

Attachment 1:

Proposed Ordinance Allowing Drive-Thru and Drive-Up Facilities in the DH Mixed Use Zone

19.36.030 - Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Special Conditions. Any special conditions related to a specific use are in Chapter 19.42 Specific Use Standards.
- C. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.36.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed and approved by the Conditional Use process.
- D. Abbreviations. The abbreviations used in the schedule mean:
1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
 2. C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.
 3. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.36.030 is prohibited in this zone.

Table 19.36.030. Uses.			
Use Categories	DH	NMU	CMU
Residential Uses: ^E			
Accessory Dwelling Unit, Detached or Internal	X	P	X
Dwelling, Multiple Family	P	X	P
Dwelling, Single Family	X	P	X
Dwelling, Single Family Attached	X	P	P
Dwelling, Three- and Four-Family	P	P	P
Dwelling, Two-Family (Duplex)	P	P	X
Educational Facility with Residential Accommodation	X	X	P
Retail and Service:			
Bank, Credit Union, or Other Financial Institution	P	P	P
Car and Light Truck Wash	X	X	P
Child or Adult Care Facility	P	P	P
Laundry Cleaning, Automatic Self-Help	P	P	P

Laundry Cleaning Drop-Off	P	P	P
Liquor and/or Wine Store	X	X	P
Mobile Store	P	X	P
Personal Care Services	P	P	P
Personal Instruction Services	P	P	P
Post Office	P	P	P
Reception Hall, Reception Center	P	X	P
Retail Sales	P	P	P
Retail Shops or Galleries where Primary Product is Produced On-Site	C	C	C
Self-Service Gas Station, with or without Convenience Store	X	X	P
Shopping Center	X	X	C
Food and Drink:			
Bars and Clubs	P	X	P
Breweries and Distilleries, with or without restaurant	P	X	P
Food Truck, Mobile Restaurant, Food Cart	P	X	P
Restaurant, Fast Food	P	P	P
Restaurant, Sit Down with or without Alcohol	P	P	P
Lodging:			
Bed and Breakfast	P	P	P
Hotel/Motel	P	X	P
Office:			
Offices – General, Professional, and Trade Services	P	P	P
Recreational:			
Commercial Recreation and Entertainment, Indoor	P	X	P
Outdoor Recreation, Small Scale	X	X	P
Theatres and Concert Halls (Indoor)	P	X	P
Industrial Uses:			
Light or Heavy Industry or Manufacturing	X	X	X
Institutional Uses:			
Animal Hospital or Clinic	C	X	C
Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings	P	P	P
Community Garden	P	P	P
Educational Facility	P	P	P
Public or Quasi-Public Use	P	P	P
Public Park	P	P	P
Specialty:			
Medical, Urgent Care, and Dental Clinic	P	X	P
Mortuary or Funeral Home	P	X	P
Park and Ride	X	X	P
Parking Lot (not associated with other use)	X	X	X
Accessory Uses:			
Accessory Buildings, Garages, Carports, and Structures subject to this Title	P	P	P
Drive-Thru and Drive-Up Facilities, <u>subject to Subsection 19.42.170.</u> ^{EE}	P X	P	P
Home Occupations, subject to Chapter 19.42.	P	P	P
Sidewalk Displays and Sidewalk Cafes	C	C	C
Nonconforming Uses:			

Pre-Existing Lot	P	P	P
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E. Residential Uses:

1. In the DH and CMU Mixed Use Zones, residential uses are limited as follows.
 - a. Units above a business: Residential dwelling units on the second story or above are permitted.
 - b. Units behind a business: Residential dwelling units on the first story that are separated from the front lot line by a non-residential use in the same story are permitted.
 - c. Units attached to a business on a multiple frontage lot: In no case may first-story dwelling units face onto a front lot line.
2. In the NMU Zone, any new development shall include a mix of residential and non-residential uses. These uses may be mixed horizontally or vertically.

F. In addition to the specific use standards for Drive-Thru and Drive Up Facilities in Subsection 19.42.170, said facilities in the Downtown Historic District (DH) Mixed Use zone are subject to the following additional standards:

1. No drive-thru window, order/menu board, or other aspect of the drive-thru or drive-up transaction may be conducted on a street facing side of a building.
2. No entrance or exit for a drive-thru or drive up facility may directly access Main Street. All access must occur from a side street, and
3. A public alley may be used to access stacking lanes. The alley may not be blocked by the stacking of vehicles and the alley may not count as stacking spaces for the purposes of meeting required stacking capacity.
4. The Planning Commission may allow for variations to the stacking lane and capacity requirements in Section 19.48.100 of this code when it finds that site constraints due to lot width or area make compliance impossible. The approved drive-thru or drive up facility must be designed to ensure that adequate on-site maneuvering and circulation areas, ensure that stacking vehicles do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts on abutting residential lots.

Attachment #2:

General Drive-Thru and Drive Up Facilities Amendments

19.42.170 - Drive-Thru ~~and Drive Up Facilities~~Windows.

- A. Purpose: The regulations of this section are intended to allow for drive-thru facilities by reducing the negative impacts they may create. These impacts include noise from idling cars and voice amplification equipment, lighting, and queued traffic interfering with on-site and off-site traffic and pedestrian flow. The specific purposes of this section are to:
1. Reduce noise, lighting, and visual impacts on abutting uses, particularly residential uses;
 2. Promote safer and more efficient on site vehicular and pedestrian circulation; and
 3. Reduce conflicts between queued vehicles and traffic on adjacent streets.
- B. Applicability And Permit Requirements: These regulations shall apply to all new drive-through facilities, any rebuild or replacement of an existing structure containing a drive-thru facility or modification to an existing building that includes altering the location of an existing drive-through window, expands the floor area by twenty five percent (25%) or more of the gross floor area or one thousand square feet (1,000 sq. ft.), whichever is less and/or the parking requirement increases as required by this Title.
- C. Additional Application Materials Required: In addition to the site plan and standard application requirements, an applicant for a business with drive-thru facilities shall submit a site plan that includes: a parking and circulation plan, driveway locations, and the placement of audio equipment (if this type of equipment will be used).
- D. Adjacent To Residentially Zoned Property: Drive-up/drive-thru windows and their stacking lanes shall be separated from residentially zoned properties by an intervening building, a masonry wall in accordance with Subsection 19.50.050 (B), or by a major street.
- ED. Capacity and design standards for drive-thru and drive-up facilities are found in Section 19.48.100.

19.48.100 - Vehicle Stacking Standards.

- A. Drive-ThruUp and Drive UpThru Facility, Stacking Lane Design Standards: These standards ensure that there is adequate on-site maneuvering and circulation areas, ensure that stacking vehicles do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts on abutting residential lots.
1. Each stacking space shall be a minimum of twenty feet (20') in length and eight feet (8') wide along the straight portions and ten feet (10') wide along the curved segments.
 2. To prevent stacking lanes from blocking traffic on adjacent streets, Eentrances to stacking lanes shall be clearly marked and located a minimum of sixty feet (60') from the closest curb cut. Stacking lanes may not enter or exit directly into a public street.

3. Stacking lanes shall be designed so that they do not interfere with parking and vehicle circulation. Stacking lanes may not block required back out areas for adjacent drive aisles and parking spaces unless there is no other alternative for location of the building and drive-thru lane(s) on the site.

3.4. All stacking lanes shall be clearly delineated from traffic aisles, other stacking lanes and parking areas using striping at a minimum and curbing, landscaping, or signs where appropriate.

5. Stacking lanes may not wrap around in front of the main building entrance doors unless there is no other alternative for location of the building and drive-thru lane(s) on the site.

6. Stacking lanes are strongly discouraged between the building and the street unless there is no other alternative for location of the building and drive-thru lane(s) on the site.

7. All drive-thru queuing lanes providing greater than nine (9) spaces shall also provide a separate escape lane.

B. Required Stacking Capacity: These standards ensure that adequate stacking for certain land uses is provided.

1. A drive-thru automated teller machine (ATM) shall provide no fewer than two (2) stacking spaces before the teller machine.
2. A car or light truck wash shall provide no fewer than three (3) stacking spaces per lane before the wash bay entrance.
3. A laundry or dry-cleaning establishment with a drive thru window shall provide no fewer than two (2) stacking spaces per lane before the drive-up window.
4. A financial institution with teller lanes shall provide no fewer than three (3) stacking spaces per lane before the teller or drive-up window.
5. A pharmacy with a drive thru window shall provide no fewer than three (3) stacking spaces per lane before the drive-up window.
6. A restaurant with drive thru shall provide no fewer than eight (8) stacking spaces before the first drive-up window. A restaurant with more than one stacking lane shall provide no fewer than six (6) stacking spaced before the first drive-up window. Establishments where orders are placed for food or drink in a similar manner to a restaurant shall provide stacking in the same manner as a restaurant.
7. Uses having a drive thru window but not listed in this part are required to have stacking lanes and stacking spaces as determined by the Director and based on the anticipated demand for stacking spaces given existing and projected traffic and consumer patterns.
8. A stacking lane is not required for accessory facilities where vehicles do not routinely stack up while waiting for the service. Examples are window washing, air compressor, and vacuum cleaning stations.