




# Charlotte Department of Transportation Memorandum

**Date:** August 11, 2014

**To:** Tammie Keplinger  
Charlotte-Mecklenburg Planning Department

**From:** Michael A. Davis, PE   
Development Services Division

**Subject:** Rezoning Petition 14-073: Text Amendment – To allow patio to be constructed in front setback of a business district for the purpose of temporary dining

CDOT has completed a review of the subject petition. Based on our review of the petition, we offer the following comments.

We have the following comments for the subject text amendment:

1. The USDG-based street types might be a better way to relate outdoor dining to context. We understand that the thoroughfare-based classification system is more prevalent in the zoning ordinance and therefore might be a better option in the short-term. Looking ahead, the table below represents a recommended approach if a USDG-based system could be applied.

**Table 1**

<b>Street Type</b> (as defined by the Charlotte Urban Street Design Guidelines)	Maximum Encroachment Percentage Allowed into the Required Setback Depth along Street Frontage
Main Street	100%
Avenue	100%
Boulevard	75%
Parkway	50%
Local Residential Street	100%
Local Office/Commercial Street	100%
Local Industrial Street	100%

2. Please provide us where Type 1 and Type 2 “Eating, Drinking and Entertainment Establishments” are defined in the existing ordinance in order for CDOT to better understand the distinction in allowances for the outdoor dining associated with Type 1 and Type 2 uses.