

**Town of Mineral Springs
Zoning Ordinance
Table of Contents**

<u>ARTICLE</u>	<u>SECTION</u>	<u>TITLE</u>	<u>PAGE (S)</u>
		TITLE PAGE	I
		RECORD OF ADMENDMENT PAGE	II to XI
		TABLE OF CONTENTS	X to XV
1		AUTHORITY, ENACTMENT, SHORT TITLE, JURISDICTION, PURPOSE	1-1 to 1-3
	1.1	Authority and Enactment Clause	1-1 to 1-2
	1.2	Short Title	1-2
	1.3	Jurisdiction	1-2
	1.4	Purposes	1-2
	1.5	Enforcement and Penalties	1-2 to 1-3
2		DEFINITIONS OF TERMS USED IN THIS ORDINANCE	2-1 to 2-55
	2.1	Interpretation of Terms and Words	2-1
	2.2	Definitions of Specific Terms and Words	2-1 to 2-55
3		ZONING DISTRICTS	3-1 to 3-25
	3.1	Zoning Districts	3-1 to 3-24
	3.2	Zoning Map Interpretation	3-24 to 3-25
4		GENERAL PROVISIONS	4-1 to 4-22
	4.1	Customary Home Occupations	4-1 to 4-2
	4.2	Reserved	4-2
	4.3	Fences or Walls Permitted	4-2
	4.4	Lot to Abut a Public Street	4-2 to 4-3
	4.5	One Principal Building	4-3
	4.6	Visibility at Intersections	4-3
	4.7	Temporary Structures and Uses	4-3 to 4-4
	4.7A	Temporary Structures and Uses Requiring a Temporary Conditional Use Permit	4-4 to 4-6
	4.8	Height Exemption	4-6
	4.9	Accessory Uses and Structures	4-6 to 4-8
	4.10	Outdoor Lighting	4-8 to 4-11
	4.11	Vibration	4-11
	4.12	Noise	4-11

<u>ARTICLE</u>	<u>SECTION</u>	<u>TITLE</u>	<u>PAGE (S)</u>
	4.13	Restoring Unsafe Buildings	4-11
	4.14	Uses Not Expressly Permitted or Conditional	4-11
	4.15	Construction Begun Prior to Adoption of Ordinance	4-11
	4.16	Reserved	4-12
	4.17	Reserved	4-12
	4.18	Reserved	4-12
	4.19	Barns	4-12
	4.20	Stormwater Drainage/Stormwater Detention	4-12 to 4-13
	4.21	Stream Buffers	4-13 to 4-15
	4.22	Conservation Subdivisions	4-15 to 4-22
5		ZONING DISTRICT REGULATIONS	5-1 to 5-41
		Permissible Uses and Zoning District Regulations (Table of Uses)	5-1 to 5-26
	5.1	Agricultural Residential (AR) Single-Family Districts	5-27 to 5-29
	5.2	Rural Residential (RR) Single Family Districts	5-29 to 5-31
	5.3	RA-40 Single-Family Districts	5-31 to 5-33
	5.4	R-20, R-A20 Single-Family Districts	5-33 to 5-35
	5.5	Community Business District B-2	5-35 to 5-36
	5.6	General Commercial District B-4	5-36 to 5-39
	5.7	Light Industrial District (L-I)	5-39 to 5-41
6		CONDITIONAL USES	6-1 to 6-11
	6.1	Intent	6-1
	6.2	Conditional Uses	6-1
	6.3	Procedures	6-1 to 6-4
	6.4	Town Council Decision	6-4 to 6-6
	6.5	Binding Effect	6-6
	6.6	Certificate of Compliance	6-6
	6.7	One Year Limitation	6-6 to 6-7
	6.8	Change in Conditional Use Permit	6-7
	6.9	Implementation of Conditional Use Permit	6-7
	6.10	Additional Review Criteria	6-7 to 6-11
	6.11	Conditional Use/Town of Mineral Springs as CUP Applicant	6-11
7		NONCONFORMING USES	7-1 to 7-4
	7.1	General Intent and Exceptions	7-1
	7.2	Nonconforming Uses of Structures	7-1

<u>ARTICLE</u>	<u>SECTION</u>	<u>TITLE</u>	<u>PAGE (S)</u>
	7.3	Nonconforming Uses of Land	7-2
	7.4	Nonconforming Structures	7-2
	7.5	Nonconforming Lots of Records	7-3
	7.6	Nonconforming Signs	7-3 to 7-4
	7.7	Abandonment	7-4
	7.8	Alterations	7-4
	7.9	Change of Tenancy or Ownership	7-4
	7.10	Nonconforming Lighting	7-4
8		SIGNS	8-1 to 8-15
	8.1	Intent	8-1
	8.2	Definitions	8-1 to 8-6
	8.3	Signs Permitted Without Permit	8-6 to 8-8
	8.4	Prohibited Signs	8-8 to 8-9
	8.5	General Sign Requirements	8-9
	8.6	Attached (On Structure) Sign	8-9
	8.7	Ground Signs	8-10
	8.8	Temporary Signs	8-10 to 8-12
	8.9	Signs Permitted in All Residential -R- Districts	8-12 to 8-14
	8.10	Signs Permitted in the B-2, B-4 and LI Zoning Districts	8-14 to 8-15
9		OFF-STREET PARKING AND LOADING	9-1 to 9-7
	9.1	Off-Street Parking	9-1 to 9-6
	9.2	Off-Street Loading Requirements	9-6 to 9-7
10		ZONING ADMINISTRATION	10-1 to 10-11
	10.1	Zoning Administrator	10-1
	10.2	Zoning Inspection: Duties Specified	10-1
	10.3	Zoning Permit	10-1 to 10-5
	10.4	Certificate of Compliance	10-5 to 10-6
	10.5	Remedies	10-6
	10.6	Complaints Regarding Violations	10-6
	10.7	Zoning Permit Not Required	10-6 to 10-7
	10.8	Early Vesting Of Development Rights Upon Approval of Site Plan	10-7 to 10-11
11		BOARD OF ADJUSTMENT	11-1 to 11-8
	11.1	Board of Adjustment Powers, Duties and Procedure	11-1 to 11-2
	11.2	Administrative Review	11-2 to 11-3

<u>ARTICLE</u>	<u>SECTION</u>	<u>TITLE</u>	<u>PAGE (S)</u>
	11.3	Variances	11-3 to 11-4
	11.4	Application Procedure	11-4 to 11-6
	11.5	Board of Adjustment Action	11-6
	11.6	Appeals from the Board of Adjustment	11-6 to 11-8
	11.7	Administration of Oaths to Witnesses	11-8
	11.8	Rules of Procedure	11-8
	11.9	Staff	11-8
12		AMENDMENTS	12-1 to 12-4
	12.1	Amendments to Text and Map	12-1 to 12-4
13		TELECOMMUNICATIONS TOWERS	13-1 to 13-7
	13.1	Intention	13-1
	13.2	Towers and Facilities	13-1 to 13-2
	13.3	Co-Location	13-2
	13.4	Requirements for Lots with Existing Use	13-2
	13.5	Comply with Federal Radio Frequency Emissions Standards	13-2 to 13-3
	13.6	Accessory Structures	13-3
	13.7	Screening and Fencing	13-3
	13.8	Setback Requirements	13-3 to 13-4
	13.9	Lighting	13-4
	13.10	Abandonment of Towers	13-4
	13.11	Increasing Tower Height	13-4
	13.12	Signs	13-4 to 13-5
	13.13	Proof of Insurance	13-5
	13.14	Storage of Equipment	13-5
	13.15	Conditional Use Permit Application and Approval	13-5 to 13-7
14		FLOODPLAINS, DRAINAGE, STORMWATER MANAGEMENT & WETLAND PROTECTION	14-1 to 14-36
	14.1	Findings of Fact	14-1
	14.2	Statement of Purpose	14-1 to 14-2
	14.3	Definitions	14-2 to 14-12
	14.4	Relationship of Flood Plan Regulations to Underlying Primary Zoning Districts	14-12 to 14-13
	14.5	Basis for Establishing the Special Flood Hazard Areas	14-13
	14.6	Floodplain Development Permit Required	14-13
	14.7	Interpretation	14-13
	14.8	Warning and Disclaimer of Liability	14-14
	14.9	Permit and Certification Requirements	14-14 to 14-17

<u>ARTICLE</u>	<u>SECTION</u>	<u>TITLE</u>	<u>PAGE(S)</u>
	14.10	Duties and Responsibilities of the Floodplain Administrator	14-17 to 14-19
	14.11	Reserved	14-19
	14.12	Administrative Procedures	14-19 to 14-21
	14.13	Variances	14-21 to 14-23
	14.14	Provisions for Flood Hazard Retention	14-23 to 14-32
	14.16	Standards for Streams without Base Flood Elevations and/or Future Base Flood Elevations Or Floodways and Non-Encroachment Areas	14-32 to 14-33
	14.17	Standards for Riverine Floodplains with Base Flood Elevations but Without Established Floodways or Non-Encroachment Areas	14-33
	14.18	Floodways and Non-Encroachment Areas	14-33 to 14-34
	14.19	Standards for Areas of Shallow Flooding (Zone AO)	14-34
	14.20	Effects on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance	14-34
	14.21	Effect upon Outstanding Floodplain Development Permits	14-35
	14.22	Minimum Drainage Easement Requirements for Storm Drain Pipes and Open Channels	14-35 to 14-36
	14.23	Legal Status Provisions	14-36
15		TREE PRESERVATION AND LANDSCAPING	15-1 to 15-14
	15.1	Purpose and Intent	15-1
	15.2	Applicability	15-1 to 15-2
	15.3	General Provisions for Tree Protection	15-2 to 15-6
	15.4	Required Landscaping in New Residential Subdivisions	15-6 to 15-7
	15.5	Street Yards and Screening	15-7 to 15-9
	15.6	Landscaping in Parking Lots	15-9 to 15-10
	15.7	Preservation of Existing Vegetation	15-10 to 15-11
	15.8	Planting Standards for Trees and Shrubs	15-11
	15.9	Tree/Landscape Plan	15-12
	15.10	Modifications	15-12 to 15-13
	15.11	Inspection of Sites	15-13
	15.12	Emergencies	15-13
	15.13	Violations and Penalties	15-13 to 15-14
16		LEGAL STATUS PROVISIONS	16-1
	16.1	Conflict with Other Laws	16-1
	16.2	Separability	16-1
	16.3	Effective Date	16-1

17

	APPENDICES	17-1 to 17-12
17.1	Appendix 1 List of Acceptable Plant Species	17-2 to 17-8
	Appendix 2 Union County Standardized Zoning Regulations	17-9 to 17-12