



Planning Committee Recommendation

Rezoning Petition 2019-103

September 17, 2019

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.

PETITIONER

Charlotte Planning, Design and Development

PLANNING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Planning Committee voted 7-0 to recommend APPROVAL of this petition, with a modification to relocate Section 13.6, "Definitions" to come after Section 13.4, and to adopt the consistency statement as follows:

This petition is found to be **consistent** with the *Centers, Corridors and Wedges Growth Framework* goal to support a diverse and growing economy, and based on the information from the staff analysis and the public hearing and because the text amendment:

- 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; and
- Allows more signs without a permit, but subject to specific standards.

Therefore, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because the text amendment:

- 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
COMMITTEE
DISCUSSION**

Motion/Second: Blumenthal/Barbee
 Yeas: Barbee, Blumenthal, Fryday, Kelly, McMillan, Samuel, and Welton
 Nays: None
 Absent: None
 Recused: None

Staff provided a summary of the petition and noted that it is consistent with the *Centers, Corridors, and Wedges Growth Framework* goal to support a diverse and growing economy.

A Commissioner asked about the location of the Section 13.6. Why are the definitions located in the middle of the document rather than at the front or back? Staff agreed the location could be adjusted for clarity, and agreed to move Section 13.6 before 13.4, and renumber the sections accordingly, if the Commissioners included that in their motion.

The following additional questions were asked by the Commissioners:

- Is the maintenance of trees covered in the current Tree Ordinance, or should this be added? Staff: Standards for the maintenance of trees are currently in the ordinance and cover trees on both public and private property.
- Why is the illumination of A-frame signs not allowed? Staff: Lights could impact pedestrian and vehicle safety if they were flashing, blinking or moving, or distracting in some fashion.
- How often can the message change on a projected wall sign? Staff: The message could change every 8 seconds.
- Are temporary signs allowed during construction? Staff: Yes, planned developments and infill properties under construction are permitted temporary ground signs.
- Can multiple sign types be allowed on a site? Staff: Yes.
- Was Code Enforcement staff involved in preparing the new Sign Chapter? Staff: Yes, they were involved from the beginning and reviewed the various drafts as they were developed.
- Can amendments be made to the Sign Chapter after it is adopted? Staff: Yes, there is always the opportunity, if needed, to adjust the regulations based on the impacts in the community. In addition, the zoning district names will likely change during the UDO process, which will require a future text amendment to the Sign Chapter.
- Clarify "grandfathering". Staff: Signs will be given legal non-conforming status (grandfathered) only if they were legal to begin with. No sign will become legal simply by adopting this text amendment.
- Are feather signs permitted? Staff: No, they are not allowed now and are prohibited in the new regulations.
- Will this text amendment alleviate any of the existing sign violations? Staff: No. Most of the violations are for portable signs, feather signs, and animated, fluttering, or moving signs.

- Will the new regulations have a detrimental impact in the field? Staff: Code Enforcement does not see a negative impact occurring.
- What signs are regulated and what are not? Staff: Signs on private property are regulated, but signs in the rights-of-way are not captured in this text amendment. They have separate standards.
- What dictates “instantaneous” in the change of one message to another? Staff: The message can-not wipe, scroll, fade, animate, or transition to the next message. The change would be immediate.
- What are the temporary sign time limits for banners? Staff: Banners are limited to a maximum display period of 14 consecutive days with a minimum of ten days between display periods. Time limits for other temporary signs vary by the type of sign.
- What is the impact of the new regulations on rezoning petitions for sign modifications? Staff: This should reduce the number of rezonings requested.
- What is the timeframe for this amendment? Staff: The recommendation of the Planning Committee will be forwarded to the City Council for consideration at their October 21, 2019 Zoning Meeting for decision.

There was no further discussion of this petition.

PLANNER

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