

## ARTICLE 500 -- SIGNS

### 501 Intent

It is the general intent of this Ordinance to prohibit signs of a commercial nature in districts in which commerce is barred; to limit signs in the commercial districts in relation to the intensity of the use of the district and its surroundings; and to control the number, area and location of signs in other districts. These regulations are designed, among other purposes, to stabilize and protect property values, maintain the visual attractiveness of the City of Asheboro and its environs and promote public safety.

### 502 Signs Subject to Control

All signs visible from the public rights-of-way shall be erected, maintained and operated in accordance with this Ordinance and other relevant controls, unless specifically exempted. Signs not subject to the provisions of this Ordinance are listed in Section 503.

### 503 Signs Not Subject to Control

The following signs are not subject to the control of this Ordinance:

- (a) Non-illuminated signs not exceeding two square feet in area, not of a commercial nature and bearing only property identification numbers and names, post office box numbers and name(s) of occupant(s) of the premises.
- (b) Insignia of any government and historic markers erected by a governmental body.
- (c) Legal notices, identification and informational signs and traffic directional signs, erected by or on behalf of a governmental body.
- (d) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights. This shall include decorative murals that are an integral decorative component of a building but bear no advertising matter direction attention to a business, commodity, service, or entertainment conducted, sold, manufactured or offered.
- (e) Signs directing and guiding traffic on private property, but which bear no advertising matter and do not exceed two square feet in area.
- (f) Incidental signs used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not be limited to drive through window menu boards, signs on automatic teller machines, gas pumps, express mail drop boxes, vending machines or newspaper delivery boxes, or signs painted or permanently attached to currently licensed motor vehicles that are not parked or located so as to function as a sign.

## 504 Traffic Safety Precautions

The following practices in relation to signs are prohibited, notwithstanding any other provisions in this Ordinance, in order to preserve the safety of pedestrian and vehicular movement:

- (a) No sign shall be erected so that any part of it intrudes into a sight preservation triangle established.
- (b) No sign shall use such words as "stop," "slow," "caution," "danger," or similar admonitions that may be confused with traffic directional signs erected by governmental agencies.
- (c) No sign shall be erected so as, by its location, color, nature or message, to permit it to be confused with or obstruct the view of traffic signals or signs or so it would tend to be confused with the warning lights of an emergency or public safety vehicle.

## 505 Prohibited Signs

### 1. Locations

- (a) Except where specifically exempted or modified by this Ordinance, signs shall be located as follows:
  - i.) In all zoning districts, signs shall be located outside of the public rights-of-way.
  - ii.) In all residential districts and OA6, O & I, and B1 districts, signs shall be located outside of the first 10' of the required front yard.

Any illegal sign located in public rights-of-way is subject to removal without notice.

- (b) No sign shall be attached to any utility pole, tree, rock or other natural object.
- (c) No off premise signs (billboards) shall be placed within the US 220 Bypass Overlay Zone.
- (d) No sign of any form shall be permitted to be attached to or painted on any fence. (4/6/00)

### 2. Types

- (a) No roof signs shall be permitted. A roof sign is defined as a sign erected, constructed, or maintained upon the roof of any building and extending above the highest portion of the roofline. Signs attached to the roof but not meeting this definition shall be regulated as wall signs.
- (b) No off-premise signs shall be permitted, except where specifically permitted by this Ordinance.
- (c) No signs with pulsating, rotating, occulting or flashing lights shall be permitted. Signs showing time and temperature information and electronic changeable copy are permitted. Electronic changeable copy signs shall operate on a five (5) second minimum delay.

(d) No sign shall be attached to, painted on, or otherwise affixed to a vehicle whose primary purpose is for advertisement. Advertising on licensed motor vehicles primarily and actively used for customary business activities is permitted.

(e) No portable signs shall be permitted, except those specifically permitted under Section 512. Included in this prohibition are trailer, mobile, A-frame & T-frame portable signs.

#### 506 Maximum Area for Signs

Table 500-1 shall regulate sign area.

#### 507 Maximum Height for Signs

Table 500-1 shall regulate sign height.

#### 508 Restriction on Direct Illumination

No source of illumination on a sign, such as floodlights, spotlights, unshielded bulbs, etc., shall be directly visible from any public right-of-way, from any residential district or from adjacent premises. No sign permitted in any Residential district may be illuminated except as permitted in table 500-1. Illumination in non-residential districts is allowed as indicated in Table 500-1; "Lighted," in Table 500-1, refers to sources of internal or external illumination supplied for the purpose of illuminating the sign.

#### 509 Electrical Requirements

All electric signs with internal wiring or lighting equipment, and all external lighting equipment used to direct light on signs, shall bear the seal of approval of an electrical testing laboratory that is nationally recognized as having the facilities for testing and requires proper installation in accordance with the National Electrical Code.

All electrical connections shall be in accordance with the National Electrical Code.

#### 510 Zoning Compliance Permit Required

Before any sign, except those specifically exempted from such a requirement, shall be constructed, moved, altered, or repaired, except ordinary repairs, a Sign Zoning Compliance Permit as required by Article 1000, Section 1004 shall be obtained.

#### 511 Responsible Party Identified

Every sign for which a permit is required shall be plainly marked with the name of the person, firm, or corporation responsible for the sign.

512 Temporary Signs

(a) Not Requiring Permit

The following temporary, unlighted signs may be erected in the manner prescribed without the issuance of a Zoning Compliance Permit:

(1) Real Estate Signs: A sign located on the premises and offering said premises for sale, rent, lease, or development, shall not exceed the following height or area per sign face:

**A. Residential Districts**

Distance from all street right-of-way lines	Maximum Sign Area	Maximum Sign Height
0 to 49 feet	12 square feet	4-6 feet
50 feet or more	32 square feet	8-10 feet

1. Permitted sign type in residential zoning district: Freestanding (ground)

2. A real estate sign on a residential lot may be up to 32 square feet and 10 feet high, if it is located on a major thoroughfare and meets one or more of the following criteria:

- a.) the speed limit of the road on which the sign is placed is 45 miles per hour or above; or
- b.) the lot for sale, rent, lease, or development is five acres or more.

B. Commercial (includes OA6, O&I, B1, M, B2, B3, and TH districts and corresponding Conditional Use districts) /Industrial Districts (includes I1, I2, and I3, and corresponding Conditional Use districts)

Location	Maximum Sign Area	Maximum Sign Height
Commercial /Industrial Districts* Sign is located 0 to 49 feet from street right-of-way line	32 square feet (unless modified below*)	10 feet
Commercial /Industrial Districts Sign is located 50 feet or more from street right-of-way line	64 square feet (unless modified below*)	10 feet
B3 District)**	32 square feet (unless modified below**)	10 feet (freestanding) Top of wall (wall sign)

\*1. Permitted sign type in OA6, O&I, B1, M, B2, and TH zoning district (and corresponding Conditional Use districts), and I1, I2, and I3 industrial districts (and corresponding Conditional Use districts): Freestanding (ground)

Alternately, in these districts, a real estate sign offering property for sale, rent, lease, or development may utilize the frame of an existing, legally erected freestanding sign (including pole and monument

types). If an existing and legally erected sign is used, no additional real estate sign shall be permitted and no increase in the area of the existing sign is permitted.

\*\*2. Permitted sign types in the B3 district (and corresponding Conditional Use district), the following type of real estate sign is permitted: Freestanding (ground), Wall (including window, canopy, banner type)

A real estate wall sign located in the B3 zoning district may be attached to a wall, canopy, and/or window, as otherwise permitted. A banner type wall sign may be used in the B3 district as the permitted real estate sign.

Alternately, in the B3 district, a real estate sign offering property for sale, rent, lease, or development may utilize the frame of an existing, legally erected, freestanding (including pole and monument type) or wall sign. If an existing and legally erected sign is used, no additional real estate sign shall be permitted and no increase in the area of the existing sign is permitted.

(2) Real Estate Signs, off premises directional: Two temporary off-premise signs directing traffic to a property offered for sale, rent, lease, or development may be permitted in any district. Such signs may not exceed 2 square feet in area or 3 feet in height, shall not be located within the public right-of-way, shall be limited to one sign per zoning lot, where located, with the permission of the property owner, may be located in required yards and must be removed upon sale or leasing of the property.

(3) Construction sign. A single construction site identification sign shall be permitted on the property being developed. It shall not exceed 6 feet in height or 32 square feet in area, shall be located at least 10 feet from the front property line and may contain in its message identification of the project, its owner and/or developer, architect, engineer, land planner, landscape architect, contractor and subcontractors. The sign shall be removed upon issuance of the Certificate of Zoning Compliance for the structure.

(4) Outdoor inventory sales signs. Professionally made signs, banners, pennants, flags, streamers, balloons or other windblown devices may be displayed on a commercially or industrially zoned lot where ninety-five (95%) percent of the standard inventory is located out of doors and the lot contains a minimum of 1.5 acres. Such signs shall not be located in the public right-of-way and there is no limit to the numbers of such signs. All outdoor inventory sales signs, except strings of pennants and streamers, shall not exceed 150 square feet per device. The height of such signs is limited to the restrictions of the zoning district where they are located. Balloons must be firmly attached to a stationary object, but may have a maximum tether height of thirty (30) feet.

(b) Signs Requiring Permits

The following temporary signs require a Zoning Compliance Permit:

(1) Temporary signs, banners, pennants, flags, streamers, balloons or other windblown devices erected for not more than 30 days announcing openings, closings, management changes or special events. Windblown devices are objects designed to inform or attract attention, all or part of which is set in motion by or remains inflated by wind, mechanical, electrical or any other means. No more than two (2) such signs may be erected by any establishment of any zoning lot within a calendar year, and must be located on the zoning lot where the special event is to take place. Such signs may be 12 square feet in size if located within 10 feet from the right-of-way and up to 32 square feet if located over 10 feet from the right-of-way. The permit for such signs shall be on display at the establishment.

(2) Temporary signs and banners erected for not more than thirty (30) days announcing a civic or philanthropic event in any district. Such signs or banners shall be limited to one per lot and may be located in required yards. The applicant shall either present written permission of the property owner(s) in which the signs are proposed or a notarized affidavit listing each property owner that has granted permission for each sign(s). Such signs may be 8 square feet in size if located within 10 feet from the right-of-way and up to 16 square feet if located over 10 feet from the right-of-way. A zoning compliance permit may be issued for multiple locations, so long as all requirements of the Zoning Ordinance are met for each location. Such signs shall not be located in the public right-of-way, in a manner that blocks sight distance or on utility poles. Such signs shall be removed within 2 days after the event to which they pertain. Signs described in this section that will be displayed for a period of less than 48 hours shall not require a Zoning Compliance Permit.

(3) Temporary signs for the sale of produce, Christmas trees, crafts, seafood or similar items sold on a seasonal or temporary basis shall not exceed 32 square feet in area or 6 feet in height. Only one such sign per zoning lot shall be erected and shall be safely affixed to the ground or a permanent structure on the lot. A copy of the privilege license for the temporary business shall be included in the permit application and the permit shall be kept at the business site. Such signs shall be removed within 7 days of the termination of sale activities.

(4) Two temporary off-premise signs directing construction traffic during the construction period of a new business. Such signs may not exceed 6 square feet in area or 3 feet in height, shall be limited to one sign per zoning lot with the written permission of the property owner, may not be located in any residential district, may be located in required yards and must be removed upon issuance of a Certificate of Occupancy.

(5) "A" and "T" frame signs may be permitted to be used as temporary signs as described in sub-sections **512 B** (1), (2), and (3). All portable signs shall have an approved type of tie-down provision to prevent them from becoming a hazard during high winds. Tie-down provisions will not change a sign's status from a portable sign to a ground sign.

#### 513 (Reserved for future amendments)

#### 514 Maintenance Required

All signs, together with braces, guys, and supports shall at all times be kept in good repair. All signs and supporting materials shall be kept neatly finished. If at any time a sign should become unsafe or poorly maintained, the Zoning Administrator shall notify the owner of such condition, and upon failure of the owner to correct such condition, the Zoning Administrator shall take appropriate legal action to have such signs repaired or removed.

#### 515 Removal of Obsolete Signs

Signs identifying business establishments no longer in existence, products no longer being sold, and services no longer being rendered shall be removed from the premises within 60 days from the

termination of such activities. Upon failure of the owner to remove such signs within the prescribed time period, the Zoning Administrator shall take appropriate legal action to have such signs removed.

## 516 Nonconforming Signs; Inventory and Termination of Status

### (a) Inventory of Nonconforming Signs

The Zoning Administrator, within one year of the effective date of this Ordinance, shall make, or cause to be made, an inventory of all nonconforming signs. This inventory, which shall include all land within the City of Asheboro and its extraterritorial planning jurisdiction, shall contain the location and description of the sign and the name and address of the owner(s) of the lot on which each sign is located, as they appear in the current tax roll. Additionally, for each sign, the Zoning Administrator shall note the reasons for the determination that each sign is nonconforming to the requirements of this Article and/or Article 800. Signs that are not legal nonconforming signs at the effective date of adoption shall not be considered such with the adoption of this ordinance.

### (b) Regulation of Nonconforming Signs

All signs except those specifically addressed below that do not conform to this Article shall be considered as nonconforming and regulated according to Article 800.

1. All signs that are nonconforming because of location within public right-of-way shall, where permitted, comply with this Article. All others shall be considered as a violation and subject to Section 1014.

#### 2. Change of Use and New Construction

Prior to the issuance of a change of use permit or certificate of zoning compliance for any new construction upon a zoning lot upon which a nonconforming on-premise sign or signs is located, such sign or signs shall be removed or brought into compliance with the requirements of this ordinance.

#### 3. Alteration: See section 803.6.

### (c) Off-Premise Advertising Signs (Billboards)

Nonconforming off-premise advertising signs (billboards) located within any residential district shall be brought into compliance with this ordinance or removed within seven years of the notice of non-conformity. Off-premise advertising signs (billboards) nonconforming due to location in districts other than a residential district may remain subject to Article 800 regulations. Off-premise advertising signs which are nonconforming for reasons not related to its location shall be removed or brought into compliance with the requirements of this ordinance within seven years of the notice of non-conformity.

Nonconforming off-premise signs shall be required to comply with the requirements of this ordinance if they are structurally altered.

Prior to the issuance of a building permit for any new exterior construction on a zoning lot, upon which any nonconforming off-premise sign is located, such nonconforming sign shall be removed or brought into compliance with the requirements of this ordinance.

517 All other Sign Types

The above and all other sign types shall be regulated as per Table 500-1.

518 General Requirements

All signs shall be professionally constructed of durable materials made to withstand expected wind velocities and resist damage and deterioration from the weather. All signs shall be maintained in good condition and shall be kept free of cracked or peeling paint or damaged sign panels or supports.