

8-10-20

Petition No. 2020-104

Petitioner: Charlotte Planning, Design and Development

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE –ZONING ORDINANCE**

ORDINANCE NO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 13: SIGNS

1. Amend Section 13.2, “Applicability”, subsection A, “General Applicability” by adding a new subsection 13.2.5 and renumbering the previous subsection 13.2.5 to 13.2.6. All other subsections remain unchanged. The revised Section 13.2 shall read as follows:

13.2 Applicability

A. General Applicability

1. All signs constructed, erected, modified, or altered shall comply with the standards of this Chapter, whether such signs do or do not require a sign permit.
2. Signs shall only be placed on private property with the permission of the property owner, whether such signs do or do not require a sign permit.
3. The sign regulations of this Section apply to each lot or facade of a structure.
4. Signs located in the public right-of-way are not regulated by this Chapter and Zoning Ordinance, with the exception of permissions for some encroachment of on-premise sign structures on City-maintained public rights- of-way.

5. Logos and labels located on mechanical equipment, recycling bins, trash containers, and similar equipment, which are part of the equipment as manufactured and/or installed, are not regulated by this Chapter and Zoning Ordinance.

56. Signs not regulated by this Chapter or Zoning Ordinance shall otherwise be regulated separately by applicable provisions of the City's Code of Ordinances.

2. Amend Section 13.3, "Alteration and Maintenance Activities Exempt from Permit", subsection A by modifying the text. The revised Section 13.3.A shall read as follows:

13.3 Alteration and Maintenance Activities Exempt from Permit

The following activities do not require a sign permit:

- A. Normal maintenance and repair of a sign, including painting and cleaning. The following activities are not considered normal maintenance or repair: structural changes, changes in the electrical components of the sign, ~~an increase~~ any change in ~~any~~ sign dimension or height, or changes in the location of a sign.

3. Amend Section 13.4, "Sign Permit", subsection B, "Approval Procedure", subsection 2, by modifying the text. All other subsections shall remain unchanged. The revised Section 13.4.B.2 shall read as follows:

B. Approval Procedure

1. Upon the filing of an application for a sign permit, the Zoning Administrator or their designee shall examine the plans and specifications within 15 business days. If deemed necessary, they may inspect the premises where the sign will be installed.
2. If an application for a proposed sign is complete and complies with all the requirements of these regulations and other applicable codes, including but not limited to Historic District Commission Design Guidelines, a permit shall be issued.
3. A sign permit issued in accordance with this section automatically becomes null and void if work has not visibly started within six months of the date of issue, or if the work

authorized by it has been suspended or abandoned for one year.

4. Amend Section 13.5, “Definitions” by modifying the definition for “On-Premise Advertising” and “Portable Sign Structure” and adding a new definition for “Sign Face” as follows:

On-Premise Advertising. A sign directing attention to or promoting a business, ~~product~~, service, ~~event~~, or activity that is ~~sold, produced, manufactured,~~ furnished, or conducted at the site upon which the sign is located.

Portable Sign Structure. A sign structure that is intended, by design and construction, to rest upon and/or be supported by the ground for support and can be moved and reused. Portable sign structures include, but are not limited to, ~~signs those that~~ mounted signs upon a trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or without wheels. ~~removed.~~ Portable sign structures do not include A-frame ~~signs~~, or temporary off-premises advertising signs.

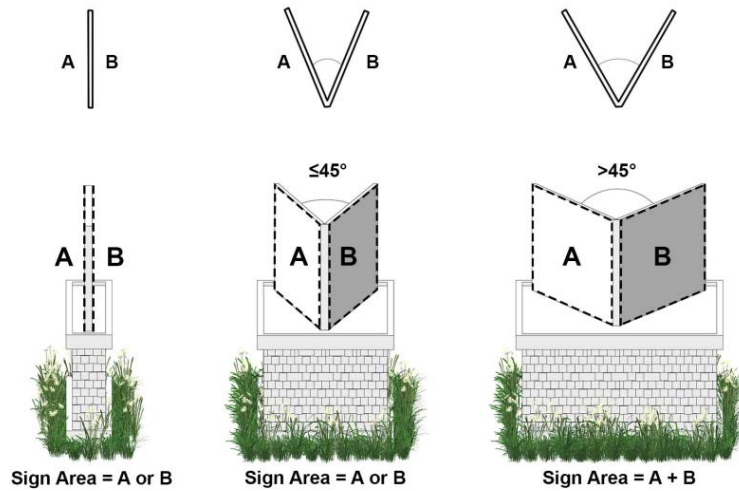
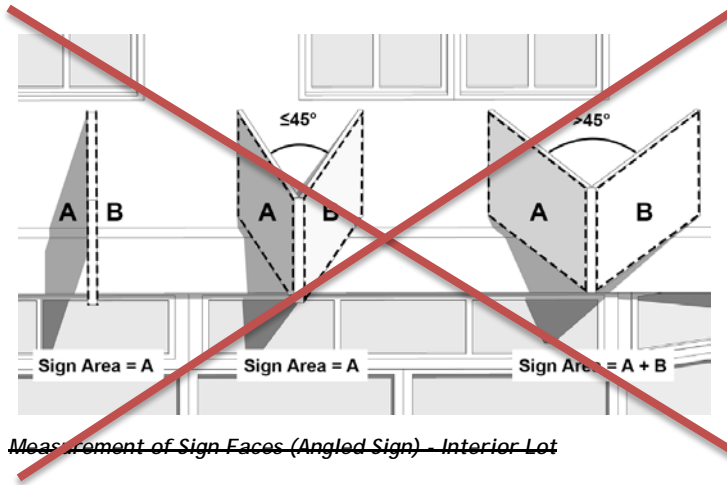
Sign Face. The area of a sign on which copy is intended to be placed.

5. Amend Section 13.6, “Measurement Methodologies”, subsection D, “Determination of Number of Sign Faces” by clarifying the text. The revised Section 13.6.D shall read as follows:

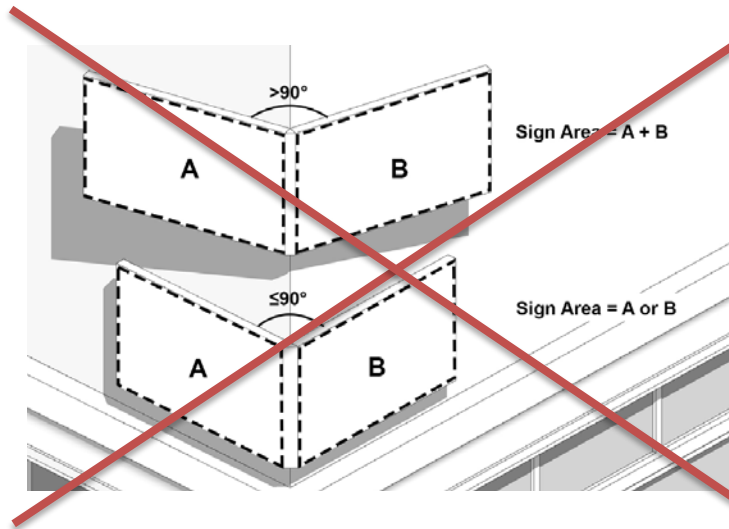
D. Determination of Number of Sign Faces

~~The maximum angle of a double-faced sign is 45 degrees, except for signs located at corners in which case the angle may be 90 degrees. This refers to the distance between sign faces on a single structure. Signs are considered double-faced if the faces are positioned relative to one another at an internal angle not exceeding 45 degrees. The sign area for a double-faced sign is calculated as the measurement of one sign face. If the internal angle exceeds 45 degrees, sign area is calculated as the sum of both faces. This applies to all signs except those located on corner lots, in which case the internal angle for a double-faced sign may not exceed 90 degrees. In all cases, this measurement refers to the internal angle of sign faces on a single structure.~~

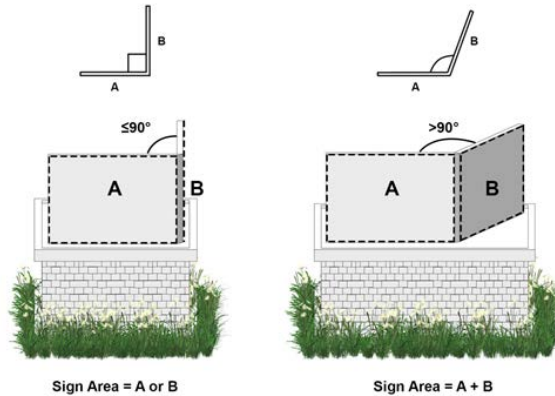
6. Amend Section 13.6, “Measurement Methodologies”, by replacing two graphics with new graphics. The deleted and new graphics are as follows:



Measurement of Sign Faces (Angled Sign) - Interior Lot



Measurement of Sign Faces (Angled Sign) - Corner Lot



Measurement of Sign Faces (Angled Sign) - Corner Lot

7. Amend Section 13.7 “Standards for Signs Exempt from Permit”, subsection A, “A-Frame Sign”, subsection 1 by modifying the text. All other subsections remain unchanged. The revised Section 13.7.A.1 shall read as follows:

A. A-Frame Sign

1. A-frame signs are permitted for ~~non-residential~~ all commercial, institutional, multi-family, and temporary outdoor sales uses. ~~uses in the B-1 and B-2 Districts and the urban districts.~~

8. Amend Section 13.7 “Standards for Signs Exempt from Permit”, subsection C, “Banners”, subsection 4 and 5 by modifying the text. All other subsections

remain unchanged. The revised Section 13.7.C.4 and 13.7.C.5 shall read as follows:

4. Banners shall be securely attached to a building wall, except for institutional uses.
 5. Banners for institutional uses in all districts where allowed may also be ground-mounted between two or more posts, shall be limited to one sign per street front, and shall not be located closer than 11 feet from the edge of the pavement of any roadway or alley, or within any public rights-of-way.
9. Amend Table 13-1, “Noncommercial Flag Dimensions”, first column, “Flagpole Height” as follows:

Table 13-1: Noncommercial Flag Dimensions

FLAGPOLE HEIGHT	MAXIMUM FLAG SIZE	MAXIMUM COMBINED FLAG AREA PER FLAGPOLE
Up to 24 <u>25</u> feet	24 square feet	48 square feet
25' up to 39 <u>25' up to 40</u> feet	40 square feet	80 square feet
40' up to 49 <u>40' up to 50</u> feet	60 square feet	120 square feet
50' up to 60 <u>50' up to 60</u> feet	96 square feet	192 square feet

10. Amend Section 13.7 “Standards for Signs Exempt from Permit”, subsection F, “Light Pole Banner” by modifying the text and numbering system. The revised Section 13.7.F shall read as follows:

F. Light Pole Banner

1. Light poles located entirely on private property are permitted to mount banners in all districts. Light pole banners shall not be used as a temporary off-premise advertising sign.
2. A maximum of two light pole banners may be displayed per light pole.
- ~~23.~~ Light pole banners are limited to a maximum area of 15 square feet.
- ~~34.~~ Light pole banners shall maintain a minimum vertical clearance of 12 feet from grade to the bottom of the banner.

45. Light pole banners shall be mounted to project perpendicular from light poles.

11. Amend Section 13.7 “Standards for Signs Exempt from Permit”, subsection I, “Real Estate Activity”, subsection 1 by deleting the term, “ground”. All other subsections shall remain unchanged. The revised Section 13.7.I.1 shall read as follows:

I. Real Estate Activity

1. Temporary ~~ground~~ signs are permitted for lots or structures currently for sale, lease, or rent.

12. Amend Section 13.7 “Standards for Signs Exempt from Permit”, subsection J, “Temporary Off-Premise Advertising Sign” by adding a new sentence to subsection 7. All remaining subsections shall remain unchanged. The revised Section 13.7.J.7 shall read as follows:

7. No temporary off-premise advertising sign shall be mounted upon a portable sign structure. Portable sign structures include, but are not limited to, signs mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or without wheels.

13. Amend Section 13.7 “Standards for Signs Exempt from Permit”, subsection M, “Window Sign”, subsection 1 by moving the last two sentences into new subsections “a” and “b”. The other subsections shall remain unchanged. The revised Section 13.7.M.1 shall read as follows:

M. Window Sign

1. Window signs are permitted for all multi-family and non-residential uses.
- a. For multi-family uses, window signs are permitted on the ground floor only.
- b. For non-residential uses, window signs are permitted for window areas up to and including the third story.

14. Amend Table 13-2, “Summary of Sign Permissions”, first row below “Standards For Signs Exempt From Permit (Section 13.7), and second column by modifying the text. All remaining rows remain unchanged. The revised row shall read as follows:

Table 13-2: Summary of Sign Permissions

SIGN TYPES	PERMISSIONS	
	BY USE/ACTIVITY	BY DISTRICT
STANDARDS FOR SIGNS EXEMPT FROM PERMIT (SECTION 13.7)		
A-Frame Sign	Non-residential uses <u>Commercial, institutional, multi-family, and temporary outdoor sales</u>	B-1, B-2, and Urban <u>All</u> Districts

15. Amend Section 13.10 “Signs Requiring Permit” by relettering subsections A, B, C, D, E, F, G, H, I, and J as follows. In addition, make all titles plural with “Signs”. All text under each letter heading remains.

13.10 Signs Requiring Permit

The following on-premise signs require a sign permit and are subject to all applicable standards of this Chapter. Additionally, the following sign types shall only operate as on-premise signs. Outdoor advertising signs are regulated separately in Section 13.11.

~~A. B.~~ **Drive-Through Signs**

~~B. C.~~ **Electronic Signs**

~~C. D.~~ **Ground Signs**

~~D. E.~~ **Marquee Signs**

~~E. F.~~ **Roof Signs**

~~F. G.~~ **Skyline Signs**

~~G. H.~~ **Temporary Signs for Planned Developments**

~~H. I.~~ **Wall-Mounted Signs**

~~I. J.~~ **Wall Signs, Painted**

~~J. K.~~ **Wall Signs, Projected**

16. Amend Section 13.10, “Signs Requiring Permit”, by relocating text and graphics

from old Section 13.10.H.3 (except for old subsection 13.10.H.3.i) into a new Section 13.10.A, titled “Awning and Canopy Signs”. The new Section 13.10.A shall read as follows:

13.10 Signs Requiring Permit

The following on-premise signs require a sign permit and are subject to all applicable standards of this Chapter. Additionally, the following sign types shall only operate as on-premise signs. Outdoor advertising signs are regulated separately in Section 13.11.

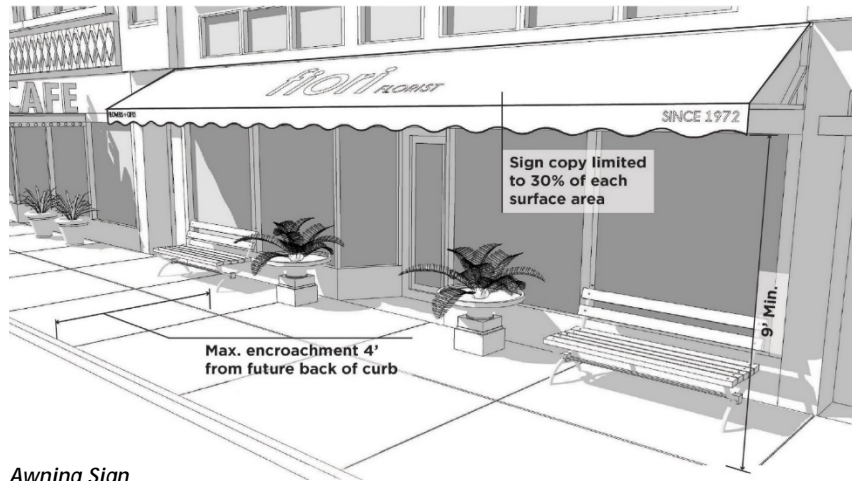
A. Awning and Canopy Signs

1. The following standards apply to Awning and Canopy Signs:

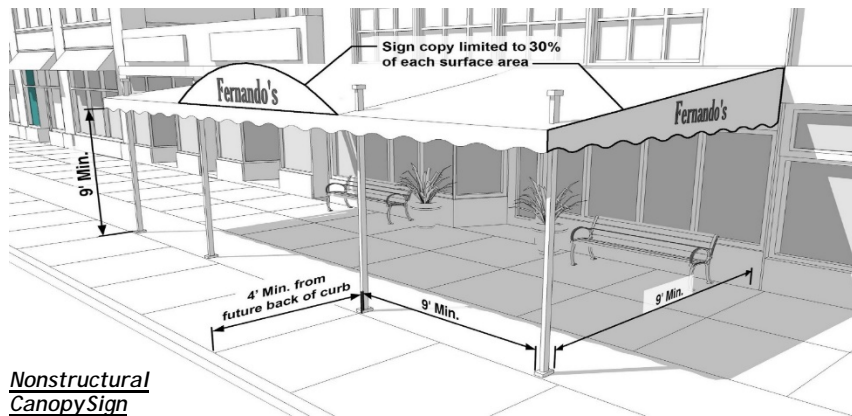
- a. Awning and canopy signs shall be mounted within the first story of the structure.
- b. Awning and canopy signs shall maintain a minimum vertical clearance of nine feet.
- c. One awning or canopy sign is permitted per tenant with a facade abutting a public or private street, or public right-of-way.
- d. Awning and canopy signs may encroach over a public or private street, or public right-of-way, but no more than four feet from the future back of curb.
- e. For buildings in existence prior to the adoption of these sign regulations, canopy posts may be located within an amenity zone, a minimum of four feet from the back of curb. For all other buildings, all canopy posts shall be located on private property and at a minimum of four feet from the future back of curb.
- f. A horizontal clearance of at least nine feet shall be maintained between canopy supports and between canopy supports and any building facade.
- g. Sign copy on any awning or canopy sign surface is limited to 30% of each surface area. A valance is considered a separate surface area.
- h. A structural awning or canopy is permitted a sign face area

attached to and located above the top of the canopy to a maximum height of 24 inches. Structural awnings or canopies shall be made of metal or material of similar durability and structural integrity.

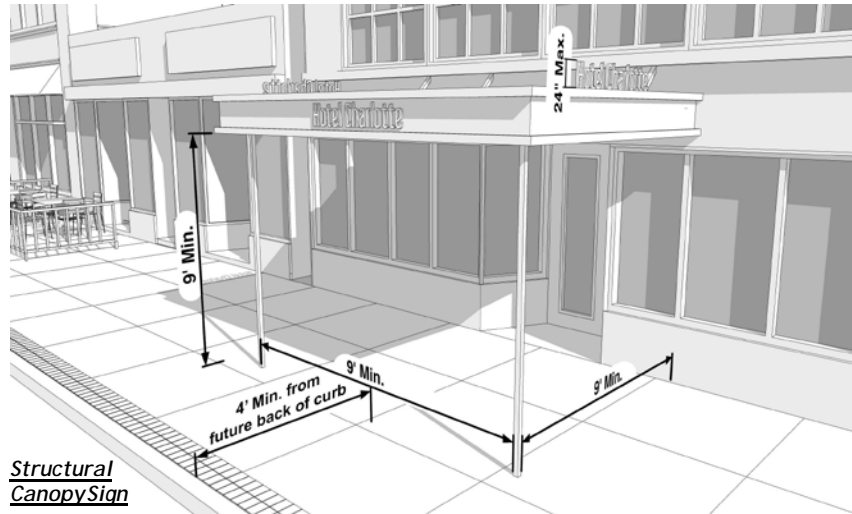
- i. Awning and canopy signs may be illuminated but lighting shall be installed as external downlighting or back-lighting.



Awning Sign



Nonstructural Canopy Sign



17. Amend Section 13.10, “Signs Requiring Permit”, new subsection D, “Ground Signs”, subsection 2, “General Regulations”, subsection a.ii, by adding additional text at the end of the subsection. All other subsections remain unchanged. The revised Section 13.10.D.2.a. shall read as follows:

2. General Regulations

The following regulations apply to all ground signs:

- a. All ground signs shall be of monument type construction, except for ground signs in the B-2, I-1, and I-2 Districts.
 - i. Ground signs for non-residential uses in the B-2, I-1, and I-2 Districts may be of pole sign type construction up to a maximum height of 30 feet.
 - ii. Pole signs are limited to one per ~~premises~~ lot and are limited to a maximum sign area of 84 square feet.
 - iii. If within the B-2, I-1, or I-2 Districts there is also an urban zoning district overlay, including but not limited to the PED or TS Districts, then ground signs shall be of monument type construction.
18. Amend Section 13.10, “Signs Requiring Permit”, new subsection D, “Ground Signs”, subsection 2, “General Regulations”, subsection b and b.i by modifying the

text. The revised Section 13.10.D.2.b and 13.10.D.2.b.i shall read as follows:

- b. Ground signs shall be located out of the right-of-way or behind the sidewalk, minimum of five feet from either the right of way line or sidewalk, whichever is greater with the following exceptions:
 - i. In ~~TOD~~ Urban Districts, ground signs shall be located out of the right-of-way or setback, whichever is greater. a minimum of five feet from either the setback line, build to line, or maximum dimension of a build to zone, as applicable.

19. Amend Table 13-3, “Ground Signs”, the row titled, “General Commercial”, and the row titled, “Industrial” by clarifying the maximum sign area in the second column. All other rows and columns, (not shown in the table below) remain unchanged. The revised rows in Table 13-3 shall read as follows:

Table 13-3: Ground Signs

ZONING DISTRICT	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT
General Commercial	42sf <u>However, in the B-2 District a permitted pole sign may be 84sf</u>	7' However, in the B-2 District a permitted pole sign may be 30' in height
Industrial	42sf <u>However, in the I-1 and I-2 Districts a permitted pole sign may be 84sf</u>	7' However, in the I-1 and I-2 Districts a permitted pole sign may be 30' in height

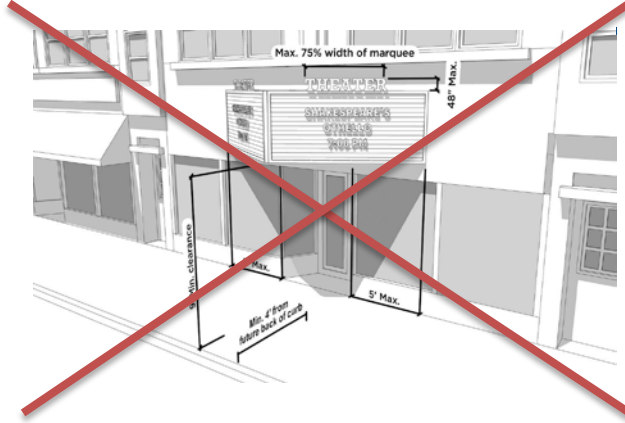
20. Amend Section 13.10, “Signs Requiring Permit”, new subsection D, “Ground Signs”, subsection 4, “Retail Center Ground Signs”, subsection b by adding a period “.” at the end of subsections i, ii, iii, and iv. The revised Section 13.10.D.4.a.i, ii, iii, and iv shall read as follows:

- b. Retail center ground signs are limited to the following maximum sign areas and heights:
 - i. Development site area of less than 25,000sf: 48 square feet in area and eight feet in height.
 - ii. Development site area of 25,000sf up to 50,000sf: 100 square feet in area and 10 feet in height.

- iii. Development site area more than 50,000sf up to 200,000sf: 128 square feet in area and 15 feet in height.
 - iv. Development site area of more than 200,000sf: 150 square feet in area and 15 feet in height.
- 21. Amend Section 13.10, "Signs Requiring Permit", new subsection E, "Marquee Signs", subsections 3, 6 and 7 by clarifying the text. All other subsections remain unchanged. The revised Section 13.10.E shall read as follows:
 - 1. Marquee signs are permitted for non-residential uses only in the urban districts.
 - 2. Marquee signs shall be supported solely by the building to which they are attached. No exterior columns or posts are permitted as supports.
 - 3. The roof of a marquee sign shall not be used for any purpose other than to form and constitute a roof or to support a vertically-oriented extension of the sign extending upward and mounted perpendicular to the wall on which the marquee is mounted.
 - 4. Marquee signs shall be erected over a building entrance. The width of a marquee sign is limited to the width of the building entrance with an additional five-foot extension of the marquee sign allowed on each side of the building entrance so long as such extension is part of the same structure.
 - 5. All marquee signs shall maintain a minimum vertical clearance of nine feet, and the roof of the marquee structure shall be erected below any second-floor windowsill located above the marquee, and cannot obstruct any other architectural features.
 - 6. Marquee signs may encroach over a public or private sidewalk and/or amenity zone; but shall not project from a building façade more than nine feet and shall be ~~are limited to a maximum of no more~~ closer than four feet from the future back of curb.
 - 7. Marquee signs are permitted a vertically-oriented extension sign face ~~area~~ attached to and located above the roof of a marquee sign structure and perpendicular to the building wall. The height of the vertically-oriented extension is limited to a maximum of 24 inches above the building parapet. Such vertically-oriented extension is limited to a maximum projection of 75% of the depth of the marquee, as measured perpendicularly from the building wall to the furthest point of the marquee structure. ~~to a maximum height of 48 inches.~~

~~The sign face area is limited to a maximum width of 75% of the width of the marquee sign structure.~~

8. Marquees may be internally or externally illuminated.
22. Amend Section 13.10, “Signs Requiring Permit”, new subsection E, “Marquee Signs” by replacing the graphic with a new graphic. The deleted and new graphic are as follows:



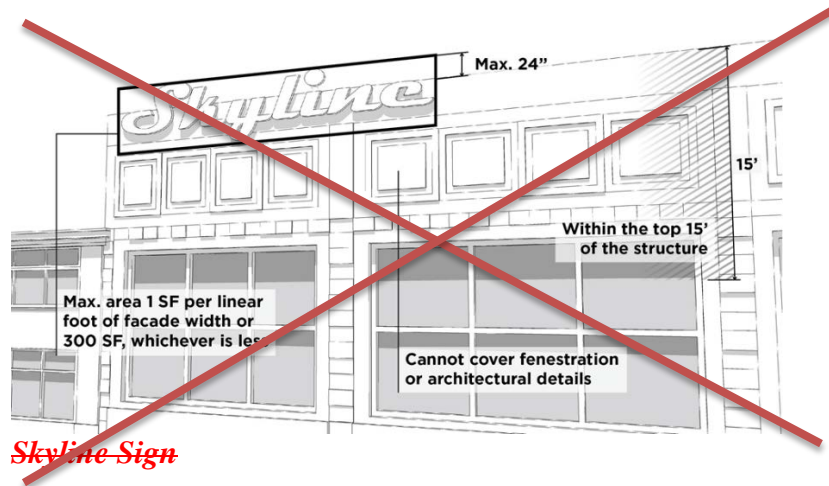
~~Marquee Sign~~



Marquee Sign

23. Amend Section 13.10, “Signs Requiring Permit”, new subsection F, “Roof Signs”, subsection 1 by clarifying the text. All other subsections remain unchanged. The revised Section 13.10.F.1 shall read as follows:
 1. Roof signs are permitted only for non-residential ~~structures~~ buildings and multi-family dwellings of 30 feet or more in height in the B-2, MUDD, UMUD, TOD-UC, and TOD-CC Districts.

24. Amend Section 13.10, “Signs Requiring Permit”, new subsection G, “Skyline Signs”, graphic and subsections 1, 2, and 4. All other subsections remain unchanged. The revised Section 13.10.G graphic and text shall read as follows:



1. Skyline signs are permitted only for non- residential ~~structures~~ buildings and multi-family dwellings of ~~80~~ 50 feet or more in height in all urban, general commercial, research/office, industrial, and institutional districts.
2. The size of the skyline sign is limited as follows: ~~to one square foot per linear foot of the facade width where it is mounted or 300 square feet, whichever is less.~~
 - a. Building height of 50' – 75': 300sf
 - b. Building height of greater than 75' – 100': 480sf
 - c. Building height of greater than 100' – 200': 600sf

d. Building height of greater than 200' – 500': 720sf

e. Building height of greater than 500': 850sf

3. One skyline sign is permitted per facade.
4. Skyline signs shall be placed within the top ~~15~~ 20% ~~feet~~ of the height of the structure and cannot cover any fenestration or architectural features.
5. Skyline signs may project up to 24 inches above the roofline or parapet, but shall be designed as a wall-mounted sign and cannot be primarily supported by structures installed on the roof.
6. If a skyline sign is erected on a building, a roof sign (item ~~E~~ F above) is prohibited.
7. Skyline signs shall only be internally illuminated.

25. Amend Section 13.10, “Signs Requiring Permit”, new subsection I, “Wall-Mounted Signs”, subsection 2, “Wall Sign”, to update cross-references, and subsection 2.d to clarify the text. The other subsections remain unchanged. The revised Section 13.10.I.2.d shall read as follows:

2. Wall Sign

(Painted wall signs and projected wall signs are not regulated by this section and are regulated separately in items ~~I and J~~ J and K below.)

- d. ~~No wall sign affixed to a building, including sign support structure, shall project beyond the ends or top of the wall or higher than the roofline of the structure to which it is attached. Wall signs with a background, such as cabinet-box or flat-panel style wall signs, and any associated sign support structure shall not project beyond the ends or top of the wall, or higher than the roofline of the structure to which they are attached. Signs without a background, such as pin-mounted or raceway-mounted channel letter signs, and any associated sign support structure may project a maximum of 24” above the roofline, but may not project horizontally beyond the end of the wall to which they are attached.~~

26. Amend Section 13.10, “Signs Requiring Permit”, new subsection I, “Wall-Mounted Signs”, subsection 2, “Wall Sign” by replacing the graphic text with a new text in the graphic. The original and revised graphic are as follows:

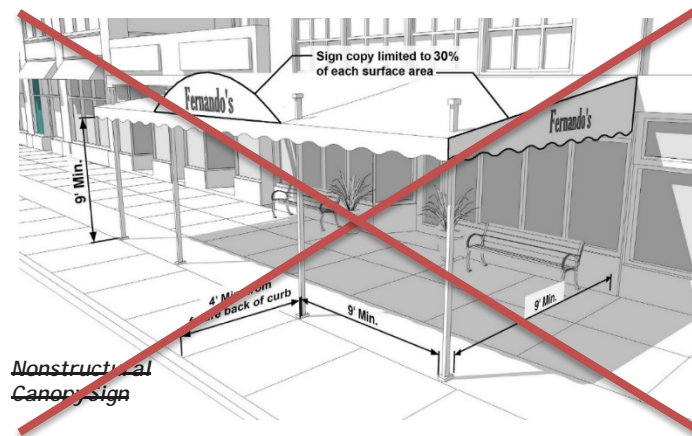
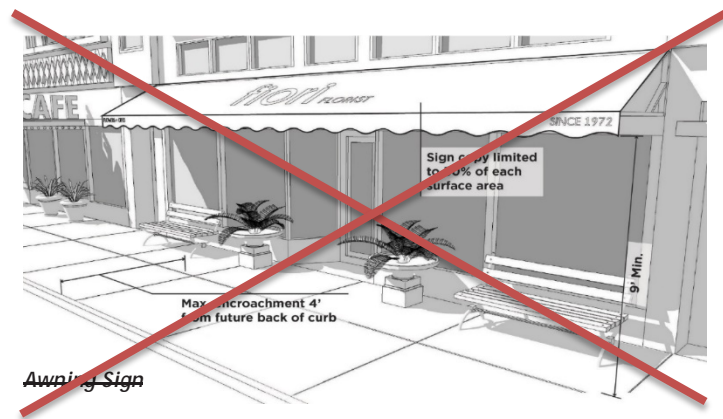


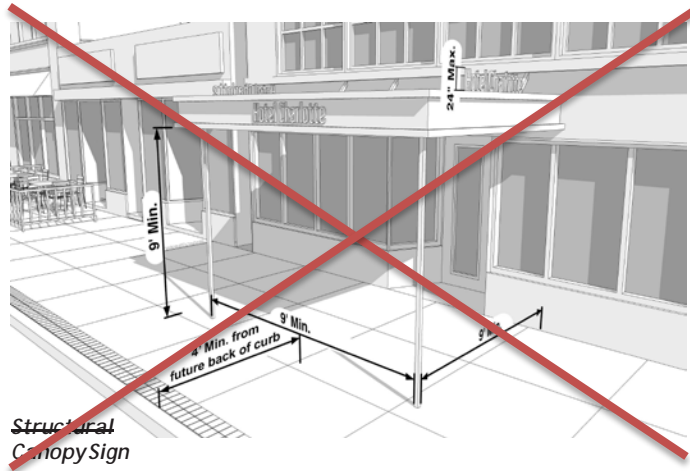
27. Amend Section 13.10, “Signs Requiring Permit”, new subsection I, “Wall-Mounted Signs”, subsection 3 by deleting the entire subsection along with three graphics. This subsection is being relocated to a new Section 13.10.A. The deleted subsection 3 is as follows:

~~3. —Awning and Canopy Signs~~

- a. ~~Awning and canopy signs shall be mounted within the first story of the structure.~~
- b. ~~Awning and canopy signs shall maintain a minimum vertical clearance of nine feet.~~

- e. ~~One awning or canopy sign is permitted per tenant with a facade abutting a public or private street, or public right-of way.~~
- d. ~~Awning and canopy signs may encroach over a public or private street, or public right-of way, but no more than four feet from the future back of curb.~~
- e. ~~All canopy posts shall be located on private property and at a minimum of four feet from the future back of curb.~~
- f. ~~A horizontal clearance of at least nine feet shall be maintained between canopy supports and between canopy supports and any building facade.~~





28. Amend Section 13.10, “Signs Requiring Permit”, new subsection I, “Wall-Mounted Signs”, subsection 4, “Projecting Signs” by renumbering the subsection to 3 as shown below. All subsections under this title remain unchanged:

4. 3. Projecting Signs

29. Amend Section 13.12, “Special Sign Regulations”, subsection B, “Planned Development Flexibility Option”, by adding a hyphen in the first paragraph and modifying subsection 1 by clarifying the text. The revised Section 13.12.B.1 shall read as follows:

B. Planned Development Flexibility Option

For providing flexibility and incentives for coordinated, well-designed sign systems for large scale development, special provisions varying the standards of these regulations may be approved by the Planning, Design and Development Director or their designee subject to the following:

1. The development is a planned residential, non-residential, or mixed-use development, 25 acres or greater in size, or 150 units for multi-family developments, or containing more than 325,000 square feet of non-residential uses.
30. Amend Section 13.15, “Sign Enforcement” by modifying the title of subsection B from “Citations” to “Notices of Violations and Citations”, and by clarifying the text.

B. Citations Notices of Violations and Citations

If, through inspection, it is determined that a person has failed to comply with the provisions of these regulations, the Zoning Administrator or their designee shall issue to the violator either (1) a ~~w~~Warning ~~e~~Citation to the violator for violations associated with, but not limited to, temporary type signs such as portable signs, banners, and feather flags or (2) a Notice of Violation for violations associated with permanent type signs. Violators issued a Warning Citation shall correct the violation within ten days and violators issued a Notice of Violation shall correct the violation within 30 days. ~~Violations shall be corrected within ten days of the issuance of such citation.~~ If the violation is not corrected within the specified time period, the violator is subject to Section 8.105 (Citations) of this Ordinance.

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this _____ day of _____, 20____.