

ORDINANCE NO. 07-11-2

**MARLBOROUGH TOWNSHIP
Montgomery County, Pennsylvania**

Amendment to the Zoning Ordinance to add Section 838 [Drive-through Standards] to Article VII [General Regulations], providing general standards, locational standards, frontage requirements, Setbacks and criteria for street access, drive-through lanes, lane width, stacking distance.

WHEREAS, the Board of Supervisors ("Board") of the Township of Marlborough is desirous of amending its Zoning Ordinance to ensure the continued protection of the health, safety, and welfare of the Township; and

WHEREAS, the Board wishes to amend its Zoning Ordinance by adding Section 838 [Drive-through Standards] to Article VII [General Regulations], providing general standards, locational standards, frontage requirements, Setbacks and criteria for street access, drive-through lanes, lane width, stacking distance.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Board that the Subdivision and Land Development Ordinance be amended as follows:

SECTION 1. Section 838 [Drive-through Standards] to Article VII [General Regulations] shall be added to Article VII [General Regulations] and will read as follows:

Section 838. Drive-Through Standards. Drive-throughs shall be accessory uses to the principal use and shall be permitted by conditional use pursuant to the standards of Section 815, herein, only in the GC—General Commercial District and pursuant to the standards of Section 1501.B in the VC—Village Commercial District.

A. General Standards.

1. The drive-through facility shall be designed so as not to impede or impair vehicular and pedestrian traffic movement.
2. Drive-throughs located on pad sites in existing shopping centers shall have circulation patterns that are integrated with that of the center.
3. Hours of operation shall be set as a condition of the conditional use permit.

B. Locational Standards.

1. Drive-through uses are not permitted on sites abutting schools, parks, playgrounds, libraries, churches and other public and semi-public uses that have substantial pedestrian traffic without providing proper safety measures and visual buffering.

C. Frontage Requirements. Minimum lot frontage on at least one street shall be 150 feet for all drive-through uses.

D. Setbacks and Landscaping.

1. The drive-through use shall be screened from adjacent residential land uses by screening vegetation.
2. Landscape buffering shall be placed between drive-through lanes and adjacent properties.

E. Street Access.

1. Drive-through uses may abut only arterial streets and access shall not be taken from residential streets.
2. Access must be taken to adjacent lots with nonresidential uses if either lot adjoins the adjacent lot for at least 50 percent of the length of the side of either lot.
3. All driveway entrances and exits must be setback at least 50 feet from an intersection.

F. Drive-Through Lanes.

1. The stacking lanes for drive-through facilities shall not cross or pass through off-street parking areas. Nor shall stacking lanes cross or be crossed by pedestrian access ways.
2. The drive-through lane shall not be the sole ingress and egress to the site.
3. The minimum horizontal radius for curvature of a drive-through lane shall be 18 feet.
4. The length of the drive-through lanes shall be measured along the centerline of the prescribed vehicular path.
5. Drive-through lanes shall be marked by signs which indicate the entrance and exits for the drive-through lane.

G. Lane Width.

1. A by-pass or escape lane of at least 10 feet must be provided for emergency purposes and for ease of circulation.
2. Drive-through lanes are to be separated from parking aisles by painted lines. The lanes and stacking areas shall be a minimum of 12 feet wide.
3. Lane Separation. An onsite circulation pattern is to be provided for drive-through traffic that separates such traffic from that of sit-down or walk-in patrons.

H. Stacking Distance. A stacking area is to be provided for cars waiting for drive-through service which will be no less than 160 feet long. During the conditional use review process, the Board of Supervisors, upon review and recommendation by the Township Engineer, may reduce the required stacking distance if 160 feet of continuous driveway is demonstrated to be unnecessary for the proposed use.

I. Setbacks.

1. Overhead canopies shall be setback 10 feet from any street right-of-way and property line and 20 feet from any residential property line. The total height for any overhead canopy shall not exceed 20 feet.
2. Service areas and stacking lanes must be setback at least 10 feet from all lot lines.
3. Outdoor speaker or menu boards must be setback at least 50 feet from all lot lines.

J. Application Requirements. A traffic impact study shall be submitted to provide information which will be used to determine the necessary stacking area and the impacts of the proposal upon local traffic circulation. The traffic impact study shall address the following issues:

1. Nature of the product or service being offered.
2. Method by which product or service is being offered (e.g., window service or brought to vehicle by employee).
3. Time required to service typical customer.
4. Arrival rate for patrons.
5. Peak demand hour.
6. Anticipated vehicular stacking required.
7. Anticipated traffic generation.

SECTION 2. Repeal and Ratification. All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the ordinances of the Township of Marlborough that are unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. Severability. Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon enactment.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of Marlborough this 14th day of November, 2007.

**BOARD OF SUPERVISORS
MARLBOROUGH TOWNSHIP**



A handwritten signature in cursive script, appearing to read "Carl A. Ascoli".

Carl A. Ascoli, *Chairman*

A handwritten signature in cursive script, appearing to read "Sharon M. Young".

Sharon M. Young, *Vice Chairman*

A handwritten signature in cursive script, appearing to read "Frank T. McCauley, Jr.".

Frank T. McCauley, Jr., *Member*

Attested by:

A handwritten signature in cursive script, appearing to read "Paul A. Williams".

Paul A. Williams, *Secretary*