

**Zoning Ordinance Text Amendment
Drive-Through Restaurants**



**City Council
June 27, 2022**



Drive-Through Text Amendment

BACKGROUND & PURPOSE

- Planning & Zoning Commission previously heard April 6
- Recommended approval to City Council
- Development community expressed concern with stacking
- Ultimately tabled so staff and development community could review
- Changes include:
 - Minimum stacking (5/3 per lane to 6/4)
 - Submittal of queuing analysis
- No changes to recommended Use Permit requirement
- Threshold still 500 feet and less from residential requires UP



Drive-Through Text Amendment

BACKGROUND & PURPOSE

- Zoning Ordinance regulates land within city
- 1999 as amended
- Establishes principal permitted uses & use permit uses
- Use Permit requirement for drive-through restaurants
- Evaluate Use Permit requirement for drive-through restaurants
- Potential to streamline process
 - Six months to complete
 - Costs and fees
- City Council worksession July 1, 2021
 - Support flexibility but address traffic and stacking



Drive-Through Text Amendment

CURRENT POLICY

- Article 1, Section 1-3-1: Zoning Ordinance Text Amendments must be reviewed by the Planning and Zoning Commission and approved by the City Council through the public hearing process.
- Article 2-2 (Definitions) defines certain words and terms.
- Article 3 (Zoning Districts) establishes the permitted uses, accessory uses, and uses that may be approved with a Use Permit within each zoning district classification.
- Article 4 (Special Uses, Uses Requiring Additional Evaluation, Nonconforming Uses and Buildings) provides for land use activities that may be permitted within the City, but because of their unique nature, potential for creating impacts on other uses, or pre-existing legal status, require additional consideration.
- Articles 1, 2, 3 & 4: Process, review and evaluation, and development standards for Use Permits



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REQUEST FOR AMENDMENT

- Staff initiated based on Council direction
- Based on research by outside counsel
- Forgo Use Permit for certain drive-through restaurants
 - When more than 500 feet from residential
- Add/modify definitions
- Revise use lists within commercial zoning districts
- Establish development standards

Canyon Trails Towne Center

SW 45th St

Canyon Trails

S COTTON LN

800'

W YUMA RD

Super Target

Est. HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, City of Goodyear



Drive-Through Text Amendment

DEFINITIONS

Definitions to be modified / added:

- Convenience Use
- Drive-in Restaurant (new)
- Drive-through Restaurant (new)
- Restaurant, Drive-in
- Restaurant, Drive-through



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C-1 NEIGHBORHOOD COMMERCIAL

- Add **Drive-through Restaurant** as principal use, if more than 500 feet from residential
- Add **Drive-in Restaurant** as Use Permit use
- Add **Drive-through Restaurant** as Use Permit use, if within 500 feet of residential
- Tie **Drive-through Restaurants** to new development standards



Drive-Through Text Amendment

C-2 GENERAL COMMERCIAL

- Clarify **Drive through windows and outdoor teller facilities** are for banks and financial institutions
- Designate **Drive-through Restaurant** as principal use, if more than 500 feet from residential
- Add **Drive-in Restaurant** as Use Permit use
- Designate **Drive-through Restaurant** as Use Permit use, if within 500 feet of residential
- Tie **Drive-through Restaurants** to new development standards



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DEVELOPMENT STANDARDS SECTION 4-2-18

- Min six-car stacking in one or more lanes (entry to first stop)
- Min four-car stacking (menu board to pick-up window)
- Queuing analysis
- Min lane width 12 feet and turning radius of 25 feet
- Stacked cars will not block parking stalls, fire lanes or interfere with emergency access and vehicular/pedestrian traffic
- Not interfere with traffic movement
- Menu board speakers not audible from residential
- Canopy over drive-through windows
- Provide walkways if employees used as outside point of order

[illegible][illegible]





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PUBLIC NOTIFICATION

- Notification for public hearings / Re-noticed
- E-blast from Economic Development
- Notice to Developer Forum
- Website – Current Development Applications
- Concern from development community addressed
- No opposition



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FINDINGS & RECOMMENDATION

- Promotes direction from City Council worksession
- Streamlines process
- Furthers the general health, safety and welfare of the city
 - Provides for more streamlined process
 - Maintains focus on compatibility when next to residential
 - Ensures enhanced design & incorporates best practices
- Staff recommends approval
- Planning & Zoning Commission June 15 – Recommends approval