

**TITLE: AMENDMENT TO STANDISH TOWN CODE, CHAPTER 181, LAND  
USE – PART I (ZONING)**

ORDERED, that the Town of Standish hereby ordains the following amendments to the Land Use Ordinance, effective immediately upon adoption (additions are underlined; deletions are ~~struck out~~).

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**CHAPTER 181  
PART 1 – Zoning**

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**ARTICLE II  
Definitions**

**§ 181-3. Terms defined.**

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ACCESS - A way or means of approach to provide vehicular or pedestrian entrance or exit to a property.

ACCESS CONNECTION - Any driveway, street, curb cut, turnout or other means of providing for the movement of vehicles to or from the public/private roadway network.

CROSS ACCESS - A service drive providing vehicular access between two or more adjacent properties so the driver need not enter the public street system.

DRIVE-THROUGH FACILITY - A commercial facility which provides a service directly to a motor vehicle or where the customer drives a motor vehicle onto the premise and to a window or mechanical device through or by which the customer is serviced without exiting the vehicle. Fueling stations, or the accessory functions of a car wash and/or vacuum cleaning stations are not considered drive-through facilities.

DRIVE-THROUGH FEATURES - Features associated with drive-throughs, including, but not limited to, designated travel or stacking lanes, intercom systems, menu/order boards, service windows, kiosks, mechanical devices, etc.

JOINT ACCESS (or Shared Access) - A driveway connecting two or more adjacent properties to the public/private street system.

LEVELING AREA - A level area (thirty (30) feet in depth at -1% grade) at the intersection of the access connection and the public way.

RESTAURANT, DRIVE-THROUGH (also referred to as restaurant drive-through) —  
An establishment where food or beverage is sold in a form ready for consumption, where all or a significant portion of the consumption occurs outside the confines of the establishment. Ordering and receipt of food is likely to take place in an automobile and the customer does not leave the vehicle.

RETAIL, DRIVE-THROUGH (also referred to as retail drive-through) – A retail business as defined herein that by design, physical facilities, service or packaging procedures encourages or permits customers to receive services or obtain goods while remaining in their vehicle.

STACKING LANE - An area of stacking spaces and driving lane provided for vehicles waiting for drive-through service that is physically separated from other traffic and pedestrian circulation on the property being developed.

STACKING SPACE - An area within a stacking lane for vehicles waiting to order and/or finish a drive-through transaction.

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#### **§ 181-7.1. Standish Corner District.**

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- A. Terms defined. As used in this section, the following terms shall have the meanings indicated:

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BUILDING WIDTH - The maximum width of a building, including additions, as measured at its widest dimension and parallel with the right-of-way used as street frontage in the SCD district.

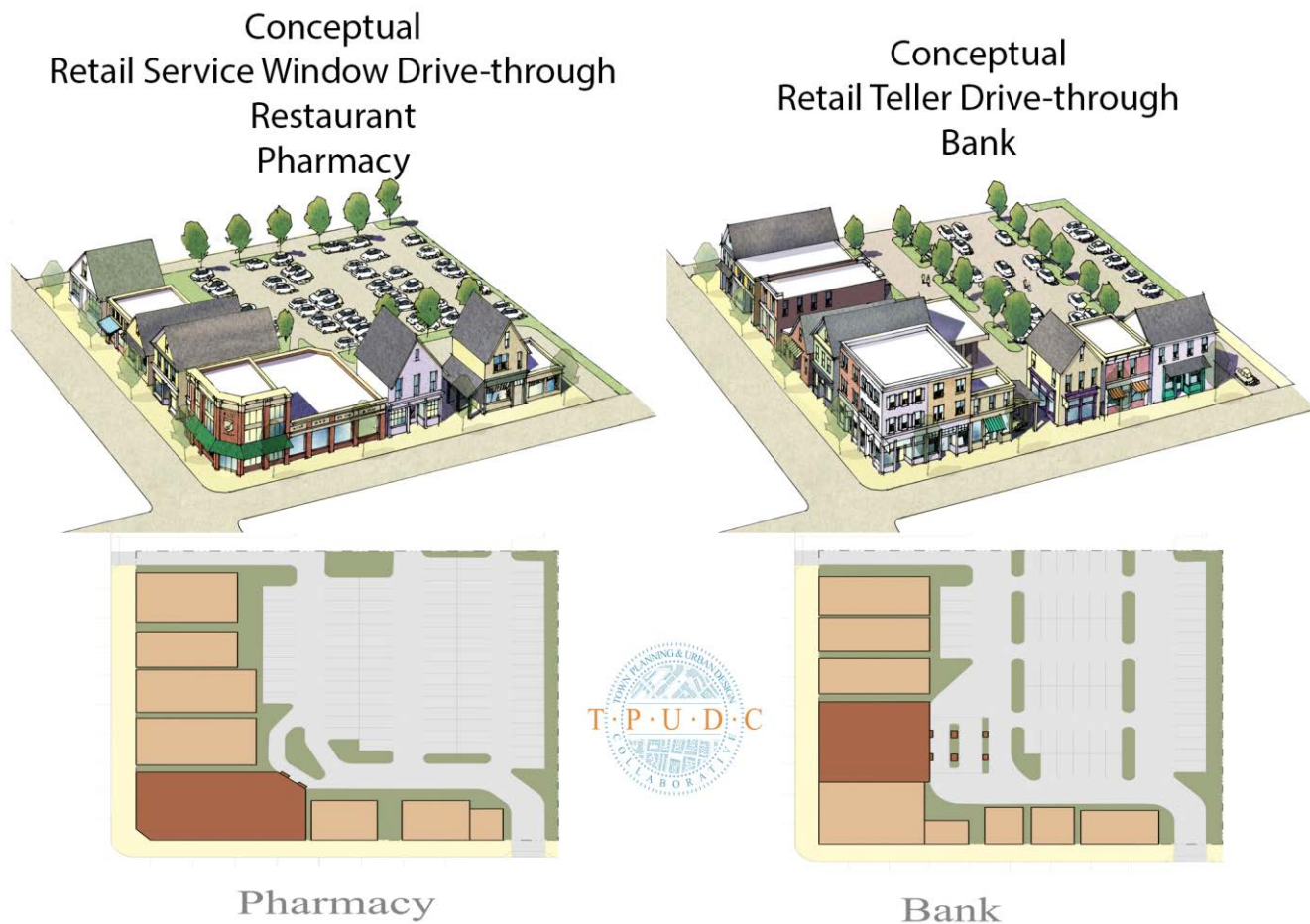
PRINCIPAL BUILDING - The building in which the principal use of the lot is conducted, usually located toward the frontage of the lot.

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- E. General notes.

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- (5) The siting of drive-through windows must be located behind and screened by the principal building, unless otherwise specified in the permitted use sections of each SCD street frontage type. Location and design of the access driveway shall minimize impacts on pedestrian activity and comply with the Town of Standish Access Management Standards. Stacking of cars shall not be permitted in an access driveway, and instead the parking lot must be used for stacking. The diagrams below are representative of appropriate site design for drive-throughs that meet these standards.



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## H. Town Center (TC) Standards

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**(9) Town Center (TC) allowed land uses and permit requirements.**

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- (e) Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

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[12] ~~Schools.~~Retail, drive-through (if drive through is located behind the building).

[~~12~~13] Schools.

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**I. Town Main (TM) standards.**

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**(9) Town Main (TM) allowed land uses and permit requirements.**

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- (d) Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

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[23] ~~Retail businesses~~Restaurant.

[24] Restaurant, drive through.

[25] ~~Restaurant, drive-through~~Retail businesses.

[26] ~~Schools~~Retail, drive-through (if drive through is located behind the building).

[27] ~~Veterinary clinics~~Schools.

[28] Veterinary clinics.

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## **J. Town Avenue (TA) standards.**

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### **(9) Town Avenue (TA) allowed land uses and permit requirements.**

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- (d) Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

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[19] ~~Schools~~Retail, drive-through (if drive through is located behind the building).

[20] ~~Village Housing~~Schools.

[21] Village Housing.

## **K. Town Gateway (TG) standards.**

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### **(9) Town Avenue (TA) allowed land uses and permit requirements.**

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- (d) Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with § 181-7.1 and Part 2 and Part 3 of this chapter:

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[26] Research facility.

[27] Retail businesses ~~(drive-through located behind the building).~~

[28] Retail, drive-through (if drive-through is located behind the building).

[29] Residential care facility.

[29~~30~~] Restaurant.

- [310] Restaurant, drive-through (if drive-through is located to the side of or behind the building).
- [324] Social events center.
- [332] Storage facilities.
- [343] Veterinary clinics.
- [354] Village Housing.
- [365] Warehouse.

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### **§ 181-19.1. Drive-through design.**

A retail drive-through or a restaurant drive-through must comply with the following standards:

#### A. Location of drive-through.

Drive-through features, such as windows, menu/order boards and stacking lanes, must be placed to the rear of the principal building and shall be located no closer than forty (40) feet from any adjacent residential properties. This distance shall be measured from the outermost edge of the outside drive-through feature to such property line. In addition, drive-through features shall not extend closer than twenty five (25) feet to the curb line or, if there is no curb, to the edge of street pavement. The site must have adequate stacking capacity for vehicles waiting to use the drive-through without impeding vehicular circulation or creating hazards to vehicular circulation on adjacent streets.

- (1) The width of the access connections at the property line shall not exceed twenty five (25) feet, unless the traffic impact study and/or the Public Works Director identifies the need for turning lanes from the access driveway onto the adjacent public road.
- (2) For a property located on a state numbered highway with a driveway that cannot meet the minimum distance between driveways or corner lot clearance standards set forth in the Town of Standish Access Management Standards, the Planning Board may allow construction of an access connection at a location suitably removed from the adjacent drive or intersection. In such cases, the applicant shall provide for future joint or cross access and such directional restrictions (*i.e.*, right in/right out only and/or a restrictive median) as required by the Planning Board.
- (3) A system of joint use and cross access drives shall be established along any state numbered highway and the proposed development shall incorporate the following into the site plan:

- (a) A service drive or cross access drive extending the width of the parcel.
  - (b) A design speed of 10 mph and sufficient width to accommodate two-way travel aisles.
  - (c) Stub-outs and other design features to make it visually obvious that the adjacent properties may be tied in to provide cross access via a service drive; provided, however, that the Planning Board shall not require construction of a joint use driveway/stub-out to adjacent properties when the length is over seventy (70) feet (as measured from edge of any proposed parking or driveway edge to the adjacent property line).
- (4) Minimum Stacking Requirements
  - (a) Restaurants shall provide not less than eight (8) stacking spaces (160' in length) within the site, at or before the menu/order board. The facility shall provide another (4) four stacking spaces (80' in length) between the menu/order board and the transaction window. If the drive-through has two transaction windows, the (4) four stacking spaces may be split between each of the windows. An additional stacking space shall be provided after the last transaction window(s).
  - (b) Retail businesses, including drug stores, pharmacies and banks, shall provide no less than four (4) stacking spaces (80' in length) at or behind the pneumatic tube for the drive through; provided, however, the number of stacking spaces that must be accommodated may be reduced by the Planning Board if recommended by a Maine licensed professional engineer in a traffic impact study. For example, very small uses (e.g., a drive-through espresso stand) may not need to accommodate as many vehicles at one time as other types of drive-through uses.
  - (c) Drive-through stacking lanes shall be delineated from other vehicular use areas by means of a landscaped divider median. Stacking lanes may include part of the drive aisles in a parking area.
- (5) Each stacking space shall be a minimum of twenty (20) feet in length and ten (10) feet in width along straight portions. Stacking spaces and stacking lanes shall be a minimum of twelve (12) feet in width along curved segments.
- (6) Stacking lanes shall be delineated from traffic aisles, other stacking lanes and parking areas with striping, curbing, landscaping and the use of alternative paving materials or raised medians.

- (7) Entrances to stacking lane(s) shall be clearly marked and a minimum of sixty (60) feet from the closest intersection with the public street. The distance shall be measured from the beginning of the stacking lane entrance to the edge of street pavement or the street curb line, whichever is greater.
- (8) Stacking lanes shall be designed to prevent circulation congestion, both on site and on adjacent streets. The on-site circulation shall (a) separate drive-through traffic from site circulation; (b) not impede or impair access into or out of parking spaces; (c) not impede or impair vehicular pedestrian traffic movement; and (d) minimize conflicts between pedestrian and vehicular traffic with physical and visual separation between the two. Stacking lanes shall not interfere with required loading and trash storage areas, and loading or trash operations shall not impede or impair vehicular movement. If a separate stacking lane is curbed, an emergency by-pass or exit shall be provided.
- (9) Stacking lanes shall not enter or exit directly into a public street. Stacking lanes shall be integrated with the on-site circulation pattern.
- (10) A leveling area shall be provided having a minus one percent (-1%) grade for a distance of thirty (30) feet measured from the nearest exterior line of the intersecting street, to the point of vertical curvature.
- (11) Traffic Impact Study.

A detailed traffic impact study shall be submitted with any site plan application involving a drive-through facility. A Maine licensed professional engineer experienced and qualified in traffic engineering shall prepare the traffic impact study. The traffic impact study shall contain the following information:

- (a) Existing traffic conditions: average daily and peak hour volumes, average and peak speeds, sight distances, accident data for the previous 3 years, and levels of service (LOS) of intersections and streets affected by the proposed development.
- (b) Projected traffic conditions for design year of occupancy.
- (c) Projected impacts of the proposed development shall include: projected peak hour and daily traffic generated by the development on streets in the vicinity of the development; sight lines at the intersections of the proposed access connection and adjacent streets.
- (d) Proposed mitigation shall include a plan (with supporting text) to minimize traffic and safety impacts.



B. Noise.

Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall comply with Chapter 206, as may be amended from time to time.

C. Lighting.

Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in § 181-18 of the Zoning Ordinance.

D. Screening and enclosure.

The noise, exhaust fumes and lighting impacts of automobiles on adjacent residential properties as they queue to wait for drive-through services shall be minimized to the maximum extent practical through the installation of solid fencing with landscaping along any residential property line that is exposed to the drive-through or by the enclosure of the drive-through fixtures and lanes so as to provide a buffer for adjacent residential properties.

Menu/order boards shall be a maximum of thirty (30) square feet, with a maximum height of six (6) feet and shall be shielded from view from any public street and adjacent residential properties.

E. Pedestrian access.

Drive-through lanes shall be designed and placed to minimize their crossing principal pedestrian access ways or otherwise impeding pedestrian access.