
REQUEST	Text Amendment to Sections 2.201, 9.101, 9.203, 9.303, 9.404, 9.503, 9.603, 9.703, 9.803, 9.8503, 9.903, 9.1003, 9.1103, 9.1206, 11.203, 11.403, 11.703, and 12.539 of the Zoning Ordinance.
SUMMARY OF PETITION	<p>The purpose of this text amendment is to replace the Outdoor Seasonal Fresh Produce Stand regulations with new Fresh Produce Market regulations. The existing regulations for Fresh Produce Stands only permit this use in a limited number of zoning districts. However, the proposed standards for a Fresh Produce Market would allow this newly defined use in all districts, under prescribed conditions.</p> <p>The petition proposes to:</p> <ol style="list-style-type: none">1) Add a new definition for "Fresh Produce Markets";2) Remove the current regulations for "Outdoor Seasonal Fresh Produce Stands"; and3) Add new standards for "Fresh Produce Markets", allowing them in all districts under prescribed conditions.
STAFF RECOMMENDATION	Staff recommends approval of this petition. The petition is consistent with adopted policy.
PETITIONER AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Commission Charlotte-Mecklenburg Planning Department
COMMUNITY MEETING	Meeting is not required.

PLANNING STAFF REVIEW

- **Background**

- Current regulations for "Outdoor Seasonal Fresh Produce Stands" are contained in Chapter 12, Section 12.539 of the Zoning Ordinance and include the following standards:
 - Only allowed in UR-C, B-1, B-2 and CC zoning districts.
 - Permitted as an accessory use, located on a lot occupied by another non-residential use.
 - Required to meet design standards.
 - Limited to 360 square feet.
 - Must provide five off-street parking spaces.
 - Hours of operation shall be from one half hour after sunrise to one half hour after sunset.
 - Can only operate for 180 days at a time on one site, from April 1 to October 15.

- **Proposed Request Details**

The text amendment contains the following provisions:

- Add a definition to the Ordinance for Fresh Produce Markets: "A specified location on a parcel of land in which vendor(s) may gather to sell fresh produce, fruit and vegetable derived products and plants on an approved parcel of land."
- Deletes regulations for "Outdoors Seasonal Fresh Produce Stands" and adds new regulations for "Fresh Produce Markets" in Section 12.539.
- Allows Fresh Produce Markets in all zoning districts under prescribed conditions. However, the use shall only be allowed in residential, institutional, and office zoning districts as an accessory use to an institution or office use.
- Prescribed conditions for Fresh Produce Markets are:
 - Zoning permit is required.
 - Evidence of property owner's permission to operate on the site is required for permit.
 - Hours of operation limited to 8:00 AM to 9:00 PM.
 - Minimum lot size is that required for the principal use.

- Setback for all sale items and parking shall be the setback of the district, but not less than 20 feet from the right-of-way.
 - One identification sign not exceeding 15 square feet with a maximum height of seven feet is allowed
 - Permanent buildings are not allowed in residential, office, or institutional districts. However, temporary structures are allowed but must be removed within 7 days from the date the permit expires.
- **Public Plans and Policies**
 - The petition is consistent with adopted policy.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:** No issues.
 - **Vehicle Trip Generation:** Not applicable.
 - **Connectivity:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** Not applicable.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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