

**ZONING ORDINANCE
TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE

FY2005
Petition No.: <u>2005-098</u>
Date Filed: _____
Received By: _____
<i>Office Use Only</i>

Section #: 9.8504 of Chapter 9, Part 8.5 and 12.413 of Chapter 12, Part 4 – MUDD-Optional Provisions and Drive-through lanes/windows
(Title)

Purpose of Changes

MUDD-Optional is an alternative process established in Chapter 9 of the Zoning Ordinance. Petitions for a zoning map amendment to establish a MUDD-Optional classification are submitted to the Planning Commission and must be accompanied by a schematic plan and by any supporting text, which becomes part of the amending ordinance. The City Council evaluates and acts upon MUDD-Optional petitions in connection with the establishment of a MUDD-Optional classification. As an alternative process established by the Ordinance, MUDD-Optional addresses special situations such as “new development concepts, innovative design, special problems, public/private ventures, and other unique circumstances that MUDD cannot accommodate.”

Drive-through facilities have been permitted for a number of years with respect to MUDD-Optional petitions when reviewed and approved by City Council as part of the establishment of a MUDD classification. Section 12.413 of the Ordinance was amended by Petition No. 2002-147 on January 21, 2003 to provide that drive-through facilities are not allowed in the MUDD zoning district. This amendment was not intended to limit or restrict drive-through facilities when reviewed as part of the establishment of or amendment to a MUDD-Optional classification. This text amendment is intended to clarify the wording of applicable sections of the Ordinance to confirm that drive-through facilities may be permitted as accessory uses when approved as part of the establishment of or amendment to a MUDD-Optional classification. This text amendment is consistent with the approach taken by Planning Staff and City Council previously in connection with MUDD-Optional approvals involving drive-through facilities.

Charlotte-Mecklenburg Planning Commission	
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