

**ZONING ORDINANCE  
TEXT AMENDMENT APPLICATION**

*Revised 6/12/2000*

Petition #:	<u>2000-99</u>
Date Filed:	<u>4-24-00</u>
Received By:	<u><i>MS</i></u>
<i>Office Use Only</i>	

**CITY OF CHARLOTTE**

*Amended 6-12-00*

Section #: Sections 13.109(4) and 13.109(5) District regulations for permanent on-premise signs  
(Title)

**Purpose of Change:**

To clarify the intent of the Zoning Ordinance regarding flags and to specifically permit the display of flags to adorn the entrance to business or office parks.

**By Adding:**

Section 13.109(4)(f) - Flags or emblems of any nation, organization of nations, state, city or any fraternal, religious or civil organization on permanent poles are exempt from permit requirements and are allowed in business districts when used to adorn the entrance to business or office parks, that have a continuous minimum frontage dimension of 1000' linear feet.

**And Adding:**

Section 13.109(5)(c) - Flags or emblems of any nation, organization of nations, state, city or any fraternal, religious or civil organization on permanent poles are exempt from permit requirements and are allowed in industrial districts when used to adorn the entrance to business or office parks, that have a continuous minimum frontage dimension of 1000' linear feet.

Peter Tatge, Asst. Director Eng. & Bldg. Stds.  
Name of Agent

700 North Tryon St., Charlotte, NC 28202  
Agent's Address (City, State, Zip)

(704) 336-3098      336-7333  
Telephone Number      Fax Number

*P. Tatge*  
Signature of Agent

Peter Tatge, Asst. Director Eng. & Bldg. Stds.  
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Signature

Rehearing 11-20-00

**ZONING ORDINANCE  
TEXT AMENDMENT APPLICATION**

**CITY OF CHARLOTTE**

*amended 10-18-00*

Petition #:	<u>5000-99</u>
Date Filed:	<u>4-24-00</u>
Received By:	<u>[Signature]</u>
<i>Office Use Only</i>	

Section #: Sections 13.106 Signs not requiring a permit  
(Title)

**Purpose of Change:**

To clarify the intent of the Zoning Ordinance regarding the display of flags on permanent poles.

**By Adding:** Section 13.106 (7) Flags on Permanent Poles.

Flags or emblems of any nation, organization of nations, state, city or any fraternal, religious or civil organization are exempt from permit requirements and are allowed in nonresidential zoning districts when used to adorn an entrance feature and displayed in accordance with the following standards.

- (a) The term flag in this subsection shall mean a piece of fabric or other flexible material solely containing distinctive colors, patterns, standards, words, or emblems used as a symbol of an organization or entity, including but not limited to political jurisdictions, such as the United States. References to flagpole height in this subsection refer to vertical flagpoles. References to the number of flags, flag poles and flag dimensions refer to both vertical flagpoles and mast arm flagpoles (for example, staffs extending at an angle from a building).
- (b) Except as otherwise provided herein, or as allowed in Chapter 13 of the Zoning Ordinance, flags shall be displayed on permanent poles. Such poles in nonresidential zoning districts shall not exceed the allowed height of the zoning district or 70 feet whichever is less. Flagpoles in residential districts shall not exceed 25 feet.
- (c) The maximum dimensions of any flag shall be proportioned to the flag pole height. The hoist side of the flag shall not exceed 20% of the vertical height of the pole. In addition, flags are subject to the following dimensional limitations:

<u>Pole Height (ft)</u>	<u>Maximum Flag Size (total square ft)</u>
Up to 25 ft.	24 sq. ft.
25 to 39 ft.	40 sq. ft.
40 to 49 ft.	60 sq. ft.
50 to 59 ft.	96 sq. ft.
60 to 69 ft.	150 sq. ft.
70 ft.max.	216 sq. ft.

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- (d) A maximum of 2 flags shall be allowed per flagpole.
- (e) Flags displaying a logo, message, statement, or expression relating to commercial interests and banners not meeting the definition for a flag contained in paragraph 1 of this subsection must also conform with all sign regulations under Chapter 13 of the Zoning Ordinance.
- (f) Flag and flagpoles shall be maintained in good repair. Flag poles with broken halyards shall not be used and flags, which are torn or frayed, shall not be displayed.
- (g) Flagpoles shall be permanently mounted to the ground with necessary structural support features or below grade footings, installed in accordance with all required state, and local regulations or applicable codes.
- (h) There shall be no maximum flag size on North Carolina and United States holidays.

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Signature

# ZONING ORDINANCE TEXT AMENDMENT APPLICATION

## CITY OF CHARLOTTE

Petition #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Received By: \_\_\_\_\_

*Office Use Only*

Section #: Sections 13.109(4) and 13.109(5) District regulations for permanent on-premise signs  
(Title)

### Purpose of Change:

To clarify the intent of the Zoning Ordinance regarding flags and to specifically permit the display of flags to adorn the entrance to business or office parks.

### By Adding:

Section 13.109(4)(f) - Flags on permanent poles are exempt from permit requirements and are allowed in business districts when used to adorn the entrance to business or office parks.

### And Adding:

Section 13.109(5)(c) - Flags on permanent poles are exempt from permit requirements and are allowed in industrial districts when used to adorn the entrance to business or office parks.

- o Need to Define flag for the purpose of this section.
- o 1,000 linear feet min.

Bobbie Shields, Dir. Eng. & Bldg. Stds.  
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Bobbie Shields  
Signature



**MECKLENBURG COUNTY**  
Engineering & Building Standards Department

**TO:** Martin Cramton, Director, Charlotte-Mecklenburg Planning Commission  
**FROM:** Bobbie Shields, Director, Engineering & Building Standards *B. Shields*  
**DATE:** April 7, 2000  
**SUBJECT:** Proposed Text Amendment for Sign Zoning Ordinance

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Section 13.102 of the City of Charlotte Zoning Ordinance gives the following definition for a sign:

*"Any object, device, or structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illuminations, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, city, or any fraternal, religious or civic organizations; works of art which in no way identify a product; or scoreboards located on athletic fields."*

The Zoning Administrator has consistently interpreted the flag or emblem exclusion to mean that one flag or emblem for each of the listed entities may be displayed on a site. Furthermore, the Zoning Administrator has consistently held that more than one flag or emblem for any of the listed entities may not be used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location. As you are aware, zoning inspectors have been aggressive in enforcing the zoning ordinance including regulations of flags and banners used to attract attention to businesses.

In one recent situation, an automobile dealer raised an issue about the violation notice he received for flying multiple American flags in front of his business. He complied with the ordinance but pointed out other apparent sign ordinance violations, including the flags placed at the entrance to the Arrowpoint Business Park. That particular entrance design has been in place for more than ten years and I do not believe the intent of the sign provision is to prevent the use of flags, attached to permanent poles, as a site entrance feature for business parks and other similar uses. Therefore, attached is a zoning ordinance text amendment application designed to help clarify the intent of the ordinance and to specifically permit the display of flags to adorn the entrance to business or office parks.

Please advise regarding your staff's reaction to the proposed text amendment and the process to affect the change. If the change is feasible, then it should apply to the City and County Zoning Ordinances.

cc: Wanda Towler, Assistant County Manager  
Robert Brandon, Zoning Administrator  
Keith McVane, Planning Commission

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