

CHAPTER 7
SIGNS
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CHAPTER 7

SIGNS

7.01 FINDINGS OF FACT AND PURPOSE

- (A) Signs can obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this Chapter is to further the objectives of the city's adopted land development plan and regulate the size, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic convenience to citizens and encouraging economic development. This Chapter allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This Chapter must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this Chapter is found by a court of competent jurisdiction to be invalid, such finding must not affect the validity of other provisions of this Chapter which can be given effect without the invalid provision.
- (B) A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this Chapter is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (A) of this Chapter.
- (C) These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, are compatible with the landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- (D) These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- (E) These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

- (F) These regulations are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by state government, the federal government or this City. The inclusion of “government” in describing some signs does not intend to subject the government to regulation, but instead helps illuminate the type of sign that falls within the immunities of the government from regulation.
- (G) These regulations are not intended to and do not apply to traffic control sign devices whose purpose is to promote roadway safety and efficiency by providing for the orderly movement of road users onto and off of streets and roadways, and that provide the guidance necessary for the safe, uniform and efficient operation of all elements of the traffic stream.
- (H) Notwithstanding any provision of this Chapter to the contrary, to the extent that this Chapter allows a sign containing commercial speech, it shall allow a sign containing noncommercial speech to the same extent. The noncommercial message may occupy the entire sign area or any portion thereof, and may substitute for or be combined with the commercial message. The sign message may be changed from commercial to noncommercial, or from one noncommercial message to another, as frequently as desired by the sign’s owner, provided that the sign is not prohibited and the sign continues to comply with all requirements of this Chapter.

7.02 DEFINITIONS

- (A) **Commercial Speech.** Any sign wording, logo or other representation advertising a business, profession, commodity, service or entertainment for business purposes.
- (B) **Dilapidated Sign.** Any sign that contains or exhibits broken panels, visible substantial rust, visible rot, damaged support structures, holes on or in the sign structure, broken, missing, loose, or bent parts, faded or flaking paint, non-operative or partially non-operative illumination or mechanical devices or which is otherwise unsightly or unkempt.
- (C) **Election Period Sign.** A portable or temporary sign erected for the limited time period beginning on the 30th day before the beginning date of "one-stop" early voting established by state law and ending on the 10th day after the primary or election day.
- (D) **Electronic Changeable Copy Sign.** A sign such as an electronically or electrically controlled message center or reader board, where different copy changes are shown on the same lampbank. Changeable copy signs are not classified as flashing signs.
- (E) **Flashing Sign.** Any illumined sign, except electronic changeable copy signs, on which the artificial light is not maintained stationary or constant in intensity at all times when such sign is in use.
- (F) **Freestanding Sign.** A sign erected and maintained on a freestanding frame, mast or pole not attached to any building, and not including monument signs. All such signs must be permanently affixed to or constructed upon the lot where they are located.

- (G)** Government Sign. A sign constructed, placed or maintained on behalf of the federal, state or local government or a sign constructed, placed or maintained under the auspices of the federal, state or local government.
- (H)** Monument Sign. A sign which is permanently mounted on an enclosed base or has support which places the bottom of the sign face less than one foot from the ground.
- (I)** Multi-Use Development Monument Sign. A monument sign erected on property containing development with five or more businesses.
- (J)** Multi-Use Development Freestanding Sign. A freestanding sign erected on property containing development with five or more businesses.
- (K)** Noncommercial Speech. Any message that is not commercial speech, which includes but is not limited to, messages concerning political, religious, social, ideological, public service and informational topics.
- (L)** Off-Premise Billboard Sign. Any sign authorized by Chapter 5 of this Ordinance which directs attention to a business, commodity, service, or entertainment not conducted, sold or offered on the premises where the sign is located. Signs meeting the standards of this Chapter that direct attention to a business, commodity, service, or entertainment not conducted, sold or offered on the premises where the sign is located shall not be considered an off-premise billboard sign.
- (M)** Outdoor Inventory Sign. A temporary on premise sign associated with a business that maintains 95 percent of its standard inventory outdoors.
- (N)** Portable Sign. Any structure, inclusive of an automotive frame, without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability. Temporary Signs shall not be considered Portable Signs.
- (O)** Projecting Sign. A sign, other than a wall sign, which projects from and is supported by a wall of a building or structure.
- (P)** Roof Sign. A sign located on or above the roof of any building, not including false mansard roof, canopy, or other fascia, and extending above the highest portion of the roof.
- (Q)** Sign. A name, identification, description, display illustration or structure, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Signs not exposed to view or legible from a street, public right-of-way, or public place shall not be considered a sign.

- (R)** Sign Area. The space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure, or where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers or design. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time and when such sign faces are part of the same sign structure, the sign areas shall be computed by the measurement of one of the faces.
- (S)** Sign Face. The entire display surface area of a sign upon, against or through which copy is placed.
- (T)** Sign Height. Sign Height shall be computed as 1) the distance from the base of the sign at finished lot grade or 2) from the crown of the nearest adjacent street to which the sign is oriented, whichever is higher, to the top of the highest component of the sign. Finished grade shall be the grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.
- (U)** Suspended Sign. A sign which is suspended from the underside of a horizontal plane surface, such as a canopy or marquee, and is supported by such surfaces.
- (V)** Temporary Sign. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the code official to be displayed for a limited period of time. National flags, state or municipal flags, or the official flag of any institution or business, or signs painted or engraved on any canopy or awning structure shall not be considered Temporary Signs.
- (W)** Wall Sign. A sign affixed directly to, or painted on or otherwise inscribed on an exterior wall, canopy, awning or marquee and confined within the limits thereof of any building and which projects from that surface less than eighteen (18) inches at all points. For multiple occupancy nonresidential buildings, the building face or wall and maximum sign area shall be calculated separately for each separate occupancy.

7.03 SPECIFIC SIGN STANDARDS BY TYPE

Signage shall be permitted subject to the standards in Table 7-1. Additional standards are provided according to zoning district, beginning in Section 7.06.

TABLE 7-1

SIGN TYPE	ZONING DISTRICT	MAXIMUM AREA (SQ FT)	MAXIMUM HEIGHT (FT)	SUPPLEMENTAL REGULATIONS
Freestanding	B2, TH	150	30	Section 7.08
Monument	Residential	50	6	Section 7.06
	OA6, O&I, B1, B3, M	75	6	Section 7.07
	B2, TH, Industrial	125	10	Section 7.08 or 7.09
Multi-Use Development Freestanding or Monument	B2, TH, Industrial	200	30	Section 7.08 or 7.09
Multi-Use Development Monument	OA6, O&I, B1, B3, M	125	10	Section 7.07
Projecting and Suspended	OA6, O&I, B1, B3, M	25	Top of wall	Section 7.07
	B2, TH, Industrial	75	Top of wall	Section 7.08 or 7.09
Wall	Residential	7.5% of wall area (40 min., 100 max.)	Top of wall	Section 7.06
	OA6, O&I, B1, B3, M	10% of wall area (40 min., 200 max.)	Top of wall	Section 7.07
	B2, TH, Industrial	15% of wall area (40 min.)	Top of wall	Section 7.08 or 7.09

7.04 PROHIBITED SIGNS

- (A)** Signs are prohibited in all Districts unless authorized under this Chapter.
- (B)** Subject to all applicable federal and state laws, only government signs are authorized in public rights-of-way. Except as specifically permitted by this subsection, all signage is prohibited in public rights-of-way.
- (C)** Signs attached to any utility pole, tree, rock or other natural object.
- (D)** Flashing signs.
- (E)** Portable signs that do not comply with the restrictions of this Chapter.
- (F)** Roof signs.
- (G)** Signs erected so that any part intrudes into a sight preservation triangle established.
- (H)** Signs erected that tend to be confused with the warning lights of an emergency or public safety vehicle or obstruct the view of traffic signals or signs.
- (I)** Dilapidated signs.
- (J)** Signs not competently constructed of durable materials and made to withstand expected wind velocities and resist damage and deterioration from the weather.

7.05 SIGN PERMIT REQUIREMENTS

- (A)** In general. A sign permit is required prior to the display and erection of any sign except as provided in this Chapter.
- (B)** Application for permit.
 - (1)** An application for a sign permit must be filed with the Zoning Administrator on forms furnished by the Planning and Zoning department. The applicant must provide sufficient information to determine if the proposed sign is allowed under this Chapter and other applicable laws, regulations, and ordinances.
 - (2)** The Zoning Administrator or designee must promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application. Any application that complies with all provisions of this Chapter, the zoning ordinance, and other applicable laws, regulations, and ordinances must be approved.

- (3) If the application is rejected, the Zoning Administrator must provide a list of the reasons for the rejection in writing. An application must be rejected for non-compliance with the terms of this Chapter, the zoning ordinance or other applicable law, regulation, or ordinance.
- (4) A nonrefundable fee as set forth in the fee schedule adopted by the City Council must accompany all sign permit applications.
- (5) Appeals. If the Zoning Administrator denies a permit the applicant may appeal under Chapter 2 of the Asheboro Zoning Ordinance.

7.06 SUPPLEMENTAL SIGN REGULATIONS FOR RESIDENTIAL DISTRICTS

The following sign regulations must apply to all residential zoning districts as indicated.

- (A) Residential Districts. R40, R15, R10, R7.5, RA6.
- (B) Uses. Legal nonconforming uses and the following uses permitted in residential districts by right, conditional zoning, or special use permit are authorized to erect signage consistent with this Chapter unless specific land use restrictions related to signs are imposed by the City Council: Agricultural Tourism Facility; College/University; Congregate Living Facility; County, Racquet, Tennis & Swim Club; Cultural Facility; Dwelling, Multiple Family; Golf Course; Manufactured Home Park; Place of Assembly – Non-Commercial; Planned Unit Development, Public Use Facility; Recreational Vehicle/Travel Park/Camp; Recreational Vehicle Resort; Schools; Subdivision, Major.
- (C) Number not to exceed. A parcel containing a principal use identified in Section 7.06 (B) is eligible for one monument sign permitted per parcel street frontage.
- (D) Temporary Signs. A parcel containing a principal use identified in Section 7.06 (B) is eligible for Temporary Signage. Temporary signs, banners, pennants, flags, streamers, balloons or other windblown devices may be erected on parcels containing a principal use identified in Section 7.06 (B) for not more than 60 days in a calendar year. 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. A zoning compliance permit shall be issued that identifies the days covered by the permit and shall be on display at the establishment. The cumulative total of all sign area shall not exceed 50 square feet, no sign shall exceed eight feet in height, and all signs shall be located outside of the public right-of-way and shall not impede visibility from a street, alley or driveway. Signs described in this section that will be displayed for a period of less than 48 hours shall not require a Zoning Compliance Permit.
- (E) Election Period Sign. All uses permitted in residential districts shall be allowed to erect election period signage. Signs shall be no larger than 16 square feet and height no higher than six feet. No permit shall be required for such signs.

- (F) In addition to signs otherwise authorized under this Chapter, all uses permitted in residential districts shall be allowed two signs of any type expressing noncommercial speech per parcel street frontage with a sign face no larger than twelve square feet and a height no higher than six feet on the property at any time; no permits are required.

7.07 SUPPLEMENTAL SIGN REGULATIONS FOR OFFICE, NEIGHBORHOOD BUSINESS, CENTRAL BUSINESS AND MERCANTILE DISTRICTS

The following sign regulations must apply to all office, neighborhood business, central business, and mercantile zoning districts as indicated.

- (A) Districts. OA6, O&I, B1, B3 and M.
- (B) Uses. All uses permitted in office, neighborhood business, and mercantile zoning districts by right, conditional zoning, or special use permit are authorized to erect signage consistent with this Chapter unless specific land use restrictions related to signs are imposed by the City Council.
- (C) Number not to exceed. A parcel is eligible for either monument or, if permitted, multi-use development signage. One monument or multi-use development sign is permitted per parcel street frontage.
- (D) Electronic Changeable Copy Signs. Electronic Changeable Copy Signs are allowed a maximum size of 33 percent of the sign face area and shall not exceed the maximum height of the sign type utilized. Electronic changeable copy signs shall operate on a five second minimum delay. Maximum brightness levels for electronic changeable copy signs shall not exceed 5,000 nits during daylight hours and shall not exceed 500 nits between dusk and dawn, as measured from the sign face.
- (E) Projected and Suspended Signs. No part of such sign shall be less than eight feet above the ground or other surface that it overhangs.
- (F) Temporary Signs. Temporary signs, banners, pennants, flags, streamers, balloons or other windblown devices may be erected for not more than 60 days in a calendar year. 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. A zoning compliance permit shall be issued that identifies the days covered by the permit and shall be on display at the establishment. The cumulative total of all sign area shall not exceed 100 square feet, no sign shall exceed ten feet in height, and all signs shall be located outside of the public right-of-way and shall not impede visibility from a street, alley or driveway. Signs described in this section that will be displayed for a period of less than 48 hours shall not require a Zoning Compliance Permit.
- (G) Election Period Sign. Signs shall be no larger than 32 square feet and height no higher than eight feet. No permit shall be required for any such sign.

- (H) In addition to signs otherwise authorized under this Chapter, a property owner may place up to two signs of any type expressing noncommercial speech per parcel street frontage with a sign face no larger than 32 square feet and a height no higher than eight feet on the property at any time; no permits are required.

7.08 SUPPLEMENTAL SIGN REGULATIONS FOR GENERAL BUSINESS AND TOURISM-HOSPITALITY DISTRICTS

The following sign regulations must apply to all general business and tourism-hospitality districts.

- (A) Districts. B2 and TH.
- (B) Uses. All uses permitted in general business and tourism-hospitality districts by right, conditional zoning, or special use permit are authorized to erect signage consistent with this Chapter unless specific land use restrictions related to signs are imposed by the City Council.
- (C) Number not to exceed. A parcel is eligible for either monument, freestanding, or if permitted, multi-use development signage. Two monument, freestanding or multi-use development signs are permitted for each parcel with a third sign permissible for a parcel possessing frontage on more than one street; there shall be at least 100 feet of separation between signs oriented towards the same street.
- (D) Electronic Changeable Copy Signs. Electronic Changeable Copy Signs are allowed a maximum size of 50 percent of the sign face area or 100 square feet, whichever is less, and shall not exceed the maximum height of the sign type utilized. Electronic changeable copy signs shall operate on a five second minimum delay. Maximum brightness levels for electronic changeable copy signs shall not exceed 5,000 nits during daylight hours and shall not exceed 500 nits between dusk and dawn, as measured from the sign face.
- (E) Projecting and Suspended Signs. No part of such sign shall be less than eight feet above the ground or other surface that it overhangs.
- (F) Temporary Signs. Temporary signs, banners, pennants, flags, streamers, balloons or other windblown devices may be erected for not more than 90 days in a calendar year. 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. A zoning compliance permit shall be issued that identifies the days covered by the permit and shall be on display at the establishment. The cumulative total of all sign area shall not exceed 150 square feet, no sign shall exceed twenty feet in height, and all signs shall be located outside of the public right-of-way and shall not impede visibility from a street, alley or driveway. Signs described in this section that will be displayed for a period of less than 48 hours shall not require a Zoning Compliance Permit.

- (G) Outdoor inventory sales signs. Professionally made signs, banners, pennants, flags, streamers, balloons or other windblown devices may be displayed on a lot where 95 percent of the standard inventory is located out of doors. 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 feet.
- (H) Election Period Sign. Signs shall be no larger than 32 square feet and height no higher than eight feet. No permit shall be required for any such sign.
- (I) In addition to signs otherwise authorized under this Chapter, a property owner may place up to two signs of any type expressing noncommercial speech per parcel street frontage with a sign face no larger than 64 square feet and a height no higher than 10 feet on the property at any time; no permits are required.

7.09 SUPPLEMENTAL SIGN REGULATIONS FOR INDUSTRIAL DISTRICTS

The following sign regulations must apply to all industrial districts.

- (A) Districts. I1, I2, and I3.
- (B) Uses. All uses permitted in industrial districts by right, conditional zoning, or special use permit are authorized to erect signage consistent with this section unless specific land use restrictions related to signs are imposed by the City Council.
- (C) Number not to exceed. A parcel is eligible for either monument, or if permitted, multi-use development signage. One monument or multi-use development sign is permitted per parcel street frontage.
- (D) Electronic Changeable Copy Signs. Electronic Changeable Copy Signs are allowed a maximum size of 50 percent of the sign face area or 100 square feet, whichever is less, and shall not exceed the maximum height of the sign type utilized. Electronic changeable copy signs shall operate on a five second minimum delay. Maximum brightness levels for electronic changeable copy signs shall not exceed 5,000 nits during daylight hours and shall not exceed 500 nits between dusk and dawn, as measured from the sign face.
- (E) Projecting and Suspended Signs. No part of such sign shall be less than eight feet above the ground or other surface that it overhangs.
- (F) Temporary Signs. Temporary signs, banners, pennants, flags, streamers, balloons or other windblown devices may be erected for not more than 60 days in a calendar year. 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. A zoning compliance permit shall be issued that identifies the days covered by the permit and shall be on display at the establishment. The cumulative total of all sign area shall not exceed 150 square feet, no sign shall exceed twenty feet in height, and all signs shall not impede visibility from a street, alley or driveway. Signs described in this section that will be displayed for a period of less than 48 hours shall not require a Zoning Compliance Permit.

- (G) Outdoor inventory sales signs. Professionally made signs, banners, pennants, flags, streamers, balloons or other windblown devices may be displayed on a lot where ninety-five (95%) percent of the standard inventory is located out of doors. 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 feet.
- (H) Election Period Sign. Signs shall be no larger than 32 square feet and height no higher than eight feet. No permit shall be required for any such sign.
- (I) In addition to signs otherwise authorized under this Chapter, a property owner may place up to two signs of any type expressing noncommercial speech per parcel street frontage with a sign face no larger than 64 square feet and a height no higher than 10 feet on the property at any time; no permits are required.

7.10 SUPPLEMENTAL SIGN REGULATIONS FOR THE CENTER CITY PLANNING AREA

All signs in the Center City Planning Area shall meet the requirements of this Chapter except as modified by Chapter 4 of this Ordinance.