

**Town of Spring Lake**

**PENDING TOWN CODE OF ORDINANCES TEXT AMENDMENT**

**P12-42**

Chapter 42 Zoning Code

Nonprofit, noncommercial entity signs

**CASE HEADING:**

**P13-17:** REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 42 ZONING; AMENDING ARTICLE XI. SIGN REGULATIONS, SECTION 42-289. DEFINITIONS, BY INSERTING IN ALPHABETICAL ORDER THE TERM AND DEFINITION FOR *NONPROFIT, NONCOMMERCIAL ENTITY*; AMENDING SECTION 42-291. SIGNS PERMITTED IN ANY DISTRICT, BY INSERTING SUB-SECTION (6) ENTITLED *NONPROFIT, NONCOMMERCIAL ENTITY SIGNS*; AND AMENDING SECTION 42-295. PROHIBITED SIGNS. SUB-SECTION (2) SIGNS ERECTED ON PUBLIC STREETS, EXCLUDING THE APPLICABILITY OF THIS SUB-SECTION TO NONPROFIT NONCOMMERCIAL ENTITY SIGNS; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

**CURRENT MEETING INFORMATION:**

Joint Planning Board Public Hearing, July 16, 2013, 6:55 pm, 2<sup>nd</sup> floor Hearing Room, Historic Courthouse, 130 Gillespie Street, Fayetteville

**ADDITIONAL INFORMATION:**

The complete text of the amendment follows this page.

## P13-17

### Spring Lake Zoning Ordinance Text Amendment

(Nonprofit Noncommercial Entity Signs)

**P13-17:** REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 42 ZONING; AMENDING ARTICLE XI. SIGN REGULATIONS, SECTION 42-289. DEFINITIONS, BY INSERTING IN ALPHABETICAL ORDER THE TERM AND DEFINITION FOR *NONPROFIT, NONCOMMERCIAL ENTITY*; AMENDING SECTION 42-291. SIGNS PERMITTED IN ANY DISTRICT, BY INSERTING SUB-SECTION (6) ENTITLED *NONPROFIT, NONCOMMERCIAL ENTITY SIGNS*; AND AMENDING SECTION 42-295. PROHIBITED SIGNS. SUB-SECTION (2) SIGNS ERECTED ON PUBLIC STREETS, EXCLUDING THE APPLICABILITY OF THIS SUB-SECTION TO NONPROFIT NONCOMMERCIAL ENTITY SIGNS; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

**AMEND Article XI. Sign Regulations, Sec. 42-289. Definitions, by inserting the following term and definition in alphabetical order:**

#### **Sec. 42-289. Definitions.**

*“Nonprofit, noncommercial entity” as used in Section 42-291 means any partnership, association, corporation or other group whose activities are conducted for civic or humanitarian motives, for the benefit of others and not for the gain of any private individual or group, and may include but shall not be limited to patriotic, education, civic, cultural, historical, recreational or religious activities.*

**AMEND Article XI. Sign Regulations, Sec. 42-291. Signs permitted in any district, by CREATING a new sub-section numbered (6) entitled *Nonprofit entity directional signs* to read as follows:**

#### **Sec. 42-291. Signs permitted in any district.**

*(6) Nonprofit, noncommercial entity signs. One permanent sign may be permitted within the town street rights-of-way for nonprofit, noncommercial entities only as allowed herein. The entity proposing the sign shall propose the content and location of the sign to the Town Board for approval. The entity shall propose a desired location that will not constitute a hazard to public safety and is located a minimum of 20 feet from a street intersection, alley, off-street parking and loading areas including aisle ways and access driveways. Signs permitted under this sub-section shall not exceed 12 square feet in area with a maximum height of four feet (including supports) and shall not provide for changeable copy of the contents of the sign. Sign*

content and location shall be submitted to the Town Board for approval and the entity seeking approval shall submit to the Town Board a copy of the proposed sign with proposed content and information as to proposed sign location.

Signs as approved hereunder may not contain any pictures, advertisements, commercial promotion or political opinion or endorsement. Signs shall only contain information relating to the entities name, address, location and directions to same.

The design, support for and structure of the sign may not be constructed in such a manner as to violate any of the other restrictions or conditions herein and sign design shall likewise be submitted to, and approved by, the Town Board.

The location of the sign may not be placed in a location within 200 feet of another nonprofit, noncommercial sign that has been approved pursuant to this section. The location of the sign shall not be in such a location, either in relation to other signs or generally, so as to create unnecessary confusion, interference with other signs, safety hazards or aesthetic conflict or concern. In the event the location of such a sign is the cause for non-approval or in the event of concern over the sign location, the proposing entity may request an alternate location either in a separate request or as a modification of the current request.

All signs shall be designed, built and place to be in compliance with the North Carolina International Building Code and shall not be larger than 24" X 24". The sign shall also be mounted on a breakaway sign post designed to the standards of the North Carolina Department of Transportation.

Signs shall be maintained in a manner so as to not become in a state of disrepair or pose a hazard to the public. Signs as approved hereunder shall be placed in the location in such a manner as to not be subject to becoming unsecured or dislodged under normal circumstances. Signs that become in a state of disrepair or are subject to becoming dislodged under normal circumstances, or that otherwise violate any of the terms of this section, shall be immediately removed by the town and shall only be replaced upon new approval as outlined herein.

As stated herein, "permanent" shall mean that absent changes to this section or any law, rule, ordinance, code or Town Board action on a non-complying sign may seek removal of said sign for any reasons stated herein or in amendments hereto including, but not limited to, safety issues which

may affect same, the sign will be allowed to remain in place 24 hours per day, 365 days per year.

**AMEND Article XI. Sign Regulations, Sec. 42-295. Prohibited signs, by ADDING a new sentence as indicated below:**

**Sec. 42-295. Prohibited signs.**

- (2) *Signs erected on public streets.* No sign shall be erected or maintained within any public street right-of-way nor be allowed to extend over or into any public street , provided that this section shall not apply to public signs necessary in the performance of a governmental function or required to be posted by law. This section shall also not apply to properly permitted nonprofit noncommercial entity signs.