

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-020

Petitioner: **Charlotte-Mecklenburg Planning Commission**

Request: A text amendment to 1) clarify that retail establishments in all zoning districts (except the conditional districts) are permitted to have accessory outdoor sales, subject to the standards of the underlying zoning district, 2) prohibit mobile storage containers and trailers from locating near the loading dock.

Background

Staff initiated text amendment 2005-135, that dealt with accessory outdoor sales to retail establishments. City Council approved this text amendment on 3-21-05. Petition 2005-135 permitted outdoor sales only as an accessory use to a retail establishment located in the NS, CC, MUDD(CD), UMUD (CD), B-1SCD, B-1(CD), B-2(CD) zoning districts, unless prohibited in the site plan or conditional plan.

It did not specifically state that accessory outdoor sales are permitted in all other zoning districts, subject to the standards of the underlying zoning district. This amendment seeks to clarify this fact.

Summary

This text amendment will allow retail establishments in all zoning districts (except NS, CC, MUDD(CD), UMUD (CD), B-1SCD, B-1(CD), B-2(CD) zoning districts) to have accessory outdoor sales, subject to the standards of the underlying zoning districts. Such standards would still require minimum parking spaces, setbacks, etc.

In addition, this text amendment revises Section 12.417(2)(6). Currently that section states that no tractor-trucks, trailers, or mobile storage containers can be used in conjunction with the outdoor sales area. The text then erroneously states that mobile storage containers and trailers can be located near the loading dock area, if screened. The purpose of this text amendment is to clarify that only tractor trailers may be located near the loading dock, if screened with a decorative fence from on-site parking lot(s).

Consistency and Conclusion

This text amendment is appropriate for approval and consistent with the purposes, goals, objectives, and policies of adopted plans