

CHARLOTTE CODE

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CHAPTER 13:

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Section 13.101. Intent and purpose.

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

- (1) To ensure that signs are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised.
- (2) To minimize the distractions and the obstructing-of-view that contributes to traffic hazards and endanger public safety.
- (3) To encourage a high standard for signs in order that they should be appropriate to and enhance the aesthetic appearance and attractiveness of the community and, further, create an aesthetic environment that contributes to the ability of the community to attract sources of economic development and growth.
- (4) To allow for adequate and effective signs for communicating identification while preventing signs from dominating the visual appearance of the area in which they are located.
- (5) In the interest of public safety, the visibility of street address information for use by emergency responders (fire, police and medical) is of preeminent importance. Should any conflict be construed between Section 13 of the City of Charlotte Zoning Ordinance and Article IV, Chapter 19 of the Charlotte City Code (Numbering of Buildings), Article IV, Chapter 19 shall take precedence.
(Petition No. 2003-009, §13.101(5), 2-17-03)

Section 13.102. Definitions.

For the purposes of these regulations, the following words and phrases shall be defined as specified below.

(A1) Address

The name of the street and the street number of a premise as recorded by Land Use and Environmental Services

(Petition No. 2003-009, §13.102(A3), 2-17-03)

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(A2) Advertising Signs on Passenger Rail Platforms.

A sign that is located on a passenger rail platform that directs attention to a business commodity, service, or establishment conducted, sold or offered either on or off of the premises on which the sign is erected.

(Petition No. 2012-064, §13.102(A2), 01-22-2013)

(A3) Amortization.

A provision requiring nonconforming signs, as determined in Section 13.112 of these regulations, to either become conforming or be removed within a set period of time, otherwise known as the amortization period.

(A4) Awning.

A structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted from a building to a flat position against the building, but not a canopy.

(B1) Building wall.

The entire surface area, including windows and doors, of an exterior wall of a building. For the purposes of these regulations, the area of a wall will be calculated for only the first three stories, or 45 feet in height of a building, whichever is less.

(C1) Candela.

A unit of measurement of the intensity of light. An ordinary wax candle flame generates approximately one candela.

(Petition No. 2007-109, § 13.102(C1), 10/17/07)

(C2) Canopy.

A permanent structure other than an awning made of cloth, metal or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure.

(C3) Changeable copy.

Copy that is or can be changed manually in the field or through mechanical means. [e.g. readerboards with changeable letters.]

(C4) Commercial message.

A message placed or caused to be placed before the public by a person or business enterprise directly involved in the manufacture or sale of the products, property,

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accommodations, services, attractions, or activities that are offered or exist for sale or for hire.

(C5) Copy.

Any words, letters, numbers, figures, characters, symbols, logos, or insignia that are used on a sign display surface area.

(F1) Farm product sales.

Seasonal sale of farm products raised on the premises where products are raised as an accessory to an agricultural use.

(G1) Grade.

The height of the top of the curb, or if no curb exists, the height of the edge of pavement in the lane of travel adjacent to the sign.

(L1) Linear frontage.

The length of a property abutting a public right-of-way from one side lot line to another.

(L2) Logo.

A business trademark or symbol.

(N1) Nit.

A unit measure of luminance or brightness equal to one candela per square meter, measured perpendicular to the rays of the source.

(Petition No. 2007-109, § 13.102(N1), 10/17/07)

(O1) Outparcel.

A parcel of land associated with a shopping center or multi-tenant property development, which is designated on an approved site plan as a location for a free standing structure with an intended use such as, but not limited to banks, saving and loans, dry cleaners, service stations, vehicle repair garages, offices, Eating, Drinking and Entertainment Establishments, retail establishments, or combination of uses thereof and adjoins the shopping center or multi-tenant property development or the parking and service drives associated with it on any side, other than the side fronting the public right-of-way.

(Petition No. 2013-090, § 13.102(O1), 07/21/2014)

(P1) Parapet.

That portion of a building wall or false front that extends above the roofline.

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(P2) Passenger rail platform.

The area of a passenger rail station that is improved with a floor or deck and that is intended for the use of rail passengers to await, and enter/exit rail vehicles. The platform includes any wall, fence, rail ballast or other structures on it or constituting the platform perimeter, but does not include any walkways, sidewalks or other means of ingress/egress to and from the passenger rail platform.

(Petition No. 2012-064, §13.102(P2), 01-22-2013)

(P3) Passenger rail station.

Real property used for the embarkation/disembarkation of rail passengers that is dedicated exclusively to rail transportation use.

(Petition No. 2012-064, §13.102(P3), 01-22-2013)

(P4) Planned development.

A tract of land under single, corporation, partnership, or association ownership, planned and developed as an integral unit in a single development operation or a definitely programmed series of development operations and according to an approved development plan.

(P5) Premises.

A parcel of real property with a separate and distinct number of designation shown on a recorded plat, record of survey, parcel map, subdivision map, or a parcel legally created or established pursuant to applicable zoning. Outparcels of shopping centers shall be considered on the premises of the shopping center for the purpose of these regulations.

(R1) Roofline.

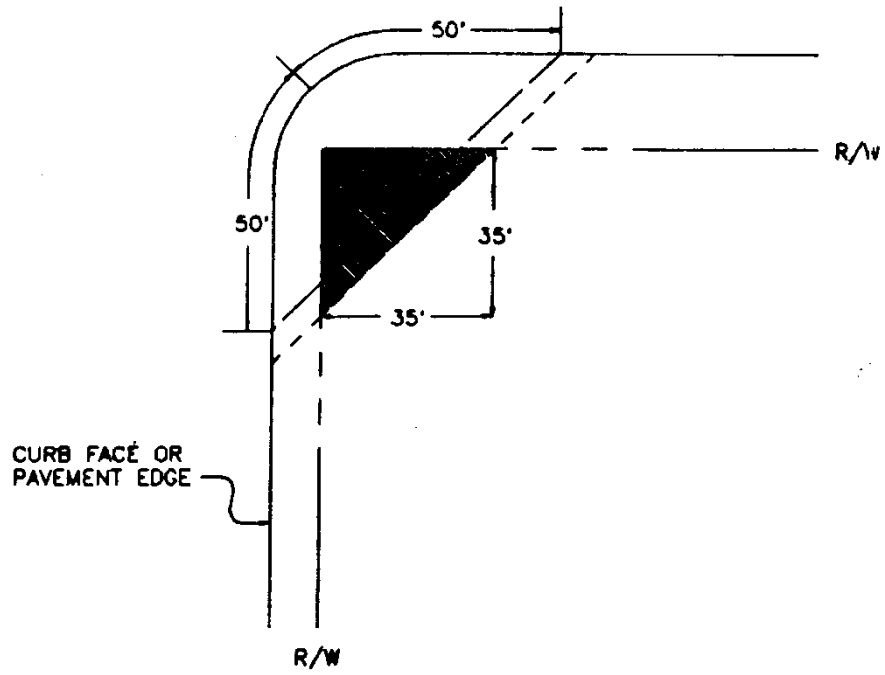
The highest point of a flat roof and mansard roof and the lowest point of a pitched roof, excluding any cupolas, chimneys or other minor projections.

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(S1) Sight distance triangle.

See Section 12.109(1)(a)(b)(c) and (2).



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(S2) Sign.

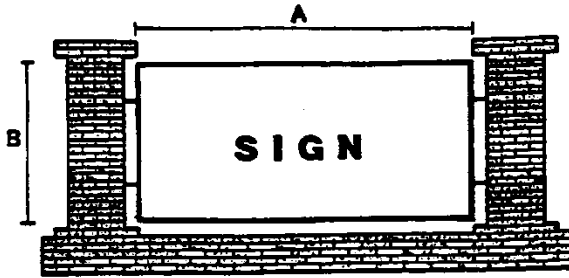
Any object, device, or structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, 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. Except where the address is also the name of the business or institution owning or occupying the premises, displayed address information is not a sign or part of a sign for the purposes of this code.

(Petition No. 2003-009, §13.102(S2), 2-17-03)

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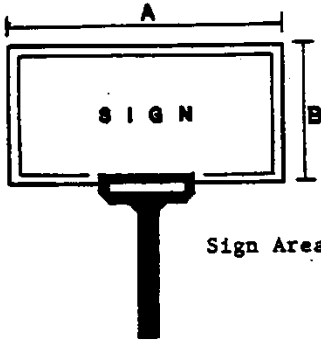
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SIGN AREA MEASUREMENT



Ground Sign
Sign Area = (A)x(B)

Wall Sign
Sign Area = (A)x(B)

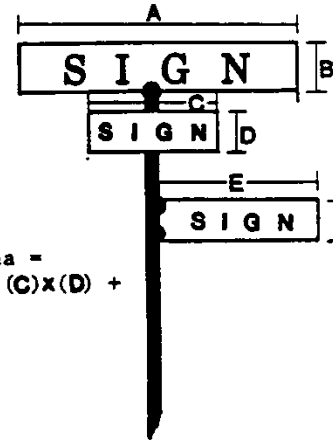


Sign Area = (A)x(B)

Pole Signs

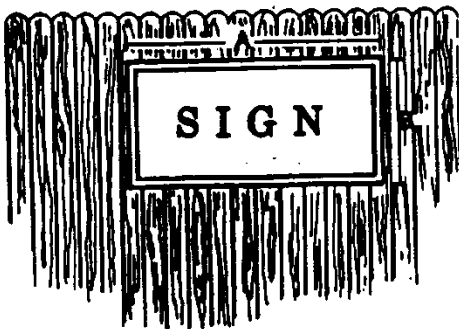


Sign Area = πR^2



Sign Area = (A)x(B) + (C)x(D) + (E)x(F)

Fence Sign



Sign Area = (A)x(B)

Store Front

individual letters attached to wall



Sign Area = (A)x(B)

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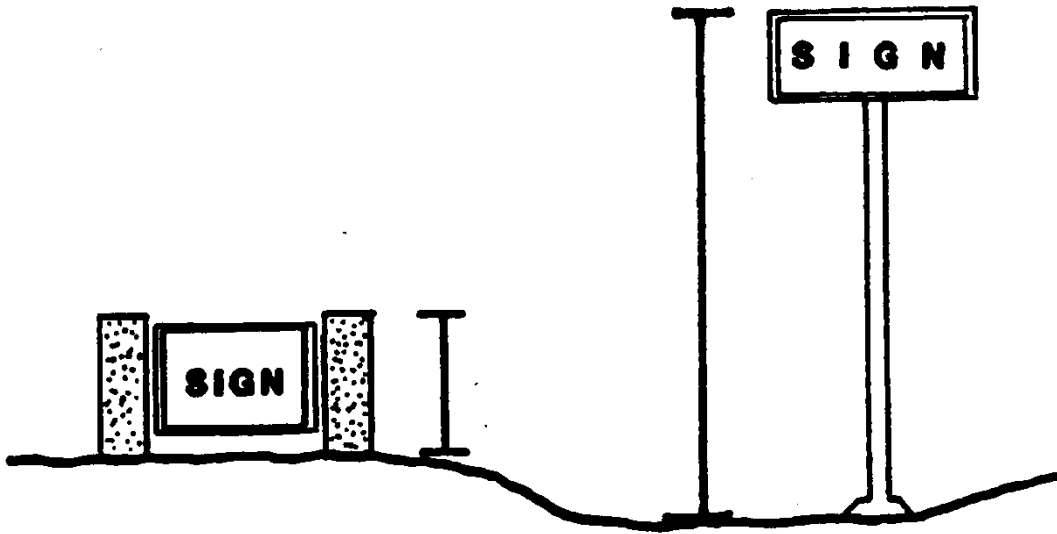
(S3) Sign face area.

The area within a single, continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustration, or ornamentations, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall not be included in the sign area. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area. Only one side of a sign shall be included in the calculation. The area of a Business Sign, which is occupied by the address, shall not be included in any area limiting or fee calculations, except where the address is also the name of the business or institution owning or occupying the premises. The address area would be identified by a single continuous perimeter enclosing the extreme limits of the address with numbers at least four (4) inches in height or one (1) inch in height for every ten feet of distance between the displayed number and the centerline of the adjacent roadway, whichever is greater. Maximum number size will not exceed 1.5 times the required size and not exceed thirty (30) inches total.

(Petition No. 2003-009, §13.102(S3), 2-17-03)

(S4) Sign height.

The distance measured from the highest point of a sign to the base of the sign at the ground.



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(S5) Sign structure or support.

Any structure that supports or is capable of supporting a sign, including decorative cover.

(S6) Special event.

A planned, temporary activity.

(S7) Sign types.

The following are types of signs included in these regulations:

- (a) 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, education, or corporate organizations.
- (b) Bulletin Board
A sign used to announce meetings or programs to be held on the premises of a church, school, auditorium, library, museum, community recreation center, or similar noncommercial places of public assembly.
- (c) Business Sign
A sign that directs attention to a business, profession, or industry located upon the premises where the sign is displayed; to type of products sold, manufactured or assembled; and/or to services or entertainment offered on said premises, but not a sign pertaining to the preceding if such activity is only minor and incidental to the principal use of the premises.
- (d) Campaign or Election Sign
A sign that advertises a candidate or issue to be voted upon on a definite election day.
- (e) Canopy and Awning Signs
A sign attached to or painted or printed upon or on top of a canopy or awning. For the purposes of these regulations, the permitted size of a canopy or awning sign will be calculated on the basis of the size of the building wall to which the canopy is attached. It will, for measuring purposes, be considered a wall sign.
- (f) Construction Sign
A sign placed at a construction site identifying or announcing the project or the name of the architect, engineer, contractor, financier, or others involved in the development of the project.

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- (g) Detached Sign
Any sign that is not affixed or attached to a building and is securely and permanently mounted in the ground. Such sign may be a ground mounted sign, pole sign, or monument sign.
- (h) Directional or Instructional Sign: On-Premises
A sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance", "Exit", "Parking", "One-Way", or similar directional instruction, but not including any advertising message. The name or logo of the business or use to which the sign is giving direction may also be included on the sign.
- (i) Directional Development Sign: Off-Premises
A sign used to direct traffic from Class II or III streets to unified developments such as residential subdivisions, apartments or condominium projects shopping centers, office/business/ industrial parks, and/or churches that are located on Class IV or V streets.
- (j) Directory Sign
A secondary sign on which the names and locations of occupants or the use of a building or property is identified.
- (k) Ground Mounted Sign
A sign which extends from the ground or which has a support which places the bottom thereof less than 2 feet from the ground.
- (l) Government Sign
Any temporary or permanent sign erected and maintained for any governmental purposes.
- (m) Flashing Sign
A sign that uses an intermittent or flashing light source to attract attention.
- (n) Identification Sign
A sign which displays only the name, address, and/or crest, or insignia, trademark, occupation or profession of an occupant or the name of any building on the premises.

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- (o) Illuminated Sign
A sign either internally or externally illuminated.
- (p) Incidental Sign
A sign used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not be limited to drive through window menu boards, and signs on automatic teller machines, gas pumps, vending machines, or newspaper delivery boxes.
- (q) Landmark Sign
An existing, nonconforming, on-premise sign, which exhibits unique characteristics, enhances the streetscape or identity of a neighborhood and, as such, contributes to the historical or cultural character of the streetscape or the community at large.
(Petition No. 2010-052, §13.102(S7),(q) 10/18/10)
- (r) Memorial Sign or Plaque
A sign designating names of buildings and/or date of erection and other items such as architect, contractor, or others involved in the building's creation, cut into or attached to a building surface.
- (ar) Historic Sign
An existing, nonconforming, historically significant sign that contributes to the historical or cultural character of the community at large which has been removed from its original location within Mecklenburg County and is to be reused and relocated to a different location on its original site or relocated to another location within the community.
(Petition No. 2010-052, §13.102(S7),(ar) 10/18/10)
- (s) Monument Sign
A monolithic sign in which the bottom of the sign is flush with the ground and the vertical dimension of the sign is greater than the horizontal dimension.
- (t) Nonconforming Sign
Any sign which was lawfully erected in compliance with applicable code provisions and maintained prior to the effective date of these regulations, and which fails to conform to all applicable standards and restrictions of these regulations.
- (u) Off-Premises Sign
A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered at a location other than the premises on which the sign is erected.

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(v) On-Premises Sign

A sign that directs attention to a business commodity, service, or establishment conducted, sold, or offered on the premises on which the sign is erected.

(w) Outdoor Advertising Sign, Electronic Changeable Face

A sign, display, or device, or portion thereof, which electronically changes the fixed display screen composed of a series of lights, including light emitting diodes (LED's), fiber optics, or other similar new technology where the message change sequence is accomplished immediately. Electronic changeable face outdoor advertising signs include computer programmable, microprocessor controlled electronic or digital displays that display electronic, static images, static graphics, or static pictures, with or without textual information, and tri-vision outdoor advertising signs. Electronic changeable face outdoor advertising signs do not include animated or scrolling images, graphics, video active images (similar to television images), projected images or messages onto buildings or other objects, or static outdoor advertising signs.

(Petition No. 2007-109, § 13.102(S7)(w), 10/17/07)

(x) Outdoor Advertising Sign, Static

A type of outdoor advertising sign, generally, but not limited to, a rigidly assembled sign, display, or device, that is free-standing and affixed to the ground, the primary purpose of which is to display advertising messages or information that can be changed manually in the field. Such signs commonly referred to as "billboards" are generally designed so that the copy or poster on the sign can be changed frequently and the advertising space is for lease.

(Petition No. 2007-109, § 13.102(S7)(x), 10/17/07)

(y) Outdoor Advertising Sign, Tri-vision

A type of electronic changeable face outdoor advertising sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time of up to three images.

(Petition No. 2007-109, § 13.102(S7)(y), 10/17/07)

(z) Planned Development Sign

A sign used in conjunction with an approved planned residential, office, businesses, industrial or mixed use development.

(aa) Pole Sign

A detached sign erected and maintained on a freestanding frame, mast, or pole and not attached to any building but not including ground-mounted signs.

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- (ab) Portable or Movable Sign
A sign that is not permanently attached to the ground, a structure, or a building that can easily be moved from one location or another. For example, a sign on wheels.
- (ac) Projecting Sign
Any sign other than a wall, awning, canopy, or marquee sign, which is affixed to a building and is supported only by the wall on which the sign is mounted.
- (ad) Public Interest Sign
A sign on private property that displays information pertinent to the safety or legal responsibilities of the general public such as warning and no trespassing signs.
- (ae) Real Estate Sign
A sign that is used to offer for sale, lease, or rent the premises upon which such sign is placed.
- (af) Primary Sign
The main or principal sign located on a premises.
- (ag) Roof Sign
A sign erected or maintained in whole or in part upon, over, or above the roof or parapet of a building.
- (ah) Secondary Sign
A sign used in addition to a primary sign on a premises.
- (ai) Temporary Sign
A sign which is not permanently installed in the ground or affixed to any structure or building, and which is erected for a period of time as permitted in this ordinance.
- (aj) Temporary Planned Development Sign
A sign that pertains to the development of a new subdivision, planned multi-family development, planned shopping center, industrial, office, or business park, or similar land parcel.

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- (ak) Vehicular Sign
Signs on parked vehicles visible from the public right-of-way where the primary purpose of the vehicle is to advertise a product or to direct people to a business or activity located on the same or nearby property. For the purposes of these regulations vehicular signs shall not include business logos, identification or advertising on vehicles primarily used for other business purposes.
- (al) Wall Sign
Any sign directly attached to an exterior wall or exterior parapet of a building or dependent upon a building for its support with its exposed face parallel or approximately parallel to the plane of the building or structure on which the sign is affixed. Signs directly painted on walls shall be considered wall signs.
- (am) Window Sign
Any sign attached to or directly applied onto a window or glass door of a building intended for viewing from the exterior of such building.
- (an) Sponsorship Signs
A sign employed by a school or by a civic, fraternal, religious, charitable or similar organization which identifies the sponsor (by name, address and/or logo, crest, insignia, trademark or emblem only) of recreational or sports facilities provided on the premises where such signs are displayed. "Sponsorship Fence Signs" shall mean sponsorship signs affixed to permanent fencing. "Sponsorship Light Pole Signs" shall mean sponsorship signs affixed to permanent light poles. "Facility" shall mean the entire premises of an elementary or secondary school or a recreational or sports facility.
(Petition No. 2000-050, § 13.102(S7)(am), 04/17/01)
- (ao) Decorative Sign
A sign in municipal service districts 1, 2 and 3 that is a pictorial representation (including illustrations, words, numbers, or decorations) emblem, flag, banner or pennant. These signs are regulated in Section 10-25 of Chapter 10 of the Charlotte City Code.
- (ap) Marquee Sign
A structure, bearing a sign, projecting over an entrance to a motion picture theater, museum, art gallery, hotel, motel, convention center or hall, conference center, exhibition hall, merchandise mart, building for dramatical, musical, or cultural activity, stadium, coliseum, cabaret, or adult entertainment providing changeable copy that relates to the principal use on the premises.
(Petition No. 2012-003, § 13.102(S7)(ap), 02/20/2012)
(Petition No. 2013-090, § 13.102(S7)(ap), 07/21/2014)

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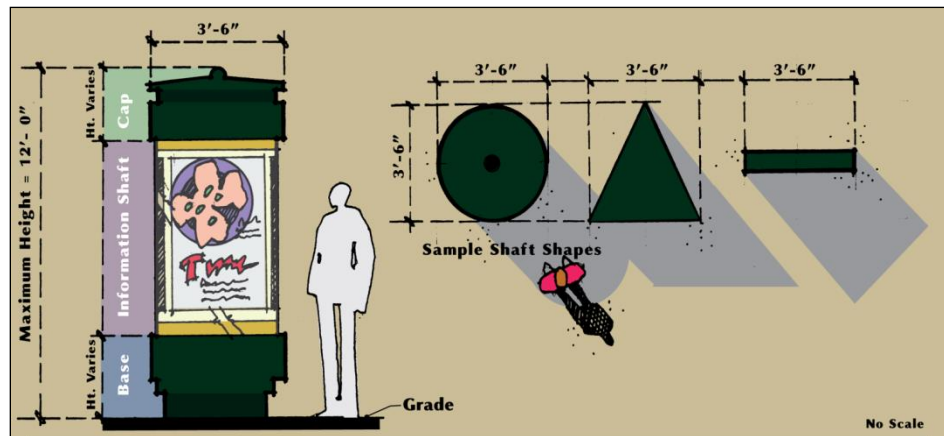
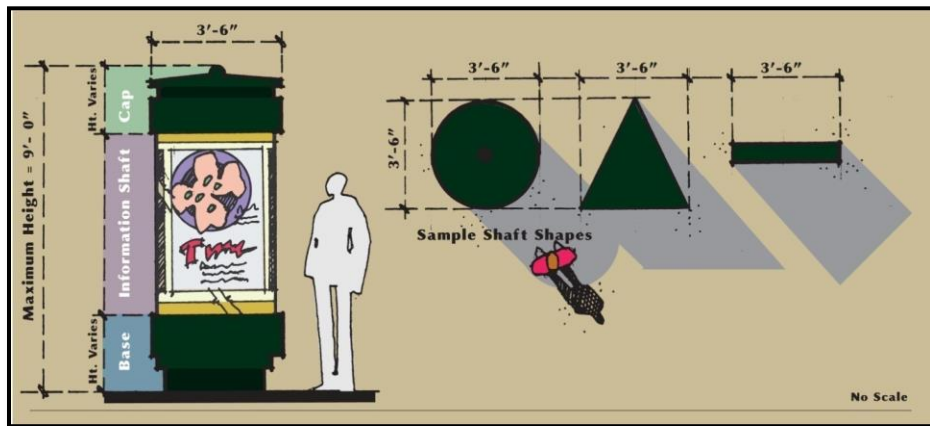
(aq) Message Center

A computer generated, moving message which displays information, which is pertinent to the primary use on the premises. Message centers are only permitted in UMUD on buildings over 100,000 square feet and for purposes of development specifications are considered either a wall or projecting sign.

(ar) Information and Advertising Pillar Signs

A detached sign designed to provide advertising and public information primarily to people walking.

(Petition No. 2010-045, §13.102(1)(ar), 06/20/11)



Examples of an information and advertising pillar sign and three different shaft shapes.

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Section 13.103. Procedures.

(1) **Permit Required**

(Petition No. 2005-78, §13.103(1), 06/20/05)

Except as otherwise provided in this ordinance, it shall be unlawful for any person to erect, construct, enlarge, move or replace any sign or cause the same to be done, without first obtaining a sign permit for such sign from Neighborhood Development, unless the sign is part of a commercial or planned multi-family development application. If signage is part of a commercial or planned multi-family project package submitted to Engineering and Property Management, then Engineering and Property Management shall review the sign and issue the sign permit, as required by these regulations.

Notwithstanding the above, changing or replacing the permanent copy on an existing lawful sign shall not require a permit, provided the copy change does not change the nature of the sign such as to render the sign in violation of these regulations.

(2) **Application and Issuance of Permit**

Applications for permits shall contain or have attached to the following information:

- (a) The street name and street number of the building of the structure to which the sign is to be erected, or the tax parcel number for the zoning lot onto which the sign is to be located;
- (b) Names, addresses, and telephone numbers of the applicant, owner of the property on which the sign is to be erected or affixed, the owner of the sign, and the licensed contractor erecting or affixing the sign;
- (c) If the applicant is not the owner of the property on which the sign will be located, written permission from the property owner or a designated representative stating agreement that the sign may be erected on the parcel for which the permit has been applied shall be required;
- (d) A site or plat plan of the property involved, showing accurate placement of the proposed sign;

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- (e) Two (2) blueprints or inked, scaled drawings of the plans and specifications of the sign to be erected or affixed as deemed necessary by Neighborhood Development or Engineering and Property Management. Such plans may include but shall not be limited to details of dimensions, materials, copy, and size of the proposed sign. For wall signs, dimensions of the building wall on which the sign is to be affixed and the location and the size of existing wall signs shall also be included;
(Petition No. 2005-78, §13.103(2)(e), 06/20/05)
- (f) Permits for all outdoor advertising signs, shall attach the following information to the sign permit application:
(Petition No. 2007-109, § 13.103(2)(f), 10/17/07)
- (1) A survey prepared by a registered surveyor showing the following:
- a. Location of the outdoor advertising sign for which the permit is requested, showing a scaled representation of the structure, for measuring purposes.
 - b. The zoning district in which the sign is located.
 - c. Type of outdoor advertising sign (electronic changeable face, tri-vision, or static)
 - d. Message duration time, if applicable.
 - e. Maximum sign height.
 - f. Maximum sign face area.
 - g. The tax parcel identification number of the property.
 - h. The setback, side and rear yards of the site.
 - i. All buildings located on the site within 20' of the subject sign, as measured from of the nearest point of the sign to the nearest point of the building.
 - j. Distance from the outdoor advertising sign to any residential zoning district or institutional use (schools, religious facilities, health institutions, colleges and universities, vocational schools, child care centers, government buildings, recreation centers, public parks, and civic, social and fraternal associations, or other institutional uses as classified in the Zoning Ordinance) within 400' feet. The distance shall be the shortest measurable distance between the nearest point of the sign to the edge of

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residential districts or to the property line of the institutional use.⁴

- k. If the outdoor advertising sign is advertising a principal use located within 500' of the sign, then provide the distance of the nearest point of the outdoor advertising sign to any part of the principal use being advertised. The distance shall be the shortest measured distance between the nearest point of the sign to the nearest edge of the principal use.⁴
- l. Identify any historic district on the proposed site, or within 400' of the nearest point of the outdoor advertising sign.⁴
- m. Show the location and type of all nearby existing outdoor advertising signs (static, electronic changeable face, and tri-vision) in the vicinity, and provide the following information:
 - 1. Distance spacing⁴ for proposed static outdoor advertising signs:
 - a. Provide the distance from the proposed sign to all existing outdoor advertising signs located on the same side of the street, and located within 1,000 linear feet¹.
 - b. Provide the distance from the proposed sign to all existing outdoor advertising signs located on the opposite side of the street, and located within 500 linear feet¹
 - c. Provide the distance from the proposed sign to all existing outdoor advertising signs located within 300 feet of any street right-of-way on the same side of the street, and located within 1,000' of the subject sign.²
 - d. Is the existing outdoor advertising sign located within 400' of residential and/or institutional uses? If so, what is the distance?^{3,4}
 - 2. Distance spacing⁴ for proposed electronic changeable face or tri-vision outdoor advertising signs:

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- a. Provide the distance from the proposed sign to all existing outdoor advertising signs located on the same side of the street, and located within 2,000 linear feet¹.
- b. Provide the distance from the proposed sign to all existing outdoor advertising signs located on opposite side of the street, and located within 1,000 linear feet.¹
- c. Provide the distance from the proposed sign to all existing outdoor advertising signs located within 300 feet of any street right-of-way on the same side of the street, and located within 2,000' of the subject sign.²
- d. Is the existing outdoor advertising sign located within 400' of residential and institutional uses? If so, what is the distance?^{3,4}

¹ The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street.

² The distance shall be the shortest measured distance between the nearest point of the subject sign to the nearest point of the other sign.

³ The distance shall be the shortest measurable distance between the nearest point of the sign to the edge of residential districts or to the property line of the institutional use.

⁴ Distances can be measured on the County website at: <http://polaris.mecklenburgcountync.gov/website/redesign/viewer.htm>

- (g) Locations of addresses in accordance with the City of Charlotte or Mecklenburg County Street Address Ordinances. No permit for a sign shall be issued unless the provisions of the Street Address Ordinances have been met or will be met with the erection of the sign; and
- (h) Other information as Engineering and Property Management or

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Neighborhood Development may require in order to determine full compliance with this and other applicable codes.

(Petition No. 2005-78, §13.103(2)(h), 06/20/05)

- (i) An applicant for a permit for sponsorship sign(s) may submit one application that covers multiple proposed sponsorship signs for one or more athletic fields within a given Facility. In such cases, the copy for each individual sponsorship sign shall not be required.

The applicant shall submit with the application a list of property owners within 100 feet of the proposed location of the sign(s), including those across a street, as shown on the current City tax abstracts. Also included will be postage paid envelopes addressed to these surrounding property owners.

The designated agency will mail a notice describing the sign application to these property owners within 10 working days from the time the designated agency determines that the application is complete.

If within 30 days of such mailing the designated agency receives in writing any objection to such sign(s), the objection will be forwarded to the Planning Commission's Zoning Committee. The Zoning Committee will consider any objections at the earliest time the matter can be considered at one of their regularly scheduled meetings.

Before issuing a permit for any sign(s) in an application where objections have been forwarded to the Zoning Committee, the designated agency will receive a written favorable approval by a simple majority of the Zoning Committee.

(Petition No. 2000-050, § 13.103(2)(i), 04-17-01)

(Petition No. 2005-78, §13.103(2)(i), 06/20/05)

(3) Issuance of Permits

Upon the filing of an application for a sign permit, Neighborhood Development or Engineering and Property Management (for signage associated with a commercial or planned multi-family project submitted to Engineering and Property Management for review) shall examine the plans and specifications, and as deemed necessary, may inspect the premises upon which the sign is proposed to be erected or affixed. If the proposed sign is in compliance with all the requirements of these regulations and other applicable codes, a permit may be issued. Any permit issued in accordance with this section shall automatically become null and void unless the work for which it was issued has visibly been started within 6 months of the date of issue or if the work authorized by it is suspended or abandoned for one year.

(Petition No. 2005-78, §13.103(3), 06/20/05)

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(4) Fees

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

(5) Final Inspection

Upon notification of completion by the permit holder, Neighborhood Development or Engineering and Property Management (for signage associated with a commercial or planned multi-family project submitted to Engineering and Property Management for review), shall make a final inspection of the sign to verify conformance with applicable codes.

(Petition No. 2005-78, §13.103(5), 06/20/05)

Section 13.104. General provisions.

The following provisions shall apply to all signs.

(1) Construction Standards

All signs shall be constructed and installed in accordance with the applicable provisions of the North Carolina State Building Code.

(2) Electrical Standards

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

(3) Maintenance of Signs

All signs shall be maintained in good structural and aesthetic condition. Deficiencies such as chipped paint, broken plastic, missing letters and exposed light bulbs shall be evidence of a lack of maintenance. Neighborhood Development shall enforce this provision in accordance with Section 13.113 of these regulations.

(Petition No. 2005-78, §13.104(3), 06/20/05)

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(4) Content

If a commercial sign is allowed by any provision of these regulations, then a noncommercial sign shall likewise be permitted subject to the applicable standards herein. In addition, any commercial sign permitted by these regulations may display or publish noncommercial message. This includes signs requiring and not requiring a permit. The premise's address may be included in any permitted sign.

(Petition No. 2003-009, §13.104(4), 2-17-03)

(5) Address information not on face area

In the interest of public safety and convenience, the display of address information on structures supporting Business Signs is specifically permitted: (a) provided such addresses meet the intent of 13.101 (3), as determined by the Zoning Code Administrator's office; (b) addresses on poles supporting pole signs; road or traffic-facing surfaces of monument signs, suitably visible areas of structures supporting Business Signs; canopies; inclusion in wall signs; and similar display of addresses. Street address numbers shall be at least four (4) inches in height or one (1) inch in height for every ten feet of distance between the displayed number and the centerline of the adjacent roadway, whichever is greater. Maximum number size will not exceed 1.5 times the required size and not exceed thirty (30) inches.

(Petition No. 2003-009, §13.104(5), 2-17-03)

Section 13.105. Prohibited signs.

The following signs are prohibited under any circumstance:

- (1) Signs extending into the public right-of-way other than those permanent signs approved by the Charlotte Department of Transportation along the City Street System, or the North Carolina Department of Transportation along the State System Streets. This does not apply to decorative signs, which are regulated by Section 10-25 of Chapter 10 of the Charlotte Code. This item also does not apply to on-premises, planned development identification signs as regulated in Section 13.110. Creation of Special Sign Regulations, (6) On-Premises, Planned Development Identification Signs in Medians.
- (2) Roof signs.
- (3) Portable signs.
- (4) Except in the Uptown Mixed Use District (UMUD), flashing, fluttering, swinging, or rotating signs other than time and/or temperature signs.
- (5) Signs that are similar in color, design, and appearance to traffic control signs.

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- (6) Vehicular signs as defined in Section 13.102.
- (7) Off-premise signs other than those permitted in Section 13.111 and Section 13.108(b) of these regulations.
(Petition No. 2004-112, §13.105, 11-15-04)
- (8) Nonconforming signs, except as permitted in Section 13.112 of these regulations.
- (9) Other signs not expressly allowed by these regulations.

Section 13.106. Signs not requiring a permit.

The following types of signs are exempted from permit requirements and allowed in all zones, but shall be in conformance with all other requirements of these regulations.

- (1) Memorial signs, plaques, or grave markers that are noncommercial in nature.
- (2) Public interest signs.
- (3) On premises directional and instructional signs not exceeding 6 square feet in area, unless such sign is a monument sign in which case it shall not exceed 9 square feet.
- (4) Identification signs not exceeding 1½ square feet in area, that indicates the name address of the occupant.
(Petition No. 2003-009, §13.106(4), 2-17-03)
- (5) Window signs with a total copy area not exceeding 50 percent of the window or glass door onto which the sign(s) are located, except in residential districts, limited to one non-illuminated sign per building not exceeding 1½ square feet in area.
- (6) Incidental signs, however in no case shall a drive-in service window menu board sign be oriented to the public right-of-way or exceed 32 square feet in size.
- (7) Campaign or Election signs provided:
 - (a) Individual signs shall not exceed 16 square feet in area;
 - (b) All signs shall be removed within 7 days after the election for which they were made;
 - (c) Prior to the erection of any campaign or election sign, the candidate or an authorized representative shall post a bond with Neighborhood Development in the amount of \$50.00 guaranteeing the removal of such

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signs within 7 days after the election for which they are used;
(Petition No. 2005-78, §13.106(7)(c), 06/20/05)

- (d) Property owners shall be held responsible for violations; and
 - (e) No signs shall be permitted in the public right-of-way.
- (8) Real estate signs other than temporary planned development signs, provided:
- (a) Signs advertising individual single family lots and duplexes under 3 acres in size or individual units within attached housing shall not exceed 6 square feet. Rider signs not exceeding a total of 2 square feet in sign face area shall be permitted in addition to the 6 square feet;
 - (b) Signs advertising all other uses shall not exceed one square foot for every 5 linear feet of frontage of the advertised property, up to a maximum of 64 square feet in sign face area;
 - (c) Only one sign per street front of the advertised property shall be erected;
 - (d) Properties having a continuous frontage in excess of 850 linear feet may be allowed an additional sign so long as such sign is no closer than 850 feet from another real estate sign on the property;
 - (e) Signs shall not be illuminated; and
 - (f) Signs shall be removed within 7 days after the sale is closed or, rent or lease transaction is finalized.
- (9) Construction signs, other than temporary project development signs provided:
- (a) Signs located on single family lots or duplex lots shall not exceed 6 square feet in area. Rider signs not exceeding 2 square feet in area shall be permitted in addition to the 6 square feet;
 - (b) Signs for all other uses shall not exceed one square foot for every 5 linear feet of frontage of property under construction, up to a maximum of 64 square feet in sign area;
 - (c) Signs are confined to the site of construction;
 - (d) Only one sign per street front of the property under construction shall be erected;
 - (e) Signs shall not be illuminated, except in the Uptown Mixed Use District (UMUD); and

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- (f) Signs shall be removed within 7 days after the completion of a project.
- (10) Temporary farm products signs provided:
- (a) Signs are located on the premises where the products are sold in conjunction with a permitted farm use in that district;
 - (b) Signs shall not exceed 32 square feet in area;
 - (c) Only one sign shall be erected; and
 - (d) Signs shall be removed within 7 days of the termination of sale activities.
- (11) On-Premise, temporary special event signs or banners for religious, charitable, civic, fraternal, or similar organizations, provided:
(Petition No. 2005-007, §13.106(12), 3/21/05)
- (a) No more than one sign per street front shall be permitted per event;
 - (b) Signs shall be located on the property on which the event will occur; and
 - (c) Signs shall be erected no sooner than 14 days before and removed 7 days after the event.
- (12) Temporary banners in non-residential districts, provided:
- (a) Only one banner per establishment shall be allowed at a time;
 - (b) All banners shall be attached in total to a building wall or permanent canopy extending from a building;
 - (c) No paper banners shall be allowed;
 - (d) Banners shall be erected for a period not to exceed 2 weeks;
 - (e) No more than 6 such signs per establishment shall be erected within a calendar year; and
 - (f) No banner shall extend above the second floor level of a building or 45 feet above grade; whichever is less.

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(13) Freestanding, temporary off-premises real estate signs.

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

- (a) No sign shall exceed 3 square feet in area or 4 feet in height;
- (b) Such signs shall not exceed 2 in number per property being advertised and shall not be located further than one half mile from the property being advertised.
- (c) Such a sign shall not be located closer than 11 feet from the edge of any public street in accordance with code § 10-17, nor shall it violate the sight distance triangle requirements specified in 13.102(S1) herein;
- (d) It shall be unlawful to place a temporary, off-premises real estate sign before 8:00 a.m. of a holiday or of a Saturday or to allow a sign to remain after 6:00 p.m., on a Sunday or a designated holiday.

If such a sign continues to remain after 6:00 p.m., it shall be deemed an abandoned sign and shall be subject to penalties established in Section 13.113 herein. Such signs may be removed by a designee of the County and destroyed if not retrieved within 24 hours after the sign owner has been notified that the sign has been removed; and

- (e) Nothing in this provision shall be construed to authorize the posting of such signs upon trees, utility poles, traffic control signs, lights or devices in any place or manner prohibited by the provisions herein; and

(14) Decorative banners and signs as regulated by Section 161 of Chapter 19, Article 7 of the Charlotte City Code.

(15) Signs not requiring a permit. The street address of the premise is not a sign or a part of a sign for the purposes of this code, except where the name and address are identical. Where the name and address are identical (e.g., a business named “Bay Street”), the name/address shall be considered a Business Sign, except as required by Section 13.101 (5).

(Petition No. 2003-009, §13.106(16), 2-17-03)

(Petition No. 2013-090, § 13.106(15), 07/21/2014)

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Section 13.107. Temporary signs and banners requiring permits.

- (1) Temporary Planned Development Signs, shall be allowed subject to the applicable standards in lieu of a real estate or construction sign provided:
 - (a) Only one primary sign and two secondary signs shall be allowed per street front of development;
 - (b) The maximum sign face area of a primary sign shall not exceed 48 square feet for residential districts, and 64 square feet in nonresidential districts;
 - (c) The maximum sign face area of secondary signs shall not exceed 12 square feet;
 - (d) Within thirty- (30) days after 99% of certificates of occupancy have been granted, the primary signs must be removed. All secondary signs shall be removed when the first permit issued expires; and
(Petition No. 2002-032, § 13.107(d), 04-15-02)
 - (e) Temporary directional signs within a planned development, but not visible from the road(s) fronting the overall development shall be permitted so long as such signs do not exceed 12 square feet in sign area, and signs are removed upon completion of the portion of the project to which the signs are giving direction.
 - (f) The maximum height of the primary sign shall not exceed 10 feet, and for any secondary signs the maximum height shall not exceed 6 feet.
- (2) Off-premise Major Event Banners
(Petition No. 2005-007, § 13.107(2), 03/21/05)

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 limited sponsorship.

Major event banners may be located in any non-residential district, provided they meet the following requirements:

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- (a) The total area of a temporary major event banners combined shall not exceed 32 square feet per establishment.
- (b) 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.
- (c) Banners shall be erected no sooner than 3 days before the major event and removed within 2 days after the event.
- (d) Banners shall be attached in total to a building wall or permanent canopy extending from a building, and shall not exceed 45' in height above grade. Banners shall be adequately secured.
- (e) Banners shall be made of durable material. Paper banners are not permitted.
- (f) 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.
- (g) 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.
(Petition No. 2005-78, §13.107(2)(g), 06/20/05)
- (h) The permit number and duration shall be visible on the banner.
- (i) 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.
(Petition No. 2005-78, §13.107(2)(i), 06/20/05)

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

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Section 13.108. Specifications for permanent signs requiring a permit

The following are general specifications applicable to the various permanent signs permitted, except for those located in UMUD, PED, TOD-R, TOD-E, TOD-M, and TS zoning districts which have applicable specifications as per Section 13.108a. Additional specifications regarding size, number, location, and permitted types of signs are set forth in Section 13.109, District Regulations.

(Petition No. 2003-90 §13.108, 10/20/03), (Petition No. 2004-128 §13.108, 2/21/05)

(1) Wall Signs

Wall signs shall be permitted on the wall of a building as follows:

- (a) 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 10% of the area of the building wall to which the sign is attached up to a maximum of 200 square feet;
- (b) The size and number of wall signs in residential districts shall be regulated in accordance with subsection 13.109(1) herein;
- (c) The maximum allowable wall sign area per wall shall not be transferable to another wall;
- (d) The total area of wall signs may be increased by 10% if such wall signs consists only of individual, outlined alphabet, numeric, and/or symbolic characters without background, except the background provided by the building surface to which the sign is affixed;
- (e) The total area of wall signs may be increased by 10% if no detached sign is used on the premises;
- (f) No wall sign shall extend above the parapet or roofline of the building to which the sign is attached, nor shall a wall sign project more than 18 inches from the building wall. Further, no wall sign or its supporting structure shall cover any window or part of a window; and may not extend more than 6' above the roofline.

Parapets added to existing buildings for the purpose of attaching signs must match the architecture of the rest of the building, be of the same thickness, and on the same plane as the wall to which it is added, and no more than 6' above the roofline. Additions to a parapet for the purpose of signage cannot be braced back to the roof; and

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(g) Lamps and fixtures used to illuminate a wall sign shall not project into a required yard more than 2 feet beyond building walls and shall have a minimum clearance of 10 feet from grade.

(h) Special circumstances

There may be special circumstances because of typography that make the above standards impractical for wall signs. Therefore, signs may be placed on the roof instead of a building wall if they meet the following provisions:

1. At least 50% of the entire plane of the building facing the street, including the roof plane and any wall plane, must be below the grade of the adjoining street from which the sign(s) will face and from which the building gets its direct vehicular access.
2. Any such sign(s) placed on the roof of a building must meet the same requirements for wall signs in terms of area, size, number, projection and lighting.
3. Such sign(s) shall not extend above the highest ridge of the roof so placed or beyond any other edge of the roof or building. These signs may not be placed on flat roofs.
4. Any roof or wall sign(s) which existed on a pitched roof prior to January 1, 1995 and meets the requirements of item 1 of this subsection may remain in place under the nonconforming provisions of Section 13.112(1)(c) of this ordinance. In addition, these existing nonconforming signs will be exempt from any of the amortization provisions of Section 13.112.

(2) Canopy and Awning Signs

Signs may be attached, painted, or printed upon a canopy or awning, provided: The maximum allowable area for canopy or awning signs or a combination of canopy, awning, and/or wall signs shall not exceed that maximum permitted in subsection 13.108(1) above. The maximum height of a canopy sign is 2 feet and cannot extend above the roofline of the building. Canopies and awnings shall not be calculated in the total square footage of a building wall.

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(3) Projecting Signs

A. All projecting signs

A projecting sign may be used in lieu of a detached sign. Such sign shall be permitted, provided:

- (a) A projecting sign shall not project more than 4 feet from a building wall;
- (b) A projecting sign shall not extend vertically above the roof line or parapet wall of a building; and
- (c) The minimum height from grade to the lowest edge of a projecting sign shall be 9 feet.

B. Projecting Signs in Shopping Centers

Projecting signs may be permitted for individual tenants of a shopping center without altering the provisions of detached signs as specified in Section 13.109. (4)(b) and (c). Such signs shall be permitted, provided:

- (a) Subject to the same provisions of (a), (b), and (c) above;
- (b) A projecting sign shall not project into any required setback or yard along a public street;
- (c) A projecting sign, wall sign, or combination of both may be located on any building wall (or wall space of an individual tenant) of a structure so long as the maximum sign surface area of all signs on one wall (or wall space of an individual tenant) does not exceed 10% of the area of the building wall to which the sign or signs are attached up to a maximum of 200 square feet. The maximum area of a projecting sign shall be 75 square feet;
- (d) The maximum allowable sign area per wall shall not be transferable to another wall.

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(4) Detached Signs

Detached signs shall be permitted, as follows:

- (a) The maximum size and permitted location of detached signs shall be regulated in accordance with Section 13.109 herein;
- (b) Unless otherwise specified in Section 13.109, no detached sign shall exceed 7 feet in height;
- (c) No ground mounted or monument sign greater than 30 inches in height as measured from the level of the center of the adjacent street intersection or pole sign having a vertical clearance less than 72 inches between the bottom of the sign face and the level of the center of the adjacent intersection shall be located in the sight distance triangle;
- (d) All portions of a sign shall be located behind the street right-of-way; however, all signs greater than 30 inches in height as measured from the level of the center of the adjacent street intersection and having a vertical clearance less than 72 inches from the level of the center of the adjacent street intersection shall be located a minimum of 5 feet behind a right-of-way. This item does not apply to Section 13.110.(6); and
- (e) The maximum angle of a double-faced sign shall be 45°, except for signs located at corners in which case the angle may be 90°. This refers to the distance between sign faces on a single structure.

(5) Sponsorship Signs

Sponsorship signs as defined in section 13.102(S7) are allowed and may be affixed to fencing or light poles comprising part of, or located on the perimeter of, each athletic field located within a Facility subject to the following standards (which shall apply to each athletic field within a Facility):

A. All Sponsorship Signs:

- (1) Shall be located behind the minimum setback, yard and buffer requirements for the district;
- (2) Shall, at any particular athletic field within a Facility, be either exclusively Sponsorship Fence Signs or Sponsorship Pole Signs;

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- (3) Shall be placed in such a fashion so that the sponsorship sign face area is inwardly oriented relative to the perimeter of the athletic field within a Facility, and located so as not to obstruct the view of the field from adjoining properties;
- (4) Shall not exceed twenty-five (25) in number at any particular athletic field within a Facility;
- (5) Shall not be lighted other than by a light source for the athletic field when the athletic field is in use; and
- (6) Shall be posted for no more than nine (9) months during any calendar year.

B. Sponsorship Fence Signs:

- (1) Shall not exceed twenty-four (24) square feet in area per sign;
- (2) Shall not exceed eight (8) feet in height;
- (3) Shall not exceed six hundred (600) square feet in area at any particular athletic field within a Facility; and
- (4) Shall be painted dark green on the side opposite the sign face for all non-vinyl signs.

C. Sponsorship Light Pole Signs:

- (1) Shall not exceed sixteen (16) square feet in area per sign;
- (2) Shall not exceed thirty-two (32) feet in height; and
- (3) Shall not exceed four hundred (400) square feet in area at any particular athletic field within a Facility.

Section 13.108a. Specifications for permanent signs requiring a permit.

(Petition No. 2004-128 §13.108a,2/21/05)

The following are specifications applicable to the various permanent signs permitted in the UMUD, PED, TOD-R, TOD-E, TOD-M, TOD-RO, TOD-EO, TOD-MO, and TS zoning districts.

(Petition No. 2004-128 §13.108a,2/21/05)

(1) Wall Signs

Wall signs shall be permitted on the wall of a building as follows:

- (a) Signs may be located on any building wall of a structure so long as the maximum sign surface area of all signs on one wall does not exceed 10% of the area of the building wall to which the sign is attached up to a maximum of 200 square feet;

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- (b) The maximum allowable wall sign area per wall shall not be transferable to another wall;
- (c) The total area of wall signs may be increased by 10% if no detached sign is used on the premises;
- (d) No wall sign shall extend above the parapet or roofline of the building to which the sign is attached, nor shall a wall sign project into the required setback as measured from the back of curb. Further, no wall sign or its supporting structure shall cover any window or part of a window; and
(Petition No. 2002-147, § 13.108a(1)(d), 1-21-03)
- (e) Lamps and fixtures used to illuminate a wall sign shall not project into the required foot setback as measured from the back of curb and shall have a minimum clearance of 10 feet from grade.
(Petition No. 2002-147, § 13.108a(1)(d), 1-21-03)

(2) Projecting Signs

A projecting sign shall be permitted, provided:

- (a) A projecting sign shall be allowed to project up to 4 feet into the required setback as measured from the back of the curb. Under no circumstance will a sign project more than 6 feet from the building face. These requirements shall not apply to an existing building that already encroaches into the required setback. Such a non-conforming building shall be permitted to have a projecting sign that does not project more than 4 feet from the building face into the setback, and shall not be any closer than 2 feet from the face of existing curb. The maximum area of a projecting sign shall be 75 square feet.
(Petition No. 2002-147, § 13.108a(2)(a), 1-21-03)

If the projecting sign extends into the public street right-of-way, an encroachment agreement from the Charlotte Department of Transportation (CDOT), and if applicable, the North Carolina Department of Transportation (NCDOT) is required. Contact CDOT for information concerning cost, submittal, and liability insurance coverage requirements. Through the right-of-way encroachment process CDOT will review the sign location and design to determine whether the sign can be installed/constructed in a manner that will not adversely affect public safety.

- (b) A projecting sign shall not extend vertically above the roofline or parapet wall of a building; and
- (c) The minimum height from grade to the lowest edge of a projecting sign shall be 9 feet.

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- (d) A projecting sign, wall sign, or combination of both may be located on any building wall of a structure so long as the maximum sign surface area of all signs on one wall does not exceed 10% of the area of the building wall to which the sign or signs are attached up to a maximum of 200 square feet.
- (e) The maximum allowable sign area per wall shall not be transferable to another wall;
- (f) The total area of wall and projecting signs may be increased by 10% if no detached sign is used on the premises;
- (g) Lamps and fixtures used to illuminate a projecting sign shall not project into the required setback as measured from the back of curb and shall have a minimum clearance of 10 feet from grade.
(Petition No. 2002-147, § 13.108a(1)(g), 1-21-03)

(3) Detached Signs

Detached signs shall be permitted, as follows:

- (a) Unless otherwise specified in Section 13.109, no detached sign shall exceed 7 feet in height;
- (b) No ground mounted or monument sign greater than 30 inches in height as measured from the grade of the road or pole sign having a vertical clearance less than 72 inches between grade and the bottom of the sign face shall be located in the sight distance triangle;
- (c) Types of sign permitted: Identification and/or Business

Permitted number of signs: No limit

Maximum area of signs: No limit

Permitted illumination: Luminous

Permitted location: Anywhere on the property, but not in the required setback as measured from the back of curb, unless the sign is ten feet above the street grade, in which case it may project eighteen inches into the required setback.

(Petition No. 2002-147, § 13.108a(3)(c), 1-21-03)

(4) Canopy, Awning and Marquee Signs

Canopy, awning, and marquee signs shall be permitted, as follows:

(Petition No. 2012-003 §13.108a,02/20/2012)

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- (a) The maximum allowable area for canopy, awning, or marquee signs or a combination of canopy, awning, marquee and/or wall signs shall not exceed that maximum permitted in subsection 13.108a(1) above. Canopies and awnings shall not be calculated in the total square footage of a building wall, however, marquee signs would be included in the total square footage.
- (b) Signs located in UMUD may be mounted on canopies, awnings, and similar devices, which meet the provisions in subsection 9.906(7) with regard to placement and height. Where signs are mounted on canopies, they must include the street address and may also include the business name and/or the business logo or emblem. There may be no more than 2 such signs on any canopy.
- (c) Signs may be attached, painted, or printed upon or on top of a canopy, awning, marquee sign, but shall not extend above the roofline of the building.
- (d) 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:
 - 1. The marquee sign structure shall not encroach into any required planting area; and
 - 2. The marquee sign structure shall not include useable building square footage for the portion that projects into the set back.
 - 3. 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).
- (e) A minimum overhead clearance of 9 feet from the sidewalk to the bottom of the marquee structure is required.
- (f) Marquee signs shall be located outside of any sight distance triangle prescribed by the Charlotte Department of Transportation (CDOT).
- (g) Marquee signs may contain changeable copy. The message shall not change more than once in a 24-hour time period.

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- (h) 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.
(Petition No. 2012-003 §13.108a,02/20/2012)

Section 13.108(b) Information and advertising pillar signs.

(Petition No. 2004-112 §13.108b,11/15/04)

(Petition No. 2010-045 §13.108b,06/20/11)

- (1) Zoning District. Information and advertising pillar signs are permitted only in the RE-3, MUDD, UMUD, TOD, and CC zoning districts, subject to all the standards and regulations of Section 13.108(b), and all other applicable regulations and standards in the Zoning Ordinance.
- (2) Design and Materials. An information and advertising pillar sign shall be a ground mounted, monument sign with a vertical dimension that is greater than the horizontal dimension. The pillar sign shall have a shaft or panels designed for information and advertising signs; a clearly defined base flush with the ground; and decorative cap distinguishable from the shaft. The pillar sign shall be constructed of durable, weatherproof materials such as metal, glass, Plexiglas, brick, or plastic, excluding concrete and wood.
- (3) Permit. A permit is required for the information and advertising pillar sign installation.
- (4) Width. The maximum width or diameter of the information and advertising pillar sign shaft shall be 3 ½ feet.
- (5) Illumination. The information and advertising pillar sign may be illuminated, but shall not cause glare.
- (6) Information and Advertising.
- (a) A minimum of 1/3 of the information and advertising pillar sign shaft or panels shall be permanently available for public service information. The remaining 2/3 of the pillar shaft may be used for on-premise advertising, off-premise information and advertising, public service information.
- (b) All information and advertising shall be placed under a transparent enclosure and shall only be located on the pillar shaft or panels.
- (c) Messages shall not be audible beyond 4 feet from the pillar shaft.
- (d) Electronic changeable face advertising and information is permitted and

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shall only change once within a 24-hour period. For the purposes of Section 13.108(b) only, “electronic changeable face” shall be defined as a device or display which electronically changes the fixed display screen composed of a series of lights, including light emitting diodes (LED’s), fiber optics, or other similar new technology where the message change sequence is accomplished immediately. Electronic changeable face displays and devices include computer programmable, microprocessor controlled electronic or digital displays that display electronic, static images, static graphics, or static picture, with or without textual information. Electronic changeable face displays do not include animated or scrolling images, graphics, or video active images (similar to television images).

- (7) Location and Number of Information and Advertising Pillar Signs.
- (a) Information and advertising pillar signs shall meet all the regulations of Section 13.108(b), subsections (1), (2), (3), (4), (5), and (6) when all of the following regulations are met:
- (1) Information and advertising pillar signs shall only be located in a mixed-use, multi-use, or non-residential development.
 - (2) Information and advertising pillar signs shall be located outside of any public street right-of-way, sidewalk, required setback, required side yard, required planting strip, required buffer, and required screening.
 - (3) The maximum number of information and advertising pillar signs.
 - (a) A maximum of two (2) information and advertising pillar signs are permitted in an urban open space. The urban open space shall be clearly designated on an approved site plan, and have a minimum size of 2,000 square feet or greater. The Planning Director, or designee, may also designate and approve an alternative location for a pillar sign in a qualifying urban open space, even if that open space is not shown on an approved site plan, prior to issuance of a permit. When urban open space is not designated on an approved site plan, the Planning Director, or designee, may designate and approve a specific location for a pillar sign in a qualifying urban open space, prior to issuance of a permit. The maximum number of pillar signs applies to the entire development, not to individual urban open spaces of 2,000 square feet or greater, and not to outparcels of a larger development.
(Petition No. 2013-038 §13.108b (7),05/20/13)

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- (4) Information and advertising pillar signs shall have a maximum height of 9 feet or 12 feet, and meet the following regulations:
 - (a) Information and advertising pillar signs shall have a maximum height of 9 feet, measured from grade to the top of the cap, and the pillar shaft shall have a maximum height of 7 feet, measured from the top of the base element to the bottom of the cap element, or
 - (b) Information and advertising pillar signs shall have a maximum height of 12 feet, measured from grade to the top of the cap, and the pillar shaft shall have a maximum height of 10 feet, measured from the top of the base element to the bottom of the cap element.
- (5) Information and advertising pillar signs shall be located minimum distance from the back of the existing curb, based upon the classification of the nearest thoroughfare(s) and street(s), and the maximum height of the information and advertising pillar sign. If no curb exists, then the minimum distance shall be measured from the edge of all thoroughfare(s) and street(s) rights-of-way.
 - (a) Table 13.108(b) establishes the minimum distances, based upon the classification of the nearest street(s). If the information and advertising pillar sign is located near more than one thoroughfare or street, the minimum distance required for all thoroughfare(s) and street(s) shall be met, in accordance to Table 13.108(b).

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Table 13.108(b) – Minimum Distance(s) Required Between Information and Advertising Pillar Signs of Various Heights and Thoroughfares and Streets

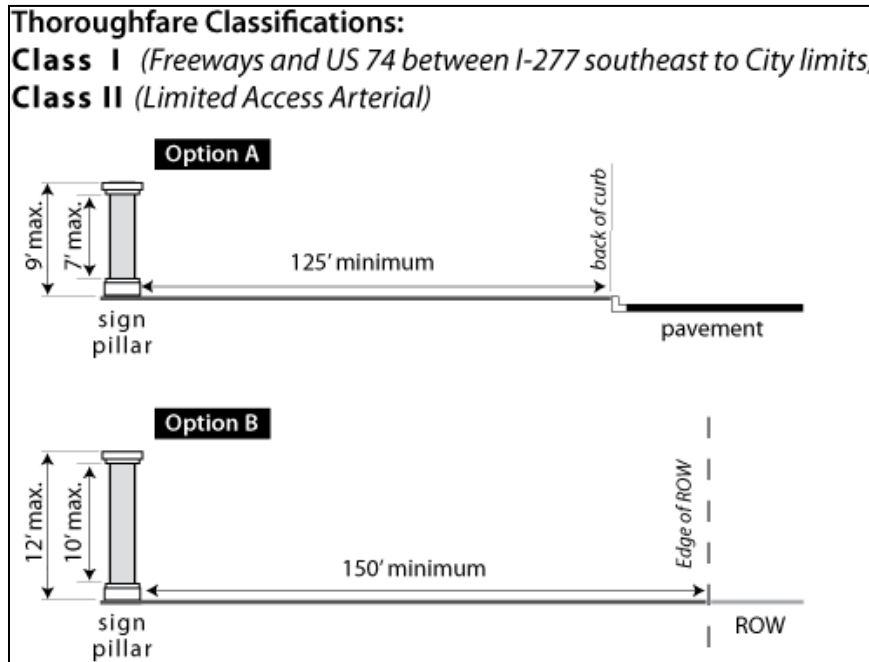
Thoroughfare and Street Classification	Minimum Distances required between the nearest edge of the information and advertising pillar sign to the back of the existing curb*	
	Information and Advertising Pillar Sign up to 9 feet in height	Information and Advertising Pillar Sign up to 12 feet in height
Freeway or Expressway (Class I)	125 feet	150 feet
Limited Access Arterial (Class II)	125 feet	150 feet
Commercial Arterial (Class III-C)	75 feet	100 feet
Major Arterial (Class III)	75 feet	100 feet
Minor Arterial (Class IV)	75 feet	100 feet
Collector Street (Class V)	50 feet	75 feet
Local Street (Class VI and Class VI-L)	50 feet	75 feet

* If no curb exists, then the minimum distance shall be measured from the edge of all thoroughfare(s) and street(s) rights-of-way.

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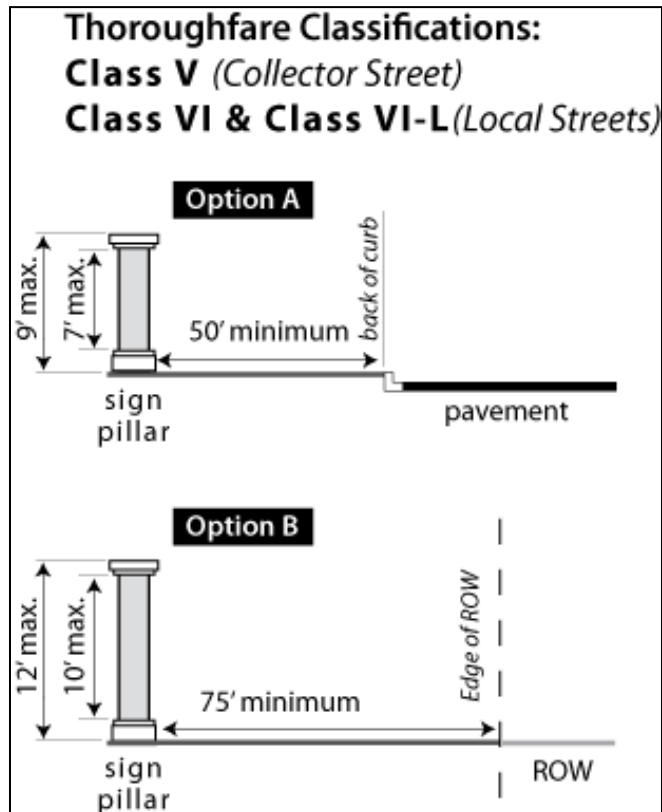
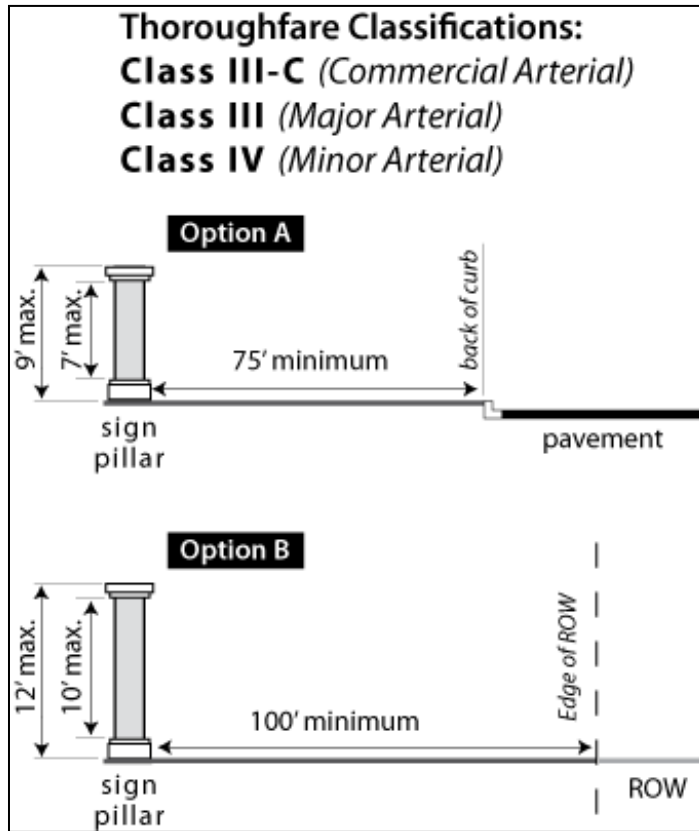
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Minimum Distance(s) Required Between Information and Advertising Pillar Signs of Various Heights and Thoroughfares and Streets – Examples from Table 13.108(b)



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Section 13.109. District regulations for permanent on-premises signs.

Permanent signs shall conform to the standards established in this Section, in addition to those applicable standards set forth elsewhere in these regulations.

(1) Residential Districts

(a) Signs on the premises of single family, detached duplex, group homes, and on the premises of mobile homes shall conform to subsection 13.106(4) of these regulations.

(b) Signs on the premises of a multi-family building not associated with a planned multi-family development shall be regulated as follows:

Type of Sign Permitted: Identification
Permitted Number: 1 per premises
Maximum Size: 6 square feet

(c) Signs on the premises of planned residential developments including subdivisions, multi-family, manufactured housing parks, and retirement centers shall be regulated as follows:

Type of Sign Permitted: Identification
Permitted Number: 1 per street front; where a sign is allowed, 2 separate sign faces may be used in conjunction with a wall, fence, or other architectural entrance feature.
Maximum Size: 24 square feet
Flexibility Option: Signs for these uses may be regulated in accordance with Planned Development Flexibility Option provisions as described in Section 13.110 herein.

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(d) Detached signs for other uses in Residential Districts shall be permitted in accordance with the following schedule of regulations:

USE	TYPE PERMITTED	MAXIMUM NUMBER (per premises unless otherwise noted)	MAXIMUM SIZE
Churches, synagogues, elementary, junior high and senior high schools, and similar uses; convents, monasteries, dormitories, YMCA's and similar organizations, orphanages, commercial day care centers, museums, art galleries, hospitals, sanatoriums, libraries, and similar uses	Identification: Primary Sign	1	32 sq. ft.
	Secondary Sign	1 per bldg.	16 sq. ft.
	Bulletin Board	1	16 sq. ft.
Golf courses, country clubs swimming clubs, community recreation centers, tennis clubs and similar uses	Identification	1	32 sq. ft.
Small group day care homes, and nursing homes housed in a residential structure, boarding houses, and bed and breakfasts	Identification	1	4 sq. ft.
Cemeteries	Identification	1	16 sq. ft.
Funeral homes as an accessory Use to a cemetery of 75+ acres <i>(Petition No. 2004-83B §13.109, 2/21/05)</i>	Identification	1	32 sq. ft.
All other nonresidential uses	Identification	1	6 sq. ft.

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(2) Office and Research Districts

(a) Signs on the premises of residential uses shall be regulated in accordance with subsection 13.109(1) above.

(b) Detached signs on the premises of all other uses shall be regulated as follows:

Type of Sign Permitted: Identification

Maximum Number: Identification: 1 per premises

Maximum Size: Identification: 1 square foot for every 2 linear feet of frontage up to a maximum of 50 square feet. The size of a sign may be increased by 25% if the sign is setback a minimum of 30 feet behind the right-of-way.

(c) Detached signs on outparcels or planned developments shall be regulated as follows:

Type of Sign Permitted: Ground Mounted Identification

Maximum Number: One per outparcel

Maximum Size: 1/2 square foot for every 2 linear feet of frontage up to a maximum of 25 square feet.

Maximum Height: 4 feet

Location: At least 5 feet behind right-of-way

(d) Office and Research Park Development Signs shall be regulated as follows:

Type of Sign Permitted: Identification & Directory

Maximum Number: One detached sign per street front.

One directory sign per street front.

Maximum Size: Detached Sign: 50 square feet
Directory Sign: 24 square feet

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Location: Directory signs shall be located behind the setback.

Flexibility Option: Signs for these uses may be regulated in accordance with Planned Development Flexibility Option provisions as described in Section 13.110 herein.

(3) Institutional District

(a) All signs in the Institutional district will be regulated in accordance with subsection 13.109(2)(b) with the following additions:

- i. Hospitals, colleges, cultural, civic, and recreation centers, and similar large scale complexes may be considered for the Planned Development Flexibility Option as described in Section 13.110 herein.
- ii. One Bulletin Board, not to exceed 16 square feet, shall be permitted in addition to or in conjunction with a permanent identification sign.

(4) Business Districts

Detached signs in business districts shall be regulated as follows:

(a) Signs for businesses other than shopping centers:

Type of Sign Permitted: Identification or Business Sign; the changeable copy on a business sign shall not exceed 25% of the total sign face area, except signs for theaters where the changeable copy may be 100% of the total sign face area..

Maximum Number: One per premises

Maximum Size & Height: In accordance with the following schedule:

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STREET CLASSIFICATION (In Accordance with Adopted Street Classification System)		MAXIMUM SIGN FACE AREA	MAXIMUM SIGN HEIGHT
CLASS I.	Freeway or Expressway	128 sq. ft.	40 ft.
CLASS II.	Limited Access Arterial	100 sq. ft.	30 ft.
CLASS III.	Major Arterial	100 sq. ft.	30 ft.
CLASS IV.	Minor Arterial	64 sq. ft.	20 ft.
CLASS V.	Collector	48 sq. ft.	20 ft.
CLASS VI.	Local	48 sq. ft.	20 ft.

(b) Signs for shopping centers and other multi-tenant properties:

Type of Sign Permitted: Identification or Business Signs; the changeable copy on a business sign shall not exceed 25% of the total sign face area, except signs for theaters where the changeable copy may be 100% of the total sign face area.

Maximum Number: One per street front

Maximum Size & Height: In accordance with the following schedule:

SIZE OF CENTER (Gross Building Area)	MAXIMUM SIGN FACE AREA	MAXIMUM SIGN HEIGHT
50,000 sq. ft. or less	100 sq. ft.	30 ft.
50,001 sq. ft. - 200,000 sq. ft.	128 sq. ft.	30 ft.
Over 200,000 sq. ft.	150 sq. ft.	30 ft.

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- (c) Detached signs on outparcels of shopping centers shall be regulated as follows:

Type of Sign Permitted:	Ground Mounted Identification
Maximum Number:	One per outparcel
Maximum Size:	50% of the permissible detached sign face square footage permitted in subsection 13.109.(5)(a).
Maximum Height:	4 feet
Location:	At least 10 feet behind right-of-way

- (d) Detached signs on the premises of business parks shall be regulated in accordance with subsection 13.109(2)(b) and business park development signs shall be regulated in accordance with subsection 13.109(2)(d).

- (e) Menu board signs in associated with drive-thru windows shall be regulated as follows:

Maximum Size:	32 square feet
Location:	Oriented towards drive-thru window traffic

(5) Industrial Districts

- (a) Detached signs in industrial districts shall be regulated in accordance with subsection 13.109(4).
- (b) Detached signs on the premises of industrial parks shall be regulated in accordance with subsection 13.109(2)(b) and industrial park development signs shall be regulated in accordance with subsection 13.109(2)(d).

(6) Uptown Mixed Use District (UMUD)

- (a) Signs in the uptown mixed use district on premises of any permitted uses are regulated as follows: See Section 13.108a Specifications for permanent signs in Uptown Mixed Use District requiring a permit.

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(7) Urban Residential Districts (UR-1, UR-2, UR-3, and UR-C)

Signs in Urban Residential Districts shall be regulated in accordance with subsection 9.407(5) of the City of Charlotte Zoning Ordinance.

(8) Urban Industrial District

Signs in the Urban Industrial District shall be permitted in accordance with subsection 13.109(5).

(9) Neighborhood Services District (NS)

Signs in the Neighborhood Services District shall be permitted in accordance with Section 11.509.

(Petition No. 2004-113, § 13.109(9), 11-15-04)

Section 13.110. Creation of Special Sign Regulations.

(1) Sign Districts

For the purpose of establishing, enhancing, preserving, and developing the character, quality, and property values of areas of unique character and special development potential, districts which signs are regulated by special provisions may be established subject to the following conditions:

- (a) As a prerequisite to the establishment of such a special sign district, it must be determined that the modified rules established for said district shall:
 - i. Preserve and enhance the special character of the particular area.
 - ii. Not contravene the intent of these regulations.
 - iii. Cause no disturbance to neighboring property lying outside the proposed district.
- (b) Without changing the basic structure of these regulations, the modified rules for special sign districts may impose sign regulations, which are in addition to, or more stringent than those provided for elsewhere in these regulations.

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(c) Districts for which special sign regulations may be imposed may include, but shall not be limited to the following:

i. Historic Overlay District

Reserved.

ii. Neighborhood Mixed Use Overlay District

Reserved.

iii. Billboard Free Overlay District

No outdoor advertising sign shall be allowed in this district regardless of zoning classification.

(2) Planned Development Flexibility Option

For the purpose of providing flexibility and incentives for coordinated, well designed signs systems for large scale development, special provisions varying the standards of these regulations may be approved by the Charlotte-Mecklenburg Planning Department staff subject to the following:

(Petition No. 2012-020, § 13.110,(2), 05/14/2012)

(a) The development is a planned residential, nonresidential, or mixed use development, 36 acres or greater in size or 150 units for multi-family developments; a hospital or other large scale institutional complex; a large scale cultural, civic or recreational facility; or a similar large scale development.

(b) A Master Sign Program that includes the following information in booklet form is submitted:

i. Detailed designs of all proposed signs including the size, height, copy, materials, and colors of such signs.

ii. Proposed locations and number of proposed signs.

iii. Sign Illumination Plans.

iv. Plans for landscaping or architectural features to be used in conjunction with such plans.

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- (c) It is determined that the proposed signs shall meet the following criteria:
- i. All signs are coordinated in terms of design features.
 - ii. The maximum size of detached signs is not varied by more than 25%.
 - iii. The number of detached signs along a street frontage does not exceed 3.
 - iv. The maximum height of a detached sign does not exceed 12 feet except when located along a Class I, II or III street, the height does not exceed 16 feet.
 - v. Multi-information directional signs are no greater than 16 square feet and are located in the interior of a development. Notwithstanding the foregoing, the maximum sign area of multi-information directional signs serving a regional mall, a shopping center, an office complex or a mixed use development containing over 500,000 square feet of gross building area and located within the interior of the development shall be 57 square feet per side, and the maximum height of such signs shall be 14 feet.
(Petition No. 2005-67, § 13.110(2)(c)(v), 06/20/05)
 - vi. Changeable copy highlighting special events on signs for cultural, civic, or recreational facilities shall not exceed 25% of the sign face area of a sign.
 - vii. Notwithstanding the terms of Section 13.110(2)(c)(iii) and subject to the sign criteria set out below, a regional mall, a shopping center, an office complex or a mixed use development containing over 500,000 square feet of gross building area may have detached signs identifying the pedestrian entrances into the building(s) and guiding pedestrians thereto. Such signs shall not be considered to be detached signs along a street frontage for the purposes of Section 13.110(2)(c)(iii), and such signs shall not count towards the maximum of 3 detached signs along a street frontage.
(Petition No. 2005-67, § 13.110(2)(c)(vii), 06/20/05)
- (a) Each sign must be located a minimum of 400 feet from any public street.
 - (b) Each sign must be located within the relevant building's curb line.
 - (c) Each sign must be located within 150 feet of the pedestrian entrance it identifies.

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- (d) The maximum height of each sign shall be 18 feet, and the maximum sign area shall be 70 square feet per side.”

(3) Off-Premises Directional Development Signs

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

- (a) Application Requirements: The applicant for a directional sign permit shall submit complete and accurate information to Neighborhood Development including:
 - i. A form statement prepared by Neighborhood Development and signed by the owner of the parcel of property upon which the sign shall be located, consenting to and authorizing the location of the sign on the premises and the right of authorized City Officials or a designee to enter the property to remove a sign which is in violation of these regulations.
(Petition No. 2005-78, §13.110(3)(a)(i), 06/20/05)
 - ii. A sketch showing the location of the proposed sign and manifesting that the sign's erection would be in compliance with the locational requirements contained herein.
 - iii. Two blueprints or inked drawings to scale of the plans and specifications of the sign to be erected. Such plans shall include but not be limited to details of the design, dimensions, and material, of the proposed sign.
 - iv. A letter from either the City's Department of Transportation or the North Carolina Department of Transportation, whichever agency has jurisdiction over the road on which the sign is to be located, verifying that the sign will not be in violation of any local or State regulations at its proposed location.

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- v. Acknowledgement by the applicant that he/she shall be responsible for the cost of removal of a sign for any reasons stated in (i) herein, and that if the County removes the sign the permit holder has five days to retrieve the sign, after which time the County may dispose of such sign.
 - vi. If the sign is proposed in a historic district, approval of such a sign by the Historic District Commission shall be required prior to obtaining a sign permit.
- (b) Inspection and conditional approval: If Neighborhood Development is satisfied that the applicant has submitted complete and accurate information as required by these provisions, then Neighborhood Development shall notify the applicant that he/she has priority for that location and has 30 days to submit the following information for the issuance of the permit if not already submitted with (a) above:
(Petition No. 2005-78, §13.110(3)(b), 06/20/05)
- i. A hold harmless/indemnification statement as described below in (i).
 - ii. A cash bond or cash deposit as described in (i).
- (c) Use of directional sign: The person to whom the permit is issued is solely and exclusively responsible for the usage and maintenance of the directional sign and shall make the sign available for use by any eligible user. Matters of interpretation such as whether proposed copy is allowed by the provisions of this section shall be a proper matter for the Zoning Administrator and/or Zoning Board of Adjustment.

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

- i. The development is a unified commercial, residential, or institutional use under single ownership or management that has a minimum of 50 parking spaces and/or 50 units of residential dwellings.
- ii. The entrance that reasonably identifies the development is located no further than one and one half miles along streets from the intersection of the Class II or III Street with the Class IV or V Street.
- iii. The development does not have direct access or visibility from any Class II or III Streets.
- iv. The development does not have an identification sign located on a

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Class II or III Street nor does it have identification on another off-site directional sign. Only one sign per development shall be permitted.

- (d) Location and Orientation of Directional Sign: The sign shall be located in any zoning district only at the intersection of a Class II, III, or IV Street with a Class V or VI Street as defined in the adopted Comprehensive Street Classification System Manual. The sign face(s) shall be oriented toward the traffic flow on the Class IV or V Street, which is generally perpendicular to the Class II, III, or IV Street. The sign must be located on the side of the Class II, III, IV Street closest to the development(s) identified on the sign.

No portion of any sign shall be situated in such a way as to violate any public ordinances or regulation regarding sight distance or obstruction of vision at street intersections, nor shall any sign be located closer than 11 feet from the pavement edge of any public street; however the Charlotte Department of Transportation, County Engineering, or N.C. Dept. of Transportation may require that the sign be located further than 11 feet from the edge of pavement.

- (e) Spacing Requirements: No sign shall be located closer than 500 linear feet to any other similar directional sign on the same side of the street. There shall be no more than two signs erected at any intersection. In addition, no directional sign shall be located closer than 20 linear feet to any on-premises sign(s).
- (f) Design of Directional Signs: A directional sign shall be constructed as a ground mounted sign designed to accommodate up to 4 panels of equal size for one to 4 separate and distinct development names. It shall be designed in accordance with the requirements stated below:

i. Maximum Size and Height:

Maximum structure width:	7 feet
Maximum sign face size:	20 sq. feet
Maximum panel size:	On streets with a speed limit of less than 45 miles/hour: 10 sq. feet On streets with a speed limit of 45 miles/hour or greater: 15 sq. feet.
Maximum height:	6 feet if landscaping is planted at base of sign; otherwise 4-1/2 feet.

(Petition No. 2003-010, §13.110(f)(i), 2-17-03)

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- ii. Construction of Sign
(Petition No. 2005-78, §13.110(3)(f)(ii), 06/20/05)

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

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

- iii. Permitted Copy

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

- iv. Lighting

Signs shall not be lighted in residential districts.

- (g) Maintenance: All signs shall be maintained in accordance with Section 13.104(3) herein.

- (h) Posting of bond and removal of sign: If Neighborhood Development determines that there is a violation of these provisions, a notice of violation shall be issued to the permit holder. If the violation is not corrected or there has been no reversal of the decision of Neighborhood Development by the Zoning Board of Adjustment or by any Court, then the Neighborhood Development shall have the authority to engage an independent contractor to remove the sign and pay for the removal of such signs from the bond. The sign may be removed for any of the following reasons:

(Petition No. 2005-78, §13.110(3)(h), 06/20/05)

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- i. A failure to maintain a sign in accordance with (g) above.
 - ii. The failure to erect the sign within the location shown on the survey.
 - iii. The revocation of the permit for any violation of Section 13.110(3).
 - iv. Any other violation of this section.
- (i) Bond and indemnification: Neighborhood Development shall have the authority to set an amount for a cash bond double the estimated reasonable cost for the removal, the transporting, and the possible storage of a directional sign. Bonds shall be refunded to a permit holder when the permit holder removes the sign.

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

(Petition No. 2005-78, §13.110(3)(i), 06/20/05)

- (j) Trees: The permit holder shall not destroy or trim any trees in the public right-of-way nor install a sign in such a manner to impact significant roots on trees in the public domain.

(4) Off-Premises Identification Signs.

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

- (a) An applicant for an off-premises identification sign must comply with the application requirements specified in subdivision 13.110(3)(a), and in addition, provide a statement that the subject property being identified would not be visible from the nearest Class II, III, or IV street.
- (b) An approved off-premises identification sign shall be erected instead of (and not in addition to) both an applicant's on-premises identification or business sign and any off-premises directional sign permissible under the provisions herein.

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- (c) A proposed off-premises sign shall comply with all the requirements in subdivision 13.110(3)(b) through (j) with the following exception:

i. Size of Center Eligible for Use of Sign

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

ii. Design of Sign

Maximum Size and Height:

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

Permitted Copy:

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

Construction of Sign:

Copy on aluminum signs shall be either routed into the sign or shall be made of vinyl or plastic having a minimum five-year durability rating.

Lighting:

Signs shall not be lighted by any method when located in a single family residential district. When located in other districts, signs may be lighted, but only by internal sources.

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(5) Landmark and Historic Signs

The purpose of these special sign regulations is to promote the protection of nonconforming signs that represent important aspects of the City's heritage, to enhance the character of the community by considering such signs during development, and to assist owner(s) in the preservation and restoration of their signs.

(Petition No. 2010-052, §13.110(5)(a),(b),(c), 10/18/10)

(a) Landmark Signs

The purpose of designating a sign as a landmark sign is to encourage the restoration and retention of on-premise, nonconforming signs that are historically significant. Once designated as a landmark sign, the sign shall be considered to be in compliance with any zoning regulation and will be exempt from any amortization provisions of Section 13.112.

(1) Designation Criteria. The Zoning Administrator may designate an existing on-premises sign as a landmark sign if it meets the following criteria:

- (a) The sign has been in continuous existence at the present location for at least 25 years.
- (b) The sign is an on-premises sign, which meets at least four (4) of the following criteria:
 - (1) It was expressly designed for the business, institution, or other establishments at that location; or
 - (2) It bears a national or local emblem, logo, or other graphic that is unique to the property or the establishment; or
 - (3) The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood; or
 - (4) The sign is significant as evidence of the history of the product, business, or service advertised; or
 - (5) The sign is characteristic of a specific historic period; or
 - (6) The sign is integral to the building's design or physical fabric; or

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- (7) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials, or design.
 - (c) The sign complies with the appropriate provisions of the North Carolina State Building and Electrical Codes.
 - (d) If any portion of the sign is permitted to remain in or over a public right-of-way, a City or State approved encroachment agreement shall be executed.
 - (e) The sign is structurally safe or is capable of being made so without substantially altering its historical significance.
- (2) Location. If a designated landmark sign is moved on-premise, it shall be subject to the location standards of this ordinance.

(b) **Historic Signs.**

The restoration and retention of nonconforming, historically significant signs that have been removed from their original locations and are to be reused, is encouraged. Allowing those signs to move to other locations within the community is necessary to ensure preservation. Once designated as a historic sign, certain nonconforming aspects of the sign shall be considered to be in compliance with the zoning regulations and will be exempt from any amortization provisions of Section 13.112.

- (1) Designation Criteria. The Zoning Administrator may designate an existing sign as a historic sign if it meets the following criteria:
- (a) The sign must be at least 25 years old.
 - (b) The sign must meet at least three (3) of the following criteria:
 - (1) It bears a national or local emblem, logo, or other graphic that is unique to the community; or
 - (2) The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood; or
 - (3) The sign is significant as evidence of the history of the product, business, or service advertised; or

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- (4) The sign is characteristic of a specific historic period; or
 - (5) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials, or design.
 - (c) The sign complies with the appropriate provisions of the North Carolina State Building and Electrical Codes.
 - (d) The sign is structurally safe or is capable of being made so without substantially altering its historical significance.
- (2) Location. The sign may be moved to another location on the site where it is currently located or to another property. It is encouraged that the sign be relocated to a site within the neighborhood from which it originated. The receiving site must be located within a non-residential zoning district for commercial signs.
- (3) Nonconforming Aspects. Relocated signs that are nonconforming based on their size, height, or lighting do not have to be brought into conformance. However, relocated signs may not move further out of conformance by any physical alterations to the sign. The sign lighting shall be located, screened, or shielded so that abutting lots located in any residential district are not directly illuminated and do not cause glare or impair the vision of motorists. All other regulations shall apply with the following exceptions:
- (a) Projecting signs may extend beyond the maximum projecting dimension based upon the existing dimension of the sign.
 - (b) The following signs, which are currently prohibited (roof, flashing, fluttering, swinging, and rotating signs), may be relocated and maintain the prohibited characteristics provided such features contribute to the historic or cultural character of the sign and are in keeping with the surrounding area.
 - (c) Relocated outdoor advertising signs (billboards) must comply with only the following sections of Table 13.111(5): zoning district, location, spacing, and tree-cutting regulations.

(c) **Designation Procedure.**

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

In approving or disapproving a landmark or historic sign application, the Zoning Administrator shall state the reasons in writing. An appeal of the Zoning Administrator's decision to the Zoning Board of Adjustment must be properly filed within sixty (60) days of the date of the Zoning Administrator's decision as shown on the face of the decision.

Once a sign has been designated as a landmark or historic sign, the Zoning Administrator will then issue a certificate to the applicant stating that the sign has been duly designated as a landmark or historic sign.

- (2) If the sign being considered for landmark or historic designation is associated with a designated local landmark or located in an established Historic District, the Zoning Administrator shall receive a recommendation from the appropriate Charlotte-Mecklenburg Historic Landmark Commission or the Historic District Commission before making a decision.
- (3) After a sign is designated as a landmark or historic sign it shall be maintained in its original condition, shape and size, except for minor changes required for structural enhancements or changes required to comply with minimum Electrical or Building Codes, or to remove portions from a public right-of-way. Where original materials are unavailable, substitute materials may be used that are as similar as possible to the original material.

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(4) While a designated landmark or historic sign shall be deemed to be in compliance with the zoning regulations, this Section 13.110 is not intended to prevent Neighborhood & Business Services from enforcing the zoning ordinance if the Zoning Administrator, or another City agency determines that there is a violation of any provisions, or the intent and purposes of any provisions of the zoning ordinance.

(Petition No. 2005-78, §13.110(5)(c)(5), 06/20/05)

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

(6) On-Premises, Planned Development Identification Signs in Medians

For the purpose of providing alternative, safe, and attractive locations for planned development identification signs in divided entrance medians of streets providing direct access to the development, the following standards apply:

1. The location of the identification sign must be in a median of a Class V or lesser public or private street directly serving as an entrance to the planned development. For the purposes of this sign provision, a planned development shall include planned residential, nonresidential, or mixed use developments that include a public or private street as a part of its development.
2. For those sign locations in a median of a Class V or lesser public street, a right-of-way encroachment agreement must be first executed through the Charlotte Department of Transportation (CDOT). Contact CDOT for information concerning cost, submittal, and liability insurance coverage requirements. Through the right-of-way encroachment process CDOT will review the sign location and design to determine whether the sign can be installed/constructed in a manner that will not adversely affect public safety.
3. The location of sign must not conflict with required intersection sight triangle sight distance from driveways, or other sight distance requirements as determined by CDOT.
4. Type of Sign Permitted: Ground mounted identification.
5. Maximum Number: 1 per street front; where a sign is permitted, 2 separate sign faces may be used in conjunction with a wall, fence or other architectural feature.
6. Maximum Size: 24 square feet

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7. Maximum Height: 4 feet
8. Permitted Illumination: Illuminated
9. Location: In median of planned development access street a minimum of 5 feet from intersecting street right-of-way.
10. The owner(s) of the planned development will be responsible for maintenance of the sign and any accompanying lighting and landscaping.

(7) Advertising signs on passenger rail platforms

In consideration of the purposes set forth in Sections 1.102 and 13.101 of this code, as well as the emerging and future potential of rail passenger transportation and the character, nature, and use of the corridors dedicated to such exclusive rail use and purposes, including the needs and expectations of such rail passengers, the following standards shall apply:

No advertising sign shall be allowed on a passenger rail platform without an approved sign plan and without a permit first being issued for each sign, in accordance with the standards and regulations listed in Table 13-110(7a).
(Petition No. 2012-064, § 13.110, (7), 01/22/2013)

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TABLE 13.110 (7a)

Regulation	Advertising signs on Passenger Rail Platforms
Passenger Rail Platform (PRP) Sign Plan	Each PRP must have a sign plan approved by the Planning Director prior to the issuance of a permit.
Permit Required.	Each Sign Face requires a permit.
Location	Passenger Rail Platforms (PRP) only.
Sign Face Placement and Orientation	All sign faces must be at least 4 feet apart (except on approved 2 sided signs) and oriented so as to make the sign content not discernible from any public street and to not interfere with any public art work.
Maximum Sign Face Area	30 square feet.
Maximum Height	3.5 feet, measured from platform floor, bottom of the sign or fence post, or ballast to top of sign.
Number of Sign Faces Permitted	6 per PRP. The Planning Director may allow up to 8 if consistent with approved sign plan.
Sign Type/Anchoring	Sign may be free standing if anchored to PRP or may be attached to a platform wall or fence (1 sided with back side of frame black) only.
Limitations	No flashing signs, embellishments, electronic or digital images allowed.
Illumination	None allowed.

(Petition No. 2012-064, § 13.110,(7) 01/22/2013)

(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.

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- 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;

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- 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?;
 - 9) If increasing the maximum sign height, has the increase in the proposed sign height been minimized?
 - 10) Consolidation of multiple individual signs.
- 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.
(Petition No. 2013-063 § 13.110,(8) 9/16/2013)

Section 13.111. Regulations for Outdoor Advertising Signs.

The purpose of this section is to establish regulations for outdoor advertising signs to reduce visual clutter, protect the view of the skyline, reduce distractions for motorists, and reduce conflicts with traffic control signs. These regulations shall be designed to 1) present and perpetuate uncluttered and natural views for the enjoyment and environmental enrichment of the citizens of Charlotte, as well as visitors; 2) promote economic prosperity, civic pride, quality of life, and the general welfare of citizens; 3) enhance the aesthetic values of the city and its economic vitality; 4) protect property values; 5) promote good urban design; and 6) promote safety of motorists. *(Petition No. 2007-109, § 13.111, 10/17/07)*

(1) New Static Outdoor Advertising Signs (excluding electronic changeable face outdoor advertising signs, and similar new technologies)

Permits for new static outdoor advertising signs shall be issued only in accordance with the standards and regulations listed in Table 13.111(1).

TABLE 13.111(1)

<u>Regulation</u>	<u>Static Outdoor Advertising Signs (excluding electronic changeable face outdoor advertising signs, tri-vision outdoor advertising signs, and other similar new technologies)</u>
Zoning Districts Permitted	I-1 and I-2 zoning district, located within 150 feet of the right-of-way of Class I Roads.
Location	Located behind the required setback, side, and rear yards of the district.
Maximum Sign Face Area	380 square feet
Maximum Height	50 feet
Maximum Number of Sign Faces	1 per side of sign, totaling no more than 760 square feet
Sign Type/Anchoring	Freestanding with unipole construction only.
Sign Features	Vinyl or similar type of material.

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Limitations	No moving, rotating, fluttering, blinking, flashing elements permitted. No animation, video, audio, pyrotechnic components. No automatic changeable face outdoor advertising signs and no bluecasting technology permitted.
Message Duration	The message shall not change more than once within a 24-hour time period.
Illumination	Any illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway. Illumination intensity or brilliance shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle.
Spacing of Sign to Residential Districts and Institutional Uses	There shall be at least 400 linear feet spacing distance between the outdoor advertising sign and any Residential Districts and Institutional uses. The distance shall be the shortest measurable distance between the nearest point of the sign to the edge of residential districts or to the property line of the institutional use. Institutional uses include schools, religious facilities, health institutions, colleges and universities, vocational schools, child care centers, government buildings, recreation centers, public parks, and civic, social and fraternal associations, etc.
Spacing to Outdoor Advertising Signs on the Same Side of the Street	There shall be at least 1000 linear feet spacing distance between outdoor advertising signs on the same side of the street. The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street.
Spacing to Outdoor Advertising Signs on the Opposite Side of the Street	There shall be at least 500 linear feet spacing distance from any other outdoor advertising sign on the opposite side of the street. The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street.
Spacing to Other Outdoor Advertising Signs on Nearby Streets	In addition, no two outdoor advertising sign structures within 300 feet of any street right-of-way on the same side of the street shall be spaced less than 1000 feet apart, regardless of the street from which the sign is intended to be viewed. The distance shall be the shortest measured distance between the nearest point of the sign to the nearest point of the other sign.
Spacing to Existing Buildings	There shall be a minimum of 20 feet distance required between an outdoor advertising sign structure and an existing building. The distance shall be the shortest measured distance between the nearest point of the sign to the edge of the building.
Spacing to the Principal Use being Advertised	There shall be a minimum of 500 feet distance to any part of the principal use being advertised. The distance shall be the shortest measured distance between the nearest point of the sign to the nearest edge of the principal use.
Conformity	The outdoor advertising sign shall be conforming in all ways. See also Section 13.112.
Tree-Cutting	Vegetation cutting in the public rights-of-way for the purpose of clearing views for signs shall be prohibited unless approved by the City Arborist. Cutting of any trees required by the Tree Ordinance that are located in the setback on any property is also prohibited.
Historic District	No outdoor advertising sign shall be located directly across the street from, or within, an historic district.

(2) New or Converted Electronic Changeable Face Outdoor Advertising Signs

Permits for new electronic changeable face outdoor advertising signs or a permit to convert a static outdoor advertising sign to an electronic changeable face outdoor sign shall be issued only in accordance with the standards and regulations listed in Table 13.111(2). These regulations shall apply to all outdoor advertising signs, including those with North Carolina Permits.

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TABLE 13.111(2)

Regulation	New or Converted Electronic Changeable Face Outdoor Advertising Signs
Zoning District Permitted	I-1 and I-2 zoning district, located within 150 feet of the right-of-way of Class I Roads.
Location	Located behind the required setback, side, and rear yards of the zoning district.
Maximum Sign Face Area	380 square feet
Maximum Height	50 feet
Maximum Number of Sign Faces	One per side of structure, but no more than two sides.
Sign Support	Freestanding with unipole construction only.
Sign Features	Electronic changeable face or tri-vision
Permit Required	A sign permit application for a new or converted electronic changeable face outdoor advertising sign shall be submitted to Neighborhood Development with the required documentation listed in Section 13.103(2)(f).
Limitations	No moving, rotating, fluttering, blinking, or flashing elements are permitted. No animation, video, audio, pyrotechnic, or bluecasting components are permitted.
Message Duration	Advertising messages or information shall remain in a fixed, static position for a minimum of (8) seconds. The change sequence must be accomplished within an interval of two (2) seconds or less.
Message Type	Off-premise advertising
Illumination	<p>The outdoor advertising sign shall have an automatic dimmer (factory set to the illumination intensities set below) and a photo cell sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle. The sign 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.</p> <p>Any external illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway, or any residential use.</p>
Spacing of Sign to Residential Districts and Institutional Uses	There shall be a minimum spacing of 400 feet between the electronic changeable face outdoor advertising sign and Residential Districts and Institutional uses. Institutional uses include schools, religious facilities, health institutions, colleges and universities, vocational schools, child care centers, government buildings, recreation centers, public parks, and civic, social and fraternal associations, or other institutional uses as classified in the Zoning Ordinance. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of residential district or to the property line of the institutional use.
Spacing to Outdoor Advertising Signs on the Same Side of the Street	There shall be a minimum spacing of 2,000 feet between an electronic changeable face outdoor advertising sign and any other electronic changeable face outdoor advertising sign on the same side of the street. There shall also be 1) a minimum of 1,000 feet spacing between electronic changeable face outdoor advertising signs on the same side of the street and any other static outdoor advertising signs. The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street.
Spacing to Outdoor Advertising Signs on the Opposite Side of the Street	There shall be a minimum spacing of 1,000 feet between electronic changeable face outdoor advertising signs on the opposite side of the street. There shall also be a minimum of 500 feet spacing between electronic changeable face outdoor advertising signs and static outdoor advertising signs on the opposite side of the street. The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street.

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Spacing to Other Outdoor Advertising Signs	No two electronic changeable face outdoor advertising signs within 300 feet of any street right-of-way on the same side of the street shall be spaced less than 2,000 feet apart, regardless of the street from which the sign is intended to be viewed. In addition, no electronic changeable face outdoor advertising sign within 300 feet of any street right-of-way on the same side of the street shall be spaced less than 1,000 feet apart from any static outdoor advertising sign, regardless of the street from which the sign is intended to be viewed. The distance shall be the shortest measured distance between the nearest point of the sign to the nearest point of the other sign.
Spacing to Existing Buildings	20 feet minimum between an electronic changeable face outdoor advertising structure and any existing building. The distance shall be the shortest measured distance between the nearest point of the electronic changeable face outdoor advertising sign to the edge of the building.
Relationship to Nearby Non-Conforming Outdoor Advertising Signs	An electronic changeable face outdoor advertising sign will not be permitted if there is a non-conforming static outdoor advertising sign, owned by the same company, whether or nor it has a North Carolina permit, located within 1,000' or less of the proposed location, unless the non-conforming structure becomes conforming, prior to the issuance of a sign permit, with respect to 1) sign face area, 2) number of sides, 3) height 4) support structure (unipole) or 5) if located within 300' of residential or institutional uses is removed. For outdoor advertising signs facing the same street, the distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street. For outdoor advertising signs that face other streets, the distance shall be the shortest measured distance between the nearest point of the sign to the nearest point of the other sign.
Spacing to the Principal Use being Advertised	500 feet minimum spacing, to any part of the principal use being advertised. The distance shall be the shortest measured distance between the nearest point of the sign to the nearest edge of the principal use.
Conformity	Electronic changeable face signs shall be conforming in all ways. See also Section 13.112.
Tree-Cutting	Vegetation cutting in the public rights-of-way for the purpose of clearing views for signs shall be prohibited unless approved by the City Arborist. Cutting of any trees required by the Tree Ordinance that are located in the setback on any property is also prohibited.
Historic District	No outdoor advertising sign shall be located within an historic district, or within 400' of an historic district boundary.
System Malfunction	Electronic changeable face outdoor advertising signs shall contain a default design that will freeze the sign in one position with no more than a maximum illumination of 500 nits if a malfunction occurs.

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(3) Existing Outdoor Advertising Signs

Existing outdoor advertising signs that conform to the following standards shall be allowed to remain so long as they maintain a conforming status. Signs may be rebuilt to conform to the following standards; however, no existing sign shall be increased in size or height when rebuilt. All signs that do not conform to the regulations shall be removed in accordance with Section 13.112(5) of these regulations.

TABLE 13.111(5)

Regulation	Existing Outdoor Advertising Signs
Zoning District Permitted	I-1 and I-2 on Class I, II, III, IV, V and VI Roads B-2 on Class I, II, III, IV, V, and VI Roads
Location	Located outside of the front setback, side and rear yards of the district.
Maximum Sign Face Area	380 square feet in I-1 and I-2 zoning districts; 300 square feet in B-2 zoning district
Maximum Height	Class I Roads in I-1 and I-2: 50 feet Class II, III, IV, V, and VI Roads in I-1 and I-2: 40 feet Class I, II, III, IV, V, and VI Road in B-2: 30 feet
Maximum Number of Sign Faces	1 per side of sign, totaling no more than 760 square feet
Sign Type	Freestanding with unipole construction only.
Limitations	No dimming, flashing, fading, or scrolling messages. No moving, rotating, fluttering, blinking, flashing elements permitted. No animation, video, audio, pyrotechnic components. No automatic changeable face outdoor advertising signs, and no bluecasting technology permitted.
Message Duration	The message shall not change more than once within a 24-hour period.
Illumination	No outdoor advertising sign shall remain lighted between the hours of 12:00 a.m. and 5:00 a.m. except those signs located along Class I and II streets. All illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway. Illumination intensity or brilliance shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle.
Spacing of Sign to Residential Districts and Institutional Uses	There shall be at least 400 linear feet spacing, distance between the outdoor advertising sign and Residential Districts and Institutional uses. Institutional uses include schools, religious facilities, health institutions, colleges and universities, vocational schools, child care centers, government buildings, recreation centers, public parks, and civic, social and fraternal associations, or other institutional uses as classified in the Zoning Ordinance. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of residential district or to the property line of the institutional use.

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Spacing to Outdoor Advertising Signs on the Same Side of the Street	There shall be at least 1000 linear feet spacing distance between outdoor advertising signs on the same side of the street. The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street.
Spacing to Outdoor Advertising Signs on the Opposite Side of the Street	There shall be at least 500 linear feet spacing distance from any other outdoor advertising sign on the opposite side of the street. The distance shall be measured from the nearest point of the sign as projected to the centerline of the street upon which the sign is intended to be viewed to the nearest point of the other sign as measured to its closest centerline point along the same street.
Spacing to Other Outdoor Advertising Signs on Nearby Streets	In addition, no two outdoor advertising sign structures within 300 feet of any street right-of-way on the same side of the street shall be spaced less than 1000 feet apart, regardless of the street from which the sign is intended to be viewed. The distance shall be the shortest measured distance between the nearest point of the sign to the nearest point of the other sign.
Spacing to Existing Buildings	There shall be a minimum of 20 feet distance required between an outdoor advertising sign structure and an existing building. The distance shall be the shortest measured distance between the nearest point of the sign to the edge of the building.
Spacing to the Principal Use being Advertised	There shall be a minimum of 500 feet distance to any part of the principal use being advertised. The distance shall be the shortest measured distance between the nearest part of the sign to the nearest point of the principal use.
Tree-Cutting	Vegetation cutting in the public rights-of-way for the purpose of clearing views for signs shall be prohibited unless approved by the City Arborist. Cutting of any trees required by the Tree Ordinance that are located in the setback on any property is also prohibited
Conformity	Existing signs that conform to the standards in this Table shall be allowed to remain so long as they maintain a conforming status. Signs may be rebuilt to conform to these standards; however, no existing sign shall be increased in size or height when rebuilt. All signs that do not conform to the regulations shall be removed in accordance with Section 13.112 of these regulations.

Section 13.112. Removal of Certain Signs.

(1) Nonconforming Signs

- (a) All existing signs that exceed the maximum sign face size, sign height, or spacing requirements of these regulations by more than 25% or number of allowed signs shall be brought into compliance with the requirements of these regulations or removed entirely, which means the entire sign and any associated equipment, within 8 years of the adoption of these regulations (February 1, 1988). When two or more signs are made nonconforming because of not adhering to spacing requirements, the age of permit shall determine which sign shall be removed; the sign with the oldest valid permit shall be permitted to stay.

All signs not permitted in a zoning district shall also be removed entirely within 8 years of the adoption of these regulations.

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All roof signs shall be removed entirely within 8 years of the adoption of these regulations.

If for any reason, such as a rezoning, a sign becomes nonconforming after the adoption of these regulations, such sign shall be removed 8 years from the date the sign becomes nonconforming.

(b) On-Premise Signs.

Notwithstanding (a) above, all nonconforming on-premise signs that were issued valid permits prior to the February 1, 1988 and were erected in accordance with the permits, may remain until such time as one of the following occurs:

1. Such sign(s) is moved, removed or replaced by voluntary action. Any such sign, or portion thereof, which is required to be relocated due to any governmental action such as a roadway improvement, may be moved to another location on the same property.
2. Additions to the principal building that exceed 1,000 square feet or 5% of the building's gross square footage; whichever is less.
3. Structural or nonstructural alterations excluding routine maintenance and repair of the facade of the principal building that exceed 50% of the facade's area.
4. Any change in the existing use of the property requiring a change of use permit from Neighborhood Development or Engineering and Property Management.
(Petition No. 2005-78, §13.112(1)(b)(4), 06/20/05)
5. Any change to the sign that is not: (1) necessitated by routine maintenance or by repairs, (2) necessitated for compliance with minimum Electrical or Building Codes, or (3) a change to the existing sign face not involving the modification of the size or shape of the sign face.
6. Approval of an application for a sign permit to add new or additional signage to the site of a nonconforming sign.

Such nonconforming on-premise signs shall be subject to all applicable nonconforming provisions of this ordinance. If the use to which the sign refers to is visibly discontinued for more than twelve (12) consecutive months, then the sign shall lose its nonconformity status and be unlawful.

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(c) Exceptions to Amortization:

North Carolina General Statute §136-131.1 requires that "just compensation" be paid upon removal of certain outdoor advertising adjacent to the highway on the national system of interstate and defense highways or a highway on the federal-aid primary highway system for which there is in effect a valid permit issued by the department of transportation. Section 13.112 shall not require that any sign be removed if cash compensation must be paid upon removal of such sign due to any state or federal law that mandates such form of "just compensation" upon removal. Should any such state or federal requirement become inoperative or otherwise fail to apply to a given sign, then such sign shall be removed within five and one-half years of such state or federal requirement becoming inoperative or otherwise failing to apply to such sign.

- (d) Normal maintenance of all nonconforming signs, including necessary nonstructural repairs, incidental alterations, or copy alterations which do not extend or intensify the nonconforming features of the sign, shall be permitted during the amortization period for such sign. However, no structural alteration, enlargement, or extension shall be made to a nonconforming sign unless the alteration, enlargement, or extension will result in the elimination of the nonconforming features of the sign or by an order of Neighborhood Development to ensure the safety of the structure. *(Petition No. 2005-78, §13.112(1)(d), 06/20/05)*

Section 13.113. Enforcement.

(1) Inspections and Investigations

(Petition No. 2005-78, §13.113(1), 06/20/05)

- (a) Neighborhood Development will periodically inspect signs in order to determine whether there are any violations of this Ordinance.
- (b) Neighborhood Development shall have the power to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in these regulations, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigating and inspecting signs. No person shall refuse entry or access to any authorized representative of Neighborhood Development or Engineering and Property Management who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out his official duties.

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- (c) Neighborhood Development may require written statements, or the filing of reports with respect to pertinent questions relating to signs.

- (2) Citations

(Petition No. 2005-78, §13.113(2), 06/20/05)

If, through inspection, it is determined that a person has failed to comply with the provisions of these regulations, Neighborhood Development shall issue a warning citation to the violator. Violations shall be corrected within ten days of the issuance of such citation. If the violation is not corrected within the specified time period, the violator is subject to Section 8.105, 'Citations', of this Ordinance, which is incorporated by reference herein as if fully stated.

- (3) Other Enforcement Methods

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

Section 13.114. Variances and Appeals.

- (1) In accordance with the procedures stated in Chapter 5 of the Zoning Ordinance, the Board of Adjustment shall have the power to hear and act upon applications for a variance from the requirements of these regulations after making the following finding:
 - (a) That a variance is necessary because of unique features of the site such as its terrain or existing landscaping, or because of unique structural circumstances involved that are not applicable to other structures in the same zoning district. The fact that the sign may be utilized more profitably should a variance be granted will not be considered grounds for a variance.
 - (b) That the special conditions do not result from the actions of the applicant or of a previous owner of the property.
 - (c) That granting the variance requested shall not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.
 - (d) That granting the variance requested shall not confer on the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant.

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- (e) That the variance granted is the minimum variance that shall make possible the reasonable use of the land, building, or structure.
 - (f) That granting a variance shall not conflict with the stated purposes of these regulations.
 - (g) That granting a variance shall not have an adverse impact upon neighboring properties.
- (2) The Board of Adjustment may prescribe a reasonable time limit within which the action for which the variance is required shall be started or completed or both.
 - (3) The Board of Adjustment may consider any special features of the land, including but not limited to, historic landmarks, special zoning districts and buildings listed on the National Historic Registry.
 - (4) The Board of Adjustment may grant one extension of time for conformance or removal relative to the 8-year amortization provision, not to exceed 2 years, provided:
 - (a) The applicant has demonstrated by substantial, competent evidence that the initial economic investment in the sign has not been recovered; or
 - (b) Allowing the extension will result in substantial justice being done, considering both the public benefits intended to be secured by these regulations and the individual hardships that will be suffered by a failure of the Board to grant an extension.
 - (5) In granting a variance, the Board may attach reasonable conditions to the approval in order to protect established property values in the surrounding area or to promote the public safety and welfare. Those conditions may relate to the location, design and other features of the proposed sign for which the variance is sought.
 - (6) Appeals to the Board of Adjustment may be heard in accordance with procedures defined in Chapter 5 of the Zoning Ordinance.
 - (7) (Reserved, expired as of April 1, 1998)
(Petition No. 2005-78, §13.114(7), 06/20/05)