

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
February 23, 2023**

SUMMARY

A request by the City of Columbia to amend Chapter 29, Sections 29-3.3 [Use-specific standards] and 29-4.3 [Parking and loading]. **(Case #262-2022 - Remand)**

DISCUSSION

The subject amendment proposes to address an observed issue with the placement of drive-thru facilities and was previously presented to the Planning and Zoning Commission at its September 22, 2022 public hearing along with three (3) additional text changes to the UDC. The Commission supported the proposed text change, which offers **NEW** options to allow for the placement of a drive-thru window facing a public street, after extensive discussion during work sessions held on June 23, July 7 & 21, and August 18¹. The subject amendment and others were introduced to the Council on October 17, 2022. This subject amendment was remanded back to the Commission during the Council's November 7, 2022 meeting following comments made by the several members of the community, the Columbia Board of Realtors, (CBOR), and a Planning Commissioner. The other three (3) amendments were approved on November 7 and are not the subject of this report.

The public comments offered during the November 7 Council meeting are summarized below and the letter from the CBOR is attached. The public comments were as follows:

- Service windows should be allowed to face a street, with no conditions.
- Porte-cocheres are dangerous, create more impervious surface, and are expensive.
- A drive-through is an auto-centric use, so screening from the street with additional landscaping is unnecessary.
- If landscape screening is required, it should not be in addition to the existing requirements.
- New requirements should be reviewed for compliance with City's adopted Crime Prevention Through Environmental Design (CPTED) principals.
- Concerns with traffic congestion.

During Council discussion, members questioned if the amendment will prohibit signs from being visible from R-1 and R-2 zoned areas because that would create numerous non-conformities, when a TIA would be required for drive-thru uses, whether internal traffic management on private sites is a public concern (gave example of Starbucks along West Broadway), and shared concerns with a lack of specificity on when the City Traffic Engineer would require a TIA. **Please note**, the UDC already prohibits signs being visible from R-1 and R-2 zoned areas - the amendment only restates the existing provision for clarity.

One Council member expressed that he did not support the amendment as presented. Council also stated a desire to hear feedback from residents that may be affected by a drive-thru and suggested that feedback from neighborhood associations (NA) be solicited.

After their discussion, the Council voted to refer the amendment back to the Planning and Zoning Commission for **review in light of the comments within the CBOR letter, to evaluate the amendment against CPTED principles, and to get feedback from neighborhood associations.**

¹ See agendas for background: <https://www.como.gov/Council/Commissions/meetings.php?year=2022&bcid=38>

The Planning and Zoning Commission discussed the direction from Council at their January 5, 2023 work session. At that time, no action was taken on possible revisions to the amendments. Staff reported that a new public hearing would be scheduled for February 23 to review the materials requested by Council and the survey results.

The proposed text amendment is attached to this report and is titled as Amendment #A1. The original text of the amendment is listed, and any **additions to the text are Blue, Underlined, AND Highlighted**, and deletions are **Blue, Strikethrough and Highlighted**.

Proposed amendments

The table below offers a short summary of each section (or group of sections) of the text amendment. More detailed information on each amendment is provided below the table.

Amendment #A1	Amendment addresses drive-thru accessory uses, including location, design, and conditional use standards.
29-3.3(jj)(1)	New purpose statement
29-3.3(jj)(2)	New applicability standards
29-3.3(jj)(2)(i-v)	Restated existing standards for clarity; some relocated from 29-4.3
29-3.3(jj)(2)(vi)	New standard for location of stacking lanes to prevent interference with internal circulation
29-3.3(jj)(2)(vii)	New standard that allows service windows to face a street if conditions are met (currently prohibited)
29-3.3(jj)(2)(viii)	New criteria for when a TIA is required for a drive-thru accessory use
29-3.3(jj)(3)	New conditions and criteria for evaluating a conditional use request for a drive-thru accessory use
29-4.3(i)(2)(ii-iii)	Deleted and relocated to 29-3.3

#A1: Sec. 29-3.3(jj). Use specific standards - Accessory and temporary uses of land and buildings: Drive-up facility.

#A1: Sec. 29-4.3(i)(2). Parking and loading - Drive-through vehicle stacking. - Location and design of stacking lanes.

Section 29-3.3(i)(2)(iii) includes a provision that prohibits drive-thru service windows from being located on walls that face public streets. The intent of the provision is to require a building's design to present a more aesthetic, active and pedestrian-oriented building facade on walls that face the public area, which is generally the public right of way. When service windows are located on the street side, a building will typically have less transparent materials, more blank walls, and will have lines of cars stacking as they wait for service.

Currently, service windows are only allowed on sides of buildings facing away from streets, thereby blocking the view of the service window and (to a lesser degree) vehicle stacking areas. It also encourages better pedestrian accessibility from the street side of a lot, which can be more difficult if the

service window and stacking lanes are on the street side, where pedestrians would be required to cross a stacking lane to access a building from a public sidewalk. This provision would normally prevent service windows from being on the one side of a building facing a street, but in the instance that a drive-thru use is located on a corner lot, then only two sides of a building are available for the

placement of a drive-thru service window.

In the recent past, the Planning and Zoning Commission has reviewed two requests, both as part of a PD plan, to allow a service window to face a street. In both cases, designers suggested it was difficult to accommodate this provision given the lot configuration and/or their business model. In those examples, service windows were permitted on the street side of the building with the conditions that a screening wall block the view of the service window for one of them (Culver's restaurant at 2010 Bernadette Drive), and in the other example, the distance from the public right of way was considered adequate to permit the service window on the street side of the building. In addition, the presence of other structures and spaces for parked cars between the service window and the street were an important factor in the decision.

In the case of the Culver's restaurant, ***the developers themselves suggested*** that a structure could be used to screen the service window, potentially meeting the intent of the ordinance. In fact, the developers had constructed similar structures in other cities that had drive-thru service window restrictions. This proposed amendment **aims to create two (2) exceptions**, to the overall prohibition of service windows facing a street.

The **first exception**, similar to that granted for Culver's, would allow service windows to be constructed on the street side of a building if the applicant screens the service window with a porte-cochere (the device constructed at Culver's) and screens the stacking lanes with landscaping that is a minimum 3 feet in height. The **second exception**, would be applicable in the cases where elevation and grade changes between the building and the abutting public streets are so dramatic so as to block the view of the service window from the public street. If that were the case, then no additional screening would be necessary.

It is important to note that if passed, this amendment ***would not require businesses to build a porte-cochere***. Right now, businesses have **no alternatives** available to them to design a building with a drive-thru service window facing the street. This amendment proposes to provide an opportunity for businesses to decide if building a porte-cochere is worth the cost of facing their service window toward the street. If it is not, they can still design the site as originally allowed (facing the interior of the lot) or seek a Board of Adjustment variance.

In addition to proposing the two exceptions on service window placement, the section of the UDC that addresses the location of service windows has been relocated to the use specific standards for a Drive-up facility. This adjustment was determined to be the more appropriate location for that particular regulation. The remaining provisions within 29-4.3(i)(2) address the design of the stacking lanes only.

The use specific standards for Drive-up facility (Section 29-3.3(jj)) also received additional provisions with this revision. A purpose statement was included to clarify the purpose behind regulating drive-thrus and their components. General requirements were also added to specify that the use-specific standards apply not only to a drive-thru use that is newly constructed, but also if the drive-thru has been relocated on a site. Furthermore, if the principal use of the property to which the drive-thru is considered accessory changes to a more intensive use (e.g., from a dry cleaner to a fast-food restaurant) the standards of this section would apply to the site as well.

An additional provision was added to restrict the location of drive-thru stacking lanes from interfering with internal circulation, including parked vehicles, with the objective of improving vehicle circulation on sites. Also, requirements for when a traffic impact analysis (TIA) is required have been included. The UDC already requires a TIA when a use will generate greater than 100 vehicle trips in the peak hour. This new provision will include some additional scenarios that will trigger a TIA, such as when an

entrance to the site is near an intersection, or when the principal use is a restaurant.

The final significant change to the Drive-up facility use-specific standards is the inclusion of language that specifies how a conditional use request should be processed. Unless the drive-thru use is located in the M-C (Mixed-use Corridor) zoning district, it will likely require a conditional use permit. Section 29-3.3(jj)(3) is proposed to be modified to add instructions for evaluating a conditional use request which would be in addition to the standard conditional use criteria located in Section 29-6.4(m) of the UDC. The proposed new provisions require that the drive-thru use not be detrimental to the surrounding residential areas and not detract from pedestrian circulation or the character of the area. The proposed criteria would also place additional standards on the use, such as prohibiting service windows on building sides that face a residential zoning district, requiring a 50-foot distance from residential zoning, marked crosswalks, and other provisions.

These additional provisions recognize that a drive-thru has characteristics that may not be appropriate near residential areas, such as noise generated from ordering facilities and idling cars. The proposed provisions include language allowing the Planning Commission to increase or reduce the additional requirements based upon site-specific circumstances.

These new provisions were included in the drive-thru survey, which is discussed in greater detail later in this report. The requirement that all drive-thru facilities be located at least 50 feet from residential property was the most popular, with almost 59% of respondents in favor.

Response to CBOR Letter

At City Council's November 7, 2022 meeting, a letter was submitted directly to Council by the Columbia Board of Realtors (CBOR) that included several concerns regarding the proposed text amendment. As part of the remand, Council requested that these concerns be reviewed and addressed. The concerns related to four specific sections of the UDC, and they are addressed below:

1. 29-3.3(jj)(2)(iii) No menu boards or other signs shall be visible from an R-1 or R-2 zone district.

Concerns were raised that this provision could impact any business that was located near large, institutional sites (like schools or parks) zoned R-1 or R-2, and that it could render many signs as non-conforming. While this provision is highlighted in the text amendment proposal as if it were a new requirement, it is actually an existing requirement. The reason it was identified as newly added text was that it was restated and moved to a new subsection for clarity. The existing provision is bolded below, and is currently located in Section 29-3.2(jj)(1):

(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

The Planning and Zoning Commission did not discuss making any changes to this requirement during their work session reviews given there have been no expressed objections to or variances from this particular provision in the recent past. No applicants have requested "design exceptions" from this provision as part of any requests to approve a Planned Development (PD) zoning review either. In short, no particular issue has ever been raised regarding the application of this requirement, so the presumption is that the application of the provision has not been onerous.

If Council wishes, it may direct the Commission to review this particular provision as a part of this amendment or a future text amendment project. If added to the present remand, such action will likely result in additional review time given staff has not reviewed the specific challenges with this provision, or researched the potential changes to the UDC to address the issue raised by the CBOR.

2. 29-3.3(jj)(2)(viii) A transportation impact analysis is required for any drive-up facility that meets any of the following criteria listed in items A-C, below.

This proposed amendment would add new thresholds for determining when an applicant is required to provide the City with a Traffic Impact Analysis (TIA). A TIA provides assurances that the expected traffic to the site, and the expected queueing of cars within the drive-thru stacking lanes, does not present a hazard to the public by creating backups that would interfere with traffic flow on City streets, causing safety issues.

Currently, the UDC states that the City **may require** a TIA as part of the approval process for **any new development**. However, it also states that any proposed development that would produce one hundred (100) or more trips in and out of the development site at peak hour **shall be required** to submit a TIA.

In many instances, a TIA would already be required for a new drive-through restaurant. For example, based on the ITE manual, a drive-thru fast-food restaurant that is greater than 2,000 sq.ft., would produce enough trips to require a TIA per our current regulations. For drive-thru coffee businesses, the size drops to 1,000 sq.ft., and any building larger than this will currently require a TIA. For comparison, the recently constructed Culver's at 2010 Bernadette is over 4,000 sq.ft., and the Starbucks at 900 Vandiver Drive is over 2,000 sq.ft.

The proposed amendment includes three (3) new criteria that would automatically require a TIA. The first two revolve around how close a new driveway is to an intersection. When the driveway is within 300 feet of a City street intersection, or within 300 feet of an important internal development intersection, a TIA would be required. In the case of the internal drive, the City Traffic Engineer has discretion in determining if the internal intersection is important to the traffic circulation of the site or not. If it is not, then a TIA would not be required.

The third new criterion would require all restaurants with drive-thrus, regardless of the number of trips the site generates, to provide a TIA. This higher standard for restaurants with drive-thrus recognizes that these uses have some of the highest trip generation, and are many times the most likely businesses to create traffic issues due to stacking that is required for the drive-thru lanes. As stated above, many restaurants with drive-thrus would already trigger the requirement to provide a TIA, but this provision will require a TIA for all of them.

The CBOR letter shares concerns that practically every new drive-thru facility would require a TIA. It is difficult to predict the locations and sizes of future drive-thrus, so there is uncertainty on the percentage of new drive-thru businesses that would require a TIA. As stated previously, many new drive-thrus would require a TIA under our current requirement, so these additional provisions are not expected to dramatically increase the percentage of drive-thru businesses providing a TIA. The new provisions are expected to impact smaller drive-thru businesses, perhaps those with small interior customer areas, or those that are drive-thru focused which is an emerging trend within the City.

Many new drive-thru facilities are located within larger developments and thus would be subject to proposed TIA requirement (B) which grants the City's Traffic Engineer more flexibility in determining when or if a TIA is required. If so desired, this provision could be modified such that it was only applicable in situations where a restaurant with driveways near public street intersections or including

drive-thrus would be impacted.

It is true that the requirement for a TIA is an added expense for new development. However, the benefit of a TIA is that traffic issues are identified and mitigated before they occur, which ultimately results in a safer community and more efficient transportation network regardless if it is on the public street network or within private property.

3. 29-3.3(jj)(2)(vii) Porte-cochere: A permanent porte-cochere shall screen the drive-up facility service window(s) from the ground to the roof of the porte-cochere.

The letter included five concerns regarding the recommendation to allow service windows to face a public street if it meets one of the two conditions provided. The concern was focused on condition (A), which allows the service window to face the street, if it is screened by an extension of the building, referred to as a porte-cochere. The five specific concerns are listed below (paraphrased) with responses:

- a. **The porte-cochere provides hiding areas and is a security concern.** The required screening would be opaque and would extend no more than 20 feet in length. In that regard, someone could hide on one side or the other of the wall. Individuals hiding on the inside would not be visible to anyone from the street area, including passing patrol cars, and someone hiding on the outside of the wall would not be visible to someone within a car at the service window, or the employee at the window. This could be considered a security concern.

When reviewing the open-ended comments from the survey, at least 8 responses mentioned safety as a concern with the porte-cochere. Overall though, the number of people that responded favorably to a question asking about the appearance of the porte-cochere was roughly 3 times the number that responded negatively. This question did not directly ask about safety though, only about the appearance.

One solution would be to reduce the opacity of the porte-cochere, requiring a certain percentage to be open and not opaque.

- b. **The porte-cochere is discomfoting, and creates blind spots where a driver cannot see pedestrians when exiting the enclosed area.** The required screening would be opaque and could block a driver's view if someone was crossing in front of a car waiting at the service window. There is no existing pedestrian crossing in this general location, but it is possible that employees could cross in front of cars in this manner. Mirrors could be required to mitigate the risk, or future site designs could consider blindspots and ensure that there are no pedestrians directed into this area by way of marked crosswalks.
- c. **The porte-cochere will require more impermeable surface.** This statement may be true, but it is difficult to verify at this point. The added maneuvering room around the porte-cochere could slightly increase the pavement on the site. Even so, the overall increase in impermeable surface is expected to be quite low, as the porte-cochere will generally be built over impermeable surface.
- d. **The porte-cochere is expensive, and will create higher prices for services.** No cost estimates for the construction of a porte-cochere are readily available, so this concern cannot be addressed directly. The requirement to build a porte-cochere would be an added expense to business owners, and so there should be careful consideration before requiring it. But it should be pointed out that other requirements can also add cost to a project, such

as landscaping, sidewalks, and perimeter fencing, but these features are considered to serve the interests and goals of the City and its residents.

- e. **Additional landscaping screening is unnecessary to screen the drive-through from the street, as they are both auto-centric uses.** The purpose of the City's landscape regulations, as stated in 29-4.4(a)(2), is to "provide visual buffering from streets, to buffer potentially incompatible land uses and to generally enhance the quality and appearance of a development site, and the city in total". Furthermore, the city currently already requires pavement to be screened from view along the edges of the property in certain circumstances, so this would not be inconsistent with current regulations. Requiring the additional landscaping to screen the queueing of cars along the front of a lot would be consistent with the purpose and intent of landscaping in general.

Crime Prevention Through Environmental Design (CPTED)

In 2020, the City Council passed resolution PR 45-20 that adopted CPTED principles, which focuses on reducing crime by addressing the design of the built environment. Council requested that the proposed amendments be reviewed to determine how they comply with the CPTED principles. While a review of CPTED principles would not be applicable to many of the proposed revisions, a review of the porte-cochere requirement, given that it does create a visual barrier, would be applicable. However, only the first two principles are clearly applicable, and so those are discussed below. The full resolution and principles are attached to this report.

1. Natural Surveillance. This principle prioritizes the ability for people to observe the space around them, and recommends low or non-opaque fencing or hedges, the removal of areas that offer concealment, and the placement of windows, doors, and walkways to ensure the opportunity for easy observation of surrounding areas. A porte-cochere could be considered inconsistent with these goals, in that it would be opaque, and would obstruct the view into the building, and out from the building.

The landscaping requirement would likely not obstruct views; it is only required to be 3 feet in height. The intent of the landscaping was to screen the views of a portion of the cars in the stacking lanes, not screen the building.

2. Territoriality. Providing a clear delineation between public and private spaces makes it easier for a pedestrian to understand the intended use of both spaces, and to determine who should be in each space, and what is appropriate in each. This is accomplished by installing landscaping, or low fencing at the boundaries of these spaces. Landscaping along a property line and at the front of a property is a good example of a delineated space. The additional driveway landscaping would be consistent with this practice, however as previously stated, the scale and opaqueness of the porte-cochere may not adhere to CPTED principles.

Resident Survey

In addition to the CBOR letter and CPTED review, Council also instructed staff to seek input and feedback on the proposed revisions, more specifically from Neighborhood Associations, as they are perhaps best suited to comment on the impacts of a drive-thru on neighborhoods and throughout the City in general.

A survey was created that requested feedback on several aspects of the proposed amendment; however, the more technical concepts (such as the TIA) were not included due to concerns that it would

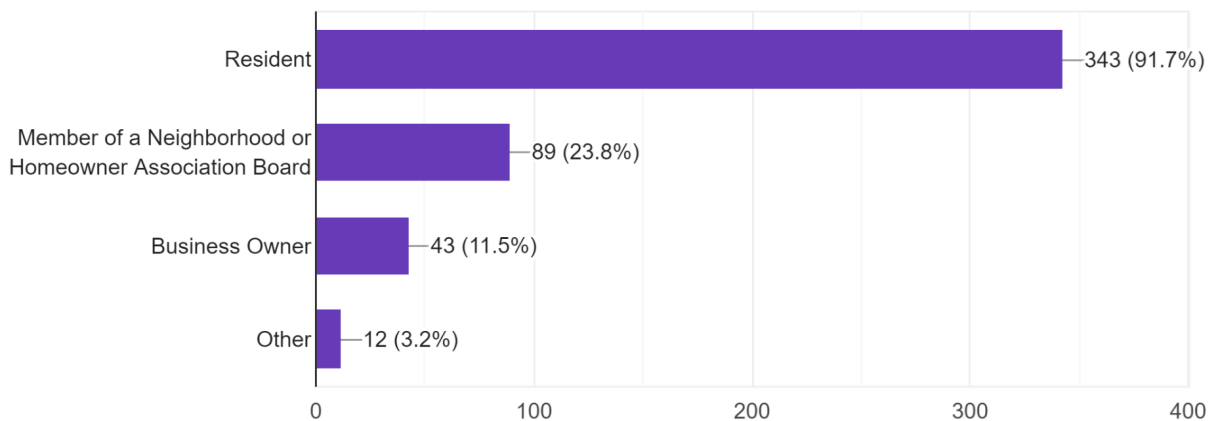
negatively affect participation. The principal objective of the survey was to get feedback on how the community felt about the appearance of drive-thru windows. To that end, three pictures were included in the survey, and respondents were asked how they felt about the appearance of each.

The survey also asked participants to select which of the new conditional use regulations they supported and how they felt about stacking lanes occasionally blocking parking spaces. At the end of the survey there was an open-ended field so that people could comment on other aspects of proposed amendments.

The survey was sent out to contacts the City has for the Neighborhood and Homeowner Associations. In addition, the survey was also sent out to other groups and listservs that the City has in order to capture a broader view of the community. At the time this report was written, the survey had been completed by 374 individuals. The questions on the survey are listed below with the percentages of the responses. The responses are also broken down between all responses and just those received by individuals identifying as representing an HOA or NA.

I am a (select all that apply)

374 responses



Are you OK with cars in drive-through lanes occasionally blocking parking spaces?

	Yes	No	Undecided
All	25.1	58.6	16.3
NA/HOA	23.6	59.6	16.9

Do you live next to a business that includes a drive-through?

	Yes	No
All	5.1	93.9
NA/HOA	6.7	93.3

This is the current requirement (Scooters example):

	This looks nice. Keep doing this.	This doesn't look nice.	No opinion.
All	72.7	4.0	23.3
NA/HOA	76.7	4.4	18.9



This design was allowed under the previous rules, but is no longer allowed. The drive-through window faces the street (McDonalds example):



	This is fine. Change the requirement to allow this again.	This doesn't look nice. Keep prohibiting this.	No opinion.
All	36.1	42.2	21.7
NA/HOA	35.6	43.3	21.1

This is a proposed change to the current regulations. The drive-through window would be allowed to face the street, but would be required to be screened by something similar to the wall shown in the picture below. The following example is the Culver's restaurant located at 2010 Bernadette Drive. This option could grant businesses with drive-throughs more flexibility in their building design by allowing drive-through windows to face streets, but may still result in a less attractive business front. (Culver's example):



	This looks nice. Allow this change.	This doesn't look nice. Keep prohibiting this.	No opinion.
All	59.4	19.3	21.4
NA/HOA	63.3	21.1	15.6

Do you support adding the following new conditions for drive-throughs, if they are located near a residential area, to prevent possible negative impacts such as noise from speakers and idling cars (select all that apply):

	The distance between residential property and drive-through facilities should be increased to 50 ft.	Require that internal pedestrian crosswalks be provided from a public sidewalk to the building.	Require that the design of the building & drive-through be compatible with architectural character of nearby properties.	Prohibit drive-through service windows from facing residential property.	No opinion.
All	58.9	53.2	52.7	50	21.5
NA/HOA	61.8	48.3	52.8	55.1	24.7

Conclusion

There are varied opinions on drive-thrus and the regulations that apply to them, and the survey results reflect that to be the case in Columbia as well. On one end of the spectrum, many feel drive-thrus

prioritize vehicular transportation over pedestrians. And there are concerns with impacts to surrounding residential properties ranging from noise, impacts from exhaust, and increases in traffic in residential neighborhoods. And the visual impact that drive-thru windows and queueing cars have is one of the factors being evaluated currently.

Drive-thrus provide a convenient service to the community, but their impacts should not be ignored. Many of the impacts can be mitigated, others may not. Staff feels that the changes provided in the text amendment attempts to address those issues in a balanced approach. Examples of this balance can be seen in the addition of exceptions allowing street-facing service windows thereby eliminating the need for additional regulatory approvals (i.e. variances) to ensuring that the impacts that are brought about by new or modified businesses with drive-thrus on the City's street network can be objectively evaluated by new TIA criteria. Not all issues raised will be addressed with this amendment, but the items included may move the needle towards creating a good mix of regulation and flexibility.

Since the Planning and Zoning Commission has previously voted to approve the amendment as proposed, and no changes are being recommended at this time, staff's recommendation is to conduct the public hearing to hear testimony on the additional information provided.

If the PZC wishes to offer amendments to the existing proposed text amendment based upon the additional information and testimony, then a new motion to approve the text amendment as amended would be necessary.

RECOMMENDATION

Conduct the public hearing.

SUPPORTING DOCUMENTS (ATTACHED)

- Amendment #A1
- Survey Comments (Free-form Field)
- Correspondence
- Columbia Board of Realtors Letter
- PR #45-20 (CPTED)

Report prepared by Clint Smith

Approved by Patrick Zenner

Amendment #A1

Revision of Sec. 29-3.3 Use specific standards; 29-4.3 Parking and loading

Text to be added shown in **BLUE, UNDERLINED, AND HIGHLIGHTED** and text to be removed shown in ~~blue, strikethrough and highlighted~~

ARTICLE 3. PERMITTED USES

Sec. 29-3.1. General

...

Sec. 29-3.3. Use specific standards.

(a) *Primary use of land and buildings: Dwelling, one-family detached.*

...

(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~~

~~(2) All drive-up facilities shall be subject to all applicable noise control ordinances.~~

~~(1) Purpose. The following regulations aim 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) 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 the principal use changes resulting 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 face 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.~~

~~(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 shall be located on a building's nonstreet-facing facades. Drive-up facility service windows may be permitted on a building's street-facing facades if one of the following methods are utilized:

(A) Porte-cochere: A permanent porte-cochere shall screen the drive-up facility service window(s) from the ground to the roof of the porte-cochere. The porte-cochere shall extend the width of the drive lane and be a minimum of twenty (20) feet in length. If multiple service windows are utilized in the drive-up facility, both windows shall be screened either by a single porte-cochere or two porte-cocheres, each a minimum of twenty (20) feet in length. The porte-cochere shall be structurally integrated with the principal structure and its design shall be consistent in respect to pattern, scale, material, and form as the principal structure.

Landscaping: A landscape area adjacent to the street right-of-way in the front and/or corner side yard shall be installed for the length of the drive-up facilities stacking lanes. The landscape area shall be planted with sufficient evergreen shrubs and/or native grasses to form a low continuous visual screen such that no less than eighty (80) percent opacity, viewed horizontally, is achieved in the space between grade and three (3) feet above grade at the time of installation. Berms may also be used in conjunction with landscaping. The landscaping installed in this landscape area shall be in addition to the other general landscaping requirements.

(B) Grade Changes: Grade changes may serve as screening of drive-up facilities 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) A transportation impact analysis is required for any drive-up facility that meets any of the following criteria listed in items A-C, below. The purpose of the study is 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.

(A) The site includes an entrance to a public street and it is located within 300 feet of an intersection.

(B) The site is located within a shopping center, and includes access to an internal drive aisle that is essential for internal traffic circulation in the opinion of the City's Traffic Engineer, and the access is located within 300 feet of an internal intersection.

(C) The site includes a drive-up facility that is accessory to a restaurant.

(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 increase or reduce these criterion and standards according to the circumstances affecting the site.

(i) Drive-up facility service window(s) shall not be located on a building facade that faces an abutting residential zoning district.

(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.
- (vii) A transportation impact analysis, consistent with that required in subsection 2(viii), above, shall be required for any business with an accessory drive-up facility that produces fifty (50) or more trips in and out of the development site at peak hour.

...

ARTICLE 4. FORM AND DEVELOPMENT CONTROLS

Sec. 29-4.1. Dimensional summary table.

...

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.

(j) Off-street loading requirements.

...

Drive-through Survey Opened Ended Comments provided in PZC packet

Question: Please provide any additional feedback on drive-throughs below.

Comments that are generally supportive of the text amendment, or are not supportive drive-throughs in general
Require accommodations for non-motorists
It has been proven that drive-throughs significantly and negatively impact the walkability of an area and should be avoided at all costs.
My primary concern with drive throughs is the environmental and health impact of autos idling while waiting their turn. If people parked their cars and went in to the business they're patronizing, they'd, of course shut their engines off. We should require that, while waiting in line, they do the same. This would have local health benefits and would conserve fossil fuels and reduce greenhouse gas emissions.
I would favor a more general prohibition of idling, but drive throughs are a good place to start.
Dive-throughs encourage driving and increase carbon emissions.
Prohibit headlights from vehicles in drive-through lanes from shining onto residential property that has windows on that side.
The reason for the "no opinion" is that these structures already exist ... however having strangers in cars in a drive through effects the little privacy we have in our homes
Thank you for paying attention and taking care of needs for both residents and business owners.
Your McDonalds example has a street on 2 sides. You are not showing that. I think there needs to be some flexibility in the code. I understand wanting a clear code with no/les variants, but I'm not sure you can make a code that works the same on every property.
I tried to check this option as well but the form won't allow it to be checked: " Currently drive-through lanes and menu boards can be as close as 10 feet to a residential property. The distance should be increased to 50 feet."
Drive thru should have ample space and design to not block roads!
If drive-through service windows are allowed to face residential property, will consideration be given to requiring a buffer, such as plantings or architecturally-appropriate screening? Understand both buffers would require definition with concept examples.
I would also address any landscaping requirements. The photo of all 3 examples could possibly be enhanced by appropriate landscaping or berm placements
Please prohibit AND prevent cars from lining up in residential areas (and from blocking driveways) for the loud noise and other reasons including safety at pick up lanes at all schools. These are similar to drive through.
preserving the flavor of the community is important to maintain our culture, rather than stamping "chain store" looks to neighborhoods.
The use of drive-throughs is already overused. We do not need to give even more flexibility so that we get even more of them. Having hundreds of idling cars waiting for 10-30 minutes for a bag of unhealthy food is not something that we should be encouraging in our community.
The only thing that matters more than all of these questions is that places like Freddy's and Panera in the Conley Rd area are not allowed to have drive-thrus, or even chick-fil-a near stadium. No drive thru lane should have the potential to block traffic.
The architectural design can have a big influence on the curb appeal. That McDonalds is located below street grade and is not quite as obtrusive visually. But if you have a target standard, keeping the more visually appealing side to the primary street is a good plan or designing in a barrier (Culvers) that is visually appealing to block a view that is less attractive.

I love CoMo. I believe the city cares about the residents. Keep on doing good job!
I'm concerned with walkability with so many drive-throughs.
Please try to limit drive thrus in the city and promote a more dense multi-use urban development. More focused on human scale design, promoting walking and cycling.
How can we design these so cars aren't blocking traffic when the line is super long? The Starbucks on Grindstone is a perfect example of a HORRIBLE drive-thru.
I am amazed that, throughout the country, there hasn't been more outrage about drive throughs. Aside from the fact, that they may or may not be aesthetically pleasing, is a much more pressing problem. They reflect our laziness, and they are huge polluters. Regrettably this was not nipped in the buds along time ago. The cat may be out of the bag. If it was up to me I would have absolutely no drive-through's. And it has nothing to do with aesthetics.
I would prefer drive-thrus be restricted even further due to their negative environmental impacts. The light, air and sound pollution they create is detrimental to many species of life in our city, including humans.
should be working to reduce drive ups altogether...health benefits of walking, reduction in single use plastic trash from take outs, reduce air pollution from idling cars.
Drive throughs only help the car driver. Please promote access to all transportation mode users. Consider abandoning minimum parking requirements to allow more walkable/bikeable space around these businesses.
Your survey is mostly car oriented not for all. During the pandemic I worked and rode a bike. I was not allowed to order at drive thrus. Once I was not allowed entry as a pedestrian in the afternoon to a McDonalds as I might rob the place. I am a 70 year old woman who dresses appropriately with no substance abuse problems. What kind of discrimination is allowed in this town.
Comments that are generally not supportive of the proposed text amendment
Drive up windows facing a street are fine. Don't create security hazards by requiring coverings to block the view from the street.
As long as the drive through looks nice, I think they can face the street.
Drive-throughs are of benefit to both consumers and business owners. Rules should be flexible enough to allow them without undue expense. Porticos are expensive and do not benefit anyone, including streetside pedestrians and motorists who are not fooled about the presence of a drive-through lane. It's OK to require more attractive streetside facades on new construction to improve the experience for onlookers and nearby residents. The Culver's building is fine without the portico. The McDonalds would look better with more fenestration. Disallowing the drive-throughs entirely or somehow trying to shield them is the wrong approach. Drive-throughs should be allowed and encouraged on non-street-facing sides of buildings by easing restrictions on site design.
Some of the suggested changes, such as the screening requirement, raise ALARMING SAFETY AND VISIBILITY concerns for the entire community. The non-visibility / concealment of perpetrators (as well as homeless populations) should be SERIOUSLY CONSIDERED by this community.
Allow businesses to have drive thru windows face streets with no screening required.
These regulations are asinine and will prevent good businesses from locating in Columbia. This is a process in search of a solution to a problem that doesn't exist. There needs to be more flexibility in how drive-throughs can be laid out, not less.
Most of the above proposals are totally over the top and just government employees trying to get more power whether it is warranted or not
I think security needs to be addressed. The Culver's example looks like a good spot to rob the place as the robber is hidden behind the wall and out of public view. I think the more public view out in the open the better for the safety of the workers and customers.
See the testimony of the two professional engineers at the September 22, 2022, P&Z meeting and follow what they said. Requiring an expensive transportation impact analysis for ALL drive-throughs is a bad idea. Remove this from the

<p>proposed code. Allow the city staff to use their professional judgement on a case by case basis to require a properly scoped traffic impact study only when really needed.</p> <p>The Culvers screen wall is a silly waste of resources in this area, screening a service window from a 9-lane major arterial road across the street from another fast food restaurant and one of the biggest parking lots in Columbia. I like police being able to drive by a drive-through window (e.g. ATM, bank teller, fast food place) and be able to see what is happening there.</p> <p>Code should allow more flexibility for commercial devopers while protecting residential use as opposed to residential zoning (e.g. large schools, churches).</p> <p>Distance from the public street needs to be factored in along with walls, landscaping, grade change in approving drive-throughs.</p> <p>Don't always look to national standards that don't work in Columbia (e.g. school parking lot size). Allow alternative data from entrepreneur developers who know their busiesses best.</p> <p>Columbia should fix the broken process for allowing more than 200% additional parking while you are making changes to the UDC.</p> <p>Code should recognize the difference between drive-thru vs. curbside pick-up and regulate accordingly (e.g. less regulation for curb-side pickup)</p> <p>It should be easier for small developers to understand the various City approval processes and know City staff want to work with them in a spirit of cooperation to make their dreams a reality.</p> <p>With the City entitlement process, common sense needs to prevail as quickly and inexpensively as practical. Many people in Columbia do NOT believe this is happening now.</p>
Quit tinkering
If business are impacting residences then change the zoning laws. Business generates tax income. Why burden business with more regulations.
More regulation by the city will only stifle new business and cause loss of job creation, and will cause higher food/service prices. No more regulations. De-regulate. Free enterprise is the best solution. Thank you.
Can we worry about bigger issues?! Come the fuck on people.
To much government overreach
City of Columbia has bigger problems than the aesthetics of drive-thrus.
This is not the cities business. Rules like this is why businesses don't want to come to Columbia!
N/A
Quit trying to manage every little detail of a business. I've never seen a drive thru that was offensive!
The fact Columbia city government cares about such a meaningless topic when crime is on the rise and friends of mine are being targeted for being of color isn't surprising but should be. How about we start caring about people
<p>Although I understand the concept behind what is being proposed, we have seen how mobile ordering, drive-throughs, etc. have become more popular with people (especially in regard to the current state of affairs in the world). Personally, it's not that I feel the Culver's example is "bad" per say, nor that it isn't accomplishing what the city might be going for, but I do believe there is an inherent safety risk when you are situated in a spot where you are basically cut off from view of your surroundings.</p> <p>Also, it's important that we remember the City of Columbia only has so much "commercial space" available for development and due to many other stringent zoning requirements, the proposed changes seem to be pushing away any "grab and go" options given site plans, etc. In a way, this feels as though you are working to truly eliminate (or make it incredibly difficult to have) drive-throughs. As the mom of a toddler (and I imagine many others with little ones in carseats would agree), drive-through's are a necessity! Taking a child (much less more than one) of a carseat is time-consuming, often frustrating for both the child and parent, and in times of extreme weather, possibly detrimental (remember the whole kiddos can't wear coats in car seats thing).</p> <p>We need businesses to come to Columbia. We need them to thrive. We need them to be able to operate their businesses in a way that makes the most sense for them and for their chosen site. The extent of requirements that already exist (not just around drive-throughs) have worked to make many businesses the community asks for all the</p>

time that have looked at Columbia as a place to grow, turn around and walk away. Adding requirements to something as necessary (in my opinion given motherhood and all) as drive-throughs is ill-sighted and will only serve to frustrate business owners and larger companies that many would love to have expand into this area.

This is stupid for us to be discussing. Who cares.

This survey is an example of government overreach. If a property is zoned as commercial, the property owner should be able to locate the business in any orientation it so desires. If it abuts residential property, the owner of the abutting property should oppose the zoning as commercial. Beyond that, the city should stay out of the issue. The city is again micromanaging the private and commercial affairs of property owners. Further, the options included in the questions are inadequate and loaded to predetermine an outcome supporting government overreach. I selected no opinion because the options fail to encompass the full spectrum of view points.

You all are just a bunch of Nazi's trying to take away private property rights. Quit it.

Please deal with more pertinent issues effecting our City...panhandling on our streets!

Don't see the point. Parked cars or cars in a drive through are the same to me.

This survey does not give me a chance to disagree with the proposed changes, nor does it explain them to the average citizen to be able to fully understand the implications of the changes. I believe that the changes that have been suggested will cause unnecessary expenses and solve problems that are not present at the moment. They also create places for criminals to hide.

This ordinance cannot provide a one size fits all solution so why try?

This is another example of the city overstepping to hurt businesses.

We want more businesses to have interest in spending their money in Columbia

I feel the city should focus more on more important topics like homeless, public transit, pedestrian traffic, etc not the aesthetics of business.

a business can figure out what is best for them without big brother micro-managing

When you cover drive thru lanes it makes it less safe for the customer using the lane and the person working. We do not want these covered. It also is more expensive for the business owner and does nothing for business.

This survey is completely misleading. The whole point of the survey was to give examples of drive-thru's around residential neighborhoods but the three examples that are provided are all located off Stadium Boulevard of which are not around any neighborhoods, thus leading the feedback from this survey to not be accurately represented. I think the city should go back to the development code that was put in place in 2017.

In my opinion this survey is not a fair representation of the proposed ordinance and the results of the survey will likely be quite misleading and easily misconstrued.

** For example -- Not wanting a drive through visible from my residence does NOT correlate to not allowing drive through lanes adjacent to street frontages.

** There are significant differences between high traffic volume drive-throughs (generally fast food) and lower volume (pharmacies, ATM's, Banks, dry cleaners, etc) and they should not be treated the same. High volume fast food buildings derive 70-100% of their revenue from drive-through traffic and delivery services with a much smaller percentage being from dine in traffic. While there may be exceptions, there are few problems with traffic conflicts between drive through lanes and required parking. Low volume drive throughs have even less conflict.

** The photos in the survey of what looks nice .vs. not nice are very subjective and the answer options could be quite misrepresentative. For example - I like the look of the Culvers drive through, but I do NOT think that this should be required. There are a number of examples of drive throughs in the community on street frontages that are attractive (again being subjective) without the use of Porte Cochere's, roof to ground screening, and additional landscaping.

** The last question in the survey requires accepting a condition that I do not support OR selecting No Opinion. Yes, I have an opinion - I do not agree with the suggestions.

** Porte Cochere's, full screening, etal. for drive throughs adjacent to street frontages in commercial areas is NOT a Neighborhood Protection issue. It should not be necessary to screen drive throughs in commercial areas. NOTE: Designating the level of street as a criteria will not be effective either as there are several examples of drive throughs (especially on corner lots) being adjacent to local minor streets.

** Additional provisions for drive-throughs adjacent to R-1 and R-2 uses may be appropriate as a Neighborhood Protection issue and should be addressed separate from drive-throughs adjacent in commercial areas.

Comments that include both supportive and not supportive responses, or are not specific

I would rather see a drive thru window face a street than to ever face a residential area. If the drive thru ever faced a house or duplex that would be so annoying to residents. The smell of car exhaust and engines running. Now if a drive thru faced the solid or blank wall (meaning without doors or windows) of apartment building then it might be slightly less annoying. Apartment buildings usually only have windows and doors on one side. It seems like City wants to accommodate the ever increasing fast food restaurants and drive thru coffee shops. We have an insane amount of fast food already

Honestly, the thing that would make Columbia look better in this aspect is the visual of the building in its style/design. Where a drive thru faces isn't as big of a deal to me, but driving by a nice new neighborhood or a new development with an old outdated establishment is what throws me off. Not seeing the windows would be nice...but also the Panera near RBHS, all you see are the cars from all roads since the window faces planet fitness. I'd rather see the order board and 1 car and have the cars wrapped the other way. From providence and from Nifong, you only see cars/no pretty building.

We have bigger, more pressing needs in this City than to worry about whether cars in a drive-thru can be seen from a street.

I agree that there should be a buffer in residential areas, but the "hiding" of a drive-thru like you required at Culver's drives up construction costs and is absurd.

I think Chick Fil A should open a second location with drive through. How about near Broadway & 63?

We need less complicated regulations. People know how to walk to a building. We do not need to require a painted walkway. It does nothing to increase safety and just adds constant expense to keep it painted.

Chick-fil-a is the problem that should be considered in future designs. If you park in a space and it's rush at lunch time, good luck getting out. The line will block you in for a long time.

The McDonald's by the mall has a drive thru that faces the street and it looks fine. To prohibit that would likely mean that business closes and leaves. We want to encourage development any way possible as it provides jobs, taxes, etc.

Businesses already in service should be grandfathered in and not have to change.

For the question about the culver's building, the design looks nice and works well with the wall covering the drive through window. I think that design should obviously be allowed but I don't necessarily agree that a cover for the drive through should be required.

I would be MORE supportive of this one if it were like 25 or 30 feet, 50 is going to wipe out a few too many lots/options: "Currently drive-through lanes and menu boards can be as close as 10 feet to a residential property. The distance should be increased to 50 feet."

[Planning and Development Listserv] Drive-through regulations survey

Benjamin Ross <bross@ess-inc.com>

Thu, Feb 2, 2023 at 4:01 PM

To: "clinton.smith@como.gov" <clinton.smith@como.gov>

Cc: Lisa Driskel-Hawxby <lisa.driskel-hawxby@como.gov>

Hi Clint,

Please see the e-mail chain below and consider it a comment on the proposed drive-through regulations. Per the Assistant Police Chief, the Police Department thinks making service windows not visible from the street "hurts public safety." The yellow highlighting is mine.

Could you please respond to my previous e-mail asking for confirmation that ATMS are included as drive-up facilities that would be required to be screened so they are not visible from the street? I am planning to reach out to some local bank executives on this issue and hopefully get them to comment on the online survey.


Thanks,

Ben



Benjamin A. Ross, P.E., PTOE
Vice President - Engineering

 573.449.2646 ext. 226

 www.ess-inc.com

 bross@ess-inc.com



Licensed Professional Engineer in MO, KS, TX, IL

From: Curtis Perkins <Curtis.Perkins@como.gov>

Sent: Thursday, February 2, 2023 2:40 PM

To: Benjamin Ross <bross@ess-inc.com>

Subject: Fwd: FW: Drive-through regulations survey

Ben,

Below is the response from Assistant Chief Brian Richenberger.

Sgt. Curtis Perkins

Columbia Police Department

Traffic Unit & Special Events

573-874-7652

curtis.perkins@como.gov

----- Forwarded message -----

From: **Brian Richenberger** <Brian.Richenberger@como.gov>

Date: Thu, Feb 2, 2023 at 10:01 AM

Subject: Re: FW: Drive-through regulations survey

To: Curtis Perkins <Curtis.Perkins@como.gov>

The visibility concern is valid however I do not think it rises to the level of making it a requirement. There are numerous businesses that are constructed in a way that we aren't able to see inside while driving by.

*The porte-cochere mentioned above would be like the new Culvers on Stadium Blvd. The City made this business build the screen wall so people on Stadium (a 9-lane wide state highway), and the people at the Wendy's restaurant or in the Columbia Mall parking lot across the street **or officers driving by cannot see the service window**. I think this is an unnecessary use of resources that drives up development cost **and hurts public safety**. **In my opinion, protecting residential neighborhoods from drive-up service window impacts is good but is unnecessary in commercial areas like the new Culvers.***

I agree with the above statement.

Brian Richenberger

Assistant Chief of Police

Columbia Police Department

573-441-5471

On Thu, Feb 2, 2023 at 9:16 AM Curtis Perkins <Curtis.Perkins@como.gov> wrote:

See email string below.

Ben Ross is wanting to know our thoughts on this topic. I weighed in on the traffic side of the drive thru windows. He wants to know about the visibility of the store during patrol. I didn't know what stance we wanted to take or not comment on at all.

Sgt. Curtis Perkins

Columbia Police Department

Traffic Unit & Special Events

573-874-7652

curtis.perkins@como.gov

----- Forwarded message -----

From: **Benjamin Ross** <bross@ess-inc.com>

Date: Wed, Feb 1, 2023 at 5:00 PM

Subject: RE: FW: Drive-through regulations survey

To: Curtis Perkins <Curtis.Perkins@como.gov>

Thanks Curtis. I agree with you on preventing traffic backing up out of a site onto the roadway.

Any thoughts on screen walls that makes the service window not visible from the road?

Exciting news on the SS4A grant!


Thanks,

Ben



Benjamin A. Ross, P.E., PTOE
Vice President - Engineering

 573.449.2646 ext. 226

 www.ess-inc.com

 bross@ess-inc.com



Licensed Professional Engineer in MO, KS, TX, IL

From: Curtis Perkins <Curtis.Perkins@como.gov>

Sent: Wednesday, February 1, 2023 4:56 PM

To: Benjamin Ross <bross@ess-inc.com>

Subject: Re: FW: Drive-through regulations survey

Ben,

It has been a busy week. Sorry for not getting back to you sooner.

From the traffic safety perspective: My concern is with having enough space on the lot to handle the drive through traffic without interfering with roadway traffic and causing back-up.

Sgt. Curtis Perkins

Columbia Police Department

Traffic Unit & Special Events

573-874-7652

curtis.perkins@como.gov

On Fri, Jan 27, 2023 at 9:14 AM Benjamin Ross <bross@ess-inc.com> wrote:

Hi Curtis,

Please see the e-mail below. As the "safety" person at the Columbia Police Department, I would like your opinion on a proposed City ordinance change. In the past drive-up service windows in Columbia were allowed to face public streets. Since 2017, with the adoption of the Uniform Development Code, City ordinance prohibits this. Changes to this ordinance are currently being discussed. Here is a snip from the City Council memo about this topic:

Currently, the UDC prohibits the location of service windows for drive-up facilities on any side of a building that faces a street. The principal change proposed with this amendment is to allow service windows to be located on the sides of a building that face a street when several conditions are met that will screen the service windows. Screening can be accomplished by constructing a porte-cochere or by significant grade differences that make the service window not visible from the street.

I would think the police would like to be able to drive by an ATM, or bank teller window, or other business drive-up service window and be able to see what is happening from the street.

The porte-cochere mentioned above would be like the new Culvers on Stadium Blvd. The City made this business build the screen wall so people on Stadium (a 9-lane wide state highway), and the people at the Wendy's restaurant or in the Columbia Mall parking lot across the street **or officers driving by** cannot see the service window. I think this is an unnecessary use of resources that drives up development cost and hurts public safety. In my opinion, protecting residential neighborhoods from drive-up service window impacts is good but is unnecessary in commercial areas like the new Culvers.



Have you or others at the Police Department followed this proposed ordinance? Does your Department have an opinion about this?

See you at the next Vision Zero meeting.

Thanks,

Ben

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

The City of Columbia's Planning and Zoning Commission is seeking input from the public regarding proposed changes to drive-through regulations. Please complete the survey to share your viewpoint. If you would like additional information on the proposed changes, please see the links below to download a report and the actual text that is being proposed. The discussion involving drive-throughs begins halfway down on page 2 of the report.

[Quoted text hidden]

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You received this message because you are subscribed to the Google Groups "Housing and Community Development Listserv" group.

To unsubscribe from this group and stop receiving emails from it, send an email to commdev-l+unsubscribe@gocolumbiamo.com.

To view this discussion on the web visit https://groups.google.com/a/gocolumbiamo.com/d/msgid/commdev-l/CAAdL_13qa2QJY3-2f-VoPyZanwGs7zeixMvpwyk6F0khu656Q%40mail.gmail.com.

----- Forwarded message -----

From: Benjamin Ross <bross@ess-inc.com>

To: "clinton.smith@como.gov" <clinton.smith@como.gov>

Cc:

Bcc:

Date: Tue, 31 Jan 2023 20:51:35 +0000

Subject: FW: [commdev-l] Drive-through regulations survey

Hi Clint,

I am planning to share the link to the on-line survey below with some bankers I know.

Do I understand the draft ordinance correctly, as currently written, would require future drive-up facilities facing streets, like the two bank ATMs below, to have screening that would make the ATM not visible from the street?

Thanks,


Ben





Benjamin A. Ross, P.E., PTOE
Vice President - Engineering

 573.449.2646 ext. 226

 www.ess-inc.com

 bross@ess-inc.com



Licensed Professional Engineer in MO, KS, TX, IL

From: Lisa Driskel-Hawxby <lisa.driskel-hawxby@como.gov>
Sent: Tuesday, January 24, 2023 3:19 PM
To: Lisa Driskel-Hawxby <lisa.driskel-hawxby@como.gov>
Subject: Fwd: [commdev-I] Drive-through regulations survey

Good afternoon,

If you have already received the information below, my apologies for the duplication. If you have not, please be aware of possible changes that would impact businesses operating with a drive-through, and the call for public comment.

Best,

Lisa Driskel Hawxby, MEd

Business Development Specialist

Regional Economic Development Inc. - REDI

lisa.driskel-hawxby@como.gov

500 East Walnut, Suite 102, Columbia, MO 65201

Main: 573.442.8303 Office: 573.441.7676 Cell: 573.825.6072

----- Forwarded message -----

From: **Bill Cantin** <Bill.Cantin@como.gov>

Date: Mon, Jan 23, 2023 at 3:18 PM

Subject: [commdev-l] Drive-through regulations survey

To: NANews <nanews@gocolumbiamo.com>, Planning Listserv <pz-l@gocolumbiamo.com>, CD Listserv <commdev-l@gocolumbiamo.com>

The City of Columbia's Planning and Zoning Commission is seeking input from the public regarding proposed changes to drive-through regulations. Please complete the survey to share your viewpoint. If you would like additional information on the proposed changes, please see the links below to download a report and the actual text that is being proposed. The discussion involving drive-throughs begins halfway down on page 2 of the report.

Link to survey: <https://forms.gle/WQuy7n2MGr5Zr7R68>

A public hearing for the proposed changes will be scheduled for February 23, 2023. In addition to completing this survey, you may attend the public hearing to provide comments directly to the Commission. You may also submit written questions or comments to the project manager, Clint Smith, at the offices of the City's Planning Division at clinton.smith@como.gov.

[Click here](#) to download the report that explains the proposed changes in more detail.

[Click here](#) to download the actual text amendments.

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FW: [commdev-l] Drive-through regulations survey.eml

220K

COLUMBIA BOARD OF REALTORS®

October 25, 2022

Mayor & Members of the City Council
City of Columbia Missouri
P.O. Box 6015
Columbia, MO 65202-6015

VIA: EMAIL

Re: Revisions to UDC Code – Drive Up Facilities

Dear Mayor & Members of the City Council:

The Columbia Board of REALTORS® would like to express concern with the proposed Amendments to Unified Development Code (UDC) Section 29-3.3 (jj)(2) as it relates to Drive-Up Facilities. Changes to the UDC, such as those outlined below, can have potential unintended consequences for many existing locally-owned businesses. We offer the following comments for your consideration:

Section 29-3.3 (jj)(2)(iii) states that no menu boards or other signs shall be visible from an R-1 or R-2 zoning district. This would mean that no menu boards could be visible from, for example, Hickman High School, Stephens Lake Park, or many other R-1 or R-2 zoned properties that are not used for one- and two-family dwellings. A regular planning comment is the desire to provide more services within or adjacent to neighborhoods to allow for walkability. This dictates the mix of commercial and residential uses, commercial uses that many times might have ancillary drive-up facilities. We recommend changing the threshold from 'visible' to having limitations of a certain distance. We also recommend that any restriction be only for menu boards or backlit signs (*not all signs*) as there are a number of drive-up situations that are very appropriate adjacent to residential properties that do not need menu boards but may require other signage.

Section 29-3.3 (jj)(2)(viii) requires a traffic impact analysis for practically every situation where a drive-up facility might be considered. Traffic Impact Analyses are comprehensive and expensive. Current practice is that during the preliminary project scoping meeting, the City Traffic Engineer will outline the level of Traffic Study or Full Traffic Impact Analysis that is required on a site-specific basis. We recommend not codifying a requirement for a Traffic Impact Analysis that many times are not required.

Section 29-3.3 (jj)(2)(vii)(A) is a change that permits a drive-up facility service windows on a building's street-facing façade. We support that a drive-up facility service window can be placed on a street-facing façade. We find, however, the restrictions that include the construction of a Porte-cochere structure to fully screen the service windows from ground to roof and additional landscape buffering to be overly restrictive as described herein:

- a. The construction of a fully screened area from ground to roof provides multiple 'hiding' areas and can be a security concern for business owners, users of the drive-up, and police officers.

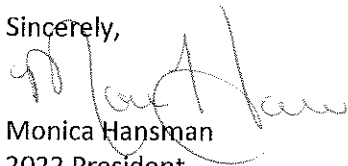
- b. A fully screened Porte-cochere creates a tunnel effect and can be quite discomforting for many users. The full screening creates additional blind spots and safety concerns as drivers cannot see pedestrians or service personnel that may be walking across parking lots that are obscured by the structure.
- c. Requiring a Porte-cochere creates more impermeable surface on the site. The construction requires two feet minimum horizontal thickness for the supporting structure and curbs required to protect the structure. An additional two feet needs to be allowed for 'shy distance' on the inside and outside of the structure to accommodate drivers' concerns for hitting the structure. This adds 6' plus of additional pavement width to drive lanes, times the length of the Porte-cochere and transition pavement.
- d. A Porte-cochere can be costly - \$25,000 – 50,000 and more depending on the complexity of the structure. These additional construction (*and long-term maintenance*) costs are ultimately passed on to the consumers through higher prices for services.
- e. The requirement for additional landscaping area adjacent to the street right-of-way should be removed. Creating visual screens from an automobile-centric use (*roadway*) to an automobile-centric use (*drive-up*) should not be necessary. If required, this landscaping area should be counted as part of the general landscaping requirements and NOT be in addition to.

This ordinance amendment is important. The City has been able to navigate most occurrences of problems with the existing ordinance since the UDC was adopted because they occurred in Planned Developments. There has been a positive move with the UDC to not have as many PD Zoned developments which will lead to more occurrences where the City does not have the required flexibility to address these issues.

There are a number of examples of drive-up service windows in our community that are on the street-facing façades that are highly functional and serve our citizens well. Many of these are retrofits to existing structures that cannot accommodate the construction of an elaborate and costly Porte-cochere or have sufficient room for the required landscape area. Some are newer construction and include architectural elements that provide a pleasing look to the structure. We encourage you to have a heightened awareness of the various drive-up service windows that you use or encounter in our community and consider whether this ordinance would allow those uses. Think about how this ordinance will impact uses such as cleaners, pharmacies, banks, and other locally owned businesses in addition to the higher volume of fast food and related uses.

Thank you for your consideration.

Sincerely,



Monica Hansman

2022 President

Columbia Board of REALTORS®

Introduced by Trace Council Bill No. PR 45-20

A POLICY RESOLUTION

adopting the Crime Prevention Through Environmental Design (CPTED) concept and principles; incorporating cost-efficient CPTED principles and practices in proposed land development and redevelopment projects; and providing for the implementation and enforcement of CPTED standards.

WHEREAS, Shaunda Hamilton and the Boone County Committee Against Violence have come together to research, study, recommend and establish initiatives to reduce violent crime within Boone County and the City of Columbia; and

WHEREAS, the City of Columbia supports the efforts of Shaunda Hamilton and the Boone County Committee Against Violence and desires to work collaboratively with the Boone County Committee Against Violence to reduce violent crime; and

WHEREAS, one of the initiatives advocated by the Boone County Committee Against Violence is for the City to adopt Crime Prevention Through Environmental Design (CPTED) principles; and

WHEREAS, CPTED is a well-established and well-researched field of knowledge that has demonstrated various methods to increase the responsible, positive use of property while decreasing the likelihood of criminal behavior; and

WHEREAS, properly implemented safe-by-design practices offer the dual benefit of long-term savings in City resources through improved ease of management and reduced calls for service and of increased safety and livability for residents; and

WHEREAS, the City Council supports the CPTED philosophy as a way to reduce crime, advance neighborhood and business environments and improve the overall quality of life for its citizens; and

WHEREAS, the adoption of maintenance practices to support CPTED concepts and principles will support an initiative of the Boone County Committee Against Violence and assist in sustaining a crime-free environment; and

WHEREAS, the City Council of the City of Columbia encourages all residents and businesses to make necessary adaptations to their physical environments to assist revitalization efforts and reduce crime in their neighborhoods.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The Crime Prevention Through Environmental Design (CPTED) concept and principles set forth in "Attachment A," attached hereto and made a part hereof, are hereby adopted in order to promote public safety, community livability and an improvement of life within the City of Columbia.

SECTION 2. The City of Columbia shall incorporate cost-efficient CPTED principles and practices into the design, construction and operations of all City-funded construction projects.

SECTION 3. The City of Columbia will provide leadership and guidance to encourage the application of CPTED principles and practices in private sector development by providing review and recommendations through the technical review process. This policy is expected to yield long-term cost savings to the City's taxpayers due to reductions in the incidence of crime and in the need for problem-solving responses at those locations.

SECTION 4. This policy resolution shall take effect immediately upon its adoption.

ADOPTED this 6th day of April, 2020.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

CPTED DEFINITION:

Crime Prevention Through Environmental Design ("CPTED") is the proper design, maintenance, and use of the built environment in order to enhance the quality of life and to reduce both the incidence, and the fear, of crime.

CONCEPT AND PRINCIPLES:

The adopted principles will assist in the creation of a built environment that reduces opportunities for crimes that are inherent in the design of structures, landscape, and/or in the design of the community/neighborhood. The CPTED principles are:

1. *Natural Surveillance.* Natural surveillance involves design and maintenance elements that ensure full opportunity for people engaged in their normal behavior to observe the space around them, and equally, to minimize the perceived opportunity for concealment or anonymity by a person intending a criminal act. Natural surveillance is generally achieved by the use of appropriate lighting, low or non-opaque fencing or hedges, the removal of areas that offer concealment, and the placement of windows, doors, and walkways to ensure the opportunity for easy observation of surrounding areas by responsible users of property.
2. *Territoriality.* Territoriality is the principle that providing clear delineation between public, private, and semi-private areas makes it easier for pedestrians to understand, and participate in, an area's appropriate use while simultaneously communicating a sense of active "ownership" of an area that can discourage the belief that illegal acts may be committed in the area without concern or consequence. The use of non-opaque screening, low fencing, signage, pavement treatments, or other landscaping elements that visually indicate the transition between areas intended for different uses are examples of the principle of territoriality applied.
3. *Access Control.* Access control is a concept directed primarily at decreasing criminal accessibility, especially into areas where a person with criminal intent would not easily be observed. Passive examples of access control would include a highly visible gate or entryway through which all users of a property must enter. Active examples include appropriate use of door and window locks, security fencing, or similar security barriers, to discourage unwanted access into private space or into dark or unmonitored areas.
4. *Activity Support.* Activity support involves both passive and active efforts to promote the presence of responsible pedestrian users in a given area, thus elevating the perceived community value of the area while discouraging actions by would-be offenders who desire anonymity for their actions. A basic understanding of the value of activity support can be gained by considering the difference in both perceived and actual safety of a city park or a sidewalk that is rarely used as compared to a park or sidewalk that benefits from the routine

presence of many responsible users. Passive examples are all manners of design that makes an area appealing to appropriate pedestrian use. Active examples involve event scheduling and similar steps to attract users.

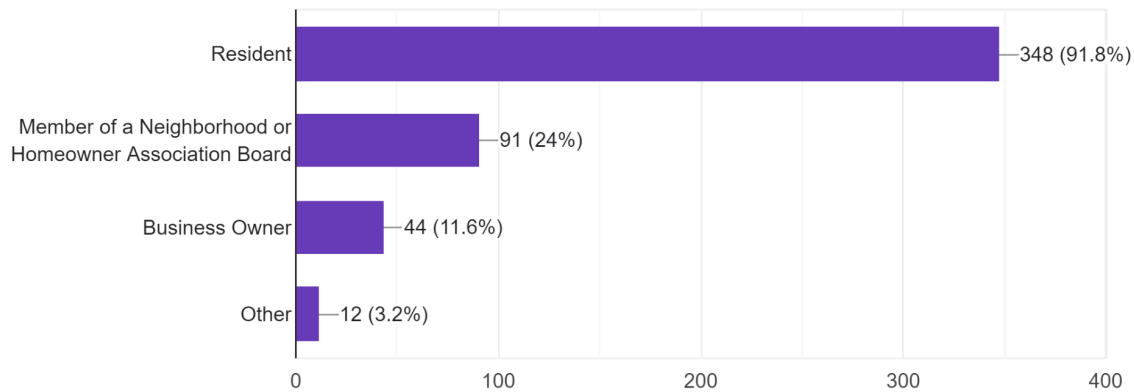
5. *Management and Maintenance.* Proper maintenance of landscaping, lighting and other features is a necessary requirement to ensuring that CPTED elements serve their intended purpose. Unfortunately, failure to maintain property — and its management parallel, the failure to stop harmful use of property by its legal occupants — will rapidly undermine the impact of even the best CPTED design elements. As such, while CPTED principles supplement effective maintenance and management practices, these principles cannot make up for the negative impacts of ineffective management. Damaged fencing, overgrown hedges, graffiti left to weather and age, litter and debris, broken windows, as well as such factors as inattentive, lax, or overly permissive management practices will advertise an environment of permissiveness to would-be offenders and, equally, undermine the desire of responsible users to remain in an area. While effective design is an important part of good crime prevention, following through with consistent maintenance and management practices ensures that the designed-in elements retain their effectiveness. In effect, this is the direct application of what has come to be known as the Broken Window Theory — ensuring that indicators of disorder are corrected promptly in order to prevent the greater disorder they may attract.

In order to accomplish the twin goals of enhanced livability and better natural safety as set out in the five principles listed above, each must work in concert with the other. For example, activity support can be substantially undermined if a property is stripped bare of landscape elements in the interests of natural surveillance alone. Installing a tall opaque wall or fence will take the concept of territoriality too far by undermining natural surveillance benefits. Access control solutions that advertise a “target hardened” appearance (such as window bars, harsh lighting treatments, or hostile-looking fencing) undermine activity support. The intent, therefore, is to use the combined balance of these principles to promote a safer, more livable environment for all. Recognition of these underlying concepts may help guide owners, architects, planners, developers and managers of property in designing and maintaining built environments that accomplish the goals of CPTED and this policy resolution.

Drive-through Survey Responses (updated through 2/24/2023)

I am a (select all that apply)

379 responses



Do you live next to a business that includes a drive-through?

	Yes	No
All	6.3	93.9
NA/HOA	7.7	92.3

Are you OK with cars in drive-through lanes occasionally blocking parking spaces?

	Yes	No	Undecided
All	25.3	58.6	16.1
NA/HOA	24.2	59.3	16.5

This is the current requirement (Scooters example):



	This looks nice. Keep doing this.	This doesn't look nice.	No opinion.
All	72.5	4.2	23.3
NA/HOA	76.9	4.4	18.7

This design was allowed under the previous rules, but is no longer allowed. The drive-through window faces the street (McDonalds example):



	This is fine. Change the requirement to allow this again.	This doesn't look nice. Keep prohibiting this.	No opinion.
All	36.1	42.2	21.7
NA/HOA	35.2	42.9	22.0

This is a proposed change to the current regulations. The drive-through window would be allowed to face the street, but would be required to be screened by something similar to the wall shown in the picture below. The following example is the Culver's restaurant located at 2010 Bernadette Drive. This option could grant businesses with drive-throughs more flexibility in their building design by allowing drive-through windows to face streets, but may still result in a less attractive business front. (Culver's example):



	This looks nice. Allow this change.	This doesn't look nice. Keep prohibiting this.	No opinion.
All	59.4	19.3	21.4
NA/HOA	62.6	22.0	15.4

Do you support adding the following new conditions for drive-throughs, if they are located near a residential area, to prevent possible negative impacts such as noise from speakers and idling cars (select all that apply):

	The distance between residential property and drive-through facilities should be increased to 50 feet.	Require that internal pedestrian crosswalks be provided from a public sidewalk to the building.	Require that the design of the building & drive-through be compatible with architectural character of nearby properties	Prohibit drive-through service windows from facing residential property	No opinion.
All	58.9	53.2	52.7	50	21.5
NA/HOA	62.9	49.4	53.9	56.2	24.7

Drive-through Survey Opened Ended Comments (received after 2/15/2023)

Question: Please provide any additional feedback on drive-throughs below.

Comments that are generally supportive of the text amendment, or are not supportive of drive-throughs in general
Ban drive-thrus altogether. The concept is preposterous.
In my opinion, safety and efficient traffic flow comes first over appearance. An example of a terrible drive through is Starbucks off Vandiver. It's not easily able to walk to, but I think my biggest issue is that the drive through lane traps in parking spots that are close to the building, essentially boxing in anyone who is parked so they can't get out. Those parking spaces are a waste because no one can park there and get out when needed.
I think that drive throughs should be required to include a pedestrian walk-up option so that those on foot or bicycle can also have the convenience of ordering from an outdoor window. Safety of pedestrians should be a consideration in the design.
If a drive through near a residential property there should be a barrier fence/concrete wall placed similar those used on major highways to block the "Noise" from emitting into the existing neighborhood. This barrier should be aesthetical in it's looks and not a trashy wood fence! Additional, any new drive thru's should be limited to one lane only to cut back on the loud cars idling their cars waiting for their food or a sign be placed at beginning of drive thru " no racing of engines while waiting for food will not be tolerated" . Parking lot should be able to accommodate large line than home spaces being affected. Entrance and exit should be at front entrance and NOT in development on side of business!
Comments that are generally not supportive of the proposed text amendment
This doesn't seem like a very informative/useful survey. This looks like the writer is trying to make drive throughs so restrictive that they become illegal without actually being illegal. Yes the Scooter's example looks nice. I don't see a problem with the McDonalds example. The Culver's example looks nice, but unnecessary and also may provide a safety issue as it appears to hinder visibility of the drivers and drive through workers. Will the City be liable if a pedestrian gets hit by a car or a robber kills a cahier? I truly do not understand the point of this survey. There isn't even a "solution in search of a problem."
Comments that include both supportive and not supportive responses, or are not specific

Drive-through regulations survey

The City of Columbia's Planning and Zoning Commission is seeking input from the public regarding proposed changes to drive-through regulations. Please complete the survey to share your viewpoint. If you would like additional information on the proposed changes, please see the links below to download a report and the actual text that is being proposed. The discussion involving drive-throughs begins halfway down on page 2 of the report. This survey will close on **February 22 at 5:00 p.m.**

A public hearing for the proposed changes will be scheduled for February 23, 2023. In addition to completing this survey, you may attend the public hearing to provide comments directly to the Commission. You may also submit written questions or comments to the project manager, Clint Smith, at the offices of the City's Planning Division at clinton.smith@como.gov.

[Click here](#) to download the report that explains the proposed changes in more detail.

[Click here](#) to download the actual text amendments.

* Required

1. I am a (select all that apply) *

Check all that apply.

- ☐ Resident
- ☐ Member of a Neighborhood or Homeowner Association Board
- ☐ Business Owner
- ☐ Other

2. Do you live next to a business that includes a drive-through? *

Mark only one oval.

- ☐ Yes
- ☐ No

3. Are you OK with cars in drive-through lanes occasionally blocking parking spaces? *

Mark only one oval.

- ☐ Yes
- ☐ No
- ☐ Undecided

Skip to question 4

Drive-through provisions

In 2017, the City changed its development code to prevent new drive-through windows on the side of a building that faces a public street. The goal is to make buildings more attractive when viewed from public streets and sidewalks by encouraging storefronts with windows and doors that allow pedestrians to view inside, and generally create engaging places. The sides of buildings with drive-through windows typically have more blank walls with fewer windows and entrances, and include cars lining up across that side of the building. Below are some examples of how a drive-through could look when viewed from the street and sidewalk. The first example is a storefront that our current rules would allow. The second example shows a storefront allowed under the previous rules. The third shows what a potential change to the rule would also allow.

4. This is the current requirement: *



Mark only one oval.

- ☐ This looks nice. Keep doing this.
- ☐ This doesn't look nice.
- ☐ No opinion.

5. This design was allowed under the previous rules, but is no longer allowed. The drive-through window * faces the street:



Mark only one oval.

- ☐ This doesn't look nice. Keep prohibiting this.
- ☐ This is fine. Change the requirement to allow this again.
- ☐ No opinion.

6. This is a proposed change to the current regulations. The drive-through window would be allowed to face the street, but would be required to be screened by something similar to the wall shown in the picture below. The following example is the Culver's restaurant located at 2010 Bernadette Drive. This option could grant businesses with drive-throughs more flexibility in their building design by allowing drive-through windows to face streets, but may still result in a less attractive business front. *



Mark only one oval.

- ☐ This looks nice. Allow this change.
- ☐ This doesn't look nice. Keep prohibiting this.
- ☐ No opinion.

7. Do you support adding the following new conditions for drive-throughs, if they are located near a residential area, to prevent possible negative impacts such as noise from speakers and idling cars (select all that apply):

*

Check all that apply.

- ☐ Currently, drive-through service windows can face towards residential property. We should prohibit drive-through service windows from facing residential property.
- ☐ Currently drive-through lanes and menu boards can be as close as 10 feet to a residential property. The distance should be increased to 50 feet.
- ☐ Require that internal pedestrian crosswalks (sidewalks and striping) be provided from a public sidewalk to the building to make it safer and easier for nearby residents to walk into the business. This is not currently required.
- ☐ Require that the design of the building and drive-through be compatible with the architectural character and style of nearby properties.
- ☐ No opinion.

8. Please provide any additional feedback on drive-throughs below.

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