 Square Feet

- (2) Sign height shall not exceed 35 feet.

- (3) Off-premises signs shall be prohibited.
- (4) Temporary signs shall be no larger than 100 square feet in area, nor more than 1,000 feet of streamers, flags or pennants.
- (5) No billboards will be permitted.
- (6) All other restrictions pertaining to signs apply.

G. Sign in Shopping Complexes (Shopping and Strip Centers).

- (1) A commercial complex consists of three (3) or more business occupying the same parcel of land.
- (2) Such complexes are limited to one (1) double-faced sign naming the complex and listing the tenants, located no closer than 25 feet from a property line.
- (3) Sign height shall not exceed 25 feet.
- (4) Double-faced signs shall not exceed 200 square feet in area.
- (5) A free-standing building separate from the shopping (pad site) shall be allowed one double-faced sign, not closer than 15 feet from a front property line and not more than 64 feet in area, and sign height shall not exceed 25 feet.
- (6) No more than two (2) double-faced pad site signs are permitted in one shopping complex.
- (7) All other restrictions to signs shall apply.

H. Signs in Business Complex.

- (1) On premises signs permitted:
 - (a) One (1) single-faced, wall-mounted sign for each business which fronts on Route 13 divided highway. Such sign shall be no larger than 10% of the area of the building front which each business occupies.
 - (b) One double-faced sign, no more than 100 square feet in area in accordance with the following setbacks:

Distance from Front Property Line/Maximum Size Permitted

- 0-5 Feet / None Permitted
- 5 - 15 Feet / 48 Square Feet
- 15 - 25 Feet / 99 Square Feet
- 25 - 35 Feet / 160 Square Feet
- 35 + Feet / 200 Square Feet

- (2) Sign height shall not exceed 25 feet.

- (3) Off premises signs shall be prohibited
- (4) Temporary signs shall be no larger than 100 square feet in area, nor more than 1,000 square feet of streamers, flags or pennants.
- (5) Signs for the sale of real estate shall be no larger than 160 square feet in area and must be removed within 14 days after settlement.
- (6) No billboards will be permitted.
- (7) All other restrictions pertaining to signs apply.

Section 240-33 Area, Bulk, Height and Screening Requirements

- A. General Provisions: The following chart indicates specific minimum requirements relating to lot area bulk, height and screening requirements in various districts. Uses permitted as conditional have different requirements, which may be found in Section 240-34.
- B. Yards and Open Space (General).
 - (1) Whenever a lot abuts upon a public alley, one-half of the alley width may be considered as a portion of the required yard.
 - (2) Every part of a required yard shall be open to the sky, except ordinary projections of sills, window air conditioning units, chimneys, cornices, ornamental features and the like which may project to a distance no more than 24 inches into a required yard.
 - (3) More than one (1) main building may be located on a lot in the case of institutional building, public or semi-public buildings, and commercial or industrial building as long as the total minimum lot area is increased proportionately to the number of buildings. In no case shall the location or erection of any building or portion of a building be outside the buildable area of the lot.
 - (4) Where the majority of front setbacks have been established by existing development within a block the average depth of said front setbacks shall apply. Where there is considerable irregularity in said setbacks, the Board of Adjustment may determine the appropriate setback which will be the most compatible to the established setback of existing development to either side of the parcel under consideration.
- C. Front Yards.
 - (1) Rights-of-way shall be established in accordance with the DelDOT Functional Classification Map and Section 3.6.5 of DelDOT's Standards and Regulations for Subdivision Street and State Highway Access. Front yard setbacks shall be offset from the current legal right-of-way line.
 - (2) In the case of through lots, the required front yard shall be provided on each street.

- (3) There shall be a front yard on each street side of a corner lot in any district: provided, however, that the buildable width of a lot of record at the time of passage of this ordinance shall not be reduced to less than 30 feet.
- (4) Open, unenclosed porches, platforms or paved terraces, not covered by a roof or canopy and which do not extend above the level of the first floor of the building, may extend or project into the front yard not more than nine (9) feet.
- (5) Where the street frontage in a block, or within 400 feet of the lot in question, is partially built-up, the minimum front yard for a new building shall be the average of the existing front yards on either side thereof in the same block with a variation of five (5) feet permitted, provided, however that no front yard in a residential district shall be less than 20 feet or need be more than 75 feet. Where 40% or more of the street frontage is improved with building(s) that have no front yard, no front yard shall be required for the remainder of the street frontage.

F. Side Yards.

- (1) Open unenclosed porches, fire escapes, platforms or paved terraces, not covered by roof or canopy and which do not extend above the level of the first floor of the building, may extend or project into the side yard not more than six (6) feet.
- (2) For the purpose of the side yard regulations, a group of businesses or industrial separated by common or party walls shall be considered as one (1) building occupying one (1) lot.

E. Rear Yards: Open fire escapes, outside stairways and balconies, and the ordinary projections of chimneys and flues may project into the required rear yard for a distance of not more than five (5) feet, but only where the same are so placed as not to obstruct light and ventilation.

F. Corner Visibility: As an aid to freer safe movement of vehicles at and near street intersections and in order to promote adequate protection of the safety of children, pedestrians, operators of vehicles and for property, the following provisions shall apply:

- (1) At street intersections, nothing shall be built, placed, planted, or allowed to grow higher than three (3) feet within the "sight triangle."
- (2) Subdivision intersection sight triangles shall be measured along the curb line of the intersecting streets for a distance of 30 feet from the intersection and formed by connecting the respective 30-foot distances as shown in Figure 240-2.
- (3) Sight distance regulations for intersections with State maintained streets shall be governed by the DeDOT Standards for Regulations for Subdivision Streets and State Highway Access, Section 5.4.

G. Accessory Buildings and Structures

- (1) Except as herein provided, no accessory building shall project beyond a required yard line along any street.

- (2) Filling station pumps and pump islands may occupy the required yards; provided that they are not less than 15 feet from the street lines.
- (3) An ornamental fence or wall not more than three (3) feet in height may project into or enclose any required front or side yard to a depth from the street line equal to the required depth of the front yard. Ornamental fences or walls may project into or enclose other required yards, provided such fences and walls do not exceed a height of six and one half (6-1/2) feet.

H. Height limitations (General). The height limitation of this Ordinance shall not apply to the following:

- (1) Flag poles;
- (2) Public monuments;
- (3) Water Towers;
- (4) Ornamental towers or spires;
- (5) Chimneys;
- (6) Church spires;
- (7) Smoke stacks;
- (8) Satellite Dishes.

Section 240-34 Conditional Uses

A. The purpose of the conditional use procedure is to provide for certain uses which cannot be well adjusted to their environment in particular locations with full protection offered to surrounding properties by rigid application of the district regulations. These uses either have unusual characteristics or are generally of a public or semi-public character and are essential and desirable for the general convenience and welfare of the public. However, because of the nature of the use, the importance of its relationship to the Comprehensive Plan, and its possible impact not only on neighboring properties, but on the entire community, exercise of planning judgment on location and site plan is required.

- (1) A conditional use should be approved only if it is found that the location is appropriate and not in conflict with the Comprehensive Plan, that the public health, safety, morals and general welfare will not be adversely affected that adequate off-street parking facilities will be provided, and that necessary safeguard will be provided for the protection of surrounding property, persons and neighborhood values, and further provided that the additional standards of this section are complied with.
- (2) Unless otherwise specified in this section or specified as a condition of approval, the height limits, yard spaces, lot area, and sign requirements shall be the same as for other uses in the district in which the conditional use is located.

- (3) All applications for Conditional Uses must conform to design standards for the zoning district and/or the Land Subdivision Ordinances. If there is a conflict, the stricter standard shall apply.

B. Specific Conditional Use Requirements.

- (1) Communications Towers.
 - (a) Every effort shall be made to co-locate on an existing structure with the Town and its environs.
 - (b) A Letter of Denial from the owner(s) of any existing structure will be required prior to permitting of new tower locations.
- (2) Residential: See Table 240-5.
- (3) Commercial/Industrial: See Tables 240-15 and 240-16.

Section 240-35 Nonconforming Uses

- A. Except as otherwise provided herein, the lawful use of a building or structure or the lawful use of any land existing and lawful at the effective date of this Ordinance, or in the case of a change of regulations, then at the time of such change, may be continued although such use does not conform to the provisions hereof. Except as provided in this Section, such nonconforming use may not be enlarged, extended, reconstructed or structurally altered except in compliance with the provisions in this Ordinance.
- B. Buildings Non-conforming in Height, Area or Bulk: A building nonconforming only as to height, lot area or yard requirements may be altered or extended, provided such alteration or extension does not increase the degree of nonconformity in any respect.
- C. Discontinuance of Nonconforming Use: No building or portion thereof used in whole or in part for a nonconforming use which remains idle or unused for a continuous period of one (1) year, whether or not the equipment or fixtures are removed, shall again be used except in conformity with the regulations of the district in which such building or land is located.
- D. Destruction of a Nonconforming Use: Except for residential uses which are continued under Section (i) of this Article, no building which has been damaged by any cause whatsoever to the extent of more than 50% of the fair market value of the building, immediately prior to damage, shall be restored except in conformity with the regulations of this Ordinance and all rights as a nonconforming use are terminated. If a building is damaged by less than 50% of the fair market value, it may be repaired or reconstructed and used as before the time of damage, provided that such repairs or reconstruction be substantially completed within 12 months of the date of such damage; however a nonconforming dwelling may be rebuilt within any zoning district.
- E. Existence of Nonconforming Use: When evidence available to the Administrator is deemed by him or her to be inconclusive as to whether a nonconforming use exists, this question shall be decided by the Board of Adjustment after public notice and hearing and in accordance with the

rules of the Board. The casual, intermittent, temporary or illegal use of land or buildings shall not be sufficient to establish the existence of a nonconforming use and the existence of a nonconforming use on a part of a lot or tract shall not be construed to establish a nonconforming use on the entire lot or tract.

- F. Nonconforming Lots: The owner of a lot, parcel or tract of land may erect a dwelling or make other improvements on the lot even though the lot does not conform to the requirements of this Ordinance as to area and dimension of lots, provided the lot, parcel or tract of land was lawfully on record prior to the effective date of this Ordinance and provided the improvements conform in all other respects to all other applicable regulations and restrictions.
- G. Nonconforming Signs in a Residential District: In a residential district where any sign does not comply with provisions of this Ordinance, such sign and any supporting structures may be maintained but shall not be replaced, reconstructed, moved, structurally altered, or relighted except in compliance with the provisions of this Ordinance and may continue in use unless subject to removal under other provisions of this Ordinance. Removal, replacement, reconstruction, moving or structural alteration for any cause whatsoever shall be considered as a loss of nonconforming status. Supporting structures for nonconforming signs may continue in use for a conforming sign if said support structures comply in all respects to the applicable requirements of these regulation and other codes and ordinances. No permits for additional signs shall be issued for any premises on which there are any nonconforming signs.
- H. Nonconforming Dwellings in Business and Industrial Districts: A dwelling nonconforming as to use in a business or industrial district shall be considered as a conforming use in the application of height, area and bulk requirements of this Ordinance.
- I. Nonconforming Uses not Validated: A nonconforming use in violation of a provision of an ordinance unless such use complies with the terms of this Ordinance.
- J. Nonconforming Residential Use May be Continued: A nonconforming dwelling may be replaced or rebuilt in any zoning district.
- K. Change of Nonconforming Use: If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or more restricted classification. Whenever a nonconforming use of land or building has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restrictive use.

Section 240-36 Open Space

- A. Open Space shall be incorporated into all planned development projects so to provide opportunity for passive and active recreation as well as protect and preserve environmentally sensitive areas.
 - (1) All planned development projects containing six (6) or more dwellings shall be required to dedicate to public use a minimum of ten (20%) percent of the gross tract area.
 - (2) A minimum of fifty (50%) percent of the required open space shall be suitable for active recreation.

- (3) Opportunity for active recreation shall be integrated with passive recreation and preserved natural areas.
- (4) Open space shall not include lots having residential improvements thereon or stormwater management areas, but may include floodplains, riparian buffers or other vegetated areas if provided with recreational amenities such as playgrounds, recreational trails, picnic areas, or other amenities for the community.
- (5) All lands in any planned development in any zone that are constrained by site limitations, environmental features, dedicated to stormwater management, or unimproved buffers as regulated by other sections of this ordinance shall be set aside as preserved open space. Preserved open space areas may either be left in a natural state, or enhanced using appropriate and environmentally sustainable planting, reforestation, or stabilization methods. Preserved open space shall not contribute to the passive and active open space required to be provided on the tract being developed. However, the preserved open space area shall factor into total tract area when calculating open space area requirements.
- (6) Development in the vicinity of undeveloped open space shall be designed to protect the site's sensitive natural resources. The undeveloped open space shall be utilized to provide protection for critical ecosystems within the project site and to preserve in perpetuity the natural assets of the project area.

B. In planned development projects designated open space areas shall be centrally located or evenly dispersed throughout the development and accessible to all residents of the community.

- (1) The minimum recreational facilities for planned residential developments shall be as follows:
 - (a) Up to seventy-five (75) units: A complex of active recreation in conjunction with passive parks developed with walkways, benches, and trees and lawn areas and; An active recreation area with one (1) basketball court, and/or one (1) swimming pool, and/or similar facility(s). There shall also be one (1) playground.
 - (b) Seventy-five (75) to two hundred (200) units: A complex of active recreation in conjunction with passive parks developed with walkways, benches, and trees and lawn areas and; at least one (1) multi-purpose field with dimensions able to provide baseball (or softball), football, and soccer with overlapping play areas. One (1) basketball court, and/or one (1) swimming pool, and/or similar facility(s). There shall also be one (1) playground.
 - (c) More than two hundred (200) units: A complex of active recreation in conjunction with passive parks developed with walkways, benches, and trees and lawn areas and; either two (2) separate multi-purpose fields, or single, larger area to accommodate two (2) such fields on one (1) site, together with improvements for at least two (2) court games. There shall also be at least one (1) playground. The multi-purpose field(s) shall locate a baseball or softball field separate from a football or soccer field.

- (d) For developments greater than four hundred (400) units: A complex of active recreation in conjunction with passive parks developed with walkways, benches, and trees and lawn areas and; at least three (3) multi-purpose fields, either three (3) separate parcels, or one (1) or two (2) larger fields providing equivalent area. Baseball or softball field(s) shall be separate from football or soccer field(s). There shall also be at least two (2) basketball courts, two (2) tennis courts, and two (2) playgrounds. One (1) or two (2) swimming pools are optional in lieu of one (1) multi-purpose field. One (1) skate/bicycle park is optional in lieu of one (1) multi-purpose field.
- C. Open space areas may be in the form of one large area, or numerous smaller areas spread throughout a community provided each is a minimum area of one thousand (1,000) square feet.
- D. The design of open space shall consider the use of vest pocket parks where larger contiguous space is not available. Pocket parks provide passive recreation in the form of a landscaped area with seating, small play equipment, monuments or historic markers, or a combination thereof at the designer's discretion. Pocket park features are subject to the approval of the Town, Town Manager, and the Town Engineer.
- E. Design of open space areas shall take into account the age range of potential users of the area to ensure proposed amenities provide opportunity for enjoyment and the promotion of public health for all age groups.
- F. Open space areas shall be connected to residences and to other open space areas by a contiguous system of sidewalks, walking trails, pathways or any pedestrian facility designed into the community. Design of these pathways shall consider the use of landscaping or other aesthetic features to create identifiable physical ties between each open space area, as well as between open space areas and residential areas. Trail and walkway features are subject to the approval of the Town, Town Manager, and the Town Engineer.
- G. For planned developments proposed ten (25) or more units, the developer shall provided at least one (1) area suitable, and designated for active open space shall be large enough to have inscribed within it a circle with a diameter of 250 (two-hundred fifty) feet.
- H. The developer shall be responsible to design and construct open space and recreation landscaping and amenities so as to provide usable space with positive drainage. Improvements shall be designed to meet regulation sizes for fields, courts, and other recreational facilities, as applicable. All open space and recreation improvements shall be subject to the approval of the Town Engineer.
- I. Fields and courts shall be provided with all appurtenant equipment typical for the proposed use(s).
- J. Recreational facilities shall be designed and constructed with the appropriate grading, seeding, sod, asphalt, concrete, synthetic, or other appropriate surface material as found acceptable by the Town Engineer. Such facilities shall also be equipped with lighting, fencing, bicycle racks, benches and trash receptacles, as appropriate.
- K. All trails, walkways and recreational facilities shall meet all ADA for handicapped accessibility.

- L. A Homeowners Owners Association (HOA), or other open space organization, shall be responsible for the maintenance of privately held open space. Such organization shall not be dissolved, nor shall it dispose of any common open space by sale or otherwise.
- M. Design of all open space and recreation areas and amenities is subject to review and approval by the Town Engineer.
- N. Open space offered for dedication to the Town shall be usable open space that is of suitable size, dimension, topography and general character for the purpose. Land is considered usable open space if it meets the following criteria.
- (1) The land is not encumbered with any substantial structures.
 - (2) The land is not encumbered by use restrictions imposed after state or federal environmental clean up actions that would prevent the use of the area.
 - (3) The land is not devoted to use as a roadway, parking area or sidewalk.
 - (4) The land, if wooded, is left in its natural undisturbed state. This does not include removal of invasive plant species, hazardous trees and/or the construction of trails or boardwalks for recreational purposes.
 - (5) The land, if not wooded, is suitable for open space use and landscaped with the objective of creating recreational facilities.
 - (6) The land is legally and practically accessible to the residents of the development out of which the required open space is taken.
- O. Any land designated for dedication to the Town for use as open space shall be shown and marked on the plan as, "Dedicated for Parks and Recreation".
- P. The Town reserves the right to require dedication of land when a need is specifically included in the Town of Camden Comprehensive Plan, as most recently adopted.
- Q. The method of preserving open space shall be a determination of the Town.
- R. The developer may post a fee in lieu of the cost of construction of some or all of the required open space improvements where it can be demonstrated that a physical characteristic specific to the site substantially impedes the installation of recreation improvements.
- (1) The Town reserves the right to reject any monetary contribution in lieu of open space, based on review of the developer's claim of hardship by the Town Engineer.
 - (2) Payments in lieu of open space improvements shall be deposited in a dedicated trust fund. The proceeds of the trust fund shall be used solely for the purpose of capital improvements for park and/or recreation purposes.
 - (3) Payments in lieu of open space shall be made a condition of final approval, and payments shall be made prior to issuance of any construction permits.

- (4) Payments in lieu of open space shall be in the amount of \$5,000.00 per lot or unit.
 - (5) Where the developer elects to construct a portion of the open space and recreation required, but not all, the difference shall be made up through a per lot or unit cash contribution applied to the number of lots or units equal to the total number of lots or units in the development multiplied by the percentage of open space area NOT provided in relationship to the area of open space required.
- S. All open space shall be recorded in the master deed for each project to reflect its permanent reservation. Such document shall be submitted to the Town for final approval.

Section 240-37 Architectural Design Standards

- A. Design shall promote architectural interest, flexibility in design, and incorporate elements of the vernacular architecture. Architectural design is to the extent feasible complimentary with the design of nearby existing structures.
- B. Architectural design standards apply to new construction, voluntary renovations by current ownership, as well as renovations and alterations due to change of ownership and/or change of use.
- C. Developments within proximity to DuPont Highway (Route 13) and Alternate Route 13 (Old Camden Road, North Main Street, South Main Street, and Upper King Road) have been classified as the Heritage Zone Overlay District of the Town.
 - (1) Developments within five hundred (500) feet of the highways and one thousand (1000) feet of highway interchanges shall incorporate architectural elements reflective of one of the following design themes.
 - (a) Colonial.
 - (b) Victorian.
 - (c) Federal.
 - (d) Elizabethan.
 - (2) Elements of design within the Heritage Zone Overlay District include the type of materials, colors, textures, and the relative scale of the elements that constitute a building design.
 - (3) Building materials for the Heritage Zone Overlay District include the following.
 - (a) Wood (siding, shingles, trim, shutters, railings, porch floors and frontages, etc.).
 - (b) Glass (windows and doors).
 - (c) Brick (walls, exposed foundation walls, trim, stoops, chimney enclosures).

- (d) Textured blocks (walls, exposed foundation walls). Flat block walls are not permitted.
 - (e) Other similar building materials, subject to approval of the Town.
- (4) The configuration of a building shall provide a variety of features and a well balanced combination of architectural elements.
 - (5) Visual patterns shall be employed to break down building mass into smaller elements.
 - (6) The massing of buildings shall be such that the transitional techniques can be employed where buildings of differing heights are proposed and/or where the proposed development is in proximity to existing buildings. Typical transitional techniques may include spatial interval, gradual increases in building height and incorporation of horizontal human scale features.
 - (7) The size and proportion of building elevations shall be compatible with adjacent structures.
 - (8) Building façades shall have varying setbacks and be segmented with architectural details such as overhangs, recesses, projections, moldings, canopies or porticos, raised cornice parapets and other similar features.
 - (a) Façade recesses or projections shall extend a maximum of eighteen (18) inches from the building wall.
 - (b) Awnings, balconies and canopies, where provided, are to project a minimum of eighteen (18) inches.
 - (c) No solid, blank, windowless walls or service areas shall be visible to the public from common or public areas. Where the construction of a blank or substantially blank wall is necessary, the façades shall be articulated by the provision of false windows, articulated masonry, or, recessed or projecting display window cases.
 - (9) Complimentary street side rhythms shall be provided through fenestration, roof segments, wall patterns, lighting fixtures, signs and landscaping.
 - (a) The use of streetscape elements including benches, tables, trash receptacles, bike racks, pedestrian walkways, planters and lighting consistent with the Town character is encouraged, where applicable.
- [1] Pedestrian walkways may consist of one or a combination of the following materials:
- i. Concrete: (Plain, Colored and/or Stamped);
 - ii. Pavers: (Brick, Concrete, Stone);
 - iii. Bound Natural Aggregate Surfaces

- iv. Pervious Material: (Concrete, Pavers, Bound Aggregate)
- v. Other material approved by the Town Engineer.

[2] Benches and tables may consist of one or a combination of the following materials, and shall be painted black unless otherwise approved:

- i. Steel;
- ii. Wood;
- iii. Recycled Plastic;
- iv. Other material approved by the Town Engineer.

[3] Bike racks shall be of a style considered “decorative”, and shall compliment the adjacent streetscapes and/or those throughout the Town. Bike racks shall be mounted on either a concrete pad, concrete sidewalk or concrete subbase under paver sidewalks. All bike rack styles and colors are subject to the approval of the Town Engineer.

[4] Planters and tree pits shall consist of a firm but pervious surface to accept rain water, while providing a surface suitable for pedestrians. Tree grates shall be heel safe.

- (b) All equipment providing services to the building whether roof or ground mounted, shall be screened by appropriate architectural/landscaping features.
- (c) Lighting fixtures shall compliment building architecture and landscaping. Lighting shall also be provided with cutoff luminaries so as to control light pollution and offsite glare and is to be designed in such a manner as to promote a dark sky condition.
- (d) New lighting fixtures shall be predominantly “Acorn Style” fixtures, unless otherwise approved.

D. Development design of properties at the Town Gateways is to communicate a sense of arrival as well as community character. The Town Gateways shall constitute any and all entranceways into the Town of Camden.

- (1) The placement of distinctive Town of Camden Welcome Signs is encouraged; all such signs are to be identical.
- (2) Landscaping comprised of trees, shrubs, and flower beds is to be provided forward of the building line. Unimproved areas not provided with plant materials are to be grass covered. The landscaping design is to be compatible with the scheme found on properties which are adjacent or opposite so to create the look and feel of a corridor.

- (3) Buildings at each Gateway shall be compatible in design and incorporate aspects of the vernacular architecture.
 - (4) All designs shall be reviewed and approved at the discretion of the Town Engineer and Town Manager.
- E. Design of buildings in proximity to the Heritage Zone Overlay District shall be complimentary to buildings in the Heritage Zone, other surrounding buildings while providing a transition from the Heritage Zone Overlay District of the Town to the adjacent zones.
- F. General design standards for commercial and residential buildings within or outside of the Heritage Zone Overlay District of the Town are as follows.
- (1) Commercial and residential buildings with multiple uses shall be designed with a complex massing that includes varying rooflines, projections and recesses, smaller additions to a main building, and/or separate, smaller structures.
 - (2) Buildings shall avoid monotonous wall or roof planes by modulating the façade to give the appearance of several smaller scale buildings. Wall façades exceeding thirty feet (30') in length and oriented towards the public view shall include windows, entrances or similar architectural features appropriately spaced.
 - (3) Uninterrupted windows shall not occupy more than thirty-five percent (35%) of a building façade.
 - (4) Façade treatments shall include traditionally designed storefronts, doorways, windows and related design features. Each façade must be treated architecturally, not just the main entrance façade. The entire front, sides and rear of the building should be coordinated in compatible traditional colors and materials. Street façades, in the public view, should receive greater architectural emphasis.
 - (5) Storefronts shall be designed with variations where possible in widths, setbacks, and traditional architectural façades. Wider storefronts on existing and proposed lots should receive particular emphasis to create multiple façade variations.
 - (6) Architectural design of franchise style commercial development shall be adapted, to the greatest extent possible, to reflect the character of the Town and incorporate elements of the vernacular architecture.
 - (7) Gable roofs with a minimum pitch of 5:12 are encouraged, and should be provided with eaves. Two-story or taller buildings shall be provided with cornice treatment. Architectural embellishments that add visual interest to roofs, such as dormers, belvederes, verandas, masonry chimneys, cupolas, clock towers, and other similar elements are encouraged.
 - (8) Buildings shall have an inviting, identifiable entrance and, to the greatest extent possible, provide shade and weather protection. Building entrances shall be at grade, whenever possible.

G. General material and construction standards for commercial and residential buildings within or outside of the Heritage Zone Overlay District of the Town are as follows.

(1) Building walls – Elevations and façades.

- (a) Façades and elevations of any one principle building and outbuilding(s) shall be made of the same materials, similarly detailed.
- (b) Front and side façades of any building at the corner of a grouping shall be made of the same materials, and shall be similarly detailed. Corner buildings are those at the intersection of streets, access drives and pedestrian paths.
- (c) Walls constructed of more than one material shall only change material along a horizontal line.
- (d) Foundation walls of parged block may be exposed to no more than eighteen inches (18") above grade.
- (e) Building walls of shingles or siding shall have all openings trimmed in two-inch (2") to four-inch (4") nominal width boards. Corners shall be trimmed in 4" to 6" nominal width boards.
- (f) Brick shall be in a horizontal running bond pattern with raked mortar joints not greater than one-half inch (1/2") in height.
- (g) Gables atop brick walls shall be finished in siding or brick.

(2) Building roofs – roofing, gutters and downspouts.

- (a) Roof material shall be steel standing seam, copper or cedar shakes.
- (b) Gutters and downspouts shall be wood, copper, steel or aluminum. All gutters on one building shall be the same profile (cross-section). All gutters other than wood shall have a half-round profile.
- (c) Roofs shall be simple and symmetrically pitched, and only in the configuration of gables and hips. The minimum pitch of the roof shall be 5:12, and the maximum roof pitch shall be 14:12.
- (d) Dormers shall be roofed with a symmetrical gable, barrel or shed roof.
- (e) Skylights shall be flat in profile.
- (f) Skylights, solar panels, vent stacks, satellite dishes, and other roof protrusions shall not be placed on a roof facing frontages nor shall they be visibly obtrusive from nearby streets.

- (g) Roof penetrations (vents, attic ventilators, turbines, flues, etc.) shall be painted to match the color of the roof or flat black. Such penetrations shall be located on roofs not facing frontages.
- (3) Building elements – piers, arches, porches, stoops, decks and chimneys.
- (a) Piers and arches shall be brick. Masonry arches shall not be less than eight inches (8”) in thickness. Keystones in masonry arches shall be centered on the arch and have sides radial to the arch. Masonry piers shall be no less than twelve inches (12”) in width and eight inches (8”) in depth.
 - (b) Porch floors shall be wood or brick. Porch railings shall be a single material, either wood, cellular PVC, steel or wrought iron (painted black).
 - (c) Porch foundations shall be brick piers with framed wood, wood boards or cellular PVC.
 - (d) Posts or columns shall be wood or fiber-reinforced composite. Posts shall be no less than six inches (6”) nominal width and depth with chamfered corners.
 - (e) Deck floors shall be wood. Deck railings shall be a single material, wood or wrought iron (painted black). Decks are prohibited on frontages.
 - (f) Chimney enclosures at frontages shall be brick. Chimneys two stories or more above grade and not within four feet (4’) of an exterior wall may be simulated brick or stucco. Flues shall be tile or metal.
 - (g) Uninhabitable space below porches and decks shall be skirted by wood, lattice with not greater than one and one-half inch (1-1/2”) spaces between the boards.
- (4) Windows and doors – windows, doors, awnings, shutters, glass, garage doors.
- (a) Windows shall be built of wood and may be clad in aluminum or vinyl. Windows shall be square or vertical in proportion. Windows may be circular or semi-circular, but only one such window may be placed on each façade.
 - (b) Windows shall be single hung, double hung, or fixed in decorative applications. Bay windows at frontages shall extend to the ground or be visually supported by brackets.
 - (c) Doors shall be wood, and use of glass panels is subject to approval by the Town. Doors shall have raised panels arranged in a traditional pattern, and in a style consistent with the primary building.
 - (d) Glass shall be clear and free of color. Stained, frosted and tinted glass are permitted except at frontages. One stained glass application may be permitted at frontages with the approval of the Town.

- (e) Shutters shall be wood or cellular PVC. Shutters shall be applied to all or none of the typical windows on a given façade or elevation. They shall be shaped, sized and proportioned to the opening they serve.
 - (f) Awnings shall be canvas or a synthetic woven material resembling canvas. Residential awnings shall be triangular in section with a free hanging drip edge.
 - (g) Garage doors shall be built of wood embossed steel, or fiberglass, and use of glass panels is subject to approval by the Town. Garage doors shall have raised panels arranged in a traditional pattern, and in a style consistent with the primary building.
 - (h) Sliding doors are permitted except at frontages. Storm doors and screen doors shall be full view and free of decorative trim, and shall be finished to match the window or door they serve or the trim around it.
- (5) Gardens and Fences – gardens, fences, retaining walls, gates, walkways, driveways, patios.
- (a) Fences shall be built of wood pickets, cellular PVC, wood lattice, wood board, steel or wrought iron. Wood and cellular PVC fences shall be painted white, and steel or wrought iron fence shall be painted black. Solid fences are not permitted in front yards. Fence locations and patterns are subject to the approval of the Town.
 - (b) Gates in fences shall be built of the fence material. Gates in garden walls shall be wood, cellular PVC, steel or wrought iron.
 - (c) Garden and retaining walls shall be brick or stone. Retaining walls not visible from nearby streets, paths, or public areas, shall be brick, stone, concrete, concrete block or treated wood.
 - (d) Brick walls shall be eight inches (8”) to twelve inches (12”) wide and capped. The cap shall overhang the wall one-half inch (1/2”) to one inch (1”) on each side.
 - (e) Garden walls of brick or stone shall be capped in a brick rowlock course of brick, curt brick or dressed coping stone one and one-half inches (1-1/2”) to three inches (3”) thick.
 - (f) Walkways at frontages shall be brick or stone, and must be built flush with the ground.
 - (g) Driveways shall be brick, brick pavers, crushed shells, pea gravel or gray granite, or a combination of asphalt and one of the other accepted materials. Driveways at frontages shall be no wider than twelve feet (12’).
 - (h) Patios shall be of brick, brick pavers, stone, slate, concrete pavers, or stonedust. Patios are permitted except at frontages.

H. Leadership in Energy and Environmental Design (LEED) Design Incentives.

- (1) Green building practices are encouraged for all developments in the Town.

- (2) The following incentives are offered for LEED certified designs.
- (a) Residential proposals including a completed LEED for Homes project checklist demonstrating LEED for Homes certification shall be eligible for expedited permitting for Town Building Permits. Upon verification of receipt of all applicable approvals from the State, County and Town, the Town building permits for LEED for Homes certified projects will be processed ahead of those without said certification.
 - (b) Residential designs which demonstrate LEED for Homes certification shall receive a fifty percent (50%) reduction in Town building permit fees.
 - (c) Commercial, industrial, institutional and multi-residential designs which achieve LEED Silver or better shall receive a twenty five percent (25%) reduction in Town building permit fees.

I. Architectural Design Commission.

(1) Purpose

- (a) The purpose of the Architectural Design Commission is to safeguard the architectural heritage of the Town by promoting buildings and sites which reflect the Town of Camden's cultural, social, and unique architectural characteristics by maintaining said portion of Camden as an area of special charm and interest.
- (b) The powers of the Commission shall be limited to the exterior of the building as can be seen from the street in front of or adjacent to the side of the house, in all areas found in the Heritage Zone Overlay District.

The Commission shall review and act upon requests for a building permit application in the Heritage Zone Overlay District. The Commission shall use drawings, elevations, and other information pertaining to the appearance of the building to evaluate the requested certificates. A map that delineates the boundaries of the Heritage Zone Overlay District can be found on the adopted Town of Camden Zoning Map.

(2) Membership

- (a) The membership requirements for the Architectural Design Commission are as follows:
- (b) The commission shall be appointed by the Mayor with the approval of Council and consist of five members, who, shall be residents of the Town:
 - [1] An architect, holding membership in the AIA and having an interest and knowledge of preservation techniques and philosophy;
 - [2] A member of Town Council;
 - [3] A Planning Commission member;

[4] Two residents having municipal voting privileges.

- (c) The terms of office for members appointed to fill (a) and (d) above shall be for three (3) years. The terms of the others (b) and (c) shall run concurrently with their terms as members of their organizations. Members may, after public hearing, be removed from the commission by the Mayor, with approval of Council, for inefficiency, neglect, or malfeasance in office. In cases where there is a conflict of interest, the member deemed to have a conflict shall not be allowed to vote on the issue in conflict.

(3) Application Process

- (a) Approval by the Architectural Design shall be required for the demolition, erection, reconstruction, alteration, restoration, or where general repairs are made within the Heritage Zone Overlay District.

[1] An architectural review, recommendation and report are required for:

- i. All exterior changes to a building that can be seen from the street in front of or adjacent to the side of the house;
- ii. Demolition of all or part(s) of buildings, accessory buildings, porches and all other architectural features;
- iii. Additions to buildings;
- iv. Added architectural features (such as porches, windows, doors and shutters);
- v. New structures;
- vi. Changes to surface treatments (siding, stucco, brick facing, roofing);
- vii. Repairs that do not have the appearance of "being in kind."

[2] The procedure for obtaining a architectural design review, recommendation and report is as follows:

- i. Obtain an application for a building permit and/or zoning permit from the Land Use Department.
- ii. Fill out the appropriate sections. Provide all details of the proposed work (design, style, measurements, materials, etc.). For fences, site work, additions, and outbuildings, scaled plot plans are required. Detailed elevation drawings are also required for all additions and new construction. Applicants are encouraged to submit photographs with application.

- iii. Submit the complete application, together with application fee, to the Town Land Use Administrator 7 to 10 days preceding the Architectural Design Commission's monthly meeting.
- iv. You are not required to attend the meeting at which your application is to be considered. However, it is often helpful if you (or a representative) are present to clarify any unclear points or to agree suggested modifications. In the event a permit does not include sufficient information to act upon, the permit may be returned to the applicant for additional information.
- v. The Architectural Design Commission will decide on your application in one of four ways: The application will be approved, approved with conditions, tabled for further information, or denied. Upon approval of an application, the Architectural Design Commission shall transmit a report to the Land Use Administrator stating the conditions upon which approval was granted, and cause a historic review certificate to be issued. Final action shall be taken within sixty (60) days after filing of the request; if not, the application shall be deemed to be approved, except when there is mutual agreement between the Commission and the applicant has been made for an extension of the time limit.
- vi. Upon receipt of notification of approval, you may obtain your building permit at the Land Use Department upon payment of the required building permit fee. No work may be started until the permit has been obtained. In emergency situations in which there is a threat to persons or property, an owner may make those repairs required to offset the threat by obtaining an emergency permit from the Mayor or Town Manager.
- vii. Decisions of the Commission may be appealed to the Board of Adjustment. Such appeals must be filed with the administrative official and the Board of Adjustment within twenty (20) days of the receipt of the Commission's written decision.

Section 240-38 Environmental

A. Purpose: To ensure that development projects incorporate Best Management Practices (BMPs) for environmental protection that benefits the Town of Camden and environs.

(1) Environmentally sensitive areas and scarce resources. All land areas which contain one of the following natural features or combination of these features shall be considered to be an environmentally sensitive area or an area of scarce resources subject to specific requirements for environmental protection and conservation: flood hazard areas, steep slopes, water bodies and wetlands, wet soils, woodlands, excellent recharge areas, wellhead protection areas and designated scenic areas.

(a) *Flood hazard areas.* All flood hazard areas shall remain as permanent open space,

except for the construction of roads for which design approval is obtained from the Delaware Department of Natural Resources and Environmental Control and the Delaware Department of Transportation. Lot lines shall not be platted within flood hazard areas.

- (b) *Slopes.* In areas of steep slopes above eight percent, no more than 40 percent of the land shall be developed and/or regraded or stripped of vegetation.
- (c) *Water bodies and wetlands.* Lakes, ponds, rivers, and streams and wetlands shall be left as permanent open space. No development, filling, piping or diverting shall be permitted, except for required roads, to be approved by the Delaware Department of Transportation and the Delaware Department of Natural Resources and Environmental Control, US Army Corps of Engineers or pertinent regulatory agency. No structures, except stairs and ramps, fences, open decks, patios or docks with a combined area of 200 square feet or less are permitted to be constructed within 75 feet of the shore line of any permanent fresh water lake over one-fourth acre in size or within 100 feet of the mean high tide line for tidal wetlands. No structures are permitted within 50 feet of the centerline of permanent or intermittent streams or within 25 feet beyond the limits of the floodplain, whichever is greater. Within these same areas, the clearing or removal of natural ground cover or vegetation, including the cultivation of the soil for agricultural purposes, is prohibited.
- (d) *Wet soils.* No construction shall be permitted where the seasonally high water table is within 2 feet of the surface unless crawl space, piles or slab on grade with provisions to prevent water seepage will be used to prevent water damage to the building. The proposed construction techniques must be approved by the building inspector and must meet or exceed the standards of the Federal Housing Administration. No basements or cellars shall be permitted to be constructed at a depth greater than two feet above the seasonal high water table, unless special measures are taken to prevent water damage to the building. Such measures must be approved by the building inspector and must meet or exceed the standards of the Federal Housing Administration.
- (e) *Scenic resources.* Scenic resources shall consist of the following: mature woodlands and most especially the edges of wooded areas adjacent to open fields, wetlands or urbanized areas; other areas of mature natural vegetation such as marsh grasses; the historic district; [and] freestanding historic buildings and sites and other buildings or districts of the city exhibiting particular architectural or visual merit buildings and places of special public or cultural significance, and significant views and view corridors to buildings or places of architectural, visual, public or cultural value and to attractive natural areas. Application for subdivision plan or site development plan approval shall include, as a part of the documentation of existing site conditions, the presence of and location of all scenic resources. The preservation and enhancement of the scenic resources potentially affected by the proposed development shall be considered as an important factor in the approval or disapproval of the proposed development by the planning commission.
- (f) *Excellent recharge areas.* Excellent recharge areas will be protected by limiting

impervious surfaces within the mapped areas. Facilities that would be suitable for Excellent Recharge areas include but are not limited to: landscaped buffers, parking utilizing pervious paving, recreational fields or parks.

- (g) *Wellhead Protection areas.* Land use proposals for areas mapped as wellhead protection areas must meet the requirements of Camden Ordinance #77 and shall be reviewed with the Camden Wyoming Sewer and Water Authority. A Letter of No Objection to the land use proposal from the CWSWA shall be included in the agency approvals for final approval.
 - (h) *Combinations of environmentally sensitive features and scarce resource.* Wherever more than one environmentally sensitive feature or scarce resource is present on a site in combination, special care shall be taken in both the documentation of existing conditions on a site being considered for development and in the planning commission's review of a specific subdivision plan or site development plan application. In general, the use of available development options such as planned residential developments, cluster developments and rural residential cluster developments is strongly encouraged to take advantage of the design and the planning feasibility in new development projects afforded by these options to preserve and protect environmentally sensitive features and the natural processes associated with these features to the maximum extent possible.
 - (i) *Rare, threatened or Endangered Species (RTE's) and Species in need of Greatest Conservation Need (SGCN).* Areas identified as sensitive regarding RTE's or SGCN during site environmental evaluations shall be identified on land development plans, and protected in accordance with the DNREC Division of Fish and Wildlife's Natural Heritage and Endangered Species Program.
 - (j) *Key Wildlife Habitats (KWH's).* Areas identified as KWH's in the Delaware Wildlife Action Plan shall be considered environmentally sensitive areas warranting conservation efforts. These areas along with proposed protection measures shall be shown on the land development plan.
- (2) Stormwater Management. All applicable regulations and requirements of Delaware Department of Natural Resources and Environmental Control and the Kent Conservation District's stormwater management and sediment and erosion control programs shall apply. As well as the Town Of Camden Land Use and Development Requirements outlined in this section.
 - (3) An Environmental Impact Study shall be submitted for all developments.

Section 240-39 Landscaping

- F. Any part or portion of a site which is not used for buildings or other structures, loading and parking spaces and aisles, other paving, sidewalks, and designated storage areas shall be landscaped with an all season groundcover, trees and shrubs, or shall be left in its natural state, all as set forth in a Landscaping Plan approved by the Town.
- G. The Landscaping Plan shall be prepared by a registered Landscape Architect or other qualified

professional, and shall be reviewed by the Town's consultant.

H. Design standards for landscape plans shall include the following principles:

- (1) Landscaping will be used to accent buildings. For example, groupings of trees will break up long, low buildings while lower plants will provide a visual base for taller buildings.
- (2) Plants should be appropriate to the space to be landscaped, with mature sizes that will fill the area without excess maintenance.
- (3) Landscape plantings should provide a variety of plant types and species. The varieties used should take into consideration susceptibility to disease, color, seasonal interest, texture, shape blossoms, and foliage.
- (4) Local soil conditions and water availability must be evaluated in choosing plant material.
- (5) Entrances to developments and businesses deserve special landscape treatments.
- (6) Where possible, landscape materials should provide climate control. For example, shade trees on the south side will shield structures from sun and evergreens on the north side will provide wind breaks.
- (7) Street trees, buffer areas, and other required planting shall be in accordance with this and other referenced sections of this ordinance.
- (8) Street trees and other required plant material shall not be planted until the finished grading of the development has been completed.
- (9) All landscaped areas shall have an automatic irrigation system. The irrigation system shall be designed by a qualified professional and should reflect practices consistent with good irrigation design and water conservation, including but not limited to the use of automatic rain gauges and moisture sensors, as required. The installed system shall permit no overspray of paving or roadways.
- (10) All plantings shall be guaranteed from the date of planting until the Town accepts all the improvements in the development and the plantings shall be certified to be alive and healthy by the Town's agent prior to the expiration of the guarantee period. Such guarantee shall be released no sooner than the end of the second growing season following planting.
- (11) All mechanical and electrical equipment not enclosed within a building shall be fully and completely screened from view from any public street in a manner compatible with the architectural and landscaping style approved on the remainder of the lot. Such screening shall be part of the Landscaping Plan.
- (12) Landscaping Plans should show care in selection of plant material. Native species are encouraged wherever possible. Plants must be hardy for this area and for the proposed growing conditions, and must be true to species and variety. Plant material must meet or exceed American Association of Nurserymen standards for size, habit, and general health.

I. Parking Facilities.

- (1) Screen planting shall be provided along each perimeter of a parking area. In addition, no less than ten percent (10%) of the interior of a proposed parking area must consist of buffer areas and islands and must be landscaped and continually maintained.
- (2) Any area for off-street parking or for display, storage, sale, or movement of three (3) or more motor vehicles shall be enclosed, except at entrances or exits and the required sight triangles, and an ornamental fence or wall consistent with the architectural character of the surrounding uses, or by a compact evergreen hedge, not less than four feet (4') in height.
- (3) Where a planted screen is proposed, it shall incorporate the planting of staggered and overlapping evergreen and deciduous shrubs of such species and size as will produce a screen at least four feet (4') higher than the elevation of the adjacent parking area, and of such density as will obscure seventy-five percent (75%) of the light emitted from automobile headlights on the premises. These provisions shall not, however, interfere with the requirement for clear sight triangles.
- (4) Within a parking lot, parking areas of a 20-vehicle width shall be separated from one another by planting strips not less than ten feet (10') in width.
- (5) All parking areas shall have at least one (1) tree of 3-1/2 inch caliper minimum for every five (5) parking spaces in single bays and for every (10) parking spaces in double bays.
- (6) All areas between the parking areas and buildings shall be planted according to the approved Landscaping Plan with trees, shrubbery, ground cover and grassed lawn.
- (7) In parking areas it is recommended that trees, shrubs, and groundcover plants be selected for appropriate growth habit and suitability to carbon monoxide and other noxious gases, and road salt.
- (8) A planted island, sized the same as the allotted parking spaces, shall be provided for every ten (10) parking spaces to break up the rows of parked vehicles. If a connecting path or sidewalk is required to connect the various rows of parking through any planting island, the island shall be increased accordingly to maintain full planting size.

E. Multi-Family Developments

- (2) For all Multi-Family developments, the following minimum landscaping shall be shown on the Landscaping Plan in addition to all other required street tree, parking and buffer requirements.
 - (a) Any combination of the following shall be required for each dwelling unit.
 - [1] Either: one (1) 2 – 3" caliper shape tree, or;
 - [2] One (1) 6' evergreen tree, or;

[3] Two (2) 8' high ornamental trees, or;

[4] Eight (8) 2-1/2 – 3" shrubs.

F. Street Trees.

- (1) Street trees and associated planting shall be required for any development as part of the design and construction of:
 - (a) New streets;
 - (b) New sidewalks or pedestrian or bicycle ways;
 - (c) Existing streets, sidewalks, pedestrian ways, highways, bicycle or other trails or pathways when the abut or lie within the development; and
 - (d) Access driveways to residential developments serving more than four (4) dwellings.
- (2) Trees shall not, at maturity, obstruct existing overhead utilities nor visibility of traffic control signs or signals, or visibility at street intersections or driveway entrances.
- (3) Plant material shall be selected to minimize future maintenance costs, including but not limited to considerations of pruning, tree removal and sidewalk repair.
- (4) Plant material shall not interfere with underground utilities, storm water management facilities, or restrictions with easements.
- (5) Plant material shall be adaptable to the specific planting site and achieve the specified design objectives of the plan. Tree species shall be selected from the current nursery stock suitable for local growing conditions, using native species whenever possible, that are hardy for the area, not susceptible to disease or environmental stress, and will exhibit full, symmetrical form at maturity. Trees with invasive root systems shall not be selected.
- (6) Plant material shall be spaced to permit healthy growth of each plant. As a general rule, trees with a narrow growth habit shall be placed closer together than those with a spreading growth habit.
- (7) Street trees, generally shall be at intervals not to exceed twenty feet (20') along the street right-of-way as part of a residential or non residential development. Trees shall alternate from one side of the street to the other with forty foot (40') maximum spacing between trees on the same side, or as otherwise specified.
- (8) The mature tree size and planting intervals shall be as follows:
 - (a) Large trees (40' mature height or greater) 40' planting interval.
 - (b) Medium trees (30'-40' mature height) 30' planting interval.
 - (c) Small trees (less than 30' mature height) 20' planting interval

- (9) Street trees shall be provided at maximum intervals of forty feet (40') along a median divider or within a landscaped island in a cul-de-sac.
- (10) An equivalent number of trees may be planted in an informal arrangement as approved on the Landscaping Plan.
- (11) At intersections, trees shall be located no closer than thirty feet (30') from the intersection of the curb lines.
- (12) Street trees shall be provided by the applicant and planted on lots a minimum distance of five feet (5') inside the lot lines paralleling the right-of-way line, rather than within the right-of-way.
- (13) Tree caliper at the time of planting shall be between 3 and 3-1/2 inches measured six inches above the top of the root ball or ground level.
- (14) Invasive species as defined by DNREC shall not be included as any part of a Landscaping Plan.

G. Buffers.

- (1) Buffer areas are required along all lot lines and street lines which separate a nonresidential zoning district from a residential zoning district; in residential areas between single family and multi-family developments; in commercial areas between light commercial and heavy industrial uses; and in all zones where there is reverse frontage design along public streets. Buffer areas shall be designed by a Landscape Architect.
- (2) Buffers may be designed to meet one of the following circumstances:
 - (a) Nuisance Buffer – This type of landscape buffer is appropriate in areas between commercial or residential uses and adjacent commercial or different residential uses, or zones where a continuous screen is appropriate. These buffers will ideally provide a visual screen of mixed evergreen trees, evergreen shrubs and deciduous shrubs.
 - (b) Filtered Buffer – This buffer can soften the impact of a land use while still allowing views beyond the buffer area. For example, this is the type of buffer that shall be provided around the perimeter of parking areas, internal site access roads, and the perimeter of a site which abuts a street, road or highway, or an adjacent site where a complete visual screen is not appropriate. Ideally this type of buffer shall provide screening of safety distractions such as glare from automobiles and light standards; it will provide a visually pleasing environment; and it will provide spatial definition. It will likely include low – medium sized (4') evergreen shrubs and perennials.
 - (c) Windbreak/heavy screening – This type of buffer is appropriate in areas where the addition of a windbreak to stop windborne debris from leaving a site is necessary, or where objectionable facilities or utility structures require a complete visual