

## Legislation Details (With Text)

|                      |                                                                                                                                                                                                          |                      |   |                               |  |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---|-------------------------------|--|
| <b>File #:</b>       | 15-21187                                                                                                                                                                                                 | <b>Version:</b>      | 2 | <b>Name:</b>                  |  |
| <b>Type:</b>         | Public Hearing Item                                                                                                                                                                                      | <b>Status:</b>       |   | Agenda Ready                  |  |
| <b>File created:</b> | 9/5/2023                                                                                                                                                                                                 | <b>In control:</b>   |   | City Council Business Meeting |  |
| <b>On agenda:</b>    | 10/9/2023                                                                                                                                                                                                | <b>Final action:</b> |   |                               |  |
| <b>Title:</b>        | Public Comment on the proposed creation of the Plaza Midwood Social District                                                                                                                             |                      |   |                               |  |
| <b>Attachments:</b>  | 1. Map - Plaza Midwood Social District, 2. Community Meeting Report - Plaza Midwood Social District, 3. Management Plan - Plaza Midwood Social District, 4. Signage Plan - Plaza Midwood Social District |                      |   |                               |  |

| Date      | Ver. | Action By                     | Action                   | Result |
|-----------|------|-------------------------------|--------------------------|--------|
| 10/9/2023 | 1    | City Council Business Meeting | Close the Public Hearing | Pass   |

## Public Comment on the proposed creation of the Plaza Midwood Social District

### Action:

Receive public comments on the proposed creation of a Social District in Plaza Midwood.

### Staff Resource(s):

Debbie Smith, Transportation  
Casey Mashburn, Transportation  
Patrick Baker, City Attorney's  
Office  
Lisa Flowers, City Attorney's  
Office

### Explanation

- In the fall of 2021, the NC General Assembly enacted legislation allowing cities to adopt an ordinance designating social districts; in July 2022, the General Assembly enacted legislation to recodify and clarify social districts.
- In August of 2022, Council adopted Chapter 15, Article XV-Social Districts in the City Code to establish the framework for the creation of Social Districts in Charlotte.
- A social district is a defined area in which a person may consume alcoholic beverages sold by a permittee. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours established for the social district pursuant to NC General Statute Section 15-314. A social district may include privately owned property, including permittees and non-permittee businesses; multi-tenant establishments; and public streets, crosswalks, or parking areas whether or not the streets or parking areas are closed to vehicle traffic.
- North Carolina Law has requirements on establishing and operating a social district. City and state requirements include:
  - A Council-adopted ordinance designating a social district which includes days and hours of operation, the boundaries map and written description, and a management and maintenance plan,
  - A published Council-approved management and maintenance plan on the city's website, and
  - Registration of the social district with the NC Alcoholic Beverage Control Commission.
- Public comments to obtain community input are scheduled prior to City Council taking action

on social district requests. Council action is tentatively planned for the next City Council Business Meeting.

### **Applicant**

Plaza Midwood Merchants Association

### **Summary of Application**

- The district is located along Central Avenue from Louise Avenue/10<sup>th</sup> Street to Morningside Drive in the east/west directions. The district stretches from Chesterfield Avenue to near Hamorton Place along Pecan Avenue in the north/south direction, in Council District 1.
- The district proposes to operate Monday-Sunday, 10AM-10PM.
- The applicant and other participating members will fund the initial setup of the district and any ongoing expenditures related to the district.
- Ongoing management of the district will be performed by a committee consisting of members representing the merchant's association and the surrounding neighborhood associations.
- The district intends to utilize reusable stainless-steel cups with the required logos in a partnership with Envision Charlotte.
- A community meeting was required as part of the application process and was held virtually on June 1, 2023. The meeting was attended by approximately 75 people over the duration of the event.
- The Commonwealth-Morningside and Chantilly Neighborhood Associations provided letters of support for the proposed district.

### **City Departments**

- Review by the Office of Sustainability found no apparent reason to object the social district.
- Review by the City Attorney's Office, Planning, Design & Development, Transportation, and Solid Waste Services found no apparent reason to object to the social district pending acceptable revisions to the Management and Maintenance Plan. Requested revisions to the Management and Maintenance Plan include:
  - Technical clarifications related to citing applicable N.C General Statutes, Session Laws, and City Code,
  - Technical clarifications related to trash and recycling responsibilities, and
  - Removing language related to the district permitting vendors or special events within the public right-of-way.
- Review by the Charlotte Mecklenburg Police Department (CMPD) identified opportunities to enhance public safety. To improve public safety CMPD is requesting the following revisions:
  - Technical clarifications related to the district boundary, specifically an initial reduction in size to the core business district with the ability to expand in the future,
  - Technical clarifications related to the proximity of residential and developmental areas,
  - Technical clarifications related to additional signage for clear communication to patrons within the district.

### **Consistent with City Code**

- This application has met the requirements outlined in Chapter 15, Article XV-Social Districts of the City Code as well as the associated Social Districts Standards and Provisions.

### **Attachment(s)**

Map  
Community Meeting Report  
Management and Maintenance Plan  
Signage Plan