



Midway

PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: March 8, 2022

NAME OF APPLICANT: Midway City

AGENDA ITEM: Code Text Amendment of Section 16.13.39: Off-Street Parking and Loading

ITEM: 3

Midway City is proposing an amendment to Chapter 16.13.39: Off-Street Parking and Loading. The proposed amendment would create requirements for commercial uses with drive-through windows.

BACKGROUND:

Midway City is proposing an amendment to the City's Municipal Code in the Land Use Chapter, Title 16. The proposed code would create criteria for drive throughs. Currently, the land use code does not contain criteria that governs drive throughs. A recent application for a restaurant, that includes a drive through window, has highlighted the need to have some criteria in place to help mitigate both negative impacts and safety concerns.

There are several drive throughs in Midway (Grand Valley Bank, Judy's Doughnuts, Goochy-Goo BBQ, FILL'ER UP Coffee, Keller Williams next to Lupita's), only a few of which are currently in use. As we as staff have discussed drive throughs recently, we feel that it would be a good time to create criteria for allowing drive through windows.

One of the most significant concerns for us as staff is to ensure that if a drive through is proposed that the plan has adequate area for stacking of vehicles onsite. Our intent is to create a minimum requirement that businesses will be required to comply with, which currently does not exist in the city code.

In developing a recommendation, we reviewed the stacking requirements from other communities in Utah. Those requirements are found below.

Bountiful, UT –

- Stacking Requirements:
 1. Restaurants and Fast Food: Six stacking spaces per service window or device.
 2. Banks: Four stack spaces for each service window or device.
 3. All other uses: Three stacking spaces for each service window or device.
- Stacking space size requirements: Each space shall measure nine (9) feet by twenty (20) feet and have a height clearance of fourteen (14) feet or as determined by the Fire Marshal. Such spaces shall not interfere with other required off-street parking or traffic circulation.

Sandy, UT –

- Stacking Requirements: These spaces are per drive through lane.
 1. Drive-thru restaurants: a minimum of nine spaces (five spaces before the order board, three spaces before the pick-up window and one dedicated space beyond the pick-up window for customers waiting for food pick up).
 2. Financial institutions: a minimum of three spaces in each teller lane.
 3. Pharmacy: a minimum of two spaces in each lane.
 4. Dry cleaners: a minimum of two spaces.
 5. Coffee kiosks: a minimum of three spaces for each service window.
 6. Thrift shop drop off: a minimum of five spaces for each drop off lane.
- Design Standards:
 1. Queuing lanes shall not be allowed to wrap around in front of the main building entrance doors, nor block required back out areas for adjacent parking spaces, unless there is no other alternative for location of the building and drive thru lanes on the site.
 2. Queuing 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.
 3. All drive-thru queuing areas shall also provide a separate escape lane.
- Maximum Stacking Lanes:
 1. Drive-thru restaurants: two lanes.
 2. Financial institutions: six lanes.
 3. Pharmacy: two lanes.
 4. Dry cleaners: one lane.
 5. Coffee kiosks: two lanes (one on each side of the building).
 6. Thrift shop drop off: three lanes.
- Speaker Boxes: Speaker boxes designed to communicate from the ordering window/menu board shall not be audible on any residential property adjacent to the business.

Salt Lake City, UT –

- Stacking Requirements:

1. Car Wash (Automated and Self-Service): 2-4 spaces per bay/lane
 2. Food and Beverage: 4- spaces per lane
 3. Other Uses: 3 spaces per lane
- Design Standards:
 1. When drive-through facilities are allowed and where no front or corner side yard setback is required, the drive-through lanes shall not be located between the front or corner side lot line and any walls of the principal building.
 2. Drive-through lanes shall be arranged to avoid conflicts with site access points, access to parking or loading spaces, and internal circulation routes, to the maximum extent practicable.
 3. A by-pass lane, driveway, or other circulation area around a drive-through facility stacking lane shall be provided for all uses other than automated car washes.
 4. All required stacking spaces shall measure nine (9) feet by twenty (20) feet and shall be counted from the point of service, or final service window.
 5. Drive through facilities shall post idle-free signs.
 6. When a drive through use adjoins any residential use or any residential zoning district, a minimum six foot (6') high masonry wall shall be erected and maintained along such property line.

Following (in red) is the proposed code language:

16.13.39 Off-Street Parking and Loading

M. Drive Through Requirements

Drive throughs may be allowed as a conditional use in the C-2 and C-3 zones. Uses which propose drive through service windows or devices shall provide on-site space for the stacking of vehicles waiting to reach the drive-up window or device in accordance with the following:

1. Stacking Requirements:
 - a. Food and Beverage: Minimum of five stacking spaces per service lane. Maximum of two lanes.
 - b. Banks: Minimum of three stacking spaces for each service window/ATM. Maximum of two lanes.
 - c. All other uses: Three stacking spaces for each service lane. Maximum of two lanes.
2. Design Standards:
 - a. All stacking spaces leading up to the final service window or device, including the space at the service window or device, shall count towards the required spaces. No spaces beyond the window or device will count towards the required minimum.
 - b. Stacking space size requirements: Each space shall measure nine (9) feet

- wide by twenty (20) feet deep.
- c. If drive through stacking lanes are proposed along the primary or secondary frontage of a property, a minimum five-foot landscape buffer shall be required to help buffer the drive through lanes from the adjacent roads.
 - d. Drive-through lanes shall be arranged to avoid conflicts with site access points, pedestrian circulation paths, access to parking or loading spaces, and internal circulation routes, to the maximum extent practicable
 - e. For drive throughs on properties that abut a residential zone:
 - i. The common property line shall be fenced with a 6' solid fence or wall that meets the safety and design requirements applicable to the zone.
 - ii. There shall be a five-foot landscaped buffer between the required fence or wall and the drive through lanes. This buffer should be planted with trees and shrubbery that will help mitigate visual and noise impacts created by the drive through. Trees shall be appropriately sized for the location and shall be planted at an interval of no less than fifteen feet along the property line.
 - f. Speaker boxes shall not be allowed, unless the following are met:
 - i. Box placement and orientation is not adjacent to a residential zone.
 - ii. Noise created by the speaker box shall not exceed 70 dBA as measured from all property lines.
 - iii. Speaker boxes shall not be used after 10:00 PM.

POSSIBLE FINDINGS:

- Drive throughs would be allowed as a conditional use in the C-2 and C-3 zones, allowing for the mitigation of negative impacts.
- The proposed code would provide criteria for proposing a new drive through or modifying an existing drive through.

ALTERNATIVE ACTIONS:

1. Recommendation of Approval. This action can be taken if the Planning Commission finds that the proposed language is an acceptable amendment to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings
2. Continuance. This action can be taken if the Planning Commission would like to continue exploring potential options for the amendment.

- a. Accept staff report
- b. List accepted findings
- c. Reasons for continuance
 - i. Unresolved issues that must be addressed
- d. Date when the item will be heard again

3. Recommendation of Denial. This action can be taken if the Planning Commission finds that the proposed amendment is not an acceptable revision to the City's Municipal Code.

- a. Accept staff report
- b. List accepted findings
- c. Reasons for denial