

Mineral Springs Zoning Ordinance

Articles 3, 8 & 15

Proposed Text Amendments

Amendments are shown with a cross-out and/or bold/underline

Section 8.2 Definitions

Political Sign

Any sign that advocates for political action.

Section 8.3 Signs Permitted Without Permit

The following signs shall not require a permit:

- a) Signs required to be posted by law. Signs established by governmental agencies. "Warning" signs and "No" Trespassing" signs. Historical markers placed by a governmental agency or a recognized historical society. Private unofficial traffic signs indicating directions, entrances, or exits.
- b) One (1) sign, including a professional name plate, per dwelling unit, denoting the name of the occupant not to exceed one and one half (1-1/2) square feet in area.
- c) ~~Temporary political signs advertising candidates or issues to be decided in an election or referendum provided such signs do not exceed one (1) sign per candidate per 100' of road frontage. Political signs are limited to six (6) square feet in size and shall be no higher than four (4) feet from grade level. Political signs shall not be placed on any property more than 30 days before the election date and shall be removed by the candidates or responsible parties within five (5) days after Election Day. Such signs shall not obstruct visibility for motorists. Signs shall not be placed in any town designated landscaping areas.~~ **Political signs advocating for political action during the period beginning on the 30th day before the beginning date of "one-stop" early voting and ending on the 10th day after the primary or election day. Political signs may be placed in the right-of-way of the State highway system. Permission must be granted by any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs shall not be closer than three (3) feet from the edge of the road pavement, obscure motorist visibility at an intersection, be higher than forty two (42) above the edge of road pavement, be larger than eight hundred sixty four (864) square inches or obscure/replace another sign.**
- d) One sign advertising real estate "for sale", "for rent", or "for lease", not greater than six (6) square feet in area located upon property so advertised, and shall be no higher than four (4) feet from grade level. Such signs shall not obstruct visibility for motorists. Such signs shall be removed within seven (7) days after the property has been sold, (upon closing) rented or leased. Any signs erected pursuant to this provision must not violate Section 8.3 (f) of this Ordinance. Any signs advertising real estate subdivisions shall be limited to one (1) sign, no greater than six (6) square feet in area, located at the entrance

of the subdivision.

- e) One (1) sign advertising the sale of produce out of a home garden on the premises where the produce is being sold shall be permitted with no more than sixteen (16) square feet in area and no higher than four (4) feet above grade level.
- f) Churches may have two (2) free standing directional signs only. The signs shall be no larger than two (2) square feet in area and placed off the right-of-way.
- g) One (1) sign per dwelling unit advertising a yard sale, or for the sale of up to two (2) vehicles, or small pets, or the like for no more than ten (10) days' total duration. All yard sales' signs shall be removed twenty-four (24) hours after the yard sale has been terminated. No such sign shall be greater than four (4) square feet in area. All such signs shall be located off the street right-of-way.
- h) Temporary directional signs for yard sales' are limited to three (3) in number and may be placed forty-eight (48) hours before the sale, and must be removed twenty-four (24) hours after termination.
- i) Temporary special event signs, banners, streamers for non-profit agencies are allowed ten (10) days before the special event and must be taken down two (2) days after the special event. The size shall be no larger than twenty-four (24) square feet and must be located off the street right-of-way, unless otherwise specified by the Department of Transportation.
- j) Flags of the United States of America, the State of North Carolina, Union County, the Town of Mineral Springs, or any flag adopted or sanctioned by an elected legislative body of competent jurisdiction, as well as flags bearing a logo of corporate, non-profit, or religious origin. Such flags shall not be flown from a pole the top of which is more than 35 feet in height.
- k) Window signs placed or painted on the interior or exterior of glass windows or door provided that such signs cover no more than thirty (30) percent of the glass area of the entire storefront. Window signs that cover more than thirty (30) percent of the glass shall be considered as wall signs and shall meet requirements for painted wall signs within the appropriate zoning district.
- l) Neon tube signs or LED signs visible from outside of a building shall be limited to two (2) per business and located on the inside of a window such that no more than ten (10) percent of the window area is covered by the sign area.

Any sign in the Town of Mineral Springs that is found to be in need of repair shall be renovated or removed within thirty (30) days by the owner upon receipt of written notification, or said sign may then be removed by the Zoning Administrator, and the reasonable cost of such removal shall be the owner's responsibility.

Section 8.5 General Sign Requirements

- a) Any **externally lit** ~~lighted~~ sign or lighting device shall be so oriented as not to cast light upon a public right-of-way so as to cause glare, intensity or reflection that may constitute a traffic hazard or a nuisance, or cast light upon adjacent property that may constitute a nuisance.
- b) **Externally lit** ~~Lighted~~ signs shall employ only devices emitting a light of constant intensity,

and no signs shall be illuminated by a flashing, intermittent, rotating or moving light.

- c) The area of a sign shall be measured by measuring one-face of the entire sign including any border or trim and all of the elements of the matter displayed, but not including the base or apron, supports or other structural members. The area of a double face sign shall be the area of one face of the sign. The sign surface area of a double faced sign constructed in the form of a “V” shall be calculated by using the area of only one side of such sign (the larger side if there is a size difference), so long as the angle of the “V” does not exceed forty-five (45) degrees.

d) Nonconforming Signs

The provisions contained in Section 7.6 of this Ordinance shall apply to all signs nonconforming at time of initial adoption of this Ordinance, except for any and all signs that are prohibited or have not previously received a permit from Union County and which is valid as of the Effective Date of this Ordinance.

Section 8.10 Signs permitted in the MUD, B-2, B-4 and LI Zoning Districts

[NOTE: Signs for residential uses located in the MUD district shall be governed by the sign regulations contained in Section 8.9(a)].

- A) Signs on premises of permitted uses conducted in buildings or with buildings associated shall be regulated as follows:

- a) Types of sign permitted: Business and/or identification.
- b) Permitted number of signs
Attached - One (1) only.
All requirements of Section 8.5 shall also be met.
Ground - One (1) only except that an additional ground sign may be permitted on through lots having frontage on three (3) or more streets.
- c) Maximum area of signs:
Attached - One (1) square foot of aggregate area per linear foot of building street frontage up to a maximum of sixty-four (64) square feet per premises regardless of the number of establishments occupying such premises.
Ground - Twenty (20) square feet.

If there are two principal buildings involved, one (1) identification or one (1) bulletin board may be erected for the additional principal building in accordance to the aforementioned requirements.
- d) Permitted location: Attached - Signs shall be located on the building and shall not extend above the parapet of the building nor more ~~that~~ than eighteen (18) inches from any building wall or marquee face provided that such sign shall not project more than six (6) inches into the street right-of-way unless it is at least ten (10) feet above street grade, in which case it may not

extend more than eighteen (18) inches into the street right-of-way.
Ground – Behind street right-of-way line and in accordance with Section 8.7.

e) Illumination: **Externally lit only – illumination only by a light cast upon the sign from an external light source.**

B) Multi-tenant Identification signs:

a) Types of sign permitted: **Business and/or identification.**

b) Permitted number of signs **A multi-tenant development (i.e. office park, shopping center) containing three (3) or more businesses with separate entrances may have one (1) attached sign per entrance.**

c) Maximum area of signs: **Twenty (20) square feet per separate entrance.**

d) Permitted location: **Attached - Signs shall be located on the building and shall not extend above the parapet of the building nor more than eighteen (18) inches from any building wall or marquee face provided that such sign shall not project more than six (6) inches into the street right-of-way unless it is at least ten (10) feet above street grade, in which case it may not extend more than eighteen (18) inches into the street right-of-way.**

d) Illumination: **Externally lit only – illumination only by a light cast upon the sign from an external light source.**

B)C) Shopping Center Identification signs shall be regulated as follows:

a) Type of sign permitted: Shopping Center Identification

b) Permitted number of signs: A shopping center containing three (3) or more businesses with separate entrances shall have one ground identification sign giving the names of the businesses located in the shopping center. Such sign shall be in accordance with Section 8.7.

c) Maximum area of signs: Forty (40) square feet provided that no portion of the sign advertising a particular business shall be in excess of ten (10) square feet.

d) Permitted location: Ground – Behind street right-of-way and in accordance with Section 8.7.

e) Illumination: **Externally lit only – illumination only by a light cast upon the sign from an external light source.**

Section 3.1.3 (d)(4)

- i) Landscaping: All new developments in the Overlay district shall provide landscaping according to the underlying zoning district regulations found in Article 15, with the following exceptions and requirements.
- 1) Small maturing trees shall be planted in the planting strip between the curb and sidewalk. The maximum spacing between trees shall be thirty (30) feet (excluding driveways and cross-walk areas). Responsibility for construction, landscaping materials, and landscape installation, shall be borne by the applicant.
 - 2) Continued landscaping maintenance shall be the responsibility of the property owner and will be provided as set forth in Article 15.
 - 3) When non-required front yards are proposed, landscaping of shrubs, flowers, grass, or other decorative or vegetative ground cover is required, where there is not pavement of some type.
 - 4) Waivers of side and rear buffers required between certain zoning districts under Article 15, may also be granted by the Town Council, when the spirit and intent of this Ordinance have been met with existing vegetation or other device(s) to buffer the zoning districts, or for unusual topography.
 - 5) All dumpsters or trash handling areas (with the exception of trash receptacles located in the street tree/street furniture zone of the sidewalk), and all service entrances or utility structures, and loading docks or spaces, shall be screened from abutting property and from public view from a public street), ***in accordance with 15.5.2 (b)***.

Section 15.5.2 Screening

- a) Business, commercial and light industrial uses adjacent to residential zoning and all Essential Services shall provide screening to materially screen the subject use from the view of all adjoining residential zoning districts.
- 1) A combination of trees and shrubs shall be arranged along the rear and side perimeters. This landscaping will consist of a minimum of one tree and ten shrubs for each 50 feet.
 - 2) The planting may be arranged in a single row around the perimeter or may be clustered or otherwise arranged anywhere within 15 feet of the property line to allow for maximum flexibility and landscaping design.
 - 3) In no case shall berms be used as screening.

Screening between residential and non-residential uses within a development that has been conditionally zoned to a MUD Mixed Use District may also be required. The strict compliance of screening requirements as herein called for may be waived by the Town Council when approving a CD MUD district to provide for and/or enhance the orderly transition between uses of different intensities within the development.

- b) All solid waste dumpsters shall be designed and located, or otherwise screened, so as to not be visible from a public street or from the view of adjacent properties (irrespective of zoning). If screening of the dumpster is provided it shall consist of a solid opaque device that is at least six (6) feet in height, or at least one (1) foot higher than the height of the dumpster, whichever is greater, and have latching gates to provide access. **Dumpster enclosures shall match the primary color of the building.** Dumpsters shall not be located in the front yard and must be placed entirely on a concrete slab.
- c) For open-air storage, or an un-enclosed structure within one hundred (100) feet of a road, consisting of a roof, but no walls, used for storage of materials, products, wastes or equipment associated with business, screening shall be provided. Such screening may be located anywhere on the subject property provided the storage is effectively screened.