

DRIVE THRU WINDOWS

Amendment to Ordinance 25-11-14 (added 9-22-2020 by Ordinance 2617-20) Resolution amending the land use chapter regarding "Drive-Thru Windows."

Whereas, drive-thru window restaurants and fast food restaurants increase traffic and congestion, diminish the character of the township, negatively impact foot traffic in and around the establishment, can be a hazard to pedestrians, cyclists and other cars, create air pollution with idling car and truck engines, counter our Township's need to be a destination instead of a pass through community, create single use plastic or paper trash, and contradict the environmental and livability goals of the community; and

Whereas, lawmakers throughout the country have banned new drive-thru restaurants and fast-food restaurants for these, and other, reasons and many of our surrounding municipalities do not allow them;

The following changes shall be made to:

§ 25-11.14 Drive-up Windows.

(added 9-22-2020 by Ord. No 2617-20)

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV LAND USE REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE TO IMPLEMENT RECOMMENDATIONS OF THE MASTER PLAN REEXAMINATION

BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey, as follows:

A drive-up window shall be permitted as an accessory use for banks ~~and, restaurants, fast food restaurants,~~ pharmacies ~~and similar retail uses~~ in the zoning districts in which such uses are permitted and shall meet the following conditions:

- a. Drive-up window stacking lanes shall be separate and distinct from parking lot aisles and driveways by means of defined separation including curbing, landscaping, striping so as to meet the required circulation aisle standards exclusive of the drive-through window lane.
- b. Stacking lanes shall have sufficient length for a minimum of six vehicles in total for restaurants and fast-food restaurants and three vehicles for banks and retail uses. Each lane shall have a minimum width of nine feet.
- c. The entire length of the stacking lane or lanes shall be behind the front yard limit line and shall not block any parking space, aisle, driveway or loading area when the stacking lane is occupied with the maximum number of vehicles.
- d. If multiple stacking lanes are provided for restaurant or fast-food restaurant uses, they shall merge into one drive-up window lane prior to reaching any window or windows. Facilities with separate lanes served by separate windows or transaction portals shall be exempt from this requirement.
- e. The drive-up window stacking lane may end after the last window and merge with the exit driveway of the property.

- f. The drive-up window lane shall not be used as an exit driveway from the property.
- g. The drive-up windows and stacking lane or lanes shall be designed to prevent uncontrolled conflicting movements between any on-site vehicles and pedestrian traffic and shall also be designed to allow safe ingress and egress from the site at all times.
- h. One or more drive-up windows may be used for payment and/or pickup of product; said window or windows shall be an integral part of the principal building.
- i. No drive-up windows shall be permitted in a required yard setback

ADD: j. Existing drive-through fast food and restaurants shall be permitted to remain. (Or similar language that indicates existing Drive-Thru operations are not subject to these changes)