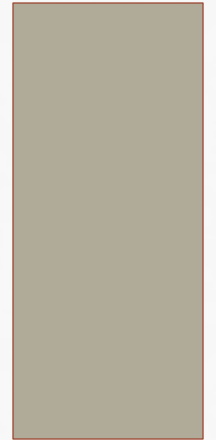


# OFF-STREET PARKING AND LOADING

CODE TEXT AMENDMENT



# PROPOSAL BACKGROUND

Midway City is proposing an amendment to the City's Municipal Code in the Land Use Chapter, Title 16. The proposed code would prohibit the creation of new drive-throughs in the City. Currently, the land use code does not contain anything that prohibits drive-throughs.

# DRIVE THROUGH ISSUES

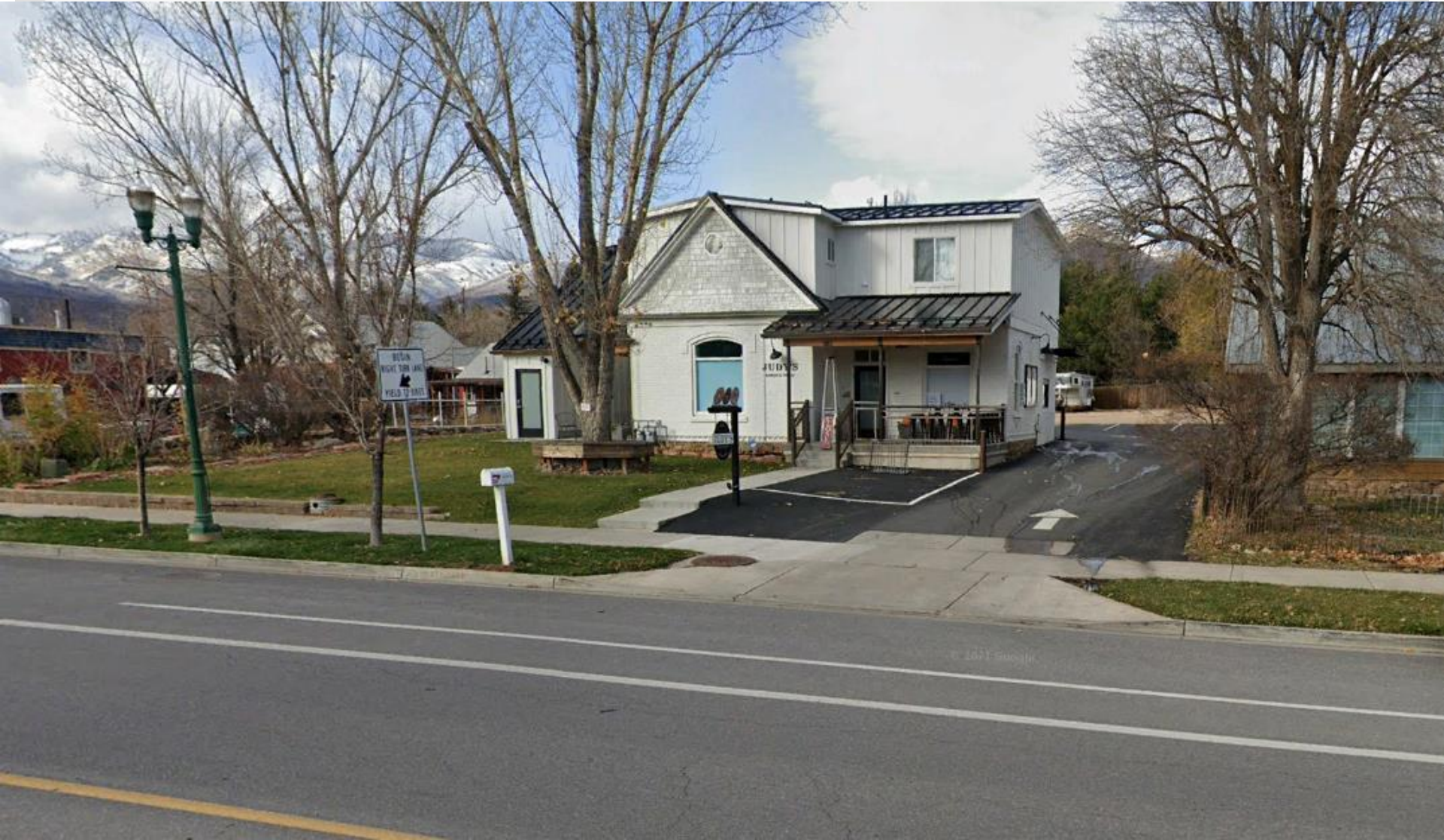
Midway General Plan envisions a safe, walkable small town with a village feel

- Drive-throughs detract from the “village” feel that Midway is trying to maintain
- Creates congestion
- Discourages walking
- Does not contribute to visits to neighboring businesses
- Vehicles stacked out on public roads
- Car engine idling causes pollution which is a health and visual issue
- Promotes more pavement and spacing between businesses and detracts from the aesthetic appeal

# EXISTING DRIVE THROUGHS



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## 3/8 PLANNING COMMISSION MOTION:

**Motion:** Commissioner Garland: I make a motion that we recommend continuance of 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. Come up with code that prohibits all businesses from having a drive thru.

**Seconded:** Commissioner Simons

**Chairman Nicholas:** Any discussion on the motion?

**Chairman Nicholas:** All in favor.

**Ayes:** Commissioners: Wardle, Garland and Simons

**Nays:** Ream

**Motion:** Passed

# PROPOSED CODE

## **16.13.39 Off-Street Parking and Loading**

### M. Commercial Drive-throughs Prohibited

The creation of new commercial drive-throughs in Midway is prohibited in all zones. All drive-throughs that legally exist on the date this code goes into effect may continue as allowed elsewhere in this title.



# POSSIBLE FINDINGS

- New commercial drive-throughs would be prohibited in all zones
- Lawfully existing drive-throughs would be considered non-conforming and would be allowed to continue as outlined elsewhere in the land use code
- Prohibiting drive-throughs may discourage certain commercial uses that rely upon the convenience of drive-throughs

# 3/8/22 PROPOSED CODE

## 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 adjacent roads.

# 3/8/22 PROPOSED CODE

## **16.13.39 Off-Street Parking and Loading**

### **M. Drive Through Requirements (continued)**

- 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.