



CHARLOTTE™

Restaurants, Bars and Nightclubs

CITIZENS ADVISORY GROUP MEETING

September 22, 2011



- Welcome and Introductions
- Recap from August 25, 2011 Meeting
- Categorized Issues
- Staff Presentation
- Break
- Group Discussions
- Comments
- Wrap-up/Next Steps



INTRODUCTIONS

- Name
- Organization or interest you represent



HIGHLIGHTS OF AUGUST 25, 2011 MEETING

- Project Background
- Meeting Purpose
- Citizen Advisory Group and Staff Roles
- Overview of Current Regulations
- Issues Identified by Groups





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RESTAURANTS AND NIGHTCLUBS DIFFERENT GROUPS LISTED ISSUES

- PINK GROUP
- BLUE GROUP
- YELLOW GROUP
(Refer to handout)





RESTAURANTS AND NIGHTCLUBS SIMILARITIES & DIFFERENCES

SIMILARITIES

- May serve beverages including alcohol
- May serve meal
- May provide music
- Social gathering location
- May provide various forms of entertainment

DIFFERENCES

- Restaurants allow all ages
- Nightclubs usually have a cover charge
- Later hours of operation are associated with nightclubs
- Restaurants have higher food sales



SECONDARY IMPACTS

Restaurants

Positive Impacts

- Can walk to establishments
- Generates commerce



Negative Impacts

- Noise
- Traffic



Nightclubs/Bars

Positive Impacts

- Generates commerce
- Provides entertainment

Negative Impacts

- Noise/Loud Talking
- Nuisance/Trash
- Traffic/Light Pollution
- Crime

RESTAURANTS

- Definition not clear
- Should allow some form of entertainment

NIGHTCLUBS

- Definition too broad
- Separation Requirements
- Secondary Impacts



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Survey of Other Jurisdictions



Definitions	Separation Distance?	Prescribed Conditions?
<p><u>Nightclub/bar</u></p> <ul style="list-style-type: none"> • Not defined <p><u>After-hours establishment</u></p> <ul style="list-style-type: none"> • Open any time between 3 am to 6 am. • Entertainment: live or recorded music 	<p>Yes</p> <ul style="list-style-type: none"> • 500' from residential property line if after-hours establishment 	<p>Yes</p> <ul style="list-style-type: none"> • 2,500 sq. ft. or less
<p><u>Restaurant</u></p> <ul style="list-style-type: none"> • Food sold • Menu • Employee serves customers • Customer turn-over 30+ minutes 	<p>No</p>	<p>Yes</p> <ul style="list-style-type: none"> • 5,000 sq. ft or less

Definitions	Separation Distance?	Prescribed Conditions?
<p><u>Nightclub, bar</u></p> <ul style="list-style-type: none"> • Not defined 	<p>Yes</p> <ul style="list-style-type: none"> • 500' from property line to single family districts 	<p>No</p>
<p><u>Restaurant with alcohol/ brew pub</u></p> <ul style="list-style-type: none"> • Not defined 	<p>Yes</p> <ul style="list-style-type: none"> • 300' from single family dwelling if restaurant with alcohol/ brew pub (measured along public street) 	<p>No</p>
<p><u>Restaurant</u></p> <ul style="list-style-type: none"> • Food • No alcohol 	<p>Yes</p> <ul style="list-style-type: none"> • 150' from property line of single family district 	<p>No</p>



Definitions	Separation Distance?	Prescribed Conditions?
<p><u>Cocktail lounge, bar, tavern</u></p> <ul style="list-style-type: none">• Alcohol sales	<p>Yes</p> <ul style="list-style-type: none">• Parking area 200' from property used/zoned residential unless a shopping center or a variance is granted.	<p>Yes</p> <ul style="list-style-type: none">• Live entertainment: 70 decibels at property line• Permits that may be needed (late-hour, music, etc.)
<p><u>Restaurant – General</u></p> <ul style="list-style-type: none">• Food• Beverages• Alcohol	<p>No</p>	<p>Yes</p> <ul style="list-style-type: none">• Same as above, plus• Minimum 51% income from food• Adequate kitchen facilities• Variety of entrees on menu



Phoenix, Arizona

Definitions	Separation Distance?	Prescribed Conditions?
<p><u>Bar</u></p> <ul style="list-style-type: none"> • Alcohol sales • Food optional • Usually counter and stools <p><u>Cocktail lounge</u></p> <ul style="list-style-type: none"> • Alcohol sales – primary • Lounge area • Food optional 	<p>Yes</p> <ul style="list-style-type: none"> • Can not adjoin a single family district unless across arterial or freeway • 300' to residential if music/entertainment provided • 300' to residential district if 5,000 square feet or larger 	<p>Yes</p> <ul style="list-style-type: none"> • Entrance can not face residential zoning districts. • Music/entertainment limited to recorded music or one entertainer or use permit required • Permits required to address noise, screening of headlights, parking access, access to adjoining neighborhoods, etc. for: <ul style="list-style-type: none"> • Live music or live entertainment • Dancing • Outdoor activities
<p><u>Restaurant</u></p> <ul style="list-style-type: none"> • Meals served 	<p>Yes</p> <ul style="list-style-type: none"> • 100' to residential district • 300' to residential if music, dancing or entertainment provided 	<p>Yes, same as above</p>

Indianapolis, Indiana

Definitions	Separation Distance?	Prescribed Conditions?
<p><u>Nightclub</u></p> <ul style="list-style-type: none"> • Entertainment <ul style="list-style-type: none"> • Music for dancing • Live or recorded performance • Alcohol optional • If under 21, not a nightclub <p><u>Tavern</u></p> <ul style="list-style-type: none"> • Alcohol sales • Age restricted 	<p>Yes</p> <ul style="list-style-type: none"> • 100' to the following districts: <ul style="list-style-type: none"> • Residential • Hospital • Parks • University • Church • School • 500' to amusement/ recreational establishment catering to clientele under 21 years of age 	<p>No</p>
<p><u>Restaurant</u></p> <ul style="list-style-type: none"> • Food and drink served • May have lounge area for alcohol w/out food service if accessory 	<p>Yes</p> <ul style="list-style-type: none"> • 100' to the following districts: <ul style="list-style-type: none"> • Residential • Hospital • Parks • University • Church • School 	<p>No</p>



Seattle, Washington

Definitions	Separation Distance?	Prescribed Conditions?
<p><u>Drinking establishment</u></p> <ul style="list-style-type: none">• Alcohol sales• Age restricted• Food limited, optional, accessory	<p>No</p>	<p>Yes</p> <ul style="list-style-type: none">• Structure size/design, signs, illumination -compatible with area• Parking design, location, access compatible with residential zones• Doors/windows placed to decrease noise• Noise standards• Must not create traffic congestion or spillover parking on residential streets
<p><u>Restaurant</u></p> <ul style="list-style-type: none">• Food and/or drinks served• Alcohol sales is accessory	<p>No</p>	<p>No</p>



Definitions	Separation Distance?	Prescribed Conditions?
<p><u>Nightclubs</u></p> <ul style="list-style-type: none">• 1 floor, under 1 roof• Entertainment, music• Meals, refreshments• 40+ seats at tables• 2,200+ square feet• 308+ sq. ft. dance floor	<p>Yes</p> <ul style="list-style-type: none">• 500' to single family or estate district	<p>No</p>
<p><u>Cabaret</u></p> <ul style="list-style-type: none">• Other than a nightclub• Located in hotel/motel with more than 50 rooms• Alcohol served• Music, entertainment for guests of hotel/motel only	<p>No</p>	<p>No</p>
<p><u>Dance hall</u></p> <ul style="list-style-type: none">• AC• No alcohol	<p>Yes</p> <ul style="list-style-type: none">• 500' to single family or estate district	<p>No</p>
<p><u>Restaurant</u></p> <ul style="list-style-type: none">• Food served	<p>No</p>	<p>No</p>

Definitions	Separation Distance?	Prescribed Conditions?
<u>Bar</u> <ul style="list-style-type: none"> Alcohol sales 	No	No
<u>Nighttime Entertainment</u> <ul style="list-style-type: none"> Alcohol served Evening oriented entertainment Excludes theater performances w/out alcohol, and arts activities/space 	Yes <ul style="list-style-type: none"> No doors/windows within 50' of residential district. 	Yes <ul style="list-style-type: none"> Buildings soundproofed Permits required: <ul style="list-style-type: none"> Dance hall Entertainment
<u>Dance hall</u> <ul style="list-style-type: none"> AC No alcohol 	Yes, same as above	Yes, same as above
<u>Restaurant</u> <ul style="list-style-type: none"> Food served Beer/wine optional If alcohol sales, then considered a Bar. 	No	No

Definitions	Separation Distance?	Prescribed Conditions?
<p><u>Eating or drinking establishment with entertainment</u></p> <ul style="list-style-type: none"> • Categories by: <ul style="list-style-type: none"> • Less than 200 people • More than 200 people • Dancing, any capacity • Music, no cover charge, no show time • Music, no dancing, less than 200 people • Music, no dancing, more than 200 people 	No	No

Definitions	Separation Distance?	Prescribed Conditions?
<p><u>Bars, lounges, brew pub</u></p> <ul style="list-style-type: none"> • Alcohol served • Food available as accessory <p><u>Tavern</u></p> <ul style="list-style-type: none"> • Predominantly adult clientele • Alcohol served – primary • Food optional <p><u>Nightclub</u></p> <ul style="list-style-type: none"> • Predominantly adult clientele • Alcohol served – primary • Food optional • Dancing or live performances 	<p>No</p>	<p>Yes, special permit if open between midnight and 5:00 am</p> <ul style="list-style-type: none"> • Traffic directed away from residential districts after midnight • Sound amplification prohibited after midnight • Exterior doors remain closed except for ingress/egress after midnight.
<p><u>Restaurant</u></p> <ul style="list-style-type: none"> • Food and non-alcoholic drinks • Full-service kitchen • Seating optional 		<p>Same as above</p>
<p><u>Restaurant serving alcohol</u></p> <ul style="list-style-type: none"> • Food and alcohol served • Full-service kitchen • Bar area optional 		<p>Same as above</p>

Cities with No Separation Distances, No Conditions

- New York City, New York
- Chicago, Illinois
- Philadelphia, Pennsylvania
- Washington, D.C.
- Boston, Massachusetts
- Fort Worth, Texas

City Survey Results – Nightclubs & Bars

- Separation Distances range from 50' to 500'
- Size limitations up to 2,500 sq. ft.
- Cannot adjoin a single family district unless on arterial/freeway
- Additional permits for dancing, entertainment, late-hours

- **Soundproofing of buildings**
- **Entrances do not face residential parcels**
- **Doors/windows placed to decrease noise**
- **Exterior doors remain closed after midnight except in/out**

City Survey Results – Nightclubs & Bars

- 70 decibels at property line
- Sound amplification prohibited after midnight
- Structure, signs, lighting, parking design, parking access and parking location compatible with area
- Shall not create traffic congestion or spillover parking in residential neighborhoods
- Traffic directed away from residential districts after midnight

- If open past 3:00 am, separation distances 300'
- Limitations on square footage – 2,500
- Additional permits may be required
- 70 decibels
- 51% or more sales from food
- Adequate kitchen facilities
- Variety of entrees on menu
- Entrances do not face residential parcels



- **Definition**

- Consider approach that has multi-definitions of restaurant use based on hours of operation
- Include category of restaurants that provides for social entertainment

- **Entertainment**

- Allow various forms of entertainment to be associated with restaurant use based on hours of operation

- Definition
 - Rewrite definition to clarify use
- Separation Requirement
 - Consider separation under prescribed conditions
- Secondary Impacts
 - Address Noise, Traffic, Crime and Lighting Impacts



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GROUP EXERCISES



CONSIDERATIONS

RESTAURANT

1. Definition
2. Category
3. Size
4. Separation
5. Entertainment
(what kind)

NIGHTCLUB

1. Definition
2. Category
3. Size
4. Separation
5. Entertainment
(what kind)



Wrap-up and Next Steps

➤ October 20, 2011

- Review text amendment draft





Please visit our website at

charlotteplanning.org

- Agendas
- Updates
- PowerPoint Presentations