Agenda # 5.1

City Council

Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Karl Schoettler, City Planner, Collins and Schoettler

THROUGH: John Jansons, City Manager

DATE: May 23, 2016

RE: Public Hearing for Zoning Ordinance Amendment 2016-01: Drive Thru Lanes and Windows Central Commercial ("CC") Zone

RECOMMENDED ACTION:
It is respectfully recommended that the City Council conduct a public hearing to adopt Zoning Ordinance Amendment 2016-01.

BACKGROUND:
The City has received a request from a business in the downtown (Little Caesar's) to allow a drive thru lane and window. As a part of the CC zone's purpose to foster a walkable downtown pedestrian-oriented shopping environment, drive-thru lanes are not permitted in the CC zone and so the applicant has submitted a request to amend the code to allow for drive-thru uses.

PROJECT DESCRIPTION:
The action is a public hearing for a proposal to amend the Zoning Ordinance's rules to establish a process and design standards to allow drive-thru lanes/windows for parcels within the CC zone (Central Commercial).

ANALYSIS:
The 2025 Farmersville General Plan was adopted in 2002 and among its many goals was the creation of a special zone (the CC zone (Central Commercial)) for the downtown area (generally along Farmersville Blvd from Visalia Road to Front Street).

The primary goal of this zone was to create a pedestrian-oriented downtown commercial area for Farmersville. The desire was that Farmersville could have an attractive,

pedestrian oriented shopping downtown, similar to Exeter, Visalia and Lindsay, and others.

Downtown Farmersville pedestrian-oriented design – buildings to the front along sidewalk, parking to the rear. The CC zone's requirements were used with the Family HealthCare clinic project.

Downtown Exeter – buildings to the front, parking to the rear, no drive-thrus in the core area.

Key concepts of this zone included excluding automobile-oriented businesses and encouraging a complementary mix of uses like restaurants, stores and offices. Future uses with drive-thrus were prohibited in the CC zone on the assumption that these uses would hamper the creation of a strong pedestrian-oriented character in the downtown.

More recently the owner of the new Little Caesars take-out restaurant (at the northeast corner of Farmersville and Ash) requested approval for the installation of a drive-thru lane with a pickup window to allow customers to pick up their orders from their cars. The applicant was informed that drive thrus are not allowed within the CC zone, and he then

chose to submit an application to change the rules to allow drive-thrus. This action is called a zoning ordinance amendment.

Although the owner of Little Caesars filed this application, the City Council must be aware that this zoning ordinance amendment would apply to parcels throughout the downtown.

There are essentially three possible actions:

1. No change – keep the CC zone "as is" which means that drive thru lanes and windows are not allowed.

2. Allow drive-thrus subject to certain design and location standards

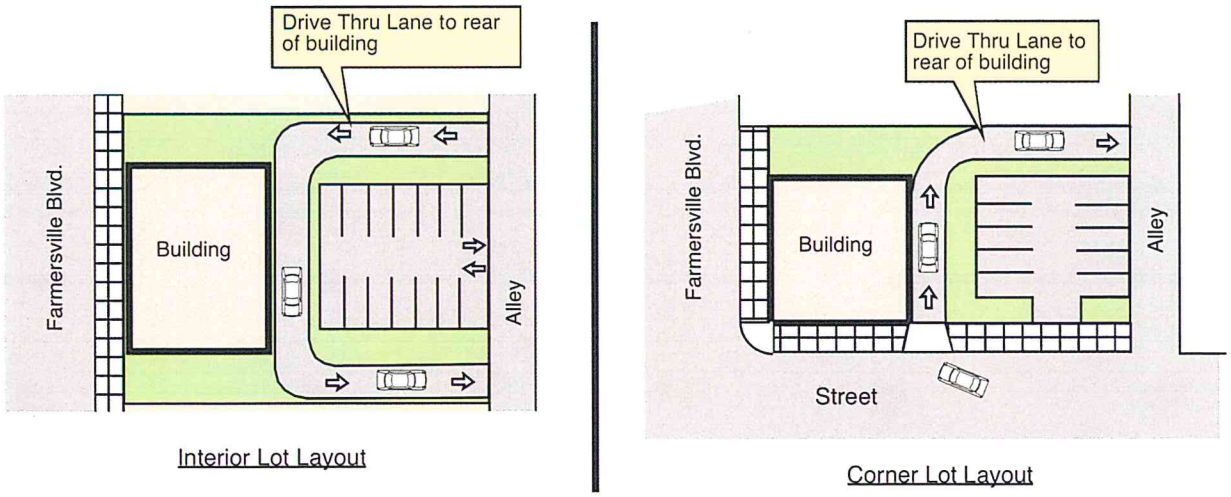
3. Allow drive-thrus with virtually no design restrictions.

Of the three foregoing possibilities the Planning Commission recommends consideration of alternative #2 – allowing drive thrus subject to design and location standards.

If drive-thrus are allowed, they should be designed and located in a way that does not weaken the downtown, pedestrian-oriented design concept that is contained within the General Plan. With this in mind it is recommended drive thru lanes be allowed as follows:

1. Drive thrus in the downtown will only be allowed on the rear of buildings – with entrance and exit to the alley (or to the side street for parcels on corner lots). These types of layouts are shown in Figure 1.

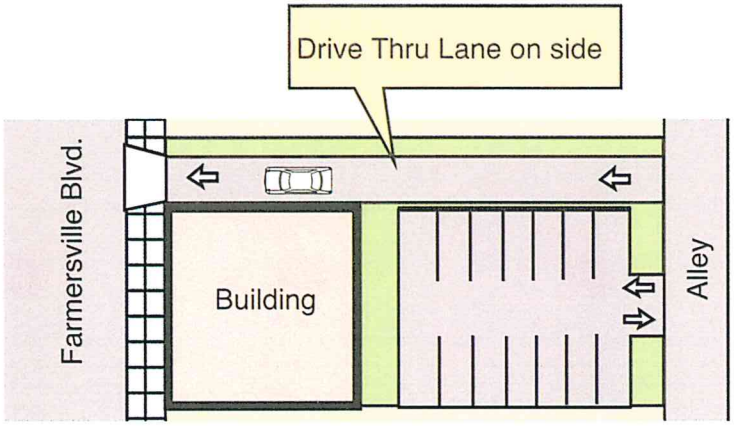
Figure 1: Preferred drive-thru designs in Downtown



Drive-thrus should be situated to the rear of the building.

2. If a rear drive thru is not feasible the City will consider a request for a drive-thru located along the side of a building – see Figure 2.

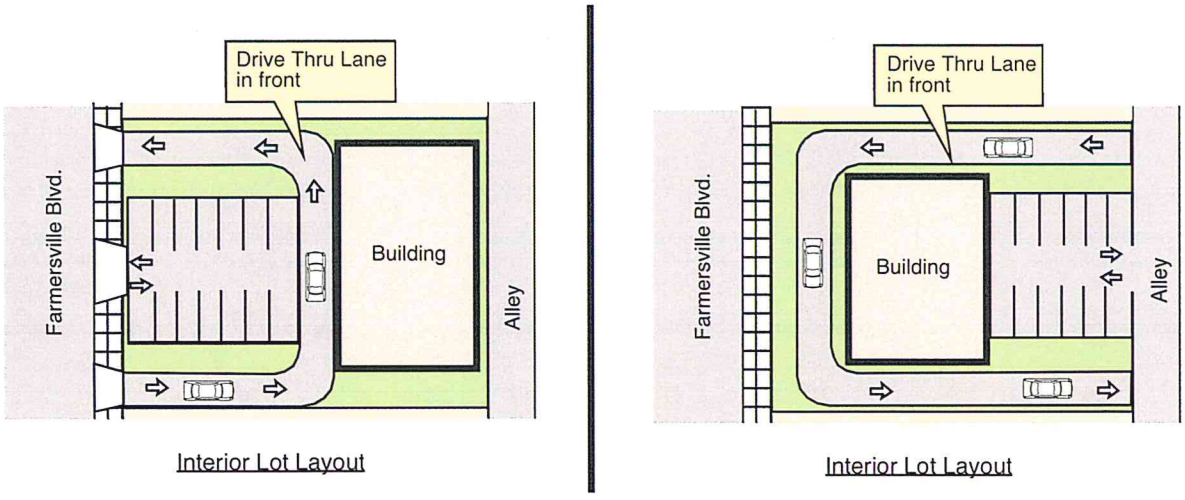
Figure 2: Acceptable design with drive-thru to side of building



Interior Lot Layout

3. In no case would a drive-thru lane be allowed to be situated in front of a building, or any location between a building and the street (Farmersville Blvd or any side streets (as shown in Figure 3).

Figure 3: Drive Thru Designs Not Allowed in the Downtown



4. Drive thrus would be allowed by Conditional Use Permit. This means that any drive-thrus requests will require a public hearing before the Planning Commission.

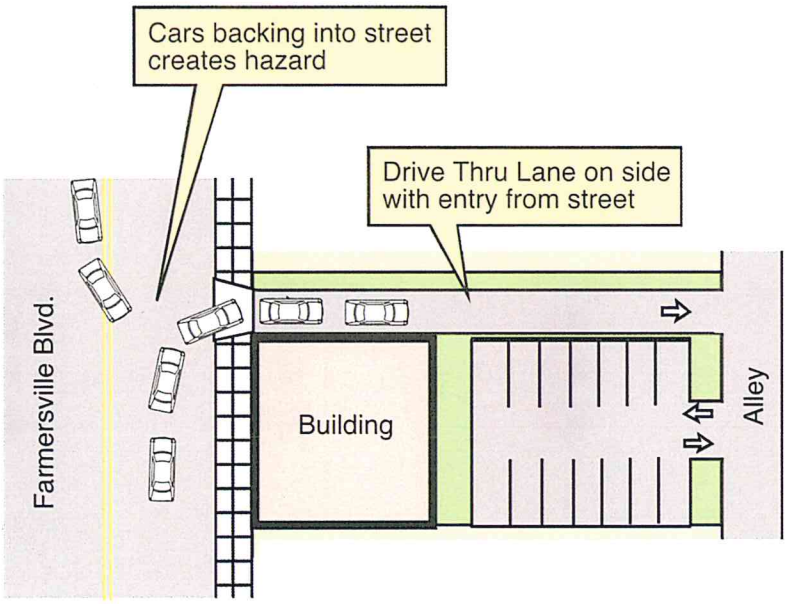
Other Issues

Other important issues concerning drive-thru lanes in the downtown are as follows:

Stacking space in Drive Thru Lanes

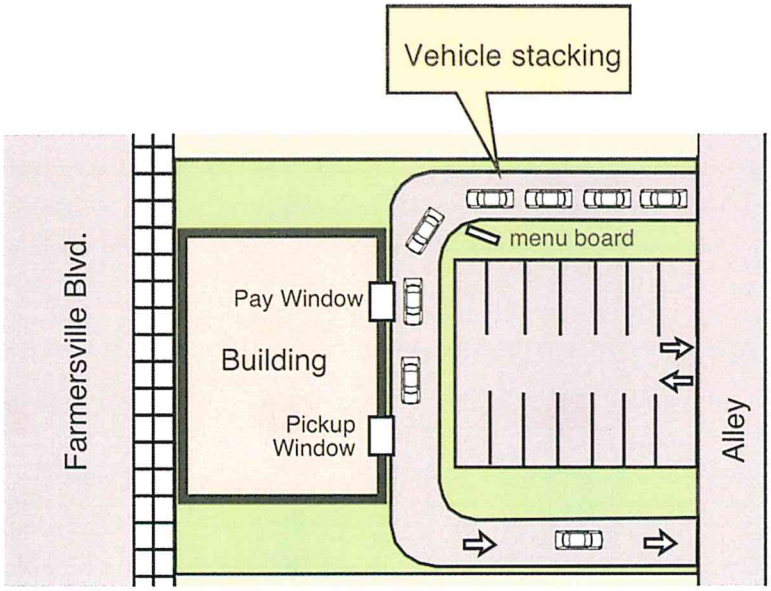
In order to properly function, drive-thru lanes must be designed so that cars are not stacked up and backed out into the street (see Figure 5). This could create a dangerous situation. Many cities have adopted standards that specify how many cars must be able to fit into a drive-thru – before the order menu and before the pickup window.

Figure 5: Illustration of Vehicles Stacking into Street



A common standard is to require space for four vehicles before the menu board (where customers call out their order into a speaker) and then two spaces past the menu board and before the pickup window (see Figure 6). This will probably be a good standard for Farmersville to follow, although such standards may be difficult to meet on many of the smaller lots that exist in the downtown area.

Figure 6: Illustration of Vehicle Stacking Space Requirements



Loss of On Street Parking Spaces

It is possible that some designs for drive-thrus may result in a loss of existing parking spaces that are painted on Farmersville Boulevard – to accommodate the need for drive-thru driveways onto and off of the street. The City Council may want to take a position on whether parking spaces on the street may be eliminated for drive-thrus, or consider these on a case-by case basis. Some members of the Planning Commission wanted to prohibit drive-thrus onto/off of Farmersville Boulevard due to the loss of on-street parking and also due to potential traffic hazards.

Impact on Alleys

If drive-thrus are designed to have access to and from alleys there is a concern about the condition of many alleys that exist along both sides of Farmersville Boulevard. Many are poorly surfaced – some are dirt and gravel while others have pavement in very poor condition with potholes and uneven surfaces. It is likely that the City will require a project with a drive thru that channels traffic to and from an alley to resurface the alley. For example the Family Healthcare Clinic was required to repave the alley behind that location (because the parking lot empties into the alley).

Noise Concerns

Drive thru lanes can generate noise concerns – resulting from menu speakers and also vehicles that are idling in the drive-thru lanes. This is a concern in the downtown area because there are dwellings immediately adjacent (to the rear) of most commercial parcels. Some cities require drive-thru lanes to be shut down at a certain time (such as 10 pm) to reduce the potential for noise impacts. It is suggestion that this limitation be enforced for any drive-thrus that established in the downtown CC zone.

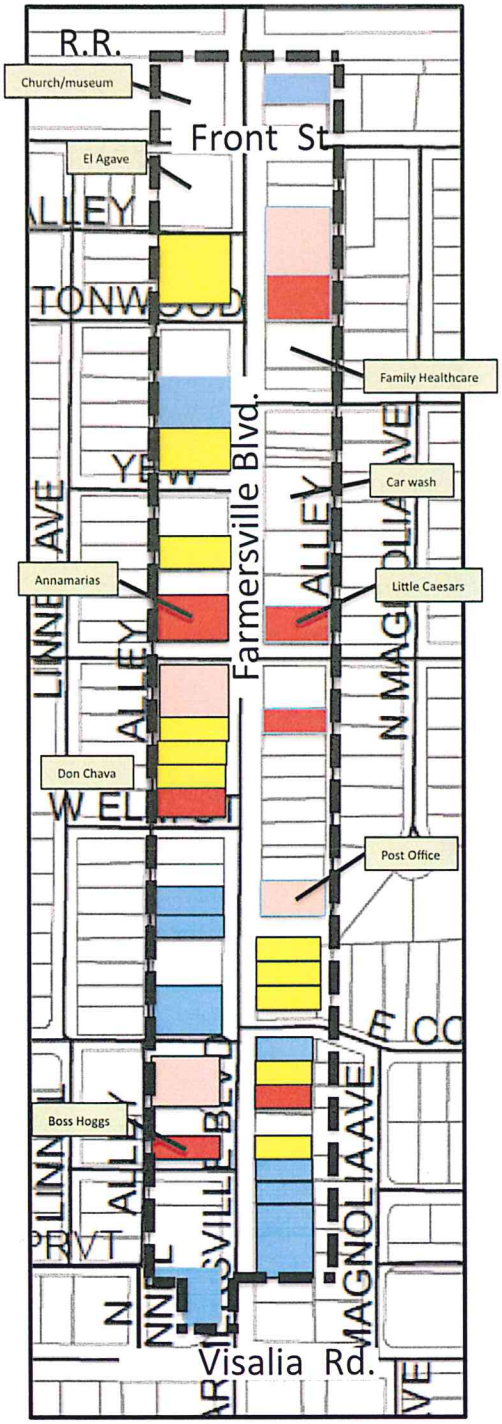
Where Will the Rules Apply?

Map 1 shows the location of the CC zone. The zone applies to downtown Farmersville - most parcels along Farmersville Boulevard from just north of Visalia Road to the railroad tracks. The map also shows those parcels that have the potential to have a future drive-thru, although it should be noted that this is not likely for most parcels. There are currently about 60 parcels in the CC zone along both sides of Farmersville Boulevard. Of those there is potential for up to 35 parcels to theoretically have the potential for installation of a drive-thru lane. These parcels have the following existing uses:

- 10 parcels are vacant;
- 11 parcels have single family homes (that may someday be replaced with commercial uses);
- 7 parcels have a restaurant or eating place;
- 8 parcels have existing commercial buildings that are designed and situated so that a drive thru lane could potentially be added in the future.

As noted above the likely potential for drive thru lanes in the downtown is probably much more limited. Drive-thru lanes are typically only used for three types of use: restaurants/eating places, banks and pharmacies. It's unlikely the downtown will see too many more of these kind of uses.

Map 1: Downtown Zone and Potential of Parcels to Have a Drive Thru



CC zone boundary

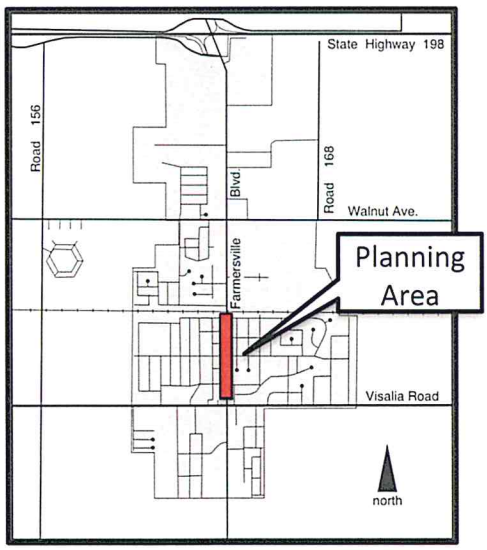
Parcel that is vacant

Parcel with existing dwelling

Parcel with existing restaurant or food business

Other parcel with potential for redevelopment

Other parcels



Contents of Proposed Ordinance

The attached ordinance contains standards that would allow for drive thrus based on the issues discussed above. Two sections of the Zoning Ordinance are proposed to be amended.

Section 1: beginning on page 1 amends the Commercial Land Use Table to identify that drive thru's may be requested by Conditional Use Permit in the CC zone. The use "drive thrus" is shown in the table on page 3 along with related uses.

Section 2: on pages 7-8 establishes design and location standards for drive thrus that are proposed in the CC zone. Five sections are established here and cover issues discussed above, including:

1. Drive thrus must be located to the rear of buildings (or to the side if a rear location is not feasible).

2. Drive-thru lanes must be designed to preclude stacking of vehicles out into the street.

3. Drive thru windows in the CC zone must close at 10 pm to preclude noise impacts for adjacent residential areas.

4. The City can require improvements to the alley when drive-thrus are designed to channel traffic to and from the alley.

5. The City can require aesthetic improvements to reduce the visual impact of drive thrus, such as screening walls, landscaping and arbors.

Figure 7: Example of Aesthetic Improvements to a Drive-Thru, Including Overhead Arbor

Environmental Review

The proposed action is exempt from review for environmental impacts based on Section 15305 of the Guidelines of the California Environmental Quality Act which exempts minor amendments to land use regulations.

COORDINATION & REVIEW:
The Planning Commission conducted a public hearing on April 20, 2016 and voted unanimously to recommend adoption of the Zoning Ordinance Amendment, as shown in the attached ordinance. Some members of the Commission voiced concern that any drive thrus should be designed so they do not channel traffic onto Farmersville Boulevard – due to traffic safety concerns.

This proposed Ordinance and Public Hearing was publically noticed in the Visalia Times-Delta on May 9, 2016.

CONSISTENCY WITH ADOPTED GOALS, PLANS, AND PROGRAMS:
The Zoning Ordinance Amendment represents a departure from the Central Commercial zone and policies established in the 2025 Farmersville General Plan (adopted in 2002) which seek to strengthen the pedestrian-oriented shopping nature of Farmersville's downtown.

FISCAL IMPACT:
The Zoning Ordinance Amendment will have no fiscal impact on the City. The applicant has paid a fee for the City to process the Amendment.

CONCLUSION:
The Planning Commission recommends the City Council conduct a public hearing and vote to adopt the Zoning Ordinance Amendment.

Respectfully Submitted,

for K.S.

Karl Schoettler, City Planner
Collin and Schoettler

Reviewed By:

John Jansons
City Manager

Attachment(s): 1) draft Ordinance 2016-475

Draft

ORDINANCE NO. 475

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE AMENDING TITLE 17 OF THE FARMERSVILLE MUNICIPAL CODE RELATING TO ESTABLISHING A PROCESS AND STANDARDS TO ALLOW DRIVE THRU LANES AND WINDOWS IN THE CENTRAL COMMERCIAL ("CC") ZONE.

The City Council of the City of Farmersville does hereby ordain as follows:

Section 1. Subsection 17.56 (Commercial Land Use Table) of the Farmersville Municipal Code is amended as follows:

Chapter 17.56
COMMERCIAL LAND USE TABLE

17.56.020 Table 2--Permitted uses. To determine in which zone a specific use is allowed:

A. Find the use in the left hand column.

B. Read across the table until either a "letter" or an "x" appears in one of the columns.

C. If a letter appears this means that the use is allowed in the zone represented by that column, but only if certain conditions are complied with. The conditions applicable to that use are those corresponding to the letter listed in Section 17.56.030.

D. If an "x" appears in a column the use is allowed in the zone represented by that column without being subject to any of the conditions listed in Section 17.56.030. Site Plan Review is required.

E. A Conditional Use Permit is required for any permitted use involving 10,000 square feet or more of new building or outdoor storage area.

F. If neither a "letter" nor an "x" appears in a column, the use is not allowed in the zone represented by that column.

G. The planning commission shall interpret the appropriate zone for any land use not specifically listed in the table, based on a finding of consistency with the purpose of the zone and that use is of the same general character as that of the uses permitted in that zone.

TABLE 2
COMMERCIAL LAND USES

Uses	Zone						
	U-R	O-S	P-QP	C-H	C-G	C-C	C-S
Above ground storage tanks for flammable or combustible fluids	b	b	-	b	b	b	b
Accessory buildings and uses customarily appurtenant to a permitted use	a-r	a-r	a-r	a-r	a-r	a-r	a-r
Adult oriented business b	-	-	-	-	-	-	b
Agricultural uses, and structures, general, except commercial animal slaughter	x	-	-	-	-	-	-
Airports	b	-	b	-	-	-	-
Ambulance service b b	-	-	b	-	b	-	b
Appliance sales, service and supply	-	-	-	x	x	x	x
Auto leasing, truck and trailer rentals	-	-	-	x	x	-	x
Auto parts sales (no servicing)	-	-	-	x	x	x	x
Auto sales, including autos, trucks, motorcycles, boats and other motorized vehicles, conducted entirely within an enclosed building	-	-	-	x	x	x	x

Uses	Zone						
	U-R	O-S	P-QP	C-H	C-G	C-C	C-S
Auto sales, service and repair, new and used, includes boat, motorcycle, RV, trailer and trucks, and repair garages (not conducted within an enclosed building)	-	-	-	x	x	-	x
Auto and truck service stations	-	-	-	x	x	-	x
Bakeries	-	-	-	-	x	x	x
Barber and beauty shops	-	-	-	-	x	x	x
Bars, cocktail lounges and taverns	-	-	-	b	b	b	b
Boarding and rooming houses	-	-	-	-	a	a	-
Bowling alleys	-	-	-	-	b	b	b
Building materials sales yard	-	-	-	-	-	-	b
Cabinet, carpenter and woodworking shops	-	-	-	-	-	-	b
Cafes, coffee shops and restaurants, except drive-in, fast food, self-service and take out restaurants	-	-	-	x	x	x	x
Catering trucks and mobile food vendors (subject to standards contained in Section 17.68.100)				b	b	b	b
Cardrooms	-	-	-	-	b	b	b
Cargo containers (to be used for storage) subject to standards contained in Section 17.68.110	a-r	a-r	a-r	a-r	a-r	a-r	a-r
Car washes	-	-	-	b	b	-	b
Cemeteries, crematories and columbariums	b	b	b	-	-	-	-
Churches	b	-	b	-	b	b	b
Clothes cleaning and laundry pick up	-	-	-	-	b	b	b
Commercial recreation facilities, other than those listed in Table 2	-	-	b	b	b	-	b
Communication and public utility service facilities	-	-	-	b	b	-	b
Dance halls	-	-	-	-	b	b	b

Uses	Zone						
	U-R	O-S	P-QP	C-H	C-G	C-C	C-S
Drive-in, drive-thru or drive-up businesses, including, but not limited to fast food, beverage, financial institutions, pharmacies and similar businesses	-	-	-	b	b	**b**	b
Drive-in theaters	b	-	-	-	-	-	-
Drug stores and pharmacies	-	-	-	x	a-r	x	a-r
Electrical sales, service and supply	-	-	-	-	a-r	-	a-r
Equipment rental	-	-	-	-	-	-	b
Farm supply and implement sales and service	-	-	-	-	-	-	b
Film processing pick-up stations	-	-	-	a-r	a-r	-	a-r
Financial institutions	-	-	-	x	x	x	x
Fire extinguisher sales and service	-	-	-	-	-	-	x
Florists	-	-	-	a-r	a-r	a-r	a-r
Food and grocery stores	-	-	-	x	x	x	x
Funeral homes and mortuaries	-	-	-	-	x	x	x
Gift shops	-	-	-	a-r	a-r	a-r	a-r
Glass sales, service and supply	-	-	-	-	x	-	x
Golf courses, golf driving ranges	b	b	b	-	-	-	-
Hardware stores	-	-	-	x	x	-	x
Heating and air conditioning sales, service and supply	-	-	-	-	b	-	x
Heliports	b	b	b	-	-	-	-
Hospitals	-	-	b	-	b	b	b
Hotels and motels	-	-	-	b	b	b	b
Hydraulic equipment, well drilling sales service and supply	-	-	-	-	-	-	b
Laundry-self serve	-	-	-	x	x	x	x
Laundry, dry cleaning plants	-	-	-	-	-	-	b
Liquor sales, on and off sale	-	-	-	b	b	b	b
Locksmiths	-	-	-	a-r	a-r	a-r	a-r
Machine shops	-	-	-	-	-	-	b
Medical and dental clinics	-	-	-	-	x	x	x
Medical marijuana clinics	-	-	-	-	-	-	-
Medical laboratories	-	-	-	-	x	x	x
Mini-storage facilities	-	-	-	-	-	-	b
Miniature golf	-	-	-	b	b	-	b
Multi-use developments	-	-	-	-	g	g	g

Uses	Zone						
	U-R	O-S	P-QP	C-H	C-G	C-C	C-S
Offices (professional or commercial)	-	-	x	x	x	x	x
Opticians	-	-	-	a-r	a-r	a-r	a-r
Palm readers, fortune tellers, hypnotists and similar personal service providers				b	b	b	b
Parking facilities, including truck parking and park and ride lots	-	-	c	c	c	-	c
Parking facilities, off site	-	-	a-r	a-r	a-r	b	a-r
Passenger terminals	-	-	-	b	b	b	b
Pipe sales, service and supply	-	-	-	-	-	-	b
Plant nurseries and green houses	-	-	-	-	x	-	x
Plumbing sales, service and supply	-	-	-	x	x	x	x
Pool halls	-	-	-	-	b	b	b
Pool service and supply	-	-	-	-	x	-	x
Prescription pharmacies	-	-	-	a-r	a-r	a-r	a-r
Produce stands	c	-	-	-	b	-	b
Public and private schools	-	-	x	-	x	x	x
Public and quasi-public buildings and uses appropriate to the area	x	x	x	x	x	x	x
Public scales	-	-	-	x	-	-	b
Pump sales, service and supply	-	-	-	-	-	-	b
Recreational vehicle and boat storage	-	-	-	-	-	-	b
Research and development facilities	-	-	-	-	-	-	b
Retail stores and shops	-	-	-	a-r	a-r	a-r	a-r
Sewage ponds, storm drainage basins	b	b	b	-	-	-	-
Shopping centers	-	-	-	x(1)	x(1)	x(1)	x(1)
Skating rinks	-	-	-	-	b	-	b
Smoke shops and tobacco shops				b	b	b	b
Social halls, lodges, fraternal organizations and clubs	-	-	-	-	x	x	x
Swimming, tennis and racquetball clubs, health clubs	-	-	-	-	x	x	x
Tattoo and piercing shops				b	b	b	b
Taxicab service	-	-	-	-	x	-	x

Uses	Zone						
	U-R	O-S	P-QP	C-H	C-G	C-C	C-S
Technical, trade and craft schools and studios	-	-	x	-	x	x	x
Temporary construction storage yards	c	c	c	c	c	c	c
Temporary outdoor uses	-	-	f	f	f	f	f
Theaters	-	-	-	b	b	b	b
Tire recapping	-	-	-	x	x	-	x
Travel trailer parks and overnight Campgrounds	b	b	-	-	-	-	-
Variety stores	-	-	-	a-r	a-r	a-r	a-r
Veterinary offices and clinics	-	-	-	-	b	b	x
Video game centers	-	-	-	x	x	x	x
Video games when incidental to a permitted use	-	-	-	c	c	c	c
Welding shops	-	-	-	-	-	-	b
Wholesale and distributing businesses	-	-	-	-	-	-	x
Upholstery	-	-	-	-	x	-	x
Janitorial service	-	-	-	-	-	-	x
Video movie rental shops	-	-	-	x	x	x	x
Thrift shops, used merchandise stores	-	-	-	-	a-r	a-r	a-r

Key to Land Use Table:

a. Conditional use permit required if for more than six guests, persons or dwelling units
a-r. Administrative Site Plan Review required: See Section 17.72.051
b. Conditional use permit required. See Section 17.96
c. Accessory use, incidental to principal use.
d. Conditional use permit required if abutting any residential zone.
e. Conditional use permit is required for any use containing 10,000 square feet or more of building or outdoor storage area, even if such a development is listed as an allowable or permitted use in a particular zoning district.
f. Temporary Outdoor Uses: See Section 17.56.040 for specific requirements
g. Conditional use permit required. A list of permitted uses may be approved with the use permit
x. Permitted use. Site Plan Review is required for new construction
x(1) Shopping centers larger than 20 acres requires a Conditional Use Permit. See Section 17.96

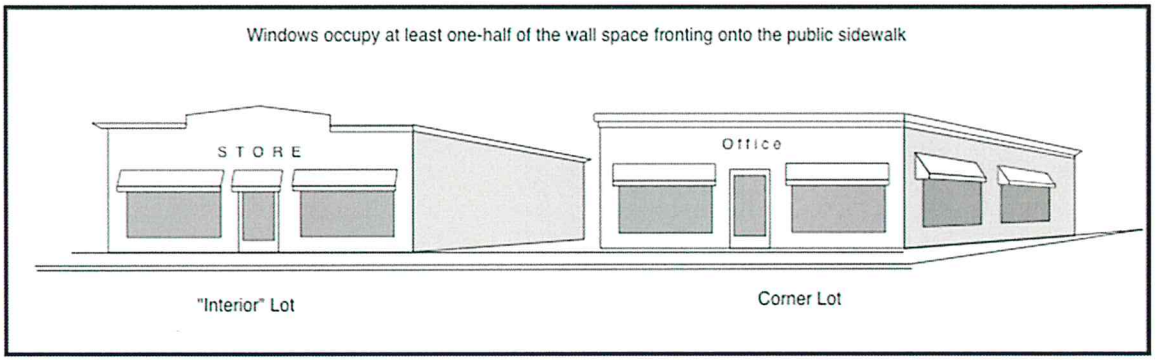
Section 2. Subsection 17.42.050 (CC Zone Performance Standards) is amended as follows:

17.42.050 Performance standards

A. All new uses shall comply with requirements of the Farmersville Design Guidelines.

B. At least one-half of building walls adjoining the public sidewalk shall feature display windows ((see Exhibit 17.42-b).

Exhibit 17-42 b
Window Standards

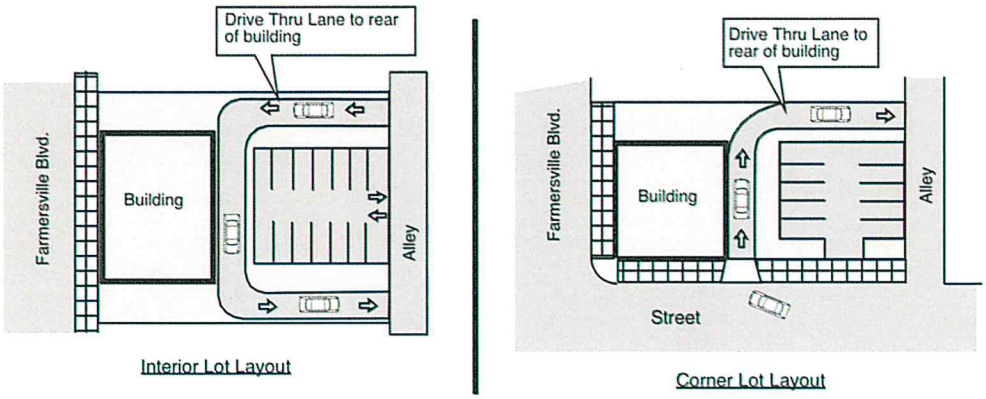


C. On-site parking shall be located to the rear or to the side of the building.

D. Drive thru lanes and windows may be allowed by Conditional Use Permit subject to the following design standards (see also Exhibit 17-42c):

1. Drive thru lanes are permitted only to the rear of buildings and in no case shall they be located in front of a building or between a building and the street, except that drive thru lanes may be permitted to the interior side of buildings when a location to the rear of a building is not feasible. Further, drive thru lanes shall not be permitted on corner lots along the street side property line. In general drive thru lanes shall be designed to channel vehicles to and from the alley (or side street).

Exhibit 17-42c: Preferred Drive Thru Designs



2. Drive thru lanes shall be designed to preclude vehicles stacking onto the street or alley. Drive thrus shall be designed to provide room for at least four vehicles in the lane before the order speaker or window, and space for two additional vehicles before the pickup window.

3. Drive thru windows shall cease operations no later than 10 pm.

4. For drive-thru lanes that channel vehicles to and from an alley, the City may require improvements to the alley in order to accommodate increased use.

5. To reduce the visual impact of drive thru lanes the City may require additional aesthetic treatments, including but not limited to screening walls and fences, landscaping, overhead decorative arbors, street furniture or a combination of these.

E. D. All uses or activities shall be conducted wholly within completely enclosed buildings, except for temporary outdoor uses, or where in the opinion of the zoning administrator the use is incidental to a principal use on the premises and the proposed outside use is in character and harmony with the surrounding area. When a commercial use is not conducted entirely within a building, the site shall be fenced with six foot solid wood or masonry fence as required by the zoning administrator.

F. E. All uses adjacent to residential zones shall be located, oriented and designed so as to be compatible with said residential zones.

G. F. Solid fencing six feet high and landscaping adequate to screen development from adjacent residential zones along rear and side property lines shall be installed.

H. G. Maximum noise level at property lines not to exceed 65 decibels (dBA) day and night levels (Ldn).

I. H. Outside storage of solid wastes and containers for solid waste, containers, merchandise, or other items or goods awaiting pickup, sale, or other disposition shall be prohibited except where screened to the satisfaction of the planning commission or the zoning administrator.

J. I. Hours of operation (open to public) shall not begin before six a.m. nor extend beyond 11 p.m. Exceptions may be permitted as provided for in Chapter 17.100.

K. J. Light sources shall be directed and shielded as to not illuminate surrounding residential areas.

Section 3. This ordinance shall take effect thirty days after its adoption.

Section 4. The City Clerk is authorized and directed to cause this ordinance to be codified after its adoption.

Section 5. The City Clerk is further authorized and directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated in the City of Farmersville within 15 days after its adoption. If a summary of this ordinance is published, then the City Clerk also shall cause a summary of the proposed ordinance to be published and a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five days prior to the Council's meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

The foregoing Ordinance No. 475 was introduced at a regular meeting of the City Council of the City of Farmersville on the _23rd__ day of _May__, 2016, and was passed and adopted at a regular meeting of the City Council on the _____ day of _____, 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

_____
Greg Gomez, Mayor
City of Farmersville

ATTEST:

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City Clerk Pro Tem
City of Farmersville