



**Township Council**

c/o Township Clerk  
Teaneck, NJ 07666

Meeting: 02/23/21 08:00 PM

Department: Township Clerk

Category: Amend

DOC ID: 6425

**ORDINANCE (ID # 6425)**

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**Ordinance No. 5-2021 AMENDING CHAPTER 33, DEVELOPMENT REGULATIONS OF THE CODE OF THE TOWNSHIP OF TEANECK RELATING TO DRIVE-THROUGH FACILITIES BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #5-2021 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.**

AMENDING CHAPTER 33, DEVELOPMENT REGULATIONS OF THE CODE OF THE TOWNSHIP OF TEANECK RELATING TO DRIVE-THROUGH FACILITIES

BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #5-2021 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

**HISTORY:**

02/09/21      Township Council      INTRODUCED

<b>RESULT:</b>	<b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>
<b>MOVER:</b>	Keith Kaplan, Councilman
<b>SECONDER:</b>	Michael S Pagan, Councilman
<b>AYES:</b>	Schwartz, Orgen, Dunleavy, Rice, Kaplan, Pagan
<b>ABSENT:</b>	Elie Y. Katz

TOWNSHIP OF TEANECK  
BERGEN COUNTY, NJ

**ORDINANCE NO. 5-2021 AMENDING CHAPTER 33, DEVELOPMENT REGULATIONS OF THE CODE OF THE TOWNSHIP OF TEANECK RELATING TO DRIVE-THROUGH FACILITIES BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TEANECK THAT ORDINANCE #5-2021 PASS UPON SECOND AND FINAL READING AND THAT THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO ADVERTISE THE SAME ACCORDING TO LAW AND TO PROVIDE THE APPROPRIATE NOTICES IN ACCORDANCE WITH LAW.**

**WHEREAS**, COVID-19 has encouraged contactless shopping; and

**WHEREAS**, to facilitate contactless shopping, various businesses have utilized drive-through facilities; and

**WHEREAS**, the Township Council wishes to authorize drive-through facilities as a conditional use within commercial/business zoning districts;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Township of Teaneck, Bergen County, New Jersey, as follows:

**SECTION 1.** Section 33-25, Conditional Use Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add thereto Paragraph (o) to read in full as follows:

**(o) Drive-Through Facilities Requirements.** The following specifications and standards shall apply to the development of drive-through facilities which are allowed as a conditional use in any zone district which permits drive-through facilities as a conditional use:

a. Purpose

These regulations are intended to ensure that an adequate amount of space is allocated for on-site maneuvering and circulation, that vehicles in a queue for service do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts on nearby residential uses.

b. Applicability

1. The regulations of this section apply to all permitted or conditional uses within a zoning district that include drive-through facilities and to all portions of a development that comprise the drive-through facility.

2. The regulations apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of existing drive-through facilities.

3. Any use in any district that has drive-through lanes and windows shall provide sufficient space on site for vehicles to queue while customers is being served, placing an order, or waiting to place an order or to receive service.

c. Parts of a Drive-Through Facility

A drive-through facility is composed of two parts:

1. The service area, where the first point of service occurs. The following activities are considered points of service: menu boards, service windows, teller windows, drive-up ATMs and car wash stations.
2. The stacking lanes, the space occupied by vehicles queuing for the service to be provided.

d. Setbacks and Landscaping

1. Service points and stacking lanes on lots abutting residential zoning districts, including the R-S, R-M, RR-M, R-SCH, R-TH, R-AH, and R-AHO, shall be set back at least 10 feet and landscaped in accordance with the buffer yard standards of Section 33-15(s).
2. Service points and stacking lanes on lots abutting office and mixed-use zoning districts shall be set back at least 5 feet and landscaped in accordance with the buffer yard standards of Section 33-15(s).
3. Service points and stacking lanes shall be set back at least 20 feet from the right-of-way and landscaped in accordance with the buffer yard standards of Section 33-15(s).

e. Site Plan Required

The development site plan shall show the location and dimensions of the following:

1. Driveways;
2. Stacking lane, including lane markings;
3. Drive aisle between stacking land and on-site parking areas;
4. Service points (including menu boards and service windows);
5. Associated facilities (including communications systems and access aisles);
6. Adjacent residential uses within 50 feet of the point of service or stacking lanes.

f. Stacking Lane Design and Layout

1. Stacking lanes shall be designed so that they do not interfere with on-site parking and vehicle circulation.
2. Stacking spaces shall be nine feet wide by 18 feet long.
3. All stacking lanes shall be clearly identified, through such means as striping, landscaping, pavement design, and signs.
4. Stacking starts at the stopping point behind the vehicle stopped at the point of service.
5. Layout shall provide, whenever possible, for a minimum nine feet wide by-pass lane allowing motorists to exit the stacking lane before reaching the drive-thru window.
6. Additionally, the site layout shall provide a space sufficient for at least one vehicle to move forward and clear the service window prior to exiting the site or driveway onto a public street or sidewalk.
7. Stacking spaces necessary for the provisions of drive-through lanes shall be determined using the following table:

**Required Stacking Spaces**

<i>Type of Facility</i>	<i>Number of stacking spaces</i>
Drive-through bank	2 spaces per drive-through teller window or drive-up ATM
Drive-through coffee/donut shops	10 spaces
Dry Laundry / Cleaners	2 spaces
Drive-through Fast-Food	10 spaces
Car washes	5 spaces per washing station
Drive-through Pharmacies	1 space

8. The site plan shall be designed to provide the minimum queue lengths outlined above without blocking access or egress points, dumpster enclosures, crosswalks, or parking stalls.

9. All queue lengths shall be measured from the center of the last window for the drive thru service. For car washes, the length shall be measured from the stop line prior to the car wash building. For ATMs, and Access Boxes, the length shall be measured from the actual ATM or Access Box.

10. The queue lengths can be divided among multiple drive thru lanes.

g. Noise

Speakers associated with drive-through facilities may not be audible from abutting residential zones or any abutting lots occupied by residential uses

**SECTION 2.** Paragraph (c), B-1 Business-Retail District, of Section 33-24, Zone District Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add to subparagraph (3) thereof, Conditional Uses, sub-subparagraph g. to read in full as follows:

“g. Drive-through facilities, subject to the provisions of Section 33-25 of this chapter.”

**SECTION 3.** Paragraph (d), B-2 Business-Office District, of Section 33-24, Zone District Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add to subparagraph (3) thereof, Conditional Uses, sub-subparagraph d. to read in full as follows:

“d. Drive-through facilities, subject to the provisions of Section 33-25 of this chapter.”

**SECTION 4.** Paragraph (e), L-1 Light Industry District, of Section 33-24, Zone District Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add to subparagraph (3) thereof, Conditional Uses, sub-subparagraph d. to read in full as follows:

“d. Drive-through facilities, subject to the provisions of Section 33-25 of this chapter.”

**SECTION 5.** Paragraph (m), B-R Special Business-Residential District, of Section 33-24, Zone District Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add to subparagraph (3) thereof, Conditional Uses, sub-subparagraph e. to read in full as follows:

“e. Drive-through facilities, subject to the provisions of Section 33-25 of this chapter.”

**SECTION 6.** Paragraph (q), MX-1 Mixed Use-1 District, of Section 33-24, Zone District Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add to subparagraph (3) thereof, Conditional Uses, sub-subparagraph c. to read in full as follows:

“c. Drive-through facilities, subject to the provisions of Section 33-25 of this chapter.”

**SECTION 7.** Paragraph (r), MX-2 Mixed Use -2 District, of Section 33-24, Zone District Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add to subparagraph (3) thereof, Conditional Uses, sub-subparagraph c. to read in full as follows:

“c. Drive-through facilities, subject to the provisions of Section 33-25 of this chapter.”

**SECTION 8.** Paragraph (w), LI-2 Light Industry 2 District, of Section 33-24, Zone District Requirements, of Article V, Zoning Ordinance, of Chapter 33, Development Regulations, of the Code of the Township of Teaneck is hereby amended to add to subparagraph (3) thereof, Conditional Uses, sub-subparagraph d. to read in full as follows:

“d. Drive-through facilities, subject to the provisions of Section 33-25 of this chapter.”

**SECTION 9.** Inconsistency. All ordinances or portions thereof, inconsistent with the provisions hereof, are hereby repealed to the extent of such inconsistency.

**SECTION 10.** Severability. If any section, sentence, clause or other portion of this ordinance, or the application thereof to any person or circumstance, is adjudged by a court of competent jurisdiction to be unconstitutional or otherwise to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

**SECTION 11.** Effective Date. This ordinance shall take effect twenty (20) days following passage and publication, as required by law, and upon the filing of a copy with the Planning Board of the County of Bergen.

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

PUBLICATION OF PASSAGE: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Doug Ruccione  
Township Clerk

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Dr. James Dunleavy,  
Mayor