

**CHARTER TOWNSHIP OF MILFORD
DRIVE-THRU ORDINANCE
ORDINANCE NO. 156-A-206**

AN ORDINANCE TO AMEND ARTICLE IV, SUPPLEMENTAL REGULATIONS, OF CHAPTER 32, ZONING, OF THE CODE OF ORDINANCES FOR THE CHARTER TOWNSHIP OF MILFORD, BY ADDING A NEW SECTION 32-613, DRIVE-THRU, DRIVE-UP, CURBSIDE PICK-UP AND WALK-UP STACKING AND CIRCULATION STANDARDS IN ORDER TO ESTABLISH NEW REGULATIONS FOR DRIVE-THRU, DRIVE-UP, CURBSIDE PICK-UP AND WALK-UP FACILITIES WITHIN THE TOWNSHIP.

THE CHARTER TOWNSHIP OF MILFORD ORDAINS:

Section 1. Amendment.

Section 32-613, Drive-Thru, Drive-Up, Curbside Pick-Up and Walk-Up Stacking and Circulation Standards, shall be added to Article IV, Supplemental Regulations, of Chapter 32, Zoning, of the Code of Ordinances for the Charter Township of Milford, which shall read as follows:

Sec. 32-613. Drive-Thru, Drive-Up, Curbside Pick-Up and Walk-Up Stacking and Circulation Standards.

(1) Drive-Thru and Drive-Up Use Standards.

a. All drive-thru, drive-up, walk-up uses shall be accessory to principal permitted uses such as bank, pharmacy, dry cleaner, or restaurant use located within a building on the same property.

b. All drive-in businesses with a drive-thru or drive-up service facility shall meet the standards of Section 32-613.

c. No more than one drive-thru/drive-up use shall be permitted per each building.

d. Drive-thru and drive-up service shall be permitted only if the facility is located to create a satisfactory traffic pattern for the drive-thru lane in order to prevent traffic congestion and the impairment of vehicular circulation for the site. Vehicle stacking lanes shall conform with the provisions listed in this section.

e. All Drive-thru and Drive-up uses are subject to special approval subject to the requirements of Sections 32-35 and 32-586.

- f. Drive-thru and Drive-up Design and operation standards.
 - i. Drive-thru / drive-up lanes shall have a minimum width of ten (10) feet.
 - ii. Drive thru / drive-up stacking spaces shall have a minimum length of nineteen (19) feet.
 - iii. Drive-thru and drive-up lanes shall have a minimum inside curb radius of fifteen (15) feet.
 - iv. Drive-thru and drive-up window lanes and stacking spaces shall be setback from all property lines a distance equivalent to the minimum setback required for parking lots as specified for each district. In no case shall the setback be less than ten (10) feet. The setback area shall be landscaped in a manner consistent with the applicable parking lot setback landscaping requirements.
 - v. Drive-thru /drive-up lanes shall be striped, marked, or otherwise distinctly delineated.
 - vi. Drive-thru / drive-up lanes shall be separated from internal circulation routes and lanes necessary for ingress to and/or egress from the property.
 - vii. Drive-thru and drive-up lanes shall not utilize any space which is necessary for adequate access to parking spaces to/from internal maneuvering lanes.
 - viii. When the direction of traffic in an adjacent lane or aisle is opposite the direction of the drive-thru lane or when the adjacent aisle is used to access parking spaces, the required separation shall be provided using a landscaped island, sidewalk or any other similar barrier, as determined by the planning commission. In no case shall this barrier be less than five (5) feet wide. Any island that is within one hundred (100) feet of the front façade of the building shall be landscaped. A landscaped island shall be at least fifty (50) feet in length. See images below.

In this example, there are four stacking spaces required because the window is pick-up only. All food must be pre-ordered online or by phone.

Landscaped island required to separate drive-through lane from aisle that provides access to parking spaces. Landscaping of the island is required when it is located within 100 feet of front façade.



In this example, there are nine stacking spaces required because the window is fast food with ordering and pickup.

This section of island can be concrete because it's in a rear yard.

Landscaped island required to separate drive-through lane from aisle that provides access to parking spaces. Landscaping of the island is required when 1) it is located within 100 feet of front façade and 2) it is in an exterior side yard



- ix. Drive-thru and drive-up facilities that exceed eight (8) stacking spaces in length shall provide one of the following, unless otherwise determined by the Township's Fire Marshal: One (1) bypass lane to allow unobstructed travel for vehicles to pass those waiting to be served or at least one (1) bailout location approximately midway along the stacking area that connects to a parking aisle or internal road. If a bypass lane is provided it shall be a minimum of eleven (11) feet in width, unless a wider dimension is required by the Fire Marshal.
- x. Drive-thru and drive-up lighting, menu boards and speaker boxes shall be aimed away from residentially zoned property and any lot that has residential or lodging uses so that light and sound from these devices is not discernable on these adjacent or nearby properties.
- xi. Enhanced pedestrian pavement markings and signage between the public sidewalks and the internal pedestrian circulation system are required to alert drivers to the presence of pedestrians within a site. Clear delineation of pedestrian crossings shall be provided in the form of textured concrete or asphalt, striping or other method that clearly draws attention.

- g. Drive-thru and Drive-up window Stacking (queuing) standards.
 - i. All vehicle stacking shall be accommodated and contained on site. Vehicle stacking is prohibited between a building and the front lot line, and no related service window shall face a front lot line. When calculating the number of vehicle stacking spaces on site to meet the standards in Section 32-613, no stacking space area shall extend into any portion of a front yard. In the case of corner lots, if any stacking area is visible from the street abutting the exterior side yard, it shall be buffered with an adjacent landscaped island containing a continuous hedgerow or similar natural vegetative screening that is maintained to be no less than two and a half (2.5) feet and no more than three (3) feet high.
 - ii. Drive-thru lanes shall have a minimum stacking space per lane in accordance with the standards below. Stacking spaces are inclusive of a vehicle being served.
 - iii. In the event that the demand for a drive-thru or drive-up window exceeds the designated stacking lane capacity, the facility shall make adjustments to operations to reduce the stacking area so that it no longer exceeds capacity.
 - iv. Minimum stacking requirements for other uses not described in the table below shall be subject to determination by Planning Commission. In such event, the Planning Commission may request a stacking study or a traffic study to ensure safe circulation within the site and onto public roadways.

Drive-thru and Drive-up window Stacking (queuing) standards	
Type of Facility	Minimum Stacking Requirements
Drive-up window only (retail and restaurants).	When a single window is used for pick-up of food or merchandise only, and no ordering taking place at any window, a minimum stacking area of four (4) total vehicles shall be required, inclusive of the vehicle at the drive-up window.
Fast food restaurant with drive-thru service.	Nine (9) total vehicles, with at least five (5) in advance of ordering board. Multiple lanes for ordering may be used to serve one window.
Fast food drive-thru service only restaurant (seating for 10 or fewer people).	Twelve (12) total vehicles, with at least eight (8) in advance of ordering board. Multiple lanes for ordering may be used to serve one pick up - window.
Type of Facility	Minimum Stacking Requirements
Coffee shop drive-thru service.	Fourteen (14) total vehicles, with at least ten (10) in advance of ordering board. Multiple lanes for ordering may be used to serve one window.
Pharmacy pick-up service window.	Four (4) total vehicles.

Financial institution pick-up service window.	Three (3) total vehicles.
Coin-operated, enclosed self-service or other manual vehicle wash.	Four (4) vehicles and two (2) vehicles beyond the wash area for drying
Tunnel car wash	Twenty (20) vehicles prior to the tunnel (may be in multiple lanes) and two (2) vehicles beyond tunnel.
All car wash uses shall be designed and operated to prevent undue amounts of water from collecting on a public street and creating a traffic hazard	

(2) Walk-Up Window and Operation Standards.

a. All walk-up uses shall be accessory to principal permitted uses such as pharmacy, dry cleaner, or restaurant use located within a building on the same property.

b. All walk-up uses shall be accessory to primary uses such as pharmacy, dry cleaner, or restaurant use located within a building on the same property.

c. If the walk-up window is proposed as part of a site plan application, it shall require site plan review and approval in accordance with Section 32-586. If such use is proposed to be added for an existing business, a plan providing sufficient information to determine compliance with this section shall be submitted for review and approval by the Building Official.

d. A walk-up window for ordering and/or pickup of small merchandise, food, beverage and similar operations may be permitted may be located on any building façade subject to the standards in this ordinance. If located on a street-facing façade or façade facing a residential district, the use of internally illuminated and /or electronic ordering boards and similar devices visible from any property line shall be prohibited.

e. A walk-up window shall have a designated area for pedestrians to stack (queue) that does not impede the flow of pedestrian traffic on the site.

f. The uses of speakers or other amplified sound at a window shall not be discernable at any property line.

g. In the event that the demand for a walk-up window exceeds the designated stacking area capacity, the facility shall make adjustments to operations reduce the stacking area so that it no longer exceeds capacity.

(3) Curbside Pick-up Parking and Operation Standards.

a. Curbside pickup parking shall be accessory to principal permitted uses such as pharmacy, dry cleaner, retail or restaurant use located within a building on the same property.

b. If curbside pick-up parking is proposed as part of a site plan application, it shall require site plan review and approval in accordance with Section 32-586. If such use is proposed to be added for an existing business, a plan providing sufficient information to determine compliance with this section shall be submitted for review and approval by the Building Official.

c. Curbside pick-up spaces shall be permitted anywhere within an off-street parking area that a standard parking space is permitted, provided all standards pertaining to off-street parking spaces and to off-street parking areas from Article IV, off-street parking and loading are met.

d. All spaces shall be clearly marked with a different colored striping to differentiate from regular parking spaces.

e. Curbside pick-up spaces shall meet all dimensional requirements and design and Construction Standards of a standard parking space per Article IV, off-street parking and loading, including length and width.

f. Each curbside pick-up space shall be identified with a standard “Curb-Side Pickup” sign. All identification signs shall meet the same standards relative to installation, location, height, and size as barrier-free parking signs; Alternate location, sign and sign may be approved by the Township Board upon Planning Commission recommendation, provided they are compatible with surrounding architecture and signage.

g. The number of curb-side pick-up parking spaces may be counted towards minimum required parking spaces for the development. In the event, a shared parking agreement exists for the development, all users of the agreement shall approve the conversion of regular parking to designated curbside pick-up parking.

Section 2. Savings Clause.

That nothing in this Ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 3. Severability.

The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

Section 4. Adoption.

This Ordinance is hereby declared to have been adopted by the Charter Township of Milford Township Board at a meeting thereof duly called and held on the 21st day of April 2021 and ordered to be given effect upon publication as mandated by Charter and statute.

Donald Green, Township Supervisor

Holly Brandt, CMC, Township Clerk

CERTIFICATION OF CLERK

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Charter Township of Milford Township Board on April 21, 2021 which was a regular meeting. I further certify that at said meeting there were present the following Board members:

I further certify that the adoption of said Ordinance was moved by Clerk Brandt and supported by Trustee Wiltse.

I further certify that the following Board members: Brandt, Wiltse, Green, Dagenhardt, Mazzara, Vulaj, Busick voted for the adoption of said Ordinance and that the following Board members voted against the adoption of said Ordinance: None

I further certify that no board members abstained from voting.

I hereby certify that said Ordinance has been recorded in the Ordinance Book in said Township and that such recording has been authorized by the signature of the Township Supervisor and Township Clerk.

Holly Brandt, CMC, Township Clerk