

**MINUTES**  
**Nightclub, Bars, and Restaurant Citizens Advisory Group Meeting**  
**2-19-13**

**Citizens In Attendance:**

Aycock, Bobby	Del Mastro, Jeffrey	Kretschmer II, Frank	Presley, Alan
Barker, Pat	Dowling, Bryan	London, Mary	Pressley, Cassie
Beard, Natalie K	Fergusson, Russell	Lynn, Suzanne	Pressley, Deanna
Belk, Nita	Flynn, Carlos	Marcuse, Kevin	Pressley, Kelle
Billings, Angela	Flynn, Mario	Marrino, John	Rankin, DJ
Billings, Debra	Gibson, Tina	Maupin, Chad	Rice, Brett
Blue, Thomas	Graham, Courtney	Melton, Alex	Sellers, Jim
Brewer, Valerie	Grimes, Andy	Meyer, John	Settle, Chris
Buckley, Michelle	Gude, Megan Liddle	Miller, William	Sizemore, Melanie
Corzine, Karen	Henson, Andrew	Myers, Cheryl	Smith, Brad
Corzine, Kevin	Horne, Joseph	Neeson, Chris	Stewart, Sheridan
Cox, Bill	Ingram, Chris	Nixon, Rob	Stewart, Walter
Cullis, Roger	Jackson, John	Nolan, Bill	Tatou, Pierre
Cunningham, Cassie	Jenatian, M	Padilla, Joe	Thompson, Douglass
Cunningham, Louis	Johnson, Charlie	Pera, Matthew	Torrence, Jumaane
Darrough, Jeff	Johnson, Debby	Perez, Thom	Trumble, Tim
Davey, Michael	Knaak, Kurt	Pitkin, Ryan	

**Others In Attendance:**

Yolanda Johnson, Chairperson, Planning Commission	Deborah Ryan, Planning Commission	Andy Zoutewelle, Planning Commission
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**Staff In Attendance:**

Debra Campbell, Planning Department	Katrina Young, Planning Department	Sandra Montgomery, Planning Department
Sonda Kennedy, Planning Department	Barry Mosley, Planning Department	Karen Robinson, Planning Department
Pontip Aphayarath, Planning Department	Marci Sigmon, Planning Department	

**I. *Welcome and Introductions***

The meeting began at 6:41 p.m. Debra Campbell, Planning Director, welcomed everyone to the meeting, and introduced herself. Although it was suggested at the last meeting to skip the introduction part of the agenda, Ms. Campbell indicated that she preferred to continue with introductions, so everyone would know who was in attendance.

Ms. Campbell asked everyone to introduce themselves, and to identify what industry or organization they represented.

**II. *Recap from Last Meeting***

Ms. Campbell reviewed the agenda and stated that this citizen advisory group (CAG) process will look at regulations related to nightclubs, bars and restaurants. First on the agenda is a recap of the last meeting. She will review the project purpose and goals, summarize the issues and concerns raised at the last meeting, and provide follow-up on information requested at the January 24<sup>th</sup> meeting. This includes research information from other communities on their definitions and regulations for nightclubs, bars, lounges, and restaurants, which will provide a context for discussing our issues and concerns in Charlotte.

Ms. Campbell stated that the second part of the meeting will provide an opportunity for small group discussion where each group will develop their own consensus on the major issues or concerns, and address what should be done to address these issues and concerns. Minority group opinions will also be recorded and reported, if a consensus is not reached.

Ms. Campbell noted that we are here tonight because it has become increasingly difficult to determine the differences between restaurants, nightclubs and bars. Our goal is to 1) adequately define and describe the uses, 2) develop standards to minimize adverse impacts to nearby residential areas, and 3) provide more flexibility to businesses. Flexibility is important because currently the Zoning Ordinance definitions are cloudy, and don't represent how these uses are currently being operated. This is why we are here. When an enforcement inspector goes to a site, they enforce in a way that doesn't reflect our community goals, but reflects how these uses are currently defined in the Zoning Ordinance.

She reviewed the current definitions for nightclubs and restaurants, noting that "entertainment" is included in the definition for "nightclub", but not in the definition of "restaurant". The definitions are:

- Nightclub: Any commercial establishment serving alcoholic beverages and providing entertainment for patrons including bars, lounges and cabaret.
- Restaurant: An establishment designed, in whole or in part, to accommodate the consumption of food and/or beverages.

Ms. Campbell reviewed a summary of the issues and concerns raised at the January 24, 2013 meeting, which included some of the following. She hopes that the tone of the meeting was captured:

- City trying to restrict business opportunities and doesn't understand economic impact of these uses
- Enforcement is major issue
- Definition of entertainment needed
- Separation requirement is major issue
- Uses that come after existing businesses create issues
- Noise ordinance should have addressed most issues
- Define the problem
- The term nightclub is antiquated
- Need way to expand operating hours
- Trying to find "one size" fits all solution may not be possible
- Some uses are not good neighbors to adjacent homes create noise and disturb neighbors
- Definitions are bad - shouldn't be used to start the process
- Relocate residents or soundproof homes
- Meeting notices weren't sent out in a timely manner
- Meeting notices were sent out at different times to some groups
- Didn't get agenda for meeting in a timely manner
- Need to listen to CAG and reflect issues and recommendations that are identified through this process
- No more introductions at meetings - it takes too long with large group
- Need detailed history of current definitions in the ordinance
- Bar owners were told their opinions and recommendations didn't matter because they were biased
- Send out minutes ahead of time to give members time to review
- Need to research enforcement and ZBA cases
- Reach out to neighborhood reps to try to get more participation
- Need to share research that has been done by staff to see other community regulations
- Consider overlay district or different zoning such as entertainment districts
- Develop web site to share information before meetings and for those that don't attend meetings to have input

Ms. Campbell began by summarizing what has been accomplished since the last meeting. At the January meeting, there were requests from CAG members to invite/recruit more neighborhood representatives. Staff

re-sent over 1,000 notices requesting neighborhood representatives to participate in the CAG process. Several new neighborhood representatives were responsive and are present tonight. There were also requests at the last meeting to provide information on enforcement history and actions and on research information compiled from other jurisdictions.

Ms. Campbell reviewed the enforcement history and action requested at the last meeting. The current 400' separation distance for nightclubs, bars and lounges from a residential use or district has been in the Zoning Ordinance since at least 1980. Prior to the adoption of this standard, nightclubs, bars and lounges had no separation requirements from residential districts or uses.

Ms. Campbell stated that the definition for "restaurant with drive-through" was first introduced in the 1973 Zoning Ordinance. The current definitions for "nightclubs" and "restaurants" were included in the rewritten 1992 Zoning Ordinance. The first interpretation of an establishment with "entertainment" was appealed to the Zoning Board of Adjustment in 1997.

To summarize the chronology of events, requested by a CAG member at the first meeting, Ms. Campbell noted that the separation distance was introduced in the Zoning Ordinance in 1980, before the definitions for "restaurants" and "nightclubs" were added to the Ordinance in 1992. The first appeal of an interpretation of an establishment with "entertainment" was made to the Zoning Board of Adjustment in 1997.

Ms. Campbell then addressed the volume of violations. The Zoning Inspections staff only investigates complaints. They do not drive around actively seeking violations. Between 2010 to 2011, there were 29 Notices of Violations issued. Some of the establishments had repeat violations. The majority of the citations were for nightclub separation requirements. Ms. Campbell noted that there is no data for 2012, because enforcement action was stopped by Neighborhood & Business Services in 2012 due to the nightclub, bar, lounge and restaurant CAG process, which was underway.

Citizen: How many of the 29 violations were repeat offenders, or is there a list of the violations?

Mark Fowler, Neighborhood & Business Services, stated that of the 29, a few were repeat offenders. Most of the violations during this period resulted in the businesses being brought into compliance, or to bring the property into compliance, an appeal or variance was filed with the Zoning Board of Adjustment.

Citizen: How many restaurant and nightclub establishments are there in Mecklenburg County?  
The number of violations seems like an awfully low percentage of the total number of establishments.

Ms. Campbell stated that we don't have the number of establishments off -hand, but the percentage is low, which is a good thing.

Citizen: Of the 29 then, those are separate locations, not the same location?

Ms. Campbell said for the most part they were separate, but some were repeat offenders. The majority of them were not the same location.

Citizen: Can you map those 29 violations geographically? If there are approximately 800 establishments (number provided by a CAG member), and there are 29 violations, are the violations concentrated in a geographic area or spread out? Of the 29, were they concentrated along a certain business corridor? Are even half on one street?

Ms. Campbell stated that the 800 estimate was provided by a CAG member, and is not a staff generated number. She asked Mark Fowler to address the question. Mr. Fowler responded that the violations were dispersed throughout Charlotte and typically along business corridors that had residential areas backing up to the business location. Mr. Fowler also clarified that the repeat violations were, for example, a certain

establishment went out of business, and a new business opened up in the same location, and had the same violation, which was eventually resolved. This was common. It was a location, not a particular business that was the reason for the repeat violations. Ms. Campbell added that we are talking about the violations for nightclubs, not restaurants. There are no separation distances for restaurants.

Citizen: I want to thank Ms. Campbell for initiating the last meeting. For those who were not here at the last meeting, Ms. Campbell told everyone that the regulations are not working for Charlotte, and that there were some violations where businesses were cited. She acknowledged that the Zoning Ordinance language relating to nightclubs, bars, lounges and restaurants is unreasonable and is reaching out to us to help her change it. We were trying to prove you right the last time. We don't need to argue with her that the system is broken, and the regulations are over 21 years old. We all acknowledge that times have changed, and the regulations are not working. She needs our help to develop a recommendation to submit to City Council, who will make the decision to change the regulations. Let's not rehash what is wrong. Let's focus on solutions and moving forward, rather than rehashing everything.

Citizen: We still haven't defined "entertainment". What kind of entertainment? Watching TV? Watching a Benihana Restaurant knife performance? Music? We still haven't defined it. Can a nightclub be a restaurant and a restaurant be a nightclub after hours? I thought we were defining entertainment this time.

Ms. Campbell responded that according to our definitions, if a restaurant has any type of entertainment it is considered to be a nightclub. That is one of the reasons we are here. There is no definition for entertainment in the Zoning Ordinance. Through this process we can define entertainment, but not tonight.

Citizen: Can we get information about how many of the 29 violations were appealed or remediated by a variance or appeal?

Ms. Campbell stated that we can have this information for you at the next meeting.

Citizen: I suggest that we hold our questions and write them down so we can get everyone caught up with the process so we are not rehashing what was done last week. We need to get into our group sessions to work on the issues.

Citizen: I am not convinced there is a problem, or that the regulations need to be totally rewritten. I'm also not convinced this is about defining "entertainment". This cuts to a political issue or a Noise Ordinance issue. I think this is strictly about noise.

Ms. Campbell responded that the City has changed the Noise Ordinance. The Zoning Ordinance is a separate and different Ordinance that regulates how land can be used. She said she could go back to City Council and say there is not agreement in the community that there is an issue with the current nightclub, bar, lounge and restaurant definitions and regulations. But when Notices of Violation are issued, business owners don't call the Planning Department, they call City Council and ask "Why was this Zoning Inspector in my establishment?" It doesn't matter what the issue was that originated the phone call. When Zoning Enforcement inspects a property associated with a complaint, they will check the Zoning Ordinance to see what uses are allowed. If the Ordinance allows "x" and "y", but the business is doing "y" and you have a permit to do "x", then they will issue a notice of violation, if the property is in violation of any of the zoning regulations.

Ms. Campbell said we could argue over whether the Zoning Ordinance should be fixed or not, but she thinks we need to try to reflect the current uses of restaurants and nightclubs.

Ms. Campbell discussed appeals and variances, which was requested by CAG members at the last meeting. Appeals are about interpretations. When the Zoning Enforcement staff issues a notice of violation, the business owner has the right to appeal the decision made by the Enforcement staff to the Zoning Board of

Adjustment. Between 2003 and 2012, there have been ten appeals from business owners that the use was not a nightclub, but a restaurant. The majority of these appeals have been from business owners of restaurants where the use has sometimes morphed at night, adding an entertainment piece.

Variations to the numerical requirements of the Zoning Ordinance can be requested by a property owner if there are practical difficulties or unnecessary hardships that would result from a strict interpretation of the regulations. Variations are reviewed by the Zoning Board of Adjustment. Between 2002 and 2012, there were 27 variance requests to allow a nightclub use to be located closer than the required 100' or 400' separation distance to a residential use or district. The variance requests ranged from 55' to 350'. While a land hardship is considered in most variations that are granted, the Zoning Board of Adjustment also considers them if there were natural barriers or an adjacent nonconforming residential use.

The reasons given by the Zoning Board of Adjustment to deny appeal cases of the use as a restaurant included the following findings of fact:

- The use served alcohol
- The use provided entertainment (billiards, dancing)
- The hours of operation were late night hours
- There was a DJ booth
- There was a bar area.

Ms. Campbell stated that she is not saying this is right. This is what the Zoning Board of Adjustment has ruled.

Ms. Campbell presented survey information from 22 jurisdictions related to how these communities regulate and define restaurants and nightclubs. The 22 communities surveyed were Atlanta, Austin, Baltimore, Boston, Chicago, Cincinnati, Columbia, Davidson, Ft. Worth, Greenville SC, Huntersville, Indianapolis, Memphis/Shelby County, Miami/Dade County, Nashville/Davidson County, New York, Philadelphia, Phoenix, Raleigh, San Francisco, Seattle, and Washington D.C.

The survey findings for “nightclubs, bars and lounges” are as follows:

- Most have one definition for nightclubs, bars and lounges. Some cities have multiple definitions for uses such as cocktail lounges, taverns, cabaret, saloon, drinking establishment, brew pub.
- Four communities have no definitions: Davidson, Ft. Worth, Raleigh, and New York.
- Most include the term “entertainment” in the definition of a nightclub, bar or lounge but only five define the term entertainment.
- Most include the sale of alcohol in the definition of nightclubs, bars or lounges.
- Most have separation requirements that range from 100' to 2500'.
- A few regulate by limiting the size of the establishment, or by people.
- A few limit hours of operation.
- Very few restrict outdoor entertainment by distance to residential area or number or seating area.
- A few restrict entertainment by requiring special use permits, decibel levels or by zoning districts .
- Some include regulations on the percent of alcohol sold, such as 50%+ daily receipts, or must sell food.
- A few communities define entertainment to include such things as live music, dance performance, DJ.
- Most include other permits or licenses beyond alcohol permits: late hours permit, music permit, conditional use permit for live entertainment or dancing, special use permit for outdoor patio, special exception permit for hours past midnight, public hearings, patron dancing permit, outdoor dining permit, use permit, amplified music permit, outdoor music permit, good neighbor policy conditions.
- Most allow bars, nightclubs, and lounges in commercial, neighborhood commercial, mixed use and industrial zoning districts.

Ms. Campbell noted the definition for “restaurants” in the Charlotte Zoning Ordinance focuses mainly around the consumption of food and/or beverages. The definition says nothing about entertainment.

Citizen: But the definition for restaurants says nothing about alcohol, only beverages.

Ms. Campbell responded that yes, this is a gray area, and something to think about.

Ms. Campbell resumed the summary of the 22 jurisdictions findings related to "restaurants":

- Most have one definition and one community has up to 6 types of eating and drinking establishments but no definition (New York).
- Most include food or beverage in the definition.
- Most communities don't include entertainment in the definition.
- Only five communities include entertainment in the definition - Boston, Chicago, Ft. Worth, New York and Philadelphia.
- Some communities reference alcohol in their definition.
- Some communities have separation distances that range from 25' to 1500'. Reasons for separation - outdoor areas, serving alcohol, neighborhood compatibility, protecting residential, separation of parking and limit noise decibels.
- Most communities limit size of establishments and only a few limit by number of people.
- Few regulate hours of operation in certain zoning districts.
- Some have outdoor dining regulations usually by requiring special permits.
- Most have entertainment regulations by either decibel noise levels or special permits.
- Most allow in nonresidential districts.
- Some include other permits beyond alcohol such as late hours permit, music, outdoor dining areas, live entertainment, etc.

Citizen: Many restaurants have music or jukebox, etc. playing overhead. That would make all restaurants in Charlotte nightclubs.

Ms. Campbell responded that the PowerPoint presentation is relaying survey information from other jurisdictions, not Charlotte. Ms. Campbell said that the survey information will be available on-line. The links in the PowerPoint will enable citizens to link to specific survey information that provides more information.

### ***III. Group Discussion***

Ms. Campbell assigned CAG members to various rooms for the group discussion portion of the meeting.

The group divided into four groups: blue, green, yellow and orange/red, based on colored dots handed out at the beginning of the meeting. She asked people with similar backgrounds and interests to disperse among the four groups, if they found they were all given blue dots, for example. Each group was asked to answer two questions:

- What do you think are the major issues or concerns that need to be addressed in this process?
- What should be done to address those issues and concerns?

Each group was asked to select a facilitator, scribe, timekeeper and spokesperson. Ms. Campbell asked the group to observe the following guidelines:

- Please allow everyone the opportunity to have input.
- Be respectful of each other and others opinion(s)
- Reach consensus on both questions to report out to the larger group.
- Summarize your response(s) for the report out.

Ms. Campbell stated that staff will be available in each room in the event there are questions, but staff will not be part of the dialogue.

The information provided from each group was recorded on newsprint paper:

GREEN:

① What do you think are the major issues or concerns that need to be addressed in this process? *Green*

~~② What should be done to address these issues + concerns?~~

- defining entertainment
- noise / nuisance
- outdoor vs. indoor
- size / scale
- traffic vs. pedestrians
- simplify definitions
- additional permits / cost
- Muzak
- regulation from real estate

② What should be done to address these issues and concerns? *Green*

- simplicity
- clarity
- possibility of taking entertainment out of definition for all of zoning
- focus on external impacts
- permitting?
- grandfathering
- police enforcement
- separation by size

*minority opinion by ASO*

Additional comments made by the Green spokesperson:

- Define entertainment: Ideas included detail the types, or if there is a cover charge, jukebox, etc. However, no consensus reached; ended up with more questions than answers.
- Some thought defining what goes on inside an establishment is not as important as what goes on outside (seating, entertainment, size and scale of the establishments). More measurable.
- Traffic and pedestrian impacts vary by size and scale of the establishment.
- Additional permits: maybe. But permits should be inexpensive.
- Mirror regulations like Raleigh with A.B.C. permitting.
- Size and scale against residential may be relevant.
- Minority opinion was given as to the possibility of taking entertainment out of the definition

BLUE:

## Definitions

- new - but keep simple
- primary use
- uniformity in code w/ALE
- zoning entertainment district
- no limits on music/entertainment
- distance to a certain degree

Blue

## What should be done?

- uniform w/code with ALE.
- primary use to serve food.
- Do not define entertainment
- with distance attached -
  - with specific property line

Zones + Earplugs - Keep It Simple

Grandfather in venues

BLUE

**YELLOW:**

(YELLOW)

1.) A) Define Modern Entertainment  
B) What is a Bar, Restaurant, Nightclubs?  
C) Compare/contrast A.L.E.'s ABC.  
D) Police Enforcement vs. Zoning Enforcement

2.) "Let it Be"

Additional comments provided by Yellow spokesperson:

- Let it be or do away with it.

**Yellow**

What are the major issues to address?  
What is  
- Define modern entertainment?  
- What is a restaurant vs another ent use?  
- Should restaurants and nightclubs be treated diff.  
- Should a restaurant/nightclub be treated different than a coffee house, UFW, stadium, church, etc...?  
Should different hotels be treated different? → What should be done to address these issues?  
Because we see little difference in impact,  
\* No need to separate restaurants from bars and nightclubs.  
- Thus City should not define entertainment, restaurants or night clubs

- no consensus on buffer reached  
- no consensus on ignoring issue versus changing

**add to yellow**

ORANGE/RED:

**MAJOR ISSUES + CONCERNS** Red/Orange

- ~~can't do everything~~
- ONE SIZE DOES NOT FIT ALL
- Change definition of RESTAURANT
- ~~restaurant~~ needs to include ENTERTAINMENT
- broad category

- Trying to make definitions - they do NOT WORK  
(definitions ARE NOT VISIONARY)  
STANDARDS OF OPERATIONS FOR ESTABLISHMENT

- Aligned w/ 70/30 by STATE

Any establishment w/ food & beverage that has entertainment

No distance requirement

Ability of entertainment (BROAD)  
regulated by NOISE + NUISANCE

**Remove definitions standards** RED/Orange

- 1- Equal BUSINESS LICENSE  
~~NO DISTANCE REQUIREMENT~~  
- Broad ability of ENTERTAINMENT  
- ~~Ratio~~ State Alcohol/food Ratio  
FOLLOW EXISTING ESTABLISHMENT STANDARDS
- 2- ~~Establish~~ definitions FOR ALL ESTABLISHMENTS
  - 1 Broad standard (everyone serve food/beverage & have entertainment)
  - ENFORCE EXISTING CURRENT STATE LAWS + county ordinances
  - INCREASE PENALTIES FOR REPEAT VIOLATORS

**Educate**

ESTABLISH 1 BROAD DEFINITION FOR ALL ESTABLISHMENTS TO ALLOW

- FOOD SALES
- ALCOHOL BEVERAGE SALES
- ENTERTAINMENT

ENFORCE EXISTING LAWS + INCORPORATE

#### **IV. *Wrap Up and Next Steps***

Ms. Campbell thanked everyone for their work. She noted through this group exercise, she saw that it is really easy to come up with the issues and concerns, but more difficult to come up with solutions. Getting a consensus from a diverse group is also hard. This CAG, however, will get there through this process. She noted that if there are minority opinions, they will also be taken forward to City Council for consideration.

The next meeting will be held on March 5, 2013, at 6:00 p.m. The information presented at this meeting will be available on the website by the close of business on February 20<sup>th</sup>, as well as links to additional information.

For the next meeting, staff will map the location of the code violations and map the locations of nightclubs, bars and lounges, as requested.

Ms. Campbell noted, that moving forward, staff will work on figuring out some possible recommendations. She stated that we know what the issues are. We now need to focus our energy on how to resolve the problem. Based on the information heard at tonight's meeting, we may be looking at a variety of sizes based on contextual situations. We may look at defining restaurants the same as nightclubs, or determine if there are distinguishing features. These are ideas staff will brainstorm, based on your input. Staff will come up with some ideas for discussion at the next meeting, where you can say "yea", "nay" or "maybe". From there, staff will take the next step of writing language that will go to the City Council for review, along with any minority opinions.

Ms. Campbell asked how the CAG members liked the group discussion with no staff facilitation. Comments were made that staff was helpful, and answered questions, kept them on track, or were the time-keepers. Ms. Campbell said she wanted to make sure that staff was helpful and not invading, or trying to steer the conversation in the group discussion. This is more about dialogue, not steering. She also asked if there was anything that needed to be done differently for the next meeting. Did everyone receive notifications of the meeting and the minutes on time? There were no issues raised.

Citizen: An item that was brought up in our group was that the city has a different definition of a food to alcohol ratio. Is this the case? We have a 70%/30% A.B.C. ratio. What I heard from most of the people is that there are different rules and regulations to abide by, in addition to the City's standards. There are also County and State rules and standards to abide by. Can we incorporate all that into what we have, so that if one abides by the A.B.C. rules that would be good enough? The same with the Noise Ordinance.

Ms. Campbell responded that he is right. There are a number of different regulations that business establishments must come into compliance with. For example, if you are a restaurant, there are health and sanitation codes and standards, that are regulated through the Health Department, not Planning. From a land use perspective, there are zoning regulations, such as how do you define the principal use of the property. This is zoning and the focus of this process. The A.B.C. laws are State laws. Yes, there are a number of codes and standards to meet. Staff will list the regulations that establishments have to comply with, but she stated she doesn't want to distract the group from our goal which is regulating these uses and how land is used. Staff will provide this information, but she heard tonight that the CAG is eager to get on with solving this complex problem.

Citizen: The most important item for restaurant, nightclub and bar compliance is what the consumer wants and demands. If they want live music, the business owner has a responsibility to provide that. If they want chicken fingers on the menu, they have a responsibility to provide that. If they want fine, heavy beers on tap at all times, they have the responsibility to provide that.

Ms. Campbell said there is a fine line for what that consumer wants and what the resident wants. We need to determine how to minimize the impact on both.

Citizen: With the information provided up on the board, what will staff do with this information? Will staff edit what is up there on the board?

Ms. Campbell stated that no, staff will not edit what is up on the board (newsprint pages) at the front of the room. It will be included in the minutes verbatim. She asked if CAG members had seen the minutes from the last meeting. Had they been received? There were comments that they were not received. Ms. Campbell responded that the minutes were sent out with the Agenda, and are posted on the website, and detailed.

Citizen: What are we trying to regulate? Are we trying to regulate building uses? Are we trying to regulate permits to open a bar, nightclub or restaurant? Or, are we trying to police these uses for noise and public disturbance? Are we trying to police nuisances? Are we trying to police entertainment?

Ms. Campbell responded that we are not doing anything with the Noise Ordinance. Through this process, we are trying to define uses and what standards should to be applied to these uses.

Citizen: An issue that came up in our group was there are more places than just restaurants and bars that serve food and beverages and have entertainment. For example, stadiums, high school gymnasium, churches, and community centers.

Ms. Campbell stated that zoning addresses the principal use. She noted that the examples, such as a stadium, do not serve food and beverages as a principal use. For example, the principal use of a stadium is athletic events, not the consumption of food and beverages.

Citizen: But the majority of revenues from stadiums come from food and beverages.

Ms. Campbell stated that she doesn't go to a stadium for food and beverages. She goes there to watch sporting events. If we define these uses based on revenues, they would fall into the same category.

Ms. Campbell thanked everyone for coming and participating. The meeting was adjourned at 8:30 p.m.