

Petition No.: 2018-073
Petitioner: Moores Chapel Retail, LLC

ORDINANCE NO. 9654-Z

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

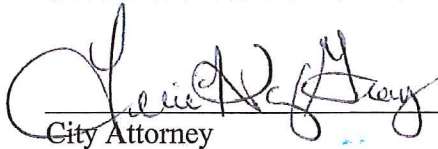
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 LLWPA (single family residential, Lower Lake Wylie Protected Area) to B-1(CD) LLWPA (neighborhood business, conditional, Lower Lake Wylie Protected Area).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 430-431.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.




Stephanie C. Kelly, City Clerk MMC, NCCMC

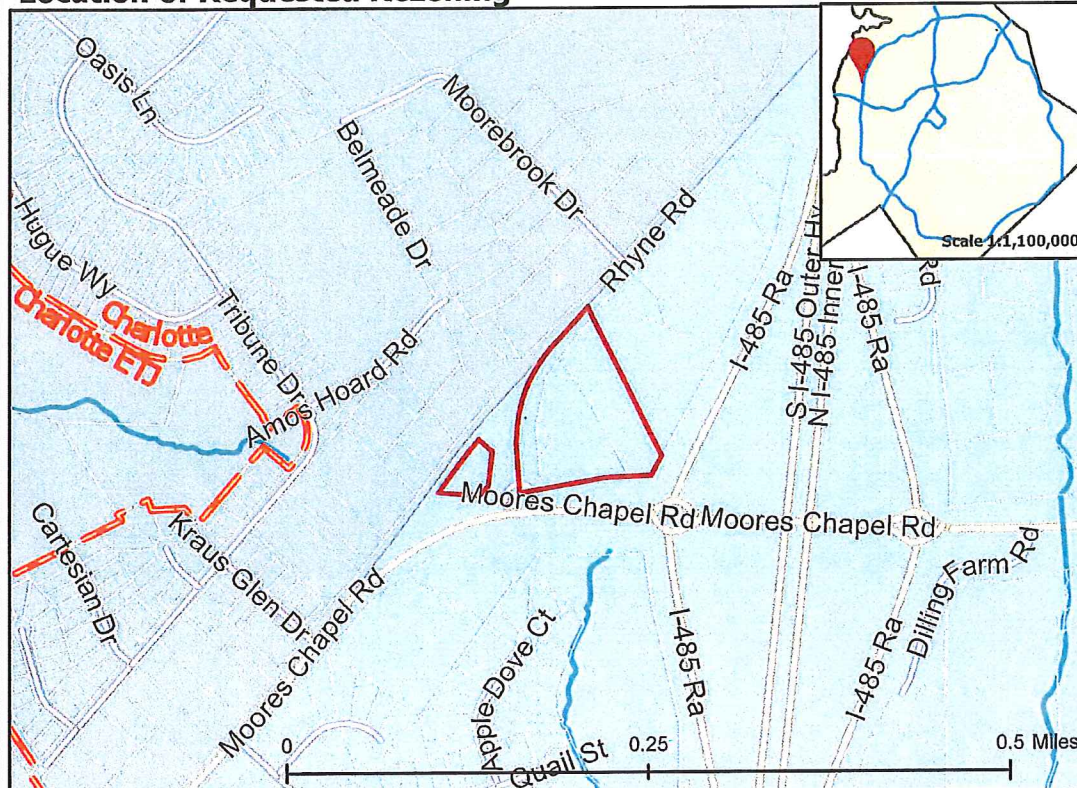
2018-073: Moores Chapel Retail, LLC

Rezoning Map

Current Zoning R-3 (LLWPA) (Single Family Residential, Lower Lake Wylie Protected Area)
Requested Zoning B-1(CD) (LLWPA) (Neighborhood Business, Conditional, Lower Lake Wylie Protected Area) with 5 year vested rights.

Approximately 3.99 acres

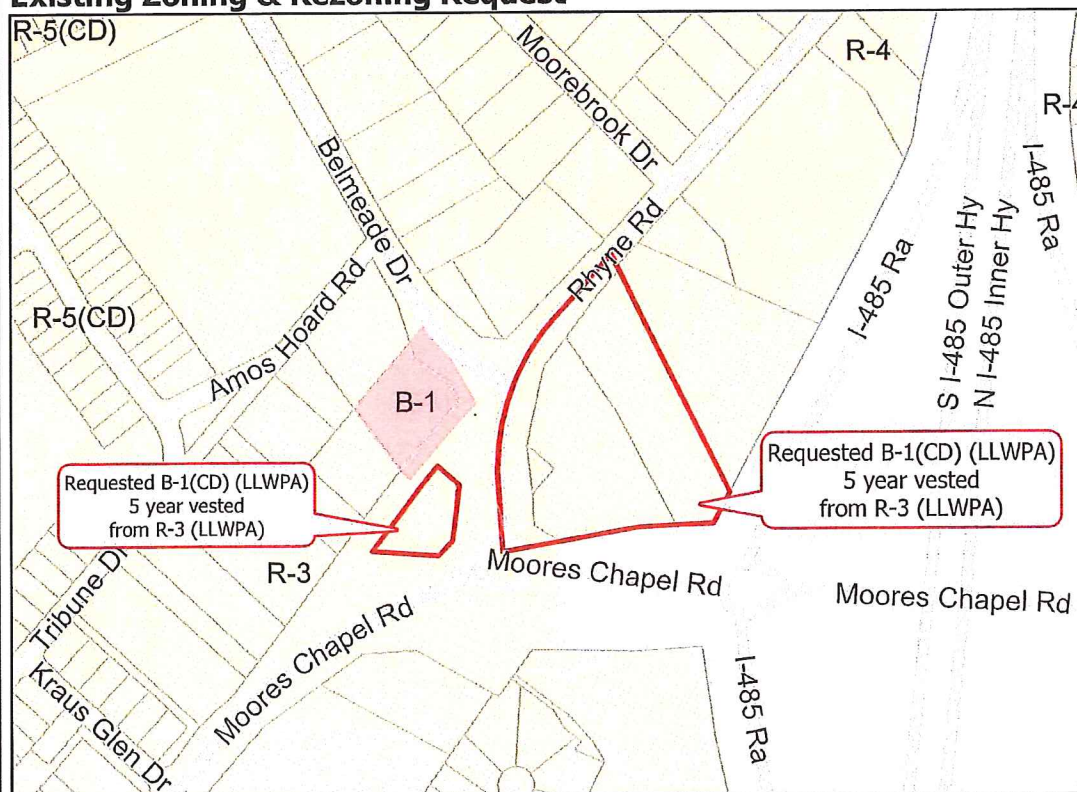
Location of Requested Rezoning



- 2018-073
- Inside City Limits
- Parcel
- Streams
- Watershed Overlay
 - Lake Wylie - Protected Area
 - Lower Lake Wylie - Protected Area
- City Council District
 - 3-LaWana Mayfield



Existing Zoning & Rezoning Request



- Requested B-1(CD) (LLWPA)
- 5 year vested from R-3 (LLWPA)
- Zoning Classification
 - Single Family
 - Business



Map Created 8/20/2019

Petition No.: 2018-160
Petitioner: K Sade Ventures

ORDINANCE NO. 9655-Z

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

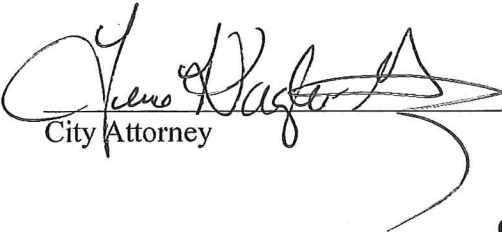
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 (single family residential) to MX-1 (mixed-use, conditional)

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

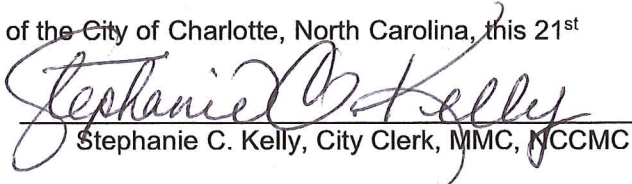
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 432-433.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

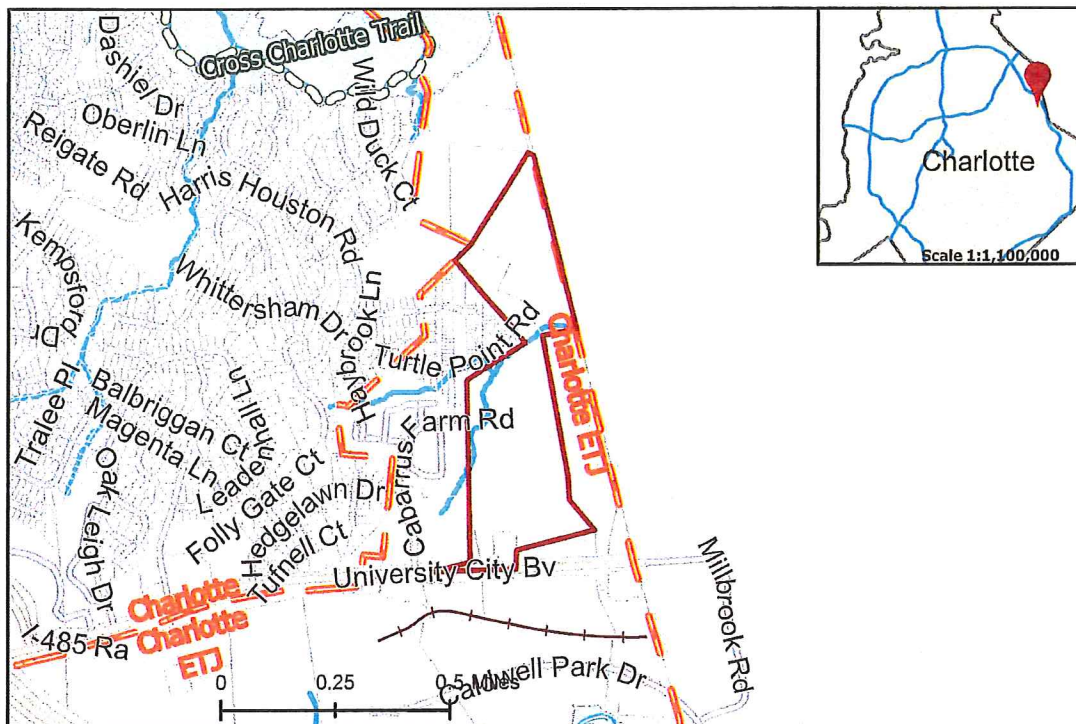


2018-160: K Sade Ventures

Current Zoning R-3 (Single Family Residential)
Requested Zoning MX-1 (Mixed Use)

Approximately 93.86 acres

Location of Requested Rezoning



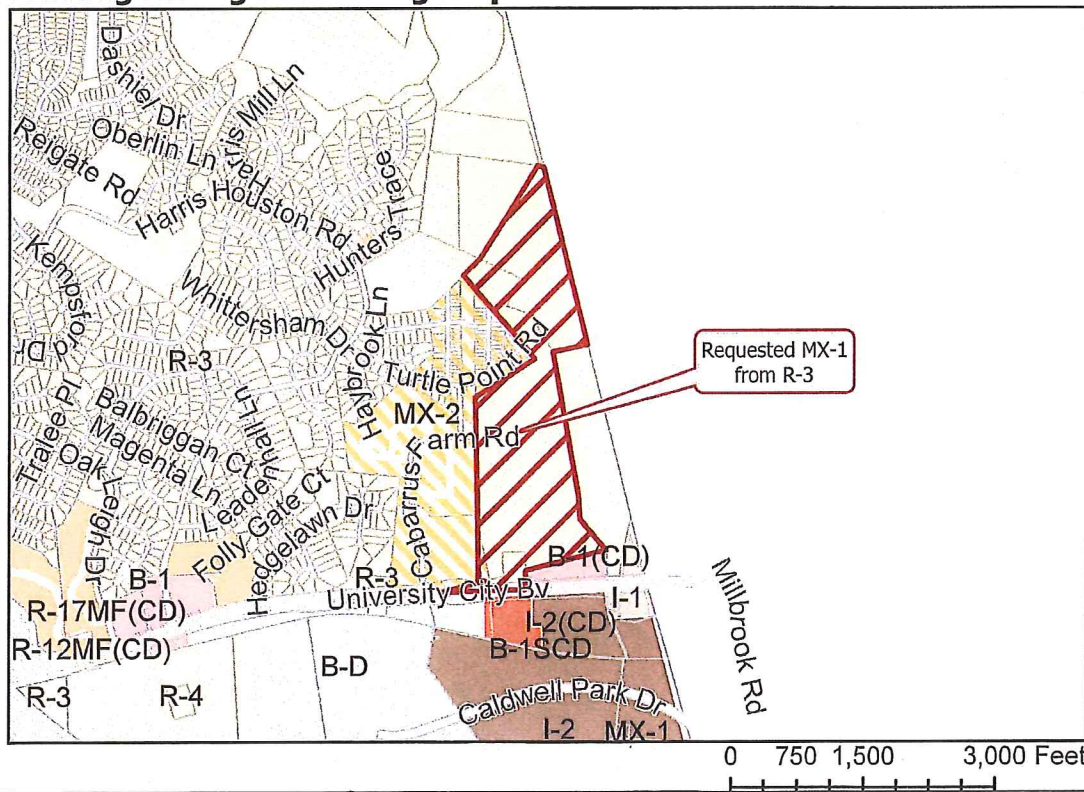
Rezoning Map



- 2018-160
- Outside City Limits
- Parcel
- Cross Charlotte Trail
- Railway
- Streams
- FEMA Flood Plain



Existing Zoning & Rezoning Request



- Requested MX-1 from R-3

Zoning Classification

- Single Family
- Multi-Family
- Mixed Residential
- Business
- Commercial Center
- Business-Distribution
- Light Industrial
- General Industrial



Map Created 12/7/2018

Petition No.: 2019-027
Petitioner: Liberty Property Trust

ORDINANCE NO. 9656-Z

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

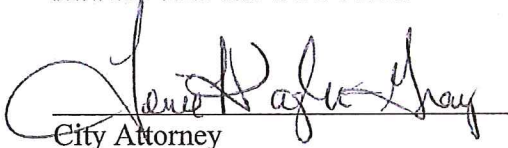
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 LLWPA (single family residential, Lower Lake Wylie Protected Area) to I-2(CD) LLWPA (general industrial, conditional, Lower Lake Wylie Protected Area).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:

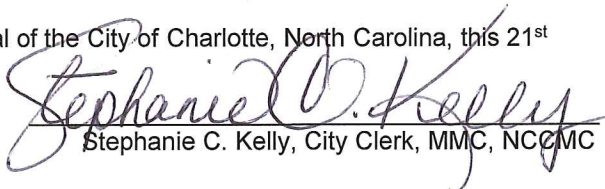

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 434-435.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

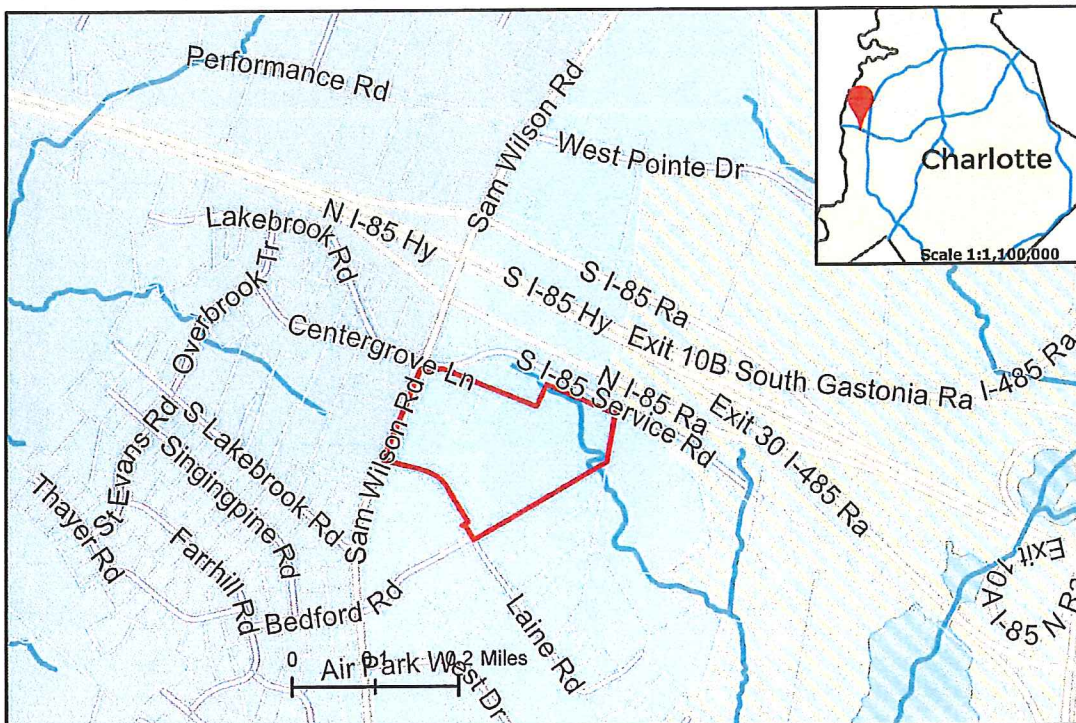
2019-027 : Liberty Property Trust

Current Zoning R-3 LLWPA (Single Family Residential, Lower Lake Wylie Protected Area)

Requested Zoning I-2 (CD) LLWPA (General Industrial, Conditional, Lower Lake Wylie Protected Area)

Approximately 20.5 acres

Location of Requested Rezoning



Rezoning Map

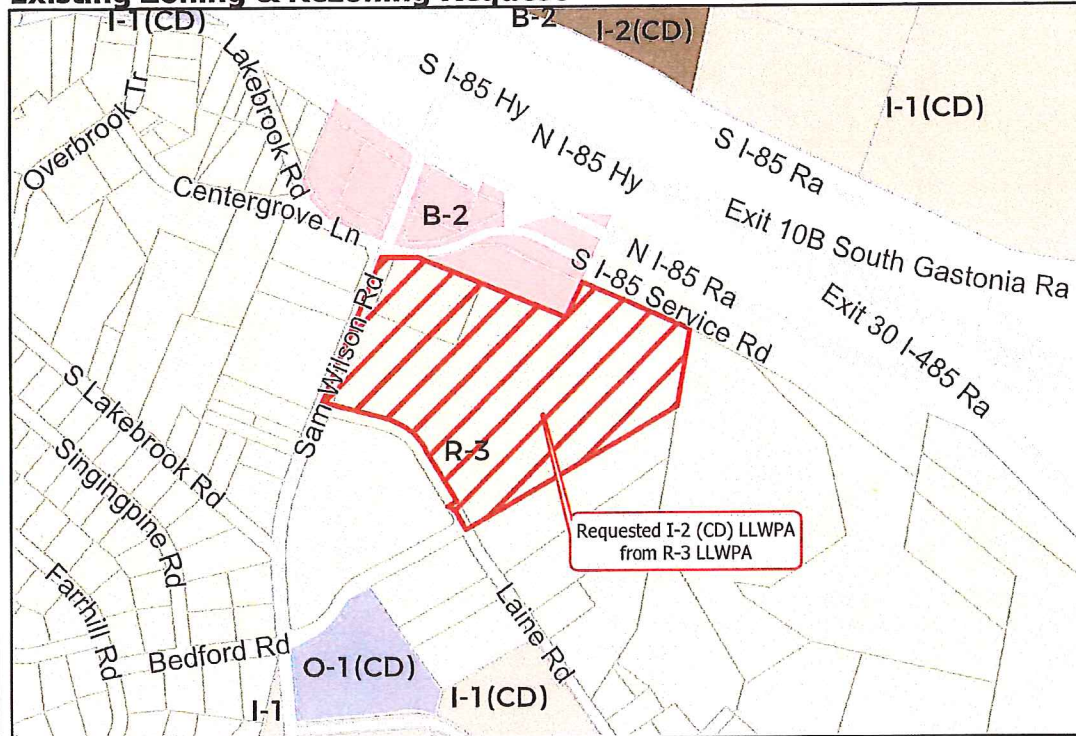


CHARLOTTE
 PLANNING, DESIGN
 & DEVELOPMENT

- 2019-027
- Outside City Limits
- Parcel
- Streams
- FEMA Flood Plain
- Airport Noise Overlay
- Watershed Overlay
- Lake Wylie - Protected Area
- Lower Lake Wylie - Protected Area



Existing Zoning & Rezoning Request



- Requested I-2 (CD) LLWPA from R-3 LLWPA

Zoning Classification

- Single Family
- Office
- Business
- Light Industrial
- General Industrial



Map Created 3/18/2019

Petition No.: 2019-029
Petitioner: Crescent Communities

ORDINANCE NO. 9657-Z

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

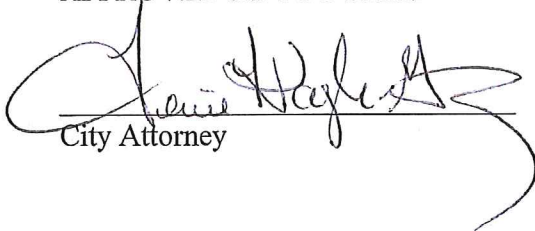
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from MUDD-O (mixed use development, optional) to MUDD-O(SPA) (mixed use development, optional, site plan amendment).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:

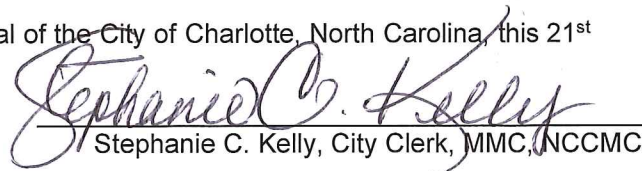

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 436-437.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

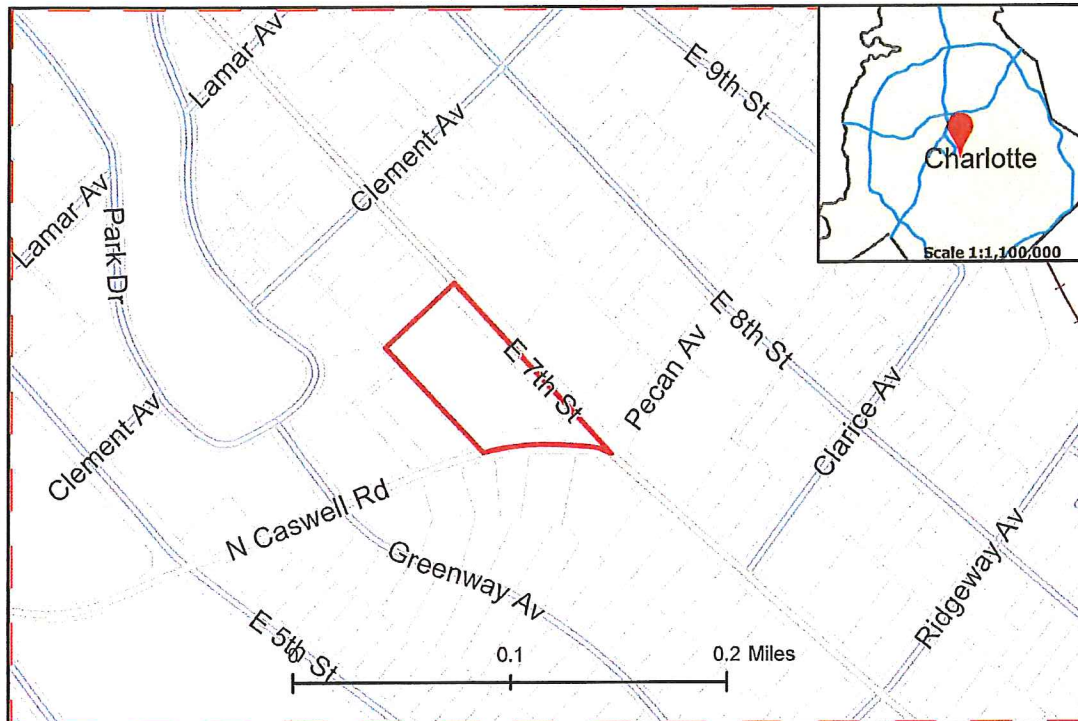
2019-029 : Crescent Communities

Current Zoning MUDD (O) (Mixed Use Development, Optional)

Requested Zoning MUDD (O) SPA (Mixed Use Development, Optional, Site Plan Amendment)

Approximately 1.68 acres

Location of Requested Rezoning



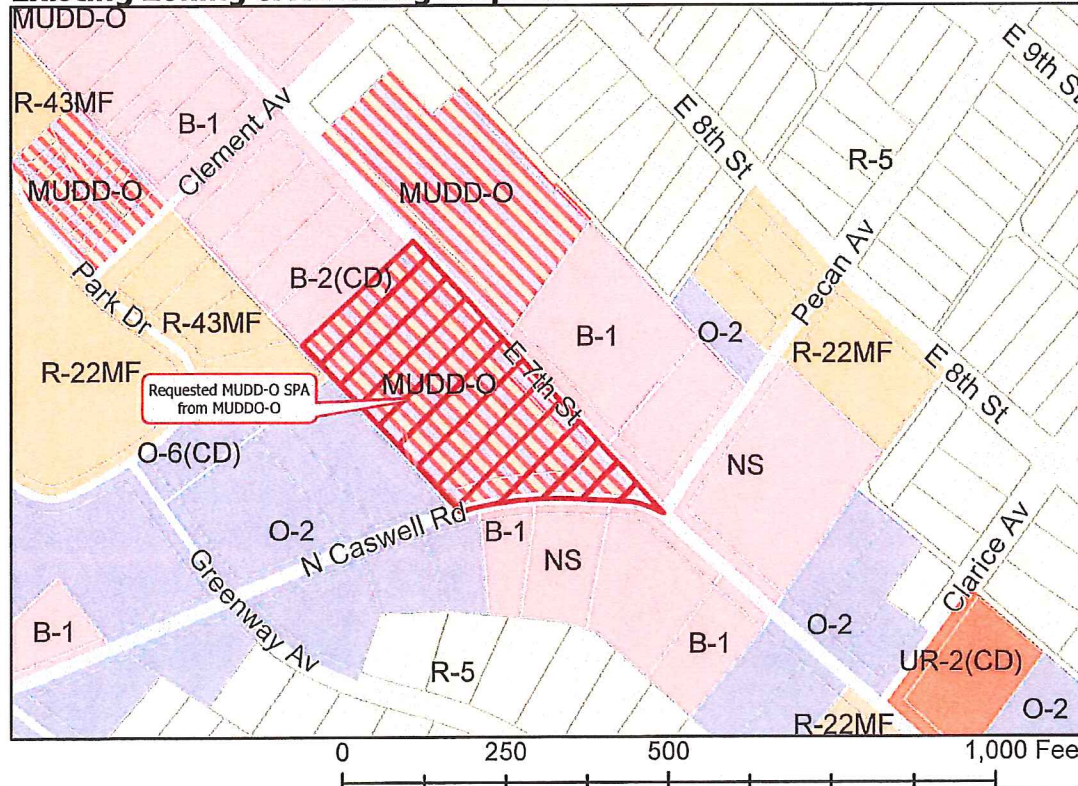
Rezoning Map



- 2019-029
- Inside City Limits
- Parcel
- Railway
- Buildings
- City Council District
- 1-Larken Egleston



Existing Zoning & Rezoning Request



- Requested MUDD-O SPA from MUDDO-O

Zoning Classification

- Single Family
- Multi-Family
- Urban Residential
- Office
- Business
- Mixed Use



Map Created 2/18/2019

Petition #: 2019-038
Petitioner: Dave Hegnauer

ORDINANCE NO. 9658

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

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 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201, "Definitions" by adding Commercial Kitchen in alphabetical order:

Kitchen, commercial:

A commercial shared use kitchen used on a contract basis by food service providers to prepare, fabricate, package and store food, food products and equipment.

B. CHAPTER 9: GENERAL DISTRICTS

1. PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS

- a. Amend Table 9.101, "Use Table" by adding the following information in alphabetical order on (1) the Commercial Center page, (2) Office & Business page and (3) Urban-Industrial page:

**MUDD & UMUD
COMMERCIAL CENTER
NEIGHBORHOOD SERVICES
TRANSIT ORIENTED DEVELOPMENT**

OFFICE AND BUSINESS USES	
	CC
Kitchen, commercial	X

ACCESSORY USES & STRUCTURES	
	CC
Outdoor parking of food trucks/trailers associated with a Commercial Kitchen	PC

**OFFICE
BUSINESS**

OFFICE & BUSINESS USES		
	B-2	B-D
Kitchen, commercial	X	X

ACCESSORY USES & STRUCTURES		
	B-2	B-D
Outdoor parking of food trucks/trailers associated with a Commercial Kitchen	PC	PC

**URBAN INDUSTRIAL
INDUSTRIAL**

OFFICE & BUSINESS USES			
	U-1	I-1	I-2
Kitchen, commercial	X	X	X

ACCESSORY USES & STRUCTURES			
	U-1	I-1	I-2
Outdoor parking of food trucks/trailers associated with a Commercial Kitchen	X	X	X

2. PART 8: BUSINESS DISTRICTS

- a. Amend Section 9.802, "Uses permitted by right", by adding a new item (51.5) in numerical order. The new entry shall read as follows:

(51.5) Kitchen, commercial (B-2 and B-D only)

- b. Amend Section 9.804, "Permitted uses and structures", by adding a new item (11.3) in numerical order that reads as follows:

(11.3) Outdoor parking of vehicles such as food trucks and trailers associated with a Commercial Kitchen is allowed in B-2 and B-D only. The vehicles must be utilized by the food service providers contracting to use the Commercial Kitchen, must be owned or leased by the food service provider contracting to use the Commercial Kitchen, be registered and licensed by the State of North Carolina, and be in operating condition. One parked vehicle is allowed for every 500 square feet of the square footage of the Commercial Kitchen. Parking for food trucks/ trailers shall not reduce the number of required parking spaces for the business use (See Section 12.202). Food trucks and trailers shall be operational.

3. PART 10: URBAN INDUSTRIAL DISTRICT

- a. Amend Section 9.1002, "Uses permitted by right" by adding a new item (2.8) in numerical order. The new entry shall read as follows:

(2.8) Kitchen, commercial

- b. Amend Section 9.1004, "Urban Industrial District: permitted accessory uses" by adding a new item (2.8) in numerical order that reads as follows:

(2.8) Outdoor parking of vehicles such as food trucks and trailers associated with a Commercial Kitchen. Parking for food trucks/ trailers shall not reduce the number of required parking spaces for the business use (See Section 12.202). Food trucks and trailers shall be operational.

4. PART 11: INDUSTRIAL DISTRICT

- a. Amend Section 9.1102, "Uses permitted by right" by adding a new item (37.5) in numerical order. The new entry shall read as follows:

(37.5) Kitchen, commercial

- b. Amend Section 9.1104, "Permitted accessory uses and structures" by adding a new item (6.05) in numerical order that reads as follows:

(6.3) Outdoor parking of vehicles such as food trucks and trailers associated with a Commercial Kitchen. Parking for food trucks/ trailers shall not reduce the number of required parking spaces for the business use (See Section 12.202). Food trucks and trailers shall be operational.

5. COMMERCIAL CENTER DISTRICT

- a. Amend Section 11.402, "Uses permitted by right" by adding a new item (16.5) in numerical order that reads:

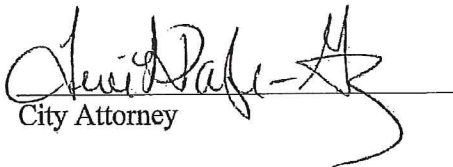
(16.5) Kitchen, commercial

- b. Amend Section 11.403, "Uses permitted under prescribed conditions" by adding a new item (8.05) in numerical order that reads as follows:

(8.05) Outdoor parking of vehicles such as food trucks and trailers associated with a Commercial Kitchen. The vehicles must be utilized by the food service providers contracting to use the Commercial Kitchen, must be owned or leased by the food service provider contracting to use the Commercial Kitchen, be registered and licensed by the State of North Carolina, and be in operating condition. One parked vehicle is allowed for every 500 square feet of the square footage of the Commercial Kitchen. Parking for food trucks/ trailers shall not reduce the number of required parking spaces for the business use (See Section 12.202). Food trucks and trailers shall be operational.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

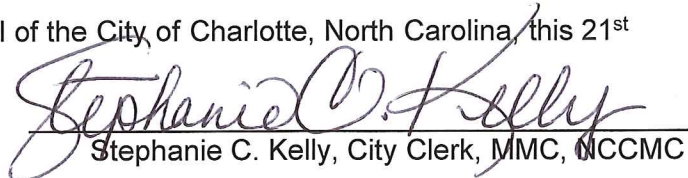

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 438-441.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

Petition No.: 2019-056
Petitioner: White Point Partners, LLC

ORDINANCE NO. 9659-Z

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

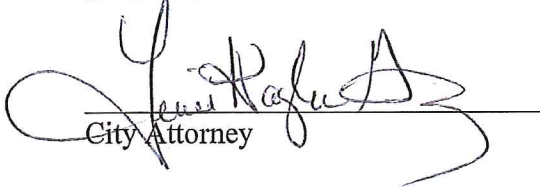
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from I-2 (general industrial) to MUDD-O (mixed use development, optional).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:

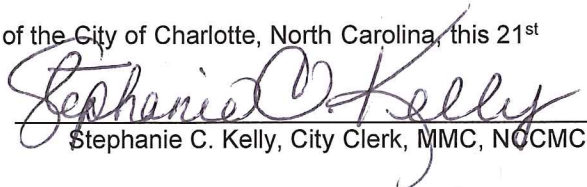

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 442-443.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

2019-056 : White Piont Partners, LLC

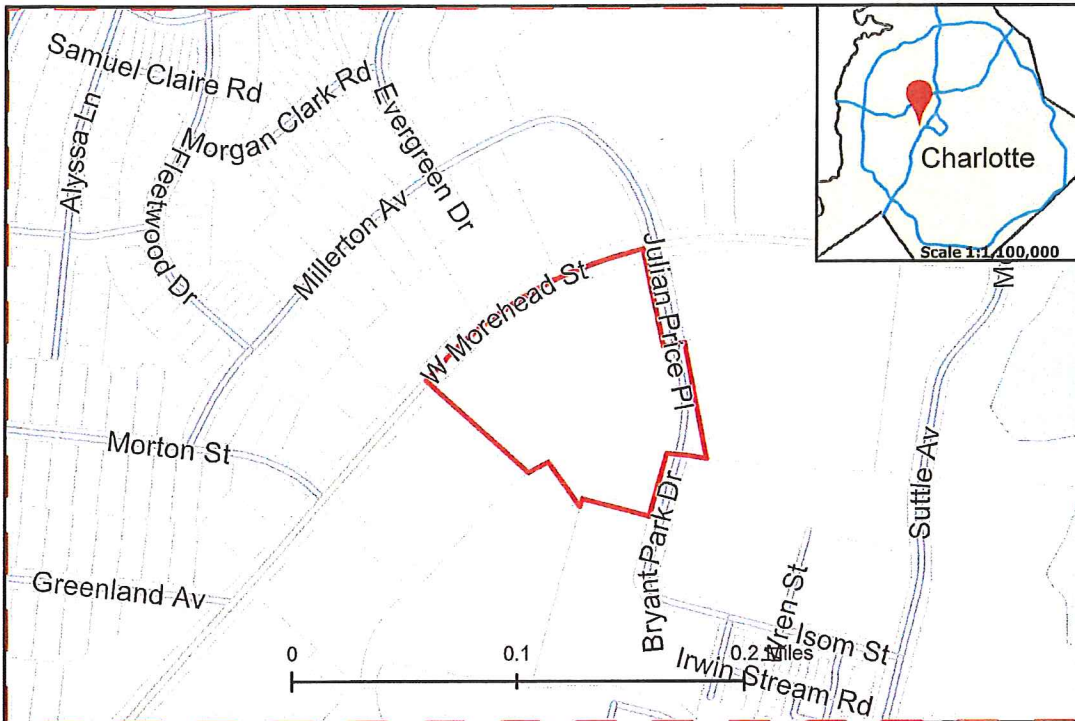
Current Zoning I-2 (General Industrial)

Requested Zoning MUDD (O) (Mixed Use Development, Optional)

Approximately 4.95 acres

Location of Requested Rezoning

Rezoning Map



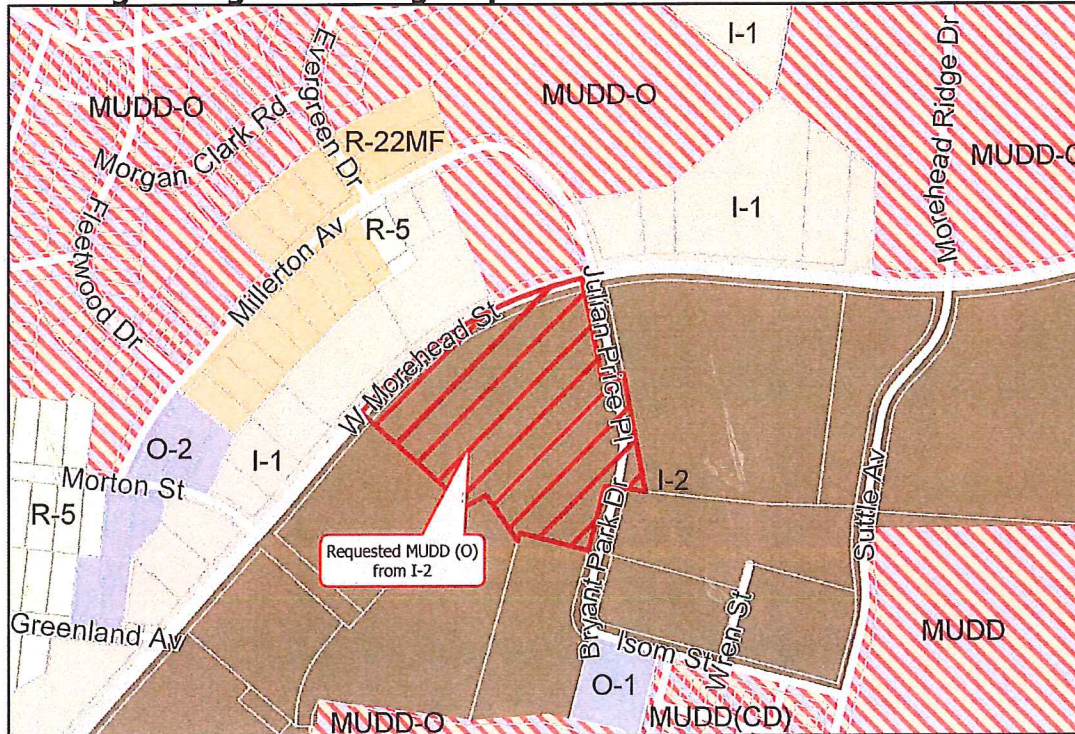
- 2019-056
- Inside City Limits
- Parcel
- Buildings
- FEMA Flood Plain

City Council District

- 3-LaWana Mayfield



Existing Zoning & Rezoning Request



- Requested MUDD (O) from I-2

Zoning Classification

- Single Family
- Multi-Family
- Office
- Light Industrial
- General Industrial
- Mixed Use



Map Created 4/11/2019

Petition No.: 2019-061
Petitioner: Davis Development

ORDINANCE NO. 9660-Z

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

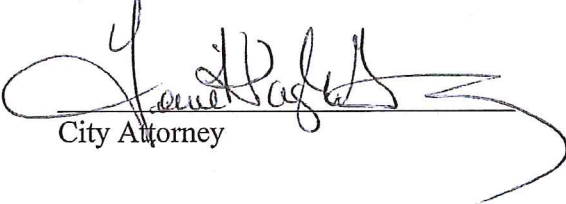
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from BP (business park) to UR-2(CD) (urban residential, conditional).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:

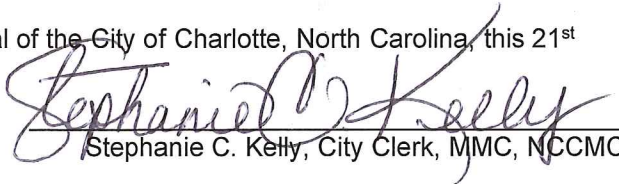

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 444-445.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

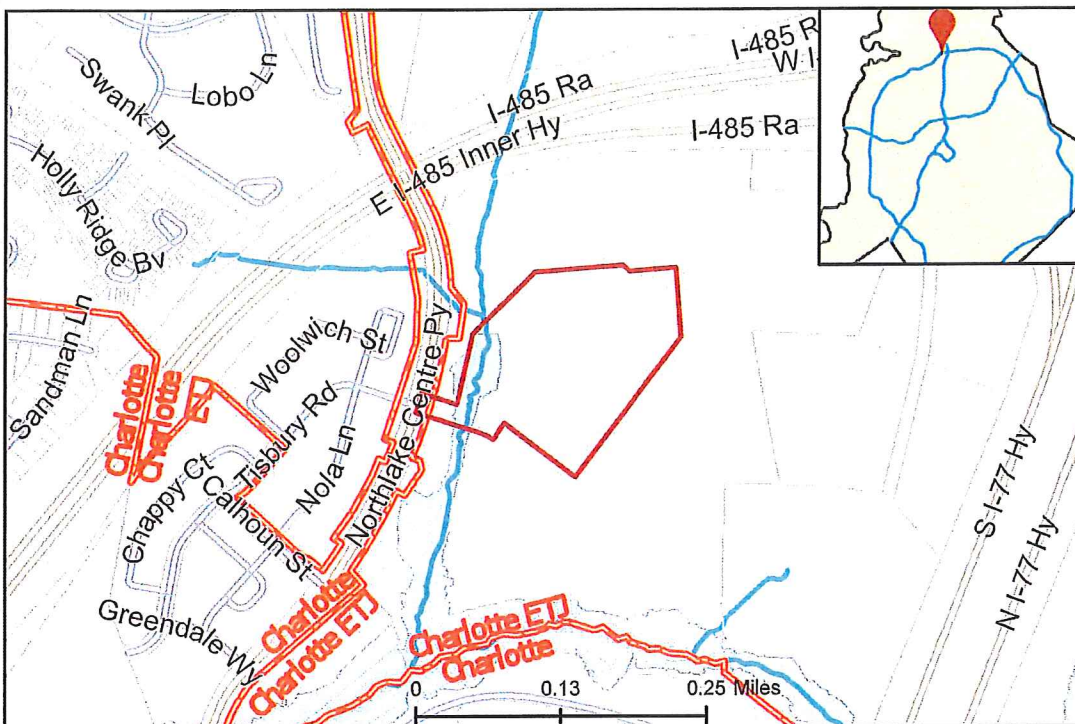
2019-061: Davis Development, LLC

Current Zoning BP (Business Park)

Requested Zoning UR-2(CD) (Urban Residential, Conditional)

Approximately 15.545 acres

Location of Requested Rezoning



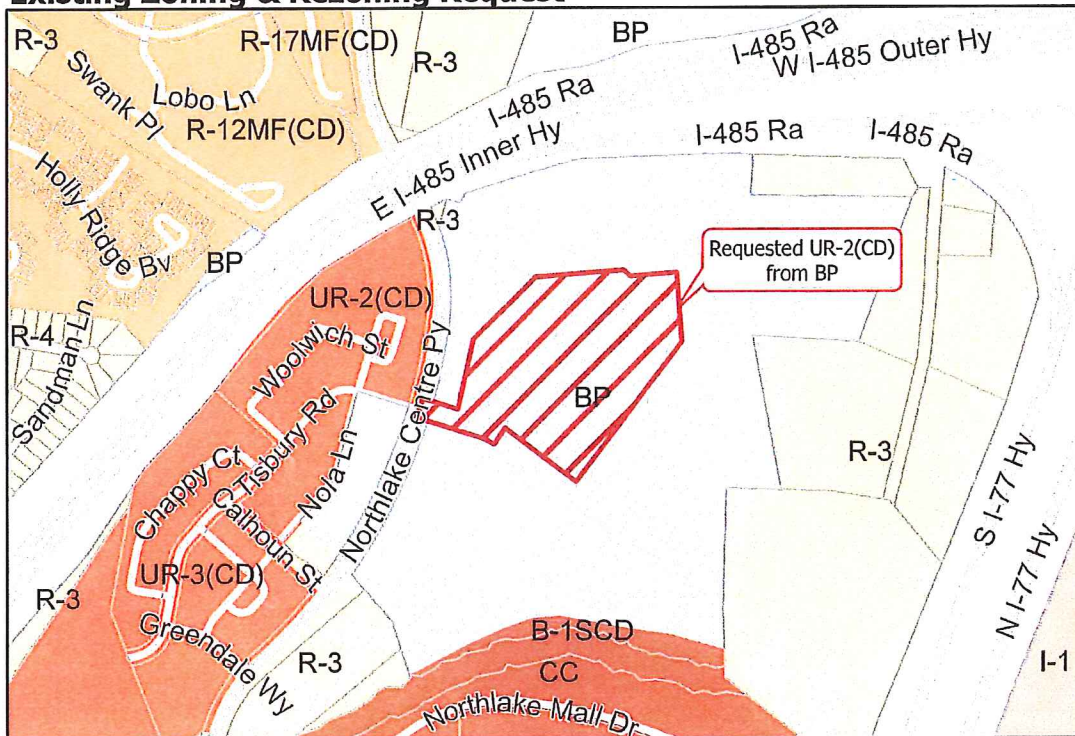
Rezoning Map



- 2019-061
- Outside City Limits
- Parcel
- Streams
- FEMA Flood Plain



Existing Zoning & Rezoning Request



- Requested UR-2(CD) from BP

Zoning Classification

- Single Family
- Multi-Family
- Urban Residential
- Business Park
- Commercial Center
- Light Industrial



Map Created 8/12/2019

Petition No.: 2019-062
Petitioner: Suncrest Real Estate & Land

ORDINANCE NO. 9661-Z

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

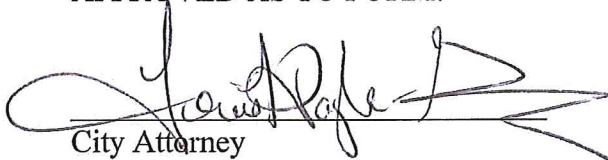
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-1(CD) (neighborhood business, conditional) and O-1(CD) (office, conditional) to UR-2(CD) (urban residential, conditional).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

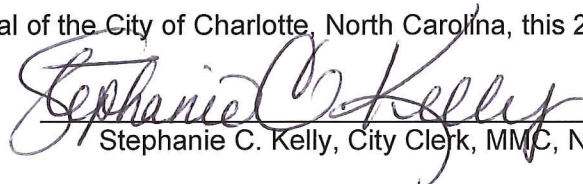
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 446-447.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

2019-062 : Suncrest Real Estate and Land

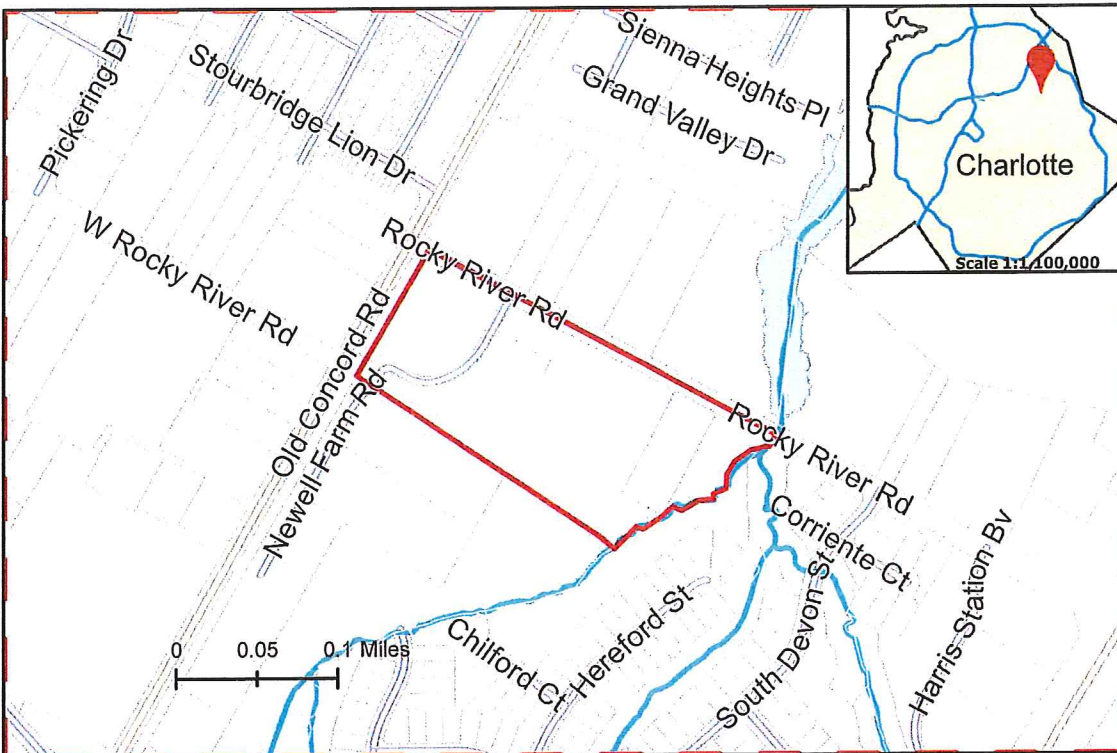
Current Zoning B-1 (CD) (Neighborhood Business, Conditional) O-1 (CD) (Office, Conditional)
Requested Zoning UR-2 (CD) (Urban Residential, Conditional)

Approximately 13.012 acres
Location of Requested Rezoning

Rezoning Map



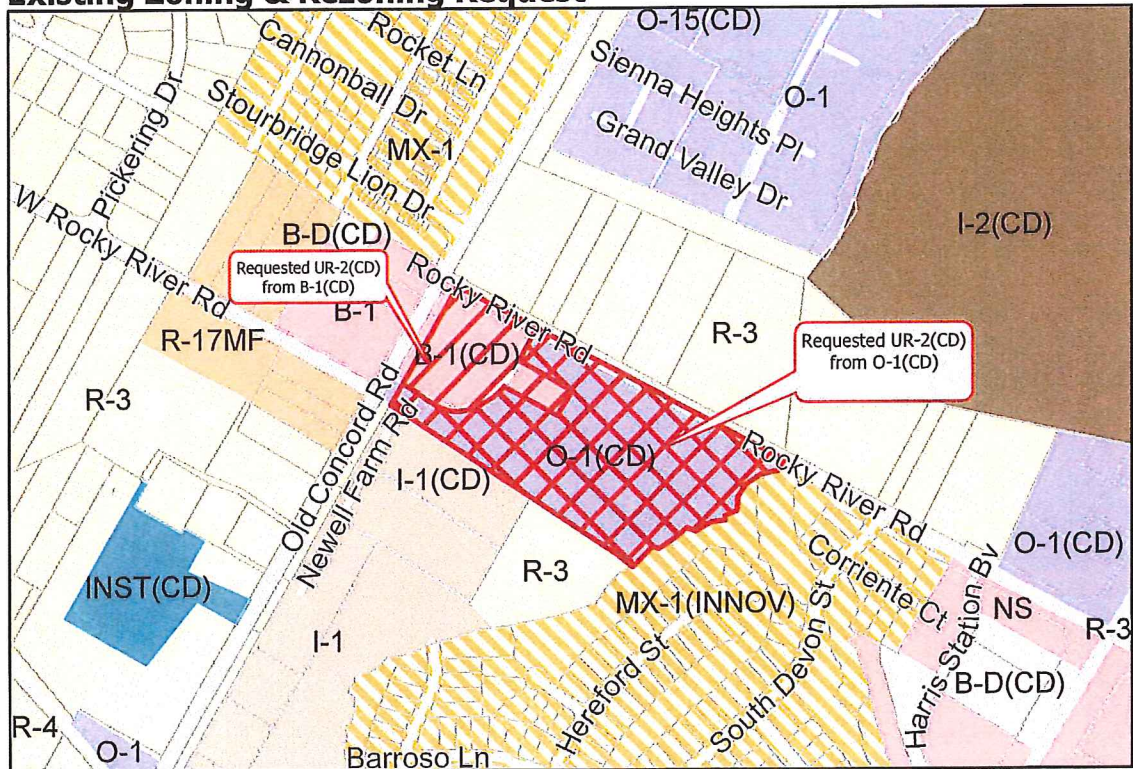
CHARLOTTE.
PLANNING, DESIGN
& DEVELOPMENT



- 2019-062
- Inside City Limits
- Parcel
- Buildings
- Streams
- FEMA Flood Plain
- City Council District
- 4-Gregory A. Phipps



Existing Zoning & Rezoning Request



- Requested UR-2(CD) from B-1(CD)
- Requested UR-2(CD) from O-1(CD)
- Zoning Classification**
- Single Family
- Multi-Family
- Mixed Residential
- Institutional
- Office
- Business
- Business-Distribution
- Light Industrial
- General Industrial



Map Created 4/11/2019

0 250 500 1,000 Feet

Petition No.: 2019-070
Petitioner: RENC CH, LLC

ORDINANCE NO. 9662-Z

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

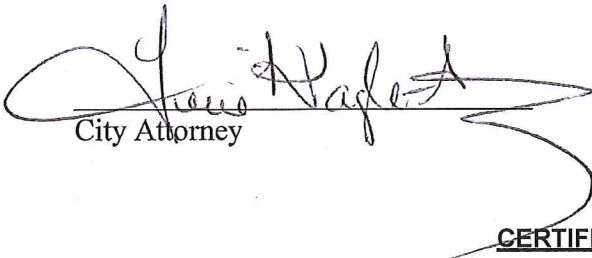
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-2 (general business) and B-2(CD) (general business, conditional) to B-2(CD) (general business, conditional) and B-2(CD) SPA (general business, conditional, site plan amendment).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:

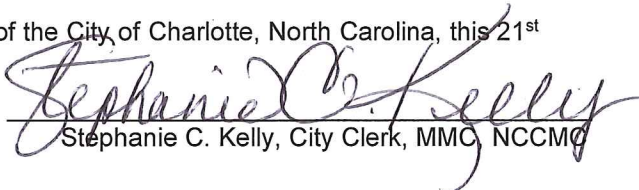

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 448-449.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMO

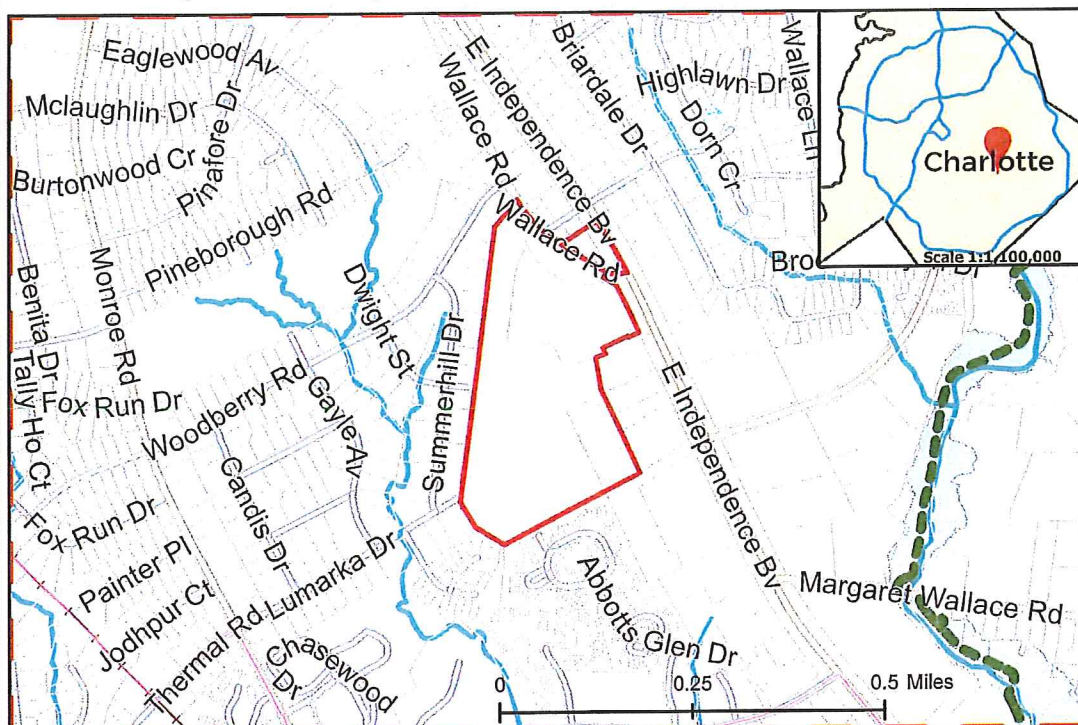
2019-070 : RENC CH, LLC

Current Zoning B-2(General Business) B-2(CD) (General Business, Conditional)

Requested Zoning B-2(CD) (General Business, Conditional) B-2(CD) SPA
(General Business, Conditional, Site Plan Amendment)

Approximately 42.41 acres

Location of Requested Rezoning



Rezoning Map

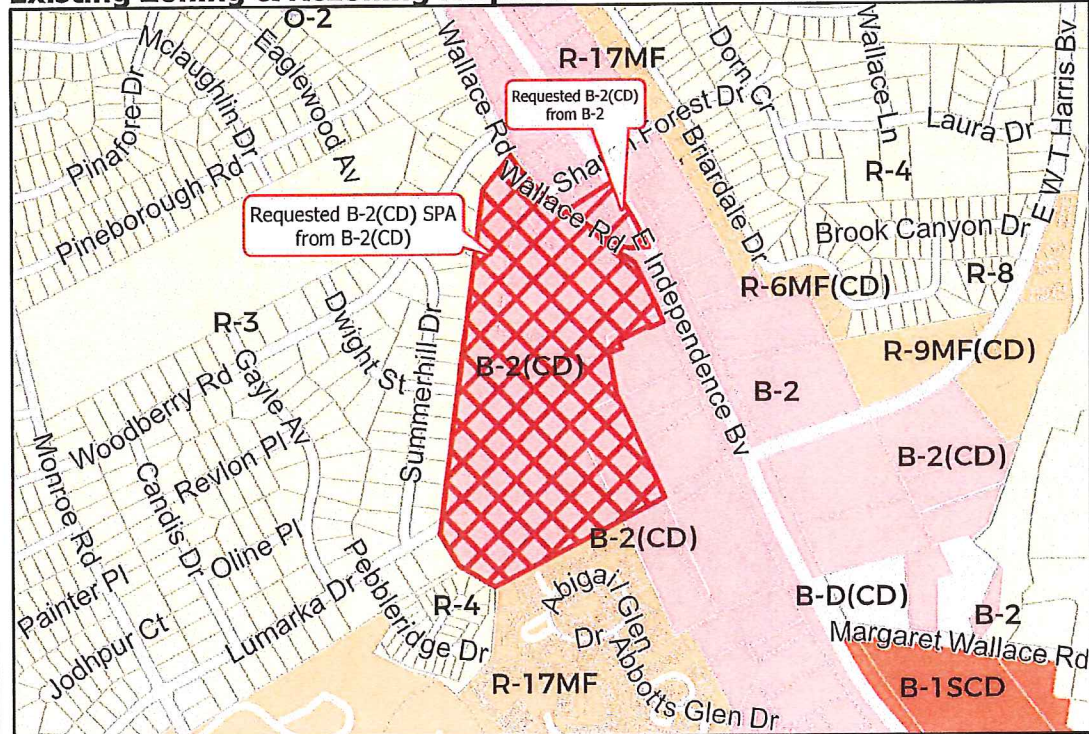


CHARLOTTE.
PLANNING, DESIGN
& DEVELOPMENT

- 2019-070
- Inside City Limits
- Parcel
- Greenway
- +— Railway
- Streams
- FEMA Flood Plain
- City Council District
- 5-Matt Newton



Existing Zoning & Rezoning Request



- Requested B-2(CD) from B-2
- Requested B-2(CD) SPA from B-2(CD)

Zoning Classification

- Single Family
- Multi-Family
- Office
- Business
- Commercial Center
- Business-Distribution



Map Created 6/26/2019

Petition No.: 2019-074
Petitioner: Josh Jolley

ORDINANCE NO. 9663-Z

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

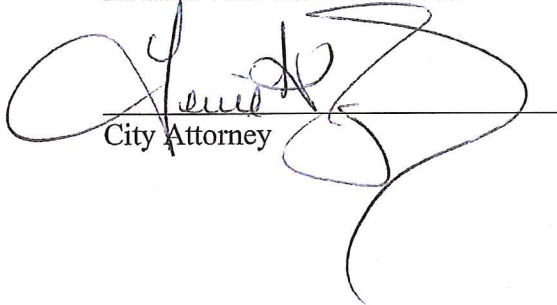
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 (single family residential) to UR-2(CD) (urban residential conditional).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:

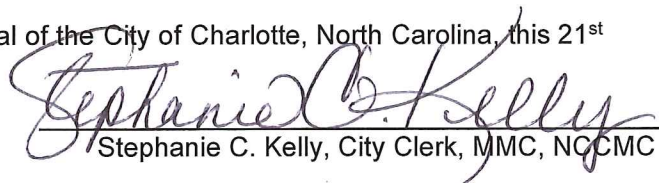

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 450-451.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

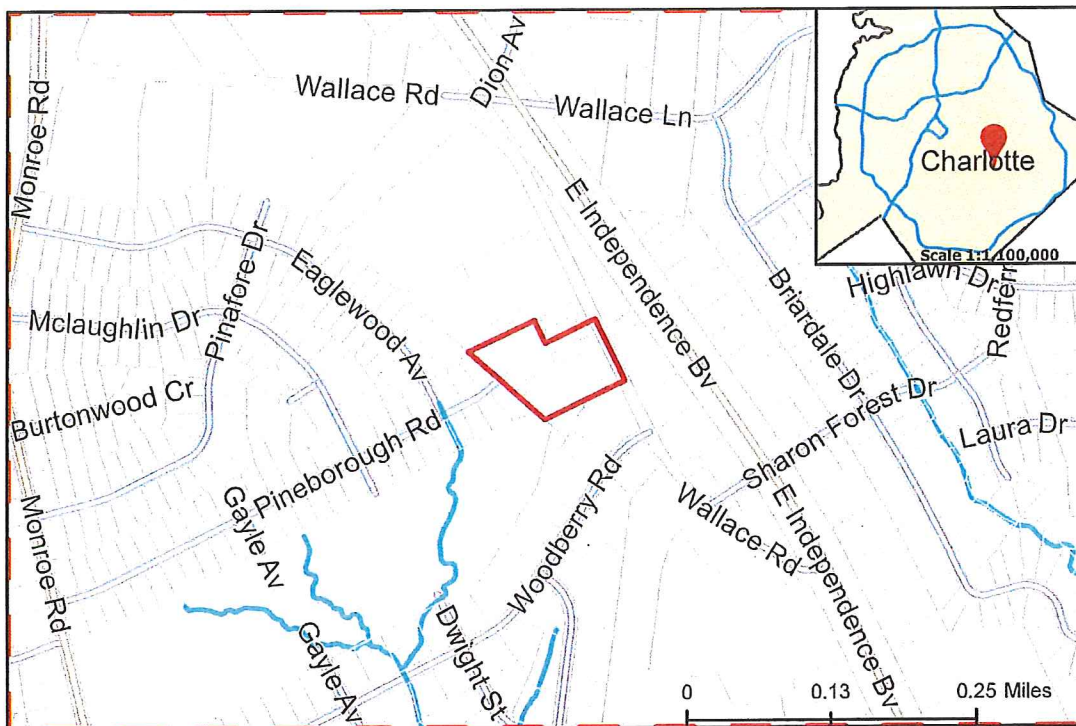
2019-074 : Josh Jolley

Current Zoning R-3 (Single Family Residential)

Requested Zoning UR-2 (CD) (Urban Residential, Conditional)

Approximately 3.96 acres

Location of Requested Rezoning



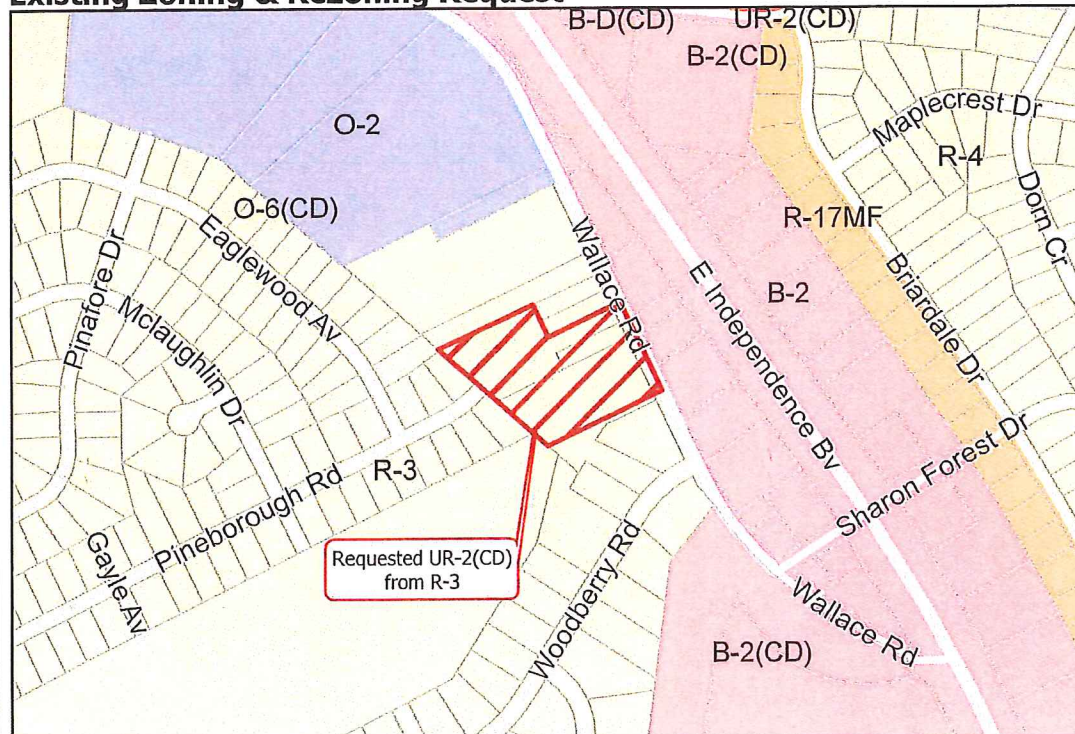
Rezoning Map



- 2019-074
- Inside City Limits
- Parcel
- Streams
- City Council District
- 5-Matt Newton



Existing Zoning & Rezoning Request



- Requested UR-2(CD) from R-3

Zoning Classification

- Single Family
- Multi-Family
- Urban Residential
- Office
- Business
- Business-Distribution



Map Created 6/26/2019

0 250 500 1,000 Feet

Petition No.: 2019-076
Petitioner: Hopper Communities

ORDINANCE NO. 9664-Z

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

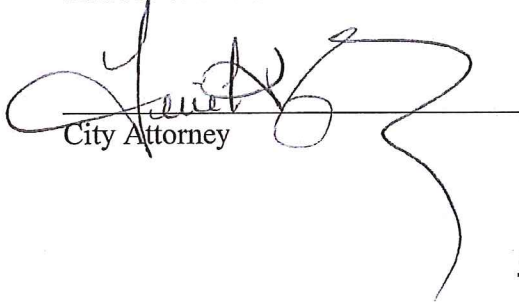
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-8 (single family residential) to UR-2(CD) (urban residential, conditional).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:


City Attorney

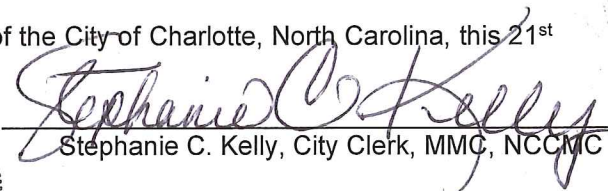


CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 452-453.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.




Stephanie C. Kelly, City Clerk, MMC, NCCMC

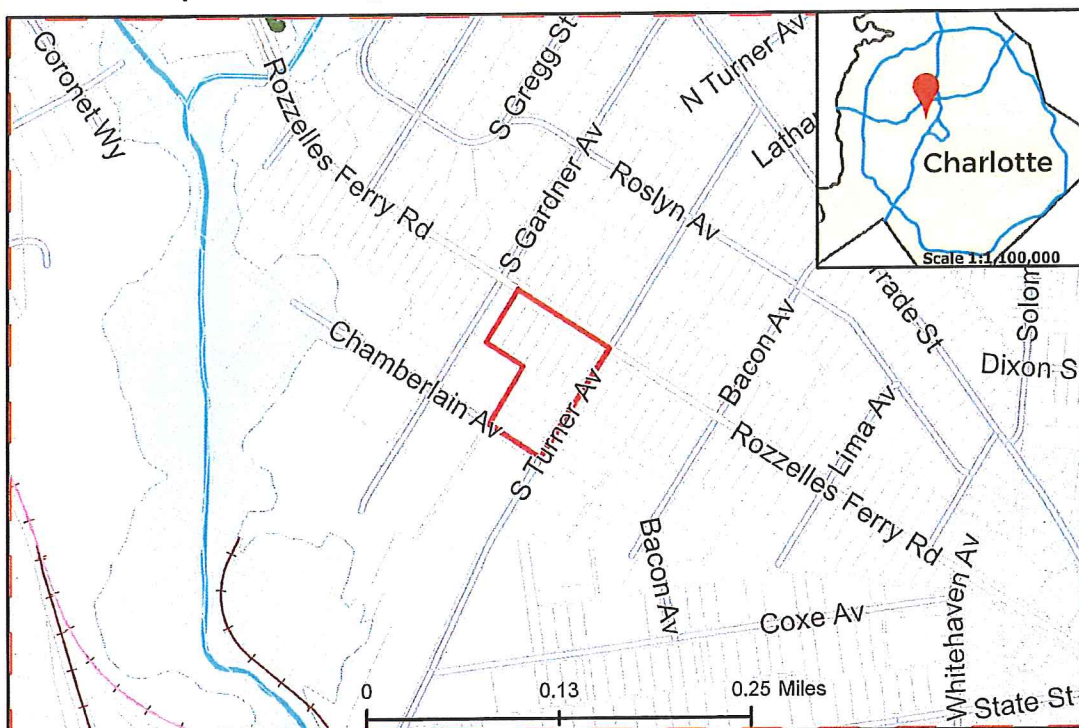
2019-076 : Hopper Communities

Current Zoning R-8 (Single Family Residential)

Requested Zoning UR-2(CD) (Urban Residential, Conditional)

Approximately 2.39 acres

Location of Requested Rezoning



Rezoning Map



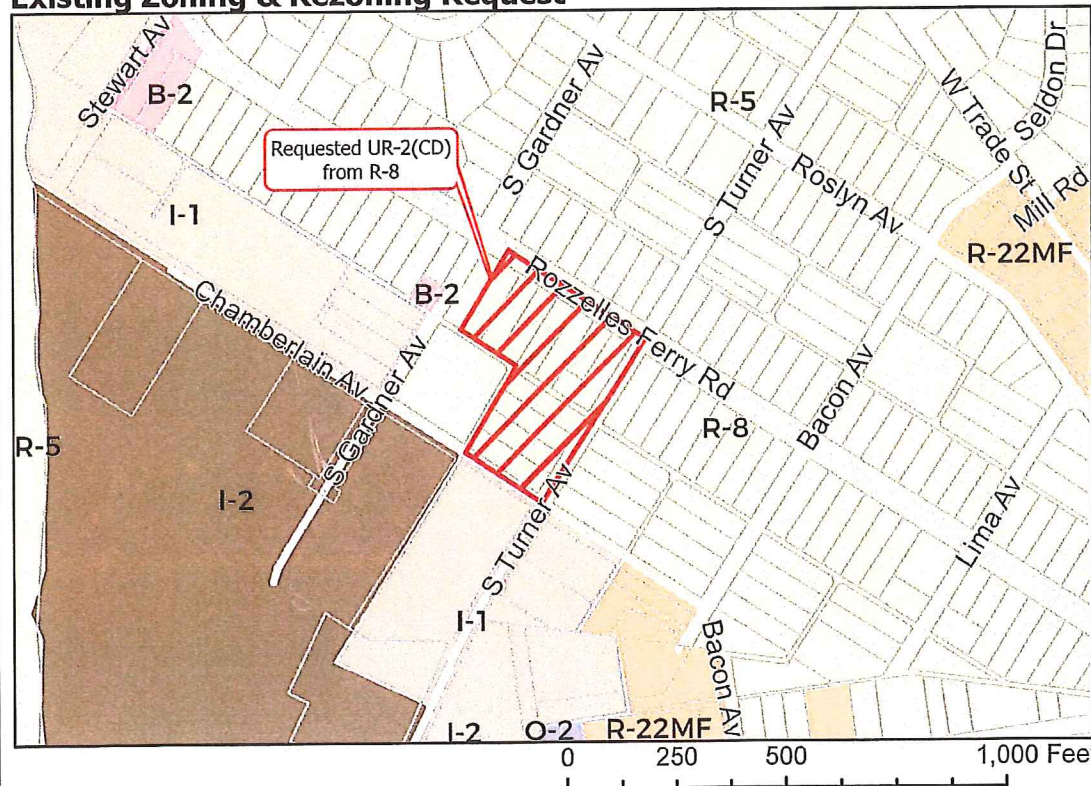
- 2019-076
- Inside City Limits
- Parcel
- Greenway
- Railway
- Streams
- FEMA Flood Plain
- West End Land Use and Pedscape

City Council District

- 2-Justin Harlow



Existing Zoning & Rezoning Request



- Requested UR-2(CD) from R-8

Zoning Classification

- Single Family
- Multi-Family
- Office
- Business
- Light Industrial
- General Industrial



Map Created 6/26/2019

Petition No.: 2019-079
Petitioner: Sankofa Development, LLC

ORDINANCE NO. 9665-Z

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

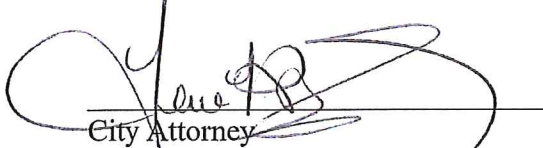
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from Current Zoning: R-4 (single-family residential) and B-2 (general business) to NS (neighborhood services).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:

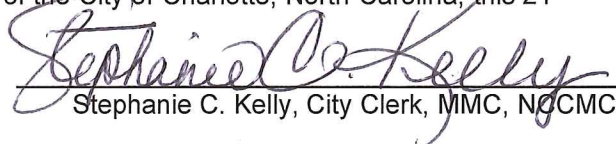

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 454-455.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

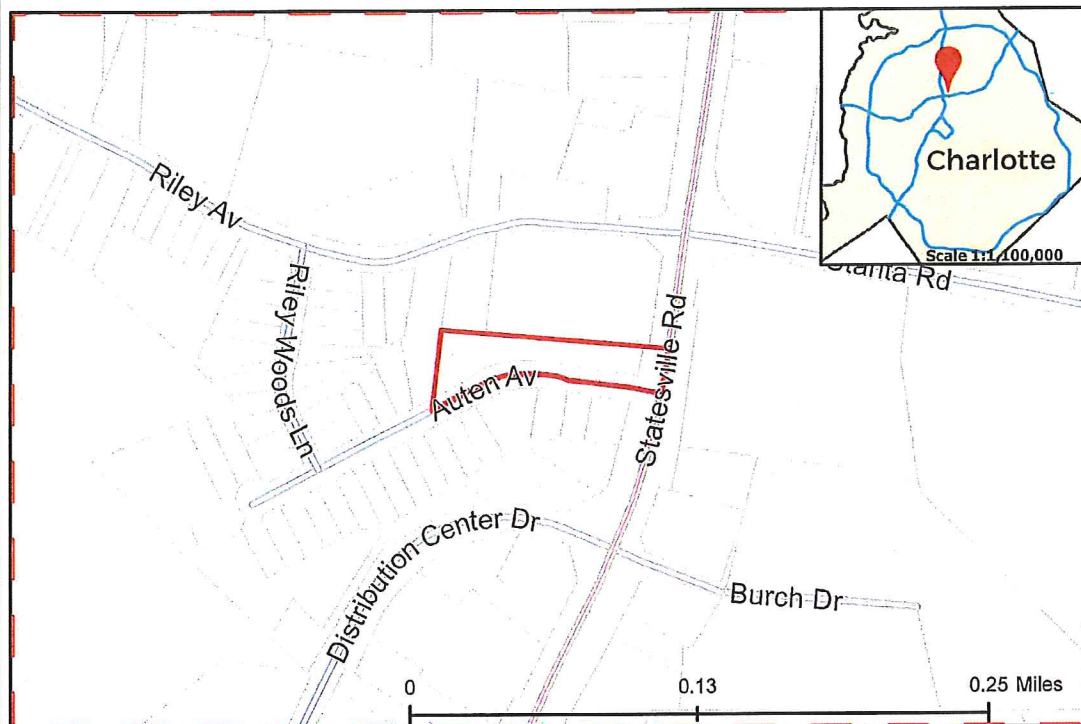
2019-079 : Sankofa Development, Inc.

Current Zoning B-2 (General Business) R-4 (Single Family Residential)

Requested Zoning NS (Neighborhood Services)

Approximately 1.25 acres

Location of Requested Rezoning



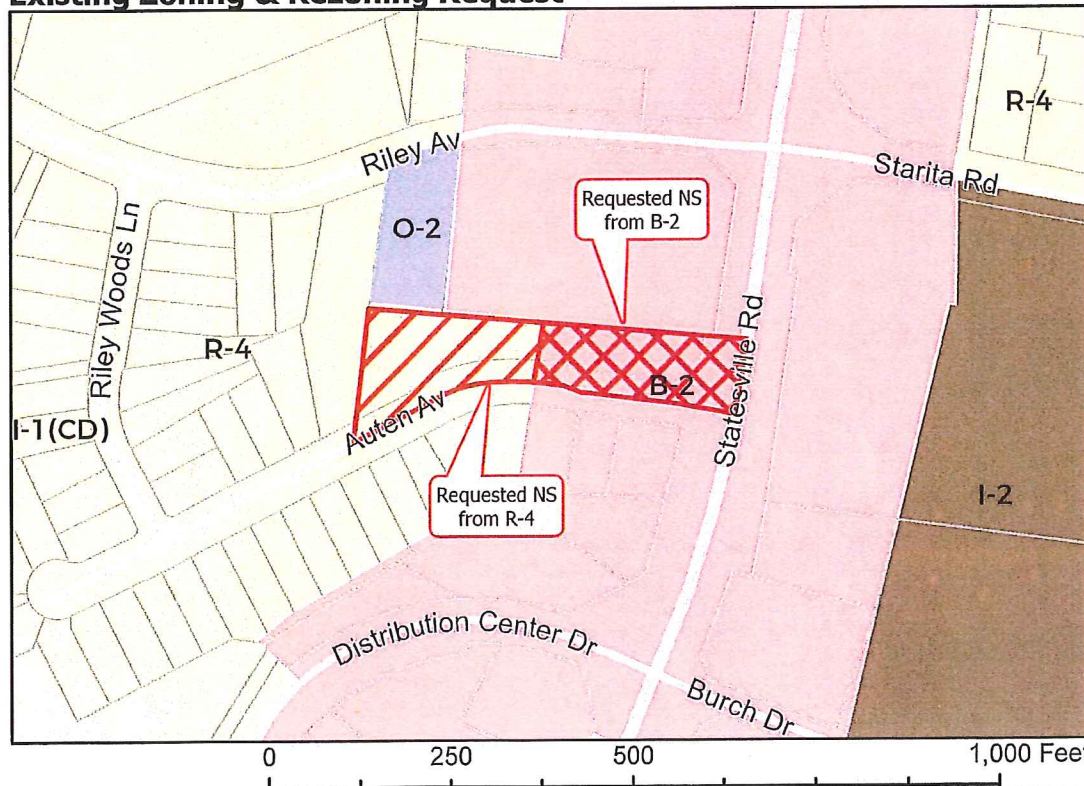
Rezoning Map



- 2019-079
- Inside City Limits
- Parcel
- City Council District
- 2-Justin Harlow



Existing Zoning & Rezoning Request



- Requested NS from R-4
- Requested NS from B-2

Zoning Classification

- Single Family
- Office
- Business
- Light Industrial
- General Industrial



Map Created 6/26/2019

Petition No.: 2019-081
Petitioner: Tyvola Station Partners, LLC

ORDINANCE NO. 9666-Z

ZONING REGULATIONS

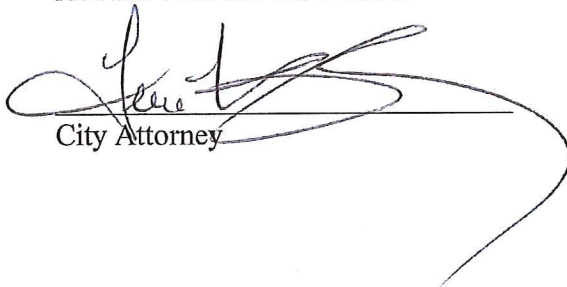
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from I-2 (general industrial) to Area A - TOD-CC (transit oriented development, community center) and Area B - TOD-TR (transit oriented development, transition)

SEE ATTACHED MAP

Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

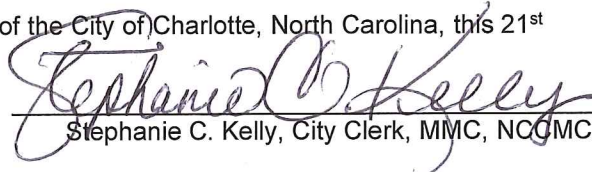

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 456-457.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

2019-081 : Tyvola Station Partners, LLC

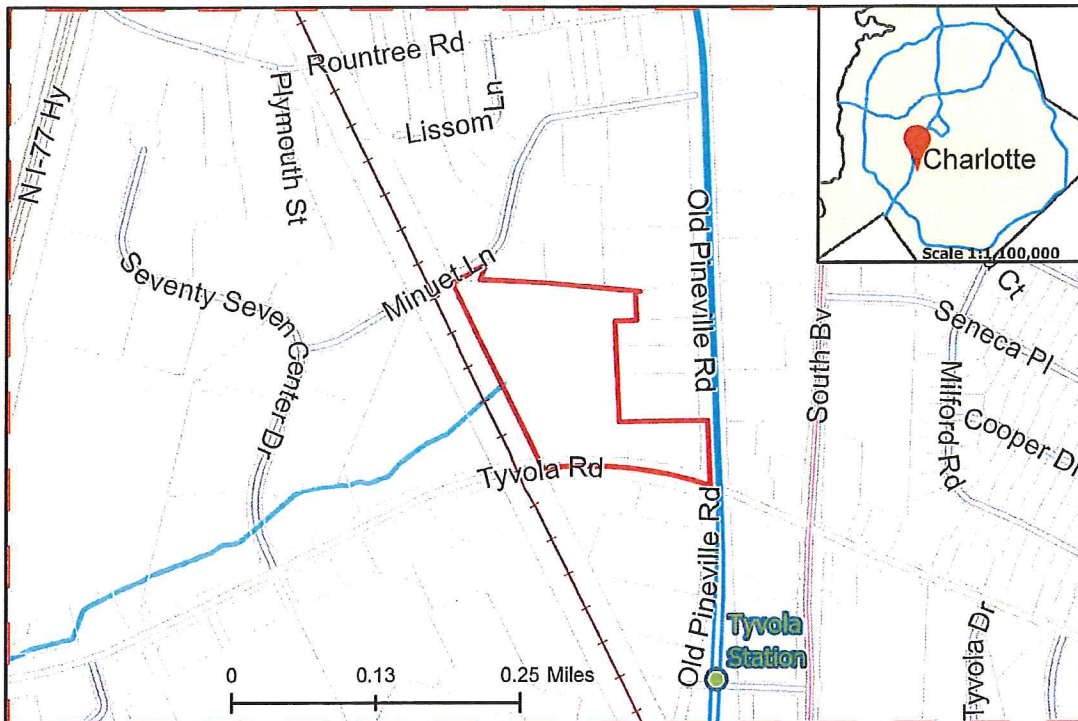
Current Zoning I-2 (General Industrial)

Requested Zoning TOD-CC (Transit Oriented Development-Community Center)

TOD-TR (Transit Oriented Development - Transition)

Approximately 12.1 acres

Location of Requested Rezoning



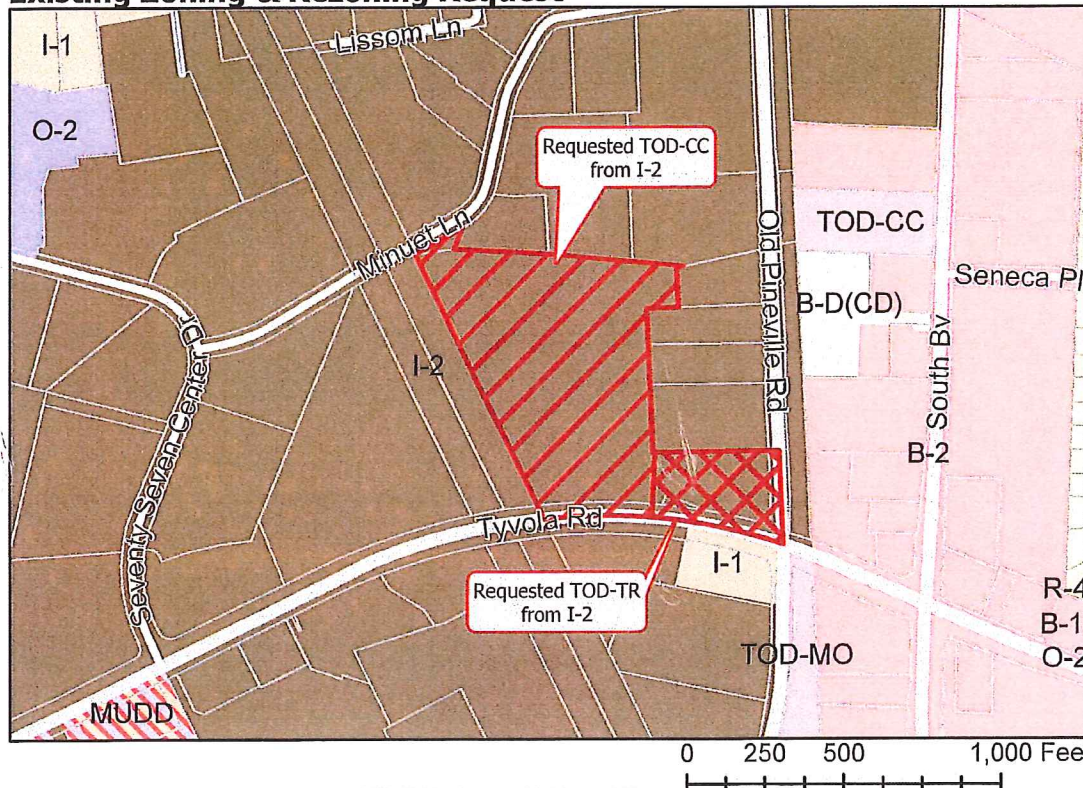
Rezoning Map



- 2019-081
- Inside City Limits
- Parcel
- LYNX Blue Line Station
- LYNX Blue Line
- Railway
- Streams
- City Council District
- 3-LaWana Mayfield



Existing Zoning & Rezoning Request



- Requested TOD-CC from I-2
- Requested TOD-TR from I-2

Zoning Classification

- Single Family
- Multi-Family
- Office
- Business
- Business-Distribution
- Light Industrial
- General Industrial
- Mixed Use
- Transit-Oriented



Map Created 8/6/2019

Petition No.: 2019-082
Petitioner: Pacific National Group, LLC

ORDINANCE NO. 9667-Z

ZONING REGULATIONS

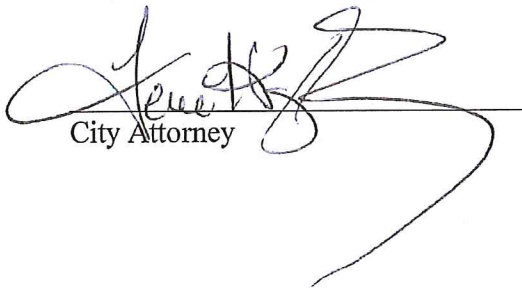
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from B-1 (neighborhood business) to TOD-UC (transit oriented development, urban center).

SEE ATTACHED MAP

Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

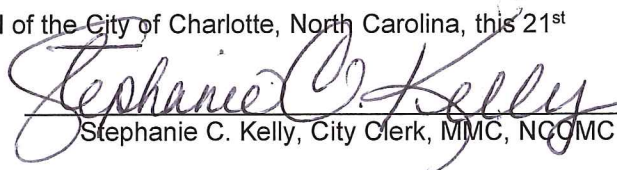

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 458-459.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

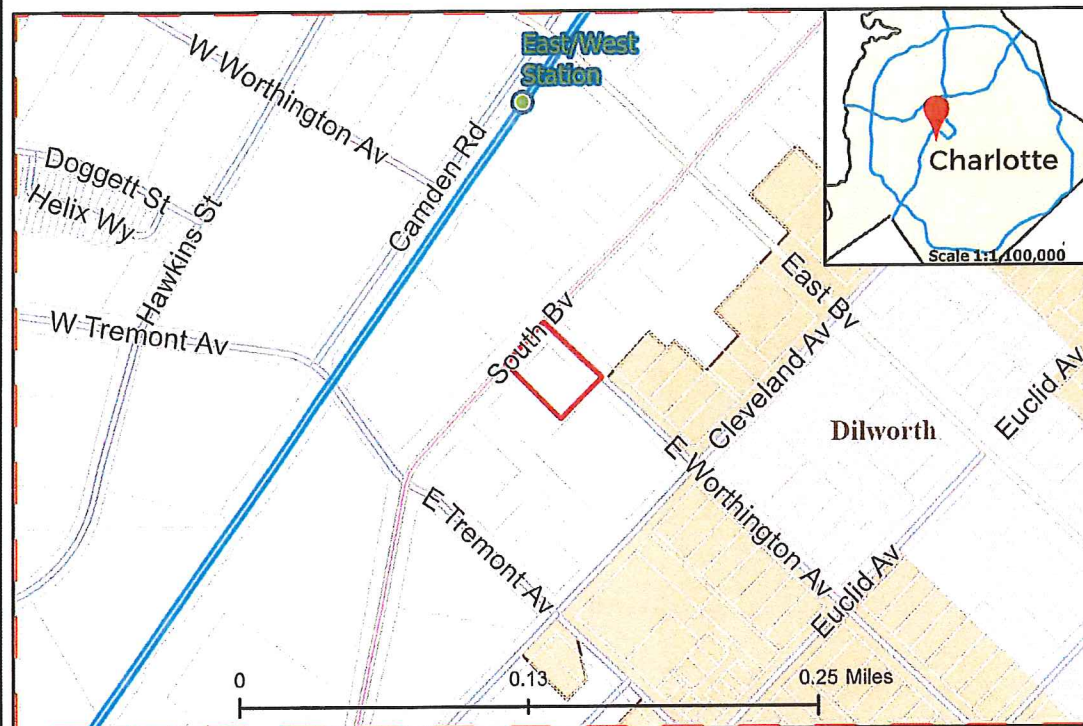
2019-082 : Pacific National Group, LLC

Current Zoning B-1 (Neighborhood Business)

Requested Zoning TOD-UC (Transit Oriented Development-Urban Center)

Approximately .319 acres

Location of Requested Rezoning



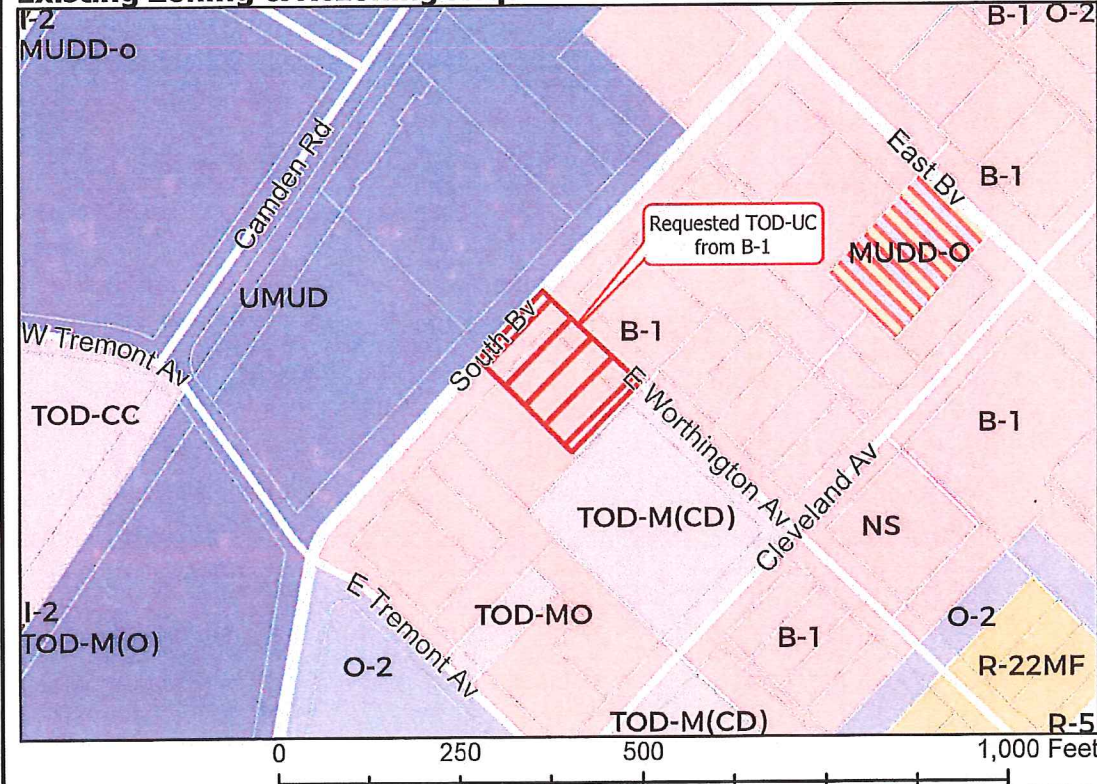
Rezoning Map



- 2019-082
- Inside City Limits
- Parcel
- LYNX Blue Line Station
- LYNX Blue Line
- East Blvd Pedscape Plan
- Historic Districts
- City Council District
- 1-Larken Egleston



Existing Zoning & Rezoning Request



- Requested TOD-UC from B-1

Zoning Classification

- Single Family
- Multi-Family
- Office
- Business
- Uptown Mixed Use
- General Industrial
- Mixed Use
- Transit-Oriented



Map Created 6/27/2019

Petition No.: 2019-083
Petitioner: James M. Howell

ORDINANCE NO. 9668-Z

ZONING REGULATIONS

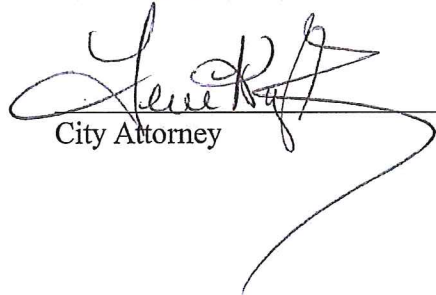
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from R-4 (single family residential) to R-8 (single family residential).

SEE ATTACHED MAP

Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

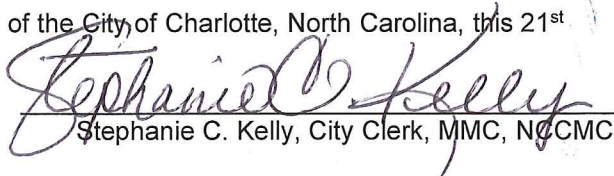

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 460-461.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

2019-083 : James M. Howell

Current Zoning R-4 (Single Family Residential)
Requested Zoning R-8 (Single Family Residential)

Approximately .37 acres

Location of Requested Rezoning



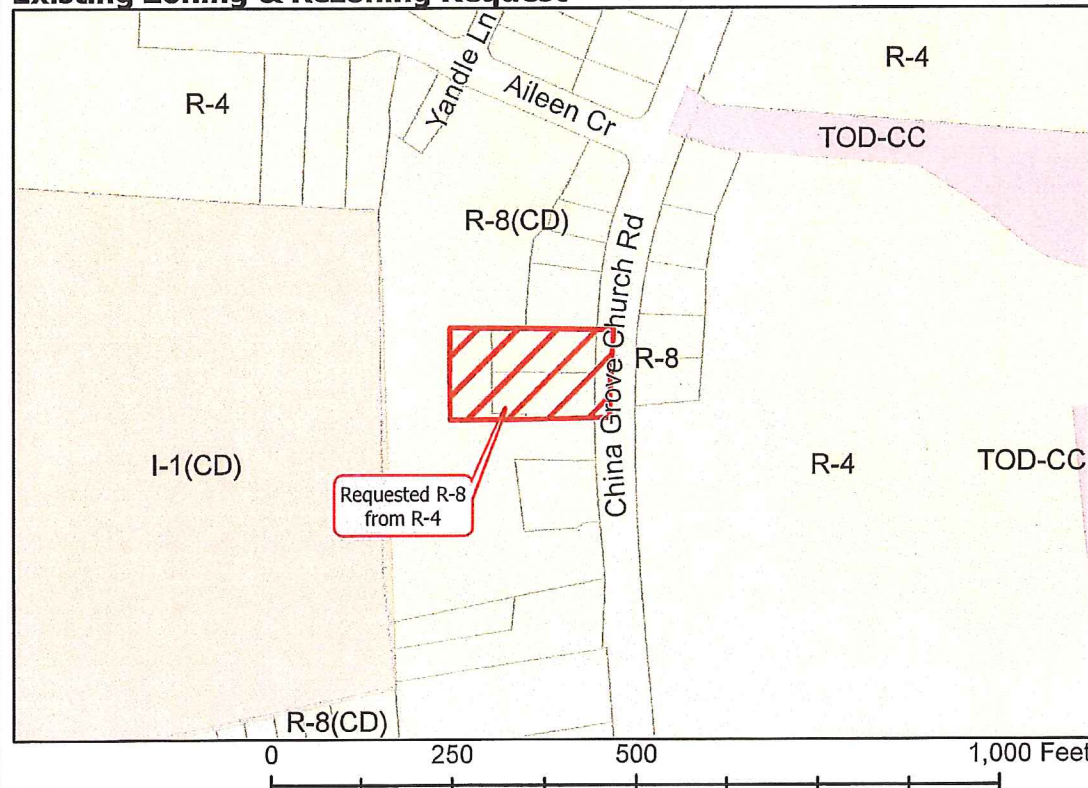
Rezoning Map



- 2019-083
- Inside City Limits
- Parcel
- LYNX Blue Line Station
- LYNX Blue Line
- Railway
- Streams
- City Council District
- 3-LaWana Mayfield



Existing Zoning & Rezoning Request



- Requested R-8 from R-4
- Zoning Classification**
- Single Family
 - Light Industrial
 - Transit-Oriented



Map Created 6/27/2019

Petition No.: 2019-118
Petitioner: Beacon Development Company

ORDINANCE NO. 9669-Z

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

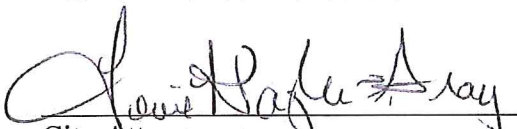
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-D(CD) AIR (distributive business, conditional, airport noise overlay) to I-1 AIR (light industrial, airport noise overlay).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

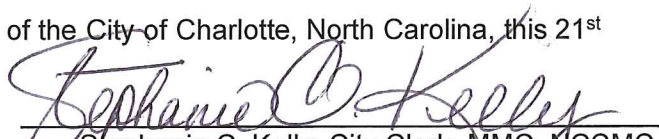
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 462-463.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

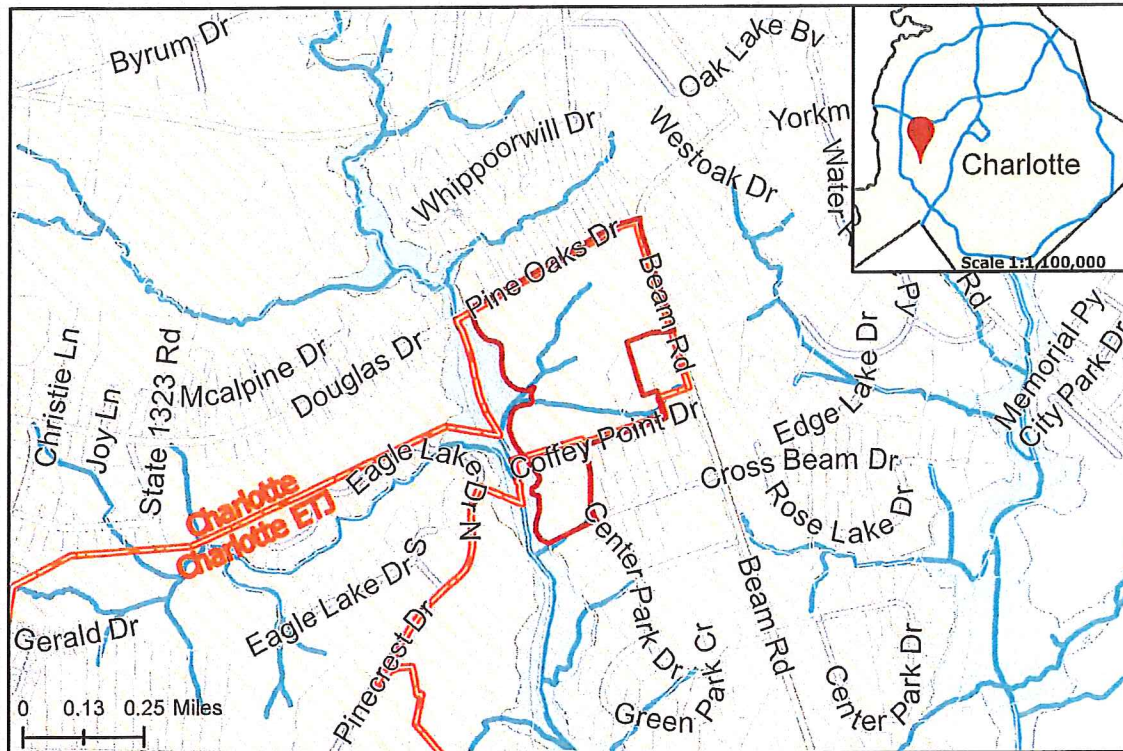
2019-118: Beacon Development Company

Current Zoning BD(CD) AIR (Distributive Business, Conditional, Airport Noise Overlay)

Requested Zoning I-1 AIR (Light Industrial, Airport Noise Overlay)

Approximately 90.47 acres

Location of Requested Rezoning



Rezoning Map



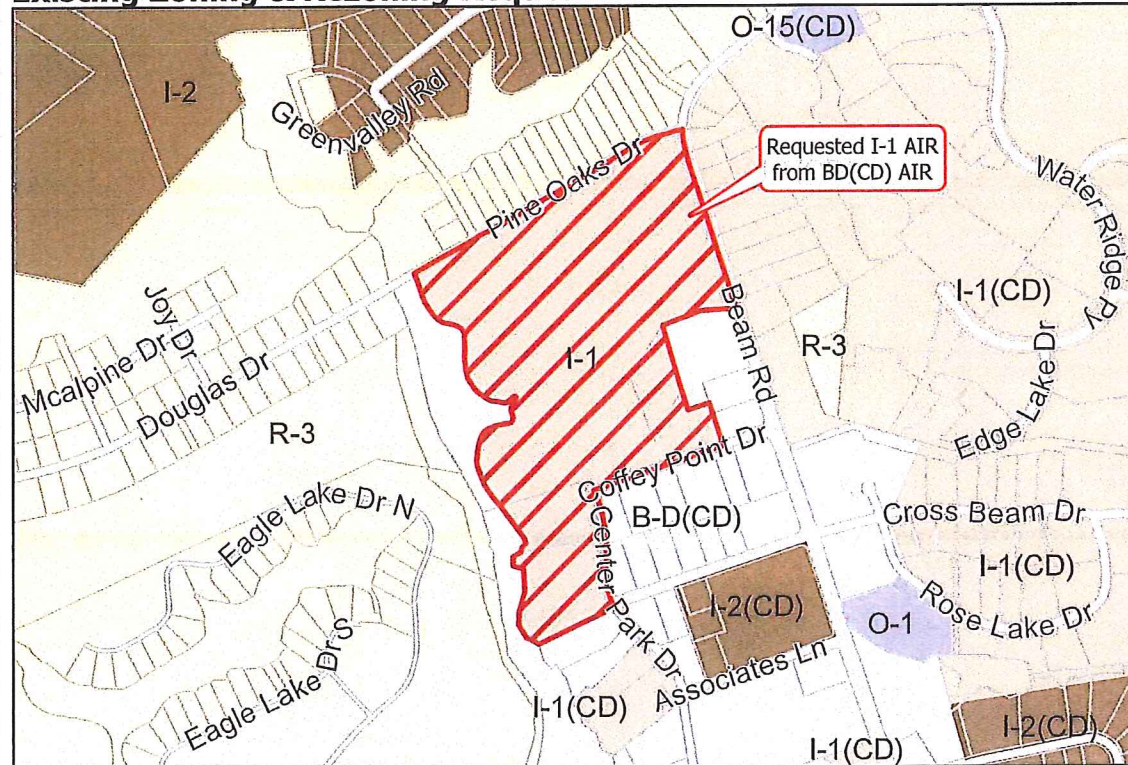
- 2019-118
- Inside & Outside City Limits
- Parcel
- Streams
- FEMA Flood Plain
- Airport Noise Overlay

City Council District

- 3-LaWana Mayfield



Existing Zoning & Rezoning Request



- Requested I-1 AIR from BD(CD) AIR

Zoning Classification

- Single Family
- Office
- Business-Distribution
- Light Industrial
- General Industrial



Map Created 10/25/2019

Petition No. 2019-103
Petitioner: Charlotte Planning, Design and Development

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

ORDINANCE NO. 9670

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. TABLE OF CONTENTS

1. Amend the Table of Contents, Chapter 9, Part 10, by deleting the entry for Section 9.1008 in its entirety. The remaining entries remain unchanged. The revised text shall read as follows:

Part 10: Urban Industrial District (UI)

9.1001.	Urban Industrial district established; location; purposes.....	9-193
9.1002.	Uses permitted by right	9-193
9.1003.	Uses permitted under prescribed conditions	9-195
9.1004.	Permitted accessory uses.....	9-201
9.1005.	Area, yard and height requirements	9-201
9.1006.	Development standards	9-202
9.1007.	Off-street parking.....	9-203
9.1008.	Signs.....	9-203

2. Amend the Table of Contents, Chapter 11, Part 5, by deleting the entry for Section 11.509 in its entirety. The remaining entries remain unchanged, except for updated page numbers. The revised text shall read as follows:

Part 5: Neighborhood Services District (NS)

11.501.	Purpose	11-26
11.502.	Applicability.....	11-26
11.503.	Uses permitted by right	11-26
11.504.	Permitted accessory uses and structures	11-26

11.505.	Development standards	11-27
11.506.	Parking requirements	11-28
11.507.	Streetscape requirements.....	11-28
11.508.	Development standards of general applicability	11-29
11.509.	Sign requirements in NS.....	11-30

3. Amend the Table of Contents, Chapter 12, Part 4, "Accessory Uses and Structures" by changing the title of Section 12.418 from "Public flags on permanent flag poles" to "Reserved". The revised text shall read as follows:

Part 4: Accessory Uses and Structures

12.401.	General requirements	12-65
12.402.	Outdoor lighting	12-65
12.403.	Solid waste containers compactors recycling containers, solid waste and recycling handling areas and service entrances	12-65
12.404.	Active Adult Retirement Community	12-67
12.405.	Land Clearing and Inert Debris landfills (LCID); on-site.....	12-68
12.406.	Fences and walls in residential districts	12-68
12.407.	Dwelling accessory unit	12-69
12.408.	Customary home occupations	12-70
12.409.	Marinas.....	12-72
12.410.	Private kennels	12-73
12.411.	Private stables.....	12-73
12.412.	Reserved.....	12-73
12.413.	Drive-in and drive-through service lanes / windows	12-74
12.414.	Automobile, truck and trailer rental	12-75
12.415.	Helistops, limited	12-75
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4. Amend the Table of Contents, Chapter 13 entries by deleting all the current entries and page numbers, and replacing them with the new section references, titles, and pages and a new title for Chapter 13. The revised text shall read as follows:

CHAPTER 13: SIGNS REGULATIONS

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5. Amend the Table of Contents, Chapter 15 entries 15.7, and 15.7.1 through 15.7.8 by deleting the entries. The deleted text is as follows:

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B. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201, "Definitions", by deleting the following definitions: Awning, Banner, Canopy, Decorative Sign, Flag Public, Pennant, and Sign; adding a new definition for Frontage; and modifying the definition for Flagpole. The deleted, added, and modified definitions are:

Awning:

~~A temporary hood or roof type cover, made of rigid or flexible material, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall of a structure over a window, sidewalk, door, or the like.~~

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, educational, or corporate organizations.~~

Canopy:

~~A permanently roofed shelter that projects from the wall of a building over a door, entrance or window or similar area, with no ground support. Canopies are used for the purpose of sheltering persons or objects from the weather. Ground supports are not permitted. A marquee is not a canopy~~

Decorative Sign

~~A pictorial representation, including illustrations, words, numbers, or decorations, or emblems on a flag, banner, or pennant.~~

Flag, Public

~~A piece of durable fabric or other flexible material solely containing distinctive colors, patterns, standards, words, or emblems of any nation, organization of nations, state, or city including but not limited to political jurisdictions such as the United States, or any fraternal, religious or civic organizations, which in no way identify a product, service or company. A flag is designed to attach to or to be flown from a permanent flagpole. Flags displaying a logo, message, statement, or expression relating to commercial interests are not considered public flags and must conform with the sign regulations of Chapter 13.~~

Flagpole

~~A permanent, free-standing structure or a structure attached to a building and used for the sole purpose of displaying public flags. Free-standing flagpoles or flags displayed on mast arms typically have a halyard system of rope used to hoist the flag. A "flag staff" is not considered a flagpole.~~

Frontage

The part of the lot and/or building façade that faces a public or private street or space, such as but not limited to, an open space, public path, or transit corridor.

Pennant

Any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to flutter or swing in the wind.

Sign:

Any object, device, or structure, or part thereof, situated outdoors 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 athletic fields.

C. CHAPTER 4: DEVELOPMENT APPROVAL

1. Amend Section 4.107, "Delegated authority for development approval based upon existing conditions", subsection (1) "Delegated authority for quantifiable ordinance standards" by deleting the text, "and signs" from the first sentence. Modify the second sentence by creating two sentences that read, "The approval for sign deviations is per Chapter 13. For all other deviation types, the deviation cannot be more than 5% of the ordinance requirements." All other text and subsections (2) through (5) remain unchanged. The revised text shall read as follows:

Section 4.107. Delegated authority for development approval based upon existing conditions.

- (1) Delegated authority for quantifiable ordinance standards.

The Zoning Administrator has the authority to grant an administrative approval of deviations from measurable and quantifiable standards of this ordinance, except for density requirements and signs, if the deviations are in accordance with the conditions listed below. The approval for sign flexibility is per Chapter 13. For all other deviation types, the deviation cannot be for a deviation of more than 5% of the ordinance requirements. The administrative approval must be in accordance with any one of the following four conditions:

- (a) The physical contours of the street, the land, or some other topographical or geographical feature is the basis for a surveying or other inadvertent error.
- (b) The physical layout of the land and the structures upon the land are such that the ordinance requirement cannot be met.
- (c) Because of the nature of the abutting property or intervening topographical or geographical features, the application of the ordinance requirement would not serve a useful purpose.

- (d) The applicant has agreed to measures that would ameliorate the deviation from complete compliance with the ordinance requirement.

D. CHAPTER 9: GENERAL DISTRICTS

1. PART 4: Urban Residential Districts

- a. Amend Section 9.404, "Urban Residential Districts; uses permitted under prescribed conditions", entry (1.3), by deleting the word "signs" from subsection (e). All remaining entries and subsections remain unchanged. The revised text shall read as follows:

(1.3) Buildings for dramatic, musical, or cultural activities with less than 1,000 seats and stadiums and coliseums with less than 5,000 seats, provided that:

- (a) The perimeter of the parking areas, exclusive of access driveways, will have a planting strip of at least 5 feet in width, and at least 1 tree 2 inches in caliper for each 25 linear feet of parking area perimeter shall be planted;
- (b) Parking areas will have interior planting areas amounting to at least 10 percent of the paved area in excess of one acre;
- (c) Access for the development site will be provided from nonresidential streets and shall not require the use of any residential collector (Class V) or residential local (Class VI) streets;
- (d) The private living areas and associated open spaces of all abutting residential properties are effectively screened from parking and service areas, as well as from any other portion of the development site which is actively used;
- (e) No direct beams or rays of light from exterior lighting fixtures, ~~signs~~ or vehicles maneuvering on the development site will shine into the private living areas and associated open spaces of adjacent residential properties;
- (f) The use will not generate light of such an intensity or brilliance as to cause glare or to impair the vision of drivers;
- (g) The use will be designated to allow direct access for transit service;
- (h) The use will not cause or intensify off-site drainage problems; and

- (i) The use will not be contradictory to the objectives of any approved plans for the area.
- b. Amend Section 9.407, "Urban Residential Districts; development standards for various uses", subsection (5), "Signs" by deleting "as modified by the following provisions" from the first sentence. Also delete subsections (a) through (e) in their entirety. The revised text shall read as follows:

(5) Signs. Signs within urban residential districts are permitted in accordance with Chapter 13, ~~as modified by the following provisions:~~

~~(a) Signs on the premises of single family, detached or attached dwellings.~~

~~Types of signs permitted: Identification.~~

~~Permitted number of signs: One per dwelling unit.~~

~~Maximum area of signs: 1.5 square feet.~~

~~Permitted illumination: Lighted, but not flashing.
Signs must be motionless~~

~~Permitted location: Behind the street right-of-way
line and not more than 8 feet
above the floor level at the
dwelling unit entry if
attached to structure, or
not more than 5 feet above
grade if not attached to the
structure.~~

~~(b) Signs on the premises of multi-family dwellings or planned multi-family developments.~~

~~Types of signs permitted: Identification.~~

~~Permitted number of signs: One per street front.~~

~~Maximum area of signs: 6 square feet.~~

~~Permitted illumination: Lighted, but not flashing.
Signs must be motionless.~~

~~Permitted location: Behind the street right-of-way
line and not more than 8 feet
above grade if attached to
the structure, or not more
than 5 feet above grade if
not attached to the
structure. Attached signs~~

~~may not project more than 6
inches from the structure.~~

~~(c) — Signs on the premises of a freestanding nonresidential use.~~

~~Types of Signs permitted: — Business.~~

~~Permitted number of signs: — One per use.~~

~~Maximum area of signs: — 8 square feet if projection
from the structure is less
than 6 inches, or 6 square
feet if detached or if
detached from the structure
is more than 6 inches.~~

~~Permitted Illumination: — Lighted, but not flashing.
Signs must be motionless.~~

~~Permitted location: — Behind the street right-of-way
line and not more than 10
feet above grade if attached
to the structure, or more
than 5 feet above grade if
not attached to the
structure.~~

~~(d) — Signs on the premises of a group of 3 or more nonresidential uses
within a dwelling structure.~~

~~Types of signs permitted: — Identification.~~

~~Permitted number of signs: — One per street front.~~

~~Maximum area of signs: — 8 square feet.~~

~~Permitted illumination: — Lighted, but not flashing.
Signs must be motionless.~~

~~Permitted location: — Behind the street right-of-way
line and not more than 10
feet above grade if attached
to the structure, or more
than 5 feet above if not
attached.~~

~~(e) — Signs or bulletin boards providing historical information, information
of noncommercial activities, or space for free use by the general public.~~

~~Types of signs permitted: — Bulletin board.~~

~~Permitted number of signs: — One per structure.~~

~~Maximum area of signs: — 12 square feet except for a
kiosk. A kiosk may be erected
to a maximum height of 10
feet and a maximum diameter
of 4 feet excluding canopies,
eaves and the like.~~

~~Permitted illumination: — Lighted, but not flashing.
Signs must be motionless.~~

~~Permitted location: — Behind the street right-of-way
line and not more than 10
feet above grade.~~

2. PART 5: Institutional Districts

- a. Amend Section 9.503, “Uses permitted under prescribed conditions”, entries (19) and (21). For use entry (19), delete subsection (f). For use entry (21), subsection (b), delete the word “signs” and the comma from the sentence. All remaining use entries and their subsections remain unchanged. The revised text shall read as follows:

(19) Retail establishments, offices, and Eating, Drinking and Entertainment Establishments (Type 1) provided that:

- (a) The principal use of the lot is institutional;
- (b) The principal use of the lot occupies at least 30,000 square feet of floor area;
- (c) Retail establishments, and Eating, Drinking and Entertainment Establishments, will occupy no more than 10 percent of the gross floor area of all buildings on the lot, and under no circumstances will such uses exceed 25% of the ground floor area;
- (d) The proposed use must be located within the same building as the principal use, and there will be no direct public entrance to the proposed use from outside the building, except for an Eating, Drinking and Entertainment Establishment;
- (e) No merchandise or display of merchandise will be visible from outside the building housing the proposed use; and

- (f) ~~One wall sign is permitted to identify all internal uses provided that it is no larger than 16 square feet.~~

(21) Stadiums and arenas, provided that:

- (a) Primary vehicular access to the use will not be provided by way of a residential local (Class VI) street;
- (b) No direct beams of light from outdoor lighting fixtures, ~~signs~~, or vehicles maneuvering on the site will shine into any abutting property located in a residential district or abutting residential use;
- (c) All buildings and structures and off-street parking and service areas will be separated by a Class B buffer from any abutting property in a residential district, abutting residential use or low-intensity institutional use (See [Section 12.302](#));
- (d) Off-street parking areas and accessways will be designed to allow direct public transit service to the use; and
- (e) Stadiums and arenas shall be located a minimum of 100 feet from all exterior property lines.

3. PART 6: Research Districts

- a. Amend Section 9.603, "Uses permitted under prescribed conditions", for use entries (22) and (24). For use entry (22), delete the "and" at the end of subsection (f) and delete subsection (g) in its entirety. For use entry (24), delete the word "signs" and the comma from subsection (c). In subsection (f), delete the word "and" and the comma after the word "buildings;". All other text remains unchanged. The revised text shall read as follows:

(22) Retail establishments and Eating, Drinking and Entertainment Establishments (Type 1) provided that:

- (a) The principal use of the lot is for offices, distributive businesses, research laboratories, pilot plants, prototype production plants, or other production facilities;
- (b) The principal use of the lot occupies at least 30,000 square feet of floor area;
- (c) Retail establishments and Eating, Drinking and Entertainment Establishments will occupy no more than 10 percent of the gross floor area of all buildings on the lot and under no circumstances exceed 25 percent of the ground floor area,

except an Eating, Drinking and Entertainment Establishment may occupy up to 50 percent of the ground floor;

- (d) If the proposed use is to be located within the same building as the principal use, then there will be no direct public entrance to the proposed use from outside the building except for an Eating, Drinking and Entertainment Establishment;
- (e) If the proposed use is to be located in a building separate from the principal use, then the proposed use will be designed and intended primarily for the use of persons who are employed by the principal use;
- (f) No display of merchandise shall be permitted outside the building; and
- ~~(g) One wall sign is permitted to identify all internal commercial uses, provided that it is no larger than 16 square feet.~~

(24) Stadiums and arenas of no more than 5,000 seats, provided that:

- (a) All parking areas will meet the landscaping standards set out in Chapter 12, Part 2;
- (b) Primary vehicular access to the use will not be provided by way of a residential local (Class VI) street;
- (c) No direct beams of light from outdoor lighting fixtures, signs, or vehicles maneuvering on the site will shine into any abutting property located in a residential district, an abutting residential use or low intensity institutional use;
- (d) Off-street parking areas and access ways will be designed to allow direct public transit service to the use;
- (e) All building and off-street parking areas and service areas will be separated by a buffer from any abutting property in a residential district, or an abutting residential use or institutional use outside the Research district (See subsection 9.605(3)); and
- (f) Stadiums and arenas shall be located a minimum of 100 feet from any exterior property lines.

- b. Amend Section 9.606, "Design Standards", subsection (1) by deleting "except that no sign shall exceed 7 feet in height" from the sentence. All other subsections remain unchanged. The revised text shall read as follows:

- (1) Signs. Signs are permitted in the RE-1 and RE-2 district in accordance with Chapter 13, ~~except that no sign shall exceed 7 feet in height.~~

4. PART 7: Office districts

- a. Amend Section 9.703, "Uses permitted under prescribed conditions", use entry (12), by replacing the text in subsection (f) with "Reserved". The revised text shall read as follows:

- (12) Hotels and motels, subject to the following prescribed conditions:

- (a) All buildings, off-street parking and service areas will be separated by a Class B buffer from any abutting property located in a residential district, abutting residential use or low intensity institutional use (See [Section 12.302](#)).
- (b) Retail and Eating, Drinking and Entertainment Establishments (Type 1 and Type 2) as accessory uses may be located in a hotel or motel having a minimum of 75 rental units.
- (c) Gross floor area for Retail, Eating, Drinking and Entertainment Establishments (Type 1 and Type 2), and other entertainment activities will be limited to 75 square feet per rental unit. Ballrooms, conference rooms, meeting rooms and similar assembly facilities will not be included in determining gross floor area used for commercial purposes.
- (d) No merchandise or merchandise display window may be visible from outside the building.
- (e) No outside storage or display of merchandise will be permitted.
- (f) Reserved. ~~One wall sign is permitted to identify all internal commercial uses, provided that the sign is no larger than 16 square feet.~~
- (g) Eating, Drinking and Entertainment Establishments (Type 2) are subject to the regulations of [Section 12.546](#).
- (h) Retail Establishments and Eating, Drinking and Entertainment Establishments (Type 1 and Type 2) in hotel or motel buildings located in a Pedestrian Overlay District (PED), subject to the following prescribed conditions:
 - i. Occupy no more than 20% of the gross floor area of the hotel or motel buildings located within the development and shall only be located on the ground floor, or a

mezzanine located within the ground floor tenant space, or on the top floor of any component of the structure so long as no more than 30% of the floor area provided is located on the roof.

- ii. May only be located in a hotel or motel having a minimum of 75 rental units.
- iii. Ground floor establishments may have entrances external to the building.
- iv. Ground floor establishments may display merchandise.
- v. Eating, Drinking and Entertainment Establishments (Type 2) are subject to the regulations of [Section 12.546](#).
- vi. No outdoor seating/activity area for an Eating, Drinking, and Entertainment Establishment (Type 1 or Type 2) that is proposed to be located on the roof of a hotel or motel shall be located within 250 feet to the nearest property line of a vacant lot or a residential use (single family, duplex, triplex or quadraplex only) when located in a single family zoning district.

- b. Amend Section 9.703, "Uses permitted under prescribed conditions", use entry (28), "Retail Establishments and Eating, Drinking and Entertainment Establishments (Type 1 and Type 2) in office buildings", subsection (a) by deleting the text for subsection (vii) and replacing it with "Reserved". Subsection (b) remains unchanged. The revised text shall read as follows:

(28) Retail Establishments and Eating, Drinking and Entertainment Establishments (Type 1 and Type 2) in office buildings:

- (a) Retail Establishments and Eating, Drinking and Entertainment Establishments (Type 1 and Type 2) in office buildings, subject to the following prescribed conditions:
 - i. The principal use of the lot is for offices.
 - ii. The principal use of the lot occupies at least 30,000 square feet of floor area.
 - iii. Retail establishments and Eating, Drinking and Entertainment Establishments, will occupy no more than 10 percent of the gross floor area of all buildings on the lot and under no circumstances shall exceed 25% of the ground floor area except an Eating, Drinking and

Entertainment Establishments may occupy up to 50% of the ground floor area.

- iv. The proposed use must be located within the same building as the principal use, and there will be no direct public entrance to the proposed use from outside the building, except for an Eating, Drinking and Entertainment Establishment.
- v. No merchandise or display of merchandise will be visible from outside the building housing the proposed use.
- vi. ~~Reserved. One wall sign is permitted to identify internal commercial uses, provided that the sign is no larger than 16 square feet.~~
- vii. Type 2 Eating, Drinking and Entertainment Establishments are subject to the regulations of [Section 12.546](#).

5. PART 8: Business Districts

- a. Amend Section 9.803, "Uses permitted under prescribed conditions", use entry (34), subsection (c) by deleting the word "signs" and the comma from the sentence. All other subsections remain unchanged. The revised text shall read as follows:

(34) Stadiums and arenas of no more than 5,000 seats (B-2 only), provided that:

- (a) All parking areas will meet the landscaping standards set out in Chapter 12, Part 2;
- (b) Primary vehicular access to the use will not be provided by way of a residential local (Class VI) street;
- (c) No direct beams of light from outdoor lighting fixtures, ~~signs~~, or vehicles maneuvering on the site will shine into any abutting property located in a residential zoning district, an abutting residential use or low intensity institutional use;
- (d) Off-street parking areas and accessways will be designed to allow direct public transit service to the use;
- (e) All buildings and off-street parking areas and service areas will be separated by a Class B buffer from any abutting property in a residential zoning district, an abutting residential use or low intensity institutional use (See [Section 12.302](#)); and

- (f) Stadiums and arena buildings shall be located a minimum of 100 feet from any exterior property lines.

- b. Amend Section 9.805, "Development standards for business districts", subsection (7), "Special Development Requirements for the BP district", subsection (e), "Project edge", by deleting the last sentence in the second paragraph. Note that all other subsections remain unchanged. The revised text shall read as follows:

- (e) Project edge. The protection of the project edge is essential to the proper integration of a business park development into the community, especially when adjoining residential areas. The objective of the standards for the project edge is to provide the appropriate separation, screening, landscaping and transition between the development and the adjoining properties.

The minimum project edge required around the perimeter of the site is 100 feet. However, if the abutting land is zoned and used for business, business park, research or industrial purposes, or if the project adjoins the right-of-way of a railroad, Class I, or Class II thoroughfare, the minimum edge for that part of the project boundary may be reduced to 50 feet. The minimum project edge must remain undisturbed except that utility lines, streets and driveways, may be installed in this area pursuant to specific site plan approval. If the project edge does not contain sufficient vegetation to adequately screen and buffer, it must be revegetated or screened according to a Class B buffer as per [Table 12.302\(b\)](#). ~~Project identification signs may be permitted in the project edge pursuant to specific site plan approval.~~

6. PART 8.5: Mixed Use Development District

- a. Amend Section 9.8503, "Mixed Use Development District; uses permitted under prescribed conditions", by deleting subsection (f) under the "Warehousing" use in its entirety. Subsections (a) through (e) remain unchanged. The revised text shall read as follows:

Warehousing within an enclosed building for a self-storage facility only, provided that:

- ~~(f) — Signs may not be installed or maintained above the third floor of a building containing a self-storage facility.~~

- b. Amend Section 9.8504, "Mixed Use Development District; accessory uses", by deleting the following entry: "Signs, bulletin boards, kiosks and similar structures that provide historical information, information for noncommercial activities or space for free use by the general public." The deleted text reads as follows:

~~Signs, bulletin boards, kiosks and similar structures that provide historical information, information for noncommercial activities or space for free use by the general public.~~

- c. Amend Section 9.8506, "Mixed Use Development District; urban design and development standards", subsection (2), "Streetscape design standards", subsection (c), "Signs, banners, flags and pennants" by deleting the words "banners, flags and pennants" and the comma in the title. Also, a new sentence after the title that reads, "Signs are permitted in the MUDD district in accordance with Chapter 13". Delete all subsections under subsection (c). The revised text shall read as follows:

(c) Signs. ~~Signs, banners, flags and pennants.~~ Signs are permitted in the MUDD district in accordance with Chapter 13.

~~1. Where signs, banners, flags and pennants for identification or decoration are provided, they must conform to the requirements of Chapter 13, except for the following:~~

~~a. Specifications for permanent signs shall be according to Section 13.108, with the following exceptions:~~

~~(i) Signs located on any building wall of a structure shall have a maximum sign surface of all signs on one wall not to exceed 5% of building wall area to which the sign is attached up to a maximum of 100 square feet.~~

~~(ii) Ground mounted or monument signs shall be permitted in MUDD as follows:~~

~~(1) Signs shall not exceed 5 feet in height and 20 square feet in area. A bonus of 4 square feet in size (20%) shall be permitted if the sign is lit 100% by neon light.~~

~~(2) Signs shall be located a minimum of 5 feet behind the proposed right-of-way and out of any sight distance triangle prescribed by the Charlotte Department of Transportation (CDOT).~~

~~(3) Signs shall be located behind the minimum setback.~~

~~(iii) Marquee signs shall be permitted, and shall meet the following requirements:~~

- (1) ~~The maximum allowable area for marquee, canopy, awning or wall signs, or a combination thereof, shall not exceed that maximum permitted in subsection 13.108(1). Marquee signs would be included in the total square footage of a building wall.~~
- (2) ~~Marquee signs may project up to 9 feet into the required setback, or one-half the width of the required setback, whichever is less but shall be no closer than 2 feet to the back of curb and shall meet the following additional requirements:~~
 - (a) ~~The marquee sign structure shall not encroach into any required planting area; and~~
 - (b) ~~The marquee sign structure shall not include useable building square footage for the portion that projects into the setback.~~
 - (c) ~~If the marquee sign structure encroaches into the public right-of-way, then an encroachment agreement is required from the Charlotte Department of Transportation (CDOT)~~
- (3) ~~A minimum overhead clearance of 9 feet measured from the sidewalk to the bottom of the marquee structure is required.~~
- (4) ~~Marquee signs shall be located outside of any sight distance triangle prescribed by the Charlotte Department of Transportation (CDOT).~~
- (5) ~~Marquee signs shall not extend above the roofline of the building.~~
- (6) ~~Marquee signs may contain changeable copy. The message shall not change more than once in a 24-hour time period.~~

~~(7) Marquee signs, shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness.~~

~~2. Information and advertising pillar signs must conform to the requirements of [Section 13.108\(b\)](#).~~

- d. Amend Section 9.8506, "Mixed Use Development District; urban design and development standards", subsection (2), "Streetscape design standards", subsection (d), "Conformance with approved streetscape plans", by deleting the word "information", from the first sentence. The revised text shall read as follows:

(d) Conformance with approved streetscape plans. Walking surfaces, street furniture, trees, landscaping, lighting fixtures, ~~information~~-signs, and kiosks constructed in the public right-of-way or required setback must be consistent with the standards specified in the applicable approved streetscape plans, or the standards of these provisions where no approved streetscape plan exists. Exterior lighting used on private plazas and walkways must be complementary in design motif to that specified in any applicable approved streetscape plan. Renovated and rehabilitated structures that are already in place do not have to comply with the setback requirements or urban open space requirements, but must not modify or add to the existing structure in any fashion that would result in a reduction in the distance from the back of the curb to the existing building front. Any expansion or change of use will also require streetscaping and sidewalk improvements to be installed unless an existing building interferes. In that event, the streetscape plantings and sidewalk shall be installed where space allows. However, any elements of the existing building, which comply with the urban design requirements, cannot be eliminated.

- e. Amend Section 9.8509, "Mixed Use Development District (Optional); application", item (13) by deleting the words "and pennants" from the sentence, and adding the word, "and" between "banners" and "flags". The revised text shall read as follows:

Section 9.8509. Mixed Use Development District (Optional); application.

Petitions for a zoning map amendment to establish a MUDD-O should be submitted to the Charlotte-Mecklenburg Planning Commission. A MUDD-O classification will be considered only by application of the owner of the subject property or his duly authorized agent. Applications must be accompanied by a schematic plan and by any supporting text, which becomes a

part of the amending ordinance. The application must include at least the following information:

- (13) Signs, banners, and flags and pennants to be used.

7. PART 9: Uptown Mixed Use District

- a. Amend Section 9.906, "Uptown Mixed Use District; urban design and development standards", subsection (2), "Streetscape design standards", subsection (e), "Signs, banners, flags and pennants" by changing the title to "Signs" and removing "banners, flags and pennants". Also add the following sentence after the title: "Signs are permitted in the UMUD district in accordance with Chapter 13." Delete subsections 1 through 3 in their entirety under subsection (e). All other subsections remain unchanged. The revised text shall read as follows:

- (e) ~~Signs, banners, flags and pennants.~~ Signs are permitted in the UMUD district in accordance with Chapter 13.

1. ~~Where signs, banners, flags and pennants for identification or decoration are provided, they must conform to the requirements of Chapter 13, with the following exceptions:~~

- a. ~~Off-premise Major Event Banners~~

~~The purpose this type of banner is to inform the public of major events, open to the public, with community-wide interest or regional significance. Major events may include, but are not limited to, religious, educational, charitable, civic, fraternal, sporting, or similar events including, but not limited to, golf tournaments, festivals, and major or seasonal sporting events. The banner is off-premise from the location of the major event.~~

~~An off-premise major event banner differs from a "Temporary Banner" (See Section 13.106(13)) in that no advertising copy is permitted on the major event banner other than that allowed in Section 9.906(e)(1)(b) below.~~

~~Major event banners may be located in the UMUD zoning district provided they meet the following requirements:~~

- (i) ~~The total area of temporary event banners combined shall not exceed 1000 square feet or 10% of the wall area, whichever is smaller, per building wall.~~

- (ii) — Banners shall not contain any advertising, however, up to 10% of the banner area may include the name of the major event sponsors or supporters, a description of the products, services or activities provided or engaged in by the sponsors or supporters, and recognized trademarks, logotypes or symbols customarily associated with the sponsors or supporters. See Section 13.106(12) for regulations regarding on-site temporary banners that allow advertising.
- (iii) — Banners shall be erected no sooner than 7 days before the major event and removed within 2 days after the event.
- (iv) — Banners shall be attached in total to a building wall or permanent canopy extending from a building. Banners shall be adequately secured.
- (v) — Banners shall be made of durable material. Paper banners are not permitted.
- (vi) — No inflatables, tethered balloons, streamers, pennants, flags, ribbons, spinners, or other prohibited devices shall be included or incorporated with the display of a banner under this section.
- (vii) — A written notice of the proposed banner location, number, sizes and duration shall be filed with Charlotte Center City Partners prior to issuance of a banner permit.
- (viii) — A banner permit from Neighborhood Development is required for each major event, or seasonal event. If sports related, each game or competition shall be considered a separate event. Seasonal events such as regional team sporting events (i.e. Bobcats, Panthers, Checkers, etc.) may be issued one permit for the season.
- (ix) — The permit number and duration shall be visible on the banner.
- (x) — Due to the short-term nature of banners, any violation of the provisions of these regulations shall be cited by Neighborhood Development. A one-day warning notice of violation requesting

~~immediate compliance will be issued first.
Citations can then be issued for any violation that
has not been corrected.~~

~~This subsection does not preempt the regulations of
Section 206 of Chapter 19, Article 7 of the City Code for
decorative banners and signs.~~

~~2. Information and advertising pillar signs must conform to the
requirements of [Section 13.108\(b\)](#).~~

~~3. Marquee signs shall be permitted and shall meet the
requirements of [Section 13.108\(a\)\(4\)](#).~~

- b. Amend Section 9.906, "Uptown Mixed Use District; urban design and development standards", subsection (2), "Streetscape design standards", subsection (f), "Conformance with approved streetscape plans" by deleting the word "information" from the first sentence. All other subsections remain unchanged. The revised text shall read as follows:

- (f) Conformance with approved streetscape plans. Walking surfaces, street furniture, trees, landscaping, lighting fixtures, ~~information~~ signs, and kiosks constructed in the public right-of-way or required setback must be consistent with the standards specified in the approved Tryon Street Mall streetscape plan, the Trade Street streetscape plans, the Brevard Street Land Use and Urban Design Plan, Center City Transportation Plan, Tree Ordinance, and other applicable approved streetscape plans, or the standards of these provisions where no approved streetscape plan exists. Exterior lighting used on private plazas and walkways must be complementary in design motif to that specified in any applicable approved streetscape plan.

Renovated and rehabilitated structures that are already in place do not have to comply with the setback requirements or urban open space requirements, but must not modify or add to the existing structure in any fashion that would result in a reduction in the distance from the back of the curb to the existing building front.

- c. Amend Section 9.906, "Uptown Mixed Use District; urban design and development standards", subsection (2), "Streetscape design standards", subsection (d), "Special regulations for Tryon Street Mall and Brevard Street Area", subsection (2), "Brevard Street Area", subsection (e), "Signs, banners, flags and pennants", by
1. Deleting the word "pennants" from the section title, "Signs, banners, flags and pennants";

2. Deleting the word "pennants" in the first sentence of subsection (e)(1) and deleting the phrase, "with the following exceptions" and ending the sentence after "Chapter 13";
3. Deleting all of subsection (e)(1)(a) titled "Off-premise Major Event Banners";
4. Deleting all of subsection (e)(2); and
5. Changing subsection (e)(3) to (e)(2), and changing the section reference in new subsection (e)(2) from "Section 13.108(a)(4)" to "Section 13.10.D".

(e) Signs, banners, flags and pennants.

1. Where signs, banners, flags and pennants for identification or decoration are provided, they must conform to the requirements of Chapter 13, with the following exceptions:

a. Off-premise Major Event Banners

The purpose this type of banner is to inform the public of major events, open to the public, with community-wide interest or regional significance. Major events may include, but are not limited to, religious, educational, charitable, civic, fraternal, sporting, or similar events including, but not limited to, golf tournaments, festivals, and major or seasonal sporting events. The banner is off premise from the location of the major event.

An off premise major event banner differs from a "Temporary Banner" (See Section 13.106(13)) in that no advertising copy is permitted on the major event banner other than that allowed in Section 9.906(e)(1)(b) below.

Major event banners may be located in the UMUD zoning district provided they meet the following requirements:

- (i) The total area of temporary event banners combined shall not exceed 1000 square feet or 10% of the wall area, whichever is smaller, per building wall.

- (ii) — Banners shall not contain any advertising, however, up to 10% of the banner area may include the name of the major event sponsors or supporters, a description of the products, services or activities provided or engaged in by the sponsors or supporters, and recognized trademarks, logos or symbols customarily associated with the sponsors or supporters. See Section 13.106(12) for regulations regarding on-site temporary banners that allow advertising.
- (iii) — Banners shall be erected no sooner than 7 days before the major event and removed within 2 days after the event.
- (iv) — Banners shall be attached in total to a building wall or permanent canopy extending from a building. Banners shall be adequately secured.
- (v) — Banners shall be made of durable material. Paper banners are not permitted.
- (vi) — No inflatables, tethered balloons, streamers, pennants, flags, ribbons, spinners, or other prohibited devices shall be included or incorporated with the display of a banner under this section.
- (vii) — A written notice of the proposed banner location, number, sizes and duration shall be filed with Charlotte Center City Partners prior to issuance of a banner permit.
- (viii) — A banner permit from Neighborhood Development is required for each major event, or

~~seasonal event. If sports related,
each game or competition shall be
considered a separate event.
Seasonal events such as regional
team sporting events (i.e. Bobcats,
Panthers, Checkers, etc.) may be
issued one permit for the season.~~

~~(ix) — The permit number and duration
shall be visible on the banner.~~

~~(x) — Due to the short term nature of
banners, any violation of the
provisions of these regulations
shall be cited by Neighborhood
Development. A one-day warning
notice of violation requesting
immediate compliance will be
issued first. Citations can then be
issued for any violation that has
not been corrected.~~

~~This subsection does not preempt the
regulations of Section 206 of Chapter 19,
Article 7 of the City Code for decorative
banners and signs.~~

~~2. — Information and advertising pillar signs must
conform to the requirements of [Section 13.108\(b\)](#).~~

~~23. Marquee signs shall be permitted and shall meet
the requirements of [Section 13.108\(a\)\(4\)](#) 13.10.D.~~

- d. Amend Section 9.909, “Uptown Mixed Use District (Optional); application”, item (13) by deleting “and pennants” from the entry and adding the word “and” into the sentence. All other subsections remain unchanged. The revised text shall read as follows:

Section 9.909. Uptown Mixed Use District (Optional); application.

Petitions for a zoning map amendment to establish a UMUD-O should be submitted to the Charlotte-Mecklenburg Planning Commission. A UMUD-O classification will be considered only by application of the owner of the subject property or his duly authorized agent. Applications must be accompanied by a schematic plan and by supporting text, which becomes a part of the amending ordinance. The application must include at least the following information:

- (1) Access to site for adjacent rights-of-way, streets and arterials.
- (2) Parking and vehicular circulation areas.
- (3) Location and size of buildings and signs.
- (4) Entrances and exits, in relation to vehicular and pedestrian circulation.
- (5) Enclosed, sheltered and unenclosed urban open spaces and plazas.
- (6) Pedestrian circulation.
- (7) Service area for uses such as mail delivery, trash disposal, aboveground utilities, loading and delivery.
- (8) Urban open space, trees, street trees and other plantings, including types, placement and maintenance system.
- (9) Paving systems used on private plazas and walkways.
- (10) Areas to be landscaped or screened.
- (11) Exterior lighting.
- (12) Any information regarding proposed sublots or subdivisions.
- (13) Signs, banners, and flags and ~~pennants~~ to be used.
- (14) Seating plans.
- (15) Sun studies and reflectivity studies.
- (16) Other site elements, spaces and information, which the applicant feels, will assist in the evaluation of site development.

E. CHAPTER 10: OVERLAY DISTRICTS

1. PART 8: Pedestrian Overlay District

- a. Amend Section 10.813, "Urban design standards", subsection (f), by deleting "Banners, Flags and Pennants" from the title. Delete the first sentence and replace it with a new sentence to read "Signs are permitted in the PED district in accordance

with Chapter 13.” Delete subsections (1) through (6) in their entirety. The revised text shall read as follows:

- (f) ~~Signs, Banners, Flags and Pennants.~~ Where signs, banners, flags and pennants for identification or decoration are provided, they must conform to the requirements of Chapter 13, except for the following: Signs are permitted in the PED district in accordance with Chapter 13.
- (1) ~~Specifications for permanent signs shall be according to Section 13.108a, except for signs located on any building wall of a structure shall have a maximum sign surface of all signs on one wall not to exceed 5% of building wall area to which the sign is attached, up to a maximum of 100 total square feet. In lieu of a ground mounted or monument sign, the area of wall signs may be increased to a maximum size of 120 total square feet.~~
- (2) ~~No permanent detached pole signs shall be permitted in PED.~~
- (3) ~~Ground mounted or monument signs are allowed as follows:~~
- a. ~~Not to exceed 5 feet in height and 20 square feet in area.~~
- b. ~~Located behind the right of way and out of any sight distance triangle prescribed by the Charlotte Department of Transportation (CDOT).~~
- c. ~~Signs must be located a minimum of 14 feet from the existing or future curb, whichever is greater.~~
- (4) ~~No outdoor advertising signs will be permitted.~~
- (5) ~~Marquee and message signs are allowed. Marquee signs shall meet the requirements of Section 13.108(a)(4).~~
- (6) ~~Signs are allowed to project nine (9) feet into the required setback or one-half the width of the required setback, whichever is less. A minimum overhead clearance of eight (8) feet from the sidewalk must be maintained.~~

2. PART 9: Transit Supportive Overlay District

- a. Amend Section 10.907, “Development Standards”, subsection (10), “Outdoor lighting standards (freestanding) on private property” by deleting subsection (c) in its entirety. All other subsections remain unchanged. The revised text shall read as follows:

- (10) Outdoor lighting standards (freestanding) on private property

- (a) All outdoor lighting fixtures for parking lots, and pedestrian activity areas shall be classified as full cut-off, cutoff or semi-cutoff. In addition, any building light fixtures used to illuminate parking and pedestrian areas, and service areas shall be classified as full cutoff, cutoff or semi-cutoff.
 - (b) No outdoor lighting fixture or building light fixtures shall cause glare on public travel lanes or on adjacent residentially used or zoned property. All fixtures shall be screened in such a way that the light source shall not cast light directly on public travel lanes or on adjacent residentially used or zoned property.
 - (c) ~~The lighting of signs shall be in accordance with standards of Chapter 13.~~
- b. Amend Section 10.908, "Urban design standards", subsection (7), "Signs, Banners, Flags and Pennants", by deleting the words "Banners, Flags and Pennants" in the title. Add a new sentence after the title to read, "Signs are permitted in the TS district, in accordance with Chapter 13." Delete all the remaining text including subsections (a) through (f). All other subsections remain unchanged. The revised text shall read as follows:

- (7) ~~Signs, Banners, Flags and Pennants.~~ Signs are permitted in the TS district in accordance with Chapter 13.

~~Where signs, banners, flags and pennants for identification or decoration are provided, they conform to the requirements of Chapter 13, except for the following:~~

- (a) ~~Wall signs shall meet the specifications of Section 13.108a, with the exception that signs located on any building wall shall have a maximum sign surface area not to exceed 5% of building wall area to which the sign(s) is attached, up to a maximum of 100 total square feet. In lieu of a ground mounted or monument sign, the area of wall signs may be increased to a maximum size of 120 total square feet.~~
- (b) ~~Signs are permitted to project up to 6' feet into the minimum setback as measured from the building. Under no circumstance shall a sign project more than 4' feet from the back of the curb line. A minimum overhead clearance of 8' from the sidewalk shall be maintained.~~
- (c) ~~Marquee and message signs are permitted. Marquee signs shall meet the requirements of Section 13.108(a)(4).~~
- (d) ~~Ground mounted or monument signs are allowed as follows:~~

1. ~~Signs shall not exceed 5 feet in height and 20 square feet in area.~~

2. ~~Signs shall be located behind the right of way and out of any sight distance triangle prescribed by the Charlotte Department of Transportation (CDOT).~~

3. ~~Signs shall be located behind the minimum setback.~~

~~(e) No free-standing pole signs shall be permitted.~~

~~(f) No outdoor advertising signs shall be permitted.~~

- c. Amend Section 10.909, "Exceptions", subsection (3), "Expansions of Existing Uses", subsection (b)(6) by deleting it in its entirety. All other subsections remain unchanged. The revised text shall read as follows:

Section 10.909. Exceptions.

All new development in this district shall be subject to the development and urban design standards of Section 10.907 and 10.908, with the following exceptions:

(3) Expansions of Existing Uses.

- (b) Building expansions (for both conforming and non-conforming uses) are permitted for between 10% to 20% (total) of the gross floor area in existence at the effective date of the reclassification of the property. Expansions shall be subject to the following:

1. The building expansion shall meet the minimum setback, yard, and height requirements of [Section 10.907\(1\), \(2\), and \(3\)](#).
2. The urban design standards of [Section 10.908 \(1\) through \(4\)](#) shall apply to the new facade.
3. The expansion shall be located between the existing building and the street, but shall not encroach into the required setback. If the expansion cannot be made without encroachment into the required setback, then the portion of the expansion that would encroach into the setback can be located elsewhere on the site.

A waiver of the location of the building expansion may be granted by the Planning Director if the expansion meets the intent of the TS district and the following conditions are both met:

- a. Any non-conforming parking located between the building and the setback shall be eliminated. Any such elimination shall not require additional parking even if the site is rendered non-conforming with regard to parking, and
 - b. There will be an addition of Eating, Drinking and Entertainment Establishments, patios, plazas, courtyards, open space, pedestrian seating areas, or other pedestrian oriented amenities on the site.
4. The streetscape requirements of [Section 10.908\(8\)](#) shall be met.
 5. The connectivity and circulation requirements of [Section 10.907 \(11\)](#) shall apply.
 6. ~~The sign, banner, flags and pennant requirements of [Section 10.908\(7\)](#) shall apply for any new signs.~~

F. CHAPTER 11: CONDITIONAL DISTRICTS

1. PART 2: Mixed Use Districts

- a. Amend Section 11.203, “Uses permitted under prescribed conditions”, use entry (12), subsection (j), by deleting the word “signs” and the comma from the sentence. All other subsections remain unchanged. The revised text shall read as follows:

Section 11.203. Uses permitted under prescribed conditions.

The following uses shall be permitted in the MX-1, MX-2, and MX-3 districts if they meet the standards established in this Section and all other requirements of these regulations:

- (12) Nonresidential uses permitted in the B-1 or B-2 districts (MX-2 and MX-3 only), provided that:

- (j) No direct beams of light from outdoor lighting fixtures, signs, or vehicles maneuvering on the site of the use will shine into any abutting lots occupied by residential uses.

2. PART 5: Neighborhood Services District

- a. Amend Section 11.508, "Development standards of general applicability", by changing the reference from Section 11.509 to Chapter 13. The revised text shall read as follows:

Section 11.508. Development standards of general applicability.

Except as otherwise provided in this Part, all uses and structures permitted in the NS district shall meet the applicable standards set out in Chapter 12 of these regulations. Signs shall be permitted in the NS district in accordance with Section 11.509-Chapter 13.

- b. Amend Section 11.509, "Sign requirements in NS" by deleting the entire section and all text and subsections. The deleted text reads as follows:

Section 11.509. Sign requirements in NS.

- (1) — Detached signs and wall signs within the NS zoning district are permitted in accordance with Chapter 13 as modified by the following provisions, which shall take precedence:

- (a) — Wall signs are permitted in accordance with Section 13.108(1), with the following exception. 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 5% of the area of the building wall to which the sign is attached, up to a maximum of 100 square feet.
- (b) — Detached identification signs for free-standing businesses are permitted in accordance with Section 13.109(4), with the exception that the maximum sign surface area shall not exceed 32 square feet and the maximum height shall not exceed 7 feet.
- (c) — Detached identification signs for shopping centers and other multi-tenant buildings are permitted and shall not

exceed 64 square feet, and the maximum height shall not exceed 16 feet. Detached identification signs for outparcel lots within shopping centers are permitted and shall not exceed 32 square feet and the maximum height shall not exceed 4 feet.

- (d) — Conditional district approvals made prior to the effective date of [Section 11.509](#), with specific sign specifications shall take precedence over this section.

3. PART 7: RE-3 Research District

- a. Amend Section 11.706, “Design Standards”, subsection (1), “Signs” by adding a new sentence after the title that reads, “Signs are permitted in the RE-3 district in accordance with Chapter 13”. Delete subsections (a) and (b). All other subsections remain unchanged. The revised text shall read as follows:

Section 11.706. Design Standards.

- (1) Signs. Signs are permitted in the RE-3 district in accordance with Chapter 13.

(a) — ~~Signs are permitted in the RE-3 district in accordance with Chapter 13 except that no sign shall exceed 7 feet in height, except for information and advertising pillar signs.~~

(b) — ~~Information and advertising pillar sign heights are subject to the requirements of [Section 13.108\(b\)](#)~~

G. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 1: Supplemental Development Standards

- a. Amend Section 12.106, “Uses and structures prohibited and allowed in required setbacks and yards”, subsection (2)(a) by deleting the fifth sentence in the second paragraph. All other subsections remain unchanged. The revised text shall read as follows:

- (2) (a) No accessory structures, including architectural features, as cited in five (5) below, shall be located within any setback or side yard required of these regulations, or located within three (3) feet of a lot line in the established rear yard. No accessory structure shall be located within any established setback in any residential district, except as otherwise provided. If an accessory structure exceeds a

height of 24 feet in the single-family, multi-family, urban residential and mixed use districts, it must be located at least 15 feet from the rear and side property lines. In all zoning districts, except as provided for in Section 12.108, if the accessory structure exceeds the height of the principal structure, it must meet the minimum side yard of the principal structure and be located at least 15 feet from the rear property line. In addition, no accessory structure, excluding the square footage of an accessory dwelling unit shall exceed the total square footage of the heated area located on the first floor of the principal structure.

Accessory dwelling units shall comply with the yard requirements and size limits prescribed in Section 12.407. In the RE-1, RE-2, and BP districts, a security gate or guard station may be located within the required setback. Piers, docks, and other water-dependent accessory structures may be located in any required setback or yard on lots, which abut a body of water. A fence, wall, mailbox, utility pole, light-pole, or patio at grade, paths, walkways, or berm may be located in any required setback or yard. ~~Signs may be located in a required setback or yard provided that they are in accordance with Chapter 13 of these regulations.~~ Bus stop shelters may be located in any setback or yard, which abuts a street in accordance with Section 12.513

- b. Amend Section 12.109, "Clear sight triangles at street intersections", subsection (2), by deleting the word "sign" and the comma in the first sentence. Also in subsection (3), subsection (c) delete "governmental signs" and the comma from the sentence. All other subsections remain unchanged. The revised text shall read as follows:
- (2) Within the triangles identified in subsection (1) above, and except as provided in subsection (3) below, no structure, ~~sign~~, plant, shrub, tree, berm, fence, wall, or other object of any kind shall be installed, constructed, set out or maintained so as to obstruct cross-visibility at a level between 30 and 72 inches above the level of the center of the street intersection.
 - (3) The restrictions of this Section shall not apply to:
 - (a) Existing natural grades, which, by reason of natural topography, rise 30 or more inches above the level of the center of the adjacent intersection;

- (b) Trees having limbs and foliage trimmed in such a manner that no limbs or foliage extend into the area between 30 and 72 inches above the level of the center of the abutting intersection; or
- (c) Fire hydrants, public utility poles, street markers, ~~governmental signs,~~ and traffic control devices.

2. PART 4: Accessory Uses and Structures

- a. Amend Section 12.408, “Customary home occupations”, requirement (11), by deleting the entire sentence and replacing it with “Signs are permitted in accordance with Section 13.7.B”. All other entries/uses remain unchanged. The revised text shall read as follows:

- (11) ~~No detached signs or wall signs shall be permitted for the customary home occupation.~~ Signs are permitted in accordance with Section 13.7.B.

- b. Amend Section 12.413, “Drive-in and drive-through service lanes/windows”, subsection (6) by deleting the subsection number and all the text in the sentence. The revised section shall read as follows:

Section 12.413. Drive-in and drive-through service lanes/ windows

- (1) Drive-in and drive-through service lanes/windows shall be permitted only as an accessory use in the UMUD, NS, PED, MX-2, MX-3, Inst., RE-1, RE-2, O-1, O-2, O-3, B-1, B-2, BP, CC, I-1, and I-2 districts.
- (2) Drive-through or drive-in service lanes/windows are not allowed in the UR-1, UR-2, UR-3, U-C, or MUDD, zoning districts. However, drive-through and drive-in service lanes/windows may be allowed in the MUDD district as part of the establishment of, or amendment to, a MUDD-Optional classification.
- (3) Drive-in and drive-through service windows/lanes are permitted in the RE-3 district, however, service lanes shall not be permitted between any façade of the principal structure and any abutting public or private street.
- (4) In the TS zoning districts, drive-through service lanes are only permitted as an accessory use to professional business and

general office uses located between ¼ mile to ½ mile walking distance from a transit station.

- (5) A separate circulation drive must be established for the drive-in service window. The drive-through lane must be distinctly marked by special striping, pavement markings, or traffic islands.

- ~~(6) Menu boards and other signage associated with drive-in service windows will be governed by Chapter 13.~~

- c. Amend Section 12.414, "Automobile, truck and trailer rental", subsection (2), subsection (a) by deleting subsection (a) in its entirety and re-lettering subsection (b) as (a). All other subsections remain unchanged.

Section 12.414. Automobile, truck and trailer rental.

- (1) Automobile rental shall be permitted as an accessory use where the principal use is an airport, automobile dealership, hotel or motel or in any district where automobile rental is permitted as a principal use.
- (2) Where the principal use is a hotel or motel, automobile rental shall be permitted as an accessory use only in accordance with the following requirements:
 - ~~(a) No sign advertising the rental of automobiles shall be located outside the hotel or motel building; and~~
 - ~~(b-a)~~ No more than 10 automobiles, which are not currently leased to customers, shall be parked on the same property as the hotel or motel.
- (3) Truck and trailer rental is permitted as an accessory use in any district where it is permitted as a principal use.

- d. Amend Section 12.418, "Public flags on permanent flagpoles", by changing the title from "Public flags on permanent flagpoles" to "Reserved" and deleting all of subsection (1) and (2). The revised text shall read as follows:

Section 12.418 Public flags on permanent flagpoles Reserved.

- ~~(1) Public flags or emblems of any nation, organization of nations, state, city, or any fraternal, religious or civil organization are permitted as an accessory use in nonresidential zoning districts and~~

shall be displayed as set forth below, except as provided for in Section 12.418(2)

- (a) — References to flagpole height in this subsection refer to vertical flagpoles. References to the number of public flags, flagpoles, and public flag dimensions refer to both vertical flagpoles and mast arm flagpoles that may extend at an angle from a building.
- (b) — Except as otherwise provided herein, public flags shall be displayed on permanent flagpoles. Flagpoles shall not exceed 60' in height.
- (c) — The maximum dimensions of any public flag shall be proportioned to the flagpole height. The hoist side of the flag shall not exceed 20% of the vertical height of the flagpole. In addition, public flags are subject to the following dimensional limitations:

Flagpole Height (ft)	Maximum Flag Size (total sq. ft. per flag)	Maximum Combined Flag Area (total sq. ft.) Per Flagpole
Up to 24 feet	24 sq. ft.	48
25 to 39 feet	40 sq. ft.	80
40 to 49 feet	60 sq. ft.	120
50 to 60 feet	96 sq. ft.	192

- (d) — There shall be no more than three (3) public flags allowed per street front. These flags may be flown on one flagpole, or flown on separate flagpoles.
- (e) — Flagpoles along an entrance driveway or street shall not be located in any street right-of-way, and shall be a minimum of 10' behind the existing or proposed street right-of-way, whichever is greater.
- (f) — Flags, banners or pennants displaying a logo, message, statement, or expression relating to commercial interests are not considered to be a "public flag", and are subject to the sign regulations of Chapter 13 of the Zoning Ordinance.
- (g) — Public flags and flagpoles shall be maintained in good repair. Flagpoles with broken halyards shall not be used. Flags that are torn or frayed, shall not be displayed.
- (h) — Flagpoles shall be permanently mounted in the ground with necessary structural support features or below grade

~~footings, installed in accordance with all required state and local regulations or applicable codes.~~

~~(i) Public flags shall not be draped over the hood, top, sides, or back of a vehicle, nor flown from the antennae of any parked vehicle in a non-residential zoning district.~~

~~(j) Public flags shall never be used for advertising purposes in any manner whatsoever.~~

~~(k) Advertising signs shall not be displayed or fastened to a flagpole, staff, or halyard from which a public flag is flown.~~

~~(2) On United States and North Carolina holidays, there shall be no maximum flag size or number, or other limitations on manner of display as long as the flag(s) do not affect visibility or create any safety hazards or concerns.~~

3. PART 5: Special Regulations for Certain Uses

- a. Amend Section 12.502, "Adult care homes, adult care centers, childcare centers, childcare centers in a residence, family childcare homes, and large childcare centers", subsection (1), "Family childcare homes" by deleting the text in subsection (i) in its entirety, and replacing it with "Signs are permitted in accordance with Section 13.7.B". All other subsections remain unchanged, except those described below. The revised text shall read as follows:

(1) Family childcare homes

All family childcare homes for eight (8) or fewer children are required to obtain a required to obtain a change of use permit from Neighborhood Development. Family childcare homes, licensed by the North Carolina Department of Health and Human Services, may be established as an accessory use to a single family detached dwelling unit in all single family districts, all multi-family districts, UR-1, UR-2, UR-3, UR-C, all office, B-1 and B-2, MUDD, UMUD, MX-1, MX-2, MX-3, and R-MH districts, according to the following requirements:

- (i) ~~One (1) unlighted identification sign, not to exceed four (4) square feet, may be attached to the residence. Detached identification signs are not permitted.~~ Signs are permitted in accordance with Section 13.7.B.

- b. Amend Section 12.502, "Adult care homes, adult care centers, childcare centers, childcare centers in a residence, family childcare homes, and large childcare centers",

subsection (2), "Childcare centers in a residence", by deleting subsection (i) in its entirety, and replacing it with "Signs are permitted in accordance with Section 13.7.B". All other subsections remain unchanged, except those described above and below. The revised text shall read as follows:

(2) Childcare centers in a residence

All childcare centers in a residence for six (6) to twelve (12) pre-school children are required to obtain a change of use permit from Neighborhood Development. Childcare centers in a residence, licensed by the North Carolina Department of Health and Human Services, may be established as an accessory use to a single family detached dwelling unit in all single family districts, all multi-family districts, UR-1, UR-2, UR-3, UR-C all office, B-1 and B-2, MUDD, UMUD, MX-1, MX-2, MX-3, and R-MH districts, according to the following requirements:

- (i) ~~One (1) unlighted identification sign, not to exceed four (4) square feet, may be attached to the residence. Detached identification signs are not permitted.~~ Signs are permitted in accordance with Section 13.7.B.

- c. Amend Section 12.502, "Adult care homes, adult care centers, childcare centers", subsection (3), "Childcare centers", by deleting all text in subsection (i) and replacing it with "Reserved". All other subsections remain unchanged, except those described above and below. The revised text shall read as follows:

(3) Childcare centers

Childcare centers for between thirteen (13) and seventy-nine (79) children, licensed by the North Carolina Department of Health and Human Services, may be established in all multi-family districts, UR-2, UR-3, UR-C, INST, all research, all office, NS, B-1 and B-2, BD, MUDD, UMUD, MX-2, MX-3, U-1 and I-1 districts, according to the requirements listed below. Childcare centers are also permitted as an accessory to uses permitted in the I-2 district, religious institutions, elementary, junior and senior high schools, and government buildings, and are exempt from the requirements listed below.

- (i) ~~Reserved. In residential districts, detached signage will be limited to one (1) sign with a maximum of sixteen (16) square feet in area and a maximum height of four (4) feet. Signage in nonresidential districts will be permitted according to requirements of the district where located.~~

- d. Amend Section 12.502, "Adult care homes, adult care centers, childcare

centers", subsection (4), "Large childcare centers", by deleting the text in subsection (e) and replacing it with "Reserved". All other subsections remain unchanged, except those described above. The revised text shall read as follows:

(4) Large childcare centers

Large childcare centers for eighty (80) or more children, licensed by the North Carolina Department of Health and Human Services, may be established in the non-residential districts of UR-C, INST, all research and office, B-1, B-2, B-D, UMUD, MUDD, MX-2, MX-3, CC, NS, I-1, according to the requirements listed below. Large childcare centers are also permitted as an accessory use in the I-2 district, and are exempt from the requirements listed below.

(e) ~~Reserved. Signage will be permitted according to requirements of the district where located with the exception that one (1) off-premise directional sign is permitted to direct traffic from Class II or III streets to a large childcare center located on a Class IV or V street.~~

- e. Amend Section 12.506, "Religious institutions in residential districts", subsection (9), subsection (b), by deleting (b) in its entirety. All other subsections remain unchanged. The revised text shall read as follows:

(9) Office and non-office accessory uses which are permitted in residential districts under these provisions shall meet the following requirements in addition to any other applicable requirements of these regulations:

(b) ~~No business or identification sign pertaining to the accessory uses shall be visible from outside the building.~~

- f. Amend Section 12.510, "Mobile food vending", by adding a new subsection (l) that reads, "Signs are permitted in accordance with Section 13.7.B."

(l) Signs are permitted in accordance with Section 13.7.B

- g. Amend Section 12.516, "Open space recreational uses", subsection (6) by deleting the first sentence. In the second sentence, remove the word "Furthermore" and the comma from the second sentence, and capitalize the word "an". All other subsections remain unchanged. The revised text shall read as follows:

(6) ~~Any signage which identifies the use shall be in accordance with the standards of the underlying zoning district. Furthermore, a~~An area to support a minimum of eight off-street parking spaces shall be

provided.

- h. Amend Section 12.519, "Outdoor Seasonal Sales" subsection (6) by deleting the sentence and replacing it with "Signs shall be permitted in accordance with Section 13.7.K". All other subsections remain unchanged. The revised subsection shall read as follows:
 - (6) ~~Any signage, which identifies the use, shall be in accordance with the underlying zoning district.~~ Signs shall be permitted in accordance with Section 13.7.K.
- i. Amend Section 12.520, "Boarding houses" by deleting the sentence in subsection (4) and replacing it with "Reserved". All other subsections remain unchanged. The revised text shall read as follows:
 - (4) ~~Reserved. Any signage, which identifies the use, shall be in accordance with the underlying zoning district.~~
- j. Amend Section 12.521, "Bed and Breakfasts (B & B's)" by deleting the sentence in subsection (6) and replacing it with "Reserved". All other subsections remain unchanged. The revised text shall read as follows:
 - (6) ~~Reserved. Any signage, which identifies the use, shall be in accordance with the underlying zoning district.~~
- k. Amend Section 12.522, "Short-Term Care Facility", subsection (7), by deleting the text and replacing it with "Reserved". All other subsections remain unchanged. The revised text shall read as follows:
 - (7) ~~Reserved. Signs: Any signage that identifies the use shall not exceed 4 square feet in size, and shall not be illuminated. One identification sign is permitted per street front.~~
- l. Amend Section 12.527, "Single Room Occupancy (SRO) residences", subsection (7), by deleting the text and replacing it with "Reserved". All other subsections remain unchanged. The revised text shall read as follows:
 - (7) ~~Reserved. Signs: Any signage that identifies the use shall not exceed 4 square feet in size, and shall not be illuminated. One identification sign is permitted per street front.~~

- m. Amend Section 12.531, "Commercial Rooming Houses", subsection (5) by deleting the title and the sentence and replacing it with "Reserved". All other subsections remain unchanged. The revised text shall read as follows:

(5) Reserved. Signs. ~~Any signage that identifies the use shall be in accordance with the underlying zoning district.~~

- n. Amend Section 12.532, "Donation drop-off facilities", subsection (11) by deleting the last sentence, and adding the following sentence, "Signs are permitted in accordance with Section 13.7.B". All other subsections remain unchanged. The revised text shall read as follows:

(11) The donation drop-off facility shall display the ownership/identification information on the facility, with a contact phone number, in a prominent location. ~~A sign permit is not required for identification signage that is no larger than 1½ square feet in area.~~ Signs are permitted in accordance with Section 13.7.B.

- o. Amend Section 12.534, "Periodic Retail Sales Events, Off-Premise", subsection (j) by deleting the text and replacing it with "Signs are permitted in accordance with Section 13.7.K". All other subsections remain unchanged. The revised text shall read as follows:

(j) ~~No detached signs are permitted.~~ Signs are permitted in accordance with Section 13.7.K.

- p. Amend Section 12.539, "Outdoor Fresh Produce Stands or Mobile Produce Market", subsection (3), "Accessory outdoor fresh produce stands", subsection (c), "Residential Districts", subsection (iv), by deleting the sentence and replacing it with "Signs are permitted in accordance with Section 13.7.K". All other subsections remain unchanged. The revised text shall read as follows:

iv. ~~One attached identification sign shall be allowed for each outdoor produce stand and shall not exceed 15 sq. ft.~~ Signs are permitted in accordance with Section 13.7.K.

- q. Amend Section 12.539, "Outdoor Fresh Produce Stands or Mobile Produce Market", subsection (3), "Accessory outdoor fresh produce stands", subsection (d), "Office and Institutional Districts", subsection (iii), by deleting the sentence and replacing it with "Signs are permitted in accordance with Section 13.7.K". All other subsections remain unchanged. The deleted text reads as follows:

iii. ~~One attached identification sign shall be allowed for each produce stand, not to exceed 15 square feet, in the institutional and office~~

districts. Signs are permitted in accordance with Section 13.7.K.

H. CHAPTER 13: SIGNS

1. Delete all sections of Chapter 13: Sections 13.101, 13.102, 13.103, 13.104, 13.105, 13.106, 13.107, 13.108, 13.108a, 13.108b, 13.109, 13.110, 13.111, 13.112, 13.113, and 13.114 in their entirety.
2. Move the new Sign Regulations (attached as part of this text amendment) into Chapter 13, with the title, "Signs".

I. CHAPTER 15: TRANSIT ORIENTED DEVELOPMENT

1. Amend the Table of Contents in Chapter 15 by changing the title from "Signs" to "Reserved". Delete all subsections from 15.7.1 to 15.7.8. The deleted table of contents for 15.7 reads as follows.

15.7 SIGNS RESERVED	43
15.7.1 Sign Regulations in the TOD District	43
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15.7.8 Window Sign	52

2. Amend Section 15.4.10, "Specific Architectural Features", subsection 15.4.10.C.3 by updating the reference to the new location of "Awnings and Canopy Signs" from Section 15.7.7.C to Section 13.10.H.3. The revised text shall read as follows:

C. Awning or Sunshade

1. Awnings and sunshades may encroach over a public or private sidewalk, shared use path, amenity zone, or planting strip, but no more than four feet from the future back of curb.
2. Awnings and sunshades shall have a minimum vertical clearance of nine feet.
3. These standards do not apply to awnings used as awning signs, which are subject to the awning sign provisions of Section ~~15.7.7.C~~ 13.10.H.3 "Awnings and Canopy Signs".

3. Amend Section 15.4.10, "Specific Architectural Features", subsection 15.4.10.F.5 by updating the reference to the new location of Awning and Canopy Signs" from Section 15.7.7.C to 13.10.H.3. The revised section shall read as follows:

F. Canopy

1. Canopies may encroach over a public or private sidewalk, shared use path, amenity zone, or planting strip, but no more than four feet from the future back of curb.
 2. Canopies shall have a minimum vertical clearance of nine feet.
 3. A horizontal clearance of at least eight feet shall be maintained between canopy supports and any building façade.
 4. For buildings in existence prior to the adoption of these TOD Districts, canopy posts may be located within an amenity zone, a minimum of four feet from the back of curb. All other buildings require canopies and all support posts to be located on the property.
 5. These standards do not apply to canopies used as canopy signs, which are subject to the canopy sign provisions of Section ~~15.7.7.C~~ 13.10.H.3 Awning and Canopy Signs.
4. Amend Section 15.7 by changing the title from "Signs" to "Reserved". Also delete subsections 15.7.1 through 15.7.8 in their entirety, including all illustrations.

Continued on next page

15.7 SIGNS RESERVED

15.7.1 Sign Regulations in the TOD Districts

~~A. The regulations of this Section apply as follows:~~

- ~~1. The sign regulations of this Section apply to on-premise signs. This Section does not address provisions for off-premise signs, which are controlled by Chapter 13.~~
- ~~2. The regulations for advertising signs on passenger rail platforms of Chapter 13 of the Ordinance apply, including the provisions of Table 13.110 (Table Advertising Signs on Passenger Rail Platform).~~
- ~~3. The sign regulations of Chapter 13 apply to the TOD Districts with the exception of the following:~~
 - ~~a. Permanent signs that require a permit are controlled by this Section. Where Chapter 13 permits additional permanent signs with a permit, such signs are not allowed and this Section controls. This does not apply to advertising signs on passenger rail platforms as stated in item 2 above.~~
 - ~~b. Permanent signs that are exempt from a sign permit are controlled by Chapter 13.~~
 - ~~c. This Section controls window sign permits over any other section of the Ordinance. In the TOD Districts, a sign permit is not required for window signs.~~
 - ~~d. A-frame signs, which are temporary signs permitted without a sign permit, are allowed within the TOD Districts and subject to the standards of this Section. All other temporary signs are controlled by Chapter 13.~~

~~B. The sign regulations of this Section apply to each facade of a structure or lot. The regulations apply when such facade or lot is visible from a frontage.~~

~~C. When a sign extends into a public right-of-way, prior review and approval by CDOT, NCDOT,~~

~~and/or other relevant agencies is required. The encroachment of signs into a public right-of-way requires an encroachment agreement from CDOT and/or NCDOT, if applicable. Notwithstanding to the designs included in this Section does not imply approval through an encroachment agreement.~~

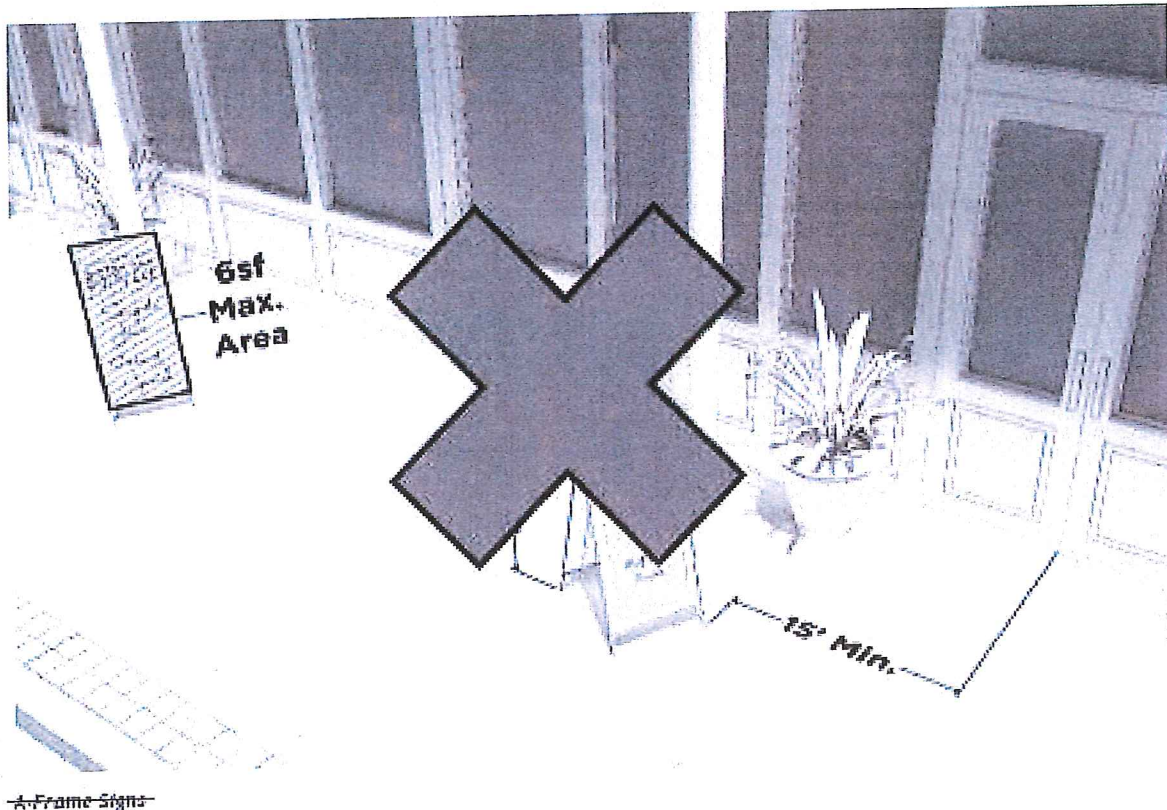
~~D. Sign placement, including projections from a building facade, shall protect all trees as required by the Charlotte Tree Ordinance as well as any trees located in the public right-of-way.~~

~~E. Changeable copy and animation on signs are prohibited unless explicitly permitted by this Section.~~

~~§5.7.1 A-Frame Signs~~

~~A-frame signs do not require a sign permit but shall meet the following standards:~~

- ~~A. A-frame signs are permitted for non-residential use.~~
- ~~B. One A-frame sign is permitted per establishment, including one for each tenant in a multi-tenant development.~~
- ~~C. An A-frame sign shall be placed within 15 feet of the primary entrance of the business, and shall not interfere with pedestrian traffic or violate standards of accessibility as required by the ADA or other accessibility codes.~~
- ~~D. For buildings in existence prior to the adoption of these TOD Districts, a minimum unobstructed sidewalk clearance of five feet shall be maintained at all times. All other buildings shall maintain a minimum unobstructed sidewalk clearance of eight feet. The requirements of Section 10.143 of the City Code apply to signs on public property or in the public right-of-way.~~
- ~~E. A-frame signs are limited to six square feet in area per side and four feet in height.~~
- ~~F. The placement of A-frame signs outdoors is limited to business hours only. A-frame signs shall be stored indoors at all other times.~~
- ~~G. Illumination of A-frame signs is prohibited.~~
- ~~H. No A-frame sign may have any type of electronic component.~~



~~45.7.3 Marquee Signs~~

~~Marquee signs require a sign permit.~~

- ~~A. Marquee signs are permitted for non-residential use only.~~
- ~~B. Marquee signs shall be supported solely by the building to which they are attached. No exterior columns or posts are permitted as supports.~~
- ~~C. The roof of a marquee sign may not be used for any purpose other than to form and constitute a roof.~~
- ~~D. 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.~~
- ~~E. 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 windows located above the marquee, and cannot obstruct any other architectural features.~~
- ~~F. Marquee signs may encroach over a public or private sidewalk and/or amenity zone, but are limited to a maximum of no more than four feet from the future back of curb.~~

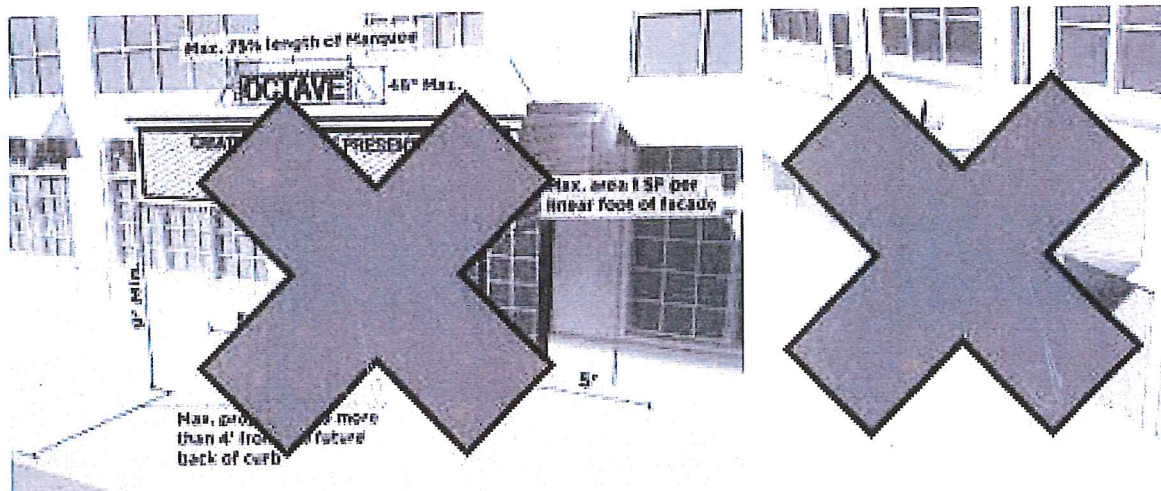
~~G. Marquee signs are permitted a sign face area attached to and located above the roof of a marquee to a maximum height of 48 inches. The sign face area is limited to a maximum width of 75% of the width of the marquee sign structure.~~

~~H. Marquee signs may have either a static or changeable message board sign or an electronic message sign.~~

~~1. The sign area for a changeable message board sign or an electronic message sign is limited to one square foot per linear foot of the facade where it is mounted.~~

~~2. Each message or image displayed on an electronic message sign shall be static for a minimum of ten seconds. Electronic message signs shall display static text messages only, without animation or effects including animation or video. Any scrolling, flashing, spinning, revolving, or shaking animation, or movement of the message or any component of the sign is prohibited. Any message change sequence shall be accomplished immediately by changing from one screen to another without transition by means of, for example, fade or dissolve modes.~~

~~I. Marquees may be internally or externally illuminated.~~



~~Marquee Sign (with regulations illustrated)~~

~~Marquee Sign (example of alternate marquee design)~~

~~45.7.1 Monument Signs~~

~~Monument signs require a sign permit.~~

~~A. Monument signs are permitted only within the TOD-CC and TOD-TR Districts.~~

~~B. Monument signs are subject to the following:~~

~~1. A lot is permitted one sign along each street frontage measuring less than 400 feet. For each street frontage measuring 400 feet or more, one additional sign is permitted. However a minimum distance of 200 feet shall be maintained between signs along the frontage.~~

~~2. Signs are limited to a maximum area of 16 square feet.~~

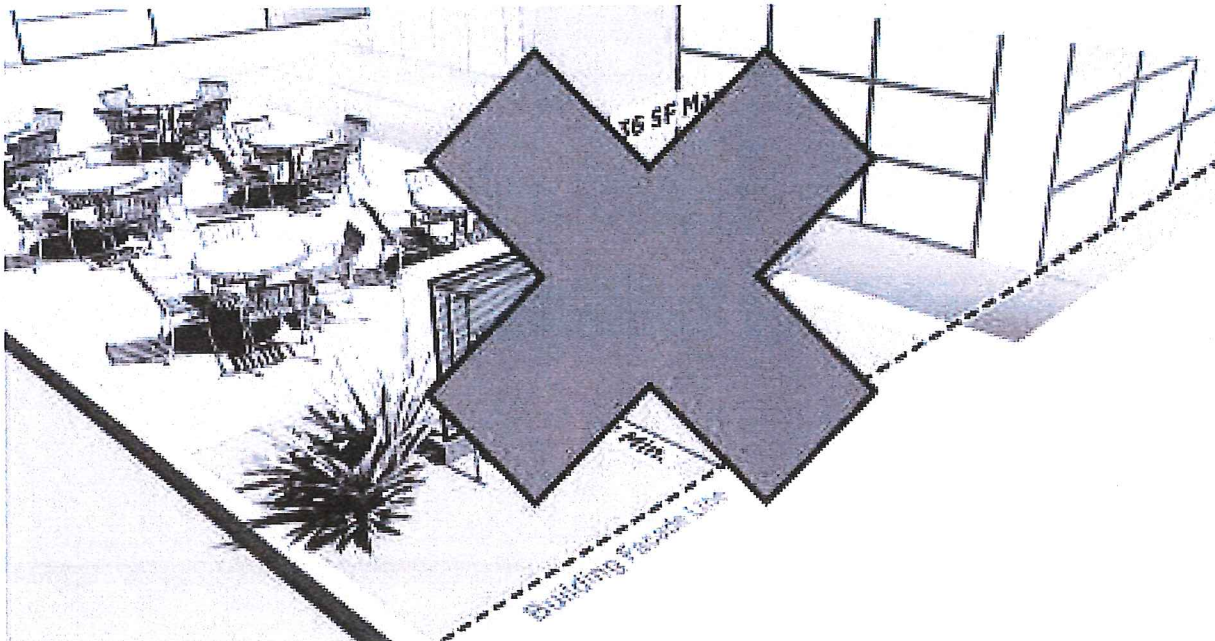
~~3.~~

~~Signs are limited to a maximum height of four feet.~~

~~C. Monument signs shall be set back a minimum of five feet behind the building facade line. No monument sign may project into, over, or otherwise encroach on a public or private sidewalk, and/or amenity zone.~~

~~D. Monument signs may be internally or externally illuminated. If externally illuminated, all light shall be directed onto the sign face.~~

~~E. Monument signs shall be constructed of durable weather-resistant material.~~



~~Monument Signs~~

~~Roof signs require a sign permit.~~

~~A. Roof signs are permitted only for structures of 50 feet or more in height in the TOD-UC District.~~

~~B. The size of the roof sign is limited to a height of 15 feet above the roof, including the support structure. The width of a roof sign is limited to 65% of the roof level width or 40 feet, whichever is less.~~

~~C. Roof signs shall be designed with channel lettering and the overall area shall be no less than 40% transparent.~~

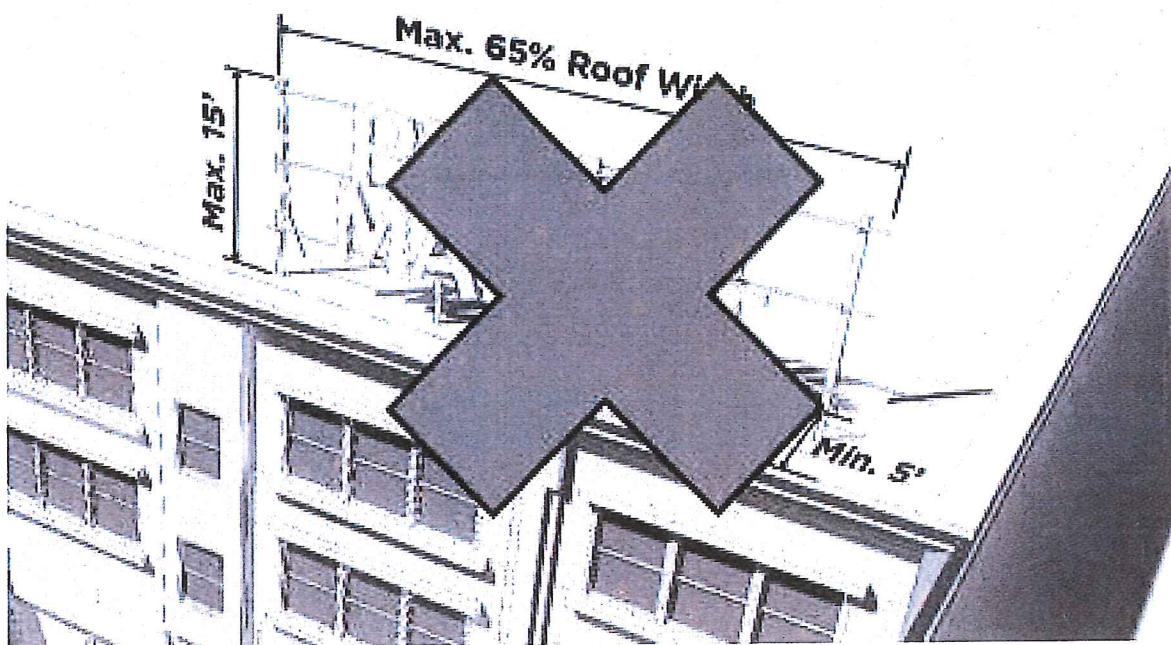
~~D. A maximum of one roof sign is permitted per building. A roof sign may only be installed on a flat roof.~~

~~E. If a roof sign is erected on a building, a skyline sign is prohibited.~~

~~F. A roof sign shall be set back a minimum of five feet from the edge of a roof.~~

~~G. Roof signs shall be constructed of metal, plastic, or similar durable material. Roof signs shall be safely and securely attached to the roof structure and shall not interfere with any roof access points.~~

~~H. Roof signs may be internally illuminated only.~~



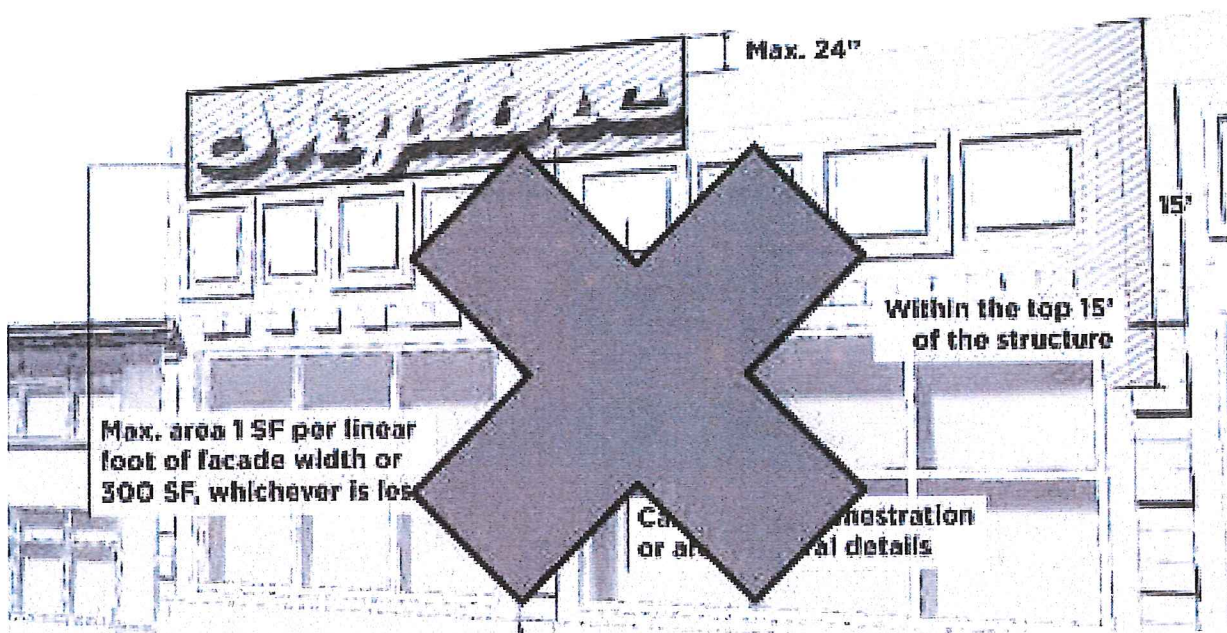
~~Roof Signs~~

~~45.7.E Skyline Signs~~

~~Skyline signs require a sign permit.~~

- ~~A. Skyline signs are permitted only for structures of 20 feet or more in height.~~
- ~~B. The size of the skyline sign is limited to one square foot per linear foot of the facade width, when it is mounted on 200 square feet, whichever is less.~~
- ~~C. Skyline signs shall be placed within the top 15 feet of the structure and cannot cover any fenestration or architectural features.~~

- ~~D. 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.~~
- ~~E. If a skyline sign is erected on a building, a roof sign is prohibited.~~
- ~~F. Skyline signs shall be constructed of metal, plastic, or similar durable material.~~
- ~~G. Skyline signs may be internally illuminated only.~~



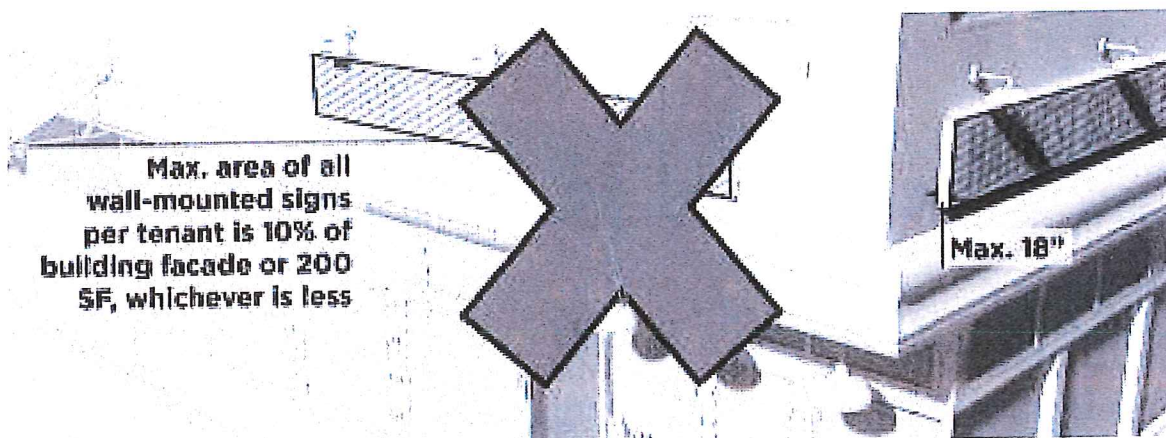
~~Skyline Signs~~

~~15.7.6 Wall Mounted Signs~~

~~Wall-mounted signs require a sign permit.~~

~~A. General Regulations~~

- ~~1. Wall signs, projecting signs, and awning and canopy signs are considered wall-mounted signs. Skylight signs, marquee signs, and rooftop signs are regulated separately and are not counted toward the maximum sign area of wall-mounted signs.~~
- ~~2. In a multi-tenant building, the maximum square footage of all wall-mounted signs is allocated by tenant with leasable building wall square footage along the building facade. The maximum square footage of all wall-mounted signs is 10% of the tenant's leasable building wall square footage or 200 square feet, whichever is less. This limit applies to each tenant and square footage cannot be transferred from any tenant of a structure to another. This limit also applies to each facade and square footage cannot be transferred from one facade of a structure to another, regardless of which tenant the footage is allocated to.~~
- ~~3. Wall signs are permitted on each facade of a structure. On a site consisting of multiple structures, each structure is permitted wall signs per the regulation of this Section.~~
- ~~4. Wall signs shall be mounted within the first three stories of the structure.~~
- ~~5. Wall signs may be internally or externally illuminated. If externally illuminated, all light shall be directed onto the sign face.~~
- ~~6. Wall signs shall be safely and securely attached to the building wall. Wall signs may not project more than 18 inches from a building wall.~~
- ~~7. No wall sign affixed to a building, including sign support structure, may project beyond the angle or top of the wall or higher than the profile of the structure to which it is attached.~~
- ~~8. Wall signs shall be constructed of durable weather-resistant material. Wall signs constructed of material such as canvas, paper, or vinyl-coated fabric, shall be mounted within a frame so that they are held taut against the wall.~~
- ~~9. Wall signs shall not cover any window, window sill, or architectural feature, such as eave, of the structure.~~

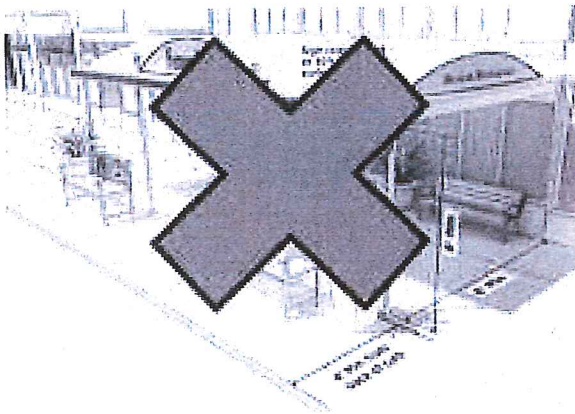


~~Wall Signs~~

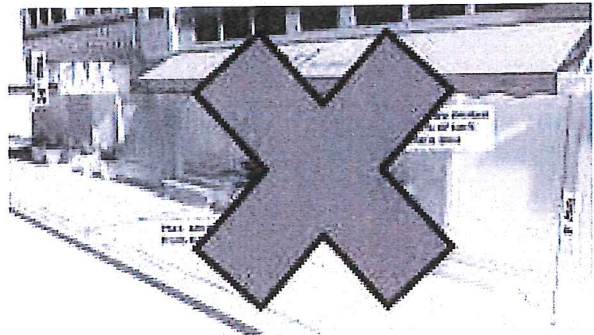
~~0. Awning and Canopy Signs~~

- ~~1. Awning and canopy sign shall be mounted within the first story of the structure.~~
- ~~2. Awning and canopy sign shall maintain a minimum vertical clearance of nine feet.~~
- ~~3. One awning or canopy sign is permitted per facade with a facade abutting a frontage. For a corner lot, one awning or canopy sign is permitted for each facade abutting a frontage.~~
- ~~4. Awning and canopy sign may overreach over a public or private sidewalk, shared use path, amenity zone, or planting strip, but no more than four feet from the future back of curb.~~
- ~~5. For buildings in existence prior to the adoption of these TOD Districts, canopy posts may be located within an amenity zone, a minimum of four feet from the back of curb. All other buildings require canopies and all stop/slow posts to be located on the property.~~

- ~~6. A horizontal clearance of at least eight feet shall be maintained between canopy supports and between canopy supports and any building facade.~~
- ~~7. Awning and canopy sign shall be made of a durable weather-resistant material.~~
- ~~8. Sign copy on any awning or canopy sign surface is limited to 10% of each surface area. A valance is considered a separate surface area. Sign copy is counted toward the maximum sign area of all wall-mounted signs.~~
- ~~9. 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.~~
- ~~10. Awning and canopy sign may be illuminated but lighting shall be installed as external downlighting or back lighting.~~



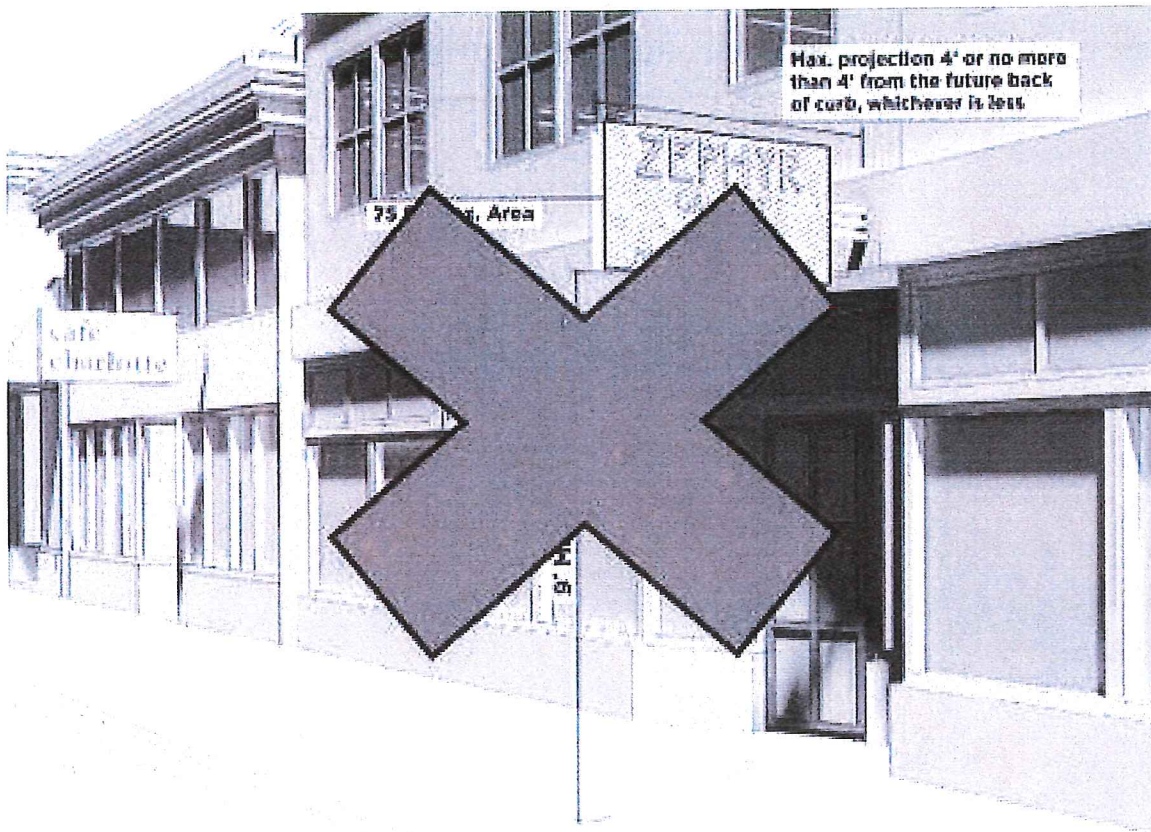
~~Canopy Signs~~



~~Awning Signs~~

~~C. Projecting Signs~~

- ~~1. Projecting signs shall be mounted within the first four stories of the structure.~~
- ~~1. Projecting signs are limited to a maximum sign area of 75 square feet. Sign area is counted toward the maximum sign area of all wall-mounted signs.~~
- ~~1. One projecting sign is permitted per frontage with frontage on a street. For a corner lot, one projecting sign is permitted for each street frontage.~~
- ~~4. Projecting signs are limited to a projection of four feet from the building facade or no more than four feet from the future back of curb, whichever is less.~~
- ~~3. Projecting signs shall maintain a minimum vertical clearance of nine feet. No projecting sign attached to a building may project higher than the building height, including the sign support structure.~~
- ~~4. Projecting signs shall be constructed of non-illuminated contact material. Projecting signs constructed of canvas or similar material shall be mounted within a frame so that they are held taut between support posts.~~
- ~~7. Projecting signs may be internally or externally illuminated.~~

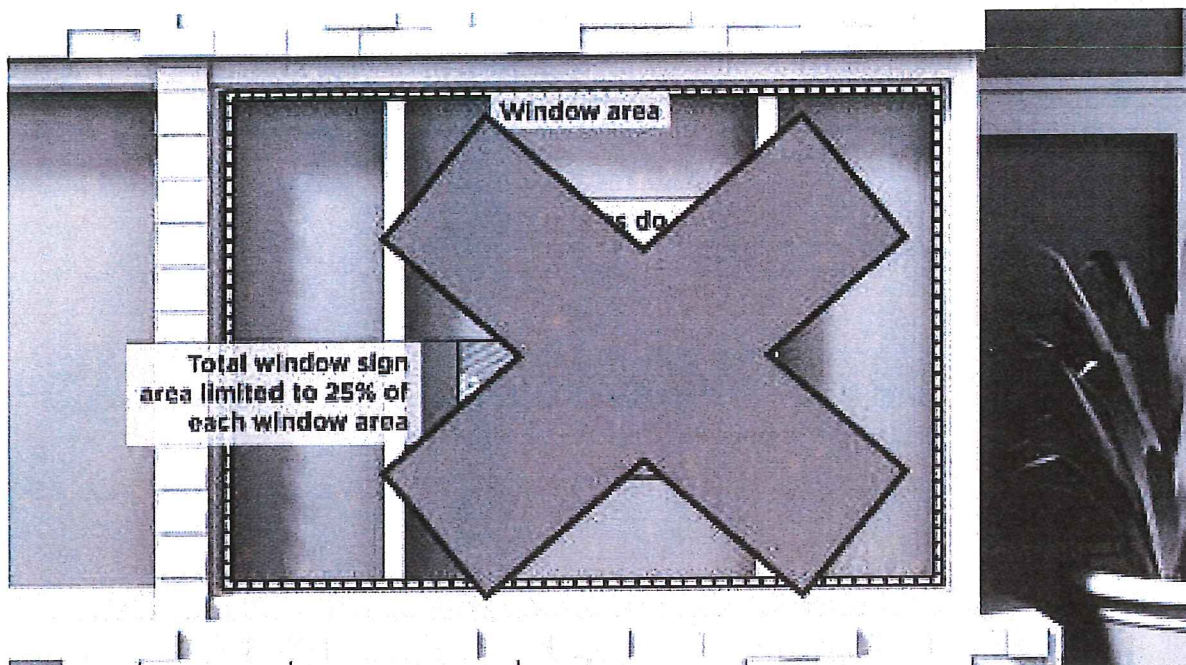


~~Projecting Signs~~

~~15.7.7 Window Signs~~

~~Window signs do not require a sign permit but shall meet the following standards:~~

- ~~A. Window signs are permitted for all multi-family and non-residential uses.~~
- ~~B. For multi-family uses, window signs are permitted on the ground floor only. For non-residential uses, window signs are permitted for window areas up to and including the third story.~~
- ~~C. The total window sign area, whether temporary or permanent, is limited to no more than 25% of the surface of each window area. Window area is counted as a continuous surface not divided by an architectural or structural element. Windows are not considered an element that divides window area.~~



~~Window Signs~~

J. CHAPTER 16: SUBJECT INDEX

- A. Amend the subject index under "S" by deleting the current entries and replacing them with updated entries.

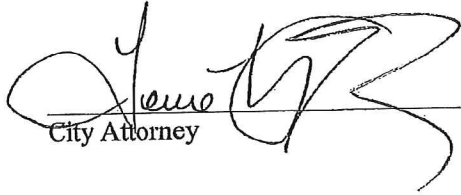
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definitions.....	13.102
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Signs

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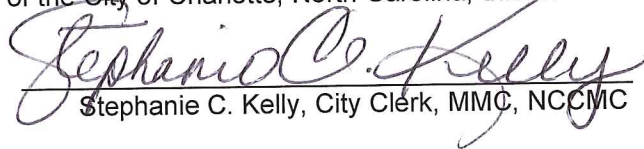
Approved as to form:


City Attorney

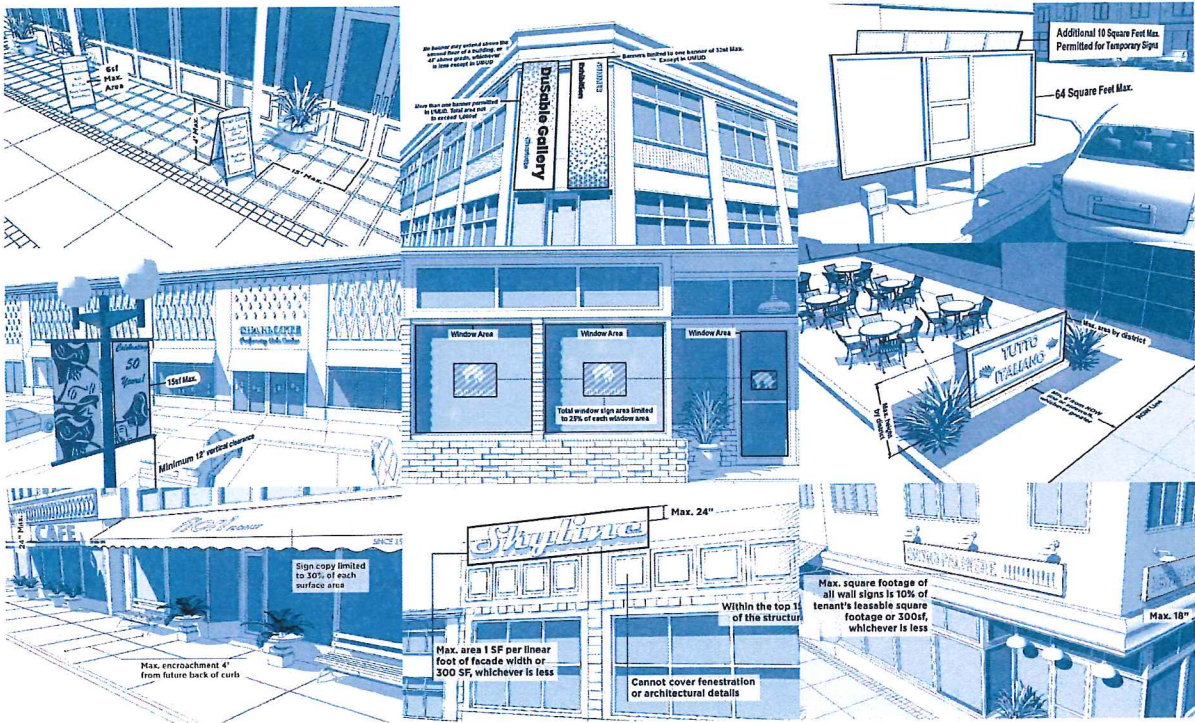
CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 464-569.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC





CITY OF CHARLOTTE
CHAPTER 13. SIGNS

ADOPTED BY CHARLOTTE CITY COUNCIL OCTOBER 21, 2019

October 21, 2019

Ordinance Book 62, Page 521 Ordinance No. 9670

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CHAPTER 13. SIGNS

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October 21, 2019

Ordinance Book 62, Page 523 Ordinance No. 9670

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CHAPTER 13. SIGNS

13.1 Purpose

The purpose of this Chapter is intended to accomplish the following objectives:

- A. To ensure that signs are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised.
- B. To minimize distractions and view obstructions that contribute to traffic hazards and endanger public safety.
- C. To allow for adequate and effective signs while preventing visual clutter.
- D. To ensure a high standard for the design and size of signs so that they enhance the aesthetic appearance and attractiveness of the community, and create an aesthetic environment that has a positive impact on economic development.

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

B. District Categorization

1. For the purposes of applying the sign standards of this Chapter, the zoning districts are categorized into the following land use categories. These divisions apply only to this Chapter.
2. The zoning districts are categorized as follows:
 - a. Single-family districts: R-3, R-4, R-5, R-6, R-8, R-MH, MX-1, MX-2, MX-3, UR-1; For MX-1, MX-2, and MX-3 only those residential portions of those zoned districts shall be single- or multi-family, as applicable.
 - b. Multi-family districts: R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, MX-1, MX-2, MX-3; For MX-1, MX-2, and MX-3 only those residential portions of those zoned districts shall be multi- or single-family, as applicable.
 - c. Urban districts: NS, PED, UR-2, UR-3, UR-C, MUDD, UMUD, TOD-E, TOD-M, TOD-R, TOD-UC, TOD-NC, TOD-CC, TOD-TR, TS, RE-3
 - d. General commercial districts: B-1, B-2, CC, MX-1, MX-2, MX-3; For MX-1, MX-2, and MX-3 only those non-residential portions of those zoned districts shall be general commercial, as applicable.
 - e. Research/office districts: BP, O-1, O-2, O-3, RE-1, RE-2
 - f. Industrial districts: U-I, I-1, I-2, B-D, HW
 - g. Institutional districts: INST

C. Noncommercial Messages

1. Any sign permitted by these regulations may display or publish a noncommercial message. This includes signs that both require and do not require a permit.

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 in any sign dimension, or changes in the location of a sign.
- B. Changing or replacing the sign face within an existing sign structure so long as no structural changes are made to the sign structure and the size of the sign face is not increased.
- C. Changing the copy of a changeable message component of a sign.

13.4 Sign Permit

A. Authority

Unless specifically stated in this Chapter or this Ordinance that a sign is exempt from permit requirements, the installation, construction, enlargement, movement, or replacement of any sign requires a sign permit from the Zoning Administrator or their designee.

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, 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.

C. Fees

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

D. Final Inspection

Upon notification of completion by the permit holder, the Zoning Administrator or their designee shall make a final inspection of the sign to verify conformance with the permit and all applicable codes.

13.5 Definitions

The following definitions apply to this Chapter:

A-Frame Sign. A temporary sign ordinarily in the shape of the letter "A" or some variation thereof, which is displayed on the ground, not permanently attached to the ground, and usually two-sided, generally connected at the top and separated at the bottom.

Accessory Use Sign. A sign for a use which is customarily or typically subordinate to and serving a principal use.

Amenity Zone. The hardscaped portion of the streetscape used for street trees, street lights, site furnishings, and supplemental landscaping.

Animated Sign. A sign that uses moving or changing lights to depict action, movement, or the optical illusion of movement of part of the sign structure, sign, or pictorial segment, or including the movement of any illumination or the flashing or varying of light intensity to create a special effect or scene.

Awning Sign. A sign printed or displayed upon an awning, which is a roof-like cover designed for protection from the weather or as a decorative embellishment, which projects from a wall or roof of a structure over a window, walkway, or door, with no supports that extend to the ground. An awning sign may be one of the following types:

1. **Awning Sign – Non-Structural.** An awning sign, as defined above, constructed of fabric or similar material mounted on a frame.
2. **Awning Sign – Structural.** An awning sign, as defined above, constructed of permanent materials, such as metal and or plastic.

Balloon Sign. A sign or advertising device designed to be airborne or inflated and tethered to the ground or other structure. This includes any air-inflated signs and any signs that inflate and move via air inflation.

Banner. A temporary sign printed upon flexible material mounted with or without rigid frames.

Billboard. See outdoor advertising sign.

Canopy Sign – Attached. A sign printed or displayed upon a canopy, which is a roof-like cover designed for protection from the weather or as a decorative embellishment affixed to a building with supports that extend to the ground. A canopy sign may be one of the following types:

1. **Canopy – Non-Structural.** A canopy sign, as defined above, constructed of fabric or similar material mounted on a frame.
2. **Canopy – Structural.** A canopy sign, as defined above, constructed of permanent materials, such as metal or plastic.

Changeable Copy. That portion of a sign that allows for a message to be changed.

Drive-Through Facility. That portion of a business where transactions occur directly with customers via a service window that allows customers to remain in their vehicle.

Drive-Through Lane. An on-site driveway approach to a building opening, including windows or mechanical devices, where customers initiate and complete their transaction.

Drive-Through Sign. A ground sign constructed along drive-through lanes for drive-through facilities. A drive-through sign does not include parking lot, parking structure, and site circulation point signs.

Electronic Sign. A sign designed where a portion of the sign area uses changing light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the electronic display panel to display a message or messages in text and/or image from where the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Time/temperature signs are not considered electronic message signs. Electronic outdoor advertising signs are not considered electronic signs and are regulated separately.

Feather Flag (Sail). A freestanding attention-getting device typically constructed of cloth held taut by a single post. Also known as sails.

Flag. Fabric containing an emblem or message designed to be flown from a flagpole which may be either freestanding or a mast arm flagpole that extends at an angle from a building.

1. **Commercial Flag.** Flags designed to direct attention to or promote a business, product, service, event, or activity occurring on the site, which are flown from a mast arm flagpole.
2. **Noncommercial Flag.** Flags that do not function to direct attention to or promote a business, product, service, event, or activity.

Flashing Sign. A sign with an intermittent or sequential flashing light source used primarily to attract attention. Flashing signs do not include electronic signs or video display screens.

Floodlight/Spotlight. A powerful light or a grouping of several lights used to illuminate the exterior of a building or sign.

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

Ground Sign. A sign that is placed on and/or supported by the ground, independent of a structure on the lot.

Historic Signs. A historically significant sign, as designated by the criteria and process of this Chapter, that has been moved from its original location to be reused on another site to promote the protection of nonconforming signs that represent important aspects of the City's heritage, to enhance the character of the community by considering such signs during development, and to assist owner(s) in the preservation and restoration of their signs.

Illumination, External Sign. Lighting of a sign from a light source external to the body of the sign, so that light is directed on to the face of the sign or directed in a manner so as to create silhouettes of letters or symbols that are placed in front of the light.

Illumination, Internal Sign. Lighting of a sign from internal sources, such as in light source within the framework of a sign cabinet and behind the face of the

sign so that light is transmitted through the face of the sign.

Landmark Sign. A landmark sign is a historically significant sign, as designated by the criteria and process of this Chapter, that is allowed to be restored and retained on-premise to promote the protection of nonconforming signs that represent important aspects of the City's heritage, to enhance the character of the community by considering such signs during development, and to assist owner(s) in the preservation and restoration of their signs.

Light Pole Banner. Banners mounted on and with arms installed perpendicular to a light pole.

Marquee Sign. A permanent roof-like structure constructed of permanent building materials that extends from the wall of a structure with no supports extending to the ground providing protection from the elements that includes a sign that is a part of the marquee.

Monument Sign. A sign that is placed on or supported by the ground, independent of a structure on the lot, that has a greater width than height. Monument signs may be designed with a solid base or with two columns on either side supporting a sign face, where there is no more than 12 inches from the ground to the bottom of the suspended sign face.

Moving Sign. A sign where all or a portion of the sign and/or sign structure rotates, revolves, moves, elevates, or in any way alters position or geometry. This includes any sign that gives the appearance of movement, including signs designed to be moved by wind or other natural elements.

Mullion. A vertical or horizontal element that forms a division between units of a window or screen, or is used decoratively. When dividing adjacent window units, its primary purpose is a rigid support to the glazing of the window.

Multi-Tenant Planned Non-Residential Development. A development under unified control that contains a number of separate businesses, offices, light manufacturing facilities, and research uses, and may include accessory and supporting uses, that is designed, planned, and constructed on an integrated and coordinated basis. Examples include, but are

not limited to, research parks, office parks, industrial parks, or a combination of such uses.

Multi-Use. A development site of more than one building that contains a mix of non-residential and residential buildings, some or all of which may be mixed-use buildings as well.

Network Required Private Street. Per the Subdivision Ordinance, a required street that is on private property but for which public access is allowed.

Nit. A unit of measurement of the intensity of visible light, where one nit is equal to one candela per square meter.

Noncommercial Message. Messages and emblems that do not function to direct attention to or promote a business, product, service, event, or activity, either on-site or off-site. Examples of noncommercial messages include, but are not limited to, signs advocating a public issue, recommending a candidate for office, and personal messages.

Off-Premise Advertising. A sign directing attention to or promoting a business, product, service, event, or activity that is not sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located.

1. **Outdoor Advertising Sign.** A permanent sign directing attention to or promoting a business, product, service, event, or activity that is not sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located. Outdoor advertising signs may be static or electronic. Also known as a billboard or a permanent off-premise advertising sign.
2. **Temporary Off-Premise Advertising Sign.** A temporary sign directing attention to or promoting a business, product, service, event, or activity that is not sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located. A temporary off-premise advertising sign is intended for display for a short period of time, are not permanently mounted or installed on-site, and typically cannot be reused. Temporary off-premise advertising signs are

usually constructed of light materials such as cardboard or vinyl.

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.

Parapet. The extension of the main wall or walls of a building above the roof level.

Pennant. Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. Streamers are considered pennants.

Planned Development. An approved planned residential, office, business, industrial or mixed-use development.

Planning, Design and Development Director.

The Director of Charlotte Planning, Design, and Development, which may include his/her designee in administration of the Ordinance.

Pole Sign. A detached sign erected and maintained on a freestanding frame, mast, or pole and not attached to any building.

Portable Sign Structure. A sign structure that is intended, by design and construction, to rest upon the ground for support and can be moved and reused. Portable sign structures include, but are not limited to, those that mount signs upon a trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or with wheels removed. Portable sign structures do not include A-frame signs, or temporary off-premises advertising signs.

Projecting Sign. A sign that is attached to a rigid structure that extends more than 18 inches beyond the surface of the structure to which it is attached.

Public Street. Per the Subdivision Ordinance, a street accepted for dedication to the City, County or North Carolina Department of Transportation.

Residential Planned Development. A residential neighborhood developed as an integrated whole,

typically through the subdivision process, and usually designed with a specific identity.

Retail Center. A commercial development under unified control consisting of three or more separate retail, personal service, restaurant, and entertainment uses, that is designed, planned, and constructed on an integrated and coordinated basis. Also called a shopping center.

Rider Sign. A smaller additional temporary sign attached to the main temporary sign to provide limited additional information.

Roof Sign. A sign that is installed on the roof structure of any building with the principal support attached to the roof structure.

Roofline. The highest point of a flat roof and mansard roof, and the lowest point of a pitched roof, excluding any cupolas, chimneys, or other minor projections.

Searchlight. An attention-getting device where an artificial light of high intensity is shined upward in a focused beam and can turn in any direction to attract attention to a location. Also known as sky-beams or sky spotlights.

Sign. A structure, device, or object using words, letters, figures, designs, emblems, symbols, fixtures, colors, illumination, and/or projected images.

Skyline Sign. A sign attached to the topmost band or bands of the building facade.

Streamer. See pennant.

Strobe Light. A device used to produce flashes of light in regular intervals.

Temporary Outdoor Sales Sign. A sign for displays of temporary outdoor retail sales.

Valance. That portion of non-structural awning that hangs generally perpendicular from the edge of an awning.

Vehicle Sign. A sign that is attached to or painted on a vehicle. This definition does not include signs painted on or applied to vehicles, trucks, or buses that are being operated and stored in the normal course of business, such as signs located on delivery trucks,

moving vans, trailers, and rental trucks, provided that they are parked or stored in areas related to their use as business vehicles and that all such vehicles are in operable condition.

Video Display Screen. A sign, or portion of a sign, that displays an electronic video, whether pre-recorded or streaming.

Wall Sign. A sign that is attached directly to an exterior wall of a building or dependent upon a building for support and projects 18 inches or less from the wall of a structure with the exposed face of the sign in a plane substantially parallel to the face of the wall. Window signs, roof signs, and skyline signs are not considered wall signs. Painted and projected wall signs are types of wall signs but regulated separately by this Ordinance.

Wall Sign, Painted. A sign that is painted, applied, or affixed directly on the exterior wall of a building or structure. A painted wall sign is not limited to only the application of paint, but includes other methods of application and/or material, including, but not limited to tiles or screenprinting.

Wall Sign, Projected. A sign that is projected by an optical device that projects an image directly onto the exterior wall of a building or structure by light or other technological means.

Window Sign. A sign that is attached to, placed upon, or printed on the interior or exterior of a window or door of a building, or displayed on the interior within two feet of a window intended for viewing from the exterior of such a building. A window sign may be either permanent or temporary.

Zoning Administrator. The Charlotte-Mecklenburg Zoning Administrator, which may include his/her designee, in administration of the Ordinance.

13.6 Measurement Methodologies

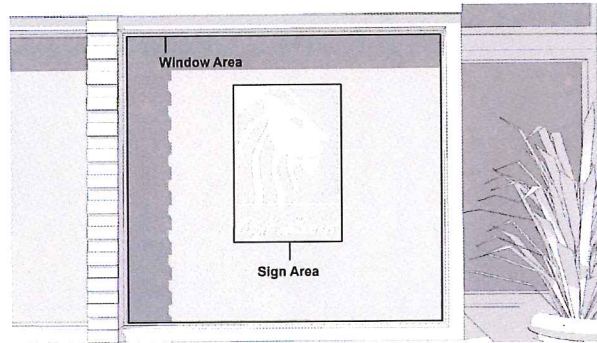
A. Calculation of Sign Area

1. The sign area includes the area within a single, continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustration, or ornamentalations, together with any material or color forming an integral part of the display or differentiating the sign from the background to which it is placed. Structural supports with 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.



2. For calculating maximum area of window signs, the window area is calculated as a continuous surface until divided by an architectural or structural element. Mullions are not considered an element that divides window area. The area of a window sign is calculated by the same method as for other sign areas, per item 1 above. The standards below further apply to the calculation of window sign areas.
 - a. Shadowbox design within display windows, where the window display is designed with a background enclosure within two feet of the window against which signs are mounted that blocks view into the establishment, is considered a window sign and the entire area of the shadowbox is subject to the maximum sign area limitation.

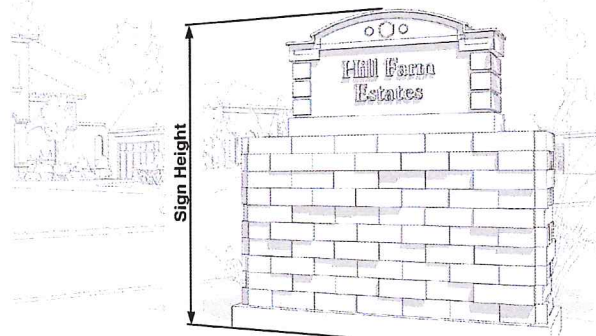
- b. Perforated window graphics/window clings, which show an image to the outside but allow those on the interior to view outside, are not considered transparent and the entirety of the graphic is counted as a window sign.



Measurement of Window Sign Area

B. Measurement of Sign Height

Sign height is measured from the base of the sign at the ground to the highest point of the sign, including any attachments.



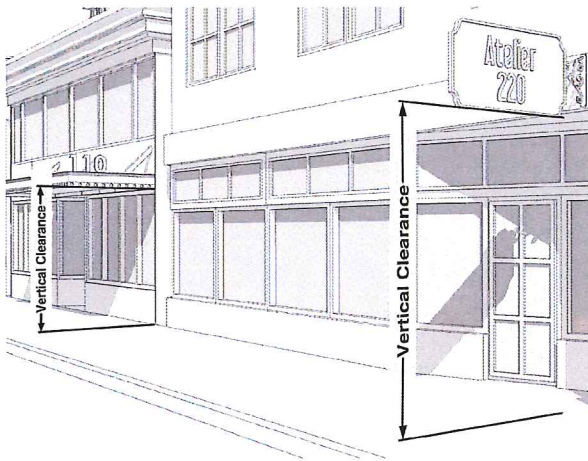
Measurement of Sign Height

C. Measurement of Vertical Clearance

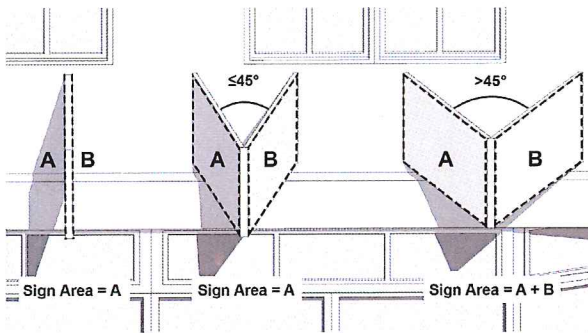
For building-mounted signs, vertical clearance is measured as the vertical distance measured from the ground directly below the sign to the lowest point of the sign.

D. Determination of Number of Sign Faces

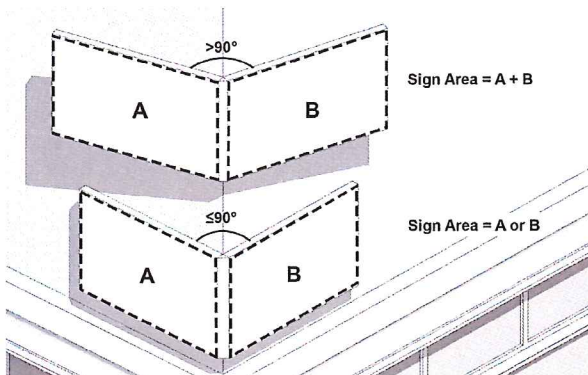
The maximum angle of a double-faced sign is 45 degrees, except for signs located at corners in which case the angle may be 90 degrees. This refers to the distance between sign faces on a single structure.



Measurement of Vertical Clearance



Measurement of Sign Faces (Angled Sign) - Interior Lot



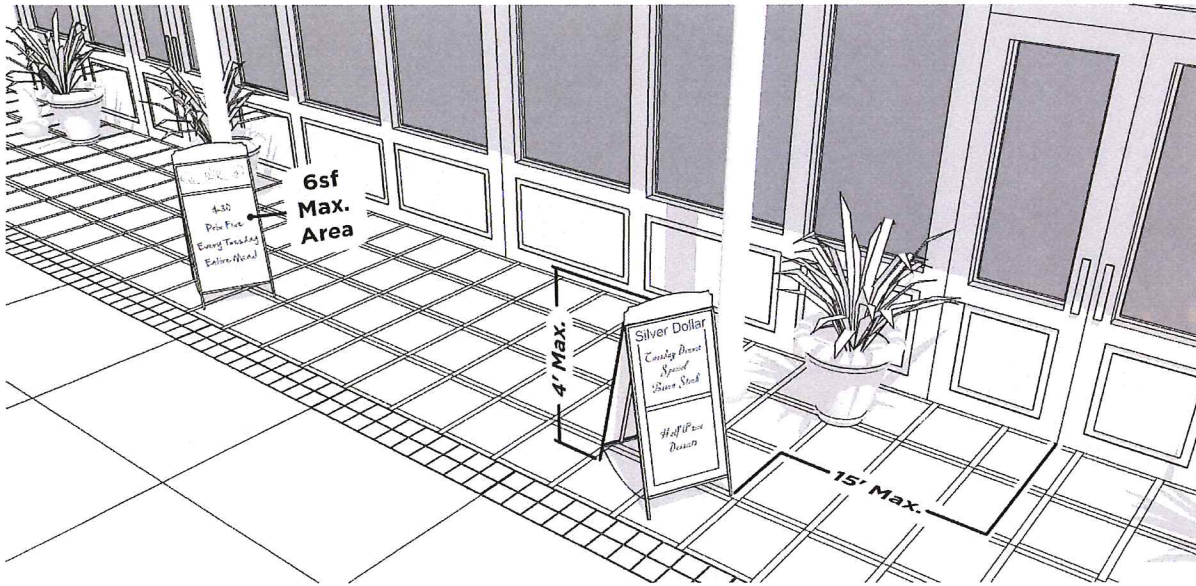
Measurement of Sign Faces (Angled Sign) - Corner Lot

E. Sign Setback

A required sign setback is measured from the applicable lot line to the closest component of the sign or sign structure.

13.7 Standards for Signs Exempt from Permit

The following on-premise permanent and temporary signs are exempt from the sign permit requirement, but subject to all applicable standards of this Chapter, including the general sign standards of Section 13.8.



A-Frame Sign

A. A-Frame Sign

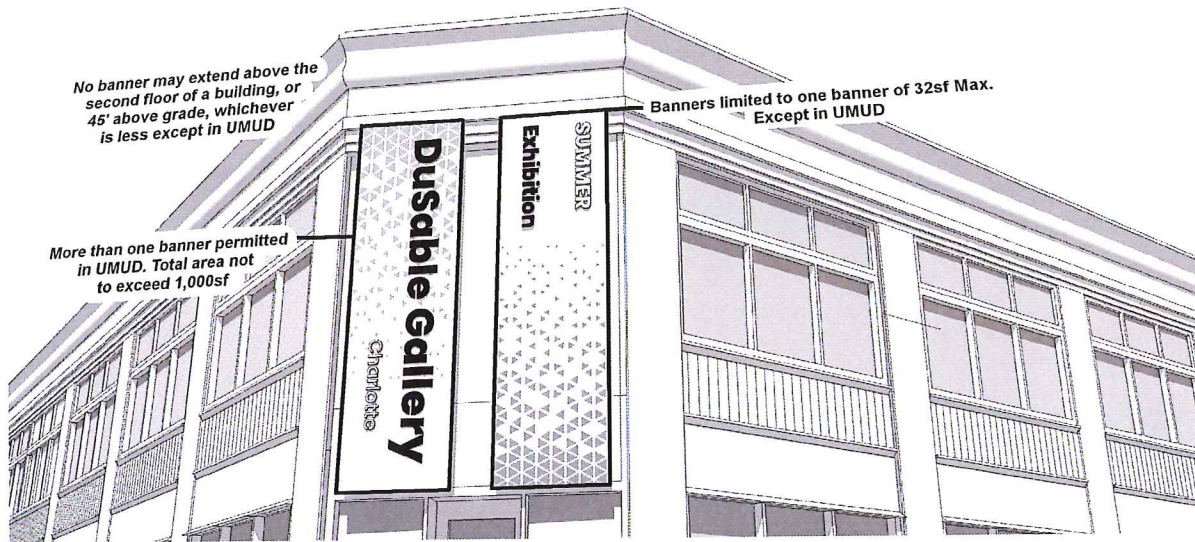
1. A-frame signs are permitted for non-residential uses in the B-1 and B-2 Districts and the urban districts.
2. One A-frame sign is permitted per establishment, including one for each tenant in a multi-tenant development.
3. An A-frame sign shall be placed within 15 feet of the primary entrance of the business, and shall not interfere with pedestrian traffic or violate standards of accessibility as required by the ADA or other accessibility codes.
4. A minimum unobstructed sidewalk clearance of five feet shall be maintained at all times. The requirements of Section 10-141 of the City Code apply to signs on public property or in the public right-of-way.
5. A-frame signs are limited to six square feet in area per side and four feet in height.
6. The placement of A-frame signs outdoors is limited to business hours only. A-frame signs shall be stored indoors at all other times.
7. Illumination of A-frame signs is prohibited.

8. A-frame signs shall not have any type of electronic component.

B. Accessory Use Sign

Signs for accessory uses are permitted in all zoning districts as follows:

1. Signs shall be constructed as wall signs. Only one sign is permitted.
2. Signs are limited to four square feet in area.
3. Illumination of signs for accessory uses is prohibited.



Banner

C. Banner

1. Banners are permitted for non-residential uses in all districts.
2. In permitted districts, except UMUD (see item 3 below), one banner is permitted per establishment, including one for each tenant in a multi-tenant development, and banners are limited to a maximum area of 32 square feet. Such banners shall not extend above the second-floor level of a building or 45 feet above grade, whichever is less.
3. In the UMUD District, more than one banner is permitted and the total area of all banners combined shall not exceed 1,000 square feet or 10% of the wall area, whichever is less, per building wall. Banners shall not extend past the roofline.
4. Banners shall be securely attached to a building wall.
5. Banners for institutional uses in all districts where allowed may also be ground-mounted between two or more posts, 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.

6. Banners shall be made of canvas, canvas-like material, nylon, vinyl-coated fabric, or similar weatherproof type materials.
7. All banners are limited to a maximum display period of 14 consecutive days and there shall be a minimum of ten days between display periods.

D. Construction Activity

1. Temporary ground signs are permitted for lots currently under construction in all districts.
2. Signs located on single-family detached or duplex construction lots are limited to six square feet in area. An additional rider sign not exceeding a total of two square feet in sign area is allowed.
3. Signs for all other types of construction lots cannot exceed 64 square feet in sign area.
4. Signs shall be located on the construction lot.
5. One sign is permitted per street frontage.
6. Signs shall be removed within seven days after expiration of the building permit.

E. Flags**1. Commercial Flags**

- a. Commercial flags are permitted for non-residential uses in the urban and general commercial districts.
- b. One commercial flag is permitted per establishment for each tenant on the first and second stories where such tenant's facade abuts a public or private right-of-way.
- c. Commercial flags are limited to a maximum area of 12 square feet.
- d. Commercial flags shall only be mounted by a mast arm flagpole that extends at an angle from a building. Such flags cannot extend into the right-of-way measured when the flag is fully extended perpendicular to the post.
- e. Commercial flags cannot be illuminated.

2. Noncommercial Flags

Noncommercial flags are permitted in all zoning districts and shall be displayed as set forth below as long as the flag(s) do not affect visibility or create any safety hazards or concerns.

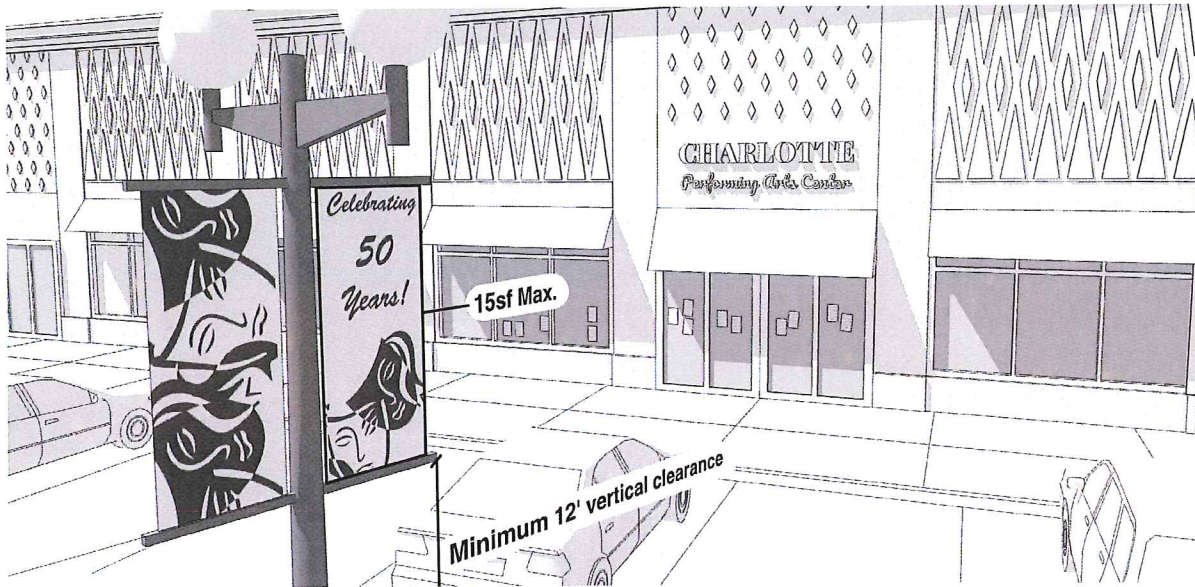
- a. References to flagpole height in this section refers to vertical flagpoles. References to the number of noncommercial flags, flagpoles, and noncommercial flag dimensions refer to both vertical flagpoles and mast arm flagpoles that may extend at an angle from a building.
- b. Unless otherwise permitted or restricted by this section, noncommercial flags shall be displayed on permanent flagpoles. Flagpoles in non-residential districts shall not exceed 60 feet in height and flagpoles in residential districts shall not exceed 39 feet in height.

- c. The maximum dimensions of any noncommercial flag shall be proportional to the flagpole height. The side of the flag nearest to the flagpole shall not exceed 20% of the vertical height of the flagpole. In addition, noncommercial flags are subject to the dimensional limitations of Table 13-1: Noncommercial Flag Dimensions:

Table 13-1: Noncommercial Flag Dimensions

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

- d. There shall be no more than three noncommercial flags allowed per street frontage. These flags may be flown on one flagpole or flown on separate flagpoles.
- e. Flagpoles along public streets and network required private streets shall be located behind any required sidewalks.
- f. Flagpoles shall be permanently mounted in the ground with necessary structural support features or below grade footings, installed in accordance with all required state and local regulations or applicable codes.
- g. Noncommercial flags shall not be draped over the hood, top, sides, or back of a vehicle, nor flown from the antennae of any parked vehicle in a non-residential zoning district.



Light Pole Banner

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. Light pole banners are limited to a maximum area of 15 square feet.
3. Light pole banners shall maintain a minimum vertical clearance of 12 feet from grade to the bottom of the banner.
4. Light pole banners shall be mounted to project perpendicular from light poles.

G. Noncommercial Message Sign

In addition to the conversion of any permitted sign to a noncommercial message per Section 13.2.C, additional signs for noncommercial messages are permitted as follows:

1. Noncommercial message signs are permitted in all districts.
2. Noncommercial message signs are ground or wall signs. There is no limit on the number of noncommercial message signs permitted.

3. The sign area of a ground and wall-mounted sign is limited to 16 square feet in area. Ground signs are limited to four feet in height.
4. Ground-mounted signs 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.
5. Noncommercial message signs shall not be illuminated.
6. Noncommercial message signs cannot be used for on-premise or off-premise advertising.

H. Parking Lot, Parking Structure, and Site Circulation Point Signs

1. Parking lots and structures in all districts are permitted permanent signs at parking lot or structure circulation points in accordance with this section, whether such parking lots or structures are a principal or ancillary use. Such signs shall not be used for off-premise advertising.
2. Circulation points include, but are not limited to, entrances/exits, driveway intersections, drive-through lanes, and parking lot drive aisles. Circulation points also include bicycle

paths and bicycle parking areas, pedestrian paths and on-site pedestrian rest areas, and pathways to transit stops.

3. Signs for parking lot and structure circulation points may be internally or externally illuminated.
4. Signs are limited to six square feet in area.
5. Ground signs are limited to six feet in height.
6. A ground sign shall not be located so as to obstruct any pedestrian or vehicular traffic, or within any public rights-of-way.

I. Real Estate Activity

1. Temporary ground signs are permitted for lots or structures currently for sale, lease, or rent.
2. Signs located on individual single-family detached and duplex lots under three acres in size, or individual units within attached housing are limited to six square feet. An additional rider sign not exceeding a total of two square feet in sign area is allowed.
3. Signs for other lots or structures for sale, lease, or rent cannot exceed 64 square feet in sign area.
4. Only one sign is permitted per street frontage of the property. However, properties having a continuous frontage of 850 linear feet or more shall be allowed an additional sign so long as such sign is no closer than 850 feet from another sign on the property.
5. Illumination is prohibited.
6. Signs shall be removed within seven days after the sale is closed or rent or lease transaction is finalized.

J. Temporary Off-Premise Advertising Sign

1. Temporary off-premise advertising signs are limited to four square feet in area.
2. Temporary off-premise advertising signs are limited to four feet in height.

3. Temporary off-premise advertising signs are limited to two per property.

4. Temporary off-premise advertising signs 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.

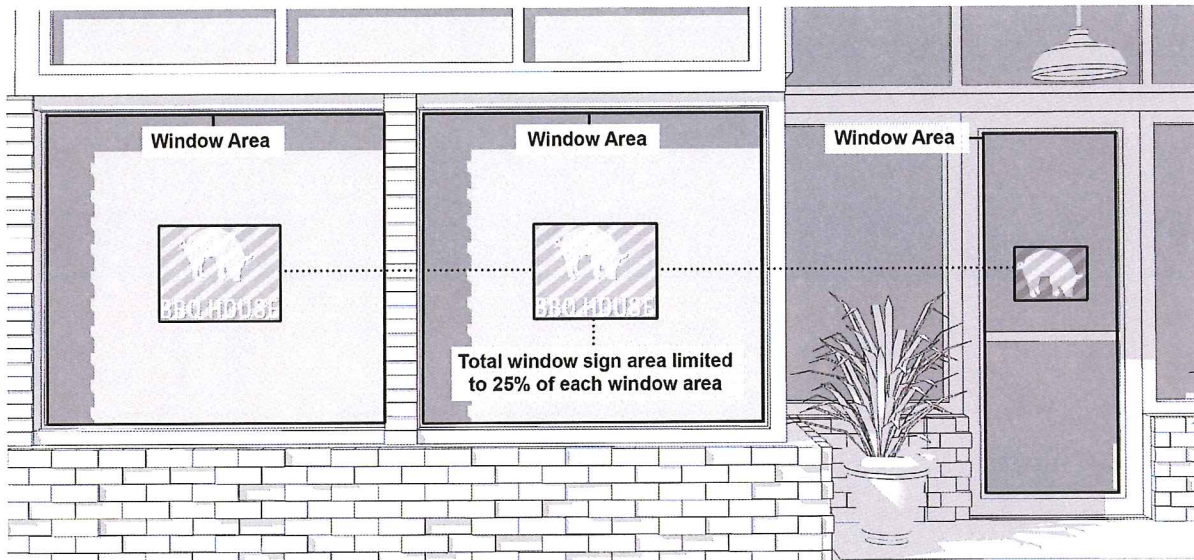
5. Temporary off-premise advertising signs are limited to the following display period: posted no earlier than 3:00 p.m. of a Friday, or before 8:00 a.m. of a holiday, and displayed until 6:00 p.m. on a Sunday or a designated holiday.

6. Temporary off-premise advertising signs are prohibited from being posted or mounted upon trees, utility poles, traffic control signs, lights, or devices in any place or manner prohibited by the provisions herein.

7. No temporary off-premise advertising sign shall be mounted upon a portable sign structure.

K. Temporary Outdoor Sales Sign

1. The following standards apply to all temporary outdoor sales signs:
 - a. Temporary outdoor sales signs are limited to one per establishment, including one for each tenant in a multi-tenant development.
 - b. Temporary outdoor sales signs may either be of A-frame type or attached to the sales display.
2. The following standards apply to temporary outdoor sales signs of A-frame type:
 - a. A-frame signs shall not interfere with or obstruct motor vehicle traffic.
 - b. A-frame signs shall not interfere with pedestrian traffic or violate standards of accessibility as required by the ADA or other accessibility codes. The requirements of Section 10-141 of the City Code apply to all signs on public property or in the public right-of-way.



Window Sign

- c. A-frame signs are limited to six square feet in area per side and four feet in height.
 - d. The placement of A-frame signs outdoors is limited to sales hours only. A-frame signs shall be stored indoors at all other times.
 - e. Illumination of A-frame signs is prohibited.
 - f. A-frame signs shall not have any type of electronic component.
3. The following standards apply to temporary outdoor sales signs attached to sales displays:
- a. Attached signs are limited to 16 square feet.
 - b. Illumination of attached signs is prohibited.
 - c. Attached signs shall not have any type of electronic component.

L. Vehicle Dealership Temporary Sign

1. Temporary signs are permitted for vehicle dealerships that front public rights-of-way.
2. Signs are limited to nine square feet per each vehicle that front public rights-of-way.

3. Signs shall be affixed to the exterior surface of the vehicle. Signs cannot project beyond the roof, hood, or trunk of the vehicle.

M. Window Sign

1. Window signs are permitted for all multi-family and non-residential uses.
2. For multi-family uses, window signs are permitted on the ground floor only. For non-residential uses, window signs are permitted for window areas up to and including the third story.
3. The total window sign area, whether temporary or permanent, is limited to no more than 25% of the surface of each window area, including transparent areas of doors and entryways. Window area is counted as a continuous surface until divided by an architectural or structural element, such as door casings or facade treatments. Mullions are not considered an element that divides window area.
4. Window signs may be internally or naturally illuminated except when located within a residential district, where illumination is prohibited. No external illumination is permitted.

13.8 General Sign Standards

A. Installation

1. All signs shall be constructed and installed in accordance with the applicable provisions of the North Carolina State Building Code.
2. All illuminated signs shall be installed in accordance with the applicable provisions of the North Carolina State Electrical Code and all detached signs shall be illuminated by an underground electrical source.

B. Location

Signs may be located in a required setback or yard. If a sign is located in a required setback or yard it shall not be otherwise located so as to obstruct pedestrian or vehicular traffic.

C. Site Distance Triangle Obstruction Prohibited

No sign shall obstruct a required sight distance triangle, as described in Sections 12.109(1)(a), (b), and (c), and 12.109(2), or any vehicular clear site zone as described in Section 15.3.3.B.4. Any sign installed, either permanent or temporary, at ground level greater than 30 inches in height and having vertical clearance less than six feet is prohibited in the sight distance triangle. Height measurements are taken from the centerline of the intersection of the adjacent streets.

D. Projection into City Right-of-Way

When a sign extends into a City right-of-way, prior review and approval by CDOT and/or other relevant agencies is required. The encroachment of signs into a City right-of-way requires an encroachment agreement from CDOT, if applicable. Adherence to the design standards included in this Chapter does not imply approval through an encroachment agreement.

E. Tree Protection

Sign placement, including projections from a building facade, shall protect all trees as required by the Charlotte Tree Ordinance as well as any trees located in the public right-of-way.

F. Permitted Materials for Signs

1. Permanent sign structures shall be constructed of brick, wood or simulated wood, stone, concrete, metal, plastic, or high-density urethane (HDU) foam board or similar durable foam construction.
2. Awning, canopy, projecting, light pole banner, banners, and wall signs may also be constructed of durable weather resistant material such as canvas, nylon, or vinyl-coated fabric.
3. Wall, awning, canopy, projecting, and light pole banners constructed of non-rigid material such as canvas, nylon, or vinyl-coated fabric shall be mounted within a frame so that they are held taut between all support posts.

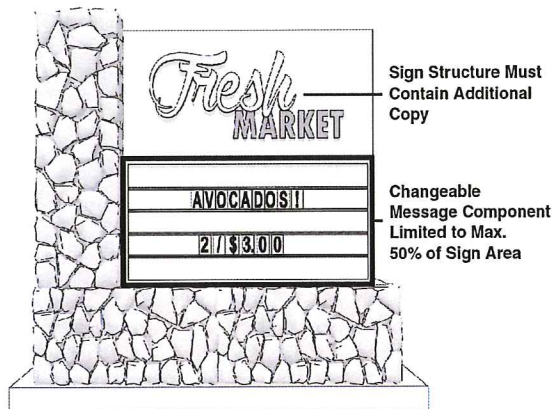
G. Audio Components

Audio components are prohibited as part of any sign, except for the following:

1. Drive-through sign: For drive-through signs, the audio component shall be designed, located, shielded, and directed to prevent detection from surrounding properties.

H. Changeable Message

1. The following sign types, when allowed within a district, may have a changeable message component: wall sign, projecting sign, ground sign, or marquee sign. Electronic signs are limited to the districts listed in Section 13.10.B.
2. Where a sign has an electronic message or manual changeable copy component, it is limited to a maximum of 50% of the total area of the sign.
3. A sign structure with a changeable message component shall contain additional copy; it cannot be a blank sign structure once the changeable message component is discounted.



Changeable Message Sign

I. Illumination Standards

1. All sign illumination, both external and internal, shall be designed, located, shielded, and directed to prevent the casting of glare or direct light upon rights-of-way and surrounding properties, and prevent the distraction of motor vehicle operators or pedestrians in the rights-of-way.
2. The sign face of internally illuminated signs shall function as a filter to diffuse illumination. The sign face shall cover all internal illumination components so that no exposed bulbs are visible.
3. All external illumination of a sign shall concentrate the illumination upon the printed area of the sign face.
4. Sign illumination shall not be combined with reflective materials, such as mirrors, polished metal, or highly-glazed tiles, which would increase glare.
5. Strobe lights, moving or fixed searchlights, and floodlights/spotlights are prohibited, except in the UMUD, where such lighting is permitted.
6. No lighting, including neon or LED components of signs, may flash, except in the UMUD, where such lighting may flash, chase, or blink.

7. Neon or LED lighting to outline doors, windows, architectural features, and building facades is permitted. Such lighting shall remain static (i.e., no chasing, blinking, or flashing) except in the UMUD, where such lighting may chase, blink or flash.
8. The maximum allowable footcandle at the lot line is one footcandle unless a sign is allowed to extend over the lot line, where the maximum of one footcandle is measured at the back of curb. This does not apply to electronic message signs, which are regulated by item 9 below.
9. For electronic message signs, excluding electronic outdoor advertising signs, the maximum brightness is limited to 5,000 nits when measured from the sign's face at its maximum brightness, during daylight hours, and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn, i.e., the time of day between sunset and sunrise. The sign shall have an ambient light meter and automatic or manual dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise. Electronic outdoor advertising signs are regulated by Section 13.11 below.

J. Maintenance of Signs

1. All signs shall be maintained in good condition. Deficiencies such as chipped paint, broken plastic, missing letters, and exposed light bulbs are evidence of a lack of maintenance.
2. The City may remove any sign that is an immediate public peril to persons or property summarily and without notice.
3. Sign frames shall not remain unfilled and/or allow any internal part or element of the sign structure to be visible. Sign frames filled or replaced with a blank panel are considered to meet this standard.

13.9 Summary of Sign Permissions

Table 13-2: Summary of Sign Permissions catalogs the types of permitted signs, both permanent and temporary, and indicates whether such sign requires a sign permit. This table is provided for reference purposes. In the case of any conflict with the regulations of this Chapter or any other section of this Ordinance, the specific sign regulations control over this table. This table does not address outdoor advertising signs (Section 13.11) and areas of special sign regulation (Section 13.12).

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	B-1, B-2, and Urban Districts
Accessory Use Signs		All districts
Banners	Non-residential uses	All districts
Construction Activity	Construction site	All districts
Flag – Commercial Flag	Non-residential uses	Urban and General Commercial Districts
Flag – Noncommercial Flag		All districts
Light Pole Banner	Light poles on private property	All districts
Noncommercial Message Sign		All districts
Parking Lot, Parking Structure, and Site Circulation Point Signs	Parking lot and parking structure	All districts
Real Estate Activity	Real estate activity	All districts
Temporary Off-Premise Advertising Sign		All districts
Temporary Outdoor Sales Sign	Non-residential uses	All districts
Vehicle Dealership Temporary Sign	Vehicle dealership	All districts
Window Sign	Non-residential uses Multi-family dwellings	All districts

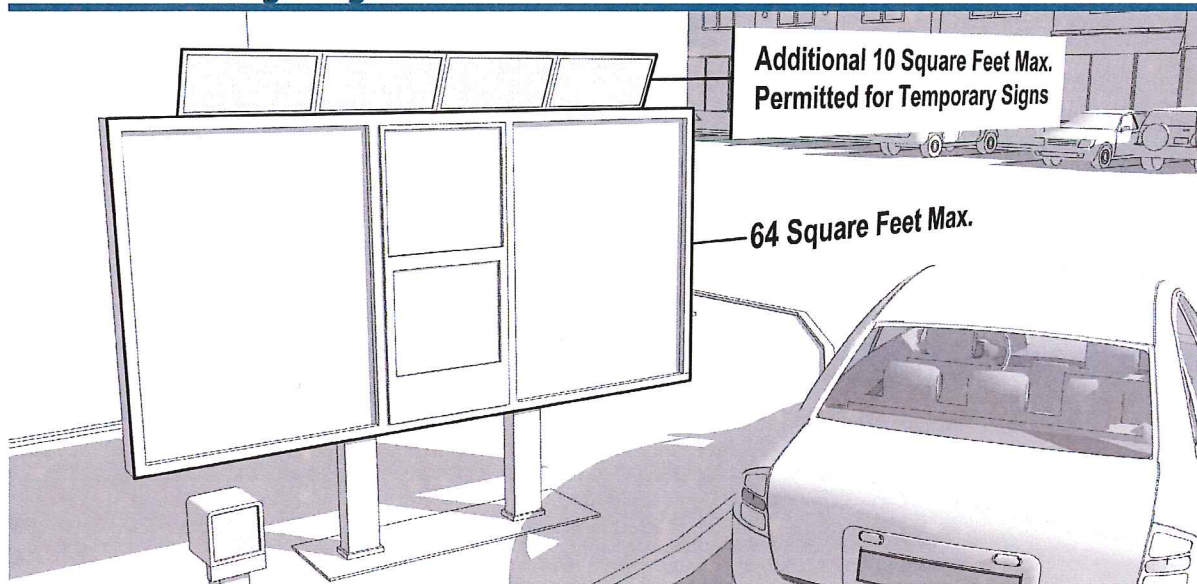
Table 13-2: Summary of Sign Permissions

SIGN TYPES	PERMISSIONS	
	BY USE/ACTIVITY	BY DISTRICT
SIGNS REQUIRING PERMIT (SECTION 13.10)		
Drive-Through Sign	Drive-through facilities	All districts
Electronic Sign	Non-residential uses	Urban, General Commercial, Industrial, Institutional Districts and Research/Office Districts
	Cultural facility; Educational facility - primary or secondary; Educational facility - university or college; Government office/facility; Park/playground; Place of worship	All districts
Ground Sign		
Ground Sign	Non-residential uses Multi-family dwellings	See Table 13-3
Retail Center Ground Sign	Retail Centers	All districts except the TOD-UC or TOD-NC Districts
Multi-Tenant Planned Non-Residential Development Ground Sign	Multi-Tenant Planned Non-Residential Development	All districts except the TOD-UC or TOD-NC Districts
Multi-Use Planned Development Ground Sign	Multi-Use Planned Development	All districts except the TOD-UC or TOD-NC Districts
Residential Planned Development Ground Sign	Residential Planned Development	All districts except the TOD-UC or TOD-NC Districts
Marquee	Non-residential uses	Urban Districts
Roof Sign	Non-residential uses Multi-family dwellings	B-2, MUDD, UMUD, TOD-UC, TOD-CC
Skyline Sign	Non-residential uses Multi-family dwellings	Urban, General Commercial, Research/Office, Industrial, and Institutional Districts
Temporary Signs for Planned Development Construction Lots	Planned developments	All districts
Wall-Mounted Signs: Walls Signs, Awning and Canopy Signs, Projecting Signs	Non-residential uses Multi-family dwellings	All districts
Wall Sign, Painted	Non-residential uses	All districts
Wall Sign, Projected	Non-residential uses	All districts

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. Drive-Through Sign



Drive-Through Sign

1. The following standards apply to drive-through signs:
 - a. Drive-through signs are limited to one per drive-through lane.
 - b. Drive-through signs are limited to 64 square feet in sign area and eight feet in height. The drive-through sign may be designed as separate ground signs grouped together and may include the use of preview boards designed as separate ground signs installed at a distance earlier in the drive-through lane, however the total area of all signs shall not exceed 64 square feet.
 - c. In addition, drive-through signs are permitted ten square feet of sign area for temporary signs attached to the top or sides of the drive-through sign.
 - d. Drive-through signs shall be located a minimum of 15 feet from any residential zoning district. This is measured from the sign face to the nearest edge of any residential zoning district.
 - e. Drive-through signs may be internally illuminated. Drive-through signs may also contain an electronic or video display screen and audio component for interaction with the customer. No external illumination of drive-through signs shall be permitted.
 - i. For any included audio component, the standards of Section 13.8.G.1 shall apply.

B. Electronic Sign

1. Electronic signs are permitted for non-residential uses within the urban, general commercial, industrial, institutional, and research/office districts. In addition, electronic signs are also permitted for the following:
 - a. The following uses in any district are permitted an electronic sign: cultural facility, educational facility - primary or secondary, educational facility - university or college, government office/facility, park/playground, place of worship.
2. Only one electronic sign per lot is permitted.
3. Electronic outdoor advertising signs are controlled by Section 13.11.
4. Each message or image displayed on an electronic sign shall be static for a minimum of eight seconds. Electronic signs shall display static text messages only, with no animation or effects simulating animation or video. Scrolling, flashing, animation, or movement of the message or any component of the sign is prohibited. Any message change sequence shall be accomplished immediately by changing from one screen to another without transition effect. Such prohibition does not apply to the UMUD District.

C. Ground Signs

1. Ground Sign Types

Ground signs are regulated as five types in this Chapter:

- a. Ground signs are permitted for multi-family dwellings and non-residential uses in the districts indicated in item 3 below.
- b. Retail center ground signs are permitted for multi-tenant retail centers in any district except the TOD-UC or TOD-NC Districts.
- c. Multi-tenant planned non-residential development ground signs are permitted in any district except the TOD-UC or TOD-NC Districts.
- d. Multi-use planned development ground signs are permitted in any district except the TOD-UC or TOD-NC Districts.
- e. Ground signs are permitted for residential planned developments in any district except the TOD-UC or TOD-NC Districts

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.
 - 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.
- b. Ground signs shall be located a minimum of five feet from either the right-of-way line or sidewalk, whichever is greater with the following exceptions:

- i. In TOD Districts, ground signs shall be located a minimum of five feet from either the setback line, build-to line, or maximum dimension of a build-to zone, as applicable.
- c. Ground signs shall not project into, over, or otherwise encroach on a public right-of-way, or a sidewalk as part of a network required private street.
- d. Ground signs may be internally or externally illuminated. If externally illuminated, all light shall be directed onto the sign face.

3. Ground Signs

Ground signs are subject to the following:

- a. Ground signs are permitted for multi-family and non-residential uses in the districts listed in Table 13-3: Ground

Signs. Table 13-3 also contains the maximum sign areas and maximum heights.

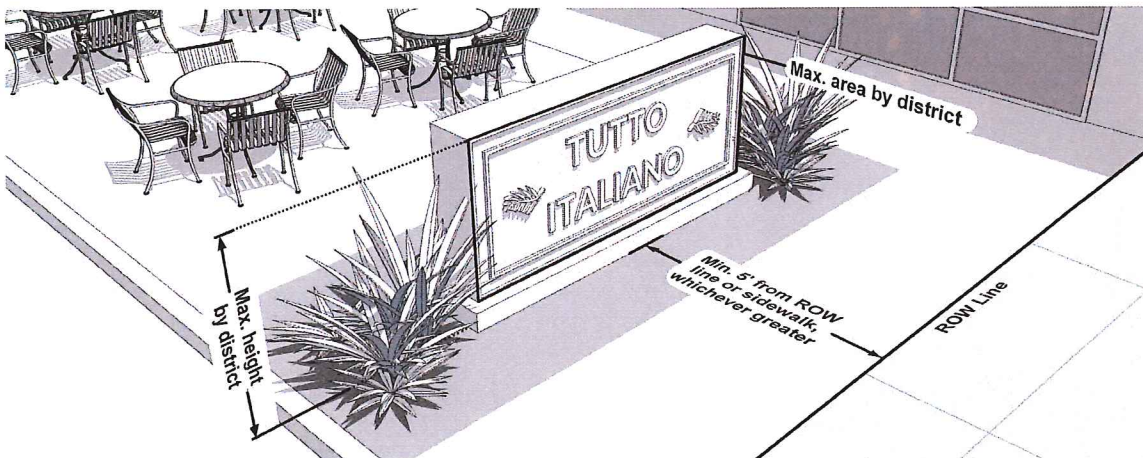
- b. One ground sign is permitted along street frontage of a lot measuring less than 400 feet. Additional signs are allowed as follows:
 - i. Each street frontage of a lot measuring 400 feet or more, is permitted one additional sign. However, a minimum distance of 200 feet shall be maintained between signs along the frontage. This does not apply to an institutional use, which is controlled by item ii below.
 - ii. Institutional uses in all districts are permitted one additional ground sign of 16 square feet and four feet in height.

Table 13-3: Ground Signs

ZONING DISTRICT	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT
Single-Family Residential Districts	36sf	7'
Multi-Family Residential Districts	36sf	7'
Urban Districts		
NS	36sf	7'
PED	36sf	7'
UR-2	36sf	7'
UR-3	36sf	7'
UR-C	36sf	7'
MUDD	36sf	7'
UMUD	36sf	7'
TOD-R	36sf	7'
TOD-E	36sf	7'
TOD-M	36sf	7'
TOD-UC	Prohibited	
TOD-NC	Prohibited	
TOD-CC	36sf	7'

Table 13-3: Ground Signs

ZONING DISTRICT	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT
TOD-TR	36sf	7'
TS	36sf	7'
RE-3	36sf	7'
General Commercial	42sf	7' However, in the B-2 District a permitted pole sign may be 30' in height
Research/Office Districts		
BP	42sf	7'
O-1	36sf	7'
O-2	36sf	7'
O-3	42sf	7'
RE-1	42sf	7'
RE-2	42sf	7'
Industrial	42sf	7' However, in the I-1 and I-2 Districts a permitted pole sign may be 30' in height
Institutional	36sf	7'



Ground Sign - Monument

4. Retail Center Ground Signs

Ground signs for retail centers are regulated separately from item 3 above, and are subject to the following standards:

- a. One retail center ground sign is permitted per street frontage. For lots of five acres or more, an additional ground sign is permitted for each entry point to

the lot but a minimum separation of 200 feet is required between signs.

- 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
- c. Where a multi-tenant retail center includes outparcels, each outparcel is permitted one ground sign of a maximum of 36 square feet in sign area and a maximum of five feet in height.
- d. Ground signs for retail centers located in a TOD-UC or TOD-NC District are prohibited.

5. Multi-Tenant Planned Non-Residential Development Ground Signs

Ground signs for multi-tenant planned non-residential developments are regulated separately from item 3 above, and are subject to the following standards:

- a. One ground sign of 50 square feet in area maximum and a maximum height of seven feet.
- b. A second ground sign of 24 square feet in area maximum and a maximum height of four feet.
- c. Outparcels on the site are each allowed one ground sign of 36 square feet in area maximum and a maximum height of five feet.
- d. Ground signs for multi-tenant planned non-residential developments located in a TOD-UC or TOD-NC District are prohibited.

6. Multi-Use Planned Development Ground Signs

Ground signs for multi-use planned developments are regulated separately from item 3 above, and are subject to the following standards:

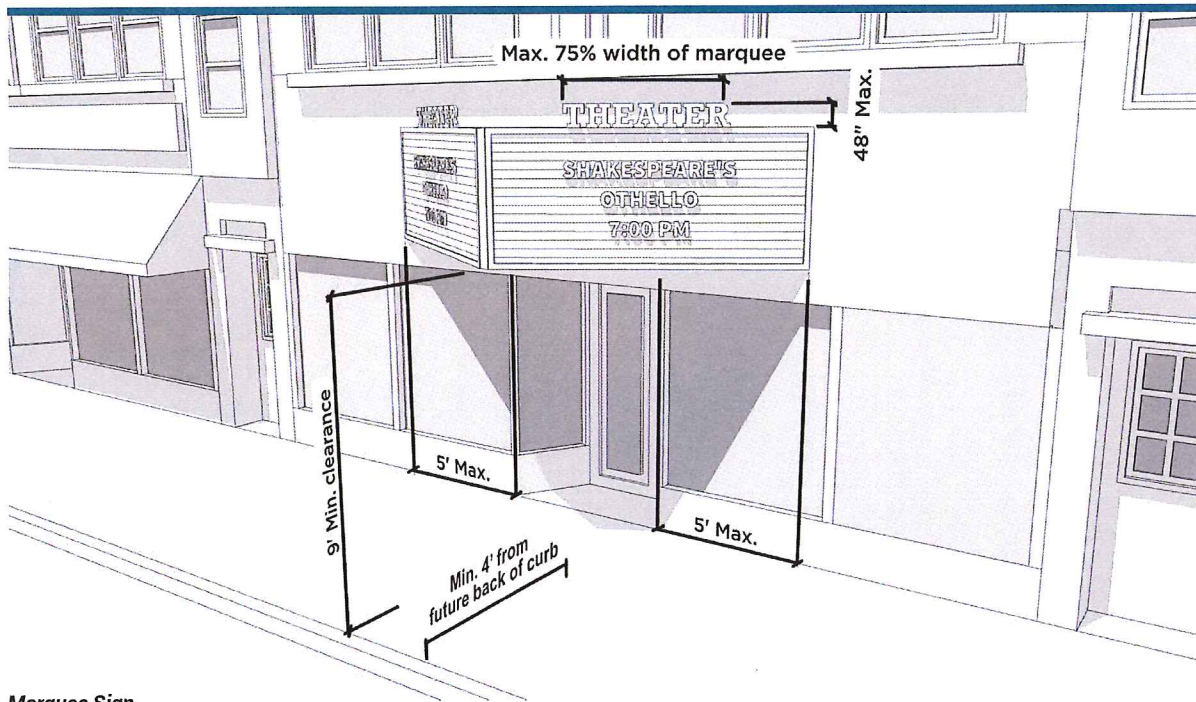
- a. One ground sign of 50 square feet in area maximum and a maximum height of seven feet.
- b. A second ground sign of 24 square feet in area maximum and a maximum height of four feet.
- c. Outparcels on the site are each allowed one ground sign of 36 square feet in area maximum and a maximum height of five feet.
- d. Ground signs for multi-use planned developments located in a TOD-UC or TOD-NC District are prohibited.

7. Residential Planned Development Ground Sign

Ground signs for residential planned developments are regulated separately from item 3 above, and are subject to the following standards:

- a. One residential planned development ground sign is permitted for each entry point to the development. A minimum separation of 200 feet is required between signs. Two separate sign faces may be used in conjunction with a wall, fence, or other architectural entrance feature.
- b. Residential planned development ground signs are permitted a maximum sign area of 42 square feet per sign and a maximum sign height of five feet per sign.
- c. Ground signs for residential planned developments located in a TOD-UC or TOD-NC District are prohibited.

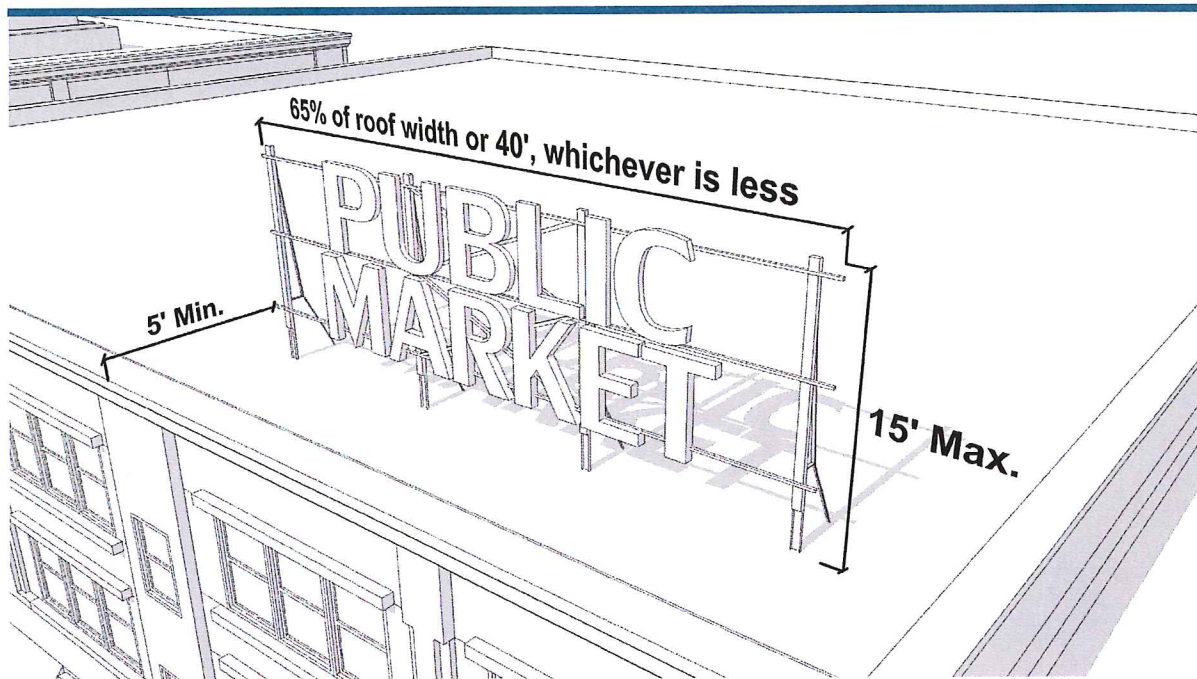
D. Marquee



Marquee Sign

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.
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 are limited to a maximum of no more than four feet from the future back of curb.
7. Marquee signs are permitted a sign face area attached to and located above the roof of a marquee 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.

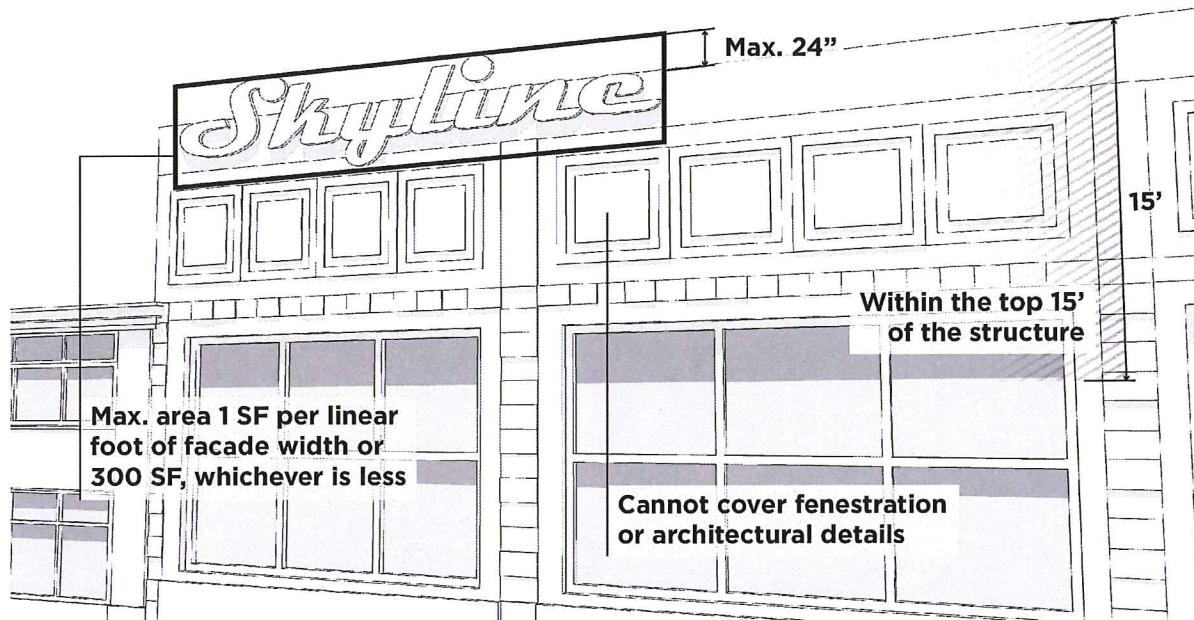
E. Roof Signs



Roof Sign

1. Roof signs are permitted only for non-residential structures and multi-family dwellings of 30 feet or more in height in the B-2, MUDD, UMUD, TOD-UC, and TOD-CC Districts.
2. The size of the roof sign is limited to a height of 15 feet above the roof, including the support structure. The width of a roof sign is limited to 65% of the roof level width or 40 feet, whichever is less.
3. Roof signs shall be designed with channel letters/icons and the overall area shall be a minimum of 40% transparent.
4. A maximum of one roof sign is permitted per building. Roof signs shall only be installed on a flat roof.
5. If a roof sign is erected on a building, a skyline sign (item F below) is prohibited.
6. A roof sign shall be set back a minimum of five feet from the edge of a roof.
7. Roof signs shall be safely and securely attached to the roof structure and cannot interfere with any roof access points.
8. Roof signs shall only be internally illuminated.

F. Skyline Signs



Skyline Sign

1. Skyline signs are permitted only for non-residential structures and multi-family dwellings of 80 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 to one square foot per linear foot of the facade width where it is mounted or 300 square feet, whichever is less.
3. One skyline sign is permitted per facade.
4. Skyline signs shall be placed within the top 15 feet 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 above) is prohibited.
7. Skyline signs shall only be internally illuminated.

G. Temporary Signs for Planned Developments

1. Planned developments under construction are permitted temporary ground signs.
2. One primary and two secondary temporary ground signs are allowed per street frontage of the planned development. In addition to these temporary signs, either one real estate activity or one construction activity sign may also be permitted per street frontage.
3. The maximum sign area of a primary sign is limited to 48 square feet in residential districts, and 64 square feet in non-residential districts. The maximum sign area of a secondary sign is limited to 12 square feet.
4. The maximum height of the primary sign is limited to ten feet, and six feet for a secondary sign.
5. Within 30 days after all final certificates of occupancy have been granted, all temporary signs installed per this section shall be removed.

H. Wall-Mounted Signs

1. General Regulations

- a. Wall-mounted signs are permitted for all multi-family and non-residential uses in any district.
- b. Wall signs, projecting signs, and awning and canopy signs are considered wall-mounted signs. Other signs of this section that may be mounted on a wall, such as marquee, skyline, and roof signs, are regulated separately and do not count toward the maximum sign area of wall-mounted signs. Painted and projected wall signs (item I and item J, respectively) are also not considered wall-mounted signs and are regulated separately and do not count toward the maximum sign area of wall-mounted signs.
- c. In a multi-tenant building, the maximum square footage of all wall-mounted signs is allocated by tenant with leasable building wall square footage along each building facade.
- d. The maximum square footage of all wall-mounted signs is 10% of the tenant's leasable building wall square footage or 300 square feet, whichever is less. This limit applies to each tenant and square footage cannot be transferred from one tenant of a structure to another or from one facade of a structure to another.

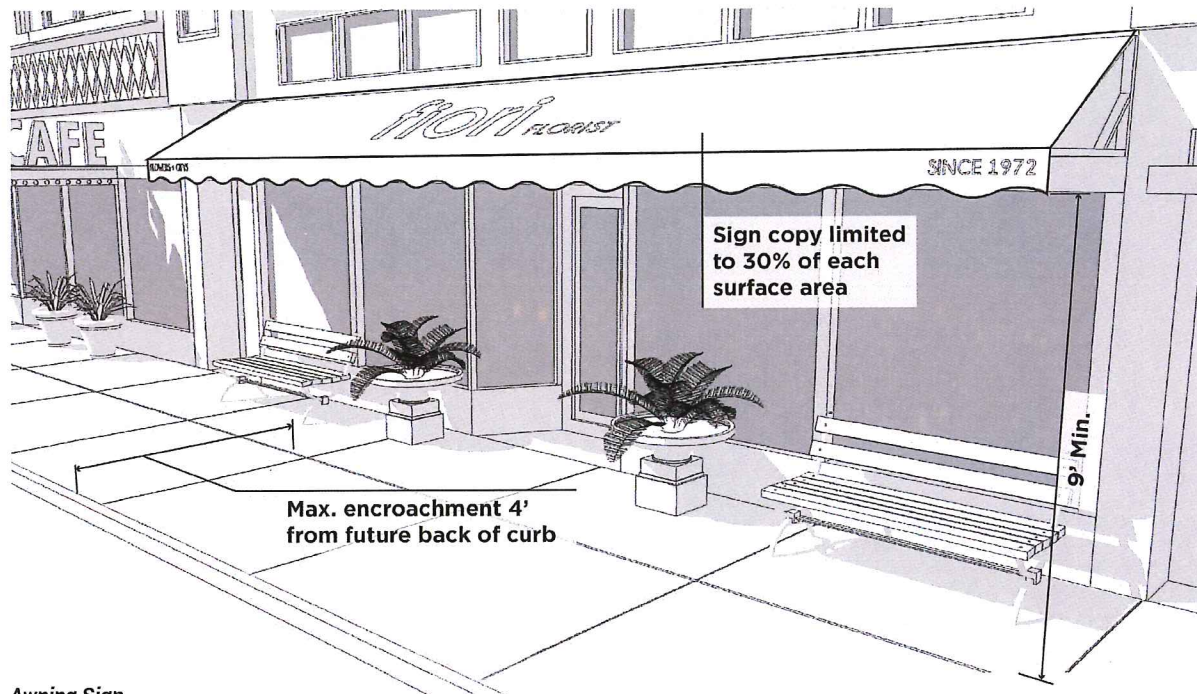


Wall Sign

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 below.)

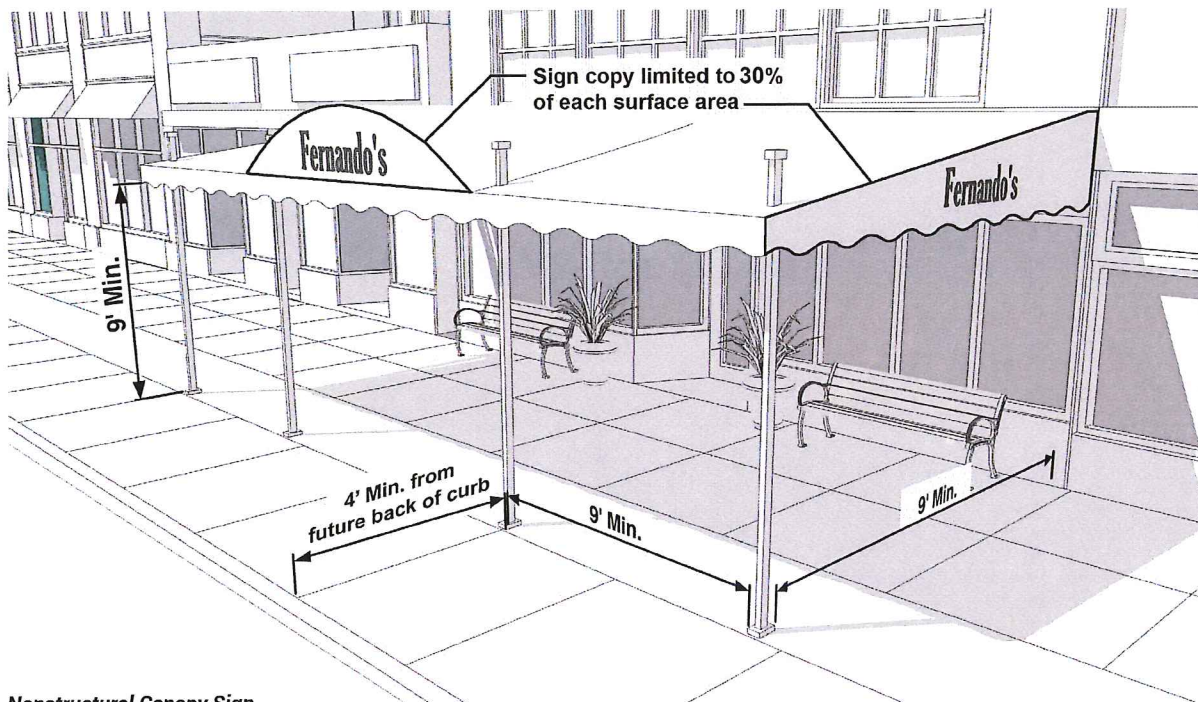
- a. Wall signs are permitted on each facade of a structure. On a site consisting of multiple structures, each structure is permitted wall signs per the regulations of this Section.
- b. Wall signs may be internally or externally illuminated. If externally illuminated, all light shall be directed onto the sign face.
- c. Wall signs shall be safely and securely attached to the building wall. Wall signs shall not project more than 18 inches from a building wall.
- 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.
- e. Parapets added to existing buildings for the purpose of attaching signs shall match the architecture of the rest of the building, be of the same thickness, and on the same plane as the wall to which it is added, and no more than six feet above the roofline. Additions to a parapet for the purpose of signage cannot be braced back to the roof.
- f. Wall signs cannot cover any window, windowsill, transom sill, or architectural feature, such as cornices, of the structure.



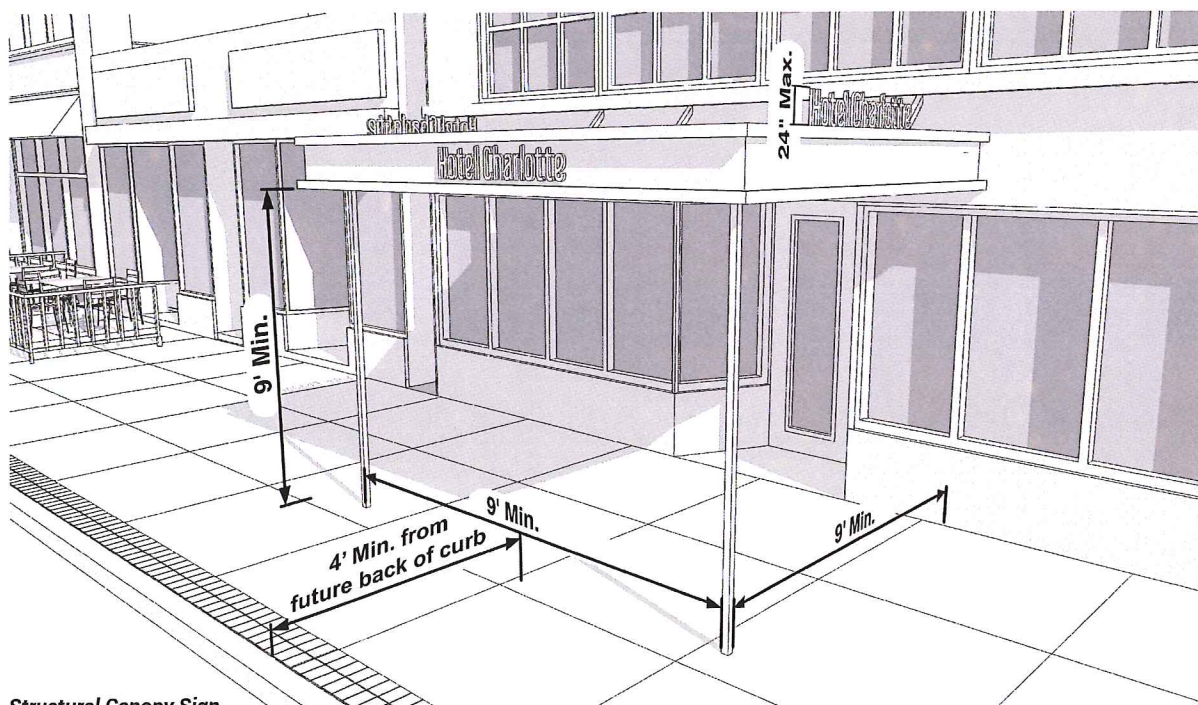
Awning Sign

3. Awning and Canopy Signs

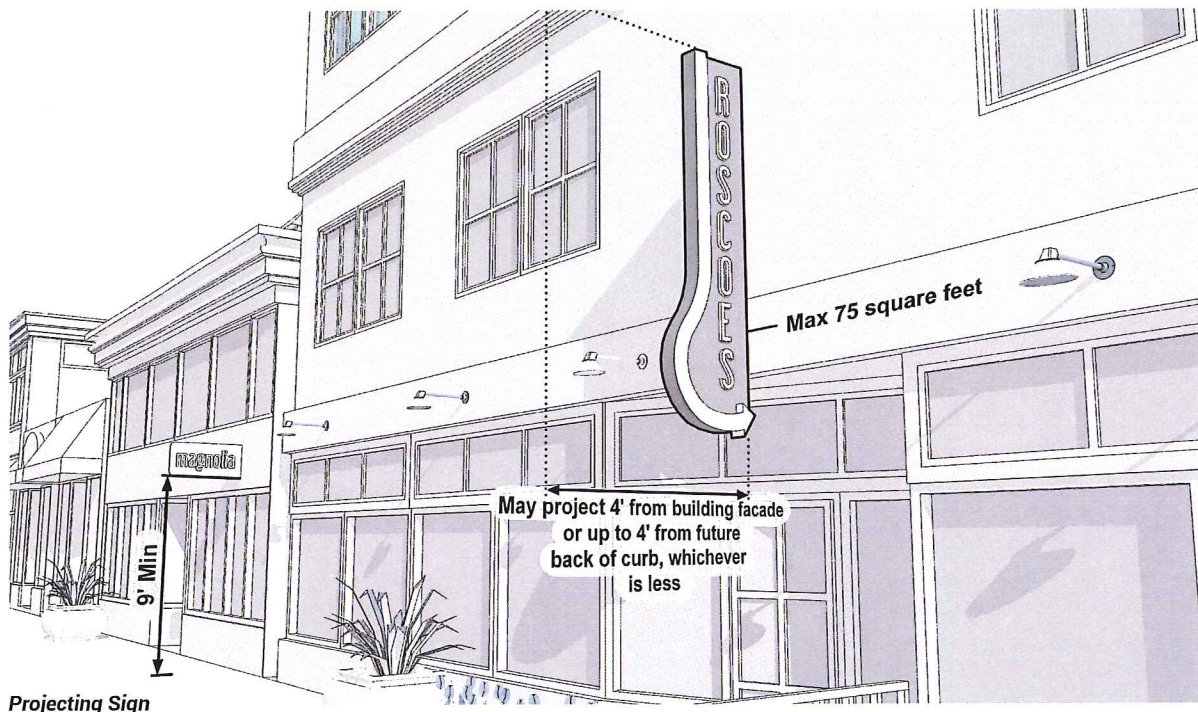
- a. Awning and canopy signs shall be mounted within the first story of the structure.
- b. Awning and canopy signs shall maintain a minimum vertical clearance of nine feet.
- c. One awning or canopy sign is permitted per tenant with a facade abutting a public or private street, or public right-of-way.
- 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. 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. Sign copy is counted toward the maximum sign area of all wall-mounted signs plus any additional sign area per item h above.
- j. Awning and canopy signs may be illuminated but lighting shall be installed as external downlighting or back-lighting.



Nonstructural Canopy Sign



Structural Canopy Sign



4. Projecting Signs

- a. Projecting signs shall maintain a minimum vertical clearance of nine feet. No projecting sign affixed to a building shall project higher than the building height, including the sign support structure.
- b. Projecting signs shall be mounted within the first four stories of the structure.
- c. Projecting signs are limited to a maximum sign area of 75 square feet. Sign area is counted toward the maximum sign area of all wall-mounted signs.
- d. One projecting sign is permitted per tenant with frontage on a street. For a corner lot, one projecting sign is permitted for each street frontage.
- e. Projecting signs are limited to a projection of four feet from the building facade or no more than four feet from the future back of curb, whichever is less.
- f. Projecting signs may be internally or externally illuminated.

I. Wall Sign, Painted

1. Painted wall signs are permitted for all non-residential uses in any district. Painted wall signs are regulated separately and do not count toward the maximum sign area of wall-mounted signs of item H above.
2. Painted wall signs are permitted on each facade of a structure. There is no size limit for a painted wall sign.
3. Painted wall signs shall not be painted on or obscure architectural features such as windows, doors, pilasters, or cornices.
4. Painted wall signs may be externally illuminated. If externally illuminated, all light shall be directed onto the sign face.
5. Painted wall signs shall not project more than 0.25 inches from a building wall.
6. Nothing in this section shall prevent an installer from incorporating their name or other identifying information as part of the painted wall sign.
7. The property owner, or their authorized representative such as the business owner, are responsible for ensuring that a permitted painted wall sign is maintained in good condition and is repaired in the case of vandalism or accidental destruction.

J. Wall Sign, Projected

1. Projected wall signs are permitted for all non-residential uses in any district. Projected wall signs are regulated separately and do not count toward the maximum sign area of wall-mounted signs of item H above.
2. Projected wall signs must remain static and cannot flash, rotate, or move.
3. No projected wall sign can project an electronic video.
4. Projected wall signs shall not glare onto adjacent properties.
5. Projected wall signs shall not project past the wall onto which it is projected.
6. Projected wall signs shall not be projected over any other permanent or temporary sign, which includes painted wall signs.

13.11 Outdoor Advertising Signs

A. Purpose

The purpose of this section is to establish regulations for outdoor advertising signs that contain off-premise advertising and noncommercial messages to reduce visual clutter, protect the view of the skyline, reduce distractions for motorists, and reduce conflicts with traffic control signs. These regulations are designed to:

1. Present and perpetuate uncluttered and natural views for the enjoyment and environmental enrichment of the citizens of Charlotte, as well as visitors.
2. Promote economic prosperity, civic pride, quality of life, and the general welfare of citizens.

3. Enhance the aesthetic values of the City and its economic vitality.
4. Protect property values.
5. Promote good urban design.
6. Promote safety of motorists.

B. Static Outdoor Advertising Signs

Permits for new static outdoor advertising signs are issued only in accordance with the standards and regulations listed Table 13-4: Static Outdoor Advertising Signs. This excludes electronic changeable face outdoor advertising signs, tri-vision outdoor advertising signs, and other similar technologies.

Table 13-4: Static Outdoor Advertising Signs

Zoning Districts Permitted	I-1 and I-2 Districts located within 150' of the right-of-way of Class I Roads
Location	Cannot locate within required setbacks and yards
Maximum Sign Face Area	380sf
Maximum Height	The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 50'
Maximum Number of Sign Faces	1 per side of sign
Sign Type/Anchoring	Freestanding of unipole construction only
Message Type	Off-premise advertising and noncommercial messages
Permit Required	A sign permit application shall be submitted in accordance with Section 13.4
Limitations	Moving, rotating, fluttering, blinking, flashing elements prohibited Animation, video, audio, pyrotechnic components prohibited Automatic changeable face outdoor advertising signs prohibited Bluecasting technology prohibited
Message Duration	The message cannot change more than once within a 24-hour time period
Illumination	Any illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway Illumination intensity or brilliance cannot cause glare or impair the vision of motorists, and cannot interfere with any driver's operation of a motor vehicle

Table 13-4: Static Outdoor Advertising Signs

Spacing of Sign to Residential Districts	<p>There shall be at least 400' between the outdoor advertising sign and any residential districts</p> <p>The distance shall be the shortest measurable distance between the nearest point of the sign to the edge of residential districts</p>
Spacing to Outdoor Advertising Signs on the Same Side of the Street	<p>There shall be at least 1,000' between outdoor advertising signs on the same side of the street</p> <p>The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street</p>
Spacing to Outdoor Advertising Signs on the Opposite Side of the Street	<p>There shall be at least 500' from any other outdoor advertising sign on the opposite side of the street</p> <p>The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street</p>
Spacing to Other Outdoor Advertising Signs on Nearby Streets	<p>In addition, no two outdoor advertising sign structures within 300' of any street right-of-way on the same side of the street shall be spaced less than 1,000 feet apart, regardless of the street from which the sign is intended to be viewed</p> <p>The distance shall be the shortest measured distance between the nearest point of the sign to the nearest point of the other sign</p>
Spacing to Existing Buildings	<p>There shall be a minimum of 20' distance required between an outdoor advertising sign structure and an existing building</p> <p>The distance shall be the shortest measured distance between the nearest point of the sign to the edge of the building</p>
Tree-Cutting	<p>Vegetation cutting on City maintained streets for the purpose of clearing views for signs is prohibited unless approved by the City Arborist</p> <p>Cutting of any trees required by the Tree Ordinance that are located in the setback on any property is prohibited</p>
Historic District	<p>No outdoor advertising sign shall be located directly across the street from, or within, an historic district</p>

C. Electronic Changeable Face Outdoor Advertising Signs (Including Conversions)

Permits for new electronic changeable face outdoor advertising signs or a permit to convert a static outdoor advertising sign to an electronic changeable face outdoor sign are issued only in accordance with the standards and regulations listed Table 13-5: Electronic Changeable Face Outdoor Advertising Signs

(Including Conversions). These regulations apply to all outdoor advertising signs, including those with North Carolina Permits.

Table 13-5: Electronic Changeable Face Outdoor Advertising Signs (Including Conversions)

Zoning District Permitted	I-1 and I-2 Districts, located within 150' of the right-of-way of Class I Roads; Within B-2 District located within 150' of the right-of-way of Class I Roads for conversions of existing static outdoor advertising signs to electronic changeable face outdoor advertising signs
Location	Cannot locate within the required setbacks and yards
Maximum Sign Face Area	380sf
Maximum Height	The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 50'
Maximum Number of Sign Faces	1 per side of sign
Sign Support	Freestanding of unipole construction only
Permit Required	A sign permit application shall be submitted in accordance with Section 13.4
Limitations	Moving, rotating, fluttering, blinking, or flashing elements prohibited Animation, video, audio, pyrotechnic components prohibited Bluecasting components prohibited
Message Duration	Advertising messages or information shall remain in a fixed, static position for a minimum of 8 seconds The change sequence shall be accomplished within an interval of 2 seconds or less
Message Type	Off-premise advertising and noncommercial messages
Illumination	The outdoor advertising sign shall have an automatic dimmer (factory set to the illumination intensities set below) and a photo cell sensor to adjust the illumination intensity or brilliance of the sign so that it does not cause glare or impair the vision of motorists, and does not interfere with any driver's operation of a motor vehicle The sign cannot exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness Any external illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway, or any residential use
Spacing of Sign to Residential Districts	There shall be a minimum spacing of 400' between the electronic changeable face outdoor advertising sign and residential districts The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of residential district

Table 13-5: Electronic Changeable Face Outdoor Advertising Signs (Including Conversions)

Spacing to Outdoor Advertising Signs on the Same Side of the Street	<p>There shall be a minimum spacing of 2,000' between an electronic changeable face outdoor advertising sign and any other electronic changeable face outdoor advertising sign on the same side of the street</p> <p>There shall also be a minimum of 1,000' between electronic changeable face outdoor advertising signs on the same side of the street and any other static outdoor advertising signs</p> <p>The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street</p>
Spacing to Outdoor Advertising Signs on the Opposite Side of the Street	<p>There shall be a minimum spacing of 1,000' between electronic changeable face outdoor advertising signs on the opposite side of the street</p> <p>There shall also be a minimum of 500' spacing between electronic changeable face outdoor advertising signs and static outdoor advertising signs on the opposite side of the street</p> <p>The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street</p>
Spacing to Other Outdoor Advertising Signs	<p>No two electronic changeable face outdoor advertising signs within 300' of any street right-of-way on the same side of the street shall be spaced less than 2,000' apart, regardless of the street from which the sign is intended to be viewed</p> <p>In addition, no electronic changeable face outdoor advertising sign within 300' of any street right-of-way on the same side of the street shall be spaced less than 1,000' apart from any static outdoor advertising sign, regardless of the street from which the sign is intended to be viewed</p> <p>The distance shall be the shortest measured distance between the nearest point of the sign to the nearest point of the other sign</p>
Spacing to Existing Buildings	<p>20' minimum between an electronic changeable face outdoor advertising sign and any existing building</p> <p>The distance shall be the shortest measured distance between the nearest point of the electronic changeable face outdoor advertising sign to the edge of the building</p>
Tree-Cutting	<p>Vegetation cutting on City maintained streets for the purpose of clearing views for signs is prohibited unless approved by the City Arborist</p> <p>Cutting of any trees required by the Tree Ordinance that are located in the setback on any property is also prohibited</p>
Historic District	<p>No outdoor advertising sign shall be located within an historic district, or within 400' of an historic district boundary.</p>
System Malfunction	<p>Electronic changeable face outdoor advertising signs shall contain a default design that shall freeze the sign in one position with no more than a maximum illumination of 500 nits if a malfunction occurs</p>

D. Nonconforming Outdoor Advertising Signs

1. Existing outdoor advertising signs that do not meet the standards of Table 13-4 or Table 13-5 but conform to the standards of Table 13-6 may continue and are deemed legally nonconforming.
2. Existing outdoor advertising signs that do not meet the standards of Table 13-4, Table 13-5,

or Table 13-6 but can be rebuilt or replaced to conform to the standards of Table 13-6 may be rebuilt or replaced so long as the sign height and sign area are not increased. A sign permit to rebuild or replace such sign shall be issued and unexpired prior to the removal of the existing sign.

Table 13-6: Existing Outdoor Advertising Signs

Zoning District Permitted	I-1 and I-2 Districts on Class I, II, III, IV, V and VI Roads B-2 District on Class I, II, III, IV, V, and VI Roads
Location	Cannot locate within the required setbacks and yards
Maximum Sign Face Area	380sf in I-1 and I-2 Districts 300sf in B-2 District
Maximum Height	Class I Roads in I-1 and I-2 Districts: The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 50' Class II, III, IV, V, and VI Roads in I-1 and I-2 Districts: The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 40' Class I, II, III, IV, V, and VI Roads in B-2 District: The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 30'
Maximum Number of Sign Faces	1 per side of sign
Sign Type	Freestanding of unipole construction only
Permit Required	A sign permit application shall be submitted in accordance with Section 13.4
Limitations	Dimming, flashing, fading, or scrolling messages prohibited Moving, rotating, fluttering, blinking, flashing elements prohibited Animation, video, audio, pyrotechnic components prohibited Automatic changeable face outdoor advertising signs prohibited Bluecasting technology prohibited
Message Duration	The message cannot change more than once within a 24-hour period
Message Type	Off-premise advertising and noncommercial messages

Table 13-6: Existing Outdoor Advertising Signs

Illumination	<p>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 Roads</p> <p>All illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway</p> <p>Illumination intensity or brilliance cannot cause glare or impair the vision of motorists, and cannot interfere with any driver's operation of a motor vehicle</p>
Spacing of Sign to Residential Districts	<p>There shall be at least 400' between the outdoor advertising sign and residential districts</p> <p>The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of residential district</p>
Spacing to Outdoor Advertising Signs on the Same Side of the Street	<p>There shall be at least 1,000' spacing distance between outdoor advertising signs on the same side of the street</p> <p>The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street</p>
Spacing to Outdoor Advertising Signs on the Opposite Side of the Street	<p>There shall be at least 500' from any other outdoor advertising sign on the opposite side of the street</p> <p>The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street</p>
Spacing to Other Outdoor Advertising Signs on Nearby Streets	<p>In addition, no two outdoor advertising sign structures within 300' of any street right-of-way on the same side of the street shall be spaced less than 1,000' apart, regardless of the street from which the sign is intended to be viewed</p> <p>The distance shall be the shortest measured distance between the nearest point of the sign to the nearest point of the other sign</p>
Spacing to Existing Buildings	<p>There shall be a minimum of 20' distance required between an outdoor advertising sign structure and an existing building</p> <p>The distance shall be the shortest measured distance between the nearest point of the sign to the edge of the building</p>
Tree-Cutting	<p>Vegetation cutting on City maintained streets for the purpose of clearing views for signs is prohibited unless approved by the City Arborist</p> <p>Cutting of any trees required by the Tree Ordinance that are located in the setback on any property is also prohibited</p>

13.12 Special Sign Regulations

A. Passenger Rail Pathways and Platforms Signs

1. The maximum sign area for a sign on passenger rail pathways and platforms is 30 square feet.
2. The maximum sign height for a sign on passenger rail pathways and platforms is 5 feet, as measured from existing grade to the top of sign.
3. A maximum of eight sign faces per passenger rail pathway and platform are permitted.
4. All signs shall be oriented to make the sign content not readily visible from any public street.
5. Passenger rail pathway and platform signs may be freestanding if anchored to passenger rail platform, or may be attached to a platform wall or fence.
6. Passenger rail pathway and platform signs shall not be electronic signs and illumination is prohibited.

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.
2. A master sign program that includes the following information is submitted:
 - a. Detailed designs of all proposed signs, including the size, height, and materials of such signs.
 - b. Proposed locations and number of proposed signs.

c. Sign illumination plan.

d. Plans for landscape or architectural features to be used in conjunction with such plans.

3. The Planning, Design and Development Director or their designee shall determine whether the proposed signs are coordinated in terms of design features.

4. The Planning, Design and Development Director or their designee shall allow the following flexibility if items 1, 2, and 3 above are met:

a. The maximum size of individual detached signs may be varied by up to 25%.

b. The number of ground signs along a street frontage may be increased up to three signs.

c. The maximum height of a ground sign may be increased up to 12 feet except when located along a Class I, II or III Street, where the height may be increased up to 16 feet.

d. Subject to the sign criteria set out below, a regional mall, retail center, office complex, or a mixed-use development containing over 500,000 square feet of gross building area may have additional ground signs at the pedestrian entrances into the building(s). Such signs are not considered to be ground signs along a street frontage and do not count towards the maximum of three ground signs along a street frontage. Such signs are subject to the following:

i. Each sign shall be located a minimum of 400 feet from any public street.

ii. Each sign shall be located within 150 feet of the pedestrian entrance.

iii. The maximum height of each sign is

18 feet, and the maximum sign area is 70 square feet per side.

C. Detached Signs Impacted by Government Sponsored Projects

When a government sponsored project requires either the relocation of an existing ground sign or impairs the visibility of an existing ground sign from the lane of travel adjacent to the sign, adjustments to the ground sign location and standards may be requested in accordance with the following:

1. Relocation of a Sign Approved on a Conditional Site Plan

- a. Relocation of a ground sign, whose location was originally approved on a conditional site plan, may be requested if the sign's visibility from the adjacent travel lane is impacted by a government sponsored project, or if the project requires the relocation of the sign.
- b. The requested new location is not required to be a location shown on the approved conditional site plan.

2. Converting a Monument Sign to a Pole Sign

- a. Conversion of a monument sign may be requested if the sign's visibility from the adjacent travel lane is impacted by a government sponsored project.
- b. Conversion to a pole sign may be requested even if the zoning district or conditional site plan does not allow pole signs.
- c. Conversion to a pole sign shall only be considered if the ground sign cannot be relocated to another location that allows visibility from the adjacent travel lane.

3. Modification to the Maximum Height of a Sign

- a. Modification to the maximum allowed height of a detached sign may be

requested if the sign's visibility from the adjacent travel lane is impacted by a government sponsored project.

- b. Modification to the maximum allowed height may be requested even if the height is greater than that allowed by a conditional site plan.
- c. Modification to the maximum allowed height shall only be considered if the sign cannot be relocated to another location that allows visibility from the adjacent travel lane.
- d. Modification to the maximum allowed height shall only be considered if the increase is ten feet or less above the maximum sign height permitted in the district.

4. Approval and New Sign Permit Required

- a. An application shall be submitted to Planning, Design and Development requesting the detached sign modification. The Planning Director or their designee has the authority to approve or disapprove the application. Considerations in granting approval include, but are not limited to, the following:
 - i. Need for relocation due to the government sponsored project.
 - ii. Loss of visibility from the adjacent lane of travel.
 - iii. Impact of relocated utility lines.
 - iv. Purpose and intent of sign restrictions on conditional site plan.
 - v. Topographical changes due to the government sponsored project.
 - vi. Unusual or unique circumstances.
 - vii. If the sign is proposed to be moved, has the distance between the

existing and proposed location been minimized.

- viii. If converting to a pole sign, has the requested increase in the sign height been minimized.
- ix. If increasing the maximum sign height, has the increase in the proposed sign height been minimized.
- x. Consolidation of multiple individual signs.
- xi. All other sign standards of this Chapter and the district in which the sign is located are met.

- b. If the application is approved, a new sign permit is required for each sign.

D. Landmark and Historic Signs

1. Designation Procedure

- a. The property owner of the parcel where a proposed landmark sign is located, or the owner of the site where a proposed historic sign is to be relocated, may apply for designation of an existing sign as a landmark or historic sign. Such application shall be submitted to and on a form determined by the Zoning Administrator or their designee. The Zoning Administrator or their designee has the authority to approve or to disapprove the designation of landmark or historic signs based upon the criteria stated below. At the time of the filing of a landmark or historic sign designation application, the applicant shall file all necessary information in order for the Zoning Administrator or their designee to determine if the sign meets the criteria for the requested designation. The Zoning Administrator or their designee has the authority to request whatever other information is necessary in order to make a decision. The burden of proof

for meeting the criteria is upon the applicant.

- b. In approving or disapproving a landmark or historic sign application, the Zoning Administrator or their designee shall state the reasons in writing. An appeal of the decision to the Zoning Board of Adjustment shall be properly filed within 30 days of the date of the decision as shown on the face of the decision.
- c. Once a sign has been designated as a landmark or historic sign, the Zoning Administrator or their designee shall then issue a certificate to the applicant stating that the sign has been duly designated as a landmark or historic sign.
- d. If the sign being considered for landmark or historic designation is associated with a designated local landmark or located in an established Historic District, the Zoning Administrator or their designee shall receive a recommendation from the appropriate Charlotte-Mecklenburg Historic Landmark Commission or the Historic District Commission before making a decision.
- e. After a sign is designated as a landmark or historic sign it shall be maintained in its original condition, shape and size, except for minor changes required for structural enhancements or changes required to comply with minimum Electrical or Building Codes, or to remove portions from a public right-of-way. Where original materials are unavailable, substitute materials shall be used that are as similar as possible to the original material.
- f. While a designated landmark or historic sign is deemed conforming, this Section is not intended to prevent the Zoning Administrator or their designee from enforcing this Ordinance if he/she, or another City agency determines that

there is a violation of any provisions, or the intent and purposes of any provisions of the zoning ordinance.

- g. Nothing in this section shall prohibit the owner(s) of a designated landmark or historic sign from removing such a sign.

2. Landmark Signs

The purpose of designating a sign as a landmark sign is to encourage the restoration and retention of on-premise, nonconforming signs that are historically significant. Once designated as a landmark sign, the sign is deemed conforming.

a. Designation Criteria

The Zoning Administrator or their designee may designate an existing on-premises sign as a landmark sign if it meets the following criteria:

- i. The sign has been in continuous existence at the present location for at least 25 years.
- ii. The sign is an on-premises sign, which meets at least four of the following criteria:
 - (A) It was expressly designed for the business, institution, or other establishments at that location.
 - (B) It bears a national or local emblem, logo, or other graphic that is unique to the property or the establishment.
 - (C) The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood.
 - (D) The sign is significant as evidence of the history of the product, business, or service advertised.
 - (E) The sign is characteristic of a specific historic period.
 - (F) The sign is integral to the building's design or physical fabric.
 - (G) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials, or design.
- iii. The sign complies with the appropriate provisions of the North Carolina State Building and Electrical Codes. Such signs are allowed structural and electrical repairs, with the approval of a sign permit, to meet the standards of such codes.
- iv. If any portion of the sign is permitted to remain in or over a City right-of-way, a CDOT encroachment agreement is required.
- v. The sign is structurally safe or is capable of being made so without substantially altering its historical significance.

b. Location

If a designated landmark sign is moved on-premise, it shall be subject to the location standards of this Chapter.

3. Historic Signs

The restoration and retention of nonconforming, historically significant signs that have been removed from their original locations and are to be reused is encouraged. Allowing those signs to move to other locations within the community is necessary to ensure preservation. Once designated as a historic sign, the sign is deemed conforming.

a. Designation Criteria

The Zoning Administrator or their designee may designate an existing sign as a historic sign if it meets the following criteria:

- i. The sign shall be at least 25 years old.
- ii. The sign shall meet at least three of the following criteria:
 - (A) It bears a national or local emblem, logo, or other graphic that is unique to the community.
 - (B) The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood.
 - (C) The sign is significant as evidence of the history of the product, business, or service advertised.
 - (D) The sign is characteristic of a specific historic period.
 - (E) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials, or design.
 - (F) The sign complies with the appropriate provisions of the North Carolina State Building and Electrical Codes. Such signs are allowed structural and electrical repairs, with the approval of a sign permit, to meet the standards of such codes.
 - (G) The sign is structurally safe or is capable of being made so without substantially altering its historical significance.

b. Location

The sign may be moved to another location on the site where it is currently located or to another property. It is encouraged that the sign be relocated to a site within the neighborhood from which it originated. The receiving site shall be located within a non-residential zoning district for commercial signs.

c. Nonconforming Aspects of Relocated Signs

- i. Relocated historic signs that are nonconforming based on their size, height, or lighting do not have to be brought into conformance. However, such signs cannot increase their nonconformance by any physical alterations to the sign.
- ii. Sign lighting of relocated historic signs shall be located, screened, or shielded so that abutting lots located in any residential district are not directly illuminated and do not cause glare or impair the vision of motorists.
- iii. Projecting signs that extend beyond the maximum projecting dimension based upon the existing dimension of the sign require a CDOT encroachment agreement if they project into the City right-of-way.
- iv. The relocation of historic signs that are considered prohibited by this Chapter may maintain the prohibited characteristic, provided such features are considered part of the historic or cultural character of the sign and approved as part of the designation.
- v. Relocated outdoor advertising signs shall comply with only the following sections of Table 13-6: zoning district, location, spacing, and tree-cutting regulations.

13.13 Prohibited Signs

The following sign and sign structures are specifically prohibited. Other signs that have not been expressly allowed by these regulations are also prohibited.

- A. Balloon signs, including air-infused/air-inflated signs.
- B. Feather flags. Also known as sails.
- C. Except in the Uptown Mixed Use District (UMUD), flashing, fluttering, swinging, or rotating signs other than time and/or temperature signs.
- D. Pennants. Streamers are considered pennants.
- E. Portable sign structures.
- F. Signs that constitute a traffic hazard, including signs that:
 - 1. Interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal, or device because of its position, shape, or color, including signs illuminated in red, green, and/or amber color to resemble a traffic signal.
 - 2. Make use of words, phrases, symbols, or characters in a manner that misleads, interferes with, or confuses traffic.
- G. Signs painted, pasted, stapled, taped, or otherwise affixed to a tree, fence, utility pole, bench, trash receptacle, or similar non-sign structure.
- H. Vehicle signs.

13.14 Nonconforming Signs

- A. Legal nonconforming on-premise signs may remain until one of the following occurs:
 - 1. Such sign(s) is moved, removed, or replaced by voluntary action. Any such sign, or portion thereof, which is required to be relocated due to a governmental action, such as a roadway improvement, may be moved to another location on the same property.
 - 2. Any change to the sign that is not one of the following:
 - a. Necessitated by routine maintenance or by repairs.
 - b. Necessitated for compliance with minimum electrical or building codes.
 - c. A change to the existing sign face not involving the modification of the size or shape of the sign face.
 - 3. Approval of an application for a sign permit to add new or additional signage to the site of a nonconforming sign.
- B. Nonconforming on-premise signs shall be subject to all applicable nonconforming provisions of this Ordinance.
- C. Nonconforming outdoor advertising signs are controlled by the provisions of Section 13.11.

13.15 Sign Enforcement

A. Inspections and Investigations

1. The Zoning Administrator or their designee may periodically inspect signs in order to determine whether there are any violations of this Ordinance.
2. The Zoning Administrator or their designee has the power to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in these regulations, 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 the Zoning Administrator or their designee 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.
3. The Zoning Administrator or their designee may require written statements, or the filing of reports with respect to pertinent questions relating to signs.

B. 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 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, the violator is subject to Section 8.105 (Citations) of this Ordinance.

C. Other Enforcement Methods

In addition to the civil penalties, the provisions of these regulations may be enforced by one or more of the methods described in Chapter 8 of this Ordinance.

Petition #: 2019-104

Petitioner: Charlotte Planning, Design and Development Department

**AN ORDINANCE AMENDING
CHAPTER 21 OF THE CITY CODE**

ORDINANCE NO. 9671

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

Section 1. Chapter 21 of the Code of the City of Charlotte is hereby amended as follows:

A. ARTICLE I. – IN GENERAL

1. Amend Section 21-2, "Definitions" by adding two new definitions for "Amenitized tree area" and "Urban retail site" in alphabetical order, and amending the definition for "Urban zones" by adding the names of the zoning districts that are considered urban zoning districts. The new and revised definitions shall read as follows:

Amenitized tree area means an area that serves to meet the tree save requirement for urban sites and includes planted trees and amenities, such as irrigation, landscaping, grass, seating, pathways and lighting or other items, as approved by the city.

Urban zones means property zoned as any of the following zoning districts: within the city as listed in the tree ordinance guidelines and as may be amended from time to time by the city. UMUD (uptown mixed use district), MUDD (mixed use development district), TOD (transit oriented development), UR (urban residential), and NS (neighborhood services), as well as any zoning district with a PED (pedestrian overlay) or TS (transit supportive) overlay. Urban zones do not include single-family development, even if developed under an urban zoning district.

Urban retail site means any building site for a building that includes ground-floor non-residential use.

B. ARTICLE IV: - GENERAL LAND DEVELOPMENT REQUIREMENTS

1. Amend Section 21-93, "General tree save requirements", subsection (c), by adding two new sentences at the end of the first sentence. The revised text shall read as follows:
 - (c) Pursuant to the tree ordinance guidelines, any alterations to the tree save area must be accomplished without mechanized equipment and made of organic, environmentally friendly materials, unless approved otherwise by the city. For sites located in urban zones, alterations to the tree save area do not have to meet the above standard. However, if alterations are made or amenities are added, these changes must be made in a manner that is not detrimental to the saved trees or their critical root zone. Alterations and amenitization must be approved by the city.
2. Amend Section 21-93, "General tree save requirements", subsection (e), by adding a newsentence at the end of the second sentence. The revised text shall read as follows:
 - (e) No structure will be allowed within ten feet of the tree save area. A building restriction must be noted on the record plat in accordance with the tree ordinance guidelines. For urban zones the ten-foot building restriction may be counted toward the Tree Save Area requirement as long as this area continuously and directly abuts a Tree Save Area, and remains pervious. However, regulatory trees may not be planted within this ten-foot area.
3. Amend Section 21-93, "General tree save requirements", by adding a new subsection (i), that reads as follows:
 - (i) In local Historic Districts designated by a Historic District Overlay (see Chapter 10, Part 2 of the Zoning Ordinance), the requirements of the Historic District Overlay apply in addition to the regulations of this ordinance.
4. Amend Section 21-94, "Tree save area and tree protection zone requirements for commercial development" by the following:
 - 1) Assign a subsection (a) to the first paragraph. Delete the words, "trees must be re-planted"" and replace it with "tree save area must be provided" in the first paragraph. Add a new sentence at the end of the first paragraph that reads, "Replacement trees must be planted at 36 trees per acre". The second paragraph shall be included in the new subsection (a) as the second paragraph and is unchanged.
 - 2) Move the third and fourth paragraph into a new subsection labeled (b), as two separate paragraphs. Include subsections under the fourth paragraph.
 - 3) Subsection (b): In the second paragraph, add the words, "and alternatives" to the sentence.
 - 4) Subsection (b)(1): Delete the second paragraph sentence in its entirety that reads: "In all cases any perimeter tree and parking area planting requirements must still be met in accordance with section 21-96".
 - 5) Subsection (b)(2): Delete the second paragraph sentence at the end of the section in its entirety that reads: "In all cases any perimeter tree and parking rea planting requirements must still be met in accordance with section 21-96".
 - 6) Add a new subsection (b)(2)d with new text and associated subsections.
 - 7) Subsection (b)(3): Delete the last paragraph sentence that reads, "In all cases any perimeter tree and parking rea planting requirements must still be met in accordance with section 21-96".
 - 8) Add a new subsection (b)(3)c with new text and associated new subsections
 - 9) Add a new subsection (b)(4) with new text and associated subsections.

Sec. 21-94 – Tree save area and tree protection zone requirements for commercial development.

- (a) A minimum of 15 percent of the overall commercial site must be preserved as tree save area (hereinafter for purposes of this section, "commercial tree save area"). If less than 15 percent of the site has existing trees, additional trees shall be planted at a rate of 36 trees per acre to meet the commercial tree save area requirement. In the event any area of the commercial tree save area cannot be protected, tree save area must be provided trees must be re-planted at 150 percent of the area removed. Replacement trees must be planted at 36 trees per acre.

Additions to existing sites that meet the criteria in subsection 21-4(2) shall protect all trees of eight-inch dbh or greater within the tree protection zone or maintain existing tree save areas for sites developed in accordance with the effective date of the ordinance from which this chapter derives.

- (b) In all cases, any perimeter tree and parking area planting requirements must still be met in accordance with section 21-96.

The following exceptions and alternatives to the tree save area requirement apply:

- (1) UMUD & UMUD-O within the I-277 loop and any TOD, MUDD or UMUD zoned parcels in transit station areas, as designated in a transit station area plan, are exempt. If no transit station area plan has been adopted, the transit station area will be designated as the property within one-half mile of an existing or proposed transit station location identified on the approved Metro Transit Commission (MTC) System Plan.

~~In all cases any perimeter tree and parking area planting requirements must still be met in accordance with section 21-96.~~

- (2) In transit station areas, designated mixed-use centers, NS zoning districts (for sites of 12 acres or less), and I-1 and I-2 zoning districts, the following measures may be chosen, individually or in combination, such that the measures are equal to 100 percent of any portion of the commercial tree save area not preserved as required above:

- a. Plant or replant trees at a rate of 36 trees per acre on-site.
- b. Install and maintain a living green roof on the project to be maintained in perpetuity. The owner shall submit an annual inspection and maintenance report pursuant to the tree ordinance guidelines.
- c. Undertake either off-site mitigation, or payment in lieu. Off-site mitigation and payment in lieu may not be used together to meet this requirement.

~~In all cases any perimeter tree and parking area planting requirements must still be met in accordance with section 21-96.~~

- d. In urban zones, create Amenitized Tree Areas that include 36 trees per acre on-site and meet the following:

1. Planting areas shall be a minimum of 10 feet wide, unless otherwise approved by the city.
2. No more than 25% of impervious paved areas within the Amenitized Tree Area will be allowed. Gravel pathways in Amenitized Tree Areas will be considered pervious.

- 4

- b. Provide Amenitized Tree Area that meets the following:
1. Trees must be planted at 36 trees per acre on-site.
 2. Planting areas shall be a minimum of 10 feetwide.
 3. No more than 25% of impervious paved areas within the Amenitized Tree Area will be allowed. Gravel pathways in Amenitized Tree Areas will be considered pervious.
 4. Trees may be planted in alternative locations, such as but not limited to rooftops, permanent planters, raised or at grade plazas, over parking decks, or other locations approved by the city. Planting in alternative locations shall be per the Land Development Standards Manual or as approved by the city.
 5. Amenities may include, but are not limited to irrigation, landscaping, grass, seating, pathways and lighting or other items, as approved by the city.
5. Amend Section 21-96, "Tree planting requirements" by the following:
- 1) Subsection (d): Add a new sentence at the end, after the second sentence, that reads, "However, for urban zones, the following standards apply. Light poles taller than 15 feet must be a minimum of 20 feet away from a tree, and light poles 15 feet or less in height must be at least 10 feet away from a tree."
 - 2) Re-letter subsection (e) to (f) (perimeter planting requirements).
 - 3) Insert a new subsection (e) with new text and associated subsections.
 - 4) Subsection (f)(3)a: Add a new sentence after the first sentence that reads, "The planting strip requirement may be met using tree pits as detailed in Charlotte Land Development Standards 4000 series.
 - 5) Create a new subsection (f)(3)a.1 that shall contain the following sentences located in subsection (f)(3)a: "If large maturing trees are planted, each tree shall have a minimum three-inch caliper. One such tree shall be planted for every 40 feet of frontage or fraction thereof. If small maturing trees are planted, each tree shall have a minimum two-inch caliper. One such tree shall be planted for every 30 feet of frontage or fraction thereof."
 - 6) Create a new subsection (f)(3)a.2 that contains new text and associated subsections.
 - 7) Subsection (f)(3)b.1: Amend the subsection reference from (e)(3) to (f)(3).
 - 8) Subsection (f)(3)b.2: Amend the subsection reference from (e)(3) to (f)(3).
 - 9) Subsection (f)(6): Amend the subsection reference from (e)(1), (2), and (3) to (f)(1), (2), and (3).
 - 10) Subsection (f)(7): Amend the subsection reference from (e)(2), (3) and (5) to (f)(2), (3), and (5).
 - 11) Re-letter subsection (f) to (g) (internal planting requirements)
 - 12) Subsection (g)(1) (planting areas): Leave the words "Planting areas", but move the first three sentences into a new subsection (g)(1)a. Delete the last two sentences.
 - 13) Add a new subsection (g)(1)b, titled, "Urban zones", with new text and associated subsections.
 - 14) Subsection (g)(2)a.3: Change the reference to subsection (f)(2)a.4 to (g)(2)a.4.
 - 15) Subsection (g)(2)b.1: Change the reference from (f)(2)b.2 to (g)(2)b.2.
 - 16) Add a new subsection (g)(2)b.iii with new text.

Sec. 21.96 – Tree planting requirements

- (a) Tree planting plan. All applications for building permits or land use permits shall

include a tree planting plan. The tree planting plan shall be submitted in written/design form and shall conform to the general provisions of this section and all specifications set out in the applicable tree ordinance guidelines as issued by the city.

- (b) Tree and soil specifications. All trees planted pursuant to this article must be planted in amended soils as specified in the tree ordinance guidelines. The trees also must be from an approved list supplied by the city. Trees not on the list may be approved by the city on a case-by-case basis. Where trees are specified to be two-inch caliper, the minimum height shall be eight feet. If a multi-stem tree is used, it must have three to five stems and be eight to ten feet tall at the time of planting. Where three-inch caliper trees are specified, the minimum height shall be ten feet tall, and multi-stem trees shall be ten to 12 feet tall. All trees must comply with the American Standard for Nursery Stock, published by the American Association of Nurserymen.
- (c) A minimum of 50 percent of new trees must be native species, and sites with more than 20 trees required will have to install multiple species pursuant to the tree ordinance guidelines.
- (d) Site lighting must be a minimum 30 feet away from a tree. If pedestrian scale lighting is being used, then lighting must be a minimum of 15 feet away from a tree, unless approved otherwise by the city. However, for urban zones, the following standards apply. Light poles taller than 15 feet must be a minimum of 20 feet away from a tree, and light poles 15 feet or less in height must be at least 10 feet away from a tree.
- (e) For urban zones, the following standards apply:
 - (1) Required trees, with the exception of perimeter trees, must be located at least 10 feet from on-site underground utilities unless otherwise approved by the city. For the purposes of this standard, underground utilities means main service lines for water, sewer, city-maintained stormwater, electric and gas lines.
 - (2) Required trees must be located at least 10 feet from buildings unless otherwise approved by the city.
 - (3) The minimum spacing between large maturing trees may be reduced from 40 feet to 30 feet. The minimum spacing between small maturing trees may be reduced from 30 feet to 20 feet. Tree species identified for reduced spacing may be found in the Tree Ordinance Guidelines or as otherwise approved by the city.
- (e-f) Perimeter planting requirements. Requirements for perimeter planting are as follows:
 - (1) *Single-family development zones.* Trees of a minimum two-inch caliper must be planted within 20 feet of the back of the curb on new streets, and any existing streets with lot frontage, in new single-family development. Trees may be planted between the sidewalk and the curb if a minimum six-foot planting strip is provided. Spacing will be an average of 40 to 50 feet apart for large maturing shade trees, and 30 to 40 feet apart for small maturing shade trees. Where a single-family development is directly across the street from multifamily development, the spacing between trees will be an average of 40 feet. Existing two-inch caliper or greater large maturing shade trees preserved within 20 feet of the back of the curb may be

counted towards the street tree requirement if they are adequately protected during construction. The city may grant a modification for other existing trees on a case-by-case basis.

- (2) *Suburban commercial zones.* A continuous perimeter planting strip, located in the public right-of-way between the curb and sidewalk or on private property abutting the public right-of-way, with a minimum width of eight feet, shall be required. If large maturing trees are planted, each tree shall have a minimum two-inch caliper. One such tree shall be planted for every 40 feet of frontage or fraction thereof. If small maturing trees are planted, the same conditions apply, but the increment drops to 30 feet.
- (3) *Urban zones.* Planting requirements for urban zones are as follows:
 - a. *Planting strip.* A continuous perimeter planting strip, located between the street and sidewalk, with a minimum width of eight feet, shall be required. The planting strip requirement may be met using tree pits as detailed in Charlotte Land Development Standards 4000 series.
 1. If large maturing trees are planted, each tree shall have a minimum three-inch caliper. One such tree shall be planted for every 40 feet of frontage or fraction thereof. If small maturing trees are planted, each tree shall have a minimum two-inch caliper. One such tree shall be planted for every 30 feet of frontage or fraction thereof.
 2. If the required number of trees cannot be planted as required by Section 21-96(f)(3)a.1 due to site constraints, the alternatives listed below, individually or in combination, may be used. Site constraints include, but are not limited to, driveway locations, sight triangles, sight lines, and above ground utility locations, as determined by the city.
 - i. Spacing between large maturing trees may be reduced to 30 feet. Spacing between small maturing trees may be reduced to 20 feet. Tree species identified for reduced spacing may be found in the Tree Ordinance Guidelines or as otherwise approved by the city.
 - ii. Trees that cannot be planted in the perimeter planting strip may be planted in alternative locations within 20 feet of the future back of curb, or in locations otherwise approved by the city.
 - iii. A payment in lieu may be made to the city for trees that cannot be planted in the perimeter planting strip.
 - b. *Urban retail sites.* The following options are available for urban retail developments:
 1. *Relocation of trees.* The number of perimeter trees required in subsection (e-f)(3) may be reduced by up to 50 percent if the same quantity of trees reduced are planted elsewhere on the site and at least one perimeter tree is

installed.

2. *Tree pits.* The perimeter trees required in subsection (e-f)(3) may be installed in tree pits with irrigation and sub-drainage as specified in the tree ordinance guidelines in lieu of a continuous perimeter planting strip. If large maturing trees are planted in the pits, each tree shall have a minimum three-inch caliper. One such tree shall be planted for every 40 feet of frontage or fraction thereof. If small maturing trees are planted in the pits, each tree shall have a minimum two-inch caliper. One such tree shall be planted for every 30 feet of frontage or fraction thereof and as long as at least one perimeter tree is installed.
- (4) *Renovated sites.* When a building permit is requested for renovation of a previously developed site where the required perimeter planting strip does not exist, trees are still required. However, in lieu of a minimum eight-foot wide planting strip, a pavement cutout equal to 200 square feet and with a minimum width of five feet may be substituted.
- (5) *Railroad or utility rights-of-way.* When a railroad or utility right-of-way separates the perimeter planting strip from a city right-of-way, the perimeter planting strip and tree planting requirements must still be met.
- (6) *Large shade trees required.* In locations without overhead power distribution lines that obstruct normal growth, 75 percent of the trees required under subsections (e-f)(1), (2), and (3) shall be large maturing shade trees.
- (7) *Streetscape plans.* In applicable cases where the city council has approved a streetscape plan, its provisions shall supersede those set forth in subsections (e-f)(2), (3) and (5).
- (f-g) Internal planting requirements, excluding single-family development. Requirements for internal planting, excluding single-family development, are as follows:
 - (1) *Planting areas.*
 - a. Suburban commercial zones. Whenever the impervious cover exceeds 10,000 square feet, a planting area equal to ten percent of the total impervious surface must be provided for landscape purposes and tree planting. Internal tree planting is required at the rate of one large maturing shade tree per 10,000 square feet of impervious cover or fraction thereof. This planting area must be located on private property and in urban zones shall be in addition to any perimeter planting and tree save area requirements. In the mixed use development district (MUDD) and the uptown mixed use district (UMUD) outside the I-277/I-77 loop, the planting area may equal five (5) percent of the total impervious surface. The planting requirements for UMUD-zoned sites within the I-277/I-77 expressway loop are set out in subsection 9.906(4)(e) of the zoning ordinance in appendix A to this Code.
 - b. Urban zones. Whenever the impervious cover exceeds 10,000 square feet, a planting area for landscape purposes and tree planting is required as follows:
 1. The planting area shall equal ten percent of the total

impervious surface for all urban zoning districts except for UMUD and MUDD.

2. In MUDD and UMUD zoning districts outside the I-277/I-77 loop, the planting area may equal five (5) percent of the total impervious surface. The planting requirements for UMUD zoning districts within the I-277/I-77 expressway loop are set out in subsection 9.906(4)(e) of the zoning ordinance in appendix A to this Code.
3. Internal tree planting is required at the rate of one large maturing shade tree per 10,000 square feet of impervious cover or fraction thereof. This planting area must be located on private property and shall be in addition to any perimeter planting, tree save area, and tree amenity area requirements.
4. Trees may be planted in alternative locations, such as but not limited to rooftops, permanent planters, raised or at grade plazas, over parking decks, or other locations approved by the city. Planting in alternative locations shall be per the Land Development Standards Manual or as otherwise approved by the city.

(2) *Parking areas.* Internal planting requirements for parking areas are as follows:

- a. *Suburban commercial zones.* Planting in suburban commercial zones shall be in accordance with the following:
 1. Trees must be planted so that each parking space is no more than 40 feet from a tree trunk, unless the parking lot has continuous islands running the length of the parking lot with minimum eight feet width; then the requirement will increase to 60 feet from a tree trunk.
 2. Bus and tractor-trailer lots will be required to plant trees 40 feet apart around the perimeter of the parking lot in a minimum ten-foot wide planting strip. If there is parking on the perimeter of the bus and tractor-trailer lots, bollards or wheel stops are required.
 3. Seventy-five percent of the trees planted must be large maturing shade trees except as provided in subsection (f-g)(2)a.4. Minimum planting area per tree shall be 274 square feet with a minimum width of eight feet. The entire planting area must contain amended on-site soil or a soil mix, as specified in the tree ordinance guidelines, to a depth of 18 inches.
 4. Where small maturing shade trees are used, the minimum planting area shall be 200 square feet, with a minimum width of eight feet. The entire planting area must contain amended on-site soil or a soil mix, as specified in the tree ordinance guidelines, to a depth of

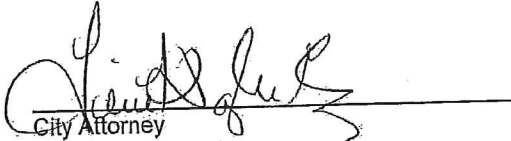
18 inches. Small maturing shade trees may be planted where overhead power distribution lines would interfere with normal growth (normally within 25 feet of overhead power distribution lines or within the Duke Power right-of-way for overhead transmission lines).

- b. *Urban zones.* Planting in urban zones shall be in accordance with the following:
 - 1. Trees must be planted so that each parking space is no more than 40 feet from a tree trunk. Trees planted must be large maturing shade trees except as provided in subsection (f.g)(2)b.2.
 - i. Minimum planting area per large maturing shade tree shall be 274 square feet with a minimum dimension of eight feet. The entire planting area must contain amended on-site soil, as specified in the tree ordinance guidelines, to a depth of 18 inches.
 - ii. Minimum planting area per large maturing shade tree may be reduced to a minimum surface area and a minimum dimension of eight feet, if the entire planting area contains an approved soil mix, as specified in the tree ordinance guidelines, to a depth of 18 inches.
 - iii. For parking spaces located in driveways for individual single-family attached dwellings or multi-family attached dwellings (as defined by Chapter 15 of the Zoning Ordinance), the required trees may be located elsewhere on the site as approved by the city. The number of trees shall equal the quantity required by Section 21-96(g)(2)b.1.
 - 2. Small maturing trees may be planted where overhead power distribution lines would interfere with normal growth. Minimum planting area per small maturing tree shall be 200 square feet with a minimum dimension of eight feet. The entire planting area must contain amended on-site soil, as specified in the tree ordinance guidelines, to a depth of 18 inches.
- (3) *Renovated sites.* When a building permit is requested for the renovation of a site previously developed, internal tree planting is still required, and the minimum planting area shall be 200 square feet per tree. However, only five percent of the total impervious cover must be set aside for landscape purposes.
- (4) *Existing trees.* In meeting these internal planting requirements, credit may be given for existing trees if the following are met:
 - a. The property owner must include in the tree survey referenced in section 21-91 all existing trees of two-inch dbh or greater which he/she proposes to satisfy these planting requirements.

- b. Only healthy trees and those that have been protected during the entire development period, beginning prior to the commencement of site work and continuing through to issuance of the certificate of occupancy in accordance with approved tree protection requirements, may satisfy these tree planting requirements.
- c. If the minimum protection standards are not met, or if trees are observed by the city to be injured or threatened, it may be deemed ineligible for meeting these requirements. The city shall have the authority to modify the planting requirements of this subsection to preserve existing trees.

Section 2. That this ordinance shall become effective upon its adoption.

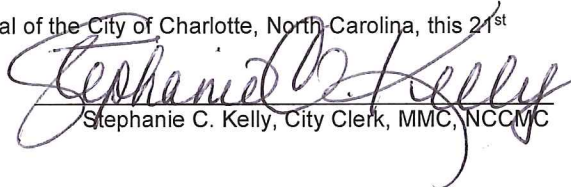
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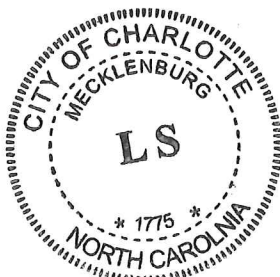

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 570-580.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC



Petition #: 2019-104
Petitioner: Charlotte Planning, Design and Development Department

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

ORDINANCE NO. 9672

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 9: GENERAL DISTRICTS

1. PART 8.5: Mixed Use Development District

- a. Amend Section 9.8506, "Mixed Use Development District; urban design and development standards", subsection (4), "Urban open spaces" by adding a new sentence in a new paragraph at the end that reads: "For additional tree area and planting requirements, see the Charlotte Tree Ordinance". All other subsections remain unchanged. The revised subsection shall read as follows:

- (4) Urban open spaces. Open space is required for new buildings with a gross floor area greater than 50,000 square feet.

Open space sizes. Such buildings must be provided with open space behind the required setback and on private property proportionate to their bulk according to the following schedule:

<u>Lot Size</u> (Square Feet)	<u>Open Space Required</u> (1 square foot/gross square feet of floor area)
0-20,000 square feet	1 square foot/200 square feet
20,001-40,000 square feet feet	1 square foot/150 square feet
above 40,000 square feet	1 square foot/100 square feet

A maximum of 30 percent of this required open space may be provided on an enclosed ground floor level. This required open space may also be located on the roofs of buildings. The required open space must be accessible to the users of the building and be improved with seating and plantings.

For additional tree area and planting requirements, see the Charlotte Tree Ordinance.

2. PART 9: Uptown Mixed Use District

- a. Amend Section 9.906, "Uptown Mixed Use Development District; urban design and development standards", subsection (4), "Urban open spaces", subsection (a), by adding a new sentence in a new paragraph at the end that reads: "For additional tree area and planting requirements, see the Charlotte Tree Ordinance". All other subsections remain unchanged. The revised subsection shall read as follows:

- (4) Urban open spaces. Open spaces for public congregation and recreational opportunities are required and must be equipped or designed to allow pedestrian seating and to be easily observed from the street or pedestrian circulation areas. These provisions apply only to new office uses with a gross floor area greater than 20,000 square feet. All urban open spaces must comply with the minimum required design standards of this ordinance. If urban open space is provided but not required it must also meet the minimum urban open space design standards.

- (a) Urban open space sizes. Buildings must be provided with public open space behind the required setback and on private property proportionate to their bulk according to the following schedule:

<u>Lot Size</u>	<u>Open Space Required</u>
(Square Feet)	(1 square foot/gross square feet of floor area for office use.)
0-20,000 square feet	1 square foot/200 square feet
20,001-40,000 square feet	1 square foot/150 square feet
above 40,000 square feet	1 square foot/100 square feet

A maximum of 30 percent of this required urban open space may be provided on an enclosed ground floor level provided the enclosed space meets all other requirements of these provisions. If a property line of the site is within 200 feet of the property line of a publicly owned and useable open space, then up to 50% of the required urban open space may be provided on an enclosed ground floor level provided the enclosed space meets all the requirements. The 200 feet shall be measured along the public right-of-way line. If any existing buildings are reused as part of a larger development, all the required urban open space may be provided on an enclosed ground floor level.

For additional tree area and planting requirements, see the Charlotte Tree Ordinance.

B. CHAPTER 10: OVERLAY DISTRICTS

1. PART 8: Pedestrian Overlay District

- a. Amend Section 10.812, "Development standards", subsection (7), "Urban open spaces" by adding a new sentence in a new paragraph after Table 10.812(4). The new sentence shall read, "For additional tree area and planting requirements, see the Charlotte Tree Ordinance. All other subsections remain unchanged. The revised subsection shall read as follows:

(7) Urban open spaces.

- (a) All new development on lots one acre or more in size must provide urban open space.
- (b) Private open space is defined as an area that is:
 - (1) Accessible and visible to residents, tenants, and/or users of the development.
 - (2) Improved with seating, plantings, or other amenities.
 - (3) Located on the ground floor or first level of the development, a roof or terrace level, balconies, patios, in an interior courtyard area of the development, or a combination of these locations.
 - (4) Out of doors, or in the open air (may be under a roof or canopy).
- (c) Public urban open space is defined as an area that is:
 - (1) Accessible and open to the public.
 - (2) Improved with seating, plantings, or other amenities.
 - (3) Visible and accessible from the street or public pedestrian areas.
 - (4) Located on the ground floor or no more than five feet above or five feet below ground level.
 - (5) Out of doors, or in the open air (may be under a roof or canopy).
- (d) All required open space shall be located behind the sidewalk and on private property.
- (e) Open space requirements are based on the type of use, the lot size, and the gross square footage of building floor area, in accordance with the following schedule:

Table 10.812(4) Open space

Use	Private open space	Public open space
Residential use	1 sq. ft./100 sq. ft. gross floor area <i>or</i> 1 sq. ft./200 sq. ft. lot area, whichever is greater.	None required.
Non-residential use	None required.	1 sq. ft./100 sq. ft. gross floor area <i>or</i> 1 sq. ft./200 sq. ft. lot area, whichever is greater.

For additional tree area and planting requirements, see the Charlotte Tree Ordinance.

2. PART 9: Transit Supportive Overlay District

- (a) Amend Section 10.907, "Development Standards", subsection (12), "Urban open spaces" by adding a new sentence in a new paragraph after subsection (g). The new sentence shall read, "For additional tree area and planting requirements, see the Charlotte Tree Ordinance. All other subsections remain unchanged. The revised subsection shall read as follows:

(12) Urban open spaces.

- (a) All new development on lots of greater than 20,000 square feet must provide urban open space. Such open space shall be either private open space and/or public open space.
- (b) Private open space is defined as an area that is:
1. Accessible and visible to residents, tenants, and/or users of the development.
 2. Improved with seating, plantings, and/or other amenities.
 3. Located on the ground floor or first level of the development, or on a roof or terrace level, or in an interior courtyard area of the development, or a combination of these locations.
 4. Out of doors, or in the open air (may be under a roof or canopy).
- (c) Public urban open space is defined as an area that is:
1. Accessible and open to the public.
 2. Improved with seating, plantings, and/or other amenities.
 3. Visible and accessible from the street or public pedestrian areas.
 4. Located on the ground floor or no more than five feet above or five feet below ground level.
 5. Out of doors, or in the open air (may be under a roof or canopy).
- (d) All required open space shall be located behind the sidewalk and on private property.
- (e) Open space requirements are based on the type of use, the lot size, and the gross square footage of building floor area, in accordance with the following schedule:

Use	Private open space	Public open space
Residential use	1 sq. ft./100 sq. ft. gross floor area <i>or</i> 1 sq. ft./200 sq. ft. lot area, whichever is greater.	None required.
Non-residential use	None required.	1 sq. ft./100 sq. ft. gross floor area <i>or</i> 1 sq. ft./200 sq. ft. lot area, whichever is greater.

- (f) For developments on lots in excess of ten acres (435,600 square feet), at least fifty percent (50%) of the required open space must be centrally located on the site in a common area.
- (g) Floor Area Ratio credits are allowed for all new developments as per [Section 9.1208\(5\)\(c\)](#) when the pedestrian space is available for use by the public, including widened sidewalk areas.

For additional tree area and planting requirements, see the Charlotte Tree Ordinance.

C. CHAPTER 15: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

1. Amend Section 15.4.9, "On-Site Open Space, subsection 15.4.9.A, "Minimum Open Space", by adding a new sentence in a new paragraph after subsection 15.4.9.A.4. The new sentence shall read, "For additional tree area and planting requirements, see the Charlotte Tree Ordinance. All other subsections remain unchanged. The revised subsection shall read as follows:

15.4.9 On-Site Open Space

Required on-site open space applies to new development.

A. Minimum Open Space

1. All developments are required to provide on-site open space, with the following exception:
 - a. Developments on parcels of one-half acre or less in size.
2. Development shall provide a minimum of on-site open space in accordance with the following:
 - a. 5% of lot area in the TOD-UC District.

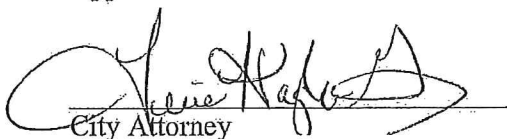
- b. 10% of lot are in the TOD-NC, TOD-CC, and TOD-TR Districts.
 - c. In TOD-UC and TOD-CC Districts, half of the required open space area may be provided as a widened sidewalk, greater than eight feet or more in width (in addition to required streetscape). Outdoor dining may be included in this area.
- 3. Development shall provide a minimum of public on-site open space in accordance with the following:
 - a. 50% of required on-site open space for commercial development.
 - b. 25% of required open space for mixed-use development.
 - c. Residential development is not required to provide public on-site open space.
- 4. When located within a required on-site open space area, a nonresidential structure no greater than 500 square feet in gross floor area is allowed within the on-site open space and may be included in the calculation of total on-site open space.

For additional tree area and planting requirements, see the Charlotte Tree Ordinance.

Section 2. That this ordinance shall become effective upon its adoption.

October 21, 2019
Ordinance Book 62, Page 588
Ordinance No. 9672

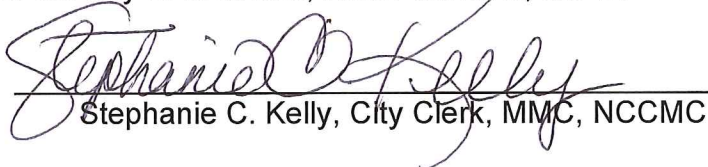
Approved as to form:


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of October 2019, the reference having been made in Minute Book 148 and recorded in full in Ordinance Book 62, Page(s) 581-588.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of October 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

