

## Chapter 13. Signs

- 13.1 Purpose
- 13.2 Applicability
- 13.3 Alteration and Maintenance Activities Exempt from Permit
- 13.4 Signs Exempt from Permit
- 13.5 Sign Permit
- 13.6 Definitions
- 13.7 Measurement Methodologies
- 13.8 General Sign Standards
- 13.9 Summary of Sign Permissions
- 13.10 Signs Requiring Permit
- 13.11 Outdoor Advertising Signs
- 13.12 Special Sign Regulations
- 13.13 Prohibited Signs
- 13.14 Nonconforming Signs
- 13.15 Sign Enforcement

### 13.1 Purpose

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

- A. To ensure that signs are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised.
- B. To minimize distractions and view obstructions that contribute to traffic hazards and endanger public safety.
- C. To allow for adequate and effective signs while preventing visual clutter.
- D. To ensure a high standard for the design and size of signs so that they enhance the aesthetic appearance and attractiveness of the community, and create an aesthetic environment that has a positive impact on economic development and contributes to growth.

### 13.2 Applicability

#### A. General Applicability

- 1. All signs constructed, erected, modified, or altered shall comply with the standards of this Chapter, whether such signs do or do not require a sign permit.
- 2. The sign regulations of this Section apply to each facade of a structure or lot.
- 3. Signs located in the public right-of-way are not regulated by this Chapter and Zoning Ordinance, with the exception of permissions for some encroachment of on-premise sign structures.

#### B. Exceptions

The following signs are not regulated by this Chapter:

- 1. Signs internal to a site that are not oriented towards and visible from a public street, the public right-of-way of a rail corridor, a network required private street or from an adjacent property. This does not include menuboard signs, which are regulated by Section 13.9.D
- 2. Signs within a building or enclosed space that are not visible from a public street or network required private street or from an adjacent property.
- 3. Signs installed by federal, state, or local governments.
- 4. Logos and labels located on mechanical equipment, recycling bins, trash containers, and similar equipment, which are part of the equipment as manufactured and/or installed.
- 5. Flags of nations, states, and cities, or fraternal, religious, and civic organizations shall be regulated by Section 12.418 of this Ordinance.

**C. District Categorization**

1. For the purposes of applying the sign standards of this Chapter, the zoning districts are categorized into the following land use categories. These divisions apply only to this Chapter.
2. The zoning districts are categorized as follows:
  - a. Single-family districts: R-3, R-4, R-5, R-6, R-8, R-MH, MX-1, MX-2, MX-3, UR-1; For MX-1, MX-2, and MX-3 only those residential portions of those zoned districts will be single- or multi-family, as applicable
  - b. Multi-family districts: R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, MX-1, MX-2, MX-3; For MX-1, MX-2, and MX-3 only those residential portions of those zoned districts will be multi- or single-family, as applicable
  - c. Urban districts: NS, PED, UR-2, UR-3, UR-C, MUDD, UMUD, TOD, TS, RE-3
  - d. General commercial districts: B-1, B-2, CC, MX-1, MX-2, MX-3; For MX-1, MX-2, and MX-3 only those non-residential portions of those zoned districts will be general commercial, as applicable
  - e. Research/office districts: BP, O-1, O-2, O-3, RE-1, RE-2
  - f. Industrial districts: U-I, I-1, I-2, B-D
  - g. Institutional districts: INST
3. If a district is not listed above, the Zoning Administrator or their designee will make an interpretation as to which category the district belongs.
4. Certain zoning districts and/or their sub-districts may be specifically included or excluded in the sign regulations.

**D. Noncommercial Messages**

1. Any sign permitted by these regulations may display or publish a noncommercial message. This includes signs that both require and do not require a permit.
2. Noncommercial messages on permitted signs posted on private property shall have the permission of the property owner.
3. Noncommercial messages on permitted signs cannot be used as an off-premise advertising sign.

**13.3 Alteration and Maintenance Activities Exempt from Permit**

The following activities do not require a sign permit:

- A. Normal maintenance and repair of a sign, including painting and cleaning. The following activities are not considered normal maintenance or repair: structural changes, changes in the electrical components of the sign, an increase in any sign dimension, or changes in the location of a sign.
- B. Changing or replacing the sign face within an existing sign structure so long as no structural changes are made to the sign structure and the size of the sign face is not increased.
- C. Changing the copy of a changeable message component of a sign.

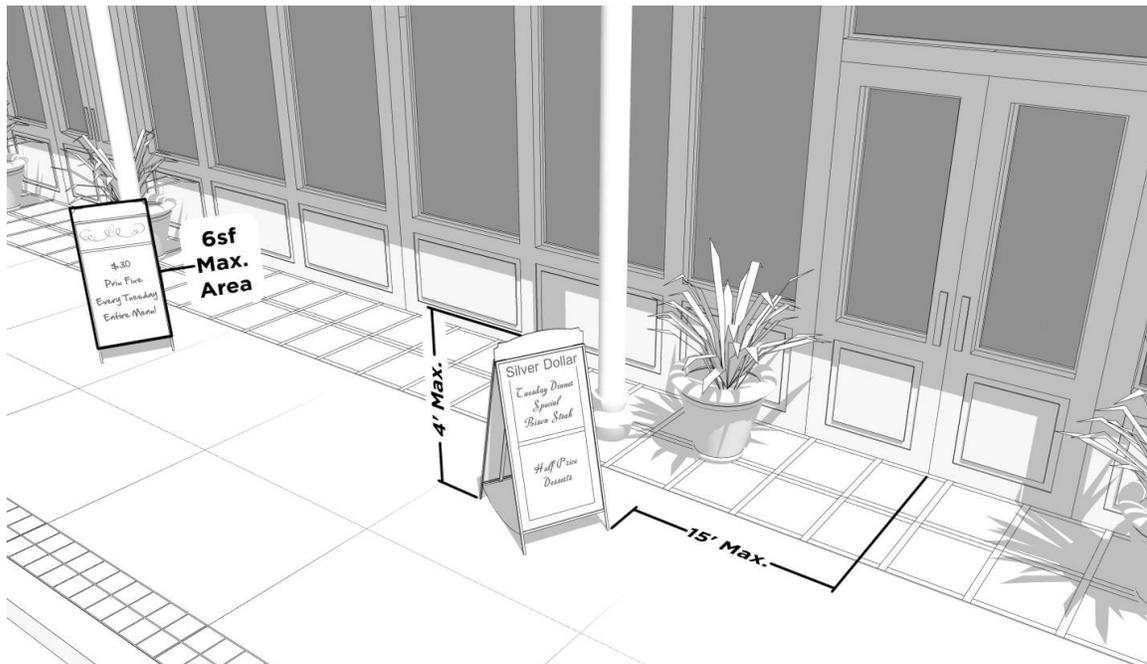
### 13.4 Signs Exempt from Permit

The following on-premise permanent and temporary signs are exempt from the sign permit requirement, but subject to all applicable standards of this Chapter, including the general sign standards of Section 13.7.

#### A. A-Frame Sign

1. A-frame signs are permitted for non-residential uses in the B-1 and B-2 Districts and the urban districts.
2. One A-frame sign is permitted per establishment, including one for each tenant in a multi-tenant development.
3. An A-frame sign shall be placed within 15 feet of the primary entrance of the business, and shall not interfere with pedestrian traffic or violate standards of accessibility as required by the ADA or other accessibility codes.
4. A minimum unobstructed sidewalk clearance of five feet shall be maintained at all times. The requirements of Section 10.141 of the City Code apply to signs on public property or in the public right-of-way.
5. A-frame signs are limited to six square feet in area per side and four feet in height.
6. The placement of A-frame signs outdoors is limited to business hours only. A-frame signs shall be stored indoors at all other times.
7. Illumination of A-frame signs is prohibited.
8. No A-frame sign may have any type of electronic component.

#### A-FRAME SIGN



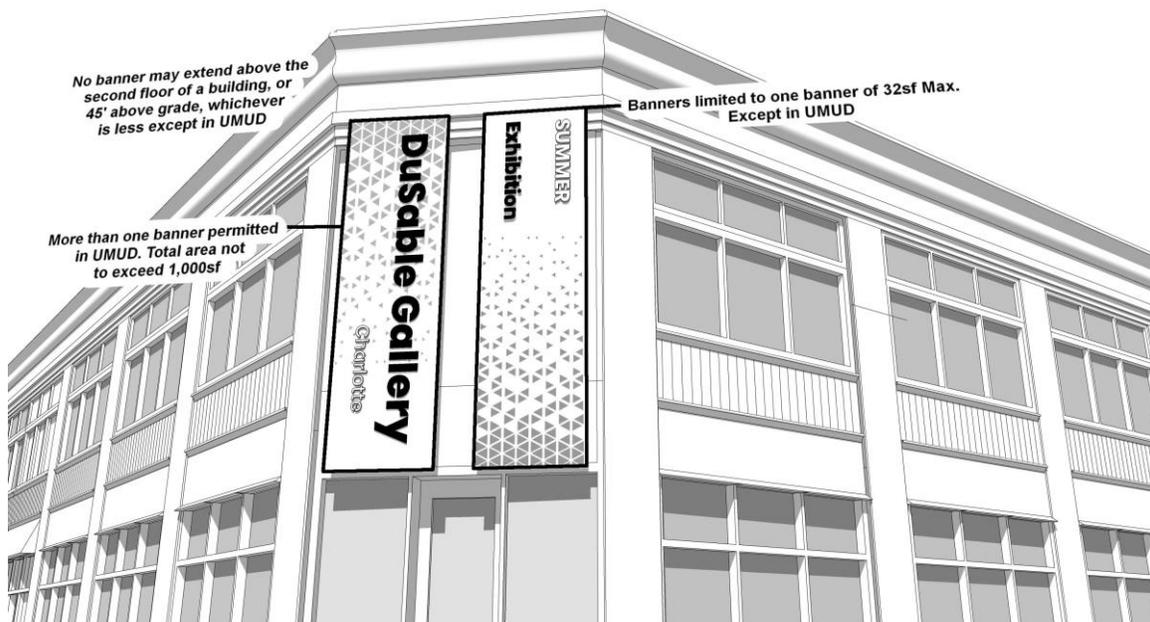
**B. Agricultural Sales Activity**

1. Temporary signs are permitted on property in agricultural use in all districts where products are sold in conjunction with the agricultural use.
2. Only ground-mounted signs are permitted and shall not be located closer than 11 feet from the edge of any public right-of-way.
3. Signs cannot exceed 32 square feet in area and five feet in height.
4. Only one sign is permitted per street frontage.
5. Signs shall be removed within seven days of the termination of sale activities.

**C. Banner**

1. Banners are permitted for non-residential uses in all districts.
2. In permitted districts, except UMUD (see item 3 below), one banner is permitted per establishment, including one for each tenant in a multi-tenant development, and banners are limited to a maximum area of 32 square feet. Such banners may not extend above the second-floor level of a building or 45 feet above grade, whichever is less.
3. In the UMUD District, more than one banner is permitted and the total area of all banners combined shall not exceed 1,000 square feet or 10% of the wall area, whichever is less, per building wall. Banners may not extend past the roofline.
4. However, banners for institutional uses in all districts where allowed may also be ground-mounted between two or more posts, and shall not be located closer than 11 feet from the edge of any public right-of-way.
5. Banners shall be securely attached to a building wall.
6. Banners shall be made of canvas, canvas-like material, nylon, vinyl-coated fabric, or similar weatherproof type materials.
7. All banners are limited to a maximum display period of 14 consecutive days and there shall be a minimum of ten days between display periods.

**BANNER**



**D. Commercial Flags**

1. Commercial flags are permitted for non-residential uses in the urban and general commercial districts.
2. One commercial flag is permitted per establishment for each tenant on the first and second stories where such tenant's façade abuts a public or private right-of-way,
3. Commercial flags are limited to a maximum area of 12 square feet.
4. Commercial flags shall be wall-mounted. Such flags cannot extend into the right-of-way measured when the flag fully extended perpendicular to the post.
5. Commercial flags cannot be illuminated.

**E. Construction Activity**

1. Temporary signs are permitted for lots currently under construction in all districts.
2. Signs located on single-family detached or duplex construction lots are limited to six square feet in area. An additional rider sign not exceeding a total of two square feet in sign area is allowed.
3. Signs for all other types of construction lots cannot exceed 64 square feet in sign area.
4. Signs shall be located on the construction lot.
5. One sign is permitted per street frontage.
6. Signs shall be removed within seven days after expiration of the building permit.

**F. Culturally or Historically Significant Sites**

1. A site or building with cultural or historical significance is permitted a permanent sign. Such signs are permitted in any district.
2. Signs on culturally or historically significant sites or buildings may be constructed as either ground or wall signs, subject to the following:
  - a. Signs on culturally or historically significant sites or buildings are limited to four square feet.
  - b. Ground signs are limited to four feet in height and shall not be located closer than 11 feet from the edge of any public right-of-way.
  - c. Wall mounted signs shall be placed so as to be an integral part of the structure, cut into stone or masonry, or be a permanently affixed plaque of metal or other durable material.
  - d. Signs may be externally illuminated.
3. Signs on culturally or historically significant sites or buildings are limited to one per street frontage.

**G. Decorative Sign**

Decorative signs are regulated in Article VII of Chapter 19 of the Charlotte City Code.

**H. Exempt Signs for Certain Uses**

The following uses shall have the following sign permissions, which are exempt from a sign permit subject to the following regulations:

1. **Family Childcare Home, Childcare in a Residence, Childcare Center and Large Childcare Center**
  - a. Family childcare homes, childcare in a residence, childcare centers and large childcare centers in a residential district shall be limited to the sign standards of a home occupation sign per item I below. No other signs are permitted.
  - b. When childcare centers and large childcare centers are located in a nonresidential district, they are subject to the standards for nonresidential uses in the district.
2. **Short-Term Care Facility**

A short-term care facility shall be limited to the sign standards of a home occupation sign per item I below. No other signs are permitted.
3. **Donation Drop-Off Facility**

Donation drop-off facilities shall be limited to the sign standards of a home occupation sign per item I below. However, in place of a wall-mounted sign, one ground-mounted sign limited to the sign area of item I below may be installed and is limited to a maximum height of four feet and shall not be located closer than 11 feet from the edge of any public right-of-way. No other signs are permitted.
4. **Outdoor Fresh Produce Stand – Temporary Structure and Accessory Structure**

Temporary and accessory outdoor fresh produce stands shall be limited to one sign a maximum of 15 square feet in area mounted upon a wall of the stand. (Permanent outdoor fresh produce stands are subject to the standards for nonresidential uses within the applicable district.) No other signs are permitted.
5. **Off-Premise Retail Sales**

Off-premise retail sales shall be limited to one sign a maximum of 15 square feet in area mounted upon a wall of the structure. No other signs are permitted.

**I. Home Occupation**

1. A permanent sign is permitted for single-family detached dwellings containing a home occupation in all districts.
2. Signs shall be constructed as wall signs. Only one sign is permitted.
3. Signs are limited to three square feet in area.
4. Illumination is prohibited.

**HOME OCCUPATION SIGN****J. Light Pole Banner**

1. Light poles located entirely on private property are permitted to mount banners in all districts. Light pole banners shall not be used as an off-premise advertising sign – temporary.
2. Light pole banners are limited to a maximum area of 15 square feet.
3. Light pole banners shall maintain a minimum vertical clearance of 12 feet from grade to the bottom of the banner.
4. Light pole banners shall be mounted to project perpendicular from light poles.

**LIGHT POLE BANNER SIGN****K. Noncommercial Message Temporary Sign Structure**

In addition to the conversion of any permitted sign to a noncommercial message per Section 13.2.D, additional temporary sign structures for noncommercial messages are permitted as follows:

1. Noncommercial message temporary sign structures are permitted in all districts.
2. Noncommercial message temporary sign structures are ground, wall, and window structures. There is no limit on the number of noncommercial message temporary sign structures permitted.
3. The sign area of a ground and wall-mounted sign structure is limited to 16 square feet in area. Ground sign structures are limited to four feet in height.
4. Window-mounted sign structures shall meet the coverage limitations of window signs. If no coverage is specified for the district or use, the limitation is 25% of the window area.
5. Ground-mounted message structures shall not be located closer than 11 feet from the edge of any public right-of-way.
6. Noncommercial message temporary sign structures posted on private property shall have the permission of the property owner.
7. Noncommercial message temporary sign structures may not be illuminated.
8. Noncommercial message temporary sign structures cannot be used for on-premise or off-premise advertising.

**L. Parking Lot, Parking Structure, and Site Circulation Point Signs**

1. Parking lots and structures in all districts are permitted permanent signs at parking lot or structure circulation points in accordance with this section, whether such parking lots or structures are a principal or ancillary use. Such signs cannot be used for off-premise advertising.

2. Circulation points include, but are not limited to, entrances/exits, driveway intersections, drive-through lanes, and parking lot drive aisles. Circulation points also include bicycle paths and bicycle parking areas, pedestrian paths and on-site pedestrian rest areas, and pathways to transit stops.
3. Signs for parking lot and structure circulation points may be internally or externally illuminated.
4. Signs are limited to six square feet in area and six feet in height.
5. A ground sign shall not be located closer than 11 feet from the edge of any public right-of-way.

#### **M. Real Estate Activity**

1. Temporary signs are permitted for lots or structures currently for sale, lease, or rent.
2. Signs located on individual single-family detached and duplex lots under three acres in size, or individual units within attached housing are limited to six square feet. An additional rider sign not exceeding a total of two square feet in sign area is allowed.
3. Signs for other lots or structures for sale, lease, or rent cannot exceed 64 square feet in sign area.
4. Only one sign is permitted per street frontage of the property. However, properties having a continuous frontage of 850 linear feet or more may be allowed an additional sign so long as such sign is no closer than 850 feet from another sign on the property.
5. Illumination is prohibited.
6. Signs shall be removed within seven days after the sale is closed or, rent or lease transaction is finalized.

#### **N. Temporary Off-Premises Sign**

1. Temporary off-premise signs shall be placed on private property only with the permission of the property owner.
2. Temporary off-premise signs are limited to six square feet in area.
3. Temporary off-premise signs are limited to four feet in height.
4. Temporary off-premise signs are limited to two per property.
5. Temporary off-premise signs shall not be located closer than 11 feet from the edge of any public right-of-way.
6. Temporary off-premise signs are limited to the following display period: installed no earlier than 8:00 a.m. of a holiday or of a Saturday, and displayed until 6:00 p.m., on a Sunday or a designated holiday.
7. Temporary off-premise signs are prohibited from being posted or mounted upon trees, utility poles, traffic control signs, lights, or devices in any place or manner prohibited by the provisions herein.
8. No temporary off-premise sign shall be mounted upon a portable sign structure.

#### **O. Vehicle Dealership Temporary Sign**

1. Temporary signs are permitted for vehicle dealerships that front public rights-of-way.
2. Signs are limited to nine square feet per each vehicle that front public rights-of-way.
3. Signs shall be affixed to the exterior surface of the vehicle. Signs cannot project beyond the roof, hood, or trunk of the vehicle.

**P. Window Sign**

1. Window signs are permitted for all multi-family and non-residential uses.
2. For multi-family uses, window signs are permitted on the ground floor only. For non-residential uses, window signs are permitted for window areas up to and including the third story.
3. The total window sign area, whether temporary or permanent, is limited to no more than 25% of the surface of each window area, including transparent areas of doors and entryways. Window area is counted as a continuous surface until divided by an architectural or structural element, such as door casings or façade treatments. Mullions are not considered an element that divides window area.
4. Window signs may be internally or naturally illuminated except when located within a residential district, where illumination is prohibited. No external illumination is permitted.

**WINDOW SIGN**



**13.5 Sign Permit**

**A. Authority**

Unless specifically stated in this Chapter or this Ordinance that a sign is exempt from permit requirements, the installation, construction, enlargement, movement, or replacement of any sign requires a sign permit from the Zoning Administrator or their designee.

**B. Approval Procedure**

1. Upon the filing of an application for a sign permit, the Zoning Administrator or their designee will examine the plans and specifications. If deemed necessary, he/she may inspect the premises where the sign will be installed.
2. If the proposed sign complies with all the requirements of these regulations and other applicable codes, a permit may be issued.

3. A sign permit issued in accordance with this section automatically becomes null and void if work has not visibly started within six months of the date of issue, or if the work authorized by it has been suspended or abandoned for one year.

#### C. Fees

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

#### D. Final Inspection

Upon notification of completion by the permit holder, the Zoning Administrator or their designee will make a final inspection of the sign to verify conformance with the permit and all applicable codes.

### 13.6 Definitions

The following definitions apply to this Chapter:

**A-Frame Sign.** A temporary sign ordinarily in the shape of the letter “A” or some variation thereof, which is displayed on the ground, not permanently attached to the ground, and usually two-sided, generally connected at the top and separated at the bottom.

**Amenity Zone.** The hardscaped portion of the streetscape used for street trees, street lights, site furnishings, and supplemental landscaping.

**Animated Sign.** A sign that uses moving or changing lights to depict action, movement, or the optical illusion of movement of part of the sign structure, sign, or pictorial segment, or including the movement of any illumination or the flashing or varying of light intensity to create a special effect or scene.

**Awning Sign.** A sign printed or displayed upon an awning, which is a roof-like cover designed for protection from the weather or as a decorative embellishment, which projects from a wall or roof of a structure over a window, walkway, or door, with no supports that extend to the ground. An awning sign may be one of the following types:

1. **Awning Sign - Non-Structural.** An awning sign, as defined above, constructed of fabric or similar material mounted on a frame.
2. **Awning Sign - Structural.** An awning sign, as defined above, constructed of permanent materials, such as metal and or plastic.

**Balloon Sign.** A sign or advertising device designed to be airborne or inflated and tethered to the ground or other structure. This includes any air-inflated signs and any signs that inflate and move via air inflation.

**Banner.** A temporary sign printed upon flexible material mounted with or without rigid frames.

**Billboard.** See outdoor advertising sign.

**Canopy Sign - Attached.** A sign printed or displayed upon a canopy, which is a roof-like cover designed for protection from the weather or as a decorative embellishment affixed to a building with supports that extend to the ground. A canopy sign may be one of the following types:

1. **Canopy - Non-Structural.** A canopy sign, as defined above, constructed of fabric or similar material mounted on a frame.
2. **Canopy - Structural.** A canopy sign, as defined above, constructed of permanent materials, such as metal or plastic.

**Changeable Copy.** That portion of a sign that allows for a message to be changed.

**Commercial Flag.** Fabric designed to be flown from a flagpole which is attached to the wall of a building to direct attention to or promote a business, product, service, event, or activity occurring on the site.

**Culturally or Historically Significant.** A site or building that possesses qualities of significance in American, North Carolina, or Charlotte history, architecture, archaeology, or culture.

**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, as regulated by the City Code.

**Electronic Sign.** A sign designed where a portion of the sign area uses changing light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the electronic display panel to display a message or messages in text and/or image from where the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Time/temperature signs are not considered electronic message signs. Electronic outdoor advertising signs are not considered electronic signs and are regulated separately.

**Feather Flag (Sail).** A freestanding attention-getting device typically constructed of cloth held taut by a single post. Also known as sails.

**Flashing Sign.** A sign with an intermittent or sequential flashing light source used primarily to attract attention. Flashing signs do not include electronic signs or video display screens.

**Floodlight/Spotlight.** A powerful light or a grouping of several lights used to illuminate the exterior of a building or sign.

**Government Sign.** Any temporary or permanent sign erected by and maintained for any governmental purposes.

**Ground Sign.** A sign that is placed on and/or supported by the ground, independent of a structure on the lot.

**Historic Signs.** A historically significant sign, as designated by the criteria and process of this Chapter, that has been moved from its original location to be reused on another site 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.

**Illumination, External Sign.** Lighting of a sign from a light source external to the body of the sign, so that light is directed on to the face of the sign or directed in a manner so as to create silhouettes of letters or symbols that are placed in front of the light.

**Illumination, Internal Sign.** Lighting of a sign from internal sources, such as in light source within the framework of a sign cabinet and behind the face of the sign so that light is transmitted through the face of the sign.

**Landmark Signs** A landmark sign is a historically significant sign, as designated by the criteria and process of this Chapter, that is allowed to be restored and retained on-premise 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.

**Light Pole Banner.** Banners mounted on and with arms installed perpendicular to a light pole.

**Marquee Sign.** A permanent roof-like structure constructed of permanent building materials that extends from the wall of a structure with no supports extending to the ground providing protection from the elements that includes a sign that is a part of the marquee.

**Menuboard.** A sign constructed to provide information to users of drive-through facilities.

**Monument Sign.** A sign that is placed on or supported by the ground, independent of a structure on the lot, that has a greater width than height. Monument signs may be designed with a solid base or with two columns on either side supporting a sign face, where there is no more than 12 inches from the ground to the bottom of the suspended sign face.

**Moving Sign.** A sign where all or a portion of the sign and/or sign structure rotates, revolves, moves, elevates, or in any way alters position or geometry. This includes any sign that gives the appearance of movement, including signs designed to be moved by wind or other natural elements.

**Mullion.** A vertical or horizontal element that forms a division between units of a window or screen, or is used decoratively. When dividing adjacent window units, its primary purpose is a rigid support to the glazing of the window.

**Multi-Tenant Planned Non-Residential Development.** A development under unified control that contains a number of separate businesses, offices, light manufacturing facilities, and research uses, and may include accessory and supporting uses, that is designed, planned, and constructed on an integrated and coordinated basis. Examples include, but are not limited to, research parks, office parks, industrial parks, or a combination of such uses.

**Mural.** A work of art painted, applied, or affixed to an exterior wall surface that does not include any on- or off-premise advertising. Painted wall signs are not murals.

**Nit.** A unit of measurement of the intensity of visible light, where one nit is equal to one candela per square meter.

**Non-Governmental Flag.** Fabric or bunting containing distinctive colors or patterns that functions as an attention getting device for a business, establishment, service, or product offered on-site. A non-governmental flag does not include flags of nations, states, and cities, or fraternal, religious, and civic organizations.

**Noncommercial Message.** Messages that do not function to direct attention to or promote a business, product, service, event, or activity, either on-site or off-site. Examples of noncommercial messages include, but are not limited to, signs advocating a public issue, recommending a candidate for office, and personal messages.

**Off-Premise Advertising.** A sign directing attention to or promoting a business, product, service, event, or activity that is not sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located.

**1. Off-Premise Advertising Sign – Temporary.** A temporary sign directing attention to or promoting a business, product, service, event, or activity that is not sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located. An off-premise advertising sign – temporary is intended for display for a short period of time, are not permanently mounted or installed on-site, and typically cannot be reused. Off-premise advertising signs – temporary are usually constructed of light materials such as cardboard or vinyl.

**2. Outdoor Advertising Sign.** A permanent sign directing attention to or promoting a business, product, service, event, or activity that is not sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located. Outdoor advertising signs may be static or electronic. Also known as a billboard or an off-premise advertising sign - permanent.

**On-Premise Advertising.** A sign directing attention to or promoting a business, product, service, event, or activity that is sold, produced, manufactured, furnished, or conducted at the site upon which the sign is located.

**Parapet.** The extension of the main wall or walls of a building above the roof level.

**Pennant.** Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. Streamers are considered pennants.

**Planned Residential Development.** A residential neighborhood developed as an integrated whole, typically through the subdivision process, and usually designed with a specific identity.

**Projecting Sign.** A sign that is attached to a rigid structure that extends more than 18 inches beyond the surface of the structure to which it is attached.

**Portable Sign.** A sign with a principal supporting structure that is intended, by design and construction, to rest upon the ground for support and can be moved and reused. Portable signs also include, but are not limited to, signs mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or with wheels removed. Portable signs do not include A-frame signs.

**Retail Center.** A commercial development under unified control consisting of three or more separate retail, personal service, restaurant, and entertainment uses, that is designed, planned, and constructed on an integrated and coordinated basis. Also called a shopping center.

**Rider Sign.** A smaller additional temporary sign attached to the main temporary sign to provide limited additional information.

**Roof Sign.** A sign that is installed on the roof structure of any building with the principal support attached to the roof structure.

**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.

**Searchlight.** An attention-getting device where an artificial light of high intensity is shined upward in a focused beam and can turn in any direction to attract attention to a location. Also known as sky-beams or sky spotlights.

**Sign.** A structure, device, or object using words, letters, figures, designs, symbols, fixtures, colors, illumination, and/or projected images to direct attention to or promote a business, product, service, event, or activity that is sold, produced, manufactured, furnished, and/or conducted on the site upon where it is installed.

**Skyline Sign.** A sign attached to the topmost band or bands of the building facade.

**Streamer.** See pennant.

**Strobe Light.** A device used to produce flashes of light in regular intervals.

**Vehicle Sign.** A sign that is attached to or painted on a vehicle that is parked on or adjacent to a property, the principal purpose of which is to attract attention to a business, service, or product sold.

**Video Display Screen.** A sign, or portion of a sign, that displays an electronic video, whether pre-recorded or streaming.

**Wall Sign.** A sign that is attached directly to an exterior wall of a building or dependent upon a building for support and projects 18 inches or less from the wall of a structure with the exposed face of the sign in a plane substantially parallel to the face of the wall. Window signs, roof signs, and skyline signs are not considered wall signs. Painted wall signs are a type of wall sign but regulated separately by this Ordinance.

**Wall Sign, Painted.** An on-premise advertising wall sign that is painted, applied, or affixed directly on the exterior wall of a building or structure. A painted wall sign is not limited to only the application of paint, but includes other methods of application and/or material, including, but not limited to tiles or screenprinting. A painted wall sign does not include a mural.

**Window Sign.** A sign that is attached to, placed upon, or printed on the interior or exterior of a window or door of a building, or displayed on the interior within two feet of a window intended for viewing from the exterior of such a building. A window sign may be either permanent or temporary.

## 13.7 Measurement Methodologies

### A. Calculation of Sign Area

1. 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 differentiating the sign from the background to which it is placed. Structural supports with 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.

2. For calculating maximum area of window signs, the window area is calculated as a continuous surface until divided by an architectural or structural element. Mullions are not considered an element that divides window area. The area of a window sign is calculated by the same method as for other sign areas, per item a above.

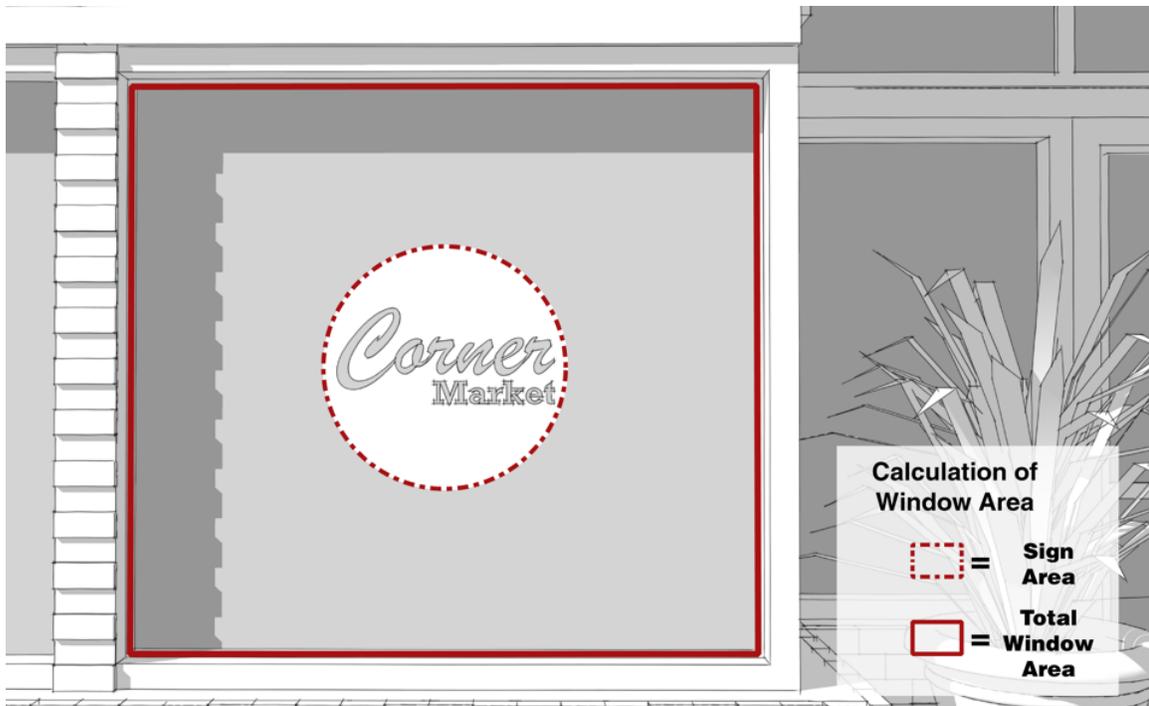
a. Shadowbox design within display windows, where the window display is designed with a background enclosure within two feet of the window against which signs are mounted that blocks view into the establishment, is considered a window sign and the entire area of the shadowbox is subject to the maximum sign area limitation.

b. Perforated window graphics/window clings, which show an image to the outside but allow those on the interior to view outside, are not considered transparent and the entirety of the graphic is counted as a window sign.

**SIGN AREA**



**WINDOW SIGN AREA**



**B. Measurement of Sign Height**

Sign height is measured from the base of the sign at the ground to the highest point of the sign, including any attachments.

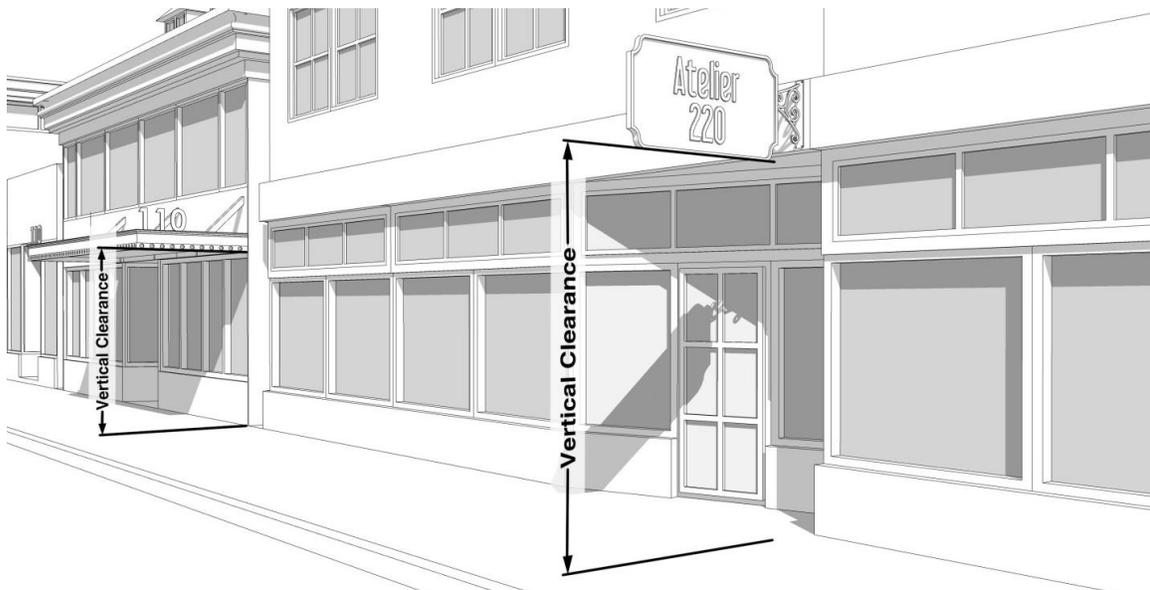
**SIGN HEIGHT**



**C. Measurement of Vertical Clearance**

For building-mounted signs, vertical clearance is measured as the vertical distance measured from the ground directly below the sign to the lowest point of the sign.

**VERTICAL CLEARANCE**

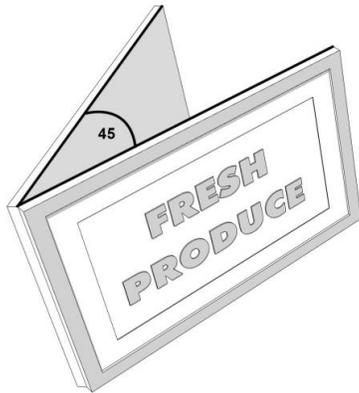


**D. Determination of Number of Sign Faces**

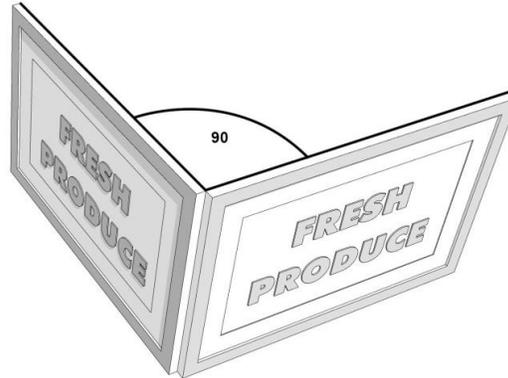
The maximum angle of a double-faced sign is 45 degrees, except for signs located at corners in which case the angle may be 90 degrees. This refers to the distance between sign faces on a single structure.

**SIGN FACES**

45 degrees or less = 1 sign face



90 degrees or less = 1 sign face, at corners only



**E. Sign Setback**

A required sign setback is measured from the applicable lot line to the closest component of the sign or sign structure.

**13.8 General Sign Standards**

**A. Installation**

1. All signs shall be constructed and installed in accordance with the applicable provisions of the North Carolina State Building Code.
2. 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 illuminated by an underground electrical source.
3. Only signs that have been placed by or authorized by federal, state, or the city may be installed on public property. Any sign installed on public property, including public rights-of-way, without prior authorization may be removed by the City without notice.

**B. Location**

Signs may be located in a required setback or yard.

**C. Site Distance Triangle Obstruction Prohibited**

No sign may obstruct a required sight distance triangle, as described in Sections 12.109(1)(a), (b), and (c), and 12.109(2). Any sign installed, either permanent or temporary, at ground level greater than 30 inches in height and having a vertical clearance less than six feet is prohibited in the sight distance triangle. Height measurements are taken from the centerline of the intersection of the adjacent streets.

**D. Projection into Right-of-Way**

When a sign extends into a public right-of-way, prior review and approval by CDOT, NCDOT, and/or other relevant agencies is required. The encroachment of signs into a public right-of-way requires an encroachment agreement from CDOT and/or NCDOT, if applicable. Adherence to the design standards included in this Chapter does not imply approval through an encroachment agreement.

**E. Tree Protection**

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

**F. Permitted Materials for Signs**

1. Permanent sign structures shall be constructed of brick, wood or simulated wood, stone, concrete, metal, plastic, or high-density urethane (HDU) foam board or similar durable foam construction.
2. Awning, canopy, projecting, light pole banner, banners, and wall signs may also be constructed of durable weather resistant material such as canvas, nylon, or vinyl-coated fabric.
3. Wall, awning, canopy, projecting, and light pole banner signs constructed of material shall be mounted within a frame so that they are held taut between all support posts.

**G. Audio Components**

Audio components are prohibited as part of any sign, except for the following:

1. Menuboard: For menuboards, the audio component is limited to communication between the customer and service window.
2. Signs owned and/or operated by a government agency.

**H. Changeable Message**

1. The following sign types, when allowed within a district, may have a changeable message component: wall sign, projecting sign, ground sign, or marquee sign. Electronic signs are limited to the districts listed in Section 13.9.A.
2. Where a sign has an electronic message or manual changeable copy component, it is limited to a maximum of 50% of the total area of the sign. This limitation does not apply to marquee or wall signs for live performance venues and theaters, where the changeable message component (electronic or manual) has no maximum limit of the total sign area (i.e., 100% of the total area of a sign).
3. A sign structure with a changeable message component shall contain additional copy; it cannot be a blank sign structure once the changeable message component is discounted. This does not apply to a live performance venue, as described in item 2 above.

**I. Illumination Standards**

1. All sign illumination, both external and internal, shall be designed, located, shielded, and directed to prevent the casting of glare or direct light upon rights-of-way and surrounding properties, and prevent the distraction of motor vehicle operators or pedestrians in the rights-of-way.
2. The sign face of internally illuminated signs shall function as a filter to diffuse illumination. The sign face shall cover all internal illumination components so that no exposed bulbs are visible.
3. All external illumination of a sign shall concentrate the illumination upon the printed area of the sign face.
4. No sign illumination may be combined with reflective materials, such as mirrors, polished metal, or highly-glazed tiles, which would increase glare.
5. Strobe lights, moving or fixed searchlights, and floodlights/spotlights are prohibited, except in the UMUD, where such lighting is permitted.
6. No lighting, including neon or LED components of signs, may flash, except in the UMUD, where such lighting may flash, chase, or blink.
7. Neon or LED lighting to outline doors, windows, architectural features, and building facades is permitted. Such lighting shall remain static (i.e., no chasing, blinking, or flashing) except in the UMUD, where such lighting may flash, chase, or blink.

8. The maximum allowable footcandle at the lot line is one footcandle unless a sign is allowed to extend over the lot line, where the maximum of one footcandle is measured at the back of curb. This does not apply to electronic message signs, which are regulated by item 9 below.

9. For electronic message signs, excluding electronic outdoor advertising signs, the maximum brightness is limited to 5,000 nits when measured from the sign's face at its maximum brightness, during daylight hours, and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn, i.e., the time of day between sunrise and sunset. The sign shall have an ambient light meter and automatic or manual dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise. Electronic outdoor advertising signs are regulated by Section 13.11 below.

**J. Maintenance of Signs**

1. All signs shall be maintained in good condition. Deficiencies such as chipped paint, broken plastic, missing letters, and exposed light bulbs are evidence of a lack of maintenance.
2. The City may remove any sign that is an immediate public peril to persons or property summarily and without notice.
3. No sign frame may remain unfilled and/or allow any internal part or element of the sign structure to be visible. Sign frames filled or replaced with a blank panel are considered to meet this standard.

**13.9 Summary of Sign Permissions**

Table 13-1: Summary of Sign Permissions catalogs the types of permitted signs, both permanent and temporary, and indicates whether such sign requires a sign permit. This table is provided for reference purposes. In the case of any conflict with the regulations of this Chapter or any other section of this Ordinance, the specific sign regulations control over this table. This table does not address outdoor advertising signs (Section 13.11) and areas of special sign regulation (Section 13.12).

Table 13-1: Summary of Sign Permissions		
Sign Types	Permissions	
	By Use/Activity	By District
<b>SIGNS EXEMPT FROM PERMIT (SECTION 13.4)</b>		
<b>A-Frame Sign</b>	Non-residential uses	B-1, B-2, and Urban Districts
<b>Agricultural Sales Activity</b>	Agricultural use	All districts
<b>Banners</b>	Non-residential uses	All districts
<b>Commercial Flags</b>	Non-residential uses	Urban and General Commercial Districts
<b>Construction Activity</b>	Construction site	All districts
<b>Culturally or Historically Significant Sites</b>	Culturally or historically significant site/building	All districts
<b>Decorative Sign</b>		Per City Code, Article VII of Chapter 19
<b>Exempt Signs for Certain Uses</b>	Family Childcare Homes, Childcare in a Residence, Childcare Centers and Large Childcare Centers, Short-Term Care Facility; Donation Drop-Off Facility; Outdoor Fresh Produce Stand – Temporary Structure and Accessory Structure; Off-Premise Retail Sales	Districts where such uses are permitted
<b>Home Occupation</b>	Single-family detached dwelling with home occupation	All districts
<b>Light Pole Banner</b>	Light poles on private property	All districts
<b>Noncommercial Message Temporary Sign Structures</b>		All districts
<b>Parking Lot, Parking Structure, and Site Circulation Point Signs</b>	Parking lot and parking structure	All districts

Table 13-1: Summary of Sign Permissions		
Sign Types	Permissions	
	By Use/Activity	By District
<b>Real Estate Activity</b>	Real estate activity	All districts
<b>Temporary Off-Premise Sign</b>		All districts
<b>Vehicle Dealership Temporary Sign</b>	Vehicle dealership	All districts
<b>Window Sign</b>	Non-residential uses Multi-family dwellings	All districts
SIGNS REQUIRING PERMIT (SECTION 13.9)		
<b>Electronic Sign</b>	Non-residential uses	Urban, General Commercial, Industrial, and Institutional Districts; BP, RE-1, and RE-2 Districts
	Cultural facility; educational facility - primary or secondary; educational facility - university or college; government office/facility; park/playground; place of worship	All districts
	Gas station - fuel price display	All districts
<b>Ground Sign</b>		
<b>Standard Ground Sign</b>	Non-residential uses Multi-family dwellings	See Table 13-2
<b>Retail Center Ground Sign</b>	Retail Centers	All districts
<b>Multi-Tenant Planned Non-Residential Development Ground Sign</b>	Multi-Tenant Planned Non-Residential Development	All districts
<b>Residential Planned Development Ground Sign</b>	Residential Planned Development	All districts
<b>Marquee</b>	Non-residential uses	Urban Districts
<b>Menuboard</b>	Drive-through facilities	All districts
<b>Roof Sign</b>	Non-residential uses Multi-family dwellings	B-2, MUDD, UMUD, TOD-UC, TOD-CC
<b>Skyline Sign</b>	Non-residential uses Multi-family dwellings	Urban, General Commercial, Research/Office, Industrial, and Institutional Districts
<b>Temporary Signs for Planned Development Construction Lots</b>	Planned developments	All districts
<b>Wall-Mounted Signs: Walls Signs, Awning and Canopy Signs, Projecting Signs</b>	Non-residential uses Multi-family dwellings	All districts
<b>Wall Sign, Painted</b>	Non-residential uses	All districts

**13.10 Signs Requiring Permit**

The following on-premise signs require a sign permit and are subject to all applicable standards of this Chapter. Outdoor advertising signs are regulated separately in Section 13.11.

**A. Electronic Sign**

1. Electronic signs are permitted for non-residential uses within the urban, general commercial, industrial, and institutional districts. In addition, electronic signs are also permitted for the following districts and uses:

- a. In the BP, RE-1, and RE-2 Districts.
- b. The following uses in any district are permitted an electronic sign: cultural facility, educational facility - primary or secondary, educational facility - university or college, government office/facility, park/playground, place of worship.
- c. That portion of a gas station sign used to display fuel prices may be an electronic sign or digital display.

2. Only one electronic sign per lot is permitted.
3. Electronic signs cannot operate as an off-premise advertising sign. Electronic outdoor advertising signs are controlled by Section 13.11.
4. Each message or image displayed on an electronic sign shall be static for a minimum of eight seconds. Electronic signs shall display static text messages only, with no animation or effects simulating animation or video. Scrolling, flashing, animation, or movement of the message or any component of the sign is prohibited. Any message change sequence shall be accomplished immediately by changing from one screen to another without transition effect. Such prohibition does not apply to the UMUD District.

## B. Ground Signs

### 1. Ground Sign Types

Ground signs are regulated as four types in this Chapter:

- a. Standard ground signs are permitted for multi-family dwellings and non-residential uses in the districts indicated in item 3 below.
- b. Retail center ground signs are permitted for multi-tenant retail centers in any district.
- c. Multi-tenant planned non-residential development ground signs are permitted in any district.
- d. Residential development ground signs are permitted for planned residential developments in any district.

### 2. General Regulations

The following regulations apply to all ground signs:

- a. All ground signs shall be of monument type construction, except for ground signs in the B-2, I-1, and I-2 Districts.
  - i. Ground signs for nonresidential uses in the B-2, I-1, and I-2 Districts may be of pole sign type construction up to a maximum height of 30 feet.
  - ii. However, if within the B-2, I-1, or I-2 Districts there is also an urban zoning district overlay, including but not limited to the PED or TS Districts, then ground signs shall be of monument type construction.
- b. Ground signs shall be located a minimum of five feet from either the right-of-way line or sidewalk, whichever is greater with the following exceptions:
  - i. In TOD Districts, ground signs shall be located a minimum of five feet from either the setback line, build-to line, or maximum dimension of a build-to zone, as applicable.
- c. No ground sign may project into, over, or otherwise encroach on a public or private right-of-way, or a network required private street.
- d. Ground signs may be internally or externally illuminated. If externally illuminated, all light shall be directed onto the sign face.

### 3. Standard Ground Signs

Standard ground signs are subject to the following:

- a. Standard ground signs are permitted for multi-family and non-residential uses in the districts listed in Table 13-2: Standard Ground Signs. Table 13-2 also contains the maximum sign areas and maximum heights.
- b. One standard ground sign is permitted along street frontage of a lot measuring less than 400 feet. Additional signs are allowed as follows:
  - i. Each street frontage of a lot measuring 400 feet or more, is permitted one additional sign. However, a minimum distance of 200 feet shall be maintained between signs along the frontage. This does not apply to an institutional use, which is controlled by item ii below.

- ii. Institutional uses in all districts are permitted one additional ground sign of 16 square feet and four feet in height.

Table 13-2: Standard Ground Signs		
Zoning District	Maximum Sign Area	Maximum Sign Height
Single-Family Residential Districts	36sf	7'
Multi-Family Residential Districts	36sf	7'
<i>Urban Districts</i>		
NS	36sf	7'
PED	36sf	7'
UR-2	36sf	7'
UR-3	36sf	7'
UR-C	36sf	7'
MUDD	36sf	7'
UMUD	36sf	7'
TOD-R	36sf	7'
TOD-E	36sf	7'
TOD-M	36sf	7'
TOD-UC	Prohibited	
TOD-NC	Prohibited	
TOD-CC	36sf	7'
TOD-TR	36sf	7'
TS	36sf	7'
RE-3	36sf	7'
General Commercial	42sf	7' However, in the B-2 District a permitted pole sign may be 30' in height
<i>Research/Office Districts</i>		
BP	42sf	7'
O-1	36sf	7'
O-2	36sf	7'
O-3	42sf	7'
RE-1	42sf	7'
RE-2	42sf	7'
Industrial	42sf	7' However, in the I-1 and I-2 Districts a permitted pole sign may be 30' in height
Institutional	36sf	7'

**4. Retail Center Ground Signs**

Retail centers are permitted ground signs as follows:

- a. One retail center ground sign is permitted per street frontage. For lots of five acres or more, an additional ground sign is permitted for each additional entry point to the lot but a minimum separation of 200 feet is required between signs.
- b. Retail center ground signs are limited to the following maximum sign areas and heights:
  - i. Development site area of less than 25,000sf: 48 square feet in area and eight feet in height
  - ii. Development site area of 25,000sf up to 50,000sf: 100 square feet in area and 10 feet in height
  - iii. Development site area more than 50,000sf up to 200,000sf: 128 square feet in area and 15 feet in height
  - iv. Development site area of more than 200,000sf: 150 square feet in area and 15 feet in height

- c. Where a multi-tenant retail center includes outparcels, the outparcels are permitted one ground sign of a maximum of 36 square feet in sign area and a maximum of five feet in height.

**5. Multi-Tenant Planned Non-Residential Development Ground Signs**

Multi-tenant planned non-residential development are permitted ground signs as follows:

- a. One ground sign of 50 square feet in area maximum and a maximum height of seven feet.
- b. A second ground sign of 24 square feet in area maximum and a maximum height of four feet.
- c. Outparcels on the site are each allowed one ground sign of 24 square feet in area maximum and a maximum height of four feet.

**6. Residential Planned Development Ground Sign**

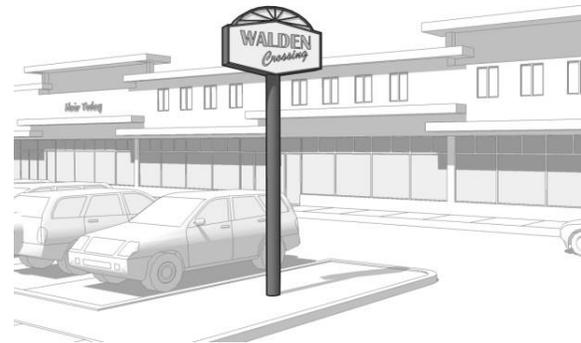
Residential planned development ground signs are subject to the following:

- a. One residential planned development ground sign is permitted for each entry point to the development. A minimum separation of 200 feet is required between signs.
- b. Residential planned development ground signs are permitted a maximum sign area of 42 square feet per sign and a maximum sign height of five feet per sign.
- c. Two separate sign faces may be used in conjunction with a wall, fence, or other architectural entrance feature.

**GROUND SIGN - MONUMENT SIGN**



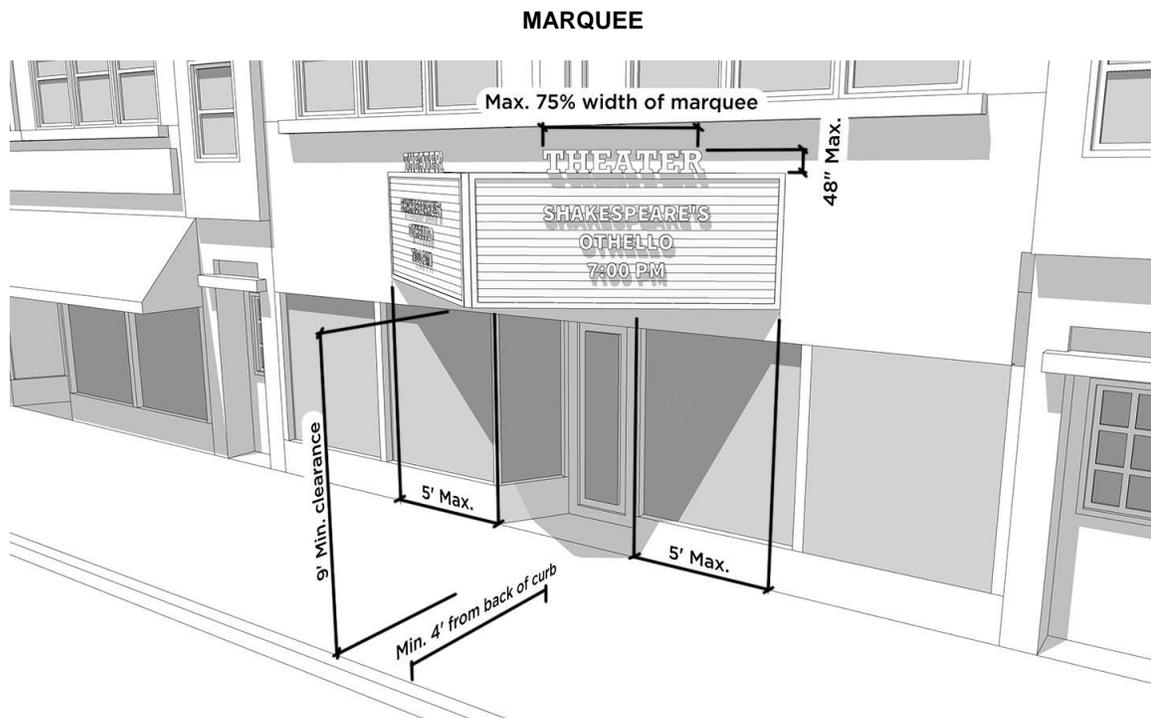
**GROUND SIGN - POLE SIGN**



**C. Marquee**

1. Marquee signs are permitted for non-residential uses only in the urban districts.
2. Marquee signs shall be supported solely by the building to which they are attached. No exterior columns or posts are permitted as supports.
3. The roof of a marquee sign may not be used for any purpose other than to form and constitute a roof.
4. Marquee signs shall be erected over a building entrance. The width of a marquee sign is limited to the width of the building entrance with an additional five-foot extension of the marquee sign allowed on each side of the building entrance so long as such extension is part of the same structure.

5. All marquee signs shall maintain a minimum vertical clearance of nine feet, and the roof of the marquee structure shall be erected below any second-floor windowsill located above the marquee, and cannot obstruct any other architectural features.
6. Marquee signs may encroach over a public or private sidewalk and/or amenity zone, but are limited to a maximum of no more than four feet from the future back of curb.
7. Marquee signs are permitted a sign face area attached to and located above the roof of a marquee to a maximum height of 48 inches. The sign face area is limited to a maximum width of 75% of the width of the marquee sign structure.
8. Marquees may be internally or externally illuminated.



**D. Menuboard**

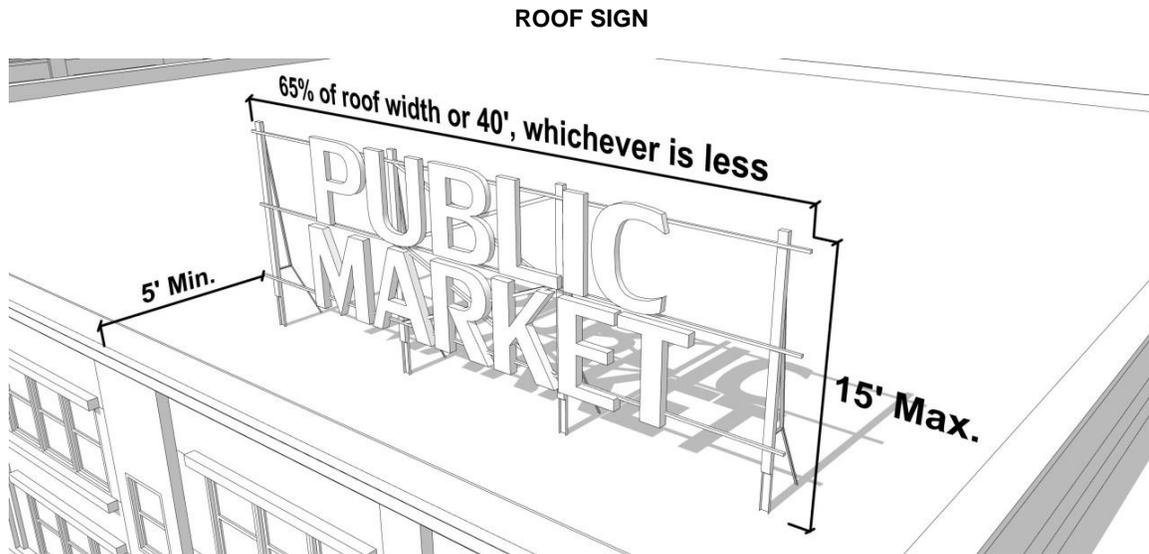
1. Menuboards are permitted for drive-through facilities.
2. Menuboards are limited to one per drive-through lane.
3. Menuboards are limited to 64 square feet in sign area and eight feet in height. The menuboard may be designed as separate ground signs grouped together and may include the use of preview boards designed as separate ground signs installed at a distance earlier in the drive-through lane, however the total area of all signs shall not exceed 64 square feet.
4. In addition, menuboards are permitted ten square feet of sign area for temporary signs attached to the top or sides of the menuboard.
5. Menuboards shall be located a minimum of 15 feet from any residential zoning district. This is measured from sign face to the residential zoning district.
6. Menuboards may be internally illuminated. Menuboards may also contain an electronic or video display screen and audio component for interaction with the customer. No external illumination of menuboards shall be permitted.

**MENUBOARD**



**E. Roof Signs**

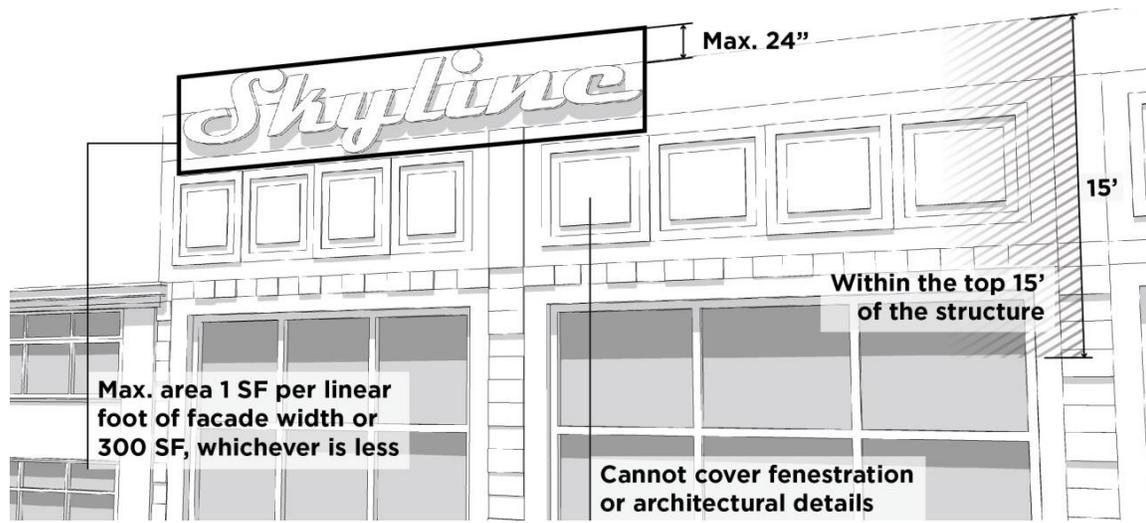
1. Roof signs are permitted only for non-residential structures and multi-family dwellings of 30 feet or more in height in the B-2, MUDD, UMUD, TOD-UC, and TOD-CC Districts.
2. The size of the roof sign is limited to a height of 15 feet above the roof, including the support structure. The width of a roof sign is limited to 65% of the roof level width or 40 feet, whichever is less.
3. Roof signs shall be designed with channel letters/icons and the overall area shall be a minimum of 40% transparent.
4. A maximum of one roof sign is permitted per building. Roof signs may only be installed only on a flat roof.
5. If a roof sign is erected on a building, a skyline sign (item F below) is prohibited.
6. A roof sign shall be set back a minimum of five feet from the edge of a roof.
7. Roof signs shall be safely and securely attached to the roof structure and cannot interfere with any roof access points.
8. Roof signs may be internally illuminated only.



#### **F. Skyline Signs**

1. Skyline signs are permitted only for non-residential structures and multi-family dwellings of 80 feet or more in height in all urban, general commercial, research/office, industrial, and institutional districts.
2. The size of the skyline sign is limited to one square foot per linear foot of the facade width where it is mounted or 300 square feet, whichever is less.
3. One skyline sign is permitted per façade.
4. Skyline signs shall be placed within the top 15 feet of the structure and cannot cover any fenestration or architectural features.
5. Skyline signs may project up to 24 inches above the roofline or parapet, but shall be designed as a wall-mounted sign and cannot be primarily supported by structures installed on the roof.
6. If a skyline sign is erected on a building, a roof sign (item E above) is prohibited.
7. Skyline signs may be internally illuminated only.

### SKYLINE SIGN



#### G. Temporary Signs for Planned Development Construction Lots

1. Planned developments under construction are permitted a temporary sign.
2. Either a real estate activity or construction activity sign may also be permitted if a planned development temporary sign is installed.
3. Only one primary sign and two secondary signs are allowed per street frontage of the development.
4. The maximum sign area of a primary sign is limited to 48 square feet for residential districts, and 64 square feet in non-residential districts. The maximum sign area of a secondary sign is limited to 12 square feet.
5. The maximum height of the primary sign is limited to ten feet, and six feet for a secondary sign.
6. Within 30 days after all final certificates of occupancy have been granted, all temporary signs installed per this section shall be removed.

#### H. Wall-Mounted Signs

##### 1. General Regulations

- a. Wall-mounted signs are permitted for all multi-family and non-residential uses in any district.
- b. Wall signs, projecting signs, and awning and canopy signs are considered wall-mounted signs. Other signs of this section that may be mounted on a wall, such as marquee, skyline, and roof signs, are regulated separately and do not count toward the maximum sign area of wall-mounted signs. Painted wall signs (item l) are also not considered wall-mounted signs and are regulated separately and do not count toward the maximum sign area of wall-mounted signs.
- c. In a multi-tenant building, the maximum square footage of all wall-mounted signs is allocated by tenant with leasable building wall square footage along each building facade.
- d. The maximum square footage of all wall-mounted signs is 10% of the tenant's leasable building wall square footage or 300 square feet, whichever is less. This limit applies to each tenant and square footage cannot be transferred from one tenant of a structure to another or from one façade of a structure to another.

**2. Wall Sign**

(Painted wall signs are not regulated by this section and are regulated separately in item I below.)

- a. Wall signs are permitted on each facade of a structure. On a site consisting of multiple structures, each structure is permitted wall signs per the regulations of this Section.
- b. Wall signs may be internally or externally illuminated. If externally illuminated, all light shall be directed onto the sign face.
- c. Wall signs shall be safely and securely attached to the building wall. Wall signs may not project more than 18 inches from a building wall.
- d. No wall sign affixed to a building, including sign support structure, may project beyond the ends or top of the wall or higher than the roofline of the structure to which it is attached.
- e. Parapets added to existing buildings for the purpose of attaching signs shall 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 six feet above the roofline. Additions to a parapet for the purpose of signage cannot be braced back to the roof.
- f. Wall signs cannot cover any window, windowsill, transom sill, or architectural feature, such as cornices, of the structure.

**WALL SIGN**



**3. Awning and Canopy Signs**

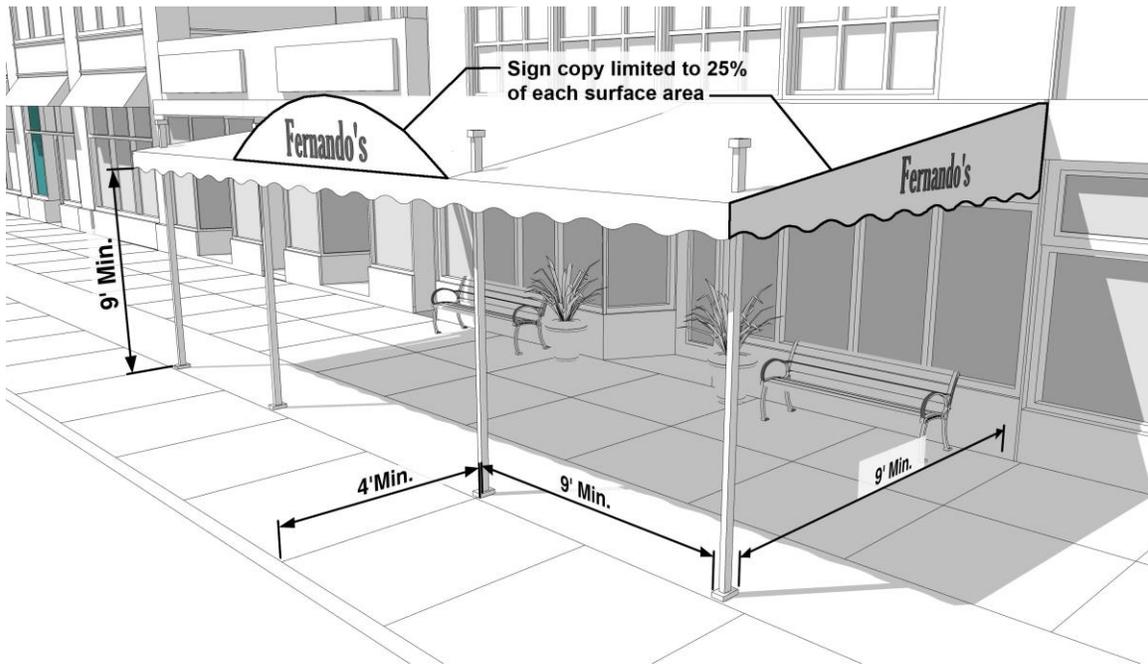
- a. Awning and canopy signs shall be mounted within the first story of the structure.
- b. Awning and canopy signs shall maintain a minimum vertical clearance of nine feet.
- c. One awning or canopy sign is permitted per tenant with a façade abutting a public or private right-of-way.

- d. Awning and canopy signs may encroach over a public or private right-of-way, but no more than four feet from the future back of curb.
- e. All canopy posts shall be located on private property and at a minimum of four feet from the back of curb.
- f. A horizontal clearance of at least nine feet shall be maintained between canopy supports and between canopy supports and any building façade.
- g. Sign copy on any awning or canopy sign surface is limited to 30% of each surface area. A valance is considered a separate surface area.
- h. A structural awning or canopy is permitted a sign face area attached to and located above the top of the canopy to a maximum height of 24 inches. Structural awnings or canopies shall be made of metal or material of similar durability and structural integrity.
- i. Sign copy is counted toward the maximum sign area of all wall-mounted signs plus any additional sign area per item h above.
- j. Awning and canopy signs may be illuminated but lighting shall be installed as external downlighting or back-lighting.

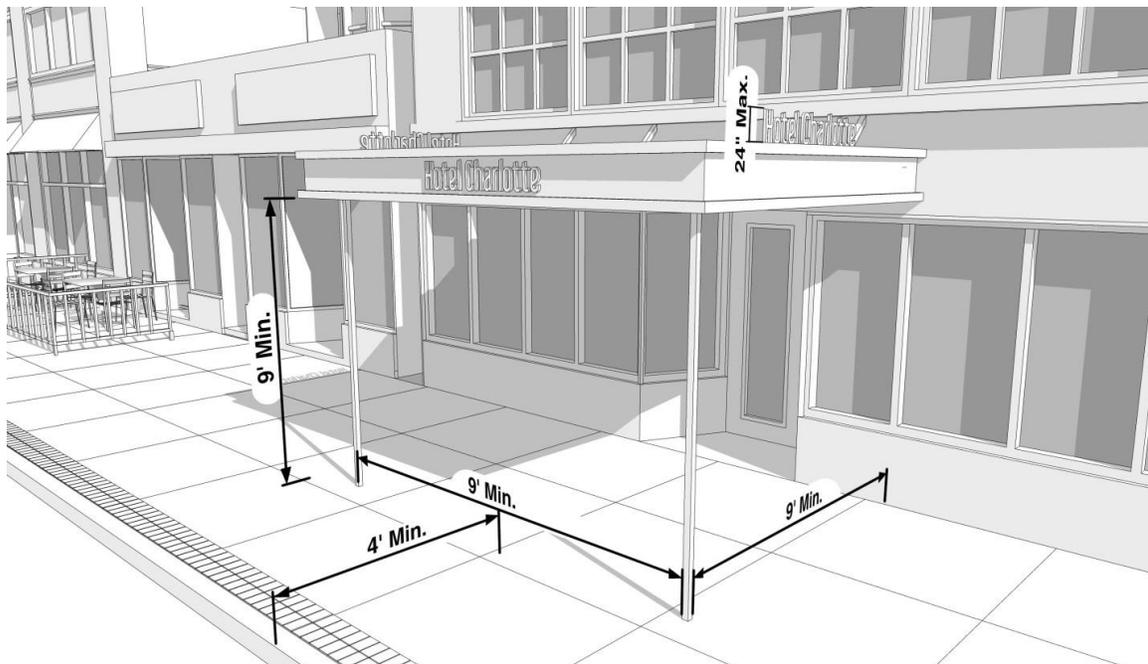
**AWNING SIGN**



NONSTRUCTURAL CANOPY SIGN



STRUCTURAL CANOPY SIGN



**4. Projecting Signs**

- a. Projecting signs shall maintain a minimum vertical clearance of nine feet. No projecting sign affixed to a building may project higher than the building height, including the sign support structure.
- b. Projecting signs may be internally or externally illuminated.
- c. Projecting signs shall be mounted within the first four stories of the structure.
- d. Projecting signs are limited to a maximum sign area of 75 square feet. Sign area is counted toward the maximum sign area of all wall-mounted signs.
- e. One projecting sign is permitted per tenant with frontage on a street. For a corner lot, one projecting sign is permitted for each street frontage.
- f. Projecting signs are limited to a projection of four feet from the building facade or no more than four feet from the future back of curb, whichever is less.

**PROJECTING SIGN**



**I. Wall Sign, Painted**

- 1. Painted wall signs are permitted for all non-residential uses in any district. Painted wall signs are regulated separately and do not count toward the maximum sign area of wall-mounted signs of item H above.
- 2. Painted wall signs are permitted on each facade of a structure. There is no size limit for a painted wall sign.
- 3. Painted wall signs shall not be painted on or obscure architectural features such as windows, doors, pilasters, or cornices.
- 4. Painted wall signs may not project more than 0.25 inches from a building wall.
- 5. No off-premise advertising is permitted as part of a painted wall sign.

6. The property owner, or his/her authorized representative such as the business owner, are responsible for ensuring that a permitted painted wall sign is maintained in good condition and is repaired in the case of vandalism or accidental destruction.

**13.11 Outdoor Advertising Signs**

**A. Purpose**

The purpose of this section is to establish regulations for outdoor advertising signs that contain off-premise advertising to reduce visual clutter, protect the view of the skyline, reduce distractions for motorists, and reduce conflicts with traffic control signs. These regulations are 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.
6. Promote safety of motorists.

**B. Static Outdoor Advertising Signs**

Permits for new static outdoor advertising signs are issued only in accordance with the standards and regulations listed Table 13-3 Static Outdoor Advertising Signs. This excludes electronic changeable face outdoor advertising signs, tri-vision outdoor advertising signs, and other similar technologies.

<b>Table 13-3 Static Outdoor Advertising Signs</b>	
<b>Zoning Districts Permitted</b>	I-1 and I-2 Districts located within 150' of the right-of-way of Class I Roads
<b>Location</b>	Cannot locate within required setbacks and yards
<b>Maximum Sign Face Area</b>	380sf
<b>Maximum Height</b>	The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 50'
<b>Maximum Number of Sign Faces</b>	1 per side of sign
<b>Sign Type/Anchoring</b>	Freestanding of unipole construction only
<b>Message Type</b>	Off-premise advertising
<b>Permit Required</b>	A sign permit application shall be submitted in accordance with Section X.2
<b>Limitations</b>	Moving, rotating, fluttering, blinking, flashing elements prohibited Animation, video, audio, pyrotechnic components prohibited Automatic changeable face outdoor advertising signs prohibited Bluecasting technology prohibited
<b>Message Duration</b>	The message cannot change more than once within a 24-hour time period
<b>Illumination</b>	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 cannot cause glare or impair the vision of motorists, and cannot interfere with any driver's operation of a motor vehicle
<b>Spacing of Sign to Residential Districts</b>	There shall be at least 400' between the outdoor advertising sign and any residential districts The distance shall be the shortest measurable distance between the nearest point of the sign to the edge of residential districts
<b>Spacing to Outdoor Advertising Signs on the Same Side of the Street</b>	There shall be at least 1,000' 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
<b>Spacing to Outdoor Advertising Signs on the Opposite Side of the Street</b>	There shall be at least 500' from any other outdoor advertising sign on the opposite side of the street

<b>Table 13-3 Static Outdoor Advertising Signs</b>	
	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
<b>Spacing to Other Outdoor Advertising Signs on Nearby Streets</b>	In addition, no two outdoor advertising sign structures within 300' of any street right-of-way on the same side of the street may be spaced less than 1,000 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
<b>Spacing to Existing Buildings</b>	There shall be a minimum of 20' 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
<b>Tree-Cutting</b>	Vegetation cutting on City maintained streets for the purpose of clearing views for signs is 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 prohibited
<b>Historic District</b>	No outdoor advertising sign may be located directly across the street from, or within, an historic district

**C. Electronic Changeable Face Outdoor Advertising Signs (Including Conversions)**

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 are issued only in accordance with the standards and regulations listed Table 13-4. Electronic Changeable Face Outdoor Advertising Signs (Including Conversions). These regulations apply to all outdoor advertising signs, including those with North Carolina Permits.

<b>Table 13-4 Electronic Changeable Face Outdoor Advertising Signs (Including Conversions)</b>	
<b>Zoning District Permitted</b>	I-1 and I-2 Districts, located within 150' of the right-of-way of Class I Roads
<b>Location</b>	Cannot locate within the required setbacks and yards
<b>Maximum Sign Face Area</b>	380sf
<b>Maximum Height</b>	The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 50'
<b>Maximum Number of Sign Faces</b>	1 per side of sign
<b>Sign Support</b>	Freestanding of unipole construction only
<b>Permit Required</b>	A sign permit application shall be submitted in accordance with Section X.2
<b>Limitations</b>	Moving, rotating, fluttering, blinking, or flashing elements prohibited No animation, video, audio, pyrotechnic prohibited Bluecasting components prohibited
<b>Message Duration</b>	Advertising messages or information shall remain in a fixed, static position for a minimum of 8 seconds The change sequence shall be accomplished within an interval of 2 seconds or less
<b>Message Type</b>	Off-premise advertising
<b>Illumination</b>	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 does not cause glare or impair the vision of motorists, and does not interfere with any driver's operation of a motor vehicle The sign cannot 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 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
<b>Spacing of Sign to Residential Districts</b>	There shall be a minimum spacing of 400' between the electronic changeable face outdoor advertising sign and residential districts The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of residential district
<b>Spacing to Outdoor Advertising Signs on the Same Side of the Street</b>	There shall be a minimum spacing of 2,000' 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 a minimum of 1,000' between electronic changeable face outdoor advertising signs on the same side of the street and any other static outdoor advertising signs

<b>Table 13-4 Electronic Changeable Face Outdoor Advertising Signs (Including Conversions)</b>	
	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
<b>Spacing to Outdoor Advertising Signs on the Opposite Side of the Street</b>	There shall be a minimum spacing of 1,000' between electronic changeable face outdoor advertising signs on the opposite side of the street There shall also be a minimum of 500' 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
<b>Spacing to Other Outdoor Advertising Signs</b>	No two electronic changeable face outdoor advertising signs within 300' of any street right-of-way on the same side of the street may be spaced less than 2,000' 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' of any street right-of-way on the same side of the street may be spaced less than 1,000' 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
<b>Spacing to Existing Buildings</b>	20' minimum between an electronic changeable face outdoor advertising sign 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
<b>Tree-Cutting</b>	Vegetation cutting on City maintained streets for the purpose of clearing views for signs is 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
<b>Historic District</b>	No outdoor advertising sign may be located within an historic district, or within 400' of an historic district boundary.
<b>System Malfunction</b>	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

**D. Nonconforming Outdoor Advertising Signs**

- Existing outdoor advertising signs that do not meet the standards of Table 13-3 or Table 13-4 but conform to the standards of Table 13-5 may continue and are deemed legally nonconforming.
- Existing outdoor advertising signs that do not meet the standards of Table 13-3, Table 13-4, or Table 13-5 but can be rebuilt or replaced to conform to the standards of Table 13-5 may be rebuilt or replaced so long as the sign height and sign area are not increased.

<b>Table 13-5 Existing Outdoor Advertising Signs</b>	
<b>Zoning District Permitted</b>	I-1 and I-2 Districts on Class I, II, III, IV, V and VI Roads B-2 District on Class I, II, III, IV, V, and VI Roads
<b>Location</b>	Cannot locate within the required setbacks and yards
<b>Maximum Sign Face Area</b>	380sf in I-1 and I-2 Districts 300sf in B-2 District
<b>Maximum Height</b>	Class I Roads in I-1 and I-2 Districts: The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 50' Class II, II, IV, V, and VI Roads in I-1 and I-2 Districts: The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 40' Class I, II, III, IV, V, and VI Road in B-2 District: The height of any portion of the sign structure, excluding cutouts or embellishments, as measured vertically from the adjacent edge of pavement of the main traveled way shall not exceed 30'
<b>Maximum Number of Sign Faces</b>	1 per side of sign
<b>Sign Type</b>	Freestanding of unipole construction only
<b>Permit Required</b>	A sign permit application shall be submitted in accordance with Section X.2

<b>Table 13-5 Existing Outdoor Advertising Signs</b>	
<b>Limitations</b>	Dimming, flashing, fading, or scrolling messages prohibited Moving, rotating, fluttering, blinking, flashing elements prohibited Animation, video, audio, pyrotechnic components prohibited Automatic changeable face outdoor advertising signs prohibited Bluecasting technology prohibited
<b>Message Duration</b>	The message cannot change more than once within a 24-hour period
<b>Illumination</b>	No outdoor advertising sign may remain lighted between the hours of 12:00 a.m. and 5:00 a.m. except those signs located along Class I and II Roads 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 cannot cause glare or impair the vision of motorists, and cannot interfere with any driver's operation of a motor vehicle
<b>Spacing of Sign to Residential Districts</b>	There shall be at least 400' between the outdoor advertising sign and residential districts The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of residential district
<b>Spacing to Outdoor Advertising Signs on the Same Side of the Street</b>	There shall be at least 1,000' 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
<b>Spacing to Outdoor Advertising Signs on the Opposite Side of the Street</b>	There shall be at least 500' 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
<b>Spacing to Other Outdoor Advertising Signs on Nearby Streets</b>	In addition, no two outdoor advertising sign structures within 300' of any street right-of-way on the same side of the street shall be spaced less than 1,000' 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
<b>Spacing to Existing Buildings</b>	There shall be a minimum of 20' 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
<b>Tree-Cutting</b>	Vegetation cutting on City maintained streets for the purpose of clearing views for signs is 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

**13.12 Special Sign Regulations**

**A. Passenger Rail Platform Signs**

In consideration of 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 specific standards have been created for signs on passenger rail platforms.

1. Each passenger rail platform shall have a sign plan approved by the Planning Director or their designee prior to the issuance of a sign permit. Subsequently, each sign structure located on a passenger rail platform requires a sign permit.
2. All sign faces shall be located at least four feet apart, unless a double-sided sign has been approved. A maximum of six sign faces per passenger rail platform is permitted, unless the Planning Director or their designee has allowed for up to eight sign faces as part of a sign plan
3. All signs shall be oriented to make the sign content not readily visible from any public street and does not interfere with any public art work.
4. The maximum sign area for a sign on a passenger rail platform is 30 square feet.

5. The maximum sign height for a sign on a passenger rail platform is 3.5 feet, as measured from platform floor, bottom of the sign or fence post, or ballast, to top of sign.
6. Passenger rail platform signs may be freestanding if anchored to passenger rail platform, or may be attached to a platform wall or fence only if a one-sided sign with the back side of frame black.
7. Passenger rail platform signs cannot be electronic signs.
8. Illumination is prohibited.

#### **B. Planned Development Flexibility Option**

For 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 Planning, Design and Development staff subject to the following:

1. The development is a planned residential, non-residential, 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.
2. A master sign program that includes the following information is submitted:
  - a. Detailed designs of all proposed signs, including the size, height, copy, materials, and colors of such signs.
  - b. Proposed locations and number of proposed signs.
  - c. Sign illumination plan.
  - d. Plans for landscape or architectural features to be used in conjunction with such plans.
3. Planning, Design and Development shall determine that the proposed signs meet the following criteria:
  - a. All signs are coordinated in terms of design features.
  - b. The maximum size of detached signs is not varied by more than 25%.
  - c. The number of ground signs along a street frontage does not exceed three.
  - d. The maximum height of a ground sign does not exceed 12 feet except when located along a Class I, II or III Street, where the height cannot exceed 16 feet.
  - e. Subject to the sign criteria set out below, a regional mall, shopping center, office complex, or a mixed-use development containing over 500,000 square feet of gross building area may have additional ground signs at the pedestrian entrances into the building(s). Such signs are not considered to be ground signs along a street frontage and do not count towards the maximum of three ground signs along a street frontage. Such signs are subject to the following:
    - i. Each sign shall be located a minimum of 400 feet from any public street.
    - ii. Each sign shall be located within the relevant building's curb line.
    - iii. Each sign shall be located within 150 feet of the pedestrian entrance.
    - iv. The maximum height of each sign is 18 feet, and the maximum sign area is 70 square feet per side.

#### **C. Detached Business Identification Signs Impacted by a Government Sponsored Transportation Projects**

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

##### **1. Relocation of a Business Identification Sign Approved on a Conditional Site Plan**

- a. Relocation of a ground 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.
- b. The requested new location is not required to be a location shown on the approved conditional site plan.

## **2. Converting a Ground-Mounted or Monument Business Identification Sign to a Pole Sign**

- a. 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.
- b. Conversion to a pole sign may be requested even if the zoning district or conditional site plan does not allow pole signs.
- c. Conversion to a pole sign will only be considered if the ground sign cannot be relocated to another location that allows visibility to the adjacent travel lane.

## **3. Modification to the Maximum Height of a Business Identification Sign**

- a. 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.
- b. Modification to the maximum allowed height may be requested even if the height is greater than that allowed by a conditional site plan.
- c. 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.
- d. 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 the district.

## **4. Approval and New Sign Permit Required**

- a. An application shall be submitted to Planning, Design and Development requesting the detached business identification sign modification. The Planning Director or their designee has the authority to approve or disapprove the application. Considerations in granting approval include, but are not limited to, the following:
  - i. Need for relocation due to the government sponsored transportation project.
  - ii. Loss of visibility to the adjacent lane of travel.
  - iii. Impact of relocated utility lines.
  - iv. Purpose and intent of sign restrictions on conditional site plan.
  - v. Topographical changes due to the government sponsored transportation project.
  - vi. Unusual or unique circumstances.
  - vii. If the sign is proposed to be moved, has the distance between the existing and proposed location been minimized.
  - viii. If converting to a pole sign, has the requested increase in the sign height been minimized.
  - ix. If increasing the maximum sign height, has the increase in the proposed sign height been minimized.
  - x. Consolidation of multiple individual signs.

- b. All other sign standards of this Chapter and the district in which the sign is located are met.
- c. If the application is approved, a new sign permit is required for each sign.

#### **D. 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 is deemed conforming.

##### **1. Designation Criteria**

The Zoning Administrator or their designee 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 of the following criteria:
  - i. It was expressly designed for the business, institution, or other establishments at that location.
  - ii. It bears a national or local emblem, logo, or other graphic that is unique to the property or the establishment.
  - iii. The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood.
  - iv. The sign is significant as evidence of the history of the product, business, or service advertised.
  - v. The sign is characteristic of a specific historic period.
  - vi. The sign is integral to the building's design or physical fabric.
  - vii. 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. Such signs are allowed structural and electrical repairs, with the approval of a sign permit, to meet the standards of such codes.
- d. If any portion of the sign is permitted to remain in or over a public right-of-way, a CDOT or NCDOT encroachment agreement is required.
- 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 Chapter.

#### **E. 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, the sign is deemed conforming

##### **1. Designation Criteria**

The Zoning Administrator or their designee may designate an existing sign as a historic sign if it meets the following criteria:

- a. The sign shall be at least 25 years old.
- b. The sign shall meet at least three of the following criteria:
  - i. It bears a national or local emblem, logo, or other graphic that is unique to the community.

- ii. The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood.
  - iii. The sign is significant as evidence of the history of the product, business, or service advertised.
  - iv. The sign is characteristic of a specific historic period.
  - v. 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. Such signs are allowed structural and electrical repairs, with the approval of a sign permit, to meet the standards of such 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 shall be located within a non-residential zoning district for commercial signs.

## **3. Nonconforming Aspects of Relocated Signs**

- a. Relocated historic signs that are nonconforming based on their size, height, or lighting do not have to be brought into conformance. However, such signs cannot increase their nonconformance by any physical alterations to the sign.
- b. Sign lighting of relocated historic signs 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.
- c. Projecting signs that extend beyond the maximum projecting dimension based upon the existing dimension of the sign require a CDOT or NCDOT encroachment agreement if they project into the public right-of-way.
- d. The relocation of historic signs that are considered prohibited by this Chapter may maintain the prohibited characteristic, provided such features are considered part of the historic or cultural character of the sign and approved as part of the designation.
- e. Relocated outdoor advertising signs shall comply with only the following sections of Table 13-5: 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 or their designee. The Zoning Administrator or their designee has 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 shall file all necessary information in order for the Zoning Administrator or their designee to determine if the sign meets the criteria for the requested designation. The Zoning Administrator or their designee 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.
2. In approving or disapproving a landmark or historic sign application, the Zoning Administrator or their designee shall state the reasons in writing. An appeal of the decision to the Zoning Board of Adjustment shall be properly filed within 30 days of the date of the decision as shown on the face of the decision.
3. Once a sign has been designated as a landmark or historic sign, the Zoning Administrator or their designee will then issue a certificate to the applicant stating that the sign has been duly designated as a landmark or historic sign.

4. 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 or their designee shall receive a recommendation from the appropriate Charlotte-Mecklenburg Historic Landmark Commission or the Historic District Commission before making a decision.
5. 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.
6. While a designated landmark or historic sign is deemed conforming, this Section is not intended to prevent the Zoning Administrator or their designee from enforcing this Ordinance if he/she, 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.
7. Nothing in this section shall prohibit the owner(s) of a designated landmark or historic sign from removing such a sign.

### 13.13 Prohibited Signs

The following signs are specifically prohibited. Other signs that have not been expressly allowed by these regulations are also prohibited.

- A. Balloon signs, including air-infused/air-inflated signs.
- B. Feather flags. Also known as sails.
- C. Flashing signs, except in the UMUD District, where they are permitted.
- D. Moving signs, except in the UMUD District, where they are permitted. Clocks and barber poles are not considered moving signs and are permitted.
- E. Pennants. Streamers are considered pennants.
- F. Portable signs.
- G. Signs that constitute a traffic hazard, including signs that:
  1. Interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal, or device because of its position, shape, or color, including signs illuminated in red, green, and/or amber color to resemble a traffic signal.
  2. Make use of words, phrases, symbols, or characters in a manner that misleads, interferes with, or confuses traffic.
- H. Signs painted, pasted, stapled, taped, or otherwise affixed to a tree, fence, utility pole, bench, trash receptacle, or similar non-sign structure that direct attention to an off-premise business, product, service, event, or activity. This does not include temporary off-premise signs as permitted by Section 13.4.M.
- I. Vehicle signs. This prohibition does not include signs painted on or applied to vehicles, trucks, or buses that are being operated and stored in the normal course of business, such as signs located on delivery trucks, moving vans, trailers, and rental trucks, provided that they are parked or stored in areas related to their use as business vehicles and that all such vehicles are in operable condition.

### 13.14 Nonconforming Signs

- A.** Legal nonconforming on-premise signs may remain until 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 a 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 alteration of the facade of the principal building, excluding routine maintenance and repair, 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 Planning, Design, and Development.
  5. Any change to the sign that is not one of the following:
    - a. Necessitated by routine maintenance or by repairs.
    - b. Necessitated for compliance with minimum electrical or building codes.
    - c. 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.
- B.** 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 12 consecutive months, then the sign shall lose its nonconformity status and be unlawful.
- C.** Nonconforming outdoor advertising signs are controlled by the provisions of Section 13.11.

### 13.15 Sign Enforcement

**A. Inspections and Investigations**

1. The Zoning Administrator or their designee will periodically inspect signs in order to determine whether there are any violations of this Ordinance.
2. The Zoning Administrator or their designee has 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 may refuse entry or access to the Zoning Administrator or their designee who requests entry for purposes of inspection, and who presents appropriate credentials, nor may any person obstruct, hamper, or interfere with any such representative while in the process of carrying out his official duties.
3. The Zoning Administrator or their designee may require written statements, or the filing of reports with respect to pertinent questions relating to signs.

**B. Citations**

If, through inspection, it is determined that a person has failed to comply with the provisions of these regulations, the Zoning Administrator or their designee will 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.

**C. 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 this Ordinance.