

October 3, 2019

**CHAIR AND PLANNING COMMISSIONERS**

City of Long Beach

California

**RECOMMENDATION:**

Find that the environmental impacts of the Drive-Through Urban Design Guidelines were assessed in the previously adopted Negative Declaration, ND 03-19, in accordance with the California Environmental Quality Act (CEQA), and that no further environmental analysis is required and adopt Drive-Through Design Guidelines, in accordance with Section 1002(f) of Article X of the City Charter.

**APPLICANT:** City of Long Beach  
Development Services Department  
411 W. Ocean Blvd., 3<sup>rd</sup> Floor  
Long Beach, CA 90802  
(Application No. 1902-19)

**THE REQUEST**

Pursuant to Section 1002(f) of Article X of the City Charter, the Development Services Department requests that the Planning Commission adopt the proposed Drive-Through Design Guidelines. The design guidelines are a follow-up to and will help implement the Drive-Through Zoning Code Amendment adopted by City Council on July 16, 2019.

**PROJECT OVERVIEW**

In response to concerns raised in the community regarding drive-through establishments, including their concentration in particular areas of the City, staff was directed to update the Zoning Code to better regulate the siting of drive-through facilities and to improve the design of such facilities, when the use is proposed at sites that meet new locational criteria. The new regulations and the proposed design guidelines are intended to work in tandem to ensure future drive-through establishments are appropriately located, well designed, and minimize impacts to surrounding uses. The proposed design guidelines are consistent with the July 16, 2019, City Council action to adopt the Drive-Through Zoning Code Amendment (ZCA); reflect community feedback; and implement General Plan policies.



## **BACKGROUND**

On March 21, 2019, the Planning Commission approved and recommended that the City Council adopt zoning code amendments to establish a definition for drive-through facilities, require Conditional Use Permits (CUPs) for all new and expansions of existing drive-throughs and adopt new findings (Exhibit A – CUP Findings) that allow for consideration of the potential negative noise, traffic, air quality, and safety impacts associated with drive-throughs. On July 16, 2019, the City Council held a public hearing on the code amendment for drive-through facilities, adopted an ordinance amending the regulations pertaining to drive-through facilities, and instructed staff to prepare and present to Planning Commission the proposed drive-through design guidelines (Exhibit B – Proposed Design Guidelines) that will be applicable to new and expansions of existing drive-through facilities. The ordinance became effective on August 23, 2019. As a final step to implementing this new regulation, Planning Bureau staff has prepared the attached Proposed Design Guidelines for approval by the Planning Commission, consistent with the recent City Council Action.

The new regulations and Proposed Design Guidelines will give the City greater discretion through the Conditional Use Permit (CUP) process to deny new or expansions of existing drive-through establishments on sites located on major mixed-use corridors better suited for uses that further the City's housing and economic development goals. By contrast, the code regulations guide drive-through establishments to more appropriate locations such as in shopping centers and on freeway-adjacent lots. Drive-through establishments will need to meet a set of comprehensive criteria, which relate to consideration of design; suitability of the location; the opportunity costs or trade-offs of allowing the drive-through use; buffers for sensitive uses; compatibility of a proposed drive-through facility with surrounding existing land uses, as well as overconcentration in an area. These criteria are outlined in the findings which must be met in order for the Planning Commission to grant the Conditional Use Permit (CUP) needed to establish a drive-through facility. If the new CUP findings can affirmatively be made, it will ensure that the use is appropriate to both the site and surroundings.

## **PROPOSED DRIVE-THROUGH DESIGN GUIDELINES**

As part of the new regulations governing drive-through facilities, the new required findings reference conformance to the Proposed Design Guidelines. The Proposed Design Guidelines will provide the Planning Commission with additional tools to ensure that in situations where the findings can be made for approval of a drive-through facility, the drive-through facility incorporates site planning principles and building design that improve the orientation of the drive-through facility to the street; minimize pedestrian-vehicular conflict; and incorporate landscaping, buffering, screening and other design features that minimize their visual impact as well as other potential noise, air quality, and traffic impacts on neighboring uses. Over the last several months, Staff has worked with

a consultant to prepare the Proposed Design Guidelines for consideration by the Planning Commission for review and approval.

### **PURPOSE AND APPLICABILITY OF DESIGN GUIDELINES**

The Proposed Design Guidelines aim to guide applicants, business owners, and designers to design drive-through facilities that address impacts typically associated with drive-through facilities and promote design that is accessible to pedestrians and bicyclists, and not just automobile users. The drive-through ZCA process and the extensive public outreach associated with the process guided the development of the following goals for the Guidelines.

### **GOALS**

- Ensure the health, safety and welfare of residents and visitors by promoting designs that can be beneficial to everyone, not just automobile users;
- Reduce negative impacts associated with drive-through facilities, including:
  - Air quality
  - Traffic circulation
  - Noise pollution
  - Light pollution
  - Parking
  - "Food Swamps"
- Promote compatible development within the site and with surrounding existing uses;
- Align uses on major corridors and in transit areas with the City's broader housing and economic development goals;
- Direct drive-through uses to more suitable locations such as shopping centers and freeway-adjacent lots;
- Provide visible, clearly defined, safe and accessible routes for pedestrians and bicyclists;
- Enhance outdoor dining areas with pedestrian-scale amenities, furnishings, and landscaping;
- Locate drive-through facilities away from schools; and
- Encourage equitable distribution of healthy foods.

The guidelines apply to new and expansions of existing drive-through facilities. Once an applicant has identified an appropriate location for a drive-through facility, the design guidelines provide guidance on how the building, parking areas, driveways, drive-through lanes, and other features of the site, such as outdoor dining areas and walk-up windows, can be organized on the site as well as on the design of buildings and a variety of building elements.

The Guidelines are organized by various overarching design categories, including Site Planning; Building Design; Outdoor Dining; Parking and Circulation; On-Site

Landscaping and Buffers; Off-site Improvements; Mechanical Equipment, Servicing, and Utilities; and Lighting and contain site planning diagrams and images that further illustrate the design goals for each section and the key features that help achieve the goals. Altogether, the various overarching design categories work symbiotically, resulting in several co-benefits across the different design categories. Following is an overview of the guidelines by category:

### SITE PLANNING

Site planning relates to the placement of buildings, parking areas, and landscaping and buffers on a subject site and the relationship such spaces and structures have with each other, as well as their orientation to the street and adjacent uses. Site design includes amenities and features that accommodate pedestrians and bicyclists. Appropriate site design allows for the safe, comfortable, and predictable circulation of pedestrian and bicyclists along paths that are distinct and separate from vehicular parking, driveways, and drive-through stacking lanes.

When a site is planned well with design best practices in mind, the relationship of site elements can result in projects that are more comfortable and safer for pedestrians and compatible with surrounding uses. Best practices in site design stress the placement of buildings and outdoor dining and seating areas that are oriented toward and are directly accessible from the street as a means of contributing to the pedestrian environment. In order to ensure compatibility between uses, the menu board speaker for a drive-through facility, for example, should be oriented and directed away from residential uses. Landscaping along the perimeter of a site can also serve to buffer adjacent uses and help reduce noise and visual impacts associated with drive-through facilities. Ultimately, the arrangement of site features can either enhance or degrade an individual's experience and desire to frequent a business.

The image below shows a prototypical site plan diagram for a drive-through facility on a building pad located at the front of a large commercial center or mall (Exhibit B – Proposed Guidelines, page 21) that illustrates key site planning concepts, such as: locating the building at the street edge, with entrances and amenities accessible from the public sidewalk; a walk-up window accessible from the sidewalk; outdoor dining to further activate the street; a raised pedestrian crossing to promote safety; and landscape buffers for screening.





## BUILDING DESIGN

The guidelines provide direction for Building Design. The guidelines encourage building forms and façades that foster cohesiveness and comfort, generate pedestrian activity, increase a sense of safety, and are aesthetically pleasing. Specific topics covered in this category include Building Entry, Building Articulation, Building Treatments, and Pedestrian Features. Entries of a building should be prominent and accessed directly from the sidewalk, blank walls should be softened with trellises or green screens, and walk-up windows should be designed with a roof overhang to offer pedestrians protection from weather elements. When these features are incorporated in drive-through establishments, buildings are more welcoming to passers-by and better contribute to a lively public realm.





## OUTDOOR DINING AREAS

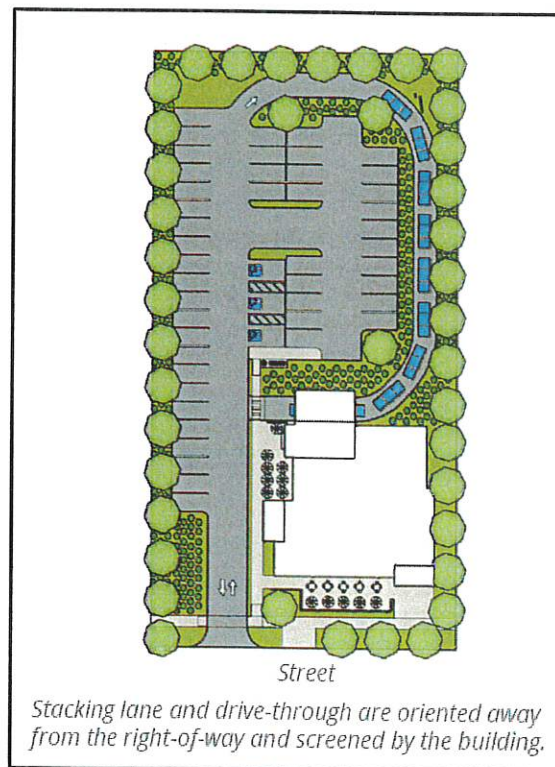
In striving to make drive-through facilities more accessible to pedestrians and bicyclists, and not simply motorists, the design guidelines encourage outdoor dining areas. Outdoor dining activates streets by dedicating areas on site for people to gather, dine, and rest and ultimately, serves as an amenity to promote pedestrian use. Outdoor dining areas work in concert with other guidelines that stress these areas to be located near the building entry and easily accessed from the public sidewalk. Additional features that can further activate the street frontage include courtyards, plazas, usable landscaped areas, seating, trash cans, bicycle racks, and elements that offer weather protection (canopies, awnings, etc.).





### PARKING AND CIRCULATION

Typically, parking and circulation visually dominate sites with drive-through facilities and deter pedestrians and bicyclists. Furthermore, unless designed properly, on-site circulation has the potential to spill onto nearby street intersections and the public rights-of-way, causing traffic and potential safety impacts. Parking and circulation areas, however, can be designed to be safer and in a manner that minimizes impacts to adjacent uses and the public rights-of-way by discouraging double-stacked drive aisles and ensuring that these areas are oriented away from the right-of-way and located as far away as possible from street intersections to allow adequate stacking room. Additionally, pedestrian pathways should be separated from vehicular circulation to minimize vehicle-pedestrian conflicts.



### ON-SITE LANDSCAPING AND BUFFERS

Landscaping on drive-through sites provides a number of aesthetic and environmental benefits. Landscaping can be used to provide visual relief and shade; screen parking, driveway, drive-through stacking lanes, and utility structures; and buffer the drive-through facility from adjacent uses. Accent landscaping should be used to enhance building and site entries; parking lots should include trees that reduce the heat island



effect; and permeable materials and vegetated areas can aid in minimizing storm water and non-storm water runoff from the site.

### **OTHER CONSIDERATIONS**

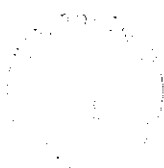
Other design categories the Proposed Design Guidelines address include off-site improvements, which speak to providing street trees along the public right-of-way and coordinating with the Department of Public Works on all off-site improvements needed for compliance with American with Disabilities Act (ADA) accessibility requirements. The Proposed Design Guidelines identify strategies for how to best design and appropriately locate utility equipment and trash enclosures, as well as the screening of such service areas. Lastly, they include lighting guidelines, which stresses minimizing light spillage by shielding lights from adjacent properties and ensuring safety through the use of architecturally compatible lighting between buildings and along pedestrian walkways.

### **IMPLEMENTATION OF THE DESIGN GUIDELINES**

The code amendment which has been in effect since August 23, 2019 requires all new and expansions of existing drive-through facilities to obtain a CUP. The code amendment instituted a number of findings which serve as criteria to determine the suitability of the site for a drive-through use. Among the eight findings that must be made to support approval, there is a finding that drive-through facilities “substantially conform” with the purpose, intent and provisions of applicable design guidelines, in addition to requiring conformance with the General Plan, applicable Specific Plan or Planned Development District, overlay zones or other applicable regulation. Once a determination has been made about the suitability of the use at a location, staff will use the design guidelines to give feedback to applicants on how to improve site plans and building design of projects that include drive-through facilities. Projects conditions will include applicable site planning and building design features that ensure compliance with the applicable design guidelines, as part of the CUP process. Planning Commission considers staff recommendations and ultimately approves CUPs, per Zoning Code procedures. In its decision-making role, Planning Commission can modify or add to staff-recommended conditions, as appropriate, to ensure substantial conformance with the Design Guidelines. The Planning Commission decision is final unless appealed to the City Council.

### **DISSEMINATION OF THE DESIGN GUIDELINES**

Upon adoption, the Design Guidelines will be widely publicized and circulated. In the short term, Staff will take the following steps to disseminate information about the Design Guidelines:





- A targeted email will be sent to recent drive-through applicants; community members and organizations who actively participated in the process; and land use and design professionals who advise applicants;
- The final Design Guidelines will be posted on the websites of the Departments of Development Services and Economic Development
- A LinkLB email blast will be sent to Citywide stakeholders notifying them of the availability of the final document.
- A link to the Design Guidelines will be shared with the Long Beach Council of Business Associations (COBA) for linking to their "Doing Business in Long Beach" web page.

Over the longer term and with additional resources, the Design Guidelines will be printed in booklet format and provided upon request to local design professionals, land use consulting firms, business associations and community-based organizations and a one-sheet guide or informational brochure will also be prepared for public distribution.

### **PUBLIC REVIEW**

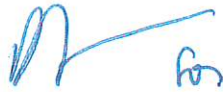
On September 13, 2019, the Proposed Design Guidelines were released to the public for review on the City's website and through a Link LB Blast for a public review period from September 13, 2019 – September 25, 2019. An email with the design guidelines attached was also sent to stakeholder group members (industry representatives and community members). At the time of publication of this report, approximately five members of the public provided feedback (Exhibit D – Public Comments). The comments range from support for the guidelines to detailed suggestions to clarify specific guidelines and revise the document's graphics. One commenter characterized the design guidelines as forward-thinking and noted that they prioritize safety and aesthetics and represent a good attempt on the part of the City to improve the built environment for pedestrians, cyclists, strollers and people with disabilities. Another commenter remarked that flowering trees and plants should not be located near the menu board, as they attract bees to which some people have severe allergic reactions. Another commenter noted that drive-throughs should not be allowed at all, and that the guidelines do not ensure that drive-throughs will not be further concentrated in low-income communities. One comment letter noted that as long as drive-through traffic did not back up onto adjacent public streets, they are fine and that proposed design guidelines propose too many guidelines that may discourage business. Finally, another letter outlined several suggestions for how the design guidelines and some of the document's graphics could be improved or clarified. Those suggestions include proposals that staff consider including photos that provide examples of better design; that the guidelines include more quantifiable design guidance for elements such as number of trees per parking stalls, minimum square footage for landscape buffers and

maximum curb-cuts; that they include requirements for traffic studies to ensure queuing does not overflow on to adjacent streets; that a clearer explanation of opportunity cost be incorporated; and that standards for appropriate or minimum on-site turning radii, among others suggestions.

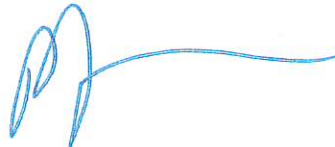
**RECOMMENDATION**

Staff recommends that the Planning Commission adopt the Drive-Through Design Guidelines and find that the environmental impacts of the proposed guidelines were assessed in the previously adopted Negative Declaration, ND 03-19, in accordance with the California Environmental Quality Act (CEQA), and that no further environmental analysis is required.

Respectfully submitted,




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Attachments: Exhibit A – CUP Findings  
Exhibit B – Proposed Design Guidelines  
Exhibit C – Design Guidelines Findings  
Exhibit D – Public Comments