



**Asheboro Planning Board**  
**Asheboro City Hall (146 N. Church Street)**  
Monday, June 1, 2015  
**7:00 PM**  
**AGENDA**

- I. Call to Order
- II. Approval of minutes from May 4, 2015 meeting
- III. Review of Cases
- IV. Subdivision Case SUB-15-02: New Century Industrial Center (Preliminary Plat)
- V. Rezoning Case RZ-15-05: General Text Amendments to the Zoning Ordinance (Articles 100 through 500 and associated changes to Article 1100: Definitions)
- VI. Rezoning Case RZ-15-06: Rezone property located south of 1521 Gold Hill Road, north of 1741 Gold Hill Road, and west of 1591 East Allred Street from Conditional Use High Density Residential (CU-RA6) to Medium-Density Residential (R10)
- VII. Items Not on the Agenda
- VIII. Adjournment

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**MEETING OF THE ASHEBORO PLANNING BOARD  
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.  
MONDAY, MAY 4, 2015  
7:00 p.m.**

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This being the time and place for meeting of the Planning Board, a meeting was held with the following officials and members present:

- Van Rich ) - Chair
- James Lindsey ) - Vice Chair
  
- Ritchie Buffkin )
- Lynette Garner )
- David Henderson ) - Members Present
- Thomas Rush )
- Dave Whitaker )

John Evans, Assistant Community Development Division Director  
Justin Luck, Zoning Administrator/Planner  
Bradley Morton, Planning Technician/Deputy City Clerk  
Trevor Nuttall, Community Development Division Director

One (1) citizen was present at this meeting.

**I. CALL TO ORDER**

Mr. Van Rich called the Asheboro Planning Board to order.

**II. APPROVAL OF MINUTES FROM APRIL 6, 2015 MEETING**

Mr. Rich inquired if there were any corrections that needed to be made to the April 6, 2015 minutes. There being no corrections, the minutes were approved as presented.

**III. REVIEW OF CASES**

Mr. Justin Luck informed the board of the zoning related cases that went before the City Council in April.

**IV. SUBDIVISION CASE SUB-15-01: OLDE TOWNE VILLAGE PHASE III (PRELIMINARY PLAT)**

Mr. John Evans presented the case, stating that the request was for the approval of a preliminary plat for Phase III of the Olde Towne Village Subdivision, which is located at the end of Olde Towne Parkway. He stated that a Special Use Permit and subdivision sketch design were approved in March of 2015, which included a variance from the requirement for recreation space mandated by the Asheboro Subdivision Ordinance for this particular phase of the development only. He stated that this phase consisted of five (5) single family detached dwellings. He showed maps of the area in questions, which included aerials and flood areas. He showed the grading plan and stated that the proposed development was outside of the flood hazard area and away from the steep ravine. He mentioned staffs comments, noting the planning department comments were pending and that Home Owner's Association (HOA) documents (including the prohibition of recreational vehicles) will be recorded with the final plat. He stated that staff's recommendation was to approve the request. Mr. Whitaker made a motion to approve the request based on the staff's report. Mr. Henderson seconded the motion and the motion carried with no opposition.

**V. SUBDIVISION CASE SUB-15-02: NEW CENTURY DRIVE (SKETCH DESIGN)**

Mr. Evans presented the case, stating that the request was for the approval of a sketch design located south of McDowell Road, extending to Veterans Loop Road on New Century Drive. He stated that two (2) lots are proposed. He showed maps of the area and listed the surrounding uses. He stated that the proposal would extend New Century Drive approximately 1772 feet from its current terminus south of McDowell Road to Veterans Loop Road. He stated that the property is less than one (1) mile north of the future interchange of I-73/74 (US Hwy. 220 Bypass) and

US Hwy. 64 Bypass. He presented the plat to the board and mentioned a newly proposed 50 foot right of way. He listed the department comments, noting that Engineering comments were pending due to additional detail concerning utility services (i.e. water/sewer) being required with the preliminary plat. He stated that staff's recommendation was to approve the request. Mr. Whitaker made a motion to approve the request based on the staff's report. Ms. Garner seconded the motion and the motion carried with no opposition.

**VI. REZONING CASE RZ-15-05: GENERAL TEXT AMENDMENTS TO THE ZONING ORDINANCE**

Mr. Nuttall handed out packets and briefly went over some proposed amendments to the Asheboro Zoning Ordinance. He briefly outlined the proposals in Articles 100 through 400 and stated that Article 500 would be included but sent seperately in the update. He requested that the proposals be continued to the June 1, 2015 meeting for a more detailed discussion and would ask the Planning Board for a recommendation at that time.

**VII. REPORT OF AWARD FROM NORTH CAROLINA HOUSING FINANCE AGENCY FOR INCLUSION IN 2015 URGENT REPAIR PROGRAM**

Mr. Nuttall informed the board of approval by the NC Housing Finance Agency of a grant in an amount not to exceed \$50,000 under the 2015 cycle of the URP15. He briefly went over the program and stated that the funds were for certain owner-occupied homes that met the proper criteria of the program. He then stated that selecting applicants and contractors for the program would have to be outlined in an approved procurement and assistance policy, and that the Redevelopment Commission may have a role in the process.

**VIII. REPORT SUMMARIZING COMMUNITY WORKSHOPS RELATED TO THE UPDATE OF THE LAND DEVELOPMENT PLAN'S MAPS**

Mr. Nuttall stated that two (2) community workshops were held in April dealing with the map portion of the Land Development Plan (LDP) update. He stated that attendance was good for these meetings, totaling 30 to 50 people present. He stated that there were informative discussions between citizens and staff members. He referred the commission to the meeting notes sent in advance of the meeting. He also stated that the Area two (2) meeting was held in conjunction with the Asheboro Police Department's Community Watch program. He stated that citizens at each meeting thanked the city staff for coming out to their areas. He stated another workshop would be held in the next month and likely by late summer the process would wrap up.

**IX. ITEMS NOT ON THE AGENDA**

There were no items to discuss at this time.

**X. ADJOURNMENT**

There being no further business to discuss, Mr. Rich adjourned the meeting.

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Bradley Morton, Secretary, Planning Board

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Van Rich, Planning Board Chairman



**SUB-15-02: Preliminary Plat**

(New Century Industrial Center: Larry McKenzie)

**Staff Report**

# SUBDIVISION STAFF REPORT

Preliminary Plat

**CASE #** SUB-15-02

**Date** 5/4/15 PB, 5/7/15 CC

## GENERAL INFORMATION

**Subdivision Name** New Century Industrial Center  
**Requested Action** Subdivision Preliminary Plat  
**Applicant** Mr. Larry McKenzie  
**Address** 126 Lanier Avenue  
**Phone** 336-953-2913  
**Location** New Century Drive (south of McDowell Road, extending to Veterans Loop Road)

## PARCEL INFORMATION

**PIN** 7659273991 (portion east of I-73/I-74) and 7659288862

**Size** 18.982 acres (+/-)      **Number of Lots** 2 + residual (existing) lot

**Existing Zoning** I2 (subject) /I1(residual)      **Average Lot Size** 8.96 acres

**Existing Land Use** Undeveloped/Public Use facility (on residual portion)

### Surrounding Land Use

**North** Public Use Facility (PART)

**East** Low-density residential

**South** Industrial

**West** I-73/I-74/US Hwy. 220 Bypass

## LAND DEVELOPMENT PLAN

**Growth Strategy Map** Economic Development

**Proposed Land Use Map** Industrial

**Small Area Plan Map** Southeast

**Identified Activity Center?** No

**Development Issues** The proposal will extend New Century Drive approximately 1772 feet from its current terminus south of McDowell Road (adjacent to Randolph County Office Building and Randolph County Jail) to Veterans Loop Road.

The property is less than one mile north of the future interchange of I-73/I-74 (US Hwy. 220 Bypass) and US Hwy. 64 Bypass.

This property lies within the US Hwy. 220 Overlay District.

NCDOT review and approval will be required prior to construction.

**SUBDIVISION STAFF REPORT**  
Preliminary Plat

**DEPARTMENT COMMENTS**

**Engineering**      Plat comments have been addressed.

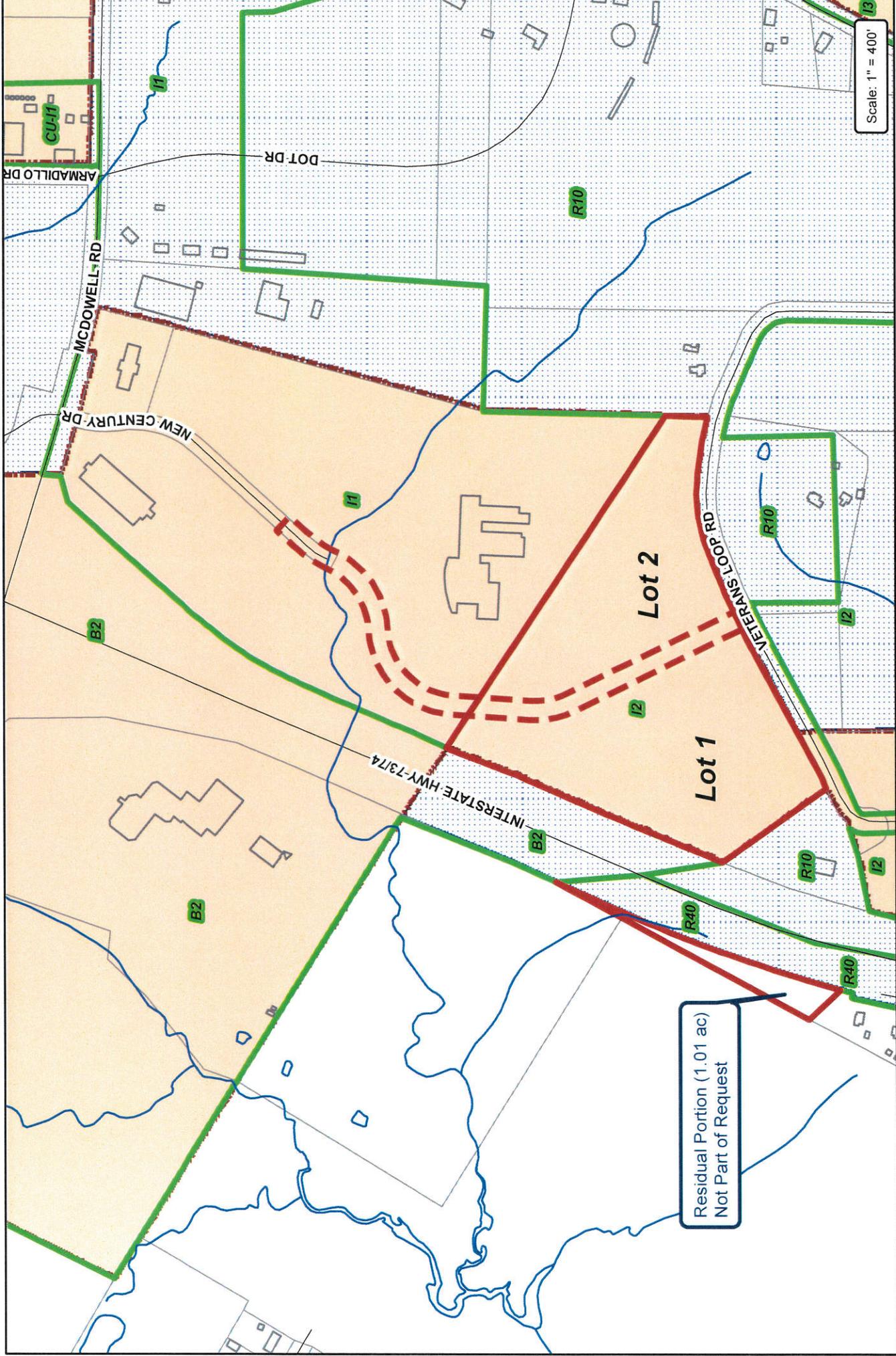
**Public Works**      Plat comments have been addressed.

**Planning**      Plat comments have been addressed.

**Other**      A fire hydrant is shown east of New Century Drive on the north side of the property. Specific use(s) may incur additional hydrant(s) and/or other requirements.

**Staff Recommendation**      Approve noting above comments.

**Planning Board Recommendation**      The Planning Board will consider this request during its June 1, 2015 meeting.



Residual Portion (1.01 ac)  
Not Part of Request

Scale: 1" = 400'



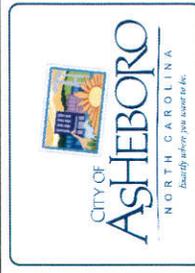
Legend for map features:

- Subject Property (Red outline)
- Zoning (Green outline)
- City Limits (Dotted pattern)
- ETJ (Blue outline)

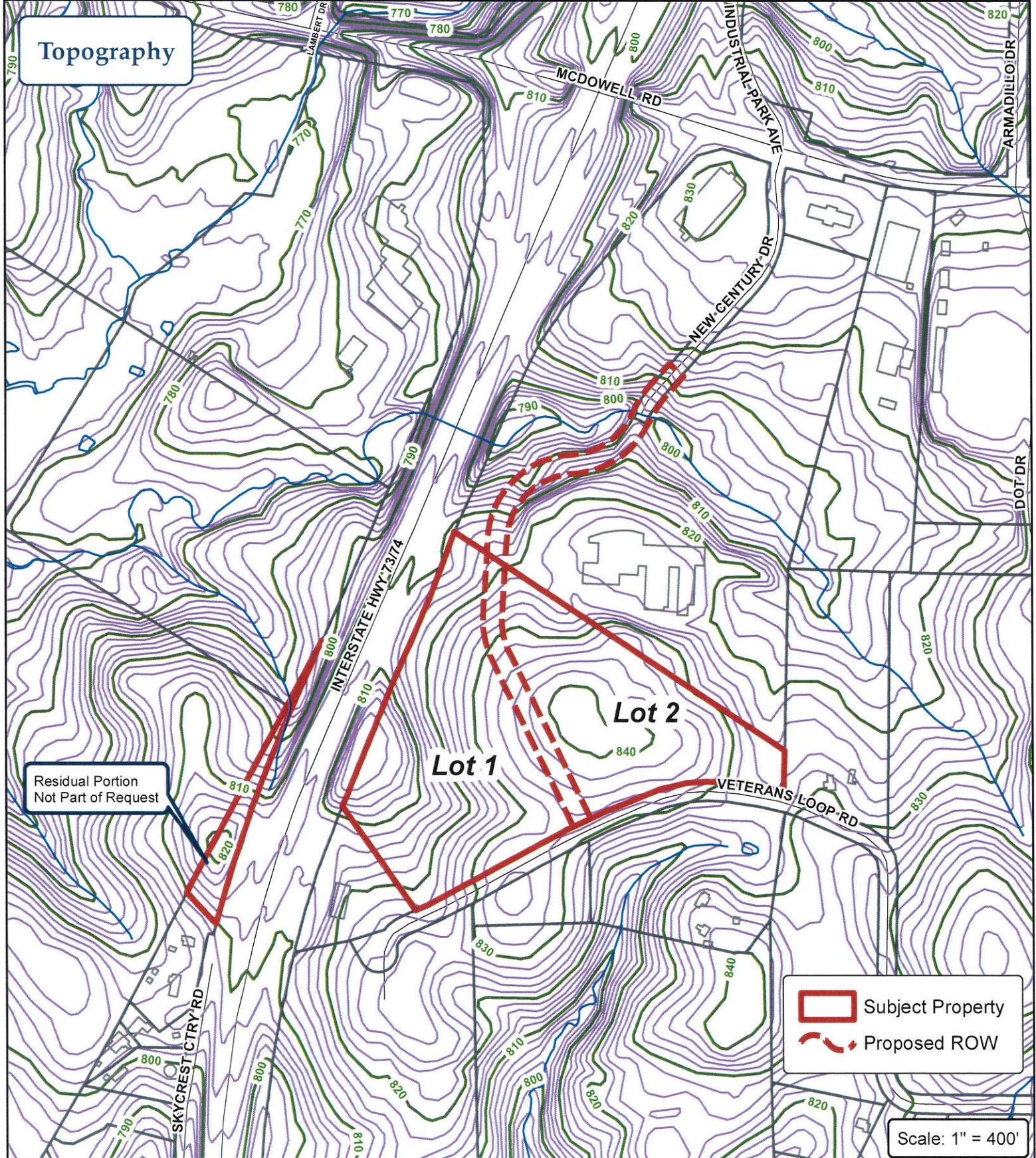
City of Asheboro  
 Planning & Zoning Department  
 Subdivision Case: SUB-15-02  
 Parcel: 7659273991

Legend for proposed features:

- Proposed New Century Drive Extension (Dashed red line)



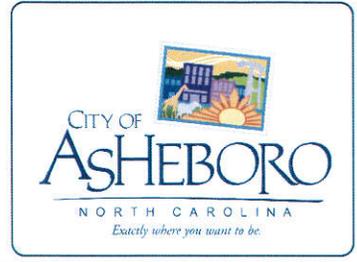
Topography



Residual Portion  
Not Part of Request

 Subject Property  
 Proposed ROW

Scale: 1" = 400'



**City of Asheboro**  
**Planning & Zoning Department**  
**Subdivision Case: SUB-15-02**



**Parcels: 7659273991**

Aerial



Residual Portion  
Not Part of Request

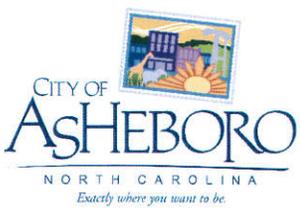
Lot 1

Lot 2

12.00 AC  
Future Development

	Subject Property
	Zoning
	Proposed ROW

Scale: 1" = 400'



City of Asheboro  
 Planning & Zoning Department  
 Subdivision Case: SUB-15-02



Parcel: 7659273991





**RZ-15-05 General Text Amendments to the Zoning Ordinance**

(City of Asheboro)

**Staff Report**

# Rezoning Staff Report

RZ Case # **RZ-15-05**

Date 5/4/15 and 6/1/15 PB  
7/16/15 CC

## General Information

**Applicant** City of Asheboro

**Address** 146 North Church Street

**City** Asheboro NC 27203

**Phone** 336-626-1201

**Location** N/A

**Requested Action** General Text Amendments to the Zoning Ordinance (see description in "Analysis" section)

**Existing Zone** N/A

**Existing Land Use** N/A

**Size** N/A

**Pin #** N/A

## Applicant's Reasons as stated on application

The amendments are proposed to update outdated language, improve language that is potentially conflicting, and improve the administration concerning various items in the Zoning Ordinance. The amendments will ensure that the Zoning Ordinance is up-to-date with current statewide legislation and current land use trends. This is the first phase of the proposed amendments and includes Articles 100-500, and related amendments to Article 1100. Remaining article amendments will be presented as the second phase at a later date.

## Surrounding Land Use

**North** N/A

**East** N/A

**South** N/A

**West** N/A

**Zoning History** Various sections of the Zoning Ordinance with proposed amendments have been periodically updated since the early 1990's.

## Legal Description

General text amendments throughout the Zoning Ordinance. Staff Note: The analysis below lists sections of the Zoning Ordinance that are proposed to be amended as of April 29, 2015, but the final text amendments are subject to additions, deletions, or changes. A final legal description will be available by the time the legal ad is published.

## Analysis

### **Updates are proposed to the following sections of the zoning ordinance. Highlights include:**

Article 100: Provisions for special purpose lots (i.e. for public facilities such as sewer pump stations, etc.).

Article 200: Reformat Table of Uses 200-2 to improve cross referencing of supplemental regulations for specific uses and visual clarity. Update certain uses and make necessary clerical corrections, Update Notes to Table 200-2 listing supplemental regulations for certain uses (overflow/RV parking for multi family dwellings, home occupations).

Article 200A: An amendment is proposed to address facade transparency based on a building's setback.

Article 300: Amendments are proposed concerning front yard averaging and the Airport Overlay.

Article 300A: Make clerical changes, and changes regarding requirements for mechanical equipment screening, changes to front yard landscaping requirements, and allow staff review of development within US 220 Overlay.

Article 400: Account for site constraints in determining required driveway widths.

Article 500: (includes Notes and Sign Table 500-1): Eliminate conflicting definitions and provisions and ensure a consistent rationale for permissible sign sizes and types.

**Note: A first draft of Articles 600 through 1100 will be presented at a later date.**

# Rezoning Staff Report

RZ Case # RZ-15-05

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## Consistency with the 2020 LDP Growth Strategy designations

*In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.*

**Proposed Land Use Map Designation** N/A

**Small Area Plan** N/A

**Growth Strategy Map Designation** N/A

## LDP Goals/Policies Which Support Request

**Goal 2.1:** Development that enhances our city's character and sense of community

**2.1.1** The Zoning Ordinance will periodically be reviewed to ensure that the specific regulations for each Zoning District are aligned with the desired character and focus of each district.

**Goal 2.2:** Development that is located in appropriate locations

**Goal 3.1:** Enhancement, maintenance, and preservation of the built environment

**3.2.4** The City will limit the visual presence of mechanical equipment, utility farms and outdoor storage by requiring that these uses (where permitted) incorporate effective screening and be oriented away from public view and streetscapes.

# Rezoning Staff Report

RZ Case # RZ-15-05

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## LDP Goals/Policies Which Do Not Support Request

### **Recommendation Continue**

#### **Reason for Recommendation**

Staff will be requesting that City Council continue its public hearing until August 6th. This will allow additional time for review and public comment.

#### **Evaluation of Consistency with Adopted Comprehensive Plans/Reasonableness and Public Interest**

A consistency statement will be included with the staff report at the time staff recommends adoption of the proposed text amendments.



**RZ-15-05 General Text Amendments to the Zoning Ordinance**

(City of Asheboro)

**Proposed Text**

**2015 Zoning Ordinance Amendments: Phase 1**  
**Articles 100 - 500 and Associated Changes to Article 1100**

**ARTICLE 100**

**106 Every Lot Must Abut A Street and Possess Sufficient Buildable Area**

No building, structure or use of land other than for agricultural purposes or for a cemetery ~~a~~ special purpose lot, shall be established on a lot that does not abut and have direct access to a dedicated public street and does not have at least one thousand (1,000) square feet of contiguous buildable area of a shape sufficient to hold a principal building (9/02). For purposes of this section, the term “cemetery” shall be construed in a broad manner that comports with North Carolina General Statutes.

*Reason: recognizes that there are other situations where a use on a lot may be satisfactorily accessed from an access easement. Requires special purpose lot to be defined and standards written in Article 1100 and 300 respectively. Furthermore, establishes minimum buildable area standards to discourage lots from being created that have inadequate buildable area due to building setbacks or similar developmental constraints.*

**117 Location of Building Line on Major & Minor Thoroughfares**

Building setback requirements for structures located along any major or minor thoroughfare shall be measured from the ultimate right-of-way as shown in the adopted Asheboro Comprehensive Transportation Thoroughfare Plan. The area of a lot outside of existing right-of-way yet located within the ultimate right-of-way may be used in calculations that require area determinations. All other streets shall utilize existing right-of-way lines for measurement of setback and yard requirements.

*Reason: The Thoroughfare Plan (2001) that is referenced has been supplanted by the Comprehensive Transportation Plan which was adopted in 2014.*

**ARTICLE 200**

**210 Schedule of Statements of Intent**

The following array presents for the several districts the Schedule of Statements of Intent applicable to each district.

E. RA6 Residential District:

The RA6 Residential District is intended to produce a high intensity of residential uses in close proximity to major nodes of non-residential development, characterized primarily by group housing, plus the necessary governmental and other support facilities to service that level of development. Land ~~designed~~ designated RA6 shall normally be located a ~~major or minor thoroughfare~~ or higher classification street with access to

local residential streets discouraged.

F. OA6 District:

The OA6 District is intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land ~~designed~~ designated OA6 shall normally be located with access to a ~~major or~~ minor thoroughfare or higher classification street with access to local residential streets discouraged.

G. O & I Office and Institutional District

The Office and Institutional district is intended to produce moderate intensity office and institutional development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land ~~designed~~ designated O & I shall normally be located with access to a ~~major or~~ minor thoroughfare or higher classification street with access to local residential streets discouraged.

H. B1 Neighborhood Commercial District:

The B-1 Neighborhood Commercial District is intended to provide for limited retail and personal service uses on free-standing parcels or for small centers to serve adjacent residential neighborhoods. These districts shall normally be located in nodes along ~~major or~~ minor thoroughfares or higher classification streets.

I. M (Mercantile) Limited General Commercial District

The Mercantile (M) District is intended to provide for a greater number of potential business activities than the B1 Zoning District. The Mercantile District is distinguished from the B2 General Commercial District by excluding certain uses permitted in the B2 District that are likely to create the greatest external impact (traffic, noise, lighting, etc.) and by its additional standards that address compatibility with adjoining residential neighborhoods. These districts should be located in nodes along ~~major or~~ minor thoroughfares or higher classification streets.

J. B2 General Commercial District

The B2 General Commercial District is intended to serve the convenience goods, shoppers goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to ~~major or~~ minor thoroughfares or higher classification streets, but never local residential streets.

K. Tourism-Hospitality (TH) District

The TH Tourism-Hospitality District is intended to serve the lodging, tourism, convenience goods, shoppers goods retail and service needs of the traveling public, with emphasis on promoting compatible tourism

development and complementing existing tourism venues. This district shall be located with access directly to freeways and ~~major or~~ minor thoroughfares or higher classification streets, but never local residential streets. The use of commercial service roads to access properties in this district shall be strongly encouraged.

*Reason: Language references thoroughfares as identified on the city's Thoroughfare Plan adopted in 2001. That plan has been supplanted by the Comprehensive Transportation Plan which was adopted in 2014.*

**Notes to Table 200-2: Supplemental Requirements**

5. (College, University, or Seminary)

The site for any college, university or seminary shall have an area of at least 10 acres, plus 5 acres for each 100 pupils, or major portion thereof, in excess of 400 pupils. Such a site shall have a frontage on a ~~major or~~ minor thoroughfare or higher classification street as shown on the current Asheboro Comprehensive Transportation Plan.

*Reason: Language references thoroughfares as identified on the city's Thoroughfare Plan adopted in 2001. That plan has been supplanted by the Comprehensive Transportation Plan which was adopted in 2014.*

14. Drive Inn Theaters are subject to the following regulations:

- A. No part of any theater screen, projection booth, or other building shall be located closer than three hundred feet from any residential district nor closer than fifty feet from any lot line.
- B. The image on the theater screen shall not be visible from any ~~major or~~ minor thoroughfare or higher classification street as shown on the current Asheboro Comprehensive Transportation Plan or from any residential district.
- C. Queuing space within the zoning lot shall be provided for patrons awaiting admission .....

*Reason: Language references thoroughfares as identified on the city's Thoroughfare Plan adopted in 2001. That plan has been supplanted by the Comprehensive Transportation Plan which was adopted in 2014.*

15. (Dwelling Multiple Family Units) A full-time on-site manager shall be provided for multifamily dwellings with a total of 75 units or more. A permanent office shall be provided for the manager. The floor area contained in the on-site manager's office shall not be counted in the total FAR. The required recreation space (areas for common passive or active recreation use) may include, but not be limited to a swimming pool, picnic areas with tables, basketballs goals with paved play areas, and playground(s) with play equipment; outdoor seating areas and the like where the facilities are available for common use by tenants and visitors. Active recreation space shall be at least 20 feet from any residential unit. The project may be developed in phases. Phase 1 shall include the

required amenities. No Certificate of Occupancy for any phase of the project shall be issued until all required or proposed improvements are installed for that phase.

A designated storage area ~~shall be designated and reserved~~ for the parking of recreational vehicles, boats, camp/travel trailers shall be provided in all multi-family housing developments containing more than four residential units. A The designated ~~and separate~~ storage area(s) for recreational vehicles, boats, camp/travel trailers shall provide 72 square feet for every ~~required parking space~~ residential dwelling unit with a minimum of 720 square feet to be provided. Such area(s), when visible from the public right-of-way, shall have screening consisting of landscaping and/or fencing compatible with the development's architectural and landscaping design and compliant with applicable design standards, and landscaping which is consistent with other screening for similar uses (i.e. solid waste and mechanical equipment screening). This area may be fenced. Fencing shall comply with any applicable design standards. Overflow parking spaces for visitors shall be designated within the parking area multi-family housing developments providing more than four residential units. Required and non-required storage area(s) shall comply with the screening requirements of this sub-section and the requirements of Section 303A.1.

Additionally, one overflow parking space shall be provided for every ten (10) required parking spaces within the development project.

Storage of junked and/or nuisance vehicles is not permitted in the recreational vehicle storage area and/or the overflow parking area.

*Reason: This language corrects stylistic issues, and is proposed to reflect the intent of the storage requirement for recreational vehicles, while also being flexible in terms of screening requirements. The proposal to calculate storage area based on the number of units is more likely to accurately reflect demand.*

## 20. (Home Occupation)

Shall be subject to the following limitations:

A. No home occupation shall be permitted that (1) changes the outside appearance of the dwelling unit or is visible from a street; (2) generates traffic, parking, sewage or water use in excess of that which is normal in a residential district; (3) creates a hazard to persons or property or is a nuisance per se or per accidents; (4) utilizes any accessory structure; (5) results in outside storage or display of anything; (6) results in the erection of any sign for advertising purposes.; (7) results in more than one employee who is not a resident of the dwelling unit.

B. The following are permitted home occupations in all residential districts, provided that they meet the requirements of A, above: (1) Dressmaking, sewing and Tailoring Services (Dressmaking, Alterations, etc.); (2) Painting, sculpturing and writing; (3) Telephone answering service; (4) Home crafts, such as weaving, lapidary, potting; (5) Tutoring or

teaching music or dance to of no more than four students at a time; (6) Computer programming; (7) ~~Music teaching~~

C. The following are prohibited as home occupations: (1) Barber shops and beauty parlors; (2) Animal hospitals/vet clinics; (3) ~~Physicians, dentists and chiropractors~~ Health Practitioner(s) Offices/Health Services; (4) ~~Dance studios~~; (5) Exercise studios/health/fitness centers; (6) Funeral Parlors/Mortuaries; (7) Nursery schools; (8) ~~Private clubs~~ Nightclubs/Cabarets/Places of Assembly/Membership Organizations; (9) Repair shops; (10) Eating Establishments/Restaurants; (11) Retail Sales; (12) Stables and kennels; (13) Automobile Motor vehicle repair (major and minor) and paint shops. (14) Bars, Brewpub, and Breweries/Microbreweries; (15) Junkyards; (16) Light/heavy manufacturing

D. Any proposed home occupation that is neither specifically permitted by paragraph B nor prohibited by paragraph C shall, in order to be established, obtain a Special Use Permit from the City Council in accordance with Article 600.

*Reason: This language is proposed to more accurately reflect the home occupations that staff has encountered. "Telephone answering service" also includes incidental office activities (paperwork, etc.) normally conducted within a home office by the entrepreneur of the business as long as the performance measures of Section (A) are met. "Nursery schools" is removed as a prohibited use since a child day care home is a permitted use and both the zoning ordinance and the NC Department of Health and Human Services have separate regulations concerning child care outside of a home environment.*

24. Mini-warehouse facilities shall meet the following requirements:

- A. Such facilities shall front on ~~major or minor thoroughfares~~ or higher classification streets, as shown on the current Asheboro ~~Thoroughfare~~ Comprehensive Transportation Plan.
- B. Such facilities shall be used only for dead storage of materials or articles and shall not be used for assembly, fabrication, processing or repair.
- C. Open storage shall be limited to ten percent .....

*Reason: The Thoroughfare Plan (2001) that is referenced has been supplanted by the Comprehensive Transportation Plan which was adopted in 2014.*

40. All Recreation & Amusement Services, Commercial, shall only be located along a ~~major or minor thoroughfare~~ or higher classification street as shown on the current Asheboro ~~Thoroughfare~~ Comprehensive Transportation Plan.

*Reason: The Thoroughfare Plan (2001) that is referenced has been supplanted by the Comprehensive Transportation Plan which was adopted in 2014.*

**TABLE 200-2 - INCLUDED AFTER PAGE 37**

## ARTICLE 200A

### **200A(D)(4)(d)(ii) New Street Fronting Facades**

The ~~f~~Facades with a 10 foot or less setback shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 60 percent of the horizontal length of the building facade.

*Reason: This amendment makes the Tier 2 transparency requirement consistent with Tier 1 and removes the requirement for facades that are required, by averaging, to be setback further from streets.*

## ARTICLE 300

### **302.5 Aviation Hazards (Amended 2015)**

No building or other structure, regardless of exclusions set forth at subsection 302.4 above and Section 320A Airport Overlay Zone, shall be located in a manner or built to a height which constitutes a hazard to aviation or creates hazards to persons or property by reason of unusual exposure to aviation hazards. There exists a zone which is defined by a 1 foot rise in elevation for every 100 linear feet from the airport runway. This zone includes all areas lying within ~~20,000~~ 10,000 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.

*Reason: 10,000 feet is what is reflected on the Airport's Approach and Vicinity Plan*

### **305 Averaging an Existing Residential or Commercial Front Setback Line**

~~In a residential or Commercial 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.~~

#### **305.1 Reduction to Front Yard Setback**

In a residential or commercial 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 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 purposes of computing such average, an adjacent vacant lot shall not be included in the calculation.

### **305.2 Increase to Front Yard Setback**

In a residential 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. 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.

*Reason: this provision has unnecessarily burdened commercial lots with increased setbacks. Amendment preserves appropriate protection for residential lots while maximizing design flexibility for commercial lots.*

### **307.10 Building Spacing**

The spacing between principal structures located on the same zoning lot shall be determined by the NC State Building Code. ~~However in no case shall there be less than 20 feet between principal structures.~~

*Reason: defers building separation requirements to the building code which is better equipped to ensure safe construction standards. Furthermore, will treat two buildings located on the same lot equally with two buildings, located in close proximity, on separate lots since such buildings already may be 10 feet of one another if certain fire resistivity measures are satisfied.*

### **307.11 Special Purpose Lots**

Requirements of this Ordinance with respect to street frontage, minimum lot and buildable area, and minimum lot dimensions shall not apply to lots for family cemeteries or cemeteries on property owned by a place of worship, public facilities, communication facilities, communication towers and similar utility uses. A Special Purpose Lot shall be permitted only after the Zoning Administrator has determined that the proposed lot has sufficient dimensions to accommodate the intended use and planting yards, if required by the Zoning Ordinance. If the Special Purpose Lot does not have a minimum of twenty (20) feet direct access to a public or private street, an easement for ingress and egress with a minimum width of twenty (20) feet shall be platted from the street to the lot. The subdivision to create the lot shall be approved in accordance with the Subdivision Ordinance. The Final Plat shall label the proposed use of the lot.

## **ARTICLE 300A**

### **302A: U. S. 220 Bypass I-73/74 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 I-73/74.

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.~~ The City of Asheboro's Zoning Administrator shall enforce the provisions of this Article.
- B. ~~The Planning Board may issue a site plan approval after review and~~
- C. ~~Failure of the Planning Board to act on a site plan within 65 days of the~~

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~~ that are located within 500 feet of the center line of the right-of-way of U. S. 220 ~~Bypass I-73/74~~. Such area shall be depicted on the Official Zoning Map. The U. S. 220 ~~Bypass I-73/74~~ 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~~ Zoning Administrator shall make the necessary interpretation as to the location of specific properties within this district. The decision of the ~~Planning Director~~ Zoning Administrator 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~~  
The proposed work or use shall conform with all requirements of this Ordinance, unless expressly modified below, prior to the issuance of a Zoning Compliance Permit:

1. A Buffer Type B shall be installed on the property between the I-73/74 right-of-way and the proposed development. This buffer shall supplant any requirement to provide front yard landscaping along I-73/74. Existing vegetation may be used to meet all or a portion of this requirement (refer to 304A.7). This requirement shall apply to the following:

a. New principal buildings or open uses of land constructed or established after July 1, 2015.

b. Building expansions on a zoning lot which result in a building square footage increase of more than fifty percent (50%) the square footage of development existing on July 1, 2015. In such cases, the requirement shall only apply along the area of expansion.

~~B. The site plan shall incorporate plans that detail a proposed method of modified topography and landscaping or a combination of  
In approving a site plan the Planning Board shall~~

~~C. To ensure that property within this district is developed to a high-  
to achieve the requirement of Section 302A.b. The Planning Board~~

~~D. A landscape plan shall be provided for the proposed project, such plans~~

~~E. A site plan shall be submitted, showing:~~

- ~~1. The existing topography of the site and any modification to the~~
- ~~2. Location and approximate size and height of all existing and proposed~~
- ~~3. All proposed points of ingress and egress together with the proposed~~
- ~~4. All proposed parking areas.~~
- ~~5. All proposed storage areas (where permitted).~~
- ~~6. Proposed provisions for water, sewerage, and storm drainage,~~

- ~~7. Proposed treatment of ground cover, slopes, banks and ditches. (If the~~
- ~~8. Plans detailing the location and type of buffer as required in 302A.2b~~
- ~~9. The landscape plan as required in Section 302A.4d.~~

*Reason: At the time the overlay's requirements were established, the city did not possess a well-defined process for site plan review and it was common for the Planning Board to be the review entity for such plans. Today, a site plan review process is clearly described in the Ordinance and is the responsibility of staff. Discretionary judgment is removed to make expectations more clear for property owners.*

### **303A.2: Commercial Vehicles:**

The parking of commercial vehicles over 7,500 GVW or 25 feet in length ~~in~~ **on** any residentially zoned private property 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.

*Reason: Clarifies that the zoning regulations are applicable to use or activity occurring on private property. Authority to regulate commercial vehicle parking will rest with the City Council under its general ordinance-making authority. In this regard, regulation can be more tailored to address specific issues identified and reported by citizens to the City Council.*

### **304A Buffers and Screening**

#### **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. **Buffers and Screening applies to all uses. All new development, new construction by existing uses, additions and expansions shall be made in strict compliance with this Ordinance. A change of use shall be made in strict compliance with this Ordinance only in cases where a two, or greater, degree of intensity difference in the protective yard matrix exists between proposed and existing uses. 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.**

*Reason: Clarifies when buffering and screening requirements are applicable. Eliminates requirement for minor change of use projects.*

**306A Screening of Mechanical Equipment & 317A Performance Standards for all Commercial Districts - Proposal is to streamline Ordinance by making 306A, as written below, applicable to all Commercial Districts and deleting all redundant references to Mechanical Equipment Screening contained in 317A)**

All new non-residential uses and expansions of existing structures, ~~except for those located in Industrial Zoning Districts,~~ shall screen from ~~ground-view, as seen from the lot line of the front of the lot,~~ 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.

*Reason: Staff believes this provision is overly broad as it treats mechanical equipment thoughtfully designed and located to the rear of a building and/or not visible from the street the same as*

equipment that is located without regard to aesthetic considerations. Staff contends that the code should require developers to be mindful of where mechanical equipment is placed and its impact on aesthetics and impose screening requirements in instances where no alternative exists other than to locate the equipment in a manner that is plainly visible.

### **308A Parking restricted within required Front Yards**

#### **308A Parking restricted within required Front Yards Front Yard Landscaping and Loading Docks**

##### **308A.1 Front Yard Landscaping Applicability**

A. Dwelling, Single Family and Dwelling, Two Family uses shall be exempt from the provisions of this Section.

B. All new development, new construction associated with existing uses, and additions and expansions shall be made in strict compliance with this ordinance.

C. A change of use shall be made in strict compliance with this ordinance only in cases where the installation of front yard landscaping will not create a new nonconforming situation.

D. Properties located within the Center City Planning Area shall be regulated by Article 200A.

#### **308A.1 2 No Parking Shall Be Permitted Within The First 10 Feet Of Required Front Yard Front Yard Landscaping Standards for Industrial, B2 and B3 Districts**

~~Except for single family and duplex structures n~~ 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.3 Front Yard Landscaping Standards for OA6, O&I, B1, M & TH Districts

Refer to Section 317A for these requirements.

### 308A.5 4 Additional Front Yard Landscaping Standards for 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 5 Modification of Front Yard Landscaping Width with Regards to Location of Parking ~~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.6 Alternative Front Yard Landscaping

In lieu of compliance with the above Front Yard Landscaping requirements, an applicant may submit to the Zoning Administrator for review and approval a detailed plan and specifications for Alternative Front Yard Landscaping. The Zoning Administrator may approve Alternative Front Yard Landscaping upon finding that full compliance with the requirement is unpractical and creates an undue restriction on the use of the property, and that the proposal will afford a comparable and rational degree of landscaping given site constraints.

### 308A.2 7 ~~Plant~~ Front Yard Landscaping 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 8 Front Yard Landscaping 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 9 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.

### 308A.10 Nonconforming Front Yard Landscaping

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.7 11 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~~ **Comprehensive Transportation Plan.**

*Reason: Section now has appropriate title to reflect its content. Applicability section clearly communicates when front yard landscaping is required. Section now allows enhanced flexibility for change of use projects where installation of landscaping would create a new nonconforming situation, and alternative landscaping plans (similar to alternative buffers/screens of Section 304A). New headings alert users that different landscaping standards exist by zoning district.*

## **309A Vehicle Towing Operations and Storage Facilities.**

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 operation and storage 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

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.

*Reason: The Zoning Ordinance views a Vehicle Towing and Operation Storage Use as one of the most intensive land uses defined. Such uses possess a storage yard that must provide screening of stored vehicles and towing vehicles. A vehicle towing operation without the storage yard is a less intense land use under the Ordinance and is comparable to a contractor's office. This amendment proposes to treat vehicles associated with a contractor's office and a towing operation similarly as work vehicles not requiring screening. Screening of these vehicles would be triggered under the proposal when vehicle storage is occurring.*

### **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, each for a maximum of two consecutive weekends or seventy-two hours, whichever is lesser, and only during daylight hours.

*Reason: underlined text appears to have been inadvertently deleted previously. Text aligns with yard sale allowances prescribed by the city code.*

### **320A.3: General Provisions:** (Airport Overlay District)

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~~ 10,000 feet of the airport runway and within any approach to the Asheboro Municipal Airport as designated in the Asheboro Municipal Airport Airspace Plan.

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~~ 10,000 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.

**Appendix A** Reason: correcting misspelling.

**A.** Understory Trees

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

**ARTICLE 400**

408. Offstreet Parking Space Design Standards.

All off street parking facilities shall be designed with permanent means of access to a street or alley and designed to provide all necessary maneuvering lanes and areas. Access drives shall be designed to provide for two-way traffic with a minimum width of 22 feet. Drives ~~of less than 50 feet~~ where the view of on-coming traffic is not blocked or impaired; may be single lane of not less than 11 feet in width **if property constraints, such as but not limited to steep slopes, inadequate lot size buffers/screens and existing buildings, prevent construction of a wider drive.**

*Reason: Many redevelopment projects, for example conversion of single family homes to offices along Cox St., run into issues with constructing a two way drive due to narrow lots and placement of existing structures. This provision will allow one way drives when site difficulties exist and not limit them to a pre-determined length.*

**ARTICLE 500 - BEGINS PAGE 17, TABLE 500-1 BEGINS FOLLOWING TABLE 200-2**

**ARTICLE 1100 - BEGINS PAGE 32**

## 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~~ **directing** 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~~. as defined and regulated by Article 300, Section 306 of the this Ordinance.
- (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 or as authorized by G.S. 136-32, all signs shall be located ~~as follows:~~ outside of the public rights-of-way. Any illegal sign located in public rights-of-way is subject to removal without notice.
  - i.) ~~In all zoning districts, and subject to G.S. 136-32, 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.~~  
Exception: Monument style signs as modified by Table 500-1.

~~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~~ I73/74 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.~~

~~(be) 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.~~

~~(cd) 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.~~

~~(de) No portable signs shall be permitted, except those specifically permitted under Section 512. Included in this prohibition are trailer, and 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~~ adjacent properties 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~~ the North Carolina 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~~**

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

~~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)~~

<del>Location</del>	<del>Maximum Sign Area</del>	<del>Maximum Sign Height</del>
<del>Commercial / Industrial Districts*</del>	<del>32 square feet</del>	<del>10 feet</del>
<del>Sign is located 0 to 49 feet from street right of way line</del>	<del>(unless modified below*)</del>	
<del>Commercial</del>		

<del>Industrial Districts</del>	<del>64 square feet</del>	<del>10 feet</del>
<del>Sign is located 50 feet or more from street right of way line</del>	<del>(unless modified below*)</del>	
<del>B3 District)**</del>	<del>32 square feet</del>	<del>10 feet (freestanding)</del>
	<del>(unless modified below)**</del>	<del>Top of wall (wall sign)</del>

~~\*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 subsections 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)

#### 5142 Maintenance Required and Construction Standards

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.~~

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.

#### 5153 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.

#### 5164 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~~ maintain 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.~~ [Article 800](#)

(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.~~

~~5185~~ General Requirements Permitted Encroachments of Non-Freestanding Signs

~~Subject to NCDOT or City of Asheboro Public Works review and approval, Non-Freestanding Signs may encroach no closer than 18 inches measured in horizontal distance from the curb face of public right-of-ways.~~

~~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.~~

516 Supplemental Regulations

Note #01

~~Reserved.~~

Note #02

(1) Awning, Canopy, Marquee

In Tier 1 of Center City Planning Area, max area of 100% of the surface area, up to a maximum of 30 ft<sup>2</sup>, is allowed.

(2) Off-Premise Advertising (Billboards)

See Article 600 for SUP requirements.

Note #03

(3) Entrance and Exit

~~Signs directing and guiding traffic, but which bear no advertising matter. Permitted signs shall be subject to Section 504. Signs located in Commercial and Industrial districts may be illuminated subject to Section 508. Entrance and exit signs are permitted within public right-of-way after review on an individual basis and approval by NC DOT or city of Asheboro Public Works Director. Signs are limited to two per drive. No sign located within public right-of way shall be over two (2) feet in height.~~

Note #04

~~Nonconforming signs legally established prior to the effective date of this ordinance or subsequent amendment that are not in full compliance with the regulations of this Article. Subject to Section 516 and Article 800.~~

Note #05

(4) Projected/Suspended

~~Projecting and Suspended signs shall not exceed twenty five 25 square feet in area per side, except that for properties adjacent to major thoroughfares of five traffic or turning vehicular lanes where the building façade upon which the projecting sign is to be placed is setback a minimum of one hundred (100) feet from all public street right of ways, such signs shall not exceed seventy five (75) square feet.~~

~~No part of such sign shall be less than eight (8) feet above the ground or other surface that it overhangs. One such sign may be permitted on each street frontage of a zoning lot except where multiple uses are permitted. In such case, one sign per use may be permitted.~~

Note #06

~~Area is calculated based on the area of the awning that appears as a vertical surface and may be viewed from one vantage point.~~

Note #07

~~Auction signs shall be regulated by Section 512 (b).~~

Note #08

~~(a) — A monument style sign is defined as a sign with a continuous enclosed base at grade level.~~

~~(b) — One monument sign may be permitted per street frontage provided no free standing pole or pylon sign is located on the zoning lot. Where more than 1 sign is permitted because of multiple street frontage, the signs shall not be oriented towards the same street or located on the same street.~~

~~(c) — A consolidated sign of unified design and construction shall be used where more than one use is located on a single lot.~~

~~(d) — In the case of a double faced sign, which is constructed in the form of a "V" when viewed from above, the angle of the "V" measured at the apex shall not exceed 45 degrees. Each face may contain up to the maximum area indicated above.~~

Note #09

(5) Freestanding Signs

(a) ~~Only One~~ free-standing pole or pylon sign type (Multi-Use, Monument, or Pole or Pylon) may be permitted per street frontage, ~~provided no monument sign is located on the zoning lot.~~

(b) Unless Freestanding Pole or Pylon Signs are permitted by the underlying zoning district, all Freestanding Multi-Use signs shall be constructed in Monument design.

~~(b) — A consolidated sign of unified design and construction shall be used where more than one use is located on a single lot.~~

~~(c) — One free-standing pole or pylon sign may be permitted for each street frontage of the zoning lot, provided no freestanding pole, pylon, or monument sign is located on the same street frontage.~~

~~(c)d~~ A free-standing sign may have two faces. In the case of a double-faced sign, which is constructed in the form of a "V" when viewed from above, the angle of the "V" measured at the apex shall not exceed 45 degrees. Each face may contain up to the maximum area indicated above.

~~(e) — Not counted as free-standing signs are entrance and exit signs and signs not subject to control (Section 503).~~

~~(d)f) — On premise advertising signs Freestanding signs for properties with direct frontage along the following ~~major thoroughfares~~ streets are permitted additional advertising allowances above and beyond the allowances outlined in Table 500 as follows:~~

1. Dixie Drive (US Hwy 64):

a. An additional 10 feet in height ~~(for example: 30 feet in the B2 Zoning district).~~

b. An additional 50 square feet in area ~~(for example: 150 square feet in the B2 Zoning district).~~

c. One additional free-standing pole, ~~pylon or pylon~~, or monument type sign is permitted for zoning lots with at least 200 feet of road frontage on Dixie Drive, ~~provided that there is 100 feet of separation between permitted signs or the additional sign is located a minimum of 50 feet from street right of way and no more than 25 feet from a structure's street-fronting wall or facade.~~

2. Fayetteville Street (US Hwy 220 Business):

a. An additional 5 feet in height ~~(for example: 25 feet in the B2 Zoning district).~~

~~(e)g~~ If a lot contains more than 400 feet of street frontage on one public right-of-way, a second free-standing pole or pylon or monument sign type, not to exceed 6 feet in height and 50 square feet, is permitted by right in non-residential districts, ~~provided that there is 100 feet of separation between permitted signs. In the OA6, O&I, and B1 districts, if a lot contains more than 240 feet of street frontage on one public right of way, a second freestanding monument sign is permitted by right, provided that said sign complies with height and area requirements of Table 500-1 and 60 feet of separation exists between permitted signs. If an additional sign has been permitted as allowed above in Note #9 f.l.e. this provision shall not apply. In no case shall a zoning lot be permitted three free-standing advertising signs along one street frontage by this Article.~~

~~(f)h~~ Where more than 1 free-standing sign is permitted because of multiple street frontage, the signs shall not be oriented towards the same street.

~~(i) — Free-standing signs for Multi-Use Commercial Developments with 5 (five) or more units or businesses (i.e. shopping centers, malls) are permitted a maximum adverting area of 200 square feet. Additional advertising area as allowed above in Note #9 f.l.b. does not apply to multi-use commercial developments. Regardless of location, maximum area for multi-use commercial developments with 5~~

~~(five) or more units or businesses is 200 s.f. Additional sign height as allowed in Note #9 f.1.a. and Note #9 f.2.a. is permitted.~~

Note #10

~~Incidental signs described in Section 503 which are not subject to control by this Article.~~

Note #11

(6) Place of Worship/Civic Directional

~~Off premise directional signs for churches or non-profit civic organizations are permitted in any district. If located outside of the public right-of-way, the written permission of the property owner shall be required. Such signs may be permitted within the public right-of-way after review on an individual basis and approval by NC DOT or City of Asheboro Public Works Director. Such signs are limited to two (2) square feet in area.~~

Note #12

(7) Directional Off Premise

The Zoning Administrator may issue to a qualifying use a Zoning Compliance Permit for a single off-premise directional sign, provided no other directional sign is on the zoning lot, under the following standards:

(a) The principle use, located in a OA-6, O&I, M, B-1, B-2, TH, B-3, I-1, I-2, or I-3 ~~non-residential~~ district does not have frontage on a major or minor thoroughfare as shown on the ~~Asheboro Thoroughfare Plan~~ City of Asheboro Comprehensive Transportation Plan, or has frontage on only one direction of a one way thoroughfare.

(b) The sign shall not exceed 16 square feet per establishment nor 48 square feet for three or more establishments utilizing a single sign, nor exceed six feet in height. Signs providing directions to multiple establishments shall be of unified design.

(c) No advertising message ~~will be~~ shall be allowed ~~on off-premise directional signs.~~

~~(d) Signs shall not be located within a residential district.~~

~~(e) No off-premise directional sign shall be permitted within the defined sight triangle.~~

~~(f) Off-premise directional signs shall be limited to one per zoning lot where such signs are permitted to be erected.~~

~~(dg)~~ (dg) Written permission of the property owner shall be submitted at the time of application for a Sign Zoning Compliance Permit.

~~(eh)~~ (eh) Due to traffic patterns and volumes, design speed, multiple travel lanes, and the nature of the corridor catering to through traffic (as identified by NCDOT as a statewide strategic corridor serving as an alternative to I-40/I-85 between Raleigh and Charlotte), the prohibition of sign illumination applies to external illumination when evaluating off-premises directional signs located on properties with direct frontage on US Hwy 64/NC 49 east of US 220 Bypass and zoned ~~B2 (General Commercial) or TH (Tourism Hospitality)~~. Only off-premises directional signs meeting this narrow exception may be internally illuminated.

Note # 13

Subject to Section 512 (a) (2).

Note #14

Reserved

Note #15

~~Murals are defined as entirely artistic works, bearing no commercial message (identification, directional, advertising, or otherwise), painted on or affixed to the exterior wall of a building. The Zoning Administrator shall determine whether an exterior painting is artistic or commercial. Paintings deemed commercial in nature shall comply with wall sign requirements.~~

Note #16

Reserved.

Note #17

(8) Subdivision Identification

Name markers for subdivisions may be located within the street right-of-way on NC DOT secondary roads or City maintained streets (after review on individual basis and approval by NC DOT or Public Works Director, where applicable), or within the required front yard at the beginning of a subdivision road upon issuance of a Zoning Compliance Permit, provided the location of such marker is outside the intersection sight triangle and the normal maintenance limits. In non-residential districts, such markers may include a listing of the occupants of the subdivision. Issuance of a Zoning Compliance Permit shall be subject to the following conditions:

- (a) There shall be a clear sight distance in the triangular area formed by the intersecting street right-of-way lines and a straight line connecting points on said street right-of-way lines in accordance with the current edition of the N. C. Department of Transportation Division of Highways Minimum Construction Standards for Subdivision Roads. The sight distance shall be surveyed and platted as street right-of-way, and no obstruction shall be permitted in this area.
- (b) All costs will be the responsibility of the applicant.
- (c) Neither the City nor the N.C. Division of Highways shall maintain the marker or the area around the marker.
- (d) The markers shall be removed, if not properly maintained or if required for street improvement purposes, at no expense to the public.
- (e) One such marker shall be permitted for each intersection with a major street and a maximum of two markers shall be permitted for each subdivision.
- (f) The applicant shall assume liability for such marker.

(g) Markers shall also be subject to the following requirements:

1. A rendering indicating location, color, size, shape, and lighting mechanisms for the marker shall be submitted.

Note #18

(9) Wall

No wall sign shall extend more than eighteen (18) inches from the wall on which it is mounted. ~~One or more wall signs are permitted per wall, subject to the total percentage display area of advertising per wall listed in Table 500-1 and below:~~

~~(a) — For every **2 linear feet** that a structure’s street-fronting wall or facade, upon which a wall sign is to be affixed, is setback from the property’s fronting right of way, an additional advertising allowance of **1 square foot** beyond the maximum area outlined in Table 500-1 is permitted. Percentage calculations, however, still apply. In addition, in no case shall wall signs exceed **250 square feet** of advertising area on one wall or façade, regardless of building setback.~~

~~(b) — For multiple occupancy nonresidential buildings, the building face or wall shall be calculated separately for each separate occupancy.~~

Note #19

~~Window Signs shall be considered as Wall Signs. See Note #18.~~

Note #20

~~Changeable electronic copy signs are allowed a maximum size of up to 80% of the amount of sign face area of the type sign utilized (i.e., freestanding, wall) for the district in which the sign is located.~~

Note #21

~~In residential districts, twenty five square feet maximum area if sign is located less than 40 feet from street right of way. If sign is located more than 40 feet from street right of way, then a maximum of 40 square feet may be permitted. In commercial districts, signs must meet district regulations.~~

Note #22

~~Multi-family dwelling identification signs shall be a minimum of 10 feet from right of way. Any light source for the sign shall not be directly visible from adjoining properties or rights of way.~~

Note #23

~~In residential districts, school signs shall be twenty five feet maximum if sign is located less than 40 feet from street right of way. If sign is located more than 40 feet from street right of way, then a maximum of 40 square feet may be permitted.~~

~~In commercial districts, school signs must meet district regulations.~~

(10) Political

(a) Political signs are permitted during the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day.

(b) Political signs erected in nonresidential districts shall comply with the requirements of Table 500-1 for Political, Nonresidential, signs except in instances where the sign is erected in place of another type of sign permitted at that location, in which case it may be the same size and subject to the same requirements as such sign.

(11) Real Estate

**A. Residential Districts**

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

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)

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

\*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.

(12) Temporary, Special

No more than four (4) permits may be issued to any establishment of any zoning lot within a calendar year, and any associated advertisement must be located on the zoning lot where the special event is to take place.

(13) Temporary, Civic/Philanthropic

(a) 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).

(b) A zoning compliance permit may be issued for multiple locations, so long as all requirements of the Zoning Ordinance are met for each location.

(c) Signs described in this section that will be displayed for a period of less than 48 hours shall not require a Zoning Compliance Permit.

(14) Construction Directional

Written permission of property owner required.

(15) Outdoor Inventory Sales

Balloons may use a 30 ft tether

## ARTICLE 1100

### LANGUAGE AND DEFINITIONS

#### Church/Synagogue

~~Tax exempt buildings used for non-profit purposes by a recognized and legally established sect for purpose of worship, including educational buildings when operated by such church/synagogue~~

#### Place of Worship

(1) A church, synagogue, temple, mosque, or other facility that is used for prayer by persons of similar beliefs; (2) a special-purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis.

#### Signs:

##### Sign

Any structure designed to inform or attract the attention of persons not on the premises on which the device is located, including one directs attention to a business, commodity, service or entertainment conducted, sold manufactured or offered.

##### Sign, Advertising

~~A sign which directs attention to a business, commodity, service or entertainment conducted, sold manufactured or offered.~~

##### Signs, Area Free-standing Pole or Pylon

The surface area of a sign shall be computed as including the entire area within a parallelogram, triangle, circle, semi-circle or other regular geometric figure, including all of the elements of the display, but not including frames, display of identification or licensing officially required by any governmental body, or structural elements outside the sign surface and bearing no advertising matter. 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 and are not more than 42 inches apart, the sign areas shall be computed by the measurement of one of the faces. In the case of cylindrical signs, signs in the shape of cubes, or other signs which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces shall be included in computations of area. In the case of embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area and bearing advertising material shall be computed separately as part of the total surface area of the sign.

##### Sign, Area Monument

Sign area shall be computed by calculating the total area encompassed by the sign, using any regular geometric figure, including advertising area, backdrop, frame, and any

structural or decorative elements, from finished grade to the top of the sign. 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 and are not more than 42 inches apart, the sign areas shall be computed by the measurement of one of the faces. In the case of cylindrical signs, signs in the shape of cubes, or other signs that are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces shall be included in computations of area.

Sign, Auction

A temporary on premise sign advertising an Auction Sales use.

Sign, Awning/Canopy

A sign designated on a canopy or awning ~~permanently extended over a sidewalk or walkway.~~

Sign, Banner

A temporary sign of lightweight fabric, posterboard, paper, cloth, canvas, vinyl, plastic or other similar material ~~with or~~ without frame located in open air on any building, existing sign, or other structure. 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 banners.

Sign, Changeable copy - Electric

A sign such as an electronically or electrically controlled public service such as time, temperature and date sign, message center or reader board, where different copy changes of a public service or commercial nature are shown on the same lampbank. Changeable copy signs are not classified as flashing signs.

Sign, Construction

A temporary sign located on premise of a property under development, identifying, by way of illustration and not limitation, project name, owner, developer, architect, engineer, land planner, landscape architect, contractor or subcontractors.

Sign, Construction Directional

A temporary off premise sign directing construction traffic to a project in development.

Sign, Church Directory or Identification

~~A sign used to announce meetings or programs to be held on the premises of a church. Such sign shall not exceed 25 square feet.~~

Sign, Dwellings, Multi-Family Identification

A sign, other than a Freestanding Pole or Pylon sign, identifying the name of a Dwelling, Multi Family use.

Sign, Entrance & Exit

Signs directing and guiding traffic on private property, but which bear no advertising matter. ~~and do not exceed four square feet in area. These signs shall be limited to two (2) per entrance.~~

Sign, Flashing, Blinking, Pulsating, Rotating, Occulting

Signs which contain, include, or are illuminated by any flashing, intermittent or moving light or lights, including beacons, rotating discs, and other devices which resemble traffic lights, traffic signs, emergency vehicle flashing lights. Changeable copy signs are not classified as flashing signs.

Sign, Freestanding Developments with Multi-Use and/or Structures

A sign identifying the name and occupants of a Developments with Multi-Use and/or Structures use.

Sign, Freestanding Monument

A sign, ~~other than a pole or pylon sign,~~ on which the face of the sign is permanently mounted on an enclosed decorative masonry base and with a frame within which the advertising is contained.

Sign, Freestanding Pole or Pylon

A sign erected which is wholly independent of any building for support and is supported by one or more upright braces or posts placed directly upon or in the ground. All such signs must be permanently affixed to or constructed upon the lot where they are located.

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.

Sign, Identification

A sign which carries no advertising message, and is used to identify the name of an institution, organization, title and/or occupation or profession, the name of a building and the firms located within.

Sign, Incidental

A sign carrying no advertising message, but giving information for the convenience and necessity of the public such as "no admittance, telephone, parking, etc." Incidental signs are used in conjunction with equipment or other functional elements of a use or operation.

Sign, Marquee

A sign affixed to a Marquee, ~~permanent roof-like structure of rigid materials supported by and extending from the facade of a building.~~

Sign, Nonconforming

A lawfully constructed sign not in compliance with any provision of the Asheboro Zoning Ordinance, specifically Article 500, as of the effective date of its adoption; ~~or any sign located on the premises of land annexed by the city which does not comply with all of its provisions.~~

Signs, Number of

For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of units, or where there is a reasonable doubt about relationship of elements, each element or light shall be considered to be a single sign. 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 these same sign structure, then this shall be considered to be a single sign.

Sign, Obsolete

Signs identifying business establishments no longer in existence, products no longer being sold, and/or services no longer being rendered.

Sign, Off-premise Advertising (Billboards) (Advertising/Billboard)

A commercial sign which directs attention to a business, commodity, service, or entertainment not conducted, sold or offered on the premises where the sign is located.

Sign, Off-premise Church Directional

~~A sign which provides directions to a church not located on the premises where the sign is located.~~

Sign, Off-premise Directional

A sign which bears no advertising message providing directions to an establishment or establishments not located on the premises where the sign is located.

Sign, Outdoor Inventory Sales

A temporary on premise sign advertising a business that maintains ninety-five (95%) of its standard inventory outdoors.

Sign, Place of Worship Identification

A sign, other than a Freestanding Pole or Pylon sign, identifying the name and service(s) of a Place of Worship use.

Sign, Place of Worship/Civic Directional

An off-premise sign directing traffic to a Place of Worship or non-profit civic organization.

### Sign, Political

A sign that may support a political candidate or organization. A political sign may also convey an ideological message that does not represent any particular candidate and convey no advertising matter. A non-profit, Temporary, civic sign or sign with any advertising is not considered a political sign.

### Sign, Portable

A sign which rests on the ground and which is designed or constructed in such a manner that it can be moved or relocated without involving any substantial structural or support changes. This definition includes, but is not limited to, A-shaped, T-shaped, trailer and mobile type portable signs.

### Sign, Produce, Seasonal, Open Air Sales, Accessory

A temporary on premise sign advertising a Produce, Seasonal, or Open Air Sales, Accessory use.

### Sign, Projecting

A sign projecting out from, and attached to, the exterior wall of a building, and forming an angle of thirty (30) degrees or more with said wall.

### Sign, Real Estate

A temporary sign located on the premises and offering said premises for sale, rent, lease, or development.

### Sign, Real Estate Directional

A temporary off premise sign directing traffic to a property offered for sale, rent, lease, or development.

### Sign, Roof

A sign erected, constructed, or maintained upon the roof of any building and extending above the highest portion of the roof line.

### Sign, School

A sign, other than a Freestanding Pole or Pylon sign, identifying a School use.

### Sign, Subdivision Name Markers-Identification

A sign, other than a Freestanding Pole or Pylon sign, identifying the name and occupants of a subdivision provided the location of such marker is outside the intersection sight triangle and the normal maintenance limits. In nonresidential districts such markers may include a listing of the occupants of the subdivision.

### Sign, Suspended

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.

### Sign, Temporary

~~A sign displayed for a period of not more than thirty (30) days.~~ permitted for a limited duration of time. Sign types may include, by way of illustration and not limitation, A-frame, T-frame, Banner, pennant, streamer, balloon or other windblown devices.

Sign, Temporary Civic/Philanthropic

A temporary sign displaying the civic organization's current activities, programs, etc. Philanthropic means receiving or distributing philanthropic or non-profit funds. Civic relates to a citizen, city, citizenship or community affairs that occur within the City of Asheboro and its environs.

Sign, Temporary Special or Limited Duration

A temporary on premise sign announcing openings, closing, management changes, sales, or special events, as well as Limited Duration Event uses.

Sign, Wall

A sign affixed to the surface of, and whose plane is parallel to the plane of, the exterior wall of the building; or which forms an angle of less than thirty (30) degrees.

Sign, Window

~~Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.~~

Special Purpose Lot

A lot legally created to accommodate a unique non-residential use, that upon approval by the Zoning Administrator in accordance with this Ordinance, is not required to possess the typical lot size, area, width and road frontage mandated by the underlying zoning district.

Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Accessory Apartment Refer to Section 303 Amended 11-6-2014	SF	A	A	A	A	A	A										Section 303
Adult Day Care Facility (for 29 or less)	2										P	P	P				
Adult Day Care Facility (for 30 or more)	2										S		S				Section 614
Adult Day Care Home - for less than 6 persons		P	P	P	P	P	P										
Adult Establishment with Live Entertainment and On Premises Consumption of Alcoholic Beverages *See Article	*													S	S	S	Section 636
Adult Establishment General *See Section 325A.E.1	*													P	P	P	Section 325A
Agricultural Roadside Stand—produce produced on-site		A		A													
Agricultural Tourism Facility (See Article 600, Section 650).	3	S	S	S	S	S	S	S	S	S	S	S					Section 650
Agricultural Uses Genuine EXCEPT hog parlors, chicken houses, turkey houses, feed lot operations		P	P	P	P	P	P	P	P	P	P	P					Note 41

P - Permitted as Principal Use in District  
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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Airport/ Helaport 615(645)														S	S	S	Section 615
Amusement Parks	3													P	P		
Animal Hospital / Vet Clinic General	2										P			P	P		Note 2
Bakery - On and Off premises sale permitted Wholesale & Retail	3													P	P		
Bakery - On premises sale only	2								P	P	P	P	P				
Bakery Distribution Center - with Retail Sales Permitted NO BAKING PERMITTED	3										P			P	P		
Bank - Automatic Teller	2						P	P	P	P	P	P	P	P			
Bank A branch bank only is permitted in the M District.	2						P	P	P	P	P	P	P	P			
Banquet/Reception Facility (Large)	3										P	P	P	A	A	A	

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Banquet/Reception Facility	2									P	P	P	P	A	A	A	
Bar (Includes Tavern, Coffeehouse etc.)	2										P	P	P				
Bed & Breakfast	1	P		P	P	P	P		P	P	P	P					Note 3
Boarding / Rooming Houses See Section 323A	1	P		P	P	P	P										Section 323A
Brew Pub	2									P	P	P	P	P	P		
Brewery	3													P	P		
Bus Terminal	3										P	P	P	P	P		
Business Services	1						P	P		P	P	P	P	P	P		
Carwash	2									A	P		P	P	P	P	

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Cemetery, Human	1	A	A	A	A	A	A	P			P			P	P		
Cemetery, Pet	1										P			P	P		
Child Day Care Large Home (9 - 12 children)	1	S		S	S	S	P										Note 4; Section 616
Child Day Care Center - Medium (30 - 79 children)	2								S		S		S	A	A	A	Note 4; Section 616
Child Day Care Center - Large (80+ children)	2										S		S	A	A	A	Note 4; Section 616
Child Day Care Center - Small (13 - 29 children)	1						S	S		S	P		P	A	A	A	Note 4; Section 616
Child Day Care Home (8 or less children)		P	P	P	P	P	P										Note 4
Church / Synagogue Not Places of Assembly	1	S	S	S	S	S	P	P	P	-P	P	-P	P	P	P		
Church/Synagogue Child Care Center (or other non- profit organization)	2	A	A	A	A	A	A	A	A	-A	A	-A	A	A	A	A	44

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Circus, Carnival, Fair, Concerts Limited Duration SEE SECTION 327A											P	P	P	P	P		Section 327A
College / University Seminary	2	S	S	S	S	S	S	S	P		P		P				Note 5; Section 617
Columbarium	1	A	A	A	A	A	A	A		P	P		P	P	P		
Combustible & Flammable Liquid Storage >100,000 gallons aggregate	3														S		Section 619
Combustible & Flammable Liquid Storage above ground < 2,000 gallons		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Note 6
Combustible & Flammable Liquid Storage above ground >2,000 gallons<100,000 gallons	3													S	S	S	Section 618
Combustible & Flammable Liquid Storage below ground<2,000 gallons		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Note 7
Combustible & Flammable Liquid Storage below ground>2,000 gallons									A	A	A	A	A	P	P	P	Note 8
Commercial Developments with multi use and or structures (Limited to uses permitted in the	3									P	P	P	P				Note 9

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Communication Facilities - Non Commercial		A	A	A	A	A	A	A	A	P	P	A	P	P	P	P	Note 11
Communication Facilities - Commercial	2										P		P	P	P	P	Note 10
Communication Towers See Sections 302 and 320A		P/S	Section 302; 320A; 646														
Congregate Living Facility Amended 11-6-2014	1	S		S	S	S	S	S	P		P		P				Section 620
Congregate Living Facility - for 6 or less persons (FAMILY CARE HOME)		P	P	P	P	P	P										Note 12
Contractors Office	1						P	P		P			P	P	P	P	Note 13
Correctional Facilities	3										P			P	P		
Country, Racquet, Tennis & Swim Clubs	2	S	S	S	S	S	S			S	P	P	P				Note 43; Section 644
Crematorium Permitted as an accessory use to funeral parlors in B2 and B3 Districts.	2										A		A	P	P		

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Cultural Facility	1	S	S	S	S	S	P	P		P	P	P	P				Section 621
Dormitories	2	A		A	A	A	A	A			A		A				
Drive-In Theater	3										P	P		P			Note 14
Dry Cleaners - Small	2								P	P	P	P	P	P	P		
Dry Cleaning Plant	2										P			P	P	P	
Dwelling for Caretaker /Security Guard on premise where employed											A	A	A	A	A	A	
Dwelling Multiple Family Units up to .17 FAR (Section 200A modifies FAR requirement in Tier 1 of Center City Planning)	MF					P	P										Note 15
Dwelling Multiple Family Units up to .22 FAR	MF					<del>SUP or CUP</del>	<del>SUP or CUP</del>										Note 15
Dwelling Single Family Units	SF	P	P	P	P	P	P										

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Dwelling Two Family Units	SF	P		P	P	P	P										
Dwelling within Mixed Use Structure Permitted on upper floor only in B3 districts.							P						P				Note 16
Eating Establishments - Drivein	2										P	P					
Eating Establishments - Walkin / Carry-out	2								P	P	P	P	P				
Eating Establishments - Sit Down	2								P	P	P	P	P	A	A	A	
Electronic & Electrical Repair - Small	1										P		P	P	P		
Electronic & Electrical Repair - Large	2										P			P	P	P	
Exterminator	2									P	P		P	P	P		Note 17
Extraction of Earth Products	3	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 623

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Family Care Home (see congregate living facility for 6 or less)																	
Farmers Market	1										P	P	P	P	P		Note 47
Flea Markets, Open Air Sales	2										P		P	P	P		Note 48
Fraternity & Sorority Houses	2					S	S				S	S					Note 18
Funeral Parlor	2						P	P		P	P		P	P			
Furniture Refinishing and Repair	2										P		P	P	P		
Gamerooms	3										S	S	S		S		Section 641
Gas Station	2										P	P	P	P	P	P	
Golf Course NOT including Par 3 or miniature courses	1	S	S	S	S	S						P					Note 41; Section 624

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Government Land Reserves		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Health Practitioners Offices	1						P	P		P	P		P				
Health Services	2						P	P		P	P		P				
Health/Fitness Center	2								P	P	P	P	P				
Helaport Emergency Medical							A	A			A		A	A	A	A	Note 19
Helastop	2										P		P	P	P	P	
Home Occupation	SF	A	A	A	A	A	A										Note 20; Section 625
Hospital							P	P	P		P		P				
Hotels / Motels	2										P	P	P				

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Industrial Developments with multi use and or structures (Limited to uses permitted in the applicable district).	3													P	P		Note 45
Interior Cleaning Services	2										P		P	P			
Junkyards	3													S	S		Section 626
Kennel	2	P									P			P	P		Note 21
Landfills - Clean Material	3													P	P		Note 37
Landfills - Sanitary <del>NOT TO BE LOCATED WITHIN 5 NAUTICAL MILES OF AIRPORT - 627</del>	3													S	S		Note 36; Section 627
Limited Duration Circus, Carnival, Fair, Concerts SEE SECTION 327A											P	P	P	P	P		Section 327A
Liquor Store	2									P	P	P	P				
Lumber & Building Material Sales	2										P			P	P		Note 22

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Lumberyard	3													P	P		
Mail Order Distribution Center	2										P		P	P	P		
Mail Order Office	1						P	P		P	P		P	P	P		
Manufactured Home / Mobile Homes - Class A Double wide (Class B&C NOT Permitted)	SF	P															Section 326A
Manufactured Home / Mobile Home Park Class A & B (Class C NOT Permitted) See Section 326A and 629	2	S		S	S	S											Section 326A; 629
Manufactured Home / Mobile Homes - Class A Single wide (Class B & C NOT Permitted)	SF	P															Section 326A
Manufacturing, Processing & Assembly- Light	2										S			P	P	P	Section 628
Manufacturing, Processing & Assembly - Heavy	3													P	P	P	
Massagists, Therapeutic Health	1						P	P		P	P	A	P				Note 38

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Meat Packing /Slaughterhouse	3													P	P		
Medical & Dental Labs	2						A	A		A	P		P	P	P	P	
Membership Organizations –not for commercial gain	2						P	P		P	P		P				
Mental Institutions /Sanitariums	3								S		S		S				Section 638
Microbrewery	2										P	P	P	P	P		Section 329A
Mini-lube	2										P		P	P	P	P	
Mini-warehouse	2										P			P	P		Note 24
Mobile Home Sales Lots	2										P			P	P	A	
Motor Vehicle Repair -Major	2										A			P	P		Note 25

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Motor Vehicle Repair - Minor	2										P			P	P		
Nightclub/Cabaret	3										P	P	P	P			Note 52
Non-Conforming Buildings and Uses		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Note 26; Section 637; Article 800
Nursing, Convalescent & Extended Care Facilities	2						P	P		P	P		P				
Office Development with Multi- Use and/or Structures (Limited to uses permitted in the district).	2						P	P									
Open Air Sales, accessory  SEE SECTION 327A									A	A	A	A	A	A	A	A	51- Section 327A
Open Storage  See Section 305A	3										P			P	P	P	27; Section 305A
Package Store- Drive- Through	3										P						
Package Store—Sales of undistilled alcoholic beverages as principle use (NOT A LIQUOR STORE)	2									P	P	P	P				

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Parking Lots as principal use of Zoning Lot <del>Must meet requirements of Article 400</del>	2										P		P				
Personal Services	1						P	P	P	P	P	P	P	P			
Photographic Lab Facility Commercial	2													P	P	P	
Photographic Mini-Lab Facility (One hour type)	2									P	P	P	P	P			
Photography Studio - with Lab for inhouse use only	1						P	P		P	P		P	P			
Place of Assembly <del>DOES NOT INCLUDE CHURCHES</del>	3										P	P	P	P	P		Note 39
Place of Worship	1	S	S	S	S	S	P	P	P	P	P	P	P	P	P		Section 640
Place of Worship Child Care Center	2	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Note 44
Planned Unit Development (PUD)		S	S	S	S	S	S	S		S	S	S	S	S	S	S	Section 630

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Printing & Publishing	2										P		P	P	P	P	
Produce Sales - Temporary See Section 327A	1										P		P	P	P		Section 327A
Professional Recovery Facility Amended 11-6- 2014	2										S			P	P		Section 639
Professional Services	1							P	P		P		P	P	P		
Public Use Facility- See Section 602.2	2	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 602.2
Radio & TV Receiving Atenna & Dish, Accessory		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Note 28
Railroad Classification Yard	3														P		
Recreation & Amusement Services COMMERCIAL DOES NOT INCLUDE GAMEROOMS	2										P	P	P		P		Note 40
Recreational Vehicle / Travel Park/Camp	3	S									P	P					Section 633

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Recreational Vehicle Resort		S										S					Section 649
Recycling Plant	3														P	P	
Recycling Center	2										P			P	P		
Recycling Collection Point	2								P		P		P	P	P	P	
Rehabilitation Center	1						P	P		P	P	P	P				
Rental/Sales of Commercial Vehicles & Heavy Equipment	3													P	P		
Rental/Sales of Domestic Vehicles	2										P	A		P	P	A	Note 29
Repair Services <del>No outdoor storage</del>	2									P	P		P	P	P		
Research Activities	2													P	P	P	

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Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Residential Townhouse Development in the B3 District	MF												S				Section 648
Retail Convenience Goods <i>Accessory use allowed in PUDs ONLY</i>	2	A	A	A	A	A	A	A	P	P	P	P	P	P	P		Note 30
Retail Shoppers Goods <i>Accessory use allowed in PUDs ONLY</i>	2									P	P	P	P	P	P		30
School - Business	2										P		P	P			
School - Technical /Vocational	2										P		P	P	P		
Schools Public, Private, Charter High	2	S	S	S	S	S	S	S			P		P				Note 32; Section 634
Schools Public, Private, Charter Elementary and Middle	2	S	S	S	S	S	S	S			P		P				Note 32; Section 634
Schools, Nursery/ Pre Schools etc.	2	S	S	S	S	S	P	P			P		P				Note 31
Seasonal Sales, Temporary  SEE SECTION 327A											P		P	P	P		50- Section 327A

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Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Service Station	2										P	P	P	P	P	P	
Shelter, Emergency See Section 324A		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 324A
Sign Painting	2										P			P	P		
Signs, Off premise Billboard & Poster Panel, etc.														S	S	S	Section 635
Sludge Application <del>NOT TO BE LOCATED WITHIN 5 NAUTICAL MILES OF AIRPORT (Acc. to Genuine Agricultural</del>		P	P	P	P	P	A	A	A	A	A			P	P	P	
Solar Farm See Sections 328A and 652A	*	S												P	P	P	Section 328A; 652
Stable Commercial	2	S									P						
Structure, Accessory- <del>NO Mobile Homes, Tractor Trailer bodies, nor rolloffs permitted Refer to Section 303 and Note 33</del>		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Note 33; Section 303
Taxi Stand	1										P	P	P	P	P	P	

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Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Temporary Portable Building, Construction Related		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Note 34; Section 310A
Transfer Station	3													S	S	S	Section 343
Truck Terminal	3													A	P	P	
Uses, Customary Accessory		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Vehicle Storage Facility (Not Vehicle Towing Operation) See 309A	3													P	P		Section 309A
Vehicle Towing Operation and Storage Facility See 309A	3													P	P		Section 309A
Vehicle Towing Operation (Not Vehicle Towing Storage Facility) See 309A	1										P			P	P		Section 309A
Warehouse	3													P	P	P	
Watershed Overlay District--Storage of Hazardous Waste											S			S	S	S	

P - Permitted as Principal Use in District  
S - Permitted by Special Use Permit  
A - Permitted as Accessory Use Only

Table 200-2  
Table of Permitted Uses

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Wholesale Distribution	3													P	P	P	
Yard Sales Permitted as an Accessory to Residential Use Only in OA6, District.		A	A	A	A	A	A										Note 35; Section 313A

P - Permitted as Principal Use in District  
S - Permitted by Special Use Permit  
A - Permitted as Accessory Use Only

**Table 500-1**

Type	Permit Required	Zones Permitted	Max Number	Max Height (ft)	Max Area (ft <sup>2</sup> )	Permitted Duration	Lighted	Supplemental Regulation
Auction	Yes	All	2 per year	6	32	30 Days	No	
<b>Awning, Canopy, Marquee</b>	Yes	Non-Residential	2	N/A	25% of the surface face area up to 100*	Permanent	Yes	1
<b>Changeable Copy - Electric</b>	Yes	All	N/A	See Underlying Sign Type & District	80% of Allowable Sign Face Area	Permanent	Yes	
<b>Construction</b>	No	All	1	Freestanding: 6 Wall: Top of Wall	Freestanding: 32 Wall: 32	Until Certificate of Zoning Compliance	No	
<b>Construction Directional</b>	Yes	Non-Residential	2	3	6	Until Certificate of Zoning Compliance	No	14
<b>Dwelling, Multi-Family Identification</b>	Yes	All	1 per Street Frontage	6	40	Permanent	Yes	
<b>Entrance and Exit</b>	No	All	1 per entrance and exit	4	4	Permanent	Non-Res Only	3
<b>Freestanding Developments with Multi-Use and/or Structures</b>	Yes	Non-Residential	1 per Street Frontage	Industrial: 10* B2: 20* M, TH: 10 * Office: 8*	Industrial: 150* B2: 200 M, TH: 150* Office: 125*	Permanent	Yes	5
<b>Freestanding Monument</b>	Yes	Non-Residential	1 per Street Frontage*	OAG, O&I, B1, M, B3: 6 B2, TH, I1, I2, I3: 8*	OAG, O&I, B1, M, B3: 75* B2, TH, I1, I2, I3: 125*	Permanent	Yes	5

\* See Supplemental Regulations for Modification or Exception

# Table 500-1

Type	Permit Required	Zones Permitted	Max Number	Max Height (ft)	Max Area (ft <sup>2</sup> )	Permitted Duration	Lighted	Supplemental Regulation
Freestanding Pole or Pylon	Yes	B2	1 per Street Frontage*	20*	100*	Permanent	Yes	5
Incidental	No	All	N/A	N/A	N/A	Permanent	Yes	Section 503
Nonconforming	Yes	All	See Note 10	See Note 10	See Note 10	See Note 10	See Note 10	10
Off-Premise Advertising (Billboards)	Yes	Industrial with SUP	N/A	35	300	Permanent	Yes	2
Off-Premise Directional	Yes	Non-Residential	1	6	16 per use up to 48 max	Permanent	No*	7
Outdoor Inventory Sales	No	Non-Residential	N/A	20*	150 per Sign	Temporary	Yes	15
Place of Worship Identification	Yes	Residential	Freestanding: 1 per Street Frontage Wall: N/A	Freestanding: 6 Wall: Top of Wall	Freestanding: 40 Wall: 7.5% up to 100	Permanent	Yes	
Place of Worship/Civic Directional	No	All	2	2	2	Permanent	No	6
Political - Residential	No	Residential	N/A	Freestanding: 6 Wall: Top of Wall	Freestanding: 16 Wall: 32	Temporary	No	10
Political-Non-Residential	No	Non-Residential	N/A	Freestanding: 8 Wall: Top of Wall	Freestanding: 32* Wall: 32*	Temporary	No	10

\* See Supplemental Regulations for Modification or Exception

# Table 500-1

Type	Permit Required	Zones Permitted	Max Number	Max Height (ft)	Max Area (ft <sup>2</sup> )	Permitted Duration	Lighted	Supplemental Regulation
Produce, Seasonal, Open Air Sales, Accessory	No	Non-Residential	N/A	6	32 per Sign	Duration of Permitted Event	Yes	
Projected or Suspended	Yes	Non-Residential	1 per Street Frontage or Use	Top of Wall	75	Permanent	Yes	4
Real Estate	No	All	1	*	*	Until Sale or Lease	No	11
Real Estate Directional	No	All	2 total; 1 per zoning lot	3	2	Until Sale or Lease	No	
School	Yes	Residential	1 per Street Frontage	6	40	Permanent	Yes	
Subdivision Identification	Yes	All	2	6	40	Permanent	Yes	8
Temporary, Civic/Philanthropic	Yes	All	1 per Lot	6	50 per Sign	30 Days	Yes	13
Temporary, Special or Limited Duration	Yes	All	N/A	20	50 per Sign	30 Days	Yes	12
Wall/Window	Yes	Non-Residential	N/A	Top of Wall	B1, OA6, O&I: 7.5% M, B2, TH, B3, I1, I2, I3: 15%	Permanent	Yes	9

\* See Supplemental Regulations for Modification or Exception



**RZ-15-06: Rezone from Conditional Use High-Density Residential (CU-RA6)  
to Medium-Density Residential (R10)**

(City of Asheboro: Gold Hill Road and East Allred Street)

**Staff Report**

# Rezoning Staff Report

RZ Case # **RZ-15-06**

Date 6/4/15 PB and  
7/16/15 CC

## General Information

**Applicant** City of Asheboro

**Address** 146 North Church Street

**City** Asheboro NC 27203

**Phone** 336-626-1201

**Location** West side of Gold Hill Road and north side of East Allred Street

**Requested Action** Rezone from Conditional Use High Density Residential (CU-RA6) to R10 (Medium-Density Residential)

**Existing Zone** CU-RA6

**Existing Land Use** Undeveloped

**Size** 23.2 acres +/-

**Pin #** 7762658808, 7762740259 and 7762752727

## Applicant's Reasons as stated on application

Staff received an inquiry about surveying activity on the property and determined that conditional use permits issued in 2001 (CUP-01-26) and 2002 (CUP-03-12) were never initiated and are now null and void. Rezoning the property back to a general use district will allow a viable use of the property. The R10 district was the previous zoning classification and is consistent with the neighborhood residential designation of the Land Development Plan. **\*\*Note:** Staff has sent three letters to the property owner to advise them of staff's proposal to rezone the property (two letters via certified mail, one letter via regular mail).

## Surrounding Land Use

**North** Medium-Density Residential

**East** Industrial (Major auto repair)/Low density residential

**South** Undeveloped Residential

**West** Medium-Density Residential

**Zoning History** The property was rezoned from R10 Medium-Density Residential to CU-RA6 and conditional use permits were issued for a residential Planned Unit Developments in 2001 (RZ/CUP-01-26) and 2002 (RZ/CUP-03-12).

## Legal Description

The property of McDowell Timber Company located on the west side of Gold Hill Rd. immediately south of 1521 Gold Hill Rd, immediately north of 1741 Gold Hill Rd., and on the north side of E. Allred St., immediately west of 1591 E. Allred St. These properties contain approximately 23.2 acres (+/-) and are more specifically identified by Randolph County Parcel ID Nos. 7762658808, 7762752727 and 7762740259.

## Analysis

1. This property is inside of the city limits and city services are available.
2. Gold Hill Road and East Allred Street are state-maintained minor thoroughfares.
3. As stated in the "Zoning History" above, this property was rezoned in 2001 and 2002. Conditional Use Permits were also issued for two Residential Planned Unit Developments. Both permits are now null and void because neither permit was initiated within one hundred eighty (180) days of issuance.
4. Since the property is currently zoned CU-RA6 (Conditional Use High Density Residential), development activity requires a new conditional use permit.
5. The Land Development Plan designated a small portion of this property (along its southern boundary) as urban residential in anticipation of a potential Village Center around the intersection of East Allred Street and Gold Hill Road. The majority of the property is designated as neighborhood residential.
6. A portion of the property is designated within the "Secondary Growth" area by the 2000 Land Development Plan growth strategy map. At the time the map was adopted, that portion of the property was outside of the city limits, but was later annexed in 2001.
7. The western and southern portions of the property are located within a flood hazard area.

# Rezoning Staff Report

RZ Case # RZ-15-06

Page 2

## Consistency with the 2020 LDP Growth Strategy designations

*In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.*

<b>Proposed Land Use Map Designation</b>	Neighborhood/Urban Residential
<b>Small Area Plan</b>	East/Northeast
<b>Growth Strategy Map Designation</b>	Primary Growth/Secondary Growth

## LDP Goals/Policies Which Support Request

**Checklist Item #1:** Rezoning is compliant with the Proposed Land Use Map.

**Checklist Item #4:** The proposed rezoning is compatible with surrounding land uses.

**Checklist Item #5:** The proposed rezoning is compliant with the objectives of the Growth Strategy Map.

**Goal 2.2:** Development that is located in appropriate locations

# Rezoning Staff Report

RZ Case # RZ-15-06

Page 3

## LDP Goals/Policies Which Do Not Support Request

- Policy 2.1.5** City will ensure development regulations provide appropriate transitional land uses, such as office and institutional, between high-intensity industrial/commercial and low-intensity residential uses.
- Staff Note: The above policy refers to adjacent property that is zoned CU-I2 (Conditional Use General Industrial) and CU-B2 (Conditional Use General Industrial). The Conditional Use permitting process, required for both adjoining parcels, can help mitigate any externalities imposed from having commercial and industrial uses adjacent to residential uses.

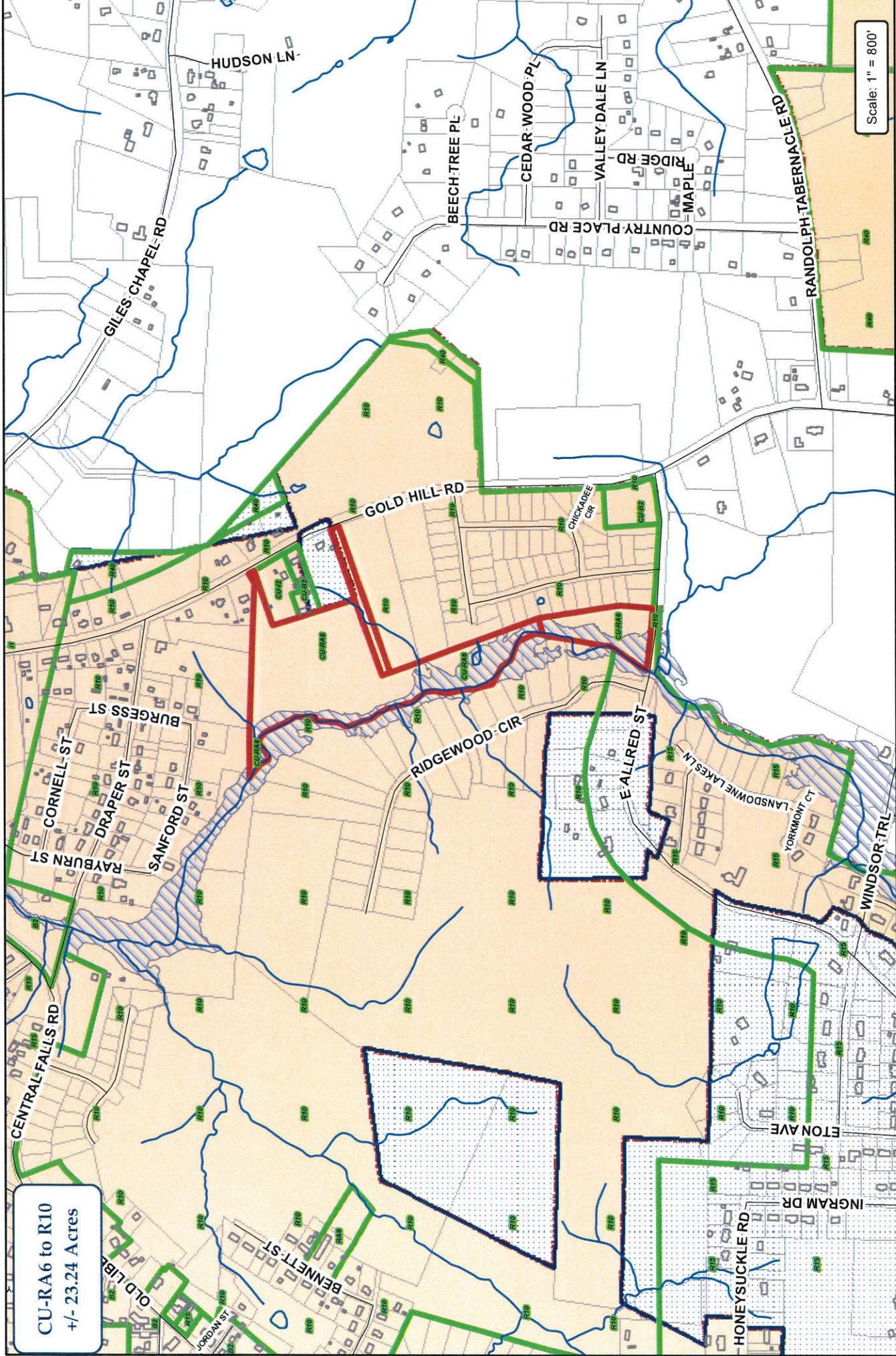
## Recommendation Approve

### Reason for Recommendation

The R10 Medium-Density Residential designation was the zoning in place prior to the property's zoning designation being changed in 2001 and 2002. This designation is consistent with the Land Development Plan's "neighborhood residential" proposed land use designation on the majority of the property, and consistent with surrounding land uses. Staff proposes this zoning district will also allow viable by-right uses of the property that were envisioned with the previous R10 classification without unnecessarily invoking the conditional use permitting process.

### Evaluation of Consistency with Adopted Comprehensive Plans/Reasonableness and Public Interest

Considering the above factors, staff believes the R10 designation is in the public interest by allowing a reasonable use of the property and ensuring consistency with the Land Development Plan.



CU-RA6 to R10  
+/- 23.24 Acres

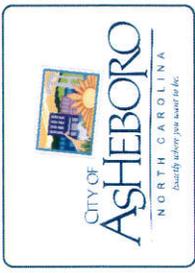
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Subject Property   
 Zoning   
 City Limits   
 ETJ 

City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-15-06

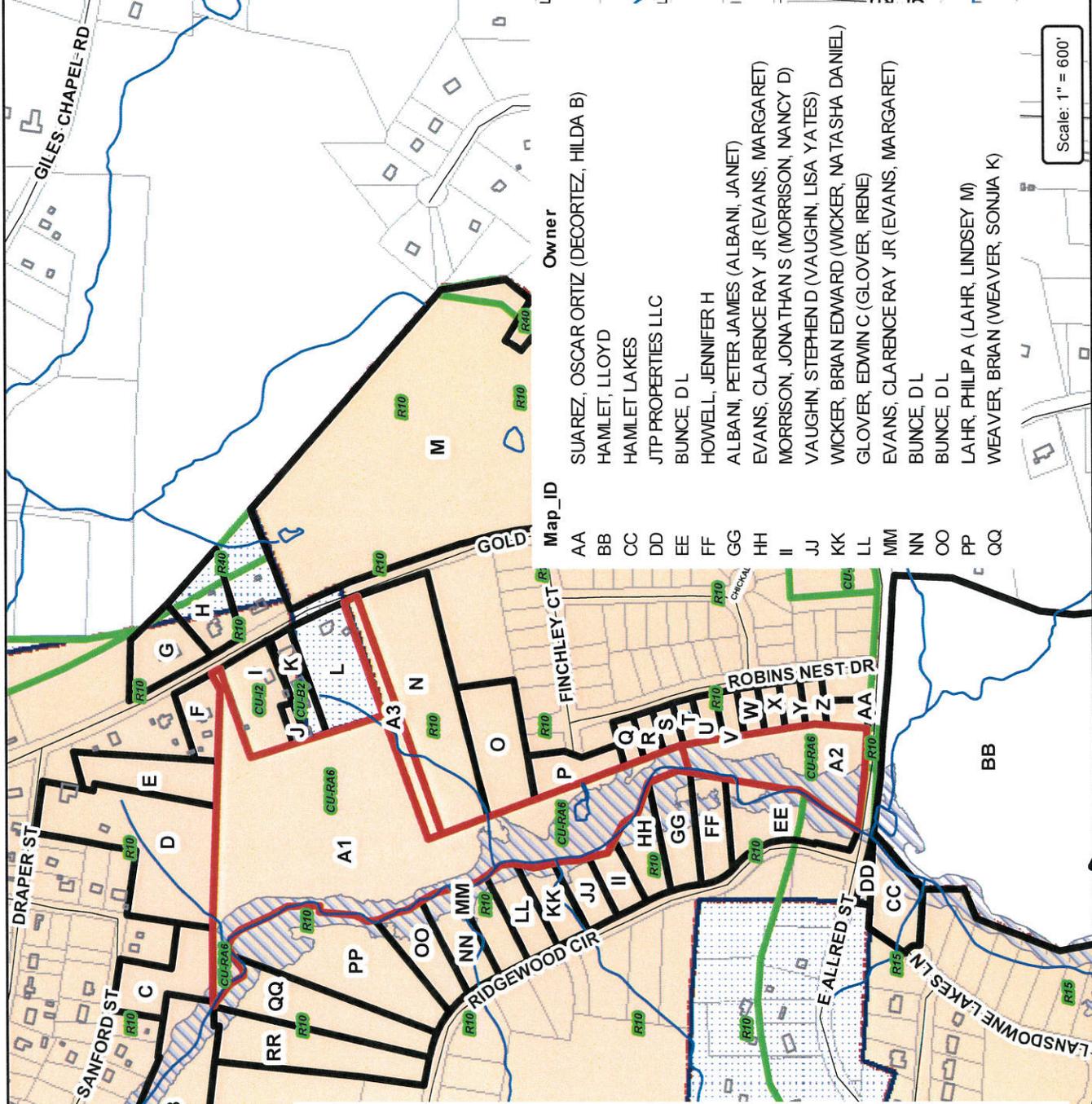
Parcels: 7762658808, 7762740259 & 7762752727



**CU-RA6 to R10**  
+/- 23.24 Acres

Map_ID	Owner
A1	MCDOWELL TIMBER COMPANY
A2	MCDOWELL TIMBER COMPANY
A3	MCDOWELL TIMBER COMPANY
B	KENNEDY, DONALD EUGENE
C	KENNEDY, DONALD EUGENE
D	PRESNELL, DEBORAH H (HAWKINS, MARY D)
E	DAVIS, NORRIS DANIEL
F	MANGUM, JOHN ERNEST (MANGUM, JOYCE SKEEN)
G	COX, ANDREW LEE (COX, SHARON S)
H	WOODDELL, SHARON LEIGH
I	GREENE, CARL REECE
J	GREENE, CARL (GREENE, ANTHONY R)
K	GREENE, CARL (GREENE, ANTHONY R)
L	LEE, VERONICA
N	MCDOWELL TIMBER COMPANY
M	TUCKER, CLAYTON TERRY
O	MCDOWELL TIMBER COMPANY
P	MCDOWELL TIMBER COMPANY
Q	BANK OF NORTH CAROLINA
R	BANK OF NORTH CAROLINA
S	BANK OF NORTH CAROLINA
T	BANK OF NORTH CAROLINA
U	BANK OF NORTH CAROLINA
V	BANK OF NORTH CAROLINA
W	BANK OF NORTH CAROLINA
X	FIRST TROY SPE LLC
Y	GOULD, RICHARD (GOULD, ANGELA W)
Z	PHIL BURGESS CONSTRUCTION INC

Map_ID	Owner
AA	SUAREZ, OSCAR ORTIZ (DECORTEZ, HILDA B)
BB	HAMLET, LLOYD
CC	HAMLET LAKES
DD	JTP PROPERTIES LLC
EE	BUNCE, D L
FF	HOWELL, JENNIFER H
GG	ALBANI, PETER JAMES (ALBANI, JANET)
HH	EVANS, CLARENCE RAY JR (EVANS, MARGARET)
II	MORRISON, JONATHAN S (MORRISON, NANCY D)
JJ	VAUGHN, STEPHEN D (VAUGHN, LISA YATES)
KK	WICKER, BRIAN EDWARD (WICKER, NATASHA DANIEL)
LL	GLOVER, EDWIN C (GLOVER, IRENE)
MM	EVANS, CLARENCE RAY JR (EVANS, MARGARET)
NN	BUNCE, D L
OO	BUNCE, D L
PP	LAHR, PHILIP A (LAHR, LINDSEY M)
QQ	WEAVER, BRIAN (WEAVER, SONJIA K)

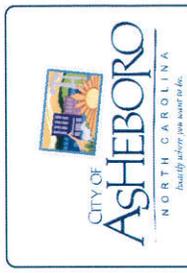


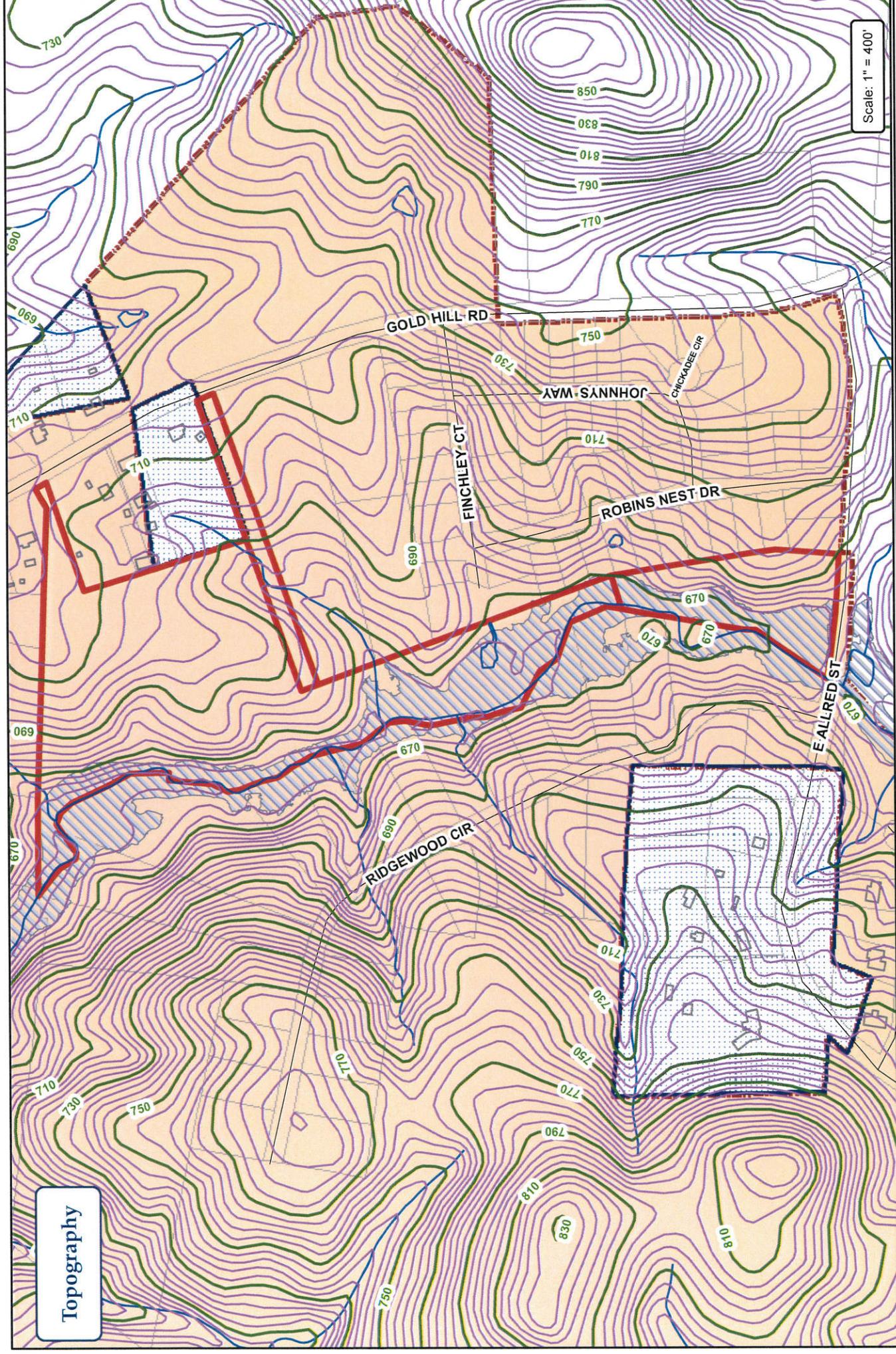
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City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-15-06

Parcels: 7762658808, 7762740259 & 7762752727





Scale: 1" = 400'



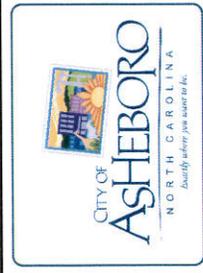
Subject Property  
City Limits  
ETJ

Topography

City of Asheboro  
Planning & Zoning Department

Rezoning Case: RZ-15-06

Parcels: 7762658808, 7762740259 & 7762752727





Scale: 1" = 400'



Subject Property  
Zoning

Aerial

City of Asheboro  
 Planning & Zoning Department  
 Rezoning Case: RZ-15-06  
 Parcels: 7762658808, 7762740259 & 7762752727

