

<b>REQUEST</b>	Text amendment to Sections 9.8506, 9.906, 9.1209, 10.813, 10.908, 13.102, and 13.108(a) of the Zoning Ordinance
<b>SUMMARY OF PETITION</b>	The petition proposes to: 1) update the definition of marquee signs; 2) add marquee signs as a permitted sign type in the mixed use development (MUDD) district; 3) clarify that marquee signs are permitted in the uptown mixed use district (UMUD); and 4) add provisions to regulate marquee signs.
<b>PETITIONER AGENT/REPRESENTATIVE</b>	Charlotte-Mecklenburg Planning Department Charlotte-Mecklenburg Planning Department
<b>COMMUNITY MEETING</b>	Meeting is not required.
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with adopted policies and to be reasonable and in the public interest, by an unanimous vote of the Zoning Committee (motion by Commissioner Zoutewelle seconded by Commissioner Dodson).

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modification:  1. 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 face at maximum brightness.
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<b>VOTE</b>	Motion/Second: Johnson/Zoutewelle
	Yeas: Dodson, Firestone, Rosenburgh, Zoutewelle, and Johnson
	Nays: None
	Absent: Allen, Griffith, and Phipps
	Recused: None

<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented a brief overview of the text amendment. Since the public hearing, regulations have been added stating that 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 face at maximum brightness. This is the same standard currently in the ordinance for outdoor advertising signs.
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<b>STAFF OPINION</b>	A survey of other cities found that typically, the same lighting standard for outdoor advertising signs was used for on-premise signs.
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<b>STAFF OPINION</b>	Staff agrees with the recommendation of the Zoning Committee.
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**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW****• Background**

- Marquee signs are being used in an increasingly urban environment. This text amendment revisits the definition, expands the zoning districts where marquee signs are permitted, and provides flexibility for more uses to utilize marquee signs. The current definition of marquee signs, provided in Section 13.102, is a roof like structure, bearing a sign, projecting over an entrance to a theatre or building providing changeable copy that relates to the principal use on the premises.



Example of a Marquee sign at a movie theatre

- Marquee signs are currently permitted in the PED, TOD, and TS zoning districts and in UMUD on buildings over 100,000 square feet. Marquee signs are considered projecting signs.
- **Proposed Request Details**
  - The text amendment contains the following provisions:
  - Updates the definition of marquee signs.
  - Adds marquee signs as a permitted sign type in the MUDD zoning district.
  - Removes the restriction that marquee signs are only permitted in the UMUD district on buildings over 100,000 square feet.
  - Adds provisions to regulate marquee signs in MUDD, UMUD, PED, TOD, and TS zoning districts:
    - Adds marquee signs into the maximum allowable area for signs allowed per building wall.
    - A minimum overhead clearance of nine feet is required from the sidewalk to the bottom of the marquee sign.
    - Limits marquee signs from being located within any sight distance triangle area.
    - Limits marquee signs from extending above the roofline of the building.
    - Permits changeable copy if the message does not change more than once in a 24-hour time period.
    - Limits illumination to 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn.
    - Allows marquee signs to project into a portion of the required setback as long as the sign structure does not encroach into any required planting area, and does not include useable building square footage area for the portion that projects into the setback. If any portion of the sign projects into the public right-of-way, then an encroachment agreement from the Charlotte Department of Transportation is required.
  - Clarifies that signs located in the UMUD district may be mounted on awnings.
- **Public Plans and Policies**
  - The petition is consistent with adopted policy.
- **Staff Recommendation (Updated)**
  - Staff agrees with the recommendation of the Zoning Committee.

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Not applicable.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No comments received.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:**
    - There is no site plan associated with this text amendment.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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