

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
AMENDING ARTICLE 30-4, USE STANDARDS, OF THE CODE OF ORDINANCES OF
THE CITY OF FAYETTEVILLE, NORTH CAROLINA**

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Subsection 1., Restaurants with Indoor or Outdoor Seating, of Subsection 30-4.C.4.e., Eating Establishments, of Subsection 30-4.C.4., Commercial Uses, is amended by deleting the same in its entirety and substituting with the following:

e. Eating Establishments

1. *Restaurants with Indoor/Outdoor Seating*

- a. Restaurants in the OI District shall be limited to no more than 25 percent of a building's floor area, shall not have signage visible from off the site, and shall be accessed via a common area within the building where located.
- b. Restaurants having outdoor seating (including, but not limited to, seating for dining or listening to live or recorded acoustic or amplified entertainment outside of the building) shall comply with the following standards:
 1. The outdoor seating area shall be located no closer than 100 feet from any single-family residential zoning district (SF-15, SF-10, or SF-6).
 2. The outdoor portions of the restaurant shall not operate after 11:00 p.m. In the UC zoning district, restaurants with indoor/outdoor seating located to the interior of the campus are exempt from this standard.
 3. The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use. In the UC zoning district, restaurants with indoor/outdoor seating located to the interior of the campus are exempt from this standard.

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the _____ day of _____, 2022.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk