

**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

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| DRC Date: January 29, 2026 | Level of Review: Level 4 Review |
| PC Date: February 4, 2026 | Type: LDC Text Amendment |
| BoCC Date: March 3, 2026 | Case Numbers: LDCT-2025-27 |
| March 17, 2026 | Case Name: Drive-Thru Facilities |
| Applicant: Polk County | Case Planner: Ian Nance |

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| Request: | A County-initiated LDC Text Amendment to multiple sections of the Code to move Drive-Thru Facilities to Section 206, Accessory Uses; Remove Drive-Thru Financial Institutions from the Code; and provide definitions for Drive-Thru Bypass Lane and Drive-Thru Facilities. |
| DRC Recommendation: | Approval |
| Planning Commission Vote: | Approve 7-0 |

Among the changes to Section 205, Use Table:

- Remove “Drive-Thru Financial Institutions” from the Use Table.

Among the changes to Section 206, Accessory Use:

- Add Section 206.T “Drive-Thru Facilities” as an accessory use and provide conditions.

Among the changes to Section 303, Criteria for Conditional Uses:

- Remove “Drive-Thru Financial Institutions” from the Use Table.
- Incorporate language from “Drive-Thru Facilities” regarding stacking and bypass lanes into “Drive-Thru Restaurant” criteria.

Among the Changes to Chapter 4, Special Districts:

- I-4 Selected Area Plan (SAP) – Remove “Drive-Thru Financial Institutions” from the Use Table.
- Ronald Reagan SAP – Remove “Drive-Thru Financial Institutions” from the Use Table.
- US 27 SAP – Remove “Drive-Thru Financial Institutions” from the Use Table.
- US 98 SAP - Remove “Drive-Thru Financial Institutions” from the Use Table and Conditional Use requirements.

- SR 559 SAP - Remove “Drive-Thru Financial Institutions” from the Use Table and Conditional Use requirements.
- North Ridge SAP – Remove “Drive-Thru Financial Institutions” from the Use Table and Conditional Use requirements.
- Brewster SAP - Remove “Drive-Thru Financial Institutions” from the Use Table.
- Southeast Polk SAP - Remove “Drive-Thru Financial Institutions” from the Use Table and Conditional Use requirements.
- Grenelefe Utility Enclave Area - Remove “Drive-Thru Financial Institutions” from the Use Table.
- Wahneta Neighborhood Plan - Remove “Drive-Thru Financial Institutions” from the Use Table.

Among the Changes to Chapter 5, Green Swamp ACSC:

- Remove “Drive-Thru Financial Institutions” from the Use Table.

Among the Changes to Chapter 7 Parking Space Requirements:

- Remove “Drive-Thru Financial Institutions” from the Table 7/10.

Among the Changes to Chapter 10, Definitions:

- Adding definition for “Drive-Thru Bypass Lane.”
- Adding definition for ‘Drive-Thru Facility”

Summary:

Land Development Code (LDC) policies for Drive-Thru Facilities and related uses are confusing to staff and applicants. For example, numerous applicants for drive-thru restaurant facilities in recent years have submitted site plans to the Development Review Committee (DRC) based on LDC Section 303 criteria for Drive-Thru Restaurants not realizing they also needed to meet criteria in Section 303 for Drive-Thru Facilities, a use that is regarded by that section as a primary use but is not listed in any Use Table. The chief issue here is that the restaurant’s criteria do not explicitly require a 10-foot bypass lane that the Drive-Thru Facilities standards mandate, so site designers are often caught off-guard when reviewers inform them that this extra lane is needed, and a revision to the site plan is necessary. This becomes problematic when space onsite is limited.

This amendment will add the bypass lane language into the conditional use standards for Drive-Thru Restaurants to avoid future confusion. Drive-Thru Facilities will be migrated from Section 303 and into Section 206 for Accessory Uses, where it rightly belongs. It will then be in effect for

any business that uses a drive-thru including pharmacies and banks. With this amendment, too, Drive-Thru Financial Institutions will be removed from the LDC. No standards exist in the LDC for banks, whether there is a drive-thru or not, and the levels of review for Financial Institutions and Drive-Thru Institutions are mostly identical. Staff will consider the merit of a future text amendment for providing standards for banks, or whether they should be incorporated into another use such as Office.

The result of this amendment is to properly assign drive-thru facilities within the correct section of the LDC, while providing easier guidance to applicants and staff when designing and reviewing drive-thru restaurants.

Relevant Sections, Policies, and/or Regulations to Consider:

LDC Table 2.1 Use Table

LDC Section 206 Accessory Uses

LDC Section 303 Conditional Use Criteria

LDC Chapter 4 Special Districts Use Tables

LDC Chapter 5 Green Swamp Area of Critical State Concern

LDC Section 708 Parking Space Requirements

LDC Chapter 10 Definitions

Findings of Fact

- *A County-initiated LDC Text Amendment to multiple sections of the Code to move Drive-Thru Facilities to LDC Section 206, Accessory Uses; Remove Drive-Thru Financial Institutions from the Code; and provide definitions for Drive-Thru Bypass Lane and Drive-Thru Facilities.*
- *“Drive-Thru Facility” is not defined in the LDC or Comprehensive Plan.*
- *LDC Chapter 10 defines FINANCIAL INSTITUTION, DRIVE-THRU as, “Institutions engaged in banking operations as defined in FINANCIAL INSTITUTION, but with the additional incorporation of an automobile drive up (or through) banking window (or windows), drive through teller or lanes, or a drive up automobile accessible Automatic Teller Machine (ATM), or any combination thereof. A Financial Institution drive through may or may not incorporate extended or weekend hours but typically generates considerable additional impacts on surrounding land uses due to the increased amount of automotive traffic using the facility.”*
- *LDC Chapter 10 defines RESTAURANT, DRIVE-THRU/DRIVE-IN as, “An establishment whose principal business is the sale of food and beverages in a ready to consume state for consumption either on or off-site, and which includes a drive-through or drive up window, where the patron does not have to leave their automobile to purchase said food items.”*

- *LDC Section 912 allows any property owner, BoCC, or agency to apply to the Department to amend the text of this Code, the text of the Comprehensive Plan, or the Future Land Use Map Series (FLUMS) in compliance with procedures prescribed by the Department.*
- *This application has been reviewed for consistency with applicable Comprehensive Plan and LDC policies.*

The Land Development Division, based on the information provided with the proposed text amendment application, finds that the proposed text change request is **CONSISTENT** with the Polk County Land Development Code and the Polk County Comprehensive Plan. Staff recommends **Approval of LDCT-2025-27**.

Analysis:

Drive-thru facilities are accessory structures to banks, pharmacies, liquor stores, dry cleaners, car washes, and restaurants. These are a convenience designed primarily to deliver goods and services to customers in a timely manner while people remain in their vehicles. The development guidelines for these facilities have been incorrectly located within LDC Section 303 where the County provides conditional use criteria for primary uses. Drive-thru facilities are not listed within any Use Table.

When applicants review a Use Table for Drive-Thru Restaurants, they refer to Section 303 for the standards and design a site plan without realizing that the conditions for Drive-Thru Facilities also apply. One key difference between the standards is the provision of a bypass lane, which is lacking under the list of criteria for restaurants. A bypass lane is required for safety purposes, enabling quick exits for emergencies, and are distinct from the main ordering lane.

Without receiving guidance from staff and when dealing with a constrained site, if each standard has not been accounted for, it causes a costly re-design of the site plan. The remedy proposed here is to add the bypass lane language to Drive-Thru Restaurant criteria. Drive-Thru Facilities will then be moved to Accessory Uses. While drive-thrus are accessory, with some restaurants – including smaller coffee and ice cream shops – it is the feature. These are often intense uses, generating more traffic than a traditional sit-down restaurant. As such, Drive-Thru Restaurants will remain listed as a primary use in the LDC.

Staff is, however, eliminating Drive-Thru Financial Institutions from the LDC with this amendment as the first step in a larger review of how the Code applies to banks, offices, and other professional establishments. In the case of banks, their traffic has declined in recent years as people have adopted the use of digital deposits and transfers. The use of cash has declined, and ATMs, which require little labor, efficiently provide money to those who want it. Besides this, aside from a couple of SAPs, the LDC has no conditional use criteria to review for any Financial Institution, and the levels of review within the Use Tables for those with and without a drive-thru are practically the same. This move will streamline the LDC, and any banks that want a drive-thru in the future will follow the accessory drive-thru standards.

In summary, this amendment is intended to better organize drive-thru uses and their conditions in the LDC.

Benefit-cost Analysis of the Amendment

Who does it help?

This amendment will aid staff and applicants in knowing which standards apply for drive-thru uses, especially restaurants that had previously had to abide by two sets of standards within the Code.

Who does it hurt?

No harm is anticipated, though the possibility remains that a bank or other use wanting a drive-thru might not refer to Section 206 for standards prior to designing a site. However, the County makes available multiple opportunities to have site plans and applications reviewed prior to a Level 2 Review submission, including Pre-Application hearing with DRC, consultations with Planner on Call, and Pre-Design Meetings with multiple County staff members.

What is the cost?

Staff finds there should be no fiscal impacts with this amendment. It is reconfiguring standards already applicable by Code.

Limits of the Proposed Ordinance

This amendment applies to Future Land Use districts which allow restaurants, banks, and other uses that might require a drive-thru facility within the unincorporated areas of the County, including the Green Swamp Area of Critical State Concern.

The Department of Commerce requires a 45-day review on all policy changes affecting development in the Green Swamp Area of Critical State Concern regardless of whether it has a direct relationship to the primary purpose of the Critical Area, which is aquifer recharge and protection. Therefore, this request will be reviewed by the state prior to becoming effective. Staff believes that this amendment will have no impact on the Critical Area since it does not change the effect of the current code.

Consistency with the Comprehensive Plan & Land Development Code

The request is consistent with the Comprehensive Plan and the Land Development Code. This is reconfiguring standards already applicable in the Code.

Comments from Other Agencies: This text amendment was reviewed by members of the Development Review Committee without further comment.

Draft Ordinance: Under separate attachment .