

Amendment #A1

Revision of Sec. 29-3.3 Use specific standards; 29-4.3 Parking and loading

Text to be added shown in BLUE, UNDERLINED, AND HIGHLIGHTED and text to be removed shown in ~~blue, strikethrough and highlighted~~

ARTICLE 3. PERMITTED USES

Sec. 29-3.1. General

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Sec. 29-3.3. Use specific standards.

(a) *Primary use of land and buildings: Dwelling, one-family detached.*

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(jj) *Accessory and temporary uses of land and buildings: Drive-up facility.* This use is subject to the following additional standards:

~~(1) Any drive-up facility located within one hundred (100) feet of an R-1 or R-2 zone district shall require buffering meeting the requirements of section 29-4.4 (landscaping screening) and along the property line with the R-1 or R-2 district, shall have no speakers facing the R-1 or R-2 districts, and shall have no menu boards or other signs visible from the R-1 or R-2 districts; and~~

~~(2) All drive-up facilities shall be subject to all applicable noise control ordinances.~~

(1) Purpose. The following regulations aim to reduce visual impacts of drive-up facilities on abutting uses, promote safer and more efficient on-site vehicular and pedestrian circulation, and reduce conflicts between queued vehicles, pedestrians, and traffic on adjacent streets.

(2) General Requirements. The following standards apply to all new buildings with accessory drive-up facilities, buildings that modify or relocate an existing accessory drive-up facility, and buildings in which the principal use changes resulting in additional vehicle trips being generated and a previously existing accessory drive-up facility will remain in operation following the change of use.

(i) Any drive-up facility located within one hundred (100) feet of an R-1 or R-2 zone district shall require Level 3 property edge buffering meeting the requirements of section 29-4.4 (landscaping screening), and

(ii) No speakers shall face an R-1 or R-2 zone district, and

(iii) No menu boards or other signs shall be visible from an R-1 or R-2 zone district; and

(iv) Drive-up facilities shall be subject to all applicable noise control ordinances. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line of the site.

(v) No Drive-up facility services shall be rendered, deliveries made, or sales conducted in a required front yard or corner side yard.

(vi) Drive-up facility stacking spaces may not interfere with parking spaces, parking aisles, loading areas, internal circulation or driveway accesses for the principal structure. The required bypass lane may function as a circulation drive for on-site parking and loading areas.

(vii) Drive-up facility service windows shall be located on a building's nonstreet-facing facades. Drive-up facility service windows may be permitted on a building's street-facing facades if one of the following methods are utilized:

(A) Porte-cochere: A permanent porte-cochere shall screen the drive-up facility service window(s) from the ground to the roof of the porte-cochere. The porte-cochere shall extend the width of the drive lane and be a minimum of 20 feet in length. If multiple service windows are utilized in the drive-up facility, both windows shall be screened either by a single porte-cochere or two porte-cocheres, each a minimum of 20 feet in length. The porte-cochere shall be structurally integrated with the principal structure and its design shall be consistent in respect to pattern, scale, material, and form as the principal structure.

Landscaping: A landscape area adjacent to the street right-of-way in the front and/or corner side yard shall be installed for the length of the drive-up facilities stacking lanes. The landscape area shall be planted with sufficient evergreen shrubs and/or native grasses to form a low continuous visual screen such that no less than eighty (80) percent opacity, viewed horizontally, is achieved in the space between grade and three (3) feet above grade at the time of installation. Berms may also be used in conjunction with landscaping. The landscaping installed in this landscape area shall be in addition to the other general landscaping requirements.

(B) Grade Changes: Grade changes may serve as screening of drive-up facilities when the site is located below grade and not visible from the adjacent street. A section drawing of the street and subject site shall be provided to show that all views of the drive-up facility will be obscured from the street.

(viii) A traffic impact analysis is required for any drive-up facility that meets any of the following criteria listed in items A-C, below. The purpose of the study is to ensure that the transportation system is capable of safely supporting the proposed drive-up facility use in addition to the existing uses in the area. Evaluation factors to be considered when reviewing the impact analysis include, but are not limited to, street capacity and level of service, effects on traffic circulation, access requirements, separation of curb cuts, and pedestrian safety.

(A) The site includes an entrance to a public street and it is located within 300 feet of an intersection.

(B) The site is located within a shopping center, and includes access to an internal drive aisle that is essential for internal traffic circulation in the opinion of the City's Traffic Engineer, and the access is located within 300 feet of an internal intersection.

(C) The site includes a drive-up facility that is accessory to a restaurant.

(3) *Conditional Use.* When a drive-up facility is either a conditional or conditional accessory use pursuant to Table 29-3.1 (Permitted Use Table) of this Code, the following criteria and standards shall be considered in addition to those enumerated in Section 29-6.4(m) of this Code relating to the recommendation and approval of a conditional use permit. The intent of these criteria and additional standards is ensure that the number of drive-through lanes, stacking spaces, and amount of paved area necessary to support the drive-up facility will not be detrimental to adjacent residential properties or detract from or unduly interrupt pedestrian circulation or the character of the area in which the use is located. The Commission may increase or reduce these criterion and standards according to the circumstances affecting the site.

(i) Drive-up facility service window(s) shall not be located on a building facade that faces an abutting residential zoning district.

(ii) The nearest point of the drive-up facility, which includes the stacking lane(s), menu board(s), and service window(s), must be at least 50 feet from an abutting residential zoning district.

- (iii) Clearly marked pedestrian crosswalks shall be provided from a public sidewalk to a customer access to the building in which the drive-up facility is an accessory use.
- (iv) The location, size, design, and operating characteristics of the proposed building in which a drive-up facility is sought as an accessory use will be reasonably compatible with and have minimal negative impact on the use of nearby properties.
- (v) Internal circulation and access to and egress from the site shall not substantially impair the movement of other modes of transportation, such as bicycles and pedestrians, to and through the site.
- (vi) The application seeking approval of a conditional use permit for a drive-up facility shall include a site plan that identifies all existing and proposed points of ingress and egress, circulation and maneuvering areas, off-street parking and loading areas, abutting residential property, location of all drive-up facilities, amount of expected stacking occurring in the peak hour, pedestrian facilities, hours of operation, and other relevant information.
- (vii) A traffic impact analysis, consistent with that required in subsection 2(viii), above, shall be required for any business with an accessory drive-up facility that produces fifty (50) or more trips in and out of the development site at peak hour.

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ARTICLE 4. FORM AND DEVELOPMENT CONTROLS

Sec. 29-4.1. Dimensional summary table.

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Sec. 29-4.3. Parking and loading

(a) Applicability.

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(i) Drive-through vehicle stacking. The following standards apply to all properties with a drive-through facility.

(1) Stacking Space Requirements.

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(2) Location and design of stacking lanes.

- (i) Minimum number of stacking spaces shall be in addition to the space at the teller or pick-up window.
- ~~(ii) Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line of the site.~~
- ~~(iii) No service shall be rendered, deliveries made, or sales conducted within the required front yard or corner side yard; customers shall be served in vehicles through service windows or facility located on the non-corner sides and/or rear of the principal building.~~
- (iv) Drive-through stacking lanes shall have a minimum width of ten (10) feet.
- (v) Stacking lanes shall be set back fifteen (15) feet from rights-of-way.
- (vi) A by-pass lane around the drive-through facility stacking lane must be provided for financial institutions and restaurant/retail uses.