

Petition No. 2013-063

Petitioner: Charlotte-Mecklenburg Planning Department

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

ORDINANCE NO.

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

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

A. CHAPTER 13: SIGNS

1. Amend Section 13.110, "Creation of Special Sign Regulations" by adding a new subsection (8), titled, "Detached Business Identification Signs Impacted by a Government Sponsored Transportation Projects", with standards. The new subsection shall read as follows:

(8) Detached Business Identification Signs Impacted by a Government Sponsored Transportation Projects.

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

- a) Relocation of a Business Identification Sign Approved on a Conditional Site Plan.
 - i) Relocation of a detached business identification sign, whose location was originally approved on a conditional site plan, may be requested if the sign's visibility to the adjacent travel lane is impacted by a government sponsored transportation project, or if the project requires the relocation of the sign.
 - ii) The requested new location is not required to be a location shown on the approved conditional site plan.
- b) Converting a Ground-Mounted or Monument Business Identification Sign to a Pole Sign.
 - i) Conversion of a ground-mounted or monument business identification sign may be requested if the sign's visibility to the adjacent travel lane is impacted by a government sponsored transportation project.

- ii) Conversion to a pole sign may be requested even if the zoning district or conditional site plan does not allow pole signs.
 - iii) Conversion to a pole sign will only be considered if the ground mounted or monument sign cannot be relocated to another location that allows visibility to the adjacent travel lane.
- c) Modification to the Maximum Height of a Business Identification Sign.
- i) Modification to the maximum allowed height of a detached business identification sign may be requested if the sign's visibility to the adjacent travel lane is impacted by a government sponsored transportation project.
 - ii) Modification to the maximum allowed height may be requested even if the height is greater than that allowed by a conditional site plan.
 - iii) Modification to the maximum allowed height will only be considered if the sign cannot be relocated to another location that allows visibility to the adjacent travel lane.
 - iv) Modification to the maximum allowed height will only be considered if the increase is ten feet or less above the maximum sign height permitted in Section 13.109(4)(a), based on the street classification of the adjacent street.
- d) Approval and New Sign Permit Required.
- i) An application shall be submitted to the Planning Department requesting the detached business identification sign modification. The Planning Director, or designee, shall have the authority to approve or disapprove the application. Considerations in granting approval include, but are not limited to, the following:
 - 1) Need for relocation due to the government sponsored transportation project;
 - 2) Loss of visibility to the adjacent lane of travel;
 - 3) Impact of relocated utility lines;
 - 4) Purpose and intent of sign restrictions

- on conditional site plan;
- 5) Topographical changes due to the government sponsored transportation project;
- 6) Unusual or unique circumstances;
- 7) If the sign is proposed to be moved, has the distance between the existing and proposed location been minimized?
- 8) If converting to a pole sign, has the requested increase in the sign height been minimized?; and
- 9) If increasing the maximum sign height, has the increase in the proposed sign height been minimized?

ii) All other sign standards of Chapter 13 and the zoning district in which the sign is located must be met.

iii) If the application is approved, a new sign permit is required for each sign.

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

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 2013, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this _____ day of _____, 2013.
