

**ZONING ORDINANCE
TEXT AMENDMENT APPLICATION**

CITY OF CHARLOTTE

FY2006
Petition #: _____
Date Filed: _____
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2.201 "Restaurant, Drive-in"
Section #: 12.413 "Drive-in and drive-through service lanes/windows"
(Title)

Purpose of Change:
To modify the regulations for drive thru for small restaurants under specific, limited circumstances.

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Signature of Agent

Signature

Petition #:

Petitioner:

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Section 2.201, Definitions, by amending the definition of "Restaurant, Drive-in" as follows:

Add the following language to the end of the existing sentence;

..except as provided for in Section 12.413.

2. Amend Section 12.413 by adding a new paragraph (5) to the end of the Section as possible.

(5) A drive through service window may be provided as an accessory use to a restaurant with fewer than 50 indoor seats under the following limited conditions.

(a) The restaurant must be part of a planned retail development and must be located either in an interconnected tenant building or be part of the larger buildings on the site, such as an end cap location on a larger building.

(b) The restaurant must be internally accessed and have no direct vehicular connection to any public street that is not internal to the site.

(c) The allowance for the drive through service window and its general location must be or have been approved as part of a conditional rezoning process.

(d) The restaurant must have at least 25 indoor seats or a combination of indoor and outdoor seating that equals at least 35 seats. In no case may there be fewer than 15 indoor seats.

(e) No more than two such drive through service windows as provided for in this section will be permitted on any site that is approved for less than 130,000 square feet of total floor area.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the
City Council of the City of Charlotte, North Carolina, in regular session convened on the _____
day of _____, 20____, the reference having been made in Minute Book
_____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the
_____ day of _____, 20__.
