

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

**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. 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:

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3. Amend 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:

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4. Amend 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, Pennant, Sign. The deleted 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.~~

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.

- b. Amend Section 2.201, "Definitions" by modifying the definition of Public Flag by deleting "and must conform with the sign regulations of Chapter 13" from the last sentence.

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.

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 deviations 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, 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 9.909, “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).~~
 - e. ~~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.~~

~~(Petition No. 2009-013, § 10.908(7)(d)(1), 03/19/09)~~

~~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 third 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 “Reserved”. All other entries/uses remain unchanged. The revised text shall read as follows:

(11) ~~Reserved. No detached signs or wall signs shall be permitted for the customary home occupation.~~

- 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”, subsection (1), subsection (f) by deleting the comma and “banners or pennants” from the sentence. Also amend subsection (1), subsection (k) by deleting the word “Advertising” in the sentence and capitalizing the word “Signs. All other subsections remain unchanged. The revised text shall read as follows:

Section 12.418 Public flags on permanent flagpoles.

- (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\(2\)](#)
 - (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.
 - (k) ~~Advertising signs~~ shall not be displayed or fastened to a flagpole, staff, or halyard from which a public flag is flown.

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 “Reserved”. 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) Reserved. ~~One (1) unlighted identification sign, not to exceed four (4) square feet, may be attached to the residence. Detached identification signs are not permitted~~
- 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 “Reserved”. 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) Reserved. ~~One (1) unlighted identification sign, not to exceed four (4) square feet, may be attached to the residence. Detached identification signs are not permitted.~~

- 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) by deleting “business or identification” from the sentence in subsection (b). 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 12.516, “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.
- g. Amend Section 12.519, “Outdoor Seasonal Sales” subsection (6) by deleting the sentence and replacing it with “Reserved”. All other subsections remain unchanged. The revised subsection shall read as follows:
 - (6) Reserved. ~~Any signage, which identifies the use, shall be in accordance with the underlying zoning district.~~
- h. 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.~~

- i. 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.~~

- j. 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.~~

- k. 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.~~

- l. 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.~~

- m. Amend Section 12.532, “Donation drop-off facilities”, subsection (11) by deleting the last sentence. 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.~~

- n. Amend Section 12.534, “Periodic Retail Sales Events, Off-Premise”, subsection (j) by deleting the text and replacing it with “Reserved”. All other subsections remain unchanged. The revised text shall read as follows:

- (j) Reserved. ~~No detached signs are permitted.~~

- o. 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 text and replacing it with “Reserved”. All other subsections remain unchanged. The revised text shall read as follows:

- iv. Reserved. ~~One attached identification sign shall be allowed for each outdoor produce stand and shall not exceed 15 sq. ft.~~

- p. 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 subsection in its entirety. 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 5 square feet, in the institutional and office~~

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 Districts	43
15.7.2A Frame Signs	44
15.7.3 Marquee Signs	45
15.7.4 Monument Signs	46
15.7.5 Roof Signs	47
15.7.6 Skyline Signs	48
15.7.7 Wall Mounted Signs	49
15.7.8 Window Signs	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 13.9.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~~ 13.9.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 13.9.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~~ 13.9.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.

See Next Page

15.7 SIGNS RESERVED

15.7.4 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 permissions 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 (7a) (Advertising Signs on Passenger Rail Platforms).~~
- ~~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 permissions 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. Adherence to the designs included in this Section does not imply approval through an encroachment agreement.~~

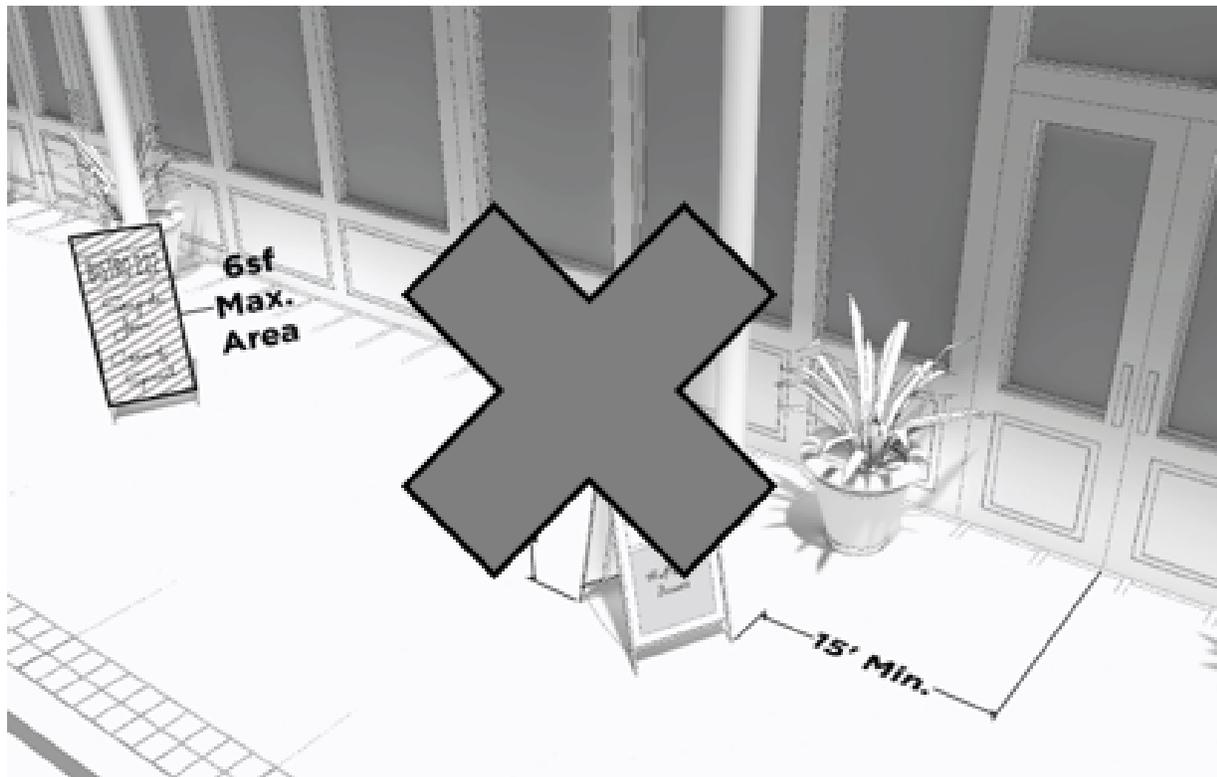
~~D. Sign placement, including projections from a building facade, shall protect all trees as required by the Charlotte Tree Ordinance as well as any trees located in the public right-of-way.~~

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

15.7.2 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 uses.~~
- ~~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 10.141 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.~~



~~A-Frame Signs~~

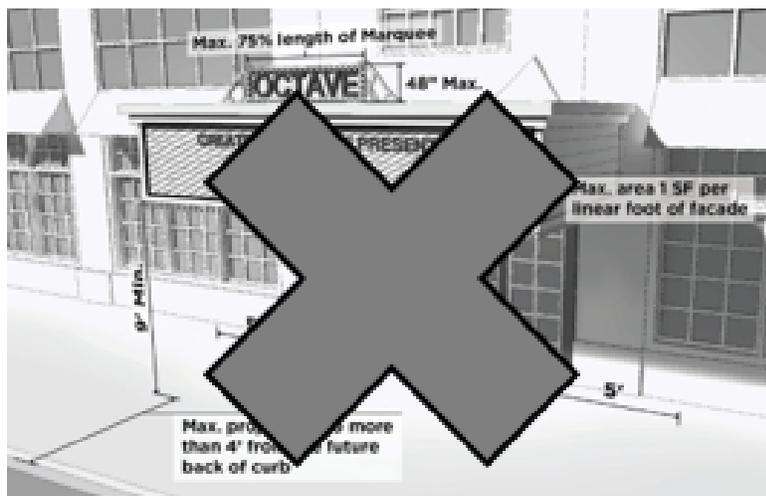
45.7.3 Marquee Signs

Marquee signs require a sign permit.

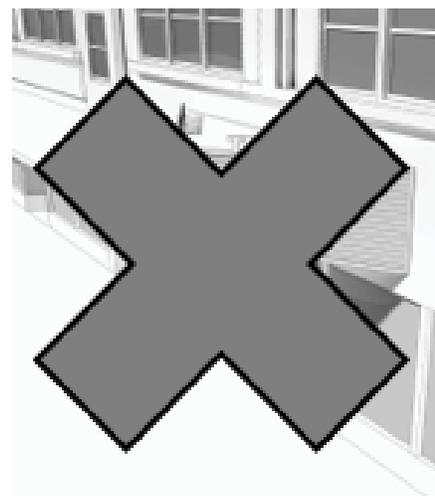
- ~~A. Marquee signs are permitted for non-residential uses only.~~
- ~~B. Marquee signs shall be supported solely by the building to which they are attached. No exterior columns or posts are permitted as supports.~~
- ~~C. The roof of a marquee sign may not be used for any purpose other than to form 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 sign shall maintain a minimum vertical clearance of nine feet, and the roof of the marquee structure shall be erected below any second floor window 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, with no animation or effects simulating 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 mode.~~~~
- ~~I. Marquees may be internally or externally illuminated.~~



~~Marquee Sign (with regulations illustrated)~~



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

45.7.4 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 36 square feet~~

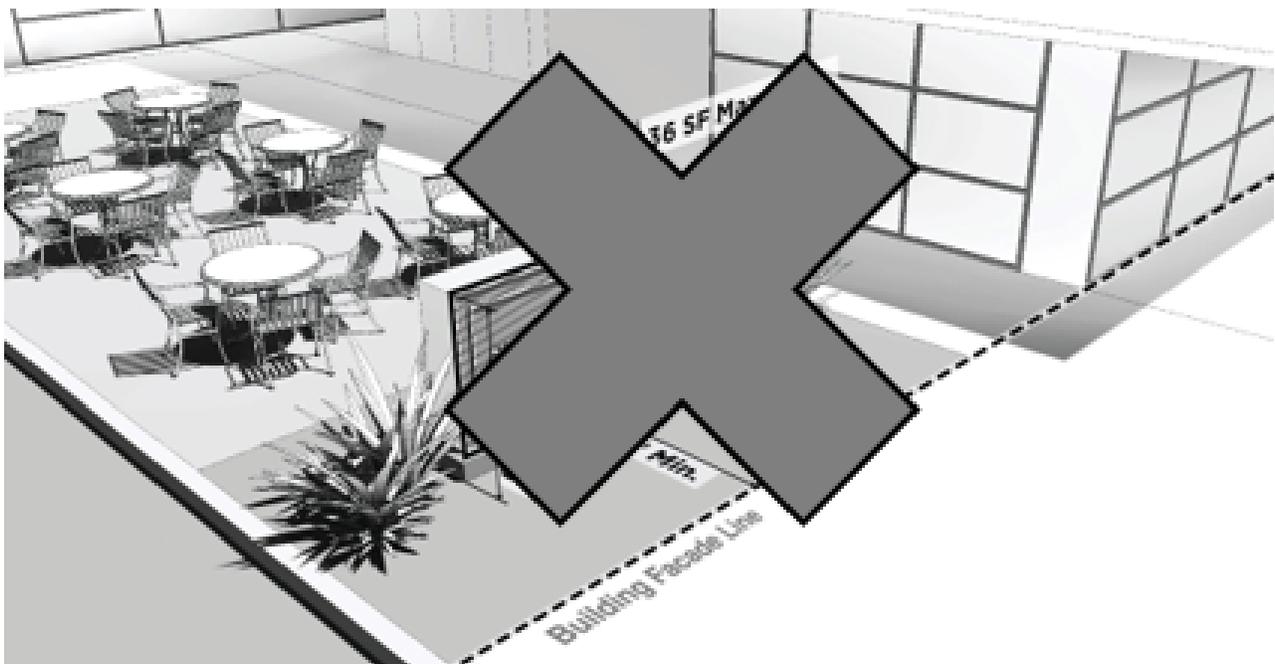
~~3.~~

~~Signs are limited to a maximum height of five 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 letters/ icons 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.~~



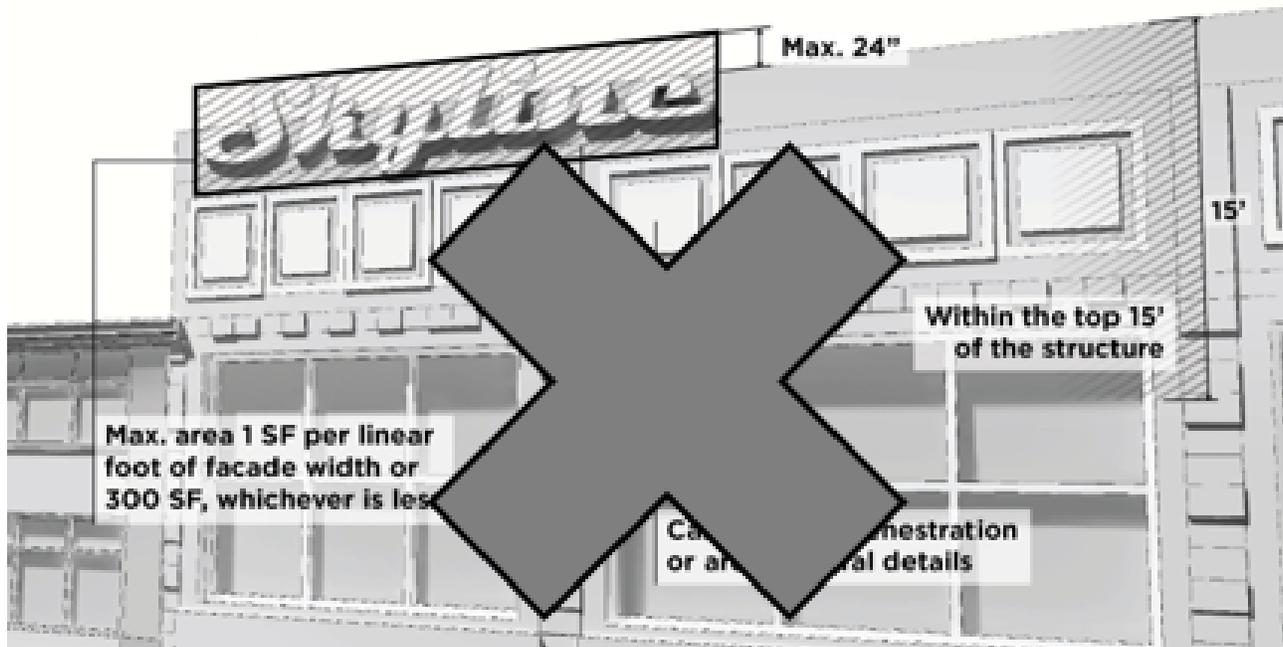
~~Roof Signs~~

45.7.5 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 where it is mounted or 300 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

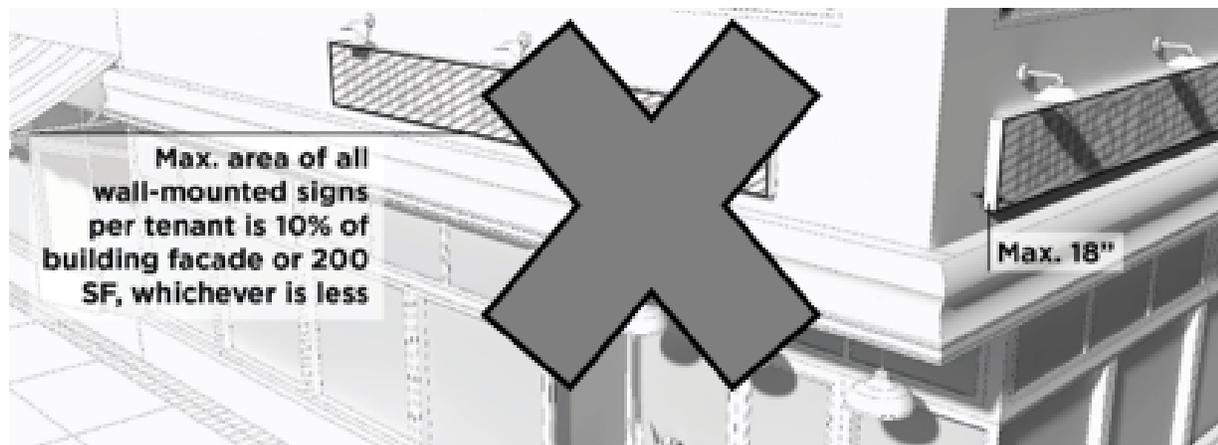
15.7.6 Wall Mounted Signs

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. Skyline 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 one 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 regulations 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 end or top of the wall or higher than the roofline 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, nylon, 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, transom sill, or architectural feature, such as cornices, of the structure.

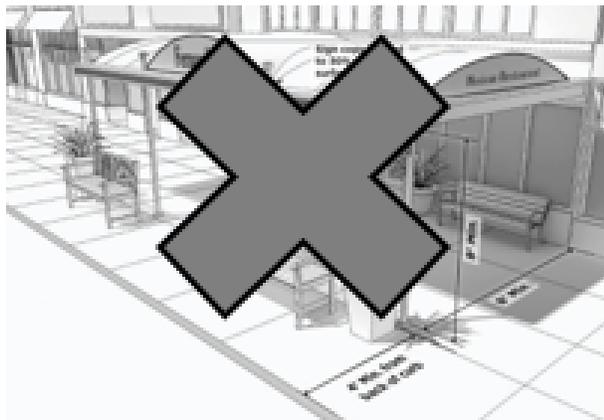


Wall Signs

~~B. Awning and Canopy Signs~~

- ~~1. Awning and canopy signs shall be mounted within the first story of the structure.~~
- ~~2. Awning and canopy signs shall maintain a minimum vertical clearance of nine feet.~~
- ~~3. One awning or canopy sign is permitted per tenant 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 signs 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.~~
- ~~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 support 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 signs shall be made of a of durable weather-resistant material.~~
- ~~8. 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. 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 signs 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.
2. 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.
3. 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.
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.

5. Projecting signs shall maintain a minimum vertical clearance of nine feet. No projecting sign affixed to a building may project higher than the building height, including the sign support structure.
6. Projecting signs shall be constructed of durable weather-resistant 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.

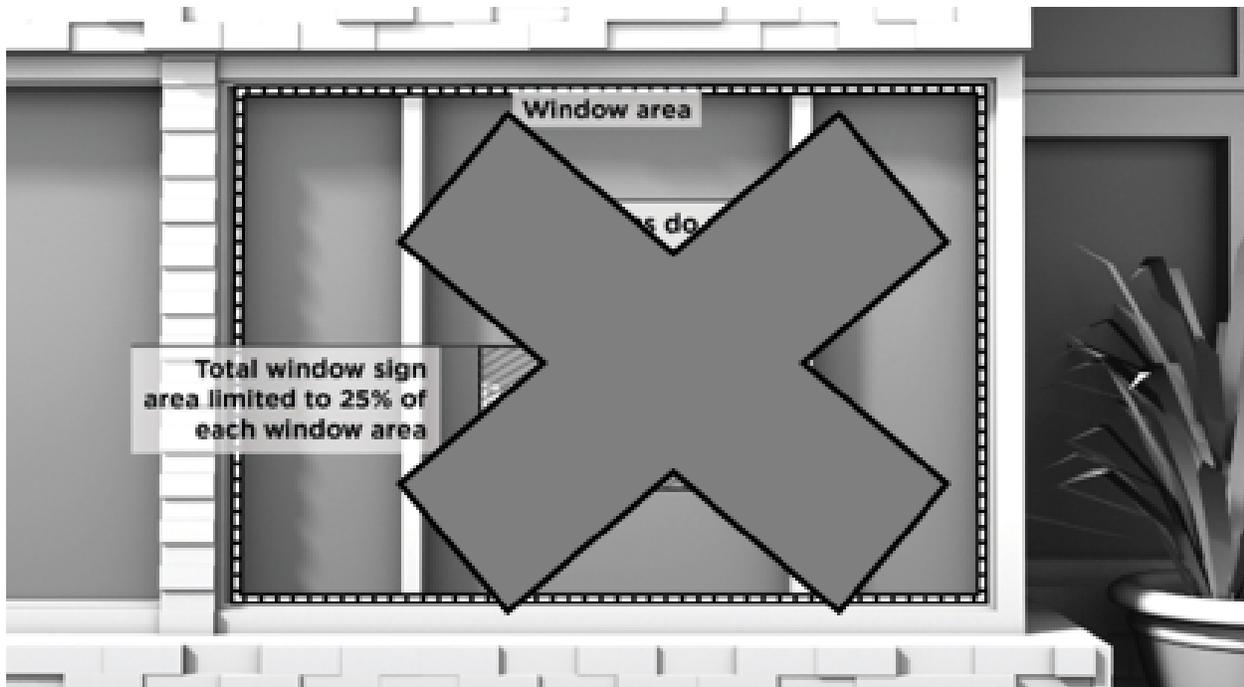


Projecting Signs

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 until divided by an architectural or structural element. Mullions 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.

Signs

appeals.....	13.114
definitions.....	13.102
district requirements. See also herein specific districts	
enforcement.....	13.113
freestanding, temporary off premises real estate signs	13.106(14)
general provisions.....	13.104
intent and purpose.....	13.101
nonconforming signs.....	13.112(1)
off premises directional development signs.....	13.110(3)
outdoor advertising signs.....	13.111
permanent on-premises signs, district regulations	13.109
permits	
application and issuance.....	13.103(2)
fees.....	13.103(4)
final inspection.....	13.103(5)
issuance.....	13.103(3)
required.....	13.103(1)
specifications for permit and signs requiring	
—permit.....	13.108
violations.....	13.103(2)
prohibited signs.....	13.105
removal of certain signs.....	13.112
signs not requiring a permit.....	13.106

Signs

<u>applicability.....</u>	<u>13.xx</u>
<u>alteration and maintenance.....</u>	<u>13.xx</u>
<u>definitions.....</u>	<u>13.xx</u>
<u>district categorization.....</u>	<u>13.xx</u>
<u>enforcement.....</u>	<u>13.xx</u>
<u>exceptions.....</u>	<u>13.xx</u>
<u>general standards.....</u>	<u>13.xx</u>
<u>purpose.....</u>	<u>13.xx</u>
<u>measurement methodology.....</u>	<u>13.xx</u>
<u>nonconforming signs.....</u>	<u>13.xx</u>
<u>permissions.....</u>	<u>13.xx</u>
<u>permits</u>	
<u>approval procedure.....</u>	<u>13.xx</u>
<u>fees.....</u>	<u>13.xx</u>
<u>final inspection.....</u>	<u>13.xx</u>
<u>general regulations.....</u>	<u>13.xx</u>
<u>required.....</u>	<u>13.xx</u>
<u>prohibited signs.....</u>	<u>13.xx</u>
<u>signs exempt from permit.....</u>	<u>13.xx</u>
<u>sign types</u>	

<u>electronic signs.....</u>	<u>13.xx</u>
<u>ground signs.....</u>	<u>13.xx</u>
<u>marquee signs.....</u>	<u>13.xx</u>
<u>menuboard signs.....</u>	<u>13.xx</u>
<u>outdoor advertising signs.....</u>	<u>13.xx</u>
<u>projecting signs.....</u>	<u>13.xx</u>
<u>roof signs.....</u>	<u>13.xx</u>
<u>skyline signs.....</u>	<u>13.xx</u>
<u>temporary signs.....</u>	<u>13.xx</u>
<u>wall-mounted signs.....</u>	<u>13.xx</u>
<u>wall signs.....</u>	<u>13.xx</u>
<u>awning and canopy signs.....</u>	<u>13.xx</u>
<u>special regulations.....</u>	<u>13.xx</u>
<u>detached business identification signs impacted by government</u>	
<u>projects.....</u>	<u>13.xx</u>
<u>historic signs.....</u>	<u>13.xx</u>
<u>landmark signs.....</u>	<u>13.xx</u>
<u>passenger rail platform signs.....</u>	<u>13.xx</u>
<u>planned development flexibility option.....</u>	<u>13.xx</u>

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 ____, 20__, 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 _____, 20__.

