

REQUEST

Text amendment to sign regulations in the Zoning Ordinance located in the UR-1, UR-2, UR-3, and U-C (urban residential); INST (institutional); RE-1, RE-2, and RE-3 (research); O-1, O-2, and O-3 (office); B-1, B-2, BP and B-D (business); MUDD (mixed use development); UMUD (uptown mixed use development); TOD (transit oriented development), PED (pedestrian overlay); TS (transit supportive overlay); MX-1, MX-2, and MX-3 (mixed use); NS (neighborhood services) zoning districts; sign regulations located in Chapter 12, "Supplemental Regulations of General Applicability"; and the replacement of the current sign regulations in Chapter 13 with new sign regulations.

SUMMARY OF PETITION

The petition proposes to update the sign regulations to:

- 1) simplify the regulations making them easier to use and understand, with added graphics.
- 2) provide consistency and uniformity in standards across similar zoning districts.
- 3) modify the standards for sign size, materials, location, lighting, portability, quantity and height.
- 4) provide greater flexibility by allowing more signs without a permit, but subject to specific standards.
- 5) introduce new sign types, including A-frame sign, accessory use sign, light pole banner, multi-use planned development ground sign, roof sign, skyline sign, temporary outdoor sales sign, vehicle dealership temporary sign, wall sign (painted), and wall sign (projected)
- 6) create content-neutral sign standards, to be consistent with a recent U.S. Supreme Court ruling.
- 7) move the procedures for obtaining a sign permit into a separate document.

**PETITIONER
AGENT/REPRESENTATIVE**

Charlotte Planning, Design and Development Department
Charlotte Planning, Design and Development Department

COMMUNITY MEETING

Three public information meetings were held to discuss the proposed sign regulations even though there was no meeting required per the Zoning Ordinance.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Centers, Corridors and Wedges Growth Framework* goal to support a diverse and growing economy.

Rationale for Recommendation

- Consolidates all sign regulations into one chapter rather than having them dispersed throughout the Zoning Ordinance, making the standards more user-friendly.
- Provides consistency and uniformity of sign standards across zoning districts making the standards easier to find, understand and enforce.

- Introduces new sign types to reflect and address development and sign industry trends.
- Allows more signs without a permit, but subject to specific standards.
- Updates the Zoning Ordinance sign regulations by establishing content-neutral standards, and allowing non-commercial messages where commercial messages are permitted to align with U.S. Supreme Court and case law rulings.

PLANNING STAFF REVIEW

• Background

- The sign regulations have been largely unchanged since 1992. Minor text amendments have been made over the years, but none more recent than 2013.
- The City has been working with Camiros Ltd., the Unified Development Ordinance (UDO) consultant, to develop new sign regulations. The new sign regulations will be a part of the Unified Development Ordinance (UDO).
- The new sign chapter builds on the sign regulations adopted by City Council for the Transit Oriented Development (TOD) districts earlier in the year.
- Three community engagement meetings have been held to present the draft text amendment and gather input. This includes a sign contractor stakeholder meeting, and two meetings for the general public. In addition, the UDO Ordinance Advisory Committee (OAC) reviewed the drafts and provided feedback on changes to the sign standards.
- The highlights of the new sign regulations have been presented to the City Council, Council's Transportation and Planning Committee, and the Planning Commission, to provide updates and gather feedback prior to the public hearing.
- To ensure adherence to court rulings and current case law related to signage, the sign regulations have been reviewed by the City Attorney's office as well as Parker Poe, the legal subconsultant for the UDO.

• Proposed Request Details

The text amendment contains the following provisions:

- Adds a new set of definitions and graphics to the chapter, better clarifying sign measurement methodologies and standards.
- Introduces new sign types:
 - A-frame sign, accessory use sign, light pole banner, multi-use planned development ground sign, roof sign, skyline sign, temporary outdoor sales sign, vehicle dealership temporary sign, wall sign (painted), and wall sign (projected).
- Outdoor advertising signs (billboards): There are no significant changes to the existing standards other than incorporation of the North Carolina Department of Transportation (NCDOT) height language, clarifications for vegetation clearing, nonconformities, and message type.
- No sign permit is required for normal repair and maintenance, sign face changes (no cabinet alteration), and changing the copy of a changeable message component.
- Creates a mandatory review period of 15 business days for submitted sign permit applications.
- Signs exempt from sign permit requirements, but subject to specific standards include:
 - A-frame signs; accessory use signs; banners; construction activity signs; flags (commercial and non-commercial); light pole banners; noncommercial message signs; parking lot/structure and site circulation point signs; real estate activity signs; temporary off-premise advertising signs; temporary outdoor sales signs; vehicle dealership temporary signs; and window signs.
- Modifies standards for several sign types, most significantly:
 - Ground signs – Ground signs to be of monument-type construction, unless parcel has B-2, I-1 or I-2 zoning where a pole (pylon) sign up to a maximum height of 30' is permitted. A pole sign is not permitted for B-2, I-1 or I-2 parcels that also have an urban zoning overlay.
 - Wall signs – Introduces a uniform maximum size of 10% of wall surface area or 300 square feet, whichever is less, across all zoning districts. Introduces two (2) new wall sign subtypes: painted wall signs and projected wall signs. As defined, painted wall signs do not count against wall sign size limit and have no size limitation themselves.
 - Window signs – Allowable sign coverage reduced from 50% to 25% of window surface area. However, mullions are no longer used to separate window surfaces. Window surface areas are now only separated by structural or architectural elements, such as columns or door casings.

- Standards related to installation; location; site distance triangles; projections into City rights-of-way; tree protection; permitted materials for signs; audio components, changeable messages; illumination standards; and maintenance of signs.
- Special sign regulations are included for:
 - Passenger rail pathways and platforms; planned development flexibility; detached signs impacted by a government sponsored project; landmark signs; and historic signs.
- Prohibited signs include: balloon signs; feather flag signs (sails); flashing, fluttering, swinging, or rotating signs (except in UMUD); pennants; portable sign structures; signs that create a traffic hazard; vehicle signs; and signs painted or affixed to trees, fences, utility poles, benches, trash receptacles and similar type non-sign structures.
- Legally permitted nonconforming on-premise signs may remain unless the sign face size or shape is modified; the sign is moved, removed, or replaced by voluntary action; the sign is changed beyond routine maintenance or repairs; or sign changes are necessitated to comply with minimum building or electrical codes.
- Establishes content-neutral sign standards to align with U.S. Supreme Court rulings and other sign related case law.
- Allows non-commercial messages where commercial messages are permitted to align with court rulings.
- Sign enforcement inspections, citations, and other enforcement methods are clarified.
- Procedures for obtaining a sign permit are moved out of the Zoning Ordinance and into a separate document.
- Information and advertising pillars, and off-premise directional development signs are being removed as a sign type.
- **Public Plans and Policies**
 - The petition is consistent with the *Centers, Corridors and Wedges Growth Framework* goal to support a diverse and growing economy.
- **TRANSPORTATION CONSIDERATIONS**
 - No comments submitted.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Not applicable
- **Charlotte Water:** No comments submitted.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

See Attachments (applications, department memos, etc.) Online at www.rezoning.org

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