

ORDINANCE NO. 599

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING UPMC CHAPTERS 19.25.090, 19.25.110, 19.52.080 AND 19.70.130 TO ALLOW NEW DRIVE-THROUGH USES FOR BANKS, PHARMACIES, RESTAURANTS AND COFFEE SHOPS WITHIN THE TOWN CENTER ZONE

WHEREAS, the City's adopted vision, Comprehensive Plan, Town Center Plan and the Economic Development Strategic Action Plan all call for the establishment of a high-quality pedestrian-oriented Town Center Zone between 35th Street West and 44th Street West along Bridgeport Way; and

WHEREAS, the City received an application to amend the zoning code to allow drive-through uses for banks and pharmacies on 01/18/11; and

WHEREAS, the City Council has directed the Planning Commission to evaluate all drive-through uses in the Town Center Zone; and

WHEREAS, the Planning Commission reviewed the existing zoning requirements and the application received by the City; and

WHEREAS, on May 4, 2011 the Planning Commission held a public hearing in which notices were sent to all property owners within the Town Center Zone and the hearing was noticed in the Tacoma News Tribune; and

WHEREAS, the Planning Commission held 4 meetings including the public hearing to gather information before making a recommendation; and

WHEREAS, the Planning Commission made a recommendation to the City Council on June 1, 2011; and

WHEREAS, the State Growth Management Review Team finished the State's required review on July 1, 2011; and

WHEREAS, the City Council held meetings on 6/13/11 and 7/18/11 to discuss and take public input regarding the issue; and

WHEREAS, the City Council has requested code language for adoption; and

WHEREAS, the recommended Zoning Code revisions are supported by the goals and policies in the Comprehensive Plan and the Economic Development Strategic Action Plan; and


NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

1. **Amendments to Title 19 "Zoning" of the UPMC approved.** The City Council hereby approves the amendments to Title 19 of the UPMC Zoning Code as set forth in attached Exhibit "A, B, C, D."

2. **Severability.** If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

3. **Effective Date and Publication.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect five days after publication.

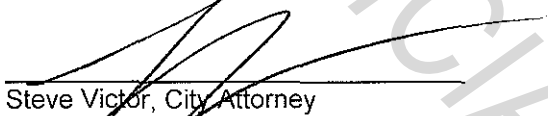
PASSED BY THE CITY COUNCIL ON AUGUST 15, 2011.


Debbie Klosowski, Mayor

ATTEST:


Emelita Genetia, City Clerk

APPROVED AS TO FORM:


Steve Victor, City Attorney

Published: 08/17/11

Effective Date: 08/22/11

Exhibit A

Commercial Uses Zone Classification Table

ZONE CLASSIFICATIONS											
	COMMERCIAL USES	One-Family Residential	Two-Family Residential	Multifamily	Mixed Use – Office	Neighborhood Commercial	Town Center	Town Center Overlay	Mixed Use	Commercial	Light Industrial – Business Park
		R1	R2	MF	MU-O	NC	TC	TC-O	MU	C	LI-BP
1	Administrative and professional offices				P1	P1,2,3	P1,2	P1	P1,2,3	P1,2,3	P1
2	Veterinary clinics/animal hospitals				C1	P1	P1	P1	P1	P1	P
Retail/Services/Entertainment											
3	Adult entertainment										C (9)
4	Amusement and recreation (private)					P	P	P	P	P	P
5	Beauty salon/barber				P (10)	P	P	P	P	P	
6	Building materials (11)					P1	P1, C2	P1, C2	P1, C2	P1, C2	P
7	Business support services				P	P	P	P	P	P	P
8	Commercial centers					C	P1, C2 (12)	P1, C2 (12)	C	C	
9	Eating and drinking establishment				P4	P1, 2, 3	P1, 2, 3	P1, 3	P1, 3, C2	P1, 2, 3	
10	Food stores (11)					P1, C2	P	P	P1, C2	P	
11	Garden center (11)					P	P1	P1	P1	P	C
12	Health club (a.k.a. fitness center)					P	P	P	P	P	C
13	Kennels									C	P
14	Limited accessory retail (MU-O only)				P (13)						
15	Lodging – Hotels and motels (no RV)					C	P	P	P	P	

16	Marinas, existing only	P									
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		R1	R2	MF	MU-O	NC	TC	TC-O	MU	C	LI-BP
17	Mini casinos										
18	Movie theaters (indoor only)					P	P	P		P	
19	Mobile, manufactured, and modular home sales										C
20	Vehicle sales, repair, service					P1, 2			P1, C2	P1, 2	P1, 2, C3, 4
21	Pawn shops									P	C
22	Personal services (other)				P1 (10)	P1, C2	P1, C2	P1, C2	P1, C2	P1, C2	P
23	Rental and repair					P1, C2	P1, C2	P1, C2	P1, C2	P1, C2	P
24	Sales of general merchandise (11)					P1, 3, 4, C2	P1, 3, C2	P1, C2	P1, 3, 4, C2	P1, 3, 4, C2	P1, C2
25	Tattoo parlors									C	
26	Video rental					P	P	P	P	P	P
27	Wholesale trade (11)								C1	C1	P1, C2

See notes following all tables(Ord. 455 § 1 (Exh. A), 2005; Ord. 443 § 1 (Exh. A), 2005; Ord. 394 § 1, 2003).

Exhibit B

19.25.090 Commercial use category – Descriptions.

Commercial activities include the provision of services, including offices, and the sale, distribution, or rental of goods that benefit the daily needs of the public, which are not otherwise classified as civic, or industrial activities. The commercial use category has been separated into the following types based upon distinguishing features such as nature of business activity and type of goods or products sold or serviced. Any store or variety of stores exceeding 580,000 square feet shall be considered a commercial centers use type.

A. Administrative and Professional Offices. Administrative and professional offices use type refers to offices, private firms or organizations providing professional or administrative services to individuals or businesses.

Typical uses include employment services, property management services, title companies, law offices, engineering/surveying consulting firms, architecture and landscape architecture firms, advertising and public relations firms, medical and dental offices, chiropractic offices, dental labs, diagnostic testing services, advertising agencies, travel agencies, talent agencies, insurance offices, real estate offices, investment brokers, financial planners, banking services, offices for nonprofit and quasi-public agencies, and other business offices customarily associated with professional or administrative office services. This category excludes veterinary clinics/animal hospitals.

1. Level 1. Administrative and Professional Offices with no drive-through facilities.
2. Level 2. Banking services that include drive-through facilities.
3. Level 3. Drive-through facilities associated with non-banking uses.

B. Animal Hospitals Facilities/Veterinary Clinics. Veterinary clinics/animal hospitals facilities use types are uses where small animals receive veterinary services that may include medical and surgical treatment. (See also subsection (M) of this section, Kennel.)

1. Level 1. Small animal veterinary services with boarding of animals incidental to the veterinary function and limited to animals receiving care. All boarding shall be within a fully enclosed portion of the building with walls and windows to significantly reduce noise impacts. Grooming is allowed.

2. Level 2. Veterinary services with boarding of animals incidental to the veterinary function and up to five animals not receiving care is allowed. Outdoor boarding is permitted. Grooming is allowed.

C. Adult Entertainment Establishment. "Adult entertainment establishment" shall mean any commercial premises which is one of the following: adult motion picture theaters, adult drive-in theaters, adult bookstores, adult cabarets, adult video stores, adult retail stores, adult massage parlors, adult sauna parlors or adult bathhouses.

D. Amusement and Recreation. Amusement and recreation use type refers to establishments or places of business primarily engaged in the provision of sports, entertainment, or recreational services to the public or members for commercial purposes. Examples include video arcades, billiard parlors, bowling alleys, ice or roller skating rinks, performance theaters/centers (not movie theaters), miniature golf courses, golf driving ranges, and outdoor performance centers.

E. Beauty Salon. Beauty salon use type provides service related to hair, skin, nail and cosmetology care. This includes barber shops.

F. Building Materials. Building materials use type refers to establishments primarily engaged in selling lumber and other building materials, paint, glass, hardware, and wallpaper. Establishments primarily selling these products for use exclusively by businesses or to other wholesalers or primarily selling plumbing, heating and air-conditioning equipment, and electrical supplies are classified in the wholesale trade use type, commercial use category.

1. Level 1. Establishments primarily engaged in the retail sale of basic hardware lines, such as tools, builders' hardware, paint, and glass. Retail sales of nursery, lawn and garden supplies, and lumber may be an accessory use to hardware stores. Utilization of outdoor areas for display and storage purposes may occur as an accessory use. The combination of total floor area and outdoor storage and display area is 30,000 square feet or less.

2. Level 2. Establishments primarily engaged in selling lumber and a general line of building material. General line of building materials may include rough and dressed lumber, flooring, molding, doors, frames, roofing, siding, shingles, wall-boards, paint, brick, tile, and cement. Utilization of outdoor areas for display or storage purposes may occur as an accessory use. The combination of total floor area and outdoor storage and display area ranges between 30,000 square feet and 80,000 square feet.

G. Business Services. Business services use type refers to uses primarily engaged in providing services to business establishments on a contract or fee basis. Examples include courier services, parcel delivery services, fax services, telegraph services, reproduction services, commercial art and photography services, stenographic services, and janitorial services.

H. Commercial Centers. Commercial centers use type refers to any lot or combination of lots with a store or variety of stores, offices, mixed use residential dwellings and services allowed in the zone where the center is located, integrated into a complex utilizing common parking facilities. A variety of goods are sold or services provided at these centers ranging from general merchandise to specialty goods and foods.

Commercial centers can be grouped into two levels:

1. Level 1. Any store or commercial center containing a variety of stores with a cumulative floor area over ~~5~~80,000 square feet and up to 200,000 square feet.

2. Level 2. Any commercial center containing a store or variety of stores with a cumulative floor area greater than 200,000 square feet.

I. Eating and Drinking Establishment. Eating and drinking establishment use type refers to establishments that sell prepared food and liquor, and may provide music. Examples include espresso stands, fast food restaurants, full service restaurants, taverns, and cocktail lounges.

1. Level 1. Establishments without drive-through facilities.

2. Level 2. Establishments with drive-through facilities.

3. Level 3. Establishments that serve alcoholic beverages, including brew pubs.

4. Level 4. Delicatessen only, as accessory to a commercial development.

Limited to 1,000 square feet of gross floor area.

5. Repealed by Ord. 455.

J. Food Stores. Food stores use type refers to stores primarily engaged in the retail sale of a variety of canned and dry foods, fresh fruits and vegetables, or meats, poultry, and fish, and may include a variety of disposable nonfood products. Examples include meat and fish markets, vegetable markets, retail bakeries, dairy stores, and grocery stores.

1. Level 1. Total floor area up to 30,000 square feet.

2. Level 2. Total floor area over 30,000 square feet and up to 80,000 square feet.

K. Garden Center (Includes Nursery). Garden center use type refers to establishments primarily engaged in the retail sale of lawn and garden supply goods and equipment. This includes nursery, lawn and garden supplies, and garden tools. Nurseries that focus on the retail sales of plants are also included in this category. Utilization of outdoor areas for display and storage purposes may occur as an accessory use. The combination of total floor area and outdoor storage and display area is 30,000 square feet or less.

L. Health Club. Health club use type means a facility engaged in operating physical fitness facilities and may include facilities such as cardiovascular machines, weight training equipment, swimming pools and racquetball courts (also known as athletic clubs, fitness centers).

M. Kennel. Kennel use type means a place where six or more adult cats and/or dogs are temporarily boarded for compensation whether or not for training. An adult cat or dog is one that has reached the age of seven months.

N. Limited Accessory Retail. Limited accessory retail use type are uses in the mixed use – office zone only that are directly associated with an allowed office use or which are retail services that provide a direct service to tenants of an office building. Examples include the limited sales of glasses and optical supplies as part of an optometrist's office or stand-alone card shop/gift shop. Limited accessory retail uses are limited by their size (see use tables in UPMC 19.25.110).

O. Lodging. Lodging use type refers to establishments that provide lodging services. Examples include hotels and motels. Recreational vehicle parks are specifically excluded from this definition. See residential use for bed and breakfasts.

P. Marina, Existing. Existing marina use type means a commercial facility that provides moorage and related sales and maintenance services to pleasure and/or commercial vessels and to houseboats and/or private clubs with moorage and associated facilities and activities in existence as of the effective date of the ordinance codified in this section.

Q. Mini Casinos. Mini casinos use type shall be defined as a “social card game” per RCW 9.46.0282 and means a card game that constitutes gambling and is authorized by the Commission under RCW 9.46.070. Authorized card games may include a house-banked or a player-funded banked card game. No one may participate in the card game or have an interest in the proceeds of the card game who is not a player or a person licensed by the Commission to participate in social card games. There shall be two or more participants in the card game who are players or persons licensed by the Commission. The card game must be played in accordance with the rules adopted by the Commission under RCW 9.46.070, which shall include but not be limited to rules for the collection of fees, limitation of wagers, and management of player funds. The number of tables authorized shall be set by the Commission but shall not exceed 15 total and separate tables per establishment.

R. Movie Theaters, Indoor. Movie theater, indoor use type means an establishment primarily engaged in the indoor exhibition of motion pictures.

S. Mobile, Manufactured, and Modular Homes Sales. Mobile, manufactured, and modular homes sales use type refers to those establishments that store and sell premanufactured homes. The primary purpose is to provide sites for marketing and distribution, not construction.

T. Motor Vehicles and Related Equipment Sales/Rental/Repair and Services. Motor vehicles and related equipment sales/rental/repair and services use type refers to establishments or places of business engaged in the sales, leasing or service of automobiles, trucks, motorcycles, recreational vehicles, and boats; or heavy equipment and supplies related to motor vehicles; and self-moving or commercial moving services.

1. Level 1. Gasoline service stations, battery exchange stations, and Level 3 electric vehicle charging stations, together with accessory automobile repair and convenience shopping, and car wash with a one-car capacity.

2. Level 2. Automotive repair shops and automobile car washes for vehicles not exceeding three tons. Typical uses include general repair shops, transmissions and engine rebuild shops, muffler shops, glass repair shops, automobile upholstery services, car washes, lube/oil shops, and auto parts stores which offer installation services.

3. Level 3. On-site sales, lease, or rental of automobiles, trucks not exceeding three tons of vehicle weight, and recreational vehicles. Other activities include automobile body repair and painting facilities.

4. Level 4. Sales, leasing, or rental of heavy truck and heavy equipment exceeding three tons of vehicle weight, supplies intended for outdoor use and truck service stations. Typical uses include truck shops primarily designed for the service and fueling of heavy trucks and tractor trailer sales.

5. Repealed by Ord. 455.

U. Pawn Shop. Pawn shop use type is an establishment engaged in whole or in part in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property. Pawn shops shall be permitted only at a ratio of one shop per each 40,000 population within the city limits (meaning the second pawn shop is allowed at 40,001, etc.).

V. Personal Services, Other. Personal services, other use type refers to uses primarily engaged in providing services to individuals. These services meet the needs on a daily, weekly, monthly, or less frequent basis. Examples include coin-operated laundries, dry cleaning drop-off/pick-up establishments, dry cleaners, shoe repair, clothing alterations, tanning salons, photographic studios, carpet and upholstery cleaners. Also see subsection (W) of this section, rental and repair services use type, for other services.

1. Level 1. Total floor area does not exceed 2,500 square feet and use does not involve outdoor storage of vehicles.

2. Level 2. Total floor area exceeds 2,500 square feet or use involves outdoor storage of delivery or service vehicles.

W. Rental and Repair Services. Rental and repair services use type refers to establishments primarily engaged in the provision of repair services or closely related uses. Typical uses include upholstery shops, appliance repair shops, small engine and power tool rental and repair such as lawn mowers and chainsaws, vacuum cleaner repair, medical equipment rental and repair services, rental furnishings, and instrument repair services. Refer to motor vehicles and related equipment sales/rental/repair and services use type for automotive repair. Also see personal services use type for clothing alterations.

1. Level 1. Establishments that do not involve outdoor storage.
2. Level 2. Establishments that involve outdoor storage of equipment.

X. Sales of General Merchandise. Sales of general merchandise use type refers to establishments that sell general merchandise including apparel and accessories, pharmaceuticals, antiques, optical goods, jewelry, pet supplies, auto parts without installation services, furniture and home furnishings including appliances, computers and electronics. Also see building materials use type for establishments primarily engaged in selling lumber and other building materials, paint, glass, wallpaper or hardware, and also garden center use type for nursery stock and lawn and garden supplies.

1. Level 1. Total floor area up to 30,000 square feet.
2. Level 2. Total floor area over 30,000 square feet and up to 80,000 square feet.

3. Level 3. Pharmacies that include drive-through facilities.

4. Level 4. Drive-through facilities associated with sales of general merchandise uses other than pharmacies.

Y. Tattoo Parlors. Tattoo parlor use type is an establishment where permanent designs or marks are made on the skin by pricking it and ingraining it in an indelible pigment or by raising scars on it.

Z. Video Rental. Video rental use type is a store that rents prerecorded videotapes, discs, or similar materials such as video games to the public for a limited period of time. Some limited sales may occur.

AA. Wholesale Trade. Wholesale trade use type refers to establishments primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying for or selling merchandise to such individuals or companies. Typical wholesale trade establishments include wholesale merchants or jobbers and cooperative buying associations. Typical wholesale trade businesses are electrical distributors, plumbing supplies, heating and air-conditioning equipment supplies, lumber and construction materials supplies, professional and commercial equipment supplies.

1. Level 1. Establishments with total floor area of 10,000 square feet or less and indoor storage only.

2. Level 2. Establishments with total floor area of more than 10,000 to 80,000 square feet and with indoor or outdoor storage.

(Ord. 514 § 2, 2008; Ord. 455 § 1 (Exh. A), 2005; Ord. 443 § 1 (Exh. A), 2005; Ord. 394 § 1, 2003; Ord. 307 § 2, 2001).

Exhibit C

19.70.130 Drive-through and drive-up facilities.

A. Purpose. The purpose of this section is to recognize that drive-through and drive-up uses may be appropriate at some locations; provided, that such uses are located in consideration of adjacent land uses, traffic patterns, aesthetics compatibility, vehicular/pedestrian conflicts, noise, light and glare, odor and emissions, and litter.

B. Where Permitted. Drive-through and drive-up uses are permitted as an accessory use to any principal use allowed in the following zones subject to the standards included in this section and a conditional use permit if applicable:

1. Neighborhood Commercial.

2. Mixed Use District.

3. Commercial.

4. Town Center zone south of 37th St West. Proposed drive-throughs located in Town Center zoned parcels south of 40th St. West and west of Bridgeport Way West require a Conditional Use permit.

C. Exemptions. Uses regulated by this section include any use that utilizes a drive-through or drive-up as part of their service to customers. Examples include but are not limited to automobile services, restaurants including espresso stands, financial institutions, retail and service uses and drop boxes. The following uses are exempt from this section:

1. Delivery and loading spaces required pursuant to Chapter [19.60](#) UPMC.

2. Drop boxes, including library, bank and video drop boxes.

3. Hotel porticos and valet parking services.

4. Curbside to go service where a parking stall is reserved for a customer who calls in a to-go order. The customer may or may not get out of the car. One stall is allowed per restaurant use.

D. Standards. Where permitted, drive-through and drive-up facilities shall comply with the following standards; except that where drive-through and drive-up uses are nonconforming, these standards shall apply to all major improvements or major redevelopments.

1. To achieve the pedestrian vision of a pedestrian oriented zone, in addition to this code section Drive Through and Drive-up facilities located within the Town Center zone shall comply with the following requirements.

a. Where Drive-through or Drive-up facilities are proposed to be located within existing Commercial Centers a minimum 2 of the following requirements shall be met:

i.) An additional pedestrian connection between the public street and the principal building within the shopping center.

ii.) An additional pedestrian connection to a second public street for Shopping Centers with two or more street frontages.

iii.) Provide two additional pedestrian connections between parking areas located within the center and buildings within the center.

iv.) Provide an additional 750 square feet of plaza area within the shopping center. The plaza area shall be improved in accordance with UPMC 19.52.150.A.6-11.

v.) Provide a pedestrian connection from the principal building to a neighboring property.

vi.) Provide enhanced walkways that exceed the design standards through landscaping and design.

vii.) Provide enhancement to an existing pedestrian connection within the Commercial Center. Or upgrade the existing connection to current pedestrian connection standards as defined in section 19.70.130.D.1.c.

viii.) Provide amenities that achieve the goal of the Town Center that meet or exceed the options listed above and are approved by the Director.

b. Pedestrian connections shall be a minimum of 5 feet wide. Raised walkways are preferred. The City may consider alternate designs where major design challenges exist. The walkways shall be differentiated from the parking area by use of alternate material or finishes. Paint striped walkways would not be allowed to meet this requirement. Alternate materials can include but are not limited to: concrete, pavers, stamped and painted asphalt, or others subject to City approval.

211. Traffic and Circulation.

a. Except at entry and exit points, drive-through stacking lanes shall be separated physically (i.e., by a wall, raised curb or landscape planter) from the parking lot, and shall comply with the following capacity standards:

Use	Length of Stacking Lane(s)
Bank/Retail	3 – 6 cars, depending upon volume
Restaurants	8 – 12 cars, depending upon volume
Automobile Service, Other	Determined on an individual basis, depending on volume

b. The entrance and exit from a drive-through lane, or designated drive-up parking spaces, shall be internal to the site and not a separate entrance/exit to or from the street.

c. 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 circulation aisles of any parking lot.

d. Drive-through lanes and drive-up spaces shall be located in the rear or side yards and shall not be placed between a street and the building. See Diagram 1.

e. Reserved parking spaces for drive-through orders may be required.

f. Vehicle conflicts with pedestrians and bicycles shall be minimized.

322. Landscaping and Screening.

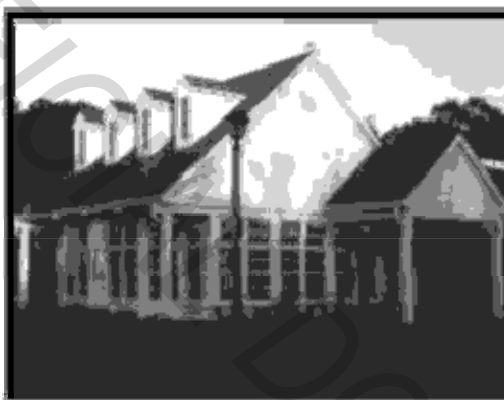
a. Drive-through windows, menu boards, stacking lanes, drop-offs, and drive-up spaces shall be located to minimize impacts to adjacent properties and screened from the public right-of-way to the maximum extent possible. At a minimum, a berm or wall and Level III landscaping shall be required.

b. The drive-through, drop-off or drive-up facility shall be buffered and visually screened from residential development with a wall and Level I landscaping, or by other equivalent natural or constructed barriers, such as other commercial development.

433. Architecture. Drive-through elements shall be architecturally integrated into building design and not appear to be applied or stuck on to the building.



Not Architecturally Integrated



Architecturally Integrated

544. Noise.

- a. The project applicant shall provide the plans and specifications for any potential noise sources, such as intercom system, trash compactor, etc. Plans shall include measures to mitigate any potential adverse impact from such noise sources.
- b. Speakers at drive-through facilities shall not be audible to adjacent residential uses or disturbing to adjacent nonresidential uses. Sound attenuation walls or other mitigation measures shall be required as necessary.
- c. Speaker boxes of any point-to-point intercom system shall be oriented away from residential development and other sensitive receptors located in the general area of the drive-through facility.
- d. Outdoor maintenance and cleaning activities shall be limited if determined necessary by the city to achieve compatibility with surrounding land uses.

e. The on-site manager shall not permit any loud music, noise or other sounds by means of radio, or other broadcasting apparatus or device, and shall not permit fighting, quarreling, loitering, or loud noise or other nuisance which disturbs the quiet and peace of the premises or the neighborhood.

f. Hours of operation shall be limited as determined necessary by the city to achieve compatibility with surrounding land uses.

655. Emission Control. Drive-through and drop-off lanes and drive-up spaces shall not be located adjacent to plazas and other pedestrian use areas, other than walkways, and are discouraged adjacent to nonresidential buildings within 30 feet of the proposed lane. Drive-through stacking lanes shall not be located within 50 feet of any residential uses.

766. Light and Glare. All lighting fixtures shall be designed, installed and maintained so as to direct light only onto the subject property.

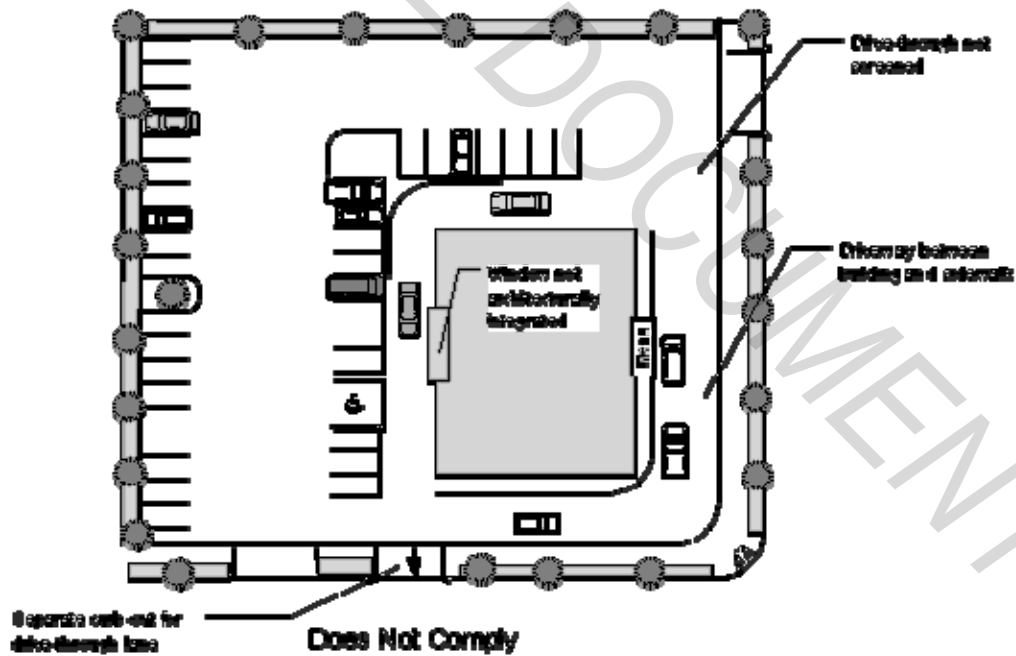
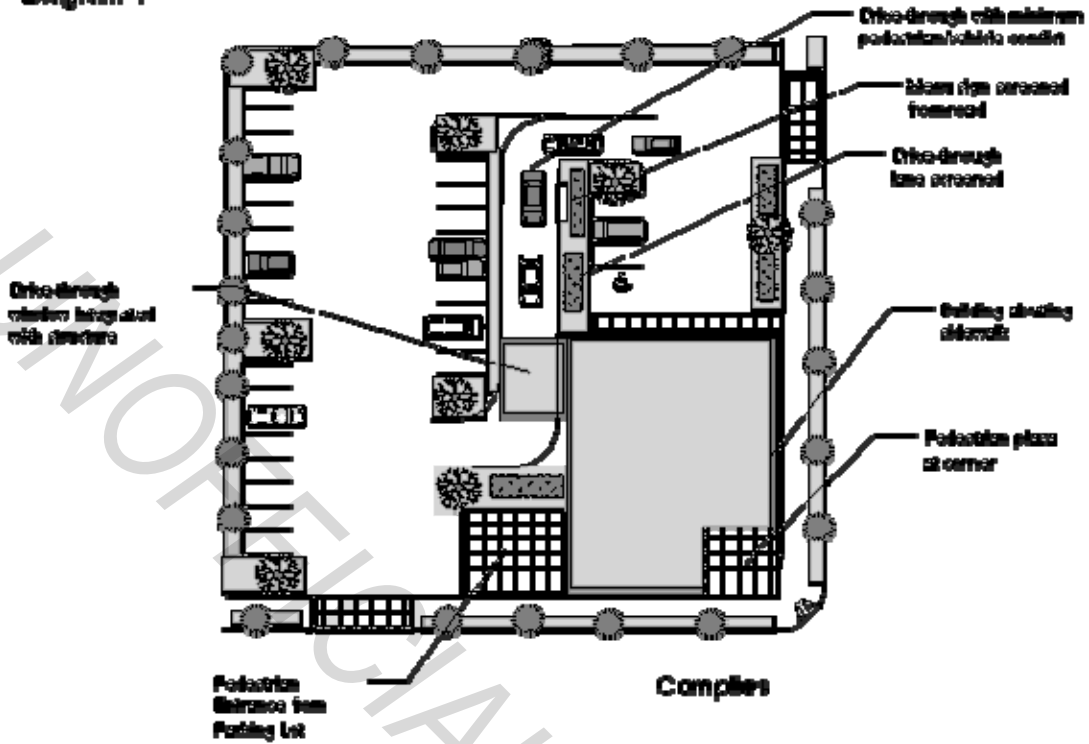
877. Maintenance. The site shall be maintained in a litter-free condition and no undesirable odors shall be generated on the site. The on-site manager shall make all reasonable efforts to see that the trash or litter originating from the use is not deposited on adjacent properties. Trash enclosures and bins shall be enclosed on all sides to suppress odors and prevent spillage of materials. Graffiti shall be removed within 48 hours.

E. Additional Conditions. The standards in this section constitute the minimum deemed necessary under general circumstances and in most cases to prevent adverse effects from drive-through facilities. Other and further standards may be required as conditions of approval to ensure that such uses are consistent with the comprehensive plan and findings required to grant a conditional use permit if one is required.

F. Continuation of Use. If any nonconforming drive-through or drive-up facility is discontinued for a period of 12 months or longer, any new drive-through facility shall comply with these standards.

1. A nonconforming drive-through lane or drive-up may relocate to a more conforming location consistent with this section.

Diagram 1



Note: This diagram is for illustrative purposes only and NOT intended to dictate required site layout or design

(Ord. 455 § 1 (Exh. A), 2005)

Exhibit D

19.52.080 Prohibited Uses

To mitigate impacts of incompatible uses or to maintain a competitive atmosphere certain uses are specifically prohibited.

Standards

A. The following uses are prohibited:

~~1. Any commercial use that encourages patrons to remain in their cars while receiving goods or services.~~

~~2.~~ Motor vehicle rental and repair uses are not allowed as a principal or accessory use.

~~3.~~ Small engine repair.

~~3.~~ Bars and Nightclubs along Larson Lane or Drexler Drive.

~~4.~~ The storage or repair of inoperable vehicles (except vehicles owned by residents of a development where the storage or repair is taking place and only then within residential garages).

~~5.~~ Retail establishments primarily selling used goods including pawn shops and secondhand stores.

~~6.~~ Dollar and Factory Second Stores.