

ARTICLE 17-II DRIVE-IN BUSINESSES--REGULATIONS

17.100 GENERAL

The term "Drive-In Business" shall include all automobile service stations and commercial parking lots, and shall include all, but not be limited to banks, clothes cleaning establishments, dairy products stores, liquor stores and restaurants where business or service is directly related to an automobile and/or its occupants, or where an automobile discharges passengers for quick service where there is little or no separation of pedestrian and automobile traffic. In cases where there is a question, the Planning Commission shall rule whether a use falls within the intent or purpose of this title.

17.101 REGULATIONS

Every such drive-in business shall be subject to all the regulations applicable to a conditional use permit in the zone within which such drive-in business is located; provided, however, that whenever the regulations of this Ordinance are more restrictive (or impose higher standards or requirements), the requirements of this Ordinance or conditions imposed by the Planning Commission shall control.

17.102 LOCATION AND SITE REQUIREMENTS

The Planning Commission shall not grant any conditional use permit for a drive-in business unless it shall find that:

1. The proposed use complies with all requirements set forth for the issuance of a conditional use permit;
2. The use will not substantially increase vehicular traffic on any street in a residentially-zoned district;
3. The proposed use will not lessen the suitability of any nearby commercially zoned property for commercial use by interfering with pedestrian traffic;
4. The proposed use will not create increased traffic hazards to pedestrians when located near a school, church, auditorium, theater or other places of assembly.

17.103 LOCATION SITE

1. The site shall have one hundred (100) feet of frontage on a major or secondary highway.
2. The site shall not adjoin an existing residential use at the time of its establishment unless a view-obscuring fence, not less than five (5) foot minimum in height, is installed.

17.104 SITE AREA

The minimum site area shall be twelve thousand (12,000) square feet.

17.105 DIMENSIONS

The minimum width shall be one hundred (100) feet; the minimum depth shall be one hundred (100) feet.

17.106 NUMBER OF PUMPS

One gasoline pump shall be permitted per each two thousand (2,000) square feet of site area with a maximum of fifteen (15) pump dispensers permitted at any one station. A double pump stanchion shall represent two (2) pump dispensers.

17.107 SETBACKS

1. There shall be no minimum setback for any building from any property line or lot line except where the rear lot line or lines of the property involved abut or abuts on a public alley which is a minimum of twenty-five (25) feet from opposite side of alley and/or one (1) hour fire resistive construction as per the Uniform Building Code.
2. Gasoline pumps or other facilities for providing automobiles with gasoline, and pump dispenser islands on which they are placed, shall be set back fifteen (15) feet from any property line.

17.108 ACCESS

1. Each developed site shall have not more than two (2) access ways (driveways) to any one street.

2. Access ways shall have a minimum of five (5) feet of full height curb from adjoining property lines.
3. No driveway shall exceed a width of thirty (30) feet.
4. No driveway shall encroach into the curve of a street corner unless the radius of the curb return is greater than thirty (30) feet.
5. There shall be a minimum distance of twenty (20) feet of full height curb between curb cuts along any street frontage.

17.109 PARKING

Off-street parking shall be provided as required in Article 15. In addition one parking space shall be provided at all times for each employee on duty during heaviest traffic eight-hour working shift.

17.110 UTILITY TRAILERS

Utility trailers not exceeding ten (10) in number may be stored for rent on service station sites provided they occupy an area which is in excess of the two thousand (2,000) square feet of site area required per pump. (Utility trailer is any towing vehicle not used for human occupancy.)

17.111 PAVING

The entire ground area shall be paved except the ornamental planting area.

17.112 SIGNS

Signs shall be limited to the following:

1. There shall be no more than two principal identification signs. These signs may be free standing, fin or pylon signs. The maximum area of any such sign face shall not exceed two (2) square feet of sign area per each lineal foot of frontage except within five hundred (500) feet of egress or ingress of freeway or expressway not to exceed an additional one hundred (100) square feet of sign area per sign face.

2. Two free-standing poster-board signs may be located no closer than thirty (30) feet to the point of intersection of the property lines extended on a corner site. In lieu of the above one such poster-board sign may be placed nearer than thirty (30) feet to the point of intersection of the property lines extended, provided that it is placed behind a line drawn between two points, each of which are fifteen (15) feet from said point of intersection. These poster-board signs shall be permanently placed; however, they may contain changeable copy. The maximum area of any such sign face shall not exceed twenty-four (24) square feet.
3. All signs, in addition to those above, shall be limited to a maximum of one hundred fifty (150) square feet of sign area per each lineal foot of lot frontage for said use whichever is the least in area.

17.113 OUTSIDE LIGHTING

1. All outside lighting shall be so arranged and shielded as to prevent any glare or reflection, nuisance, inconvenience or hazardous interference of any kind on adjoining streets or property.
2. All outside lights or signals, except for those necessary for security lighting, shall be turned off when the business is not in operation.

17.114 SCREENING

1. Entrances to all restrooms shall be screened from view of adjacent properties or street rights-of-way by decorative screening six (6) feet high. Bottom of screen shall be raised eighteen (18) inches above grade for visibility and ventilation.
2. All outside trash, garbage, refuse and storage areas shall be enclosed on all sides by a five (5) foot high structure. Provisions for adequate vehicular access shall be provided to and from such areas for collection of trash. There shall be installed a commercial-type lid-covered trash contained of not less than one (1) cubic yard or more than seven (7) cubic yards to be determined by the Director of Public Works.

17.115 PERMITTED AND PROHIBITED ACTIVITIES

All displays shall be restricted to within five (5) feet of the principal building, on a pump island or in permanently placed, fully enclosed display cabinets. Said display cabinets may be placed on the interior perimeter property line but, in any case, no closer than ten (10) feet to the street property line.

17.116 UTILITIES

Utilities service to all structures (including signs) shall be installed underground.

17.117 EXISTING NON-CONFORMING DRIVE-IN BUSINESSES

1. Service stations in existence prior to the effective date of this amendment which become damaged or partially destroyed or which shall be added to or structurally altered to the extent of more than (50) percent of the current value of the main structure in any twelve (12) month period may not be occupied or used except in conformity with the provisions herein.
2. Within one (1) year of the effective date of this amendment all existing drive-in businesses shall comply with Paragraphs 17.112 (2), 17.112 (3), 17.113, 17.114 and 17.115.
3. Within five (5) years of the effective date of this amendment all existing service stations shall comply with Paragraph 17.112 (1).

ORDINANCE NO. 499, ADOPTED 11-18-69