



---

## REPORT TO PLANNING COMMISSION

---

### CITY OF ARNOLD

---

**APPLICATION #:** PC-2020-01

**APPLICATION NAME:** Application to Amend Municipal Code Chapter 405  
(Zoning) - Commercial Uses

**APPLICANT:** City of Arnold

**REQUEST:** A City-initiated request to amend Chapter 405, Zoning, of the Code of Ordinances to modify zoning requirements for various permitted and conditional uses.

**MEETING DATE:** February 11, 2020

**REPORT DATE:** February 4, 2020

**CASE MANAGER:** David B. Bookless, AICP

**RECOMMENDATION:** **APPROVAL**





# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD

### BACKGROUND

The City's Zoning Ordinance was adopted by the City Council on June 30, 1977. A number of amendments have been approved with the most recent being on October 17, 2019. Periodic revision is essential if the ordinances are to maintain a rational land use pattern. Changes should not be made in an arbitrary manner. Significant updates to the Zoning Ordinance are best undertaken following an update of the Comprehensive Plan. Nevertheless, clarification of information contained in the Zoning Ordinance may be appropriate at any time.

At the November 12, 2019 meeting of the Planning Commission, there was a discussion about potentially revising requirements for conditional use permits for a number of uses, including, but not limited to restaurants, fast food restaurants, outdoor dining, banks, car washes, and clinics.

### DISCUSSION/ANALYSIS

*The analysis by Staff that follows is intended to allow the Planning Commission to reach the most informed decision possible and to facilitate discussion. Such discussion is important to identify and consider any potential unintended consequences of the proposed amendment.*

#### **PERMITTED VERSUS CONDITIONAL USES**

The Zoning Ordinance distinguishes between permitted land uses and conditional land uses in each of the zoning districts. When uses are notated as *permitted*, they are allowed "by right" in a particular zoning district. When uses are notated as *conditional*, they require additional review by the Planning Commission and City Council. The reasoning behind making certain uses conditional is that particular land uses and developments present unique problems with respect to their proper location and relationship to other land uses.

Examples of such unique problems might be that the land use has the potential to be particularly intensive (which might engender the need for additional parking), the use may have significant visual impacts upon the neighborhood, or there might be the potential for traffic or internal concerns related to drive-through facilities, pedestrian activity, or outdoor storage. The Zoning Ordinance contains criteria, in Section 405.870(A)(1), for reviewing conditional uses that must be satisfied in order for the Commission to recommend approval to the Council, as follows:

- a. *Consistent with good planning practice;*
- b. *Can be operated in a manner that is not detrimental to the permitted developments and uses in the district;*
- c. *Can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area;*
- d. *Deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold.*

*In approving such conditional uses, the Planning Commission shall impose such conditions as it determines necessary to satisfy the criteria established in this paragraph.*

# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



The conditions that the Commission may impose are intended to mitigate potential adverse impacts as identified in its review. Conditions that the Commission might impose can vary widely, but could include limitations on a number of things such as the allowable square footage of the land use, the hours of operation, any amplified music, the number of seats/tables, whether and/or how outdoor storage is permitted, etc.; or requirements for such things as screening, fencing, landscaping, additional yard setbacks, parking, access, circulation, etc.

### **USES BEING EXAMINED**

Of particular interest to the Commission and Staff were a number of commonly reviewed uses including restaurants, fast food restaurants, outdoor dining, and establishments that are generally *motor vehicle-oriented*, and thereby warranting additional scrutiny, such as financial institutions, pharmacies, or dry cleaners that include a drive-through, or car washes. Although not necessarily vehicle-oriented, Staff has included “clinics” and “tobacco, nicotine, & other legal substance establishments” in the analysis as such establishments have come up in previous discussions, and this is an opportune time to address them as well.

Section 405.060 of the Zoning Ordinance currently defines a number of these uses, although *not all*, as follows:

### **RESTAURANTS**

*A place where meals are served to the public.*



### **FAST-FOOD RESTAURANT**

*Any establishment whose principal business is the sale of foods, frozen desserts or beverages in ready-to-consume individual servings for consumption either within the restaurant building or for carry-out, and where either:*

- 1. Foods, frozen desserts or beverages are usually served in edible containers or in paper, plastic, or other disposable containers, and where customers are not served their food, frozen desserts or beverages by a restaurant employee at the same table or counter where the items are consumed, or*



## REPORT TO PLANNING COMMISSION

### CITY OF ARNOLD

2. *The establishment includes a drive-up or drive-through service facility or offers curbside service.*



#### **FINANCIAL INSTITUTION**

*A State or Federally chartered bank, savings association, credit union, or industrial land company located in a building or portion thereof which provides for the custody, loan, exchange, or issue of money, the extension of credit, or facilitating the transmission of funds, and which may include accessory drive-up units on the same premise. This does not include small loan businesses.*



#### **LAUNDRY OR DRY CLEANING PICKUP STATION OR SELF-SERVICE LAUNDRY OR DRY CLEANING FACILITY**

*A commercial facility where clothes and linens are washed and/or dry cleaned.*

#### **CLINIC**

*The group practice of medicine or dentistry for humans including assistants and laboratories, but not including inpatient care or operating rooms for major surgery.*

---

# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD

---



### **TOBACCO, NICOTINE, AND OTHER LEGAL SUBSTANCE ESTABLISHMENT**

*A specialty retail establishment that has, as a substantial or significant portion of its stock in trade, smoking- and/or vapor inhalation-related accessories, such as pipes, pipe cleaners, lighters, butane, flints, cigar nippers, electronic/vapor substance inhalation products, commonly known as "electronic cigarettes," "e-cigarettes," "e-cigars," "e-cigarillos," "e-pipes," "e-hookahs," "electronic nicotine delivery systems," and other similar devices, as well as such cartridges, substances and additives used to experience the sensation of smoking vapors, tobacco and non-tobacco substances, exclusive of items identified as controlled substances or drug paraphernalia in Chapter 215, Article XI of the Municipal Code. Lounges or public rooms where customers or members of the public may inhale vapor, smoke, or otherwise consume such products as identified herein; may only be as allowed when specifically authorized in an approved Conditional Use Permit.*





# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD

### DISCUSSION

As defined in the Zoning Ordinance, restaurants such as Texas Roadhouse, Syberg's, The Pasta House, and Las Fuentes Mexican Restaurant are permitted ("by-right") uses in the "C-2" and "C-3" Commercial zoning districts (and by reference in the "C-4"). As defined in the Zoning Ordinance, fast-food restaurants such as McDonald's, McAlister's Deli, St. Louis Bread Co., That'sa Nice Pizza, and Jimmy John's Gourmet Sandwiches require a Conditional Use Permit.

When considering the impacts of each of the above restaurants and fast-food restaurants, there are operational differences that might better drive the need for a Conditional Use Permit than the definition of the use. It is difficult to make the case that the use of disposable utensils or that staff does not serve the customers their food has a substantial adverse impact on the community at-large; whereas operational differences, such as those that might cause conflicts between pedestrians and motor vehicles, warrant additional scrutiny. This may include establishments that:

- Operate in a manner that is *motor vehicle-oriented*, i.e. has a "drive-through"; or
- Have outdoor activities where there may be conflicts with vehicles such as an outdoor dining or play area.

Staff therefore asks the Commission to consider whether a Conditional Use Permit should only be required when the operation of such uses "present unique problems with respect to their proper location, relationship to other land uses and uses" as opposed to a blanket application base upon a broad definition?

Staff proposes addressing the issue as follows:

- Revising the Zoning Ordinance by deleting fast food restaurants as a use distinct from that of a restaurant;
- Establish a new conditional land use entitled "Motor Vehicle-Oriented Establishment (MVOE)" that includes criteria that determines whether a use *also* fits within the category
  - A restaurant that is *not* an MVOE would simply be a permitted use
  - A restaurant that is an MVOE would be a conditional use
- Establish a new conditional land use entitled "Outdoor Activities" that includes criteria that determines whether a use *also* fits within the category
  - A restaurant without outdoor dining would be a permitted use
  - A restaurant with outdoor dining would be a conditional use
  - Provide exemptions for enclosed outdoor dining or play areas accessed only through the building and for a small number of seats or a bench
- Establish *Use Standards* for Motor Vehicle-Oriented Establishments and Outdoor Activities addressing:
  - Ingress/egress, drive-through, parking & circulation design, pedestrian safety

---

# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD

---



- Performance standards (e.g. Outdoor display of merchandise; enclosure and ingress/egress control for outdoor activity areas, etc.)

An advantage to this approach is that it also would be applicable to land uses such as pharmacies, financial institutions, and carwashes without amending those particular uses. Pharmacies and financial institutions with drive-through facilities would also be MVOEs, as would drive-thru (“tunnel”) carwashes. A conditional use permit would be required and Use Standards would apply. Whereas, pharmacies and financial institutions *without* drive-through facilities would be permitted “by right.” This would also provide flexibility should new, as of yet unimagined motor-vehicle-oriented uses, appear in the future.

*“Clinics”* and *“Tobacco, Nicotine, and Other Legal Substance Establishments”* have their own unique issues that are distinct from those of Motor-Vehicle Oriented Establishments or Outdoor Dining, and therefore are addressed below.

Currently, *Clinics* are permitted by right in the “C-2” Commercial District and require a conditional use permit in the “C-3” Commercial District (and are permitted by reference in the “C-4”). They are prohibited in all other districts. As the definition calls out establishments that are a *group practice*, it may be inferred that the unique concern about clinics is the intensity of a practice with multiple doctors or dentists; and the impact it might have such as parking and traffic. Staff doesn’t disagree with that concern. In fact, Staff believes the definition should be expanded to reflect current operational practices of clinics, as well as additional practitioners of the healing arts that have similar impacts. It is not unusual for medical and dental practices to have fewer doctors and dentists on staff at any given time. Instead there may be one doctor or dentist and larger staff of nurses, hygienists, para-professionals, etc. And this model may actually result in an intensification of the use by providing service for a larger number of patients thereby having the potential for greater impacts. As defined, clinics only apply to medical or dental practices. As the impacts aren’t substantially different, Staff recommends expanding the definition to include psychiatrists, psychologists, mental health counselors, optometrists, ophthalmologists, chiropractors, rehabilitation therapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis, including diagnostic services, blood donation stations, infusion centers, surgery centers, and urgent care facilities. Additionally, the use should be allowable in both commercial and industrial districts as developments in such districts traditionally include the use.

*Tobacco, Nicotine, and Other Legal Substance Establishments* were recently defined by the City and authorized by Conditional Use Permit in the “C-1” Commercial District, “C-2” Commercial District, “C-3” Commercial District, and by reference, potentially the “C-4” Commercial District and “M-3” Planned Industrial District. Since that time, Staff has determined some clarification is in order to help ensure the definition speaks to the intended meaning and not to marijuana-related uses. To that end, a refined definition is proposed to explicitly identify tobacco or other substances intended to be smoked, while explicitly prohibiting marijuana-related establishments or entities or related products.





## REPORT TO PLANNING COMMISSION

### CITY OF ARNOLD

#### **IMPLICATIONS OF MAKING NO CHANGES TO THE CURRENT REGULATIONS**

By maintaining the current zoning regulations relative to uses such as restaurants, fast food restaurants, outdoor dining, car washes, etc., the City may be requiring unwarranted hurdles for business expansion that contributes to a perception of the City is unfriendly to commerce.

Additionally, the intended purpose of the conditional use permit, to provide added scrutiny where "certain land uses and developments present unique problems with respect to their proper location, relationship to other land uses and uses"; but in practice may be missing the mark relative to actual impacts of the use. With respect to proposed changes to definitions, failure to provide clarification may result in unintended consequences for the failure to adequately identify the particular use in question.

#### **FINDINGS AND RECOMMENDATION**

#### **SUCH AMENDMENT IS REQUIRED BY PUBLIC NECESSITY AND CONVENIENCE AND GENERAL WELFARE**

The Community Development Director finds that the proposed text amendments are warranted by the public necessity and convenience to provide reasonable and fair regulations in the Zoning Ordinance that is not substantially more burdensome than that in other nearby communities.

The Community Development Director finds that the proposed text amendments are warranted by the need to promote and protect the general welfare by protecting the economic and tax base of the City, preserving and enhancing the values of property owners and users, promoting the orderly and harmonious development and redevelopment of the City, preserving and promoting the character and stability of the City and its various residential and commercial neighborhoods, improving the appearance of the City, and promoting the best use and development of commercial land in accordance with the Comprehensive Plan.

#### **RECOMMENDATION**

The Director of Community Development finds that the proposed text amendments meet or exceed review criteria and further advances the intent of Chapter 405. Based on this finding the Director of Community Development requests favorable consideration of the application.

A handwritten signature in black ink that reads "David B. Bookless".

David B. Bookless, AICP  
Community Development Director



# ATTACHMENTS



# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



**ESTABLISHMENTS MEETING THE DEFINITION OF RESTAURANTS**

# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



**ESTABLISHMENTS MEETING THE DEFINITION OF FAST-FOOD RESTAURANTS**



# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



**ESTABLISHMENTS BLURRING LINES**

Commercial Uses

**REPORT TO PLANNING COMMISSION**  
**CITY OF ARNOLD**



**ESTABLISHMENTS BLURRING LINES**

PC-2020-01 TEXT AMENDMENT



# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



**ESTABLISHMENTS MEETING THE DEFINITION OF FINANCIAL INSTITUTIONS**

Commercial Uses

**REPORT TO PLANNING COMMISSION**  
**CITY OF ARNOLD**



**ESTABLISHMENTS MEETING THE DEFINITION OF LAUNDRY OR DRY CLEANING PICKUP  
STATION OR SELF-SERVICE LAUNDRY OR DRY CLEANING FACILITY**





# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



**ESTABLISHMENTS COMMONLY DEFINED AS A PHARMACY**

**REPORT TO PLANNING COMMISSION**  
**CITY OF ARNOLD**



**ESTABLISHMENTS MEETING THE DEFINITION OF CLINICS**



# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



**ESTABLISHMENTS NOT MEETING THE DEFINITION OF CLINICS**

# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



### PROPOSED AMENDMENTS

Black Text = Existing  
Blue Underscore = Added  
Red Strikethrough = Deleted

#### Section 405.040 Application of District Regulations.

7. Unlisted uses. Any use not shown as a use permitted by right, or a conditional use in a zoning district is specifically prohibited in that district. Uses not listed have been determined either not to be appropriate in any district, incompatible with certain existing uses, or sufficiently rare or unexpected as to be incapable of being listed at the time of adoption of these Regulations. Such uses may be authorized in planned districts solely at the discretion of the City Council. Any use not shown as a use permitted by right, a conditional use in any zoning district, but constituting a use that is required to be permitted by law, shall be authorized in the "M-1" or "M-2" or "M-3" Industrial Districts subject to the following conditions:
- a. The use shall be permitted only to the extent required by law to be permitted;
  - b. The use shall be approved only as a Conditional Use, except if by law it is required to be permitted by right;
  - c. The use shall be located no closer than one thousand (1,000) feet from any residence, residential property, park, school, or church, except as may be modified by the City Council through a Planned District procedure;
  - d. The use shall maintain a distance of at least one thousand (1,000) feet from any other such use having the same description;
8. Motor Vehicle-Oriented Establishments (MVOE). Otherwise permitted uses meeting the definition of an MVOE, as defined in Section 405.060, are deemed conditional uses and shall be subject to procedures governing such uses contained in Section 405.870 Conditional Use Permits.

#### Section 405.060 Definitions.

##### MOTOR VEHICLE-ORIENTED ESTABLISHMENT (MVOE)

Any establishment which, by design, type of operation, or nature of business, has as one of its functions, the provision of services to a number of motor vehicles or its occupants in a short time span, or the provision of services to the occupants of motor vehicles while they remain in a vehicle. Businesses included in this category shall have one (1) or more of the following facilities: One (1) or more pump islands for retail sale of gasoline; or, one (1) or more drive-through lanes or service windows for distribution of products or other transactions; or more than four (4) parking spaces designated for the distribution of products or other transactions; or, include an automated car wash facility.

##### OUTDOOR ACTIVITY AREA (DINING OR ENTERTAINMENT)

A porch, patio, deck, walkway, or other area of land, which is not within the interior building walls of the principle use, provided for the use of patrons either (1) to consume purchased food or beverages (i.e. dining); or (2) for purposes of outdoor play or entertainment (e.g. playgrounds, horseshoes, bocce, volleyball, performance, etc.).



# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD

### **RESTAURANTS**

~~A place where meals are served to the public.~~ An establishment, open to the public, where food and drink are prepared, served, and then consumed on- or off-premise.

### **FAST-FOOD RESTAURANT**

~~Any establishment whose principal business is the sale of foods, frozen desserts or beverages in ready to consume individual servings for consumption either within the restaurant building or for carry-out, and where either:~~

- ~~1) Foods, frozen desserts or beverages are usually served in edible containers or in paper, plastic, or other disposable containers, and where customers are not served their food, frozen desserts or beverages by a restaurant employee at the same table or counter where the items are consumed, or~~
- ~~2) The establishment includes a drive-up or drive-through service facility or offers curb service.~~

### **CLINIC**

~~The group practice of medicine or dentistry for humans including assistants and laboratories, but not including inpatient care or operating rooms for major surgery.~~ A facility operated by one (1) or more physicians, dentists, psychiatrists, psychologists, mental health counselors, optometrists, ophthalmologists, chiropractors, rehabilitation therapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis, including but not limited to diagnostic services, blood donation stations, infusion centers, surgery centers, and urgent care facilities.

### **STACKING SPACE**

A space consisting of twenty-two (22) feet of pavement length specifically designated as a waiting area for vehicles patronizing a "Motor Vehicle-Oriented Establishment" (as defined herein).

### **TOBACCO, NICOTINE, AND OTHER LEGAL SUBSTANCE ESTABLISHMENT**

A specialty retail establishment that has, as a substantial or significant portion of its stock in trade, smoking products, such as cigars, cigarettes, loose leaf tobacco or other substances intended to be smoked, and/or smoking- and/or vapor inhalation-related ~~accessories~~ products, such as pipes, pipe cleaners, lighters, butane, flints, cigar nippers, hookahs, waterpipes, shishas, or narghiles, electronic/vapor substance inhalation products, commonly known as "electronic cigarettes," "e-cigarettes," "e-cigars," "e-cigarillos," "e-pipes," "e-hookahs," "electronic nicotine delivery systems," and other similar devices, as well as such cartridges, substances and additives used to experience the sensation of smoking vapors, tobacco and non-tobacco substances, exclusive of items identified as controlled substances or drug paraphernalia in Chapter 215, Article XI of the Municipal Code. Lounges or public rooms where customers or members of the public may inhale vapor, smoke, or otherwise consume such products as identified herein, may only be as allowed when specifically authorized in an approved Conditional Use Permit. This definition shall not apply to medical marijuana-related entities (as defined in this Chapter) nor shall it apply to any establishments selling or distributing marijuana or marijuana-infused products (as defined in this Chapter).

# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



### SECTIONS 405.100-360 (PERMITTED AND CONDITIONAL USES):

LAND USE	Zoning District									
	FP	PS	R-6	C-1	C-2	C-3	M-1	M-2		
Restaurant	C	C	P.	C	P	P	P	P	C	P
<del>Restaurant, fast-food</del>					<del>C</del>	<del>P/C</del>				
Clinic			<u>C</u>		<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Financial Institution			<u>P.</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Pharmacy			<u>P.</u>	<u>P.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Dry cleaning pickup stations			<u>P.</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
MVOE										
Outdoor Dining (>4 seats, free access)	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>

\*Max. 5% of structure's area

\*\*Not to exceed 2,500 sq. ft. GFA



## REPORT TO PLANNING COMMISSION

### CITY OF ARNOLD

#### Section 405.380 Use Standards.

D. Motor Vehicle-Oriented Establishments. MVOEs, as defined in Section 405.060 of the Zoning Ordinance, shall be subject the following conditions and restrictions:

1. Ingress and egress.

- a. The minimum width of driveways at the right-of-way line shall be twenty-four (24) feet, and shall not exceed forty (40) feet.
- b. The radius used to increase the driveway opening at the curb or pavement edge shall not be less than ten (10) feet nor more than forty (40) feet. The edges of the opening shall not project beyond the side property line extended normal to the pavement.
- c. The number of commercial entrances for each property or site shall be restricted on the basis of traffic requirements as determined by the City. The maximum number of driveway openings shall be limited to one (1) drive per two hundred (200) feet of lot frontage. On a corner lot, one (1) entrance from each street shall be permitted and located as far as possible from the street intersection corner.
- d. The angle of driveway intersection with the street shall be based upon reasonable criteria for safe traffic movements and subject to the review and approval of the City Engineer.
- e. MVOEs integrated in a shopping center or cluster of commercial facilities shall use the common access with other business establishments in that center.
- f. Exceptions to the width and/or radius may be required, or allowed with special approval by the City, to insure adequate provisions for large vehicles and/or high traffic volumes.

2. Drive-through lanes standards.

Except as further regulated elsewhere in this section, all drive-through facilities shall be designed to meet the minimum requirements indicated:

- a. Storage length. If not specifically specified herein, storage length will be determined by the Community Development Director with the input of the city's engineering staff based upon available data for like uses and the volume of adjacent street traffic.

The City may approve reductions in required storage lengths if the applicant submits a traffic study prepared by a professional traffic engineer, which provides verifiable evidence to allow such reduction.

- a. Exclusive use. Drive-through lanes shall be used exclusively for drive-through vehicles commencing at a point not less than sixty-six (66) feet back

# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD



- from the service point of the facility.
- b. Lane width. Drive-through lanes must be a minimum of twelve (12) feet in width, except that a ten-foot wide lane will be permitted within the pick-up/service area to guide motorists adjacent to the drive-up facility.
  - c. Pass-by lane provision. Each drive-through aisle shall be separated from the circulation routes necessary for ingress or egress from the property, or access to a parking space.
  - d. Minimum distance from a public roadway. When the drive-through lane is oriented parallel to a public roadway, there must be a minimum distance of fifty (50) feet measured between the public road curb or edge of pavement and the nearest curb or edge of the drive-through lane.
  - e. Pedestrian Access and Crossings. Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous sidewalk or delineated walkway satisfying the minimum requirements of the Americans with Disabilities Act (ADA). Pedestrian walkways should not intersect the drive-through drive aisles, but where they do the walkways shall have clear visibility and shall be delineated requirements of the ADA.
  - f. Automated car washes shall meet the following standards:
    - 1) Storage length. Stacking spaces equivalent to ten (10) times the capacity of the car wash shall be provided at the entrance. A minimum of one (1) stacking space shall be provided at the exit.
    - 2) Exclusive use. The drive-through lane shall be used exclusively for drive-through vehicles for a distance equivalent to fifty (50) percent of the required storage length of the car wash.
  - g. Financial institutions shall additionally meet the following standards:
    - 1) Storage length. All drive-through facilities shall contain stacking capacity for vehicles in accordance with the following criteria:
      - a) Drive-up teller windows and remote tellers. See Table 380.1, below, for stacking for drive-up teller lanes.

<b>TABLE 380.1 Stacking for Drive-Up Teller Lanes</b>	
<u>Number of Lanes</u>	<u>Design Storage (Vehicles per Lane)</u>
<u>1 – 3</u>	<u>6 (132 ft.)</u>
<u>4 – 5</u>	<u>4 (88 ft.)</u>
<u>5 or more</u>	<u>3 (66 ft.)</u>





# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD

b) Drive-up Automatic Teller Machines (ATM). Two (2) stacking spaces (forty-four [44] feet) shall be provided for each ATM.

g. Restaurants shall meet the following standards:

1) Storage length. All drive-through facilities shall contain stacking capacity for vehicles from the menu board to the stacking lane entrance in accordance with table 380.2, stacking for drive-through lanes.

<b>TABLE 380.2 Stacking for Drive-Thru Lanes</b>		
<u>For 1 Drive-Through Lane with 1 Window</u>	<u>For 1 Drive-Through Lane with 2 Windows</u>	<u>For 2 Drive-Through Lanes with 2 Windows</u>
<u>10 vehicles (220 ft.)</u>	<u>8 vehicles (176 ft.)</u>	<u>6 vehicles (132 ft.)</u>

2) Exclusive use. The drive-through lane shall be used exclusively for drive-through vehicles from the order board to the pick-up window. The distance between the order board and the pick-up window should be sufficient to store four (4) cars.

3) Delayed pick-up area provision. A pick-up area sufficient to store a minimum of one (1) car shall be provided for each pick-up window.

h. Auto Filling Stations shall meet the following standards:

1) For four-corner intersections, a maximum of two (2) auto filling stations shall be allowed at such an intersection, provided such establishments are located on diagonally opposite corners

2) For "T" intersections, a maximum of one (1) auto filling station shall be allowed at such an intersection.

3) The Planning Commission may waive the requirements set forth above when the auto filling station(s) is located in a planned zoning district. The Planning Commission shall, prior to deciding on the request for said waiver, receive and review a report from the City Engineer or City's traffic consultant. The report shall include the impact on existing traffic of the waiver of said requirement along with the traffic consultant's recommendations for the mitigation of said impact through the installation of traffic control devices such as turning lanes, shared access drives, traffic signals, and signage.

i. Retail pharmacy. Except as otherwise noted elsewhere in this section, all retail pharmacy drive-through facilities shall be designed to meet the minimum requirements indicated:

1) Storage length. Stacking spaces equivalent to three (3) times the capacity of each drive-through window be provided.

---

# REPORT TO PLANNING COMMISSION

## CITY OF ARNOLD

---



j. Laundry or dry-cleaning pickup station or self-service laundry or dry-cleaning facility. Except as otherwise noted elsewhere in this section, all laundry or dry-cleaning pickup station or self-service laundry or dry-cleaning drive-through facilities shall be designed to meet the minimum requirements indicated:

1) Storage length. Stacking spaces equivalent to two (2) times the capacity of each drive-through window be provided.

### 3. Site design.

#### a. Off-street parking:

1) All MVOEs shall provide for off-street parking for the underlying use in accordance with the requirements of this Chapter, unless otherwise noted.

2) No internal parking stall, cross drive aisle, or loading space shall be located closer to the street right-of-way than twenty (20) feet or within any required side yard setback.

#### b. Vehicular areas:

1) When the rental of equipment, automobiles, trucks, and trailers is to be conducted on an MVOE site, additional land area and paved area shall be provided in addition to the driveway, parking area, and landscape areas required by this section. An additional one thousand (1,000) square feet of site area shall be provided for each five (5) rental units. No parking of rental units shall be permitted on landscaped areas, public or private roadways, including adjacent shoulders. All rental storage areas shall be paved and landscaped as approved by the City. Such rental equipment shall be stored in rear yard or as approved by the Planning Commission, except when being picked up by customers.

#### c. Performance standards:

##### 1) Outdoor sales and display.

a) Outdoor display and sales of merchandise may be permitted along the storefront. All other outdoor storage of materials and displays are specifically prohibited.

b) Area. Said outdoor display shall be limited to twenty-five (25) percent of total store frontage with a maximum of one hundred (100) square feet (inclusive of vending machines).

c) Height and other dimensions. The height of any outdoor display may not exceed five (5) feet with the exception of vending machines (and their surrounds) which shall not exceed eight (8) feet in height, three



---

## REPORT TO PLANNING COMMISSION

### CITY OF ARNOLD

---

(3) feet in depth, or six (6) feet in width.

d) Location.

i. The placement of said display along the storefront shall be in compliance clear width requirements with the Americans with Disabilities Act and shall not obstruct pedestrian access to the building

ii. Vending machines shall not be located within three (3) feet of a fire department connection.

iii. Price signs shall be permitted on outdoor displays. Said price signage shall not exceed two (2) square feet and shall be placed upon the merchandise which it advertises.

e) Parking. One (1) parking space, in addition to the number of spaces required for the convenience store, shall be provided for video rental and similar vending machines subject to the review and approval of the City.

2) The Planning Commission may recommend, and the City Council may require, other conditions which will tend to eliminate or reduce public nuisance caused by noise, heat, odors, smoke, dust, vibration, glare, flooding, and traffic congestion and promote the purpose of this chapter.

3) All paved and landscaped areas shall, at all times, be kept in good repair in accordance with this and other ordinances of the city and the continuous maintenance of said areas shall be the responsibility of the owners and lessees of the property.

E. Outdoor Activity Area (Dining or Entertainment). Outdoor Activity Areas, as defined in Section 405.060 of the Zoning Ordinance, may be permitted as an accessory use subject the following exceptions, conditions and restrictions:

1. A Conditional Use Permit for Outdoor Activity Areas shall not be required when such areas are provided to patrons of the principle use for the purpose of their consuming food or beverages purchased therein when a maximum of four (4) seats are provided.

2. Where a Conditional Use Permit is required, the Planning Commission may, as a condition of approval, limit the overall capacity including, but not limited to the number of chairs and/or tables provided, restrict hours of operation, limit the provision of amplified, recorded or live entertainment, require screening or buffering of adjacent uses by landscaping, fencing or other means, etc. in order to minimize potential adverse impacts of the use.