

Introduced by Buffaloe

First Reading 10-17-22 Second Reading 11-7-22

Third Reading 1-17-23 Fourth Reading 3-6-23

Fifth Reading 4-3-23

Ordinance No. 025293 Council Bill No. B 300-22 A

### AN ORDINANCE

amending Chapter 29 of the City Code to establish revised regulations for the "drive-up facility" accessory use; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 29 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 29-3.3. Use-specific standards.

All uses for which the permitted use table in section 29-3.2 shows use-specific standard(s) shall comply with the applicable standard(s) in this section. In addition, all development shall comply with all other applicable provisions of this chapter.

In the event of a conflict between these use-specific standards and the requirements of chapter 29-4, the use-specific standards set forth in this section shall apply, except in the M-DT district, where the standards of the M-DT district will apply.

Where these use-specific standards require spacing between uses, no existing use that complied with applicable spacing requirements when the primary use was established on the property shall be made nonconforming because of the later location of any facility closer than the required spacing or because of an amendment to this chapter changing any applicable spacing distance.

...

(jj) *Accessory and temporary uses of land and buildings: Drive-up facility.* This use is subject to the following additional standards:

- (1) Any drive-up facility located within one hundred (100) feet of an R-1 or R-2 zone district shall require buffering meeting the requirements of section 29-4.4 (landscaping screening) and along the property line with the R-1 or R-2 district, shall have no speakers facing the R-1 or R-2 districts, and shall have no menu boards or other signs visible from the R-1 or R-2 districts; and Purpose. The purpose of the following regulations is to reduce visual impacts of drive-up facilities on abutting uses, promote safer and more efficient on-site vehicular and pedestrian circulation, and reduce conflicts between queued vehicles, pedestrians, and traffic on adjacent streets.
- (2) All drive-up facilities shall be subject to all applicable noise control ordinances. General requirements. The following standards apply to all new buildings with accessory drive-up facilities, buildings that modify or relocate an existing accessory drive-up facility, and buildings in which a change to the principal use results in additional vehicle trips being generated and a previously existing accessory drive-up facility will remain in operation following the change of use.
  - (i) Any drive-up facility located within one hundred (100) feet of an R-1 or R-2 zone district shall require Level 3 property edge buffering meeting the requirements of section 29-4.4 (landscaping screening).
  - (ii) No speakers shall project sound toward an R-1 or R-2 zone district.
  - (iii) No menu boards or other signs shall be visible from an R-1 or R-2 zone district that shares a property line with a parcel upon which a drive-up facility is located.
  - (iv) Drive-up facilities shall be subject to all applicable noise control ordinances. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line of the site.
  - (v) No drive-up facility services shall be rendered, deliveries made, or sales conducted in a required front yard or corner side yard.
  - (vi) Drive-up facility stacking spaces may not interfere with parking spaces, parking aisles, loading areas, internal circulation or driveway accesses for the principal structure. The required bypass lane may function as a circulation drive for on-site parking and loading areas.
  - (vii) Drive-up facility service windows which are located on a building's street-facing façades shall include the following additional standards:
    - (A) The building façade upon which the drive-up facility service window is located shall include architectural features such as wall

plane projections, recesses, or other building material treatments and textures that visually interrupt the wall plane and are consistent and compatible with the other façades of the building. Such façade shall also contain a minimum of twenty percent (20%) transparent materials.

(B) *Grade changes:* Grade changes may serve to reduce the visual clutter of drive-up facilities and as an alternative to providing additional architectural features when the site is located below grade and not visible from the adjacent street. A section drawing of the street and subject site shall be provided to show that all views of the drive-up facility will be obscured from the street.

(viii) In circumstances when a transportation impact analysis is not required by section 29-5.1(c)(8), a transportation impact analysis may be required by the traffic engineer for any drive-up facility to ensure that the transportation system is capable of safely supporting the proposed drive-up facility use in addition to the existing uses in the area. Evaluation factors to be considered when reviewing the impact analysis include, but are not limited to, street capacity and level of service, effects on traffic circulation, access requirements, separation of curb cuts, and pedestrian safety. Additional on-site or off-site improvements may be required to address any concerns identified by the transportation impact analysis.

(3) *Conditional use.* When a drive-up facility is either a conditional or conditional accessory use pursuant to Table 29-3.1 (Permitted Use Table) of this Code, the following criteria and standards shall be considered in addition to those enumerated in section 29-6.4(m) of this Code relating to the recommendation and approval of a conditional use permit. The intent of these criteria and additional standards is ensure that the number of drive-through lanes, stacking spaces, and amount of paved area necessary to support the drive-up facility will not be detrimental to adjacent residential properties or detract from or unduly interrupt pedestrian circulation or the character of the area in which the use is located. The commission may apply conditions to the permit consistent with the following criteria:

(i) *Drive-up facility service window(s)* located on a building façade that faces an abutting residential zoning district must contain adequate buffering to eliminate adverse noise and lighting impacts on the neighboring residential zoning district. Such buffering may be achieved through the use of landscaping, natural site features, architectural features and/or other site enhancements as may be determined to be appropriate for the particular site.



(ii) The nearest point of the drive-up facility, which includes the stacking lane(s), menu board(s), and service window(s), must be at least fifty (50) feet from an abutting residential zoning district.

(iii) Clearly marked pedestrian crosswalks shall be provided from a public sidewalk to a customer access to the building in which the drive-up facility is an accessory use.

(iv) The location, size, design, and operating characteristics of the proposed building in which a drive-up facility is sought as an accessory use will be reasonably compatible with and have minimal negative impact on the use of nearby properties.

(v) Internal circulation and access to and egress from the site shall not substantially impair the movement of other modes of transportation, such as bicycles and pedestrians, to and through the site.

(vi) The application seeking approval of a conditional use permit for a drive-up facility shall include a site plan that identifies all existing and proposed points of ingress and egress, circulation and maneuvering areas, off-street parking and loading areas, abutting residential property, location of all drive-up facilities, amount of expected stacking occurring in the peak hour, pedestrian facilities, hours of operation, and other relevant information.

...

#### Sec. 29-4.3. Parking and loading.

(a) *Applicability.*

...

(i) *Drive-through vehicle stacking.* The following standards apply to all properties with a drive-through facility.

(1) *Stacking Space Requirements.*

...

(2) *Location and design of stacking lanes.*

(i) Minimum number of stacking spaces shall be in addition to the space at the teller or pick-up window.

- (ii) ~~Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line of the site.~~
- (iii) ~~No service shall be rendered, deliveries made, or sales conducted within the required front yard or corner side yard; customers shall be served in vehicles through service windows or facility located on the non-corner sides and/or rear of the principal building.~~
- (iv-ii) Drive-through stacking lanes shall have a minimum width of ten (10) feet.
- (v-iii) Stacking lanes shall be set back fifteen (15) feet from rights-of-way.
- (vi-iv) A by-pass lane around the drive-through facility stacking lane must be provided for financial institutions and restaurant/retail uses.

...

SECTION 2. This ordinance shall be in full force and effect from and after its passage.


PASSED this 3rd day of April, 202<sup>3</sup>~~2~~.

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Counselor