

City of San José, California

COUNCIL POLICY

TITLE CRITERIA FOR THE REVIEW OF DRIVE-THROUGH USES	PAGE 1 of 4	POLICY NUMBER 6-10
EFFECTIVE DATE March 13, 1979	REVISED DATE November 6, 1990	
APPROVED BY COUNCIL ACTION		3/13/79; 9/14/79; 11/06/90, Item 8b

BACKGROUND

On March 13, 1979 the City Council approved an amendment to the Zoning Ordinance requiring that all applications for development of establishments with drive-through facilities in the C-1, C-2 and C-3 Commercial Districts be reviewed for adherence to current and applicable criteria and that such development proceed only after issuance of a Conditional Use Permit by the City. On this same date Council approved criteria applicable to such development. Subsequently, on September 4, 1979 the City Council approved additional drive-through criteria for the review of drive-through uses. In 1990, concerns with the development of self-service car wash facilities allowed under PD zoning led to additional criteria.

PURPOSE

To provide guidelines for the development of establishments with drive-through facilities within the City of San José.

POLICY

It is the policy of the City Council that development of establishments with drive-through facilities within the City of San José shall be governed as specified in this policy statement. Approval of such development shall be subject to the following conditions:

1. Development shall be restricted to Commercial Zoning Districts, designated as C-1, C-2, and C-3, and to Planned Development (PD) zoning.
2. Development may not proceed until a Conditional Use Permit or Planned Development Permit is issued by the City.
3. Conditional Use Permits or Planned Development (PD) Permits for establishments with drive-through facilities shall be granted only after applicable criteria adopted by Council have been applied to each application, to the satisfaction of the City's Director of Planning and the City Planning Commission.

Furthermore, it is the policy of the Council that gasoline service stations which do not include car wash facilities as well as vehicle repair and storage facilities shall be exempt from the provisions in this policy statement.

CRITERIA

The following criteria shall be applied to all applications for development of establishments with drive-through facilities which meet the applicable conditional requirements:

I TRAFFIC

- A. Primary ingress and egress to drive-through type use parking lots should be from at least a four-lane major street.

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- B. The drive-through stacking lane shall be situated so that any overflow from the stacking lane shall not spill out onto public streets or major aisles of any parking lot. Overflow capacity shall be 50 percent of required stacking for overflow restricted to the parking lot and 100 percent of required stacking if the overflow is directed to the street.
- C. No ingress and egress points shall conflict with turning movements of street intersections.
- D. No drive-through use shall be approved with ingress or egress driveways within 300 feet of a signalized intersection operating at a Level of Service D, E, or F unless a traffic analysis demonstrates, to the satisfaction of the Director of Public Works, that vehicles entering or leaving said use will not impair the efficiency or operation of the intersection.
- E. The drive-through stacking lane shall be separated physically from the user's parking lot and shall have a capacity of:
 - 1. Financial Institutions—8 cars per lane or 16 total*;
 - 2. Restaurants—8 cars per lane*;
 - 3. Photo Uses—2 cars per lane*;
 - 4. Self-Service Car Washes—5 cars per lane*;
 - 5. Full-Service Car Washes—15 cars* (may be in multiple lanes);
 - 6. Other—Capacity requirement to be determined on an individual basis.

*Allow 20 feet per car

The storage required for savings and loans may be less than for banks, and should be reviewed on an individual basis.

Eight (8) vehicles per lane for a drive-through restaurant is a maximum. Certain types of fast-food restaurants may require less storage if substantiated by acceptable data.
- F. No pedestrian crossing of the drive-through lane shall be allowed.
- G. Proposed drive-through uses at or near signalized intersections may compound existing traffic congestion and make it intolerable even if the intersection meets the Transportation LOS Policy. In these situations proposed drive-through uses should be discouraged.

II NOISE

- A. Drive-through speakers shall not be audible from adjacent residentially used, zoned, or General Planned properties.
- B. Drive-through speakers shall not be used when the drive-through lane abuts residentially used, zoned, or General Planned Property.
- C. Use of sound attenuation walls and landscaping shall be encouraged.

III HOURS OF OPERATION

- A. No drive-through portion of land use shall operate after the hour of 10:00 P.M. when adjacent to residentially used, zoned, or General Planned properties.

IV EMISSION CONTROL

It is recognized that auto emissions are particularly objectionable where "tunneling" effects occur due to prevailing wind patterns in combination with building orientation, and where idling vehicles are in close proximity to concentrations of people.

- A. An east-west orientation of drive-through lanes is discouraged, especially on the south side of main buildings.

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- B. "Tunneling" will be deemed to occur where adjacent buildings are within thirty (30) feet of each other, or where roof/wall structures enclose a space less than thirty (30) feet. Such situations are discouraged unless air quality analyses performed by the applicant shows that unusual pollutant concentrations will not occur.
- C. Applicants shall take positive steps to protect employees of the drive-through facility from emissions caused by idling cars.
- D. Drive-through lanes shall not be located adjacent to patios and other pedestrian use areas, other than walkways.
- E. Drive-through use stacking lanes are discouraged in close proximity to residential uses, existing or planned.

V URBAN DESIGN

- A. The architecture of drive-through uses shall be compatible and harmonize with that of the shopping center motif or immediate neighborhood in terms of building color, materials, mass, scale, and form. Standardized, "corporate" building designs shall be discouraged.
- B. Drive-through lanes shall be suffered from adjacent properties by means of heavy landscaping, and sound attenuating uses where appropriate and necessary.
- C. Drive-through restaurants shall incorporate seating within the restaurant, and drive-through banking facilities shall provide a walk-up window.

VI LIGHTING

- A. Reference is made to Section 20.12.200 of the Zoning Ordinance.
 20.12.200: LIGHTING. Any and all lighting facilities hereafter erected, constructed, or used for or in connection with any off-street parking spaces located in any residential district or adjacent to any residential district shall be so arranged and shielded that light will be reflected away from lands located in such residential district, and so that there will be no glare which will cause unreasonable annoyance to occupants of properties in such residential district, or otherwise interfere with the public health, safety, or welfare.

- B. Lighting devices located on roofs are considered an advertising device and will not be permitted.

In addition, the following specific criteria are recommended.

Recommended maximums for all drive-through uses:

At Residential Property Line	0.1 fc
At Other Property Line	0.5 fc
Detached Signs	50 FL
Attached Signs	20 FL
Parking Lots (drive-up)	0.5 foot-candles at surface
Parking Lots (walk-in)	0.2 foot-candles at surface

fc = Foot Candle = illumination level on work surface.

FL = Foot Lamberts = brightness one sees at the source.

VII LOCATION

- A. Drive-through uses shall be located 200 feet or more from immediately adjacent or directly opposite residentially used, zoned, or General Planned properties.
- B. Drive-through facilities are discouraged in the Downtown Core Area (bounded by Julian Street, Fourth Street, Freeway 280, and Future Freeway 87).

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- C. Buildings with drive-through facilities shall be located with a minimum separation of 500 feet from any structure containing a drive-through facility.

Self-service car washes which are proposed in conjunction with existing gasoline service stations may be exempted from this locational criterion, provided the traffic criteria in I above are satisfied.

VIII OTHER CRITERIA

- A. Water drippage on public streets at the exit of car washes shall be minimized through either automatic drying systems or hand drying in connection with full-service car wash facilities or through on-site grading and drainage patterns or other design features in connection with self-serve car wash facilities.

IX DEVELOPMENT REVIEW PROCESS

On and off-site circulation, traffic safety, curbside parking, number or proximity of driveways, speed bumps, and other site development factors shall be considered during the Conditional Use Permit or Planned Development (PD) Rezoning/Permit process and evaluated on a site-by-site basis.