

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Revised 11-22-04, 12-10-04, 12-21-04

<small>FY2004</small> Petition #: <u>2004-135</u>
Date Filed: _____
Received By: _____
<i>Office Use Only</i>

<u>Section #:</u>	Section 2.201	Definitions
	Section 12.417	Outdoor Sales, Accessory (new section)
	Table 9.101	Table of Uses
	Section 12.534	Temporary Retail Sales Events, Off-Premise (new section)
	Section 12.535	Temporary Retail Sales Events, On-Premise (new section)
	Section 12.519	Outdoor Seasonal Sales

Purpose of Change:

This text amendment adds three new sections to the Zoning Ordinance:

Outdoor Sales and Display, Accessory – This section would allow outdoor sales as an accessory use to a retail establishment in the Commercial Center (CC) and Mixed-Use Development (MUDD) zoning districts, with eight prescribed conditions. This use would also be permitted in the B-1SCD, B-1(CD), B-2(CD) zoning districts unless noted on the site plan or conditional plan that the use is restricted. The conditions addresses when, where and how such sales may occur on the property. [An example of outdoor sales as an accessory use is a retail establishment with outdoor play equipment, bicycles, plants, landscape materials, or displays outdoors either in the parking lot or on the sidewalks near the retail establishment.]

Temporary Retail Sales Events, Off-Premise – This section would permit off-premise temporary retail sales events in Urban Residential-Commercial (UR-C), Business (B-1 and B-2), Transit Oriented Development (TOD), Mixed-Use Development (MUDD), Uptown Mixed-Use Development (UMUD), and Industrial (I-1 and I-2) zoning districts. Temporary sales events would also be permitted in the B-1SCD, B-1(CD), B-2(CD), MX-2, MX-3, NS, and CC zoning districts as part of a retail center, unless noted otherwise on the site plan or conditional plan that the use is restricted.

These events would feature merchandise for sale or auction on property not owned or leased by the person, firm, or corporation. This text amendment addresses when, where and how such sales may occur on property, and under what conditions. [An example of temporary retail sales events is a weekend display of merchandise in a shopping center parking lot, where the retail merchandise is not sold within an enclosed building in the shopping center. Such an event may include attractions, such as a live radio station broadcast, or play equipment for children, and may move from location to location]

Temporary Retail Sales Events, On-Premise – This section would permit on-premise temporary retail sales events, such as grand openings or re-openings, temporary tent sales, or other special events sponsored by a business operating from a permanent structure or building on the premise. This amendment includes several requirements related to where the event can take place, for how long, that adequate parking shall be provided, and that the operator is responsible for removal of all trash or refuse.

This text amendment also amends the section on “Outdoor Seasonal Sales” to distinguish this type of sales from Temporary Retail Sales Events (both on- and off-premise) and Outdoor Seasonal Sales. “Outdoor Seasonal Sales “ includes the sale of such items as Christmas trees, pumpkins, plants, and fresh produce,

not the sale of retail or manufactured items such as furniture, bedding, automobile parts, spas, pools, etc. The duration of Outdoor Seasonal Sales is being changed from a duration of 45 days to a duration of 90 days.

No more than one Temporary Retail Sales Event, either on-premise or off-premise, or one Outdoor Seasonal Sales event shall be permitted on a tax parcel at any one time.

Name of Agent

Agent's Address

City, State, Zip

Telephone Number

Fax Number

E-Mail Address

Signature of Agent

Sandra Montgomery

Name of Petitioner(s)

600 E. Fourth Street – 8th floor

Address of Petitioner(s)

Charlotte, NC 28202

City, State, Zip

704 336-5722

Telephone Number

704 336-5964

Fax Number

smontgomery@ci.charlotte.nc.us

E-Mail Address

Signature