

COUNTY OF ALBEMARLE

EXECUTIVE SUMMARY

AGENDA TITLE:

ZTA 2015-15 Drive-through Windows

AGENDA DATE:

January 26, 2016

SUBJECT/PROPOSAL/REQUEST:

Proposal to amend the 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.

ACTION: X **INFORMATION:**

ATTACHMENTS: Yes

STAFF CONTACT(S):

Bill Fritz, Greg Kamptner, Sarah Baldwin

PRESENTER (S):

Bill Fritz

BACKGROUND:

On December 2, 2015 the Board of Supervisors adopted a resolution of intent to amend the ordinance to consider making drive-through windows a by-right use. Currently drive-through windows are currently only permitted by special use permit. Applications for drive-through windows have accounted for 11% of all special use permit applications since 1/1/13. None of the applications that were reviewed by the Board of Supervisors 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 (Some were withdrawn, deferred or are currently under review.)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 number of stacking spaces, aisle width and by-pass lane requirements. The design of each application is review on a case by case basis.

DISCUSSION:

Staff researched best practices for drive-through windows in order to develop supplemental regulations that would allow drive-through windows to be permitted by-right. These regulations address issues such as: separation of drive-through lanes from travel lanes and pedestrian areas, relationship of windows to residential areas and public streets, separation of entrances on public streets, length and width of drive-through lanes and direction of traffic flow on-site. Staff reviewed existing facilities in Albemarle County to determine how they work in "real world" situations. Those existing sites that meet the proposed regulations appear to have the fewest conflicts and smoothest operations and are sites where we have not received complaints or comments of concern. Those that do not meet the regulations are those which the County has received complaints or comments of concern.

The proposed ordinance would make drive-through windows a by-right use in those districts where they are currently permitted by special use permit. Any site that met the supplemental regulations could be approved administratively. If an applicant proposed a design that does not meet the regulations they would have the option of requesting a special exception from the Board of Supervisors. This allows for any type of drive-through design to be considered.

BUDGET IMPACT:

Currently drive-through windows are by special use permit only. The fee received for a special use permit application covers an estimated 10% of the cost of review. Since January 1, 2013 the County has received 9 applications for drive-through windows. If they had been reviewed by-right the savings to the County would have been approximately \$17,000.

RECOMMENDATIONS:

Staff recommends adoption of the attached ordinance.

ATTACHMENTS:

Attachment A – Proposed Ordinance

Attachment B – Resolution of Intent