

STAFF REPORT

TO: Hailey City Council
FROM: Beth Robrahn, Planning Director 
RE: Zoning Ordinance Amendment – new section 9A – Drive-Through Facilities
HEARING: December 22, 2008
Note: Staff analysis is in lighter type

Notice

Notice for the public hearing on December 8, 2008 was published in the Wood River Journal and mailed to public agencies and area media on November 19, 2008. The hearing was continued on December 8 to December 22, 2008.

Proposal

Attached are amendments to the Zoning Ordinance proposed by the City by the addition of a new section to establish standards for drive-through facilities.

Procedural History

In the last year the Planning and Zoning Commission has reviewed two design review projects that included drive-through facilities that drew concern over adequate site circulation and conflicts with pedestrians. However, aside from one design review standard concerning minimizing conflicts between different circulation needs, there was little guidance on how to evaluate drive-through facilities. Staff proposed a new section of the Zoning Code to establish standards for drive-through facilities. The Planning and Zoning Commission held a public hearing and recommended approval of the new section on November 3, 2008.

Updated Discussion

At the December 8 hearing several questions were brought up by the public and the Council, including whether to allow existing curb cuts to remain when a site is redeveloped.

The intent of the standards is to allow for drive through facilities while minimizing conflicts between pedestrians and motor vehicles to the greatest extent possible. The size of the lot and the configuration of the building on the site are the determining factors whether a one or two lane facility can be accommodated on a site.

All but one of the existing facilities in Hailey are single lane drive-throughs. The majority of the existing facilities utilize a single width curb cut on Main Street for either an entrance or exit. Some utilize a curb cut on a cross street to Main. The design of drive-through facilities with both the entrance and exit off the alley is demonstrated by two relatively new bank facilities in Ketchum.

The ability to provide a drive-through facility for those customers who require such a facility for mobility constraints will not be eliminated by the proposed standards. The question for deliberation by Council is whether one drive-through lane will generally allow reasonable service

to people with mobility constraints.

Allowing more than one drive-through lane in all cases, regardless of site constraints, calls for a discussion of balancing the convenience of drive-throughs with transportation demand management strategies that shift the focus from car oriented development to pedestrian friendly development, as called for in the Comprehensive Plan.

The issue of reducing the number of curb cuts on Main Street also warrants further discussion. From an engineering perspective the fewer curb cuts on Main Street the safer conditions are for vehicular and pedestrian traffic. ITD has jurisdiction over access management on Highway 75 and allows an approach every 300 feet on a principle arterial. The block lengths on Main are 300 feet; therefore no new curb cuts would be allowed by ITD. Furthermore, ITD encourages existing curb cuts be reviewed to encourage the development of alternatives. The proposed standards would bring Main Street more into compliance with ITD standards and would improve the safety of Main Street by minimizing the number of points of conflict on the city's most heavily used roadway.

A compromise is to allow curb cuts on cross streets, provided it is a minimum of 50 feet from an intersection and is used only as ingress. The draft standards have been revised to include this change. In addition revisions were made to the minimum lot frontage requirement and staking lane requirement and the conditional use requirement in the Business District, Central Business District, and Townsite Overlay District was changed to accessory use.

Standards of Evaluation

14.6 Criteria for Review. When evaluating any proposed amendment under this Article, the Hearing Examiner or Commission and Council shall make findings of fact on the following criteria:

1. The proposed amendment is in accordance with the Comprehensive Plan;

The Commission should consider how the proposed amendments relate to the various policies and implementation items of the Comprehensive Plan, particularly the following:

10.0 Transportation

10.1 Engineering

I. Goal: Create and maintain a pedestrian and bicycle-friendly community that provides safe, convenient and efficient multi-modal transportation for all Hailey residents, that moves people and not just cars, and that preserves and enhances our quality of life.

1. Policy: Provide adequate routes and accesses to accommodate different uses and circulation.

Implementation: Minimize potential conflicts between uses by planning for and designating separate areas, routes and accesses for pedestrians, bicycles, automobiles and trucks:

e. Discourage future curb cuts on Main Street where alternative access exists (that would accommodate on-site parking, driveway or drive-through access) in order to preserve the present sidewalk integrity for pedestrians.

5. Policy: Promote land development that discourages urban sprawl, connects the community, and encourages multi-modal use.

Implementation:

- a. Create clear entrances at our north and south to define Main Street and our community (where to slow down).
- b. Balance parking needs with multi-modal transportation needs. Minimize the effect of large parking lots with landscape buffers and islands.
- c. Encourage neighborhood service centers that serve the adjacent neighborhoods
- d. Encourage or require transit shelters along designated transit routes.
- e. Encourage multi-use development closer to or along transportation corridors.

13.0 Community Design

1. Policy: Maintain a City that emphasizes the human being and places less emphasis on the automobile.

2. Policy: Encourage and require a Central Business District that adds to community character by maintaining general architectural standards and by retaining a human scale and pedestrian friendly atmosphere with decreased dependency on automobiles.

4. Policy: Promote human scale architecture in all single-family, multi-family, and mixed residential areas. Encourage architecture and land planning which, while accommodating the automobile, places greater importance on pedestrians. Use creative design to integrate multi-family dwelling units with single-family residences.

- 2. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;**

The proposed amendment is not expected to create excessive additional requirements at public cost for public facilities and services.

- 3. The proposed uses are compatible with the surrounding area; and**

The amendments are intended to ensure drive-through facilities are compatible with the surrounding area by establishing standards that apply to their location and design.

- 4. The proposed amendment will promote the public health, safety and general welfare.**

The proposed amendment will promote the public health, safety and general welfare.

Summary

The Council shall hold a public hearing and determine whether the proposed amendments are in accordance with the applicable standards of evaluation.

The Council shall make a decision, with **findings on the four standards of evaluation** noted above. If the proposed change is approved, the Council shall pass an ordinance making said amendment part of Hailey Zoning Ordinance #532. The draft ordinance is attached.

Motion Language

Motion to approve the proposed new Zoning Code Section 9A, Driver-Through Facilities, finding that the amendments are in accordance with the Comprehensive Plan, essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services; the proposed uses are compatible with the surrounding area; and the proposed amendment will promote the public health, safety and general welfare.

HAILEY ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY ADDING SECTION 9A, DRIVE-THROUGH FACILITIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance will generally conform to the Hailey Comprehensive Plan;

WHEREAS, the amendments will not create excessive additional requirements at public cost for public facilities and services; and

WHEREAS, the amendment will be in accordance with the safety and welfare of the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 9A., Drive-Through Facilities, of the Hailey Zoning Ordinance No. 532, is hereby added by the addition of the following language:

9A.1 Purpose

Drive-through facilities often conflict with the safe and convenient movement of pedestrians, bicyclists and motorists and can cause disturbance to neighboring properties. Of additional concern are emissions from idling cars and the preference toward automobile use inherent in drive-through facilities, particularly in areas of Hailey where pedestrian and bicycle use is intended to be prioritized. The specific purposes of this chapter are to:

- Minimize negative impacts on adjacent land uses and sidewalk and street infrastructure.
- Promote safe and efficient on-site vehicular and pedestrian circulation
- Reduce conflicts between automobile and pedestrian uses.
- Prioritize pedestrian use within the central business district.

9A.2 Applicability

These standards apply to drive-through facilities which are permitted accessory uses in the Business (B), Limited Business (LB), Light Industrial (LI), Technological Industry (TI), and Service Commercial Industrial (SCI) zoning districts. Drive-through facilities are prohibited in the Central Core Overlay and Transitional District (TN) zoning districts.

9A.3 Standards

Drive-through uses shall comply with the following design standards:

9A.3.1. Site Location

- a. A drive-through facility shall be located on a site having a minimum street frontage of ninety feet (90').
- b. The site shall be adequate in size and shape to accommodate a drive-through facility and to accommodate all setback, on-site parking, landscaping and other required improvements of the drive-through facility and its principle use.

9A.3.2. Access

- a. No new curb cuts are allowed on Main Street.
- b. If a property on Main Street with an existing curb cut(s) is redeveloped those curb cuts shall be eliminated.
- c. Where there is a platted alley, both the ingress and egress to the drive-through facility shall be accessed from the alley. A new curb cut for ingress may be allowed on a cross street to Main Street.
- d. Where there is no platted alley and there is adequate area at the rear of a property, both the ingress and egress to the drive-through facility shall be accessed from the rear of the property, similar to an alley. In this case, the maximum width of a curb cut is twenty-four feet (24') to allow for ingress and egress from the same curb cut.
- e. A curb cut that provides only ingress or egress shall be a maximum width of 12 feet.
- f. All vehicular entrances shall be at least fifty feet (50') from an intersection measured from the edge of the curb or edge of travel lane if no curb exists.
- g. Vehicular access shall be coordinated with existing curb cuts where it results in good site and traffic circulation.

9A.3.3. Stacking Lanes.

- a. Paved areas shall be minimized and water permeable surfaces maximized.
- b. Multiple stacking lanes are discouraged.
- c. The drive-through service window, bay or lane and all stacking lanes shall be located as far as practicable from any street or sidewalk. Stacking and access lanes shall not be located between the building and the street.
- d. There shall be adequate on-site maneuvering and circulation areas to ensure that stacking vehicles do not impede pedestrian or vehicular traffic on adjacent streets.
- e. A minimum of three (3) stacking spaces for one lane, two (2) stacking spaces per lane for multiple stacking lanes is required (20 feet per stacking space). A stacking lane includes the space at the service window.
- f. The stacking lane(s) shall be independent of any on-site parking, circulation areas, sidewalks, streets or alleys.
- g. Pedestrians must be able to enter the establishment from the sidewalk or on-site parking lot without crossing the stacking lane(s).

9A.3.4. If stacking lanes and service windows, bays or lanes are visible from the sidewalk, landscaping shall be installed to screen the service windows, bays or lanes from view to the maximum extent practicable.

9A.3.5. Pedestrian circulation within the site shall be well marked, both for the operator of a vehicle and for the pedestrian, and shall comply with the requirements of the Americans with Disabilities Act.

Section 2. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3. All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2008.

Richard L. Davis, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk

