

Drive-Through Use Proposed Code Amendments

Red text indicates new text; ~~strikethrough red text~~ indicates text to be deleted

Proposed changes to Chapter 21.15 Definitions

21.15.870 - *Drive-in restaurant.*

See " ~~Drive-through facilities~~Restaurant, fast food."

(Ord. C-6533 § 1 (part), 1988)

21.15.875 - *Drive-through facilities.*

Drive-Through or Drive-Up Facilities. An establishment that sells products or provides services to occupants in vehicles, including drive-in or drive-up windows and drive-through services. Examples include, but are not limited to, fast food restaurants, banks, dry cleaners, mortuaries, and pharmacies. Does not include "click and collect" facilities in which an online order is picked up in a stationary retail business without use of a drive-in service.

~~21.15.2330 - Restaurant, fast food.~~

~~"Fast-food restaurant" means a restaurant which supplies food and beverages primarily in disposable containers and which is characterized by high automobile accessibility, self-service and short stays by customers.~~

~~(Ord. C-6533 § 1 (part), 1988)~~

Proposed changes to Chapter 21.32 – Commercial Districts

	Neighborhood			Community				Regi onal	Other	
Automobile (Vehicle) Uses	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Drive- through facilities	N	C	N	C	C	C	C	C	N	Special standards apply (see Section 21.45.130).

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	Neighborhood			Community				Regional	Other	
Financial Services	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
3. Drive-through facilities thru machine	N	APC	N	APC	C	APC	APC	APC	N	3. For drive-thru machine see standards for drive-thru lane in Section 21.45.130 Special standards apply (see Section 21.45.130).

	Neighborhood			Community				Regional	Other	
Restaurants and Ready-To-Eat Foods	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Restaurants and ready-to-eat foods with drive-through facilities thru lanes	N	C	N	C	C	C	C	C	N	Special standards apply (see Section 21.45.130).

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Proposed changes to Chapter 21.33 – Industrial Districts

**Table 33-2
Uses In Industrial Districts
(Continued)**

Use	IL	IM	IG	IP	*Notes and Exceptions
<p align="center">7.2 Drive-through facilities Eating with drive-thru service (SIC code 5812*)</p>	Y/C	Y/C	Y/C	<p align="center">See item 10 in this table. C</p>	<p>b. Any business involved in the sale of alcoholic beverages shall be subject to conditional use permit review and shall meet the location requirements contained in Section 21.52.201.</p> <p>The following exceptions do not require a conditional use permit:</p> <p>Restaurants with alcoholic beverage service only with meals, whereby alcoholic beverage sales comprise 30 percent or less of the monthly gross sales of the restaurant. This generally means that any use with a fixed bar is not exempt from the conditional use permit requirement. A service bar is not a fixed bar. A sushi bar where alcoholic beverages are served at the same bar as meals is considered as serving alcoholic beverages only with meals. A cocktail lounge without a bar but with service primarily of hors</p>

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					d'oeuvres and alcoholic beverages shall require a conditional use permit. Special Standards Apply (See Section 21.45.130)
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Abbreviations:

Y = Yes (permitted use).

N = Not permitted.

C = Conditional use permit required. For special conditions, see Chapter 21.52.

AP = Administrative use permit required. For special conditions, see Chapter 21.52.

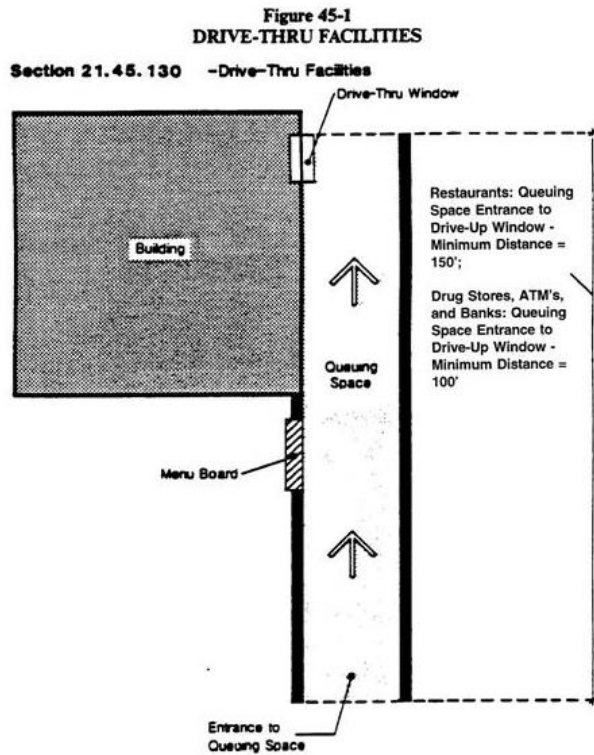
21.45.130 - Drive-through facilities.

A. Queuing Space Length.

~~1. Restaurants. A minimum queuing distance of one hundred fifty feet (150') shall be provided from the forwardmost drive-up window to the entrance to the queuing space. The queuing space shall be located completely clear of any adjacent public right-of-way and all circulation aisles provided on a site as illustrated in Figure 45-1.~~

~~2. Drug Stores, ATM's, and Banks. A minimum queuing distance of one hundred feet (100') shall be provided from the forwardmost drive-up window to the entrance to the queuing space. The queuing space shall be located completely clear of any adjacent public right-of-way and all circulation aisles provided on a site as illustrated in Figure 45-1.~~

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(this image would be deleted in the new regulations)

~~**B. Menu Board Location.** Each menu board shall be located to provide adequate distance from the menu board to the entrance to the queuing space.~~

~~**C. Menu Board Size.** The size of a menu board shall be regulated by the provisions of Chapter 21.44 (On-Premises Signs).~~

~~(Ord. C-7607 §§ 4, 8, 1999; Ord. C-6533 § 1 (part), 1988)~~

A. Findings required. A decision-maker shall not grant a conditional use permit or other approval for a drive-through facility without finding:

1. Said facility has adequate vehicle queuing distance, including with due consideration for menu board location, clear of any adjacent public right-of-way, and shall not create any vehicular or pedestrian travel hazards as demonstrated in a traffic study prepared to the satisfaction of the Director of Development Services.
2. That the project substantially conforms with the purpose, intent and provisions of the General Plan, any applicable Specific Plan or Planned Development District, overlay, design guidelines, or other applicable regulation.

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3. That the location and design of the facility is compatible with surrounding existing uses, includes a prominent main entrance at street or lot frontage, attractive landscaping, and includes sufficient pedestrian amenities, and interior floor area.
4. The said facility includes sufficient emissions controls to prevent idling vehicles, tunneling of emissions, and associated impacts on employees, visitors, and nearby sensitive receptors.
5. That said facility includes buffering sufficient to control any spillover impacts, including but not limited to noise, light, and debris that may impact surrounding sensitive receptors.
6. That said facility, if located within 150-feet of a residential zone, includes appropriate limits on hours of operation of the drive-through. Hours of operation for dine-in or take-out customers shall not be limited.
7. That said facility is not located in an area of existing overconcentration of drive-through facilities and is not located within a 500-foot radius of a school or park unless mitigating factors exist.
8. That development of the subject property shall not otherwise be suitable or necessary for more-intensive development that would advance the City's housing and economic goals, as described in the General Plan and Economic Blueprint.