



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

MEMORANDUM

TO: The Urbana Plan Commission

FROM: Rob Kowalski, AICP, Planning Manager

DATE: February 13, 2004

SUBJECT: Plan Case No. 1878-T-04, Text Amendment of the Urbana Zoning Ordinance pertaining to the requirements in the B-1, Neighborhood Business Zoning District.

Introduction and Background

At the January 22, 2004 Plan Commission meeting the Commission considered a proposed text amendment to the B-1, Neighborhood Business Zoning District. The proposed amendments focused on the uses permitted in the district as well as the development regulations specified for development in the district. The Commission tabled action on the proposed amendment pending further staff consideration on the items listed below. The original staff memorandum dated January 16, 2004 outlines the proposed amendments to the district and is attached to this report. The minutes of the January 22, 2004 meeting are included in the packet for the February 19, 2004 meeting.

Discussion

Summary of Plan Commission Discussion – January 22, 2004

At the January 22nd meeting the following comments were offered for further staff consideration:

Wood Fencing

The current requirements specify that “wood fencing” be used when fence screening is required. There was discussion about opaque fencing and a general concern that specifying “wood fencing” precludes other types of opaque fencing that could be more attractive than wood.

Elimination of Certain Uses in the District

The proposed amendments would eliminate some land uses that do not seem to meet the intent of the district and could potentially be incompatible to nearby residential uses when situated in a

neighborhood setting. These uses include *Bookbinding* and *Confectionary Products Manufacturing and Packaging*. The Commission discussed the general concept that although some uses may not be completely commercial in nature, they could possibly offer convenient employment opportunities to nearby residents where residents in the neighborhood could walk to work. If designed properly, these uses could be innocuous and not present an incompatibility with nearby residential uses. It was also noted that changes in the market economy could result in more business being done with internet-based sales and less walk-up customer sales. The example of a mail-order business that offers limited walk-up services but specializes primarily in web-based sales was discussed.

Drive-through Facilities

It was noted that the Table of Uses does not seem to adequately address drive-through facilities for restaurants, banks, dry cleaners, etc. It was not clear if drive-through facilities are permitted by right or regulated to any extent. It was noted that a drive-through facility could have a negative impact to nearby residential uses.

Summary of Staff Consideration

Wood Fencing

The Zoning Ordinance requires “wood fencing” to be used when there is a fence screening requirement. In the case of the B-1 Zoning District, a wood fence screen is proposed to be required when a development is immediately adjacent to any residential use. The current regulations require wood fencing to be installed as a screen between B-1 development and single-family residential development. The ultimate intent for fencing is to provide an opaque screen between uses. Although this could be accomplished with different types of fences, it is believed that the Zoning Ordinance specifies wood because it would be the most common, and perhaps aesthetically acceptable, type of fence. Amending the text to simply require “opaque” fencing in order to allow more attractive types of fencing could also result in fences that are less desirable than wood. The Plan Commission discussed the possibility of simply requiring “opaque fencing” and allowing the Zoning Administrator to review and approve the type of material used. In general, the Zoning Ordinance attempts to avoid issues of design and aesthetics to be determined by any certain individual. For this reason, it is not recommended to change the current language concerning fences and to continue to require fencing to be wood.

Non-Commercial Uses in B-1.

While properly designed non-commercial uses in the B-1 district could be innocuous and allow nearby residents a convenient opportunity to walk to work. The two uses proposed to be eliminated from the district, as well as others, do not seem to meet the stated intent of the B-1 Zoning District which is to primarily provide goods and services to the neighborhood. Encouraging a performance based approach to zoning where more emphasis is placed on design rather than use has definite merits. Nevertheless, the current Zoning Ordinance is more “use based” and takes the approach of fitting the different types of land uses in the different zoning districts that best promote those uses.

Staff recommends eliminating *Bookbinding* and *Confectionary Products Manufacturing and Packaging* from the Table of Uses as they pertain to the B-1 district.

Drive-through Facilities

The Urbana Zoning Ordinance does not effectively address drive-through facilities. This may be an example of how the Zoning Ordinance has not changed over the years along with the changes in the market and how consumers shop and receive their goods. The Zoning Ordinance does contain design requirements for drive-through facilities associated with fast food restaurants but does address in which districts, or in which cases drive-through facilities are appropriate. Further, the Zoning Ordinance does not address drive-through facilities that may be associated with uses other than fast food restaurants such as banks, drugstores, dry cleaners, etc.

A survey of zoning ordinances from other communities shows that Urbana is not alone with the lack of regulations for drive-through facilities. Among those surveyed, the cities of Champaign and Evanston best address drive-throughs. The City of Champaign does not allow drive-through facilities for fast food restaurants in their CN, Commercial Neighborhood Zoning District although they are permitted in the CG, Commercial General Zoning District. They do not address drive-through facilities for other types of uses. The City of Evanston specifies drive-through facilities as accessory uses to a principal use and does not permit them in their B-1, Neighborhood Business District. Attached to this report is a table of those communities surveyed along with the pertinent ordinances from the cities of Champaign and Evanston.

Drive-through facilities could have a significant impact to a neighborhood depending on their scale, activity and location. The impact may also greatly depend on the location of the facility in relation to adjacent residential properties. This scenario is likely to be different in every proposal. There are a variety of ways to regulate drive-through facilities. The following are alternative approaches to addressing this issue for the B-1 district. Staff would like the Plan Commission to consider these alternatives and discuss them at the February 19, 2004 meeting.

Alternative #1

Consider drive-through facilities as a separate accessory use for any principal use and require their review through a conditional use permit when proposed in the B-1, Neighborhood Business Zoning District.

Alternative #2

Determine specific land uses that are likely to have drive-through facilities (such as restaurants, banks, dry cleaners, etc.) and always require those land uses to have either a conditional use or special use permit review in the B-1 district.

Alternative #3

Consider specific design requirements for drive-through facilities that can be codified and applied when a drive-through facility is proposed and not require any conditional use or special use review.

Alternative #4

Do not consider any further regulation or review of drive-through facilities in the B-1, Neighborhood Business Zoning District.

At this point, staff favors Alternative #1 but would like to gather more input from the Plan Commission on the matter.

Summary of Staff Findings (from January 16, 2004 Staff Memorandum)

1. As defined by the Urbana Zoning Ordinance, The B-1, Neighborhood Business Zoning District is "*intended to provide commercial areas of limited size, for basic trade and personal services for the convenience of adjacent residential areas, for needs recurring regularly or frequently.*"
2. Considering the intent of the district, the current regulations and requirements of the B-1 zoning district as specified in the Urbana Zoning Ordinance may foster development that can be incompatible with adjacent residential neighborhoods.
3. The proposed amendments to the Table of Uses better recognizes those uses that are appropriate in the district and what level of review they should receive. The provision to allow some uses by right when under 2,500 square feet in gross floor area will help promote neighborhood business development while minimizing potential impacts to neighborhoods.
4. The proposed amendment will encourage more compatible development between the B-1, Neighborhood Business Zoning District and adjacent residential zoning districts by amending the requirements for setbacks, screening and signage.
5. The proposed amendment is generally consistent with the goals of the 1982 Urbana Comprehensive Plan.

Options

The Plan Commission has the following options for recommendation to the Urbana City Council. In Plan Case 1878-T-04, the Plan Commission may:

- a. forward this case to City Council with a recommendation for approval of the proposed text amendment to the Zoning Ordinance, as presented herein; or

- b. forward this case to City Council with a recommendation for approval of the proposed text amendment to the Zoning Ordinance, as modified by specific suggested changes; or
- c. forward this case to City Council with a recommendation for denial of the proposed text amendment to the Zoning Ordinance.

Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Commission recommend **APPROVAL** of the proposed text amendment to the Zoning Ordinance, as presented in the January 16, 2004 staff memorandum along with additional consideration to be given regarding the regulation of drive-through facilities.

Attachments:

Survey of other communities for drive-through facilities
January 16, 2004 Staff Memorandum to the Plan Commission
Minutes of the January 22, 2004 Plan Commission Meeting (included in packet)

Comparison of Zoning Regulations:

Drive-Through Uses in Neighborhood Business Zoning Districts:

P = Permitted

C = Conditional Use Permit

S = Special Use Permit

Town	Definition	Zoning District	Uses	Specific Drive Through regulation? Comments?
Bloomington				
	Drive-in Refreshment Stand	C-2	Not permitted	No
	Restaurants, Cafeterias	"	Not permitted	
	Delicatessens	"	P	
Champaign Cty.				
	Restaurant (indoor service only)	B-2	S	No
	Drive-in Restaurant	"	Not permitted	
Champaign				
	Restaurant	CN	P	Yes lots, Sec.37-369.
	Restaurant, Drive Through	"	Not permitted	(Permitted in CG zone)
				(CG=commercial general)
Savoy				
	Restaurant	C-2	S	No
	Drive-in Restaurant	"	S	
Urbana				
	Restaurant	B-1	C	
	Fast-food Restaurant	"	C	Only re: stacking, p. 136
Evanston				
	Restaurant, Type 1	B-1	P	Yes, extensive.
	Restaurant, Type 2 (incl. carryout)	"	S	
	Drive-through facility	"	Not permitted	
<i>In Evanston drive-through is always a specific separate use.</i>				

The difficulty involved in regulation is to resolve conflicting ideas of meaning, eliminate out-dated definitions, and introduce enough flexibility for changes in popular usage.

Drive-in

- A. As applies only to *movie theatres*.
- B. As applies to carhop curb service = drive-in, park, order, receive service, and eat in the car. Local example is Sonic.

Drive-up

- A. Service while *temporarily* at a window = fast food, ATMs, Banks, Dry cleaning pick-up
- B. As B above.

Drive-through

- A. As Drive-up A.

Note that drive-in definition B may additionally have a drive-up or drive-through definition A.

**CHAPTER 9
BUSINESS DISTRICTS
PART B. DISTRICT REQUIREMENTS**

6-9-2: B1 BUSINESS DISTRICT:

6-9-2-1: PURPOSE STATEMENT:

The B1 Business District is intended to promote and preserve small-scale, limited shopping and business uses that **service the needs of the people who live and work in the neighborhoods** in which the business uses are located.

Evanston's business districts developed many years ago and have become integral parts of the community. Because they are such an important part of the community's character, preservation of their scale, their range of services, and their pedestrian orientation are prime objectives. The B1 District is structured to accomplish the retention of these small neighborhood business districts and provide for their continued existence.

Uses within this District share common characteristics such as relatively small store fronts built to the front lot line, and provide limited services that cater to neighborhood residents such as drugstores, cleaners, shoe repair, corner grocery stores, and restaurants. **No individual use in this District should exceed seven thousand five hundred (7,500) square feet in size.**

6-9-2-2: PERMITTED USES:

The following uses, **provided they are seven thousand five hundred (7,500) square feet or less in size**, are permitted in the B1 District:

Artist studios and accessory dwelling units (provided the accessory dwelling unit shall not front upon any street).

Caterer. (Ord. 39-0-95)

Cultural facility.

Dwellings (when located above the ground floor).

Education institution - private.

Educational institution - public.

Food store establishment (with hours of operation between 6:00 A.M. and 12:00 A.M. midnight).

Office.

Religious institution.

Residential care home - Category I (when located above the ground floor and subject to the requirements of Section 6-4-4, "Residential Care Homes").

Restaurant - Type 1.

Retail goods establishment.

Retail services establishment.

6-9-2-3: SPECIAL USES:

The following uses may be allowed in the B1 district, subject to the provisions set forth in section 6-3-5, "Special Uses", of this title:

Bed and breakfast establishments (subject to the general requirements of section 6-4-7, "Bed And Breakfast Establishments", of this title).

Boarding house.

Convenience store. (Ord. 39-0-95)

Daycare center - adult (subject to the general requirements of section 6-4-3, "Adult Daycare Homes", of this title).

Daycare center - child (subject to the general requirement of section 6-4-2, "Child Daycare Homes", of this title).

Dwelling - multiple-family.

Food store establishment.

Funeral services excluding on site cremation. (Ord. 58-0-02)

Government institutions.

Membership organization.

Open sales lot. (Ord. 114-0-02)

Planned development (subject to the requirements of section 6-9-1-9, "Planned Developments", of this chapter and section 6-3-6, "Planned Developments", of this title).

Public utility.

Residential care home - category II (subject to the requirements of section 6-4-4, "Residential Care Homes And Child Residential Care Homes", of this title).

Restaurant - type 2 (excluding accessory drive-through facilities).

Uses permitted pursuant to section 6-9-2-2 of this part and this section 6-9-2-3 exceeding seven thousand five hundred (7,500) square feet.

6-9-3: B2 BUSINESS DISTRICT:

6-9-3-1: PURPOSE STATEMENT:

(A)The B2 business district is designed to accommodate and encourage the continued viable use of older, pedestrian oriented shopping areas found throughout the city primarily **at arterial roadway intersections** and, in some cases, near mass transit facilities. This zoning district encompasses the city's oldest shopping areas whose pedestrian orientation and character it wishes to preserve.

(B)These shopping and business areas **are primarily neighborhood oriented, however, they can also accommodate specialty stores and service facilities that service a larger market area.** The established physical pattern of the district is typically buildings built to the front lot line and continuous bands of storefronts. The provisions of this district are intended to maintain pedestrian character.

(C)Uses in the B2 district **may include businesses catering to the daily shopping needs of neighborhood residents**, specialty stores that provide retail opportunities that have broader market appeal, retail service uses and professional service uses, offices and financial institutions without drive-up facilities. **No individual use in this district should exceed twenty thousand (20,000) square feet in size.**

6-9-3-2: PERMITTED USES:

The following uses, provided they are twenty thousand (20,000) square feet or less in size, are permitted in the B2 district:

Artist studios and accessory dwelling units (provided the accessory dwelling unit shall not front upon any street).

Caterer. (Ord. 39-0-95)

Cultural facility.

Dwellings (when located above the ground floor).

Education institution - private.

Educational institution - public.

Financial institution.

Food store establishment (with hours of operation between 6:00 A.M. and 12:00 midnight).

Governmental institutions.

Office.

Religious institution.

Residential care home - category I (when located above the ground floor and subject to the requirements of section 6-4-4, "Residential Care Homes And Child Residential Care Homes", of this title).

Restaurant - type 1.

Retail goods establishment.
Retail services establishment.

6-9-3-3: SPECIAL USES:

The following uses may be allowed in the B2 district, subject to the provisions set forth in section 6-3-5, "Special Uses", of this title:

Assisted living facility.
Boarding house.
Commercial indoor recreation.
Commercial outdoor recreation.
Convenience store. (Ord. 39-0-95)
Daycare center - adult (subject to the general requirements of section 6-4-3, "Adult Daycare Homes", of this title).
Daycare center - child (subject to the general requirement of section 6-4-2, "Child Daycare Homes", of this title).

Drive-through facility (accessory or principal).

Dwelling - multiple-family.
Food store establishment.
Funeral services excluding on site cremation. (Ord. 58-0-02)
Independent living facility.
Long term care facility.
Membership organization.
Open sales lot. (Ord. 114-0-02)
Planned development (subject to the requirements of section 6-9-1-9, "Planned Developments", of this chapter and section 6-3-6, "Planned Developments", of this title).
Public utility.
Residential care home - category II (subject to the requirements of section 6-4-4, "Residential Care Homes And Child Residential Care Homes", of this title).

Restaurant - type 2.

Retirement home.
Retirement hotel.
Sheltered care home.
Trade contractor (provided there is no outside storage).
Transitional treatment facility - category III (subject to the requirements of section 6-4-5, "Transitional Treatment Facilities", of this title).
Uses permitted pursuant to sections 6-9-1-2 and 6-9-1-3 of this chapter exceeding twenty thousand (20,000) square feet.

CHAPTER 16 OFF-STREET PARKING AND LOADING

TABLE 16-B - SCHEDULE OF MINIMUM OFF STREET PARKING REQUIREMENTS

Each principal building or use shall have the following minimum number of parking spaces:

Drive-Through Facility Four (4) stacking spaces for the first window, plus two (2) stacking spaces for each additional window in addition to the parking required for that specific land use.

Restaurants, Type 1 And Type 2 Four (4) spaces per one thousand (1,000) square feet gross floor area.

CHAPTER 18 DEFINITIONS

6-18-3: DEFINITIONS:

ACCESSORY USE OR STRUCTURE 1 : A structure or use that: a) is subordinate to and serves a principal building or a principal use, **except for a drive-in facility**; b) is subordinate in area, extent, and purpose to the principal structure or principal use served; c) contributes to the comfort, convenience, or necessity of the occupants, business, or industry of the principal structure or principal use served; and d) is located on the same lot as the principal structure or principal use served, except as otherwise expressly authorized by the provisions of this Ordinance. Accessory parking facilities may be authorized to be located elsewhere. An accessory structure attached to a principal building in a substantial manner by a wall or roof shall be considered part of the principal building.

DRIVE-THROUGH FACILITY: A facility, establishment or portion thereof that is designed, intended or used for transacting business with customers located in motor vehicles. "Drive-through facility" shall only be permitted in connection with a listed permitted or special use. (Ord. 39-0-95)

RESTAURANT, TYPE 1: An establishment in which the principal use is the service of prepared food and beverages for consumption on the premises. All service of prepared food and beverages for consumption on the premises shall require customers to order at a table, booth, or dining counter with service by a waiter or waitress at said table, booth, or dining counter and shall also require the use of reusable (nondisposable) flatware and dishware. **Drive-through facilities are prohibited.**

RESTAURANT, TYPE 2: An establishment in which the principal use is the service of prepared food and/or beverages for consumption **on and/or off the premises and that is not a "restaurant, Type 1"** as defined herein. This definition shall not include establishments where incidental prepared food and beverage service is accessory to a bakery, food establishment, convenience store, food store establishment, meat market, or similar principal use nor shall it include cafeterias that are accessory to hospitals, colleges, universities, schools or other similar principal uses. (Ord. 39-0-95)

City of Champaign: Chapter 37 1996 Zoning Ordinance

-Selected Excerpts—bold type added for emphasis

ARTICLE II. DEFINITIONS

Sec. 37-18 Definitions—D

Drive-in or drive-through shall mean a building or portion thereof which is designed to provide either wholly or in part, service to customers in vehicles that are either parked or stacked in a service lane. Drive-in facilities include, but are not limited to, drive-in restaurants, drive-in banking facilities, and other uses with drive-up windows.

Driveway or driving lane shall mean a private roadway providing access for vehicles to a parking space, garage, dwelling, or other structure.

Sec. 37-20 Definitions—F

Financial institution shall mean a bank, savings and loan, credit union, mortgage office, or automated teller machine (ATM). "Financial Institution" shall not include a currency exchange.

Sec. 37-32 Definitions—R

Restaurant shall mean an establishment in which food, refreshments, or beverages are offered for sale for consumption in the building or at tables on the lot in which the establishment is located.

Restaurant, drive-through shall mean a building, or portion thereof, where food and/or beverages are sold in a form ready for consumption and where the facility is designed to provide service directly to the passengers of the motor vehicle. The facility may also include seating, take-out service, and double drive-throughs.

ARTICLE III. USE REGULATIONS

DIVISION 3. PURPOSE AND REGULATIONS FOR DISTRICTS

Sec. 37-111. CN Commercial Neighborhood District--Purpose.

It is the purpose of the CN District to provide for the development of convenience shopping and personal service needs of surrounding residential neighborhoods. This is a low intensity shopping district. Overall size of a shopping center can range up to ten (10) acres with proper design. These areas should have good access to arterial streets. Provisions for bicycle and pedestrian traffic should be part of the design. Service by mass transit is also desirable.

Sec. 37-112. Permitted uses in the CN District.

Unless otherwise provided for in this chapter, no structure or land may be used, erected, converted, or structurally altered in the CN District, except for one or more of the following uses which are permitted:

- (a) Religious Institution;
- (b) Community or Government Building;
- (c) Library/Museum;
- (d) Park/Playground;
- (e) Fitness and Beauty Service;
- (f) Personal Service;
- (g) School Business or Trade;

- (h) Broadcast Studio;
 - (i) Clinic;
 - (j) Office or Office Building;
 - (k) Laboratory;
 - (l) Parking Lot or Garage;
 - (m) Residential Care Facility;
 - (n) Bed and Breakfast Inn;
 - (o) Dry Cleaner;
 - (p) Funeral Home;
 - (q) Restaurant/Snack Bar;
 - (r) Retail Food and Drug;
 - (s) Retail General Merchandise;
 - (t) Retail Specialty;
 - (u) Lodge;
 - (v) Country Club;
 - (w) Swim Club;
 - (x) Crematorium;
 - (y) Restaurant Carry-out;
 - (z) Commercial Service;
 - (aa) Financial Institution.
- (C.B. No. 2001-214, § 1, 9-4-01)

Sec. 37-113. Provisional uses in the CN District.

Unless otherwise provided in this chapter, no structure or land may be used, erected, converted, or structurally altered in the CN District, except for one or more of the permitted uses listed above or one or more of the following provisional uses, provided the provisional use meets the requirements of this chapter:

- (a) Day Care Center;
 - (b) Parking Lot or Garage;
 - (c) Utility Station, provided the use occupies a minimum lot size of twenty thousand (20,000) square feet. Any utility station creating any measurable electromagnetic field shall be setback a minimum of sixty (60) feet from the nearest property line of an adjacent residential use;
 - (d) Animal Clinic, provided that there shall be no outdoor animal run areas designated for animals. There shall be boarding of animals only for treatment;
 - (e) Shopping Center, provided the total lot area of a shopping center may not exceed ten (10) acres;
 - (f) Multifamily Dwelling, provided there shall be no dwelling units below the second story;
 - (g) Tavern or Bars;
 - (h) Residential, provided that the individual residential unit is accessory to the principal commercial use.
- (C.B. No. 97-309, § 1, 11-18-97)

Sec. 37-114. Special uses in the CN District.

- (a) Mini Marts;
- (b) Service Stations.

No additional special use is permitted in the CN District only as a special use.

Sec. 37-115. Performance standards for the CN District.

In addition to other applicable development standards, each use shall comply to the following standards:

- (a) The maximum gross floor area of any individual establishment within the District shall not exceed ten thousand (10,000) square feet.
- (b) There shall be no on-site storage of construction materials or construction equipment. Bulk storage of hazardous substances shall only be allowed at service stations and shall be subject to the special development standards for that use.
- (c) There shall be no outdoor storage or display of any goods, supplies, products, or other equipment associated with the business.
- (d) The sale and consumption of food and beverages shall be conducted indoors, except for benches or tables placed for the convenience of customers. Tables associated with a snack bar or restaurant may not be located within one hundred (100) feet of a lot line of a residential district. Outdoor seating per establishment shall not exceed eight (8) seats.

ARTICLE VII. PARKING, LOADING AND ACCESS DRIVES

DIVISION 6. ACCESS DRIVES

Sec. 37-367. Access drive design commercial and industrial.

Commercial and industrial access drives shall conform with the following requirements:

- (a) No property shall have more than two (2) access drives per frontage. For the purpose of this section a property shall be defined as:
 - (1) A platted lot under single ownership which is of record on July 29, 1968; or
 - (2) Two (2) or more platted lots or combinations of lots and portions of lots with continuous frontage under single ownership which are of record on July 29, 1968; or
 - (3) An unplatted parcel of land with continuous frontage under single ownership.
- (b) No access drive shall be located less than two hundred (200) feet from any parallel access drive on the same property to the centerline thereof.
- (c) No access drive shall be located less than one hundred fifty (150) feet from any parallel street thereof; except in cases where a arterial street intersects another street, then no access drive shall be located less than two hundred fifty (250) feet from either intersecting street, measured from centerline-to-centerline.
- (d) No access drive shall be located less than two hundred (200) feet from the base of any bridge incline, measured from the centerline of the access drive to the base of the bridge incline.
- (e) No access drive shall be located less than four hundred (400) feet from an interchange ramp, measured from centerline-to-centerline.
- (f) No on-site vehicular parking aisle or access drive shall be located less than thirty (30) feet from any parallel public street, measured from the nearest curb line of the aisle or access drive to the nearest right-of-way line of the parallel public street.

(g) No access drive shall be less than ten (10) feet nor more than thirty-five (35) feet in width at the right-of-way line, measured at right angles to the centerline thereof.

(h) Standards for access drive construction shall meet the requirements of chapter 30 of this Code.

(i) No access drive shall be permitted in violation of the Subdivision Regulations.

Sec. 37-368. Exceptions for automobile service stations and mini-marts.

An exception to the above provisions shall be made for automobile service stations. At street intersections, a minimum distance of ten (10) feet shall be provided between the terminus of the public street curb radius and the nearest access drive edge line extended. In no case, however, shall the distance between the curb line (extended) of the public street and the nearest access drive curb line be separated by less than thirty (30) feet. A distance of not less than twenty-five (25) feet shall be provided between access drives, measured from the nearest drive edge thereof. Not more than two (2) access drives per street frontage shall be allowed. These exceptions will apply unless otherwise prohibited by the Subdivision Ordinance.

Sec. 37-369. Standards for drive-through uses.

A specific land parcel, to be developed with such uses as a drive-in financial institution, drive-in car wash, drive-in restaurant, drive-in beer or liquor store, or similar use that requires a continuous flow of one-way traffic onto and off of the site, which has frontage with less than two (2) access drives per frontage, may require one-way traffic around the site, provided one access drive is for entrance only and one access drive is for exit only. These exceptions will apply unless otherwise prohibited by a subdivision plat.

(a) Drive-in or drive-through facilities shall provide a stacking lane for the stacking of automobiles waiting to drive through the facility. Each stacking lane shall have a minimum number of stacking spaces as provided below. The space directly adjacent to the service window is considered a stacking space. Each stacking space for automobiles shall be eight (8) feet six (6) inches in width and eighteen (18) feet six (6) inches in length. Such stacking lanes shall not include any portion of any access aisles or driveway for off-street parking lots and shall not encroach in any front yard.

(b) Drive-in restaurants shall provide a minimum of eight (8) stacking spaces in the required stacking lane per pick-up window.

(c) All other drive-in or drive-through uses, including but not limited to, car washes, dry cleaners, financial institutions, and automatic teller machines, shall provide a minimum of four (4) stacking spaces per drive-up window.

(d) This requirement shall not be applied to service/gas stations, except to those which have drive-in car washes. Only the car wash portion of the use shall be subject to the stacking requirement.

(e) Drive-through financial institutions and other uses with four (4) or more stacking lanes shall be required to submit a site plan for review and approval by the City Engineer.

(C.B. No. 97-327, § 1, 12-2-97)