

**TOWNSHIP OF RADNOR
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2010-15

AN ORDINANCE AMENDING CHAPTER 280 ENTITLED "ZONING" OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF RADNOR, DELAWARE COUNTY, PENNSYLVANIA, BY AMENDING ARTICLE XII.A TO PERMIT, BY SPECIAL EXCEPTION, A DRIVE-THROUGH FOR PRESCRIPTION MEDICINE ONLY SUBJECT TO ENUMERATED STANDARDS AND CRITERIA IN THE WAYNE BUSINESS OVERLAY DISTRICT AND ESTABLISHING SAID STANDARDS AND CRITERIA.

The Board of Commissioners of the Township of Radnor, Delaware County, Pennsylvania, hereby *ENACTS* and *ORDAINS* that:

Section 1.

The Radnor Township Code of Ordinances, Chapter 280, Zoning, Article XIIA, Wayne Business Overlay District, Section 280-53.9, Special regulations for the WBOD, is hereby amended by deleting Subsection 280-53.9.A and substituting a new Subsection 280-53.9.A to read as follows:

§280-53.9.A A drive-through for prescription medicine only shall be permitted within the WBOD when authorized as a special exception by the Zoning Hearing Board, provided that the Board determines that the standards and criteria prescribed in Section 280-53.9.F are met. No other type of drive-through or drive-in shall be permitted within the WBOD. Existing drive-throughs and drive-ins shall be allowed to remain until redeveloped or the building use changes, but shall not be permitted to expand. Once redeveloped or the use changes, the drive-through lane(s) shall cease to exist.

Section 2.

The Radnor Township Code of Ordinances, Chapter 280, Zoning, Article XIIA, Wayne Business Overlay District, Section 280-53.9, Special regulations for the WBOD, is hereby amended by adding Subsection 280-53.9.F to read as follows:

§280-53.9.F In any instance where the Zoning Hearing Board is required to consider a request for a special exception for a drive-through for prescription medicine pursuant to Section 280-53.9.A, the Zoning Hearing Board must determine that the following standards and criteria are met before granting the request:

- (1) The property on which the prescription medicine drive-through is to be located shall be a corner property with frontage on at least one street in addition to its frontage on Lancaster Avenue.
- (2) The proposed drive-through shall be located on the rear or a side of the building which does not face Lancaster Avenue and shall generally be located so as to minimize its visibility from Lancaster Avenue. Adequate buffering of the drive-through shall be installed to further minimize visibility.
- (3) There shall be a maximum of one (1) drive-through lane for dropping off and/or picking up prescription medicine, however, there may be a by-pass lane in addition to the drive-through lane.
- (4) The drive-through window shall be located on the driver's side of motor vehicles proceeding through the drive-through.
- (5) The egress from the drive-through shall be to a street other than Lancaster Avenue, unless there is no other alternative due to physical limitations.
- (6) There shall be room for a minimum of three (3) motor vehicles in the drive-through lane.
- (7) The drive-through lane shall be located so as to minimize pedestrian/vehicular conflicts at the property.
- (8) Signs shall be installed at the entrance to the drive-through lane and at the drive-through window identifying the use of the lane for the dropping off and/or picking up of prescription medicine only. No other products may be sold through the drive-through lane.

Section 3.

Repealer. All ordinance or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 4.

Severability. If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

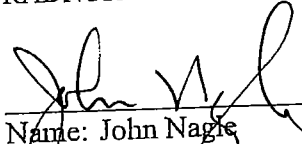
Section 5.

Effective Date. This Ordinance shall become effective on the thirty-first (31st) day after its enactment.


ENACTED AND ORDAINED this 10th day of May, A.D., 2010.

RADNOR TOWNSHIP

By:


Name: John Nagle
Title: President

ATTEST:


Matthew Baumann, Secretary