

COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZTA2015-15 Drive-Through Windows	AGENDA DATE: March 2, 2016
SUBJECT/PROPOSAL/REQUEST: Proposal to amend the Zoning Ordinance to make drive-through windows a by-right use instead of requiring a special use permit. The proposal includes establishing supplementary regulations for drive-through windows.	STAFF CONTACT(S): Bill Fritz, Greg Kamptner, Sarah Baldwin PRESENTER (S): Bill Fritz

BACKGROUND:

On December 2, 2015, the Board adopted a resolution of intent to amend the Zoning Ordinance to make drive-through windows a by-right use. Currently, drive-through windows are permitted only by special use permit. Applications for drive-through windows account for 11% of all special use permit applications received since January 1, 2013. None of those applications that were reviewed by the Board were denied. (Some were withdrawn, deferred or are currently under review.) The Zoning Ordinance contains limited regulations for drive-through windows. Current regulations are limited to the number of required stacking spaces, and aisle width and by-pass lane requirements. The design of each application is reviewed on a case by case basis.

PLANNING COMMISSION ACTION:

On January 26, 2016, the Planning Commission ("PC") recommended approval of the proposed zoning text amendment ("ZTA") with one revision by a vote of 5-1 (More) (Lafferty absent). See Attachments C, D and E for the PC staff report, action letter and minutes.

DISCUSSION:

The proposed ZTA would make drive-through windows a by-right use in all districts where they are currently permitted by special use permit, and would impose design standards. If the design standards are met, the drive-through would be approved. If an applicant wanted to deviate from the design standards, the applicant could apply for a special exception that would be subject to review and approval by the Board.

The PC discussed the idea that drive-through windows may not advance the idea of walkable communities. There was some discussion about the appropriateness of drive-through windows being by-right in the Downtown Crozet District. The PC also discussed the concept that drive-through windows provide accessibility to services for the elderly and disabled.

The PC recommended only one change to the ZTA. The draft ZTA that was presented to the PC established setbacks for drive-through windows when they are adjacent to residential areas. Staff recommended, and the PC agreed, that the setbacks should also apply if the drive-through is adjacent to agriculturally-zoned land. See Attachment A for the revised ZTA and Attachment B for the comparison version.

RECOMMENDATIONS:

The Planning Commission recommended approval of the ZTA, as revised. Staff recommends that the Board adopt the attached ZTA (Attachment A), which includes the revision.

ATTACHMENTS:

Attachment A – Proposed Zoning Text Amendment
Attachment B – Proposed Zoning Text Amendment showing comparison to original language presented to Planning Commission
Attachment C – Planning Commission Staff Report
Attachment D – Planning Commission Action Letter
Attachment E – Planning Commission Minutes