

APPROVED BY CITY COUNCIL ⁴¹⁹
DATE March 20, 1989

ORDINANCE NO. 2597

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING
ORDINANCE

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE

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

Section 1. Appendix A, "Zoning", Section 2100. Signs, of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Section 2102.23 Definitions as follows:
 - a. Modify the definition of "Directional and Instructional Sign" to read as follows:

Directional or Instructional Sign: On-Premises
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. The name or logo of the business or use to which the sign is giving direction may also be included on the sign.

- b. Add a new definition to read as follows:

Directional Development Sign: Off-Premises
A sign used to direct traffic from Class II or III streets to unified developments such as residential subdivisions, apartments or condominium projects, shopping centers, office/business/industrial parks, and/or churches that are located on Class IV or V streets.

2. Add a new section 2106.14 Temporary Real Estate Signs to read:

.14 Freestanding, temporary off-premises real estate signs

Signs providing information as to the location of real estate that is for sale or for rent shall be allowed subject to the following:

- a. No sign shall exceed 3 square feet in area or 4 feet in height.
- b. Such signs shall not exceed 2 in number per property being advertised and shall not be located further than one half mile from the property being advertised.

- c. Such a sign shall not be located closer than 11 feet from the edge of any public street in accordance with code 10-17, nor shall it violate the sight distance triangle requirements specified in 2102.17 herein.
- d. It shall be unlawful to place a temporary, off-premises real estate sign before 8:00 a.m. of a holiday or of a Saturday or to allow a sign to remain after 6:00 p.m., on a Sunday or a designated holiday.

If such a sign continues to remain after 6:00 p.m., it shall be deemed an abandoned sign and shall be subject to penalties established in Section 2113. herein and/or Section 10-17 of the City Code. Such signs may be removed by a designee of the City or County and destroyed if not retrieved within 24 hours after the sign owner has been notified that the sign has been removed.

- e. Nothing in this provision shall be construed to authorize the posting of such signs upon trees, utility poles, traffic control signs, lights or devises in any place or manner prohibited by the provisions herein.
- f. Sunset Provision: This code 2106.14 shall automatically terminate on the expiration of two (2) years from the effective date of the adoption of this section or upon the City Council's deletion of this section.

- 3. Add a new Section 2110.3 Off-Premises Directional Signs to read as follows:

2110.3 Off-Premises Directional Development Signs

For the purposes of directing traffic from Class II or III streets (major or minor thoroughfares) to developments located on Class IV or V streets (collectors or local streets) and not having direct access or visibility from the Class II or III streets, and to ensure that visual clutter is minimized, off-premises directional signs may be permitted subject to the following:

- a. Application Requirements: The applicant for a directional sign permit shall submit complete and accurate information to the Zoning Administrator, including:
 - 1. A form statement prepared by the Building Standards Department and signed by the owner of the parcel of property upon which the sign shall be located, consenting to and authorizing the location of the sign on the premises and the right of authorized City Officials or a designee to enter the property to remove a sign which is in violation of this ordinance.

2. A sketch showing the location of the proposed sign and manifesting that the sign's erection would be in compliance with the locational requirements contained herein.
 3. Two blueprints or inked drawings to scale of the plans and specifications of the sign to be erected. Such plans shall include but not be limited to details of the design, dimensions, and material, of the proposed sign.
 4. A letter from either the City's Department of Transportation or the North Carolina Department of Transportation, whichever agency has jurisdiction over the road on which the sign is to be located, verifying that the sign will not be in violation of any local or State regulations at its proposed location.
 5. Acknowledgement by the applicant that he/she shall be responsible for the cost of removal of a sign for any reasons stated in (i) herein, and that if the City removes the sign the permit holder has five days to retrieve the sign, after which time the City may dispose of such sign.
 6. If the sign is proposed in an historic district, approval of such a sign by the Historic District Commission shall be required prior to obtaining a sign permit.
- b. Inspection and conditional approval: If the Zoning Administrator or his designee is satisfied that the applicant has submitted complete and accurate information as required by these provisions, then the Zoning Administrator shall notify the applicant that he/she has priority for that location and has 30 days to submit the following information for the issuance of the permit if not already submitted with (a) above:
1. A hold harmless/indemnification statement as described below in (j).
 2. A cash bond or cash deposit as described in (j).
- c. Use of directional sign: The person to whom the permit is issued is solely and exclusively responsible for the usage and maintenance of the directional sign and shall make the sign available for use by any eligible user. Matters of interpretation such as whether proposed copy is allowed by the provisions of this section, shall be a proper matter for the Zoning Administrator and/or Zoning Board of Adjustment.

The permit holder shall allow developments to be identified on the sign subject to the following:

1. The development is a unified commercial, residential, or institutional use under single ownership or management that has a minimum of 50 parking spaces and/or 50 units of residential dwellings.
 2. The entrance that reasonably identifies the development is located no further than one and one half miles along streets from the intersection of the Class II or III Street with the Class IV or V Street.
 3. The development does not have direct access or visibility from any Class II or III Streets.
 4. The development does not have an identification sign located on a Class II or III Street nor does it have identification on another off-site directional sign. Only one sign per development shall be permitted.
- d. Location and Orientation of Directional Sign: The sign shall be located in any zoning district only at the intersection of a Class II, III, or IV street with a Class V or VI street as defined in the adopted Comprehensive Street Classification System Manual. The sign face(s) shall be oriented toward the traffic flow on the Class IV or V Street, which is generally perpendicular to the Class II, III, or IV street. The sign must be located on the side of the Class II, III, IV street closest to the development(s) identified on the sign.
- No portion of any sign shall be situated in such a way as to violate any public ordinances or regulation regarding sight distance or obstruction of vision at street intersections, nor shall any sign be located closer than 11 feet from the pavement edge of any public street; however the Charlotte Department of Transportation or N.C. Dept. of Transportation may require that the sign be located further than 11 feet from the edge of pavement.
- e. Spacing Requirements: No sign shall be located closer than 500 linear feet to any other similar directional sign on the same side of the street. There shall be no more than two signs erected at any intersection. In addition, no directional sign shall be located closer than 20 linear feet to any on-premises sign(s).
- f. Design of Directional Signs: A directional sign shall be constructed as a ground mounted sign designed to accommodate up to 4 panels of equal size for one to 4 separate and distinct development names. It shall be designed in accordance with the requirements stated below:

1. Maximum Size and Height:

Maximum structure width:	5-1/2 feet
Maximum sign face size:	20 sq. feet
Maximum panel size:	5 sq. feet
Maximum height:	6 feet if landscaping is planted at base of sign; otherwise 4-1/2 feet.

2. Construction of Sign

The signs shall be constructed of all-heart grade A wood or of aluminum having a minimum thickness of .090 with the overall depth of the sign frame no less than 3 inches. Copy on wood signs shall be either routed or sandblasted into the face panels. Copy on aluminum signs shall be either routed into the sign or shall be made of vinyl having a minimum five year durability rating.

To implement the requirements for the aesthetic appearance and uniformity of directional signs, the Zoning Administrator shall have the authority to prepare diagrams illustrating the requirements stated above and, further, to adopt any necessary details within the scope of the requirements, herein, to achieve standardized, directional signs.

3. Permitted Copy

Only the name, type, and/or logo under which a development is known or designated and a directional arrow shall be permitted on a sign. The name of the owner or developer or information related to availability of units, space, goods, or services shall not be permitted as copy on a sign.

4. Lighting

Signs shall not be lighted in residential districts.

- g. Maintenance: All signs shall be maintained in accordance with Section 2104.3 herein.
- h. Posting of bond and removal of sign: If the Zoning Administrator determines that there is a violation of these provisions, he shall issue a notice for violation to the permit holder. If the violation is not corrected or there has been no reversal of the decision of the Zoning Administrator by the Zoning Board of Adjustment or by any Court, then the Zoning Administrator shall have the authority to engage an independent contractor to remove the sign and pay for the removal of such signs from the bond. The sign may be removed for any of the following reasons:

1. A failure to maintain a sign in accordance with (h).
 2. The failure to erect the sign within the location shown on the survey.
 3. The revocation of the permit for any violation of 2110.3.
 4. The failure to remove the sign in accordance with the sunset provision in (i).
 5. Any other violation of this section.
- i. Bond and indemnification: The Director of the Building Standards Department shall have the authority to set an amount for a cash bond double the estimated reasonable cost for the removal, the transporting, and the possible storage of a directional sign. Bonds shall be refunded to a permit holder when the permit holder removes the sign.

The applicant shall sign a hold harmless/indemnification statement on behalf of the City to hold the City harmless from any claim or dispute between the permit holder and a person seeking to have use of the directional sign when the dispute or legal matter in no way pertains to the City's Zoning Ordinance provisions.

- j. Trees: The permit holder shall not destroy or trim any trees in the public right-of-way nor install a sign in such a manner to impact significant roots on trees in the public domain.
- k. Sunset provision: This Code 2110.3 shall automatically terminate on the expiration of two (2) years from the effective date of the adoption of this section or upon the City Council's deletion of this Section 2110.3. Whether Section 2110.3 automatically expires in two years or terminates by the City Council's deletion of Section 2110.3, all directional signs shall be removed within one month after the date of the two-year expiration or after the date of the City Council's action, whichever comes first. Any signs which are not removed within that one month period shall be subject to removal by the City with the costs of removal, transportation, and storage (for a period not to exceed five days) paid for by the bond.

2110.4 Off-Premises Identification Signs.

For the purpose of providing flexibility when a shopping center is located on a Class V or VI street and not visible from a Class II, III, or IV street, an applicant may obtain a permit for an off-premises identification sign subject to the following:

- a. An applicant for an off-premises identification sign must comply with the application requirements specified in Section 2110.3(a), and in addition, provide a statement that the subject property being identified would not be visible from the nearest Class II, III, or IV street.
- b. An approved off-premises identification sign shall be erected instead of (and not in addition to) both an applicant's on-premises identification or business sign and any off-premises directional sign permissible under the provisions herein.
- c. A proposed off-premises sign shall comply with all the requirements in Section 2110.3(b) through (1) with the following exception:

1. SIZE OF CENTER ELIGIBLE FOR USE OF SIGN

The minimum size of a shopping center eligible for the use of an off-premises identification sign shall be 25,000 square feet, and the center must contain five or more businesses.

2. DESIGN OF SIGN

Maximum Size and Height:

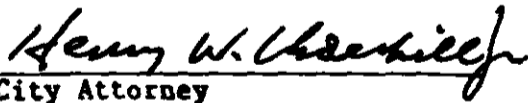
The maximum size and height of a sign shall be the same as would be permitted if the sign were located on the premises being identified.

Permitted copy:

Only the name and/or logo of the shopping center and/or names of individual establishments within the shopping center shall be permitted on the sign face(s). No advertising shall be permitted.

Section 2. That this ordinance shall become effective on February 13, 1989.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1989, the reference having been made in Minute Book 92, and recorded in full in Ordinance Book 37, at page 419-419E(1).

Pat Sharkey, City Clerk

APPROVED BY CITY COUNCIL

424A

DATE MAR 20 1989

CITY ZONE CHANGE

Petition No. 89-14
N.C. Performing Arts
Center @ Charlotte
Foundation

ORDINANCE NO. 2598-Z

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by change from UMUD to UMUD-O on the Official Zoning Map, City of Charlotte, N.C. the following described property:

Beginning at a point at the intersection of the northeasterly right of way of East Trade Street (105.5' right of way) and the southeasterly right of way of North Tryon Street (92' right of way), said point being N.64-27-40E. (grid north) a distance of 629.06' (ground) from NCGS Monument "Bank". Thence with said right of way of North Tryon Street N.50-43-49E. a distance of 381.02' to a point at the intersection of the southeasterly right of way of North Tryon Street and the southeasterly right of way of East Fifth Street (48' right of way). Thence with said right of way of East Fifth Street S.42-25-39E. a distance of 398.33' to an existing railroad spike at the intersection of the southwesterly right of way of East Fifth Street and the northwesterly right of way of North College Street (49' right of way). Thence with said right of way of North College Street S.50-49-14W. of a distance of 377.76' to a point at the intersection of the northwesterly right of way of North College Street and the northeasterly right of way of East Trade Street. Thence with the said right of way of East Trade Street N.42-54-06W. a distance of 397.93' to the point of beginning and containing 3.461 acres.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 19 89, the reference having been made in Minute Book 92, and in Ordinance Book 37 at page(s) 424A.

Pat Sharkey
City Clerk

PAGE

NOT

USED

APPROVED BY CITY COUNCIL

DATE MAR 20 1989

CITY CD

Petition No. 89-16
Britthaven of Charlotte

ORDINANCE NO. 2599-7

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of 3.6 acres located on the east side of Cranbrook Lane south of Vail Avenue, changing R-6MF to O-6(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on February 20, 1989; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-6MF to O-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point located on Cranbrook Lane. Said point being located 384.02 feet in a northerly direction along Cranbrook Lane from its intersection of the center of Randolph Road. Thence running with Cranbrook Lane N.1-34-10. 170.75 feet to a point, thence leaving said road and running S.86-02-48E. 161.663 feet to a point, thence S.17-05-E. 103.75 feet to a point, thence S.72-55-0-W. 205.50 feet to the point of beginning. Containing 24,437 square feet and being a portion of the land found in Deed Book 4443 Page 499.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 19 89, the reference having been made in Minute Book 92, and is recorded in full in Ordinance Book 37, at pages 427-428.

Pat Sharkey
City Clerk

PAGE

NOT USED

APPROVED BY CITY COUNCIL

MAR 20 1989

DATE _____

CITY ZONE CHANGE

Petition No. 89-17
Charlotte-Mecklenburg
Planning Commission

ORDINANCE NO. 2600-Z

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by change from B-1, R-6MF, & R-9 to R-6 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1989, the reference having been made in Minute Book 92, and is recorded in full in Ordinance Book 37, at page(s) 429-429A.

Pat Sharkey,
City Clerk

29.8 AC
CHARLOTTE HOUSING
AUTHORITY

R-6MF

B-1 to R-6

R-6MF to R-6

R-6MF

B-1

R-6

R-9MF to R-6

I-2

B-1 to R-6

BROOKSHIRE

I-1

I-1(CD)

R-9MF
482'

I-1(CD)

UR-3

I-3

I-2

1 AC

