AGENDA

Meeting Type:	SPECIAL
Date:	09/16/1987
	SIGN ORDINANCE

City of Charlotte, City Clerk's Office

file

CHARLOTTE

Mayor Harvey B. Gantt | Mayor Pro Tem Al Rousso

Charles S. Dannelly | Cynthia Patterson
Gloria Fenning | Pamella G. Patterson
Ann Hammond | Minette Conrad Trosch
Ron Leeper | Richard Vinroot
Roy Matthews | Velna W. Woollen

Council Agenda

Wednesday, September 16, 1987

7:00 p. m. - PUBLIC HEARING
Board Room, Education Center

* * * * * *

ITEM NO.

1. Invocation.

2. Hearing on Petition No. 87-70 by the Charlotte-Mecklenburg Planning Commission to provide for a completely comprehensive adoption of new sign regulations for the City of Charlotte.

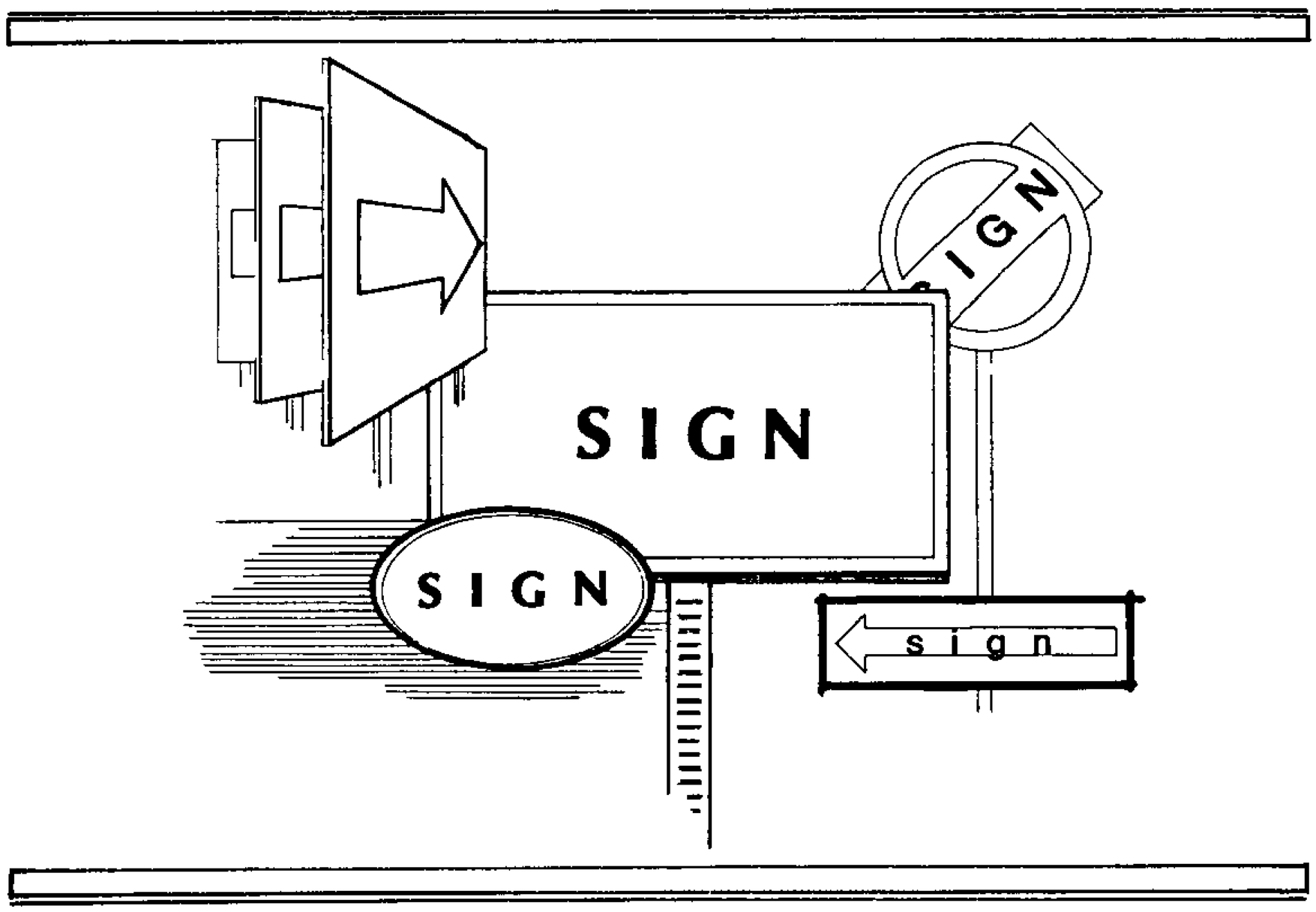
   Attachment No. 1.

- - - - - - - - - - -

PROPOSED

SIGN ORDINANCE

City of Charlotte & Mecklenburg County



Charlotte-Mecklenburg
Planning Commission

July 1987

PROPOSED SIGN ORDINANCE

PREPARED BY
CHARLOTTE-MECKLENBURG
PLANNING COMMISSION

JULY 28, 1987

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2100 SIGNS

2101 INTENT AND PURPOSE

The purpose of this section is intended to accomplish the following objectives

1 To ensure that signs are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised

2 To minimize the distractions and the obstructing-of-view that contribute to traffic hazards and endanger public safety

3 To encourage a high standard for signs in order that they should be appropriate to and enhance the aesthetic appearance and attractiveness of the community and, further, create an aesthetic environment that contributes to the ability of the community to attract sources of economic development and growth

4 To allow for adequate and effective signs for communicating identification while preventing signs from dominating the visual appearance of the area in which they are located

2102 DEFINITIONS

For the purposes of these regulations, the following words and phrases shall be defined as specified below

1 Amortization
A provision requiring nonconforming signs, as determined in Section 2112 of this ordinance, to either become conforming or be removed within a set period of time, otherwise known as the amortization period

2 Awning
A structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted from a building to a flat position against the building, but not a canopy

3 Balloon
A nonporous object filled with heated gas or a gas lighter than air

4 Building Wall
The entire surface area, including windows and doors, of an exterior wall of a building For the purposes of this ordinance, the area of a wall will be calculated for only the first three stories, or 45 feet in height of a building, whichever is less.

5 Canopy
A structure other than an awning made of cloth, metal or other material which may be totally or partially attached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall A canopy is not a completely enclosed structure

6 Copy
Any words, letters, numbers, figures, characters, symbols, logos, or insignia that are used on a sign display surface area

7 Farm Product Sales
Seasonal sale of farm products raised on the premises where products are rasied as an accessory to an agricultural use

8 Linear Frontage
The length of a property abutting a public right-of-way from one side lot line to another

9 Logo
A business trademark or symbol

10 Parapet
That portion of a building wall that extends above the roof line

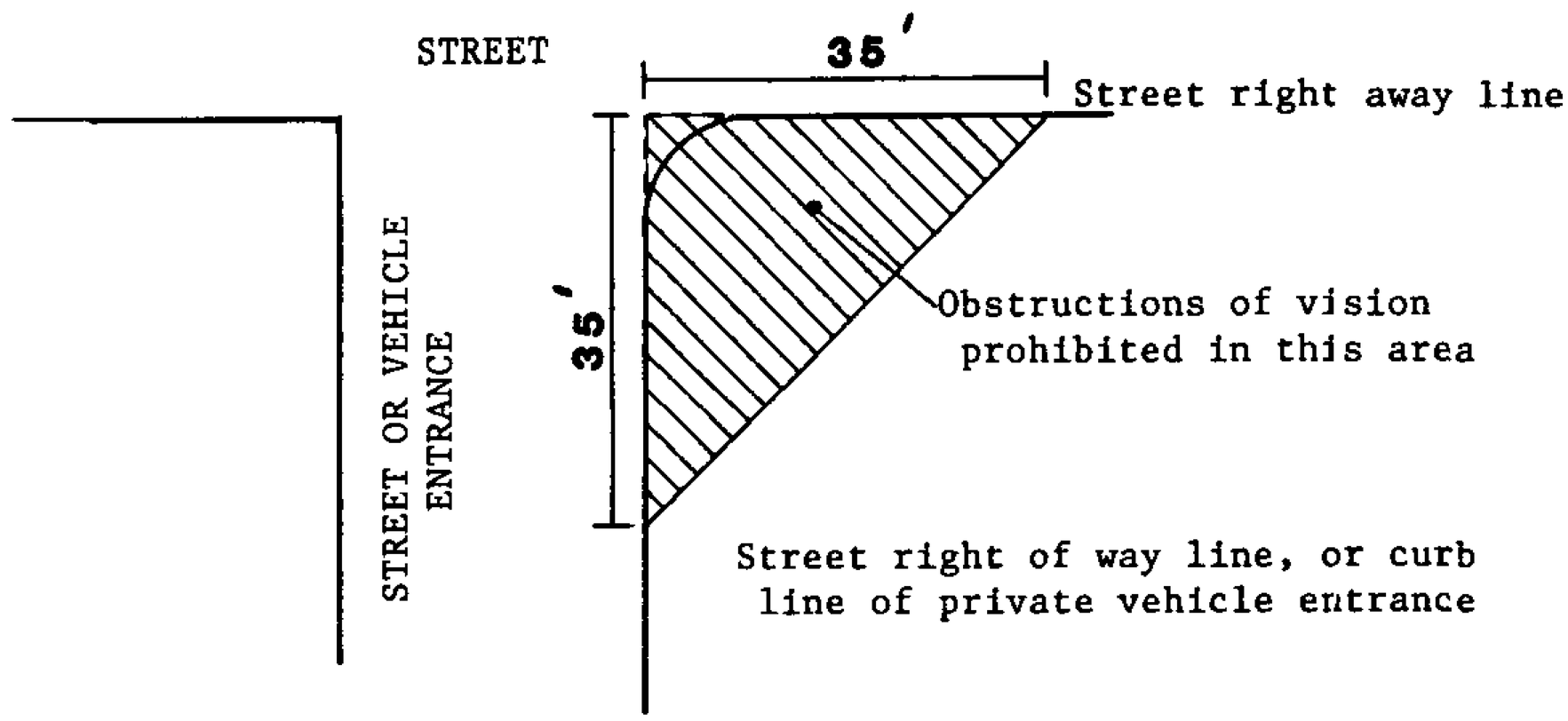
11 Planned Development
A tract of land under single, corporation, partnership, or association ownership, planned and developed as an integral unit in a single development operation or a definitely programmed series of development operations and according to an approved development plan.

12 Premises
A contiguous parcel of land with its appurtenances and buildings that functions as a unit For the purpose of this ordinance, an outparcel along the perimeter of a shopping center or similar multi-tenant use, that contains a freestanding building and a parking area separate from the shopping center as indicated on an approved site plan shall be considered a premises separate from the premises of the shopping center

13 Roof Line
The highest point of a flat roof and mansard roof and the lowest point of a pitched roof

14 Sight Distance Triangle
The triangular area formed by a diagonal line connecting two points located on intersecting right-of-way lines (or a right-of-way line and the curb of a driveway), each point being 35 feet from the intersection, and the two intersecting right-of-way lines (or a right-of-way line and a driveway)

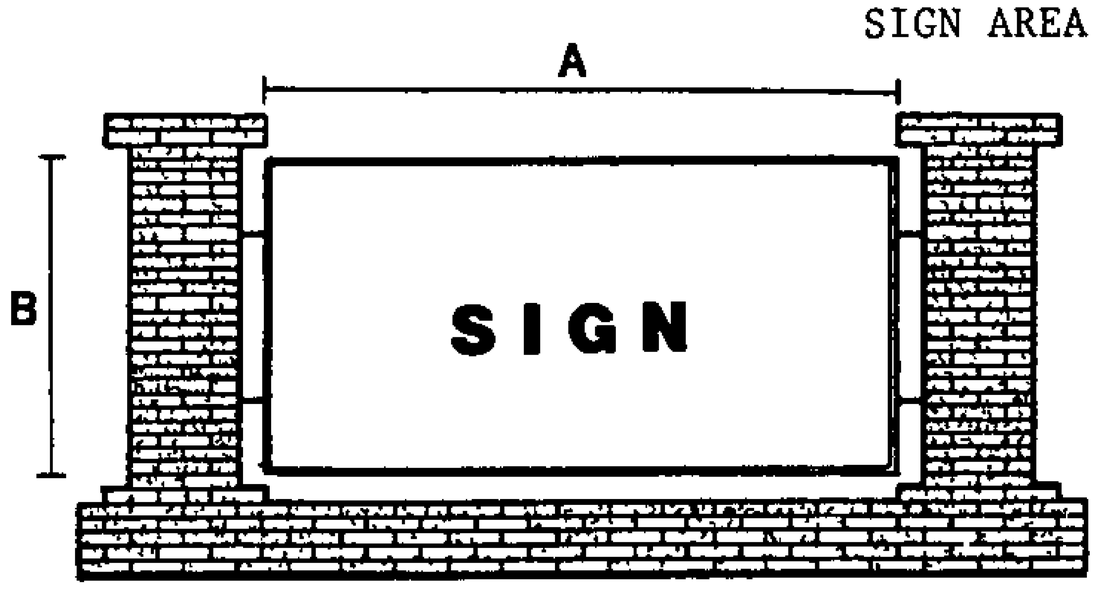
Sight Distance Triangle



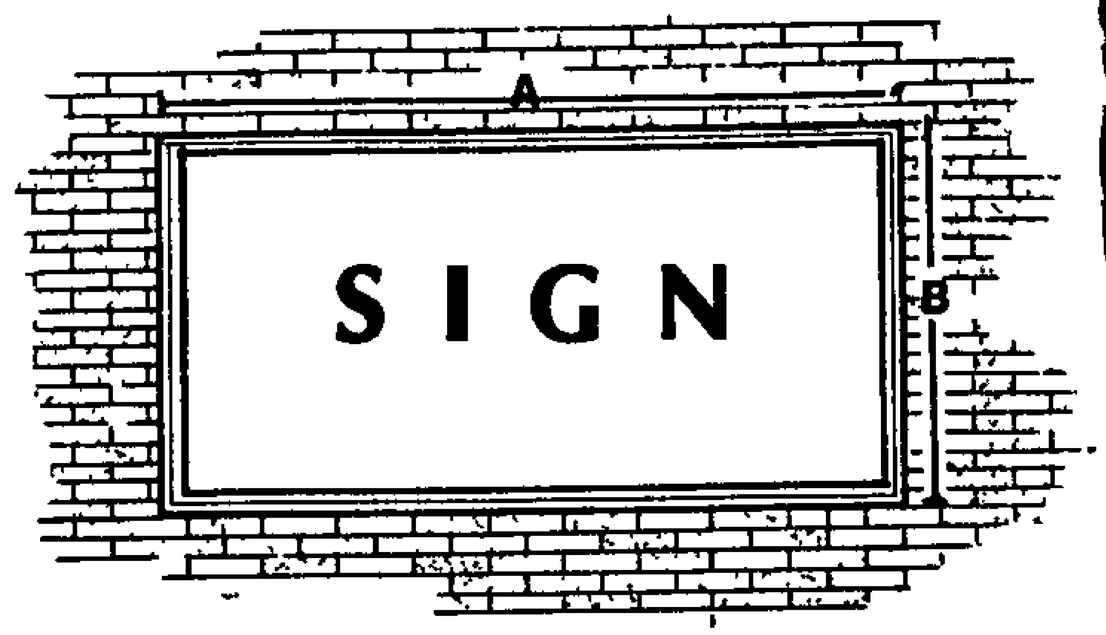
15 Sign
Any object, device, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images Signs do not include the flag or emblem of any nation, organization of nations, state, city, or any fraternal, religious or civic organizations, works of art which in no way identify a product, or scoreboards located on atheletic fields

16 Sign Face Area
The area within a single, continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustrations, or ornamentations, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed Structural supports bearing no sign copy shall not be included in the sign area If a sign is attached to an entrance wall or fence, only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area Only one side of a sign shall be included in the calculation

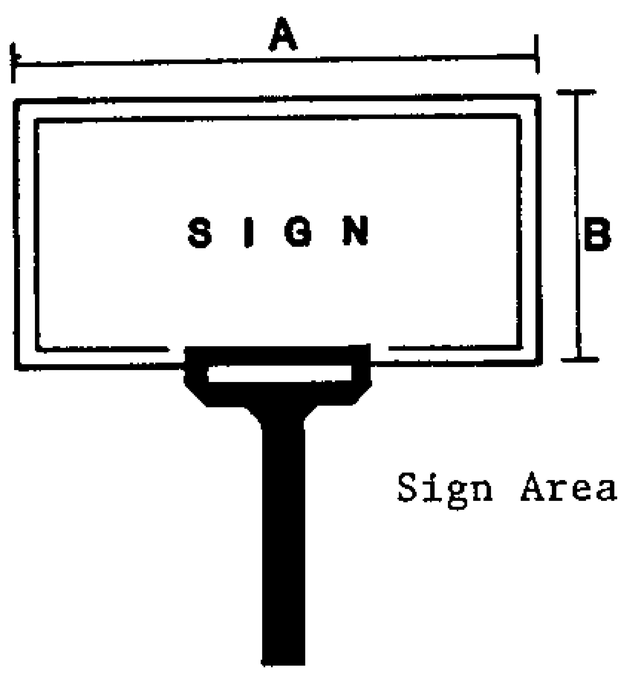
SIGN AREA MEASUREMENTS



Ground Sign
Sign Area = (A)x(B)

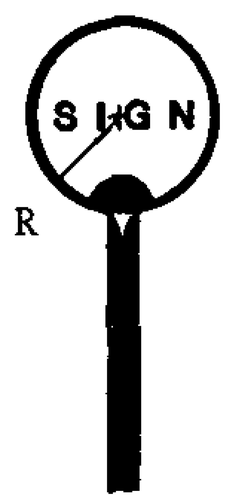


Wall Sign
Sign Area = (A)x(B)

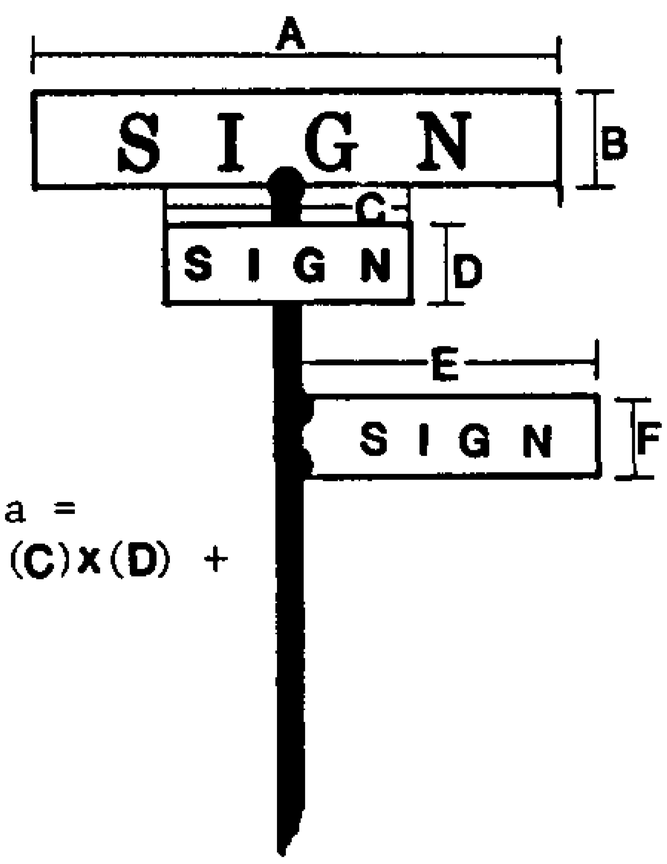


Sign Area = (A)x(B)

Pole Signs

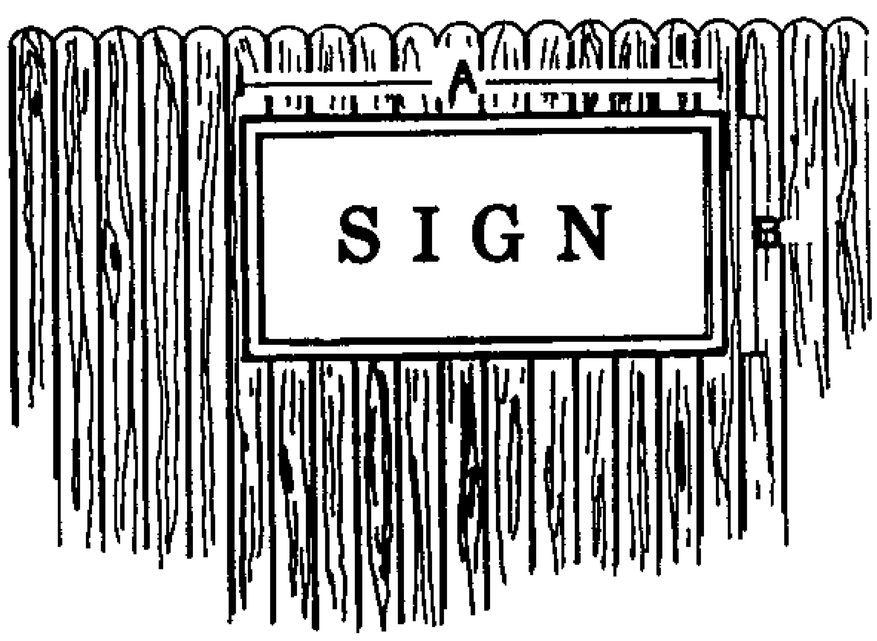


Sign Area =
πR^2



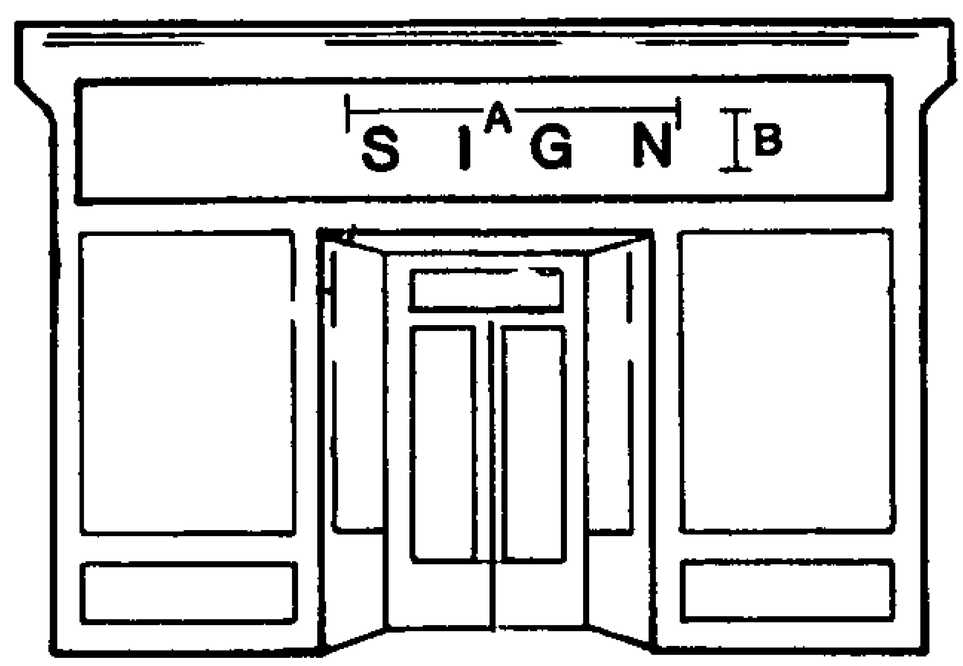
Sign Area =
(A)x(B) + (C)x(D) +
(E)x(F)

Fence Sign



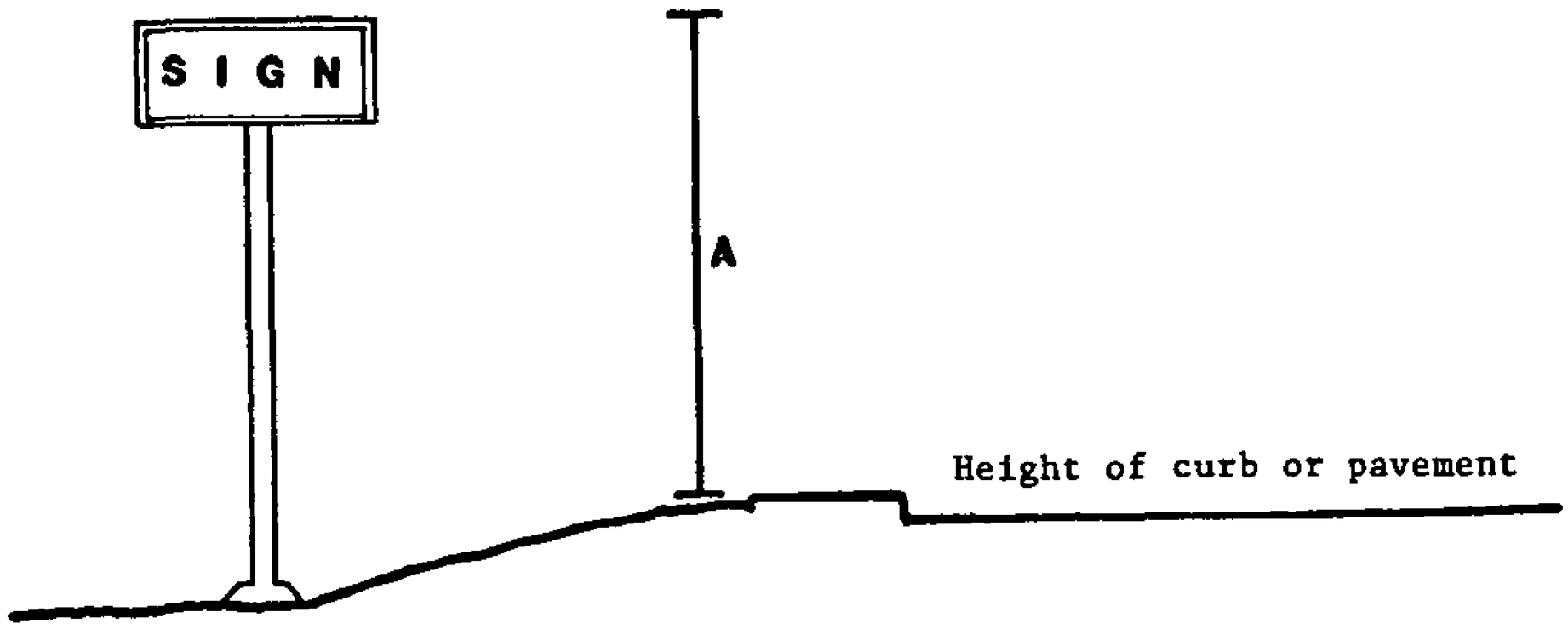
Sign Area = (A)x(B)

Store Front

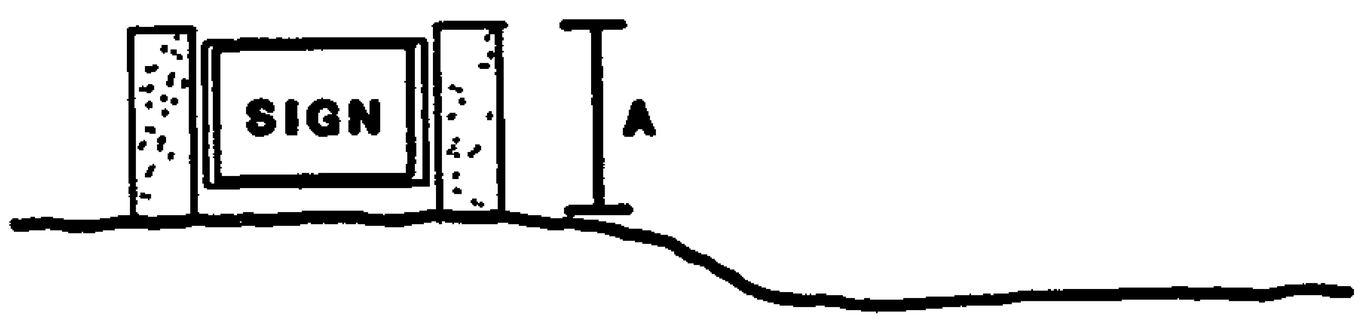


Sign Area = (A)x(B)

17 Sign Height
The distance from the highest point of a sign to the grade of the adjacent road as measured from the bottom of the curb or edge of pavement Ground mounted signs shall be measured from the highest point of a sign to the base of the sign



Pole Sign



Ground Sign

18 Sign Structure or Support
Any structure that supports or is capable of supporting a sign, including decorative cover

19 Special Event
A planned, temporary activity associated with a nonprofit organization

20 Sign Types
The following are types of signs included in this ordinance

Banner
A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to plastic or fabric of any kind, excluding flags and emblems of political, professional, religious, education, or corporate organizations

Bulletin Board
A sign used to announce meetings or programs to be held on the premises of a church, school, auditorium, library, museum, community recreation center, or similar noncommercial places of public assembly

Business Sign
A sign that directs attention to a business, profession, or industry located upon the premises where the sign is displayed, to type of products sold, manufactured or assembled, and/or to services or entertainment offered on said premises, but not a sign pertaining to the preceding if such activity is only minor and incidental to the principal use of the premises

Campaign or Election Sign
A sign that advertises a candidate or issue to be voted upon on a definite election day

Canopy and Awning Signs
A sign attached to or painted or printed onto a canopy or awning For the purposes of this ordinance, the permitted size of a canopy or awning sign will be calculated on the basis of the size of the building wall to which the canopy is attached It will, for measuring purposes, be considered a wall sign

Construction Sign
A sign placed at a construction site identifying or announcing the project or the name of the architect, engineer, contractor, financier, or others involved in the development of the project A construction sign may not contain leasing or sales information

Detached Sign
Any sign that is not affixed or attached to a building and is securely and permanently mounted in the ground Such sign may be a ground mounted or pole mounted sign for the purposes of this ordinance

Directional or Instructional Sign
A sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance", "Exit", "Parking", "One-Way", or similar directional instruction, but not including any advertising message

Directory Sign
A secondary sign on which the names and locations of occupants or the use of a building or property is identified

Ground Mounted Sign
A sign which extends from the ground or which has a support which places the bottom thereof less than 2 feet from the ground

Government Sign
Any temporary or permanent sign erected and maintained for any governmental purposes

Festoon
For the purposes of this ordinance, a festoon is a decorative strip hanging between two points, but not including holiday decorations For example, triangular pennants or lights hanging on a continuous strip

Flag
A piece of durable fabric of distinctive design attached to a permanent pole, that is used as a symbol or decorative feature

Flashing Sign
A sign that uses an intermittent or flashing light source to attract attention

Identification Sign
A sign which displays only the name, address, and/or crest, or insignia, trademark, occupation or profession of an occupant or the name of any building on the premises

Illuminated Sign
A sign either internally or externally illuminated.

Incidental Sign
A sign identifying or advertising associated goods, products, services, or facilities available on the premises Such incidental signs include, but are not limited to, information related to credit cards accepted, brand names, price signs, or hours of operation

Memorial Sign or Plaque
A sign designating names of buildings and/or date of erection and other items such as architect, contractor, or others involved in the building's creation, cut into or attached to a building surface

Noncommercial Sign
A sign that publishes noncommercial speech, which is any speech not classified as commercial speech

Nonconforming Sign
Any sign which was lawfully erected in compliance with applicable code provisions and maintained prior to the effective date of this ordinance, and which fails to conform to all applicable standards and restrictions of this ordinance

Off-Premises Sign
A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered at a location other than the premises on which the sign is erected.

On-Premises Sign
A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered on the premises on which the sign is erected

Outdoor Advertising Sign
A type of sign, generally, but not limited to, a rigidly assembled sign, display, or devise, usually free standing, that is affixed to the ground or to a building, the primary purpose of which is to display advertising posters Such signs commonly referred to as "billboards" are generally designed so that the copy or poster on the sign can be changed frequently and the advertising space is for lease

Planned Development Sign
A sign used in conjunction with an approved planned residential, office, businesses, industrial or mixed use development

Pole Sign
A detached sign erected and maintained on a freestanding frame, mast, or pole and not attached to any building but not including ground-mounted signs

Portable or Movable sign
A sign that is not permanently attached to the ground, a structure, or a building that can easily be moved from one location or another For example, a sign on wheels.

Projecting Sign
Any sign other than a wall, awning, canopy, or marquee sign, which is affixed to a building and is supported only by the wall on which the sign is mounted

Public Interest Sign
A sign on private property that displays information pertinant to the safety or legal responsibilities of the general public such as warning and no trespassing signs

Real Estate Sign
A sign that is used to offer for sale, lease, or rent the premises upon which such sign is placed

Roof Sign
A sign erected or maintained in whole or in part upon or over the roof or parapet of a building

Temporary Sign
A sign which is not permanently installed in the ground or affixed to any structure or building, and which is erected for a period of time as permitted in this ordinance

Temporary Project Development Sign
A sign that pertains to the development of a new subdivision, planned multi-family development, planned shopping center, industrial, office, or business park, or similar land parcel

Vehicular Sign
Signs on parked vehicles visible from the public right-of-way where the primary purpose of the vehicle is to advertise a product or to direct people to a business or activity located on the same or nearby property For the purposes of this ordinance vehicular signs shall not include business logos, identification or advertising on vehicles primarily used for other business purposes

Wall Sign
Any sign directly attached to an exterior wall of a building or dependent upon a building for its support with its exposed face parallel or approximately parallel to the plane of the building or structure on which the sign is affixed Signs directly painted on walls shall be considered wall signs

Window Sign
Any sign attached to or directly applied onto a window or glass door of a building intended for viewing from the exterior of such building

2103 PROCEDURES

2103 1 Permit Required

Except as otherwise provided in this ordinance, it shall be unlawful for any person to erect, construct, enlarge, move or replace any sign or cause the same to be done, without first obtaining a sign permit for such sign from the Building Standards Department as required by this ordinance

Notwithstanding the above, changing or replacing the copy on an existing lawful sign shall not require a permit, provided the copy change does not change the nature of the sign such as to render the sign in violation of this ordinance

2103 2 Application and Issuance of Permit

Applications for permits shall contain or have attached to the following information

a The street name and street number of the building of the structure to which the sign is to be erected, or the tax parcel number for the zoning lot onto which the sign is to be located

b Names, addresses, and telephone numbers of the applicant, owner of the property on which the sign is to be erected or affixed, the owner of the sign, and the licensed contractor erecting or affixing the sign

c If the applicant is not the owner of the property on which the sign will be located, written permission from the property owner or a designated representative stating agreement that the sign may be erected on the parcel for which the permit has been applied shall be required

d A site or plat plan of the property involved, showing accurate placement of the proposed sign

e Two (2) blueprints or inked, scaled drawings of the plans and specifications of the sign to be erected or affixed Such details shall include accurate dimensions, materials, copy, and size of the proposed sign For wall signs, dimensions of the building wall on which the sign is to be affixed and the location and the size of existing wall signs shall also be included

f Applications for permits for outdoor advertising signs, in addition to the above information, shall contain a survey prepared by a registered surveyor showing at least the following the location of all outdoor advertising signs within 1,000 ft on the same side of the street and within 500 ft on the opposite side of the street, structures within 20 ft , residential districts, hospitals, parks, and cemeteries within 500 ft , and applicable set backs and side or rear yards in the zoning district

g Other information as the Director of Building Standards may require to determine full compliance with this and other applicable codes

2103 3 Issuance of Permits

Upon the filing of an application for a sign permit, the Building Standards Department shall examine the plans and specifications, and the premises upon which the sign is proposed to be erected or affixed If the proposed sign is in compliance with all the requirements of this ordinance and other applicable codes, a permit may be issued Any permit issued in accordance with this section shall automatically become null and void unless the work for which it was issued has visibly been started within 6 months of the date of issue or if the work authorized by it is suspended or abandoned for one year

2103 4 Fees

To obtain a sign permit, all fees, in accordance with the associated fee schedule shall be paid

2103 5 Final Inspection

Upon written notification of completion by the permit holder, the Building Standards Department shall make a final inspection of the sign to verify conformance with applicable codes

2104 GENERAL PROVISIONS

The following provisions shall apply to all signs

1 Construction Standards

All signs shall be constructed and installed in accordance with the applicable provisions of the North Carolina State Building Code

2 Electrical Standards

All illuminated signs shall be installed in accordance with the applicable provisions of the North Carolina State Electrical Code and shall be so illuminated by an underground electrical source

3 Maintenance of Signs

All signs shall be maintained in good structural and aesthetic condition Deficiencies such as chipped paint, broken plastic, missing letters and exposed light bulbs shall be evidence of a lack of maintenance Building Standards shall enforce this provision in accordance with Section 2112 of this ordinance

4 Display of Address

Street address numbers shall be displayed either on a detached sign, detached address identification sign, or wall of a building Such address shall be visible from the adjacent right-of-way

5 Content

If a commercial sign is allowed by any provision of this ordinance, then a noncommercial sign shall likewise be permitted subject to the applicable standards herein In addition, any commercial sign permitted by this ordinance may display or publish noncommercial speech This includes signs requiring and not requiring a permit

2105 PROHIBITED SIGNS

The following signs are prohibited under any circumstance

1 Signs extending into the public right-of-way other than traffic control and other government signs

2 Roof signs

3 Portable signs

4 Flashing, fluttering, swinging, or rotating signs other than time and/or temperature signs

5 Signs that are similar in color, design, and appearance to traffic control signs

6 Vehicular signs as defined in Section 2102

7 Off-premise signs other than those permitted in Section 2111 of this ordinance

8 Nonconforming signs, except as permitted in Section 2112 of this ordinance

9 Other signs not expressly allowed by this ordinance

2106 SIGNS NOT REQUIRING A PERMIT

The following types of signs are exempted from permit requirements and allowed in all zones, but must be in conformance with all other requirements of this ordinance

1 Government signs

2 Memorial signs, plaques, or grave markers that are noncommercial in nature

.3 Public interest signs.

4 On premises directional and instructional signs not exceeding 6 square feet in area

5 Identification signs not exceeding 1½ square feet in area, that indicate the name and/or address of the occupant

6 Window signs with a total copy area not exceeding 50 percent of the window or glass door onto which the sign(s) are located

7 Incidental signs located in any zone other than residential, the aggregate total of all incidental signs per permise shall not exceed 6 square feet in sign face area

8 Flags on permanent poles

9 Campaign or Election signs provided

a Individual signs shall not exceed 16 square feet in area

b All signs shall be removed within 14 days after the election for which they were made

c Prior to the erection of any campaign or election sign, the candidate or an authorized representative shall post a bond with Building Standards in the amount of $50 00 guaranteeing the removal of such signs within 14 days after the election for which they are used

d Property owners shall be held responsible for violations

10 Real estate signs other than temporary project development signs, provided

a Signs advertising individual single family lots and duplexes under 3 acres in size or individual units within attached housing shall not exceed 6 square feet

b Signs advertising all other uses shall not exceed one square foot for every 5 linear feet of frontage of the advertised property, up to a maximum of 64 square feet in sign face area

c Only one sign per street front of the advertised property shall be erected

d. Properties having a continuous frontage in excess of 850 linear feet may be allowed an additional sign so long as such sign is no closer than 850 feet from another real estate sign on the property

e Signs shall not be illuminated

f Signs shall be removed within 14 days after the sale, rent or lease transaction is executed

11 Construction signs, other than temporary project development signs provided

a Signs located on single family lots shall not exceed 6 square feet in area

b Signs for all other uses shall not exceed one square foot for every 5 linear feet of frontage of property under construction, up to a maximum of 64 square feet in sign area

c Signs are confined to the site of construction.

d Only one sign per street fron of the property under construction shall be erected

e Signs shall not be illuminated

f Signs shall be removed within 14 days after the completion of a project

12 Temporary farm products signs provided

a Signs are located on the premises where the products are produced and sold in conjunction with a permitted farm use in that district

b. Signs shall not exceed 32 square feet in area

c Only one sign shall be erected

d Signs shall be removed within 14 days of the termination of sale activities

13 Temporary special event signs or banners for religious, charitable, civic, fraternal, or similar organizations, provided

a No more than one sign per street front shall be permitted per event

b Signs shall be located on the property on which the event will occur

c Signs shall be erected no sooner than 14 days before and removed 7 days after the event

14 Temporary banners in non-residential districts, provided

a. Only one banner per establishment shall be allowed at a time

b All banners shall be attached in total to a building wall or permanent canopy extending from a building

c No paper banners shall be allowed

d Banners shall be erected for a period not to exceed 2 weeks

e No more than 6 such signs per establishment shall be erected within a calendar year

f No banner shall extend above the second floor level of a building or 45 feet above grade, whichever is less

2107 TEMPORARY SIGNS REQUIRING PERMITS

The following temporary signs shall be allowed subject to the applicable standards

1 Temporary Planned Development Signs, provided

a Only one primary sign and two secondary signs shall be allowed per street front of development

b The maximum sign face area of a primary sign shall not exceed 48 square feet for residential districts, and 64 square feet in nonresidential districts

c The maximum sign face area of secondary signs shall not exceed 12 square feet

d Only one permit shall be required for all temporary planned development signs for each planned development Permits shall be valid until a project is completed or two years, whichever comes first Completion shall be evidenced by the issuance of all certificates of occupancy for a development by the Building Standards Department If a project is not completed in two years, a new permit must be obtained However, in no instance shall more than 5 permits be issued for a development Additional permits shall not allow secondary signs All secondary signs shall be removed when the first permit issued expires

e Temporary directional signs within a planned development, but not visible from the road(s) fronting the overall development shall be permitted so long as such signs do not

exceed 12 square feet in sign area, and signs are removed upon completion of the portion of the project to which the signs are giving direction

2108 SPECIFICATIONS FOR PERMANENT SIGNS REQUIRING A PERMIT

The following are general specifications applicable to the various permanent signs permitted Additional specificatins regarding size, number, location, and permitted types of signs are set forth in Section 2109, District Regulations

1 Wall Signs

Wall signs shall be permitted on the wall of a building as follows

a Signs may be located on any building wall of a nonresidential structure so long as the maximum sign surface area of all signs on one wall does not exceed 10% of the area of the building wall to which the sign is attached up to a maximum of 200 square feet

b The size and number of wall signs in residential districts shall be regulated in accordance with Section 2109 1 herein

c The maximum allowable wall sign area per wall shall not be transferrable to another wall

d The total area of wall signs may be increased by 10% if such wall signs consists only of individual, outlined alphabet, numeric, and/or symbolic characters without background, except the background provided by the building surface to which the sign is affixed

e The total area of wall signs may be increased by 10% if no detached sign is used on the premises

f No wall sign shall extend more than 6 inches above the parapet or roof line of the building to which the sign is attached, nor shall a wall sign project more than 18 inches from the building wall Further, no wall sign or its supporting structure shall cover any window or part of a window

g Lamps and fixtures used to illuminate a wall sign shall not project into a required yard more than 2 feet beyond building walls and shall have a minimum clearance of 10 feet from grade

2 Canopy and Awning Signs

Signs may be attached, painted, or printed upon a canopy or awning, provided

a The maximum allowable area for canopy or awning signs or a combination of canopy, awning, and/or wall signs shall not exceed that maximum permitted in Section 2108.1 above Canopys and awnings shall not be calculated in the total square footage of a building wall

3 Projecting Signs

A projecting sign may be used in lieu of a detached sign Such sign shall be permitted, provided

a A projecting sign shall not project more than 4 feet from a building wall

b A projecting sign shall not extend vertically above the roof line or parapet wall of a building

c The minimum height from grade to the lowest edge of a projecting sign shall be 9 feet

4 Detached Signs

Detached signs shall be permitted, as follows

a The maximum size and permitted location of detached signs shall be regulated in accordance with Section 2109 herein

b Unless otherwise specified in Section 2109, no detached sign shall exceed 7 feet in height

c Unless otherwise specified in Section 2109, through lots or lots having frontage on three or more streets shall be permitted a total of one sign per street front

d No ground mounted sign greater than 2½ feet in height or pole sign having a vertical clearance between grade and the bottom of the sign less than 10 feet shall be located in the site distance triangle

e All portions of a sign shall be located behind the street right-of-way line, however, all signs greater than 2½ feet in height or having a vertical clearance between grade and the bottom of a sign face less than 10 feet in height shall be located a minimum of 5 feet behind a right-of-way line

f The maximum angle of a double-faced sign shall be 45° This refers to the distance between sign faces on a single structure

2109 DISTRICT REGULATIONS FOR PERMANENT ON-PREMISES SIGNS

Permanent signs shall conform to the standards established in this section, in addition to those applicable standards set forth elsewhere in this ordinance

2109 1 Residential and Rural Districts

a Signs on the premises of single family, two family dwellings, group homes, and on the premises of mobile homes shall conform to Section 2106 5 of this ordinance

b Signs on the premises of a multi-family building not associated with a planned multi-family development shall be regulated as follows

Type of Sign Permitted	Identification
Permitted Number	1
Maximum Size	6 square feet

c Signs on the premises of planned residential developments including subdivisions, multi-family, mobile home parks, and retirement centers shall be regulated as follows

Type of Sign Permitted	Identification
Permitted Number	1 per major entrance not to exceed 2 signs per streetfront, where a sign is allowed, 2 separate sign faces may be used in conjunction with a wall, fence, or other architectural entrance feature
Maximum Size	24 square feet
Flexibility Option	Signs for these uses may be regulated in accordance with Special Sign Overlay District provisions as described in Section 2110 herein

d Detached signs for other uses in Rural or Residential Districts shall be permitted in accordance with the following schedule of regulations

USE	TYPE PERMITTED	MAXIMUM NUMBER	MAXIMUM SIZE
Churches, synagogues, elementary, junior high and senior high schools, and similar uses, convents, monasteries, dormitories, YMCA's and similar organizations, orphanages, commercial day care centers, museums, art galleries, hospitals, sanatoriums, libraries, and similar uses	Identification Primary Sign Secondary Sign Bulletin Board	 1 1 per bld. 1	 32 sq ft 16 sq ft. 16 sq ft
Golf courses, country clubs swimming clubs, community recreation centers, tennis clubs and similar uses	Identification	1	32 sq ft
Small group day care homes, and nursing homes housed in a residential structure	Identification	1	4 sq ft
Cemeteries	Identification	1	16 sq ft
Resort Commercial (Rural District)	Identification	1	32 sq ft
All other non-residential uses	Identification	1	6 sq ft

2109 2 <u>Office and Research Districts</u>

a Signs on the premises of residential uses shall be regulated in accordance with Section 2109 1 above

b Detached signs on the premises of all other uses shall be regulated as follows

Type of Sign Permitted	Identification
Maximum Number	Identification 1
Maximum Size	Idenfication 1 square foot for every 2 linear feet of frontage up to a maximum of 48 square feet The size of a sign may be increased by 25% if the sign is setback a minimum of 30 feet behind the right-of-way

c Office and Research Park Development Signs shall be regulated as follows

Type of Sign Permitted	Identification & Directory
Maximum Number	One detached sign per major entrance to the park not to exceed 2 per street front One directory sign per street front
Maximum Size	Detached Sign: 48 square feet Directory Sign 24 square feet
Location	Directory signs shall be located behind the setback
Flexibility Option	Signs for these uses may be regulated in accordance with Special Sign Overlay District provisions as described in Section 2110 herein

2109 3 Institutional Districts

a All signs in institutional districts will be regulated in accordance with Section 2109 2(b) with the following additions:

1 Hospitals, colleges, cultural, civic, and recreation centers, and similar large scale complexes may be considered for Special Sign Overlay District regulations as described in Section 2110 herein

2 One Bulletin Board, not to exceed 16 square feet, shall be permitted in addition to or in conjunction with a permanent identification sign

2109 4. Business Districts

Detached signs in business districts shall be regulated as follows

a. Signs for businesses other than shopping centers

Type of Sign Permitted	Identification or Business Sign, the advertising copy on a business sign shall not exceed 25% of the total sign face area
Maximum Number	One per premises
Maximum Size & Height	In accordance with the following schedule

STREET CLASSIFICATION (In Accordance with Adopted Street Classification System)		MAXIMUM SIGN FACE AREA	MAXIMUM SIGN HEIGHT
CLASS I	Freeway or Expressway	128 sq ft	40 ft
CLASS II	Limited Access Arterial	100 sq ft	30 ft.
CLASS III	Major Arterial	100 sq ft	30 ft
CLASS IV	Minor Arterial	64 sq ft	20 ft
CLASS V	Collector	48 sq. ft	20 ft
CLASS VI	Local	48 sq ft	20 ft

Flexibility Option The maximum size of a sign face may be increased 20% if a ground mounted identification sign is used Such a sign shall not be greater than 7 feet in height

b Signs for shopping centers and other multi-tenant properties

Type of Sign Permitted Identification or Business Signs the advertising copy on a business sign shall not exceed 25% of the total sign face area

Maximum Number One per street front

Maximum Size & Height In accordance with the following schedule

SIZE OF CENTER (Gross Building Area)	MAXIMUM SIGN FACE AREA	MAXIMUM HEIGHT
50,000 sq ft or less	100 sq ft	30 ft
50,001 sq ft - 200,000 sq ft	128 sq ft	30 ft
Over 200,000 sq ft	150 sq ft	30 ft

Flexibility Option Two or more signs may be used per street front subject to the following conditions·

1 Only ground mounted identification signs shall be used
2 Each sign shall not exceed 48 square feet in sign face area, nor 7 feet in height
3 No sign shall be located closer than 300 linear feet to another sign on the premises

c Signs on the premises of business parks shall be regulated in accordance with Section 2109 2(c) herein

2109 5 Industrial Districts

a Detached signs in industrial districts shall be regulated in accordance with Section 2109 4(a)

b Industrial Park Development Signs shall be regulated in accordance with Section 2109 2(c)

2109 6 Uptown Mixed Use District (UMUD)

Reserved

2109 7 Urban Residential Districts (UR-1, UR-2, UR-3, and UR-C)

Signs in Urban Residential Districts shall be regulated in accordance with Section 3051 7 of the City of Charlotte Zoning Ordinance

2109 8 Urban Industrial District

Signs in the Urban Industrial District shall be permitted in accordance with Section 2109 5 herein

2110 CREATION OF SPECIAL SIGN DISTRICTS

For the purpose of establishing, enhancing, preserving, and developing the character, quality, and property values of areas of unique character and special development potential, districts which signs are regulated by special provisions may be established subject to the following conditions

a As a prerequisite to the establishment of such a special sign district, it must be determined that the modified rules established for said district shall

1 Preserve and enhance the special character of the particular area

2 Not contravene the intent of this ordinance

3 Cause no disturbance to neighboring property lying outside the proposed district

b. Without changing the basic structure of this ordinance, the modified rules for special sign districts may

1 Impose sign regulations which are in addition to or more stringent that those provided for elsewhere in this ordinance

2 Waive certain restrictions or establish more lenient restrictions than those provided for elsewhere, but only variations in the allowable sign size, height, number, or location

2110 1 Historic Overlay District

Reserved

2110 2 Neighborhood Mixed Use Overlay District

Reserved

2110 3 Billboard Free Overlay District

No outdoor advertising sign shall be permitted in this district regardless of zoning classification Specific areas shall be designated as Billboard Free through the zoning change process

2110 4 Planned Development Optional

Regulations for signs in planned residential, nonresidential, or mixed use developments over 50 acres in size may vary from the standards of this ordinance subject to the following

a A Master Sign Program that includes the following information in booklet form is submitted to the Planning Commission for administrative approval

1 Detailed designs of all proposed signs including the size, height, copy, materials, and colors of such signs

2 Proposed locations and number of proposed signs

3 Sign Illumination Plans

4 Plans for landscaping or architectural features to be used in conjunction with such plans

b It is determined that the proposed signs shall meet the following criteria

1 All signs are coordinated in terms of design features.

2 The maximum size of detached signs is not varied by more than 25%

3 The number of detached signs along a street frontage does not exceed 3

4 The maximum height of a detached sign does not exceed 12 feet

5 All directional signs are on the premises of the overall development

2111 REGULATIONS FOR OUTDOOR ADVERTISING SIGNS

Permitted Location	I-1, I-2, B-2 except in Billboard Free Overlay Districts as designated in Section 2110 of this ordinance
Maximum Number of Sign Faces	1 per side of sign
Maximum Sign Face Size and Sign Height	In accordance with the following schedule

ZONING DISTRICT	ROAD CLASSIFICATION	MAXIMUM SIGN FACE AREA	MAXIMUM SIGN HEIGHT
I-1 & I-2	Class I	380 sq ft	50 ft
I-1 & I-2	Class II, III, IV, V & VI	380 sq ft.	40 ft
B-2	Class I, II, III, IV, V, & VI	380 sq ft	30 ft.

Spacing

(a) 500 feet from any residential district, hospital, park, or cemetery,
(b) 1,000 linear feet between outdoor advertising signs on the same side of the street as measured from the centerline of the street,
(c) 500 feet from any other outdoor advertising sign on the opposite side of the street,
(d) 20 feet from an existing building,
(e) 500 feet from any part of the principal use being advertised,
(f) No two sign structures within 300 feet of any street right-of-way on the same side of the road shall be spaced less than 1,000 feet apart, regardless of the street from which the sign is intended to be viewed

Location·	Behind the required setback and side and rear yards of the district
Illumination	No outdoor advertising sign shall remain lighted between the hours of 12 00 a.m and 5·00 a m except those signs located along Class I and II streets

2112 REMOVAL OF CERTAIN SIGNS

1 Nonconforming Signs

a All existing signs that exceed the maximum sign face size, sign height, or spacing requirements of this ordinance by more than 25% or are not permitted in a zoning district shall be brought into compliance with the requirements of this ordinance or removed entirely, which means the entire sign and any associated equipment, within 5½ years of the adoption of this ordinance When two or more signs are made nonconforming because of not adhering to spacing requirements, the age of permit shall determine which sign shall be removed, the sign with the oldest valid permit shall be permitted to stay

b Exceptions to Amortization

North Carolina General Statute §136-131 1 requires that "just compensation" be paid upon removal of any outdoor advertising adjacent to the highway on the national system of interstate and defense highways or a highway on the federal-aid primary highway system for which there is in effect a valid permit issued by the department of transportation Section 2112 shall not require that any sign be removed if cash compensation must be paid upon removal of such sign due to any state or federal law that mandates such form of "just compensation" upon removal Should any such state or federal requirement become inoperative or otherwise fail to apply to a given sign, then such sign shall be removed within five and one-half years of such state or federal requirement becoming inoperative or otherwise failing to apply to such sign

c Normal maintenance of all nonconforming signs, including necessary nonstructural repairs, incidental alterations, or copy alterations which do not extend or intensify the nonconforming features of the sign, shall be permitted during the amortization period for such sign However, no structural alteration, enlargement, or extension shall be made to a nonconforming sign unless the alteration, enlargement, or extension will result in the elimination of the nonconforming features of the sign or by an order of the Zoning Administrator to ensure the safety of the structure

2 Illegal Signs

All temporary signs existing at the effective date of this ordinance, that are not permitted by this ordinance shall be considered illegal and shall be removed within 6 months from the effective date of this ordinance

3 Unsafe Signs

No sign shall be erected or be allowed to remain that is structurally unsafe, hazardous or, in the opinion of the Building Standards Department, constitutes a danger to the public safety The owner of the sign, upon written notification from Building Standards, shall within 48 hours secure the sign in a manner to be approved by the building inspector, or remove such sign If such notice is not complied with immediately, Building Standards or a designated agent shall have the right to remove the sign and the property owner assessed for such removal

2113 ENFORCEMENT

2113 1 Inspections and Investigations

a Agents and officials of the Building Standards Department will periodically inspect signs in order to determine whether there are any violations of this Ordinance

b The Building Standards Department shall have the power to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this Ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigating and inspecting signs No person shall refuse entry or access to any authorized representative of the Building Standards Department who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out his official duties

c The Building Standards Department may require written statements, or the filing of reports with respect to pertinent questions relating to signs

2113 2 Civil Penalties

a If, through inspection, it is determined that a person has failed to comply with the provisions of this Ordinance, the zoning administrator or Building Inspections Department shall issue a warning citation to the violator Violations shall be corrected within ten days of the issuance of such citation If the violation is not corrected within the specified time period, a second citation subject to a $50 00 civil penalty shall be issued

Violations shall be corrected and penalties paid within ten days of the issuance of such citation If the violation is not corrected or the penalty not paid in the specified time, a third citation subject to a $50 00 civil penalty shall be issued

If payment is not received or equitable settlement reached within 10 days after issuance of the third citation, then such failure shall constitute a misdemeanor and criminal penalties described herein may also be imposed

b Criminal Penalties

Any person who, after being served with a third citation for violation of this Ordinance, knowingly or willfully fails to resolve any violation of any provision of this Ordinance within ten days of service of such citation shall be guilty of a misdemeanor punishable by imprisonment not to exceed 30 days in jail or by a fine not to exceed $500 00, or both, for each day such person is in criminal violation of this Ordinance Each day of a continuing violation shall be a separate criminal offense

2113 3 Injunctive Relief

a Whenever the Building Standards Department has reasonable cause to believe that any person is violating this Ordinance or any rule or order adopted or issued pursuant to this Ordinance, it may, either before or after the institution of any other action or proceeding authorized by this Ordinance, institute a civil action in the name of the City of Charlotte or the County of Mecklenburg for injunctive relief to restrain the violation The action will be brought in the Superior Court of Mecklenburg County

Upon determination by a Court that an alleged violation is occurring, it will enter such orders or judgments as are necessary to abate the violation The institution of an action for injunctive relief under this section will not relieve any party to such proceedings from any civil or criminal penalty prescribed for violations of this Ordinance

2113 4 Appeal of Civil Penalty Assessment

a A person or entity assessed of a civil penalty must select one of the following options within 30 days after receipt of the citation

(i) Tender to the Building Standards Department full payment of the penalty, or

(ii) Submit in writing to the Mecklenburg County Zoning Board of Adjustment a request for an administrative hearing before the Zoning Board of Adjustment specifying the factual or legal issues to be contested Timely submission of such request shall abate the imposition of any criminal penalty

b Failure to request an administrative hearing as provided in paragraph (a) above will be deemed a waiver of any and all rights of review, either by the Zoning Board of Adjustment or by the General Courts of Justice, of the assessment of the civil penalty

c If the alleged violator requests an administrative hearing, no further demand for payment will be made by the Building Standards Department unless a final decision is made by the Zoning Board of Adjustment which upholds the assessment of a penalty

d If the alleged violator requests an administrative hearing before the Zoning Board of Adjustment, the hearing shall be conducted pursuant to the Rules of Procedure for the Zoning Board of Adjustment.

e Any person or entity who is aggrieved by a final decision of the Zoning Board of Adjustment is entitled to judicial review of such decision by the General Courts of Justice, Superior Court Division, by proceedings in the nature of certiorari, provided such petition for review is filed with the Clerk of Superior Court within 30 days after a written copy of the decision of the Board is delivered to the agrieved party, either by personal service or by registered or certified mail, return receipt requested, pursuant to North Carolina General Statute §153A-345(e)

f No provision of this section shall be construed to restrict or to impair the right of the Building Standards Department to pursue any other remedy provided by law or equity for violations of this Ordinance, including the right to such penalties for violations of this Ordinance occurring during the appeal process