

CHAPTER 16.093
DRIVE-THROUGH RESTAURANT FACILITIES

§ 16.093.000. Intent.

The intent of this chapter is to permit drive-through facilities in connection with restaurants which also have indoor dining, provided that such uses are located at proper and desirable locations in the City with respect to adjacent land uses and traffic patterns, and other potential impacts, such as aesthetic incompatibility, vehicular/pedestrian conflicts, noise, light and glare, odor and emissions, litter and loitering are adequately minimized.

(08-05)

§ 16.093.010. Applicability.

The provisions of this chapter are applicable to all drive-through restaurants.

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§ 16.093.020. Drive-through restaurants permitted.

Drive-through restaurants shall be permitted only in the CF Commercial Freeway District with approval of a conditional use permit pursuant to Chapter 16.303.

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§ 16.093.030. Indoor dining.

A drive-through facility shall be operated only as part of a restaurant which also has an indoor dining area.

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§ 16.093.040. Performance standards.

All drive-through facilities shall be subject to the following performance standards:

A. Separation From Sensitive Land Uses

1. A drive-through facility shall be separated from any residential development or residential district by no less than 300 feet, or a freeway.
2. The drive-through facility shall be buffered and visually screened from residential development with a wall and landscaping, by other natural or constructed barriers, such as other commercial development or freeway, or combination thereof.

B. Minimum Site or Part of Center or Development Complex

A restaurant with drive-through facilities shall have a minimum one acre land area or shall be part of a commercial center or larger development complex of at least one acre.

C. Setbacks

All structures, parking areas, drive-through stacking and exit lanes, intercom system, trash enclosure, etc., shall be set back 10 feet or more from any property line, or if part of a commercial center or larger development complex, 10 feet or more from any perimeter property line of the center or complex.

D. Aesthetics

All structures, signs, and related facilities shall be subject to architectural review pursuant to Chapter 16.300. All development shall be visually compatible to surrounding uses in form, materials, colors, and scale.

In addition, all signs are subject to Title 18 of this Code.

E. Circulation

1. All streets that serve the site shall be adequate in width to carry the quantity of traffic generated by the use without significantly lowering the existing level of service of that street or nearby intersection.
2. Vehicle conflicts with pedestrians and bicycles shall be minimized.
3. The project applicant shall prepare and submit to the City as part of the initial application a traffic study. The study shall address: (i) the adequacy of the street(s) that serve the subject site; (ii) the placement, design, and adequacy of the vehicle queuing aisle; (iii) the on-site circulation, parking lot design and pedestrian/bicycle safety; and (iv) additional information as requested by the City Engineer. The traffic study shall identify potential adverse impacts and include measures for mitigating such impacts.
4. There shall be no more than two curb cuts for driveways to the development on any one street. No curb cut shall be closer than 75 feet from the beginning of the curb return at the corner of the intersection. Adequate sight distance shall be provided for exiting.

F. Parking

1. One parking space shall be provided for each 100 square feet of gross interior floor area plus one space for each 175 square feet of gross outdoor dining area.
2. All parking areas shall comply with development standards of Chapter 16.136, of this title.
3. Parking shall be restricted to customers and employees only. There shall be time limits on customer parking to discourage loitering at and around the site. The parking restrictions shall be posted in the parking lots and enforced by the restaurant management.

G. Restrooms

Access to bathroom facilities located within the restaurant development shall be

from within the structure, with no direct access from the parking area.

H. Noise

1. Noise levels from the drive-through facilities shall not exceed the City noise standards of Chapter 16.154 of this title or cause the existing ambient noise to increase by more than five dBA as measured at the property line.
2. The project applicant shall provide the plans and specifications for any potential noise sources, such as intercom system, trash compactor, etc. Plans shall include measures to mitigate any potential adverse impact from such noise sources.
3. A sound attenuation wall may be required along the property lines if determined necessary by the City to control noise and vibrations generated by the facility.
4. Speaker boxes of any point to point intercom system shall be oriented away from residential development and other sensitive receptors located in the general area of the drive-through facility.
5. Outdoor maintenance and cleaning activities shall be limited if determined necessary by the City to achieve compatibility with surrounding land uses.
6. The on-site manager shall not permit any loud music, noise or other sounds by means of phonograph, radio, or other broadcasting apparatus or device, and shall not permit fighting, quarreling, loitering, or loud noise or other nuisance which disturbs the quiet and peace of the premises or the neighborhood.
7. Hours of operation shall be limited as determined necessary by the City to achieve compatibility with surrounding land uses.

I. Light and Glare

1. A wall, hedge, or berm along the outer perimeter of the parking area(s) and drive-through lane(s), except for areas of ingress and egress, may be required if determined necessary by the City to prevent unwanted light and glare. The height, design, and specific location of such barrier shall be subject to architectural review pursuant to Chapter 16.300.
2. All lighting fixtures shall be designed, installed, and maintained so as to direct light only onto the subject property.
3. All lighting in the parking lot(s) and drive-through area(s) shall comply with the provisions of Chapter 16.136, lighting for parking lots.
4. All lighting shall be subject to a 30-day lighting level review period, during which time illumination levels shall be evaluated and adjusted where determined necessary by the City.

J. Maintenance

1. The site shall be maintained in a litter free condition and no undesirable odors shall be generated on the site. The on-site manager shall make all reasonable efforts to see that the trash or litter originating from the use is not deposited on adjacent properties. Trash enclosures and bins shall be enclosed on all sides to suppress odors and prevent spillage of materials. Employees shall be required daily to pick up trash or litter originating from the site within 300 feet of the perimeter of the property. Graffiti shall be removed within 48 hours.
2. The project applicant shall prepare and submit a litter control plan and a recycling plan to the City.
3. The on-site manager of the use shall take whatever steps are deemed necessary to assure the orderly conduct of employees, patrons, and visitors on the premises.
4. A copy of the above maintenance standards and any applicable conditional use permit conditions shall be posted alongside the necessary business licenses and be visible at all time to employees.

(08-05)

§ 16.093.050. Special notice requirements.

In addition to the notice requirements in Chapter 16.303 applicable to all conditional use permits, notice of any public hearing on a proposed drive-through facility or a physical modification of an existing drive through facility shall be given to the blind, aged, and disabled communities, in order that they may participate in the hearing.

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§ 16.093.060. Additional conditions.

The above performance standards constitute the minimum deemed necessary under general circumstances and in most cases to prevent adverse effects from drive-through facilities. Other and further standards may be required as conditions of approval to ensure that such uses are in accord with the intent of this chapter and the findings required by Chapter 16.303, Conditions of Approval.

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§ 16.093.070. Discontinuation of use.

If any drive-through facility approved pursuant to this chapter is discontinued for a period of 12 months or longer, the conditional use permit for such use shall be void pursuant to Chapter 16.300.

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