

<b>REQUEST</b>	Text amendment to Sections 2.201, 9.101, 9.404, 9.803, 9.8503, 9.8507, 9.903, 9.906, 9.907, 9.1103, 9.1206, 9.1208, 10.812, 11.403, 12.202, and 12.544 of the Zoning Ordinance
<b>SUMMARY OF PETITION</b>	The petition proposes to: 1) add a definition for electronic game operations; and 2) allow electronic game operations as a permitted use with prescribed conditions in the UR-C, B-1, B-2, NS, MUDD, UMUD, CC, TOD-E, TOD-M and I-1 zoning districts.
<b>PETITIONER AGENT/REPRESENTATIVE</b>	Charlotte-Mecklenburg Planning Department Charlotte-Mecklenburg Planning Department
<b>COMMUNITY MEETING</b>	Meeting is not required.

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted unanimously to <b>DEFER</b> this petition indefinitely.
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<b>VOTE</b>	Motion/Second: Labovitz/Allen
	Yeas: Allen, Eschert, Johnson, Labovitz, Lathrop, and Phipps
	Nays: None
	Absent: Griffith
	Recused: None

<b>ZONING COMMITTEE DISCUSSION</b>	Staff stated that future changes to this text amendment will necessitate a new public hearing in the future. Until that time, staff is recommending a deferral.  There was no further discussion.
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**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Background**
  - To date, electronic game operations have been permitted with no prescribed conditions in the B-2, I-1, and I-2 zoning districts.
  - City Council directed staff to proceed with a public process to create a text amendment for internet sweepstakes / internet cafés on June 20, 2011.
  - A citizen advisory group convened on October 11, 2011 and met four times. Participants included electronic game operations business owners, managers, and neighborhood representatives.
  - This text amendment is a staff recommendation with input from a citizen advisory group.
- **Proposed Request Details**
  - The text amendment contains the following provisions:
    - Adds a new definition for electronic game operations.
    - Allows electronic game operations as a use with prescribed conditions in the UR-C, B-1, B-2, NS, MUDD, UMUD, CC, TOD-E, TOD-M, and I-1 zoning districts.
    - Allows electronic game operations only as a principal use. They are not allowed as an accessory use to any other use including a convenience store, restaurant, nightclub, bar, or lounge.
    - Establishes the following prescribed conditions for electronic game operations:
      - Requires a zoning permit.
      - Requires a separation distance of 400 feet from any other electronic game operation use. If alcoholic beverages are provided or allowed, the establishment shall meet the separation distance requirements for nightclubs, based upon the zoning district in which the use is located. This can range from 100 feet to 400 feet.
      - Limits electronic game operations to one use per structure, shopping center, or commercial/retail strip center.

- Limits the size of the use to a maximum of 3,500 square feet.
  - References the buffer, landscape and sign provisions of Chapter 12 and 13.
  - Adds vehicular parking requirements as follows:
    - Minimum parking requirements of Chapter 12 apply unless located in the UR-C, MUDD, UMUD, PED, and TOD zoning districts.
    - In the UR-C, MUDD, UMUD, and PED zoning districts:
      - Minimum of one vehicular parking space per 250 square feet.
    - In the TOD-E and TOD-M zoning districts:
      - Maximum of 20 spaces; minimum of one vehicular parking space per 250 square feet.
    - Disallows parking maximums from being exceeded in the TOD zoning district.
    - Disallows a parking exemption from the minimum parking standards in the MUDD zoning district when the use locates in the existing floor area of a renovated or rehabilitated building.
  - Adds bicycle parking requirements as follows:
    - Minimum of two long-term bicycle parking spaces; and
    - Minimum of five percent of the vehicular parking spaces for short-term bicycle parking spaces.
  - All local, state, and federal laws shall be met.
- **Public Plans and Policies**
    - The petition is consistent with adopted policy.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** No comments received.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
  - **Urban Forestry:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:**
    - There is no site plan associated with this text amendment.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** Sandra Montgomery (704) 336-5722