

**ZONING COMMITTEE  
RECOMMENDATION  
March 1, 2006**

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**Rezoning Petition No. 2006-20**

**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.

**Action:** The Zoning Committee voted unanimously to recommend **APPROVAL** of this text amendment

**Vote:** Yeas: Carter, Cooksey, Farman, Howard, Hughes, Ratcliffe, and Shield  
Nays: None  
Absent: None

**Summary of Petition**

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).

**Zoning Committee Discussion/Rationale**

Mr. MacVean summarized the purpose of the text amendment is to clarify that retail establishments in all zoning districts, with a few exceptions, are permitted to have accessory outdoor sales, subject to the underlying zoning district standards. The amendment clarifies that tractor trailers can only be located at the loading dock areas.

### **Statement of Consistency**

Upon a motion made by Cooksey and seconded by Carter, the Zoning Committee voted unanimously in finding this amendment consistent with the authority of the City under state and local law.

### **Vote**

**Upon a motion made by Carter and seconded by Farman, the Zoning Committee voted unanimously to recommend approval of this text amendment.**

### **Staff Opinion**

Staff agrees with the recommendation of the Zoning Committee.