

Article 300A
Supplemental Regulations

301A: Introduction: The regulations in this Article shall apply generally or in groups of districts as indicated, unless district regulations or regulations for particular uses specifically provide to the contrary. They qualify or supplement other regulations appearing in this Ordinance.

302A: U. S. 220 Bypass Overlay Zone Provisions:

302A.1: Purpose: The purpose of this zone is to establish a site plan review procedure to ensure that a high standard of development is achieved along U. S. 220 Bypass.

302A.2: Administration of the Requirements of this Article:

- A. Applications for any development, construction, or use of land (other than agricultural and single family residential on single lots recorded prior to 12/01/85) which is located within this zone shall be made to the Asheboro Planning Department for review and processing 15 days prior to a regularly scheduled meeting of the Planning Board. The Planning Department shall forward the site plan to the Planning Board for consideration at their next regular meeting.
- B. The Planning Board may issue a site plan approval after review and finding that the proposed site plan is in conformance with the requirements of this Article.
- C. Failure of the Planning Board to act on a site plan within 65 days of the first meeting at which it is considered shall be deemed an approval of the plan.

302A.3: General Provisions:

- A. Lands to which this Article Applies: This Article shall apply to all lands within the City limits and within the extraterritorial jurisdiction of Asheboro that lie within 500 feet of the center line of the right-of-way of U. S. 220 Bypass. Such area shall be depicted on the Official Zoning Map. The U. S. 220 Bypass district shall be considered as an overlay district to the existing zone districts. Uses permitted within the underlying districts shall be permitted provided they meet the requirements of this Article.
- B. Interpretation of District Boundaries: The Planning Director shall make the necessary interpretation as to the location of specific properties within this district. The decision of the Planning Director shall be subject to appeal to the Board of Adjustment in accordance with Article 900 of this Ordinance.

- C. Compliance: No structure shall be erected, reconstructed, or altered, nor shall any building or land be used without full compliance with the terms of this Article and other applicable regulations except for the agricultural use of land and the construction or alteration of single family residential structures on single lots recorded prior to the adoption of this article or lots approved through the current Subdivision process. Approval of a site plan under these provisions is for the plan submitted. All proposed aspects of the plan shall be installed, provided and maintained or the approval becomes void. Any modification to the approved plan shall require additional review and approval by the Planning Board.
- D. Board of Adjustment: The Board of Adjustment of the City of Asheboro as established in Article 900 of this Ordinance shall serve to hear any appeals of this Article.
- E. Penalties for Violation: Violation of this Article shall be considered as any violation of this Ordinance and shall be dealt with as provided for in Section 1011.
- F. Uses Permitted: All uses permitted within the underlying zone shall be permitted within the overlay zone except that billboards shall not be permitted within the overlay zone.

302A.4 Requirements for Site Plan Approval:

- A. Site plan approval shall be subject to the Planning Board review of the proposed site plan to determine if the following requirements are met:
- B. The site plan shall incorporate plans that detail a proposed method of providing a buffer between U. S. 220 Bypass and the proposed development. Such buffer shall consist of either natural topography and vegetation or modified topography and landscaping or a combination of both. The design of and provisions for this buffer shall satisfy the intent of the City to protect the existing natural character of the view from U.S. 220 Bypass. In approving a site plan the Planning Board shall determine if the intent of this requirement is satisfied.
- C. To ensure that property within this district is developed to a high standard, the setbacks as required within the underlying district may be increased. Specifically the setback from U.S. 220 Bypass may be varied in order to achieve the requirement of Section 302A.b. The Planning Board shall determine if the proposed setback achieves this goal.
- D. A landscape plan shall be provided for the proposed project, such plans shall include landscaping of structures, parking areas and storage areas (where permitted).

E. A site plan shall be submitted, showing:

1. The existing topography of the site and any modification to the existing topography at a contour interval no greater than ten (10) feet.
2. Location and approximate size and height of all existing and proposed structures.
3. All proposed points of ingress and egress together with the proposed internal pattern of circulation.
4. All proposed parking areas.
5. All proposed storage areas (where permitted).
6. Proposed provisions for water, sewerage, and storm drainage, including both natural and man-made features.
7. Proposed treatment of ground cover, slopes, banks and ditches. (If the site is larger than 40,000 sq. ft. then all requirements of the Asheboro Soil Erosion and Sediment Control Ordinance shall be met).
8. Plans detailing the location and type of buffer as required in 302A.2b above.
9. The landscape plan as required in Section 302A.4d.

303A: Parking of Domestic, Commercial And Recreational Vehicles

303A.1 Domestic and Recreational Vehicles: An owner of domestic and recreational vehicles may park or store such vehicles on his private residential property, subject to the following limitations:

- A. At no time shall such vehicles be occupied or used for living, sleeping or housekeeping purposes. Visitors may occupy a vehicle in their care, custody, and control during periods of visitation not to exceed 7 days.
- B. Parking of recreational vehicles shall not be permitted within any required front yard. However, parking is permitted anywhere on the lot for loading and unloading purposes for a period not exceeding twenty-four hours.
- C. Vehicles may be connected to utility services as required for maintenance purposes.
- D. Not more than 6 six domestic vehicles may be parked or stored on any single family residential lot for any period exceeding 48 hours. Vehicles stored within entirely enclosed structures which meet the regulatory requirements for the applicable zoning district shall not be counted when determination of the number of vehicles is made.

303A.2: Commercial Vehicles: The parking of commercial vehicles over **7,500** GVW or **25** feet in length in any residential district is prohibited except as stated below. Parking of such vehicles is permitted if they are of an emergency service nature or school buses or located within entirely enclosed structures which meet the regulatory requirements for the

applicable zoning district. This requirement shall not be interpreted to prohibit from loading and unloading in any residential district.

304A: Buffers and Screening

304A.1: Purpose and Intent

The City of Asheboro encourages high quality design in developments, structures, and the use of land. High quality design includes proper siting of structures and uses and proper landscaping. The City desires to allow developers maximum flexibility in achieving these high standards of development. However, minimum requirements for buffering or screening between certain uses and/or districts are hereby established to reduce the impact of a use of land on adjacent uses which are of a significantly different character, density or intensity. Buffers and screens separate different uses from each other in order to reduce adverse impacts such as dirt, litter, traffic, noise, odor, glare of lights, signs, buildings and parking areas. These regulations benefit both the developer and the adjoining landowner(s) because it allows options from which to choose in developing the property, while insuring each neighbor adequate protection regardless of the developer's choice, thereby protecting the property values of all properties involved. Before the issuance of Certificate of Occupancy, buffers and/or screening shall be installed or their installation guaranteed as per Section 1006. Buffers or screens shall be required in accord with the following:

304A.2: Definitions

A buffer is a strip of land together with plantings required thereon. Buffers consists of a horizontal distance from a lot line which may only be occupied by the required landscaping materials, underground utilities, retention areas, screening materials and driveway /sidewalk access.

A screen is a strip of land together with plantings and or walls or fences required thereon. Screens consist of a minimum of horizontal distance from a lot line which may only be occupied by the required screening materials, additional landscaping materials, underground utilities, and driveway/sidewalk access.

304A.3 Buffer or Screen Required.

To provide maximum flexibility in achieving a high standard of development both buffer and screen requirements are established. The developer may choose which protection method is appropriate for the proposed development or he may mix methods within the development. The matrix below indicates when uses will be required to install a buffer or a screen. In addition the matrix establishes what category of buffer or screen will be required.

The required buffering or screening between the proposed land use(s) and the existing adjacent land use(s) on adjoining zoning lots is set forth in the Matrix below. Buffers or screens are not required to separate uses located across public streets, however front yard landscaping as required by Section 308A shall be installed adjacent to street rights-of-ways.

If the land next to the proposed development is vacant, the category required shall be determined by the existing zoning on the adjacent vacant parcel. If the adjacent parcel is vacant, but is zoned for a more intensive zoning district, no buffer or screen shall be required of the less intensive use. If the adjacent parcel(s) is located within the same zoning district, and the use is classified as a nonconforming use in that district, no buffer or screen shall be required of the proposed use. If the adjacent parcel is developed in a more intensive manner, no buffer or screen is required of the lesser intensive use. The relative degree of intensity shall be determined as follows:

A. As used in this section, the grouping of uses and zoning districts shall be as follows:

1. Single Family/Two Family (as used in this Section) shall be the least intensive. If the zoning on any vacant parcel is R40, R15, R10 or R7.5, the Single/Two family category shall be used for determination of the required buffering.
2. Multiple Family, less than 12 units per acre, shall be the next least intensive.
3. Multiple Family, more than or equal to 12 units per acre, shall be the next least intensive. If the zoning on any vacant parcel is RA-6 the Multifamily more than 12 units per acre category shall be used for determination of the required buffering.
4. Group 1 shall be the next least intensive. If the zoning on any vacant parcel is OA-6 or O & I, the Group 1 shall be used for determination of the required buffering.
5. Group 2 shall be the next least intensive. If the zoning on any vacant parcel is B-1, B-2, or B-3 the Group 2 shall be used for determination of the required buffering.
6. Group 3 shall be the most intensive. If the zoning on any vacant parcel is I-1, I-2, or I-3 the Group 3 shall be used for determination of the required buffering.

BUFFER AND SCREEN MATRIX

Abutting Use or Zoning	Single/Two Family	Multifamily		Group 1	Group 2	Group 3
		< 12 u/a	≥12 u/a			
Proposed Use						
Single/Two Family	-					
Multifamily < 12 u/a	A	-				
Multifamily ≥ 12 u/a	C	A	-			
Group 1	B	B	B	-		
Group 2	C	C	C	A	-	
Group 3	D	D	D	C	A	-

** Group designations for specific uses are found in the "Table of Permitted Uses", Table 200-2 **

304A.4 Requirements for Buffer or Screen

Once the required category of buffer or screen is determined from the Matrix the following requirements shall be met.

A. For a development utilizing the buffer option:

1. BUFFER DESCRIPTIONS AND OPTIONS

The following descriptions list the specifications of each buffer. The requirements are minimum and the developer may increase the buffer at his option. Buffer requirements are stated as follows:

- * Minimum width
- * Minimum planting per 100 L.F.
- * Type and number of plant material

The number of plant materials required per 100 L.F. is represented by a whole or decimal number. Both the type and number of plants is specified. All mathematical rounding shall be upwards and shall be applied to the total amount of plant material required in the

buffer, not to each 100 L.F. Smaller plant sizes may be permitted adjacent to undeveloped land.

Buffer "A"

The following requirements shall be met for Buffer "A":

Minimum 15 feet wide strip with 1 canopy tree, 3 understory trees , and 6 shrubs per100 L.F

Buffer "B"

The following requirements shall be met for Buffer "B":

Minimum 20 feet wide strip with 2 canopy trees, 4 understory trees , and 8 shrubs per 100 L.F

Buffer "C"

The following requirements shall be met for Buffer "C" by any one of the following:

Minimum 25 feet wide strip with 2 canopy trees, 6 understory trees, and 10 shrubs per 100 L.F.

Buffer "D"

The following requirements shall be met for Buffer "D":

Minimum 30 feet wide strip with 2 canopy trees, 6 understory trees per 100 L. F. and a row of evergreen shrubs placed along the property boundary not more than five feet apart on center to form a continuous opaque hedge of six feet in height at the time of planting.

2. Buffer Plant Material Specifications

Plant materials should be selected which are appropriate to soil and site conditions. It is recommended that species be selected which are resistant to heat, drought, insects, and diseases and which require little maintenance. Refer to Appendix A for listing of approved plant materials. Selected plant materials shall meet the requirements and be installed according to ANLA (American Nursery and Landscape Association) standards. At least one (1) ornamental flowering plant variety shall be required in each buffer for each 10 feet of buffer depth. Trees and shrubs may be evergreen, deciduous, or any combination thereof. It should be noted that existing plant materials meeting these minimum requirements may be counted toward the total requirements. The exact placement of required plants shall be the decision of the user and all buffer areas shall be seeded or planted with grass or other ground cover unless ground cover is already established. (See below for "Table For Minimum Plant Sizes").

TABLE FOR MINIMUM PLANT SIZES

<u>Plant Material Type</u>	<u>Minimum Size Planting in Buffers Abutting Vacant Land*</u>	<u>All Other Plantings</u>
Canopy Tree	1 inch Caliper**	1-1/2 inch caliper**
Multi-Stem Clump	5' height	6' height
Understory Tree	3' "	4' "
Evergreen Tree	2' "	3' "
Shrub		
Deciduous	12" height	15" height
Evergreen	9" "	12" "
Hedge	5' height	6' height

* Smaller plant sizes are permitted adjacent to vacant land because it is assumed that the plants will have time to mature before the abutting vacant land is developed. For this purpose agricultural land is considered vacant.

** Caliper is a measurement of the size of a tree equal to the diameter of its trunk measured 6" to 12" six to twelve inches above natural grade or root ball.

3. Location, Installation, and Maintenance Of Buffer

Buffers shall be located on the outer perimeter of a lot or parcel, extending along the lot or private street or other existing or dedicated public rights-of-way. Where such rights-of-ways are contiguous with property lines any required buffer shall be located on the inside of such rights-of-ways. No landscaping shall be permitted which interferes with the sight distance required at any roadway or driveway intersection.

4. Use of Buffer

A buffer may be used for passive recreation and may contain picnic tables and bicycle, pedestrian or equestrian trails, provided that no plant material is eliminated, the total width of the buffer is maintained, and all other regulations are met. A buffer shall not be used for parking, accessory buildings, or any other use except where required and permitted for pedestrian or vehicular access to adjoining property.

B. For a development utilizing the Screen option:

1. SCREEN DESCRIPTIONS AND OPTIONS

Screening shall be required along the property boundaries of the zoning lot with the exception that screening such as hedges, fences or walls, as described in this section, shall not be over four feet tall within the required front yard(s). Screening is not required to separate uses located across public streets. All screening walls and fences shall be located on the interior side of required plantings unless existing or proposed topography results in ineffective screening. In such case, the Zoning Administrator may make determination of alternative, effective screening. Exterior building walls may serve as the required screening wall if no openings (windows, doors etc.) are located within the wall and provided the building wall is permitted to be located in such a manner as to meet the screening requirements below:

Screen "A"

The following requirements shall be met for screen A by providing a 5 foot minimum screening yard and one of the following:

A row of evergreen shrubs placed not more than five feet apart on center to form a continuous opaque hedge a minimum of six feet in height above finished grade; **or**

A masonry (brick, block, rock, texture block, cast blocks or concrete) wall a minimum height of six feet, above finished grade; and, if a concrete block or concrete wall, it shall be finished with a masonry coating or finish on all exposed exterior sides; **or**

A solid wooden a minimum of six feet in height constructed of pressure treated wood which bears the seal of the American Wood Preservers Bureau appropriate to the use or is constructed of a wood of natural resistance such as heartwood of redwood, bald cypress (tidewater red), black walnut, black Locust or Cedar or a vinyl fence, which is a minimum of six feet in height, that is constructed in a workmanlike manner in accordance with generally accepted industry standards (*Amended 5/08*); or

A berm and planting combination, with the berm an average height of three feet above finished grade as measured from the exterior side of the berm and dense plantings which will, when combined with the berm, achieve a minimum height of six feet and seventy-five percent opacity, **and**

Lawn and or low-growing evergreen shrubs, evergreen ground cover, or mulch covering the balance of the screening yard.

Screen "B"

The following requirements shall be met for screen B by providing a 10 foot minimum screening yard and the following:

The requirements of A. above; **and**

A staggered row of evergreen trees, which are not less than six feet in height at the time of planting and are spaced not more than thirty feet apart on center which at maturity will form an intermittent visual barrier from above the opaque screen to a height of fifteen feet.

Screen "C"

The following requirements shall be met for screen C by providing a 10 foot minimum screening yard and the following:

The requirements of A. above; **and**

A staggered row of evergreen trees, which are not less than six feet in height at the time of planting and are spaced not more than twenty feet apart on center which at maturity will form an intermittent visual barrier from above the opaque screen to a height of fifteen feet.

Screen "D"

The following requirements shall be met for screen D by providing a 15 foot minimum screening yard and one of the following:

The requirements of A. above; **and**

A staggered row of evergreen trees, which are not less than six feet in height at the time of planting and are spaced not more than fifteen feet apart on center which at maturity will form an intermittent visual barrier from above the opaque screen to a height of twenty feet.

2. Screen Plant Material Specifications

Plant materials should be selected which are appropriate to soil and site conditions. It is recommended that species be selected which are resistant to heat, drought, insects, and diseases and which require little maintenance. Refer to Appendix A for listing of approved plant materials. Selected plant materials shall meet the requirements and be installed according to ANLA (American Nursery and Landscape Association) standards. Plant materials shall be evergreen. Existing plant materials meeting these requirements and locational requirements may be utilized towards screening requirements.

3. Location, Installation, and Maintenance Of Screen

Buffers shall be located on the outer perimeter of a lot or parcel, extending along the lot or parcel boundary line. Buffers shall not be located on any portion of any existing or dedicated public or private street or other existing or dedicated public rights-of-way. Where such rights-of-ways are contiguous with property lines any required buffer shall

be located on the inside of such rights-of-ways. No landscaping shall be permitted which interferes with the sight distance required at any roadway or driveway intersection.

4. Use Of Screens

A screen shall not be used for recreation, parking, accessory buildings, or any other use except where required and permitted for pedestrian or vehicular access to adjoining property.

304A.5 Coordination of Buffer Yard or Screen Yard and Required Setback Yard

Buffer or screen yards as required may be included within or combined with the required minimum setback yards as established in Article 200. When buffer or screen yards are required to be larger than setback yards, the buffer or screen yard shall serve also as the minimum setback yard; however, the provisions of Section 304 shall not apply. When the setback yard is larger than the required buffer or screen yard, no additional setback is required.

304A.6 Alternative Buffers and Screening

In lieu of compliance with the above buffer or screening requirements, an applicant may submit to the Zoning Administrator for review and approval a detailed plan and specifications for landscaping, buffering and or screening. The Zoning Administrator may approve the alternative buffering and or screening upon finding that the proposal will afford a degree of buffering and or screening equivalent to or exceeding that provided by the above requirements.

A minimum of a fifty percent (50%) increase in the depth of a proposed alternate buffer yard shall be required. Existing significant plants and trees may be substituted for the above plant and tree requirements, if no reduction in the total number of required plants and trees results and they afford an equal degree of separation in terms of height and opacity. Otherwise additional plantings, berms, walls or fences, or a combination thereof shall be required.

A reduction in buffer yards is not permitted since the developer may choose the screen alternative which requires less yard. A reduction in the required screen yard may be approved if it can be demonstrated to the Zoning Administrator that full compliance with the requirement is impractical and creates an undue restriction on the use of the property. If such a plan is approved, it shall include screening measures which will provide an increase in the height and opacity of the screening required.

304A.7 Existing Vegetation.

The retention of existing vegetation shall be maximized especially wherever such vegetation contributes to required buffering and or screening or to the preservation of significant trees. Existing significant plants and trees may count on a one to one ratio as a substitution.

304A.8 Maintenance of Landscaping.

All landscaping and screening which provides required buffering and screening shall be maintained so as to continue their effectiveness. Periodic inspections may be made to determine continued effectiveness of the required landscaping and screening. Any deficiencies shall be treated as a violation of this Ordinance and subject to regulations in Article 1000.

304A.9 Determination of Unlisted Uses

The Zoning Administration shall make a determination, in the cases of uses not listed in the Table 200.2 or which do not have a buffer group listed of the group appropriate for such uses. In reading the determination, the Zoning Administrator shall be guided by the requirements for similar uses having comparable external effects.

304A.10 Buffers and Screening of Existing Uses

Uses already existing at the time of the passage of this Ordinance, or subsequent amendments thereto, shall comply with the following requirements:

- A. Existing uses shall not be considered nonconforming due to non compliance with the buffering and screening requirements. Such uses will not be required to implement buffering and screening unless physical alteration resulting in an increase of floor area of existing structures or the erection of new structures or the expansion of open uses of land occurs.
- B. If physical alteration resulting in an increase of floor area of existing structures or the erection of new structures or the expansion of open uses of land occurs, buffering and screening shall be required as following.
 1. If the combined total of all expansions is 50% or less of the existing building footprint or land available for open uses as of (Date of adoption) a screen meeting screen category A shall be required. Such screen shall be provided on a 1.5 to 1 ratio of the linear length of the building parallel to lot line which requires buffering and screening. The location of the required screening shall be determined by the Planning Department. Such location shall be based on site evaluations to determine the best protection to adjoining properties.
 2. If the combined total of all expansions is greater than 50% of the existing building footprint or land available for open uses as of (Date of adoption) buffers or screening shall be provided according to the requirements for new uses. In such cases, the use of provisions in Section 304A.5 shall be considered appropriate.

305A Screening of Open Storage.

All new open storage areas and expansions of existing open storage areas shall be screened from view of any street, and from all residentially zoned land as follows:

305A.1. Open Storage Area Abuts A Public Street

When an open storage area abuts a public street, the method of screening shall consist of solid masonry walls or solid wooden fences at least six feet in height (constructed of materials and finishes as permitted in section 304A.4 above), or opaque chain link fence at least 6 feet in height with access from said street only through solid gates which shall be closed except when in use. Screening shall run at least 100 feet back from the street property line, unless an existing permanent structure shields the storage area.

305A.2 Open Storage Area Abuts A Residentially Zoned District

When an open storage area abuts a residentially zoned district, the method of screening shall consist of solid wooden fences or masonry walls at least six feet in height (constructed of materials and finishes as permitted in Section 304A.4 above) or opaque chain link fence at least 6 feet in height along the boundary of the storage areas and the residential district.

305A.3 Open Storage Area Does Not Abuts Public Street And Is Not Within 200 Feet Of A Residential District

When an open storage area is not within 200 feet of a residential district but is in view of a residential district, the method of screening from said residential district shall consist of walls or fences at least six feet in height (constructed of materials and finishes as permitted in Section 304A.4 above) which shall be seventy-five percent opaque.

305A.4 Alternate Methods

In lieu of compliance with the above screening methods, an applicant may submit to the Planning Board for their review and approval a detailed plan and specifications for landscaping and screening. The Planning Board may approve the alternative screening, in writing, upon finding that the proposal will afford a degree of screening, in terms of height, opacity and separation, equivalent to or exceeding that provided by the above methods.

305A.5 Installation or Guarantee Required

Prior to the issuance of Certificate of Occupancy, screening of open storage shall be installed or its installation guaranteed as per Section 1006.

306A Screening of Mechanical Equipment.

All new non-residential uses and expansions of existing structures shall screen from view from public places, public rights-of-way and neighboring properties all new mechanical equipment, such as but not limited to, air conditioners, compressors, gas and fuel storage tanks, ventilation and other air handling systems, grease traps and separators and pumps, associated with new construction. For purposes of this Ordinance, new construction shall include but not be limited to additions to and expansions of existing buildings.

Notwithstanding front yard and perimeter buffering and screening requirements prescribed for solar farm(s) (Section 328A and Section 652), mechanical equipment that depends on unobstructed access of sources of wind and solar power for alternative energy generation (i.e. solar collectors, wind turbines) is exempt from mechanical equipment screening. Mechanical equipment that is ancillary to such devices (such as pumps, storage tanks, batteries, compressors, etc.) shall be screened as required by this section.

A. Roof-Mounted Mechanical Equipment Screening

Roof-mounted mechanical equipment shall be screened from view by a parapet wall, false façade, or similar structural feature that is an integral part of the building's architectural design. The height of the screening wall or feature shall be equal to or greater than the height of the mechanical equipment being screened and shall be installed to screen mechanical equipment from view from any point at or below the roof level of the subject building. The painting of mechanical equipment, the use of dense landscaping, or the installation of rooftop fencing shall not be acceptable methods of mechanical equipment screening.

B. Ground-Mounted Mechanical Equipment

Ground-mounted mechanical equipment shall be screened from view by a decorative wall, dense evergreen landscaping, or a decorative fence. Screening features shall be compatible with the development's architectural and landscaping design. The height of screening features shall be equal to or greater than the height of the mechanical equipment being screened

This section applies to equipment located on the ground, elevated, located on top of structures and located upon any roof of a structure. Prior to the issuance of Certificate of Occupancy, screening of mechanical equipment shall be installed or its installation guaranteed as per Section 1006. Industrial process equipment is not included within this requirement.

307A Central Solid Waste Storage Area.

All new buildings and uses including mobile home parks, but excluding single-family and two-family dwellings, shall provide facilities for the central storage of solid waste. Where such facilities are provided outside of a building, they shall be located outside of all required setbacks and buffer/screen yards and they shall be screened from the view of public rights-of-way and adjacent property by an enclosure constructed of materials compatible with the materials on the front building wall of the main building. Such screening shall begin at ground level with no open space between the ground and the bottom of the screening material(s). Prior to the issuance of Certificate of Occupancy, screening of required solid waste storage areas shall be installed or its installation guaranteed as per Section 1006.

Nothing in this Ordinance shall be construed to prevent the joint use of central solid waste storage (dumpsters) for two or more structures. An agreement for such joint use, in the form of a reciprocal easement acceptable to the office of the City Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for Randolph County.

308A Parking restricted within required Front Yards

308A.1 No Parking Shall Be Permitted Within The First 10 Feet Of Required Front Yard

Except for single family and duplex structures no parking shall be permitted within the first 10 feet of required front yard of any zoning lot. Such required yard shall be occupied only by underground utilities, retention areas, landscaping materials, signs (where permitted) and driveway access and the following required landscaping materials. This requirement shall apply to new construction and to any change of use. To provide flexibility in achieving a high standard of development, front yard landscaping options are provided.

- A. There shall be planted and maintained one tree (as listed in Appendix B of this Article), which is not less than six feet in height at the time of planting, for each twenty linear feet of street frontage or portion thereof. At least one such tree shall be of a flowering type. The balance of the first 10 feet of the required front yard shall be covered with evergreen ground cover, or mulch, **or**
- B. There shall be planted and maintained one evergreen shrub as defined in Table of Minimum Plant Size Section 304A.4A 2 for each ten linear feet of street frontage or portion thereof. *See Appendix A.D Shrubs for Evergreen Screening for a listing of specific permitted evergreen shrubs.* The balance of the first 10 feet of the required front yard shall be covered with evergreen ground cover or mulch, **or**
- C. A combination of A and B with one tree equal to 2 shrubs. (4/6/00);

The front yard landscaping requirements of A-C (above) are intended to specify the **minimum number** of plantings required in the first ten (10) feet of required front yard based on the linear feet of street frontage and are not intended to specify or limit the flexibility of spacing or arrangement of plantings within these ten (10) feet. For example, trees do not have to be planted exactly 20 feet apart and shrubs do not have to be planted exactly 10 feet apart.

308A.2 Plant Materials Location and Selection

All required plantings and any other landscaping shall be so arranged that it does not impair visibility when exiting the lot into a public street. Plant materials should be selected which are appropriate to soil and site conditions. It is recommended that species be selected which are resistant to heat, draught, insects, and diseases and which require little maintenance. Refer to Appendices A and B for listing of approved plant materials. (4/6/00)

308A.3 Installation or Guarantee Required

Prior to the issuance of Certificate of Occupancy, screening of required front yards shall be installed or its installation guaranteed as per Section 1006.

308A.4 Existing significant Trees

Existing significant trees, over six feet in height, or planted trees, which are not less than six feet in height at the time of planting, that are located within the required front yard of any zoning lot shall be permitted to count towards the total number of trees as required above on a one to

one basis. Existing uses which on the date of adoption of this ordinance are using the first 10 feet of their lot for parking shall not be considered non conforming for the purposes of Section 803.6

308A.5 Multifamily Projects Of Less Than 45,000 Sq Ft Lot Area Parking Restriction

In multifamily projects of less than 45,000 sq ft lot area, parking may not be permitted within any of the required front setback area as indicated in Table 200-1. The area shall be considered open space and in addition to the landscaping required in 1 above, landscaping shall be installed which meets section 309A. (8/7/97)

308A.6 Location of Parking Restricted Between the Street and Building (12/9/04)

- A. Nonresidential Uses - Setbacks and Parking for nonresidential uses.
 - a. The minimum front yard setback for all new buildings shall be as per Table 200 - 1 for all OA6, O& I, M, B1, B2, TH, I1, I2 and I3 districts when parking is not located between the street and the building. In these cases, parking shall be at the side or the rear of the building. Ingress and egress is permitted within the front yard setback.
 - b. For all new buildings the minimum front yard setback shall be 50 feet when parking is located between the street and the building. Parking or maneuvering of vehicles (except for ingress and egress at permitted driveway(s)) is not permitted within the first 25 feet of this setback.

308A.7 Loading docks (12/9/04)

A. For all new buildings or any addition to any existing building, no loading docks shall be located on any street fronting building façade or face, except that:

- 1. Loading docks may be located on street fronting facades or faces provided that the property is industrially zoned and the street that the loading docks front is not designated a major thoroughfare by the adopted Thoroughfare Plan.

309A. Landscaping of Open Space

In projects where open space is required, there shall be additional landscaping of the open space consisting of lawn, trees, evergreen ground cover, and/or mulch. All plantings shall meet ANLA (American Nursery and Landscape Association) standards. Walkways may be paved (cement), brick, or aggregate. (8/7/97)

309A** Vehicle Towing Operations and Storage Facilities

** Due to duplicate section numbers assigned -- clerical error

- A. Vehicle towing storage facilities, where permitted, are allowed to park, store and maintain a towed vehicle while awaiting proper disposition of said vehicle. Such parking, storage and maintaining shall be located within a fenced and screened area that meets the requirements of Section 305A. The fenced area shall observe a setback of 25 feet from any

residential zoned property. Such areas shall not be used for dismantling of vehicles or the sale of parts-

- B. Vehicles may be stored in entirely enclosed structure(s) as long as the structure(s) meets the regulatory requirements of the Zoning Ordinance and all building and fire code regulations. The indoor storage of vehicles shall be considered a warehouse use. Vehicles stored in such an entirely enclosed warehouse do not have to comply with the open storage requirements of Section 305A.
- C. Open storage of commercial vehicles engaged in the operation of a vehicle towing business (i.e. tow trucks) shall be required to be screened in accordance with the requirements of Section 305A unless such vehicles are located within an entirely enclosed structure which meets all applicable zoning, building and fire codes.
- D. In all cases, the buffering and screening requirements of Section 304A related to buffering and screening of adjoining uses shall apply to vehicle towing operations and/or vehicle storage facilities. If a vehicle storage facility and vehicle towing operation remove one of these uses, the deletion of one use shall not be considered a change of use. However, when a use (either vehicle towing operation and/or vehicle storage facility) adds the other use, this addition shall be considered a change of use.

310A Construction Trailers and Temporary Offices.

- A. A licensed contractor, engaged upon a construction project for which a Building Permit has been issued by the City of Asheboro, may temporarily use a construction trailer for office facilities in the location where the work is being done; provided such construction trailer shall not be placed upon the streets but upon the property on which the Building Permit authorizes the construction. The construction trailer shall be removed within 30 days after completion of the work for which the permit has been issued.
- B. A Zoning Compliance Permit may be issued by the Zoning Administrator for a one-year period for the use of a modular office (of a type approved by the Building Inspection Department), as a temporary office while business properties are being remodeled, provided that it is placed upon the property for which there is a Building Permit issued by the City of Asheboro for the remodeling. The permit shall be for a period of one year or until the remodeling is completed, whichever is the shorter period. The permit may not be renewed after the expiration of the one-year period.

311A Model Dwelling Units.

- A. In any residential district, the developers, builders or their agents may operate three model dwelling units as a sales office for the specific project under construction, subject to the following restrictions:

- (1) The model dwelling unit shall meet all district requirements for lot and yard dimensions.
 - (2) Signs shall not be illuminated.
 - (3) The model dwelling unit shall not be used for any business activity, other than showing, later than 9:00 p.m.
 - (4) At least two off-street parking spaces shall be provided on the same lot as the model dwelling unit or on a contiguous lot within the specific project.
 - (5) The model dwelling unit shall be discontinued when the specific residential project is sold out and shall comply with regulations generally applicable within the district.
- B. Model dwelling units may be erected or displayed in districts which exclude residential uses, provided that such models shall not be used for residential purposes, but only for display as a means to sell homes in districts in which they are permitted and provided that all other requirements of the district in which the model dwelling unit is erected shall be met.

312A Repair of Privately Owned Automobiles or Motor Vehicles in Residential Districts.

The repair of a privately owned automobile or a motor vehicle by its owner at his residence in any residential zoning district is subject to the following restrictions:

- A. Only minor repairs and maintenance may be performed which, for purposes of this Section, are defined as the changing and replenishment of fluid levels, such as hydraulic fluid, windshield washer fluid, and lubricating oil, the replacement of sparkplugs.

313A Garage, Yard, etc. Sales.

Garage, yard, tag, patio and apartment sales are specifically permitted as an accessory use in all residential districts. Such sales shall be limited to two during each twelve month period, for a maximum

314A Alternative Design Standards for Preservation of Historic Structures

Prior to the issuance of a Zoning Compliance Permit, the Community Development Division Director, or his authorized designee, may, in the evaluation of required materials to ascertain if proposed work is in conformance with the Performance, Design and Signage requirements of this ordinance, may accept a Certificate of Appropriateness issued by the Randolph County Historic Landmark Preservation Commission or written documentation from the North Carolina State Historic Preservation Office and/or National Parks Service as evidence that proposed façade changes are in keeping with the historic character of the structure(s.) Such changes that are in keeping with the historic character of the structure(s) are hereby expressly approved as compliant with the standards of this ordinance.

315A Stacking or Waiting Lanes for Drive-in Windows:

There shall be provided for every drive in window or station a queuing lane with a minimum capacity of 5 automobiles. All lanes shall be located outside of public right-of-way and shall not interfere with other maneuvering or parking areas.

316A. Performance Standards for **Industrial Districts**

A. Within the Industrial Districts, any structure or land may be used and any structure may be hereafter erected, relocated, reconstructed or structurally altered for any purpose which is not otherwise prohibited by law, provided that no use which is noxious, toxic, or offensive by reason of odor, dust, vibration, smoke, gases or fumes shall be permitted and in addition, **the following uses shall not be permitted:**

- (1) Abattoirs.
- (2) Crematoriums.
- (3) Distillation of bones.
- (4) Dwellings, single-family, two-family, or multi-family.
- (5) Fat rendering.
- (6) Garbage, offal or dead animal reduction or dumping.
- (7) Manufacturing processing and/or refining of the following products:
 - (a) Acetylene gas.
 - (b) Ammonia
 - (c) Bleaching powder
 - (d) Cement, lime, gypsum or plaster of paris
 - (e) Chlorine
 - (f) Dextrine, glucose or starch
 - (g) Disinfectant
 - (h) Explosives
 - (i) Fertilizer
 - (j) Fireworks
 - (k) Fish curing, smoking or packing and fish oil manufacture
 - (l) Gelatin, glue or size manufacture, where the process involves the refining or recovery of products from fish, animal, refuse or offal.
 - (m) Gunpowder
 - (n) Hair
 - (o) Hides (raw)
 - (p) Matches
 - (q) Petroleum or kerosene refining or distillation or derivation of by-products
 - (r) Pulp and/or paper
 - (s) Smelting of tin, copper, zinc, or iron ore
 - (t) Sulphurous, sulphuric, nitric, picric or hydrochloric or other corrosive or offensive acids, except as accessory to permitted industrial use.
8. Stock Yards

9. Storage and/or processing of materials listed as hazardous waste.

B. All uses permitted within I1, I2 and I3, districts shall meet the following performance standards:

B.1 Light (Amended 5-2012)

A. Purpose

1. Minimize glare and obtrusive light on adjoining properties and right-of-ways by limiting outdoor lighting that is misdirected, excessive, or unnecessary;
2. Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night;
3. Curtail and reverse any degradation of the nighttime visual environment and the night sky

B. Applicability

1. The installation of new lighting fixtures, or replacement of existing lighting fixtures, shall be made in strict compliance with this ordinance.
2. A change of use does not trigger the requirements of Section 316A.1 except when there is a specific use standard requiring site lighting for a new use or when new lighting fixtures are added or replaced described in subsection (1) above.

C. Glare.

The direct light from any source of outdoor lighting shall not be visible from outside the zoning lot.

D. Footcandles

1. The maximum light level of any light fixture shall not exceed 0.5 footcandles measured at the property line(s) abutting any Residential District.
2. The maximum light level of any light fixture shall not exceed 2.0 footcandles measured at property line(s) abutting a public right-of-way.
3. The maximum light level of any light fixture shall not be limited measured at property line(s) abutting Industrial or Commercial districts.

E. Light Fixtures

1. Except for flood lights and flood lamps, lighting in parking areas shall consist of full cut-off fixtures or an architectural fixture utilizing a diffuse light source.

2. Flood Lights and Flood Lamps:

a. Flood light fixtures may be permitted if aimed down at least 45 degrees from vertical or the front of the fixture is shielded so that no portion of the light bulb extends below the bottom edge of the shield.

b. Flood lamps may be permitted if aimed down at least 60 degrees from horizontal or shielded so that the main beam is not visible from adjacent properties or public right-of-ways.

3. Vehicular Canopies: shall consist of full cut off fixtures or recessed fixtures incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy

4. Outdoor Recreation Fields and Performance areas shall not require full cut-off fixtures

5. Signs shall be regulated by Article 500, Section 508: Restriction on Direct Illumination.

6. Building, Security and Accent Lighting

a. Lighting fixtures shall be selected, located, aimed, and shielded so that direct illumination is focused exclusively on the building façade, planting, and other intended site features and away from adjoining properties and public right-of-ways

b. All wall pack fixtures shall be full cut-off fixtures.

c. Only lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.

7. Street lighting within public right-of-ways and emergency lighting is exempt from the requirements of this section.

2. Noise (Amended 11-2010)

A decibel is a measure of a unit of sound pressure. Since sound waves having the same decibel level "sound" louder or softer to the human ear depending upon the frequency of the sound wave in cycles per second (i.e, whether the pitch of the sound is high or low) an A-weighted filter constructed in accordance with the specification of the American National Standards Institute, which automatically takes account of the

varying effect on the human ear of different pitches, shall be used on any sound level meter taking measurements required by this section. And accordingly, all measurements are expressed in dbA to reflect the use of this A-weighted filter.

- a. Construction projects shall be subject to the maximum permissible noise levels specified for industrial zones for the period within which a valid permit issued by proper authority is in effect. Issuance of a Certificate of Zoning Compliance is evidence that such construction project is complete.
- b. All railroad rights-of-way shall not be subject to the requirements of this Article.
- c. Impact noises are sounds that occur intermittently rather than continuously. Impact noises generated by sources that do not operate more than one minute in any one hour period are permissible up to a level of 10 dbA in excess of the figure listed except that this higher level of permissible noise shall not apply from 7:00 pm to 7:00 am when the adjacent lot is zoned residential. Impact noises generated by sources that operate for a total duration of more than one minute in any one hour period (regardless of the duration of each incidence of the noise occurring) are regulated as a continuous noise and are subject to the sound levels given in D below. All impact noise shall be measured using the fast response of the sound level meter.
- d. Sound levels shall not exceed the following standards:

If the receiving use is in a residential district:

Between 7:00 a.m. and 7:00 p.m. or dusk*- 70dbA

Between 7:00 p.m. or dusk* and 10:00 p.m. - 65 dbA

Between 10:00 p.m. and 7:00 a.m. - 60 dbA

If the receiving use is in a commercial district:

Between 7:00 a.m. and 7:00 p.m. or dusk* - 75 dbA

Between 7:00 p.m.* or dusk. and 10:00 p.m. - 70 dbA

Between 10:00 p.m. and 7:00 a.m. - 65 dbA

* Whichever is later (7:00 p.m. or dusk)

If the receiving use is in an industrial district:

Anytime - 80 dBA

- e. Sound levels of noise radiating from a zoning lot line in excess of dBA levels specified in (d) above shall constitute prima facia evidence the noise is a public nuisance and a violation of this chapter.
- f. **Measurement for Compliance**
 - 1.) In the case of uses in the I1 and I3 districts, all measurements to determine compliance shall be made at the boundaries of the zoning lot containing the use generating the noise.

- 2.) In the case of uses in the I2 district, all measurements to determine compliance shall be made at the nearest boundary of the district to the use being evaluated.
- 3.) When a boundary line of property generating the sound is adjacent to a public street right-of-way, sound measurements shall occur on the opposite side of the public street right-of-way.
- 4.) Noise measurement shall be taken four (4) feet above the ground.

- g. The requirements in Section 316A, B, subsection 2 (Noise) shall apply to new uses or additions to existing uses and shall not be considered to apply to any existing use which is operating on the effective date of this section; nor shall this section make any such existing use nonconforming.

Existing uses shall mean any use of property that is legally permitted and any operation, equipment, process or system which is in operation prior to the above date. Additions to a use includes any additional operations, equipment, processes or systems that were not operational on the above date.

- h. The requirements, prohibitions and terms of this chapter shall not apply to the following:

- 1.) Warning signal devices of any authorized emergency vehicle acting in time of emergency.
- 2.) Activities of a temporary duration permitted by law and for which a license or permit has been granted by the city, including, but not limited to, parades and fireworks displays.
- 3.) Yard and lawn maintenance equipment engaged in normal yard and lawn maintenance operations
- 4.) Noise emanating from normal railroad operations within railroad rights-of-way
- 5.) Construction projects occurring from 7 a.m. to dusk for the period within which a valid permit issued by proper authority is in effect. Issuance of a Certificate of Zoning Compliance is evidence that such construction project is complete.
- 6) The unamplified human voice

3. Vibration

- a. Vibration levels shall not exceed the following standards:

Maximum Peak Particle Velocity:	
Steady state	0.02 inches/second
Impact	0.04 inches/second

Note: The maximum particle velocity shall be the maximum displacement vector sums of three mutually perpendicular components, recorded simultaneously, multiplied by the frequency in cycles per second. For purposes of this Ordinance, steady-state vibrations are vibrations which are continuous, or vibrating in discrete impulses more frequent than sixty.

- b. In the case of uses in the I1 and I3 districts, all measurements to determine compliance shall be made at the boundaries of the zoning lot containing a manufacturing, processing and assembly operation. In the case of uses in the I2 district, all measurements to determine compliance shall be made at the nearest boundary of the district to the use being evaluated.

C. Design Standards for all Industrial Districts

The purpose of this section is to establish standards for those items that affect the physical aspect of Asheboro's environment. These standards focus on design principals which can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve values, and promote the public health, safety, and welfare.

It has been determined that zoning regulations guide development towards accomplishing the community's goals as stated within the Asheboro Land Development Plan, creating a quality community and improving the community's livability. These goals protect and enhance individuals' welfare and markets the community for quality development.

The standards require a basic level of site and structure design. The standards are not intended to limit creativity or create a community where everything looks the same. Its intent is to serve as a tool for design in the context of developing Asheboro as an unique place. Consideration has been given to balancing the interests of property owners with the community's aesthetic character. The balancing of the landowners right to use his land, with the corresponding right of abutting and neighboring landowners to live without nuisances such as noise, smoke, fumes, odors, glare of lights, and visual pollution.

1. All new construction and expansions and/or additions, shall meet the requirements of this Ordinance pertaining to design regulations and shall also meet the following specific design criteria which is meant to facilitate an orderly pattern of architecturally and aesthetically integrated development:

- a. Structures located within Industrial Districts which are located on any major thoroughfare shall meet the requirements of Section 317A.G. (Design Standards for B2 General Commercial Design Standards). All other industrial structures shall meet the following:

- b. All Facades

Any code approved material including metal facade covering and other synthetic materials shall be allowed for any wall. Where such walls are visible from adjoining residentially zoned property, such walls shall be screened or buffered according the requirements of this article.

- c. All utilities providing direct service to individual buildings shall be placed underground unless existing development within 200 feet on either side of the proposed

building currently utilizes overhead utilities or are required to be placed above ground by the applicable utility provider.

2. Nonconforming Uses and Exemptions

- a. Expansions including cumulative additions of nonconforming situations which result in an increase of over fifty (50) percent in the linear street fronting footage of a structure shall comply in all respects to the development standards of this Article. This section shall apply to all expansions or additions permitted after March 8, 2001.
- b. Interior remodeling, repairs, or other forms of redevelopment which do not create additional floor area or exterior repairs which do not change required design features shall be exempt from the provisions of this section.
- c. Routine maintenance or repairs of any structure or site feature shall be exempt from the provisions of this section.

3. Accessory Buildings and Structures

- a. All accessory structures, located on any major thoroughfare as described in Section 1.a above, and which are larger than 12 X 12 or 144 square feet shall comply with the provisions of Section 317A. D. 1. (Amended 12/07)

4. Site Plan Requirements

In addition to site plan requirements as specified in Section 1005, elevation plans at a minimum scale of 1/8" = 1 ft for all exterior walls for the proposed construction shall be submitted. Plans shall be on bond or vellum paper no less than 8.5 x 11 inches. Drawing(s) shall be straight-line and building materials identified in accordance with accepted architectural standards including Job title and location. Modifications to the site plan or elevation plan shall be resubmitted for approval.

5. Definitions

For the purpose of this section, the following words shall be defined as:

Appearance: The outward aspect visible to the public.

Facade: The exterior wall of a building exposed to public view.

Facia: (board) A horizontal piece covering the joint between the top of a wall and the projecting eaves. Facia shall be considered as facade.

Parapet Wall: That portion of any building wall that rises above the level of the roof line, and it is made of the same material and thickness as the building wall.

Elevation Plan: Building profiles to scale showing the architectural style, design, and arrangement of the exterior of a building or other structures, including the kind and

texture of the building material, the size, color and scale of the building, and the type, color, style of all windows, doors, roofs, and other appurtenant fixtures.

317A. Performance Standards for all Commercial Districts

All uses permitted within OA6, O&I, M, B1, B2, TH, and B3 districts shall meet the following performance standards:

1. Light

A. Purpose

1. Minimize glare and obtrusive light on adjoining properties and right-of-ways by limiting outdoor lighting that is misdirected, excessive, or unnecessary;
2. Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night;
3. Curtail and reverse any degradation of the nighttime visual environment and the night sky

B. Applicability

1. The installation of new lighting fixtures, or replacement of existing lighting fixtures, shall be made in strict compliance with this ordinance.
2. A change of use does not trigger requirements of Section 316A.1 except when there is a specific use standard requiring site lighting for a new use or new lighting fixtures are added as described in subsection (1) above.

C. Glare.

The direct light from any source of outdoor lighting shall not be visible from outside the zoning lot.

D. Footcandles

1. The maximum light level of any light fixture shall not exceed 0.5 footcandles measured at the property line(s) abutting any Residential District.
2. The maximum light level of any light fixture shall not exceed 2.0 footcandles measured at property line(s) abutting a public right-of-way.
3. The maximum light level of any light fixture shall not be limited measured at property line(s) abutting Industrial or Commercial districts.

E. Light Fixtures

1. Except for flood lights and flood lamps, lighting for parking areas shall consist of full cut-off fixtures or an architectural fixture utilizing a diffuse light source.

2. Flood Lights and Flood Lamps:

a. Flood light fixtures may be permitted if aimed down at least 45 degrees from vertical or the front of the fixture is shielded so that no portion of the light bulb extends below the bottom edge of the shield.

b. Flood lamps may be permitted if aimed down at least 60 degrees from horizontal or shielded so that the main beam is not visible from adjacent properties or public right-of-ways.

3. Vehicular Canopies: shall consist of full cut off fixtures or recessed fixtures incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy

4. Outdoor Recreation Fields and Performance areas shall not require full cut-off fixtures

5. Signs shall be regulated by Article 500, Section 508: Restriction on Direct Illumination.

6. Building, Security and Accent Lighting

a. Lighting fixtures shall be selected, located, aimed, and shielded so that direct illumination is focused exclusively on the building façade, planting, and other intended site features and away from adjoining properties and public right-of-ways

b. All wall pack fixtures shall be full cut-off fixtures.

c. Only lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.

7. Street lighting within public right-of-ways and emergency lighting is exempt from the requirements of this section.

B. Noise (Amended 10-2010)

1. A decibel is a measure of a unit of sound pressure. Since sound waves having the same decibel level "sound" louder or softer to the human ear depending upon the frequency of the sound wave in cycles per second (i.e, whether the pitch of the sound is high or low) an A-weighted filter constructed in accordance with the specification of the American National Standards Institute, which automatically takes account of the

varying effect on the human ear of different pitches, shall be used on any sound level meter taking measurements required by this section. And accordingly, all measurements are expressed in dbA to reflect the use of this A-weighted filter.

2. Impact noises are sounds that occur intermittently rather than continuously. Impact noises generated by sources that do not operate more than one minute in any one hour period are permissible up to a level of 10 dbA in excess of the figure listed except that this higher level of permissible noise shall not apply from 7:00 pm to 7:00 am when the adjacent lot is zoned residential. Impact noises generated by sources that operate for a total duration of more than one minute in any one hour period (regardless of the duration of each incidence of the noise occurring) are regulated as a continuous noise and are subject to the sound levels given in 3 below. All impact noise shall be measured using the fast response of the sound level meter.

3. Sound levels shall not exceed the following standards:

If the receiving use is in a residential district:

Between 7:00 a.m. and 7:00 p.m. or dusk* -	65 dbA
Between 7:00 p.m. or dusk* and 10:00 p.m. -	60 dbA
Between 10:00 p.m. and 7:00 a.m. -	55 dbA

If the receiving use is in a commercial district:

Between 7:00 a.m. and 7:00 p.m. or dusk*	70 dbA
Between 7:00 p.m. or dusk* and 10:00 p.m. -	65 dbA
Between 10:00 p.m. and 7:00 a.m. -	60 dbA

* Whichever is later (7:00 p.m. or dusk)

If the receiving use is in an industrial district:

Anytime - 80 dBA

4. Sound levels of noise radiating from a zoning lot line in excess of the dBA levels specified in (3) above shall constitute prima facia evidence the noise is a public nuisance and a violation of this chapter.

5. **Measurement for Compliance**

- a.) All measurements to determine compliance shall be made at the boundaries of the zoning lot containing the use generating the noise.
- b.) When a boundary line of property generating the sound is adjacent to a public street right-of-way, sound measurements shall occur on the opposite side of the public street right-of-way.
- c.) Noise measurement shall be taken four (4) feet above the ground.

6. The requirements in Section 317A, B, (Noise) shall apply to new uses or additions to existing uses and shall not be considered to apply to any existing use which is operating

on the effective date of this section; nor shall this section make any such existing use nonconforming.

Existing uses shall mean any use of property that is legally permitted and any operation, equipment, process or system that is in operation prior to the above date. Additions to a use include any additional operations, equipment, processes or systems that were not operational on the above date.

7. The requirements, prohibitions and terms of this chapter shall not apply to the following:

- a.) Warning signal devices of any authorized emergency vehicle acting in time of emergency.
- b.) Activities of a temporary duration permitted by law and for which a license or permit has been granted by the city, including, but not limited to, parades and fireworks displays.
- c.) Yard and lawn maintenance equipment engaged in normal yard and lawn maintenance operations
- d.) Noise emanating from normal railroad operations within railroad rights-of-way
- e.) Construction projects occurring from 7 a.m. to dusk for the period within which a valid permit issued by proper authority is in effect. Issuance of a Certificate of Zoning Compliance is evidence that such construction project is complete.
- f.) The unamplified human voice

C. Vibration

1. Vibration levels shall not exceed the following standards:

Maximum Peak Particle Velocity:	
Steady state	0.02 inches/second
Impact	0.04 inches/second

Note: The maximum particle velocity shall be the maximum displacement vector sums of three mutually perpendicular components, recorded simultaneously, multiplied by the frequency in cycles per second. For purposes of this Ordinance, steady-state vibrations are vibrations which are continuous, or vibrating in discrete impulses more frequent than sixty.

2. In the case of uses in the OA-6, B1, B2 and B3 districts, all measurements to determine compliance shall be made at the boundaries of the zoning lot containing the use generating the noise.

D. Design Standards for OA6 and O&I Districts

The purpose of this section is to establish standards for those items that affect the physical aspect of Asheboro's environment. These standards focus on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve values, and promote the public health, safety, and welfare.

It has been determined that zoning regulations guide development towards accomplishing the community's goals as stated within the Asheboro Land Development Plan, creating a quality community and improving the community's livability. These goals protect and enhance individuals' welfare and market the community for quality development.

The standards require a basic level of site and structure design. The standards are not intended to limit creativity or create a community where everything looks the same. Its intent is to serve as a tool for design in the context of developing Asheboro as a unique place.

Consideration has been given to balancing the interests of property owners with the community's aesthetic character and the landowner's right to use his land, with the corresponding right of abutting and neighboring landowners to live without nuisances such as noise, smoke, fumes, odors, glare of lights, and visual pollution.

1. Except single family dwellings and their permitted accessory structures, all new construction and expansions and/or additions, shall meet the requirements of this Ordinance pertaining to design regulations and shall also meet the following specific design criteria which is meant to facilitate an orderly pattern of architecturally and esthetically integrated development:

- a. All principal structures shall have at least one entrance connected to a public street with a sidewalk.
- b. Open storage shall not be permitted.
- c. All Facades

One Hundred percent of the area below the fascia of any non-single family building including doors and windows shall be finished with any Building Code approved material except:

- i. Unfinished wood, concrete block (except split-faced block), vinyl siding, metal panels, metal painted panels and any metal panel with "rib" or "u" configuration.
- ii. Laminated, composite or press board wood type materials. (*composed of layers of firmly united wood materials - made by bonding or impregnating superposed layers with resin and compressed under heat*)

Metal panels with galvanized, aluminum, or aluminum zinc finishes shall not be permitted for any portion of the front face, except metal laminated architectural materials (such as alucobond) are a permitted material.

- iii. Trim and similar architectural detailing may be composed of any code approved materials.

d. All utilities providing direct service to individual buildings shall be placed underground unless existing development within 200 feet on either side of the

proposed building currently utilizes overhead utilities or are required to be placed above ground by the applicable utility provider.

e. Screening of Mechanical Equipment.

All new non-residential uses and expansions of existing structures shall screen from view from public places, public rights-of-way and neighboring properties all new mechanical equipment, such as but not limited to, air conditioners, compressors, gas and fuel storage tanks, ventilation and other air handling systems, grease traps and separators and pumps, associated with new construction. For purposes of this Ordinance, new construction shall include but not be limited to additions to and expansions of existing buildings.

i. Roof-Mounted Mechanical Equipment Screening

Roof-mounted mechanical equipment shall be screened from view by a parapet wall, false façade, or similar structural feature that is an integral part of the building's architectural design. The height of the screening wall or feature shall be equal to or greater than the height of the mechanical equipment being screened and shall be installed to screen mechanical equipment from view from any point at or below the roof level of the subject building. The painting of mechanical equipment, the use of dense landscaping, or the installation of rooftop fencing shall not be acceptable methods of mechanical equipment screening.

ii. Ground-Mounted Mechanical Equipment

Ground-mounted mechanical equipment shall be screened from view by a decorative wall, dense evergreen landscaping, or a decorative fence. Screening features shall be compatible with the development's architectural and landscaping design. The height of screening features shall be equal to or greater than the height of the mechanical equipment being screened.

This section applies to equipment located on the ground, elevated, located on top of structures and located upon any roof of a structure. Prior to the issuance of Certificate of Occupancy, screening of mechanical equipment shall be installed or its installation guaranteed as per Section 1006. Industrial process equipment is not included within this requirement.

f. Central Solid Waste Storage Area.

All new buildings and uses including mobile home parks, but excluding single-family and two-family dwellings, shall provide facilities for the central storage of solid waste. Where such facilities are provided outside of a building, they shall be located outside of all required setbacks and buffer/screen yards and they shall be screened from the view of public rights-of-way and adjacent property by an enclosure constructed of materials compatible with the materials on the front building wall of the main building. Such screening shall begin at ground level with no open space between the ground and the bottom of the screening material(s). Prior to the issuance of Certificate of

Occupancy, screening of required solid waste storage areas shall be installed or its installation guaranteed as per Section 1006.

Nothing in this Ordinance shall be construed to prevent the joint use of central solid waste storage (dumpsters) for two or more structures. An agreement for such joint use, in the form of a reciprocal easement acceptable to the office of the City Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for Randolph County.

g. Averaging an Existing Residential or Commercial Front Setback Line

In the OA6 and O&I Districts, where the average of the front setbacks for all adjacent lots, which are located within two hundred feet of either side of a lot is greater than the required front setback specified in this Ordinance, a required setback line shall be provided on the lot equal to this greater average depth but not to exceed sixty feet. Where such average of the front setback is less than the minimum required front setback, the required setback line may be reduced to this lesser average depth, but in no case to less than fifteen feet. For the purpose of computing such average, an adjacent vacant lot shall be considered as having the minimum required front setback specified for the zoning district.

h. No Parking Shall Be Permitted Within The Required Front Yard

No parking shall be permitted within the required front yard of any zoning lot. When the front yard setback is greater than the required setback specified in Table 200-1 due to front yard averaging, the required setback created by the front yard averaging becomes the required setback. This section may be modified when, due to specific property constraints (i.e. steep slopes, inadequate lot size, etc.), handicapped parking cannot be provided outside of the area between the building and the street, such parking can be located within the setback area, provided that:

1. The number of handicapped parking spaces provided does not exceed the number prescribed by the building code, and;
2. No such handicapped parking shall be located within 10' of the street right-of-way; and
3. All other relevant requirements of the Zoning Ordinance, including but not limited to landscaping and buffering, are satisfied.

Such required yard shall be occupied only by underground utilities, retention areas, landscaping materials, signs (where permitted) and driveway access and required landscaping materials. This requirement shall apply to new construction and to any change of use.

i. Front yard landscaping shall be as follows:

1. At least one tree of 3 – 3 1/2-inches caliper minimum, measured 6 inches above ground, shall be planted for each 25 feet for small maturing trees and for each 35 feet for large maturing trees of the entire lot which abuts any public street right-of-way with a minimum of one tree required for any distance up to 35 feet. Trees shall be located in the

required front yard. Plant materials should be selected which are appropriate to soil and site conditions. It is recommended that species be selected which are resistant to heat, drought, insects, and diseases and which require little maintenance. Selected plant materials shall meet the requirements and be installed according to ANLA (American Nursery and Landscape Association) standards. The common names of approved small, medium and large maturing trees are found in Appendix B of Article 300A; **and**

2. There shall be planted and maintained one evergreen shrub (as defined in Table of Minimum Plant Size Section 304A.4A 2) for each ten linear feet of street frontage or portion thereof. The balance of the required front yard shall be covered with evergreen ground cover or mulch.

This provision replaces the front yard landscaping requirements of Section 308A.

j. Buffering and screening shall be developed in accordance with the requirements of Article 300A, Section 304A.4. However, the following modifications shall apply:

When a required buffer/screen is contiguous to residentially zoned property, the following shall apply:

1. The buffer option as specified by Article 300A, Section 304A.4A shall not be used to satisfy the buffering/screening requirements of this section.

2. The following screening option as specified by Article 300A, Section 304A.B1 will not count towards satisfying the requirements of Article 300A, Section 304A.4A

A row of evergreen shrubs placed not more than five feet apart on center to form a continuous opaque hedge a minimum of six feet in height above finished grade

Nothing in this Section shall be construed to prohibit the use of plantings as specified in (1) and (2) above to supplement the required screening. However, these will not be credited towards meeting the minimum requirements for screening.

When a required buffer/screen is not contiguous to residentially zoned property, the applicant shall utilize the buffer and/or screening requirements of the Buffer/Screening Matrix found in Section 304A.3.A

k. A landscaped area shall be provided adjacent to all freestanding signs at least equal to the sign area. Landscaping may include any size or variety of annuals, perennials, ornamental grasses, evergreen shrubs, or trees. This landscaping shall not count towards any other landscaping requirement as specified in the Zoning Ordinance.

l. Nonconforming Uses and Exemptions

i. Expansions of nonconforming uses shall comply in all respects to the development standards of this section.

ii. Interior remodeling, repairs, or other forms of redevelopment which do not create additional floor area or exterior repairs which do not change required design features shall be exempt from the provisions of this section.

iii. Routine maintenance or repairs of any structure or site feature shall be exempt from the provisions of this section.

m. Accessory Buildings and Structures

i. All accessory structures larger than 12 X 12 or 144 square feet shall comply with the provisions of Section 317A. D. 1.

n. Site Plan Requirements

In addition to site plan requirements as specified in Section 1005, elevation plans at a minimum scale of 1/8" = 1 ft for all exterior walls for the proposed construction shall be submitted. Plans shall be on bond or vellum paper no less than 8.5 x 11 inches. Drawing(s) shall be straight-line and building materials identified in accordance with accepted architectural standards including Job title and location. Modifications to the site plan or elevation plan shall be resubmitted for approval.

o. Definitions

For the purpose of this section, the following words shall be defined as:

Appearance: The outward aspect visible to the public.

Facade: The exterior wall of a building exposed to public view.

Facia: (board) A horizontal piece covering the joint between the top of a wall and the projecting eaves. Facia shall be considered as facade.

Parapet Wall: That portion of any building wall that rises above the level of the roof line and made of the same material and thickness as the building wall.

Elevation Plan: Building profiles to scale showing the architectural style, design, and arrangement of the exterior of a building or other structures, including the kind and texture of the building material, the size, color and scale of the building, and the type, color, style of all windows, doors, roofs, and other appurtenant fixtures.

E. Design Standards for B1 Commercial Districts

The purpose of this section is to establish standards for those items that affect the physical aspect of Asheboro's environment. These standards focus on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve values, and promote the public health, safety, and welfare.

It has been determined that zoning regulations guide development towards accomplishing the community's goals as stated within the Asheboro Land Development Plan, creating a quality community and improving the community's livability. These goals protect and enhance individuals' welfare and market the community for quality development.

The standards require a basic level of site and structure design. The standards are not intended to limit creativity or create a community where everything looks the same. Its intent is to serve as a tool for design in the context of developing Asheboro as an unique place. Consideration has been given to balancing the interests of property owners with the community's aesthetic character and the landowner's right to use his land, with the corresponding right of abutting and neighboring landowners to live without nuisances such as noise, smoke, fumes, odors, glare of lights, and visual pollution.

1. All new construction and expansions and/or additions, shall meet the requirements of this Ordinance pertaining to design regulations and shall also meet the following specific design criteria which is meant to facilitate an orderly pattern of architecturally and esthetically integrated development:
 - a. The maximum gross floor area for all permitted uses shall be 3,000 square feet.
 - b. The maximum dining room area for eating establishments shall be 1,000 square feet.
 - c. Drive through sales and/or services shall not be permitted. ATMs shall be designed for walk-up service only.
 - d. Open storage shall not be permitted.
 - e. Gasoline pumps where permitted shall be located to the rear of any principal structure
 - f. All principal structures shall have at least one entrance connected to a public street with a sidewalk.
 - g. All Facades

One Hundred percent of the area of the front face of any non- residential structure including doors and windows shall be finished with any Building Code approved material except:

- i. Unfinished wood, concrete block (except split-faced block), vinyl siding, metal panels, metal painted panels and any metal panel with "rib" or "u" configuration.
- ii. Laminated, composite or press board wood type material. (*composed of layers of firmly united wood materials - made by bonding or impregnating superposed layers with resin and compressed under heat*)

Metal panels with galvanized, aluminum, or aluminum zinc finishes shall not be permitted for any portion of the front face, except metal laminated architectural materials (such as alucobond) are a permitted material.

- h. Trim and similar architectural detailing may be composed of any code approved materials.
- i. All utilities providing direct service to individual buildings shall be placed underground unless existing development within 200 feet on either side of the proposed building currently utilizes overhead utilities or is required to be placed above ground by the applicable utility provider.
- j. Screening of Mechanical Equipment.

All new non-residential uses and expansions of existing structures shall screen from view from public places, public rights-of-way and neighboring properties all new mechanical equipment, such as but not limited to, air conditioners, compressors, gas and fuel storage tanks, ventilation and other air handling systems, grease traps and separators and pumps, associated with new construction. For purposes of this Ordinance, new construction shall include but not be limited to additions to and expansions of existing buildings.

- i. Roof-Mounted Mechanical Equipment Screening

Roof-mounted mechanical equipment shall be screened from view by a parapet wall, false façade, or similar structural feature that is an integral part of the building's architectural design. The height of the screening wall or feature shall be equal to or greater than the height of the mechanical equipment being screened and shall be installed to screen mechanical equipment from view from any point at or below the roof level of the subject building. The painting of mechanical equipment, the use of dense landscaping, or the installation of rooftop fencing shall not be acceptable methods of mechanical equipment screening.

- ii. Ground-Mounted Mechanical Equipment

Ground-mounted mechanical equipment shall be screened from view by a decorative wall, dense evergreen landscaping, or a decorative fence. Screening features shall be compatible with the development's architectural and landscaping design. The height of screening features shall be equal to or greater than the height of the mechanical equipment being screened

This section applies to equipment located on the ground, elevated, located on top of structures and located upon any roof of a structure. Prior to the issuance of Certificate of Occupancy, screening of mechanical equipment shall be installed or its installation guaranteed as per Section 1006. Industrial process equipment is not included within this requirement.

- k. Central Solid Waste Storage Area.

All new buildings and uses including mobile home parks, but excluding single-family and two-family dwellings, shall provide facilities for the central storage of solid waste. Where such facilities are provided outside of a building, they shall be located outside of all required setbacks and buffer/screen yards and they shall be screened from the view of public rights-of-way and adjacent property by an enclosure constructed of materials compatible with the materials on the front building wall of the main building. Such screening shall begin at ground level with no open space between the ground and the bottom of the screening material(s). Prior to the issuance of Certificate of Occupancy, screening of required solid waste storage areas shall be installed or its installation guaranteed as per Section 1006.

Nothing in this Ordinance shall be construed to prevent the joint use of central solid waste storage (dumpsters) for two or more structures. An agreement for such joint use, in the form of a reciprocal easement acceptable to the office of the City Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for Randolph County.

1. Averaging an Existing Front Setback Line

In the B1 district, where the average of the front setbacks for all adjacent lots which are located within two hundred feet of either side of a lot is greater than the required front setback specified in this Ordinance, a required setback line shall be provided on the lot equal to this greater average depth but not to exceed sixty feet. Where such average of the front setback is less than the minimum required front setback, the required setback line may be reduced to this lesser average depth, but in no case to less than fifteen feet. For the purpose of computing such average, an adjacent vacant lot shall be considered as having the minimum required front setback specified for the zoning district.

m. No Parking Shall Be Permitted Within The Required Front Yard

No parking shall be permitted within the required front yard of any zoning lot. When the front yard setback is greater than the required setback specified in Table 200-1 due to front yard averaging, the required setback created by the front yard averaging becomes the required setback. This section may be modified when, due to specific property constraints (i.e. steep slopes, inadequate lot size, etc.), handicapped parking cannot be provided outside of the area between the building and the street. Such parking can be located within the setback area, provided that:

1. The number of handicapped parking spaces provided does not exceed the number prescribed by the building code, and;
2. No such handicapped parking shall be located within 10' of the street right-of-way; and
3. All other relevant requirements of the Zoning Ordinance, including but not limited to landscaping and buffering, are satisfied.

Such required yard shall be occupied only by underground utilities, retention areas, landscaping material, signs (where permitted) and driveway access and required landscaping materials. This requirement shall apply to new construction and to any change of use.

n. Front yard landscaping shall be as follows:

1. At least one tree of 3 – 3 1/2-inches caliper minimum, measured 6 inches above ground, shall be planted for each 25 feet for small maturing trees and for each 35 feet for large maturing trees of the entire lot which abuts any public street right-of-way with a minimum of one tree required for any distance up to 35 feet. Trees shall be located in the required front yard. Plant materials should be selected which are appropriate to soil and site conditions. It is recommended that species be selected which are resistant to heat, drought, insects, and diseases and which require little maintenance. Selected plant materials shall meet the requirements and be installed according to ANLA (American Nursery and Landscape Association) standards. The common names of approved small, medium and large maturing trees are found in Appendix B of Article 300A; **and**
2. There shall be planted and maintained one evergreen shrub (as defined in Table of Minimum Plant Size Section 304A.4A 2) for each ten linear feet of street frontage or portion thereof. The balance of the required front yard shall be covered with evergreen ground cover or mulch.

This provision replaces the front yard landscaping requirements of Section 308A.

o. Buffering and screening shall be developed in accordance with the requirements of Article 300A, Section 304A.4. However, the following modifications shall apply:

When a required buffer/screen is contiguous to residentially zoned property, the following shall apply:

1. The buffer option as specified by Article 300A, Section 304A.4A shall not be used to satisfy the buffering/screening requirements of this section.
2. The following screening option as specified by Article 300A, Section 304A.B1, will not count towards satisfying the requirements of Article 300A, Section 304A.4A

A row of evergreen shrubs placed not more than five feet apart on center to form a continuous opaque hedge a minimum of six feet in height above finished grade

Nothing in this Section shall be construed to prohibit the use of plantings as specified in (1) and (2) above to supplement the required screening. However, these will not be credited towards meeting the minimum requirements for screening.

When a required buffer/screen is not contiguous to residentially zoned property, the applicant shall utilize the buffer and/or screening requirements of the Buffer/Screening Matrix found in Section 304A.3.A

p. An area shall be provided adjacent to all freestanding signs at least equal to

the sign area. Landscaping may include any size or variety of annuals, perennials, ornamental grasses, evergreen shrubs, or trees. This landscaping shall not count towards any other landscaping requirement as specified in the Zoning Ordinance.

q. Nonconforming Uses and Exemptions

i. Expansions of nonconforming uses shall comply in all respects to the development standards of this section.

ii. Interior remodeling, repairs, or other forms of redevelopment which do not create additional floor area or exterior repairs which do not change required design features shall be exempt from the provisions of this section.

iii. Routine maintenance or repairs of any structure or site feature shall be exempt from the provisions of this section.

r. Accessory Buildings and Structures

i. All accessory structures larger than 12 X 12 or 144 square feet shall comply with the provisions of Section 317A.E. 1.

s. Site Plan Requirements

In addition to site plan requirements as specified in Section 1005, elevation plans at a minimum scale of 1/8" = 1 ft for all exterior walls for the proposed construction shall be submitted. Plans shall be on bond or vellum paper no less than 8.5 x 11 inches. Drawing(s) shall be straight-line and building materials identified in accordance with accepted architectural standards including Job title and location. Modifications to the site plan or elevation plan shall be resubmitted for approval.

t. Definitions

For the purpose of this section, the following words shall be defined as:

Appearance: The outward aspect visible to the public.

Facade: The exterior wall of a building exposed to public view.

Facia: (board) A horizontal piece covering the joint between the top of a wall and the projecting eaves. Facia shall be considered as facade.

Parapet Wall: That portion of any building wall that rises above the level of the roof line and made of the same material and thickness as the building wall.

Elevation Plan: Building profiles to scale showing the architectural style, design, and arrangement of the exterior of a building or other structures, including the kind and texture of the building material, the size, color and scale of the building, and the type, color, style of all windows, doors, roofs, and other appurtenant fixtures.

F. Design Standards for M (Mercantile) Commercial Districts

The purpose of this section is to establish standards for those items that affect the physical aspect of Asheboro's environment. These standards focus on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve values, and promote the public health, safety, and welfare.

It has been determined that zoning regulations guide development towards accomplishing the community's goals as stated within the Asheboro Land Development Plan, creating a quality community and improving the community's livability. These goals protect and enhance individuals' welfare and market the community for quality development.

The standards require a basic level of site and structure design. The standards are not intended to limit creativity or create a community where everything looks the same. Its intent is to serve as a tool for design in the context of developing Asheboro as a unique place. Consideration has been given to balancing the interests of property owners with the community's aesthetic character with the landowner's right to use his land, with the corresponding right of abutting and neighboring landowners to live without nuisances such as noise, smoke, fumes, odors, glare of lights, and visual pollution.

1. All new construction and expansions and/or additions, shall meet the requirements of this Ordinance pertaining to design regulations and shall also meet the following specific design criteria which is meant to facilitate an orderly pattern of architecturally and esthetically integrated development:

- a. The maximum gross floor area for all permitted uses shall be 6,000 square feet.
- b. The maximum dining room area for eating establishments shall be 1,500 square feet.
- c. Drive through sales and/or services shall not be permitted, except for bank teller windows, ATMs and similar uses.
- d. Open storage shall not be permitted.
- e. Gasoline pumps where permitted shall be located to the rear or side of any principal structure.
- f. All principal structures shall have at least one entrance connected to a public street with a sidewalk.

g. All Facades

Eighty percent of the area of the front face of any non-residential structure, including doors and windows, shall be finished with any Building Code approved material except:

- i. Unfinished wood, concrete block (except split-faced block), vinyl siding, metal panels, metal painted panels and any metal panel with "rib" or "u" configuration.
- ii. Laminated, composite or press board wood type materials (*composed of layers of firmly united wood materials made by bonding or impregnating superposed layers with resin and compressed under heat*).

Metal panels with galvanized, aluminum, or aluminum zinc finishes shall not be permitted for any portion of the front face, except metal laminated architectural materials (such as alucobond) are a permitted material.

h. Trim and similar architectural detailing may be composed of any code approved materials.

i. All utilities providing direct service to individual buildings shall be placed underground unless existing development within 200 feet on either side of the proposed building currently utilizes overhead utilities or is required to be placed above ground by the applicable utility provider.

j. Screening of Mechanical Equipment.

All new non-residential uses and expansions of existing structures shall screen from view from public places, public rights-of-way, and neighboring properties all new mechanical equipment, such as, but not limited to, air conditioners, compressors, gas and fuel storage tanks, ventilation and other air handling systems, grease traps and separators and pumps associated with new construction. For purposes of this Ordinance, new construction shall include but not be limited to, additions to and expansions of existing buildings.

i. Roof-Mounted Mechanical Equipment Screening

Roof-mounted mechanical equipment shall be screened from view by a parapet wall, false façade, or similar structural feature that is an integral part of the building's architectural design. The height of the screening wall or feature shall be equal to or greater than the height of the mechanical equipment being screened and shall be installed to screen mechanical equipment from view from any point at or below the roof level of the subject building. The painting of mechanical equipment, the use of dense landscaping, or the installation of rooftop fencing shall not be acceptable methods of mechanical equipment screening.

ii. Ground-Mounted Mechanical Equipment

Ground-mounted mechanical equipment shall be screened from view by a decorative wall, dense evergreen landscaping, or a decorative fence. Screening features shall be compatible with the development's architectural and landscaping design. The height of screening features shall be equal to or greater than the height of the mechanical equipment being screened

This section applies to equipment located on the ground, elevated, located on top of structures and located upon any roof of a structure. Prior to the issuance of Certificate of Occupancy, screening of mechanical equipment shall be installed or its installation guaranteed as per Section 1006. Industrial process equipment is not included within this requirement.

k. Central Solid Waste Storage Area.

All new buildings and uses including mobile home parks, but excluding single-family and two-family dwellings, shall provide facilities for the central storage of solid waste. Where such facilities are provided outside of a building, they shall be located outside of all required setbacks and buffer/screen yards and they shall be screened from the view of public rights-of-way and adjacent property by an enclosure constructed of materials compatible with the materials on the front building wall of the main building. Such screening shall begin at ground level with no open space between the ground and the bottom of the screening material(s). Prior to the issuance of Certificate of Occupancy, screening of required solid waste storage areas shall be installed or its installation guaranteed as per Section 1006.

Nothing in this Ordinance shall be construed to prevent the joint use of central solid waste storage (dumpsters) for two or more structures. An agreement for such joint use, in the form of a reciprocal easement acceptable to the office of the City Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for Randolph County.

l. Averaging an Existing Commercial Front Setback Line

In the Mercantile (M) district, where the average of the front setbacks for all adjacent lots, which are located within two hundred feet of either side of a lot is greater than the required front setback specified in this Ordinance, a required setback line shall be provided on the lot equal to this greater average depth but not to exceed sixty feet. Where such average of the front setback is less than the minimum required front setback, the required setback line may be reduced to this lesser average depth, but in no case to less than fifteen feet. For the purpose of computing such average, an adjacent vacant lot shall be considered as having the minimum required front setback specified for the zoning district.

m. No Parking Shall Be Permitted Within The Required Front Yard.

No parking shall be permitted within the required front yard of any zoning lot. When

the front yard setback is greater than the required setback specified in Table 200-1 due to front yard averaging, the required setback created by the front yard averaging becomes the required setback. This section may be modified when, due to specific property constraints (i.e. steep slopes, inadequate lot size, etc.), handicapped parking cannot be provided outside of the area between the building and the street. Such parking can be located within the setback area, provided that:

1. The number of handicapped parking spaces provided does not exceed the number prescribed by the building code, and;
2. No such handicapped parking shall be located within 10' of the street right-of-way; and
3. All other relevant requirements of the Zoning Ordinance, including but not limited to landscaping and buffering, are satisfied.

Such required yard shall be occupied only by underground utilities, retention areas, landscaping materials, signs (where permitted), and driveway access and required landscaping materials. This requirement shall apply to new construction and to any change of use.

n. Front yard landscaping shall be as follows:

1. At least one tree of 3 – 3 1/2-inches caliper minimum, measured 6 inches above ground, shall be planted for each 25 feet for small maturing trees and for each 35 feet for large maturing trees of the entire lot which abuts any public street right-of-way with a minimum of one tree required for any distance up to 35 feet. Trees shall be located in the required front yard. Plant materials should be selected which are appropriate to soil and site conditions. It is recommended that species be selected which are resistant to heat, drought, insects, and diseases and which require little maintenance. Selected plant materials shall meet the requirements and be installed according to ANLA (American Nursery and Landscape Association) standards. The common names of approved small, medium, and large maturing trees are found in Appendix B of Article 300A; **and**
2. There shall be planted and maintained one evergreen shrub (as defined in Table of Minimum Plant Size Section 304A.4A 2) for each ten linear feet of street frontage or portion thereof. The balance of the required front yard shall be covered with evergreen ground cover or mulch.

This provision replaces the front yard landscaping requirements of Section 308A.

o. Buffering and screening shall be developed in accordance with the requirements of Article 300A, Section 304A.4. However, the following modifications shall apply: When a required buffer/screen is contiguous to residentially zoned property, the following shall apply:

1. The buffer option as specified by Article 300A, Section 304A.4A shall not be used to satisfy the buffering/screening requirements of this section.
2. The following screening option as specified by Article 300A, Section 304A.B1, will not

count towards satisfying the requirements of Article 300A, Section 304A.4A.

A row of evergreen shrubs placed not more than five feet apart on center to form a continuous opaque hedge a minimum of six feet in height above finished grade

Nothing in this Section shall be construed to prohibit the use of plantings as specified in (1) and (2) above to supplement the required screening. However, these will not be credited towards meeting the minimum requirements for screening.

When a required buffer/screen is not contiguous to residentially zoned property, the applicant shall utilize the buffer and/or screening requirements of the Buffer/Screening Matrix found in Section 304A.3.A

When a required buffer/screen is not contiguous to residentially zoned property, the applicant shall utilize the buffer and/or screening requirements of the Buffer/Screening Matrix found in Section 304A.3.A

p. A landscaped area shall be provided adjacent to all freestanding signs at least equal to the sign area. Landscaping may include any size or variety of annuals, perennials, ornamental grasses, evergreen shrubs, or trees. This landscaping shall not count towards any other landscaping requirement as specified in the Zoning Ordinance.

q. Nonconforming Uses and Exemptions

i. Expansions of nonconforming uses shall comply in all respects to the development standards of this section.

ii. Interior remodeling, repairs, or other forms of redevelopment which do not create additional floor area or exterior repairs which do not change required design features shall be exempt from the provisions of this section.

iii. Routine maintenance or repairs of any structure or site feature shall be exempt from the provisions of this section.

r. Accessory Buildings and Structures

i. All accessory structures larger than 12 X 12 or 144 square feet shall comply with the provisions of Section 317A.F.1.

s. Site Plan Requirements

In addition to site plan requirements as specified in Section 1005, elevation plans at a minimum scale of 1/8" = 1 ft for all exterior walls for the proposed construction shall be submitted. Plans shall be on bond or vellum paper no less than 8.5 x 11 inches. Drawing(s) shall be straight-line and building materials identified in accordance with accepted architectural standards including Job title and location. Modifications to the site plan or elevation plan shall be resubmitted for approval.

t. Definitions

For the purpose of this section, the following words shall be defined as:

Appearance: The outward aspect visible to the public.

Facade: The exterior wall of a building exposed to public view.

Facia: (board) A horizontal piece covering the joint between the top of a wall and the projecting eaves. Facia shall be considered as facade.

Parapet Wall: That portion of any building wall that rises above the level of the roof line, and it is made of the same material and thickness as the building wall.

Elevation Plan: Building profiles to scale showing the architectural style, design, and arrangement of the exterior of a building or other structures, including the kind and texture of the building material, the size, color and scale of the building, and the type, color, style of all windows, doors, roofs, and other appurtenant fixtures.

G. Design Standards for B2 Commercial Districts

The purpose of this section is to establish standards for those items that affect the physical aspect of Asheboro's environment. These standards focus on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve values, and promote the public health, safety, and welfare.

It has been determined that zoning regulations guide development towards accomplishing the community's goals as stated within the Asheboro Land Development Plan, creating a quality community and improving the community's livability. These goals protect and enhance individuals' welfare and markets the community for quality development.

The standards require a basic level of site and structure design. The standards are not intended to limit creativity or create a community where everything looks the same. Its intent is to serve as a tool for design in the context of developing Asheboro as an unique place. Consideration has been given to balancing the interests of property owners with the community's aesthetic character and the landowner's right to use his land, with the corresponding right of abutting and neighboring landowners to live without nuisances such as noise, smoke, fumes, odors, glare of lights, and visual pollution.

1. All new construction and expansions and/or additions, shall meet the requirements of this Ordinance pertaining to design regulations and shall also meet the following specific design criteria which is meant to facilitate an orderly pattern of architecturally and esthetically integrated development:

a. Facades Fronting Streets and Roads

Eighty percent of the area of the front face of any non- residential structure including doors and windows shall be finished with any Building Code approved material except:

- i. Unfinished wood, concrete block (except split-faced block), vinyl siding, metal panels, metal painted panels and any metal panel with "rib" or "u" configuration.
- ii. Laminated, composite or press board wood type materials. *(composed of layers of firmly united wood materials - made by bonding or impregnating superposed layers with resin and compressed under heat)*

Metal panels with galvanized, aluminum, or aluminum zinc finishes shall not be permitted for any portion of the front face, except metal laminated architectural materials (such as alucobond) are a permitted material.

All principal structures shall have at least one oriented towards the street

Permitted residential uses in the OA-6 District shall comply with Section 318A.

b. Facades Other Than Fronting Streets and Roads

Any code approved material except metal panels with galvanized, aluminum, or aluminum finishes, shall be allowed for any wall not fronting streets and roads. Where such walls are visible from adjoining residentially zoned property, such walls shall be screened or buffered according to the requirements of this Article.

c Trim and similar architectural detailing may be composed of any code-approved materials.

d. All utilities providing direct service to individual buildings shall be placed underground unless existing development within 200 feet on either side of the proposed building currently utilizes overhead utilities or is required to be placed above ground by the applicable utility provider.

e. Screening of Mechanical Equipment.

All new non-residential uses and expansions of existing structures shall screen from view from public places, public rights-of-way and neighboring properties all new mechanical equipment, such as, but not limited to, air conditioners, compressors, gas and fuel storage tanks, ventilation and other air handling systems, grease traps and separators and pumps associated with new construction. For purposes of this Ordinance, new construction shall include, but not be limited to, additions to and expansions of existing buildings.

i. Roof-Mounted Mechanical Equipment Screening

Roof-mounted mechanical equipment shall be screened from view by a parapet wall, false façade, or similar structural feature that is an integral part of the building's architectural design. The height of the screening wall or feature shall

be equal to or greater than the height of the mechanical equipment being screened and shall be installed to screen mechanical equipment from view from any point at or below the roof level of the subject building. The painting of mechanical equipment, the use of dense landscaping, or the installation of rooftop fencing shall not be acceptable methods of mechanical equipment screening.

ii. Ground-Mounted Mechanical Equipment

Ground-mounted mechanical equipment shall be screened from view by a decorative wall, dense evergreen landscaping, or a decorative fence. Screening features shall be compatible with the development's architectural and landscaping design. The height of screening features shall be equal to or greater than the height of the mechanical equipment being screened.

This section applies to equipment located on the ground, elevated, located on top of structures and located upon any roof of a structure. Prior to the issuance of Certificate of Occupancy, screening of mechanical equipment shall be installed or its installation guaranteed as per Section 1006. Industrial process equipment is not included within this requirement.

f. Central Solid Waste Storage Area.

All new buildings and uses including mobile home parks, but excluding single-family and two-family dwellings, shall provide facilities for the central storage of solid waste. Where such facilities are provided outside of a building, they shall be located outside of all required setbacks and buffer/screen yards and they shall be screened from the view of public rights-of-way and adjacent property by an enclosure constructed of materials compatible with the materials on the front building wall of the main building. Such screening shall begin at ground level with no open space between the ground and the bottom of the screening material(s). Prior to the issuance of Certificate of Occupancy, screening of required solid waste storage areas shall be installed or its installation guaranteed as per Section 1006.

Nothing in this Ordinance shall be construed to prevent the joint use of central solid waste storage (dumpsters) for two or more structures. An agreement for such joint use, in the form of a reciprocal easement acceptable to the office of the City Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for Randolph County.

g. Nonconforming Uses and Exemptions

i. Expansions including cumulative additions of nonconforming uses which result in increase of over fifty (50) percent in the linear street fronting footage of a structure shall comply in all respects to the development standards of this Article. This section shall apply to all expansions or additions permitted after March 8, 2001.

ii. Interior remodeling, repairs, or other forms of redevelopment which do not create additional floor area or exterior repairs which do not change required design features shall be exempt from the provisions of this section.

iii. Routine maintenance or repairs of any structure or site feature shall be exempt from the provisions of this section.

h. Accessory Buildings and Structures

a. All accessory structures larger than 12 X 12 or 144 square feet shall comply with the provisions of Section 317A.G.1.

i. Site Plan Requirements

In addition to site plan requirements as specified in Section 1005, elevation plans at a minimum scale of 1/8" = 1 ft for all exterior walls for the proposed construction shall be submitted. Plans shall be on bond or vellum paper no less than 8.5 x 11 inches. Drawing(s) shall be straight-line and building materials identified in accordance with accepted architectural standards including Job title and location. Modifications to the site plan or elevation plan shall be resubmitted for approval.

j. Definitions

For the purpose of this section, the following words shall be defined as:

Appearance: The outward aspect visible to the public.

Facade: The exterior wall of a building exposed to public view.

Facia: (board) A horizontal piece covering the joint between the top of a wall and the projecting eaves. Facia shall be considered as facade.

Parapet Wall: That portion of any building wall that rises above the level of the roof line and made of the same material and thickness as the building wall.

Elevation Plan: Building profiles to scale showing the architectural style, design, and arrangement of the exterior of a building or other structures, including the kind and texture of the building material, the size, color and scale of the building, and the type, color, style of all windows, doors, roofs, and other appurtenant fixtures.

H. Design Standards for B3 Commercial Districts

The purpose of this section is to establish standards for those items that affect the physical aspect of Asheboro's environment. These standards focus on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve values, and promote the public health, safety, and welfare.

It has been determined that zoning regulations guide development towards accomplishing the community's goals as stated within the Asheboro Land Development Plan, creating a quality community and improving the community's livability. These goals protect and enhance individuals' welfare and markets the community for quality development.

The standards require a basic level of site and structure design. The standards are not intended to limit creativity or create a community where everything looks the same. Its intent is to serve as a tool for design in the context of developing Asheboro as an unique place. Consideration has been given to balancing the interests of property owners with the community's aesthetic character and the landowner's right to use his land, with the corresponding right of abutting and neighboring landowners to live without nuisances such as noise, smoke, fumes, odors, glare of lights, and visual pollution.

1. All new construction and expansions and/or additions, shall meet the requirements of this Ordinance pertaining to design regulations and shall also meet the following specific design criteria which is meant to facilitate an orderly pattern of architecturally and esthetically integrated development:

a. Facades Fronting Streets and Roads

Eighty percent of the area of the front face of any non- residential structure including doors and windows shall be finished with any Building Code approved material except:

- i. Unfinished wood, concrete block (except split-faced block), vinyl siding, metal panels, metal painted panels and any metal panel with "rib" or "u" configuration.
- ii. Laminated, composite or press board wood type materials. (*composed of layers of firmly united wood materials - made by bonding or impregnating superposed layers with resin and compressed under heat*)

Metal panels with galvanized, aluminum, or aluminum zinc finishes shall not be permitted for any portion of the front face, except metal laminated architectural materials (such as alucobond) are a permitted material.

All principal structures shall have at least one oriented towards the street

Permitted residential uses in the OA-6 District shall comply with Section 318A.

b. Facades Other Than Fronting Streets and Roads

Any code approved material except metal panels with galvanized, aluminum, or aluminum finishes, shall be allowed for any wall not fronting streets and roads. Where such walls are visible from adjoining residentially zoned property, such walls shall be screened or buffered according to the requirements of this Article.

c. Trim and similar architectural detailing may be composed of any code-approved materials.

d. All utilities providing direct service to individual buildings shall be placed underground unless existing development within 200 feet on either side of the proposed building currently utilizes overhead utilities or is required to be placed above ground by the applicable utility provider.

e. Screening of Mechanical Equipment.

All new non-residential uses and expansions of existing structures shall screen from view from public places, public rights-of-way and neighboring properties all new mechanical equipment, such as, but not limited to, air conditioners, compressors, gas and fuel storage tanks, ventilation and other air handling systems, grease traps and separators and pumps associated with new construction. For purposes of this Ordinance, new construction shall include, but not be limited to, additions to and expansions of existing buildings.

i. Roof-Mounted Mechanical Equipment Screening

Roof-mounted mechanical equipment shall be screened from view by a parapet wall, false façade, or similar structural feature that is an integral part of the building's architectural design. The height of the screening wall or feature shall be equal to or greater than the height of the mechanical equipment being screened and shall be installed to screen mechanical equipment from view from any point at or below the roof level of the subject building. The painting of mechanical equipment, the use of dense landscaping, or the installation of rooftop fencing shall not be acceptable methods of mechanical equipment screening.

ii. Ground-Mounted Mechanical Equipment

Ground-mounted mechanical equipment shall be screened from view by a decorative wall, dense evergreen landscaping, or a decorative fence. Screening features shall be compatible with the development's architectural and landscaping design. The height of screening features shall be equal to or greater than the height of the mechanical equipment being screened. This section applies to equipment located on the ground, elevated, located on top of structures and located upon any roof of a structure. Prior to the issuance of Certificate of Occupancy, screening of mechanical equipment shall be installed or its installation guaranteed as per Section 1006. Industrial process equipment is not included within this requirement.

f. Central Solid Waste Storage Area.

All new buildings and uses including mobile home parks, but excluding single-family and two-family dwellings, shall provide facilities for the central storage of solid waste. Where such facilities are provided outside of a building, they shall be located outside of all required setbacks and buffer/screen yards and they shall be screened from the view of public rights-of-way and adjacent property by an enclosure constructed of materials compatible with the materials on the front building wall of the main building. Such

screening shall begin at ground level with no open space between the ground and the bottom of the screening material(s). Prior to the issuance of Certificate of Occupancy, screening of required solid waste storage areas shall be installed or its installation guaranteed as per Section 1006.

Nothing in this Ordinance shall be construed to prevent the joint use of central solid waste storage (dumpsters) for two or more structures. An agreement for such joint use, in the form of a reciprocal easement acceptable to the office of the City Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for Randolph County.

g. Nonconforming Uses and Exemptions

- i. Expansions including cumulative additions of nonconforming uses which result in increase of over fifty (50) percent in the linear street fronting footage of a structure shall comply in all respects to the development standards of this Article. This section shall apply to all expansions or additions permitted after March 8, 2001.
- ii. Interior remodeling, repairs, or other forms of redevelopment which do not create additional floor area or exterior repairs which do not change required design features shall be exempt from the provisions of this section.
- iii. Routine maintenance or repairs of any structure or site feature shall be exempt from the provisions of this section.

h. Accessory Buildings and Structures

- a. All accessory structures larger than 12 X 12 or 144 square feet shall comply with the provisions of Section 317A.H.1.

i. Site Plan Requirements

In addition to site plan requirements as specified in Section 1005, elevation plans at a minimum scale of 1/8" = 1 ft for all exterior walls for the proposed construction shall be submitted. Plans shall be on bond or vellum paper no less than 8.5 x 11 inches. Drawing(s) shall be straight-line and building materials identified in accordance with accepted architectural standards including Job title and location. Modifications to the site plan or elevation plan shall be resubmitted for approval.

j. Definitions

For the purpose of this section, the following words shall be defined as:

Appearance: The outward aspect visible to the public.

Facade: The exterior wall of a building exposed to public view.

Facia: (board) A horizontal piece covering the joint between the top of a wall and the projecting eaves. Facia shall be considered as facade.

Parapet Wall: That portion of any building wall that rises above the level of the roof line and made of the same material and thickness as the building wall.

Elevation Plan: Building profiles to scale showing the architectural style, design, and arrangement of the exterior of a building or other structures, including the kind and texture of the building material, the size, color and scale of the building, and the type, color, style of all windows, doors, roofs, and other appurtenant fixtures.

I. Design Standards for TH (Tourism-Hospitality) Districts

The purpose of this section is to establish standards for those items that affect the physical aspect of Asheboro's environment. These standards focus on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve values, and promote the public health, safety, and welfare.

It has been determined that zoning regulations guide development towards accomplishing the community's goals as stated within the Asheboro Land Development Plan, creating a quality community and improving the community's livability. These goals protect and enhance individuals' welfare and market the community for quality development.

The standards require a basic level of site and structure design. The standards are not intended to limit creativity or create a community where everything looks the same. Its intent is to serve as a tool for design in the context of developing Asheboro as an unique place. Consideration has been given to balancing the interests of property owners with the community's aesthetic character and the landowner's right to use his land, with the corresponding right of abutting and neighboring landowners to live without nuisances such as noise, smoke, fumes, odors, glare of lights, and visual pollution.

1. All new construction and expansions and/or additions, shall meet the requirements of this Ordinance pertaining to design regulations and shall also meet the following specific design criteria which is meant to facilitate an orderly pattern of architecturally and esthetically integrated development:
 - a. Open storage shall not be permitted.
 - b. Gasoline pumps where permitted shall be located to the rear or side of any principal structure
 - c. All principal structures shall have at least one entrance connected to a public street with a sidewalk.

d. All Facades

Eighty percent of the area of the front face of any non- residential structure, including doors and windows, shall be finished with any Building Code approved material except:

- i. Unfinished wood, concrete block (except split-faced block), vinyl siding, metal panels, metal painted panels, and any metal panel with "rib" or "u" configuration.
- ii. Laminated, composite or press board wood type material (*composed of layers of firmly united wood materials - made by bonding or impregnating superposed layers with resin and compressed under heat*).

Metal panels with galvanized, aluminum, or aluminum zinc finishes shall not be permitted for any portion of the front face, except metal laminated architectural materials (such as alucobond), are a permitted material.

e. Trim and similar architectural detailing may be composed of any code approved materials.

f. All utilities providing direct service to individual buildings shall be placed underground unless existing development within 200 feet on either side of the proposed building currently utilizes overhead utilities or is required to be placed above ground by the applicable utility provider.

g. Screening of Mechanical Equipment.

All new non-residential uses and expansions of existing structures shall screen from view from public places, public rights-of-way and neighboring properties all new mechanical equipment, such as but not limited to, air conditioners, compressors, gas and fuel storage tanks, ventilation and other air handling systems, grease traps and separators and pumps, associated with new construction. For purposes of this Ordinance, new construction shall include, but not be limited to, additions to and expansions of existing buildings.

i. Roof-Mounted Mechanical Equipment Screening

Roof-mounted mechanical equipment shall be screened from view by a parapet wall, false façade, or similar structural feature that is an integral part of the building's architectural design. The height of the screening wall or feature shall be equal to or greater than the height of the mechanical equipment being screened and shall be installed to screen mechanical equipment from view from any point at or below the roof level of the subject building. The painting of mechanical equipment, the use of dense landscaping, or the installation of rooftop fencing shall not be acceptable methods of mechanical equipment screening.

ii. Ground-Mounted Mechanical Equipment

Ground-mounted mechanical equipment shall be screened from view by a decorative wall, dense evergreen landscaping, or a decorative fence. Screening features shall be compatible with the development's architectural and landscaping design. The height of screening features shall be equal to or greater than the height of the mechanical equipment being screened

This section applies to equipment located on the ground, elevated, located on top of structures and located upon any roof of a structure. Prior to the issuance of Certificate of Occupancy, screening of mechanical equipment shall be installed or its installation guaranteed as per Section 1006. Industrial process equipment is not included within this requirement.

h. Central Solid Waste Storage Area.

All new buildings and uses including mobile home parks, but excluding single-family and two-family dwellings, shall provide facilities for the central storage of solid waste. Where such facilities are provided outside of a building, they shall be located outside of all required setbacks and buffer/screen yards and they shall be screened from the view of public rights-of-way and adjacent property by an enclosure constructed of materials compatible with the materials on the front building wall of the main building. Such screening shall begin at ground level with no open space between the ground and the bottom of the screening material(s). Prior to the issuance of Certificate of Occupancy, screening of required solid waste storage areas shall be installed or its installation guaranteed as per Section 1006.

Nothing in this Ordinance shall be construed to prevent the joint use of central solid waste storage (dumpsters) for two or more structures. An agreement for such joint use, in the form of a reciprocal easement acceptable to the office of the City Attorney shall be filed with the Zoning Administrator and recorded with the Register of Deeds for Randolph County.

i. Parking Restricted within required Front Yard

No parking shall be permitted within the first 10 feet of required front yard of any zoning lot. Such required yard shall be occupied only by underground utilities, retention areas, landscaping materials, signs (where permitted), and driveway access and the following required landscaping materials. This requirement shall apply to new construction and to any change of use.

Parking may be located in the required front yard between 10 feet and 30 feet from the right-of-way line if a wall or fence as described below is constructed:

Walls or fences may be one of the following:

- i. Masonry walls, ornamental split-face block, or concrete block covered with stucco or synthetic stucco between three and four feet in height. Any portion of such a wall above three feet in height above grade shall be at least 60 percent open. In addition there shall be masonry piers providing a visual break in the wall, and placed at increments of not less

than one for each 12 feet of wall length, and one on any corner of such a wall. Where there are driveway openings in the wall, the height shall be reduced to not more than three feet for the first 12 feet on either side of the driveway.

- ii. Masonry piers at intervals of between eight and 12 feet, supporting vertically oriented wrought-iron or aluminum fencing panels. The height of this design shall be between three and four feet. Aluminum fencing panels shall have a medium or dark finish. Street trees otherwise required by this subsection (i) shall not be required under this provision.
- iii. Stucco or synthetic stucco, or ornamental split-face block wall, or concrete block wall covered with stucco or synthetic stucco, four feet in height above grade.

The wall or fence above does not have to be constructed when parking is located between 10 and 30 feet from the right-of-way line for the limited purpose of providing handicapped parking if due to specific property constraints (i.e. steep slopes, inadequate lot size, etc.) handicapped parking cannot be provided outside of the area between the building and the street. Such parking can be located within the setback area, provided that:

- 1. The number of handicapped parking spaces provided does not exceed the number prescribed by the building code, and;
- 2. No such handicapped parking shall be located within 10' of the street right-of-way; and
- 3. All other relevant requirements of the Zoning Ordinance, including but not limited to landscaping and buffering, are satisfied.

Such required yard shall be occupied only by underground utilities, retention areas, landscaping materials, signs (where permitted), and driveway access and required landscaping materials. This requirement shall apply to new construction and to any change of use.

j. Front yard landscaping shall be as follows:

- 1. At least one tree of 3 – 3 1/2-inches caliper minimum, measured 6 inches above ground, shall be planted for each 25 feet for small maturing trees and for each 35 feet for large maturing trees of the entire lot which abuts any public street right-of-way with a minimum of one tree required for any distance up to 35 feet. Trees shall be located in the required front yard. Plant materials should be selected which are appropriate to soil and site conditions. It is recommended that species be selected which are resistant to heat, drought, insects, and diseases and which require little maintenance. Selected plant materials shall meet the requirements and be installed according to ANLA (American Nursery and Landscape Association) standards. The common names of approved small, medium and large maturing trees are found in Appendix B of Article 300A; **and**

2. There shall be planted and maintained one evergreen shrub (as defined in Table of Minimum Plant Size Section 304A.4A 2) for each ten linear feet of street frontage or portion thereof. The balance of the required front yard shall be covered with evergreen ground cover or mulch.

This provision replaces the front yard landscaping requirements of Section 308A.

k. Buffering and screening shall be developed in accordance with the requirements of Article 300A, Section 304A.4. However, the following modifications shall apply:

When a required buffer/screen is contiguous to residentially zoned property, the following shall apply:

1. The buffer option as specified by Article 300A, Section 304A.4A shall not be used to satisfy the buffering/screening requirements of this section.
2. The following screening option as specified by Article 300A, Section 304A.B1 will not count towards satisfying the requirements of Article 300A, Section 304A.4A

A row of evergreen shrubs placed not more than five feet apart on center to form a continuous opaque hedge a minimum of six feet in height above finished grade.

If no structures, parking or other improvements (excluding the amenity area in Item (“m” below) are within 100’ of a residentially zoned district, the provisions of Section 304A.4A shall apply or the applicant may apply for an alternative buffer in accordance with the requirements of Section 304A.6.

Nothing in this Section shall be construed to prohibit the use of plantings as specified in (1) and (2) above to supplement the required screening. However, these will not be credited towards meeting the minimum requirements for screening.

When a required buffer/screen is not contiguous to residentially zoned property, the applicant shall utilize the buffer and/or screening requirements of the Buffer/Screening Matrix found in Section 304A.3.A

l. An area shall be provide adjacent to all freestanding signs at least equal to the sign area. Landscaping may include any size or variety of annuals, perennials, ornamental grasses, evergreen shrubs, or trees. This landscaping shall not count towards any other landscaping requirement as specified in the Zoning Ordinance.

m. A designated area(s) shall be provided for amenities that create an inviting atmosphere enhancing the tourism and hospitality designation of the TH district. This area shall add character and interest to the development and offer a pedestrian friendly experience to visitors on the site.

The designated areas shall incorporate amenities including but not limited to, fountains and pools, works of art, arbors, trellises, walking trails and patios with benches. The area(s) shall be delineated from the other features of the site by

landscaping that is coordinated with the overall landscaping design and plantings of the site. This area shall be connected by a sidewalk to the rest of the development including the principal structure, parking areas and public street(s). This area shall contain at least one percent of the land area of the development. Features that are required by other portions of this Ordinance shall not count towards the one percent land area requirement.

n. Nonconforming Uses and Exemptions

i. Expansions of nonconforming uses shall comply in all respects to the development standards of this section.

ii. Interior remodeling, repairs, or other forms of redevelopment which do not create additional floor area or exterior repairs which do not change required design features shall be exempt from the provisions of this section.

iii. Routine maintenance or repairs of any structure or site feature shall be exempt from the provisions of this section.

o. Accessory Buildings and Structures

i. All accessory structures larger than 12 X 12 or 144 square feet shall comply with the provisions of Section 317A.I.1.

p. Site Plan Requirements

In addition to site plan requirements as specified in Section 1005, elevation plans at a minimum scale of 1/8" = 1 ft for all exterior walls for the proposed construction shall be submitted. Plans shall be on bond or vellum paper no less than 8.5 x 11 inches. Drawing(s) shall be straight-line and building materials identified in accordance with accepted architectural standards including Job title and location. Modifications to the site plan or elevation plan shall be resubmitted for approval.

q. Definitions

For the purpose of this section, the following words shall be defined as:

Appearance: The outward aspect visible to the public.

Facade: The exterior wall of a building exposed to public view.

Facia: (board) A horizontal piece covering the joint between the top of a wall and the projecting eaves. Facia shall be considered as facade.

Parapet Wall: That portion of any building wall that rises above the level of the roof line and made of the same material and thickness as the building wall.

Elevation Plan: Building profiles to scale showing the architectural style, design, and arrangement of the exterior of a building or other structures, including the kind and texture of the building material, the size, color and scale of the building, and the type, color, style of all windows, doors, roofs, and other appurtenant fixtures.

318A Performance Standards for Residential Districts

All non residential and non single-family residential uses permitted within R40, R15, R10, R7.5 and RA6 districts shall meet the following performance standards:

All uses permitted within OA6, O&I, M, B1, B2, TH, and B3 districts shall meet the following performance standards:

1. Light

A. Purpose

- a. Minimize glare and obtrusive light on adjoining properties and right-of-ways by limiting outdoor lighting that is misdirected, excessive, or unnecessary;
- b. Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night;
- c. Curtail and reverse any degradation of the nighttime visual environment and the night sky

B. Applicability

- a. The installation of new lighting fixtures, or replacement of existing lighting fixtures, shall be made in strict compliance with this ordinance.
- b. A change of use does not trigger requirements of Section 318A.1 except when there is a specific use standard requiring site lighting for a new use or new lighting fixtures are added as described in subsection (1) above.

C. Glare.

The direct light from any source of outdoor lighting shall not be visible from outside the zoning lot.

D. Footcandles

1. The maximum light level of any light fixture shall not exceed 0.5 footcandles measured at the property line(s) abutting any Residential District.
2. The maximum light level of any light fixture shall not exceed 2.0 footcandles measured at property line(s) abutting a public right-of-way.

3. The maximum light level of any light fixture shall not be limited measured at property line(s) abutting Industrial or Commercial districts.

E. Light Fixtures

1. Except for flood lights and flood lamps, lighting in parking areas shall consist of full cut-off fixtures or an architectural fixture utilizing a diffuse light source.
2. Flood Lights and Flood Lamps:
 - a. Flood light fixtures may be permitted if aimed down at least 45 degrees from vertical or the front of the fixture is shielded so that no portion of the light bulb extends below the bottom edge of the shield.
 - b. Flood lamps may be permitted if aimed down at least 60 degrees from horizontal or shielded so that the main beam is not visible from adjacent properties or public right-of-ways.
3. Vehicular Canopies: shall consist of full cut off fixtures or recessed fixtures incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy
4. Outdoor Recreation Fields and Performance areas shall not require full cut-off fixtures
5. Signs shall be regulated by Article 500, Section 508: Restriction on Direct Illumination.
6. Building, Security and Accent Lighting
 - a. Lighting fixtures shall be selected, located, aimed, and shielded so that direct illumination is focused exclusively on the building façade, planting, and other intended site features and away from adjoining properties and public right-of-ways
 - b. All wall pack fixtures shall be full-cutoff fixtures.
 - c. Only lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.
7. Street lighting within public right-of-ways and emergency lighting is exempt from the requirements of this section.

B. Noise (Amended 11-2010)

1. A decibel is a measure of a unit of sound pressure. Since sound waves having the same decibel level "sound" louder or softer to the human ear depending upon the frequency of the sound wave in cycles per second (i.e, whether the pitch of the sound is high or low) an A-weighted filter constructed in accordance with the specification of the American National Standards Institute, which automatically takes account of the varying effect on the human ear of different pitches, shall be used on any sound level meter taking measurements required by this section. And accordingly, all measurements are expressed in dbA to reflect the use of this A-weighted filter.
2. Construction projects shall be subject to the maximum permissible noise levels specified for industrial zones for the period within which a valid permit issued by proper authority is in effect. Issuance of a Certificate of Zoning Compliance is evidence that such construction project is complete.
3. All railroad rights-of-way shall not be subject to the requirements of this Article.
4. Impact noises are sounds that occur intermittently rather than continuously. Impact noises generated by sources that do not operate more than one minute in any one hour period are permissible up to a level of 10 dbA in excess of the figure listed except that this higher level of permissible noise shall not apply from 7:00 pm to 7:00 am when the adjacent lot is zoned residential. Impact noises generated by sources that operate for a total duration of more than one minute in any one hour period (regardless of the duration of each incidence of the noise occurring) are regulated as a continuous noise and are subject to the sound levels given in 5 below. All impact noise shall be measured using the fast response of the sound level meter.
5. Sound levels shall not exceed the following standards:

If the receiving use is in a residential district:

Between 7:00 a.m. and 7:00 p.m or dusk* -	65 dbA
Between 7:00 p.m. or dusk* and 10:00 p.m.-	60 dbA
Between 10:00 p.m. and 7:00 a.m.-	55 dbA

If the receiving use is in a commercial district:

Between 7:00 a.m. and 7:00 p.m. or dusk* -	70 dbA
Between 7:00 p.m. or dusk* and 10:00 p.m.	65 dbA
Between 10:00 p.m. and 7:00 a.m. -	60 dbA

*Whichever is later (7:00 p.m. or dusk)

If the receiving use is in an industrial district:

Anytime -	80 dbA
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6. Sound levels of noise radiating from a zoning lot line in excess of the ~~above~~ dbA levels specified in (d) above levels shall constitute prima facia evidence the noise is a public nuisance and a violation of this chapter.
7. Yard and lawn maintenance equipment engaged in normal yard and lawn maintenance operations are not subject to these regulations.
8. **Measurement for Compliance**
 - a.) All measurements to determine compliance shall be made at the boundaries of the zoning lot containing the use generating the noise.
 - b.) When a boundary line of property generating the sound is adjacent to a public street right-of-way, sound measurements shall occur on the opposite side of the public street right-of-way.
 - c.) Noise measurement shall be taken four (4) feet above the ground.
9. The requirements in Section 318A, B, (Noise) shall apply to new uses or additions to existing uses and shall not be considered to apply to any existing use which is operating on the effective date of this section; nor shall this section make any such existing use nonconforming.

Existing uses shall mean any use of property that is legally permitted and any operation, equipment, process or system that is in operation prior to the above date. Additions to a use include any additional operations, equipment, processes or systems that were not operational on the above date.

10. The requirements, prohibitions and terms of this chapter shall not apply to the following:

- a.) Warning signal devices of any authorized emergency vehicle acting in time of emergency.
- b.) Activities of a temporary duration permitted by law and for which a license or permit has been granted by the city, including, but not limited to, parades and fireworks displays.
- c.) Yard and lawn maintenance equipment engaged in normal yard and lawn maintenance operations
- d.) Noise emanating from normal railroad operations within railroad rights-of-way
- e.) Construction projects occurring from 7 a.m. to dusk for the period within which a valid permit issued by proper authority is in effect. Issuance of a Certificate of Zoning Compliance is evidence that such construction project is complete.
- f.) The unamplified human voice

C. Vibration

1. Vibration levels shall not exceed the following standards:
Maximum Peak Particle Velocity:

Steady state	0.02 inches/second
Impact	0.04 inches/second

Note: The maximum particle velocity shall be the maximum displacement vector sums of three mutually perpendicular components, recorded simultaneously, multiplied by the frequency in cycles per second. For purposes of this Ordinance, steady-state vibrations are vibrations which are continuous, or vibrating in discrete impulses more frequent than sixty.

2. In the case of uses in the OA-6, B1, B2 and B3 districts, all measurements to determine compliance shall be made at the boundaries of the zoning lot containing the use generating the noise. (6/02)

D. Design Standards for all Residential Districts

The purpose of this section is to establish standards for those items that affect the physical aspect of Asheboro's environment. These standards focus on design principals which can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve values, and promote the public health, safety, and welfare.

It has been determined that zoning regulations guide development towards accomplishing the community's goals as stated within the Asheboro Land Development Plan, creating a quality community and improving the community's livability. These goals protect and enhance individuals' welfare and markets the community for quality development.

The standards require a basic level of site and structure design. The standards are not intended to limit creativity or create a community where everything looks the same. Its intent is to serve as a tool for design in the context of developing Asheboro as an unique place. Consideration has been given to balancing the interests of property owners with the community's aesthetic character. The balancing of the landowners right to use his land, with the corresponding right of abutting and neighboring landowners to live without nuisances such as noise, smoke, fumes, odors, glare of lights, and visual pollution.

1. **Except single family dwellings** and their permitted accessory structures, all new construction and expansions and/or additions, shall meet the requirements of this Ordinance pertaining to design regulations and shall also meet the following specific design criteria which is meant to facilitate an orderly pattern of architecturally and esthetically integrated development:

- a. All Facades

One Hundred percent of the area below the facia of any non-single family building including doors and windows shall be finished with any Building Code approved material except:

- i. Unfinished wood, concrete block (except split-faced block), metal panels, metal painted panels and any metal panel with "rib" or "u" configuration.

- ii. Laminated, composite or press board wood type materials. (*composed of layers of firmly united wood materials - made by bonding or impregnating superposed layers with resin and compressed under heat*)
 - iii. Horizontal vinyl siding with an apparent board width of more than 6 inches.
 - b. Trim and similar architectural detailing may be composed of any code-approved materials.
 - c. All multifamily structures less than 3 stories in height using a sloped roof shall have a minimum slope of 5 in 12 on the principal roof.
 - d. All multifamily structures not using a sloped roof shall have a parapet wall above the roof of at least three (3) feet in height.
2. Nonconforming Uses and Exemptions
- a. Expansions of nonconforming uses shall comply in all respects to the development standards of this section.
 - b. Interior remodeling, repairs, or other forms of redevelopment which do not create additional floor area or exterior repairs which do not change required design features shall be exempt from the provisions of this section.
 - c. Routine maintenance or repairs of any structure or site feature shall be exempt from the provisions of this section.
3. Accessory Buildings and Structures
- a. All accessory structures larger than 12 X 12 or 144 square feet shall comply with the provisions of Section 318A. D. 1.

4. Site Plan Requirements

In addition to site plan requirements as specified in Section 1005, elevation plans at a minimum scale of 1/8" = 1 ft for all exterior walls for the proposed construction shall be submitted. Plans shall be on bond or vellum paper no less than 8.5 x 11 inches. Drawing(s) shall be straight-line and building materials identified in accordance with accepted architectural standards including Job title and location. Modifications to the site plan or elevation plan shall be resubmitted for approval.

5. Definitions

For the purpose of this section, the following words shall be defined as:

Appearance: The outward aspect visible to the public.

Facade: The exterior wall of a building exposed to public view.

Facia: (board) A horizontal piece covering the joint between the top of a wall and the projecting eaves. Facia shall be considered as facade.

Parapet Wall: That portion of any building wall that rises above the level of the roof line, and it is made of the same material and thickness as the building wall.

Elevation Plan: Building profiles to scale showing the architectural style, design, and arrangement of the exterior of a building or other structures, including the kind and texture of the building material, the size, color and scale of the building, and the type, color, style of all windows, doors, roofs, and other appurtenant fixtures.

319A. Obstructions Prohibited within Right-of-ways

It shall be unlawful to place any highway obstruction, including a driveway headwall, fence, plantings, structures, rural mailbox, newspaper delivery box or other roadside obstruction so as to interfere with the traffic or maintenance of the roads and highways of the city or state highway system. Only mailboxes or newspaper delivery boxes with non-rigid type posts, such as a 4"x4" wooden or small diameter metal type are permitted on road additions made to the city or state highway system after the 11th day of July, 1996. The location within the right of way of an addition to the system of any brick columns, mailboxes or newspaper delivery boxes on rigid stands such as block, stone, or any other type determined to be a traffic hazard is prohibited.

320A: Asheboro Municipal Airport Overlay District:

320A.1: Purpose: The purpose of this Overlay District is to establish height regulations within the Asheboro Municipal Airport approach zones located within the City of Asheboro's jurisdiction. The Municipal Airport Overlay District is also designed to prohibit other obstructions that have the potential for endangering the lives and property of users of the Asheboro Municipal Airport and property or occupants of land within the district.

320A.2: Administration of the Requirements of this Article:

A. Applications for any development within this overlay district shall be as for any development regulated by the Ordinance.

320A.3: General Provisions:

A. Lands to which this Article Applies: This Article shall apply to all lands within the City limits and within the extraterritorial jurisdiction of Asheboro that lie within 20,000 feet of the airport runway and within any approach to the Asheboro Municipal Airport as designated in the Asheboro Municipal Airport Airspace Plan.

Such areas shall be as depicted on the Official Zoning Map. The Asheboro Municipal Airport Overlay district shall be considered as an overlay district

to the existing zone districts. Uses permitted within the underlying districts shall be permitted provided they meet the requirements of this Section.

- B. Interpretation of District Boundaries: The Planning Director shall make the necessary interpretation as to the location of specific properties within this district. The decision of the Planning Director shall be subject to appeal to the Board of Adjustment in accordance with Article 900 of this Ordinance.
- C. Compliance: No structure shall be erected, reconstructed, or altered, nor shall any building or land be used without full compliance with the terms of this Article and other applicable regulations.
- D. Board of Adjustment: The Board of Adjustment of the City of Asheboro as established in Article 900 of this Ordinance shall serve to hear any appeals of this Article.
- E. Penalties for Violation: Violation of this Article shall be considered as any violation of this Ordinance and shall be dealt with as provided for in Section 1011.
- F. Uses Permitted: All uses permitted within the underlying zone shall be permitted within the overlay zone except sludge applications and sanitary landfills. No use may be made of land within the Overlay District in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between the airport's lights and others, impair visibility of pilots, create bird strike hazards, or otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.
- G. Other Restrictions:
 - (a) Within the Asheboro Municipal Airport Overlay District there exists a zone which is defined by a 1 foot rise in elevation for every 100 linear feet from the runway. This zone includes all areas lying within 20,000 feet of the runway. Within this zone, plans for a proposed structure which penetrates beyond the height thus established shall be subject to review and approval by the FAA and the Asheboro Airport Authority. No structure shall be permitted which penetrates the height established by the Asheboro Municipal Airport Airspace Plan except if agreed upon by the Asheboro Airport Authority.
 - (b) A Special Use Permit may be issued for a structure to exceed Table 200-1 height if this Ordinance would otherwise permit the structure to do so. Any structure proposed to exceed 199.9 feet in height or penetrates above the elevation in the zone established above, is required to have an FAA Form 7460-1 submitted to the FAA . A copy of the acknowledgment received shall be submitted to the Asheboro Airport Authority.

- (c) Upon receipt of plans and/or FAA response to FAA Form 7460-1 and other related materials, the Airport Authority shall review the proposed structure. Within 60 days of the receipt of the report, the Airport Authority shall submit in writing to the applicant and the Asheboro Planning Department their findings concerning the proposed structure and the airport airspace plan. Any applicant receiving positive findings from the FAA and the Asheboro Airport Authority may then proceed to apply for a Special Use Permit.

H. Structures made nonconforming due to Section 320A height restrictions

Any structure made nonconforming due to its height by these regulations may be subject to marking and/or lighting for air safety. Upon determination by the FAA or the Asheboro Airport Authority that such marking and/or lighting is necessary, the owner(s) of the structure will be notified and given 6 months within which to add the appropriate marking and/or lighting.

321A. Recreation Space

Recreation space may be active or passive. It may consist of park benches, walkways, picnic tables, sand lots, grills for barbeques, basketball goals, merry-go-rounds, jungle gyms, etc. Recreation space shall be clearly delineated from the open space by plantings or screens. No active recreation space may be closer than 20 feet to any dwelling unit.

322A Sidewalks Required

- A. Sidewalks are required of all new buildings, except single family and duplex, located in RA6, OA6, O & I, B1, M, B2, TH and B3 districts. However, they are not required for additions, extensions or enlargements of existing buildings nor to expansions of existing multi use situations, nor for the addition of an accessory structure. Additions, extensions or enlargements of existing buildings and expansions of existing multi use situations shall install sidewalks when such buildings have street frontage with an existing sidewalk which does not extend the entire frontage of the lot. For lots with more than one street frontage, additions, extensions or enlargements of existing buildings and expansions of multi-use situations shall require the installation of sidewalks along only that frontage where the existing sidewalk does not extend along the length of that frontage.
- B. Sidewalks are required of all new buildings located in I1, I2, and I3 districts when such building is located on a major or minor thoroughfare. However, they are not required for additions, extensions or enlargements of existing buildings nor to expansions of existing multi use situations, nor for the addition of an accessory structure. Additions, extensions or enlargements of existing buildings and expansions of existing multi use situations shall install sidewalks when such buildings have street frontage with an existing sidewalk which does not extend the entire frontage of the lot. For lots with more than one street frontage, additions, extensions or enlargements of

existing buildings and expansions of multi-use situations shall require the installation of sidewalks along only that frontage where the existing sidewalk does not extend along the length of that frontage.

- C. When required in A or B above, sidewalks shall be installed along all street frontages that possess curb and gutter. Sidewalks shall be constructed if a minimum of 8.5 feet of public right-of-way exists as measured from the back of curb to the outer boundary of the public right-of-way. In the event that a minimum of 8.5 feet of public right-of-way does not exist as measured from the back of the curb to the outer boundary of the public right-of-way, the provisions of this section shall not apply. For the purposes of this Section, a street frontage shall be defined as a right-of-way or fee simple tract of land that has been set aside for public travel, built to public street standards, and eligible for maintenance by either the City of Asheboro or the State of North Carolina. Sidewalks shall be constructed in accordance with City of Asheboro sidewalk design standards as established by the City of Asheboro Engineering Department or the North Carolina Department of Transportation and shall be subject to the approval of an encroachment agreement by the applicable permitting authority. The inability to obtain said approval shall be considered a waiver of the requirements of this Section. The City of Asheboro sidewalk design standards shall be made available for public inspection in the office of the City Clerk.

323A Supplemental Regulation for Boarding/Rooming House

1. A boarding/rooming house shall contain a maximum of 2 adult roomers.
2. A boarding house shall provide a resident manager.
3. No parking spaces shall be located between the principal structure and the street right-of-way.
4. All parking surfaces (including parking spaces, maneuvering and access areas) shall have a paved surface and be designed according to Article 400, Section 408.
5. Front yard landscaping is required per the requirements of Article 300A, Section 308A.
6. No such use shall be located within 1000 feet of another such use, as measured from the zoning lot line.

324A Supplemental Regulation for Emergency Shelter

1. The facility shall provide on-site supervision by employee(s) or volunteers at all times the shelter is in operation.
2. The facility shall only operate for the duration of the emergency event(s) for which the shelter was initially opened. When the facility is no longer addressing the needs arising out of an identifiable emergency, the status of the facility's compliance with the zoning ordinance shall be evaluated on the basis of the land use classification applicable to the zoning lot when the facility is not utilized to respond to emergency events.
3. The facility shall meet all all applicable building and fire codes.

325A Adult Establishments General

A. Distance Requirements

1. No Adult Establishment General shall be located within 500 feet of any residentially zoned property. The distance shall be measured in a straight line from the zoning lot line of the proposed establishment to the nearest point of the residentially zoned lot line or property, whether such district or use is located within the City of Asheboro jurisdiction or not.
2. No Adult Establishment General shall be located within 500 feet of any church, synagogue, mosque, and/or any other place of worship. The distance shall be measured in a straight line from the zoning lot line of the proposed establishment to the nearest point of the lot line for the church, synagogue, mosque, and/or any other place of worship, whether such use is located within the City of Asheboro jurisdiction or not.
3. No Adult Establishment General shall be located within 500 feet of any school (public or private), park, or child daycare use. The distance shall be measured in a straight line from the zoning lot line of the proposed establishment to the nearest point of the lot line for the school (public or private), park, or child daycare use, whether such use is located within the City of Asheboro jurisdiction or not.
4. No Adult Establishment General shall be located within 1,000 feet of any other such use or any Adult Establishment with Live Entertainment and On Premise Consumption of Alcoholic Beverages. The distance shall be measured in a straight line from the zoning lot line of the proposed establishment to the nearest point of the lot line for the existing Adult Establishment General or an Adult Establishment with Live Entertainment and On Premise Consumption of Alcoholic Beverages.
5. No Adult Establishment General shall be located on the same zoning lot as any other such use or Adult Establishment with Live Entertainment and On Premise Consumption of Alcoholic Beverages.

B. Signs

1. Ground Signs: All lots (both corner and interior) on which an Adult Establishment General is located upon shall be limited to one (1) Free-Standing (Monument) sign not to exceed six (6) feet in height. In no case shall the size of the sign exceed seventy-five (75) square feet.
2. Wall Signs: A one square foot sign may be placed on the door to state hours of operation and admittance to adults only. Otherwise, no wall signs shall be permitted on buildings within which an adult establishment is located.
3. No depictions/images of obscenity (as defined by North Carolina statutory and case law) or specified anatomical areas or specified sexual activities (as defined in Article 1100) shall be displayed in any area, including window areas, where they can be viewed from any public street, public right-of-way, or public vehicular area.

4. No sign shall be colored or treated in high intensity colors (for example, pink, blue, green, purple, yellow, red, orange, etc.) florescent, or metallic colors. Earth color tones shall be considered acceptable.

5. The exterior signage permitted for an Adult Establishment General is strictly limited to the ground sign and wall sign described above.

C. Building Design

1. Building design requirements apply to principal and accessory structures. In addition to the provisions of this section, all other design and performance standards applicable to the zoning district in which the use is located shall apply.

2. All windows, doors, openings, entrances, etc., shall be located, covered, screened, or otherwise treated so the views into the interior of the establishment are not possible from any public street, public right-of-way, or public vehicular area. Windows shall not be covered with any of the following:

i. Unfinished wood, concrete block (except split-faced block), vinyl siding, metal panels, metal painted panels and any metal panel with "rib" or "u" configuration.

ii. Laminated, composite or press board wood type materials (*composed of layers of firmly united wood materials - made by bonding or impregnating superposed layers with resin and compressed under heat*).

iii. Metal panels with galvanized, aluminum, or aluminum zinc finishes except metal laminated architectural materials (such as Alucobond®) are a permitted material).

3. Fences: No fence, except where required for buffer or screening, shall be permitted any closer to the public right-of-way than the front of the principal structure.

D. Change of Use

1. Notwithstanding any other provision of this ordinance, a land use application for any adult establishment general shall constitute a change of use. This provision shall apply to a single use and/or structure and multi-uses and/or structures.

E. Landscaping

1. Landscaping shall be designated as a Type 3 on the buffer and screen matrix (Article 300A, Section 304A.3) with the following modification: The width of the landscaping shall be consistent with a buffer width for the respective abutting use or zoning, and planting

materials (i.e. trees, shrubs, ground cover) shall be consistent with the requirements for the required screening plantings for the respective abutting use or zoning.

F. Lighting

1. No colored exterior lighting shall be permitted.

**326A Supplemental Regulations for Manufactured Homes/Mobile Homes
(Amended 8-2010)**

1. Class A and Class B manufactured homes shall meet the following requirements:

A. The home shall be used for single-family residential purposes.

B. A continuous, uniform foundation enclosure, un-pierced except for required ventilation and access, shall be installed under all elements of the building. The enclosure may consist of brick, stucco, stone, split-faced concrete masonry unit, concrete block, vinyl or metal fabricated for this purpose.

C. Entrances: Exterior steps, stairways, stairs, porches, entrance platforms, landings, ramps, and other means of entrance and exit shall be installed or constructed in accordance with the latest edition of the State of North Carolina Regulations for Manufactured Homes set by the North Carolina Building Code Council and North Carolina Department of Insurance.

2. The Zoning Administrator shall use the following criteria in determining the Class A classification of mobile homes:

A. Roof pitch. The pitch of the main roof of the building shall have a minimum rise of 2.4/12.

B. Exterior finish.

The home shall have an exterior facade of vinyl or wood siding, stone, brick, or other non-metallic material.

C. Foundation. A continuous permanent brick, stucco, stone, or split-faced concrete masonry unit foundation, un-pierced except for required ventilation and access, shall be installed under all elements of the building.

D. Chassis and tongue removal. Undercarriage of the chassis shall be removed upon final placement of unit. The towing tongue may be removed if attached by bolts or anchor or a similar removable method. If the towing tongue is not removable, then the tongue must be included within the foundation with materials specified in C above.

E. Site Orientation. In addition to meeting classification standards any home permitted on an individual lot shall be located so that its longest dimension is parallel to or at least not more than 30 degrees from parallel to the front of the lot. For the purpose of this regulation in the case of a corner lot the street with the greatest frontage shall be considered the front.

327A Supplemental Regulations for Open Air Sales, Accessory, Seasonal/Produce Sales, and Limited Duration Events (Amended 1-6-2011):

This section is designed to provide businesses the opportunity for temporary uses without endangering the public health, safety and general welfare.

(1) The following provisions shall apply to Open Air Sales, Accessory/ Seasonal/Produce Sales, and Limited Duration Events:

- (i) No structures, sales, displays, rides, or activities pertaining to the event or sale are permitted in any required setback, public or private right of way or landscaping areas (Front yard landscaping per Article 300A, or required screening/buffers per Article 300A).
- (ii) No use regulated by this section may occupy required parking spaces, access, maneuvering areas, or loading spaces or areas.

(2) The following provisions apply to Open Air Sales, Accessory:

Open Air Sales, Accessory are permitted without a Zoning Compliance Permit subject to the following:

- (i) Open air sales, accessory must be directly subordinate to the operations of the permittee engaging in the principal use on the zoning lot (i.e. outdoor sales of auto parts at an auto parts store, clothing brought outside a clothing store, etc.) and meet the requirements of 327A(1) are permitted.
- (ii) Food vendors are allowed solely as a promotional tool in conjunction with Open Air Sales, Accessory.

(3) The following provisions apply to seasonal/produce sales:

- (i) A zoning lot may be utilized for this use twice within any calendar year. Each occurrence of this use on a zoning lot shall be limited to ninety (90) days.
- (ii) Signs shall be regulated by Article 500.
- (iii) This use requires parking as specified by Table 400-1, in addition to the required parking provided for the principal use of the property.
- (iv) Written permission of the property owner that seasonal/produce sales use may occur on the property is required.
- (v) Restroom facilities are required based on the North Carolina Building Code.

- (vi) An application for this use shall be submitted at least five (5) business days prior to the event.
- (vii) A site plan showing sales/display areas, and existing and proposed structures, access, parking and maneuvering areas is required. Certain requirements of this Ordinance do not apply, specifically; 304A, 306A, 307A, 308A, and parking paving and landscaping regulations as specified in Article 400. A statement shall be included on the site plan that the use meets all applicable performance standards (noise, lighting, etc.)

(4) The following provisions apply to limited duration events:

- (i) Limited duration events shall include circuses, carnivals, fairs, concerts, and similar events. Limited duration events shall not include uses such as, but not limited to, sales of goods, yard sales, carwashes, and commercial services.
- (ii) The event shall occur for 21 days or less.
- (iii) Signs shall be regulated by Article 500.
- (iv) Temporary uses require parking as specified by Table 400-1, in addition to the required parking provided for the principal use of the property.
- (v) Written permission of the property owner that the limited duration event may occur on the property is required.
- (vi) Restroom facilities are required based on the North Carolina Building Code.
- (vii) An application for this use shall be submitted at least five (5) business days prior to the event.
- (viii) A site plan identifying event areas, and existing and proposed structures, access, parking and maneuvering areas is required. Certain requirements of this Ordinance do not apply, specifically; 304A, 306A, 307A, 308A, and parking paving and landscaping regulations as specified in Article 400. A statement shall be included on the site plan that the use meets all applicable performance standards (noise, lighting, etc.)
- (ix) Concerts in all public school facilities and all public parks, without regard as to Zoning District, are permitted without a Zoning Compliance Permit. (Relocated from Notes to Table 200-2, Note 42).

328A Supplemental Regulations for Solar Farms in Industrial Zoning Districts

(A) Intent This section is intended to provide the opportunity for solar energy to serve as a viable form of energy generation while protecting public health, safety and general welfare.

(B) General Requirements

The following provisions shall apply to Solar Farms located in Industrial Zoning Districts:

- 1) All structures and equipment associated with solar farms shall observe setbacks specified by Table 200-1, as modified by Front Yard Averaging requirements (Article 300, Section 305).
- 2) a.) Front yard landscaping that meets the requirements of Article 300A, Section 308A is required.

b.) Buffering/screening shall be installed as prescribed by the requirements of a Group 1 use in the Buffering and Screening Matrix of Article 300A, Section 304A.3. Exception: No buffering is required for portions of the zoning lot in which structure(s), solar collectors/equipment, and parking associated with the solar farm are one hundred (100) feet or more from the zoning lot boundary. On all other portions of the zoning lot in which these features are less than one hundred (100) feet from the zoning lot boundary, buffer/screen requirements shall apply.
- 3) Electric solar energy components shall have a UL listing and be designed with anti-reflective coating(s).

Appendix A

A. Understory Trees

- a. American Hornbeam
- b. Eastern Redbud
- c. Flowering Dogwood
- d. Washington Hawthorn
- e. Russian Olive
- f. Mountain Silverbell
- g. American Holly
- h. Golden Rain Tree
- i. Grape Myrtle
- j. Sourwood
- k. Carolina Cherry-Laurel
- l. Kousa Dogwood
- m. Fringe Tree
- n. Star Magnolia
- o. Sweet Bay Magnolia
- p. Stewartia
- q. Amelandier
- r. Styrax

B. Evergreen Trees

- a. Deodar Cedar
- b. Southern Magnolia
- c. Carolina Hemlock
- d. Cryptomeria
- e. Red Cedar
- f. Leyland Cypress

C. Canopy Trees

- a. Sugar Maple
- b. Norway Maple
- c. Red Maple Variety
- d. Ginko (male)
- e. Honeylocust
- f. Chinese Elm
- g. Eastern Red Oak
- h. Willow Oak
- i. Scarlet Oak
- j. Laurel Oak
- k. River Birch
- l. Zelkova
- m. Bradford Pear
- n. Cleveland Pear

D. Shrubs for Evergreen Screening

- a. Glossy Abelia
- b. Wintergreen Barberry
- c. Dwarf Horned Holly
- d. Convexa Japanese Holly
- e. India Hawthorn
- f. Azaleas and Rhododendrons
- g. Japanese Yew
- h. Compacta Holly
- i. Southern Wax Myrtle
- j. Thorny Elaeagnus
- k. Burford Holly
- l. Yaupon Holly
- m. Japanese Privet
- n. Fortune Tea Olive
- o. Red Photinia
- p. Laurentinus Virburnum
- q. Northern Bayberry
- r. Gold Thread Cypress
- s. Crippsii Cypress
- t. Virburnum Chindo
- u. Mahonia Bealei

E. Buffer Shrubs

- a. Japanese Barberry
- b. Border Forsythia
- c. Vernal Witch Hazel
- d. Common Witch Hazel
- e. Pfitzer Juniper
- f. Parsori Juniper
- g. Cotoneaster
- h. Drooping Leucothoe
- i. Winter Honeysuckle
- j. Juddi Viburnum
- k. Doublefile Virburnum
- l. Carlesi Virburnum
- m. Helleri Holly
- n. Butterfly Bush
- o. Nandina domestica
- p. Inkberry Holly

Appendix B: Trees For Front Yard Landscaping

Large Trees (Mature Height Greater than 50 feet):

- | | | |
|-------------------------|-------------------|----------------------|
| -Green Ash | -Overcup Oak | -Japanese Pagodatree |
| -Thornless Honey Locust | -Pin Oak | -Bald Cypress |
| -Dawn Redwood | -Willow Oak | -Silver Linden |
| -London Planetree | -Northern Red Oak | -Lacebark Elm |
| -Swamp White Oak | -Shumard Oak | -Japanese Zelkova |
| -Shingle Oak | -Live Oak | |

Medium Trees (Mature Height between 35 feet and 50 feet):

- | | | |
|---------------------|--------------------|------------------|
| -Red Maple | -American Hornbeam | -Golden Raintree |
| -Horse chestnut | -Sugar Hackberry | -Amur Corktree |
| -Red Horse chestnut | -Turkish Filbert | -Sargent Cherry |
| -European Hornbeam | -Easter Redcedar | |

Small Trees (Mature Height less than 35 feet)

- | | | |
|-------------------------|----------------------|----------------------|
| -Hedge Maple | -Kousa Dogwood | -Amur Maackia |
| -Serviceberry | -Green Hawthorn | -Flowering Crabapple |
| -Eastern Redbud | -Carolina Silverbell | -Chinese Pistache |
| -Chinese fringetree | -Crapemyrtle | -Japanese Tree Lilac |
| -Carolina Cherry Laurel | -Chokecherry | |