

Petition No. 2006-001

Petitioner: Charlotte-Mecklenburg Planning Commission

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

ORDINANCE NO.

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

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

A. CHAPTER 9: GENERAL DISTRICTS

1. PART 9: UPTOWN MIXED USE DISTRICT

- a. Amend Section 9.906, "Uptown Mixed-Use District: Urban Design and Development Standards", subsection (e)(1), "Off-premise Major Event Banners", subsection (a) to: 1) enlarge the size of a temporary event banner from 200 square feet to 1,000 square feet or 10% of the wall, whichever is least, 2) allow banners to be erected 7 days before the major event, instead of 3 days, 3) allow banners on each wall rather than per establishment, and 4) requires a written notice of the proposed banner location, number, and sizes, and duration be sent to Charlotte Center City Partners, prior to the issuance of a permit. The current section reads as follows:

- (e) Signs, banners, flags and pennants. Where signs, banners, flags and pennants for identification or decoration are provided, they must conform to the requirements of Chapter 13, with the exception that Off-premise Major Event Banners shall meet the following requirements: *(Petition No. 2005-007, § 9.906(2)(5),03/21/05)*

1. Off-premise Major Event Banners

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

An off-premise major event banner differs from a “Temporary Banner” (See Section 13.106(13) in that no advertising copy is permitted on the major event banner other than limited sponsorship.

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

- (a) The total area of temporary event banners combined shall not exceed 200 square feet in area 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. 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 §9.906(2)(e)(1)(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 §9.906(2)(e)(1)(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.

The revised text shall read as follows:

- (e) Signs, banners, flags and pennants. Where signs, banners, flags and pennants for identification or decoration are provided, they must conform to the requirements of Chapter 13, with the exception that Off-premise Major Event Banners shall meet the following requirements:
(Petition No. 2005-007, § 9.906(2)(5),03/21/05)

- 1. Off-premise Major Event Banners

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

An off-premise major event banner differs from a “Temporary Banner” (See Section 13.106(13) in that no advertising copy is permitted on the major event banner other than limited sponsorship.

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

- (a) The total area of temporary event banners combined shall not exceed **1000** square feet **or 10% of the wall area, whichever is smaller, per building wall.**
- (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 **7** 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. 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 written notice of the proposed banner location, number, sizes and duration shall be filed with Charlotte Center City Partners prior to issuance of a banner permit.**

- (h) 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 §9.906(2)(e)(1)(g),06/20/05)
- (i) The permit number and duration shall be visible on the banner.
- (j) 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 §9.906(2)(e)(1)(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.

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

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the ____ day of _____, 2006, the reference having been made in Minute Book ____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this ____ day of _____, 2006.