



**CHARLOTTE**  
CHARLOTTE-MECKLENBURG  
PLANNING

# **Nightclubs, Bars and Restaurants**

## **Citizen Advisory Group Meeting January 24, 2013**

- I. Welcome**
- II. Introductions**
- III. Purpose and Goals**
- IV. Issues And Concerns**
  - A. Process**
  - B. Other**
- V. Next Steps**
  - Tentative Meeting & Adoption Schedule
- VII. Adjourn**





# Nightclubs Bars and Restaurants Text Amendment Purpose & Goals

**It has become increasingly difficult to determine differences between restaurants and nightclubs.**

**Purpose and goals of this effort are to:**

- **Adequately define the uses**
- **Develop standards to minimize adverse impacts to nearby residential areas and,**
- **Provide more flexibility to businesses**

## **Nightclub is defined as:**

Any commercial establishment serving alcoholic beverages and providing entertainment for patrons including bars, lounges, and cabarets.



## **Restaurant is defined as:**

An establishment designed, in whole or in part, to accommodate the consumption of food and/or beverages.



## RESTAURANTS

- Definition doesn't reflect current uses
- Currently are not allowed to have any form of entertainment

## NIGHTCLUBS

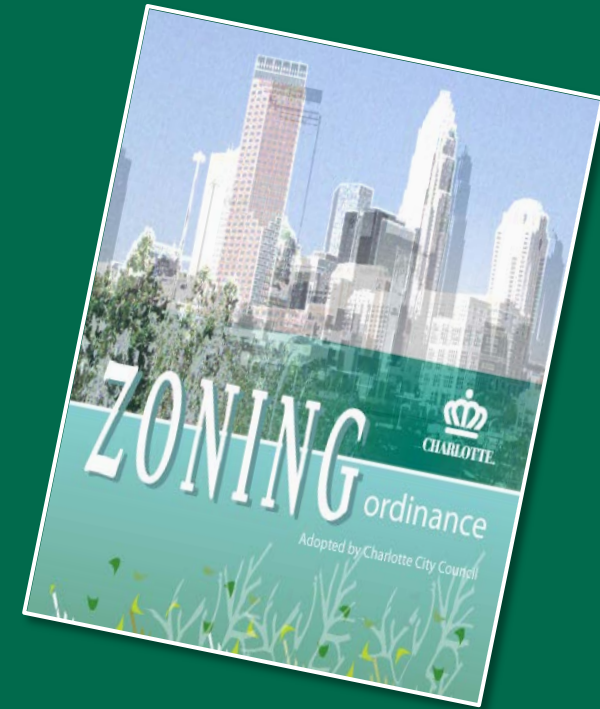
- Definition too broad
- Separation requirement up to 400' (approximately a city block)
- Can create secondary impacts

## Charlotte's Zoning Ordinance

- Regulatory Document
- Adopted by City Council through a legislative decision.
- Changes (text amendments) are also made by legislative decisions.

## Charlotte's Text Amendment Process

- City Council: Makes a legislative decision to amend the Ordinance.
- Planning Commission: Advisory recommendation to the City Council, usually assigned to Zoning Committee.



## Who Can Initiate a Text Amendment?

- Any person or entity

## When Does Staff Initiate a Text Amendment?

- Issue/problem with current regulations
  - **Examples:**
    - Differences between nightclubs and restaurants as hybrids emerge
- New uses evolve
  - **Examples:**
    - Micro-Breweries and Electronic Game Operations
- At request of City Council



## Two Types of Text Amendments: Major and Minor

### Minor/Technical Text Amendments – No CAG Process

- **Section Reference Correction**

- Example: Section 12.102(a) should be 12.102(b)

- **Clarification of Language**

- **Minor Amendments**

- Example: Marquee signs (expanded districts where allowed)
- Example: Short-term care facilities (expanded number of clients from 8 to 12 and extended the stay from 10 to 20 days)





# Text Amendment Process

## Citizen Advisory Group

### Major Text Amendments – Citizen Advisory Group Process

#### ■ Staff notification process

- Example: Nightclub, Bars and Restaurant invitation list:
  - Nightclubs in data base
  - Restaurants, not fast-food by land use category
  - Neighborhood Contact List
  - Others
- Total of 106 people have participated to date



#### ■ Kick-off Meeting Held

- Presentation of Project Charge and Scope
- Attendees self-selected to participate in CAG



#### ■ Citizen Advisory Group Process

- Held 4 meetings to date
- Process delayed due to confusion with Noise Ordinance



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**A. PROCESS**

**B. OTHER**





## Next Steps:

- Meeting Time: 6:00 pm to 7:30 pm
- Meeting Place – Room 267, Government Center
- Tentative Meeting Dates:
  - Tuesday, February 19, 2013
  - Tuesday, March 5, 2013
  - Thursday, March 21, 2013
  - Tuesday, April 2, 2013
- Anticipated Adoption Schedule
  - May public hearing
  - June City Council decision



## **For additional information:**

**Katrina Young at: [kjyoung@charlottenc.gov](mailto:kjyoung@charlottenc.gov)  
or 704 336-3571**

**For information including Agendas, Minutes,  
and Presentations, please go to the City of  
Charlotte Planning Department website:**

**[www.charlotteplanning.org](http://www.charlotteplanning.org)**

**click on Nightclubs, Bars and Restaurant link**



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# Text Amendment Process

## Citizen Advisory Group

### Role of CAG Members:

- Help identify issues and concerns
- Help identify possible solutions
- Provide feedback on staff recommendations
- Attend and participate in meetings



### Role of Staff:

- Educate and inform
- Help identify issues and concerns
- Help identify possible solutions
- Develop staff recommendations
- Listen to CAG issues and concerns
- Present staff recommendations and bring forward any outstanding issues to City Council





# Text Amendment Process

## Citizen Advisory Group

### Role of Planning Commission

- Members assigned to attend CAG meetings and report back to full Commission
- Members attend public hearing on text amendment
- Members attend Zoning Committee meeting and make recommendation (or Planning Committee meeting, if so assigned)
- Members attend public hearing where decision is made by City Council





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# Text Amendment Adoption Process

## Month 1

Text Amendment filed

Text Amendment posted on website

Public hearing scheduled for Month 3

Postcard notices sent to Neighborhood Contact List and interested parties list

Text Amendment distributed to City/County Departments for review and comment

Interdepartmental meeting held to discuss text amendment concerns

Dear Business Owners, Property Owners, Neighborhood Leaders, and Other Interested Parties:  
10-26-12

The Charlotte-Mecklenburg Planning Department staff notifies citizens monthly about upcoming text amendments to the Zoning and Subdivision Ordinances. On December 17, 2012 City Council will hold a public hearing on the following text amendments:

2012-104	Text Amendment to add inclusionary housing development as a permitted use within the R-3, R-4, R-5, and R-6 single family districts with design and locational criteria. The amendment would allow for a density bonus of up to 3 dwelling units above the base density, a mix of housing types, and modified development standards.	Public Hearing: December 17, 2012 6:00 pm
2012-64	Text Amendment to allow and regulate outdoor advertising signs upon Rapid Transit Rail Platforms. The amendment would allow static signage of limited size and numbers upon such government owned and operated rail platforms. The number of allowable signs would vary based upon the elevation of the platform.	Public Hearing: December 17, 2012 6:00 pm

If you are interested in receiving a copy of these amendments, please contact Sandra Montgomery at 704.336.5722 or by email at: [smontgomery@charlottenc.gov](mailto:smontgomery@charlottenc.gov) Or, you may view this text amendment at:

[http://charmeck.org/city/charlotte/planning/Rezoning/RezoningPetitions/2012\\_Petitions/Pages/default.aspx](http://charmeck.org/city/charlotte/planning/Rezoning/RezoningPetitions/2012_Petitions/Pages/default.aspx)

The public hearing will be held at in the Council Chambers, Government Center, 600 E. Fourth Street, Charlotte. Parking is available in the parking garage located across from the Government Center on North Davidson Street.





# Text Amendment Adoption Process

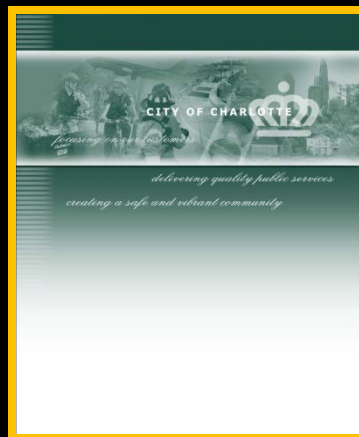
## Month 3

**Staff Analyses assembled into Rezoning Notebook and distributed to City Council and Zoning Committee**

**City Council Public Hearing held on text amendment**

**Zoning Committee Meeting for recommendation held (recommendation to approve, deny, or modify)**

**Zoning Committee Recommendation prepared**





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# Text Amendment Adoption Process

## Month 4

Recommendations assembled into Rezoning Notebook and distributed to Council and Zoning Committee

City Council Public Hearing - Decision (approve, deny, modify)

Text amendment incorporated into the Zoning Ordinance

