

**Chapter 14-41
DRIVE-THROUGH FACILITY RESTRICTIONS**

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14-41.100 Purpose of chapter.

The purpose of this chapter is to regulate the design and location of Drive-Through Facilities in the City. Notwithstanding any other provision in this Code, Drive-Through Facilities shall be permitted only on property located in commercial zones that also meet the following conditions:

(a) Location.

- (1) In the CN zoning district, no drive-through lane, speakers, menu boards and/or take out windows shall be located within one hundred fifty (150') feet from any property boundary line of a parcel zoned for residential purposes.
- (2) No more than one Drive-Through Facility shall be located within two hundred (200') feet of the nearest point of a signalized intersection except as set forth in (3) below.
- (3) No Drive-Through Facility shall be located within three hundred (300') feet of any of the following "gateway" intersections:
 - (i) Main Street at Front Street
 - (ii) Main Street at Freedom Boulevard
 - (iii) Main Street at Green Valley Road
 - (iv) Riverside Drive at Rodriguez Street
 - (v) Riverside Drive at Blackburn Street
 - (vi) Freedom Boulevard at Airport Boulevard
 - (vii) East Lake Avenue at Martinelli Street

(§ 1, Ord. 1095-00 C-M, eff. October 12, 2000)

14-41.101 Use permit required.

(a) No drive-through facility shall be allowed in the following commercial districts, without a special use permit issued by the Planning Commission:

- (1) CT, Thoroughfare Commercial
- (2) CNS, Neighborhood Shopping Center
- (3) CN, Neighborhood Commercial
- (4) CV, Visitor Commercial

(§ 1, Ord. 1095-00 C-M, eff. October 12, 2000)

14-41.102 Design standards.

Drive-Through Facilities shall be designed and situated in such a manner so that:

- (a) Trash facilities are located to accommodate patrons using the drive-through facilities in an areas away from residential uses;
- (b) Lighting, noise, fumes, rodents, pests and odors can either be eliminated, mitigate or reduced so as not to adversely affect neighboring properties or uses;
- (c) The impact on neighboring properties or uses due to activities associated with the proposed facility and its hours of operation do not unreasonably interfere with adjoining residential uses;
- (d) Traffic generated by the Drive-Through Facility can be reasonably accommodated by the property and neighborhood streets, without creating a materially adverse traffic impact, or a material or safety hazard to vehicles or pedestrians;
- (e) On-site pedestrian walkways shall not intersect the drive-through vehicle lanes, except visibility is clear, and the pedestrian walkway is emphasizes by enriched paving and striping;
- (f) Drive-through lanes include a minimum fourteen (14') foot width on curves and a minimum eleven (11') foot width on straight sections;
- (g) Drive-through lanes provide sufficient vehicle stacking area behind the menu board to accommodate a minimum of four (4) cars;
- (h) No drive-through lanes shall exit directly onto a public right-of-way;
- (i) Landscaping shall screen drive-through and drive-in lanes from the public right-of-way and shall minimize the visual impact of the menu board and directional signs;
- (j) Drive-through lanes shall be constructed with (PCC) concrete;
- (k) Drive-through lanes shall be set back from the face of the curb of any street frontage a minimum of twenty (20') feet;
 - (1) Only one menu board may be permitted and shall be a maximum of thirty (30) square feet in the area of the sign face, with a maximum height of seven (7') feet and shall face away from the street.

(§ 1, Ord. 1095-00 C-M, eff. October 12, 2000)

14-41.104 Non-conforming uses.

No Drive-Through Facility, which otherwise complies with this Code, shall hereafter be considered non-conforming except as provided herein. If an existing Drive-Through Facility requests a zoning change or modification to its use permit, it shall comply with this chapter.

(§ 1, Ord. 1095-00 C-M, eff. October 12, 2000)