

## ORDINANCE NO. 1089

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD APPROVING A ZONING TEXT AMENDMENT TO THE BRENTWOOD MUNICIPAL CODE (RZ 24-006) ADDING DEVELOPMENT STANDARDS FOR DRIVE-THROUGH FACILITIES INCLUDING PROHIBITION ALONG BRENTWOOD BOULEVARD; AND UPDATING REFERENCES IN ALL ZONES THROUGHOUT THE CITY RELATED TO THE USE**

**WHEREAS**, City staff prepared a zoning text amendment that would provide regulations and development standards for drive-through facilities operating in the city (the "Ordinance"); and

**WHEREAS**, the Ordinance would amend Title 17 (Zoning) of the Brentwood Municipal Code; and

**WHEREAS**, the Brentwood Municipal Code allows drive-through facilities in certain zoning districts but does not contain standards regulating the use. Instead, applications for new drive-through facilities are considered on a case-by-case basis through the conditional use permit process; and

**WHEREAS**, development and performance standards for new drive-through facilities and for the expansion of existing drive-through facilities will ensure greater consistency of regulations for the use, and will mitigate against the negative impacts that could result from new and remodeled drive-through uses; and

**WHEREAS**, the demand for drive-through sites on major arterial roadways in the city has the potential for negative effects, particularly for drive-throughs located adjacent to single-family residential neighborhoods and along major commercial corridors already impacted by high commuter traffic such as Brentwood Boulevard; and

**WHEREAS**, the Planning Commission reviewed the proposed amendment to the Brentwood Municipal Code, found that the proposed Ordinance is consistent with the goals and policies of the General Plan, and recommended adoption to the City Council; and

**WHEREAS**, on May 23, 2025, the City gave public notice of a Planning Commission public hearing to be held to consider this Ordinance by advertisement in the Brentwood Press, a newspaper of general circulation; and

**WHEREAS**, on June 3, 2025, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendation by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission approved Resolution No. 25-010 and voted to recommend that the City Council adopt the proposed Ordinance by a vote of 5-0 subject to the

recommendations of the Planning Commission to the City Council discussed at the meeting including the following changes:

Drive-Through Recommendations:

1. BMC Section 17.655.002 (F): Increase the residential setback and removing the "unless separated by a masonry wall" provision
2. BMC Section 17.655.002 (I) and (K): Change "should" to "shall"
3. BMC Section 17.655.002 (F): Make "Site Planning Guidelines" #17 (page 8 of the Commercial Industrial Design Guidelines) objective and add into BMC Section 17.655.002; and

**WHEREAS**, on July 22, 2025, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration by the City's Planning Commission. After deliberation, the City Council recommended that the Ordinance be further amended to prohibit additional food- or drink-related drive-through facilities along Brentwood Boulevard; and

**WHEREAS**, on September 23, 2025, the City Council held a duly-noticed public hearing to consider the first reading of the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration by the City's Planning Commission. Following the public hearing, the City Council voted to waive the first reading of and approve the provisions of Ordinance related to drive-through facilities; and

**WHEREAS**, all legal prerequisites to the adoption of the Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BRENTWOOD DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Recitals.** The above recitals are incorporated into this Ordinance as though fully set forth herein.

**SECTION 2. CEQA.** Pursuant to California Environmental Quality Act ("CEQA") Section 15061(b)(3) of the CEQA Guidelines, this project is exempt in that it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment, as the proposed Ordinance would not authorize or facilitate construction or groundbreaking activities and any future project subject to the Ordinance would undergo appropriate CEQA review prior to approval.

**SECTION 3. Rezoning.** Brentwood Municipal Code Section 17.870.008 provides:

*No rezoning of property or text amendment shall occur which is inconsistent with the city's community development plan. In making a decision, the planning commission and council shall consider the consistency of the proposed action to the community development plan and other applicable city plans, and shall consider whether the proposed action is inappropriate or otherwise contrary to the public interest.*

The zoning text amendment set forth in Exhibit A is consistent with the General Plan because it meets Land Use Policy LU 3-9 which dictates *that all commercial and other non-residential development [be] compatible with adjacent land uses, particularly residential uses*. In addition, it is consistent with Land Use Policy LU 2-2 (*"Development at the interface of residential land use designations with other designations shall be designed to ensure compatibility between the uses and to reduce any potential negative impacts associated with aesthetics, noise, and safety"*) because it will help to protect existing residential neighborhoods from negative impacts resulting from the installation and operation of self-storage and drive-through facilities.

The City Council likewise finds that the Ordinance is appropriate and is not contrary to the public interest in that it will add clarity to and update the provisions of the Brentwood Municipal Code and update related definitions in the Zoning Ordinance. In addition, it will encourage investment in Brentwood while protecting residents and existing development.

**SECTION 4. Amendment.** Specified sections, or portions of sections, of Title 17 of the Brentwood Municipal Code are hereby amended, as shown in Exhibit A attached hereto and incorporated herein, as follows. Revisions to existing sections are reflected in ~~strikethrough~~ for deletions and underline for additions. Portions of sections not listed in the attached exhibit are not modified and remain in full force and effect.

**SECTION 5. Effective Date; Publication Date.** This ordinance shall be published in accordance with Government Code Section 36933. This ordinance shall take effect 30 days after its adoption. The City Clerk is directed to cause the Municipal Code text to be entered in the Brentwood Municipal Code of the City of Brentwood to be modified accordingly.

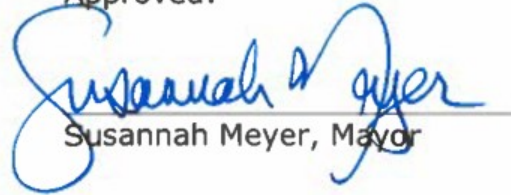
**THE FOREGOING ORDINANCE** was introduced with the first reading waived at a regular meeting of the Brentwood City Council on the 23rd day of September 2025 by the following vote:

AYES: Maloney, Mendoza, Oerlemans, Pierson, Mayor Meyer  
NOES: None  
ABSENT: None  
RECUSE: None

**THIS ORDINANCE** was adopted with the second reading waived at a regular meeting of the City Council of the City of Brentwood on the 14th day of October 2025 by the following vote:

AYES: Maloney, Mendoza, Oerlemans, Mayor Meyer  
NOES: None  
ABSENT: Pierson  
RECUSE: None

Approved:

  
\_\_\_\_\_  
Susannah Meyer, Mayor

ATTEST:

  
\_\_\_\_\_  
Amanda McVey, City Clerk

## EXHIBIT A

### **17.290.003 Brentwood Boulevard specific plan.**

The Brentwood Boulevard specific plan (BBSP) establishes the primary means of regulating land use and development within the BB zone. It also establishes the primary means of planning city actions and investments in support of the growth and redevelopment of Brentwood Boulevard. The regulations contained within the BBSP replace land use and development regulations previously contained within this title for applicable properties. Except for Chapter 17.655 (Drive-Through Uses), which shall prevail, In the instance of conflicting regulations with other municipal planning documents containing policies for land use and development in the BB zone, the BBSP and this chapter shall control. The BBSP and this chapter do not replace or augment regulations pertaining to issues of building safety codes or other nonplanning related codes. All applications for new construction, substantial modifications to existing buildings, and for changes in land use, shall be reviewed for conformance with the BBSP.

### **17.210.003 Conditionally permitted uses. (CO)**

The following uses are permitted only on the granting of a conditional use permit pursuant to Chapter 17.830:

...

- C. Funeral services, mortuary, crematorium, drug store or pharmacy associated with medical uses, drive-in or drive-through use related to a permitted use in the zone (subject to Chapter 17.655);

### **17.220.003 Conditionally permitted uses. (COB)**

The following uses are permitted only on the granting of a conditional use permit pursuant to Chapter 17.830:

...

- B. Restaurant, on-sale or off-sale liquor, laundromat, laundry or dry cleaning facility, drive-in or drive-through establishment associated with a permitted use in the zone (subject to Chapter 17.655);

### **17.240.003 Conditionally permitted uses. (CR)**

The following uses are permitted only on the granting of a conditional use permit pursuant to Chapter 17.830:

...

- B. liquor establishments, health club, reducing studio, recreational club, drive-in or drive-through establishments related to a permitted use (subject to Chapter 17.655);

**17.250.003 Conditionally permitted uses. (C-1)**

The following uses are permitted only on the granting of a conditional use permit pursuant to Chapter 17.830:

- A. Alternative fuel station, restaurant or café restricted to sit-down facility only, on-sale or off-sale liquor establishments;
- B. Convenience banking center, automatic teller machine, excluding a full service bank, drive-in or drive-through establishments relating to permitted uses in the zone, excluding a drive-in or drive-through restaurant (subject to Chapter 17.655);

**17.260.003 Conditionally permitted uses. (C-2)**

The following uses are permitted only on the granting of a conditional use permit pursuant to Chapter 17.830:

...

- B. All drive-in, drive-through establishments (subject to Chapter 17.655), building materials, garden supply, outdoor sales or display;

**17.270.003 Conditionally permitted uses. (C-3)**

The following uses are permitted only on the granting of a conditional use permit pursuant to Chapter 17.830:

...

- B All drive-in, drive-through establishments (subject to Chapter 17.655);

...

**17.455.003 Conditionally permitted uses. (PD-5)**

...

- B. Commercial Subarea B. The following uses are conditionally permitted in the PD-5 (planned development five), subarea B, zone and require the granting of a conditional use permit pursuant to Chapter 17.830 of this code:

...

5. All drive-through or drive-up establishments (subject to Chapter 17.655);

**17.456.002 Permitted uses and conditionally permitted uses. (PD-6)**

...

| PD-6—PERMITTED USES AND CONDITIONALLY PERMITTED USES |     |     |     |                                  |                        |                                |                                |
|--|-----|-----|-----|----------------------------------|------------------------|--------------------------------|--------------------------------|
| Uses   | LDR | MDR | HDR | Park/O.S./<br>Public<br>Facility | Regional<br>Commercial | P.A. 1<br>Office<br>Commercial | P.A. 7<br>Office<br>Commercial |
| Accessory<br>Uses                                    | P   | P   | P   | P                                | P                      | C                              | C                              |
| Alternative<br>Fuel Station                          | --- | --- | --- | ---                              | C <sup>1</sup> P       | ---                            | ---                            |
| Arcades,<br>Game                                     | --- | --- | --- | C                                | C                      | C                              | C                              |
| Auto Service<br>Station                              | --- | --- | --- | ---                              | ---C <sup>1</sup> P    | ---                            | ---                            |
| Bakeries   | --- | --- | --- | ---                              | P                      | P                              | C                              |
| Bar, Tavern,<br>Cocktail<br>Lounge                   | --- | --- | --- | ---                              | P <sup>2</sup>         | P <sup>2</sup>                 | ---                            |
| Barber and<br>Beauty Salon                           | --- | --- | C   | ---                              | P                      | P                              | P                              |
| Book Stores  | --- | --- | --- | ---                              | P                      | P                              | P                              |
| Camera<br>Stores                                     | --- | --- | --- | ---                              | P                      | P                              | P                              |
| ...  |     |     |     |                                  |                        |                                |                                |
| Convenience,<br>Liquor Store                         | --- | --- | --- | ---                              | C                      | C                              | ---                            |
| ...  |     |     |     |                                  |                        |                                |                                |
| Restaurants—<br>drive-through                        | --- | --- | --- | ---                              | <u>C<sup>2</sup></u>   | ---                            | ---                            |

**Notes:**

- 1 Stand-alone alternative fueling and auto service stations are conditionally permitted; alternative fueling stations that are accessory uses to an anchor retailer as the principal use are permitted.

2 Subject to Chapter 17.655.

**17.460.003 Conditionally permitted uses. (PD-10)**

Upon obtaining a conditional use permit pursuant to Chapter 17.830, the following uses are permitted in the PD-10 zone:

A. Subarea A. The following uses shall be conditionally permitted within this subarea:

1. On- or Off-sale liquor establishments, recreation services such as bowling alley, skating rink and similar uses;
2. All drive-in, drive-through establishments (subject to Chapter 17.655), building materials, garden supply, outdoor sales or display;

...

B. Subarea B. The following uses shall be conditionally permitted within this subarea:

4. All drive-in, drive-through establishments (subject to Chapter 17.655) and all on- and-off-sale liquor facilities;

...

C. Subarea C. The following uses shall be conditionally permitted within this subarea:

2. liquor establishments, restaurants, health club, reducing studio, recreational club, drive-in or drive-through establishments related to a permitted use (subject to Chapter 17.655);

...

**17.462.003 Conditionally permitted uses. (PD-12)**

The following uses are conditionally permitted only on the granting of a conditional use permit pursuant to Chapter 17.830:

A. Subarea A. The following uses shall be conditionally permitted within this subarea:

1. Alternative fuel station, auto repair (tires, brakes, etc. but excluding auto body), auto rental and leasing agency, all on and off-sale liquor facilities , card and gaming room, dance hall, bowling alleys and similar

commercial recreational uses, restaurants, new and used equipment rental, hospital, truck and trailer rental, vocational or trade school;

2. All drive-in, drive-through establishments (subject to Chapter 17.655);

...

### **17.467.002 Garin Ranch specific plan. (PD-17)**

...

- I. Commercial Development Regulations. The commercial zone is intended to serve the general shopping needs of the Garin Ranch community as well as the city of Brentwood and the surrounding area.

Development, including subdividing parcels, will not be allowed within the commercial zone unless a comprehensive site development plan is approved by the planning commission. This plan must include a major tenant, a day care facility, a Park-and-Ride lot and pedestrian access to the school site.

...

2. Conditionally Permitted Uses:

- b. All drive-in, drive-through establishments (subject to Chapter 17.655), garden supply, outdoor sales or display.

...

### **17.468.003 Conditionally permitted uses. (PD-18)**

The following uses require special consideration and approval of a conditional use permit in accordance with Chapter 17.830:

...

Subarea B—Neighborhood Commercial.

1. Restaurant or café restricted to sit down facility only, excepting a drive-through coffee use approved only for the east end of the building located at 390 West Country Club Drive approved with Design Review 04-37, and on and-off sale liquor establishments;
2. Convenience banking center, drive-in or drive-through establishments relating to permitted uses in the zone (subject to Chapter 17.655), excluding a drive-in or drive-through restaurant;
3. Nursery, child care, day care center, meeting hall or fraternal hall, community center;

4. Those uses which are permitted in Subarea C—Office.

**17.470.003 Conditionally permitted uses. (PD-20)**

The following uses are permitted only on the granting of a conditional use permit pursuant to Chapter 17.830.

...

**B. General Commercial.**

1. Auto service station, Alternative fuel station, tire shop, repair shop, machine shop, auto seat and upholstery shop; billiard hall; bowling alleys; card room gaming; dance hall; laboratory-medical, dental, optical; meeting room-lodge fraternal hall, community facility; medical or dental office; hospital; restaurant or café, on or off-sale liquor establishments; recreation services such as bowling alley, skating rink and similar uses;
2. All drive-in, drive-through establishments (subject to Chapter 17.655), building materials, garden supply, outdoor sales or display;
3. Other uses that the zoning administrator determines, because of type of operation, material stored or sold, or other special circumstances require special consideration and regulations through the conditional use permit procedure.

...

**17.486.003 Permitted and conditionally permitted uses and general development standards for subarea B (regional commercial area). (PD-36)**

...

**B. Conditionally Permitted Uses for Subarea B.**

1. Liquor stores, bars, lounges (subject to Chapter 17.695), and drive-through restaurants (subject to Chapter 17.655);

...

**17.488.003 Conditionally permitted uses in subarea A. (PD-38)**

The following uses are permitted in subarea A of PD-38 subject to securing a conditional use permit pursuant to Chapter 17.830:

...

- B. Drive-in and drive-through establishments (subject to Chapter 17.655), including alternative fuel stations, gas stations, but excluding all prohibited uses;

...

**17.488.005 Conditionally permitted uses in subarea B. (PD-38)**

The following uses are permitted in subarea B of PD-38 subject to securing a conditional use permit pursuant to Chapter 17.830:

- A. Drive-in and drive-through establishments (subject to Chapter 17.655), excluding drive-through restaurants and all prohibited uses;

...

**17.488.011 Conditionally permitted uses within subarea E. (PD-38)**

- A. North of the extension of Fairview Avenue:

- 1. Auto rental, leasing or sales, boat and recreational vehicle sales;
- 2. Drive-in and drive-through establishments, excluding drive-through restaurants (subject to Chapter 17.655);

...

- B. South of the extension of Fairview Avenue:

- 1. Drive-in and drive-through establishments, excluding drive-through restaurants (subject to Chapter 17.655);

...

**17.488.013 Conditionally permitted uses within subarea F. (PD-38)**

- A. Drive-through features (subject to Chapter 17.655);

...

**17.491.003 Conditionally permitted uses. (PD-41)**

- A. Subarea A. The following uses shall be conditionally permitted within this subarea:

...

- 4. Restaurants, limited to a maximum of twenty seats, with or without drive-through facilities (subject to Chapter 17.655);

...

**17.492.003 Conditionally permitted uses. (PD-42)**

Upon obtaining a conditional use permit pursuant to Chapter 17.830, the following uses are permitted in the PD-42 zone:

...

- B. Subarea C. The following uses shall be conditionally permitted within this subarea:

...

5. Drive-up or drive-through establishments of any type or use (subject to Chapter 17.655);

...

### **17.497.003 Conditionally permitted uses. (PD-47)**

Upon obtaining a conditional use permit pursuant to Chapter 17.830, the following uses are permitted in the PD-47 zone:

- A. Subarea A. The following uses shall be conditionally permitted within this subarea:

...

3. Secondary uses could occupy up to fifteen percent of the total building square footage with no more than three thousand square feet per use. Drive-through access to supportive services allowed with a conditional use permit only (subject to Chapter 17.655).

- B. Subarea B. The following uses shall be conditionally permitted within this area:

...

3. Drive-through access to supportive services allowed with a conditional use permit only (subject to Chapter 17.655);
4. Similar uses subject to the approval of the zoning administrator.

...

- D. Subarea D. The following uses shall be conditionally permitted within this area. All uses shall be conducted indoors unless otherwise noted.

...

4. Drive-through access to supportive services (subject to Chapter 17.655);
5. Other uses that the zoning administrator determines because of the type of operation, material stored or sold or other special circumstance requiring special consideration and conditioning through the conditional use permit procedure.

**17.499.002 Permitted and conditionally permitted uses in subarea A. (PD-49)**

...

The following uses are permitted within subarea A subject to approval of a conditional use permit:

...

- B. Drive-in or drive-through establishments related to a permitted use (subject to Chapter 17.655);

...

**17.499.004 Permitted and conditionally permitted uses in subarea C. (PD-49)**

...

The following uses are permitted within subarea C subject to approval of a conditional use permit:

...

- B. A drive-in or drive-through associated with a drug store pharmacy use only (subject to Chapter 17.655);

...

**17.505.008 Zoning matrix of land uses by subareas for PD-55.**

...

| LAND USES <sup>3</sup>  | Commercial |           | Residential |           | Park and Water Quality |           |
|---|------------|-----------|-------------|-----------|------------------------|-----------|
|   | Subarea 1  | Subarea 2 | Subarea 3   | Subarea 6 | Subarea 4              | Subarea 5 |
| <b>Commercial Uses</b>  |            |           |             |           |                        |           |
| ...   | ...        | ...       |             |           |                        |           |
| Sports bar, lounge, nightclub and similar establishments <sup>6</sup> | C          | C         |             |           |                        |           |
| Liquor stores <sup>7</sup>  | C          | C         |             |           |                        |           |
| ...   | ...        | ...       |             |           |                        |           |

| LAND USES <sup>3</sup>   | Commercial |           | Residential |           | Park and Water Quality |           |
|--|------------|-----------|-------------|-----------|------------------------|-----------|
|  | Subarea 1  | Subarea 2 | Subarea 3   | Subarea 6 | Subarea 4              | Subarea 5 |
| Supermarkets or grocery (with beer, wine, and distilled spirits sales)   | P          | P         |             |           |                        |           |
| Convenience store with or without beer and wine sales (no distilled spirits;). Limited to one store as a permitted use in each of the following subareas: 1 and 2. Any additional convenience store must apply for a conditional use permit. <sup>10, 11</sup> | P          | P         |             |           |                        |           |
| Pharmacy establishments with or without drive-through (subject to Ch. 17.655). Limited to one such use in each of the following subareas: 1 and 2. Any additional drive-through must apply for a conditional use permit  | P          | P         |             |           |                        |           |
| Alternative fuel stations, Gas stations, with or without car wash and/or convenience store. Limited to one such use in one of the following subareas: 1 or 2. Any additional gas station must apply for a conditional use permit                               | P          | P         |             |           |                        |           |
| ...  | ...        | ...       |             |           |                        |           |
| Restaurants <sup>13</sup> (with or without beer and wine sales) <sup>14</sup>  | P          | P         |             |           |                        |           |
| Restaurants with full kitchen and bar as   | P          | P         |             |           |                        |           |

| LAND USES <sup>3</sup>  | Commercial |           | Residential |           | Park and Water Quality |           |
|---|------------|-----------|-------------|-----------|------------------------|-----------|
|   | Subarea 1  | Subarea 2 | Subarea 3   | Subarea 6 | Subarea 4              | Subarea 5 |
| secondary use <sup>16</sup> (limited to one restaurant as a permitted use in each of the following subareas: 1 and 2. Any additional restaurants with secondary bar use must apply for a conditional use permit)  |            |           |             |           |                        |           |
| Convenience restaurants with or without drive-through service. <sup>16</sup> Limited to one such use in each of the following subareas: 1 and 2. Any additional drive-through must apply for a conditional use permit<br><u>(subject to Ch. 17.655)</u> | P          | P         |             |           |                        |           |
| ...   | ...        | ...       |             |           |                        |           |

**17.517.002 Permitted and conditionally permitted uses and general development standards for subarea A (general commercial area). (PD-67)**

...

**B. Conditionally Permitted Uses for Subarea A.**

1. Retail stores that sell alcoholic beverages for on-or-off-premises consumption as a primary use;
2. Restaurants, including those which sell or serve alcoholic beverages, and provide outdoor use of designated seating areas;
3. Drive-through facilities (subject to Chapter 17.655);

...

**17.517.003 Permitted and conditionally permitted uses and general development standards for subarea B (general commercial area). (PD-67)**

...

B. Conditionally Permitted Uses for Subarea B.

1. Restaurants, including those which sell or serve alcoholic beverages, and provide outdoor use of designated seating areas;
1. Retail stores that sell alcoholic beverages for on or off-premises consumption as a primary use;
2. Drive-through facilities (subject to Chapter 17.655);

...

**17.517.004 Permitted and conditionally permitted uses and general development standards for subarea C (general commercial area). (PD-67)**

...

B. Conditionally Permitted Uses for Subarea C.

1. Gas stations; Alternative fuel stations;
2. Retail stores that sell alcoholic beverages for on or off-premises consumption as a primary use;
3. Restaurants, including those which sell or serve alcoholic beverages, and provide outdoor use of designated seating areas;
3. Drive-through facilities (subject to Chapter 17.655);
4. Tire shops, new or used car sales, and vehicular repair;
5. Outdoor sales or display;
6. Temporary and interim uses: the following uses may be temporarily permitted, upon approval of a CUP, with the individual CUP establishing the timeframe:
  - a. Nursery,
  - b. Produce market,
  - c. Auction gallery,
  - d. Flea market,
  - e. Craft and art fairs;
7. Churches and religious institutions and parochial or private schools;
8. Other similar uses as determined by the community development director.

...

**17.517.005 Permitted and conditionally permitted uses and general development standards for subarea D (general commercial area). (PD-67)**

...

B. Conditionally Permitted Uses for Subarea D.

1. Retail stores that sell alcoholic beverages for on or off-premises consumption as a primary use;
2. Restaurants, including those which sell or serve alcoholic beverages, and provide outdoor use of designated seating areas;
2. Drive-through facilities (subject to Chapter 17.655);
3. Outdoor sales or display;
4. Temporary and interim uses: the following uses may be temporarily permitted, upon approval of a CUP, with the individual CUP establishing the timeframe:
  - a. Nursery,
  - b. Produce market,
  - c. Auction gallery,
  - d. Flea market,
  - e. Craft and art fairs;
5. Churches and religious institutions and parochial or private schools;
6. Other similar uses as determined by the community development director.
- 7.

...

**Chapter 17.655 DRIVE-THROUGH USES**

**17.655.001 Intent and purpose of chapter.**

- A. Intent. This chapter is intended to provide special development and performance standards to regulate food- and drink-related drive-through facilities to minimize the impacts on pedestrians, safety, traffic and queuing, noise, lighting, air pollution, and aesthetics associated with their use.
- B. Purpose. The purpose of this chapter is to provide guidance to achieve drive-through facilities designed to address development impacts, operational elements, site and built design elements, and safety.

**17.655.002 Development standards.**

The following development standards shall apply to drive-through uses:

- A. Residential setback. The drive-through facility and ordering board shall be located a minimum of one hundred (100) feet from the boundary of any residential zone or PD subarea (excluding mixed-use districts), unless separated by a masonry wall.
- B. Queuing analysis. An on-site queuing plan shall be provided to the City Engineer for review and approval. Traffic circulation shall be designed to ensure efficient circulation on and off the subject site. Furthermore, vehicles shall not queue onto a public street, alley, driveway, or onto adjacent properties/parcels not associated with the drive-through use without a cross access agreement.
- C. Separate waiting lane. For new drive-through facilities, the drive-through lane shall be a separate lane from the circulation routes and aisles necessary for ingress to or egress from the property or access to any off-street parking spaces.
- D. Vehicle stacking. Drive-through ordering board speakers shall be located to allow a minimum of four cars to queue behind the ordering vehicle to prevent vehicles from stacking in the drive aisle of the parking lot.
- E. Pedestrian access and circulation. Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous four (4) foot-wide minimum sidewalk or delineated walkway. Pedestrian walkways shall not intersect the drive-through lane when feasible, but where this cannot be avoided, the walkways shall have clear visibility and shall be delineated by textured and colored paving.
- F. Ordering board. The ordering board speaker for the drive-through shall be oriented and directed to face away from adjacent residential uses.
- G. Building design. All drive-through facilities shall be subject to the City of Brentwood Commercial and Industrial Design Guidelines. The drive-through facility must be architecturally compatible with any other buildings on site and with the surrounding neighborhood.
- H. Location. Food- and drink-related drive-through facilities shall be prohibited within 300-feet of Brentwood Boulevard measured from the curb along Brentwood Boulevard to the drive-through building or drive-through lane, whichever is closer.

**17.655.003 Performance standards.**

The following performance standards shall apply to drive-through uses:

- A. Noise. Noise levels from speakers shall comply with the City's noise ordinance outlined in Chapter 9.32 ('Noise Regulations') of the Brentwood Municipal Code.