



**CHARLOTTE**

**Zoning Interpretation**

**Restaurants**

Defines a restaurant as an establishment designed, in whole or in part, to accommodate the consumption of food and/or beverages.

Defines a nightclub as any commercial establishment serving alcoholic beverages and providing entertainment for patrons including bars, lounges, and cabarets.

Restaurant is listed as permitted use by right.

**ISSUE**

*When may an establishment that serves alcoholic beverages and provides entertainment still be considered as a restaurant?*

**POLICY**

An establishment serving alcoholic beverages and providing entertainment will be considered a restaurant if the following criteria are met based on Zoning Board of Adjustment Case No. 11-018:

1. The primary use of the establishment is a restaurant.
2. The establishment is a restaurant, based on if 80% of all sales are in food sales.
3. The infrequency and occasional use (no more than once a month) of entertainment.

Date Agreed: September 12, 2011

Approved By: Katrina J. Young  
Zoning Administrator

Code Sections: 2.201, 7.102, 7.102(5)  
9.802(77), 9.8502, 9.902(13),  
9.1102(61), 9.1202, 11.402(26),  
11.503

SUPERSEDES :